

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

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

**Commencing Tuesday, January 3, 2023  
Ending Sunday, April 5, 2023**

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**PUBLISHED BY AUTHORITY**



Calendar DAY	Page
1. TUESDAY, JANUARY 3, 2023 .....	5
2. WEDNESDAY, JANUARY 4, 2023 .....	13
3. THURSDAY, JANUARY 5, 2023 .....	19
7. MONDAY, JANUARY 9, 2023 .....	23
8. TUESDAY, JANUARY 10, 2023 .....	60
9. WEDNESDAY, JANUARY 11, 2023 .....	63
10. THURSDAY, JANUARY 12, 2023 .....	72
14. MONDAY, JANUARY 16, 2023 .....	74
15. TUESDAY, JANUARY 17, 2023 .....	232
16. WEDNESDAY, JANUARY 18, 2023 .....	236
17. THURSDAY, JANUARY 19, 2023 .....	244
21. MONDAY, JANUARY 23, 2023 .....	247
22. TUESDAY, JANUARY 24, 2023 .....	251
23. WEDNESDAY, JANUARY 25, 2023 .....	255
24. THURSDAY, JANUARY 26, 2023 .....	267
25. FRIDAY, JANUARY 27, 2023 .....	277
28. MONDAY, JANUARY 30, 2023 .....	288
29. TUESDAY, JANUARY 31, 2023 .....	302
30. WEDNESDAY, FEBRUARY 1, 2023 .....	318
31. THURSDAY, FEBRUARY 2, 2023 .....	338
32. FRIDAY, FEBRUARY 3, 2023 .....	370
35. MONDAY, FEBRUARY 6, 2023 .....	386
36. TUESDAY, FEBRUARY 7, 2023 .....	399
37. WEDNESDAY, FEBRUARY 8, 2023 .....	480
38. THURSDAY, FEBRUARY 9, 2023 .....	521
39. FRIDAY, FEBRUARY 10, 2023 .....	601
42. MONDAY, FEBRUARY 13, 2023 .....	628
43. TUESDAY, FEBRUARY 14, 2023 .....	647
44. WEDNESDAY, FEBRUARY 15, 2023 .....	667
45. THURSDAY, FEBRUARY 16, 2023 .....	676
49. MONDAY, FEBRUARY 20, 2023 .....	694
50. TUESDAY, FEBRUARY 21, 2023 .....	712
51. WEDNESDAY, FEBRUARY 22, 2023 .....	721
52. THURSDAY, FEBRUARY 23, 2023 .....	737
53. FRIDAY, FEBRUARY 24, 2023 .....	754
56. MONDAY, FEBRUARY 27, 2023 .....	778
57. TUESDAY, FEBRUARY 28, 2023 .....	784
58. WEDNESDAY, MARCH 1, 2023 .....	796
59. THURSDAY, MARCH 2, 2023 .....	864
63. MONDAY, MARCH 6, 2023 .....	951
64. TUESDAY, MARCH 7, 2023 .....	1027
65. WEDNESDAY, MARCH 8, 2023 .....	1369
66. THURSDAY, MARCH 9, 2023 .....	1868
70. MONDAY, MARCH 13, 2023 .....	2041
71. TUESDAY, MARCH 14, 2023 .....	2330
72. WEDNESDAY, MARCH 15, 2023 .....	2529
73. THURSDAY, MARCH 16, 2023 .....	2613
77. MONDAY, MARCH 20, 2023 .....	2652
78. TUESDAY, MARCH 21, 2023 .....	2687
79. WEDNESDAY, MARCH 22, 2023 .....	2708
80. THURSDAY, MARCH 23, 2023 .....	2786
81. FRIDAY, MARCH 24, 2023 .....	2828
82. SATURDAY, MARCH 25, 2023 .....	2850
83. SUNDAY, MARCH 26, 2023 .....	2861
84. MONDAY, MARCH 27, 2023 .....	3109
85. TUESDAY, MARCH 28, 2023 .....	3389
86. WEDNESDAY, MARCH 29, 2023 .....	3638

87. THURSDAY, MARCH 30, 2023.....	3702
88. FRIDAY, MARCH 31, 2023.....	3922
89. SATURDAY, APRIL 1, 2023.....	4001
90. SUNDAY, APRIL 2, 2023.....	4052
91. MONDAY, APRIL 3, 2023.....	4052
92. TUESDAY, APRIL 4, 2023.....	4060
93. WEDNESDAY, APRIL 5, 2023.....	4066
JOURNAL INDEX.....	4087



FIRST DAY, TUESDAY, JANUARY 3, 2023

Be it remembered on this the 3rd of January 2023, the same being the first Tuesday after the first Monday in January in said year and being the time in compliance with the Constitution and the laws of the State of Mississippi for the Legislature to convene in regular session, the Senate convened in its chamber in the Capitol in the City of Jackson at twelve o'clock noon.

President Hosemann presided over the Senate.

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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Divine blessing was invoked by Father Joe Tonos, St. Richard Catholic Church, Jackson, MS.

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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President Hosemann appointed Senators Branning, England and Frazier as a committee to notify the Governor that the Senate is organized and ready for business.

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President Hosemann appointed Senators Carter, Norwood and Suber as a committee to notify the House that the Senate is organized and ready for business.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Justin David Taylor, Truman Boyd Cline, Patricia Ann Patrick and Corbin Hosey of Mendenhall, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mrs. Olga Little Williams, Ronnie Middleton and Charles Franklin Tillman, Jr. of Florence, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Dora Jean Mangum Whatley of Star, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Garrett Whitehead of Terry, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Melba Jean Dollar Lichte of Madison, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Sidney Shannon Grubbs of Ellisville, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mr. John Ainsworth of Braxton, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Michael "Mike" Owen of Harrisville, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of James Harris Pilgrim of Coldwater, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Irby Jean Adkins of Magee, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Dwight Rodger Pardue of Taylorsville, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Martha Ray Ferrell of Richland, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Charlene Ruth Wilder, Florence Ellen Salley, Grover Cleveland Naramore and Mrs. Ruth McSwain O'Neal of Perkinston, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Art Cantrelle, William H. Henson, Franklin R. Burrus and Fred Bellais, Sr. of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of William Joseph Warden and J. B. Meadows of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jennifer Rosinna Berry and Dr. James Lamar Baggett, Jr. of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Sue Barrett Waller and MSgt Titus Dean of Gulfport, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Kyle Joseph Moser of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Rev. Larry Gene White of State Line, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mark Clayton Bosarge of D'Iberville, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Henry P. Parker, Sr. of Latimer Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Dave Whatley, Jr. of Franklinton, LA.

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Robert Hawkins, Juanita Delores Collum and Carolyn Bullock Casey of Yazoo City, MS.

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Reverend Doctor Gregory Robertson, Lindberg Charles Moore and Wendell Payne of Yazoo City, MS.

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Senator Kirby, and all members of the Mississippi State Senate, moved that when the Senate adjourns, it adjourn in memory of Frances Rosamond of Louisville, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Sonya Stephens of Natchez, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of James Lawrence "Larry" Sylvester, Jr. of Nesbit, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Betty Jane Dawkins of Southaven, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Joan Stanford Waddell of Memphis, TN.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Marie Tanner Hodge of Winston-Salem, NC.

---

Senators Blackwell, Parker and McLendon moved that when the Senate adjourns, it adjourn in memory of Mary Lyndall "Lynda" Turner Austin of Lake Comorant, MS.

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Senators Kirby and Blount moved that when the Senate adjourns, it adjourn in memory of Jimmy Estes of Terry, MS.

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Senators Blount and Michel moved that when the Senate adjourns, it adjourn in memory of Howard McMillan of Jackson, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Terri Tew Kazery, James D. Burwell, Jr., and Michael Lawrence Boland of Jackson, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of J. C. Hubbard and Catherine Cook of Terry, MS.

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

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Osborn Jones Turner, III of Belzoni, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Eugene Austin Marble of Byram, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Mrs. Everlena Hendrix of Benton, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of David Dunnigan of Dallas, TX.

---

Senators Wiggins and England moved that when the Senate adjourns, it adjourn in memory of Lee Tingle and Dr. Julius Bosco, Sr. of Pascagoula, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mrs. Yumiko Endo Young of Jackson, MS.

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Senators Jackson and Jordan moved that when the Senate adjourns, it adjourn in memory of Vernice Avant of Longtown, MS.

---

Senators McMahan and Bryan moved that when the Senate adjourns, it adjourn in memory of Rowland Hill Geddie, Jr. (Army Veteran) of Tupelo, MS.

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

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of James Riley Morris of Guntown, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Robert Theodore Sheffield, Sharon Cooper Sheffield and Robert Maxwell Sheffield of Tupelo, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Ronald D. "Ronnie" Ladner, Jannie Lou Malley and CJ Arcement, Jr. of Kiln, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Sergeant Steven Michael Robin, Branden Paul Estorffe and Sylvia Ann Vedross Young of Bay St. Louis, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Evelyn Pellegrin, Nick Cumberland and Richard Beightol of Diamondhead, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Peggy Ann Ladner of Pass Christian, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Eldridge "Bay" Thomas Ladner, Sr. of Lizana, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Johnny Banks of Fenton, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Mark Morgan of Dedeaux, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Connie Garcia of Lakeshore, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Irma Ladner of Long Beach, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Robert Bernard Peterson, Jr. of Clermont Harbor, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Audrey Morgan of Waveland, MS.

---

Senators Fillingane, Johnson and Polk, joined by all members of the Mississippi State Senate, moved that when the Senate adjourns, it adjourn in memory of former Senator Billy C. Hudson of Hattiesburg, MS.

---

Senators Blackmon, Horhn, Turner-Ford, Fillingane, Wiggins and Hopson, joined by all members of the Mississippi State Senate, moved that when the Senate adjourns, it adjourn in memory of Carolyn Jean Trowles Bailey of Greenville, MS.

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Senators Johnson and Polk moved that when the Senate adjourns, it adjourn in memory of Dawson Kash Lawler of Purvis, MS.

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Senators Horhn, Norwood, Butler K. (38th), Blount, Frazier and Butler A. (36th) moved that when the Senate adjourns, it adjourn in memory of Ineva Mae Pittman of Jackson, MS.

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Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Charlene Cole of Jackson, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Rhonda Sue Brown of Lucedale, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Shirley Ann Williams of Leakesville, MS.

---

Senators Williams and Hopson moved that when the Senate adjourns, it adjourn in memory of Coach Michael Charles "Mike" Leach of Starkville, MS.

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Senator DeLano moved that when the Senate adjourns, it adjourn in memory of Mary Wallace Boles of Biloxi, MS.

---

Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Florence Strazi Signa of Greenville, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 4, 2023.

The motion prevailed, and at 12:14 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON RULES

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

**S. R. No. 1:** Congratulate Jackson Prep "Patriots" Baseball Team for winning MAIS Class 6A Title. Title Sufficient. Do Be Adopted.

**S. R. No. 2:** Chapel Hart; Commend for being named on the Next Women in Country List in 2021. Title Sufficient. Do Be Adopted.

**S. R. No. 3:** Commend the Rev. Dr. Lisa Allen-McLaurin for appointment to American Church in Paris, France. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Justin David Taylor, Truman Boyd Cline, Sidney Shannon Grubbs, Mr. John Ainsworth, Michael "Mike" Owen, James Harris Pilgrim, Irby Jean Adkins, Dwight Rodger Pardue, Martha Ray Ferrell, Charlene Ruth Wilder, Florence Ellen Salley, Grover Cleveland Naramore, Patricia Ann Patrick, Mrs. Ruth McSwain O'Neal, Art Cantrelle, William H. Henson, Franklin R. Burrus, Fred Bellais, Sr., William Joseph Warden, J. B. Meadows, Jennifer Rosinna Berry, Dr. James Lamar Baggett, Jr., Sue Barrett Waller, Corbin Hosey, MSgt Titus Dean, Kyle Joseph Moser, Rev. Larry Gene White, Mark Clayton Bosarge, Dave Whatley, Jr., Robert Hawkins, Juanita Delores Collum, Carolyn Bullock Casey, Frances Rosamond, Sonya Stephens, Mrs. Olga Little Williams, James Lawrence "Larry" Sylvester, Jr., Mary Lyndall "Lynda" Turner Austin, Jimmy Estes, Terri Tew Kazery, Bobby Cleveland, James D. Burwell, Jr., Michael Lawrence Boland, Howard McMillan, J. C. Hubbard, Catherine Cook, Ronnie Middleton, Osborn Jones Turner, III, Eugene Austin Marble, Mrs. Everlena Hendrix, David Dunnigan, Betty Jane Dawkins, Joan Stanford Waddell, Marie Tanner Hodge, Lee Tingle, Dr. Julius Bosco, Sr., Mrs. Yumiko Endo Young, Charles Franklin Tillman, Jr., Vernice Avant, Rowland Hill Geddie, Jr., Sharon Smith, Ronald D. "Ronnie" Ladner, Jannie Lou Malley, CJ Arcement, Jr., Sergeant Steven Michael Robin, Branden Paul Estorffe, Sylvia Ann Vedross Young, Evelyn Pellegrin, Dora Jean Mangum Whatley, Nick Cumberland, Richard Beightol, Peggy Ann Ladner, Eldridge "Bay" Thomas Ladner, Sr., Johnny Banks, Mark Morgan, Connie Garcia, Irma Ladner, Robert Bernard Peterson, Jr., Audrey Morgan, Garrett Whitehead, Reverend Doctor Gregory Robertson, Lindberg Charles Moore, Wendell Payne, Billy C. Hudson, Carolyn Jean Trowles Bailey, James Riley Morris, Dawson Kash Lawler, Ineva Mae Pittman, Charlene Cole, Henry P. Parker, Sr., Melba Jean Dollar Lichte, Rhonda Sue Brown, Shirley Ann Williams, Coach Michael Charles "Mike" Leach, Robert Theodore Sheffield, Sharon Cooper Sheffield, Robert Maxwell Sheffield, Mary Wallace Boles and Florence Strazi Signa.

Eugene S. Clarke, Secretary of the Senate

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## INTRODUCTIONS FOR TUESDAY, JANUARY 3, 2023

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

A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC SERVICE OF FORMER CHIEF OF THE MISSISSIPPI HIGHWAY PATROL AND COMMISSIONER OF PUBLIC SAFETY AND FORMER SERGEANT AT ARMS OF THE MISSISSIPPI SENATE DAVID RICHARD HUGGINS AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE ON HIS PASSING.

By Senator(s) Parks

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

A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC CAREER AND LEGACY OF FORMER CENTRAL DISTRICT TRANSPORTATION COMMISSIONER, FORMER MISSISSIPPI SENATOR AND FORMER MISSISSIPPI REPRESENTATIVE RICHARD "DICK" HALL WHO DIED AT AGE 84 ON NOVEMBER 2, 2022, AND EXTENDING THE SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY AND FRIENDS.

By Senator(s) Harkins, Michel, Branning, Kirby

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

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF FORMER STATE SENATOR CHARLES STEVENS (STEVE) SEALE OF HATTIESBURG, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

By Senator(s) Fillingane, Johnson, Michel

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

A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC SERVICE OF FORMER REPRESENTATIVE NOAL AKINS OF OXFORD, MISSISSIPPI, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE ON HIS PASSING.

By Senator(s) Kirby

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

A CONCURRENT RESOLUTION COMMENDING SOUTHERN DISTRICT TRANSPORTATION COMMISSIONER, FORMER STATE SENATOR, FORMER MISSISSIPPI REPRESENTATIVE AND VIETNAM VETERAN THOMAS EDWARD (TOM) KING, JR., FOR HIS DISTINGUISHED PUBLIC SERVICE ON THE OCCASION OF HIS RETIREMENT.

By Senator(s) Fillingane

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

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE 2022 PEARL RIVER COMMUNITY COLLEGE "WILDCATS" BASEBALL TEAM FOR WINNING THEIR FIRST-EVER NATIONAL CHAMPIONSHIP AND HEAD COACH MICHAEL AVALON FOR HIS 200TH CAREER VICTORY.

By Senator(s) Hill

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

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON PREP "PATRIOTS" BASEBALL TEAM AND COACH BRENT HEAVENER FOR WINNING THE MAIS 6A STATE BASEBALL CHAMPIONSHIP FOR THE FIFTH CONSECUTIVE SEASON AND 21ST TIME IN PROGRAM HISTORY.

By Senator(s) Kirby, Harkins, Michel



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

A RESOLUTION TO COMMEND CHAPEL HART ON BEING NAMED ON THE NEXT WOMEN OF COUNTRY LIST IN 2021.

By Senator(s) Hill

**S. R. No. 3: Rules**

A RESOLUTION COMMENDING AND CONGRATULATING REVEREND DR. LISA ALLEN-MCLAURIN FOR HER APPOINTMENT AS THE MUSIC SCHOLAR-IN-RESIDENCE AND INTERIM CHORAL DIRECTOR AT THE AMERICAN CHURCH IN PARIS, FRANCE.

By Senator(s) Norwood

**S. R. No. 4: Rules**

A RESOLUTION COMMEMORATING THE 50TH ANNIVERSARY OF THE END OF UNITED STATES COMBAT OPERATIONS AND THE RELEASE OF AMERICAN PRISONERS OF WAR IN VIETNAM.

By Senator(s) Kirby

**S. R. No. 5: Rules**

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

By Senator(s) Blackwell

**S. R. No. 6: Rules**

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

By Senator(s) Blackwell

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SECOND DAY, WEDNESDAY, JANUARY 4, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend David Tipton, District Supervisor, United Pentecostal Church.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

---

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 1, S. R. No. 2 and S. R. No. 3 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. R. No. 1:** Congratulate Jackson Prep "Patriots" Baseball Team for winning MAIS Class 6A Title.

**S. R. No. 2:** Chapel Hart; commend for being named on the Next Women in Country List in 2021.

**S. R. No. 3:** Commend the Rev. Dr. Lisa Allen-McLaurin for appointment to American Church in Paris, France.

YEAS AND NAYS on consideration en bloc of S. R. No. 1, S. R. No. 2 and S. R. No. 3. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Scott Mangum of Morton, MS.

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Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Florence "Aunt Flo" Signa of Greenville, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Peggy Rhodes Whalen of Florence, MS.

---

Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Eva Dale Barlow of Star, MS.

---

Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Janie Vee Brown of Pinola, MS.

---

Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mr. Larry Broadhead of Mendenhall, MS.

---

Senators Blackwell, Parker and McLendon moved that when the Senate adjourns, it adjourn in memory of Barbara Broadway Treadway of Olive Branch, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Dudley Eugene Brower of Horn Lake, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Billy A. Herron of Courtland, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Larry W. Cox, Sr. of Hernando, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Patrick Joseph Corbett of Southaven, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Andrew Loyd "Drew" Clarke, Jr. of Gulfport, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Robert Dale Standley of McGehee, AR.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Rashaud Cole of Memphis, TN.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Charles Ray Kight and Betty Sue Kight of Drummonds, TN.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Ruth Motameni of Las Vegas, NV.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Harry Aubrey Martin and Linda Sue Rakestraw Roberts of Tupelo, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Mitzie King of Smithville, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Roy Wayne Newman of Baldwyn, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Gina Guerra Woods of Vancleave, MS.

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Senators Horhn, Jackson and Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Ethel "Ms. Sug" Jones Layton of Greenville, MS.

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Senator Butler K. (38th) moved that when the Senate adjourns, it adjourn in memory of Helen Washington of Magnolia, MS.

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Senator Hopson moved that when the Senate adjourns, it adjourn in memory of John Mahlon Tompkins of Edwards, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Kathleen Wood Blakely of Winona, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Katherine Maer Searcy Horton of Columbus, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Laura Daphine Gregory Bedford, Martha Grace Perry Bryant, William Arnold "Billy" Campbell, Johnny Floyd Clayton, Willie Mae Cousar, James Estes "Friday" Curry, Janice Louise Garrison, Charles Edward Harrison and Billy Ray Hill of New Albany, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Frances Busby Stroud Hill, Lawrence "Larry" Patrick James, Mary Ann Black Jordan, Rosalyn Kelly, Larry Ligon, James Carl Martin, James Herbert McCullough, Peggy Sue McDonald and Mary Ellen Olson of New Albany, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Janie Lawrence Davis, Raymond William "Bill" Radach, Mary Louise Robbins, Marshall Wayne Robbins, Janice Robinson and Dr. Richard Russell of New Albany, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of John Robert Young, Kay Gafford Smith, William "Bill" David Smithey, Ora Fay Smithey, Kimberly Ann "Shug" McMillen Surber, James "Bing" Donald Wildman, Edwin Williams and Wanda Celeste Ballard Wilson of New Albany, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Bro. Thomas Merrell Wiginton, Coy Anthony Fitts, Edward "Eddie" Madonna, Eli Cayden Jackson, Ike Williams, Jerry Wayne Robbins and Addie Frances Bonds Bynum of Myrtle, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Frances Newby, Joe Dalton Brock, Mitchell T. McMillen, Michael Hale, Norma Jean Morman, Price McCarley Rials, Robert Taylor and Terry B. Robbins of Myrtle, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Brett Shannon Rhea, Mildred Inez Davis Noe and Peggy Callicutt Cook of Hickory Flat, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Margaret Rose Rowan Pannell and Peggy J. O'Callaghan Crump of Blue Springs, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Michael David "Mike" Carroll and Rudolph Wilson of Ashland, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of James Tapp and Jimmy E. Surber of Ripley, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of William Carson "Skebo" Grisham of Ingomar, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Landen Lamar Jarvis of Pontotoc, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Charlotte Kaye Burgess Bogue of Etta, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 5, 2023.

The motion prevailed, and at 10:47 AM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Scott Mangum, Florence "Aunt Flo" Signa, Patrick Joseph Corbett, Janie Lawrence Davis, John Robert Young, Charlotte Kaye Burgess Bogue, Andrew Loyd "Drew" Clarke, Jr., Robert Dale Standley, Rashaud Cole, Charles Ray Kight, Betty Sue Kight, Ruth Motameni, Linda Sue Rakestraw Roberts, Mitzie King, Roy Wayne Newman, Peggy Rhodes Whalen, Gina Guerra Woods, Ethel "Ms. Sug" Jones Layton, Helen Washington, Harry Aubrey Martin, John Mahlon Tompkins, Kathleen Wood Blakely, Katherine Maer Searcy Horton, Laura Daphine Gregory Bedford, Eva Dale Barlow, Martha Grace Perry Bryant, William Arnold "Billy" Campbell, Johnny Floyd Clayton, Janie Vee Brown, Willie Mae Cousar, James Estes "Friday" Curry, Janice Louise Garrison, Charles

Edward Harrison, Billy Ray Hill, Frances Busby Stroud Hill, Lawrence "Larry" Patrick James, Mary Ann Black Jordan, Mr. Larry Broadhead, Rosalyn Kelly, Larry Ligon, James Carl Martin, James Herbert McCullough, Peggy Sue McDonald, Mary Ellen Olson, Raymond William "Bill" Radach, Barbara Broadway Treadway, Mary Louise Robbins, Marshall Wayne Robbins, Janice Robinson, Dr. Richard Russell, Kay Gafford Smith, William "Bill" David Smithey, Ora Fay Smithey, Kimberly Ann "Shug" McMillen Surber, James "Bing" Donald Wildman, Edwin Williams, Dudley Eugene Brower, Wanda Celeste Ballard Wilson, Bro. Thomas Merrell Wiginton, Coy Anthony Fitts, Edward "Eddie" Madonna, Eli Cayden Jackson, Ike Williams, Jerry Wayne Robbins, Joe Dalton Brock, Billy A. Herron, Mitchell T. McMillen, Michael Hale, Norma Jean Morman, Price McCarley Rials, Robert Taylor, Terry B. Robbins, Margaret Rose Rowan Pannell, Peggy J. O'Callaghan Crump, Michael David "Mike" Carroll, Rudolph Wilson, Larry W. Cox, Sr., James Tapp, Jimmy E. Surber, Brett Shannon Rhea, William Carson "Skebo" Grisham, Landen Lamar Jarvis, Frances Newby, Addie Frances Bonds Bynum, Mildred Inez Davis Noe and Peggy Callicutt Cook.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, JANUARY 4, 2023

**S. B. No. 2001:** Highways and Transportation; Judiciary, Division B

AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO REVISE THE POPULATION THRESHOLD FOR MUNICIPAL LAW ENFORCEMENT OFFICERS TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS OF THE MUNICIPALITY; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2002:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 45 IN LOWNDES COUNTY, MISSISSIPPI, AS THE "PFC BRADFORD C. FREEMAN MEMORIAL HIGHWAY" IN MEMORY OF DECEASED WORLD WAR II ARMY VETERAN PRIVATE FIRST CLASS BRADFORD CLARK FREEMAN; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2003:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 12 IN OKTIBBEHA COUNTY, MISSISSIPPI, AS THE "G. LOUIS JONES MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER POLICE CHIEF GRANVEL LOUIS JONES; AND FOR RELATED PURPOSES.

By Senator(s) Williams

**S. B. No. 2004:** Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF DUCK HILL, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS AND SALES OF PREPARED FOOD AT CONVENIENCE STORES, WHICH SHALL BE USED TO PROMOTE TOURISM, PARKS AND RECREATION WITHIN THE TOWN; TO PROVIDE FOR AN ELECTION ON THE QUESTION OF IMPLEMENTING THE TAX; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

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THIRD DAY, THURSDAY, JANUARY 5, 2023

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Absent--Branning, Polk. Total--2.

The Secretary announced a quorum present.

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The invocation was delivered by Mr. Dobbs Dennis, Lay Speaker, Dantzler Memorial First United Methodist Church, Moss Point, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator McCaughn, joined by all members of the Mississippi State Senate, moved that when the Senate adjourns, it adjourn in memory of Addison (Addie) Grace McCord of Bruce, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Joan Ann Nightengale, Thelma Brechtel Rawls and Myrna Joyce Loper Rouse of Perkinston, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mildred Demoruelle Jackson and Neal Edward Bush, Sr. of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Dollie Reynolds and Zola Miles of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Shirley Rose Stewart of Success Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Kerth Edwin Northrop of Saucier Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Dorothy "Dot" Fairley Letort of St. Martin Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Joseph M. Casey, III of Gulfport, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Pat Arlen Everett, Sr. of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Judy Carol Gamblin Inabinette of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Eldridge Thomas Ladner, Sr. of Lizana Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Phillip Hinton of Moss Point, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Hannah Butler Gauthier of Gautier, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Valerie Stamps of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Peter A. Koury of Canton, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Kenneth A. Primos, Sr. of Jackson, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Henry Jarrett and Judy Beard of Tupelo, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Etta Ann Hardin of Baldwin, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of John Humphreys of Atlanta, GA.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Joanne Goldstein, Harlene Warner, P. M. "Monte" Robinson, Jr., Milton Siskin and Joshua Alan Jones of Memphis, TN.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Jerry Carlos McLarty, J. A. "Jimmy" Doddridge, Jr. and Floyd Arnold Hagood of Olive Branch, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Gerald "Jerry" Thomas Bruckman and Joy Pitts of Hernando, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Katherine Smith of Holly Springs, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Lee Gene O'Daniel of Southaven, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Mary Ernestine Rogers of Pearl, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Robert E. "Bobby" Hayes, Sr. of McComb, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Glenda Brandon of Nesbit, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Dennis Wayne Burney of Weir, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Douglas W. McDonald of La Mesa, CA.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Charlotte Bryant of Searcy, AR.

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Senators Jackson and Jordan moved that when the Senate adjourns, it adjourn in memory of Dorothy Ervin of Greenwood, MS.

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SENATE JOURNAL  
THURSDAY, JANUARY 5, 2023

Senators Norwood and Barrett moved that when the Senate adjourns, it adjourn in memory of Karen Powell McIntosh of Brookhaven, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of George Hubert Caston of West Point, MS.

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Senator Hill moved that when the Senate adjourns, it adjourn in memory of Joey Wade Temples of Carriere, MS.

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Senator Hill moved that when the Senate adjourns, it adjourn in memory of David Charles "DC" Alford of Lumberton, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Supervisor Mike Luke of Kemper County, MS.

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Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 9, 2023.

The motion prevailed, and at 10:15 AM, the Senate stood in recess.

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MESSAGE FROM THE LT. GOVERNOR  
November 30, 2022

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

Marcy Moye Scoggins, Madison, Mississippi, Mississippi Charter School Authorizer Board, term effective immediately and ending August 30, 2025.

Delbert Hosemann  
LT. GOVERNOR

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

Marcy Moye Scoggins, Mississippi Charter School Authorizer Board, term effective immediately and ending August 30, 2025, Education.

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MESSAGE FROM THE ARCHIVES AND HISTORY BD  
December 8, 2022

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

Arnold Edward (T.J.) Taylor, Jr., Madison, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired six year term beginning January 1, 2020 and ending January 1, 2026, vice Edmond Hughes.

Katie Blount, Director  
ARCHIVES AND HISTORY BD

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

Arnold Edward (T.J.) Taylor, Jr., Mississippi Department of Archives and History Board of Trustees, unexpired six year term beginning January 1, 2020 and ending January 1, 2026, Accountability, Efficiency, Transparency.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Addison (Addie) Grace McCord, Joan Ann Nightengale, Dorothy "Dot" Fairley Letort, Joseph M. Casey, III, Pat Arlen Everett, Sr., Judy Carol Gamblin Inabinette, Eldridge Thomas Ladner, Sr., Phillip Hinton, Hannah Butler Gauthier, Valerie Stamps, Peter A. Koury, Kenneth A. Primos, Sr., Thelma Brechtel Rawls, Henry Jarrett, Judy Beard, Etta Ann Hardin, John Humphreys, Joanne Goldstein, Harlene Warner, P. M. "Monte" Robinson, Jr., Milton Siskin, Joshua Alan Jones, Jerry Carlos McLarty, Myrna Joyce Loper Rouse, J. A. "Jimmy" Doddridge, Jr., Floyd Arnold Hagood, Gerald "Jerry" Thomas Bruckman, Joy Pitts, Katherine Smith, Lee Gene O'Daniel, Mary Ernestine Rogers, Robert E. "Bobby" Hayes, Sr., Glenda Brandon, Dennis Wayne Burney, Mildred Demoruelle Jackson, Douglas W. McDonald, Charlotte Bryant, Dorothy Ervin, Karen Powell McIntosh, George Hubert Caston, Joey Wade Temples, David Charles "DC" Alford, Supervisor Mike Luke, Neal Edward Bush, Sr., Dollie Reynolds, Zola Miles, Shirley Rose Stewart and Kerth Edwin Northrop.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR THURSDAY, JANUARY 5, 2023

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SEVENTH DAY, MONDAY, JANUARY 9, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Dr. Frank Harmon, Pastor, Pleasant Valley Baptist Church, Mendenhall, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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MESSAGE FROM THE GOVERNOR  
January 3, 2023

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

Paulette Jackson, Jackson, Mississippi, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, term effective August 25, 2022 and the appointee shall serve at the will and pleasure of the Governor.

Patricia Robinson Nelson, Yazoo City, Mississippi, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, term effective August 25, 2022 and appointee shall serve at the will and pleasure of the Governor.

Tammy Renee' Phillips, Brandon, Mississippi, State Board of Banking Review representing an At-Large position, five year term effective May 23, 2022 and ending February 22, 2027.

Philip Roger Blaylock, Madison, Mississippi, State Board of Banking Review representing the First Supreme Court District, five year term effective June 29, 2022 and ending March 23, 2027, vice Sarah Beth Wilson.

Clelly Ray Farmer, Poplarville, Mississippi, State Board of Barber Examiners representing the 4th Congressional District, remainder of a four year term effective June 28, 2022 and ending June 30, 2024.

Candace Denise Robins, Raymond, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, unexpired three year term effective May 12, 2022 and ending August 31, 2023, vice Mark C. Baker, Sr..

Candace Denise Robins, Raymond, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, three year term effective September 1, 2023 and ending August 31, 2026.

Susan Neely Berry, D.C., Flora, Mississippi, Mississippi State Board of Chiropractic Examiners representing the state at large, remainder of a five year term effective June 28, 2022 and ending April 20, 2026, vice Arthur Jack Hall.

Melissa Ann Bryant, Pinola, Mississippi, Commercial Mobile Radio Service Board as a representative for Public Safety Communication Officers Association; Southern Public Service Com. District, four year term effective July 1, 2022 and ending June 30, 2026.

Robert Paul Mosley, Sr., Clarke County, Mississippi, Commercial Mobile Radio Service Board as the Mississippi Association of Supervisors representative, four year term effective July 1, 2022 and ending June 30, 2026.

Trebia Leigh Rodgers, Grenada, Mississippi, Commercial Mobile Radio Service Board representing the Northern Public Service Commission District, remainder of a four year term effective May 4, 2022 and ending June 30, 2023, vice Tanya Felder.

Timothy Clifton (Tim) Allred, Meridian, Mississippi, State Board of Contractors representing the Residential Builder, five year term beginning July 1, 2022 and ending June 30, 2027, vice David Smith.

Norris Lee Carson, Carthage, Mississippi, State Board of Contractors representing a Road Contractor, five year term beginning September 14, 2022 and ending June 30, 2026.

Dr. Kimberly Elam Sallis, Oxford, Mississippi, MS State Board of Examiners for Licensed Professional Counselors representing the First Congressional District, five year term effective July 1, 2021 and ending June 30, 2026.

Dr. Richard Almon Strebeck, Long Beach, Mississippi, MS State Board of Examiners for Licensed Professional Counselors representing the At-Large position, five year term effective July 1, 2022 and ending June 30, 2027.

Dr. Melissa Hawkins Windham, Meridian, Mississippi, MS State Board of Examiners for Licensed Professional Counselors representing the Third Congressional District, five year term beginning July 1, 2022 and ending June 30, 2027, vice Steven Stafford.

Alexa Le'Kia Lampkin, DMD, Ridgeland, Mississippi, MS State Board of Dental Examiners to represent the dentist member of the Board from the state at-large, remainder of six year term beginning July 1, 2022 and ending June 30, 2026, vice Roy L. Irons, DDS.

William C. (Bill) Mitchell, P.E., P.S., CCM, Gulfport, Mississippi, MS BD of Licensure for Professional Engineers and Surveyors as a Lic. Prof. Eng. representing the 2nd Supreme Ct. Dist., four year term effective June 30, 2022 and ending June 30, 2025.

Brenda Joyce Lathan, Columbus, Mississippi, Mississippi Commission on Environmental Quality to represent the Second Congressional District, seven year term effective July 1, 2022 and ending June 30, 2029.

Sandra Tingle Chancellor, Madison, Mississippi, State Board of Funeral Service as the Funeral Director Licensed representative from the First Supreme Court District, four year term effective July 6, 2022 and ending June 20, 2026, vice David Allen Ray.

David Chadwick (Chad) Riemann, Gulfport, Mississippi, State Board of Funeral Service as the Funeral Dir. Licensed representative from the 2nd Supreme Court Dist., four year term effective July 1, 2022 and ending June 30, 2026, vice Jeffrey O'Keefe, Sr..

Ronald N. (Ronnie) Daniels, Jr., Pass Christian, Mississippi, Mississippi Advisory Commission on Marine Resources representing the Charter Boat Operator, four year term effective July 1, 2022 and ending June 30, 2026.

Jonathan Scott McLendon, Biloxi, Mississippi, Mississippi Advisory Commission on Marine Resources as the Commercial Seafood Processor representative, four year term effective May 10, 2022 and ending June 30, 2024.

Martha Hobdy (Marty) Bell, Madison, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, remainder of a four-year term effective upon confirmation by the Senate and ending June 30, 2025.

Tracy Hunt White, Hazlehurst, Mississippi, Mississippi State Board of Massage Therapy as the Licensed Health Professional in a field other than Massage Therapy, four year term effective July 1, 2022 and ending June 30, 2026, vice Kathryn Renee Walker.

Renia Dotson, MD, Greenville, Mississippi, Mississippi State Board of Medical Licensure to represent the Third Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, vice Charles Miles, MD.

William Eugene (Gene) Loper, MD, Ridgeland, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, vice Daniel Edney, MD.

William David McClendon, MD, Ocean Springs, Mississippi, Mississippi State Board of Medical Licensure to represent the Second Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028.

Dr. James David (Jim) Herzog, Oxford, Mississippi, Board of Mental Health representing Ph.D. Clinical Psychologist, seven year term effective July 1, 2022 and ending June 30, 2029.

Tommy Ray (T.J.) Adams, Jr., Fulton, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective July 1, 2022 and ending June 30, 2026.

Sandra Susan Culpepper, Poplarville, Mississippi, Mississippi Board of Nursing as an LPN, four year term effective July 1, 2022 and ending June 30, 2026.

Carley Tigrett Walker, Madison, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term effective November 28, 2022 and ending June 30, 2026, vice Shirley Jackson.

William Chadwick Blackard, Madison, Mississippi, State BD of Nursing Home Administrators as Nursing Home Administrator representing the 1st Supreme Ct. District, remainder of four year term effective upon confirmation by the Senate and ending June 5, 2025.

Robin C. (Rob) Skelton, Rienzi, Mississippi, MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, unexpired four year term effective May 23, 2022 and ending June 25, 2022, vice Stanley C. Maynard.

Robin C. (Rob) Skelton, Rienzi, Mississippi, MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, four year term effective June 26, 2022 and ending June 25, 2026.

Micah Ray Walker, M.D., Madison, Mississippi, MS State Board of Nursing Home Administrators as the licensed and practicing medical doctor or physician, four year term effective July 1, 2022 and ending June 30, 2026.

David Andrew Scott, Sr., Jackson, Mississippi, State Oil and Gas Board representing the First Supreme Court District, six year term effective May 23, 2022 and ending April 7, 2028.

Dr. Lori Lynn Blackmer, Picayune, Mississippi, MS State Board of Optometry to represent the Fifth Congressional District as it existed in 1980, five year term beginning July 6, 2022 and ending June 30, 2027.

Dr. Hilary Melby Parrish, Vicksburg, Mississippi, State Board of Optometry representing the 4th Congressional Dist. as it existed Jan. 1, 1980, remainder of five year term effective October 4, 2022 and ending June 30, 2024, vice Dr. Rebecca Cox Patton.

Dr. Kimberly Johnson Ragan, Madison, Mississippi, MS State Board of Optometry to represent the Third Congressional District as it existed in 1980, remainder of five year term effective upon confirmation by the Senate and ending June 19, 2026.

David Edward Holman, Bay St. Louis, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund representing the Fourth Congressional District as it existed July 1, 2022, term effective July 14, 2022 and ending June 30, 2025.

Drew Thomas St. John, II, Madison, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund representing the Third Congressional District as it existed July 1, 2022, term effective July 6, 2022 and ending June 30, 2026.

Julia Monteele Norman, Meridian, Mississippi, State Parole Board, term effective July 15, 2022 and appointee shall serve a term at the will and pleasure of the Governor, vice Betty Lou Jones.

Alvin Craig (Craig) Sartin, Long Beach, Mississippi, Board of Pharmacy representing the Fifth Congressional District (Post 5), five year term beginning July 1, 2022 and ending June 30, 2027, vice Larry Calvert.

Dock Austin Daniel, Madison, Mississippi, Mississippi Board of Physical Therapy representing a Consumer At-Large, four year term beginning July 14, 2022 and ending June 30, 2026, vice Melanie Woodrick.

Charles Jim Beckett, Bruce, Mississippi, Executive Director of the Mississippi Public Utilities Staff, remainder of six year term beginning September 23, 2022 and ending June 30, 2026.

James David McAfee Griffith, Cleveland, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board representing the 2nd Congressional District, four year term beginning January 1, 2023 and ending December 31, 2026.

Wilmetta Valerie S. Burnett, LSW, Brandon, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective August 25, 2022 and ending June 30, 2024, vice Erin P. Pittman.

Phylandria L. Hudson, LCSW, Jackson, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, four year term beginning July 1, 2022 and ending June 30, 2026, vice Candace J. Riddley.

SENATE JOURNAL  
MONDAY, JANUARY 9, 2023

Gerard D. Tarrant, Biloxi, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists representing the Licensed Marriage and Family Therapist, second full four year term effective July 28, 2022 and ending June 30, 2026.

Sara M. Fox, Brandon, Mississippi, State Tax Appeals Board as Chairman, six year term beginning July 1, 2022 and ending June 30, 2028.

Colonel Deborah Walley (Deb) Coleman, Brandon, Mississippi, State Veterans Affairs Board as an At-Large member, five year term effective June 1, 2022 and ending May 31, 2027.

John Scott (Hoss) Ladner, Gulfport, Mississippi, State Veterans Affairs Board representing the 5th Congressional District, five year term effective July 14, 2022 and ending May 31, 2027, vice General James H. Garner.

Brig. Gen. (Ret.) Norman Gene Hortman, Jr., Hattiesburg, Mississippi, Veterans Home Purchase Board to represent the state at large, four year term beginning July 1, 2022 and ending June 30, 2026.

Maj. Gen. James H. Lipscomb, III, Greenville, Mississippi, Veterans Home Purchase Board to represent the 2nd Congressional Dist. as it existed May 1, 1987, unexpired four year term effective Nov. 1, 2022 and ending June 30, 2023, vice Richard D. Stevens.

Maj. Gen. James H. Lipscomb, III, Greenville, Mississippi, Veterans Home Purchase Board to represent the Second Congressional District as it existed May 1, 1987, four year term effective July 1, 2023 and ending June 30, 2027.

Dr. Robert Allen (Bob) Filgo, Jr., Madison, Mississippi, State Board of Veterinary Medicine, five year term effective June 28, 2022 and ending May 22, 2027, vice Dr. Gail S. Anderson.

William Malcolm (Billy) Mounger, II, Jackson, Mississippi, Commission on Wildlife, Fisheries and Parks as the representative of the Fourth Congressional District, five year term effective July 1, 2022 and ending June 30, 2027.

Irvin Lynn Posey, Union Church, Mississippi, Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, term effective September 23, 2022.

Tate Reeves  
GOVERNOR

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

Paulette Jackson, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, term effective August 25, 2022 and the appointee shall serve at the will and pleasure of the Governor, Public Health and Welfare.

Patricia Robinson Nelson, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, term effective August 25, 2022 and appointee shall serve at the will and pleasure of the Governor, Public Health and Welfare.



Tammy Renee' Phillips, State Board of Banking Review, five year term effective May 23, 2022 and ending February 22, 2027, Business and Financial Institutions.

Philip Roger Blaylock, State Board of Banking Review, five year term effective June 29, 2022 and ending March 23, 2027, Business and Financial Institutions.

Clelly Ray Farmer, State Board of Barber Examiners, remainder of a four year term effective June 28, 2022 and ending June 30, 2024, Public Health and Welfare.

Candace Denise Robins, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, unexpired three year term effective May 12, 2022 and ending August 31, 2023, Education.

Candace Denise Robins, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, three year term effective September 1, 2023 and ending August 31, 2026, Education.

Susan Neely Berry, D.C., Mississippi State Board of Chiropractic Examiners, remainder of a five year term effective June 28, 2022 and ending April 20, 2026, Public Health and Welfare.

Melissa Ann Bryant, Commercial Mobile Radio Service Board as a representative for Public Safety Communication Officers Association; Southern Public Service Com. District, four year term effective July 1, 2022 and ending June 30, 2026, Energy.

Robert Paul Mosley, Sr., Commercial Mobile Radio Service Board as the Mississippi Association of Supervisors representative, four year term effective July 1, 2022 and ending June 30, 2026, Energy.

Trebria Leigh Rodgers, Commercial Mobile Radio Service Board, remainder of a four year term effective May 4, 2022 and ending June 30, 2023, Energy.

Timothy Clifton (Tim) Allred, State Board of Contractors, five year term beginning July 1, 2022 and ending June 30, 2027, Business and Financial Institutions.

Norris Lee Carson, State Board of Contractors, five year term beginning September 14, 2022 and ending June 30, 2026, Business and Financial Institutions.

Dr. Kimberly Elam Sallis, MS State Board of Examiners for Licensed Professional Counselors, five year term effective July 1, 2021 and ending June 30, 2026, Public Health and Welfare.

Dr. Richard Almon Strebeck, MS State Board of Examiners for Licensed Professional Counselors, five year term effective July 1, 2022 and ending June 30, 2027, Public Health and Welfare.

Dr. Melissa Hawkins Windham, MS State Board of Examiners for Licensed Professional Counselors, five year term beginning July 1, 2022 and ending June 30, 2027, Public Health and Welfare.

Alexa Le'Kia Lampkin, DMD, MS State Board of Dental Examiners to represent the dentist member of the Board from the state at-large, remainder of six year term beginning July 1, 2022 and ending June 30, 2026, Public Health and Welfare.

William C. (Bill) Mitchell, P.E., P.S., CCM, MS BD of Licensure for Professional Engineers and Surveyors as a Lic. Prof. Eng., four year term effective June 30, 2022 and ending June 30, 2025, Business and Financial Institutions.

Brenda Joyce Lathan, Mississippi Commission on Environmental Quality to represent the Second Congressional District, seven year term effective July 1, 2022 and ending June 30, 2029, Environment Prot, Cons and Water Res.

Sandra Tingle Chancellor, State Board of Funeral Service as the Funeral Director Licensed representative from the First Supreme Court District, four year term effective July 6, 2022 and ending June 20, 2026, Business and Financial Institutions.

David Chadwick (Chad) Riemann, State Board of Funeral Service as the Funeral Dir. Licensed representative from the 2nd Supreme Court Dist., four year term effective July 1, 2022 and ending June 30, 2026, Business and Financial Institutions.

Ronald N. (Ronnie) Daniels, Jr., Mississippi Advisory Commission on Marine Resources, four year term effective July 1, 2022 and ending June 30, 2026, Ports and Marine Resources.

Jonathan Scott McLendon, Mississippi Advisory Commission on Marine Resources as the Commercial Seafood Processor representative, four year term effective May 10, 2022 and ending June 30, 2024, Ports and Marine Resources.

Martha Hobdy (Marty) Bell, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, remainder of a four-year term effective upon confirmation by the Senate and ending June 30, 2025, Public Health and Welfare.

Tracy Hunt White, Mississippi State Board of Massage Therapy as the Licensed Health Professional in a field other than Massage Therapy, four year term effective July 1, 2022 and ending June 30, 2026, Public Health and Welfare.

Renia Dotson, MD, Mississippi State Board of Medical Licensure to represent the Third Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, Public Health and Welfare.

William Eugene (Gene) Loper, MD, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, Public Health and Welfare.

William David McClendon, MD, Mississippi State Board of Medical Licensure to represent the Second Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, Public Health and Welfare.

Dr. James David (Jim) Herzog, Board of Mental Health, seven year term effective July 1, 2022 and ending June 30, 2029, Public Health and Welfare.

Tommy Ray (T.J.) Adams, Jr., Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective July 1, 2022 and ending June 30, 2026, Public Health and Welfare.

Sandra Susan Culpepper, Mississippi Board of Nursing as an LPN, four year term effective July 1, 2022 and ending June 30, 2026, Public Health and Welfare.

Carley Tigrett Walker, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term effective November 28, 2022 and ending June 30, 2026, Public Health and Welfare.

William Chadwick Blackard, State BD of Nursing Home Administrators as Nursing Home Administrator, remainder of four year term effective upon confirmation by the Senate and ending June 5, 2025, Public Health and Welfare.

Robin C. (Rob) Skelton, MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, unexpired four year term effective May 23, 2022 and ending June 25, 2022, Public Health and Welfare.

Robin C. (Rob) Skelton, MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, four year term effective June 26, 2022 and ending June 25, 2026, Public Health and Welfare.

Micah Ray Walker, M.D., MS State Board of Nursing Home Administrators as the licensed and practicing medical doctor or physician, four year term effective July 1, 2022 and ending June 30, 2026, Public Health and Welfare.

David Andrew Scott, Sr., State Oil and Gas Board, six year term effective May 23, 2022 and ending April 7, 2028, Energy.

Dr. Lori Lynn Blackmer, MS State Board of Optometry to represent the Fifth Congressional District as it existed in 1980, five year term beginning July 6, 2022 and ending June 30, 2027, Public Health and Welfare.

Dr. Hilary Melby Parrish, State Board of Optometry, remainder of five year term effective October 4, 2022 and ending June 30, 2024, Public Health and Welfare.

Dr. Kimberly Johnson Ragan, MS State Board of Optometry to represent the Third Congressional District as it existed in 1980, remainder of five year term effective upon confirmation by the Senate and ending June 19, 2026, Public Health and Welfare.

David Edward Holman, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 14, 2022 and ending June 30, 2025, Wildlife, Fisheries and Parks.

Drew Thomas St. John, II, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 6, 2022 and ending June 30, 2026, Wildlife, Fisheries and Parks.

Julia Monteele Norman, State Parole Board, term effective July 15, 2022 and appointee shall serve a term at the will and pleasure of the Governor, Corrections.

Alvin Craig (Craig) Sartin, Board of Pharmacy, five year term beginning July 1, 2022 and ending June 30, 2027, Public Health and Welfare.

Dock Austin Daniel, Mississippi Board of Physical Therapy, four year term beginning July 14, 2022 and ending June 30, 2026, Public Health and Welfare.

Charles Jim Beckett, Executive Director of the Mississippi Public Utilities Staff, remainder of six year term beginning September 23, 2022 and ending June 30, 2026, Energy.

James David McAfee Griffith, Mississippi Real Estate Appraiser Licensing and Certification Board, four year term beginning January 1, 2023 and ending December 31, 2026, Business and Financial Institutions.

Wilmetta Valerie S. Burnett, LSW, BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective August 25, 2022 and ending June 30, 2024, Public Health and Welfare.

Phylandria L. Hudson, LCSW, BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, four year term beginning July 1, 2022 and ending June 30, 2026, Public Health and Welfare.

SENATE JOURNAL  
MONDAY, JANUARY 9, 2023

Gerard D. Tarrant, BD of Examiners for Social Workers and Marriage and Family Therapists, second full four year term effective July 28, 2022 and ending June 30, 2026, Public Health and Welfare.

Sara M. Fox, State Tax Appeals Board as Chairman, six year term beginning July 1, 2022 and ending June 30, 2028, Finance.

Colonel Deborah Walley (Deb) Coleman, State Veterans Affairs Board as an At-Large member, five year term effective June 1, 2022 and ending May 31, 2027, Veterans and Military Affairs.

John Scott (Hoss) Ladner, State Veterans Affairs Board, five year term effective July 14, 2022 and ending May 31, 2027, Veterans and Military Affairs.

Brig. Gen. (Ret.) Norman Gene Hortman, Jr., Veterans Home Purchase Board to represent the state at large, four year term beginning July 1, 2022 and ending June 30, 2026, Veterans and Military Affairs.

Maj. Gen. James H. Lipscomb, III, Veterans Home Purchase Board to represent the 2nd Congressional Dist. as it existed May 1, 1987, unexpired four year term effective Nov. 1, 2022 and ending June 30, 2023, Veterans and Military Affairs.

Maj. Gen. James H. Lipscomb, III, Veterans Home Purchase Board to represent the Second Congressional District as it existed May 1, 1987, four year term effective July 1, 2023 and ending June 30, 2027, Veterans and Military Affairs.

Dr. Robert Allen (Bob) Filgo, Jr., State Board of Veterinary Medicine, five year term effective June 28, 2022 and ending May 22, 2027, Agriculture.

William Malcolm (Billy) Mounger, II, Commission on Wildlife, Fisheries and Parks as the representative of the Fourth Congressional District, five year term effective July 1, 2022 and ending June 30, 2027, Wildlife, Fisheries and Parks.

Irvin Lynn Posey, Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, term effective September 23, 2022, Wildlife, Fisheries and Parks.

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MESSAGE FROM THE MS STATE UNIVERSITY PRESIDENT  
January 9, 2023

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

Dr. Erika Danielle Womack, Starkville, Mississippi, State Chemist, term beginning October 1, 2022.

Mark E. Keenum, President  
MS STATE UNIVERSITY

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

Dr. Erika Danielle Womack, State Chemist, term beginning October 1, 2022, Universities and Colleges.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Paula Diane Shepperd Pierce of Hurley Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Norris "Faye" Mills of Vancleave Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Johnnie Louis Hambalek of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Donna Kaye (Baker) Kokubun of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mary Alice Davis of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Teresa Gayle Tanner Diamond of Perkinston, MS.

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Senators Tate and McCaughn moved that when the Senate adjourns, it adjourn in memory of Dorothy "Dot" Page Driskill of Collinsville, MS.

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Senators Tate and McCaughn moved that when the Senate adjourns, it adjourn in memory of Nona Jean Switzer of Martin, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Leonard Earl Jones of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of SFC Grayson "Norris" Galatas, Jr. of Collinsville, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Edwin "Ed" Meeks of Greenwood, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of C. A. Miller, III of North Chesterfield, VA.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Jane Bodman of Daphne, AL.

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SENATE JOURNAL  
MONDAY, JANUARY 9, 2023

Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Gerald L. Van Vleet of Cordova, TN.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Carlton "Carl" Bennie Steele, Gary Wayne Smith and Joan Carol Gordon of Lucedale, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Douglas Walley of Piave, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Terrell Fondren "Ted" Younger of Columbus, MS.

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Senators Younger, Boyd, Turner-Ford, McLendon and Polk moved that when the Senate adjourns, it adjourn in memory of George Wilkerson Bryan, Sr. of West Point, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of John Bernard Perkins of Brookhaven, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Representative Quentin Williams of the Connecticut State House of Representatives.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Pamela Darlene "Pam" Mitchell of New Albany, MS

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Senator Polk moved that the Senate stand in recess until 6:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 10, 2023.

The motion prevailed, and at 4:10 PM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:00 PM in memory of Paula Diane Shepperd Pierce, Norris "Faye" Mills, Edwin "Ed" Meeks, C. A. Miller, III, Jane Bodman, Gerald L. Van Vleet, Carlton "Carl" Bennie Steele, Gary Wayne Smith, Douglas Walley, Terrell Fondren "Ted" Younger, George Wilkerson Bryan, Sr., John Bernard Perkins, Johnnie Louis Hambalek, Joan Carol Gordon, Donna Kaye (Baker) Kokubun, Mary Alice Davis, Teresa Gayle Tanner Diamond, Dorothy "Dot" Page Driskill, Nona Jean Switzer, SFC Grayson "Norris" Galatas, Jr., Leonard Earl Jones, Pamela Darlene "Pam" Mitchell and Connecticut State Representative Quentin Williams.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR MONDAY, JANUARY 9, 2023

**S. B. No. 2005:** Rules

AN ACT TO CREATE THE NATIONAL STATUARY HALL SELECTION COMMISSION TO STUDY AND MAKE RECOMMENDATIONS FOR THE SELECTION OF TWO NEW HISTORIC FIGURES TO REPRESENT MISSISSIPPI IN THE NATIONAL STATUARY HALL COLLECTION AT THE UNITED STATES CAPITOL; TO PROVIDE THAT THE RECOMMENDATIONS SHALL BE FIGURES WHO BRING HONOR TO ALL MISSISSIPPIANS AND REFLECT THE DEMOGRAPHICS OF THE STATE AS A WHOLE; TO PRESCRIBE THE MEMBERSHIP OF THE COMMISSION AND TO PROVIDE FOR ITS ORGANIZATION AND MEETINGS; TO PROVIDE THAT THE COMMISSION SHALL MAKE WRITTEN RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE NOT LATER THAN NOVEMBER 30, 2023; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2006:** Tourism; Finance

AN ACT TO AMEND SECTIONS 27-71-5, 67-1-41, 67-1-51 AND 67-1-77, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALERS AND REVERTERS ON THE PROVISIONS OF LAW RELATING TO FESTIVAL WINE PERMITS; AND FOR RELATED PURPOSES.

By Senator(s) McMahan, Chassaniol, Boyd

**S. B. No. 2007:** Finance

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

By Senator(s) Thomas

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

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE VILLAGE OF CARY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A FIRE STATION; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2009:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE TOWN OF ANGUILLA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A MUSEUM AND VISITOR CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2010:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MOST WORSHIPFUL KING HIRAM GRAND LODGE & ELECTRA GRAND CHAPTER ORDER OF EASTERN STAR A.F. & A.M., STATE OF MISSISSIPPI; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH TAGS; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2011:** Finance

AN ACT TO AMEND SECTION 27-65-201, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION TRANSFERS OF MOTOR VEHICLE TITLES BETWEEN A TRUSTEE AND A BENEFICIARY OF A TRUST, BETWEEN A CORPORATION AND ONE OF ITS SHAREHOLDERS IN A TRANSACTION

QUALIFYING FOR NONRECOGNITION OF GAIN OR LOSS PURSUANT TO SECTION 351 OF THE INTERNAL REVENUE CODE, AND BETWEEN A PARTNERSHIP OR LIMITED LIABILITY COMPANY AND ONE OF ITS PARTNERS OR OWNERS; TO REQUIRE THAT SUCH TRANSFERS BE EVIDENCED BY AN AFFIDAVIT PREPARED BY THE DEPARTMENT OF REVENUE AND SIGNED BY THE TRANSFEROR; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2012:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO DEFRAY THE EXPENSES OF THE WEST CENTRAL MISSISSIPPI INCUBATOR GRANT PROGRAM IN HUMPHREYS, MADISON, SHARKEY, SUNFLOWER, WASHINGTON AND YAZOO COUNTIES; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2013:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF ROLLING FORK, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO THE ROLLING FORK CIVIC AND EVENT CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2014:** Finance

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

By Senator(s) Blackwell

**S. B. No. 2015:** Finance

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

By Senator(s) Blount

**S. B. No. 2016:** Finance

AN ACT TO AMEND SECTION 27-19-11, MISSISSIPPI CODE OF 1972, TO ALLOW A COUNTY, IN THE DISCRETION OF THE BOARD OF SUPERVISORS, TO DISTRIBUTE A PORTION OF THE PROCEEDS OF THE HIGHWAY PRIVILEGE TAX ON BUSES AND CARRIERS OF PROPERTY AUTHORIZED TO BE SPENT ON ROAD AND BRIDGE CONSTRUCTION TO ANY CITY OR TOWN WITHIN THE COUNTY FOR ROAD OR BRIDGE CONSTRUCTION, IMPROVEMENT OR REPAIR WITHIN THAT CITY OR TOWN; TO AUTHORIZE THE BOARD OF SUPERVISORS TO DESIGNATE, AS A CONDITION OF SUCH DISCRETIONARY DISTRIBUTION, PARTICULAR ROAD OR BRIDGE PROJECTS ON WHICH THE CITY OR TOWN MAY SPEND THE DISTRIBUTION OR ANY SPECIFIED AMOUNTS THEREOF; TO BRING FORWARD SECTION 27-39-303, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.



By Senator(s) Blackmon

**S. B. No. 2017:** Finance

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO REMOVE THE EXEMPTION FROM AD VALOREM TAXATION FOR PROPERTY BELONGING TO ANY FOUNDATION ORGANIZED AS A NONPROFIT CORPORATION THAT IS EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE AND THAT RECEIVES, INVESTS AND ADMINISTERS PRIVATE SUPPORT FOR A STATE-SUPPORTED INSTITUTION OF HIGHER LEARNING, A PUBLIC COMMUNITY COLLEGE OR JUNIOR COLLEGE LOCATED IN THIS STATE OR A NONPROFIT PRIVATE UNIVERSITY OR COLLEGE LOCATED IN THIS STATE, OR BY ANY ENTITY WHOLLY OWNED AND WHOLLY CONTROLLED BY SUCH A FOUNDATION; TO REMOVE THE EXEMPTION FROM AD VALOREM TAXATION FOR PROPERTY BELONGING TO A FEDERALLY QUALIFIED HEALTH CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2018:** Finance

AN ACT TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE TAX ON WHOLESALE SALES OF BEER; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2019:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF COINS, CURRENCY AND BULLION; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2020:** Finance

AN ACT TO REPEAL SECTIONS 27-19-21 AND 27-19-23, MISSISSIPPI CODE OF 1972, WHICH IMPOSE AN ANNUAL TAX ON ELECTRIC VEHICLES AND HYBRID VEHICLES IN ADDITION TO OTHER TAXES FOR WHICH THE VEHICLES ARE LIABLE; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2021:** Finance

AN ACT TO CREATE THE "FIRST RESPONDER APPRECIATION AND RECRUITMENT ACT"; TO CREATE A NEW SECTION IN TITLE 25, CHAPTER 11, ARTICLE 3, MISSISSIPPI CODE OF 1972, TO IMPLEMENT THE "FIRST RESPONDERS RETIREMENT INCENTIVE"; TO PROVIDE, FOR THIS INCENTIVE, THAT ANY MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM HIRED ON OR AFTER JULY 1, 2011, SHALL EARN ONE YEAR OF CREDITABLE SERVICE AT NO COST TO MEMBERS FOR EVERY FIVE YEARS SERVED AS A FIRST RESPONDER IN THE STATE OF MISSISSIPPI; TO PROVIDE THAT, IN ORDER TO USE THIS INCENTIVE, THE FIRST RESPONDER MUST NOT HAVE ANY FELONY CONVICTIONS AT THE TIME OF RETIREMENT; TO AMEND SECTIONS 25-11-103, 25-11-105, 25-11-109, 25-11-111, 25-11-113, 25-11-114 AND 25-11-117, MISSISSIPPI CODE OF 1972, TO REDUCE THE VESTING PERIOD FOR RETIREMENT BENEFITS IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FROM EIGHT YEARS TO FOUR YEARS FOR PERSONS HAVING JOINED THE SYSTEM ON OR AFTER JULY 1, 2007, BUT HAVING AT LEAST FOUR YEARS OF SERVICE IN THE SYSTEM AS FIRST RESPONDERS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2022:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST SERENITY ON THE BAYOU IN ANGUILLA, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE RENOVATION AND

EQUIPPING OF A BUILDING TO HOUSE THE EMMANUEL COMMUNITY CENTER;  
AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2023:** Finance

AN ACT TO AMEND SECTION 27-19-56.417, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE WEST POINT CONSOLIDATED SCHOOL DISTRICT; TO BRING FORWARD SECTION 27-19-44, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2024:** Finance

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

By Senator(s) Thomas

**S. B. No. 2025:** Finance

AN ACT TO ESTABLISH THE WEST MISSISSIPPI INCUBATOR GRANT PROGRAM IN COOPERATION WITH THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION'S OFFICE OF SURPLUS PROPERTY, LOCAL DEVELOPMENT DISTRICTS AND COUNTY GOVERNMENTS IN HUMPHREYS, MADISON, SHARKEY, SUNFLOWER, WASHINGTON AND YAZOO COUNTIES; TO SET FORTH THE PURPOSE OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2026:** Finance

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

By Senator(s) Blackwell

**S. B. No. 2027:** Finance

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM ALL MUNICIPAL AD VALOREM TAXES ALL REAL PROPERTY LOCATED IN AN AREA ANNEXED BY A MUNICIPALITY, FOR A PERIOD OF 12 MONTHS AFTER THE DATE OF ANNEXATION; TO AMEND SECTION 27-51-41, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM ALL MUNICIPAL AD VALOREM TAXES ALL MOTOR VEHICLES REGISTERED TO AN ADDRESS IN AN AREA ANNEXED BY A MUNICIPALITY, FOR A PERIOD OF 12 MONTHS AFTER THE DATE OF ANNEXATION; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2028:** Finance

AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO ALLOW ANY COUNTY, MUNICIPALITY, TRIBE OR OTHER POLITICAL SUBDIVISION OF THE STATE THAT IS WET UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO AUTHORIZE PERMITTED PACKAGE RETAILERS TO ENGAGE IN PACKAGE RETAIL SALES ON SUNDAY IN A MANNER SET FORTH UNDER LOCAL REFERENDUM; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2029:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED

WITH THE REPAIR AND RENOVATION OF THE TRIANGLE CULTURAL CENTER IN YAZOO CITY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2030:** Finance

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

By Senator(s) Thomas

**S. B. No. 2031:** Finance

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

By Senator(s) Thomas

**S. B. No. 2032:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF MACON, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE ACQUISITION OF A FIRE TRUCK; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2033:** Finance

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

By Senator(s) Thomas

**S. B. No. 2034:** Finance

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

By Senator(s) Thomas

**S. B. No. 2035:** Finance

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

By Senator(s) Thomas

**S. B. No. 2036:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE CITY OF ROLLING FORK TO DEFRAY EXPENSES FOR THE CITY'S WATER SYSTEM FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2037:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO THE VILLAGE OF EDEN IN YAZOO COUNTY TO DEFRAY

EXPENSES FOR THE IMPROVEMENT OF THE VILLAGE'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2038:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO HUMPHREYS COUNTY TO DEFRAY EXPENSES FOR ROADWAY, CURB AND GUTTER IMPROVEMENTS IN WESTGATE SUBDIVISION FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2039:** Appropriations

AN ACT MAKING AN APPROPRIATION OUT OF GENERAL FUNDS TO YAZOO COUNTY FOR THE PURPOSES OF A DRAINAGE PROJECT FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2040:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE RURAL PHYSICIANS SCHOLARSHIP PROGRAM FOR FISCAL YEAR 2024.

By Senator(s) McLendon

**S. B. No. 2041:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE RURAL FIRE TRUCK FUND FOR THE PURPOSE OF PROVIDING FUNDS FOR AN ADDITIONAL ROUND OF FIRE TRUCKS FOR COUNTIES AND MUNICIPALITIES UNDER THE RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM FOR THE FISCAL YEAR 2024.

By Senator(s) Hill

**S. B. No. 2042:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 33-15-14, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY TO ENTER INTO A CONTRACT WITH Q-RISQ ANALYTICS FOR A PILOT PROGRAM TO PROVIDE LIVE STORM IMPACT DATA TO ALL GOVERNMENT AGENCIES AND EMERGENCY MANAGEMENT PERSONNEL; AND FOR RELATED PURPOSES.

By Senator(s) Moran

**S. B. No. 2043:** Accountability, Efficiency, Transparency

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

By Senator(s) Hill

**S. B. No. 2044:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 7-7-211, MISSISSIPPI CODE OF 1972, TO EMPOWER THE STATE AUDITOR TO INVESTIGATE MUNICIPALITIES, COUNTIES AND OTHER PUBLIC ENTITIES; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2045:** Municipalities; Accountability, Efficiency, Transparency

AN ACT TO PROHIBIT STATE, COUNTY OR MUNICIPALITY BUILDING CODES FROM RESTRICTING THE USE OF FEDERALLY APPROVED SUBSTITUTE REFRIGERANTS; AND FOR RELATED PURPOSES.

By Senator(s) Polk

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

AN ACT TO CREATE THE MISSISSIPPI NATIONAL SECURITY IN PUBLIC PURCHASING ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2047:** Accountability, Efficiency, Transparency; Finance

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

By Senator(s) Hill

**S. B. No. 2048:** Accountability, Efficiency, Transparency

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

By Senator(s) Hill

**S. B. No. 2049:** Accountability, Efficiency, Transparency

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

By Senator(s) Hill

**S. B. No. 2050:** Tourism; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW (PEER) TO REVIEW, IN 2025 AND EVERY FOUR YEARS THEREAFTER, ADVERTISING AND MARKETING EFFORTS PAID FOR THROUGH THE MISSISSIPPI DEVELOPMENT AUTHORITY (MDA) TOURISM ADVERTISING FUND, INCLUDING THE EFFECTIVENESS OF ATTRACTING OUT-OF-STATE VISITORS, THE EFFECTIVENESS OF DIGITAL ADVERTISING EFFORTS, AND THE ADMINISTRATION AND OVERSIGHT BY MDA REGARDING TOURISM ADVERTISING FUND EXPENDITURES; TO REQUIRE PEER TO PROVIDE A REPORT TO THE LIEUTENANT GOVERNOR, THE SPEAKER OF THE HOUSE, THE CHAIRS OF THE SENATE AND HOUSE TOURISM COMMITTEES, AND THE GOVERNOR NO LATER THAN DECEMBER 1, 2025, AND EVERY FOUR YEARS THEREAFTER; TO ALLOW PEER TO CONTRACT WITH A PRIVATE CONTRACTOR TO CONDUCT THE REVIEW OR ANY PART THEREOF; TO PROVIDE FOR THE PAYMENT OF THE PRIVATE CONTRACTOR; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2051:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE PURPOSE OF DEFRAYING THE EXPENSE OF THE WEST CENTRAL MISSISSIPPI INCUBATOR GRANT PROGRAM FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

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

AN ACT TO REQUIRE A REGULATORY REDUCTION PROGRAM FOR CERTAIN PILOT AGENCIES; TO REQUIRE PILOT AGENCIES TO DEVELOP A BASELINE REGULATORY CATALOG AND REPORT CERTAIN DATA TO THE SECRETARY OF STATE; TO PROVIDE THAT NO PILOT AGENCY MAY ADOPT A NEW REGULATION UNLESS IT SIMULTANEOUSLY REMOVES TWO OR MORE OTHER EXISTING REGULATIONS; TO REQUIRE THE PEER COMMITTEE TO

REVIEW THE REGULATORY REDUCTION EFFORTS OF THE PILOT AGENCIES AND REPORT TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2053:** Accountability, Efficiency, Transparency

AN ACT TO CREATE THE "DEFICIT PREVENTION ACT"; TO REQUIRE A STATE AGENCY, DEPARTMENT OR INSTITUTION TO NOTIFY THE GOVERNOR, LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, AND CHAIRS OF THE SENATE AND HOUSE APPROPRIATIONS COMMITTEES WITHIN FIFTEEN (15) DAYS OF A DETERMINATION THAT THE LIKELIHOOD OF A DEFICIT FOR THE CURRENT FISCAL YEAR EXISTS; TO REQUIRE A STATE AGENCY, DEPARTMENT OR INSTITUTION TO WORK WITH THE OFFICE OF THE STATE AUDITOR AND THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEVELOP A PLAN TO AVOID OR LIMIT ANY DEFICIT; AND FOR RELATED PURPOSES.

By Senator(s) Polk

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

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

By Senator(s) Blackwell

**S. B. No. 2055:** Universities and Colleges; Appropriations

AN ACT TO REPEAL SECTION 37-106-29, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM AND TO REPEAL SECTION 37-106-31, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI EMINENT SCHOLARS GRANT PROGRAM; TO AMEND SECTION 37-106-75, MISSISSIPPI CODE OF 1972, TO REQUIRE A STUDENT TO OBTAIN A MINIMUM CUMULATIVE GRADE POINT AVERAGE OF 3.0 CALCULATED ON A 4.0 SCALE TO BE ELIGIBLE FOR PARTICIPATION IN THE PROGRAM; TO INCREASE THE INCOME THRESHOLD FOR ELIGIBILITY OF THE HIGHER EDUCATION LEGISLATIVE PLAN GRANT PROGRAM; TO PROVIDE THAT, SUBJECT TO APPROPRIATION, THE STATE SHALL PAY 100% OF THE TUITION OF STUDENTS WHOSE FAMILY HAS AN ANNUAL ADJUSTED GROSS INCOME OF \$30,000.00 OR LESS; TO PROVIDE THAT, SUBJECT TO APPROPRIATION, THE STATE SHALL PAY 50% OF THE TUITION OF STUDENTS WHOSE FAMILY HAS AN ANNUAL ADJUSTED GROSS INCOME OF MORE THAN \$30,000.00 BUT LESS THAN \$45,000.00; TO PROVIDE THAT, SUBJECT TO APPROPRIATION, THE STATE SHALL PAY 25% OF THE TUITION OF STUDENTS WHOSE FAMILY HAS AN ANNUAL ADJUSTED GROSS INCOME OF LESS THAN \$55,000.00, AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2056:** Education

AN ACT TO ENACT THE KATHRYN OREY PERRY PERIOD OF QUIET REFLECTION ACT; TO AMEND SECTION 37-13-8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN EACH PUBLIC SCHOOL CLASSROOM, THE LOCAL SCHOOL GOVERNING BOARD SHALL REQUIRE A BRIEF PERIOD OF QUIET REFLECTION FOR NOT MORE THAN SIXTY SECONDS AT THE OPENING OF EVERY SCHOOL DAY; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

**S. B. No. 2057:** Education

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

By Senator(s) Blackwell

**S. B. No. 2058:** Education

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

By Senator(s) Hill

**S. B. No. 2059:** Public Health and Welfare

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

By Senator(s) Chism, Sojourner

**S. B. No. 2060:** Public Health and Welfare

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

By Senator(s) Blackwell

**S. B. No. 2061:** Economic and Workforce Development

AN ACT TO AMEND SECTION 73-50-2, MISSISSIPPI CODE OF 1972, TO EXEMPT PSYCHOLOGISTS FROM THE UNIVERSAL RECOGNITION OF OCCUPATIONAL LICENSES ACT; TO AMEND SECTION 73-31-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2062:** Public Health and Welfare

AN ACT TO CREATE THE NO PATIENT LEFT ALONE ACT; TO PROVIDE THAT MINOR AND ADULT PATIENTS SHALL HAVE THE RIGHT TO DESIGNATE A VISITOR WITH VISITATION RIGHTS; TO AUTHORIZE HOSPITALS TO ESTABLISH CERTAIN VISITATION POLICIES; TO ALLOW HOSPITAL TO MANDATE CERTAIN SAFETY PROTOCOLS AND THE ABILITY TO REVOKE VISITATION RIGHTS FOR FAILURE TO COMPLY; TO PROHIBIT THE TERMINATION, SUSPENSION OR WAIVER OF VISITATION RIGHTS BY CERTAIN PARTIES; TO PROVIDE CERTAIN LIMITATIONS TO THESE RIGHTS; TO PROHIBIT HOSPITALS FROM REQUIRING PATIENTS WAIVE CERTAIN RIGHTS; TO REQUIRE THE DEPARTMENT OF HEALTH TO DEVELOP CERTAIN INFORMATIONAL MATERIALS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2063:** Public Health and Welfare

AN ACT TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DEPARTMENT OF HUMAN SERVICES TO ISSUE PHOTO EBT CARDS IN THE SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM

(SNAP), TO LIMIT THE CARDHOLDER TO TWO FAMILY MEMBER CARDS PER YEAR AND TWO REPLACEMENTS PER YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2064:** Public Health and Welfare

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

By Senator(s) Hill

**S. B. No. 2065:** Education

AN ACT TO REQUIRE THE DEMONSTRATION OF PROFICIENCY IN CIVICS AS A CONDITION OF HIGH SCHOOL GRADUATION BY REQUIRING STUDENTS TO TAKE THE UNITED STATES CITIZENSHIP TEST AS A PART OF THE UNITED STATES HISTORY CURRICULUM; TO REQUIRE THE UNITED STATES HISTORY CURRICULUM AND TEST TO INCLUDE HISTORICAL KNOWLEDGE BEGINNING WITH THE SETTLEMENT OF JAMESTOWN, VIRGINIA, IN 1607; TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2066:** Public Health and Welfare

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

By Senator(s) Hill

**S. B. No. 2067:** Economic and Workforce Development; Appropriations

AN ACT TO AMEND SECTION 37-73-3, MISSISSIPPI CODE OF 1972, TO MODIFY THE DIRECTIVE OF THE OFFICE OF WORKFORCE DEVELOPMENT FROM PILOTING A CAREER COACHING PROGRAM IN MIDDLE SCHOOLS AND HIGH SCHOOLS, TO IMPLEMENTING SUCH A PROGRAM FOR THE LONG TERM; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2068:** Public Health and Welfare

AN ACT TO ENACT THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-31-7, 73-31-13, 73-31-14, 73-31-15, 73-31-21 AND 73-31-23, MISSISSIPPI CODE OF 1972, TO CONFORM THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 73-31-9, 73-31-25 AND 73-31-27, MISSISSIPPI CODE OF 1972, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2069:** Public Health and Welfare

AN ACT TO ENACT THE PSYCHOLOGY INTERJURISDICTIONAL COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-31-7, 73-



31-13, 73-31-14, 73-31-15, 73-31-21 AND 73-31-23, MISSISSIPPI CODE OF 1972, TO CONFORM THE PROVISIONS OF THE ACT; TO BRING FORWARD SECTIONS 73-31-9, 73-31-25 AND 73-31-27, MISSISSIPPI CODE OF 1972, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2070:** Medicaid; Appropriations

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

By Senator(s) Turner-Ford

**S. B. No. 2071:** Medicaid

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

By Senator(s) Blount

**S. B. No. 2072:** Gaming

AN ACT TO AMEND SECTION 75-76-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MISSISSIPPI GAMING COMMISSION CERTIFIED LAW ENFORCEMENT OFFICERS TO RETAIN THEIR SIDEARM UPON RETIREMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blount

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

AN ACT TO AMEND SECTIONS 93-19-13, 1-3-27, 15-3-11, 11-5-115, 89-1-301, 93-19-1, 93-19-9, 91-20-3, 91-20-41, 93-20-102, AND 15-1-17, MISSISSIPPI CODE OF 1972, TO LOWER THE AGE OF MAJORITY TO EIGHTEEN FOR SECURING HOME LOANS AND ENTERING CONTRACTS FOR REAL PROPERTY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2074:** Judiciary, Division A

AN ACT TO AMEND SECTION 43-21-357, MISSISSIPPI CODE OF 1972, TO REQUIRE A YOUTH COURT TO CONSIDER THE OPINION OF A MEDICAL PROFESSIONAL SUBMITTED BY A CHILD'S PARENT OR GUARDIAN BEFORE ENTERING AN INTAKE ORDER; TO PROHIBIT THE YOUTH COURT FROM ENTERING AN INTAKE ORDER BASED SOLELY ON THE OPINION OF A MEDICAL PROFESSIONAL UNDER CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES OR THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 43-21-561, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO CONSIDER THE OPINION OF A MEDICAL PROFESSIONAL OBTAINED BY THE CHILD'S PARENT OR GUARDIAN AND PROPERLY ADMITTED AS EVIDENCE BEFORE ENTERING AN ORDER ADJUDICATING THE CHILD TO BE A NEGLECTED CHILD, AN ABUSED CHILD, DEPENDENT CHILD OR A CHILD IN NEED OF SPECIAL CARE; TO PROHIBIT THE YOUTH COURT FROM ENTERING AN ORDER ADJUDICATING THE CHILD TO BE A NEGLECTED CHILD, AN ABUSED CHILD, DEPENDENT CHILD OR A CHILD IN NEED OF SPECIAL CARE BASED SOLELY ON THE OPINION OF A MEDICAL PROFESSIONAL UNDER CONTRACT WITH THE DEPARTMENT OF HUMAN SERVICES OR THE DEPARTMENT OF CHILD PROTECTION SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2075:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-17-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ADOPTEE MAY OBTAIN A COPY OF THE ADOPTEE'S ORIGINAL BIRTH CERTIFICATE IF 21 YEARS HAVE PASSED SINCE THE ISSUANCE OF A REVISED BIRTH CERTIFICATE FOLLOWING THE ADOPTION; TO AMEND SECTION 93-17-205, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2076:** Judiciary, Division A; Education

AN ACT TO ENACT THE TITLE IX PRESERVATION ACT; TO PROVIDE INTERPRETATION AND CLARIFICATION OF CERTAIN TERMS RELATING TO TITLE IX OF THE FEDERAL CODE; TO STATE LEGISLATIVE INTENT; TO CLARIFY TERMS FOR THE PURPOSES OF STATE LAW; TO PROVIDE THAT POLICIES AND LAWS THAT DISTINGUISH BETWEEN THE SEXES ARE SUBJECT TO INTERMEDIATE CONSTITUTIONAL SCRUTINY; TO REQUIRE THE STATE OR A LOCAL GOVERNMENTAL ENTITY TO DISAGGREGATE THE DATA OF INDIVIDUALS BY SEX BASED ON THE BIOLOGICAL SEX OF INDIVIDUALS AT BIRTH WHEN THE STATE OR LOCAL GOVERNMENTAL ENTITY GATHERS THE DATA OF INDIVIDUALS THAT IS DISAGGREGATED BY SEX; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2077:** Judiciary, Division A

AN ACT TO AMEND SECTION 79-11-507, MISSISSIPPI CODE OF 1972, TO RAISE THE AUDIT THRESHOLD FOR CHARITY ORGANIZATIONS FROM \$500,000.00 TO \$750,000.00, AND USE CASH BASIS MEASUREMENT ONLY; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2078:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-13-103, MISSISSIPPI CODE OF 1972, TO REQUIRE COMPANIES AND GOVERNMENT ENTITIES TO NOTIFY AND EXPLAIN PROPOSED PUBLIC PROJECTS TO LANDOWNERS BEFORE HIRING A SURVEYOR; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2079:** Education; Judiciary, Division A

AN ACT TO CREATE NEW SECTION 45-9-181, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI SCHOOL PROTECTION ACT; TO ENACT DEFINITIONS; TO PROVIDE CIVIL IMMUNITY UNDER CERTAIN CIRCUMSTANCES FOR SCHOOL-PROTECTION TEAM MEMBERS WHO COMPLY WITH THE ACT; TO EXEMPT THE IDENTITY OF SCHOOL-PROTECTION TEAM MEMBERS FROM PUBLIC DISCLOSURE; TO PROVIDE A TRAINING AND CERTIFICATION PROCESS AND TO ENACT STANDARDS; TO AUTHORIZE A CERTIFICATION FEE NOT TO EXCEED \$350.00; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, TO CONFORM THE PROVISIONS OF LAW REGARDING ISSUANCE OF CERTAIN CONCEALED-CARRY LICENSES AND TO MAKE TECHNICAL AMENDMENTS; TO AMEND SECTION 97-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM THE INSTANCES OF JUSTIFIABLE HOMICIDE; TO AMEND SECTION 97-37-9, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFENSES TO A CHARGE OF UNLAWFULLY CARRYING OF A CONCEALED WEAPON; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2080:** Judiciary, Division A

AN ACT TO CREATE THE "MISSISSIPPI CONSUMER DATA PRIVACY ACT"; TO AUTHORIZE CONSUMERS TO REQUEST THAT BUSINESSES DISCLOSE

CERTAIN INFORMATION; TO AUTHORIZE CONSUMERS TO REQUEST THAT BUSINESSES DELETE PERSONAL INFORMATION COLLECTED BY BUSINESSES; TO REQUIRE BUSINESSES TO DISCLOSE CERTAIN INFORMATION TO CONSUMERS, TO INFORM CONSUMERS OF THEIR RIGHT TO REQUEST THAT PERSONAL INFORMATION BE DELETED, AND TO DELETE PERSONAL INFORMATION COLLECTED ABOUT CONSUMERS UPON REQUEST; TO AUTHORIZE CONSUMERS TO INSTRUCT BUSINESSES TO NOT SELL THE CONSUMERS' PERSONAL INFORMATION; TO AUTHORIZE CONSUMERS TO BRING CIVIL ACTIONS AGAINST BUSINESSES THAT VIOLATE THIS ACT; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING CIVIL ACTIONS AGAINST BUSINESSES THAT VIOLATE THIS ACT; TO REQUIRE THE ATTORNEY GENERAL TO ADOPT REGULATIONS TO FURTHER THE PURPOSES OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2081:** Judiciary, Division A; Appropriations

AN ACT TO CREATE A COUNTY COURT IN AND FOR EVERY COUNTY; TO AMEND SECTION 9-9-1, MISSISSIPPI CODE OF 1972, TO CREATE COUNTY COURT DISTRICTS; TO AMEND SECTION 9-9-5, MISSISSIPPI CODE OF 1972, TO SET FORTH THE QUALIFICATIONS OF JUDGES OF THE COUNTY COURTS; TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972, TO SET FORTH THE SALARY OF THE COUNTY COURT JUDGES; TO AMEND SECTION 9-9-19, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR TERMS OF COURT; TO AMEND SECTION 9-9-21, MISSISSIPPI CODE OF 1972, TO SET FORTH THE JURISDICTION OF THE COUNTY COURT; TO AMEND SECTIONS 9-9-23, 9-1-19, 9-1-23, 9-1-25 AND 9-1-35, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 43-21-107, MISSISSIPPI CODE OF 1972, TO CONFORM YOUTH COURT JURISDICTION; TO AMEND SECTION 43-21-123, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDING FOR THE COUNTY COURTS; TO AMEND SECTIONS 23-15-973 AND 23-15-975, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-13-1, 9-13-17 AND 9-13-19, MISSISSIPPI CODE OF 1972, TO PROVIDE A COURT REPORTER AND CONFORM PROVISIONS CONCERNING COURT REPORTERS; TO DESIGNATE THE CLERK OF THE COUNTY COURT AND THE CLERK OF THE YOUTH COURT; TO AMEND SECTIONS 43-21-111, 43-21-123, 43-21-125, 43-21-801 and 99-35-1, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-13-61, MISSISSIPPI CODE OF 1972, TO DELETE ARCHAIC REFERENCE TO FAMILY COURTS; TO REPEAL SECTION 9-9-3, MISSISSIPPI CODE OF 1972, WHICH ALLOWS FOR ESTABLISHMENT OF A COUNTY COURT BY AGREEMENT OF TWO OR MORE COUNTIES; TO REPEAL SECTION 9-9-9, MISSISSIPPI CODE OF 1972, WHICH RESTRICTS THE PRACTICE OF LAW BY COUNTY COURT JUDGES; TO REPEAL SECTION 9-9-13, MISSISSIPPI CODE OF 1972, WHICH ALLOWS MUNICIPALITIES TO SUPPLEMENT COUNTY COURT JUDGE SALARIES; TO REPEAL SECTION 9-9-14, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR HARRISON COUNTY; TO REPEAL SECTION 9-9-15, MISSISSIPPI CODE OF 1972, WHICH ALLOWS ADDITIONAL COUNTY COURT JUDGES FOR HINDS COUNTY; TO REPEAL SECTION 9-9-16, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR WASHINGTON COUNTY; TO REPEAL SECTION 9-9-17, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL JUDGE FOR JACKSON COUNTY; TO REPEAL SECTION 9-9-18, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR RANKIN COUNTY; TO REPEAL SECTION 9-9-18.1, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR MADISON COUNTY; TO REPEAL SECTION 9-9-18.2, MISSISSIPPI CODE OF 1972, WHICH ALLOWS A COUNTY COURT JUDGE FOR PEARL RIVER COUNTY; TO REPEAL SECTION 9-9-18.3, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR LAUDERDALE COUNTY; TO REPEAL SECTION 9-9-18.5, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR DESOTO COUNTY; TO REPEAL SECTION 9-9-18.6, MISSISSIPPI CODE OF 1972, WHICH

ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR LEE COUNTY; TO REPEAL SECTIONS 9-9-37, 9-9-39, 9-9-41, 9-9-43 AND 9-9-45, MISSISSIPPI CODE OF 1972, WHICH ALLOW COUNTIES TO ESTABLISH OR ABOLISH A COUNTY COURT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2082:** Judiciary, Division A

AN ACT TO CREATE NEW SECTION 43-19-36, MISSISSIPPI CODE OF 1972, TO AID THE DEPARTMENT OF HUMAN SERVICES TO COMPLY WITH FEDERAL LAW; TO PROVIDE THAT CHILD SUPPORT OBLIGATIONS SHALL BE SUSPENDED BY OPERATION OF LAW FOR PERSONS ORDERED TO PAY CHILD SUPPORT WHO ARE INCARCERATED OR INVOLUNTARILY INSTITUTIONALIZED FOR MORE THAN 180 DAYS, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT THE CHILD SUPPORT OBLIGATION WILL RESUME 60 DAYS AFTER THE NONCUSTODIAL PARENT IS RELEASED FROM INCARCERATION, AND THE NONCUSTODIAL PARENT'S CHILD SUPPORT ORDER AND OBLIGATION WILL BECOME ENFORCEABLE ON THAT DATE; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES WHEN ENFORCING A CHILD SUPPORT ORDER TO ADMINISTRATIVELY ADJUST THE ARREARS BALANCE FOR AN ORDER FOR CHILD SUPPORT THAT WAS SUSPENDED BECAUSE OF INCARCERATION OR INSTITUTIONALIZATION UNDER CERTAIN CONDITIONS; TO AMEND SECTIONS 93-11-65, 93-5-23 AND 93-11-71, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2083:** Judiciary, Division A; Education

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

By Senator(s) Hill

**S. B. No. 2084:** Judiciary, Division A

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

By Senator(s) Hill

**S. B. No. 2085:** Judiciary, Division A

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

By Senator(s) Hill

**S. B. No. 2086:** Judiciary, Division A

AN ACT TO AMEND SECTIONS 9-5-89 AND 43-21-121, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FAILURE TO PAY GUARDIAN AD LITEM FEES IS NOT CONTEMPT OF COURT BUT SHALL BE ENFORCED AS FOR ANY OTHER CIVIL

DEBT; TO AMEND SECTIONS 93-11-65, 93-15-107, 93-17-8 AND 97-5-42, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.  
By Senator(s) Hill

**S. B. No. 2087:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-17-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ADOPTEE MAY OBTAIN A COPY OF THE ADOPTEE'S ORIGINAL BIRTH CERTIFICATE IF 18 YEARS HAVE PASSED SINCE THE ISSUANCE OF A REVISED BIRTH CERTIFICATE FOLLOWING THE ADOPTION; TO AMEND SECTION 93-17-205, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.  
By Senator(s) Younger

**S. B. No. 2088:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 25-31-8, MISSISSIPPI CODE OF 1972, TO INCREASE THE OFFICE OPERATING ALLOWANCE OF EACH DISTRICT ATTORNEY; AND FOR RELATED PURPOSES.  
By Senator(s) Fillingane

**S. B. No. 2089:** Judiciary, Division A

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

**S. B. No. 2090:** Judiciary, Division A

AN ACT TO AMEND SECTION 73-11-58, MISSISSIPPI CODE OF 1972, TO PRECLUDE AT FAULT PARTIES FROM DECIDING THE DISPOSITION OF A DECEDENT'S REMAINS; AND FOR RELATED PURPOSES.  
By Senator(s) England

**S. B. No. 2091:** Judiciary, Division A

AN ACT TO AMEND SECTION 89-5-19, MISSISSIPPI CODE OF 1972, TO DELETE AN EXCEPTION TO THE EXPIRATION OF A LIEN WHERE A NOTATION HAD BEEN MADE ON THE JUDGMENT ROLL WITHIN 6 MONTHS AFTER THE EXPIRATION OF 7 YEARS FROM THE TIME OF THE RENDITION OF THE JUDGMENT; AND FOR RELATED PURPOSES.  
By Senator(s) Fillingane

**S. B. No. 2092:** Judiciary, Division A

AN ACT TO AMEND SECTION 89-1-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NONRESIDENT ALIENS WHO ARE CITIZENS OF A COUNTRY THAT IS HOSTILE TO THE INTERESTS OF THE UNITED STATES OR A COUNTRY THAT IS A KNOWN VIOLATOR OF HUMAN RIGHTS MAY NOT HOLD LAND, DISPOSE OF IT OR TRANSMIT IT BY DESCENT; AND FOR RELATED PURPOSES.  
By Senator(s) Younger

**S. B. No. 2093:** Judiciary, Division A

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

**S. B. No. 2094:** Judiciary, Division A

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

By Senator(s) Hill

**S. B. No. 2095:** Judiciary, Division B

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

By Senator(s) Thomas

**S. B. No. 2096:** Judiciary, Division B

AN ACT TO AMEND SECTION 43-21-257, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO REMOVE FROM THE CENTRAL REGISTRY THE NAME OF ANY SUBSTANTIATED PERPETRATOR WHO WAS LATER DETERMINED TO BE WRONGFULLY CONVICTED OR ADJUDICATED; TO AMEND SECTION 43-21-353, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO RECORD THE NAME OF A REPORTER WHEN RECEIVING A REPORT OF CHILD ABUSE; TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO DISCLOSE THE NAME OF THE REPORTER TO THE ALLEGED PERPETRATOR IN CASES OF FALSE REPORTS AND PURGE ITS RECORDS OF ANY REFERENCE TO THE IDENTITY OF THE ALLEGED PERPETRATOR; TO REQUIRE A COURT TO STRIKE FALSE REPORTS FROM ITS RECORDS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2097:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO DELETE THE CRIMINAL PENALTY FOR THE POSSESSION OF LESS THAN 2.5 OUNCES OF MARIJUANA; TO AMEND SECTIONS 33-13-520, 41-29-149.1 AND 41-29-150, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2098:** Judiciary, Division B; Corrections

AN ACT TO AMEND SECTION 97-3-21, MISSISSIPPI CODE OF 1972, TO ESTABLISH SENTENCING GUIDELINES FOR PERSONS WHO WERE UNDER THE AGE OF 18 WHEN THEY COMMITTED THE OFFENSE OF FIRST-DEGREE MURDER, SECOND-DEGREE MURDER OR CAPITAL MURDER; TO REMOVE LIFE WITHOUT THE POSSIBILITY OF PAROLE AS A SENTENCING OPTION FOR JUVENILES CONVICTED OF THESE OFFENSES; TO PROVIDE THAT JUVENILES CONVICTED OF THESE OFFENSES MAY BE ELIGIBLE FOR PAROLE AND TO PROVIDE FOR THE RETROACTIVE APPLICATION OF PAROLE ELIGIBILITY; TO AMEND SECTION 97-3-2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN JUVENILE OFFENDERS MAY BE RELEASED FROM THE CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS (MDOC) BEFORE SERVING 50% OF THE SENTENCE IMPOSED BY THE COURT; TO AMEND SECTION 47-7-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JUVENILE OFFENDERS CONVICTED OF CERTAIN OFFENSES MAY BE ELIGIBLE FOR PAROLE AFTER SERVING 25% OF A DEFINITE SENTENCE OR AFTER SERVING TEN YEARS OF A LIFE SENTENCE; TO AUTHORIZE THE PAROLE BOARD TO ESTABLISH A METHOD OF DETERMINING TENTATIVE PAROLE HEARING DATES FOR PAROLE-ELIGIBLE JUVENILE OFFENDERS WHO WERE CONVICTED BEFORE JULY 1, 2022; TO AMEND SECTION 47-7-3.1, MISSISSIPPI CODE OF 1972, TO CHANGE THE DEADLINE BY WHICH MDOC MUST COMPLETE CASE PLANS FOR PAROLE-ELIGIBLE JUVENILE OFFENDERS WHO WERE CONVICTED BEFORE JULY 1, 2022; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2099:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-17-42, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF MOTOR VEHICLE THEFT SHALL BE A FELONY; TO REVISE THE PENALTIES FOR THE COMMISSION OF MOTOR VEHICLE THEFT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2100:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-17-70, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT A PERSON KNOW THAT PROPERTY WAS STOLEN IN ORDER TO BE CONVICTED OF THE CRIME OF RECEIVING STOLEN PROPERTY; TO CLARIFY THAT THE CRIME OF RECEIVING STOLEN PROPERTY APPLIES TO STOLEN MOTOR VEHICLES; TO PROVIDE THAT RECEIPT OF STOLEN PROPERTY VALUED AT A CERTAIN AMOUNT SHALL BE A FELONY WITH A REQUIRED MINIMUM TERM OF IMPRISONMENT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2101:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-9-72, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM TERM OF IMPRISONMENT FOR THE CRIME OF FLEEING OR ELUDING A LAW ENFORCEMENT OFFICER IN A MOTOR VEHICLE; TO AMEND SECTION 97-9-73, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF RESISTING OR OBSTRUCTING AN ARREST SHALL BE A FELONY; TO INCREASE THE MINIMUM TERM OF IMPRISONMENT FOR THE CRIME OF RESISTING OR OBSTRUCTING AN ARREST; TO AMEND SECTION 97-3-117, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM TERM OF IMPRISONMENT FOR THE CRIMES OF CARJACKING AND ARMED CARJACKING; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2102:** Energy

AN ACT TO AMEND SECTION 77-13-3, MISSISSIPPI CODE OF 1972, TO DEFINE IMPENDING EMERGENCY EXCAVATION; TO AMEND SECTION 77-13-5, MISSISSIPPI CODE OF 1972, TO ESTABLISH ADVANCE NOTICE REQUIREMENTS FOR IMPENDING EMERGENCY EXCAVATIONS; TO AMEND SECTION 77-13-9, MISSISSIPPI CODE OF 1972, TO REQUIRE PREMARKING FOR EMERGENCY EXCAVATIONS; TO AMEND SECTION 77-13-11, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2103:** Energy

AN ACT TO AMEND SECTIONS 75-55-5 AND 75-55-37, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE PROVISIONS OF LAW DEFINING GASOLINE AND PETROLEUM PRODUCTS AND REGULATING THEIR USE; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2104:** Energy

AN ACT TO AMEND SECTIONS 49-17-707, 49-17-709, 49-17-711 AND 49-17-713, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE MISSISSIPPI GULF COAST REGION UTILITY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2105:** Elections

AN ACT TO AMEND SECTION 23-15-531.6, MISSISSIPPI CODE OF 1972, TO REQUIRE THE OFFICIALS IN CHARGE OF THE CONDUCT OF THE ELECTION TO TEST EACH DRE UNIT FOR PRINTING CAPABILITY; TO AMEND SECTION 23-15-531.9, MISSISSIPPI CODE OF 1972, TO REQUIRE A POLL MANAGER TO ENSURE

THAT EACH DRE UNIT PRINTS A RECORD OF THE VOTE OF EACH ELECTOR; TO AMEND SECTION 23-15-531.10, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2106:** Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN TEN DAYS BEFORE THE DATE OF AN ELECTION; TO PRESCRIBE CERTAIN CONDITIONS FOR EARLY VOTING LOCATIONS TO BE IMPLEMENTED BY THE SECRETARY OF STATE; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2107:** Elections

AN ACT TO AMEND SECTION 23-15-309, MISSISSIPPI CODE OF 1972, TO EXTEND THE QUALIFYING DEADLINE FOR MUNICIPAL PRIMARY ELECTIONS FOR A CERTAIN PERIOD IF THE MUNICIPALITY ANNEXES AN UNINCORPORATED AREA WITHIN A CERTAIN PERIOD OF THE ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2108:** Elections

AN ACT TO AMEND SECTION 23-15-851, MISSISSIPPI CODE OF 1972, TO PROVIDE WHAT OCCURRENCES CONSTITUTE A VACANCY IN EITHER HOUSE OF THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2109:** Elections

AN ACT TO ESTABLISH THE MISSISSIPPI STUDENT ABSENTEE VOTER ACT; TO PROVIDE THAT MISSISSIPPI CITIZENS WHO RESIDE OUTSIDE THE COUNTY OR MUNICIPALITY OF THEIR RESIDENCE BECAUSE OF THEIR ENROLLMENT AT AN INSTITUTION OF HIGHER LEARNING MAY REQUEST AND RECEIVE AN ABSENT ELECTOR'S BALLOT; TO DEFINE THE TERM "ABSENT VOTER" UNDER THE MISSISSIPPI STUDENT ABSENTEE VOTER ACT; TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS AS MAY BE NECESSARY; TO PROVIDE THAT ABSENT VOTERS MUST USE A DULY EXECUTED MISSISSIPPI POSTCARD APPLICATION TO REQUEST AN ABSENTEE BALLOT; TO PROVIDE THAT A REQUEST FOR AN ABSENTEE BALLOT SHALL SERVE AS A REQUEST FOR AN ABSENTEE BALLOT FOR EACH ELECTION HELD WITHIN THE CALENDAR YEAR FOR WHICH THE VOTER IS ELIGIBLE TO VOTE; TO AUTHORIZE THE USE OF ELECTRONIC FACSIMILE DEVICES, POSTAL MAIL AND ELECTRONIC MAIL TO TRANSMIT ABSENTEE BALLOTS, TO RECEIVE VOTED ABSENTEE BALLOTS AND TO RECEIVE COMPLETED MISSISSIPPI POSTCARD APPLICATIONS UNDER THE STUDENT ABSENTEE VOTER ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2110:** Elections

AN ACT TO AMEND SECTIONS 23-15-563 AND 23-15-573, MISSISSIPPI CODE OF 1972, TO REDUCE THE LENGTH OF TIME AFTER THE ELECTION WITHIN WHICH A VOTER WHO IS UNABLE TO PRESENT ACCEPTABLE PHOTOGRAPHIC IDENTIFICATION MUST RETURN TO THE CIRCUIT OR MUNICIPAL CLERK'S OFFICE TO PRESENT PHOTOGRAPHIC IDENTIFICATION OR EXECUTE A RELIGIOUS EXEMPTION AFFIDAVIT; TO PROVIDE THAT SUCH VOTERS MUST RETURN TO THE CIRCUIT OR MUNICIPAL CLERK'S OFFICE WITHIN THREE RATHER THAN FIVE DAYS TO ENSURE THAT HIS OR HER BALLOT IS COUNTED; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2111:** Elections



AN ACT TO PROVIDE THAT AN ELECTED OFFICIAL'S QUALIFICATION AS A CANDIDATE FOR A PUBLIC OFFICE SHALL BE DEEMED A RESIGNATION AND VACANCY OF THE OFFICIAL'S OFFICE IF THE TERM OF THE PUBLIC OFFICE THAT IS SOUGHT BEGINS DURING THE TERM FOR WHICH THE ELECTED OFFICIAL CURRENTLY SERVES; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2112:** Elections

AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE QUALIFIED ELECTORS TO SUBMIT VOTER REGISTRATION APPLICATIONS THROUGH A SECURE INTERNET WEBSITE ESTABLISHED BY THE SECRETARY OF STATE; TO ESTABLISH THE PROCEDURE BY WHICH THE COUNTY REGISTRAR SHALL PROCESS ONLINE APPLICATIONS; TO AMEND SECTIONS 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 21 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REVISE THE CATEGORIES OF VOTERS WHO MAY CAST AN ABSENTEE BALLOT; TO AMEND SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL ABSENTEE BALLOTS MUST BE RECEIVED BY THE REGISTRAR BY A CERTAIN TIME ON THE DAY BEFORE THE ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2113:** Elections

AN ACT TO AUTHORIZE THE SECRETARY OF STATE TO ESTABLISH A SECURE WEBSITE TO ENABLE STUDENT VOTERS TO SUBMIT ELECTRONIC ABSENTEE BALLOT APPLICATIONS; TO ESTABLISH THE DOCUMENTS WHICH MUST BE SUBMITTED BY THE STUDENT TO APPROVE SUCH APPLICATIONS; TO PROVIDE THAT UPON APPROVAL, STUDENT ABSENTEE VOTERS MAY BE AUTOMATICALLY MAILED ABSENTEE BALLOTS FOR ALL ELECTIONS THAT OCCUR FOR A CERTAIN PERIOD OF TIME; TO AMEND SECTIONS 23-15-627, 23-15-631, 23-15-715 AND 23-15-721, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Blount

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

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

By Senator(s) Turner-Ford

**S. B. No. 2115:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972, TO INCLUDE TIANEPTINE AS A SCHEDULE II CONTROLLED SUBSTANCE; TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO EXEMPT THE SIMPLE POSSESSION OF TIANEPTINE FROM PROSECUTION; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2116:** Corrections; Judiciary, Division B

AN ACT TO AMEND SECTIONS 47-7-2, 47-7-3 AND 47-7-3.2, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING AND PAROLE OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH THE UNITED STATES SUPREME COURT HOLDINGS IN THE CASES OF MILLER V. ALABAMA AND GRAHAM V. FLORIDA; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2117:** Corrections

AN ACT TO AUTHORIZE THE MISSISSIPPI PAROLE BOARD TO REVIEW AND APPROVE THE RELEASE OF AN OFFENDER UNDER THE EARNED-TIME ALLOWANCE PROGRAM; TO ESTABLISH THE PROCEDURE TO BE FOLLOWED BY THE PAROLE BOARD IN REVIEWING THE MISSISSIPPI DEPARTMENT OF CORRECTIONS' RECOMMENDATION TO PLACE AN OFFENDER UNDER EARNED-RELEASE SUPERVISION; TO AUTHORIZE A HEARING BE HELD REGARDING THE PROPOSED RELEASE OF AN OFFENDER AND THAT CERTAIN NOTICE BE PROVIDED TO VICTIMS REGARDING SUCH RELEASE, UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 47-5-138 AND 47-7-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING SECTION; TO AMEND SECTION 47-5-177, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN LOCAL LAW ENFORCEMENT OFFICIALS SHALL BE NOTIFIED 15 DAYS BEFORE OFFENDERS ARE PLACED UNDER EARNED-RELEASE SUPERVISION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2118:** Judiciary, Division B

AN ACT TO AMEND SECTION 93-11-153, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "TEMPORARY DRIVER'S LICENSE"; TO AMEND SECTION 93-11-157, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO ISSUE A TEMPORARY DRIVER'S LICENSE TO ANY PERSON WHOSE GENERAL DRIVER'S LICENSE IS SUSPENDED AS A RESULT OF FAILURE TO PAY CHILD SUPPORT; AND FOR RELATED PURPOSES.

By Senator(s) Hill, England

**S. B. No. 2119:** Judiciary, Division B

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

By Senator(s) McCaughn

**S. B. No. 2120:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A LAW ENFORCEMENT OFFICER WHO IS EMPLOYED BY THE ATTORNEY GENERAL TO PURCHASE HIS OR HER ISSUED SIDEARM AS PERSONAL PROPERTY UPON THE OFFICER'S RETIREMENT; TO AUTHORIZE THE PURCHASE OF THE SIDEARM BY THE SPOUSE OF A LAW ENFORCEMENT OFFICER WHO IS KILLED IN THE LINE OF DUTY; TO REQUIRE THE ATTORNEY GENERAL TO DETERMINE THE PRICE OF THE FIREARM; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2121:** Judiciary, Division B

AN ACT TO CREATE THE OFFENSE OF CHEMICAL ENDANGERMENT OF A CHILD OR FETUS AND TO PRESCRIBE PUNISHMENT; TO MANDATE THAT PROSECUTORS OFFER SUBSTANCE ABUSE TREATMENT PROGRAMS AS AN ALTERNATIVE TO PROSECUTION; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2122:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE STATUTE OF LIMITATIONS FOR THE CRIME OF BRIBERY OF A PUBLIC OFFICIAL TO FIVE (5) YEARS TO MIRROR THE FEDERAL STATUTE; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2123:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-41-23, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTIES FOR HARMING PUBLIC SERVICE ANIMALS; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2124:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM TERM OF IMPRISONMENT FOR A FIRST OR SECOND DUI CONVICTION; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2125:** Education

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

By Senator(s) Blackwell

**S. B. No. 2126:** Judiciary, Division B

AN ACT TO ENACT THE RESTORATION OF THE RIGHT TO VOTE ACT; TO PROVIDE THAT A PERSON WHO BEEN CONVICTED OF VOTE FRAUD, OF ANY CRIME LISTED IN SECTION 241, MISSISSIPPI CONSTITUTION OF 1890, OR OF ANY CRIME INTERPRETED AS DISENFRANCHISING IN LATER ATTORNEY GENERAL OR JUDICIAL OPINIONS IS OTHERWISE A QUALIFIED ELECTOR, SHALL HAVE HIS OR HER RIGHT TO VOTE SUSPENDED UPON CONVICTION BUT SHALL HAVE HIS OR HER RIGHT TO VOTE AUTOMATICALLY RESTORED ONCE HE OR SHE HAS SATISFIED ALL OF THE SENTENCING REQUIREMENTS OF THE CONVICTION; TO AMEND SECTIONS 23-15-11, 23-15-19, 23-15-125, 23-15-151, 23-15-153 AND 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2127:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-7-75, MISSISSIPPI CODE OF 1972, TO REVISE THE ELEMENTS OF THE OFFENSE OF MAKING A TERRORISTIC THREAT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2128:** Judiciary, Division B

AN ACT TO CREATE THE CRIME OF TRESPASS ON PROPERTY OTHER THAN A STRUCTURE OR CONVEYANCE; TO PROVIDE PENALTIES FOR THE CRIME; TO DEFINE TERMS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2129:** Judiciary, Division B

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

By Senator(s) Hill

**S. B. No. 2130:** Judiciary, Division B

AN ACT TO AMEND SECTIONS 97-3-21 AND 99-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE ALTERNATIVE SENTENCING OPTIONS FOR JUVENILE OFFENDERS IN COMPLIANCE WITH UNITED STATES SUPREME COURT HOLDINGS IN THE CASES OF MILLER V. ALABAMA AND ROPER V. SIMMONS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2131:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139.1, MISSISSIPPI CODE OF 1972, TO CREATE THE CRIME OF AGGRAVATED ASSAULT BY FENTANYL DELIVERY; TO IMPOSE CRIMINAL PENALTIES; TO IMPOSE A CRIMINAL FINE FOR THE CRIME OF FENTANYL DELIVERY RESULTING IN DEATH; TO DELETE THE AUTOMATIC REPEALER; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2132:** Judiciary, Division B; Judiciary, Division A

AN ACT TO CREATE A NEW SECTION WITHIN TITLE 63, CHAPTER 11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DEFENDANT CONVICTED OF AGGRAVATED DUI WHERE THE DECEASED VICTIM OF THE OFFENSE WAS THE PARENT OF A MINOR CHILD SHALL PAY RESTITUTION IN THE FORM OF CHILD SUPPORT; TO PROVIDE THAT THE COURT SHALL DETERMINE AN AMOUNT THAT IS REASONABLE AFTER CONSIDERED CERTAIN FACTORS; TO PROVIDE FOR THE DISBURSEMENT OF THE SUPPORT TO THE CHILD'S PARENT OR GUARDIAN; TO PROVIDE FOR THE DEFENDANT'S INABILITY TO PAY DURING INCARCERATION; TO PROVIDE THAT CHILD SUPPORT PAYMENTS SHALL CONTINUE UNTIL PAID IN FULL WITHOUT REGARD TO THE AGE OF THE CHILD; TO PROVIDE THAT A CHILD SUPPORT ORDER UNDER THIS SECTION SHALL BE OFFSET BY A SUBSEQUENT CIVIL JUDGMENT ENTERED AGAINST THE DEFENDANT FOR THE BENEFIT OF THE MINOR CHILD; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2133:** Judiciary, Division B

AN ACT TO AUTHORIZE THE USE OF ELECTRONIC SIGNATURES FOR WARRANT APPLICATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2134:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE GENERAL TWO-YEAR STATUTE OF LIMITATIONS ON CRIMES WILL NOT RUN AGAINST THE CRIME OF SEXUAL BATTERY; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2135:** Judiciary, Division B; Elections

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

By Senator(s) Blount

**S. B. No. 2136:** Accountability, Efficiency, Transparency

AN ACT TO ENACT THE "SERVICE CANINE PROTECTION ACT OF 2022"; TO DEFINE TERMS; TO REQUIRE EACH CANINE UNIT TO EQUIP ITS CANINE VEHICLES WITH A HEAT ALARM SYSTEM; TO REQUIRE EACH CANINE UNIT TO ADOPT A WRITTEN PROTOCOL; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2137:** Tourism

AN ACT TO DESIGNATE EACH APRIL AS "MISSISSIPPI NATIVE PLANT MONTH" IN ORDER TO PRESERVE THE HERITAGE AND THE IMPORTANCE OF NATIVE PLANTS FOR CLEAN AIR, WATER AND SOIL STABILITY; AND FOR RELATED PURPOSES.

By Senator(s) Michel, Kirby, Barnett, Caughman, Frazier, Chassaniol, Jackson

**S. B. No. 2138:** Tourism

AN ACT CREATING A NEW SECTION 3-3-66, MISSISSIPPI CODE OF 1972, DESIGNATING THE MISSISSIPPI OPAL AS THE STATE GEMSTONE; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2139:** Tourism

AN ACT TO ESTABLISH A MISSISSIPPI USA SEMIQUINCENTENNIAL COMMISSION TO DEVELOP PROGRAMS FOR OBSERVING THE 250TH ANNIVERSARY OF THE UNITED STATES OF AMERICA; TO AUTHORIZE COOPERATION WITH THE UNITED STATES SEMIQUINCENTENNIAL COMMISSION AND THE AMERICA250 FOUNDATION AND OTHER PUBLIC AND PRIVATE ORGANIZATIONS; TO DESIGNATE SPECIFIC OBJECTIVES OF THE COMMISSION; TO PROVIDE FOR THE MEMBERSHIP AND ORGANIZATION OF THE COMMISSION; TO PROVIDE FOR REIMBURSEMENT OF EXPENSES; TO PROHIBIT SOLICITATION OF FUNDS BY MEMBERS WHO ARE ELECTED OFFICIALS OR PUBLIC EMPLOYEES; TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE OFFICER AND SECRETARY TO THE COMMISSION; TO PROVIDE FOR ADVISORY COMMITTEES; TO ENCOURAGE THE COOPERATION OF STATE AGENCIES AND POLITICAL SUBDIVISIONS; TO EMPOWER THE COMMISSION TO ACCEPT AND EXPEND FUNDS FROM PRIVATE AND PUBLIC SOURCES FOR THIS CELEBRATION; TO CREATE THE MISSISSIPPI SEMIQUINCENTENNIAL CELEBRATION FUND IN THE STATE TREASURY; TO REQUIRE AN ANNUAL REPORT OF THE COMMISSION TO THE GOVERNOR AND LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2140:** Technology

AN ACT TO CREATE A NEW SECTION WITHIN TITLE 25, CHAPTER 53, MISSISSIPPI CODE OF 1972, TO CREATE THE NATIONAL SECURITY ON STATE DEVICES AND NETWORKS ACT; TO AMEND SECTION 25-53-191, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2141:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-29-107, MISSISSIPPI CODE OF 1972, TO DELETE THE EXEMPTION FOR ANY PUBLIC SCHOOL LIBRARY IN THIS STATE FROM THE CRIME OF DISTRIBUTING OBSCENE MATERIALS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2142:** Public Property

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

By Senator(s) Hill

**S. B. No. 2143:** Energy; Municipalities

AN ACT TO AMEND SECTION 21-27-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A MUNICIPALITY TO ALLOW A MUNICIPALLY OWNED UTILITY TO ACCEPT PAYMENT FOR ITS SERVICES BY CREDIT CARD, DEBIT CARD OR OTHER FORM OF ELECTRONIC PAYMENT AND TO ABSORB ANY FEES OR CHARGES ASSOCIATED WITH THE USE OF SUCH ELECTRONIC PAYMENT IN ITS COST OF SERVICE RATE BASE; AND FOR RELATED PURPOSES.

By Senator(s) Thomas

**S. B. No. 2144:** Municipalities

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

By Senator(s) Blackwell

**S. B. No. 2145:** County Affairs; Municipalities

AN ACT TO CREATE NEW SECTION 17-25-37, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY LOCAL ORDINANCE THAT WOULD LEGALIZE CAMPING ON STREETS, ROADS AND SIDEWALKS OR ANY OTHER PUBLIC PROPERTY; TO AMEND SECTIONS 97-35-23 AND 97-35-25, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROHIBITION ON CAMPING ON PUBLIC SIDEWALKS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2146:** Judiciary, Division A

AN ACT TO ENACT THE UNCREWED AIRCRAFT SYSTEMS' RIGHTS AND AUTHORITIES ACT; TO DEFINE TERMS; TO PROVIDE THAT NOTHING IN THE ACT SHALL PREEMPT FEDERAL LAW; TO PROVIDE THAT AN INDIVIDUAL, IN COMPLIANCE WITH FEDERAL LAW, MAY OPERATE AN UNCREWED AIRCRAFT SYSTEM FOR RECREATIONAL PURPOSES WITHIN THIS STATE; TO PROVIDE THAT AN INDIVIDUAL OR BUSINESS ENTITY, DOING BUSINESS LAWFULLY WITHIN THIS STATE AND IN COMPLIANCE WITH FEDERAL LAW, MAY OPERATE OR USE AN UNCREWED AIRCRAFT SYSTEM FOR COMMERCIAL PURPOSES WITHIN THIS STATE; TO PROVIDE THAT A PERSON MAY BE GUILTY OF AN OFFENSE COMMITTED WITH THE AID OF AN UNCREWED AIRCRAFT SYSTEM IF THE ACTIVITY PERFORMED WITH THE AID OF THE UNCREWED AIRCRAFT SYSTEM WOULD HAVE GIVEN RISE TO LIABILITY IF IT WAS PERFORMED DIRECTLY BY THE PERSON WITHOUT THE AID OF AN UNCREWED AIRCRAFT SYSTEM; TO PROVIDE LIABILITY FOR AERIAL TRESPASS AND INVASION OF PRIVACY; TO PROVIDE FOR THE REGULATORY AUTHORITY OF THE STATE AND ITS POLITICAL SUBDIVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

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

A CONCURRENT RESOLUTION CONGRATULATING AND COMMENDING THE JACKSON STATE UNIVERSITY "TIGERS" FOOTBALL TEAM, HEAD COACH DEION SANDERS AND THE "TIGERS" COACHING STAFF UPON WINNING THEIR SECOND CONSECUTIVE SOUTHWESTERN ATHLETIC CONFERENCE (SWAC) CHAMPIONSHIP UPON BECOMING THE 2022 SWAC CHAMPIONS, AND RECOGNIZING JACKSON STATE UNIVERSITY'S CONTINUAL FULFILLMENT OF ITS VISION STATEMENT OF BUILDING UPON ITS HISTORIC MISSION OF PROMOTING AND EMPOWERING DIVERSITY AND INCLUSION AMONG ITS SCHOLARS AND SCHOLAR-ATHLETES THROUGH INTERDISCIPLINARY AND MULTIMODAL COLLABORATIVE LEARNING.

By Senator(s) Blackmon, Horhn, Butler (36th), Thomas, Norwood

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

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

By Senator(s) Blackwell

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

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SCOTT CENTRAL "REBELS" FOOTBALL TEAM AND HEAD COACH JEFF STOCKSTILL FOR WINNING BACK-TO-BACK MHSAA CLASS 2A STATE CHAMPIONSHIPS.

By Senator(s) McCaughn

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

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE RALEIGH HIGH SCHOOL "LIONS" FOOTBALL TEAM AND HEAD COACH RYAN HIGDON FOR WINNING THE 2022 MHSAA CLASS 3A STATE CHAMPIONSHIP.

By Senator(s) Fillingane

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

A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC CAREER AND LEGACY OF FORREST COUNTY TAX COLLECTOR, FORMER MAGEE ALDERMAN, FORMER PRESIDENT OF THE FORREST COUNTY BOARD OF SUPERVISORS AND FORMER STATE SENATOR BILLY C. HUDSON AND EXTENDING THE SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY AND FRIENDS.

By Senator(s) Fillingane, Polk

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

A CONCURRENT RESOLUTION MOURNING THE LOSS AND CELEBRATING THE CONTRIBUTIONS AND CAREER OF MISSISSIPPI MUSIC ICON AND ROCK AND ROLL LEGEND JERRY LEE LEWIS OF NESBIT, DESOTO COUNTY, MISSISSIPPI, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE ON HIS PASSING.

By Senator(s) Parker, Blackwell, McLendon

**S. C. R. No. 513:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NEWTON COUNTY HIGH SCHOOL "RAMS" CHEERLEADING TEAM AND CHEER COACH TONYA NOWELL FOR WINNING THE MHSAA CLASS 4A STATE CHAMPIONSHIP.

By Senator(s) McCaughn

**S. C. R. No. 514:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SUMRALL HIGH SCHOOL "BOBCATS" BASEBALL TEAM AND COACH ANDY DAVIS

FOR WINNING THE MHSAA CLASS 4A STATE CHAMPIONSHIP WHICH IS THEIR SIXTH STATE TITLE IN SCHOOL HISTORY.

By Senator(s) Fillingane, Polk

**S. C. R. No. 515:** Rules

A CONCURRENT RESOLUTION MOURNING THE PASSING AND COMMENDING THE LIFE, PUBLIC SERVICE AND COMMUNITY CONTRIBUTIONS OF FORMER STATE SENATOR, CIRCUIT JUDGE AND DECORATED WORLD WAR II VETERAN THOMAS FREDERICK (FRED) WICKER OF PONTOTOC, MISSISSIPPI, AND EXTENDING THE SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY.

By Senator(s) McMahan

**S. C. R. No. 516:** Rules

A CONCURRENT RESOLUTION COMMENDING, CONGRATULATING, AND THANKING MYRTIS FRANKE FOR HER LIFETIME OF SERVICE TO THE STATE OF MISSISSIPPI.

By Senator(s) Moran, Carter, DeLano, England, Seymour, Thompson, Wiggins

**S. C. R. No. 517:** Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 33, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE LEGISLATURE BY GENERAL LAW MAY PROVIDE FOR A CITIZEN INITIATIVE PROCEDURE FOR PROPOSING AMENDMENTS TO MISSISSIPPI STATUTES.

By Senator(s) Blount

**S. R. No. 7:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON PREP "PATRIOTS" FOOTBALL TEAM AND HEAD COACH DOUG GOODWIN FOR WINNING THE MAIS CLASS 6A STATE FOOTBALL CHAMPIONSHIP.

By Senator(s) Kirby, Harkins, Michel

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EIGHTH DAY, TUESDAY, JANUARY 10, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Sheila Cumbest, Pastor, Morton United Methodist Church, Morton, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Trena Reed Hawthorne of Jackson, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Albert "Rusty" Dulaney of Terry, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Harold Lee Greer of Hernando, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Patricia A. Brown of Greenwood, MS.

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Senators England, Wiggins and Williams moved that when the Senate adjourns, it adjourn in memory of Charles James "Jim" Haug of Starkville, MS.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Kathleen "Katy" Blake of Pascagoula, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Lillie Ann Herring Rushing, Adam Stanton King, Sarah Nell Underwood and John Larry McFadden of Brookhaven, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Theresa Kay Adcock Miller and Denise Elaine Davis of Meridian, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Barbara Jones Cook of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Coach Jim Carmody of Madison, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Margaret Brewer Henry and Mary Frances Brady of Columbus, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Mary Jewel Leonard, Leslie Nolen "Leck" Counce, Mike Gunn, Sammy Lee Wallace, Dicky Wayne Reed, R. M. Brooks, Jr. and Ms. Sherry Jones of Corinth, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Mrs. Mildred L. McEwen of Glen, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Mr. David Richard Huggins of Brandon, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 11, 2023.

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

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Trenna Reed Hawthorne, Albert "Rusty" Dulaney, Theresa Kay Adcock Miller, Denise Elaine Davis, Barbara Jones Cook, Coach Jim Carmody, Margaret Brewer Henry, Mary Frances Brady, Mary Jewel Leonard, Leslie Nolen "Leck" Counce, Mike Gunn, Sammy Lee Wallace, Harold Lee Greer, Dicky Wayne Reed, R. M. Brooks, Jr., Ms. Sherry Jones, Mrs. Mildred L. McEwen, Mr. David Richard Huggins, Patricia A. Brown, Charles James "Jim" Haug, Kathleen "Katy" Blake, Lillie Ann Herring Rushing, Adam Stanton King, Sarah Nell Underwood and John Larry McFadden.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR TUESDAY, JANUARY 10, 2023

##### **S. B. No. 2147:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-23-33, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "PHYSICAL THERAPY AIDE" OR "PHYSICAL THERAPY TECHNICIAN" FOR THE PURPOSES OF THE PHYSICAL THERAPY PRACTICE LAW; TO AMEND SECTION 73-23-35, MISSISSIPPI CODE OF 1972, TO REVISE THE CIRCUMSTANCES AND CRITERIA UNDER WHICH A PHYSICAL THERAPIST MAY IMPLEMENT PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL FROM ANOTHER HEALTH CARE PROVIDER; TO AMEND SECTION 73-23-39, MISSISSIPPI CODE OF 1972, TO REVISE THE LIST OF PERSONS WHO ARE PERMITTED TO PRACTICE PHYSICAL THERAPY IN THIS STATE WITHOUT OBTAINING A MISSISSIPPI LICENSE; TO AMEND SECTION 73-23-41, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE STATE BOARD OF PHYSICAL THERAPY; TO DELETE THE PROHIBITION ON BEING APPOINTED FOR MORE THAN TWO CONSECUTIVE TERMS ON THE BOARD; TO AMEND SECTION 73-23-43, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD TO DETERMINE AND COLLECT, AT THE TIME OF NEW LICENSURE AND LICENSURE RENEWAL, A CORE SET OF DATA ELEMENTS DEEMED NECESSARY FOR THE PURPOSE OF WORKFORCE PLANNING; TO AMEND SECTION 73-23-51, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS AUTHORIZING THE LICENSING OF PHYSICAL

THERAPISTS AND PHYSICAL THERAPIST ASSISTANTS BY RECIPROCITY; TO AMEND SECTION 73-23-53, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTHORITY OF THE BOARD TO ISSUE A TEMPORARY LICENSE TO PHYSICAL THERAPISTS OR PHYSICAL THERAPIST ASSISTANTS LICENSED IN OTHER STATES DURING A DISASTER OR EMERGENCY; TO AMEND SECTION 73-23-59, MISSISSIPPI CODE OF 1972, TO CONFORM THE GROUNDS FOR DISCIPLINARY ACTION AGAINST A PHYSICAL THERAPIST FOR IMPLEMENTING PHYSICAL THERAPY TREATMENT WITHOUT A REFERRAL TO THE AMENDMENT TO SECTION 73-23-35 IN THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

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NINTH DAY, WEDNESDAY, JANUARY 11, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend John Allen, Pastor, Saint Stephens United Methodist Church, Yazoo City, MS.

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Captain Shannon Massey, Pascagoula Police Dept., of Pascagoula, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Marquise "Doda" Poole of Newton, MS.

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Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Albert Emerson of Lambert, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Brigadier General Sam Forbert, Jr., Guy B. Woodward and Bettie Weir of Meridian, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Walker Farriel Montgomery of Columbus, MS.

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Senator Polk moved that the Senate stand in recess until 6:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 12, 2023.

The motion prevailed, and at 10:20 AM, the Senate stood in recess.

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MESSAGE FROM THE LT. GOVERNOR  
January 10, 2023

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

Huey Love (Hue) Townsend, Jr., Belzoni, Mississippi, Mississippi Home Corporation as a resident of the First Supreme Court District, term effective December 30, 2022 and ending June 30, 2028.

Delbert Hosemann  
LT. GOVERNOR

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

Huey Love (Hue) Townsend, Jr., Mississippi Home Corporation as a resident of the First Supreme Court District, term effective December 30, 2022 and ending June 30, 2028, Finance.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:00 PM in memory of Captain Shannon Massey, Marquise "Doda" Poole, Albert Emerson, Brigadier General Sam Forbert, Jr., Guy B. Woodward, Bettie Weir and Walker Farriel Montgomery.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, JANUARY 11, 2023

**S. B. No. 2148:** Finance

AN ACT TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PERSONS RECEIVING A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHO ARE EMPLOYED AS TEACHERS IN THE PUBLIC SCHOOL SYSTEM AFTER THEIR RETIREMENT, AND CERTAIN PERSONS EMPLOYED AS TEACHERS IN THE PUBLIC SCHOOL SYSTEM WHO ARE ELIGIBLE TO RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM, MAY RECEIVE A RETIREMENT ALLOWANCE DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO RECEIVING A TEACHER'S SALARY; TO PROVIDE THAT THOSE PERSONS SHALL NOT BE CONTRIBUTING MEMBERS OF THE RETIREMENT SYSTEM NOR RECEIVE ANY CREDITABLE SERVICE FOR THE PERIOD DURING WHICH THEY RECEIVE A RETIREMENT ALLOWANCE DURING THEIR EMPLOYMENT AS TEACHERS; TO AMEND SECTIONS 25-11-103, 25-11-105 AND 25-11-127, MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2149:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GUNTOWN, MISSISSIPPI, TO ALLOW THE OPERATION OF SIDE-BY-SIDE VEHICLES ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE CITY; TO REQUIRE INDIVIDUALS OPERATING A SIDE-BY-SIDE VEHICLE TO HAVE A VALID DRIVER'S LICENSE AND PROOF OF INSURANCE; TO REQUIRE SIDE-BY-SIDE VEHICLES TO BE REGISTERED WITH THE CITY; TO AUTHORIZE THE CITY TO CHARGE A REGISTRATION FEE; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2150:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF WARREN COUNTY, MISSISSIPPI, TO ENTER INTO A LEASE AGREEMENT OR LEASE-PURCHASE ARRANGEMENT FOR A TERM NOT TO EXCEED 30 YEARS FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, MAINTAIN, CONSTRUCT OR EQUIP A PUBLIC BUILDING OR BUILDINGS AND RELATED FACILITIES FOR USE AS A LAW ENFORCEMENT AND PUBLIC SAFETY FACILITY OR JAIL FACILITY; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2151:** Local and Private

AN ACT TO AMEND CHAPTER 911, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE REPEAL DATE FROM JULY 1, 2023, TO JULY 1, 2027 ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE TOWN OF NORTH CARROLLTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM, PARKS AND RECREATION, AND ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2152:** Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF BYRAM, MISSISSIPPI, TO IMPOSE A SPECIAL TAX UPON THE GROSS PROCEEDS DERIVED FROM THE SALES OF RESTAURANTS; TO PROVIDE THAT SUCH SPECIAL TAX SHALL BE IN AN AMOUNT NOT TO EXCEED 2% FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF PARKS AND RECREATION WITHIN THE CITY; TO PROVIDE FOR AN ELECTION ON WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2153:** Judiciary, Division A

AN ACT TO CREATE SECTION 75-24-8, MISSISSIPPI CODE OF 1972, TO REQUIRE PERSONS OR ENTITIES ENGAGED IN THE RENTAL OF MOTOR VEHICLES TO DISCLOSE THE TOTAL CHARGES FOR THE ENTITY RENTAL, INCLUDING ALL ADDITIONAL MANDATORY CHARGES; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2154:** Highways and Transportation

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

By Senator(s) Chism

**S. B. No. 2155:** Highways and Transportation

AN ACT TO DESIGNATE A CERTAIN SECTION OF U.S. HIGHWAY 90 IN HARRISON COUNTY, MISSISSIPPI, AS THE "MYRTIS FRANKE HIGHWAY"; AND FOR RELATED PURPOSES.

By Senator(s) Moran, Carter, Thompson, DeLano, Wiggins, England, Seymour

**S. B. No. 2156:** Agriculture

AN ACT TO AMEND SECTION 75-55-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSIONER OF AGRICULTURE AND COMMERCE IS VESTED WITH EXCLUSIVE POWER AND AUTHORITY OF ADMINISTERING AND ENFORCING THE PETROLEUM PRODUCTS INSPECTION LAW OF MISSISSIPPI; TO FURTHER PROVIDE THAT THE INSPECTION OF PETROLEUM PRODUCTS SHALL REMAIN UNDER THE PURVIEW AND CONTROL OF THE COMMISSIONER AND AGENTS OF THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE AT ALL TIMES; TO PROHIBIT THE PERFORMANCE OF ANY DUTIES AND RESPONSIBILITIES-RELATED PETROLEUM PRODUCT INSPECTIONS FROM BEING CONTRACTED TO ANY THIRD PARTY ENTITY; TO AMEND SECTIONS 75-55-5 AND 75-55-37, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THOSE SECTIONS OF LAW WHICH PROVIDE DEFINITIONS AND PENALTIES UNDER THE PETROLEUM PRODUCTS INSPECTION LAW OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2157:** Agriculture; Judiciary, Division B

AN ACT TO CREATE NEW SECTION 69-1-401, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF AGRICULTURE AND COMMERCE TO ISSUE ADMINISTRATIVE SUBPOENAS FOR PROCEEDINGS BEFORE THE DEPARTMENT; TO PERMIT THE COMMISSIONER OR ANY DESIGNATED AGENT ADMINISTER OATHS AND AFFIRMATIONS, EXAMINE WITNESSES AND RECEIVE EVIDENCE; TO CREATE NEW SECTION 69-1-403, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE TO HAVE ISSUED BY THE CIRCUIT COURT AND TO EXECUTE ADMINISTRATIVE INSPECTION AND SEARCH WARRANTS FOR PREMISES OF ENTITIES OR INDIVIDUALS THAT DEPARTMENT LICENSES OR REGULATES; TO PRESCRIBE THE CIRCUMSTANCES BY WHICH THE DEPARTMENT MAY FACILITATE THE ISSUANCE AND EXECUTION OF ADMINISTRATIVE INSPECTION AND SEARCH WARRANTS; TO AMEND SECTION 69-5-31, MISSISSIPPI CODE OF 1972, TO EXEMPT OR MAINTAIN CONFIDENTIALITY OF PERSONAL IDENTIFYING INFORMATION OF LAW ENFORCEMENT OFFICERS HIRED BY THE DEPARTMENT; TO AMEND SECTION 69-29-1, MISSISSIPPI CODE OF 1972, TO ALLOW ARRESTS BY INVESTIGATORS OF THE MISSISSIPPI AGRICULTURAL & LIVESTOCK THEFT BUREAU FOR MATTERS AUTHORIZED UNDER THE CONSTITUTIONAL AND GENERAL LAWS OF THE STATE AND TO PERMIT RETIRING INVESTIGATORS TO RETAIN SIDE ARM; TO AMEND SECTION 69-42-1, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT FOR PRODUCTION OF ANNUAL REPORTS; TO AMEND SECTION 69-46-3, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL

MEETING VENUE FOR THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES BOARD MEETINGS; TO AMEND SECTION 75-44-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT LIABILITY UNDER GRAIN BOND ISSUED UNDER GRAIN DEALERS LAW SHALL NOT BE LIMITED BY PAYMENT UNDER GRAIN WAREHOUSE LAW; TO AMEND SECTION 75-44-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY BOND SHALL BE AVAILABLE FOR CLAIMS FILED UNDER THE GRAIN WAREHOUSE AND GRAIN DEALERS LAW; TO AMEND SECTION 75-44-35, MISSISSIPPI CODE OF 1972, TO CLARIFY LANGUAGE RELATED TO FILING A CLAIM FOR FAILURE TO DELIVER GRAIN; TO AMEND SECTION 75-45-305, MISSISSIPPI CODE OF 1972, TO CLARIFY HEARING PROCEDURES RELATED TO SURETY BOND FOR GRAIN DEALERS; TO AMEND SECTION 75-45-311, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROCEDURE FOR GRAIN PRODUCERS TO NOTIFY THE COMMISSIONER IN THE EVENT OF GRAIN DEALER'S FAILURE TO PAY; TO REPEAL SECTIONS 69-41-1, 69-41-3, 69-41-5, 69-41-7, 69-41-9, 69-41-11, 69-41-13 AND 69-41-19, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING AND GOVERNING THE ADMINISTRATION OF THE "MISSISSIPPI AGRIBUSINESS COUNCIL ACT OF 1993"; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2158:** Wildlife, Fisheries and Parks

AN ACT TO REQUIRE A PERSON TO TAG ANY TREE STAND PLACED ON PUBLIC LANDS OR LANDS OF ANOTHER PERSON; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2159:** Ports and Marine Resources

AN ACT TO AMEND SECTION 49-15-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO UTILIZE THE RESOURCES OF ALL STATE INSTITUTIONS OF HIGHER LEARNING; AND FOR RELATED PURPOSES.

By Senator(s) Moran

**S. B. No. 2160:** Accountability, Efficiency, Transparency

AN ACT TO PROVIDE THAT ON JULY 1, 2023, THE STATE DEPARTMENT OF HEALTH SHALL ASSUME ALL RESPONSIBILITIES AND DUTIES OF THE STATE BOARD OF BARBER EXAMINERS AND THE STATE BOARD OF COSMETOLOGY; TO PROVIDE THAT ALL ASSETS, POSITIONS, FUNDS, FILES, RECORDS, BANK ACCOUNTS OR OTHER PROPERTY OF THE STATE BOARD OF BARBER EXAMINERS AND THE STATE BOARD OF COSMETOLOGY SHALL BE TRANSFERRED TO THE STATE DEPARTMENT OF HEALTH; TO AMEND SECTION 41-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO AMEND SECTION 73-5-1, MISSISSIPPI CODE OF 1972, TO CREATE THE BARBER BOARD ADVISORY COUNCIL AND PROVIDE FOR ITS MEMBERSHIP; TO AMEND SECTION 73-5-8, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSING REQUIREMENTS FOR BARBER INSTRUCTORS; TO AMEND SECTION 73-5-11, MISSISSIPPI CODE OF 1972, TO REVISE THE ELIGIBILITY FOR ENROLLMENT AT BARBERING SCHOOLS AND LICENSING REQUIREMENTS FOR BARBERS; TO AMEND SECTION 73-5-12, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT THAT A COSMETOLOGIST MUST READ, WRITE AND SPEAK ENGLISH; TO AMEND SECTION 73-5-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF HEALTH SHALL CONTRACT FOR ADMINISTRATORS OF THE BARBER EXAMINATIONS; TO AMEND SECTION 73-7-1, MISSISSIPPI CODE OF 1972, TO CREATE THE COSMETOLOGY ADVISORY COUNCIL AND PROVIDE FOR ITS MEMBERSHIP; TO AMEND SECTION 73-7-2, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO AMEND SECTION 73-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSING REQUIREMENTS FOR COSMETOLOGISTS; TO AMEND SECTION 73-7-18, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSING REQUIREMENTS FOR ESTHETICIANS; TO AMEND

SECTION 73-7-21, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSING REQUIREMENTS FOR MANICURISTS; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Younger, Whaley, Chassaniol

**S. B. No. 2161:** Education; Appropriations

AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO INCREASE THE SECOND AND THIRD PHASE OF PREKINDERGARTEN FUNDING COMMITMENT FOR THE "EARLY LEARNING COLLABORATIVE ACT OF 2013"; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2162:** Universities and Colleges

AN ACT TO ESTABLISH A LEGISLATIVE INTERNSHIP PROGRAM TO ALLOW THIRD-YEAR STUDENTS AT ANY STATE INSTITUTION OF HIGHER LEARNING TO WORK FOR MEMBERS OF THE SENATE OR HOUSE OF REPRESENTATIVES AND RECEIVE ACADEMIC CREDIT; TO PROVIDE CERTAIN CONDITIONS ON THIS PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2163:** Education

AN ACT TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROVISIONS OF THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW ARE FULLY APPLICABLE TO KINDERGARTEN-AGE CHILDREN; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2164:** Education

AN ACT TO AMEND SECTIONS 37-7-471 AND 37-7-473, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, IN ADDITION TO OTHER CURRENT LAWFUL PROPERTY USE CONVEYANCES, SCHOOL DISTRICTS MAY CONVEY, SELL, LEASE OR OTHERWISE DISPOSE OF REAL PROPERTY FOR RESIDENTIAL, MIXED-USE OR OTHER DEVELOPMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Horhn

**S. B. No. 2165:** Education

AN ACT TO ENACT THE INTERSTATE TEACHER MOBILITY COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2166:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-13-29, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE FOR REMOVING A MEMBER OF A COMMUNITY HOSPITAL BOARD OF TRUSTEES; TO PROVIDE THAT A TRUSTEE MAY BE REMOVED UPON A MAJORITY VOTE OF ALL MEMBERS OF THE GOVERNING BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

**S. B. No. 2167:** Public Health and Welfare; Appropriations

AN ACT TO ENACT THE MISSISSIPPI EARLY INTERVENTION PILOT PROJECT ACT; TO PROVIDE FOR THE ESTABLISHMENT OF THE MISSISSIPPI EARLY INTERVENTION PILOT PROJECT WITHIN THE T.K. MARTIN CENTER AT MISSISSIPPI STATE UNIVERSITY, SUBJECT TO THE AVAILABILITY OF FUNDING, FOR A PERIOD OF ONE YEAR BEGINNING ON JULY 1, 2023; TO PROVIDE FOR THE PURPOSE OF THE PILOT PROJECT, INCLUDING THAT IT TAKE REFERRALS FROM PRIMARY CARE PROVIDERS WHO ARE LOCATED WITHIN THE DESIGNATED PILOT PROJECT AREA BASED ON AN IDENTIFIED CONCERN ON EITHER AN



EVIDENCE-BASED DEVELOPMENTAL SCREENER OR A CAREGIVER CONCERN AND TO BE RESPONSIBLE FOR PROVIDING EARLY INTERVENTION SERVICES AS WELL AS ASSISTING FAMILIES WHO WILL TRANSITION FROM IDEA PART C SERVICES TO IDEA PART B SERVICES DURING THE PILOT PROJECT; TO PROVIDE FOR THE RESPONSIBILITIES OF THE EXECUTIVE DIRECTOR OF THE T.K. MARTIN CENTER, INCLUDING REQUIRING THE DIRECTOR TO SUBMIT A REPORT TO THE LEGISLATURE AT THE CONCLUSION OF THE PROJECT; TO PROVIDE FOR THE ESTABLISHMENT OF THE EARLY INTERVENTION TASK FORCE TO STUDY THE IDEA PART C EARLY INTERVENTION SYSTEM IN MISSISSIPPI AND MISSISSIPPI'S LAWS REGARDING EARLY INTERVENTION; TO PROVIDE FOR THE GOALS AND RESPONSIBILITIES OF THE TASK FORCE; TO PROVIDE FOR THE MEMBERSHIP OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO DEVELOP AND REPORT ITS FINDINGS AND RECOMMENDATIONS FOR PROPOSED LEGISLATION TO THE LEGISLATURE ON OR BEFORE DECEMBER 1, 2023; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2168:** Education

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

By Senator(s) Wiggins

**S. B. No. 2169:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-54-17, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSE REQUIREMENTS FOR MARRIAGE AND FAMILY THERAPY ASSOCIATES TO PROVIDE THAT APPLICANTS SHALL COMPLETE A CLINICAL PRACTICUM THAT CONSISTED OF A MINIMUM OF 300 CLIENT CONTACT HOURS; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2170:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF NATCHEZ, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONCORD AVENUE DRAINAGE IMPROVEMENT PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2171:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS OF REPAIRING, RENOVATING AND REFURBISHING THE MARGARET MARTIN PERFORMING ARTS CENTER IN NATCHEZ, MISSISSIPPI, WHICH IS DESIGNATED A MISSISSIPPI LANDMARK BY THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2172:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE SOUTH PIKE SCHOOL DISTRICT TO DEFRAY EXPENSES ASSOCIATED WITH THE RENOVATIONS TO ITS SCHOOL BUILDINGS FOR FISCAL YEAR 2023.

By Senator(s) Butler (38th)

**S. B. No. 2173:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF WILKINSON COUNTY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH ROAD AND BRIDGE REPAIRS AND WITH THE REMOVAL OF AN ABANDONED HOSPITAL; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2174:** Finance

AN ACT TO AMEND SECTION 31-7-9, MISSISSIPPI CODE OF 1972, TO MANDATE REIMBURSEMENT TO THE GENERAL FUND BY STATE AGENCIES WHO FAIL TO COMPLY WITH PROCUREMENT REGULATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2175:** Finance

AN ACT TO REQUIRE THE DEPARTMENT OF REVENUE TO SEND TAXPAYER NOTICES, INCLUDING, BUT NOT LIMITED TO, ASSESSMENT NOTICES, BY CERTIFIED MAIL, RETURN RECEIPT REQUESTED; AND FOR RELATED PURPOSES.

By Senator(s) Michel (By Request)

**S. B. No. 2176:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF TUPELO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO BALLARD PARK, INCLUDING THE ACQUISITION OF PLAYGROUND EQUIPMENT FOR SPECIAL-NEEDS CHILDREN; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2177:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI, IN PAYING THE COSTS OF PURCHASING A FIRE TRUCK FOR THE RICHMOND COMMUNITY; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2178:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE SAND CREEK WASTEWATER AUTHORITY IN PAYING THE COSTS ASSOCIATED WITH ENGINEERING IMPROVEMENTS TO ITS SYSTEM, INCLUDING THE EXPANSION OF SYSTEM CAPACITY, AND THE RETIREMENT OF DEBT HELD BY THE AUTHORITY; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2179:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF SALTILLO, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A NEW FIRE STATION; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2180:** Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

**S. B. No. 2181:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE 2022 NATIONAL CHAMPIONSHIP OLE MISS REBELS BASEBALL TEAM; AND FOR RELATED PURPOSES.

By Senator(s) Michel, Hopson, Turner-Ford, Carter, Parks, Fillingane, Younger, Kirby, Blackwell, Chassaniol, DeBar, Sparks, Caughman, Williams, Boyd, McLendon, McCaughn, England

**S. B. No. 2182:** Rules

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

By Senator(s) Barnett

**S. B. No. 2183:** Education

AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO PERMIT THE BOY SCOUTS AND GIRL SCOUTS TO SPEAK WITH STUDENTS ABOUT CIVIL INVOLVEMENT AND THEIR PARTICIPATION; TO PROVIDE A PROCESS FOR APPROVAL OF REQUESTS TO SPEAK WITH STUDENTS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2184:** Finance

AN ACT TO AMEND SECTION 16, CHAPTER 480, LAWS OF 2021, TO INCREASE THE AUTHORIZED BONDED INDEBTEDNESS OF GENERAL OBLIGATION BONDS TO ASSIST THE BOARD OF SUPERVISORS OF MARSHALL COUNTY IN PAYING COSTS ASSOCIATED WITH BUILDING A FULL-TIME EMERGENCY RESPONSE CENTER TO SERVE THE GROWING AREA IN AND AROUND THE CHICKASAW TRAIL INDUSTRIAL PARK; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2185:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE SOUTH PIKE SCHOOL DISTRICT IN PAYING THE COSTS ASSOCIATED WITH THE REPAIR AND RENOVATION OF VARIOUS SCHOOL BUILDINGS; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. C. R. No. 518:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE STARKVILLE HIGH SCHOOL "YELLOWJACKETS" FOOTBALL TEAM AND HEAD COACH CHRIS JONES FOR WINNING THE MHSAA CLASS 6A STATE FOOTBALL CHAMPIONSHIP.

By Senator(s) Williams, Barnett, Butler (38th), Hickman, Turner-Ford

**S. C. R. No. 519:** Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE SURVIVING FAMILY OF MISSISSIPPI STATE UNIVERSITY FOOTBALL COACH MIKE LEACH AND PAYING TRIBUTE TO HIS CAREER AND LEGACY AS ONE OF THE MOST INFLUENTIAL COACHES OF THIS GENERATION.

By Senator(s) Williams, Barnett, Blackwell, Michel, McMahan, Johnson, Jackson, Harkins, Simmons (12th), Hopson, Butler (36th), Polk, Sparks, Butler (38th), Frazier, Suber, Hill, DeBar, Jordan, Thomas, Caughman, Boyd, Parker, McLendon, England, Hickman, Blount, Moran, Chassaniol, Seymour, Wiggins, McCaughn, Chism, Younger, Fillingane, Kirby, Branning, Norwood, Thompson

**S. C. R. No. 520:** Rules

A CONCURRENT RESOLUTION CELEBRATING AND CONGRATULATING THE UNIVERSITY OF MISSISSIPPI "OLE MISS REBELS" BASEBALL TEAM AND HEAD COACH MIKE BIANCO INCLUDING THE ATHLETES, COACHING STAFF, ADMINISTRATION, FACULTY, STUDENTS AND ALUMNI, FOR WINNING THE 2022 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION 1 BASEBALL CHAMPIONSHIP.

By Senator(s) Michel, Boyd, Hopson, Turner-Ford, Carter, Sparks, Parks, Fillingane, Younger, Kirby, Blackwell, Chassaniol, DeBar, Blount, McLendon, England, Caughman, McCaughn, Williams, Suber, Barnett, Butler (38th), Hill, Hickman, Jackson, Moran, Norwood

**S. C. R. No. 521:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BAY SPRINGS HIGH SCHOOL "BULLDOGS" FOOTBALL TEAM AND HEAD COACH DAN BRADY FOR WINNING THE MHSAA CLASS 1A FOOTBALL CHAMPIONSHIP FOR THE SECOND CONSECUTIVE YEAR.

By Senator(s) Barnett, Butler (38th)

**S. C. R. No. 522:** Rules

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

By Senator(s) Chism, McDaniel, Sojourner

**S. R. No. 8:** Rules

A RESOLUTION TO COMMEND ANTOINETTE "TONI" GANT FOR PROMOTION TO BRIGADIER GENERAL IN THE UNITED STATES ARMY.

By Senator(s) Butler (36th), Jackson, Blackwell, Horhn, Barnett, Suber, Chassaniol, Simmons (12th), Frazier, Thomas, Butler (38th), Hickman, Wiggins, McLendon, Fillingane, Williams, Blount, DeBar, Hopson, Kirby, McCaughn, Michel, Parker, Seymour

## TENTH DAY, THURSDAY, JANUARY 12, 2023

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

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

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

Absent--Harkins. Total--1.

The Secretary announced a quorum present.

The invocation was delivered by Reverend Columbus O'Banner, Senior Pastor, Mount Moriah Church, Magee, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Dr. Willie B. Lucas and Erma L. Johnson of Greenville, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Charles David Ward of Vancleave, MS.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Jeffery "Jeff" Lee Hasty, Sr. of Pascagoula, MS.

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Senator Fillingane moved that when the Senate adjourns, it adjourn in memory of Rev. James Carroll Sanford of Collins, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Charles Clayton Cooper of Greenwood, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Kenneth "Kenman" Lamar Stokes of Toomsuba, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Joe Barnes of Magee, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Richard Ratcliffe of Brandon, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Debbie Merritt Roaten of New Albany, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 16, 2023.

The motion prevailed, and at 10:13 AM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Dr. Willie B. Lucas, Erma L. Johnson, Charles David Ward, Jeffery "Jeff" Lee Hasty, Sr., Rev. James Carroll Sanford, Charles Clayton Cooper, Debbie Merritt Roaten, Kenneth "Kenman" Lamar Stokes, Joe Barnes and Richard Ratcliffe.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR THURSDAY, JANUARY 12, 2023

##### **S. R. No. 9: Rules**

A RESOLUTION JOINING THE BISHOP OF BILOXI IN WELCOMING BISHOP VITALIY KRYVYTSKYI OF KYIV-ZHYTOMYR IN WESTERN KYIV, UKRAINE, TO THE STATE OF MISSISSIPPI ON THE OCCASION OF THE VIGIL MASS CELEBRATED IN HIS HONOR ON JANUARY 14, 2023, AND OFFERING OUR CONTINUED PRAYERFUL SUPPORT FOR HIS PARISHIONERS AND HIS COUNTRY IN THE SPIRIT OF INTERNATIONAL FRIENDSHIP, UNDERSTANDING AND MUTUAL RESPECT OF OUR CULTURES.

By Senator(s) Thompson

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#### FOURTEENTH DAY, MONDAY, JANUARY 16, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Erick Moffett, Pastor, Ebenezer Missionary Baptist Church, Heidelberg, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 390:** AN ACT TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR COSTS AND EXPENSES INCURRED FOR THE REHABILITATION OF CERTAIN HISTORIC STRUCTURES, TO REVISE THE TIME DURING WHICH A TAXPAYER, IN LIEU OF CLAIMING A TAX CREDIT, MAY ELECT TO CLAIM A REBATE IN THE AMOUNT OF 75% OF THE AMOUNT THAT WOULD BE ELIGIBLE TO CLAIM AS A CREDIT; TO PROVIDE THAT IF A TAXPAYER HAS UTILIZED A TAX CREDIT ON AN INCOME TAX RETURN PRIOR TO MAKING AN ELECTION TO CLAIM A REBATE, THEN THE AVAILABLE REBATE WILL BE REDUCED BY THE AMOUNT OF CREDIT UTILIZED; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 266:** AN ACT TO NAME THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY HEADQUARTERS' OFFICE, LOCATED IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "DAVID R. HUGGINS HEADQUARTERS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY"; TO NAME THE MISSISSIPPI STATE CRIME LABORATORY IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "TOM WEATHERSBY STATE CRIME LABORATORY"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDINGS DISPLAYING THE OFFICIAL NAMES AS THE "DAVID R. HUGGINS HEADQUARTERS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY" AND THE "TOM WEATHERSBY STATE CRIME LABORATORY"; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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## INTRODUCTIONS FOR FRIDAY, JANUARY 13, 2023

**S. B. No. 2186:** Veterans and Military Affairs; Public Property

AN ACT TO AMEND SECTION 55-15-81, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTHORITY OF PUBLIC GOVERNING ENTITIES TO MOVE HISTORICAL MONUMENTS AND MEMORIALS; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2187:** Veterans and Military Affairs; Finance

AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO REVISE THE DISABILITY RATING REQUIREMENTS FOR CERTAIN MOTOR VEHICLE AND MOTORCYCLE LICENSE PLATES AND TAGS AUTHORIZED FOR DISABLED VETERANS; TO AMEND SECTION 27-19-56.444, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2188:** Gaming

AN ACT TO AMEND SECTION 61-3-15, MISSISSIPPI CODE OF 1972, TO PERMIT AN AIRPORT AUTHORITY TO AUTHORIZE THE USE OF SLOT MACHINES IN THE AIRPORT UNDER ITS JURISDICTION, IF THAT AIRPORT OFFERS PASSENGER SERVICE; TO PROVIDE THAT A LICENSEE PLACING SLOT MACHINES IN AN AIRPORT SHALL BE SUBJECT TO THE MISSISSIPPI GAMING CONTROL ACT; TO AMEND SECTION 75-76-183, MISSISSIPPI CODE OF 1972, TO SPECIFY THAT THE PLACEMENT OF SLOT MACHINES IN AIRPORTS SHALL BE SUBJECT TO APPLICATION FEES AND ANNUAL LICENSE FEES UNDER THE GAMING CONTROL ACT; TO AMEND SECTIONS 67-1-71, 75-76-33, 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2189:** Gaming

AN ACT TO AMEND SECTION 61-3-15, MISSISSIPPI CODE OF 1972, TO PERMIT AN AIRPORT AUTHORITY TO AUTHORIZE THE USE OF SLOT MACHINES IN THE AIRPORT UNDER ITS JURISDICTION, IF THAT AIRPORT OFFERS PASSENGER SERVICE; TO PROVIDE THAT A LICENSEE PLACING SLOT MACHINES IN AN AIRPORT SHALL BE SUBJECT TO THE MISSISSIPPI GAMING CONTROL ACT; TO AMEND SECTION 75-76-183, MISSISSIPPI CODE OF 1972, TO SPECIFY THAT THE PLACEMENT OF SLOT MACHINES IN AIRPORTS SHALL BE SUBJECT TO APPLICATION FEES AND ANNUAL LICENSE FEES UNDER THE GAMING CONTROL ACT; TO AMEND SECTIONS 67-1-71, 75-76-33, 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2190:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS IN THE THIRD CIRCUIT COURT DISTRICT; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF CRIMINAL INVESTIGATORS AUTHORIZED TO BE APPOINTED IN THE THIRD CIRCUIT COURT DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Suber, Whaley

**S. B. No. 2191:** Judiciary, Division A

AN ACT TO AMEND SECTION 43-15-13, MISSISSIPPI CODE OF 1972, TO CREATE THE FOSTER PARENTS' BILL OF RIGHTS AND RESPONSIBILITIES; TO CREATE A NEW SECTION WITHIN TITLE 43, CHAPTER 21, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COURT TO NOTIFY THE ATTORNEY GENERAL'S OFFICE



WHEN A PERMANENCY PLAN CHANGES TO TERMINATION OF PARENTAL RIGHTS OR ADOPTION; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, McMahan, Blackwell, McCaughn, England, Thompson, Williams, Michel, McLendon, Parks, Parker, Hickman

**S. B. No. 2192:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-9-10, MISSISSIPPI CODE OF 1972, TO CLARIFY THE CIRCUMSTANCES UNDER WHICH A PUTATIVE FATHER CANNOT FURTHER CONTEST PATERNITY; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2193:** Judiciary, Division A

AN ACT TO CREATE THE MISSISSIPPI CIVIL RIGHTS ACT; TO PROVIDE THAT THE RIGHT OF A PERSON TO BE FREE FROM DISCRIMINATION BECAUSE OF RACE, COLOR, RELIGION, NATIONAL ORIGIN, IMMIGRANT STATUS, SEX, SEXUAL ORIENTATION, GENDER IDENTITY, DISABILITY OR FAMILIAL STATUS IS A CIVIL RIGHT; TO PROVIDE REMEDIES FOR VIOLATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2194:** Judiciary, Division A

AN ACT TO PROHIBIT A PARTY FROM USING A PEREMPTORY CHALLENGE TO REMOVE A PROSPECTIVE JUROR ON THE BASIS OF THE PROSPECTIVE JUROR'S RACE, ETHNICITY, GENDER, GENDER IDENTITY, SEXUAL ORIENTATION, NATIONAL ORIGIN, OR RELIGIOUS AFFILIATION, OR THE PERCEIVED MEMBERSHIP OF THE PROSPECTIVE JUROR IN ANY OF THOSE GROUPS; TO AUTHORIZE A PARTY, OR THE TRIAL COURT ON ITS OWN MOTION, TO OBJECT TO THE USE OF A PEREMPTORY CHALLENGE BASED ON THESE CRITERIA; TO REQUIRE THE PARTY EXERCISING THE CHALLENGE, UPON OBJECTION, TO STATE THE REASONS THE PEREMPTORY CHALLENGE HAS BEEN EXERCISED; TO REQUIRE THE COURT TO EVALUATE THE REASONS GIVEN AND, IF THE COURT GRANTS THE OBJECTION, AUTHORIZE THE COURT TO TAKE CERTAIN ACTIONS, INCLUDING, BUT NOT LIMITED TO, STARTING A NEW JURY SELECTION, DECLARING A MISTRIAL AT THE REQUEST OF THE OBJECTING PARTY, SEATING THE CHALLENGED JUROR, OR PROVIDING ANOTHER REMEDY AS THE COURT DEEMS APPROPRIATE; TO PROVIDE FOR A DE NOVO STANDARD OF REVIEW BY AN APPELLATE COURT REVIEWING THE DENIAL OF AN OBJECTION; TO PROVIDE THAT THE ACT APPLIES TO CRIMINAL JURY TRIALS IN WHICH JURY SELECTION BEGINS ON OR AFTER JANUARY 1, 2023; TO PROVIDE THAT THE ACT APPLIES TO CIVIL JURY TRIALS IN WHICH JURY SELECTION BEGINS ON OR AFTER JANUARY 1, 2026; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2195:** Judiciary, Division A

AN ACT TO AMEND SECTION 13-5-1, MISSISSIPPI CODE OF 1972, TO EXPAND THE DEFINITION OF A JUROR TO THOSE CITIZENS WHO HAVE A CURRENT AND VALID MISSISSIPPI DRIVER'S LICENSE AND WHO HAVE FILED STATE INCOME TAXES; TO AMEND SECTION 13-5-8, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2196:** Judiciary, Division A

AN ACT TO AMEND SECTION 89-8-23, MISSISSIPPI CODE OF 1972, TO ENACT CERTAIN SANCTIONS ON LANDLORDS WHO VIOLATE SPECIFIC DUTIES UNDER THE RESIDENTIAL LANDLORD-TENANT ACT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th) (By Request)

**S. B. No. 2197:** Judiciary, Division A

AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTY VETERAN SERVICE OFFICERS TO ACT FOR A VETERAN UNDER A WRITTEN POWER OF ATTORNEY ESTABLISHED BY THE VETERAN AND BE IMMUNE FROM LEGAL ACTION EXCEPT IN CASES OF ABUSE, FRAUD OR BREACH OF FIDUCIARY DUTY; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2198:** Judiciary, Division A

AN ACT TO AMEND SECTION 85-7-251, MISSISSIPPI CODE OF 1972, TO LIMIT THE TOWING AND STORAGE CHARGES FOR VEHICLES TOWED AT THE DIRECTION OF A LAW ENFORCEMENT OFFICER TO THOSE AMOUNTS CHARGED TO CUSTOMERS GENERALLY; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2199:** Judiciary, Division A

AN ACT TO AMEND SECTION 19-23-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A COUNTY PROSECUTING ATTORNEY MAY DEFEND ANY PERSON IN ANY CRIMINAL PROSECUTION NOT WITHIN THE COUNTY IN WHICH HE OR SHE IS THE COUNTY PROSECUTING ATTORNEY; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2200:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 9-5-47, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ADDITIONAL CHANCELLOR FOR THE FIFTEENTH CHANCERY COURT DISTRICT; TO SPECIFY A QUALIFICATION DEADLINE FOR CANDIDATES; TO PROVIDE THAT THE INITIAL TERM OF OFFICE SHALL BEGIN ON A CERTAIN DATE; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2201:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 11-44-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION AWARD FOR WRONGFUL CONVICTION; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2202:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-11-65, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILD SUPPORT FOR A CHILD WITH A DISABILITY MAY CONTINUE PAST THE AGE OF MAJORITY; AND FOR RELATED PURPOSES.

By Senator(s) Parker, Boyd

**S. B. No. 2203:** Public Property

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH TO SURVEY, PARTITION, TRANSFER AND CONVEY ALL OF THE RIGHTS, TITLE AND INTEREST IN THE 3,207 ACRES OF CERTAIN REAL PROPERTY LOCATED IN RANKIN COUNTY, MISSISSIPPI, ACQUIRED BY THE STATE OF MISSISSIPPI IN 1894 TO THE STATE AGENCIES CURRENTLY SITUATED AND OPERATING ON SAID PROPERTY; TO IDENTIFY THE EXISTING STATE AGENCIES AND INSTITUTIONS TO BE ASSIGNED PARCELS OF THE SAID PROPERTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE AND ASSIGN PARCELS OF SAID PROPERTY TO THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD FOR THE ESTABLISHMENT AND OPERATION OF A NEW VETERANS NURSING HOME IN RANKIN COUNTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE AND ASSIGN PARCELS OF SAID PROPERTY TO THE MISSISSIPPI STATE DEPARTMENT OF HEALTH FOR THE ESTABLISHMENT AND OPERATION OF A NEW COUNTER-MEASURE WAREHOUSE IN RANKIN COUNTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE SEWER EASEMENTS ON SAID

PROPERTY TO BE ASSIGNED TO THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH FOR CONTINUED OPERATION; TO PROVIDE THAT THE BALANCE OF ANY UNASSIGNED PROPERTY SHALL BE UNDER THE MANAGEMENT AND CONTROL OF THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION UNTIL SUCH TIME AS SAID PROPERTY IS REQUIRED FOR FUTURE BUILDINGS OR FACILITIES OF THE STATE OF MISSISSIPPI; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH TO ASSESS EACH STATE AGENCY UTILIZING SAID PROPERTY AN AMOUNT PROPORTIONATE TO THE USE OF WATER/SEWER COSTS PAID TO THE WEST RANKIN COUNTY UTILITY DISTRICT; TO AMEND SECTIONS 35-1-19, 35-1-21, 35-1-23, 35-1-25 AND 35-1-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI VETERANS AFFAIRS BOARD TO ESTABLISH, OPERATE, MAINTAIN, RECEIVE FUNDS FOR, EMPLOYEE PERSONNEL AND SET ADMISSION STANDARDS FOR THE NEW VETERANS NURSING HOME IN RANKIN COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 2204:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-41-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A COURT SHALL VOID ANY ACTION TAKEN IN VIOLATION OF THE OPEN MEETINGS ACT UNDER CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2205:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 35-1-1, MISSISSIPPI CODE OF 1972, TO REVISE THE APPOINTMENTS TO THE STATE VETERANS AFFAIRS BOARD TO REFLECT THE CONGRESSIONAL DISTRICTS EXISTING AT THE TIME OF THE APPOINTMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2206:** Insurance; Appropriations

AN ACT TO PROVIDE BENEFITS UNDER THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE PLAN TO THE SURVIVING SPOUSE OR A SURVIVING DEPENDENT OF ANY LAW ENFORCEMENT OFFICER WHO IS KILLED IN THE LINE OF DUTY OR DIES FROM INJURIES SUFFERED IN THE LINE OF DUTY; TO PROVIDE THAT SUCH COVERAGE SHALL BE THE SAME PLAN OF BENEFITS AS PROVIDED TO AN EMPLOYEE UNDER THE PLAN; TO AMEND SECTION 25-15-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PREVIOUS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2207:** Medicaid; Appropriations

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

By Senator(s) Butler (38th)

**S. B. No. 2208:** Medicaid; Appropriations

AN ACT ENTITLED THE "WOMEN'S ECONOMIC SECURITY ACT OF 2023"; TO REQUIRE MINIMUM SPENDING LEVELS ON THE CHILD CARE PAYMENT PROGRAM (CCPP) FROM THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BLOCK GRANT; TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO REVISE MEDICAID ELIGIBILITY TO INCLUDE THOSE INDIVIDUALS WHO ARE ENTITLED TO BENEFITS UNDER THE FEDERAL PATIENT PROTECTION AND

AFFORDABLE CARE ACT OF 2010 (ACA) BEGINNING JULY 1, 2023; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO INCLUDE ESSENTIAL HEALTH BENEFITS FOR INDIVIDUALS ELIGIBLE FOR MEDICAID UNDER THE FEDERAL PATIENT PROTECTION AND AFFORDABLE CARE ACT OF 2010 (ACA); TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO EXPAND THE MISSISSIPPI STATE WORKFORCE INVESTMENT BOARD TO INCLUDE A WOMAN WITH EXPERTISE IN ASSISTING WOMEN IN JOB TRAINING AND SECURING EMPLOYMENT IN NONTRADITIONAL OCCUPATIONS; TO AMEND SECTION 7-1-355, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO ACHIEVE GENDER EQUITY IN THE WORKFORCE INVESTMENT ACT OR WORKFORCE INNOVATION OPPORTUNITY ACT WORKFORCE DEVELOPMENT SYSTEM; TO REQUIRE CERTAIN INFORMATION TO BE INCLUDED IN AN ANNUAL REPORT TO THE LEGISLATURE; TO REQUIRE EQUAL PAY CERTIFICATES OF COMPLIANCE; TO CREATE WOMEN AND HIGH-WAGE, HIGH-DEMAND, NONTRADITIONAL JOBS GRANT PROGRAM; TO ESTABLISH THE MISSISSIPPI PAID FAMILY LEAVE ACT; TO AMEND TITLE 71, LABOR AND INDUSTRY, CHAPTER 1, EMPLOYER AND EMPLOYEE, TO ADD A SECTION PROHIBITING DISCRIMINATION IN EMPLOYMENT BASED ON PREGNANCY, CHILDBIRTH, OR A RELATED CONDITION; TO PROVIDE FOR PAID SICK AND SAFE LEAVE TIME; TO INCREASE THE STATE MINIMUM WAGE; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2209:** Medicaid

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR TELEHEALTH SERVICES PROVIDED BY FEDERALLY QUALIFIED HEALTH CENTERS AND COMMUNITY HEALTH CENTERS, THE DISTANT OR HUB SITE PROVIDER SHALL BE REIMBURSED THE APPLICABLE MEDICAID FEE FOR TELEHEALTH SERVICES PROVIDED; TO PROVIDE THAT TELEHEALTH SERVICES PROVIDED BY FEDERALLY QUALIFIED HEALTH CENTERS AND COMMUNITY HEALTH CENTERS SHALL BE CONSIDERED TO BE BILLABLE AT THE SAME FACE-TO-FACE ENCOUNTER RATE USED FOR ALL OTHER MEDICAID REIMBURSEMENTS TO THOSE CENTERS UNDER THE PROSPECTIVE PAYMENT SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2210:** Medicaid

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO A HOSPITAL THAT HAS A CERTIFICATE OF NEED FOR A FORTY-BED PSYCHIATRIC RESIDENTIAL TREATMENT FACILITY IN DESOTO COUNTY; TO PROVIDE THAT THERE SHALL BE NO PROHIBITION OR RESTRICTIONS ON PARTICIPATION IN THE MEDICAID PROGRAM FOR THIS HOSPITAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2211:** Medicaid

AN ACT TO BRING FORWARD SECTION 43-13-145, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR CERTAIN PROVIDER ASSESSMENTS THAT ARE USED FOR FUNDING THE MEDICAID PROGRAM; FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2212:** Medicaid

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

By Senator(s) Blackwell

**S. B. No. 2213:** Business and Financial Institutions

AN ACT TO AMEND SECTION 73-11-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON WHO, ON JULY 1, 2023, HAS SERVED AS A RESIDENT TRAINEE FOR NOT LESS THAN FIVE (5) YEARS UNDER THE SUPERVISION OF A PERSON LICENSED FOR THE PRACTICE OF FUNERAL SERVICE IN THIS STATE AND IN AN ESTABLISHMENT LICENSED IN THIS STATE SHALL BE AUTOMATICALLY GRANTED A LICENSE FOR THE PRACTICE OF FUNERAL SERVICE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2214:** Business and Financial Institutions; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 79-11-507, 79-11-513, 79-11-515 AND 79-11-517, MISSISSIPPI CODE OF 1972, TO REVISE THE REPORTING PERIOD APPLYING TO THE FILING OF FINANCIAL STATEMENTS BY CHARITABLE ORGANIZATIONS THAT SOLICIT DONATIONS TO THREE YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2215:** Business and Financial Institutions

AN ACT TO AMEND SECTION 27-105-5, MISSISSIPPI CODE OF 1972, TO PROVIDE NECESSARY UPDATES AND TO ALIGN CAPITAL DEFINITIONS WITH FEDERAL REGULATORY STANDARDS; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2216:** Business and Financial Institutions

AN ACT TO AMEND SECTION 81-22-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE IMPROVING OR OFFERING TO IMPROVE CONSUMER'S CREDIT RECORD, HISTORY OR RATING; AND FOR RELATED PURPOSES.

By Senator(s) Caughman

**S. B. No. 2217:** Business and Financial Institutions; Accountability, Efficiency, Transparency

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

By Senator(s) Wiggins

**S. B. No. 2218:** Business and Financial Institutions

AN ACT TO PROVIDE DEFINITIONS RELATING TO THIRD-PARTY DELIVERY SERVICES THAT ADVERTISE, PROMOTE OR CONVEY ANY RELATIONSHIP WITH A MERCHANT OR USE THE NAME, LIKENESS, TRADEMARK, OR INTELLECTUAL PROPERTY BELONGING TO A MERCHANT ON THE THIRD-PARTY DELIVERY PLATFORM; TO PROHIBIT THIRD-PARTY DELIVERY SERVICES FROM USING THE NAME OR LIKENESS OR ANY INTELLECTUAL PROPERTY OF A MERCHANT WITHOUT AN AGREEMENT; TO PROHIBIT AN INDEMNITY CLAUSE IN SUCH AGREEMENT; TO PROVIDE A RIGHT TO BRING ACTION RELATING TO THIRD-PARTY DELIVERY SERVICES THAT USE THE NAME, LIKENESS, TRADEMARK, OR INTELLECTUAL PROPERTY OF A MERCHANT IN VIOLATION OF THIS ACT; TO PROVIDE PENALTIES RELATING TO THIRD-PARTY DELIVERY SERVICES THAT

USE THE NAME, LIKENESS, TRADEMARK, OR INTELLECTUAL PROPERTY OF A MERCHANT IN VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2219:** Insurance

AN ACT TO AMEND SECTION 83-9-108, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY GROUP HEALTH PLAN OR A HEALTH INSURANCE ISSUER OFFERING GROUP OR INDIVIDUAL HEALTH INSURANCE COVERAGE SHALL NOT IMPOSE ANY COST-SHARING REQUIREMENTS FOR BREAST CANCER SCREENING, DIAGNOSTIC BREAST EXAMINATIONS AND SUPPLEMENTAL BREAST EXAMINATIONS IF IT PROVIDES THESE BENEFITS TO AN INDIVIDUAL ENROLLED UNDER SUCH PLAN OR SUCH COVERAGE; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2220:** Insurance

AN ACT TO CREATE A NEW CODE SECTION TO BE CODIFIED AS SECTION 63-15-8, MISSISSIPPI CODE OF 1972, TO REQUIRE PROOF OF MOTOR VEHICLE LIABILITY INSURANCE OR OTHER FORM OF FINANCIAL RESPONSIBILITY AS REQUIRED BY THIS CHAPTER BEFORE RECEIVING MOTOR VEHICLE LICENSE TAGS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2221:** Insurance; Appropriations

AN ACT TO PROVIDE BENEFITS UNDER THE STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE PLAN TO THE SURVIVING SPOUSE OR A SURVIVING DEPENDENT OF ANY LAW ENFORCEMENT OFFICER WHO IS KILLED IN THE LINE OF DUTY OR DIES FROM INJURIES SUFFERED IN THE LINE OF DUTY; TO PROVIDE THAT SUCH COVERAGE SHALL BE THE SAME PLAN OF BENEFITS AS PROVIDED TO AN EMPLOYEE UNDER THE PLAN; TO AMEND SECTION 25-15-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PREVIOUS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2222:** Insurance

AN ACT TO CREATE NEW SECTION 83-11-601, MISSISSIPPI CODE OF 1972, TO PROHIBIT AN INSURER FROM USING AN INSURED'S VEHICLE DATA TO DETERMINE THE RATE CHARGED BY THE INSURER TO RENEW THE INSURED'S POLICY UNLESS THE INSURED CONSENTS TO THIS USE; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2223:** Insurance

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

INSURANCE PLAN, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 83-9-46, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT HEALTH INSURANCE POLICIES AND PLANS MUST OFFER COVERAGE FOR DIABETES TREATMENTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2224:** Insurance

AN ACT TO CREATE NEW SECTION 83-9-37, MISSISSIPPI CODE OF 1972, TO PROHIBIT AN INSURER OR OTHER PAYOR FROM SETTING A MAXIMUM DOLLAR AMOUNT OF REIMBURSEMENT FOR NON-INVASIVE VENTILATION OR VENTILATION TREATMENTS PROPERLY ORDERED AND BEING USED IN AN APPROPRIATE CARE SETTING; TO INCLUDE SPECIFIC SERVICES THAT THE DURABLE MEDICAL EQUIPMENT SUPPLIER SHALL BE REQUIRED TO PROVIDE; TO REQUIRE AN INSURER, SUBCONTRACTOR, THIRD-PARTY ADMINISTRATOR OR OTHER PAYOR TO REIMBURSE DURABLE MEDICAL EQUIPMENT SUPPLIERS FOR HOME USE NON-INVASIVE AND INVASIVE VENTILATORS ON A CONTINUOUS MONTHLY PAYMENT BASIS FOR THE DURATION OF MEDICAL NEED THROUGHOUT A PATIENT'S VALID PRESCRIPTION PERIOD; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2225:** Business and Financial Institutions

AN ACT TO AMEND SECTIONS 79-11-507, 79-11-513, 79-11-515 AND 79-11-517, MISSISSIPPI CODE OF 1972, TO REVISE THE REPORTING PERIOD APPLYING TO THE FILING OF FINANCIAL STATEMENTS BY CHARITABLE ORGANIZATIONS THAT SOLICIT DONATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2226:** Insurance

AN ACT TO AMEND SECTION 83-34-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A WIND POOL INSURED SHALL BE RESPONSIBLE FOR NO MORE THAN ONE DEDUCTIBLE PER CALENDAR YEAR FOR LOSSES RESULTING FROM MULTIPLE NAMED STORMS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2227:** Insurance

AN ACT TO AMEND SECTION 83-24-7, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "FEDERAL HOME LOAN BANK"; TO AMEND SECTIONS 83-24-11 AND 83-24-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A FEDERAL HOME LOAN BANK SHALL NOT BE STAYED, ENJOINED, OR PROHIBITED FROM EXERCISING OR ENFORCING ANY RIGHT OR CAUSE OF ACTION REGARDING COLLATERAL PLEDGED UNDER A SECURITY AGREEMENT OR UNDER ANY PLEDGE AGREEMENT, SECURITY AGREEMENT, COLLATERAL AGREEMENT OR OTHER SIMILAR ARRANGEMENT OR CREDIT ENHANCEMENT RELATING TO A SECURITY AGREEMENT TO WHICH THE FEDERAL HOME LOAN BANK IS A PARTY; TO AMEND SECTION 83-24-41, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO LIQUIDATOR SHALL HAVE THE POWER TO DISAVOW, REJECT OR REPUDIATE ANY PLEDGE AGREEMENT, SECURITY AGREEMENT, COLLATERAL AGREEMENT OR OTHER SIMILAR AGREEMENT OR CREDIT ENHANCEMENT RELATING TO A SECURITY AGREEMENT TO WHICH A FEDERAL HOME LOAN BANK IS A PARTY; TO AMEND SECTION 83-24-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, EXCEPT FOR IN LIMITED CIRCUMSTANCES, A RECEIVER SHALL NOT AVOID ANY TRANSFER OF, OR ANY OBLIGATION TO TRANSFER, MONEY OR ANY OTHER PROPERTY ARISING UNDER OR IN CONNECTION WITH A FEDERAL HOME LOAN BANK SECURITY AGREEMENT OR ANY PLEDGE AGREEMENT, SECURITY AGREEMENT, COLLATERAL AGREEMENT, GUARANTEE AGREEMENT, OR OTHER SIMILAR ARRANGEMENT OR CREDIT ENHANCEMENT RELATING TO A SECURITY AGREEMENT TO WHICH A FEDERAL HOME LOAN BANK IS A PARTY; TO AMEND

SECTION 83-24-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LIQUIDATOR OR REHABILITATOR SHALL NOT AVOID ANY PREFERENCE ARISING UNDER OR IN CONNECTION WITH A FEDERAL HOME LOAN BANK SECURITY AGREEMENT OR ANY PLEDGE AGREEMENT, SECURITY AGREEMENT, COLLATERAL AGREEMENT, GUARANTEE AGREEMENT, OR OTHER SIMILAR ARRANGEMENT OR CREDIT ENHANCEMENT RELATING TO A SECURITY AGREEMENT TO WHICH A FEDERAL HOME LOAN BANK IS A PARTY; TO CREATE NEW SECTION 83-24-119, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN REQUIREMENTS AND PROCEDURES OF FEDERAL HOME LOAN BANKS IF THE BANK EXERCISES CERTAIN RIGHTS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2228:** Insurance

AN ACT TO PROVIDE FOR THE SALE, ISSUANCE AND RENEWAL OF PET INSURANCE POLICIES; TO PROVIDE FOR THE PURPOSE OF THE ACT; TO PROVIDE RELEVANT DEFINITIONS; TO REQUIRE PET INSURANCE PROVIDERS TO DISCLOSE CERTAIN POLICY EXCLUSIONS AND LIMITATIONS TO CONSUMERS; TO ALLOW ANY PERSON AUTHORIZED IN A MAJOR LINE OF AUTHORITY AND APPOINTED BY A PET INSURER TO SELL, SOLICIT OR NEGOTIATE A PET INSURANCE PRODUCT; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE MAY ESTABLISH TRAINING REQUIREMENTS FOR INSURANCE PROVIDERS SELLING PET INSURANCE; TO PROVIDE THAT THE COMMISSIONER MAY ISSUE RULES AND REGULATIONS TO IMPLEMENT AND ADMINISTER THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2229:** Insurance; Judiciary, Division A

AN ACT TO AMEND SECTIONS 71-3-13, 71-3-17, 71-3-21 AND 71-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM TOTAL COMPENSATION THAT AN EMPLOYEE MAY RECOVER UNDER THE WORKERS' COMPENSATION LAW; TO PROVIDE THAT COMPENSATION FOR PERMANENT TOTAL DISABILITY SHALL BE PAID TO THE EMPLOYEE UNTIL HIS DEATH; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2230:** Judiciary, Division A

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

By Senator(s) Jackson

**S. B. No. 2231:** Judiciary, Division A

AN ACT TO AMEND SECTION 9-11-9, MISSISSIPPI CODE OF 1972, TO INCREASE THE JURISDICTION OF JUSTICE COURTS TO MATTERS WHERE THE VALUE OF THE DEMAND DOES NOT EXCEED \$10,000.00; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2232:** Energy

AN ACT TO AMEND SECTION 21-27-211, MISSISSIPPI CODE OF 1972, TO REDUCE THE INTERIM PERIOD FOR A COMMUNITY WATER AND WASTEWATER FACILITY OR SYSTEM TO OPERATE WITHOUT A CERTIFIED OPERATOR AND TO REDUCE THE INTERIM PERIOD FOR A COMMUNITY TO CONDUCT A SOLID WASTE/RUBBISH COLLECTION PROGRAM WITHOUT A CERTIFIED OPERATOR; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2233:** Judiciary, Division B



AN ACT TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE NEXT OF KIN OF A LAW ENFORCEMENT OFFICER KILLED IN THE LINE OF DUTY TO PURCHASE THE OFFICER'S SIDEARM; AND FOR RELATED PURPOSES.

By Senator(s) Barrett, Suber, McCaughn

**S. B. No. 2234:** Veterans and Military Affairs; Highways and Transportation

AN ACT TO AMEND SECTIONS 73-50-1 AND 63-1-208, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE PROVISIONS OF THE MILITARY FAMILY FREEDOM ACT SPECIFICALLY APPLY TO PERSONS POSSESSING CERTAIN FEDERALLY APPROVED MILITARY DOCUMENTATION OF COMMERCIAL DRIVING EXPERIENCE ALLOWING THE PERSON TO APPLY FOR A COMMERCIAL DRIVER'S LICENSE LEARNING PERMIT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2235:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS A NONVIOLENT HABITUAL OFFENDER; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2236:** Judiciary, Division B; Appropriations

AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THE DEPARTMENT OF PUBLIC SAFETY THE AUTHORITY TO PAY DEATH BENEFITS TO OFFICERS AND FIREFIGHTERS FOUND TO BE THE RESULT OF UNFORESEEN OR UNPRECEDENTED CIRCUMSTANCES; TO AUTHORIZE THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH A LIFE INSURANCE POLICY AS AN ALTERNATIVE TO THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND; TO AMEND SECTION 45-27-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THE MISSISSIPPI JUSTICE INFORMATION CENTER THE AUTHORITY TO SECURE GRANTS TO PURCHASE LIVE SCAN EQUIPMENT; TO REQUIRE ALL LAW ENFORCEMENT AGENCIES TO UTILIZE ANY LIVE SCAN EQUIPMENT PROVIDED BY THE CENTER; TO CREATE NEW SECTION 45-27-23, MISSISSIPPI CODE OF 1972, TO ADOPT THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT; TO PROVIDE FOR THE COMPACT'S IMPLEMENTATION BY THE MISSISSIPPI JUSTICE INFORMATION CENTER; TO AMEND SECTION 63-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO PROVIDE COUNTY SEATS DRIVER SERVICE BUREAU PUBLIC ACCESS COMPUTERS INSTEAD OF EITHER A PERMANENT DRIVER'S LICENSE KIOSK OR A LICENSE EXAMINER; TO AMEND SECTION 63-16-3, MISSISSIPPI CODE OF 1972, TO EXEMPT RECORDS IN THE MOTOR VEHICLE INSURANCE VERIFICATION SYSTEM FROM THE PROVISIONS OF THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 63-16-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO USE FUNDS IN THE UNINSURED MOTORIST IDENTIFICATION FUND TO PAY CERTAIN LIFE INSURANCE PREMIUMS; TO REPEAL SECTION 63-16-15, MISSISSIPPI CODE OF 1972, WHICH IS THE AUTOMATIC REPEALER ON THE PUBLIC SAFETY VERIFICATION AND ENFORCEMENT ACT; TO BRING FORWARD SECTION 45-9-101, MISSISSIPPI CODE OF 1972, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2237:** Judiciary, Division B; Appropriations

AN ACT TO AMEND SECTION 99-15-17, MISSISSIPPI CODE OF 1972, TO INCREASE THE STATUTORY CAP FOR THE AMOUNT OF COMPENSATION AVAILABLE FOR APPOINTED COUNSEL FOR INDIGENT DEFENDANTS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins, Simmons (12th)

**S. B. No. 2238:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-7-20, MISSISSIPPI CODE OF 1972, TO ENHANCE THE PENALTY FOR VIOLATION OF THE PROVISION PROHIBITING THE DISPLAY OF CERTAIN LIGHTS ON A MOTOR VEHICLE; TO AMEND SECTION 63-7-59, MISSISSIPPI CODE OF 1972, TO ENHANCE THE PENALTY FOR VIOLATION OF THE PROVISION REGULATING THE AMOUNT OF WINDOW TINT ALLOWED ON THE WINDOWS OF A MOTOR VEHICLE; TO PENALIZE A PERSON WHO INSTALLS TINTED FILM, DARKENING MATERIAL OR ANY OTHER MATERIAL UPON THE WINDOWS OF A MOTOR VEHICLE IN VIOLATION OF THE LEGAL LIMITS; TO AMEND SECTION 27-19-31, MISSISSIPPI CODE OF 1972, TO ENHANCE THE PENALTY FOR OBSCURING A LICENSE VEHICLE TAG; TO PROVIDE FURTHER PENALTIES FOR PERSONS WHO OBSCURE A LICENSE VEHICLE TAG WITH THE INTENT TO EVADE LAW ENFORCEMENT; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2239:** Judiciary, Division B

AN ACT TO AMEND SECTION 17-25-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MISSISSIPPI HIGHWAY PATROL OFFICERS TO USE THEIR OFFICIAL UNIFORM, FIREARM AND VEHICLE WHILE IN THE PERFORMANCE OF PRIVATE SECURITY SERVICES IN OFF DUTY HOURS; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2240:** Judiciary, Division B; Appropriations

AN ACT TO CREATE NEW SECTION 45-27-22, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI JUSTICE INFORMATION CENTER TO ESTABLISH A MISDEMEANOR WARRANT MANAGEMENT SYSTEM TO ENABLE CRIMINAL JUSTICE AGENCIES TO ELECTRONICALLY TRACK MISDEMEANOR WARRANTS BETWEEN JURISDICTIONS AS THE WARRANTS ARE ISSUED, SERVED AND RECALLED; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO PROMULGATE RULES AND REGULATIONS; TO REQUIRE ALL CRIMINAL JUSTICE AGENCIES AND THE ADMINISTRATIVE OFFICE OF COURTS TO ASSIST THE MISSISSIPPI JUSTICE INFORMATION CENTER AND THE DEPARTMENT OF PUBLIC SAFETY IN THE ESTABLISHMENT OF THE MISDEMEANOR WARRANT MANAGEMENT SYSTEM; TO AMEND SECTIONS 45-27-1, 45-27-3, 45-27-7, 45-27-12 AND 9-21-3, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2241:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-33-26, MISSISSIPPI CODE OF 1972, TO PROHIBIT A PERSON REQUIRED TO REGISTER AS A SEX OFFENDER FROM BEING EMPLOYED AS A FIRST RESPONDER WITHOUT ADVANCE APPROVAL FROM THE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY SEX OFFENDER REGISTRY; TO DEFINE THE TERM "FIRST RESPONDER"; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2242:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-301, MISSISSIPPI CODE OF 1972, TO REVISE THE DELINEATION OF CLASSES OF VICTIMS TRIGGERING AN ENHANCED PENALTY FOR A HATE CRIME; TO AMEND SECTION 99-19-305, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2243:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-3-7, MISSISSIPPI CODE OF 1972, TO REVISE THE CRIMINAL PENALTIES FOR SIMPLE ASSAULT WITH AN AGGRAVATING CIRCUMSTANCE AND AGGRAVATED ASSAULT WITH AN AGGRAVATING

CIRCUMSTANCE; TO PROVIDE THAT AN ASSAULT UPON ANY ELECTED OFFICIAL SHALL BE AN AGGRAVATING CIRCUMSTANCE; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2244:** Judiciary, Division B

AN ACT TO ENACT THE "MISSISSIPPI KRATOM CONSUMER PROTECTION ACT" TO REGULATE THE PREPARATION, DISTRIBUTION, AND SALE OF KRATOM PRODUCTS; TO DEFINE TERMS; TO PROHIBIT THE PREPARATION, DISTRIBUTION AND SALE OF ADULTERATED OR CONTAMINATED KRATOM PRODUCTS; TO PRESCRIBE FINES AND PENALTIES FOR VIOLATIONS OF THIS ACT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ADMINISTER THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2245:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-37-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LAW ENFORCEMENT TO PURCHASE EQUIPMENT WITH THE PROCEEDS OF THE SALE OF FORFEITED WEAPONS; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2246:** Judiciary, Division B

AN ACT TO ENACT THE MISSISSIPPI SUPPRESSOR FREEDOM ACT; TO DEFINE TERMS; TO STATE LEGISLATIVE FINDINGS; TO PROVIDE THAT A FIREARM SUPPRESSOR SHALL BE CONSIDERED TO BE MANUFACTURED IN THIS STATE IF IT IS MANUFACTURED IN THIS STATE WITHOUT REGARD TO WHETHER A FIREARM IMPORTED INTO THIS STATE FROM ANOTHER STATE IS ATTACHED TO OR USED IN CONJUNCTION WITH THE FIREARM SUPPRESSOR; TO REQUIRE CERTAIN MARKINGS ON A FIREARM SUPPRESSOR MANUFACTURED AND SOLD IN THIS STATE; TO REQUIRE THE ATTORNEY GENERAL TO SEEK A DECLARATORY JUDGMENT FROM A FEDERAL DISTRICT COURT IN THIS STATE THAT THIS ACT IS CONSISTENT WITH THE PROVISIONS OF THE UNITED STATES CONSTITUTION UPON THE RECEIPT OF WRITTEN NOTIFICATION OF A PERSON'S INTENT TO MANUFACTURE A FIREARM SUPPRESSOR UNDER THE AUTHORITY OF THIS ACT; TO PROHIBIT THE STATE, ITS POLITICAL SUBDIVISION OR A GOVERNMENTAL ENTITY FROM ADOPTING A RULE, ORDER, ORDINANCE, OR POLICY UNDER WHICH THE ENTITY ENFORCES, OR BY CONSISTENT ACTION ALLOWING THE ENFORCEMENT OF, A FEDERAL STATUTE, ORDER, RULE, OR REGULATION THAT PURPORTS TO REGULATE A FIREARM SUPPRESSOR IF THE STATUTE, ORDER, RULE, OR REGULATION IMPOSES A PROHIBITION, RESTRICTION, OR OTHER REGULATION THAT DOES NOT EXIST UNDER THE LAWS OF THIS STATE; TO PROVIDE A REMEDY AGAINST CERTAIN GOVERNMENTAL ENTITIES; TO REPEAL SECTION 97-37-31, MISSISSIPPI CODE OF 1972, WHICH CRIMINALIZES THE MANUFACTURE OF SILENCERS ON FIREARMS WITHOUT AUTHORIZATION UNDER FEDERAL LAW; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell, Tate, Younger, Moran, Williams, DeLano, Seymour, Barnett, Whaley, McLendon, Barrett

**S. B. No. 2247:** Judiciary, Division B; Public Health and Welfare

AN ACT TO PROHIBIT THE SALE OF A SECONDHAND MATTRESS WITHOUT THE ATTACHMENT OF A SPECIFIED TAG INDICATING THAT A MATTRESS IS SECONDHAND; TO REQUIRE CERTAIN OTHER INFORMATION ON THE TAG; TO PROVIDE A PENALTY FOR VIOLATION OF THE SECTION; TO SET FORTH CERTAIN EXCEPTION; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

**S. B. No. 2248:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE HABITUAL OFFENDER SENTENCING; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2249:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF A NONVIOLENT HABITUAL OFFENDER DEPENDENT ON THE AGE OF THE OFFENDER AT THE TIME OF THE COMMISSION OF THE PRIOR OFFENSES; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2250:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE THE CALCULATION TO DETERMINE WHETHER AN OFFENDER SHOULD BE SENTENCED AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2251:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-81, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2252:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE SENTENCING OF AN OFFENDER AS AN HABITUAL VIOLENT OFFENDER BY REQUIRING BOTH PREVIOUS CRIMES TO HAVE BEEN CRIMES OF VIOLENCE; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2253:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE VIOLENT HABITUAL OFFENDER SENTENCING; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2254:** Judiciary, Division B

AN ACT TO AMEND SECTIONS 99-19-81 AND 99-19-83, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPUTATION OF PRIOR CONVICTIONS FOR PURPOSES OF DETERMINING AN OFFENDER'S STATUS AS AN HABITUAL OFFENDER; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2255:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO PROVIDE PENALTIES FOR FIRST AND SECOND CONTROLLED SUBSTANCE CRIMES; TO AMEND SECTION 41-29-147, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2256:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SIMPLE POSSESSION OF 30 GRAMS OR LESS OF MARIJUANA IS A CIVIL INFRACTION; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MUNICIPAL COURTS SHALL HAVE JURISDICTION TO IMPOSE CIVIL PENALTIES; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2257:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-142, MISSISSIPPI CODE OF 1972, TO REVISE THE PENALTIES FOR SALE OF CONTROLLED SUBSTANCES WITHIN A CERTAIN DISTANCE FROM SCHOOLS; TO REPEAL SECTION 41-29-147, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR ENHANCED PENALTIES FOR SECOND AND SUBSEQUENT DRUG OFFENSES; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2258:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO IMPLEMENT UNIFORM REPORTING STANDARDS FOR JAIL CENSUS DATA BY COUNTY SHERIFF'S DEPARTMENTS AND TO CREATE AND MAINTAIN A CENTRALIZED DATABASE FOR STORING THIS DATA; TO AMEND SECTIONS 19-25-63 AND 47-1-21, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT JAIL DOCKETS KEPT BY COUNTY SHERIFFS COMPLY WITH UNIFORM REPORTING STANDARDS IN ORDER TO PROMOTE COMPLIANCE WITH RULE 8 OF THE MISSISSIPPI RULES OF CRIMINAL PROCEDURE; TO AUTHORIZE THE CREATION OF AN ADVISORY COMMITTEE TO PROMOTE TRANSPARENCY BY FACILITATING THE AVAILABILITY OF COMPARABLE AND UNIFORM COUNTY JAIL CENSUS DATA; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2259:** Judiciary, Division B

AN ACT TO AMEND SECTIONS 43-21-151, 43-21-157 AND 43-21-159, MISSISSIPPI CODE OF 1972, TO DEFINE THE CIRCUMSTANCES UNDER WHICH A CHILD MAY BE TRIED FOR A CRIMINAL OFFENSE IN CIRCUIT COURT; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2260:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO PERMIT THE NONADJUDICATION OF A FIRST OFFENSE OF DRIVING UNDER THE INFLUENCE BY A COMMERCIAL DRIVER'S LICENSE HOLDER WHO WAS NOT OPERATING A COMMERCIAL VEHICLE AT THE TIME OF THE OFFENSE; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2261:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-3-2, MISSISSIPPI CODE OF 1972, TO REVISE THE LIST OF OFFENSES THAT ARE DESIGNATED AS CRIMES OF VIOLENCE; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2262:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-17-23, MISSISSIPPI CODE OF 1972, TO REVISE THE OFFENSE OF HOUSE BURGLARY TO CREATE VIOLENT AND NONVIOLENT LEVELS OF THE OFFENSE; TO AMEND SECTION 97-3-2, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-23-15, MISSISSIPPI CODE OF 1972, TO CONFORM ELIGIBILITY FOR DRUG INTERVENTION COURTS; TO AMEND SECTION 9-27-11, MISSISSIPPI CODE OF 1972, TO CONFORM ELIGIBILITY FOR VETERANS' INTERVENTION COURTS; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2263:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO REVISE EXPUNCTION OF CRIMINAL RECORD BY REDUCING THE WAITING PERIOD FOR ELIGIBILITY; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2264:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COURT OF CONVICTION TO EXPUNGE THE RECORD OF CERTAIN FELONIES AFTER 20 YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2265:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-37-5, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE POSSESSION OF A WEAPON BY CERTAIN MISDEMEANANTS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2266:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-71, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON WHO HAS BEEN CONVICTED OF POSSESSION OF MARIJUANA WHERE THE AMOUNT OF MARIJUANA WAS EQUAL TO OR LESS THAN THE LEGAL LIMIT OF POSSESSION FOR MEDICAL CANNABIS MAY PETITION THE COURT IN WHICH THE CONVICTION WAS HAD FOR AN ORDER TO EXPUNGE ANY SUCH CONVICTION FROM ALL PUBLIC RECORDS; TO PROVIDE THAT THE PETITION AUTHORIZED IN THIS SUBSECTION MAY BE FILED WITHOUT DELAY; TO AMEND SECTIONS 25-7-25 AND 81-18-9, MISSISSIPPI CODE OF 1972, TO MAKE MINOR, NONSUBSTANTIVE CHANGES TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Hickman

**S. B. No. 2267:** Judiciary, Division B

AN ACT TO CREATE NEW SECTION 99-19-71.1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE AUTOMATIC EXPUNCTION OF CONVICTIONS FOR THE POSSESSION OF MARIJUANA WHERE THE AMOUNT OF MARIJUANA WAS EQUAL TO OR LESS THAN THE LEGAL LIMIT OF POSSESSION FOR MEDICAL CANNABIS; TO PROVIDE FOR THE AUTOMATIC EXPUNCTION OF THE RECORD OF ANY CASE WHERE THE ONLY CHARGES WERE FOR THE POSSESSION OF MARIJUANA OR ANY REFERENCE TO A CHARGE OF POSSESSION OF MARIJUANA IN THE RECORD OF ANY CASE IN WHICH AN ARREST WAS MADE, THE PERSON ARRESTED WAS RELEASED AND THE CASE WAS DISMISSED OR THE CHARGES WERE DROPPED OR THERE WAS NO DISPOSITION OF SUCH CASE, OR THE PERSON WAS FOUND NOT GUILTY AT TRIAL; TO ESTABLISH A PROCEDURE FOR THE EXPUNCTIONS; TO PROVIDE NOTICE TO PROSECUTORS; TO AMEND SECTIONS 25-7-25 AND 81-18-9, MISSISSIPPI CODE OF 1972, TO MAKE MINOR NONSUBSTANTIVE CHANGES TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Hickman

**S. B. No. 2268:** Judiciary, Division B

AN ACT TO AMEND SECTIONS 9-23-5 AND 9-23-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CONVICTION FOR BURGLARY OF A DWELLING IS NOT A CRIME OF VIOLENCE FOR PURPOSES OF DETERMINING AN OFFENDER'S ELIGIBILITY FOR AN INTERVENTION COURT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2269:** Judiciary, Division B

AN ACT TO AMEND SECTION 43-21-157, MISSISSIPPI CODE OF 1972, TO REVISE TRANSFER FROM YOUTH COURT TO CIRCUIT COURT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2270:** Elections; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE THE SECRETARY OF STATE TO CONDUCT A STUDY ON THE FEASIBILITY OF ALLOWING STUDENTS WHO ARE REGISTERED VOTERS

WHO ARE ATTENDING SCHOOL OUTSIDE THE COUNTY IN WHICH THEY ARE REGISTERED, TO VOTE IN ANY ELECTION HELD IN THIS STATE FROM THE LOCATION WHERE THEY ARE ATTENDING SCHOOL THROUGH THE USE OF THE INTERNET; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2271:** Elections

AN ACT TO AMEND SECTION 23-15-573, MISSISSIPPI CODE OF 1972, TO ALLOW INDIVIDUALS TO VOTE BY AFFIDAVIT ON ELECTION DAY, IF THE INDIVIDUAL REGISTERED AFTER THE THIRTY-DAY QUALIFYING CUTOFF, BUT BEFORE ELECTION DAY; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2272:** Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 20 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2273:** Elections; Judiciary, Division B

AN ACT TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO INCREASE PUNISHMENT FOR THE CRIME OF VOTE FRAUD TO A FINE NOT LESS THAN \$1,000.00 AND A TERM OF IMPRISONMENT IN THE PENITENTIARY FOR NOT LESS THAN ONE YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2274:** Elections

AN ACT TO AMEND SECTION 23-15-713, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EVERY DULY QUALIFIED ELECTOR TO VOTE BY ABSENTEE BALLOT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2275:** Elections; Appropriations

AN ACT TO AMEND SECTIONS 23-15-301, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT THE STATE AND COUNTIES EQUALLY SHARE THE COST OF PROVIDING PREPAID POSTAGE ENVELOPES FOR MAIL-IN BALLOTS TO BE RETURNED; AND FOR RELATED PURPOSES.

By Senator(s) Hickman, Simmons (12th), Blount

**S. B. No. 2276:** Elections; Judiciary, Division A

AN ACT TO AMEND SECTION 23-15-973, MISSISSIPPI CODE OF 1972, TO REQUIRE THE JUDGES OF THE COUNTY COURT TO GIVE A REASONABLE TIME AND OPPORTUNITY TO THE CANDIDATES FOR THE OFFICE OF JUDGE OF THE SUPREME COURT, JUDGES OF THE COURT OF APPEALS, CIRCUIT JUDGE AND CHANCELLOR TO ADDRESS THE PEOPLE DURING COURT TERMS; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2277:** Elections

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM UNLESS THE PERSON IS SERVING A TERM OF INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS WHICH WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; TO BRING FORWARD SECTION 23-15-573, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE PROCEDURE FOR CASTING AN AFFIDAVIT BALLOT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2278:** Elections; Judiciary, Division A

AN ACT TO CREATE NEW SECTION 23-15-823, MISSISSIPPI CODE OF 1972, TO REQUIRE A SOCIAL MEDIA COMPANY THAT RESTRICTS A CANDIDATE OR ELECTED OFFICIAL TO FILE A REPORT WITH THE SECRETARY OF STATE; TO DEFINE TERMS; TO REQUIRE THE MISSISSIPPI SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS TO PROVIDE FOR THE PRESERVATION AND PUBLIC INSPECTIONS OF ANY REPORTS AS WELL AS A PROCEDURE FOR AN ELECTED OFFICIAL TO ALLEGE A VIOLATION OF THIS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2279:** Elections



AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE QUALIFIED ELECTORS TO SUBMIT VOTER REGISTRATION APPLICATIONS THROUGH A SECURE INTERNET WEBSITE ESTABLISHED BY THE SECRETARY OF STATE; TO ESTABLISH THE PROCEDURE BY WHICH THE COUNTY REGISTRAR SHALL PROCESS ONLINE APPLICATIONS; TO AMEND SECTIONS 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 21 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE; TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 23-15-627, MISSISSIPPI CODE OF 1972, TO REVISE THE CATEGORIES OF VOTERS WHO MAY CAST AN ABSENTEE BALLOT; TO AMEND SECTION 23-15-637, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALL ABSENTEE BALLOTS MUST BE RECEIVED BY THE REGISTRAR BY A CERTAIN TIME ON THE DAY BEFORE THE ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2280:** Elections

AN ACT TO RESTORE THE RIGHT TO VOTE UPON COMPLETION OF ANY PRISON TIME SENTENCED FOR A FELONY CONVICTION; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2281:** Drug Policy; Accountability, Efficiency, Transparency

AN ACT TO AMEND TO AMEND SECTION 41-113-1, MISSISSIPPI CODE OF 1972, TO INCLUDE DRUG ABUSE IN THE LEGISLATIVE INTENT FOR THE TOBACCO EDUCATION, PREVENTION AND CESSATION PROGRAM; TO AMEND SECTION 41-113-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE OFFICE OF TOBACCO CONTROL BY ADDING FENTANYL AND DRUG ABUSE PREVENTION EDUCATION; TO AMEND SECTION 41-113-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE DIRECTOR OF THE OFFICE OF TOBACCO CONTROL TO INCLUDE IMPLEMENTATION OF A FENTANYL DRUG ABUSE EDUCATION, PREVENTION AND CESSATION PROGRAM; TO AMEND SECTION 41-113-7, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE OFFICE OF TOBACCO CONTROL BY ADDING FENTANYL AND DRUG ABUSE PREVENTION EDUCATION; TO AMEND SECTION 41-114-1, MISSISSIPPI CODE OF 1972, TO INCLUDE VAPORIZING DEVICES IN THE DEFINITION OF "SMOKE" OR "SMOKING" FOR THE PROVISIONS OF LAW THAT RESTRICT TOBACCO USE IN PUBLIC FACILITIES; TO BRING FORWARD SECTIONS 41-113-9 AND 41-113-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE MISSISSIPPI TOBACCO CONTROL

ADVISORY COUNCIL AND THE TOBACCO CONTROL PROGRAM FUND, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Hickman, Simmons (12th)

**S. B. No. 2282:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-21-124, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTOMATIC REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES A PHARMACY TO SELL OR DISTRIBUTE CERTAIN AMOUNTS OF PSEUDOEPHEDRINE WITHOUT A PRESCRIPTION; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2283:** Drug Policy; Public Health and Welfare

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE THIRTEEN SUBSTANCES AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE SERDEXMETHYLPHENIDATE AS A SCHEDULE IV CONTROLLED SUBSTANCE BECAUSE THE DRUG HAS A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; AND FOR RELATED PURPOSES.

By Senator(s) Jordan, Jackson, Butler (38th), Thomas

**S. B. No. 2284:** Labor; Accountability, Efficiency, Transparency

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

By Senator(s) Simmons (12th), Hickman

**S. B. No. 2285:** Labor; Accountability, Efficiency, Transparency

AN ACT TO AUTHORIZE CERTAIN LABOR AND EMPLOYMENT PROTECTIONS FOR TEMPORARY WORKERS IN MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th) (By Request)

**S. B. No. 2286:** Labor; Accountability, Efficiency, Transparency

AN ACT TO ESTABLISH THE MISSISSIPPI PAID FAMILY LEAVE ACT TO BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO PROVIDE DEFINITIONS; TO PROVIDE ENTITLEMENT REQUIREMENTS AND CONDITIONS FOR PAID LEAVE; TO AUTHORIZE INTERMITTENT OR REDUCED LEAVE; TO PROVIDE THAT THIS ACT IS TO BE CONSTRUED WITH SIMILAR PROVISIONS IN THE FEDERAL FAMILY AND MEDICAL LEAVE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2287:** Labor; Judiciary, Division A

AN ACT TO CREATE THE "BAN-THE-BOX ACT"; TO ENACT DEFINITIONS; TO PROHIBIT CERTAIN PUBLIC EMPLOYERS FROM USING CRIMINAL HISTORY

INFORMATION AS A PRELIMINARY BAR TO EMPLOYMENT; TO PROVIDE FOR JURISDICTION OVER COMPLAINTS FOR VIOLATION OF THE TERMS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

**S. B. No. 2288:** Labor; Accountability, Efficiency, Transparency

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

By Senator(s) Jackson

**S. B. No. 2289:** Labor; Judiciary, Division A

AN ACT TO REQUIRE THE STATE OF MISSISSIPPI AND POLITICAL SUBDIVISIONS THEREOF TO COMPENSATE LAW ENFORCEMENT OFFICERS WHO ARE NONEXEMPT EMPLOYEES UNDER THE FAIR LABOR STANDARDS ACT (FLSA) BY MANDATING AT LEAST THE REGULAR HOURLY RATE BE PAID, OR HOUR-FOR-HOUR COMPENSATORY TIME, FOR THE FIRST 43 HOURS IN A WEEK, 86 HOURS IN A TWO-WEEK PERIOD OR 171 HOURS IN A 28-DAY PERIOD; TO REQUIRE COMPLIANCE WITH THE FLSA FOR HOURS WORKED IN EXCESS OF THOSE STATED AMOUNTS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Boyd

**S. B. No. 2290:** Labor; Judiciary, Division A

AN ACT TO CREATE NEW SECTION 45-6-16, MISSISSIPPI CODE OF 1972, TO CREATE A RIGHT TO FOLLOW-UP TESTING FOR A LAW ENFORCEMENT OFFICER WHO TESTS POSITIVE FOR ILLEGAL DRUG USE AND TO PROVIDE FOR TERMS OF SUSPENSION PENDING THE RECEIPT OF RESULTS FROM THE FOLLOW-UP TEST; TO AMEND SECTION 45-6-17, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Boyd

**S. B. No. 2291:** Labor; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 71-1-1, MISSISSIPPI CODE OF 1972, TO EMPOWER THE STATE BOARD OF HEALTH TO ESTABLISH AN OFFICE OF WORKPLACE SAFETY AND HEALTH; TO REGULATE OCCUPATIONAL HEALTH AND SAFETY STANDARDS IN THE STATE OF MISSISSIPPI; TO PRESCRIBE ITS POWERS AND RESPONSIBILITIES; TO AMEND SECTIONS 71-1-25 AND 71-1-27, MISSISSIPPI CODE OF 1972, TO EMPOWER THE OFFICE OF WORKPLACE SAFETY AND HEALTH TO ENFORCE CHILD LABOR LAWS IN THE STATE OF MISSISSIPPI; TO PRESCRIBE ITS POWERS AND RESPONSIBILITIES; TO AMEND SECTION 41-3-15, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2292:** Labor; Accountability, Efficiency, Transparency

AN ACT TO ESTABLISH THE MISSISSIPPI PAID FAMILY LEAVE ACT TO BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO PROVIDE DEFINITIONS; TO PROVIDE ENTITLEMENT REQUIREMENTS AND CONDITIONS FOR PAID LEAVE; TO AUTHORIZE INTERMITTENT OR REDUCED LEAVE; TO PROVIDE THAT THIS ACT IS TO BE CONSTRUED WITH SIMILAR

PROVISIONS IN THE FEDERAL FAMILY AND MEDICAL LEAVE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2293:** Corrections

AN ACT TO AMEND SECTION 47-7-4, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS TO PLACE AN OFFENDER ON CONDITIONAL MEDICAL RELEASE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2294:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO END THE USE OF RESTITUTION CENTERS AND CONVERT RESTITUTION CENTERS TO POST-RELEASE REENTRY CENTERS; TO REPEAL SECTION 99-37-19, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ESTABLISHMENT OF RESTITUTION CENTERS; TO REPEAL SECTION 99-37-21, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COOPERATION OF THE DEPARTMENT OF PUBLIC WELFARE AND THE DEPARTMENT OF CORRECTIONS AT RESTITUTION CENTERS; TO BRING FORWARD SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO OUTLINE THE DUTIES AND COMPENSATION FOR SHERIFFS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-27, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE TIME FRAME FOR REGISTRATION OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-35, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CENTRAL REGISTRY OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-10, MISSISSIPPI CODE OF 1972, WHICH OUTLINES DEPARTMENT FUNCTIONS; TO BRING FORWARD SECTION 47-5-26, MISSISSIPPI CODE OF 1972, WHICH OUTLINES SUBORDINATE PERSONNEL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-110, MISSISSIPPI CODE OF 1972, WHICH ASSIGNS THE PRE-RELEASE PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-194, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE CASHLESS SYSTEM AND PROHIBITS FINANCIAL ITEMS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-1207, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CONSTRUCTION OF ADDITIONAL PUBLIC OR PRIVATE CORRECTIONAL FACILITIES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PROBATION VIOLATIONS AND PROCEDURES FOR BAIL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2295:** Corrections; Accountability, Efficiency, Transparency

AN ACT TO END THE USE OF RESTITUTION CENTERS AND CONVERT RESTITUTION CENTERS TO PRERELEASE REENTRY CENTERS; TO REPEAL SECTION 99-37-19, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ESTABLISHMENT OF RESTITUTION CENTERS; TO REPEAL SECTION 99-37-21, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE COOPERATION OF THE DEPARTMENT OF PUBLIC WELFARE AND THE DEPARTMENT OF CORRECTIONS AT RESTITUTION CENTERS; TO BRING FORWARD SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO OUTLINE THE DUTIES AND COMPENSATION FOR SHERIFFS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-27, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE TIME FRAME FOR REGISTRATION OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 45-33-35, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR A CENTRAL REGISTRY OF OFFENDERS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-10, MISSISSIPPI CODE OF 1972, WHICH OUTLINES DEPARTMENT FUNCTIONS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-26, MISSISSIPPI

CODE OF 1972, WHICH OUTLINES SUBORDINATE PERSONNEL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-110, MISSISSIPPI CODE OF 1972, WHICH ASSIGNS THE PRERELEASE PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-194, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE CASHLESS SYSTEM AND PROHIBITS FINANCIAL ITEMS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-5-1207, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CONSTRUCTION OF ADDITIONAL PUBLIC OR PRIVATE CORRECTIONAL FACILITIES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 47-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PROBATION VIOLATIONS AND PROCEDURES FOR BAIL, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2296:** Judiciary, Division B

AN ACT TO PROVIDE THAT THE ODOR OF MARIJUANA ALONE SHALL NOT PROVIDE A LAW ENFORCEMENT OFFICER WITH PROBABLE CAUSE TO CONDUCT A WARRANTLESS SEARCH OF A MOTOR VEHICLE, HOME OR OTHER PRIVATE PROPERTY; AND FOR RELATED PURPOSES.

By Senator(s) Hickman, Simmons (12th), Norwood

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MESSAGE FROM THE GOVERNOR  
January 12, 2023

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

Melissa Ann Bryant, Pinola, Mississippi, Commercial Mobile Radio Service Board as a representative for the National Emergency Numbering Association; Southern Public Service Com. District, four year term effective July 1, 2022 and ending June 30, 2026.

Tate Reeves  
GOVERNOR

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

Melissa Ann Bryant, Commercial Mobile Radio Service Board as a representative for the National Emergency Numbering Association; Southern Public Service Com. District, four year term effective July 1, 2022 and ending June 30, 2026, Energy.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Raymond "R.O." O'Neal Grogan, Joel Lee "Butch" Mooney, Debra Ruth McPherson and Sue Ellen Scruggs of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Deborah Kay Massey, Evoyne Marie Cormier, Gerald N. "Jerry" Edwards and Homer E. McPherson of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of John Michael Cothorn, Kathleen B. Wilson, Max Howard Keller and Phylis P. Wright of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Randall Ray Ivy of Brandon, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Daisy Ruth Eastman of Russell, MS.

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Senators Tate and Polk moved that when the Senate adjourns, it adjourn in memory of Thomas J. Griffith of Meridian, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Jimmy Breland of Leakesville, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Willis "W. J." Junior Havard of Lucedale, MS.

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Senators DeBar and England moved that when the Senate adjourns, it adjourn in memory of Mitchell "Mickey" Vernon Stringer of Lucedale, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Nancy Caldwell of Columbus, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Carolyn Ann Adam, Lujean Carter and Annette Carter of Bay St. Louis, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Carolyn "Ya Ya" Dickens Bates of Diamondhead, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of David Scarborough of Lizana, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Cleyton John Ladner of Pass Christian, MS.

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Senator Sparks moved that when the Senate adjourns, it adjourn in memory of Peggy S. Burcham of Burnsville, MS.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Mrs. Nellie "Tommie" Layton of Mendenhall, MS.

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

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Senators Thompson, DeLano, Carter and England moved that when the Senate adjourns, it adjourn in memory of Christopher Castiglia of Long Beach, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Buddy Vines, Sr., Flossie M. Measells, Emma Joyce Eubanks, Elijah Matthew Usry and Edd Hershell Porter of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Reba Howell, Stacey Ray Holmes, Nell Traxler, Otis Lee Lloyd, Penny Davis and Judy Wallace of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Don Roberts, Jr., Debby Park, Billie Faye Gibbs, Billy Hood and Billy Wayne Alexander, Sr. of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Carol Measells Harvey, Jimmy Dale Coward, Axel Russell, William Jerry "Bill" Porter and William Edward McCoy of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Kimberly Chipley, James C. Nicholas, Gary Lynn Risher, Dwight Faulkner, Dennis Black and Barbara Waltman of Forest, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Mose O'Neal Robinson, Van M. "Pete" Fortenberry, Bennie D. Henderson, Benny Reid and Bobby Kirby of Forest, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Dakota Albert Paul Myers, Tanner Scott Yarbrough, Randy Parks, Lavelle Lee "Pepper" Culpepper, Jr. and Larry Gibbs of Lake, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of James Creel and Albert Frazier of Pulaski, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Clarissa (Rissa) Frazier Tagert and Catherine Ann Crapps of Branch, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Alvin "Buck" Seaney of Lena, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Jimmy Dale Gibbs of Gibbstown, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Douglas Edgar Barnes of Ludlow, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Mavis Irene Nowell of Clifton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of James D. Mitchell of Newton County, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Timothy James Ivey of Lawrence, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Lela Baucum of Newton, MS.

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Senators McCaughn and DeLano moved that when the Senate adjourns, it adjourn in memory of Hon. Billy Nicholson of Union, MS.

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

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Senator Butler A. (36th) moved that when the Senate adjourns, it adjourn in memory of Perlie L. Davis and Charles Henry Buck of Port Gibson, MS.

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Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Dr. Freda McKissic Bush and Annie Lee Burt of Jackson, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mrs. Ora Lee Penn Younger of Jackson, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Jared Heine of Baton Rouge, LA.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Barbara Jean Ogle Bramlitt of New Albany, MS.



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Senator Polk moved that the Senate stand in recess until the last bill is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 17, 2023.

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

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 9:00 PM in memory of Raymond "R.O." O'Neal Grogan, Joel Lee "Butch" Mooney, John Michael Cothorn, Kathleen B. Wilson, Max Howard Keller, Phylis P. Wright, Randall Ray Ivy, Daisy Ruth Eastman, Thomas J. Griffith, Willis "W. J." Junior Havard, Mitchell "Mickey" Vernon Stringer, Nancy Caldwell, Lujean Carter, Annette Carter, Carolyn "Ya Ya" Dickens Bates, David Scarborough, Cleyton John Ladner, Peggy S. Burcham, Mrs. Nellie "Tommie" Layton, Dean Gerber, Christopher Castiglia, Buddy Vines, Sr., Debra Ruth McPherson, Flossie M. Measells, Emma Joyce Eubanks, Elijah Matthew Usry, Edd Hershell Porter, Rheba Howell, Stacey Ray Holmes, Nell Traxler, Otis Lee Lloyd, Penny Davis, Judy Wallace, Sue Ellen Scruggs, Don Roberts, Jr., Debby Park, Billie Faye Gibbs, Billy Hood, Billy Wayne Alexander, Sr., Carol Measells Harvey, Jimmy Dale Coward, Axel Russell, William Jerry "Bill" Porter, William Edward McCoy, Deborah Kay Massey, Kimberly Chipley, James C. Nicholas, Gary Lynn Risher, Dwight Faulkner, Dennis Black, Barbara Waltman, Mose O'Neal Robinson, Van M. "Pete" Fortenberry, Bennie D. Henderson, Benny Reid, Bobby Kirby, Dakota Albert Paul Myers, Tanner Scott Yarbrough, Randy Parks, Lavelle Lee "Pepper" Culpepper, Jr., Larry Gibbs, James Creel, Albert Frazier, Clarissa (Rissa) Frazier Tagert, Catherine Ann Crapps, Evoyne Marie Cormier, Alvin "Buck" Seaney, Jimmy Dale Gibbs, Douglas Edgar Barnes, Mavis Irene Nowell, James D. Mitchell, Timothy James Ivey, Lela Baucum, Hon. Billy Nicholson, Hazel White, Carolyn Ann Adam, Gerald N. "Jerry" Edwards, Perlie L. Davis, Charles Henry Buck, Dr. Freda McKissic Bush, Jimmy Breland, Annie Lee Burt, Mrs. Ora Lee Penn Younger, Barbara Jean Ogle Bramlitt, Jared Heine and Homer E. McPherson.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR MONDAY, JANUARY 16, 2023

**S. B. No. 2297:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-11-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI FORENSICS LABORATORY TO APPROVE FOR USE AT LEAST ONE MODEL OF INTOXILYZER EQUIPMENT THAT IS READILY AVAILABLE TO LAW ENFORCEMENT AGENCIES THROUGHOUT THE STATE; TO BRING FORWARD SECTION 63-11-47, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE COMMISSIONER OF PUBLIC SAFETY TO DETERMINE THE EQUIPMENT AND SUPPLIES ADEQUATE AND NECESSARY FOR THE ADMINISTRATION OF THE IMPLIED CONSENT LAW, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2298:** Judiciary, Division B

AN ACT TO AMEND SECTION 21-23-8, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE TO DETERMINE BAIL IN MUNICIPAL COURT; TO AMEND SECTION 99-5-11, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE TO DETERMINE BAIL IN JUSTICE COURT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins, England

**S. B. No. 2299:** Elections; Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI RECALL ACT OF 2023 TO PROVIDE A PROCEDURE FOR THE RECALL OF STATE OFFICIALS, MEMBERS OF THE LEGISLATURE AND LOCAL ELECTED OFFICIALS; TO PROVIDE DEFINITIONS; TO PRESCRIBE THOSE OFFICIALS SUBJECT TO RECALL; TO PRESCRIBE THE NUMBER OF ELECTORS NEEDED TO DEMAND A RECALL; TO PROVIDE FOR THE APPLICATION FOR AND TIME OF FILING A RECALL PETITION BY SPONSORS; TO PROVIDE A FORM FOR THE RECALL PETITION; TO PRESCRIBE THOSE ELECTORS ELIGIBLE TO SIGN A RECALL PETITION AND A PROCEDURE FOR THE VERIFICATION OF SIGNATURES; TO PROHIBIT CERTAIN PERSONS FROM CIRCULATING A PETITION OR APPLICATION; TO PROVIDE FOR THE DETERMINATION OF LEGAL SUFFICIENCY OF A PETITION BY THE LOCAL BOARD OF ELECTION COMMISSIONERS; TO PROVIDE FOR THE MANNER OF CONDUCTING A RECALL ELECTION; TO PROVIDE FOR THE FILING OF SUBSEQUENT RECALL PETITIONS FOLLOWING A RECALL ELECTION OR DENIAL OF RECALL PETITION; TO REQUIRE THE SECRETARY OF STATE TO PRINT THE APPLICATION FORMS AND PETITION FORMS AND DISTRIBUTE THE FORMS TO THE BOARDS OF ELECTION COMMISSIONERS; TO AUTHORIZE THE STATE BOARD OF ELECTION COMMISSIONERS TO PROMULGATE REGULATIONS TO IMPLEMENT THIS ACT; TO AUTHORIZE AN APPLICATION TO THE CIRCUIT COURT TO COMPEL COMPLIANCE WITH RECALL PROCEDURES; TO PROHIBIT GIVING OR RECEIVING MONEY TO SIGN PETITIONS OR AFFIDAVITS FOR RECALL AND OTHER RECALL INFRACTIONS, AND TO PROVIDE CRIMINAL PENALTIES THEREFOR; TO REPEAL SECTIONS 25-5-3 THROUGH 25-5-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE A RECALL PROCEDURE FOR LOCAL OFFICIALS PURSUANT TO PETITION AND ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2300:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SHERIFF AND HIS DEPUTIES IN ANY COUNTY HAVING A POPULATION OF 140,000 OR MORE TO USE RADAR SPEED DETECTION EQUIPMENT UPON THE PUBLIC STREETS, ROADS AND HIGHWAYS WITHIN THE COUNTY, LYING OUTSIDE THE LIMITS OF ANY INCORPORATED MUNICIPALITY, AND EXCLUDING ANY INTERSTATE HIGHWAY; TO FORBID THE LEVY OF ANY FINE ASSOCIATED WITH THE ISSUANCE OF A CITATION WHERE A DRIVER IS DETECTED TO HAVE BEEN TRAVELING IN EXCESS OF THE POSTED SPEED LIMIT, AS DETECTED BY THE SHERIFF OR HIS DEPUTIES THROUGH THE USE OF RADAR SPEED DETECTION EQUIPMENT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon, England

**S. B. No. 2301:** Elections

AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO ESTABLISH PROVISIONS FOR ELECTRONIC VOTER REGISTRATION APPLICATIONS AND FOR THE SECRETARY OF STATE TO ESTABLISH A SECURE WEBSITE TO FACILITATE THE VOTER REGISTRATION APPLICATION PROCESS ELECTRONICALLY; TO AMEND SECTIONS 23-15-13, 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2302:** Judiciary, Division B; Education

AN ACT TO AMEND SECTION 37-15-9, MISSISSIPPI CODE OF 1972, TO CRIMINALIZE THE WILLFUL ENROLLMENT OF A CHILD WITHOUT ESTABLISHING DOMICILE WITHIN THE STATE AND DISTRICT; TO PROVIDE PENALTIES; TO REQUIRE THE DEPARTMENT TO EXPEL THE CHILD WHOSE ENROLLMENT WAS THE BASIS OF THE CONVICTION; TO REQUIRE THE DEPARTMENT, SCHOOL DISTRICT OR ANY SCHOOL EMPLOYEE TO INFORM THE PROPER LAW ENFORCEMENT AUTHORITY OF VIOLATIONS OF THIS PROVISION; AND FOR RELATED PURPOSES.

By Senator(s) McLendon, Blackwell, Hill

**S. B. No. 2303:** Judiciary, Division B

AN ACT TO PROHIBIT RETAIL FOOD ESTABLISHMENTS FROM IMPOSING COST-PLUS PRICING FORMULAS WITHOUT PUBLICLY POSTING NOTICE OF THE COST-PLUS PRICING FORMULA; TO PROVIDE A PENALTY FOR THE CRIME; TO PROVIDE THAT A VIOLATION OF THE SECTION SHALL CONSTITUTE AN UNLAWFUL TRADE PRACTICE; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2304:** Judiciary, Division B; Constitution

AN ACT TO PROVIDE THAT THE GOVERNOR MAY RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT A PERSON SHALL BE ENFRANCHISED AFTER COMPLETING ANY SENTENCE AND PAYING ANY FINES IMPOSED BY THE SENTENCING COURT FOR SUCH CRIME; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF CORRECTIONS OR THE SENTENCING COURT, WHICHEVER IS APPROPRIATE, TO ISSUE A WRITTEN REPORT TO THE GOVERNOR ON PERSONS WHO MEET THE REQUISITE CONDITIONS FOR RESTORATION OF SUFFRAGE RIGHTS; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO PRESENTS AN EXECUTIVE ORDER RESTORING THE RIGHT OF SUFFRAGE SHALL NOT BE DENIED THE RIGHT TO REGISTER TO VOTE BASED ON A CONVICTION OF A DISENFRANCHISING CRIME; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK SHALL KEEP A FILE OF CERTIFIED COPIES OF EXECUTIVE ORDERS RESTORING SUFFRAGE RIGHTS; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTIONS 23-15-39 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE BY EXECUTIVE ORDER IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS BEEN ISSUED AN EXECUTIVE ORDER RESTORING SUFFRAGE RIGHTS; TO AMEND SECTIONS 47-7-31, 47-7-41 AND 47-5-157, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF CORRECTIONS TO INVESTIGATE AND ISSUE REGULAR WRITTEN REPORTS TO THE GOVERNOR ON THOSE PERSONS WHO SHOULD BE CONSIDERED FOR EXECUTIVE PARDON; TO CREATE A SECTION OF LAW TO PROVIDE THAT ANY PERSON GRANTED AN EXECUTIVE PARDON SHALL BE ENTITLED TO HAVE HIS OR HER RECORD EXPUNGED; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2305:** Judiciary, Division B

AN ACT TO CONSOLIDATE THE STATUTES CONCERNING EXPUNGEMENT; TO CREATE A UNIFIED EXPUNGEMENT STATUTE; TO PROVIDE FOR THE LEGAL EFFECT OF AN ORDER TO EXPUNGE; TO PROVIDE FOR EXPUNGEMENT OF MISDEMEANOR AND FELONY CONVICTIONS; TO SPECIFY RECORDS THAT MAY NOT BE EXPUNGED; TO PROVIDE FOR EXPUNGEMENT OF A FIRST-OFFENSE DUI CONVICTION; TO PROVIDE FOR EXPUNGEMENT UPON COMPLETION OF INTERVENTION COURT; TO PROVIDE FOR EXPUNGEMENT OF CONVICTIONS FOR PURCHASE OF LIGHT WINE OR BEER BY MINORS; TO PROVIDE FOR CERTAIN NONCONVICTIONS; TO SET FILING FEES ACCORDING TO PREEXISTING LAW; TO REQUIRE INTERSTATE IDENTIFICATION INDEX REPORTS; TO REQUIRE CLERKS OF COURT TO SUBMIT POST-EXPUNGEMENT RECORDS; TO AMEND SECTION 9-

11-15, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENTS IN THE JUSTICE COURTS; TO AMEND SECTION 9-23-23, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENTS IN INTERVENTION COURTS; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENT IN MUNICIPAL COURTS; TO AMEND SECTION 41-29-150, MISSISSIPPI CODE OF 1972, TO CONFORM EXPUNGEMENT OF CERTAIN DRUG CHARGES; TO AMEND SECTION 45-27-21, MISSISSIPPI CODE OF 1972, TO CONFORM RECORD-KEEPING REQUIREMENTS FOR THE CRIMINAL INFORMATION CENTER; TO AMEND SECTION 63-11-30, MISSISSIPPI CODE OF 1972, TO CONFORM THE EXPUNGEMENT OF DUI RECORDS; TO AMEND SECTION 99-15-26, MISSISSIPPI CODE OF 1972, TO CONFORM NONADJUDICATION PROVISIONS; TO REPEAL SECTION 99-15-59, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ANY PERSON WHO IS ARRESTED, ISSUED A CITATION, OR HELD FOR ANY MISDEMEANOR AND NOT FORMALLY CHARGED OR PROSECUTED WITH AN OFFENSE WITHIN 12 MONTHS OF ARREST, OR UPON DISMISSAL OF THE CHARGE, MAY APPLY TO THE COURT WITH JURISDICTION OVER THE MATTER FOR THE CHARGES TO BE EXPUNGED; TO REPEAL SECTION 99-19-71, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR EXPUNGEMENT OF CERTAIN FELONY AND MISDEMEANOR CONVICTION RECORDS; TO REPEAL SECTION 99-19-72, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR FILING FEES FOR CERTAIN PETITIONS FOR EXPUNGEMENT AND THE DISPOSITION THEREOF; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2306:** Municipalities

AN ACT TO AMEND SECTION 51-35-317, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF DIRECTORS FOR FLOOD AND DRAINAGE CONTROL DISTRICTS FOR CERTAIN MUNICIPALITIES; AND FOR RELATED PURPOSES.

By Senator(s) Harkins, Horhn, Blount, Norwood, Simmons (12th)

**S. B. No. 2307:** County Affairs; Insurance

AN ACT TO AMEND SECTION 25-15-101, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD OF SUPERVISORS OF EACH COUNTY TO PROVIDE INSURANCE COVERAGE TO THE ELECTION COMMISSIONERS OF THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2308:** Judiciary, Division B

AN ACT TO AMEND SECTION 17-1-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPALITIES TO ASSESS ADMINISTRATIVE OR CIVIL PENALTIES FOR ZONING VIOLATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Thompson, Carter

**S. B. No. 2309:** Public Property

AN ACT TO AMEND CHAPTER 443, LAWS OF 2022, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO ADD A PARCEL OF LAND KNOWN AS "THE OLD MAGNOLIA CHURCH" TO THE CHAMPION HILL HISTORICAL PROPERTY WHICH WAS DELETED FROM THE LEGAL DESCRIPTION IN ERROR AND WHICH IS BEING TRANSFERRED TO THE JURISDICTION OF THE NATIONAL PARK SERVICE; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford, Butler (36th)

**S. B. No. 2310:** County Affairs

AN ACT TO AMEND SECTIONS 19-11-7, 19-11-19, 21-35-5, 21-35-25, 37-61-9 AND 37-61-21, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH COUNTY, MUNICIPALITY AND SCHOOL DISTRICT TO POST ITS ANNUAL BUDGET, AND ANY REVISION OR AMENDMENT THERETO, ON ITS OFFICIAL WEBSITE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2311:** Municipalities; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE EVERY COUNTY TO COMMIT TO DEVELOPING, LAUNCHING AND SUSTAINING A SUCCESSFUL COUNTY CERTIFIED WORK READY COMMUNITY, AND TO REQUIRE THE BOARD OF SUPERVISORS OF EACH COUNTY TO SELECT TWO LEADERS TO PARTICIPATE IN THE ACT WORK READY COMMUNITIES ACADEMY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2312:** County Affairs; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 19-7-3, MISSISSIPPI CODE OF 1972, TO ESTABLISH A COMPETITIVE BIDDING PROCESS WITH RIGHT OF FIRST REFUSAL FOR THE LEASE OR SALE OF COUNTY-OWNED PROPERTY; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2313:** Public Property; Accountability, Efficiency, Transparency

AN ACT TO AMEND CHAPTER 386, LAWS OF 2017, AS LAST AMENDED BY SECTION 1, CHAPTER 412, LAWS OF 2022, TO REVISE THE AUTHORITY OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO TRANSFER AND CONVEY CERTAIN REAL PROPERTY LOCATED AT COLUMBIA TRAINING SCHOOL IN MARION COUNTY, MISSISSIPPI, TO THE MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT, TO ALLOW THE DEPARTMENT TO SELL THE PROPERTY FOR SUCH CONSIDERATION AS WILL BEST PROMOTE AND PROTECT THE PUBLIC INTEREST, CONVENIENCE AND NECESSITY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2314:** Education; Appropriations

AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO PRESCRIBE MINIMUM FUNDING LEVELS FOR PREKINDERGARTEN PROGRAMS UNDER THE EARLY LEARNING COLLABORATIVE ACT; TO STATE THE INTENT OF THE LEGISLATURE TO INCREASE APPROPRIATED FUNDS ANNUALLY; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2315:** Public Health and Welfare; Appropriations

AN ACT TO AMEND SECTION 37-144-3, MISSISSIPPI CODE OF 1972, TO ADD A BOARD-CERTIFIED EMERGENCY MEDICINE PHYSICIAN AS A MEMBER OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP COMMISSION; TO AMEND SECTION 37-144-5, MISSISSIPPI CODE OF 1972, TO INCLUDE THE MISSISSIPPI CHAPTER OF THE AMERICAN COLLEGE OF EMERGENCY PHYSICIANS AMONG THE ORGANIZATIONS FROM WHICH THE COMMISSION SHALL SEEK INPUT REGARDING THE IMPLEMENTATION OF THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP PROGRAM; TO AMEND SECTION 37-144-7, MISSISSIPPI CODE OF 1972, TO INCLUDE EMERGENCY MEDICINE STUDENTS IN THE MISSISSIPPI RURAL PHYSICIANS SCHOLARSHIP RESIDENCY PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2316:** Public Health and Welfare

AN ACT TO REQUIRE AN INSURER OR A MANAGED CARE ORGANIZATION TO ALLOW POLICYHOLDERS TO RECEIVE TREATMENT FROM ANY HEALTH CARE PROVIDER ON STAFF AT A HOSPITAL LOCATED IN A MUNICIPALITY HAVING A POPULATION OF 10,000 OR LESS IF THAT HOSPITAL IS WILLING TO ACCEPT THE FEE THE INSURER OR MANAGED CARE ORGANIZATION OFFERS EVEN IF THE HOSPITAL IS NOT IN THE INSURER'S NETWORK OF APPROVED PROVIDERS; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2317:** Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO INCLUDE BOARD CERTIFIED OCCUPATIONAL THERAPISTS WHO ARE EMPLOYED BY A LOCAL SCHOOL BOARD OR BY A STATE AGENCY UNDER THE STATE PERSONNEL BOARD AS ELIGIBLE EMPLOYEES FOR ANNUAL SALARY SUPPLEMENT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2318:** Education

AN ACT TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT END-OF-COURSE ASSESSMENTS REQUIRED FOR HIGH SCHOOL GRADUATION SHALL INCLUDE ONLY THOSE REQUIRED BY FEDERAL LAW; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2319:** Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY LICENSED TEACHER IN A PUBLIC SCHOOL DISTRICT DESIGNATED AS A GEOGRAPHICAL CRITICAL TEACHER SHORTAGE AREA BY THE STATE BOARD OF EDUCATION SHALL RECEIVE AN ANNUAL SALARY SUPPLEMENT IN THE AMOUNT OF \$2,000.00, PLUS FRINGE BENEFITS, IN ADDITION TO ANY OTHER COMPENSATION TO WHICH THE EMPLOYEE MAY BE ENTITLED; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2320:** Public Health and Welfare

AN ACT TO CREATE NEW SECTION 73-49-5, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE LICENSING BOARDS OR AGENCIES OF HEALTH CARE PRACTITIONERS FROM REPRIMANDING, SANCTIONING, REVOKING OR THREATENING TO REVOKE A LICENSE, CERTIFICATE OR REGISTRATION OF A PRACTITIONER FOR EXERCISING HIS OR HER CONSTITUTIONAL RIGHT OF FREE SPEECH, UNLESS THE BOARD OR AGENCY PROVES BEYOND A REASONABLE DOUBT THAT THE SPEECH USED BY THE PRACTITIONER LED TO THE DIRECT PHYSICAL HARM OF A PERSON WITH WHOM THE PRACTITIONER HAD A PRACTITIONER-PATIENT RELATIONSHIP; TO REQUIRE THE LICENSING BOARDS OR AGENCIES OF HEALTH CARE PRACTITIONERS TO PROVIDE A PRACTITIONER WITH ANY COMPLAINTS RECEIVED FOR WHICH REVOCATION ACTIONS MAY BE IN ORDER WITHIN SEVEN DAYS AFTER RECEIPT OF SUCH COMPLAINT; TO AMEND SECTIONS 73-6-19, 73-9-61, 73-15-29, 73-19-23, 73-21-97, 73-23-59, 73-25-29, 73-26-5, 73-27-13, 73-31-21, 73-39-77, 73-71-33 AND 73-75-19, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2321:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-58-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THE DEFINITION OF NUCLEAR MEDICINE; TO REVISE THE DEFINITION OF NUCLEAR MEDICINE TECHNOLOGIST; TO EXTEND THE DATE OF REPEAL ON THE SECTION; TO AMEND SECTION 41-58-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE SECTION; TO AMEND SECTION 41-58-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2322:** Public Health and Welfare

AN ACT TO ENACT THE MISSISSIPPI SURROGACY AND IN VITRO CHILD AND PARENT ACT; TO PROVIDE FOR CERTAIN TECHNICAL DEFINITIONS RELATED TO

SURROGACY AND IN VITRO PREGNANCIES; TO PROVIDE FOR CERTAIN REQUIREMENTS RELATED TO THE DONATION OF EGGS, SPERM OR PREEMBRYOS; TO ESTABLISH THE REQUIREMENTS FOR PREPLANNED ADOPTION AGREEMENTS AND GESTATIONAL SURROGACY CONTRACTS; TO SET CERTAIN PARENTAL RIGHTS INVOLVING CHILDREN PRODUCED AS A RESULT OF ARTIFICIAL OR IN VITRO INSEMINATION; TO PROVIDE FOR AN EXPEDITED ADOPTION OR AFFIRMATION PROCEDURE FOR PARENTAL STATUS INVOLVING GESTATIONAL SURROGACY OR PREPLANNED ADOPTIONS; TO PROVIDE CERTAIN REQUIREMENTS FOR THE DISPOSITION OF EGGS, SPERM OR PROEMBRYOS; TO SET CERTAIN TECHNICAL REQUIREMENTS INVOLVING SURROGACY AND IN VITRO PREGNANCIES; TO AMEND SECTIONS 93-17-5 AND 93-17-6 MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS RELATED TO ADOPTIONS SHALL NOT APPLY TO PARENTS OR CHILDREN SUBJECT TO THE ACT; TO BRING FORWARD SECTIONS 93-17-7, 93-17-8 AND 93-17-21, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 93-17-13, MISSISSIPPI CODE OF 1972, TO INCLUDE CASES INVOLVING PARENTS OR CHILDREN SUBJECT TO THE ACT IN CERTAIN ADOPTION PROCEDURES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2323:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-13-35, MISSISSIPPI CODE OF 1972, TO CLARIFY AND EXPAND THE POWERS AND AUTHORITY OF THE BOARDS OF TRUSTEES OF COMMUNITY HOSPITALS AND TO PROVIDE THAT ANY CONSOLIDATION OR COLLABORATION INVOLVING A COMMUNITY HOSPITAL AND OTHER PUBLIC OR PRIVATE HOSPITALS, HEALTH CARE FACILITIES OR PROVIDERS SHALL BE IMMUNE FROM LIABILITY UNDER THE FEDERAL AND STATE ANTITRUST OR COMPETITION LAWS TO THE FULLEST EXTENT ALLOWED BY LAW; TO AMEND SECTION 41-13-29, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM PER DIEM PAYABLE TO TRUSTEES; TO AMEND SECTION 37-115-50, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACADEMIC MEDICAL CENTER AND ITS HEALTH CARE COLLABORATIVES ACTING INDIVIDUALLY OR JOINTLY SHALL BE IMMUNIZED FROM LIABILITY UNDER THE FEDERAL AND STATE ANTITRUST OR COMPETITION LAWS TO THE FULLEST EXTENT ALLOWED BY LAW; TO CREATE NEW SECTION 37-115-50.2, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN LEGISLATIVE FINDINGS AND DECLARATIONS RELATED TO THE ACT; TO CREATE NEW SECTION 37-115-50.3, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN POWERS TO THE ACADEMIC MEDICAL CENTER AND ITS HEALTH CARE COLLABORATIVES SUBJECT TO ANY REQUIRED APPROVAL OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2324:** Education; Appropriations

AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO REVISE THE EARLY LEARNING COLLABORATIVE ACT TO AUTHORIZE THREE-YEAR-OLD CHILDREN TO ATTEND VOLUNTARY PREKINDERGARTEN; AND FOR RELATED PURPOSES.

By Senator(s) Hickman, Simmons (12th)

**S. B. No. 2325:** Education

AN ACT TO AMEND SECTION 37-15-9, MISSISSIPPI CODE OF 1972, TO ENACT THE "OUR CHILDREN'S HEALTH IMPACTS OUR FUTURE LAW"; TO REQUIRE THAT WHEN ANY CHILD APPLIES FOR ADMISSION OR ENROLLMENT IN ANY PUBLIC SCHOOL IN THE STATE, THE CHILD'S PARENT, LEGAL GUARDIAN OR LEGAL CUSTODIAN SHALL RECEIVE NOTICE ON THE SCHOOL REGISTRATION FORM OF THE IMPORTANCE THAT HIS OR HER CHILD RECEIVES A MEDICAL AND DENTAL PHYSICAL; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2326:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-25-32, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN GROUNDS FOR REINSTATEMENT OF A PHYSICIAN'S LICENSE THAT HAS BEEN REVOKED BY THE BOARD OF MEDICAL LICENSURE FOR VIOLATION OF STATUTE; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2327:** Economic and Workforce Development; Appropriations

AN ACT TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEVELOPMENT AUTHORITY (MDA) TO APPLY FOR AND DRAW DOWN AVAILABLE COMMUNITY DEVELOPMENT BLOCK GRANT CORONAVIRUS FUNDS AND UTILIZE SAID FUNDS TO PROVIDE GRANTS TO DISADVANTAGED, LOW-MODERATE INCOME COMMUNITIES IN THE STATE TO REVITALIZE COMMUNITIES AFFECTED BY CORONAVIRUS UNDER FEDERAL GUIDELINES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2328:** Education; Appropriations

AN ACT TO AMEND SECTION 27-104-13, MISSISSIPPI CODE OF 1972, TO EXEMPT THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM FROM MID-YEAR BUDGET REDUCTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2329:** Economic and Workforce Development

AN ACT TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HINDS COUNTY SHALL BE A SEPARATE WORKFORCE INVESTMENT AREA UNDER THE FEDERAL WORKFORCE INVESTMENT ACT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2330:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF A HEALTH CARE CERTIFICATE OF NEED FOR THE CONSTRUCTION OF A 60-BED NURSING FACILITY IN ANY UNDERSERVED MINORITY ZIP CODE AREA IN THE STATE THAT MEETS CERTAIN QUALIFICATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2331:** Public Health and Welfare

AN ACT TO AMEND SECTIONS 43-1-7 AND 43-17-5, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT FAMILIES MUST PARTICIPATE IN DETERMINING PATERNITY OR OBTAINING CHILD SUPPORT AS A CONDITION OF ELIGIBILITY FOR TANF BENEFITS OR FOOD STAMPS; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2332:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-21-109, MISSISSIPPI CODE OF 1972, TO REQUIRE ADOLESCENT RESIDENTIAL TREATMENT FACILITIES TO BE CERTIFIED BY THE STATE DEPARTMENT OF MENTAL HEALTH TO OPERATE; TO AUTHORIZE THE DEPARTMENT TO REFUSE TO CERTIFY ADOLESCENT RESIDENTIAL TREATMENT FACILITIES; TO AUTHORIZE THE DEPARTMENT TO REVOKE OR SUSPEND THE CERTIFICATION OF THE ADOLESCENT RESIDENTIAL TREATMENT FACILITIES; TO PROVIDE THAT THE DEPARTMENT MAY PROMULGATE RULES AND REGULATIONS TO ENFORCE THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2333:** Education



AN ACT TO ESTABLISH THE SEIZURE SAFE SCHOOLS ACT; TO PROVIDE THAT BEGINNING ON JULY 1, 2024, EACH PUBLIC SCHOOL BOARD AND THE GOVERNING BODY OF EACH NONPUBLIC SCHOOL SHALL HAVE AT LEAST ONE EMPLOYEE AT EACH SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO ADMINISTER SEIZURE RESCUE MEDICATION OR PERFORM MANUAL VAGUS NERVE STIMULATION FOR PERSONS EXPERIENCING SEIZURE DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO BE CONSISTENT WITH GUIDELINES DEVELOPED BY THE EPILEPSY FOUNDATION OF AMERICA OR SIMILAR SUCCESSOR ORGANIZATION, TO REQUIRE THE TRAINING TO OCCUR EVERY TWO YEARS FOR THOSE EMPLOYEES OF THE SCHOOL WITH DIRECT CONTACT OR SUPERVISION OF CHILDREN; TO REQUIRE THE PARENTS OR LEGAL GUARDIANS OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF NECESSARY MEDICATION ALONG WITH A WRITTEN STATEMENT FROM THE CHILD'S MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE CHILD'S SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE OR SCHOOL ADMINISTRATOR; TO AUTHORIZE SCHOOLS TO PROVIDE AGE-APPROPRIATE SEIZURE EDUCATION PROGRAMS TO ALL STUDENTS ON SEIZURES AND SEIZURE DISORDERS; TO EXEMPT SCHOOL EMPLOYEES ACTING IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2334:** Education; Universities and Colleges

AN ACT TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE STATE SUPERINTENDENT OF PUBLIC EDUCATION; TO AMEND SECTION 37-4-3, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE EXECUTIVE DIRECTOR OF THE COMMUNITY COLLEGE BOARD; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2335:** Economic and Workforce Development; Finance

AN ACT TO AMEND SECTION 57-73-23, MISSISSIPPI CODE OF 1972, TO ALLOW AN INCOME TAX CREDIT FOR AN EMPLOYER MAKING DIRECT PAYMENTS TO A LICENSED OR REGISTERED ENTITY FOR DEPENDENT CARE IN THE NAME OF AND FOR THE BENEFIT OF AN EMPLOYEE RESIDING IN MISSISSIPPI; TO SPECIFY THAT, IN THE CASE OF DEPENDENT CARE FACILITIES OPERATED BY AN EMPLOYER OR CONTRACTING WITH AN EMPLOYER, THE EXISTING CREDIT APPLIES WHEN THOSE FACILITIES ARE LOCATED IN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2336:** Drug Policy; Judiciary, Division A

AN ACT TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO EXCEPT FROM THE DEFINITION OF THE TERM "PARAPHERNALIA" CERTAIN TESTING EQUIPMENT USED TO DETERMINE WHETHER A CONTROLLED SUBSTANCE CONTAINS FENTANYL OR A FENTANYL ANALOG; TO AMEND SECTION 41-29-319, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "ADMINISTER," "DISTRIBUTE," "EDUCATION EMPLOYEE," "POSSESS" AND "STORAGE"; TO AUTHORIZE A PERSON TO ADMINISTER AN OPIOID ANTAGONIST THAT WAS DISTRIBUTED BY AN EDUCATION EMPLOYEE; TO AUTHORIZE AN EDUCATION EMPLOYEE TO STORE, DISTRIBUTE AND ADMINISTER OPIOID ANTAGONISTS; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO DISTRIBUTE OPIOID ANTAGONISTS TO EDUCATION EMPLOYEES UPON A REQUEST MADE IN WRITING; TO AUTHORIZE A PERSON TO STORE AN OPIOID ANTAGONIST THAT IS DISTRIBUTED BY AN EDUCATION EMPLOYEE; TO PROVIDE THAT AN EDUCATION EMPLOYEE SHALL BE IMMUNE FROM CRIMINAL AND CIVIL LIABILITY FOR

ACTIONS AUTHORIZED BY THIS ACT; TO PROVIDE THAT A PERSON SHALL BE IMMUNE FROM CRIMINAL AND CIVIL LIABILITY FOR ACTIONS AUTHORIZED BY THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, McLendon, Parker

**S. B. No. 2337:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OFFENSE OF CONSPIRACY SHALL BEAR THE SAME STATUTE OF LIMITATION AS THE CRIME THE DEFENDANT IS ACCUSED OF CONSPIRING TO COMMIT; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Suber, Whaley

**S. B. No. 2338:** Energy

AN ACT TO AMEND SECTION 21-27-7, MISSISSIPPI CODE OF 1972, TO ENSURE JUST, REASONABLE AND TRANSPARENT BILLING FOR MUNICIPAL WATER, WASTEWATER, AND SEWER SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2339:** Energy

AN ACT TO AMEND SECTION 57-39-21, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW ESTABLISHING ENERGY EFFICIENCY STANDARDS FOR BUILDING CONSTRUCTION; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2340:** Public Health and Welfare

AN ACT TO ENACT THE MISSISSIPPI WATER QUALITY ACCOUNTABILITY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2341:** Energy

AN ACT TO MAINTAIN STATE JURISDICTION OVER THE INTEGRITY OF ELECTRIC TRANSMISSION INFRASTRUCTURE TO ASSURE LANDOWNER SAFEGUARDS, TRANSPARENCY AND OVERSIGHT OF CUSTOMER RATES, RELIABILITY AND RELIEF; TO PRESCRIBE THE REQUIREMENTS FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BUILD CERTAIN ELECTRIC TRANSMISSION FACILITIES IN A REGIONAL TRANSMISSION ORGANIZATION; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2342:** Labor; Judiciary, Division A

AN ACT TO CREATE THE "BAN-THE-BOX ACT"; TO ENACT DEFINITIONS; TO PROHIBIT CERTAIN PUBLIC EMPLOYERS FROM USING CRIMINAL HISTORY INFORMATION AS A PRELIMINARY BAR TO EMPLOYMENT; TO PROVIDE FOR JURISDICTION OVER COMPLAINTS FOR VIOLATION OF THE TERMS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2343:** Judiciary, Division B

AN ACT TO BRING FORWARD SECTION 45-1-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE JURISDICTION OF THE OFFICE OF CAPITOL POLICE WITHIN THE DEPARTMENT OF PUBLIC SAFETY, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2344:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE DEPARTMENT OF PUBLIC SAFETY ACTING THROUGH THE OFFICE OF CAPITOL POLICE SHALL HAVE JURISDICTION OVER THE

GOVERNOR'S MANSION AND STREETS ADJOINING THE MANSION; TO REQUIRE WRITTEN AUTHORIZATION OF THE CAPITOL POLICE FOR HOLDING EVENTS ON ANY STREET ADJACENT TO STATE PROPERTY; AND FOR RELATED PURPOSES.  
By Senator(s) Polk

**S. B. No. 2345:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO ADD TIANEPTINE TO SCHEDULE I OF THE UNIFORM CONTROLLED SUBSTANCES ACT; TO BRING FORWARD SECTION 41-29-115, MISSISSIPPI CODE OF 1972, WHICH IS SCHEDULE II OF THE UNIFORM CONTROLLED SUBSTANCES ACT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.  
By Senator(s) Boyd, Williams

**S. B. No. 2346:** Judiciary, Division B

AN ACT TO REQUIRE ANY COMMERCIAL ENTITY THAT KNOWINGLY OR INTENTIONALLY PUBLISHES OR DISTRIBUTES MATERIAL HARMFUL TO MINORS ON THE INTERNET FROM A WEBSITE THAT CONTAINS A SUBSTANTIAL PORTION OF SUCH MATERIAL SHALL BE HELD LIABLE IF THE ENTITY FAILS TO PERFORM REASONABLE AGE-VERIFICATION METHODS TO VERIFY THE AGE OF INDIVIDUALS ATTEMPTING TO ACCESS THE MATERIAL; TO STATE LEGISLATIVE INTENT AND FINDINGS; TO DEFINE TERMS; TO PROVIDE THAT THIS ACT SHALL NOT APPLY TO BONA FIDE NEWS AND SHALL NOT AFFECT THE RIGHTS OF ANY NEWS-GATHERING ORGANIZATIONS; TO EXEMPT INTERNET SERVICE PROVIDERS FROM LIABILITY UNDER THE ACT; AND FOR RELATED PURPOSES.  
By Senator(s) Boyd, Williams, Hill, Branning, Parker

**S. B. No. 2347:** Judiciary, Division B

AN ACT TO CREATE NEW SECTION 41-9-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNING BODY OF A PRIVATELY OWNED HOSPITAL TO ESTABLISH A HOSPITAL POLICE DEPARTMENT IF THE HOSPITAL WAS PREVIOUSLY PUBLICLY OWNED AND HAD AN ESTABLISHED POLICE DEPARTMENT AT THE TIME THAT IT WAS PUBLICLY OWNED; TO AUTHORIZE THE GOVERNING BODY OF A PRIVATELY OWNED HOSPITAL TO APPOINT QUALIFIED INDIVIDUALS TO SERVE AS HOSPITAL POLICE OFFICERS UPON ANY PREMISES OWNED OR LEASED BY THE HOSPITAL AND UNDER THE JURISDICTION OF THE GOVERNING BODY; TO AUTHORIZE THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF PUBLIC SAFETY TO PROMULGATE RESTRICTIONS AND CONDITIONS UPON THE EXERCISE OF AUTHORITY UNDER THIS SECTION; TO PROVIDE CERTIFICATION STANDARDS FOR A HOSPITAL POLICE OFFICER; TO PROVIDE THE DUTIES OF A HOSPITAL POLICE OFFICER; TO PROVIDE THAT THE SALARY OF A HOSPITAL POLICE OFFICER SHALL BE PAID BY THE EMPLOYING HOSPITAL'S GOVERNING BODY; TO PROVIDE THAT THE HOSPITAL POLICE OFFICERS SHALL SERVE AT THE WILL AND PLEASURE OF THE GOVERNING BODY; TO PROVIDE FOR A LIMITATION OF LIABILITY FOR HOSPITAL POLICE OFFICERS; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO TRAIN HOSPITAL POLICE OFFICERS IN CRISIS DE-ESCALATION TECHNIQUES; TO AMEND SECTIONS 41-9-3, 45-6-3, 45-5-5 AND 45-5-11, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.  
By Senator(s) England, Wiggins, Thompson

**S. B. No. 2348:** Judiciary, Division B; Appropriations

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSIONER OF PUBLIC SAFETY TO SET THE SALARIES OF SWORN LAW ENFORCEMENT OFFICERS ASSIGNED TO THE COMMERCIAL TRANSPORTATION ENFORCEMENT DIVISION AND CAPITOL POLICE TO THE SAME SALARIES AS EQUALLY RANKED SWORN LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI HIGHWAY PATROL BASED UPON THE PAY SCALE CONTAINED IN THIS SECTION; AND FOR RELATED PURPOSES.  
By Senator(s) Tate

**S. B. No. 2349:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-43-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF ORGANIZED RETAIL THEFT AND ORGANIZED RETAIL THEFT ENTERPRISE; TO AMEND SECTION 97-43-3.1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2350:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO REVISE THE OFFENSE OF SHOPLIFTING AND THE GRAVITY OF THE OFFENSE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2351:** Elections; Accountability, Efficiency, Transparency

AN ACT TO CODIFY SECTION 23-15-615, MISSISSIPPI CODE OF 1972, TO ALLOW THE SECRETARY OF STATE TO PERFORM RANDOM PROCEDURAL AUDITS ON COUNTIES; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2352:** Elections

AN ACT TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO PENALIZE ANY PERSON WHO FRAUDULENTLY REQUESTS OR SUBMITS AN APPLICATION FOR ABSENTEE BALLOTS; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2353:** Elections

AN ACT TO AMEND SECTIONS 23-15-227 AND 23-15-229, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM COMPENSATION POLL WORKERS AND BALLOT CARRIERS CAN RECEIVE ON ELECTION DAY; TO AMEND SECTION 23-15-239, MISSISSIPPI CODE OF 1972, TO ALLOW LOCAL GOVERNING AUTHORITIES TO PROVIDE ANY FAIR AND REASONABLE VALUE OF COMPENSATION THAT SURPASSES THE FEDERAL HOURLY MINIMUM WAGE TO POLL WORKERS FOR ATTENDING REQUIRED TRAINING; AND FOR RELATED PURPOSES.

By Senator(s) Tate, Butler (38th)

**S. B. No. 2354:** Elections

AN ACT TO CREATE NEW SECTION 23-15-615, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO AUDIT ELECTION PROCEDURES IN THE COUNTIES OF THE STATE; TO PROVIDE THE INFORMATION THAT EACH REGISTRAR SHALL BE REQUIRED TO SUBMIT TO THE SECRETARY OF STATE; TO PROVIDE WHEN AN AUDIT SHALL BE COMPLETED; TO REPEAL SECTION 23-15-613, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ELECTION COMMISSIONS AND COUNTY AND MUNICIPAL EXECUTIVE COMMITTEES SHALL REPORT RESIDUAL VOTE INFORMATION TO THE SECRETARY OF STATE; TO CREATE NEW SECTIONS 23-15-617, 23-15-617.1, 23-15-617.2, 23-15-617.3, 23-15-617.4 AND 23-15-617.5, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE PROCEDURES FOR A RISK-LIMITING AUDIT; TO PROVIDE WHICH STATEWIDE ELECTIONS SHALL BE SUBJECT TO A RISK-LIMITING AUDIT; TO PROVIDE WHEN A MANUAL RECOUNT OF ELECTION RESULTS SHALL BE NECESSARY; TO PROVIDE WHEN AND WHERE THE RESULTS OF A RISK-LIMITING AUDIT SHALL BE AVAILABLE; TO CREATE A PILOT PROGRAM TO TEST THE PROCESS FOR CONDUCTING A RISK-LIMITING AUDIT BEFORE IT IS FULLY IMPLEMENTED; TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ELECTION COMMISSIONERS TO RECEIVE A PER DIEM OF \$100.00 FOR CONDUCTING AN ELECTION RECOUNT; TO BRING FORWARD SECTION 23-15-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 23-15-603, MISSISSIPPI CODE OF 1972, TO EXTEND THE DEADLINE THAT ELECTION COMMISSIONERS HAVE FOR SUBMITTING

INFORMATION RELATED TO THE ELECTION RESULTS WHEN A MANUAL ELECTION RECOUNT IS REQUIRED; TO CREATE NEW SECTION 23-15-823, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN A CANDIDATE OR ELECTED OFFICIAL HAS BEEN RESTRICTED BY A SOCIAL MEDIA PLATFORM, THE COMPANY THAT OPERATES THE SOCIAL MEDIA PLATFORM SHALL BE REQUIRED TO SUBMIT A REPORT DISCLOSING THE ACTION TO THE SECRETARY OF STATE; TO CREATE NEW SECTION 23-15-395, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS FOR THE REVIEW, CERTIFICATION AND DECERTIFICATION AND IMPLEMENTATION OF ALL VOTING SYSTEMS; TO CREATE NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR WHO FAILS TO RESPOND TO A CONFIRMATION NOTICE AND WHO FAILS TO VOTE DURING A CERTAIN PERIOD OF TIME SHALL BE PURGED FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE DEFINITIONS FOR "CONFIRMATION NOTICE" AND "FAILS TO RESPOND TO THE CONFIRMATION NOTICE"; TO PROVIDE THOSE REGISTERED VOTERS WHO SHALL RECEIVE CONFIRMATION NOTICES; TO PROVIDE THAT A REGISTERED VOTER WHO IS MAILED A CONFIRMATION NOTICE SHALL BE PLACED ON INACTIVE STATUS IN THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM BUT SHALL BE ABLE TO VOTE BY AFFIDAVIT BALLOT; TO PROVIDE THE TIME FOR REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO AMEND SECTION 23-15-125, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2355:** Labor; Economic and Workforce Development

AN ACT TO ESTABLISH THE OPPORTUNITIES FOR DIVERSITY IN CONTRACTING PROGRAM (ODC) TO BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY TO IMPROVE THE NUMBER OF SOCIALLY AND ECONOMICALLY DISADVANTAGED SMALL BUSINESS CONCERNS THAT DO BUSINESS WITH THE STATE BY FACILITATING AND IMPROVING ACCESS TO GOVERNMENT CONTRACTS; TO REQUIRE EACH STATE AGENCY TO APPOINT AN ODC COMPLIANCE OFFICER WHO WILL BE RESPONSIBLE FOR MONITORING COMPLIANCE WITH THE ODC PROGRAM AND FOR REPORTING COMPLIANCE OR NONCOMPLIANCE FOR THEIR RESPECTIVE AGENCIES TO THE MDA; TO ESTABLISH THE RESPONSIBILITIES OF ODC COMPLIANCE OFFICERS; TO REQUIRE STATE AGENCIES TO INCLUDE CERTAIN LANGUAGE IN CONTRACTS FOR GOODS AND SERVICES; TO ESTABLISH A PROCESS FOR ISSUING ODC WAIVERS; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2356:** Corrections; Judiciary, Division B

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

By Senator(s) Hill

**S. B. No. 2357:** Judiciary, Division B

AN ACT TO AMEND SECTION 63-1-203, MISSISSIPPI CODE OF 1972, TO EXCLUDE SOLID WASTE COLLECTION OR DISPOSAL VEHICLES FROM THE DEFINITION OF THE TERM "COMMERCIAL MOTOR VEHICLES" IN THE COMMERCIAL DRIVER'S LICENSE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2358:** Elections

AN ACT TO PROHIBIT BALLOT HARVESTING; AND FOR RELATED PURPOSES.

By Senator(s) Tate, Blackwell, Moran, McMahan, Barrett, Williams, DeLano, Seymour, Whaley, McCaughn, DeBar, Branning, England, McLendon, Wiggins, Caughman, Michel, Younger, Hill, Carter, Suber, Chassaniol, Parks, Polk, Sojourner, Chism, Fillingane

**S. B. No. 2359:** Tourism; Appropriations

AN ACT TO CREATE A MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM TO BE USED TO MATCH LOCAL FUNDS TO MAKE GRANTS FOR THE PURPOSE OF MISSISSIPPI DOWNTOWN REVITALIZATION PROJECTS; TO PROVIDE THAT SUCH FUND SHALL BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION; TO PRESCRIBE CERTAIN CONDITIONS ON THE ALLOCATIONS FROM THE FUND; TO PRESCRIBE ELIGIBLE COSTS FOR WHICH MONIES FROM THE FUND MAY BE ALLOCATED; TO AUTHORIZE COOPERATIVE AGREEMENTS FOR THE IMPLEMENTATION OF SUCH GRANTS; TO AMEND SECTION 7-1-255, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2360:** Education

AN ACT TO AMEND SECTION 37-27-7, MISSISSIPPI CODE OF 1972, TO REVISE THE BOARD MEMBERSHIP OF AGRICULTURAL HIGH SCHOOLS; TO PROVIDE THAT THE COUNTY SUPERINTENDENT OF EDUCATION SHALL SERVE AS AN EX OFFICIO NONVOTING MEMBER; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2361:** Education

AN ACT TO ESTABLISH THE MISSISSIPPI MODIFIED SCHOOL CALENDAR GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF INCENTIVIZING PUBLIC SCHOOL DISTRICTS TO MAINTAIN OR CONSIDER ADOPTING A MODIFIED SCHOOL CALENDAR BY OFFSETTING COSTS ASSOCIATED WITH ADOPTING A MODIFIED SCHOOL CALENDAR THROUGH A TIME-LIMITED GRANT; TO REQUIRE THE DEPARTMENT TO DEVELOP REGULATIONS AND PROCEDURES TO GOVERN THE ADMINISTRATION OF THE GRANT PROGRAM, INCLUDING APPLICATION REQUIREMENTS; TO PROVIDE FOR THE ELIGIBILITY CRITERIA; TO PROVIDE THAT GRANTS AWARDED SHALL BE USED FOR EXPENSES INCURRED AS A RESULT OF THE ADOPTION OF A MODIFIED SCHOOL CALENDAR; TO PROVIDE THAT SCHOOL DISTRICTS SHALL BE ELIGIBLE FOR A MAXIMUM AWARD OF \$200,000.00 PER YEAR FOR A MAXIMUM OF (3) YEARS; TO CREATE A SPECIAL FUND IN THE STATE TREASURY, TO BE KNOWN AS THE "MISSISSIPPI MODIFIED SCHOOL CALENDAR GRANT FUND; TO REQUIRE THE DEPARTMENT TO PROVIDE A COMPREHENSIVE REPORT ON THE USE OF FUNDS DISTRIBUTED UNDER THIS GRANT PROGRAM TO THE GOVERNOR, LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES, AND CHAIRS OF THE SENATE AND HOUSE APPROPRIATIONS AND EDUCATION COMMITTEES BY OCTOBER 1, 2023, AND OCTOBER 1 OF EACH YEAR THEREAFTER; AND FOR RELATED PURPOSES.

By Senator(s) DeBar, Boyd, England, Jackson

**S. B. No. 2362:** Education

AN ACT TO CREATE NEW SECTION 37-3-109, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF EDUCATION TO RESPOND TO ANY REQUEST FOR INFORMATION FROM A MEMBER OF THE SENATE OR HOUSE OF REPRESENTATIVES WITH THE REQUESTED INFORMATION WITHIN SEVEN DAYS OF SUCH REQUEST; TO REQUIRE THE DEPARTMENT TO ENSURE IT HAS PROPER STAFFING TO RESPOND TO SUCH REQUESTS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2363:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-27-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LICENSED PODIATRIST MAY PERFORM SURGICAL TREATMENT OF THE ANKLE AND GOVERNING STRUCTURES AND TISSUE WHEN THE PODIATRIST HAS MET CERTAIN REQUIREMENTS; TO PROVIDE THAT A LICENSED PODIATRIST MAY PERFORM ANKLE SURGERY ONLY IN AN ACCREDIT HOSPITAL LICENSED IN THE STATE; TO SET CERTAIN LIMITATIONS ON THE PROCEDURES THAT A PODIATRIST MAY PERFORM; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2364:** Education

AN ACT TO BRING FORWARD SECTION 37-151-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM DETERMINATION OF ANNUAL ALLOCATIONS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2365:** Education

AN ACT TO AMEND SECTION 37-7-307, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN THE EVENT A PUBLIC SCHOOL TEACHER TRANSFERS FROM ONE PUBLIC SCHOOL DISTRICT IN MISSISSIPPI TO ANOTHER, UP TO 5 DAYS OF THE UNUSED PORTION OF THE TOTAL SICK OR PERSONAL LEAVE ALLOWANCE CREDITED TO SUCH TEACHER SHALL BE CREDITED IN THE COMPUTATION OF UNUSED LEAVE; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2366:** Insurance

AN ACT TO AMEND SECTION 37-7-301, MISSISSIPPI CODE OF 1972, TO EMPOWER ALL SCHOOL BOARDS OF ALL SCHOOL DISTRICTS TO VOTE TO PROVIDE SCHOOL BOARD MEMBERS AND THEIR ELIGIBLE DEPENDENTS WITH HEALTH INSURANCE PROVIDED THAT SUCH INSURANCE IS PAID FOR WITH LOCAL FUNDS AND NOT STATE FUNDS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2367:** Education; Appropriations

AN ACT TO AMEND SECTION 37-47-24, MISSISSIPPI CODE OF 1972, TO CREATE THE PUBLIC SCHOOL FACILITIES GRANT PROGRAM TO REPLACE THE EDUCATION FACILITIES REVOLVING LOAN PROGRAM; TO CREATE A SPECIAL FUND IN THE STATE TREASURY DESIGNATED AS THE PUBLIC SCHOOL FACILITIES GRANT FUND; TO INCLUDE AN ADDITIONAL PURPOSE FOR WHICH FUNDS MAY BE USED; TO SET THE DATE BY WHICH APPLICATIONS MUST BE SUBMITTED TO THE DEPARTMENT OF EDUCATION; TO ESTABLISH THE SCORING GUIDE THE DEPARTMENT SHALL USE FOR APPLICATIONS FOR FUNDS FROM THE PROGRAM; TO PROVIDE THAT THE TOTAL GRANT AN APPLICANT MAY RECEIVE IN A FISCAL YEAR SHALL BE LIMITED TO TWO MILLION DOLLARS; TO MAKE TECHNICAL CHANGES TO CONFORM TO THE PURPOSE OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2368:** Education

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

By Senator(s) Sojourner

**S. B. No. 2369:** Public Health and Welfare

AN ACT TO AMEND SECTIONS 43-1-1, 43-1-2, 43-1-3, 43-1-5, AND 43-27-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALERS ON CERTAIN STATUTES RELATING TO THE ADMINISTRATION OF THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2370:** Economic and Workforce Development

AN ACT TO AMEND SECTION 37-153-57, MISSISSIPPI CODE OF 1972, TO ALLOW THE PARTICIPATION OF VOLUNTEER FIREFIGHTERS IN THE ACCELERATE MISSISSIPPI WORKFORCE DEVELOPMENT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2371:** Economic and Workforce Development; Appropriations

AN ACT TO CREATE THE AMERICAN RESCUE PLAN ACT (ARPA) NURSE/ALLIED HEALTH WORKFORCE DEVELOPMENT AND RETENTION ACT; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO ESTABLISH THE ACCELERATE MISSISSIPPI NURSING/ALLIED HEALTH GRANT PROGRAM; TO ESTABLISH THE ACCELERATE MISSISSIPPI PHYSICIAN RESIDENCY AND FELLOWSHIP START-UP GRANT PROGRAM; TO OUTLINE REQUIREMENTS FOR THE APPLICATIONS AND FOR THE GRANT AWARDS; TO CREATE SPECIAL FUNDS IN THE STATE TREASURY FROM WHICH THE GRANTS AUTHORIZED IN THIS ACT SHALL BE DISBURSED BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO ALLOW THE OFFICE OF WORKFORCE DEVELOPMENT TO USE A MAXIMUM OF 2% OF FUNDS ALLOCATED FOR THE ADMINISTRATION OF THE GRANT PROGRAMS, TO THE EXTENT PERMISSIBLE UNDER FEDERAL LAW; TO DIRECT THE OFFICE TO TRY TO MINIMIZE ANY EXPENSE OF ADMINISTRATIVE FUNDS BY ESTABLISHING POLICIES AND PROCEDURES MIRRORING PAST PROGRAMS UTILIZING FEDERAL COVID-19 RELIEF FUNDS; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO CERTIFY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION THAT EACH EXPENDITURE APPROPRIATED TO THE OFFICE IS IN COMPLIANCE WITH UNITED STATES DEPARTMENT OF THE TREASURY CRITERIA REGARDING THE USE OF MONIES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE REPORTING REQUIREMENTS TO THE GOVERNOR AND THE LEGISLATURE BY OCTOBER 1 OF EACH YEAR; TO PROVIDE THAT GRANT FUNDS SHALL BE AVAILABLE THROUGH DECEMBER 31, 2026, OR ON THE DATE OF THE FUND EXPENDITURE DEADLINE PROVIDED BY THE FEDERAL GOVERNMENT, WHICHEVER OCCURS LATER; TO PROVIDE THAT EACH GRANT RECIPIENT SHALL CERTIFY, FOR ANY PROJECT FOR WHICH A GRANT IS AWARDED, THAT IF THE PROJECT IS NOT COMPLETED BY DECEMBER 31, 2026, AND THE UNITED STATES CONGRESS DOES NOT ENACT AN EXTENSION OF THE DEADLINE ON THE AVAILABILITY OF ARPA FUNDS, THEN THE GRANT RECIPIENT WILL COMPLETE THE PROJECT THROUGH OTHER FUNDS; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2372:** Appropriations

AN ACT TO ESTABLISH THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM FOR THE PURPOSE OF IMPROVING AND PRESERVING ACCESS TO HOSPITAL CARE FOR ALL MISSISSIPPIANS AND IN RECOGNITION OF THE CHALLENGES INCURRED BY HOSPITALS AS A RESULT OF THE COVID-19 PANDEMIC; TO REQUIRE THE DEPARTMENT OF HEALTH TO ADMINISTER THE PROGRAM; TO PROVIDE THAT THE FUNDS SHALL BE DISTRIBUTED TO EACH HOSPITAL LICENSED BY THE STATE OF MISSISSIPPI EXCEPT FOR HOSPITALS OPERATED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND STATE-OPERATED FACILITIES THAT PROVIDE ONLY INPATIENT AND OUTPATIENT PSYCHIATRIC SERVICES; TO PROVIDE FOR THE ELIGIBILITY FOR SPECIFIC HOSPITALS AND THEIR CORRESPONDING GRANT PAYMENT AMOUNTS; TO SET THE FUND DISTRIBUTION FORMULA THE DEPARTMENT OF



HEALTH SHALL USE FOR ALLOCATING REMAINING FUNDS APPROPRIATED FOR THE GRANT PROGRAM; TO SET CERTAIN REQUIREMENTS FOR RECEIVING A GRANT PAYMENT UNDER THE ACT; TO REQUIRE EACH HOSPITAL RECEIVING FUNDS FROM THE GRANT PROGRAM TO SUBMIT A REPORT DESCRIBING ITS OVERALL PATIENT CENSUS; TO REQUIRE THE DEPARTMENT OF HEALTH TO COMPILE SUCH REPORTS AND SUBMIT THE REPORTS TO THE LIEUTENANT GOVERNOR AND THE SPEAKER OF THE HOUSE BY DECEMBER 1, 2023; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2373:** Universities and Colleges; Appropriations

AN ACT TO CREATE THE HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM FOR NEW NURSING GRADUATES TO BE ADMINISTERED BY THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO PROVIDE FOR THE ELIGIBILITY REQUIREMENTS; TO SET A MAXIMUM AMOUNT OF LOAN REPAYMENT; TO ESTABLISH THE PROCEDURES FOR THE LOAN PROCESS; TO REQUIRE THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD TO PROMULGATE REGULATIONS NECESSARY FOR THE PROPER ADMINISTRATION OF THE ACT, INCLUDING SETTING A FISCAL YEAR POLICY FOR THE PROGRAM AND APPLICATION DATES AND DEADLINES; TO ESTABLISH A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED THE HOSPITAL NURSES LOAN REPAYMENT PROGRAM FUND; TO REPEAL SECTIONS 37-106-59 AND 37-106-60, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES A FORGIVABLE LOAN PROGRAM FOR BACCALAUREATE AND GRADUATE STUDIES IN NURSING; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2374:** Universities and Colleges; Appropriations

AN ACT TO CREATE THE NURSE TEACHER LOAN REPAYMENT PROGRAM FOR NEW NURSE EDUCATORS TO BE ADMINISTERED BY THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO SET ELIGIBILITY REQUIREMENTS, TO REQUIRE THAT RECIPIENTS REPORT ANY CHANGES OF THEIR EMPLOYMENT STATUS TO THE BOARD; TO PROVIDE FOR THE AWARD AMOUNTS; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED THE NURSE TEACHER LOAN REPAYMENT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2375:** Judiciary, Division A

AN ACT TO BRING FORWARD SECTIONS 75-24-151, 75-24-153, 75-24-155, 75-24-157, 75-24-159, 75-24-161, 75-24-163, 75-24-165, 75-24-167, 75-24-169, 75-24-171, 75-24-173 AND 75-24-175 MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI RENTAL-PURCHASE AGREEMENT ACT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 89-8-1, 89-8-3, 89-8-5, 89-8-7, 89-8-9, 89-8-11, 89-8-13, 89-8-15, 89-8-17, 89-8-19, 89-8-21, 89-8-23, 89-8-25, 89-8-27, 89-8-29, 89-8-31, 89-8-33, 89-8-35, 89-8-37, 89-8-39, 89-8-41, 89-8-43 AND 89-8-45, MISSISSIPPI CODE OF 1972, WHICH IS THE RESIDENTIAL LANDLORD TENANT ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2376:** Judiciary, Division A

AN ACT TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DISCLOSURE OF CERTAIN YOUTH COURT RECORDS SHALL NOT REQUIRE YOUTH COURT APPROVAL IN CRIMINAL MATTERS; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2377:** Judiciary, Division A

AN ACT TO ENACT THE MISSISSIPPI SAFE HAVEN LAW AND PROVIDE A CLEAR PATH TO PERMANENCY FOR CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO CREATE NEW SECTION 43-15-200, MISSISSIPPI CODE OF 1972, TO STATE THE PURPOSE OF THE ARTICLE; TO CREATE NEW SECTION 43-15-200.1, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO AMEND SECTION 43-15-201, MISSISSIPPI CODE OF 1972, TO REQUIRE THE EMERGENCY MEDICAL SERVICES PROVIDER TO ATTEMPT TO OBTAIN CERTAIN INFORMATION CONCERNING THE INFANT FROM THE PERSON RELINQUISHING THE INFANT; TO REQUIRE AN INFANT TO BE TRANSFERRED TO A HOSPITAL IMMEDIATELY; TO REQUIRE A MEDICAL SCREENING OF THE INFANT; TO AMEND SECTION 43-15-203, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL HAVE LEGAL CUSTODY AS SOON AS THE DEPARTMENT RECEIVES NOTICE OF A RELINQUISHMENT; TO PROVIDE THAT THE DEPARTMENT SHALL ASSUME PHYSICAL CUSTODY AS SOON AS POSSIBLE; TO REQUIRE THE DEPARTMENT AFTER ASSUMING LEGAL CUSTODY TO IMMEDIATELY NOTIFY LAW ENFORCEMENT OF A POTENTIAL MISSING CHILD; TO REQUIRE A LAW ENFORCEMENT AGENCY WHO RECEIVES NOTICE UNDER THIS SECTION TO INVESTIGATE WHETHER THE RELINQUISHED INFANT IS A MISSING CHILD; TO CREATE NEW SECTION 43-15-204, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A COURT HEARING WITHIN A CERTAIN TIMEFRAME FOR THE DEPARTMENT TO OBTAIN A COURT ORDER OF CONTINUED CUSTODY OF THE INFANT IN THE DEPARTMENT PRIOR TO FINAL ENTRY OF AN ORDER DECLARING PARENTAL RIGHTS TERMINATED; TO CREATE NEW SECTION 43-15-204.1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO PUBLISH NOTICE OF THE CIRCUMSTANCES OF THE RELINQUISHMENT OF THE INFANT IN A NEWSPAPER OF GENERAL CIRCULATION AND SEND A NEWS RELEASE TO BROADCAST AND PRINT MEDIA; THE NEWS RELEASE AND PUBLICATION MUST STATE THAT ANY PERSON WISHING TO ASSERT PARENTAL RIGHTS IN REGARD TO THE INFANT MUST DO SO AT THE HEARING DESCRIBED IN THIS SECTION; TO REQUIRE THE DEPARTMENT TO FILE A PETITION ALLEGING THAT THE INFANT HAS BEEN RELINQUISHED AND TO SEEK APPROVAL OF A PLAN TO TERMINATE PARENTAL RIGHTS IN REGARD TO THE INFANT; TO REQUIRE THE COURT TO HOLD A HEARING WITHIN A CERTAIN TIMEFRAME; TO PROVIDE THAT IF THE COURT APPROVES THE PLAN TO TERMINATE ANY PARENTAL RIGHTS IN REGARD TO THE INFANT, THE DEPARTMENT SHALL FILE A PETITION TO DO SO; TO REQUIRE THE COURT TO HOLD A HEARING IN REGARD TO THE TERMINATION OF PARENTAL RIGHTS WITHIN A CERTAIN TIMEFRAME; TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALLEGED TO HAVE BEEN ABUSED OR NEGLECTED SHALL BE A PARTY AND SHALL BE REPRESENTED BY COUNSEL; TO PROVIDE THAT A PARTY'S RIGHT TO REPRESENTATION SHALL EXTEND TO SHELTER HEARINGS; TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A NECESSARY PARTY AT ALL STAGES OF THE PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY INCLUDING, BUT NOT LIMITED TO, SHELTER, ADJUDICATORY, DISPOSITION AND PERMANENCY HEARINGS; TO AMEND SECTION 43-21-501, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO ISSUE A SUMMONS TO THE DEPARTMENT OF CHILD PROTECTION SERVICES IF A PETITION IS FILED THAT INVOLVES A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO AMEND SECTION 43-21-701, MISSISSIPPI CODE OF 1972, TO ADD ADDITIONAL MEMBERS TO THE MISSISSIPPI COMMISSION ON A UNIFORM YOUTH COURT SYSTEM AND PROCEDURES; TO REVISE THE QUORUM OF THE COMMISSION; TO AMEND SECTION 43-21-703, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSION SHALL FILE A REPORT WITH THE LEGISLATURE ON OR BEFORE A CERTAIN DATE; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CLERK TO DOCKET TERMINATION-OF-PARENTAL-RIGHTS CASES AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO AMEND SECTION 93-

17-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR ADOPTION PROCEEDINGS THE CHANCERY COURT HAS ORIGINAL EXCLUSIVE JURISDICTION OVER ALL ADOPTION PROCEEDINGS EXCEPT WHEN A COUNTY COURT SITTING AS A YOUTH COURT HAS ACQUIRED JURISDICTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO PROVIDE THAT THE COUNTY COURT SHALL HAVE ORIGINAL EXCLUSIVE JURISDICTION TO HEAR A PETITION FOR ADOPTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO REQUIRE THE CLERK TO DOCKET ADOPTION PROCEEDINGS AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO BRING FORWARD SECTION 7-5-1, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE POWERS OF THE ATTORNEY GENERAL, FOR POSSIBLE AMENDMENT; TO REPEAL SECTION 43-15-207, MISSISSIPPI CODE OF 1972, WHICH DEFINED THE TERM "EMERGENCY MEDICAL SERVICES PROVIDER" FOR PURPOSES OF THE BABY DROP-OFF LAW; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2378:** Insurance

AN ACT TO AMEND SECTION 83-33-5, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO SWORN DECLARATIONS THAT ARE FILED WITH THE COMMISSIONER OF INSURANCE BY RECIPROCAL INSURANCE SUBSCRIBERS; TO AMEND SECTION 83-33-23, MISSISSIPPI CODE OF 1972, TO REVISE THE MEMBERSHIP REQUIREMENT FOR THE BOARD OF DIRECTORS OF A RECIPROCAL; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2379:** Judiciary, Division A

AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT IN ORDER TO RECEIVE PHYSICAL, BOUND VOLUMES OF THE MISSISSIPPI CODE OF 1972, AS AUTHORIZED, REQUIRES THE RECIPIENT TO ELECT IN WRITING TO THE RECEIPT; TO AMEND SECTION 1-1-33, MISSISSIPPI CODE OF 1972, TO CLARIFY THE RIGHT OF A SUCCESSOR IN OFFICE TO OPT-IN TO RECEIVING PHYSICAL, BOUND VOLUMES OF THE CODE TO INCLUDE SUBSEQUENT PERIODIC UPDATES; TO AMEND SECTION 1-1-59, MISSISSIPPI CODE OF 1972, TO CLARIFY THE JOINT CODE COMMITTEE'S AUTHORITY TO CONTRACT WITH A PUBLISHER TO PROVIDE ELECTRONIC ACCESS TO THE CODE; TO BRING FORWARD SECTION 1-1-57, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 1-1-60, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO REPEAL SECTION 1-1-58, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR PUBLICATION AND DISTRIBUTION OF THE ADVANCE SHEETS OF THE GENERAL LAWS ENACTED AT EACH SESSION OF THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2380:** Judiciary, Division A

AN ACT TO CREATE NEW SECTION 9-3-40, MISSISSIPPI CODE OF 1972, TO REQUIRE THE SUPREME COURT TO PROMULGATE RULES FOR THE COURTS OF THIS STATE REQUIRING THE DISCLOSURE OF PARTIES WHO OR WHICH ARE FINANCIALLY INTERESTED IN THE OUTCOME OF THE LITIGATION FOR THE PURPOSES OF PROVIDING A COURT WITH ADDITIONAL INFORMATION CONCERNING PARTIES WHOSE PARTICIPATION IN A CASE MAY RAISE A RECUSAL ISSUE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2381:** Medicaid; Judiciary, Division A

AN ACT TO AUTHORIZE THE DIVISION OF MEDICAID TO FIX LIQUIDATED DAMAGES PROVISIONS TO BE PAID BY PERSONS OR ENTITIES WHO SUBMIT PROPOSALS OR QUALIFICATIONS AND CHALLENGE THE DIVISION'S NEGATIVE

DECISION ON A REQUEST FOR PROPOSAL; TO BRING FORWARD SECTION 31-7-417, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2382:** Judiciary, Division A

AN ACT TO CREATE NEW SECTION 73-3-38, MISSISSIPPI CODE OF 1972, TO REQUIRE OUT-OF-STATE ATTORNEYS ADVERTISING ON TELEVISION TO DISCLOSE IF THEY ARE NOT LICENSED TO PRACTICE LAW IN MISSISSIPPI; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2383:** Judiciary, Division A

AN ACT TO PROHIBIT A STATE AGENCY OR POLITICAL SUBDIVISION TO ENTER INTO ANY CONTRACT THAT DISCRIMINATES AGAINST CERTAIN ENTITIES OR TRADE ASSOCIATIONS; TO AMEND SECTION 45-9-51, MISSISSIPPI CODE OF 1972, TO PROHIBIT A COUNTY OR MUNICIPALITY FROM ENTERING INTO ANY CONTRACT OR RENTAL AGREEMENT THAT RESTRICTS THE POSSESSION, CARRYING, TRANSPORTATION, SALE, TRANSFER OR OWNERSHIP OF FIREARMS OR KNIVES; TO PROVIDE THAT STATE AGENCIES MAY NOT INTERFERE WITH THE RIGHT OF CITIZENS TO POSSESS FIREARMS OR KNIVES; TO CREATE A CIVIL CAUSE OF ACTION TO CHALLENGE ORDINANCES AND REGULATIONS IN VIOLATION OF THAT RIGHT; TO EXEMPT STATE LAW ENFORCEMENT AGENCIES FROM REGULATING LAW ENFORCEMENT OFFICERS IN THE COURSE OF THEIR OFFICIAL DUTIES; TO AMEND SECTION 45-9-53, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2384:** Judiciary, Division A

AN ACT TO ESTABLISH THE MISSISSIPPI TASK FORCE ON FOSTER CARE AND ADOPTION; TO PROVIDE FOR THE APPOINTMENT OF MEMBERS OF THE TASK FORCE; TO PROVIDE THAT THE TASK FORCE WILL STUDY MISSISSIPPI'S LAWS REGARDING FOSTER CARE AND ADOPTION AND RELATED AREAS OF INQUIRY; TO PROVIDE FOR THE TASK FORCE TO CONDUCT ITS BUSINESS; TO REQUIRE THAT THE TASK FORCE WILL REPORT ITS FINDINGS AND ANY RECOMMENDATIONS TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2385:** Judiciary, Division A

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

By Senator(s) Michel

**S. B. No. 2386:** Judiciary, Division A

AN ACT TO ENACT THE MISSISSIPPI SAFE HAVEN LAW; TO CREATE NEW SECTION 43-15-200, MISSISSIPPI CODE OF 1972, TO STATE THE PURPOSE OF THE ARTICLE; TO CREATE NEW SECTION 43-15-200.1, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO AMEND SECTION 43-15-201, MISSISSIPPI CODE OF 1972, TO REQUIRE THE EMERGENCY MEDICAL SERVICES PROVIDER TO ATTEMPT TO OBTAIN CERTAIN INFORMATION CONCERNING THE INFANT FROM THE PERSON RELINQUISHING THE INFANT; TO REQUIRE AN INFANT TO BE TRANSFERRED TO A HOSPITAL IMMEDIATELY; TO REQUIRE A MEDICAL SCREENING OF THE INFANT; TO AMEND SECTION 43-15-203, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL HAVE LEGAL CUSTODY AS SOON AS THE DEPARTMENT

RECEIVES NOTICE OF A RELINQUISHMENT; TO PROVIDE THAT THE DEPARTMENT SHALL ASSUME PHYSICAL CUSTODY AS SOON AS POSSIBLE; TO REQUIRE THE DEPARTMENT AFTER ASSUMING LEGAL CUSTODY TO IMMEDIATELY NOTIFY LAW ENFORCEMENT OF A POTENTIAL MISSING CHILD; TO REQUIRE A LAW ENFORCEMENT AGENCY WHO RECEIVES NOTICE UNDER THIS SECTION TO INVESTIGATE WHETHER THE RELINQUISHED INFANT IS A MISSING CHILD; TO CREATE NEW SECTION 43-15-204, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A COURT HEARING WITHIN A CERTAIN TIMEFRAME FOR THE DEPARTMENT TO OBTAIN A COURT ORDER OF CONTINUED CUSTODY OF THE INFANT IN THE DEPARTMENT PRIOR TO FINAL ENTRY OF AN ORDER DECLARING PARENTAL RIGHTS TERMINATED; TO CREATE NEW SECTION 43-15-204.1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT TO PUBLISH NOTICE OF THE CIRCUMSTANCES OF THE RELINQUISHMENT OF THE INFANT IN A NEWSPAPER OF GENERAL CIRCULATION AND SEND A NEWS RELEASE TO BROADCAST AND PRINT MEDIA; THE NEWS RELEASE AND PUBLICATION MUST STATE THAT ANY PERSON WISHING TO ASSERT PARENTAL RIGHTS IN REGARD TO THE INFANT MUST DO SO AT THE HEARING DESCRIBED IN THIS SECTION; TO REQUIRE THE DEPARTMENT TO FILE A PETITION ALLEGING THAT THE INFANT HAS BEEN RELINQUISHED AND TO SEEK APPROVAL OF A PLAN TO TERMINATE PARENTAL RIGHTS IN REGARD TO THE INFANT; TO REQUIRE THE COURT TO HOLD A HEARING WITHIN A CERTAIN TIMEFRAME; TO PROVIDE THAT IF THE COURT APPROVES THE PLAN TO TERMINATE ANY PARENTAL RIGHTS IN REGARD TO THE INFANT, THE DEPARTMENT SHALL FILE A PETITION TO DO SO; TO REQUIRE THE COURT TO HOLD A HEARING IN REGARD TO THE TERMINATION OF PARENTAL RIGHTS WITHIN A CERTAIN TIMEFRAME; TO REPEAL SECTION 43-15-207, MISSISSIPPI CODE OF 1972, WHICH DEFINED THE TERM "EMERGENCY MEDICAL SERVICES PROVIDER" FOR PURPOSES OF THE ARTICLE; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2387:** Judiciary, Division A

AN ACT TO REQUIRE THAT THE ATTORNEY GENERAL'S OFFICE BE NOTIFIED BY THE COURT WITHIN SEVEN WORKING DAYS WHEN A PERMANENCY PLAN CHANGES TO TERMINATION OF PARENTAL RIGHTS OR AN ADOPTION; TO PROVIDE FOR THE TIME PERIOD IN WHICH A PETITION FOR THE TERMINATION OF PARENTAL RIGHTS SHALL BE HELD; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Boyd

**S. B. No. 2388:** Municipalities; Business and Financial Institutions

AN ACT TO AMEND SECTION 27-17-457, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CONTRACTOR WHO HOLDS A CURRENT CERTIFICATE OF RESPONSIBILITY ISSUED BY THE STATE BOARD OF CONTRACTORS SHALL BE ALLOWED TO DO BUSINESS IN ANY MUNICIPALITY OR COUNTY IN THE STATE WITHOUT BEING REQUIRED TO OBTAIN A SEPARATE LICENSE IN THE MUNICIPALITY OR COUNTY, PROVIDED HE FURNISHES EVIDENCE OF THE CERTIFICATE AND PAYS THE LOCAL PRIVILEGE TAX; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2389:** Judiciary, Division A

AN ACT TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO REQUIRE THE RELEASE OF CERTAIN CHILDREN'S RECORDS TO A COMMITTEE OR MEMBER OF THE LEGISLATURE UPON PRIOR WRITTEN CONSENT OF THE PARENT, GUARDIAN OR CUSTODIAN OF THE CHILD; TO SET FORTH MINIMUM REQUIREMENTS FOR THE WRITTEN RELEASE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2390:** Veterans and Military Affairs

AN ACT TO AMEND SECTION 35-1-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE STATE VETERANS AFFAIRS BOARD SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2391:** Judiciary, Division A

AN ACT TO PROHIBIT CIRCUIT COURT JUDGES FROM PROVIDING ANY POLITICAL CANDIDATE AN OPPORTUNITY TO ADDRESS THE PUBLIC DURING COURT TERMS; TO AMEND SECTION 23-15-973, MISSISSIPPI CODE OF 1972, TO PROHIBIT CIRCUIT JUDGES FROM ALLOWING ANY POLITICAL CANDIDATE TO ADDRESS THE PUBLIC DURING COURT TERMS; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2392:** County Affairs; Judiciary, Division A

AN ACT TO AMEND SECTION 19-5-22, MISSISSIPPI CODE OF 1972, TO REQUIRE A COUNTY BOARD OF SUPERVISORS TO NOTIFY THE COUNTY TAX COLLECTOR WHEN UNPAID FEES ASSESSED UNDER SECTION 19-5-21 ARE PAST DUE; TO REQUIRE THE TAX COLLECTOR TO INDEX THE DELINQUENCY NOTICE RECEIVED FROM THE BOARD OF SUPERVISORS; TO REQUIRE THE TAX COLLECTOR TO COMMENCE A TAX SALE THREE YEARS AFTER RECEIVING THE DELINQUENCY NOTICE IF THE AMOUNT OF THE DELINQUENCY EXCEEDS A CERTAIN AMOUNT; TO PROVIDE THAT A PERSON WHO DID NOT GENERATE THE GARBAGE OR OWN THE PROPERTY FURNISHED THE SERVICE AT THE TIME THAT THE GARBAGE WAS GENERATED SHALL NOT BE CONSIDERED DELINQUENT FOR ANY FEES UNDER THIS SECTION; TO PROVIDE THAT CERTAIN FEES ASSESSED UNDER THIS SECTION SHALL NOT BE CONSIDERED LIENS; TO PROVIDE THAT FEES THAT ARE NOT LIENS UPON THE REAL PROPERTY OFFERED GARBAGE OR RUBBISH COLLECTION OR DISPOSAL SERVICE UNDER THIS SUBSECTION SHALL REMAIN RECOVERABLE AGAINST THE GENERATOR OF THE GARBAGE AND THE OWNER OF THE PROPERTY; TO AMEND SECTION 27-41-59, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Suber, Boyd

**S. B. No. 2393:** Insurance

AN ACT TO AMEND SECTION 71-3-13, 71-3-17, 71-3-21 AND 71-3-25, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM TOTAL COMPENSATION THAT AN EMPLOYEE MAY RECOVER UNDER THE WORKERS' COMPENSATION LAW, AND TO PROVIDE THAT COMPENSATION FOR PERMANENT TOTAL DISABILITY SHALL BE PAID TO THE EMPLOYEE UNTIL HIS DEATH; TO REQUIRE EMPLOYERS TO MAKE ALL REASONABLE EFFORTS TO PROTECT EMPLOYEES FROM PREVENTABLE HAZARDS; TO PROHIBIT EMPLOYERS FROM FIRING, SUSPENDING OR RETALIATING AGAINST AN EMPLOYEE WHO FILES A WORKERS' COMPENSATION CLAIM; AND FOR RELATED PURPOSES.

By Senator(s) Jackson, Jordan, Simmons (13th), Frazier, Butler (38th), Butler (36th), Simmons (12th), Thomas, Norwood

**S. B. No. 2394:** Medicaid; Appropriations

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

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

**S. B. No. 2395:** Judiciary, Division A

AN ACT TO PROVIDE THAT ALL FEDERAL ACTS, LAWS, ORDERS, RULES AND REGULATIONS, WHETHER PAST, PRESENT OR FUTURE, WHICH HINDER OR PROHIBIT THE SALE, DISTRIBUTION, LICENSING, POSSESSION OR INSTALLATION OF GAS STOVES SHALL BE INVALID IN THIS STATE; TO DEFINE THE TERM "GAS STOVE"; AND FOR RELATED PURPOSES.

By Senator(s) Chism, Hill, Tate, Sojourner, McLendon, Chassaniol, England, McCaughn, Suber, Barrett, Caughman, Seymour, Thompson

**S. B. No. 2396:** Insurance

AN ACT TO CREATE NEW SECTION 83-9-10, MISSISSIPPI CODE OF 1972, TO CREATE THE HEALTH INSURANCE COVERAGE FOR FERTILITY PRESERVATION SERVICES ACT; TO ENSURE HEALTH INSURANCE COVERAGE FOR STANDARD FERTILITY PRESERVATION SERVICES WHEN MEDICALLY NECESSARY TREATMENT MAY DIRECTLY OR INDIRECTLY CAUSE IATROGENIC INFERTILITY CONSISTENT WITH ESTABLISHED MEDICAL PRACTICE AND PROFESSIONAL GUIDELINES; TO PROVIDE THAT A CARRIER OFFERING HEALTH INSURANCE COVERAGE IN THIS STATE SHALL PROVIDE COVERAGE FOR STANDARD FERTILITY PRESERVATION SERVICES FOR ANY COVERED INDIVIDUAL WHO MAY UNDERGO A MEDICALLY NECESSARY TREATMENT THAT MAY DIRECTLY OR INDIRECTLY CAUSE IATROGENIC INFERTILITY; TO PROHIBIT A CARRIER WHO OFFERS HEALTH INSURANCE COVERAGE IN THIS STATE FOR STANDARD FERTILITY PRESERVATION SERVICES FROM IMPOSING CERTAIN EXCLUSIONS, LIMITATIONS OR OTHER RESTRICTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

**S. B. No. 2397:** Medicaid

AN ACT TO BRING FORWARD SECTION 43-13-117, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CERTAIN SERVICES PROVIDED BY THE DIVISION OF MEDICAID, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2398:** Judiciary, Division A

AN ACT TO AMEND SECTION 75-17-7, MISSISSIPPI CODE OF 1972, TO PROHIBIT JUDGMENTS FROM BEARING INTEREST RATES THAT ARE GREATER THAN TEN PERCENT; TO AMEND SECTION 79-10-41, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE TEN PERCENT INTEREST RATE CAP SET BY THE PROPOSED AMENDMENT TO SECTION 75-17-7; TO AMEND SECTION 79-29-913, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE TEN PERCENT INTEREST RATE CAP SET BY THE PROPOSED AMENDMENT TO SECTION 75-17-7; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2399:** Judiciary, Division A

AN ACT TO AMEND SECTION 11-57-7, MISSISSIPPI CODE OF 1972, TO REQUIRE STRUCTURED SETTLEMENT PURCHASES TO BE APPROVED BY THE JUDGE THAT APPROVED THE STRUCTURED SETTLEMENT; TO AMEND SECTION 11-57-11, MISSISSIPPI CODE OF 1972, TO REQUIRE STRUCTURED SETTLEMENT PAYMENT RIGHTS TO BE FILED WITH THE COURT THAT APPROVED THE STRUCTURED SETTLEMENT TO REQUIRE AN APPLICATION FOR APPROVAL OF A TRANSFER OF STRUCTURED SETTLEMENT PAYMENT RIGHTS TO DISCLOSE ANY REJECTIONS OF APPLICATION BY ANOTHER JUDGE; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2400:** Business and Financial Institutions

AN ACT TO AMEND SECTION 85-3-4, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE TO COMPLY WITH THE FEDERAL ANTI-GARNISHMENT ACT, WHICH ALLOWS GARNISHMENT OF TWENTY-FIVE PERCENT OF TOTAL PAY OR AN AMOUNT THIRTY TIMES MINIMUM WAGE, WHICHEVER IS LESS; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2401:** Judiciary, Division A

AN ACT TO AMEND SECTION 43-19-101, MISSISSIPPI CODE OF 1972, TO INCREASE THE PERCENTAGE AMOUNT FOR THE CHILD-SUPPORT AWARD GUIDELINES WHERE THE OBLIGOR'S MONTHLY INCOME IS \$1,500.00 OR ABOVE; TO PROVIDE CHILD-SUPPORT AWARD GUIDELINES WHERE THE OBLIGOR'S MONTHLY INCOME IS LESS THAN \$1,500.00; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2402:** Constitution

AN ACT TO AMEND SECTION 27-41-1, MISSISSIPPI CODE OF 1972, TO DISALLOW A PROCESSING FEE TO BE CHARGED ON DEBIT CARD PAYMENTS FOR AD VALOREM TAXES; TO AMEND SECTIONS 27-104-33 AND 17-25-1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2403:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS IN THE SEVENTEENTH AND TWENTY-THIRD CIRCUIT COURT DISTRICTS; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2404:** Judiciary, Division A; Judiciary, Division B

AN ACT TO REQUIRE A COURT OF ORIGINAL JURISDICTION TO ISSUE AN INJUNCTION WHERE A PLAINTIFF DEMONSTRATES THE VIOLATION OF A SOCIAL MEDIA COMPANY'S COMMUNITY STANDARDS OR POLICIES BY A DEFENDANT'S COMMUNICATIONS ON THE SOCIAL MEDIA COMPANY'S PLATFORM; TO AUTHORIZE THE COURT OF ORIGINAL JURISDICTION TO ENJOIN THE DEFENDANT, ANY SOCIAL MEDIA COMPANY THAT DISTRIBUTES, HOSTS OR DISSEMINATES THE DEFENDANT'S COMMUNICATION, OR ANY CORPORATE SPONSOR OF THE DEFENDANT; TO AUTHORIZE THE COURT OF ORIGINAL JURISDICTION TO CONSIDER THE FILING OF CRIMINAL CHARGES RELATED TO THE COMMUNICATIONS TO BE ENJOINED AS A FACTOR IN DETERMINING WHETHER THE DEFENDANT HAS VIOLATED A SOCIAL MEDIA COMPANY'S COMMUNITY STANDARDS OR POLICIES; TO PROVIDE THAT A CRIMINAL CONVICTION RELATED TO THE COMMUNICATIONS THAT ARE THE SUBJECT OF THE PETITION SHALL BE SUFFICIENT EVIDENCE TO MERIT THE ISSUANCE OF A PERMANENT INJUNCTION UNDER THIS SECTION; TO AMEND SECTION 97-45-15, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "HARASS"; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2405:** Elections; Constitution

AN ACT TO CREATE THE RESTORATION OF VOTING RIGHTS ACT; TO PROVIDE THAT A PERSON WHO WAS DISQUALIFIED AS AN ELECTOR FOR COMMISSION OF CERTAIN CRIMES SHALL HAVE THE RIGHT TO VOTE RESTORED AUTOMATICALLY UPON COMPLETION OF THE SENTENCE AND FOLLOWING A TWO-YEAR WAITING PERIOD; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Norwood



**S. B. No. 2406:** Elections

AN ACT TO AMEND SECTION 23-15-359, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF A POST OFFICE BOX NUMBER AS A QUALIFYING ADDRESS FOR A CANDIDATE FILING TO RUN FOR PUBLIC OFFICE AND TO REQUIRE THE CANDIDATE TO PROVIDE A PHYSICAL ADDRESS FOR HIS OR HER PLACE OF RESIDENCE; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2407:** Judiciary, Division B

AN ACT TO ENACT THE RESPONSIBLE FIREARM PURCHASING ACT TO PROHIBIT THE PURCHASE OF A FIREARM BY A MINOR; TO DEFINE TERMS; TO PROVIDE THAT IT IS UNLAWFUL FOR A MINOR TO PURCHASE A FIREARM, HANDGUN, AMMUNITION OR ARMOR PIERCING AMMUNITION; TO PROVIDE THAT IT IS UNLAWFUL TO SELL A MINOR A FIREARM, HANDGUN, AMMUNITION OR ARMOR PIERCING AMMUNITION; TO PROVIDE THAT THE SALE OF A FIREARM, HANDGUN, AMMUNITION OR ARMOR PIERCING AMMUNITION SHALL COMPLY WITH ALL STANDARDS AS PROVIDED BY FEDERAL AND STATE LAW; TO PROVIDE CRIMINAL PENALTIES FOR A VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2408:** Judiciary, Division B

AN ACT TO REQUIRE COUNTY AND MUNICIPAL LAW ENFORCEMENT AGENCIES TO DEVELOP AND IMPLEMENT A MOTOR VEHICLE POLICE PURSUIT POLICY BY A CERTAIN DATE; TO PROVIDE CERTAIN CRITERIA FOR THE POLICY; TO PROVIDE THAT A PURSUIT MAY ONLY PROCEED AND CONTINUE INTO ANOTHER POLITICAL SUBDIVISION UNDER CERTAIN CIRCUMSTANCES IF THERE IS NO AGREEMENT WITH THE OTHER POLITICAL SUBDIVISION; TO PROVIDE THAT IF A LOCAL LAW ENFORCEMENT AGENCY FAILS TO ADOPT A POLICY, THEN THE AGENCY SHALL NOT RECEIVE CERTAIN ACCREDITATION; TO PROVIDE THAT THE OFFICE OF STANDARDS AND TRAINING OF THE DEPARTMENT OF PUBLIC SAFETY SHALL DETERMINE WHETHER THE AGENCIES HAVE IMPLEMENTED A POLICY; TO REQUIRE THE DEPARTMENT TO ISSUE CERTAIN NOTICE TO THE AGENCIES FOR NONCOMPLIANCE; TO AUTHORIZE THE DEPARTMENT TO ISSUE A CERTIFICATE OF NONCOMPLIANCE TO THE DEPARTMENT OF REVENUE TO WITHHOLD CERTAIN PAYMENTS AND ALLOCATIONS THAT WOULD OTHERWISE BE PAYABLE TO A COUNTY OR MUNICIPALITY UNTIL SUCH TIME THAT THE DEPARTMENT OF REVENUE RECEIVES WRITTEN NOTICE OF THE CANCELLATION OF A CERTIFICATE OF NONCOMPLIANCE FROM THE DEPARTMENT OF PUBLIC SAFETY; TO AMEND SECTIONS 27-5-101, 27-65-75, 45-1-43, 65-33-45 AND 99-3-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2409:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A SECOND OFFENSE OF SHOPLIFTING WITHIN FIVE YEARS OF THE FIRST CONVICTION OF SHOPLIFTING SHALL BE A FELONY WHERE THE MERCHANT'S STATED PRICE FOR THE MERCHANDISE STOLEN FROM BOTH CRIMES AGGREGATED IS MORE THAN \$1,000.00; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2410:** Judiciary, Division B; Appropriations

AN ACT TO PROVIDE THAT LAW ENFORCEMENT OFFICERS WHO ARE EMPLOYED BY AN ACCREDITED LAW ENFORCEMENT DEPARTMENT SHALL RECEIVE SUPPLEMENTARY PAY ANNUALLY; TO STIPULATE THE QUALIFYING FACTORS THAT MAKE SWORN AND CERTIFIED LAW ENFORCEMENT OFFICERS ELIGIBLE TO RECEIVE SUPPLEMENTAL PAY; TO PROVIDE THAT THE PAY

PRESCRIBED IN THIS ACT SHALL BE SUPPLEMENTAL TO ANY OTHER PAY THE LAW ENFORCEMENT OFFICER HAS OR WOULD RECEIVE, AND MAY NOT BE USED TO REDUCE OR DIMINISH THE PAY FOR THAT LAW ENFORCEMENT OFFICER FROM ANY OTHER FUNDING SOURCES; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ADOPT ANY RULES OR REGULATIONS NECESSARY TO ADMINISTER THIS PROGRAM IN CONSULTATION WITH THE MISSISSIPPI ASSOCIATION OF CHIEFS OF POLICE AND THE MISSISSIPPI SHERIFFS ASSOCIATION; TO ESTABLISH THE "LAW ENFORCEMENT OFFICERS ACCREDITATION SUPPLEMENTAL PAY FUND"; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2411:** Wildlife, Fisheries and Parks; Judiciary, Division B

AN ACT TO AMEND SECTION 97-15-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THE PROHIBITION AGAINST HUNTING ON ANY STREET, PUBLIC ROAD, PUBLIC HIGHWAY, LEVEE OR RAILROAD; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2412:** Judiciary, Division B

AN ACT TO BRING FORWARD SECTIONS 97-17-71, 97-17-71.1, 97-17-71.2 AND 97-17-71.3, MISSISSIPPI CODE OF 1972, WHICH ARE THE PROVISIONS OF LAW GOVERNING SCRAP METAL DEALERS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

**S. B. No. 2413:** Judiciary, Division B

AN ACT TO AMEND SECTION 99-19-75, MISSISSIPPI CODE OF 1972, TO REMOVE AN ADDITIONAL CRIMINAL ASSESSMENT ON A MISDEMEANOR VIOLATION OF SECTION 97-3-7; TO RETAIN AN ADDITIONAL CRIMINAL ASSESSMENT FOR FELONY VIOLATIONS OF SECTION 97-3-7; AND FOR RELATED PURPOSES.

By Senator(s) Suber, Sparks, McCaughn

**S. B. No. 2414:** Drug Policy; Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO REDUCE THE PUNISHMENT FOR SIMPLE POSSESSION OF A SMALL AMOUNT OF MARIJUANA TO A CIVIL PENALTY; TO AMEND SECTION 21-23-7, MISSISSIPPI CODE OF 1972, TO GRANT TO MUNICIPAL COURTS JURISDICTION OVER CIVIL OFFENSES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2415:** Judiciary, Division B

AN ACT TO AMEND SECTION 45-6-23, MISSISSIPPI CODE OF 1972, TO REQUIRE DEMENTIA-RECOGNITION TRAINING FOR LAW ENFORCEMENT OFFICERS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2416:** Judiciary, Division B; Appropriations

AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UPON A FEDERAL LINE-OF-DUTY DEATH BENEFIT THAT IS AWARDED TO THE COVERED INDIVIDUAL, THE LINE-OF-DUTY BENEFIT FROM MISSISSIPPI SHALL BE AUTOMATIC; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO REQUEST A DEFICIT APPROPRIATION AT THE NEXT LEGISLATIVE SESSION TO REPLENISH THE LAW ENFORCEMENT OFFICERS AND FIRE FIGHTERS DEATH BENEFITS TRUST FUND IN THE EVENT THE FUND IS DEPLETED; TO REMOVE THE AUTHORITY OF THE DEPARTMENT OF PUBLIC SAFETY TO ADOPT RULES AND REGULATIONS TO ADMINISTER THE FUND; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 2417:** Judiciary, Division B

AN ACT TO ENACT THE "CREATE A RESPECTFUL AND OPEN WORKPLACE FOR NATURAL (CROWN) HAIR ACT"; TO PROHIBIT CREATION OF WORKPLACE AND SCHOOL POLICES THAT DISCRIMINATE ON THE BASIS OF NATURAL HAIRSTYLES; TO PROHIBIT DISCRIMINATION BY AN EMPLOYER, SCHOOL, SCHOOL DISTRICT OR ADMINISTRATOR ENGAGED IN COMMERCE ON THE BASIS OF HAIR TEXTURE; TO PROHIBIT TERMINATION, REDUCTION OF WORK HOURS, OR PAYING A REDUCED SALARY OR WAGE OR EXPULSION OR DISMISSAL BASED ON HAIR TEXTURE; TO PROVIDE THE REMEDIES FOR ANY PERSON WHO IS AGGRIEVED BY VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

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

**S. B. No. 2418:** Judiciary, Division B

AN ACT TO AMEND SECTION 21-23-8, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE TO DETERMINE BAIL IN MUNICIPAL COURT; TO AMEND SECTION 99-5-11, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE TO DETERMINE BAIL IN JUSTICE COURT; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2419:** Elections

AN ACT TO ENACT THE EASE ACCESS TO SUFFRAGE (EASE) ACT; TO ESTABLISH THE EASE ACCESS TO SUFFRAGE PROGRAM WITHIN THE EXTERNAL AFFAIRS DIVISION OF THE OFFICE OF THE SECRETARY OF STATE; TO PROVIDE THAT THE PURPOSE OF THE PROGRAM SHALL BE TO PUBLISH THE CRITERIA FOR THE RESTORATION OF SUFFRAGE IN MISSISSIPPI, TO CREATE A PUBLIC PORTAL FOR APPLICATIONS, TO RAISE AWARENESS ABOUT THE SUFFRAGE PROCESS AND TO ENSURE THAT THAT A PERSON'S RIGHT TO VOTE IS FULLY RESTORED FOR THE NEXT ELECTION AFTER THE RESTORATION OF THE RIGHT BY THE LEGISLATURE UNDER ARTICLE 12, SECTION 253 OF THE MISSISSIPPI CONSTITUTION OF 1890; TO SET FORTH CERTAIN CRITERIA FOR THE RESTORATION OF THE RIGHT TO SUFFRAGE; TO REQUIRE THE DIVISION TO CREATE A PUBLIC PORTAL FOR APPLICATIONS; TO REQUIRE THE OFFICE OF THE SECRETARY OF STATE TO RAISE AWARENESS OF THE PROGRAM THROUGH A MEDIA CAMPAIGN; TO REQUIRE THE SECRETARY OF STATE TO COORDINATE WITH CERTAIN MEMBERS OF THE LEGISLATURE IN DETERMINING THE CRITERIA FOR THE RESTORATION OF SUFFRAGE AND THE PROGRAM; TO AUTHORIZE THE OFFICE OF THE SECRETARY OF STATE TO PROMULGATE RULES OR REGULATIONS TO ADMINISTER THIS SECTION; TO REQUIRE THE OFFICE OF THE SECRETARY OF STATE TO PROMULGATE CLEAR RULES AND REGULATIONS TO ENSURE THAT A PERSON'S RIGHT TO VOTE IS FULLY RESTORED FOR THE NEXT ELECTION AFTER THE RESTORATION OF SUFFRAGE UNDER ARTICLE 12, SECTION 253 OF THE MISSISSIPPI CONSTITUTION OF 1890; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2420:** Judiciary, Division B

AN ACT TO CREATE A PUBLIC REGISTRY OF OFFENDERS WHOSE CRIMES INVOLVED THE EMBEZZLEMENT OR MISAPPROPRIATION OF PUBLIC FUNDS; TO DEFINE TERMS; TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CREATE A REGISTRY OF OFFENDERS; TO REQUIRE RESPONSIBLE AGENCIES TO FORWARD CERTAIN INFORMATION TO THE DEPARTMENT; TO REQUIRE OFFENDERS TO REPORT TO THE DEPARTMENT WITHIN A PRESCRIBED TIMEFRAME; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE RULES FOR THE IMPLEMENTATION OF THE ACT; TO AMEND SECTION 25-1-113, MISSISSIPPI CODE OF 1972, TO PROHIBIT LOCAL GOVERNMENTS FROM HIRING PERSONS ON THE REGISTRY FOR CERTAIN POSITIONS; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2421:** Elections

AN ACT TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO IS OTHERWISE A QUALIFIED ELECTOR AND HAS BEEN CONVICTED OF VOTE FRAUD, OF ANY CRIME LISTED IN SECTION 241, MISSISSIPPI CONSTITUTION OF 1890, OR OF ANY CRIME INTERPRETED AS DISENFRANCHISING IN LATER ATTORNEY GENERAL OPINIONS, SHALL HAVE HIS OR HER RIGHT TO VOTE SUSPENDED UPON CONVICTION BUT SHALL HAVE HIS OR HER RIGHT TO VOTE AUTOMATICALLY RESTORED ONCE HE OR SHE HAS SATISFIED ALL OF THE SENTENCING REQUIREMENTS OF THE CONVICTION; TO AMEND SECTIONS 23-15-19, 23-15-125, 23-15-151, 23-15-153 AND 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2422:** Judiciary, Division B

AN ACT TO AUTHORIZE THE ISSUANCE OF A HARDSHIP DRIVER'S LICENSE TO A PERSON WHOSE LICENSE HAS BEEN SUSPENDED AS A RESULT OF BEING OUT OF COMPLIANCE WITH AN ORDER FOR SUPPORT; TO REQUIRE A PERSON TO ESTABLISH PROOF OF HARDSHIP; TO AMEND SECTION 63-1-43, MISSISSIPPI CODE OF 1972, TO ESTABLISH A FEE FOR A HARDSHIP LICENSE AND PROVIDE THAT A PERSON HOLDING A HARDSHIP LICENSE MAY ONLY DRIVE TO WORK AND RELIGIOUS SERVICES; TO AMEND SECTION 63-1-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE TERM OF A HARDSHIP LICENSE SHALL BE FOUR YEARS; TO AMEND SECTIONS 63-1-5 and 93-11-157, MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2423:** Elections

AN ACT TO REQUIRE THAT CANDIDATES RECEIVE A MAJORITY OF THE VOTES CAST IN THE GENERAL ELECTION TO BE ELECTED TO STATEWIDE OFFICE; TO PROVIDE FOR A RUNOFF ELECTION IF NO CANDIDATE RECEIVES A MAJORITY; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2424:** Elections

AN ACT TO AMEND SECTION 23-15-171, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO MUNICIPAL EXECUTIVE COMMITTEE MEMBER OR PRIMARY ELECTION OFFICIAL APPOINTED BY THE MUNICIPAL EXECUTIVE COMMITTEE MAY CAMPAIGN FOR A CANDIDATE WHOSE NAME IS LISTED ON THE MUNICIPAL PRIMARY ELECTION BALLOT; TO PROVIDE THAT ANY PERSON WHO IS A MUNICIPAL EXECUTIVE COMMITTEE MEMBER AND IS CONVICTED OF CAMPAIGNING FOR A CANDIDATE ON THE MUNICIPAL PRIMARY ELECTION BALLOT SHALL BE GUILTY OF A MISDEMEANOR AND REMOVED FROM HIS OR HER PRIMARY ELECTION POSITION; TO AMEND SECTIONS 23-15-313 AND 25-1-115, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTION 23-15-309, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2425:** Elections

AN ACT TO AMEND SECTION 23-15-49, MISSISSIPPI CODE OF 1972, TO AUTHORIZE QUALIFIED ELECTORS TO SUBMIT VOTER REGISTRATION APPLICATIONS THROUGH A SECURE INTERNET WEBSITE ESTABLISHED BY THE SECRETARY OF STATE; TO ESTABLISH THE PROCEDURE BY WHICH THE COUNTY REGISTRAR SHALL PROCESS ONLINE APPLICATIONS; TO AMEND SECTIONS 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-79, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2426:** Elections

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CERTAIN PERSONS DISQUALIFIED BY REASON OF CONVICTION OF A DISENFRANCHISING CRIME; TO PROVIDE THAT SUCH PERSONS SHALL BE ENFRANCHISED AFTER COMPLETING THE TERM OF INCARCERATION AND PAROLE OR UPON THE IMPOSITION OF A PROBATION-ONLY SENTENCE FOR SUCH CRIMES; TO AMEND SECTION 23-15-11, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-19, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE REMOVAL OF A PERSON'S NAME FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM UNLESS THE PERSON IS SERVING A TERM OF INCARCERATION OR PAROLE FOR A DISENFRANCHISING CRIME AT THE TIME OF REMOVAL; TO PROVIDE THAT A COURT'S CERTIFICATION OF A CONVICTION FOR PURPOSES OF REMOVAL FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM MUST INDICATE THE TYPE OF SENTENCE IMPOSED; TO AMEND SECTION 23-15-151, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CIRCUIT CLERK'S ENROLLMENT BOOK LISTING THE NAMES OF PERSONS CONVICTED OF DISENFRANCHISING CRIMES MUST BE UPDATED TO EXCLUDE THE NAMES OF THOSE PERSONS ENFRANCHISED UNDER THIS ACT; TO AMEND SECTIONS 23-15-125 AND 23-15-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE VOTER ROLL AND POLLBOOKS MUST BE UPDATED IN A MANNER CONSISTENT WITH THIS ACT; TO AMEND SECTION 23-15-47, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL ADOPT VOTER REGISTRATION APPLICATIONS WHICH STATE THAT A PERSON RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT IS NOT DISQUALIFIED FROM REGISTERING TO VOTE; TO AMEND SECTIONS 23-15-213, 23-15-223 AND 23-15-239, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL DEVELOP AND IMPLEMENT TRAINING FOR ELECTION COMMISSIONERS, REGISTRARS AND POLL MANAGERS WHO WILL INSTRUCT THEM ON THEIR DUTIES WITH REGARD TO PERSONS RESTORED THE RIGHT OF SUFFRAGE UNDER THIS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE WILL UPDATE THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM IN A MANNER THAT WILL ALLOW LOCAL ELECTION OFFICIALS TO VERIFY WHETHER A PERSON HAS A DISQUALIFYING CONVICTION; AND FOR RELATED PURPOSES.  
By Senator(s) Blackmon

**S. B. No. 2427:** Elections

AN ACT TO AMEND SECTION 23-15-171, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF ANY VACANCIES OCCUR IN A MUNICIPAL EXECUTIVE COMMITTEE WITHIN NINETY DAYS OF A MUNICIPAL PRIMARY ELECTION, THE STATE EXECUTIVE COMMITTEE SHALL FILL THE VACANCIES; TO PROVIDE THAT ANY PERSON APPOINTED TO A MUNICIPAL EXECUTIVE COMMITTEE BY THE STATE EXECUTIVE COMMITTEE SHALL REMAIN IN THAT POSITION UNTIL THE NEXT REGULAR ELECTION FOR EXECUTIVE COMMITTEES; TO BRING FORWARD SECTIONS 23-15-309 AND 23-15-313, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.  
By Senator(s) Blackmon

**S. B. No. 2428:** Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE NOT MORE THAN 21 DAYS NOR LESS THAN TWO DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT PREELECTION VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE; TO REQUIRE A PERSON WHO DESIRES TO VOTE DURING THE PREELECTION DAY VOTING PERIOD TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE IN THE SAME MANNER AS HE WOULD AT HIS VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF

ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE PREELECTION DAY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING THE PREELECTION DAY VOTING PERIOD SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO PREELECTION VOTE IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE PREELECTION DAY VOTING; TO AMEND SECTION 23-15-195, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2429:** Elections

AN ACT TO AUTHORIZE A QUALIFIED ELECTOR TO VOTE EARLY NOT MORE THAN 21 DAYS NOR LESS THAN FIVE DAYS BEFORE THE DATE OF AN ELECTION; TO PROVIDE THAT EARLY VOTING MAY BE CONDUCTED IN THE REGISTRAR'S OFFICE OR AT A LOCATION DESIGNATED BY THE REGISTRAR; TO REQUIRE A PERSON WHO DESIRES TO VOTE EARLY TO APPEAR AT THE REGISTRAR'S OFFICE AND TO PROVIDE THAT AFTER SIGNING THE RECEIPT BOOK SUCH PERSON SHALL BE ENTITLED TO VOTE AT THE REGISTRAR'S OFFICE OR AT THE LOCATION DESIGNATED BY THE REGISTRAR DURING THE EARLY VOTING PERIOD IN THE SAME MANNER AS HE OR SHE WOULD AT HIS OR HER VOTING PRECINCT ON THE DAY OF THE ELECTION; TO PROVIDE THAT THE ELECTION LAWS THAT GOVERN PROCEDURES FOR A PERSON WHO APPEARS TO VOTE ON THE DAY OF ELECTION SHALL APPLY WHEN A PERSON APPEARS TO VOTE DURING THE EARLY VOTING PERIOD; TO PROVIDE THAT ALL VOTES CAST DURING THE EARLY VOTING PERIOD SHALL BE FINAL; TO PROVIDE THAT THE VOTES CAST DURING EARLY VOTING SHALL BE ANNOUNCED SIMULTANEOUSLY WITH THE VOTE CAST ON ELECTION DAY; TO PROVIDE THAT EACH CANDIDATE SHALL HAVE THE RIGHT TO BE PRESENT AT THE REGISTRAR'S OFFICE AND TO CHALLENGE THE QUALIFICATIONS OF ANY PERSON OFFERING TO VOTE EARLY IN THE SAME MANNER AS PROVIDED BY LAW AT THE POLLING PLACE ON THE DAY OF THE ELECTION; TO REQUIRE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS NECESSARY TO EFFECTUATE EARLY VOTING; TO AMEND SECTIONS 23-15-195, 23-15-353 AND 23-15-653, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTIONS 23-15-627, 23-15-637, 23-15-641, 23-15-713 AND 23-15-715, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT VOTERS MAY NOT CAST ABSENTEE BALLOTS AT THE OFFICE OF THE REGISTRAR DURING THE EARLY VOTING PERIOD; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2430:** Elections; Appropriations

AN ACT TO AMEND SECTION 23-15-5, MISSISSIPPI CODE OF 1972, TO AMEND THE ELECTION SUPPORT FUND ALLOCATION; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2431:** Energy

AN ACT TO AMEND SECTION 21-27-13, MISSISSIPPI CODE OF 1972, TO RECONSTITUTE AND PROVIDE FOR COUNTY CONTROL OVER THE HOLLY SPRINGS, MISSISSIPPI, UTILITY DEPARTMENT; TO AMEND SECTION 21-27-15, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 2432:** Appropriations

AN ACT TO AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ELIGIBILITY OF CERTAIN RURAL WATER ASSOCIATIONS UNDER THE AMERICAN RESCUE PLAN ACT RURAL WATER ASSOCIATIONS GRANT PROGRAM; TO AMEND SECTION 49-2-131, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ELIGIBILITY OF SUCH ASSOCIATIONS UNDER THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2433:** Finance

AN ACT TO AMEND SECTIONS 77-3-1 AND 77-3-3, MISSISSIPPI CODE OF 1972, TO EXEMPT ELIGIBLE HOMEOWNERS ASSOCIATIONS IN ELIGIBLE MUNICIPALITIES FROM CERTAIN UTILITY REGULATION WHEN PROVIDING WATER TO THEIR OWN RESIDENTS; TO CREATE NEW SECTION 77-3-99, MISSISSIPPI CODE OF 1972, TO CLARIFY CONTINUING OBLIGATIONS ON THE PART OF THE ELIGIBLE MUNICIPALITY; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2434:** Finance

AN ACT TO AMEND SECTION 51-35-333, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION OF LAW AUTHORIZING THE BOARD OF DIRECTORS OF A DISTRICT FORMED UNDER THE URBAN FLOOD AND DRAINAGE CONTROL ACT TO LEVY SPECIAL ASSESSMENTS ON CERTAIN PROPERTY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2435:** Energy; Finance

AN ACT TO CREATE THE ORPHANED WELL PARTNERSHIP PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2436:** Energy

AN ACT TO ENACT THE MICROGRID AND GRID RESILIENCY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2437:** Public Health and Welfare

AN ACT TO ENACT THE MISSISSIPPI WATER QUALITY ACCOUNTABILITY ACT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2438:** Labor; Judiciary, Division B

AN ACT TO AMEND SECTIONS 73-77-5, 73-77-7 AND 73-77-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS OF "THE FRESH START ACT" OF 2019 SHALL APPLY NOTWITHSTANDING ANY OTHER PROVISION OF LAW; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2439:** Labor; Accountability, Efficiency, Transparency

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

WAGE; TO AMEND SECTION 25-3-40, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2440:** Labor; Accountability, Efficiency, Transparency

AN ACT TO ESTABLISH THE MISSISSIPPI PAID FAMILY LEAVE ACT TO BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO PROVIDE DEFINITIONS; TO PROVIDE ENTITLEMENT REQUIREMENTS AND CONDITIONS FOR PAID LEAVE; TO AUTHORIZE INTERMITTENT OR REDUCED LEAVE; TO PROVIDE THAT THIS ACT IS TO BE CONSTRUED WITH SIMILAR PROVISIONS IN THE FEDERAL FAMILY AND MEDICAL LEAVE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2441:** Labor; Accountability, Efficiency, Transparency

AN ACT TO AUTHORIZE CERTAIN LABOR AND EMPLOYMENT PROTECTIONS FOR TEMPORARY WORKERS IN MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2442:** Drug Policy; Judiciary, Division A

AN ACT TO AMEND SECTION 41-29-319, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "ADMINISTER," "DISTRIBUTE," "EDUCATION EMPLOYEE," "POSSESS" AND "STORAGE"; TO AUTHORIZE A PERSON TO ADMINISTER AN OPIOID ANTAGONIST THAT WAS DISTRIBUTED BY AN EDUCATION EMPLOYEE; TO AUTHORIZE AN EDUCATION EMPLOYEE TO STORE, DISTRIBUTE AND ADMINISTER OPIOID ANTAGONISTS; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO DISTRIBUTE OPIOID ANTAGONISTS TO EDUCATION EMPLOYEES UPON A REQUEST MADE IN WRITING; TO AUTHORIZE A PERSON TO STORE AN OPIOID ANTAGONIST THAT IS DISTRIBUTED BY AN EDUCATION EMPLOYEE; TO PROVIDE THAT AN EDUCATION EMPLOYEE SHALL BE IMMUNE FROM CRIMINAL AND CIVIL LIABILITY FOR ACTIONS AUTHORIZED BY THIS ACT; TO PROVIDE THAT A PERSON SHALL BE IMMUNE FROM CRIMINAL AND CIVIL LIABILITY FOR ACTIONS AUTHORIZED BY THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Williams

**S. B. No. 2443:** Elections; Accountability, Efficiency, Transparency

AN ACT TO REQUIRE APPOINTMENTS TO STATE AGENCIES, BOARDS AND COMMISSION POSITIONS TO REFLECT THE DEMOGRAPHIC OF THE AREA THEY ARE APPOINTED TO SERVE; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2444:** Appropriations

AN ACT TO BRING FORWARD SECTION 49-2-131, 41-3-16.1, 57-123-9, 57-123-11, 45-2-41, MISSISSIPPI CODE OF 1972, WHICH ARE CERTAIN ARPA PROGRAMS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 5, CHAPTER 113, LAWS OF 2022, WHICH IS AN ADDITIONAL APPROPRIATION OF ARPA FUNDS TO THE BUREAU OF BUILDING WITHIN THE DEPARTMENT OF FINANCE AND ADMINISTRATIONS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2445:** Appropriations

AN ACT TO AMEND SECTION 27-103-213, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A CERTAIN AMOUNT OF THE UNENCUMBERED CASH BALANCE IN THE GENERAL FUND IN THE STATE TREASURY AT THE CLOSE OF EACH FISCAL YEAR, IF AVAILABLE, SHALL BE DISTRIBUTED TO THE STATE HIGHWAY FUND; TO AMEND SECTION 65-1-141.1, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE REVISION TO THE PURPOSES UNDER WHICH MONIES



SHALL BE SPENT FROM THE 2022 MAINTENANCE PROJECT FUND; TO AMEND SECTION 65-1-141.2, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE REVISION TO THE PURPOSES UNDER WHICH MONIES SHALL BE SPENT FROM THE 2022 CAPACITY PROJECT FUND; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2446:** Appropriations

AN ACT TO AMEND SECTION 27-104-371, MISSISSIPPI CODE OF 1972, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED FROM DISBURSEMENTS FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 2, CHAPTER 109, LAWS OF 2022, TO REVISE THE APPROPRIATION OF GULF COAST RESTORATION FUNDS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2023 TO REVISE THE USE OF FUNDS FOR THE STONE COUNTY ECONOMIC DEVELOPMENT PARTNERSHIP; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2447:** Rules

AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO DESIGNATE JUNE 19 AS JUNETEENTH FREEDOM DAY, AND TO CLARIFY WHEN A LEGAL HOLIDAY WILL BE CELEBRATED IF THE HOLIDAY FALLS ON A SATURDAY OR SUNDAY; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2448:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MAGNOLIA SPEECH SCHOOL; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2449:** Finance

AN ACT TO AMEND SECTIONS 27-67-5, 27-67-7 AND 27-67-11, MISSISSIPPI CODE OF 1972, TO MAKE MINOR TECHNICAL CHANGES; TO BRING FORWARD SECTIONS 27-65-3, 27-65-7, 27-65-9, 27-65-17, 27-65-19, 27-65-23, 27-65-93, 27-65-101 AND 27-67-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins, Sparks

**S. B. No. 2450:** Accountability, Efficiency, Transparency

AN ACT TO BRING FORWARD SECTIONS 25-41-1, 25-41-3, 25-41-5, 25-41-7, 25-41-9, 25-41-11, 25-41-13, 25-41-15, AND 25-41-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2451:** Finance

AN ACT TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO EXCLUDE FORGIVEN, CANCELLED OR DISCHARGED FEDERAL STUDENT LOAN DEBT FROM THE DEFINITION OF "GROSS INCOME" FOR STATE INCOME TAX PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2452:** Finance

AN ACT TO AMEND SECTION 27-19-48, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT VETERANS WITH A PROPER IDENTIFICATION CARD ISSUED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS ARE EXEMPT FROM PAYING THE ADDITIONAL FEE FOR A PERSONALIZED LICENSE TAG; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2453:** Appropriations

AN ACT TO AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT CERTAIN ENTITIES ARE ELIGIBLE TO PARTICIPATE IN THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2454:** Appropriations

AN ACT TO BRING FORWARD SECTION 27-103-125, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-139, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-203, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-211, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-213, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS DURING FISCAL YEAR 2023 FROM THE CAPITAL EXPENSE FUND; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2455:** Finance

AN ACT TO AMEND SECTION 63-17-75, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE INDEPENDENCE OF THE MOTOR VEHICLE DEALERSHIP TIER FROM OWNERSHIP OR CONTROL BY A MANUFACTURER, FACTORY BRANCH, DISTRIBUTOR, DISTRIBUTOR BRANCH OR SUBSIDIARY THEREOF, WITH RESPECT TO THE SAME TYPE OR CLASSIFICATION OF MOTOR VEHICLE; TO AMEND SECTION 63-17-109, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN EXCEPTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, McMahan, McCaughn, Barrett, Boyd, McLendon, Carter, Blackwell, Turner-Ford, Suber, Whaley, Branning, Tate, Horhn, Hickman, Younger, Williams, DeLano, Barnett

**S. B. No. 2456:** Finance

AN ACT TO ESTABLISH A REVOLVING LOAN PROGRAM FOR THE PURPOSE OF MAKING LOANS TO ASSIST RURAL COUNTIES AND MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH EMERGENCY REPAIR, MAINTENANCE, CONSTRUCTION, RECONSTRUCTION, UPGRADES OF AND IMPROVEMENTS TO INFRASTRUCTURE PROJECTS; TO PROVIDE THAT THE MISSISSIPPI DEVELOPMENT AUTHORITY SHALL ADMINISTER THE REVOLVING LOAN PROGRAM CREATED IN THIS ACT; TO CREATE A SPECIAL FUND IN THE STATE TREASURY, DESIGNATED AS THE "RURAL COUNTIES AND MUNICIPALITIES EMERGENCY INFRASTRUCTURE IMPROVEMENTS FUND"; TO AUTHORIZE THE ISSUANCE OF \$10,000,000.00 OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE "RURAL COUNTIES AND MUNICIPALITIES EMERGENCY INFRASTRUCTURE IMPROVEMENTS FUND"; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2457:** Appropriations

AN ACT TO ENACT THE REPAIR OUR INFRASTRUCTURE (ROI) ACT; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO DEFINE TERMS; TO ESTABLISH THE REPAIR OUR INFRASTRUCTURE (ROI) PROGRAM WITHIN THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN ORDER TO DISTRIBUTE

INFRASTRUCTURE FUNDS TO THE MUNICIPALITIES AND COUNTIES IN THIS STATE; TO DIRECT MUNICIPALITIES TO EXPEND THE MONIES RECEIVED UNDER THIS ACT TO PAY FOR REPAIR TO ROADS, STREET, BRIDGES, WATER INFRASTRUCTURE, STORMWATER INFRASTRUCTURE AND/OR SEWER INFRASTRUCTURE; TO DIRECT COUNTIES TO EXPEND THE MONIES RECEIVED UNDER THIS ACT TO PAY FOR REPAIR TO ROADS, STREETS, BRIDGES AND/OR STORMWATER INFRASTRUCTURE; TO SET OUT THE FORMULAS BY WHICH THE DEPARTMENT IS TO DISTRIBUTE THE FUNDS UNDER THE PROGRAM; TO PROVIDE THAT THE DEPARTMENT OF AUDIT SHALL HAVE THE NECESSARY POWERS AND IT SHALL BE THE DUTY OF THE DEPARTMENT OF AUDIT TO AUDIT ANY FUNDS DISTRIBUTED TO ANY MUNICIPALITY OR ANY COUNTY UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2458:** Finance

AN ACT TO CREATE NEW SECTION 27-7-5.1, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE 2023 MISSISSIPPI TAX REBATE FUND IN THE STATE TREASURY; TO PROVIDE THAT UP TO \$270,000,000.00, LESS ADMINISTRATIVE COSTS, SHALL BE DISTRIBUTED BY THE DEPARTMENT OF REVENUE TO PAY REBATES TO TAXPAYERS, WHICH MONIES SHALL BE CONTINUOUSLY APPROPRIATED; TO PROVIDE THAT, AFTER FILING A 2022 MISSISSIPPI INCOME TAX RETURN, ANY TAXPAYER WHO ALSO FILED A 2021 MISSISSIPPI INCOME TAX RETURN SHALL RECEIVE A ONE-TIME, NONTAXABLE INCOME TAX REBATE IN AN AMOUNT EQUAL TO THE LESSER OF THE 2021 INCOME TAX AMOUNT DUE, IF ANY, BEFORE THE APPLICATION OF ANY TAX CREDITS, OR A SET FIGURE DEPENDING ON THE TAXPAYER'S 2021 FILING STATUS, THAT FIGURE BEING \$250.00 FOR SINGLE TAXPAYERS AND MARRIED TAXPAYERS FILING SEPARATELY, \$375.00 FOR HEADS OF FAMILIES AND \$500.00 FOR A MARRIED COUPLE FILING JOINTLY; TO PROVIDE FOR PRORATION OF THE REBATE FOR NONRESIDENTS AND PART-YEAR RESIDENTS; TO PROVIDE THAT THE REBATE SHALL NOT BE GREATER THAN THE TAXPAYER'S 2021 INDIVIDUAL INCOME TAX LIABILITY; TO REQUIRE THAT THE REBATE FIRST BE CREDITED AGAINST ANY OUTSTANDING TAX LIABILITY EXISTING AT THE TIME THE REBATE IS TO BE ISSUED; TO PROHIBIT THE REBATE FROM ACCRUING INTEREST FOR THE BENEFIT OF THE TAXPAYER OR FROM BEING REFUNDED OR CREDITED TO THE TAXPAYER WITH INTEREST; TO PROVIDE THAT THE AMOUNT DUE TO BE REFUNDED OR CREDITED SHALL BE SUBJECT TO SETOFF DEBT COLLECTION PROVISIONS; TO AUTHORIZE THE COMMISSIONER OF REVENUE TO PROMULGATE ANY RULES OR REGULATIONS NECESSARY TO IMPLEMENT AND ADMINISTER THE REBATE AND ITS FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER FUNDS OUT OF THE STATE GENERAL FUND TO THE 2023 MISSISSIPPI TAX REBATE FUND CREATED IN THIS ACT; TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO EXCLUDE REBATES RECEIVED UNDER THIS ACT FROM THE DEFINITION OF THE TERM "GROSS INCOME" FOR PURPOSES OF THE STATE INCOME TAX LAW; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2459:** Finance

AN ACT TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO REDUCE AND PHASE OUT THE STATE INCOME TAX ON THE TAXABLE INCOME OF INDIVIDUALS IN EXCESS OF \$10,000.00; AND FOR RELATED PURPOSES.

By Senator(s) Caughman, Moran

**S. B. No. 2460:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY AGRICULTURAL PROGRAMS TO DEFRAY EXPENSES TO STRENGTHEN ENVIRONMENTAL SCIENCE RESEARCH AND EXTENSION PROGRAMS FOR FISCAL YEAR 2024.

By Senator(s) Butler (36th), Turner-Ford, Simmons (13th)

**S. B. No. 2461:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY AGRICULTURAL PROGRAMS TO DEFRAY EXPENSES TO STRENGTHEN SUPPORT OF POULTRY SCIENCE RESEARCH, EXTENSION AND ACADEMIC PROGRAMS FOR FISCAL YEAR 2024.

By Senator(s) Butler (36th), Turner-Ford, Simmons (13th)

**S. B. No. 2462:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY AGRICULTURAL PROGRAMS TO DEFRAY EXPENSES TO SUPPORT ANIMAL SCIENCE RESEARCH AND EXTENSION PROGRAMS FOR FISCAL YEAR 2024.

By Senator(s) Butler (36th), Turner-Ford, Simmons (13th)

**S. B. No. 2463:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES FOR EXPANDING THE UNIVERSITY'S FIBER-OPTIC BROADBAND NETWORK FOR FISCAL YEAR 2024.

By Senator(s) Butler (36th), Turner-Ford, Simmons (13th)

**S. B. No. 2464:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR RENOVATIONS TO THE CLAIBORNE COUNTY LIBRARY FOR FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2465:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM THE 2023 MISSISSIPPI TAX REBATE FUND TO THE MISSISSIPPI DEPARTMENT OF REVENUE FOR THE PURPOSE OF DISTRIBUTING REBATES TO TAXPAYERS FOR THE FISCAL YEAR 2024.

By Senator(s) Harkins

**S. B. No. 2466:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT AND CONSTRUCTION OF BALL FIELDS, BASKETBALL COURTS, OTHER PLAYGROUND EQUIPMENT AND A MULTIPURPOSE COMMUNITY CENTER FOR FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2467:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR REPAIRS AND IMPROVEMENTS TO HISTORICAL STRUCTURES IN THE COUNTY FOR FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2468:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO CLAIBORNE COUNTY TO DEFRAY EXPENSES FOR THE IMPLEMENTATION OF THE CLAIBORNE COUNTY WATERSHED-BASED STORMWATER MANAGEMENT PROGRAM FOR FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2469:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES FOR THE UNIVERSITY'S WATER AND SEWER SYSTEMS FOR FISCAL YEAR 2024.  
By Senator(s) Butler (36th), Turner-Ford, Simmons (13th)

**S. B. No. 2470:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES FOR STEM-RELATED PROGRAMS FOR FISCAL YEAR 2024.  
By Senator(s) Butler (36th), Turner-Ford, Simmons (13th)

**S. B. No. 2471:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO ALCORN STATE UNIVERSITY TO DEFRAY EXPENSES TO UPGRADE ROADWAYS AND SIDEWALKS FOR FISCAL YEAR 2024.  
By Senator(s) Butler (36th), Turner-Ford, Simmons (13th)

**S. B. No. 2472:** Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO BRING SECTION 67-1-51, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.  
By Senator(s) Horhn

**S. B. No. 2473:** Finance

AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO INCREASE FROM 18.5% TO 20% THE PORTION OF SALES TAX REVENUE COLLECTED ON BUSINESS ACTIVITIES WITHIN A MUNICIPAL CORPORATION TO BE ALLOCATED FOR DISTRIBUTION TO THE MUNICIPALITY; TO EXTEND THE REPEALER ON THE PROVISION DIVERTING \$1,666,666.00 MONTHLY TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; AND FOR RELATED PURPOSES.  
By Senator(s) Johnson

**S. B. No. 2474:** Accountability, Efficiency, Transparency

AN ACT TO BRING FORWARD SECTIONS 29-5-201, 29-5-203, 29-5-205, 29-5-207, 29-5-209, 29-5-211, 29-5-213, 29-5-215, 29-5-217 FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.  
By Senator(s) Polk

**S. B. No. 2475:** Accountability, Efficiency, Transparency

AN ACT TO EXEMPT THE PERSONAL IDENTIFYING INFORMATION OF DEPARTMENT OF MARINE RESOURCES LICENSE HOLDERS FROM THE MISSISSIPPI PUBLIC RECORDS ACT; AND FOR RELATED PURPOSES.  
By Senator(s) Moran

**S. B. No. 2476:** Accountability, Efficiency, Transparency

AN ACT TO BRING FORWARD SECTION 25-53-191, MISSISSIPPI CODE OF 1972, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.  
By Senator(s) Kirby

**S. B. No. 2477:** Finance

AN ACT TO CREATE NEW SECTION 27-7-5.1, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE 2023 MISSISSIPPI TAX REBATE FUND IN THE STATE TREASURY; TO PROVIDE THAT UP TO \$250,000,000.00, LESS ADMINISTRATIVE COSTS, SHALL BE DISTRIBUTED BY THE DEPARTMENT OF REVENUE TO PAY REBATES TO TAXPAYERS, WHICH MONIES ARE TO BE CONTINUOUSLY

APPROPRIATED; TO PROVIDE THAT, AFTER FILING A 2022 MISSISSIPPI INCOME TAX RETURN, ANY TAXPAYER WHO ALSO FILED A 2021 MISSISSIPPI INCOME TAX RETURN SHALL RECEIVE A ONE-TIME, NONTAXABLE INCOME TAX REBATE CHECK IN AN AMOUNT APPROXIMATELY EQUAL TO 7-1/2% OF THE 2021 INCOME TAX AMOUNT DUE, IF ANY, BEFORE THE APPLICATION OF ANY TAX CREDITS, OR \$50.00 PER TAXPAYER AND EACH DEPENDENT, WHICHEVER IS MORE; TO PROVIDE A \$1,000.00 REBATE CAP PER TAXPAYER; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2478:** Finance

AN ACT TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO ARE RECEIVING A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHO ARE ELECTED AS A MEMBER OF THE LEGISLATURE AFTER RETIREMENT, AND MEMBERS OF THE LEGISLATURE WHO ARE ELIGIBLE TO RECEIVE A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHILE SERVING AS A MEMBER OF THE LEGISLATURE, MAY RECEIVE A RETIREMENT ALLOWANCE FROM THE SYSTEM WHILE SERVING AS A MEMBER OF THE LEGISLATURE IN ADDITION TO RECEIVING THE REGULAR COMPENSATION FOR MEMBERS OF THE LEGISLATURE; TO PROVIDE THAT THOSE PERSONS SHALL NOT BE ACTIVE MEMBERS OF THE RETIREMENT SYSTEM AND SHALL NOT RECEIVE ANY CREDITABLE SERVICE FOR THE PERIOD DURING WHICH THEY RECEIVE A RETIREMENT ALLOWANCE WHILE SERVING AS A MEMBER OF THE LEGISLATURE; TO AMEND SECTION 25-11-105, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 25-11-127, MISSISSIPPI CODE OF 1972, TO REQUIRE THOSE PERSONS TO PAY THE FULL AMOUNT OF THE EMPLOYEE'S CONTRIBUTIONS ON THE AMOUNT OF COMPENSATION RECEIVED FOR SERVING AS A MEMBER OF THE LEGISLATURE; TO PROVIDE THAT THOSE PERSONS WILL NOT RECEIVE ANY ADDITIONAL CREDITABLE SERVICE IN THE RETIREMENT SYSTEM AS A RESULT OF THE PAYMENT OF THE EMPLOYEE'S CONTRIBUTION; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2479:** Finance

AN ACT TO AMEND SECTIONS 25-11-103, 25-11-105, 25-11-109, 25-11-111, 25-11-113, 25-11-114, 25-11-117, 25-11-311 AND 25-11-315, MISSISSIPPI CODE OF 1972, TO REDUCE THE VESTING PERIOD FOR RETIREMENT BENEFITS IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FROM EIGHT YEARS TO FOUR YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2480:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CAPITAL EXPENSE FUNDS TO THE EMERGENCY ROAD AND BRIDGE REPAIR FUND TO BE UTILIZED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR THE FISCAL YEAR 2024.

By Senator(s) Branning

**S. B. No. 2481:** Finance

AN ACT TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, TO ALLOW A TAXPAYER TO ELECT A REBATE IN PLACE OF THE HISTORIC PROPERTY INCOME TAX CREDIT AT ANY TIME AFTER CERTIFICATION OF THE CREDIT; TO PROVIDE THAT, IF THE TAXPAYER HAS PREVIOUSLY UTILIZED A CREDIT ON THE INCOME TAX RETURN, THEN THE AVAILABLE REBATE WILL BE REDUCED BY THE AMOUNT OF CREDIT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2482:** Finance

AN ACT TO AMEND SECTION 63-21-16, MISSISSIPPI CODE OF 1972, TO ALLOW THE DEPARTMENT OF REVENUE TO TRANSMIT LIENS AND RECEIVE LIEN SATISFACTIONS ELECTRONICALLY; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2483:** Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI STATE EMPLOYEE MATERNITY LEAVE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hickman, Simmons (12th)

**S. B. No. 2484:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-21-153, MISSISSIPPI CODE OF 1972, TO DEFINE NEW TERMS AND REVISE THE DEFINITIONS OF EXISTING TERMS UNDER THE PHARMACY BENEFIT PROMPT PAY ACT; TO CREATE NEW SECTION 73-21-154, MISSISSIPPI CODE OF 1972, TO PROHIBIT HEALTH INSURANCE ISSUERS AND PHARMACY BENEFIT MANAGERS FROM CERTAIN DISCRIMINATORY PRACTICES RELATING TO ENTITIES PARTICIPATING IN THE FEDERAL 340B DRUG PRICING PROGRAM; TO AMEND SECTION 73-21-155, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY BENEFIT MANAGERS FROM REIMBURSING A PHARMACY OR PHARMACIST FOR A PRESCRIPTION DRUG OR PHARMACIST SERVICE IN A NET AMOUNT LESS THAN THE NATIONAL AVERAGE DRUG ACQUISITION COST FOR THE PRESCRIPTION DRUG OR PHARMACIST SERVICE IN EFFECT AT THE TIME THE DRUG OR SERVICE IS ADMINISTERED OR DISPENSED, PLUS A PROFESSIONAL DISPENSING FEE; TO AMEND SECTION 73-21-156, MISSISSIPPI CODE OF 1972, TO REQUIRE PHARMACY BENEFIT MANAGERS TO PROVIDE A REASONABLE ADMINISTRATIVE APPEAL PROCEDURE TO ALLOW PHARMACIES TO CHALLENGE A REIMBURSEMENT FOR A SPECIFIC DRUG OR DRUGS AS BEING BELOW THE REIMBURSEMENT RATE REQUIRED BY THE PRECEDING PROVISION; TO PROVIDE THAT IF THE APPEAL IS UPHOLD, THE PHARMACY BENEFIT MANAGER SHALL MAKE THE CHANGE IN THE PAYMENT TO THE REQUIRED REIMBURSEMENT RATE; TO AMEND SECTION 73-21-157, MISSISSIPPI CODE OF 1972, TO REQUIRE A PHARMACY SERVICES ADMINISTRATIVE ORGANIZATION TO PROVIDE TO A PHARMACY OR PHARMACIST A COPY OF ANY CONTRACT ENTERED INTO ON BEHALF OF THE PHARMACY OR PHARMACIST BY THE PHARMACY SERVICES ADMINISTRATIVE ORGANIZATION; TO CREATE NEW SECTION 73-21-158, MISSISSIPPI CODE OF 1972, TO REQUIRE PHARMACY BENEFIT MANAGERS TO PASS ON TO THE PLAN SPONSOR ALL REBATES AND PAYMENTS THAT IT RECEIVES FROM PHARMACEUTICAL MANUFACTURERS IN CONNECTION WITH CLAIMS ADMINISTERED ON BEHALF OF THE PLAN SPONSOR; TO REQUIRE PHARMACY BENEFIT MANAGERS TO REPORT ANNUALLY TO EACH PLAN SPONSOR THE AGGREGATE AMOUNT OF ALL REBATES AND OTHER PAYMENTS THAT THE PHARMACY BENEFIT MANAGER RECEIVED FROM PHARMACEUTICAL MANUFACTURERS IN CONNECTION WITH CLAIMS ADMINISTERED ON BEHALF OF THE PLAN SPONSOR; TO AMEND SECTION 73-21-161, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACIES, PHARMACY BENEFIT MANAGERS AND PHARMACY BENEFIT MANAGER AFFILIATES FROM ORDERING A PATIENT TO USE AN AFFILIATE PHARMACY OF ANOTHER PHARMACY BENEFIT MANAGER, OR OFFERING OR IMPLEMENTING PLAN DESIGNS THAT PENALIZE A PATIENT WHEN A PATIENT CHOOSES NOT TO USE AN AFFILIATE PHARMACY OR THE AFFILIATE PHARMACY OF ANOTHER PHARMACY BENEFIT MANAGER, OR INTERFERING WITH THE PATIENT'S RIGHT TO CHOOSE THE PATIENT'S PHARMACY OR PROVIDER OF CHOICE; TO CREATE NEW SECTION 73-21-162, MISSISSIPPI CODE OF 1972, TO PROHIBIT PHARMACY BENEFIT MANAGERS AND PHARMACY BENEFIT MANAGER AFFILIATES FROM PENALIZING OR RETALIATING AGAINST A PHARMACIST, PHARMACY OR PHARMACY EMPLOYEE FOR EXERCISING ANY RIGHTS UNDER THIS ACT, INITIATING ANY JUDICIAL OR REGULATORY ACTIONS, OR APPEARING BEFORE ANY GOVERNMENTAL AGENCY, LEGISLATIVE MEMBER OR BODY OR ANY JUDICIAL AUTHORITY; TO AMEND SECTION 73-21-163,

MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF PHARMACY, FOR THE PURPOSES OF CONDUCTING INVESTIGATIONS, TO CONDUCT EXAMINATIONS OF PHARMACY BENEFIT MANAGERS AND TO ISSUE SUBPOENAS TO OBTAIN DOCUMENTS OR RECORDS THAT IT DEEMS RELEVANT TO THE INVESTIGATION; AND FOR RELATED PURPOSES.

By Senator(s) Parks, Branning, Barrett, Caughman, Polk, Suber, Boyd, Blount, Younger, Whaley, Fillingane, Chassaniol, Kirby, Butler (36th), Sparks, Frazier, Butler (38th), Norwood, Thomas, Barnett, Jackson, Hill, McCaughn, Seymour

**S. B. No. 2485:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-87-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF QUALIFIED PERSONNEL WHO PROVIDE EARLY INTERVENTION SERVICES UNDER THE EARLY INTERVENTION ACT FOR INFANTS AND TODDLERS TO INCLUDE INDIVIDUALS WHO HOLD A DEGREE IN HUMAN DEVELOPMENT AND FAMILY SCIENCE OR CHILD AND FAMILY SCIENCE WITH A CONCENTRATION IN CHILD DEVELOPMENT AND LICENSURE IN PRE-KINDERGARTEN TO KINDERGARTEN; AND FOR RELATED PURPOSES.

By Senator(s) Hickman, Boyd, Jackson

**S. B. No. 2486:** Universities and Colleges

AN ACT TO BRING FORWARD SECTIONS 37-97-101, 37-97-103, 37-97-105, 37-97-107 AND 37-97-109, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 73-42-1, 73-42-3, 73-42-5, 73-42-7, 73-42-9, 73-42-11, 73-42-13, 73-42-15, 73-42-17, 73-42-19, 73-42-21, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-31, 73-42-33, 73-42-34, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, WHICH IS THE MISSISSIPPI UNIFORM AGENTS ACT, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2487:** Universities and Colleges; Appropriations

AN ACT TO CREATE NEW SECTION 37-106-85, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE MISSISSIPPI DUAL CREDIT SCHOLARSHIP PROGRAM TO BE ADMINISTERED BY THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO SET CERTAIN DEFINITIONS; TO CREATE NEW SECTION 37-106-87, MISSISSIPPI CODE OF 1972, TO SET ELIGIBILITY FOR FUNDING AND PARTICIPATION; TO PROVIDE THAT ALL PARTICIPATING INSTITUTIONS SHALL BE REIMBURSED AT THE RATE OF 40% OF THE AVERAGE COMMUNITY COLLEGE CREDIT HOUR TUITION RATE FOR THE CURRENT ACADEMIC YEAR; TO SET CERTAIN EXCLUSIONS; TO CREATE NEW SECTION 37-106-89, MISSISSIPPI CODE OF 1972, TO SET ELIGIBILITY REQUIREMENTS FOR SCHOLARSHIPS; TO PROVIDE THAT EACH ELIGIBLE STUDENT MAY BE QUALIFIED FOR FUNDING OF UP TO FIFTEEN DUAL CREDIT SEMESTER CREDIT HOURS PRIOR TO HIGH SCHOOL GRADUATION; TO SET CERTAIN REQUIREMENTS OF THE PROGRAM; TO CREATE NEW SECTION 37-106-91, MISSISSIPPI CODE OF 1972, TO SET CERTAIN CRITERIA TO PARTICIPATE IN THE PROGRAM; TO PROVIDE OTHER REQUIREMENTS OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2488:** Universities and Colleges; Appropriations

AN ACT TO ENACT THE MISSISSIPPI PROMISE SCHOLARSHIP ACT; TO REQUIRE THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD TO ADMINISTER THE MISSISSIPPI PROMISE SCHOLARSHIP PROGRAM FOR RESIDENTS OF THIS STATE SEEKING AN ASSOCIATE'S DEGREE, CERTIFICATE OR DIPLOMA FROM AN ELIGIBLE POSTSECONDARY INSTITUTION; TO SET THE ELIGIBILITY STANDARDS; TO REQUIRE SCHOLARSHIP RECIPIENTS TO PARTICIPATE IN MENTORING AND COMMUNITY SERVICE PROGRAMS; TO REQUIRE THE BOARD TO DEVELOP THE SELECTION AND RENEWAL CRITERIA



FOR STUDENTS AND SHALL HAVE THE AUTHORITY TO WORK WITH OUTSIDE ORGANIZATIONS TO DEVELOP THE MOST EFFECTIVE MEANS FOR DELIVERING THE SCHOLARSHIPS; TO PROVIDE THAT MISSISSIPPI PROMISE SCHOLARSHIP AT A MISSISSIPPI PUBLIC TWO YEAR POSTSECONDARY INSTITUTION SHALL BE THE COST OF TUITION AND MANDATORY FEES AT THE ELIGIBLE POSTSECONDARY INSTITUTION ATTENDED LESS ALL OTHER GIFT AID; TO REQUIRE THE BOARD, MISSISSIPPI DEPARTMENT OF EDUCATION, MISSISSIPPI COMMUNITY COLLEGE BOARD AND MISSISSIPPI INSTITUTIONS OF HIGHER LEARNING TO PROVIDE ASSISTANCE TO THE LEGISLATURE BY RESEARCHING AND ANALYZING DATA CONCERNING THE SCHOLARSHIP PROGRAM CREATED UNDER THIS PART, INCLUDING, BUT NOT LIMITED TO, STUDENT SUCCESS AND SCHOLARSHIP RETENTION; TO PROVIDE THAT THE "MISSISSIPPI PROMISE SCHOLARSHIP PROGRAM FUND," SHALL BE CREATED AS A SPECIAL FUND IN THE STATE TREASURY FROM WHICH THE GRANTS AUTHORIZED BY THIS ACT SHALL BE DISBURSED BY THE OFFICE; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2489:** Public Health and Welfare; Appropriations

AN ACT TO CREATE NEW SECTION 41-9-353, MISSISSIPPI CODE OF 1972, TO CREATE THE SPECIALTY DOCTORS TO RURAL HOSPITALS GRANT PROGRAM FOR THE PURPOSE OF ENSURING THE AVAILABILITY OF SPECIALTY DOCTORS IN RURAL HOSPITALS WHEN A MAJOR HOSPITAL INDICATES TO A RURAL HOSPITAL EMERGENCY DOCTOR THAT THE MAJOR HOSPITAL IS ON DIVERSION; TO PROVIDE THAT THE DEPARTMENT OF HEALTH SHALL ADMINISTER AND DISTRIBUTE GRANT FUNDS TO RURAL HOSPITALS FOR SUCH PURPOSE; TO PROVIDE CERTAIN CONSIDERATIONS THAT THE DEPARTMENT SHALL MAKE FOR ESTABLISHING A PAYMENT STRUCTURE; TO REQUIRE THE DEPARTMENT OF HEALTH TO PROMULGATE RULES AND REGULATIONS TO ACCOMPLISH THE PURPOSE OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2490:** Universities and Colleges

AN ACT TO CREATE THE "REINFORCING COLLEGE EDUCATION ON AMERICA'S CONSTITUTIONAL HERITAGE ACT" OR THE "REACH ACT"; TO REQUIRE THAT EACH INSTITUTION OF HIGHER LEARNING MUST PROVIDE INSTRUCTION CONCERNING THE UNITED STATES CONSTITUTION, THE DECLARATION OF INDEPENDENCE, THE FEDERALIST PAPERS, THE EMANCIPATION PROCLAMATION, ABRAHAM LINCOLN'S GETTYSBURG ADDRESS, AND DR. MARTIN LUTHER KING JR.'S LETTER FROM BIRMINGHAM JAIL TO EACH UNDERGRADUATE STUDENT FOR THREE SEMESTER CREDIT HOURS; TO CREATE EXCEPTIONS TO THE REQUIREMENT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2491:** Corrections; Judiciary, Division B

AN ACT TO CREATE A NEW SECTION WITHIN TITLE 47, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO REQUIRE AN OFFENDER WHO IS PLACED ON PROBATION OR RELEASED ON PAROLE TO AGREE TO A WAIVER AS A CONDITION OF PAROLE THAT AUTHORIZES ANY LAW ENFORCEMENT OFFICER TO CONDUCT A WARRANTLESS SEARCH OF THE OFFENDER'S PERSON, PLACE OF RESIDENCE OR MOTOR VEHICLE FOR THE PURPOSES OF DETERMINING IF THE OFFENDER IS IN VIOLATION OF ANY WEAPON- OR FIREARM-RELATED OFFENSES; TO PROVIDE THAT THE WARRANTLESS SEARCH SHALL BE CONDUCTED IN A REASONABLE MANNER BUT SHALL NOT NEED TO BE BASED ON AN ARTICULABLE SUSPICION THAT THE OFFENDER IS COMMITTING OR HAS COMMITTED A CRIMINAL OFFENSE; TO REQUIRE THE OFFENDER TO ACKNOWLEDGE AND SIGN THE WAIVER BEFORE THE OFFENDER'S RELEASE; TO PROVIDE THAT AN OFFENDER WHO FAILS TO SIGN THE WAIVER IS INELIGIBLE FOR RELEASE ON PROBATION OR PAROLE; TO DEFINE THE TERM "RESIDENCE"; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2492:** Energy

AN ACT TO AMEND SECTION 77-3-3, MISSISSIPPI CODE OF 1972, TO ALLOW FOR ELECTRIC VEHICLE CHARGING BY NON-UTILITIES WHILE MAINTAINING CONSUMER PROTECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2493:** Judiciary, Division B

AN ACT TO PROVIDE FOR WIRETAPS FOR FELONY CRIMES OTHER THAN NARCOTIC-RELATED CRIMES; TO REQUIRE THAT APPLICATION FOR WIRETAPS BE MADE BY THE MISSISSIPPI BUREAU OF INVESTIGATIONS IN CONJUNCTION WITH LOCAL LAW ENFORCEMENT; TO REQUIRE APPLICATION BE SUBMITTED IN WRITING UNDER OATH TO A CIRCUIT COURT JUDGE; TO REQUIRE AN APPLICATION TO INCLUDE CERTAIN INFORMATION; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2494:** Energy

AN ACT TO AMEND SECTIONS 77-3-705, 77-3-707, 77-3-709, 77-3-711, 77-3-713, 77-3-715, 77-3-717, 77-3-721, 77-3-725, 77-3-727, 77-3-731, 77-3-733, 77-3-735, 75-24-1, AND 75-24-5, MISSISSIPPI CODE OF 1972, TO TRANSFER ENFORCEMENT OF THE MISSISSIPPI TELEPHONE SOLICITATION ACT TO THE CONSUMER PROTECTION DIVISION OF THE ATTORNEY GENERAL'S OFFICE; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2495:** Corrections; Appropriations

AN ACT TO AMEND SECTIONS 47-5-901 AND 47-5-903, MISSISSIPPI CODE OF 1972, TO ALLOW AN INMATE PLACED UNDER THE CUSTODY OF THE DEPARTMENT OF CORRECTIONS TO SERVE ALL OR PART OF HIS SENTENCE IN THE COUNTY REQUESTED BY A SHERIFF OR BOARD OF SUPERVISORS OUTSIDE THE COUNTY OF CONVICTION UPON CERTAIN CONDITIONS; TO INCREASE THE MAXIMUM PER DAY COST PER PRISONER; TO AMEND SECTION 47-5-909, MISSISSIPPI CODE OF 1972, TO EXPEDITE THE REMOVAL OF INMATES FROM COUNTY JAILS BY DIRECTING THE DEPARTMENT OF CORRECTIONS TO PAY COUNTY JAILS FOR HOUSING STATE OFFENDERS; TO AMEND SECTION 99-19-42, MISSISSIPPI CODE OF 1972, TO INCREASE THE RATE OF PAY FOR HOUSING STATE OFFENDERS IN COUNTY JAILS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks, Tate, McMahan, DeLano, McCaughn, Younger, Moran, McLendon, England, Thompson, Blackwell, Suber, Boyd, Whaley, Seymour, Williams, Barrett, Chism

**S. B. No. 2496:** Accountability, Efficiency, Transparency

AN ACT TO REQUIRE THE DEPARTMENT OF AUDIT TO CONDUCT A PERFORMANCE AUDIT OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2497:** Elections

AN ACT TO ENACT THE MISSISSIPPI ELECTIONS INTEGRITY ACT OF 2023; TO PROVIDE THAT ANY PERSON SUBMITTING A VOTER REGISTRATION APPLICATION MUST PRESENT CERTAIN DOCUMENTS TO PROVE HIS OR HER STATUS AS A UNITED STATES CITIZEN; TO CODIFY NEW SECTION 23-15-15.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM SHALL BE COMPARED TO THE IDENTIFICATION DATABASES A SINGLE TIME TO ENSURE NON-UNITED STATES CITIZENS ARE NOT REGISTERED TO VOTE; TO PROVIDE THE NOTIFICATION REQUIRED WHEN A NON-UNITED STATES CITIZEN IS FOUND TO BE REGISTERED TO VOTE; TO

PROVIDE THE DOCUMENTATION THAT MUST BE SUBMITTED AS PROOF OF CITIZENSHIP; TO REQUIRE ELECTION COMMISSIONERS TO INSPECT ALL EXISTING VOTER ROLLS AGAINST A VOTER'S SIGNATURE ON FILE ESTABLISHED BY THE SECRETARY OF STATE WITHIN A CERTAIN TIMEFRAME; TO REQUIRE THE OFFICIALS IN CHARGE OF THE ELECTION TO USE ONLY CERTAIN VOTING EQUIPMENT IN ANY ELECTION AFTER JANUARY 1, 2024; TO AMEND SECTION 23-15-625, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REGISTRAR TO COMPARE AN APPLICANT SIGNATURE ON THE APPLICATION FOR AN ABSENTEE BALLOT AGAINST THE VOTER'S SIGNATURE ON FILE; TO REQUIRE THE REGISTRAR TO DENY THE APPLICATION AND NOT MAIL A BALLOT IF THE SIGNATURE DOES NOT MATCH; TO AMEND SECTIONS 23-15-33, 23-15-39 AND 23-15-47, 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 23-15-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE DOCUMENTATION THAT A NATURALIZED CITIZEN MUST PRESENT IN ORDER TO REGISTER TO VOTE OR TO VOTE; TO PROVIDE FOR THE REPEAL SECTIONS 23-15-531, 23-15-531.1, 23-15-531.2, 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9, 23-15-531.10 AND 23-15-531.12, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE AUTHORITY FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT AT POLLING PLACES, ON A CERTAIN DATE; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2498:** Elections

AN ACT TO ENACT THE MISSISSIPPI ELECTIONS INTEGRITY ACT OF 2023; TO PROVIDE THAT ANY PERSON SUBMITTING A VOTER REGISTRATION APPLICATION MUST PRESENT CERTAIN DOCUMENTS TO PROVE HIS OR HER STATUS AS A UNITED STATES CITIZEN; TO CODIFY NEW SECTION 23-15-15.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM SHALL BE COMPARED TO THE IDENTIFICATION DATABASES A SINGLE TIME TO ENSURE NON-UNITED STATES CITIZENS ARE NOT REGISTERED TO VOTE; TO PROVIDE THE NOTIFICATION REQUIRED WHEN A NON-UNITED STATES CITIZEN IS FOUND TO BE REGISTERED TO VOTE; TO PROVIDE THE DOCUMENTATION THAT MUST BE SUBMITTED AS PROOF OF CITIZENSHIP; TO REQUIRE ELECTION COMMISSIONERS TO INSPECT ALL EXISTING VOTER ROLLS AGAINST A VOTER'S SIGNATURE ON FILE ESTABLISHED BY THE SECRETARY OF STATE WITHIN A CERTAIN TIMEFRAME; TO REQUIRE THE OFFICIALS IN CHARGE OF THE ELECTION TO USE ONLY CERTAIN VOTING EQUIPMENT IN ANY ELECTION AFTER JANUARY 1, 2024; TO AMEND SECTION 23-15-625, MISSISSIPPI CODE OF 1972, TO REQUIRE THE REGISTRAR TO COMPARE AN APPLICANT SIGNATURE ON THE APPLICATION FOR AN ABSENTEE BALLOT AGAINST THE VOTER'S SIGNATURE ON FILE; TO REQUIRE THE REGISTRAR TO DENY THE APPLICATION AND NOT MAIL A BALLOT IF THE SIGNATURE DOES NOT MATCH; TO AMEND SECTIONS 23-15-33, 23-15-39 AND 23-15-47, 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTION 23-15-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE DOCUMENTATION THAT A NATURALIZED CITIZEN MUST PRESENT IN ORDER TO REGISTER TO VOTE OR TO VOTE; TO PROVIDE FOR THE REPEAL SECTIONS 23-15-531, 23-15-531.1, 23-15-531.2, 23-15-531.3, 23-15-531.4, 23-15-531.5, 23-15-531.6, 23-15-531.9, 23-15-531.10 AND 23-15-531.12, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE AUTHORITY FOR THE USE OF DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT AT POLLING PLACES, ON A CERTAIN DATE; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2499:** Elections

AN ACT TO PROVIDE THAT THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM SHALL BE COMPARED TO THE IDENTIFICATION DATABASES TO ENSURE NON-UNITED STATES CITIZENS ARE NOT REGISTERED TO VOTE; TO PROVIDE THE NOTIFICATION REQUIRED WHEN A NON-UNITED STATES CITIZEN

IS FOUND TO BE REGISTERED TO VOTE; TO PROVIDE THE DOCUMENTATION THAT MUST BE SUBMITTED AS PROOF OF CITIZENSHIP; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTION 23-15-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE DOCUMENTATION THAT A NATURALIZED CITIZEN MUST PRESENT IN ORDER TO REGISTER TO VOTE OR TO VOTE; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2500:** Elections

AN ACT TO CREATE THE MISSISSIPPI RECALL ACT OF 2023 TO PROVIDE A PROCEDURE FOR THE RECALL OF UNITED STATE SENATE AND HOUSE OF REPRESENTATIVE OFFICIALS FROM MISSISSIPPI, STATE OFFICIALS, MEMBERS OF THE LEGISLATURE AND LOCAL ELECTED OFFICIALS; TO PROVIDE DEFINITIONS; TO PRESCRIBE THOSE OFFICIALS SUBJECT TO RECALL; TO PRESCRIBE THE NUMBER OF ELECTORS NEEDED TO DEMAND A RECALL; TO PROVIDE FOR THE APPLICATION FOR AND TIME OF FILING A RECALL PETITION BY SPONSORS; TO PROVIDE A FORM FOR THE RECALL PETITION; TO PRESCRIBE THOSE ELECTORS ELIGIBLE TO SIGN A RECALL PETITION AND A PROCEDURE FOR THE VERIFICATION OF SIGNATURES; TO PROHIBIT CERTAIN PERSONS FROM CIRCULATING A PETITION OR APPLICATION; TO PROVIDE FOR THE DETERMINATION OF LEGAL SUFFICIENCY OF A PETITION BY THE LOCAL BOARD OF ELECTION COMMISSIONERS; TO PROVIDE FOR THE MANNER OF CONDUCTING A RECALL ELECTION; TO PROVIDE FOR THE FILING OF SUBSEQUENT RECALL PETITIONS FOLLOWING A RECALL ELECTION OR DENIAL OF RECALL PETITION; TO REQUIRE THE SECRETARY OF STATE TO PRINT THE APPLICATION FORMS AND PETITION FORMS AND DISTRIBUTE THE FORMS TO THE BOARDS OF ELECTION COMMISSIONERS; TO AUTHORIZE THE STATE BOARD OF ELECTION COMMISSIONERS TO PROMULGATE REGULATIONS TO IMPLEMENT THIS ACT; TO AUTHORIZE AN APPLICATION TO THE CIRCUIT COURT TO COMPEL COMPLIANCE WITH RECALL PROCEDURES; TO PROHIBIT GIVING OR RECEIVING MONEY TO SIGN PETITIONS OR AFFIDAVITS FOR RECALL AND OTHER RECALL INFRACTIONS, AND TO PROVIDE CRIMINAL PENALTIES THEREFOR; TO REPEAL SECTIONS 25-5-3 THROUGH 25-5-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE A RECALL PROCEDURE FOR LOCAL OFFICIALS PURSUANT TO PETITION AND ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2501:** Elections

AN ACT TO PROVIDE THAT ONLY REGISTERED VOTERS AFFILIATED WITH A POLITICAL PARTY MAY VOTE IN THE PARTY'S PRIMARY ELECTION; TO PROVIDE THAT REGISTERED VOTERS NOT AFFILIATED WITH A POLITICAL PARTY MAY VOTE IN ANY NONPARTISAN ELECTION HELD IN CONJUNCTION WITH A PARTY PRIMARY ELECTION; TO REQUIRE THE STATE EXECUTIVE COMMITTEE OF A POLITICAL PARTY TO DESIGNATE ANNUALLY ANY QUALIFICATIONS FOR ELECTORS TO BE ELIGIBLE TO VOTE IN THE PARTY'S PRIMARY ELECTION; TO AUTHORIZE THE SECRETARY OF STATE TO PRESCRIBE BY RULE A UNIFORM STATEWIDE VOTER REGISTRATION APPLICATION THAT SHALL BE USED TO DESIGNATE AN ELECTOR'S PARTY AFFILIATION; TO AMEND SECTIONS 23-15-575 AND 23-15-753, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON WHO VOTES IN A POLITICAL PARTY PRIMARY OTHER THAN THAT IN WHICH THE PERSON IS REGISTERED SHALL BE GUILTY OF VOTE FRAUD; TO AMEND SECTIONS 23-15-33, 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CIRCUIT AND MUNICIPAL CLERKS TO ENTER INTO THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM AN ELECTOR'S PARTY AFFILIATION AS DESIGNATED ON THE ELECTOR'S UNIFORM STATEWIDE VOTER REGISTRATION APPLICATION; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2502:** Elections

AN ACT TO AMEND SECTION 23-15-37, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE CIRCUIT CLERK TO INCLUDE SAFE PRESERVATION OF ALL BALLOTS AND ELECTION INFORMATION FOR A SPECIFIED PERIOD; TO REPEAL SECTIONS 23-15-621 THROUGH 23-15-657, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE ABSENTEE BALLOTING PROCEDURES LAW (SUBARTICLE A); TO REPEAL SECTIONS 23-15-711 THROUGH 23-15-721, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE ABSENTEE VOTER LAW (SUBARTICLE C); TO REPEAL SECTION 23-15-735, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS THE DELIVERY OF ABSENTEE BALLOTS TO VOTERS IN PERSON; TO AMEND SECTION 23-15-751, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO PENALIZE PARTIES RESPONSIBLE FOR MAINTAINING THE CHAIN OF CUSTODY OF BALLOTS AND OTHER ELECTION MATERIALS WHO FAIL TO DO SO; TO AMEND SECTION 23-15-755, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-391, MISSISSIPPI CODE OF 1972, TO REQUIRE MANUAL VOTE RECOUNTING OF EVERY ELECTION IN WHICH OPTICAL SCANNERS ARE INITIALLY USED; TO AMEND SECTION 23-15-613, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-523, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-545, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 97-13-43, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTIONS 23-15-531 THROUGH 23-15-531.12, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE CONDUCT OF ELECTIONS USING DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; TO CREATE NEW SECTION 23-15-615, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN POST-ELECTION AUDITS; TO BRING FORWARD SECTION 23-15-951, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 33-15-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DECLARATION OF EMERGENCY WILL HAVE NO EFFECT UPON THE CONDUCT OF ELECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Chism

**S. B. No. 2503:** Elections

AN ACT TO REQUIRE ALL CANDIDATES FOR ELECTED OFFICE TO FILE PROOF OF UNITED STATES CITIZENSHIP; TO AMEND SECTIONS 23-15-213, 23-15-299, 23-15-309, 23-15-359, 23-15-361, 23-15-857 AND 23-15-977, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2504:** Elections

AN ACT TO CREATE SECTION 23-15-299.1, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY PERSON WHO IS A CANDIDATE FOR ANY PUBLIC OFFICE FROM APPEARING IN PUBLICLY FUNDED ADVERTISEMENTS DURING THE YEAR BEFORE OR THE YEAR OF THE STATEWIDE GENERAL ELECTION; TO PROVIDE THAT THOSE CANDIDATES WHO VIOLATE THE PROHIBITION SHALL BE DISQUALIFIED FROM HOLDING ANY PUBLIC OFFICE UNTIL THE NEXT STATEWIDE GENERAL ELECTION; TO AMEND SECTIONS 23-15-297, 23-15-299, 23-15-359 AND 23-15-976, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2505:** Elections

AN ACT TO AMEND SECTION 23-15-37, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE CIRCUIT CLERK TO INCLUDE SAFE PRESERVATION OF ALL BALLOTS AND ELECTION INFORMATION FOR A SPECIFIED PERIOD; TO AMEND SECTION 23-15-39, MISSISSIPPI CODE OF 1972, TO REQUIRE PROOF OF CITIZENSHIP IN ORDER TO REGISTER TO VOTE; TO REPEAL SECTIONS 23-15-621 THROUGH 23-15-657, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE

ABSENTEE BALLOTING PROCEDURES LAW (SUBARTICLE A); TO REPEAL SECTIONS 23-15-711 THROUGH 23-15-721, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE ABSENTEE VOTER LAW (SUBARTICLE C); TO REPEAL SECTION 23-15-735, MISSISSIPPI CODE OF 1972, WHICH PROHIBITS THE DELIVERY OF ABSENTEE BALLOTS TO VOTERS IN PERSON; TO AMEND SECTION 23-15-751, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO PENALIZE PARTIES RESPONSIBLE FOR MAINTAINING THE CHAIN OF CUSTODY OF BALLOTS AND OTHER ELECTION MATERIALS WHO FAIL TO DO SO; TO AMEND SECTION 23-15-755, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-391, MISSISSIPPI CODE OF 1972, TO REQUIRE MANUAL VOTE RECOUNTING OF EVERY ELECTION IN WHICH OPTICAL SCANNERS ARE INITIALLY USED; TO AMEND SECTION 23-15-613, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-523, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 23-15-545, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 97-13-43, MISSISSIPPI CODE OF 1972, TO CONFORM; TO REPEAL SECTIONS 23-15-531 THROUGH 23-15-531.12, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZE CONDUCT OF ELECTIONS USING DIRECT RECORDING ELECTRONIC VOTING EQUIPMENT; TO CREATE NEW SECTION 23-15-615, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN POST-ELECTION AUDITS; TO AMEND SECTION 33-15-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DECLARATION OF EMERGENCY WILL HAVE NO EFFECT UPON THE CONDUCT OF ELECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2506:** Elections

AN ACT TO PROVIDE THAT THE SECRETARY OF STATE SHALL PROMULGATE RULES AND REGULATIONS FOR THE VERIFICATION BY THE REGISTRAR OF A PERSON'S ELIGIBILITY TO BE AN ELECTOR; TO PROVIDE THAT THOSE RULES AND REGULATIONS SHALL ALSO PRESCRIBE THE PROCEDURE FOR VERIFYING A PERSON'S CITIZENSHIP IN THE UNITED STATES; TO AMEND SECTIONS 23-15-33 AND 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2507:** Elections

AN ACT ENTITLED THE "MISSISSIPPI RECALL ACT OF 2023" TO PROVIDE A PROCEDURE FOR THE RECALL OF STATE AND LOCAL ELECTED OFFICIALS; TO PROVIDE DEFINITIONS; TO PRESCRIBE THOSE OFFICERS SUBJECT TO RECALL; TO PRESCRIBE THE NUMBER OF ELECTORS NEEDED TO DEMAND A RECALL; TO PRESCRIBE GROUNDS FOR RECALL; TO PROVIDE FOR THE APPLICATION FOR AND TIME OF FILING A RECALL PETITION BY SPONSORS; TO PROVIDE FOR THE REVIEW OF THE GROUNDS STATED IN THE APPLICATION; TO PROVIDE A FORM FOR THE RECALL PETITION; TO PRESCRIBE THOSE ELECTORS ELIGIBLE TO SIGN A RECALL PETITION AND A PROCEDURE FOR THE VERIFICATION OF SIGNATURES; TO PROHIBIT CERTAIN PERSONS FROM CIRCULATING A PETITION OR APPLICATION; TO PROVIDE FOR THE DETERMINATION OF LEGAL SUFFICIENCY OF A PETITION BY THE CIRCUIT COURT; TO PROVIDE FOR THE MANNER OF CONDUCTING A RECALL ELECTION; TO PROVIDE FOR THE FILING OF SUBSEQUENT RECALL PETITIONS FOLLOWING A RECALL ELECTION OR DENIAL OF RECALL PETITION; TO AUTHORIZE THE STATE BOARD OF ELECTION COMMISSIONERS TO PROMULGATE REGULATIONS TO IMPLEMENT THIS ACT; TO AUTHORIZE AN APPLICATION TO THE CIRCUIT COURT TO COMPEL COMPLIANCE WITH RECALL PROCEDURES; TO PROHIBIT GIVING OR RECEIVING MONEY TO SIGN PETITIONS OR AFFIDAVITS FOR RECALL AND OTHER RECALL INFRACTIONS, AND TO PROVIDE CRIMINAL PENALTIES THEREFOR; TO REPEAL SECTIONS 25-5-3 THROUGH 25-5-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE A RECALL PROCEDURE FOR LOCAL OFFICIALS PURSUANT TO PETITION AND ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2508:** Elections

AN ACT TO CREATE THE MISSISSIPPI RECALL ACT OF 2023 TO PROVIDE A PROCEDURE FOR THE RECALL OF STATE OFFICIALS, MEMBERS OF THE LEGISLATURE AND LOCAL ELECTED OFFICIALS; TO PROVIDE DEFINITIONS; TO PRESCRIBE THOSE OFFICIALS SUBJECT TO RECALL; TO PRESCRIBE THE NUMBER OF ELECTORS NEEDED TO DEMAND A RECALL; TO PROVIDE FOR THE APPLICATION FOR AND TIME OF FILING A RECALL PETITION BY SPONSORS; TO PROVIDE A FORM FOR THE RECALL PETITION; TO PRESCRIBE THOSE ELECTORS ELIGIBLE TO SIGN A RECALL PETITION AND A PROCEDURE FOR THE VERIFICATION OF SIGNATURES; TO PROHIBIT CERTAIN PERSONS FROM CIRCULATING A PETITION OR APPLICATION; TO PROVIDE FOR THE DETERMINATION OF LEGAL SUFFICIENCY OF A PETITION BY THE LOCAL BOARD OF ELECTION COMMISSIONERS; TO PROVIDE FOR THE MANNER OF CONDUCTING A RECALL ELECTION; TO PROVIDE FOR THE FILING OF SUBSEQUENT RECALL PETITIONS FOLLOWING A RECALL ELECTION OR DENIAL OF RECALL PETITION; TO REQUIRE THE SECRETARY OF STATE TO PRINT THE APPLICATION FORMS AND PETITION FORMS AND DISTRIBUTE THE FORMS TO THE BOARDS OF ELECTION COMMISSIONERS; TO AUTHORIZE THE STATE BOARD OF ELECTION COMMISSIONERS TO PROMULGATE REGULATIONS TO IMPLEMENT THIS ACT; TO AUTHORIZE AN APPLICATION TO THE CIRCUIT COURT TO COMPEL COMPLIANCE WITH RECALL PROCEDURES; TO PROHIBIT GIVING OR RECEIVING MONEY TO SIGN PETITIONS OR AFFIDAVITS FOR RECALL AND OTHER RECALL INFRACTIONS, AND TO PROVIDE CRIMINAL PENALTIES THEREFOR; TO REPEAL SECTIONS 25-5-3 THROUGH 25-5-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDE A RECALL PROCEDURE FOR LOCAL OFFICIALS PURSUANT TO PETITION AND ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2509:** Elections

AN ACT TO PROVIDE THAT ONLY REGISTERED VOTERS AFFILIATED WITH A POLITICAL PARTY MAY VOTE IN THE PARTY'S PRIMARY ELECTION; TO PROVIDE THAT REGISTERED VOTERS NOT AFFILIATED WITH A POLITICAL PARTY MAY VOTE IN ANY NONPARTISAN ELECTION HELD IN CONJUNCTION WITH A PARTY PRIMARY ELECTION; TO REQUIRE THE STATE EXECUTIVE COMMITTEE OF A POLITICAL PARTY TO DESIGNATE ANNUALLY ANY QUALIFICATIONS FOR ELECTORS TO BE ELIGIBLE TO VOTE IN THE PARTY'S PRIMARY ELECTION; TO AUTHORIZE THE SECRETARY OF STATE TO PRESCRIBE BY RULE A UNIFORM STATEWIDE VOTER REGISTRATION APPLICATION THAT SHALL BE USED TO DESIGNATE AN ELECTOR'S PARTY AFFILIATION; TO AMEND SECTIONS 23-15-575 AND 23-15-753, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON WHO VOTES IN A POLITICAL PARTY PRIMARY OTHER THAN THAT IN WHICH THE PERSON IS REGISTERED SHALL BE GUILTY OF VOTE FRAUD; TO AMEND SECTIONS 23-15-33, 23-15-35, 23-15-37, 23-15-39, 23-15-41 AND 23-15-47, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CIRCUIT AND MUNICIPAL CLERKS TO ENTER INTO THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM AN ELECTOR'S PARTY AFFILIATION AS DESIGNATED ON THE ELECTOR'S UNIFORM STATEWIDE VOTER REGISTRATION APPLICATION; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2510:** Economic and Workforce Development

AN ACT TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO ENTER INTO A PUBLIC-PRIVATE PARTNERSHIP FOR THE PURPOSE OF ECONOMIC DEVELOPMENT; TO AMEND SECTION 17-25-27, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2511:** Appropriations

AN ACT TO CREATE SECTION 57-123-4, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CREATE THE "MISSISSIPPI TOURISM RECOVERY FUND - ROUND 3" AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS; TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES AND CERTAIN TOURISM DEVELOPMENT ACTIVITIES; AND TO DEFINE THE TERMS "DESTINATION MARKETING ORGANIZATIONS" AND "MARKETING ACTIVITIES" AND "TOURISM DEVELOPMENT ACTIVITIES" FOR THE PURPOSES OF THIS ACT; AND FOR RELATED PURPOSES.  
By Senator(s) Chassaniol, Williams, DeLano, Carter

**S. B. No. 2512:** Accountability, Efficiency, Transparency

AN ACT TO AUTHORIZE COUNTIES TO DIRECTLY ALLOCATE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS MADE AVAILABLE UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 TO RURAL WATER ASSOCIATIONS FOR WATER AND SEWER INFRASTRUCTURE PROJECTS; AND FOR RELATED PURPOSES.  
By Senator(s) Younger

**S. B. No. 2513:** Tourism

AN ACT TO DESIGNATE THE AMERICAN QUARTER HORSE AS THE "OFFICIAL STATE HORSE OF THE STATE OF MISSISSIPPI"; AND FOR RELATED PURPOSES.  
By Senator(s) Hickman

**S. B. No. 2514:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 7-11-3 AND 7-11-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE SECRETARY OF STATE TO TRANSFER LAND RECORDS TO THE DEPARTMENT OF ARCHIVES AND HISTORY; AND FOR RELATED PURPOSES.  
By Senator(s) Parker

**S. B. No. 2515:** Municipalities; County Affairs

AN ACT TO AMEND SECTIONS 17-5-1, 17-11-37, 17-11-45, 17-17-107, 17-17-109, 17-17-227, 17-17-329, 17-17-348, 17-18-17, 17-21-53, 19-3-33, 19-3-35, 19-5-21, 19-5-23, 19-5-81, 19-5-92.1, 19-5-155, 19-5-189, 19-5-199, 19-5-219, 19-9-11, 19-9-27, 19-9-111, 19-9-114 AND 19-29-18, MISSISSIPPI CODE OF 1972, TO MODERNIZE AND SIMPLIFY THE NOTICE PUBLICATION PROCESS FOR COUNTIES AND MUNICIPALITIES; AND FOR RELATED PURPOSES.  
By Senator(s) Hill

**S. B. No. 2516:** Municipalities; Judiciary, Division B

AN ACT TO PROHIBIT THE GOVERNING AUTHORITY OF ANY COUNTY OR MUNICIPALITY FROM ENACTING OR ENFORCING ORDINANCES AUTHORIZING THE USE OF AUTOMATED RECORDING EQUIPMENT OR SYSTEMS TO ENFORCE COMPLIANCE WITH OR TO IMPOSE OR COLLECT ANY FINE, FEE OR PENALTY FOR VIOLATION OF ANY REQUIREMENT TO POSSESS OR MAINTAIN MOTOR VEHICLE LIABILITY INSURANCE; TO AMEND SECTION 17-25-19, MISSISSIPPI CODE OF 1972; AND FOR RELATED PURPOSES.  
By Senator(s) Seymour, Hill

**S. B. No. 2517:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI REGIONAL PRENEED DISASTER CLEANUP ACT; AND FOR RELATED PURPOSES.  
By Senator(s) Hill



**S. B. No. 2518:** Local and Private

AN ACT TO AMEND CHAPTER 824, LOCAL AND PRIVATE LAWS OF 1992, AS LAST AMENDED BY CHAPTER 942, LOCAL AND PRIVATE LAWS OF 2016, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2027, ON THE PROVISIONS OF LAW THAT AUTHORIZE THE LEVY OF THE TOURISM AND INDUSTRY PROMOTION TAX UPON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS AND RESTAURANT SALES IN THE CITY AND CREATE THE CITY OF BATESVILLE, MISSISSIPPI, AND SOUTH PANOLA AREA CHAMBER OF COMMERCE TOURISM AND INDUSTRIAL DEVELOPMENT COMMITTEE; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Jackson

**S. B. No. 2519:** Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF MONTICELLO, MISSISSIPPI; TO LEVY A TAX UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF FOOD AND BEVERAGES AT RESTAURANTS WITHIN THE TOWN; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2520:** Local and Private

AN ACT TO AMEND CHAPTER 942, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE REPEAL DATE FROM JULY 1, 2023, TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF WAYNESBORO, MISSISSIPPI, TO IMPOSE A SPECIAL TAX UPON THE GROSS PROCEEDS DERIVED FROM THE SALES OF BARS AND RESTAURANTS AS WELL AS UPON THE GROSS PROCEEDS DERIVED FROM THE SALES OF HOTELS, MOTELS AND BED-AND-BREAKFAST ROOM RENTALS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2521:** Local and Private

AN ACT TO AMEND CHAPTER 906, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE TOWN OF CARROLLTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2522:** Accountability, Efficiency, Transparency; Forestry

AN ACT TO ABOLISH THE STATE FORESTRY COMMISSION AND TRANSFER THE ADMINISTRATION OF ITS POWERS AND DUTIES TO THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE; TO ESTABLISH THE DIVISION OF FORESTRY SERVICES WITHIN THE DEPARTMENT; TO REPEAL SECTION 49-19-1, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE STATE FORESTRY COMMISSION AND PROVIDES FOR THE COMPOSITION OF ITS MEMBERSHIP; TO CREATE SECTION 49-19-2, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS; TO AMEND SECTIONS 49-19-3 THROUGH 49-19-15, 49-19-19, 49-19-21, 49-19-25, 49-19-27, 49-19-31, 49-19-65, 49-19-67, 49-19-71, 49-19-73, 49-19-111 THROUGH 49-19-117, 49-19-205 THROUGH 49-19-227, 49-19-305, 49-19-307, 49-19-351, 49-19-407, 51-11-5, 51-11-9, 51-13-105, 51-13-107, 53-7-11, 53-7-29, 53-9-11, 55-3-1, 55-3-11, 55-3-19, 55-3-21, 55-3-23, 29-3-27, 29-3-45, 29-3-47, 29-3-49, 29-3-54, 29-3-87, 49-7-203, 69-29-1, 69-1-61, 19-5-51, 25-58-21, 27-7-22.15, 29-3-85, 33-11-9, 33-11-18, 37-101-141, 43-27-11, 51-4-11, 51-9-107, 65-1-8, 65-1-123, 69-46-3, 97-17-13 AND 69-1-61, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS TO REFLECT THE CHANGE IN THE ADMINISTRATIVE RESPONSIBILITIES OF THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE AND THE COMMISSIONER OF AGRICULTURE AND COMMERCE

UPON THE STATE FORESTRY COMMISSION BEING ABOLISHED; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2523:** Agriculture

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

By Senator(s) Seymour, Tate

**S. B. No. 2524:** Forestry; Education

AN ACT TO AMEND SECTION 29-3-45, MISSISSIPPI CODE OF 1972, TO ALLOW BOARDS OF EDUCATION WHICH APPROVE OF SALES OF TIMBER AND FOREST PRODUCTS GROWING ON 16TH SECTION LANDS TO ENTER INTO LONG-TERM PUBLIC AND PRIVATE CONTRACTS FOR THE SALE OF WOOD FIBER; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2525:** Forestry; Finance

AN ACT TO CREATE A MISSISSIPPI FORESTRY FACILITY GRANT FUND AND PROGRAM TO BE USED FOR UTILITY, INFRASTRUCTURE AND TRANSPORTATION PROJECTS WITH A \$10,000,000.00 INVESTMENT; TO PROVIDE THAT SUCH FUNDS SHALL BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENTAL AUTHORITY; TO PRESCRIBE CERTAIN CONDITIONS ON ALLOCATIONS FROM THE FUND; TO PRESCRIBE ELIGIBLE COSTS FROM WHICH MONIES FROM THE FUND MAY BE ALLOCATED; TO AUTHORIZE COOPERATIVE AGREEMENTS FOR THE IMPLEMENTATION OF SUCH GRANTS; TO AMEND SECTION 57-1-55, MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Suber, Tate, Seymour, Whaley

**S. B. No. 2526:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTIONS 51-15-103, 51-15-107, 51-15-109, 51-15-113, 51-15-115, 51-15-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPALITIES LOCATED IN COUNTIES THAT ARE NOT MEMBERS OF THE PAT HARRISON WATERWAY DISTRICT TO JOIN THE DISTRICT; TO AMEND SECTION 51-15-118, TO AUTHORIZE THE GOVERNING AUTHORITIES OF A MEMBER MUNICIPALITY TO WITHDRAW THE MUNICIPALITY FROM THE DISTRICT; TO AMEND SECTIONS 51-15-119, 51-15-131, 51-15-133, 51-15-136, 51-15-139 AND 51-15-158, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; TO BRING FORWARD SECTIONS 51-15-105 AND 51-15-129, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2527:** Highways and Transportation; Appropriations

AN ACT TO REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO CONSTRUCT AND RECONSTRUCT TO FOUR LANES A PORTION OF MISSISSIPPI HIGHWAY 6 / U.S. HIGHWAY 278 IN COAHOMA, PANOLA AND QUITMAN COUNTIES; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2528:** Highways and Transportation; Judiciary, Division B

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

By Senator(s) Jackson

**S. B. No. 2529:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 145 IN NOXUBEE COUNTY, MISSISSIPPI, AS THE "BISHOP LEROY HORNE HIGHWAY" IN HONOR OF BISHOP LEROY HORNE; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2530:** Ports and Marine Resources

AN ACT TO CODIFY SECTION 49-27-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO DESIGNATE THE DANZLER TRACT IN THE PASCAGOULA RIVER MARSHES IN JACKSON COUNTY AS THE "SECRETARY OF STATE ERIC CLARK COASTAL PRESERVE" IN HONOR OF HIS ROLE IN THE DEVELOPMENT OF THE COASTAL PRESERVE PROGRAM; AND FOR RELATED PURPOSES.

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

**S. B. No. 2531:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF INTERSTATE 55 SOUTH IN HINDS COUNTY, MISSISSIPPI, AS THE "REP. ALYCE CLARKE MEMORIAL HIGHWAY" IN HONOR OF MISSISSIPPI HOUSE REPRESENTATIVE ALYCE CLARKE; TO AMEND SECTION 65-3-38.1, MISSISSIPPI CODE OF 1972, TO ALLOW HIGHWAYS, ROADS, STREETS OR BRIDGES IN THE DESIGNATED STATE HIGHWAY SYSTEM TO BE NAMED AFTER ELECTED OFFICIALS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2532:** Highways and Transportation

AN ACT TO DESIGNATE THE SECOND CREEK BRIDGE ON HUTCHINS LANDING ROAD IN ADAMS COUNTY, MISSISSIPPI, AS THE "BOYD SOJOURNER MEMORIAL BRIDGE" IN MEMORY OF THE LATE FORMER ADAMS COUNTY SUPERVISOR ALEXANDER BOYD SOJOURNER; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2533:** Highways and Transportation

AN ACT TO DESIGNATE THE SECOND CREEK BRIDGE ON LIBERTY ROAD IN ADAMS COUNTY, MISSISSIPPI, AS THE "JAMES CARTER MEMORIAL BRIDGE" IN MEMORY OF DECEASED ADAMS COUNTY SUPERVISOR JAMES CARTER; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2534:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-4-39, MISSISSIPPI CODE OF 1972, TO REQUIRE A FRESHWATER FISHING GUIDE OR SERVICE THAT UTILIZES A BOAT TO OBTAIN A FISHING GUIDE BOAT LICENSE AND DECAL; TO PROVIDE THE FEE FOR SUCH LICENSE; TO PROVIDE THAT FRESHWATER FISHING GUIDES SHALL BE PROHIBITED FROM FISHING WHILE PROVIDING SERVICE; TO PROVIDE THAT FRESHWATER FISHING GUIDES SHALL BE PROHIBITED FROM KEEPING ANY FISH CAUGHT BY THE PERSONS THEY ARE GUIDING; TO PROVIDE THAT THE PRESENCE OF THE GUIDE DOES NOT COUNT TOWARD THE BAG LIMIT FOR FISH; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Tate, Hill, Suber, Younger, McLendon

**S. B. No. 2535:** Wildlife, Fisheries and Parks; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 49-4-3, MISSISSIPPI CODE OF 1972, TO REDEFINE "COMMISSION" TO MEAN THE MISSISSIPPI ADVISORY COMMISSION ON WILDLIFE, FISHERIES AND PARKS, WHICH SHALL OPERATE ONLY AS AN ADVISORY COMMISSION TO THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS; TO AMEND SECTION 49-4-4, MISSISSIPPI CODE OF 1972, TO RECONSTITUTE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS AS AN ADVISORY COMMISSION; TO AMEND SECTION 49-4-6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS SHALL SERVE AT THE WILL AND PLEASURE OF THE GOVERNOR; TO AMEND SECTIONS 49-1-43 AND 49-1-43.1, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A CONSERVATION OFFICER MUST HAVE PROBABLE CAUSE TO CONDUCT A SEARCH WITHOUT A WARRANT; TO AMEND SECTIONS 49-4-7, 49-4-13, 49-4-37, 49-4-39 AND 49-4-41, MISSISSIPPI CODE OF 1972, TO CONFORM; TO BRING FORWARD SECTION 49-4-31, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.  
By Senator(s) Seymour

**S. B. No. 2536:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-51, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT IT IS UNLAWFUL TO BUY OR SELL OR TO OFFER FOR SALE, EXCHANGE FOR MERCHANDISE, OR OTHER CONSIDERATION, ANY GAME BIRDS, GAME ANIMALS OR GAME FISH, OR PARTS THEREOF, UNLESS SPECIFICALLY PERMITTED BY LAW AS AN EXCEPTION PASSED BY THE LEGISLATURE; AND FOR RELATED PURPOSES.  
By Senator(s) Suber, Seymour

**S. B. No. 2537:** Agriculture; Finance

AN ACT TO AMEND SECTION 75-29-951, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM ANNUAL GROSS SALES FOR A COTTAGE FOOD OPERATION TO BE EXEMPT FROM FOOD ESTABLISHMENT PERMIT FEES; TO AUTHORIZE A COTTAGE FOOD OPERATION TO ADVERTISE COTTAGE FOOD PRODUCTS OVER THE INTERNET, INCLUDING THROUGH SOCIAL MEDIA; AND FOR RELATED PURPOSES.  
By Senator(s) Sojourner

**S. B. No. 2538:** Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI REGIONAL PRE-NEED DISASTER CLEAN UP ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OPT-IN TO REGIONAL PRE-NEED CONTRACTS FOR DISASTER CLEAN-UP SERVICES; AND FOR RELATED PURPOSES.  
By Senator(s) Williams, Horhn, McLendon, Butler (36th)

**S. B. No. 2539:** Highways and Transportation; Finance

AN ACT TO AMEND SECTION 63-31-3, MISSISSIPPI CODE OF 1972, TO ALLOW ALL-TERRAIN VEHICLES AND RECREATIONAL OFF-HIGHWAY VEHICLES TO OPERATE ON COUNTY RURAL, GRAVEL OR PAVED ROADS; TO REQUIRE, FOR SUCH OPERATION, COMPLIANCE WITH LICENSING AND TAGGING REQUIREMENTS AND OTHER MOTOR VEHICLE REGULATIONS, EXCEPT THOSE REQUIRING EQUIPPING WITH WINDSHIELD WIPERS; TO SPECIFY THAT A LICENSE TAG SHALL NOT AUTHORIZE THE USE OF AN ALL-TERRAIN VEHICLE OR RECREATIONAL OFF-HIGHWAY VEHICLE FOR TOWING, OR FOR OPERATION ON AN INTERSTATE HIGHWAY OR ANY OTHER ROAD FOR WHICH THE SPEED LIMIT EXCEEDS 40 MILES PER HOUR, EXCEPT FOR CROSSING CERTAIN ROADS; TO AMEND SECTIONS 27-19-3, 27-19-5, 27-19-43, 27-51-5, 63-3-103, 63-15-3 AND 63-21-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.  
By Senator(s) Suber

**S. B. No. 2540:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-7-1.1, MISSISSIPPI CODE OF 1972, TO ESTABLISH UNEQUIVOCALLY THAT WILDLIFE IN MISSISSIPPI BELONGS TO THE CITIZENS OF THE STATE AT LARGE, AND THE STATE HAS A DUTY TO PROTECT AND SUSTAIN ITS WILDLIFE FOR THE PUBLIC'S BENEFIT, AS WELL AS THE DUTY AND AUTHORITY TO DEFEND THE PUBLIC'S INTEREST IN ITS WILDLIFE IN ACCORDANCE WITH SOUND SCIENTIFIC PRINCIPLES; AND FOR RELATED PURPOSES.

By Senator(s) Suber, Younger

**S. B. No. 2541:** Highways and Transportation

AN ACT TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, WHICH LISTS THE GENERAL AND SPECIFIC POWERS OF THE MISSISSIPPI TRANSPORTATION COMMISSION, TO MAKE A MINOR TECHNICAL CORRECTION; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 2542:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 8 IN CHICKASAW COUNTY, MISSISSIPPI, AS THE "JEREMY ALLEN VOYLES MEMORIAL HIGHWAY" IN MEMORY OF DEPUTY SHERIFF JEREMY ALLEN VOYLES; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 2543:** Wildlife, Fisheries and Parks

AN ACT TO BRING FORWARD SECTIONS 49-1-29, 49-7-37, 49-7-58, 49-7-58.1, 49-7-58.2, 49-7-58.6, 69-15-9 AND 69-15-109, MISSISSIPPI CODE OF 1972, WHICH CONCERN CHRONIC WASTING DISEASE (CWD), FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 2544:** Ports and Marine Resources

AN ACT RELATING TO THE REGULATION OF SEAFOOD AND OYSTERS BY THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES; TO BRING FORWARD SECTIONS 49-15-5, 49-15-7, 49-15-36, 49-15-37, 49-15-38, 49-15-39, 49-15-40, 49-15-41, 49-15-42, 49-15-43, 49-15-44, 49-15-45, 49-15-46, 49-15-47 AND 49-15-49, MISSISSIPPI CODE OF 1972, RELATING TO THE DECLARATION THAT SEAFOOD IN THE TERRITORIAL JURISDICTION OF THE STATE OF MISSISSIPPI NOT IN PRIVATE OWNERSHIP IS THE PROPERTY OF THE STATE AND THE GENERAL JURISDICTION OF THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO REGULATE OYSTER REEFS AND BOTTOMS AND THE TAKING OF OYSTERS AND THE ESTABLISHMENT OF NEW OYSTER BEDS; TO REPEAL SECTION 49-15-40.1, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO CONDUCT A PILOT PROGRAM FOR BOTTOM LAND LEASING FOR OYSTER PRODUCTION IN WATERS ADJACENT TO HANCOCK COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Thompson, Moran

**S. B. No. 2545:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 35 IN PANOLA COUNTY, MISSISSIPPI, AS THE "CONSTABLE RAYE HAWKINS MEMORIAL HIGHWAY" IN MEMORY OF THE DECEASED FORMER CONSTABLE RAYE HAWKINS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Chassaniol, Jackson

**S. B. No. 2546:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 51 IN PANOLA COUNTY, MISSISSIPPI, AS THE "JOE KENNETH COSBY MEMORIAL HIGHWAY" IN MEMORY OF THE DECEASED FORMER DEPUTY SHERIFF JOE KENNETH COSBY; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Chassaniol, Jackson

**S. B. No. 2547:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 315 IN PANOLA COUNTY, MISSISSIPPI, AS THE "NOLAN METTETAL MEMORIAL HIGHWAY" IN MEMORY OF THE DECEASED FORMER LEGISLATOR NOLAN METTETAL; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, McMahan, Chassaniol, Fillingane, Jackson, Harkins, Kirby, Seymour, Hopson, Blackwell, Whaley, Parker, Butler (38th)

**S. B. No. 2548:** Forestry

AN ACT TO AMEND SECTION 63-5-19, MISSISSIPPI CODE OF 1972, TO CLARIFY PROVISIONS REGARDING LENGTH RESTRICTIONS ARE THE SAME FOR DAYLIGHT AND NIGHTTIME OPERATION; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Sparks, Suber

**S. B. No. 2549:** Ports and Marine Resources

AN ACT TO AMEND SECTION 49-27-6, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF "MARINA" WITH FEDERAL REGULATORY AGENCIES AND REQUIRE APPLICATION OF THE USE PLAN; TO CREATE A "PRIVATE SINGLE-FAMILY ONLY" DEFINITION; TO DELETE "PUBLIC MARINA" AND "YACHT CLUB MARINA" AS DEFINITIONS; TO GRANDFATHER MARINAS AND PIERS PERMITTED PRIOR TO THE EFFECTIVE DATE OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Moran

**S. B. No. 2550:** Ports and Marine Resources

AN ACT TO AMEND SECTION 49-15-86, MISSISSIPPI CODE OF 1972, TO REQUIRE LICENSES FOR THE COMMERCIAL TAKING OF SALTWATER CRABS TO APPLY TO THE VESSELS USED RATHER THAN EACH CREW MEMBER; AND FOR RELATED PURPOSES.

By Senator(s) Moran, Carter, Thompson, England, DeLano, Jackson

**S. B. No. 2551:** Ports and Marine Resources

AN ACT TO AMEND SECTION 49-15-21, MISSISSIPPI CODE OF 1972, TO INCLUDE IN THE POLICE POWERS AND JURISDICTION OF THE ENFORCEMENT OFFICERS OF THE DEPARTMENT OF MARINE RESOURCES ALL FEDERAL LAWS WITHIN THE JURISDICTION OF THE STATE OF MISSISSIPPI AND WATERS AND RESOURCES UNDER MANAGEMENT OF THE STATE; AND FOR RELATED PURPOSES.

By Senator(s) Moran, Carter, Thompson, England, DeLano, Jackson

**S. B. No. 2552:** Economic and Workforce Development

AN ACT TO REENACT SECTIONS 71-5-5, 71-5-11 AND 71-5-19, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI EMPLOYMENT SECURITY LAW; TO REENACT SECTIONS 71-5-101 THROUGH 71-5-143, MISSISSIPPI CODE OF 1972, WHICH TRANSFER THE POWERS AND RESPONSIBILITIES OF THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION TO THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY IN THE OFFICE OF THE GOVERNOR AND PRESCRIBE THE DEPARTMENT'S POWERS AND DUTIES; TO REENACT SECTION 71-5-201, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE MISSISSIPPI STATE EMPLOYMENT SERVICE WITHIN THE DEPARTMENT OF EMPLOYMENT SECURITY; TO REENACT SECTIONS 71-5-357 AND 71-5-359, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBE REGULATIONS GOVERNING NONPROFIT ORGANIZATIONS, STATE AGENCIES AND POLITICAL SUBDIVISIONS UNDER THE EMPLOYMENT SECURITY LAW; TO AMEND REENACTED SECTION 71-5-359, MISSISSIPPI CODE OF 1972, TO REMOVE DUPLICATIVE LANGUAGE; TO REENACT SECTIONS 71-5-451 AND 71-5-457, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE UNEMPLOYMENT COMPENSATION FUND AND THE

UNEMPLOYMENT TRUST FUND; TO REENACT SECTIONS 71-5-511, 71-5-513, 71-5-517, 71-5-519, 71-5-523, 71-5-525, 71-5-529, 71-5-531 AND 71-5-541, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PAYMENT OF UNEMPLOYMENT COMPENSATION BENEFITS; TO REENACT SECTION 73-30-25, MISSISSIPPI CODE OF 1972, WHICH EXCLUDES CERTAIN PROFESSIONALS FROM REGULATION UNDER THE LAWS GOVERNING LICENSED PROFESSIONAL COUNSELORS; TO REENACT SECTION 43-1-30, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TANF IMPLEMENTATION COUNCIL AND PRESCRIBES ITS POWERS AND DUTIES; TO REENACT SECTION 43-17-5, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES THE AMOUNT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BENEFITS WHICH MAY BE GRANTED TO RECIPIENTS; TO REENACT SECTION 43-19-45, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE CHILD SUPPORT UNIT ESTABLISHED BY THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A STATE PARENT LOCATOR SERVICE; TO REENACT SECTION 43-19-46, MISSISSIPPI CODE OF 1972, WHICH REQUIRES EMPLOYERS TO SUBMIT CERTAIN INFORMATION RELATING TO NEWLY HIRED EMPLOYEES TO THE DIRECTORY OF NEW HIRES WITHIN THE DEPARTMENT OF HUMAN SERVICES; TO REENACT SECTIONS 57-62-5 AND 57-62-9, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI ADVANTAGE JOBS ACT; TO REENACT SECTION 57-75-5, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS USED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO REENACT SECTION 57-80-7, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE GROWTH AND PROSPERITY ACT; TO REENACT SECTION 69-2-5, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES CERTAIN DUTIES OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE RELATING TO THE DISSEMINATION OF INFORMATION TO THE AGRICULTURAL COMMUNITY; TO REENACT SECTION 7-1-355, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF EMPLOYMENT SECURITY, OFFICE OF THE GOVERNOR, TO MAKE AN ANNUAL REPORT TO THE LEGISLATURE ON WORKFORCE INVESTMENT ACTIVITIES; TO AMEND SECTION 60, CHAPTER 572, LAWS OF 2004, AS LAST AMENDED BY SECTION 7, CHAPTER 476, LAWS OF 2020, TO EXTEND THE DATE OF REPEAL ON THOSE STATUTES REENACTED BY THIS ACT; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE NONCHARGES CAUSED BY THE COVID-19 PANDEMIC WILL NOT BE USED FOR THE PURPOSES OF CALCULATING THE GENERAL EXPERIENCE RATE; TO CREATE NEW SECTION 71-5-146, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO FINGERPRINT AND CONDUCT BACKGROUND INVESTIGATIONS ON CERTAIN EMPLOYEES, CONTRACTORS AND SUBCONTRACTORS, AND TO ENACT POLICIES AND PROCEDURES REGARDING THE SAME; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2553:** Education; Appropriations

AN ACT TO AMEND SECTION 37-28-55, MISSISSIPPI CODE OF 1972, TO MODIFY THE FORMULA FOR CALCULATING THE AMOUNT OF PRO RATA AD VALOREM FUNDS TO BE PAID TO CHARTER SCHOOLS BY LOCAL SCHOOL DISTRICTS TO ENSURE EQUITABLE FUNDING BETWEEN EACH SCHOOL; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Butler (36th), Jordan, Jackson, Blount, Turner-Ford, Thomas, Butler (38th)

**S. B. No. 2554:** Judiciary, Division A

AN ACT TO CREATE THE "MISSISSIPPI FAIR HOUSING ACT"; TO DEFINE CERTAIN TERMS AS USED IN THE ACT; TO MAKE LEGISLATIVE DECLARATION THAT THE OPPORTUNITY TO OBTAIN HOUSING AND OTHER REAL ESTATE WITHOUT DISCRIMINATION IS A CIVIL RIGHT; TO PROHIBIT CERTAIN CONDUCT IN REAL ESTATE TRANSACTIONS WITH EXCEPTION; TO PROHIBIT CERTAIN CONDUCT IN REAL ESTATE FINANCING WITH EXCEPTION; TO PROHIBIT CERTAIN REPRESENTATIONS IN REAL ESTATE TRANSACTIONS; TO PROHIBIT

RETALIATION; TO PROVIDE A CIVIL REMEDY FOR VIOLATIONS OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2555:** Highways and Transportation

AN ACT TO ADD PORTIONS OF THE PEARL AND PASCAGOULA STREET INTERSTATE 55 EXITS AND ENTRANCES IN HINDS COUNTY TO THE STATE HIGHWAY SYSTEM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2556:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-1-15, MISSISSIPPI CODE OF 1972, TO CLARIFY QUALIFICATIONS FOR APPOINTMENT AS A CONSERVATION OFFICER; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 2557:** Wildlife, Fisheries and Parks

AN ACT TO BRING FORWARD SECTIONS 49-39-1, 49-39-3, 49-39-5 AND 49-39-7, MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI OUTDOOR STEWARDSHIP ACT, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 2558:** Wildlife, Fisheries and Parks

AN ACT TO AMEND SECTION 49-39-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT CERTAIN PROJECTS THAT ACQUIRE PROPERTY SHALL NOT BE CONSIDERED FOR APPROVAL UNTIL AFTER JULY 1, 2024; TO PROVIDE THAT UNTIL JULY 1, 2024, ANY LANDS ACQUIRED SHALL BE FOR THE PUBLIC BENEFIT AND USE ONLY; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2559:** Highways and Transportation

AN ACT TO AMEND SECTION 27-19-81, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW THAT REGULATES HARVEST PERMIT AUTHORIZATION AND FEES FOR A PERIOD OF FOUR YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2560:** Education

AN ACT TO AMEND SECTION 37-16-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A SCHOOL DISTRICT REQUIRES STUDENTS TO COMPLETE A MISSISSIPPI HISTORY COURSE TO GRADUATE THEN IT SHALL DEVELOP A PROCEDURE FOR STUDENTS WHO TRANSFERRED INTO THE DISTRICT FROM A DISTRICT THAT DID NOT REQUIRE SUCH COURSE; TO REQUIRE ALTERNATIVE OPPORTUNITIES TO TAKE THE COURSE FOR FRESHMEN, SOPHOMORES AND JUNIORS; TO REQUIRE DISTRICTS TO INCLUDE ALTERNATIVE COURSES THAT MAY BE SUBSTITUTED FOR THE MISSISSIPPI HISTORY COURSE FOR PURPOSE OF GRADUATION; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 2561:** Highways and Transportation

AN ACT TO AMEND SECTION 65-1-179, MISSISSIPPI CODE OF 1972, TO CHANGE THE REQUIREMENT OF A UNANIMOUS VOTE OF THE MISSISSIPPI TRANSPORTATION COMMISSION REGARDING THE USE OF EMERGENCY ROAD AND BRIDGE REPAIR FUND MONIES TO A MAJORITY VOTE; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2562:** Highways and Transportation



AN ACT TO AMEND MISSISSIPPI CODE ANNOTATED TO ADD A NEW SECTION IN CHAPTER 1 OF TITLE 65 TO ALLOW FOR PUBLIC AND PRIVATE PARTNERSHIPS TO ESTABLISH ELECTRIC VEHICLE CHARGING STATIONS AND TO ALLOW THE MISSISSIPPI TRANSPORTATION COMMISSION TO PROVIDE GRANTS TO PRIVATE COMPANIES FOR THE PURPOSE OF PROVIDING ELECTRIC VEHICLE CHARGING STATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2563:** Ports and Marine Resources

AN ACT TO AMEND SECTIONS 49-15-27 AND 49-15-36, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO LEASE BOTTOM LAND FOR OYSTER GROWING/HARVESTING; TO REPEAL SECTION 49-15-40.1, MISSISSIPPI CODE OF 1972, WHICH PROVIDES A PILOT PROGRAM UNDER THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES FOR BOTTOM LAND LEASING FOR OYSTER PRODUCTION; AND FOR RELATED PURPOSES.

By Senator(s) Moran, Carter, DeLano, Thompson, Wiggins, England

**S. B. No. 2564:** Ports and Marine Resources

AN ACT ENTITLED THE "MISSISSIPPI COMPREHENSIVE COASTAL CONSERVATION AND RESTORATION PLAN ACT OF 2023" TO DECLARE LEGISLATIVE FINDINGS AND PURPOSE; TO CREATE A TECHNICAL ADVISORY BOARD (TAB) TO DEVELOP AND ANNUALLY REVISE A COMPREHENSIVE PLAN FOR RESTORATION, CONSTRUCTION, STORM PROTECTION, HABITAT CONSTRUCTION AND RESTORATION, AND WATER QUALITY PROJECTS ON THE MISSISSIPPI GULF COAST; TO PROVIDE FOR THE COMPOSITION OF THE TECHNICAL ADVISORY BOARD AND ITS ORGANIZATION; TO PRESCRIBE THE DUTIES AND RESPONSIBILITIES OF THE TECHNICAL ADVISORY BOARD; TO REQUIRE STATE AND LOCAL AGENCIES TO COOPERATE WITH THE FUNCTIONS OF THE TECHNICAL ADVISORY BOARD; TO REQUIRE AN ANNUAL REPORT; TO AMEND SECTIONS 49-15-305, 49-2-13 AND 29-15-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Thompson, Wiggins, England, DeLano

**S. B. No. 2565:** Housing; Appropriations

AN ACT TO AUTHORIZE AND DIRECT THE MISSISSIPPI HOME CORPORATION TO ESTABLISH A NEIGHBORHOOD HOUSING REHABILITATION PROGRAM (NHRP) IN MUNICIPALITIES TO PRESERVE AND IMPROVE OWNER-OCCUPIED PROPERTIES AND BRING PROPERTIES UP TO APPLICABLE BUILDING CODES AND STANDARDS; TO DIRECT THE MISSISSIPPI HOME CORPORATION TO ESTABLISH THIS PROGRAM IN COOPERATION WITH FEDERAL AGENCY PROGRAMS WITH AVAILABLE FUNDS; TO CREATE THE NEIGHBORHOOD HOUSING REHABILITATION PROGRAM (NHRP) SPECIAL FUND IN THE STATE TREASURY; TO REQUIRE A REPORT TO THE LEGISLATURE; TO AMEND SECTION 43-33-717, MISSISSIPPI CODE OF 1972, IN CONFORMITY.

By Senator(s) Simmons (12th)

**S. B. No. 2566:** Highways and Transportation

AN ACT TO AMEND SECTION 61-3-19, MISSISSIPPI CODE OF 1972, TO REVISE THE DISPOSAL PROCEDURE OF AIRPORT TRASH; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2567:** Highways and Transportation

AN ACT TO AMEND SECTION 63-7-11, MISSISSIPPI CODE OF 1972, TO REQUIRE OPERATING MOTOR VEHICLES TO USE THEIR HEADLIGHTS ONE HOUR BEFORE SUNSET AND ONE HOUR AFTER SUNRISE, OR WHEN ANY PERSON CANNOT SEE AT LEAST ONE THOUSAND FEET AHEAD OF THEMSELVES; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), England, Jackson, Simmons (12th)

**S. B. No. 2568:** Highways and Transportation

AN ACT TO REQUIRE THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO REMOVE REPORTED ANIMAL CARCASSES FROM PUBLIC ROADS WITHIN THIRTY DAYS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2569:** Highways and Transportation

AN ACT TO ESTABLISH THE MISSISSIPPI FULLY AUTONOMOUS VEHICLE ENABLING (MS FAVE) ACT OF 2023; TO DEFINE TERMINOLOGY USED HEREIN; TO AUTHORIZE THE OPERATION OF FULLY AUTONOMOUS VEHICLES ON THE PUBLIC ROADS OF THIS STATE WITHOUT A HUMAN DRIVER PROVIDED THAT THE AUTOMATED DRIVING SYSTEM IS ENGAGED AND CERTAIN CONDITIONS ARE MET; TO SPECIFY THE CONDITIONS TO BE SATISFIED BEFORE A FULLY AUTONOMOUS VEHICLE MAY OPERATE UPON THE PUBLIC ROADS OF THIS STATE; TO REQUIRE THE OPERATOR OF A FULLY AUTONOMOUS VEHICLE TO SUBMIT A LAW ENFORCEMENT INTERACTION PLAN TO THE DEPARTMENT OF PUBLIC SAFETY; TO PROVIDE THAT AN AUTOMATED DRIVING SYSTEM INSTALLED ON A MOTOR VEHICLE IS CONSIDERED THE DRIVER OR OPERATOR, FOR THE PURPOSE OF ASSESSING COMPLIANCE WITH APPLICABLE UNIFORM TRAFFIC LAWS; TO STIPULATE THAT BEFORE OPERATING A FULLY AUTONOMOUS VEHICLE ON PUBLIC ROADS IN THIS STATE WITHOUT A HUMAN DRIVER, SATISFACTORY PROOF OF FINANCIAL RESPONSIBILITY MUST BE FILED WITH THE DEPARTMENT OF PUBLIC SAFETY; TO PRESCRIBE THE PROCEDURES TO BE FOLLOWED WHEN A FULLY AUTONOMOUS VEHICLE IS INVOLVED IN AN ACCIDENT; TO PERMIT THE OPERATION OF AN ON-DEMAND AUTONOMOUS VEHICLE NETWORK IN COMPLIANCE WITH THE OPERATION OF TRANSPORTATION NETWORK COMPANIES, TAXIS OR ANY OTHER GROUND TRANSPORTATION FOR-HIRE OF PASSENGERS; TO REQUIRE FULLY AUTONOMOUS VEHICLES TO BE REGISTERED AND TITLED WITH THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE MANUAL HUMAN OPERATION OF VEHICLES EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM; TO AUTHORIZE THE OPERATION OF FULLY AUTONOMOUS VEHICLES THAT ARE CLASSIFIED AS COMMERCIAL MOTOR VEHICLES; TO EXEMPT FULLY AUTONOMOUS VEHICLES DESIGNED TO BE OPERATED EXCLUSIVELY BY AUTOMATED DRIVING SYSTEMS FROM CERTAIN VEHICLE EQUIPMENT REQUIREMENTS; TO PROHIBIT UNAUTHORIZED STATE AGENCIES, POLITICAL SUBDIVISIONS OF THE STATE, OR LOCAL GOVERNING AUTHORITY FROM RESTRICTING THE OPERATION OF FULLY AUTONOMOUS VEHICLES OR IMPOSING TAXES, FEES AND OTHER REQUIREMENTS UPON FULLY AUTONOMOUS VEHICLES; TO AMEND SECTIONS 63-1-203, 63-3-103, 63-15-49, 63-15-51, 63-15-53, 63-21-3, 63-21-9, 63-21-11, 63-21-15 AND 63-21-17, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTIONS 63-1-5, 63-3-401, 63-3-405, 63-3-411, 63-3-413, 63-3-619, 63-5-53, 63-7-9, 63-15-37, 63-15-39, 63-15-41, 63-15-43 AND 63-19-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Williams, Boyd

**S. B. No. 2570:** Highways and Transportation; Finance

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

AN INTERSTATE HIGHWAY OR ANY OTHER ROAD FOR WHICH THE SPEED LIMIT EXCEEDS 40 MILES PER HOUR, EXCEPT FOR CROSSING CERTAIN ROADS; TO AMEND SECTIONS 27-19-3, 27-19-5, 27-19-43, 27-51-5, 63-3-103, 63-15-3 AND 63-21-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Chism, Tate, Barrett, Hill, Thompson, Suber

**S. B. No. 2571:** Highways and Transportation; Finance

AN ACT TO DIRECT AN ANNUAL DISTRIBUTION TO THE STATE HIGHWAY FUND OF A PERCENTAGE OF THE TOTAL INCOME TAX REVENUE COLLECTED FOR THE PRIOR CALENDAR YEAR; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO DIRECT A MONTHLY DISTRIBUTION TO THE STATE HIGHWAY FUND OF A PERCENTAGE OF THE TOTAL SALES TAX REVENUE COLLECTED IN THE PRECEDING MONTH; TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO DIRECT A MONTHLY DISTRIBUTION TO THE STATE HIGHWAY FUND OF A PERCENTAGE OF THE TOTAL USE TAX REVENUE COLLECTED IN THE PRECEDING MONTH; TO BRING FORWARD SECTION 27-55-11, MISSISSIPPI CODE OF 1972, WHICH LEVIES AN EXCISE TAX ON GASOLINE, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2572:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-58-1, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISION THAT PROVIDES FOR THE DEFINITIONS RELATED TO MEDICAL RADIATION TECHNOLOGY; TO AMEND SECTION 41-58-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS THAT ESTABLISH THE MEDICAL RADIATION ADVISORY COUNCIL AND SETS ITS POWER AND DUTIES; TO AMEND SECTION 41-58-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISIONS THAT ALLOW A FEE TO BE CHARGED BY THE BOARD OF CHIROPRACTIC EXAMINERS AND THE STATE BOARD OF MEDICAL LICENSURE FOR EACH INDIVIDUAL WHOM THE BOARD CERTIFIES AS HAVING COMPLETED CONTINUING EDUCATION REQUIREMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2573:** Public Health and Welfare

AN ACT TO REENACT SECTIONS 41-67-1 THROUGH 41-67-29 AND 41-67-33 THROUGH 41-67-41, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI INDIVIDUAL ON-SITE WASTEWATER DISPOSAL LAW; TO AMEND SECTION 41-67-31, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI INDIVIDUAL ON-SITE WASTEWATER DISPOSAL LAW; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2574:** Public Health and Welfare

AN ACT TO AMEND SECTIONS 41-3-43 AND 41-3-53, MISSISSIPPI CODE OF 1972, AND BRING FORWARD SECTION 41-3-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE LOCAL BOARDS OF SUPERVISORS TO COMPLY WITH APPLICABLE HEALTH AND SAFETY STANDARDS AS SET BY THE STATE BOARD OF HEALTH IN THE CONSTRUCTION, MAINTENANCE, EQUIPPING, STAFFING AND SUPPORT OF LOCAL COUNTY HEALTH DEPARTMENT BUILDINGS; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2575:** Public Health and Welfare

AN ACT TO AMEND SECTION 83-9-39, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ALTERNATIVE DELIVERY SYSTEMS AND GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI SHALL NOT DENY THE STATE DEPARTMENT OF HEALTH THE RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER IF THE DEPARTMENT AGREES TO

PROVIDE THE MENTAL HEALTH SERVICES THAT MEET THE TERMS OF REQUIREMENTS SET FORTH BY THE INSURER UNDER THE POLICY OR PLAN AND AGREES TO THE TERMS OF REIMBURSEMENT SET FORTH BY THE INSURER; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2576:** Public Health and Welfare

AN ACT RELATING TO COMMUNITY MENTAL HEALTH AND INTELLECTUAL DISABILITY CENTERS AND PROGRAMS IN THE STATE OF MISSISSIPPI; TO BRING FORWARD CHAPTER 479, LAWS OF 2020, WHICH IS THE ROSE ISABEL WILLIAMS MENTAL HEALTH REFORM ACT OF 2020, FOR POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 41-4-7, 41-19-31 THROUGH 41-19-39, AND 41-20-1 THROUGH 41-20-11, MISSISSIPPI CODE OF 1972, RELATING TO REGIONAL MENTAL HEALTH COMMISSIONS, THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH AND THE COORDINATOR OF MENTAL HEALTH ACCESSIBILITY, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2577:** Education

AN ACT TO AMEND SECTION 37-11-57, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE USE OF CORPORAL PUNISHMENT IN PUBLIC AND CHARTER SCHOOLS TO DISCIPLINE A STUDENT; TO PROVIDE THAT ANY EMPLOYEE WHO VIOLATES THE CORPORAL PUNISHMENT PROHIBITION SHALL BE HELD LIABLE FOR CIVIL DAMAGES SUFFERED AS A RESULT OF THE ADMINISTRATION OF CORPORAL PUNISHMENT; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2578:** Education

AN ACT TO AMEND SECTIONS 37-13-91 AND 37-15-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PROVISIONS OF THE MISSISSIPPI COMPULSORY SCHOOL ATTENDANCE LAW ARE FULLY APPLICABLE TO KINDERGARTEN-AGE CHILDREN; TO REQUIRE SUCH KINDERGARTEN-AGE CHILDREN TO ATTEND LICENSED PUBLIC, PAROCHIAL, NONPUBLIC OR HOMESCHOOL KINDERGARTEN PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2579:** Public Health and Welfare

AN ACT TO CREATE A HEALTH CARE PROGRAM TO SERVE SPECIAL NEEDS PATIENTS; AND FOR RELATED PURPOSES.

By Senator(s) Frazier

**S. B. No. 2580:** Universities and Colleges; Appropriations

AN ACT TO AMEND SECTION 37-106-75, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS OF THE HIGHER EDUCATION LEGISLATIVE PLAN (HELP) GRANT TO PRESCRIBE AWARD MINIMUMS BASED ON CLASSIFICATION AND ENROLLMENT STATUS; TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS OF THE MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM FOR THE PURPOSE OF STRENGTHENING MISSISSIPPI'S WORKFORCE PIPELINE; TO PROVIDE MORE MISSISSIPPIANS ACCESS TO AFFORDABLE EDUCATION PATHWAYS FOR IN-DEMAND CAREERS; TO RENAME THE PROGRAM AS THE "MTAG WORKS GRANT PROGRAM"; TO ESTABLISH ELIGIBILITY CRITERIA FOR RECIPIENTS TO QUALIFY FOR GRANT AWARDS; TO PROVIDE FOR BONUSES FOR STUDENTS ENROLLED IN EDUCATION PROGRAMS THAT LEAD TO EMPLOYMENT IN A HIGH-NEED OR HIGH-DEMAND FIELD; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2581:** Universities and Colleges

AN ACT TO AMEND SECTION 37-101-241, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING SHALL APPOINT STAFF AS MAY BE REQUIRED FOR THE PERFORMANCE OF THE DUTIES OF THE COMMISSION ON COLLEGE ACCREDITATION AND TO PROVIDE NECESSARY FACILITIES AND SUPPORT TO MANAGE THE DUTIES OF THE COMMISSION; TO PROVIDE THAT THE COMMISSION SHALL AUTHORIZE AND MAINTAIN AN APPROVED LIST OF ALL PUBLIC AND PRIVATE POSTSECONDARY, ACADEMIC DEGREE-GRANTING INSTITUTIONS OR ANY OTHER ENTITIES DOMICILED IN THE STATE WHICH OFFER POSTSECONDARY ACADEMIC DEGREES OR PROGRAMS; TO ALLOW THE BOARD TO CHARGE THE COMMISSION FOR THE ACTUAL COSTS INCURRED BY THE BOARD TO ASSIST IN THE PERFORMANCE OF THE COMMISSION'S DUTIES; TO AMEND SECTION 37-101-243, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2582:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-7-7, MISSISSIPPI CODE OF 1972, TO REMOVE CERTAIN OBSOLETE DEFINITIONS TO CONFORM TO EXISTING LAW; TO AMEND SECTION 73-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANYONE DETERMINED TO HAVE VIOLATED RULES PRIOR TO BEING LICENSED BY THE BOARD OF COSMETOLOGY SHALL BE SUBJECT TO THE SAME DISCIPLINE AS LICENSEES; TO AMEND SECTION 73-7-15, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT FOR A COSMETOLOGY INSTRUCTOR LICENSEE TO READ, WRITE AND SPEAK ENGLISH; TO AMEND SECTION 73-7-17, MISSISSIPPI CODE OF 1972, TO REQUIRE AN APPLICANT WHO IS APPLYING FOR A COSMETOLOGY SCHOOL LICENSE TO PROVIDE A \$50,000.00 SURETY BOND; TO SET CERTAIN REQUIREMENTS FOR SUCH APPLICANTS, INCLUDING THAT THE APPLICANT HAVE PROFESSIONAL LIABILITY INSURANCE, MEET CERTAIN HEALTH STANDARDS AND HAVE THE CORRECT COURSE CONTENT; TO AMEND SECTION 73-7-18, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT FOR AN ESTHETICIAN LICENSEE TO READ, WRITE AND SPEAK ENGLISH; TO AMEND SECTION 73-7-21, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT FOR A MANICURIST LICENSEE TO READ, WRITE AND SPEAK ENGLISH; TO AMEND SECTION 73-7-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD MAY ISSUE A LICENSE BY RECIPROCITY IF THE OTHER STATE HAS ENTERED INTO A WRITTEN RECIPROCAL AGREEMENT; TO AMEND SECTION 73-7-27, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE PROCEDURES WHEN THE BOARD IMPOSES A CIVIL PENALTY OR FINE FOR VIOLATIONS, INCLUDING A NOTICE AND HEARING REQUIREMENT; TO SET CERTAIN CLASSES OF FINES FOR VIOLATIONS; TO AMEND SECTION 73-7-29, MISSISSIPPI CODE OF 1972, TO REMOVE CERTAIN OBSOLETE TERMS TO CONFORM TO EXISTING LAW; TO AMEND SECTION 73-7-37, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE JURISDICTION FOR THE BOARD TO FILE FOR AN ORDER ENFORCING COMPLIANCE OF THE CHAPTER; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2583:** Public Health and Welfare

AN ACT TO REPEAL SECTIONS 41-7-171 THROUGH 41-7-209, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI HEALTH CARE CERTIFICATE OF NEED LAW OF 1979; TO AMEND SECTIONS 23-15-625, 25-41-7, 35-1-19, 41-3-15, 41-4-18, 41-9-11, 41-9-23, 41-9-68, 41-9-209, 41-9-210, 41-71-7, 41-71-19, 41-73-5, 41-75-1, 41-75-5, 41-75-9, 41-75-25, 41-77-1, 41-77-5, 41-77-21, 41-77-23, 41-77-25, 43-11-9, 43-11-19, 43-13-117.5 AND 57-117-5, MISSISSIPPI CODE OF 1972, AND TO REPEAL SECTION 41-9-311, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2584:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-197, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PARTY REQUESTING A HEARING ON AN APPLICATION FOR A HEALTH CARE CERTIFICATE OF NEED WHO DOES NOT PREVAIL AT THE HEARING SHALL PAY COSTS AND ATTORNEY FEES, AND TO APPLY THE SAME REQUIREMENT TO ANY PARTY WHO APPEALS AN ORDER OF THE HEARING OFFICER TO THE PROPER COURT AND LOSES ON APPEAL; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2585:** Education

AN ACT TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE THE AWARD CRITERIA OF THE WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD SHALL DEVELOP RULES FOR ENSURING THAT EXPENSES OF THE PROGRAM IN A FISCAL YEAR DO NOT EXCEED FUNDING FOR THE PROGRAM IN THAT FISCAL YEAR; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD MAY LIMIT THE ACCEPTANCE OF APPLICATIONS AND MAY LIMIT THE NUMBER OF AWARDS; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Jackson

**S. B. No. 2586:** Education

AN ACT TO AMEND SECTION 37-13-205, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF TERMINOLOGY RELATED TO THE OFFERING OF INSTRUCTION UNDER PROVISIONS OF THE "MISSISSIPPI COMPUTER SCIENCE AND CYBER EDUCATION EQUALITY ACT"; TO PROVIDE THAT SUCH INSTRUCTION MUST BE TAUGHT BY APPROPRIATELY ENDORSED TEACHERS FOR COMPUTER SCIENCE COURSES WHICH AWARD CARNEGIE UNITS, AND BY LICENSED TEACHERS OR PARAPROFESSIONALS WITH PROPER TRAINING IN COMPUTER SCIENCE INSTRUCTION WHO ARE UNDER THE GUIDANCE OR SUPERVISION OF A LICENSED TEACHER; TO INCLUDE IN THE DEFINITION SECTION OF THE ACT THE MEANING OF THE TERM PARAPROFESSIONAL; TO AMEND SECTION 37-13-211, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) DeLano, Jackson

**S. B. No. 2587:** Education

AN ACT TO PROVIDE THAT A PUPIL COMPLIES WITH THE RESIDENCY REQUIREMENTS OF A SCHOOL DISTRICT IF THE PUPIL'S PARENT IS TRANSFERRED OR IS PENDING TRANSFER TO A MILITARY INSTALLATION WITHIN THE STATE WHILE ON ACTIVE MILITARY DUTY PURSUANT TO AN OFFICIAL MILITARY ORDER; TO REQUIRE A PARENT TO PROVIDE PROOF OF RESIDENCE IN THE SCHOOL DISTRICT WITHIN TEN DAYS AFTER THE PUBLISHED ARRIVAL DATE PROVIDED ON OFFICIAL DOCUMENTATION; TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ACTIVE DUTY MILITARY AND CIVILIAN MILITARY PERSONNEL RESIDING OFF BASE TO ENROLL THEIR CHILDREN IN SCHOOLS OF CHOICE; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2588:** Highways and Transportation

AN ACT TO CODIFY SECTION 65-31-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO DESIGNATE THE STATE HOSPITALITY STATION LOCATED IN VICKSBURG, WARREN COUNTY, ON THE MISSISSIPPI RIVER, AS THE "COMMISSIONER DICK HALL HOSPITALITY STATION"; AND FOR RELATED PURPOSES.

By Senator(s) Branning, Harkins, McCaughn

**S. B. No. 2589:** Highways and Transportation

AN ACT TO AMEND SECTION 10, CHAPTER 582, LAWS OF 2002; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 2590:** Universities and Colleges

AN ACT TO AMEND CHAPTER 493, LAWS OF 2016, TO INCREASE THE LENGTH OF TIME MISSISSIPPI STATE UNIVERSITY IS AUTHORIZED TO LEASE CERTAIN LAND FOR PUBLIC-PRIVATE PARTNERSHIP STUDENT HOUSING; AND FOR RELATED PURPOSES.

By Senator(s) Williams

**S. B. No. 2591:** Public Health and Welfare; Appropriations

AN ACT TO AMEND SECTION 43-1-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A SUPPLEMENTARY STATE FOOD STAMP PROGRAM FOR ELDERLY RECIPIENTS; TO PROVIDE THAT RECIPIENTS MUST BE AT LEAST 65 YEARS OLD; TO PROVIDE THAT RECIPIENTS MAY RECEIVE ONE HUNDRED DOLLARS PER MONTH; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Simmons (12th)

**S. B. No. 2592:** Finance

AN ACT TO CREATE NEW SECTION 25-11-126, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PERSONS RECEIVING A RETIREMENT ALLOWANCE FROM THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM WHO ARE REEMPLOYED AS TEACHERS IN THE PUBLIC SCHOOL SYSTEM AFTER THEIR RETIREMENT MAY RECEIVE A RETIREMENT ALLOWANCE DURING THEIR EMPLOYMENT AS TEACHERS IN ADDITION TO RECEIVING A TEACHER'S SALARY; TO PROVIDE THAT THOSE PERSONS MAY NOT BE REEMPLOYED FOR A PERIOD GREATER THAN FIVE YEARS; TO PROVIDE THAT THOSE PERSONS SHALL NOT BE CONTRIBUTING MEMBERS OF THE RETIREMENT SYSTEM NOR RECEIVE ANY CREDITABLE SERVICE; TO PROVIDE THAT THE EMPLOYER SHALL BE RESPONSIBLE FOR PAYING AN AMOUNT EQUIVALENT TO BOTH THE EMPLOYER'S PORTION AND THE EMPLOYEE'S PORTION OF THE CONTRIBUTION RATE; TO AMEND SECTION 25-11-127, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Simmons (12th)

**S. B. No. 2593:** Universities and Colleges; Finance

AN ACT TO CREATE NEW SECTION 37-125-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT JACKSON STATE UNIVERSITY SHALL CONSTRUCT A SIX HUNDRED ROOM STUDENT HOUSING PROJECT FOR ALL ELIGIBLE STUDENTS; TO PROVIDE THAT STUDENTS MAY BE HOUSED IN SUCH HOUSING PROJECT ON A FIRST COME, FIRST SERVED BASIS OR BY ANY OTHER LEGAL PROCEDURE ESTABLISHED BY JACKSON STATE UNIVERSITY; TO PROVIDE THAT THE PROJECT SHALL NOT BE EXEMPT FROM ANY CONTRACTING, BIDDING OR OTHER RESTRICTIONS CURRENTLY EXISTING IN STATUTE OR ANY RULE OR REGULATION ADOPTED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING PERTAINING TO SUCH CONSTRUCTION; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Jackson, Butler (36th), Butler (38th), Thomas, Norwood, Frazier, Turner-Ford

**S. B. No. 2594:** Economic and Workforce Development; Appropriations

AN ACT TO CREATE THE MISSISSIPPI YOUTH CAREER AND WORKFORCE PREPARATION GRANT PROGRAM TO BE ADMINISTERED BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO PROVIDE THAT THE PROGRAM SHALL BE USED BY THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY ACTING AS THE FISCAL AGENT, FOR THE PURPOSE OF PROVIDING SUPPORT FOR YOUTH AFTER-SCHOOL PROGRAMS THAT HELP WITH THE DEVELOPMENT OF SOFT AND HARD SKILLS AND THAT ARE FOCUSED ON CAREER AND WORKFORCE PREPARATION; TO

PROVIDE THAT ELIGIBLE GRANT RECIPIENTS SHALL INCLUDE YOUTH DEVELOPMENT NONPROFIT ORGANIZATIONS AFFILIATED WITH A CONGRESSIONALLY CHARTERED NATIONAL ORGANIZATION THAT HAS NATIONAL QUALITY AND SAFETY STANDARDS; TO PROVIDE THE CRITERIA THAT MUST BE SUBMITTED TO THE OFFICE IN ORDER FOR AN APPLICANT TO BE ELIGIBLE FOR A GRANT; TO PROVIDE REPORTING REQUIREMENTS ABOUT THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2595:** Economic and Workforce Development

AN ACT TO AMEND SECTION 37-153-63, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALER ON THE AMERICAN RESCUE PLAN ACT (ARPA) WORKFORCE DEVELOPMENT AND RETENTION ACT; TO PROVIDE THAT GRANT FUNDS SHALL BE AVAILABLE UNDER THE ACT THROUGH DECEMBER 31, 2026, OR ON THE DATE OF THE FUND EXPENDITURE DEADLINE PROVIDED BY THE FEDERAL GOVERNMENT, WHICHEVER OCCURS LATER; TO PROVIDE THAT EACH GRANT RECIPIENT SHALL CERTIFY, FOR ANY PROJECT FOR WHICH A GRANT IS AWARDED, THAT IF THE PROJECT IS NOT COMPLETED BY DECEMBER 31, 2026, AND THE UNITED STATES CONGRESS DOES NOT ENACT AN EXTENSION OF THE DEADLINE ON THE AVAILABILITY OF ARPA FUNDS, THEN THE GRANT RECIPIENT WILL COMPLETE THE PROJECT THROUGH OTHER FUNDS; AND FOR RELATED PURPOSES.

By Senator(s) Parker, Butler (36th)

**S. B. No. 2596:** Economic and Workforce Development

AN ACT TO CREATE THE "MISSISSIPPI NONPROFIT TRANSPARENCY ACT"; TO REQUIRE A STATE AGENCY, DEPARTMENT, OR INSTITUTION TO ANNUALLY REPORT ALL NONPROFIT CORPORATIONS THAT RECEIVE GRANTS, SUBGRANTS OR CONTRACTS DERIVED FROM STATE OR FEDERAL FUNDS TO THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.

By Senator(s) Parker, Branning, McCaughn

**S. B. No. 2597:** Economic and Workforce Development

AN ACT TO REENACT SECTIONS 37-153-1, 37-153-3, 37-153-5, 37-153-7, 37-153-9, 37-153-11, 37-153-13, 37-153-15 AND 37-153-17 MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; TO AMEND REENACTED SECTION 37-153-17, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE MISSISSIPPI COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2598:** Public Health and Welfare

AN ACT TO AMEND SECTION 43-11-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONAL CARE HOMES MUST BE LICENSED AND REGULATED BY THE STATE DEPARTMENT OF HEALTH IF THEY PROVIDE INDIVIDUAL OR GROUP LIVING ARRANGEMENTS FOR ONE OR MORE PERSONS WHO ARE UNRELATED TO THE OPERATOR; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2599:** Education

AN ACT TO ALLOW STATE-FUNDED SCHOOLS TO PARTICIPATE IN EXTRACURRICULAR ACTIVITIES AGAINST SCHOOLS THAT DO NOT RECEIVE STATE FUNDS, SCHOOLS THAT ARE NOT ACCREDITED BY THE STATE DEPARTMENT OF EDUCATION, AND AGAINST NONPUBLIC SCHOOLS; AND FOR RELATED PURPOSES.

By Senator(s) Johnson, Tate, Whaley, Younger, England, Carter, Seymour, McCaughn

**S. B. No. 2600:** Public Health and Welfare



AN ACT TO AMEND SECTION 41-19-35, MISSISSIPPI CODE OF 1972, TO REVISE THE MEMBERSHIP OF A SPECIFIC REGIONAL COMMISSION OF A COMMUNITY MENTAL HEALTH BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2601:** Education

AN ACT TO AMEND SECTION 37-21-53, MISSISSIPPI CODE OF 1972, TO PRESCRIBE ADDITIONAL DUTIES FOR THE STATE EARLY CHILDHOOD ADVISORY COUNCIL; TO PROVIDE FOR ADDITIONAL MEMBERS WHO ARE RECOMMENDED BY THE LIEUTENANT GOVERNOR AND SPEAKER OF THE HOUSE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2602:** Highways and Transportation

AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 25 IN LEAKE COUNTY, MISSISSIPPI, AS THE "KASH HAIDEN MCGRAW MEMORIAL HIGHWAY" IN MEMORY OF KASH MCGRAW; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2603:** Finance

AN ACT TO CREATE THE MISSISSIPPI DIGITAL ASSET MINING ACT; TO AMEND SECTION 75-15-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "VIRTUAL CURRENCY"; TO AMEND SECTION 75-15-7, MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXEMPTION FOR THE BUYING, SELLING, ISSUING, RECEIVING OR TAKING CUSTODY OF VIRTUAL CURRENCY UNDER THE MISSISSIPPI MONEY TRANSMITTERS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2604:** Appropriations

AN ACT TO ESTABLISH THE SUPPLEMENTAL SALARY PAY FOR MISSISSIPPI EMERGENCY TELECOMMUNICATORS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Williams

**S. B. No. 2605:** Municipalities; County Affairs

AN ACT TO AMEND SECTIONS 19-5-9 AND 21-19-25, MISSISSIPPI CODE OF 1972, TO RESTORE TO LOCAL GOVERNMENTS THE DISCRETION TO CHOOSE WHETHER TO REQUIRE PERMITTING AS A CONDITION TO CONSTRUCTION; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2606:** Judiciary, Division A

AN ACT TO AMEND SECTION 11-1-66.1, MISSISSIPPI CODE OF 1972, TO FURTHER REGULATE LIABILITY OF LANDOWNERS WHEN AN INVITEE IS INJURED ON THE LANDOWNER'S PROPERTY; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2607:** Judiciary, Division A; County Affairs

AN ACT TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO LIMIT THE FINANCIAL RESPONSIBILITY OF THE BOARD OF SUPERVISORS FOR PAYMENT OF TREATMENT COSTS NEEDED BY CERTAIN MENTALLY ILL COUNTY RESIDENTS UNDER ORDER OF COMMITMENT WHO ARE INDIGENT TO A NEGOTIATED DISCOUNTED FEE OR, IN THE ABSENCE OF A NEGOTIATED FEE SCHEDULE, TO THE MEDICAID REIMBURSEMENT RATE; TO AMEND SECTION 41-21-73, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Thompson, England, DeLano

**S. B. No. 2608:** Veterans and Military Affairs

AN ACT TO PROVIDE THAT REFERENCES IN THE MISSISSIPPI CODE TO "ARMED FORCES" OR "UNIFORMED SERVICES" SHALL INCLUDE MEMBERS OF

THE UNITED STATES SPACE FORCE; TO AMEND SECTIONS 23-15-673, 33-1-1, 37-135-31, 49-7-351 AND 73-50-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2609:** Judiciary, Division A; Finance

AN ACT TO AMEND SECTION 43-15-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE PAYMENTS TO A QUALIFYING GRANDPARENT WHO HAS ASSUMED THE PRIMARY CARE OF HIS OR HER GRANDCHILD; TO CREATE NEW SECTION 27-7-22.45, MISSISSIPPI CODE OF 1972, TO CREATE A TAX CREDIT TO BE CLAIMED FOR QUALIFIED EXPENSES PAID OR INCURRED FOR EACH GRANDCHILD LEGALLY CARED FOR OR PROVIDED FOR BY A TAXPAYER UNDER THE LAWS OF THIS STATE DURING CALENDAR YEAR 2022 OR DURING ANY CALENDAR YEAR THEREAFTER; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Simmons (12th), Hickman

**S. B. No. 2610:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT ALLOCATED FROM THE SUPPORT STAFF FUND EACH FISCAL YEAR FOR EACH CIRCUIT COURT JUDGE AND CHANCELLOR FOR THE PURPOSES OF SUPPORT STAFF AND LAW CLERKS; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2611:** Judiciary, Division A

AN ACT TO AMEND SECTIONS 93-17-3 AND 93-17-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COURT TO DETERMINE IF A HOME STUDY IS NECESSARY IN AN ADOPTION; TO AMEND SECTION 93-17-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO DISCLOSE INFORMATION RECEIVED DURING CLOSED ADOPTION HEARINGS OR FROM RECORDS PERTAINING TO ADOPTION PROCEEDINGS ARE GUILTY OF A MISDEMEANOR; TO PROVIDE CRIMINAL PENALTIES; TO PROVIDE FOR CIVIL CONTEMPT; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2612:** County Affairs; Municipalities

AN ACT TO BRING FORWARD SECTION 19-5-9, MISSISSIPPI CODE OF 1972, WHICH REQUIRES COUNTY PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE UNINCORPORATED AREAS OF A COUNTY, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 21-19-25, MISSISSIPPI CODE OF 1972, WHICH REQUIRES MUNICIPAL PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN A MUNICIPALITY'S JURISDICTION, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 73-59-1, 73-59-3, 73-59-9 AND 73-59-15, MISSISSIPPI CODE OF 1972, WHICH CONCERN LICENSING BY THE STATE BOARD OF CONTRACTORS FOR RESIDENTIAL BUILDERS AND REMODELERS, AND CERTAIN OTHER CONSTRUCTION MANAGERS, CONTRACTORS AND SUBCONTRACTORS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 2613:** Medicaid

AN ACT TO AMEND SECTION 41-55-71, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE BY WHICH AN ENTITY PROVIDING NONEMERGENCY TRANSPORTATION SERVICES MAY CONTINUE TO PROVIDE SUCH SERVICES WITHOUT FIRST RECEIVING A PERMIT FROM THE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2614:** Insurance

AN ACT TO CREATE NEW SECTION 83-5-858, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PLAN SPONSOR OF A HEALTH BENEFIT PLAN MAY, ON BEHALF OF COVERED PERSONS IN THE PLAN, PROVIDE THE CONSENT TO THE MAILING OF ALL COMMUNICATIONS RELATED TO THE PLAN BY ELECTRONIC MEANS; TO PROVIDE CERTAIN OTHER REQUIREMENTS OF PLAN SPONSORS AND INSURERS FOR HEALTH BENEFIT PLANS; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2615:** Insurance

AN ACT TO AMEND SECTIONS 25-15-3 AND 25-9-120, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS TO AUTHORIZE CONTRACT PERSONNEL EMPLOYED BY THE STATE OR OTHER GOVERNMENT ENTITIES TO PURCHASE THE BASE PLAN OF THE STATE AND SCHOOL EMPLOYEES' HEALTH INSURANCE PLAN IF SUCH PERSON PAYS THE FULL PRICE OF SUCH PLAN WITHOUT CONTRIBUTION FROM THEIR EMPLOYER; TO REQUIRE SUCH GOVERNMENT ENTITIES TO OFFER THIS TO ANY CONTRACT PERSONNEL WHO WORK AT LEAST THIRTY HOURS IN A SEVEN DAY PERIOD; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2616:** Appropriations

AN ACT TO AMEND SECTION 73-35-17, MISSISSIPPI CODE OF 1972, TO REDUCE THE LICENSING FEES CHARGED BY THE REAL ESTATE COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Michel, McCaughn, Norwood, Sparks

**S. B. No. 2617:** Insurance

AN ACT TO AMEND SECTION 83-13-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PROVISIONS RELATED TO COVERAGE OF FIRE INSURANCE POLICIES SHALL NOT APPLY TO ANY BUILDERS' RISK POLICY; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2618:** Insurance

AN ACT TO REQUIRE EACH INSURER ISSUING HEALTH INSURANCE POLICIES FOR DELIVERY IN THIS STATE TO FILE WITH THE COMMISSIONER OF INSURANCE THEIR PREMIUM RATES AND CLASSIFICATION OF RISKS PERTAINING TO THE POLICIES; TO REQUIRE APPROVAL BY THE COMMISSIONER OF INSURANCE BEFORE RATE FILINGS CONTAINING AN INCREASE IN PREMIUM RATES MAY BECOME EFFECTIVE; AND FOR RELATED PURPOSES.

By Senator(s) Norwood

**S. B. No. 2619:** Business and Financial Institutions

AN ACT TO CREATE COMMERCIAL FINANCING DISCLOSURE LAWS TO ENSURE FULL DISCLOSURE OF CONTRACT TERMS; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2620:** Veterans and Military Affairs; Finance

AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A FREE LIFETIME MOTOR VEHICLE OR MOTORCYCLE LICENSE TAG FOR 100% DISABLED VETERANS; TO REVISE THE DISABILITY RATING REQUIREMENTS FOR DISCOUNTED MOTOR VEHICLE AND MOTORCYCLE LICENSE PLATES AND TAGS AUTHORIZED FOR DISABLED VETERANS; TO AMEND SECTION 27-19-56.444, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2621:** Veterans and Military Affairs; Finance

AN ACT TO BRING FORWARD SECTION 27-19-53, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2622:** Insurance

AN ACT TO ENACT THE MISSISSIPPI PRIOR AUTHORIZATION REFORM ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT; TO PROVIDE THE APPLICABILITY AND SCOPE OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAINTAIN A COMPLETE LIST OF SERVICES FOR WHICH PRIOR AUTHORIZATIONS ARE REQUIRED; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE ANY CURRENT PRIOR AUTHORIZATION REQUIREMENTS AND RESTRICTIONS READILY ACCESSIBLE AND POSTED ON ITS WEBSITE; TO SET REQUIREMENTS FOR THE CLINICAL REVIEW CRITERIA OF HEALTH INSURANCE ISSUERS; TO PROHIBIT HEALTH INSURANCE ISSUERS FROM DENYING A CLAIM FOR FAILURE TO OBTAIN PRIOR AUTHORIZATION IF THE PRIOR AUTHORIZATION REQUIREMENT WAS NOT IN EFFECT ON THE DATE OF SERVICE ON THE CLAIM; TO REQUIRE HEALTH INSURERS TO MAKE CERTAIN PRIOR AUTHORIZATION STATISTICS AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE AVAILABLE A STANDARDIZED ELECTRONIC PRIOR AUTHORIZATION REQUEST TRANSACTION PROCESS BY JANUARY 1, 2024; TO ESTABLISH CERTAIN REQUIREMENTS ON HEALTH INSURANCE ISSUERS FOR PRIOR AUTHORIZATIONS IN NONURGENT CIRCUMSTANCES AND URGENT CIRCUMSTANCES; TO PROVIDE CERTAIN QUALIFICATIONS OF PHYSICIANS QUALIFIED TO MAKE ADVERSE DETERMINATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO GIVE CERTAIN NOTIFICATIONS WHEN MAKING AN ADVERSE DETERMINATION; TO ESTABLISH THE QUALIFICATIONS FOR PERSONNEL WHO REVIEW APPEALS OF PRIOR AUTHORIZATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO PERIODICALLY REVIEW ITS PRIOR AUTHORIZATION REQUIREMENTS AND TO CONSIDER REMOVAL OF THESE REQUIREMENTS IN CERTAIN CASES; TO PROVIDE THAT A HEALTH INSURANCE ISSUER MAY NOT REVOKE OR FURTHER LIMIT, CONDITION OR RESTRICT A PREVIOUSLY ISSUED PRIOR AUTHORIZATION WHILE IT REMAINS VALID UNDER THIS ACT UNLESS CERTAIN EXCLUSIONS ARE APPLICABLE; TO PROVIDE HOW LONG PRIOR AUTHORIZATION APPROVALS SHALL BE VALID; TO PROVIDE HOW LONG THE PRIOR AUTHORIZATIONS FOR CHRONIC CONDITIONS SHALL BE VALID; TO ESTABLISH THE PROCEDURE FOR THE CONTINUITY OF PRIOR APPROVALS FROM PREVIOUS HEALTH INSURANCE ISSUERS TO CURRENT ISSUERS; TO PROVIDE THAT A FAILURE BY A HEALTH INSURANCE ISSUER TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS SPECIFIED IN THIS ACT SHALL RESULT IN ANY HEALTH CARE SERVICES SUBJECT TO REVIEW TO BE AUTOMATICALLY DEEMED AUTHORIZED BY THE HEALTH INSURANCE ISSUER OR ITS CONTRACTED PRIVATE REVIEW AGENT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ISSUE CEASE AND DESIST ORDERS TO HEALTH INSURANCE ISSUERS OR PRIVATE REVIEW AGENTS; TO AUTHORIZE THE DEPARTMENT TO IMPOSE UPON A PRIVATE REVIEW AGENT, HEALTH BENEFIT PLAN OR HEALTH INSURANCE ISSUER AN ADMINISTRATIVE FINE NOT TO EXCEED \$10,000.00 PER VIOLATION OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO REPORT TO THE DEPARTMENT CERTAIN DATA; TO AMEND SECTION 41-83-31, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO SET CERTAIN QUALIFICATIONS AND TIME CONSTRAINTS FOR PHYSICIANS MAKING ADVERSE DETERMINATIONS THROUGH ANY PROGRAM OF UTILIZATION REVIEW; TO AMEND SECTION 83-9-6.3, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Michel, McLendon, Boyd, Horhn, DeLano, Hill

**S. B. No. 2623:** Insurance

AN ACT TO CREATE NEW SECTION 25-15-22, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI STATE AND SCHOOL EMPLOYEES' LIFE AND

HEALTH INSURANCE PLAN TASK FORCE TO STUDY, REPORT AND MAKE RECOMMENDATIONS REGARDING SUCH INSURANCE PLANS; TO PROVIDE CERTAIN ITEMS FOR THE TASK FORCE TO STUDY, REPORT AND MAKE RECOMMENDATIONS ON; TO PROVIDE FOR THE MEMBERSHIP AND MEETING PROCEDURE OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO MAKE A REPORT OF ITS FINDINGS AND RECOMMENDATIONS, INCLUDING ANY RECOMMENDED LEGISLATION, TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE CHAIRS OF THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE ON OR BEFORE NOVEMBER 1, 2023, AT WHICH TIME THE TASK FORCE WILL BE DISSOLVED; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2624:** Insurance; Appropriations

AN ACT TO ENACT THE HELPING HEROES ACT TO PROVIDE THAT ANY POLICE OFFICER, FIREFIGHTER OR PUBLIC EMS PERSONNEL WHO IS DIAGNOSED BY A MENTAL HEALTH PROFESSIONAL WITH PTSD, DURING HIS OR HER NORMAL COURSE OF DUTY SHALL BE PRESUMED TO HAVE A DISEASE OR INFIRMITY CONNECTED TO WORK-RELATED SERVICE AS A FIRST RESPONDER. TO PROVIDE CERTAIN ALTERNATIVES TO PURSUING WORKERS' COMPENSATION BENEFITS; TO SET A LIMIT ON THE AMOUNT OF TREATMENT AND PAID TIME OFF AN ELIGIBLE FIRST RESPONDER MAY RECEIVE; TO PROVIDE CERTAIN EXCLUSIONS TO THE ACT; TO PROVIDE THAT FUNDING FOR THE HEROES ACT SHALL COME FROM THE FUNDS ALLOCATED IN THE FIRST RESPONDERS HEALTH AND SAFETY ACT; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2625:** Gaming; Finance

AN ACT TO AMEND SECTIONS 67-1-71, 87-1-5, 97-33-1, 97-33-7, 97-33-17, 97-33-25 AND 97-33-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE GAMING TO BE CONDUCTED ON VESSELS AS DEFINED IN SECTION 27-109-1 WHENEVER SUCH VESSEL IS ON THE PEARL RIVER OR AN ADJOINING BODY OF WATER WITHIN THE CORPORATE LIMITS OF A MUNICIPALITY WITH A POPULATION OF 145,000 OR MORE ACCORDING TO THE MOST RECENT FEDERAL DECENNIAL CENSUS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2626:** Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN INCREASED RATE OF MEDICAID REIMBURSEMENT FOR INPATIENT AND OUTPATIENT HOSPITAL SERVICES FOR HOSPITALS THAT ARE LOCATED IN A COUNTY THAT HAD AN AVERAGE MONTHLY UNEMPLOYMENT RATE OF EIGHT PERCENT OR HIGHER FOR THE 12 MONTHS OF THE PREVIOUS STATE FISCAL YEAR AND HAS A CRITICAL SHORTAGE OF PHYSICIANS AND NURSES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2627:** Medicaid

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

By Senator(s) Horhn

**S. B. No. 2628:** Medicaid; Appropriations

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO PROVIDE MEDICAID COVERAGE FOR INDIVIDUALS WHO ARE 55 YEARS OF AGE OR OLDER, ARE DETERMINED TO NEED THE LEVEL OF CARE REQUIRED FOR

COVERAGE OF NURSING FACILITY SERVICES, RESIDE IN THE SERVICE AREA OF THE PACE ORGANIZATION, AND MEET ANY ADDITIONAL PROGRAM-SPECIFIC ELIGIBILITY CONDITIONS IMPOSED BY THE DIVISION OF MEDICAID; TO AMEND SECTION 43-13-117, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PREVIOUS SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2629:** Medicaid

AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO EXTEND MEDICAID COVERAGE FOR ELIGIBLE WOMEN FOR UP TO 12 MONTHS POSTPARTUM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2630:** Medicaid

AN ACT TO AMEND SECTION 43-13-121, MISSISSIPPI CODE OF 1972, TO DIRECT THE DIVISION OF MEDICAID TO APPLY FOR NECESSARY WAIVERS AND EXPEND FUNDS APPROPRIATED AS NECESSARY TO PROVIDE HOME- AND COMMUNITY-BASED SERVICES TO THE AGED/DISABLED, PHYSICALLY DISABLED AND RECIPIENTS WITH TRAUMATIC BRAIN INJURY/SPINAL CORD INJURY TO ELIMINATE ANY WAITING PERIOD FOR SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2631:** Medicaid; Appropriations

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

By Senator(s) Blackmon

**S. B. No. 2632:** Judiciary, Division A

AN ACT TO AMEND SECTION 89-1-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NONRESIDENT ALIENS WHO ARE CITIZENS OF A COUNTRY THAT IS HOSTILE TO THE INTERESTS OF THE UNITED STATES OR A COUNTRY THAT IS A KNOWN VIOLATOR OF HUMAN RIGHTS MAY NOT HOLD LAND, DISPOSE OF LAND OR TRANSMIT LAND BY DESCENT IF THE LAND IS LOCATED WITHIN A FIFTY (50) MILE RADIUS OF A MILITARY INSTALLATION; TO DEFINE THE TERM "MILITARY INSTALLATION"; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2633:** Judiciary, Division A

AN ACT TO AMEND SECTION 9-21-71, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS RELATED TO LIMITED ENGLISH PROFICIENT INDIVIDUALS; TO AMEND SECTION 9-21-73, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LIMITED ENGLISH PROFICIENT INDIVIDUAL IS ENTITLED TO USE AN INTERPRETER IN ANY INSTANCE ARISING OUT OF OR PERTAINING TO THEIR INVOLVEMENT IN LITIGATION; TO MAKE CERTAIN TECHNICAL AMENDMENTS; TO CREATE NEW SECTION 9-21-80, MISSISSIPPI CODE OF 1972, TO ESTABLISH A PROCEDURE FOR COURTS TO FOLLOW IN APPOINTING COURT INTERPRETERS; TO AMEND SECTION 9-21-81, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COSTS OF AN INTERPRETER SHALL BE PAID BY THE MUNICIPALITY OR THE COUNTY AT NO COST TO THE LIMITED ENGLISH PROFICIENT INDIVIDUAL; TO AMEND SECTIONS 9-21-77, 9-21-79 AND 99-17-7, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2634:** Judiciary, Division A

AN ACT TO AMEND SECTION 97-5-3, MISSISSIPPI CODE OF 1972, TO ALLOW CHARGES AGAINST A PARENT WHO SHALL DESERT OR WILLFULLY NEGLECT OR REFUSE TO PROVIDE SUPPORT AND MAINTENANCE OF HIS OR HER CHILD WHEN THAT CHILD IS UNDER 21 YEARS OF AGE TO BE PURSUED FOR THREE YEARS AFTER THE CHILD TURNS 21 YEARS OF AGE FOR ANY OFFENSE UNDER THIS SECTION WHEN THE CHILD WAS UNDER THE AGE OF 21 YEARS; TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE STATUTE OF LIMITATIONS FOR CHARGES AGAINST A PARENT WHO DESERTS, WILLFULLY NEGLECTS OR REFUSES TO PROVIDE SUPPORT OR MAINTENANCE OF HIS OR HER CHILD; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2635:** Insurance

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

By Senator(s) Michel

**S. B. No. 2636:** Judiciary, Division A

AN ACT TO AMEND SECTION 79-4-14.21, MISSISSIPPI CODE OF 1972, OF THE MISSISSIPPI BUSINESS CORPORATION ACT TO AUTHORIZE NOTICE OF DISSOLUTION BY ELECTRONIC MAIL TO REGISTERED AGENTS HAVING AN EMAIL ADDRESS ON FILE; TO AMEND SECTION 79-29-823, MISSISSIPPI CODE OF 1972, OF THE REVISED MISSISSIPPI LIMITED LIABILITY COMPANY ACT TO AUTHORIZE NOTICE OF DISSOLUTION BY ELECTRONIC MAIL TO REGISTERED AGENTS HAVING AN EMAIL ADDRESS ON FILE; AND FOR RELATED PURPOSES.

By Senator(s) Williams

**S. B. No. 2637:** Accountability, Efficiency, Transparency

AN ACT TO PROVIDE PROCEDURES BY WHICH QUALIFIED ELECTORS OF THIS STATE MAY INITIATE PROPOSED AMENDMENTS TO THE MISSISSIPPI CODE OF 1972, TO BE APPROVED BY THE ELECTORATE AT THE NEXT STATEWIDE GENERAL ELECTION; TO PROVIDE FOR THE MANNER AND TIME FOR FILING INITIATIVE PETITIONS WITH THE SECRETARY OF STATE; TO PRESCRIBE THE DUTIES AND POWERS OF THE SECRETARY OF STATE WITH REGARD TO RECEIVING, FILING AND CERTIFYING INITIATIVE MEASURES AND PETITIONS; TO PRESCRIBE THE FORM OF INITIATIVE PETITIONS AND THE FORMS OF SUCH MEASURES FOR THE BALLOTS; TO AUTHORIZE APPEALS FROM ADVERSE FINDINGS OF THE SECRETARY OF STATE REGARDING INITIATIVE MEASURES AND PETITIONS; TO PROVIDE CRIMINAL PENALTIES FOR CERTAIN CONDUCT

PRESCRIBED AS UNLAWFUL UNDER THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Jackson, Simmons (12th), Hickman, Frazier, Norwood, Turner-Ford, Jordan, Butler (38th), Thomas

**S. B. No. 2638:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTIONS 23-17-1, 23-17-3, 23-17-5, 23-17-8, 23-17-9, 23-17-11, 23-17-17, 23-17-19, 23-17-21, 23-17-29, 23-17-35, 23-17-37, 23-17-39, 23-17-42, 23-17-43 AND 23-17-45, MISSISSIPPI CODE OF 1972, TO REVISE THE INITIATIVE MEASURE PROCESS TO PROVIDE THAT AMENDMENTS TO THE MISSISSIPPI CONSTITUTION MAY ONLY BE PROPOSED BY THE LEGISLATURE, BUT THAT THE PEOPLE SHALL HAVE THE RIGHT TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE; TO CREATE NEW SECTION 23-17-4, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SECRETARY OF STATE SHALL SUBMIT ANY PROPOSED INITIATIVE MEASURE THAT IT RECEIVES TO THE CHIEF LEGISLATIVE BUDGET OFFICER FOR THE PREPARATION OF A FISCAL ANALYSIS; TO CREATE NEW SECTION 23-17-20, MISSISSIPPI CODE OF 1972, TO PROVIDE THE DUTIES OF A PETITION CIRCULATOR; TO REPEAL SECTIONS 23-17-31 AND 23-17-33, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR A LEGISLATIVE ALTERNATIVE TO AN INITIATIVE MEASURE; TO BRING FORWARD SECTION 23-17-60, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Boyd, Suber

**S. B. No. 2639:** Accountability, Efficiency, Transparency

AN ACT TO BRING FORWARD SECTIONS 23-17-1, 23-17-3, 23-17-5, 23-17-8, 23-17-9, 23-17-11, 23-17-17, 23-17-19, 23-17-21, 23-17-29, SECTION 23-17-35, 23-17-37, 23-17-39, 23-17-42, 23-17-43, 23-17-45 AND 23-17-60, MISSISSIPPI CODE OF 1972, FOR POSSIBLE AMENDMENT TO THE BALLOT INITIATIVE PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2640:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILDREN ALLEGED TO HAVE BEEN ABUSED OR NEGLECTED SHALL BE A PARTY AND SHALL BE REPRESENTED BY COUNSEL; TO PROVIDE THAT A PARTY'S RIGHT TO REPRESENTATION SHALL EXTEND TO SHELTER HEARINGS; TO CREATE NEW SECTION 43-21-202, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL HAVE THE RIGHT TO BE REPRESENTED BY AGENCY COUNSEL EMPLOYED BY THE DEPARTMENT AT ALL STAGES OF ANY PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY; TO AMEND SECTION 43-21-501, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO ISSUE A SUMMONS TO THE DEPARTMENT OF CHILD PROTECTION SERVICES IF A PETITION IS FILED THAT INVOLVES A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO AMEND SECTION 43-21-701, MISSISSIPPI CODE OF 1972, TO ADD ADDITIONAL MEMBERS TO THE MISSISSIPPI COMMISSION ON A UNIFORM YOUTH COURT SYSTEM AND PROCEDURES; TO REVISE THE QUORUM OF THE COMMISSION; TO AMEND SECTION 43-21-703, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSION SHALL FILE A REPORT WITH THE LEGISLATURE ON OR BEFORE A CERTAIN DATE; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CLERK TO DOCKET TERMINATION-OF-PARENTAL-RIGHTS CASES AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CHANCERY COURT HAS ORIGINAL EXCLUSIVE JURISDICTION OVER ALL ADOPTION PROCEEDINGS EXCEPT WHEN A COUNTY COURT SITTING AS A YOUTH COURT HAS ACQUIRED



JURISDICTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO PROVIDE THAT THE COUNTY COURT SHALL HAVE ORIGINAL EXCLUSIVE JURISDICTION TO HEAR A PETITION FOR ADOPTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO REQUIRE THE CLERK TO DOCKET ADOPTION PROCEEDINGS AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO BRING FORWARD SECTION 7-5-1, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE POWERS OF THE ATTORNEY GENERAL, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2641:** Judiciary, Division A; Appropriations

AN ACT TO CREATE NEW SECTION 43-21-202, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL HAVE THE RIGHT TO BE REPRESENTED BY AGENCY COUNSEL EMPLOYED BY THE DEPARTMENT AT ALL STAGES OF ANY PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY; TO AMEND SECTION 43-21-501, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO ISSUE A SUMMONS TO THE DEPARTMENT OF CHILD PROTECTION SERVICES IF A PETITION IS FILED THAT INVOLVES A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO BRING FORWARD SECTION 7-5-1, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE POWERS OF THE ATTORNEY GENERAL, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2642:** Insurance

AN ACT TO CREATE NEW SECTION 83-5-90, MISSISSIPPI CODE OF 1972, TO AUTHORIZE HOMEOWNER INSURERS TO PROVIDE ACTIVE MILITARY PERSONNEL BASED IN THE STATE A 10% DISCOUNT OF THE PREMIUM ON ANY HOMEOWNER'S INSURANCE POLICY PURCHASED IN THE STATE; TO REQUIRE THE COMMISSIONER OF INSURANCE TO ADOPT RULES AND REGULATIONS TO IMPLEMENT THE PROVISIONS OF THE ACT; TO CREATE NEW SECTION 83-5-92, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MOTOR VEHICLE INSURERS TO PROVIDE ACTIVE MILITARY PERSONNEL BASED IN THE STATE A 25% DISCOUNT OF THE PREMIUM ON ANY AUTOMOBILE LIABILITY INSURANCE POLICY PURCHASED IN THE STATE; TO REQUIRE THE COMMISSIONER OF INSURANCE TO ADOPT RULES AND REGULATIONS TO IMPLEMENT THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2643:** Judiciary, Division A

AN ACT TO LOWER THE AGE OF MAJORITY FROM 21 TO 18; TO AMEND SECTION 1-3-21, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF INFANT; TO AMEND SECTION 1-3-27, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF MINOR; TO AMEND SECTION 11-5-115, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO SALE OR CONVEYANCE OF A MINOR'S PROPERTY; TO AMEND SECTION 11-46-11, MISSISSIPPI CODE OF 1972, TO REVISE THE SAVINGS CLAUSE OF THE TORT CLAIMS ACT TO CONFORM; TO AMEND SECTIONS 13-5-1 AND 13-5-12, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF JURY SERVICE; TO AMEND SECTION 15-1-17, MISSISSIPPI CODE OF 1972, TO REVISE THE LIMITATIONS APPLICABLE TO ACTIONS OR SUITS TO CANCEL TAX TITLES TO CONFORM; TO AMEND SECTION 15-1-27, MISSISSIPPI CODE OF 1972, TO CONFORM THE LIMITATIONS APPLICABLE TO AN ACTION BY A WARD AGAINST A GUARDIAN OR SURETY; TO AMEND SECTION 15-1-59, MISSISSIPPI CODE OF 1972, TO CONFORM THE SAVING IN FAVOR OF PERSONS UNDER DISABILITY OF UNSOUNDNESS OF MIND WITHIN THE CHAPTER ADDRESSING THE LIMITATIONS OF CIVIL ACTIONS; TO AMEND SECTION 21-15-13, MISSISSIPPI CODE OF 1972, TO REVISE THE MILITIA POWER OF THE MAYOR TO CONFORM; TO AMEND SECTION

25-4-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF "HOUSEHOLD MEMBER" WITHIN THE ARTICLE ESTABLISHING THE MISSISSIPPI ETHICS COMMISSION TO CONFORM; TO AMEND SECTION 41-29-145, MISSISSIPPI CODE OF 1972, TO REVISE THE PUNISHMENT OF THE DISTRIBUTION OF CONTROLLED SUBSTANCES TO MINORS TO CONFORM; TO AMEND SECTION 43-19-33, MISSISSIPPI CODE OF 1972, TO CONFORM THE AGE OF MANDATORY SUPPORT IN AN ORDER OF FILIATION; TO AMEND SECTION 91-5-3, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO AGE OF ISSUE CAPABLE OF INHERITING; TO AMEND SECTION 91-7-293, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO FINAL ACCOUNTING BY THE HEIRS OF AN ESTATE; TO AMEND SECTION 91-20-3, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO TRANSFERS TO MINORS WITHIN TRUST AND ESTATE LAW; TO AMEND SECTION 91-20-41, MISSISSIPPI CODE OF 1972, TO REQUIRE CUSTODIANS TO TRANSFER CERTAIN CUSTODIAL PROPERTY TO A MINOR'S ESTATE TO CONFORM; TO AMEND SECTION 93-1-5, MISSISSIPPI CODE OF 1972, TO CONFORM THE AGE FOR ISSUANCE OF A MARRIAGE LICENSE; TO AMEND SECTION 93-9-9, MISSISSIPPI CODE OF 1972, TO CONFORM PROVISIONS AS TO AGE FOR THE TERMS OF A DECREE FOR REMOVAL OF THE DISABILITY OF A MINOR; TO AMEND SECTION 93-11-65, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF EMANCIPATION; TO AMEND SECTION 93-14-102, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF THE TERM "ADULT" FOR THE PURPOSES OF THE UNIFORM ADULT GUARDIANSHIP AND PROTECTIVE PROCEEDINGS JURISDICTION ACT; TO AMEND SECTION 93-15-103, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFINITION OF THE TERM "MINOR PARENT" IN THE TERMINATION OF PARENTAL RIGHTS LAW; TO AMEND SECTION 93-17-5, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO THE AGE OF PARENTS IN AN ADOPTION; TO AMEND SECTION 93-17-205, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS CONCERNING ADOPTION RECORDS TO CONFORM; TO AMEND SECTION 93-17-215, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO A PERSON'S AUTHORITY TO REQUEST CERTAIN INFORMATION CONCERNING ADOPTION; TO AMEND SECTION 93-19-1, MISSISSIPPI CODE OF 1972, TO CONFORM THE AGE FOR REMOVAL OF DISABILITY AS TO REAL ESTATE; TO AMEND SECTION 93-19-9, MISSISSIPPI CODE OF 1972, TO CONFORM THE PROVISIONS AS TO THE TERMS OF A DECREE REMOVING THE DISABILITY OF MINORITY; TO AMEND SECTION 93-20-102, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF MAJORITY UNDER GUARDIANSHIP AND CONSERVATORSHIP LAW TO CONFORM; TO AMEND SECTION 97-33-23, MISSISSIPPI CODE OF 1972, TO CONFORM THE PENALTY FOR GAMBLING WITH A KNOWN MINOR; TO AMEND SECTION 99-3-45, MISSISSIPPI CODE OF 1972, TO CONFORM AS TO WHICH PERSONS MUST BE GIVEN CERTAIN NOTICE UPON RELEASE FROM ARREST; TO REPEAL SECTION 35-7-43, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REMOVAL OF THE DISABILITIES OF MINORITY OF CERTAIN VETERANS; TO REPEAL SECTION 91-7-37, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REMOVAL OF THE DISABILITIES OF MINORITY FOR CERTAIN EXECUTORS, EXECUTRIXES, ADMINISTRATORS OR ADMINISTRATRIXES; TO REPEAL SECTION 93-3-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE REMOVAL OF THE DISABILITIES OF MINORITY OF CERTAIN MARRIED PERSONS WITH RESPECT TO HOMESTEAD TRANSACTIONS; TO REPEAL SECTION 93-19-13, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ALL PERSONS 18 YEARS OF AGE OR OLDER, IF NOT OTHERWISE DISQUALIFIED, SHALL HAVE THE CAPACITY TO ENTER INTO BINDING CONTRACTUAL RELATIONSHIPS AFFECTING PERSONAL PROPERTY AND THAT AN 18-YEAR-OLD MAY SUE AND BE SUED IN HIS OWN NAME AS AN ADULT AND BE SERVED WITH PROCESS AS AN ADULT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2644:** Judiciary, Division A

AN ACT TO AMEND SECTION 93-5-1, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT OF WILLFUL AND OBSTINATE FROM THE GROUND

OF DIVORCE FOR DESERTION; TO PROVIDE AN ADDITIONAL GROUND OF DIVORCE WHERE WHEN THE COURT FINDS THERE HAS BEEN AN IRRETRIEVABLE BREAKDOWN OF THE MARRIAGE AND THAT FURTHER ATTEMPTS AT RECONCILIATION ARE IMPRACTICAL OR FUTILE AND NOT IN THE BEST INTERESTS OF THE PARTIES OR FAMILY; AND FOR RELATED PURPOSES.  
By Senator(s) Wiggins, England, Carter, Boyd, McCaughn

**S. B. No. 2645:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS IN CERTAIN CIRCUIT COURT DISTRICTS; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF CRIMINAL INVESTIGATORS AUTHORIZED TO BE APPOINTED IN CERTAIN CIRCUIT COURT DISTRICTS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2646:** Insurance

AN ACT TO AMEND SECTION 83-9-26, MISSISSIPPI CODE OF 1972, TO REQUIRE HEALTH INSURANCE POLICIES TO PROVIDE COVERAGE FOR THE DIAGNOSIS AND TREATMENT OF DEVELOPMENTAL AND PHYSICAL DISABILITIES; TO PROVIDE FOR WHAT DISABILITIES MAY BE COVERED; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2647:** Business and Financial Institutions; Judiciary, Division A

AN ACT TO AMEND SECTION 73-35-4.1, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR A REAL ESTATE LICENSEE REGARDING DISCLOSURE OF THE SIZE OR AREA OF PROPERTY; TO AMEND SECTIONS 89-1-505 AND 89-1-523, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR CERTAIN REQUIRED REAL ESTATE DISCLOSURES; TO AMEND SECTION 89-1-527, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR THE FAILURE TO DISCLOSE NONMATERIAL FACT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Sparks, Michel, Williams, England

**S. B. No. 2648:** Business and Financial Institutions

AN ACT TO CREATE A NEW SECTION TO BE ADDED TO CHAPTER 24 OF TITLE 75, MISSISSIPPI CODE OF 1972, THAT WILL ALLOW FOR GREATER EARNED WAGE ACCESS; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2649:** Insurance

AN ACT TO REMOVE THE MINORITY OF CERTAIN BENEFICIARIES OF INSURANCE POLICIES WHERE THE INSURED IS A MEMBER OR VETERAN OF THE UNITED STATES ARMED FORCES; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2650:** Business and Financial Institutions

AN ACT TO AMEND SECTIONS 27-105-5, 27-105-303, 27-105-305, 27-105-315 AND 27-105-353, MISSISSIPPI CODE OF 1972, TO ALLOW UNITED STATES TREASURY-CERTIFIED COMMUNITY DEVELOPMENT FINANCIAL INSTITUTIONS FUND CREDIT UNIONS WHOSE ACCOUNTS ARE INSURED BY THE NATIONAL CREDIT UNION ADMINISTRATION TO QUALIFY AS PUBLIC FUNDS DEPOSITORIES AND ACCEPT PUBLIC FUNDS FROM COUNTIES, MUNICIPALITIES AND OTHER LOCAL GOVERNMENTAL UNITS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2651:** Business and Financial Institutions; Public Health and Welfare

AN ACT TO CREATE THE MISSISSIPPI SAVINGS INITIATIVE; TO AUTHORIZE THE CREATION OF INDIVIDUAL DEVELOPMENT ACCOUNTS FOR LOW-INCOME

INDIVIDUALS THAT MAY BE UTILIZED BY THE ACCOUNT HOLDER FOR CERTAIN PURPOSES; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE TO CONTRACT WITH FIDUCIARY ORGANIZATIONS TO SERVE AS INTERMEDIARIES BETWEEN INDIVIDUAL DEVELOPMENT ACCOUNT HOLDERS AND FINANCIAL INSTITUTIONS HOLDING ACCOUNT FUNDS; TO PROVIDE THAT THE GROSS HOUSEHOLD INCOME OF INDIVIDUAL RETIREMENT ACCOUNT HOLDERS MAY NOT EXCEED 185% OF THE POVERTY LEVEL AND THE ACCOUNT HOLDER'S NET WORTH MAY NOT EXCEED \$10,000.00; TO REQUIRE INDIVIDUALS OPENING AN INDIVIDUAL DEVELOPMENT ACCOUNT TO ENTER INTO AN AGREEMENT WITH A FIDUCIARY ORGANIZATION; TO PROVIDE THAT THE DEPARTMENT OF HUMAN SERVICES SHALL PROVIDE MATCHING FUNDS FOR AMOUNTS CONTRIBUTED TO THE INDIVIDUAL DEVELOPMENT ACCOUNT BY THE INDIVIDUAL DEVELOPMENT ACCOUNT HOLDER; TO LIMIT THE AMOUNT OF MATCHING FUNDS THAT MAY BE PROVIDED FOR AN INDIVIDUAL DEVELOPMENT ACCOUNT; TO PROVIDE THE PURPOSES FOR WHICH INDIVIDUAL DEVELOPMENT ACCOUNTS MAY BE UTILIZED; TO PROVIDE CIVIL PENALTIES FOR THE WITHDRAWAL OF INDIVIDUAL DEVELOPMENT ACCOUNT FUNDS FOR PURPOSES OTHER THAN THOSE AUTHORIZED UNDER THIS ACT; TO REQUIRE FIDUCIARY ORGANIZATIONS TO MAKE QUARTERLY REPORTS TO THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE CONTAINING CERTAIN INFORMATION; TO PROVIDE THAT FUNDS DEPOSITED IN AN INDIVIDUAL DEVELOPMENT ACCOUNT SHALL NOT BE COUNTED AS INCOME, ASSETS OR RESOURCES OF THE INDIVIDUAL IN DETERMINING FINANCIAL ELIGIBILITY FOR ASSISTANCE OR SERVICES PURSUANT TO ANY FEDERAL, FEDERALLY ASSISTED, STATE OR MUNICIPAL PROGRAM BASED ON NEED; TO AUTHORIZE THE USE OF TEMPORARY ASSISTANCE OF NEEDY FAMILY FUNDS AS MATCHING FUNDS; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2652:** Judiciary, Division A

AN ACT TO CREATE THE MISSISSIPPI VULNERABLE PERSON ABUSE REGISTRY; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH A REGISTRY FOR INDIVIDUALS CONVICTED OF CERTAIN CRIMES AGAINST A VULNERABLE PERSON OR FOUND TO HAVE COMMITTED CERTAIN ACTS OF ABUSE AGAINST A VULNERABLE PERSON; TO REQUIRE CERTAIN CARE PROVIDERS TO QUERY THE REGISTRY FOR EMPLOYEES AND PROSPECTIVE EMPLOYEES; TO ALLOW MEMBERS OF THE PUBLIC TO QUERY THE REGISTRY REGARDING HIRING A CARETAKER OR A PERSON WHO WILL BE IN A POSITION OF TRUST OR AUTHORITY TO A VULNERABLE PERSON; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ADOPT RULES; TO AMEND SECTION 43-47-7, MISSISSIPPI CODE OF 1972, TO GRANT CERTAIN GOVERNMENTAL AUTHORITIES AND CERTAIN PERSONS AUTHORIZED BY A COURT, INCLUDING GUARDIAN AD LITEMS, ACCESS TO REPORTS OF ABUSE, NEGLECT OR EXPLOITATION OF VULNERABLE PERSONS; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, England, Williams

**S. B. No. 2653:** Judiciary, Division A

AN ACT TO REQUIRE NONPROFIT CORPORATIONS WHICH RECEIVE PUBLIC FUNDS IN EXCESS OF \$200,000.00 TO REPORT DISTRIBUTION OF SUCH FUNDS TO THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn, Suber, Branning, Parker

**S. B. No. 2654:** Judiciary, Division A

AN ACT PROHIBITING THE MUTILATION OF GIRLS AND YOUNG WOMEN, CREATING CIVIL REMEDIES FOR VICTIMS OF MUTILATION, AND PROVIDING A STATUTE OF LIMITATIONS FOR ACTIONS ARISING FROM SUCH ACTS; TO AMEND SECTION 97-5-39, MISSISSIPPI CODE OF 1972, TO CREATE GENITAL MUTILATION OF A FEMALE MINOR AS CHILD ABUSE; TO AMEND SECTION 93-15-121, MISSISSIPPI CODE OF 1972, TO CREATE GENITAL MUTILATION OF A FEMALE

MINOR AS A GROUND FOR TERMINATION OF PARENTAL RIGHTS; TO AMEND SECTION 11-1-60, MISSISSIPPI CODE OF 1972, TO WAIVE THE TORT CLAIM LIMITS ON CAUSES OF ACTION FOR GENITAL MUTILATION OF A FEMALE MINOR; TO AMEND SECTION 11-46-15, MISSISSIPPI CODE OF 1972, TO WAIVE SOVEREIGN IMMUNITY FOR A CAUSE OF ACTION BASED ON THE GENITAL MUTILATION OF A FEMALE MINOR; TO AMEND SECTION 15-1-35, MISSISSIPPI CODE OF 1972, TO CREATE A NEW STATUTE OF LIMITATIONS FOR A CAUSE OF ACTION FOUNDED ON THE GENITAL MUTILATION OF A FEMALE MINOR; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2655:** Judiciary, Division A; Appropriations

AN ACT TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE OFFICE OPERATING ALLOWANCE FOR EACH CIRCUIT COURT JUDGE AND CHANCELLOR; TO INCREASE THE AMOUNT ALLOCATED FROM THE SUPPORT STAFF FUND EACH FISCAL YEAR FOR EACH CIRCUIT COURT JUDGE AND CHANCELLOR FOR THE PURPOSES OF SUPPORT STAFF AND LAW CLERKS; TO INCREASE THE PER ANNUM STIPEND TO DEFRAY THE ACTUAL EXPENSES INCURRED BY A JUDGE OR CHANCELLOR IN MAINTAINING AN OFFICE WHERE THE JUDGE OR CHANCELLOR DOES NOT HAVE AN OFFICE PROVIDED BY THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Hickman, Simmons (12th)

**S. B. No. 2656:** Medicaid; Corrections

AN ACT TO BRING FORWARD SECTIONS 41-85-5, 43-11-1, 43-11-13, 47-5-28, 47-7-4 AND 41-7-191, MISSISSIPPI CODE OF 1972, WHICH ARE VARIOUS PROVISIONS RELATED TO MEDICAID, CORRECTIONS, CERTIFICATES OF NEED AND A SPECIAL CARE FACILITY FOR PAROLED INMATES, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2657:** Appropriations

AN ACT TO AMEND SECTION 45-1-12, MISSISSIPPI CODE OF 1972, TO REVISE THE SALARIES OF ALL OFFICERS OF THE MISSISSIPPI HIGHWAY SAFETY PATROL AND THE MISSISSIPPI BUREAU OF NARCOTICS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2658:** Appropriations

AN ACT TO BRING FORWARD SECTION 57-123-11, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 1, CHAPTER 399, LAWS OF 2022, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2659:** Appropriations

AN ACT MAKING AN APPROPRIATION OF STATE GENERAL FUNDS TO THE CITY OF MACON FOR THE PURCHASE OF FIRE TRUCKS AND FIREFIGHTING EQUIPMENT FOR ITS RURAL FIRE DEPARTMENT FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2660:** Appropriations

AN ACT TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972, TO EXEMPT THE DEPARTMENT OF PUBLIC SAFETY FROM THE PROHIBITION AGAINST CHARGING A FEE, ASSESSMENT, RENT, AUDIT FEE, PERSONNEL FEE OR OTHER CHARGE FOR SERVICES OR RESOURCES RECEIVED; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2661:** Appropriations

AN ACT MAKING AN APPROPRIATION TO JACKSON STATE UNIVERSITY FOR THE PURPOSE OF CONSTRUCTING AN ATHLETIC STADIUM TO HOST THE UNIVERSITY'S SPORTING EVENTS FOR THE FISCAL YEAR 2023.

By Senator(s) Horhn

**S. B. No. 2662:** Appropriations

AN ACT TO DIRECT THE STATE PERSONNEL BOARD TO AMEND THE VARIABLE COMPENSATION PLAN AS NECESSARY TO AWARD A SALARY INCREASE TO EACH STATE EMPLOYEE WHOSE SALARY IS FUNDED BY THE STATE GENERAL FUND IN THE AMOUNT OF A 6% ACROSS-THE-BOARD INCREASE PER YEAR BEGINNING JULY 1, 2023; AND FOR RELATED PURPOSES.

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

**S. B. No. 2663:** Appropriations

AN ACT TO AMEND SECTION 39-5-22, MISSISSIPPI CODE OF 1972, TO REVISE THE ELIGIBILITY REQUIREMENTS TO RECEIVE A GRANT FROM THE MISSISSIPPI HISTORIC SITE PRESERVATION FUND; TO REQUIRE THE DEPARTMENT OF ARCHIVES AND HISTORY TO SUBMIT AN ANNUAL REPORT TO MEMBERS OF THE LEGISLATURE; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Horhn

**S. B. No. 2664:** Appropriations

AN ACT TO AMEND SECTIONS 1 AND 4, CHAPTER 103, LAWS OF 2022, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE FISCAL YEAR 2023 TO PROVIDE THAT THE APPROPRIATION OF FUNDS FOR THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM SHALL BE FROM THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN SUM FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; TO AMEND SECTION 7, CHAPTER 9, LAWS OF 2022, TO REVISE THE APPROPRIATION TO THE BOARD OF PSYCHOLOGY FOR FISCAL YEAR 2023 TO REVISE THE AMOUNT OF FUNDS PROVIDED FOR THE ADMINISTRATIVE SUPPORT OF THE MISSISSIPPI AUTISM BOARD; TO AMEND SECTION 15, CHAPTER 74, LAWS OF 2022, TO REVISE THE APPROPRIATION TO THE AUTHORITY FOR EDUCATIONAL TELEVISION FOR FISCAL YEAR 2023 TO CORRECT AN INACCURATE REFERENCE TO THE GENERAL FUND; TO AMEND SECTION 1, CHAPTER 81, LAWS OF 2022, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR FISCAL YEAR 2023 TO CLARIFY THAT THE FUNDS APPROPRIATED SHALL BE FOR REIMBURSING THE PLAN FOR CERTAIN ELIGIBLE EXPENSES; TO AMEND SECTION 1, CHAPTER 482, LAWS OF 2022, TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER CERTAIN SUMS TO THE 2022 MS PORTS IMPROVEMENTS FUND AND THE 2022 MS LAND, WATER AND TIMBER RESOURCES FUND; TO CREATE NEW SECTION 57-1-732, MISSISSIPPI CODE OF 1972, TO CREATE THE 2022 MS PORTS IMPROVEMENTS FUND AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR VARIOUS PURPOSES; TO CREATE NEW SECTION 69-46-9, MISSISSIPPI CODE OF 1972, TO CREATE THE 2022 MS LAND, WATER AND TIMBER RESOURCES FUND AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES BOARD FOR VARIOUS PURPOSES; TO AMEND SECTION 41-139-1, MISSISSIPPI CODE OF 1972, TO ALLOW THE HEALTH DEPARTMENT TO RETAIN ADMINISTRATIVE EXPENSES FOR ADMINISTERING THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON EDUCATION ENHANCEMENT FUNDS DIRECTED TO TRANSFER TO THE

EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO AMEND SECTION 27-103-127, MISSISSIPPI CODE OF 1972, TO CREATE THE AERONAUTICS, RAIL, AND OTHER PROGRAM WITHIN THE DEPARTMENT OF TRANSPORTATION BUDGET; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS DURING FISCAL YEAR 2023 FROM THE GENERAL EDUCATION EEF FUND TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2665:** Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 2666:** Finance

AN ACT TO AMEND SECTION 27-19-56.474, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI SWEET POTATO COUNCIL; TO BRING FORWARD SECTION 27-19-44, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Suber

**S. B. No. 2667:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-41-3, MISSISSIPPI CODE OF 1972, TO CLEARLY SUBJECT THE LEGISLATURE TO THE PROVISIONS OF THE OPEN MEETINGS LAW; TO AMEND SECTION 25-41-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THE OPTION OF FIRST SEEKING REDRESS FOR A VIOLATION OF THE OPEN MEETINGS LAW IN CHANCERY COURT; TO AMEND SECTION 25-61-15, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTY FOR A VIOLATION OF THE PUBLIC RECORDS ACT FROM \$100.00 TO \$500.00; AND FOR RELATED PURPOSES.

By Senator(s) Barrett, Williams, Branning, England, Tate, McCaughn, Younger, Caughman, Seymour, Whaley, McLendon, Wiggins, Blount, Moran, Boyd, Hill, DeBar, Chism, Suber, Sparks

**S. B. No. 2668:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 57-1-57, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEVELOPMENT AUTHORITY TO FILE WITH THE SECRETARY OF THE SENATE AND THE CLERK OF THE HOUSE OF REPRESENTATIVES A COPY OF ITS STUDY TO DETERMINE IF THERE IS A SIGNIFICANT STATISTICAL DISPARITY IN THE TOTAL NUMBER OF QUALIFIED MINORITY CONTRACTORS OF GOODS AND SERVICES DOING BUSINESS IN THE STATE OF MISSISSIPPI AND THE ACTUAL NUMBER OF SUCH MINORITY CONTRACTORS WITH WHOM THE STATE OF MISSISSIPPI, OR WITH WHOM A PRIME CONTRACTOR WITH THE STATE OF MISSISSIPPI, HAS CONTRACTED TO PROVIDE GOODS AND SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2669:** Accountability, Efficiency, Transparency

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

By Senator(s) Jackson

**S. B. No. 2670:** Accountability, Efficiency, Transparency

AN ACT TO CREATE THE STATE TRUTH COMMISSION; TO PRESCRIBE POWERS AND DUTIES OF THE COMMISSION; TO PROVIDE FOR THE ESTABLISHMENT OF PROCEDURES TO INVESTIGATE GRIEVANCES REGISTERED WITH THE COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2671:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-41-5, MISSISSIPPI CODE OF 1972, TO REQUIRE OFFICIAL MEETINGS OF CERTAIN PUBLIC BODIES, WITH EXCEPTIONS, TO BE BROADCAST VIA VIDEO LIVESTREAMING APPLICATIONS ON THE FRONT PAGE OF THE OFFICIAL WEBSITE OF EACH RESPECTIVE AGENCY, TO REQUIRE INFORMATION TO BE INCLUDED IN ALL PUBLIC NOTICES, AND TO PROVIDE THAT ANY ACTION TAKEN BY SUCH A PUBLIC BODY FAILING TO COMPLY WITH LIVESTREAMING REQUIREMENTS IS VOID AND OF NO EFFECT; AND FOR RELATED PURPOSES.

By Senator(s) Boyd

**S. B. No. 2672:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-61-12, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE MISSISSIPPI PUBLIC RECORDS ACT CERTAIN PRIVATE INFORMATION OF ANY FEDERAL OR STATE LAW ENFORCEMENT OFFICER, JUDGE OR DISTRICT ATTORNEY, CONDUCTING AN OPERATION IN THIS STATE; TO REQUIRE A PUBLIC BODY, UPON ONLINE OR WRITTEN REQUEST, TO REDACT FROM ITS RECORDS CERTAIN PRIVATE INFORMATION OF A LAW ENFORCEMENT OFFICER, CRIMINAL INVESTIGATOR, JUDGE OR DISTRICT ATTORNEY, OR THE SPOUSE OR CHILD OF THE LAW ENFORCEMENT OFFICER, CRIMINAL INVESTIGATOR, JUDGE OR DISTRICT ATTORNEY; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2673:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-34-7, MISSISSIPPI CODE OF 1972, TO SEPARATE THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD FROM THE MISSISSIPPI REAL ESTATE COMMISSION; TO AMEND SECTIONS 73-34-3, 73-34-9, 73-34-13, 73-34-17, 73-34-27, 73-34-35, 73-34-41, 73-34-45, 73-34-47, 73-34-49, 73-34-51, 73-34-103, 73-34-113, 73-34-117, 73-34-129 AND 73-34-131, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Polk, Blackwell, Jackson

**S. B. No. 2674:** Labor; Accountability, Efficiency, Transparency

AN ACT TO ESTABLISH A MISSISSIPPI DEPARTMENT OF LABOR; TO SET FORTH AND PRESCRIBE THE FUNCTIONS OF ADMINISTRATIVE OFFICES IN THE DEPARTMENT; TO PROVIDE FOR THE ELECTION OF THE COMMISSIONER OF LABOR; TO AMEND SECTION 71-5-101, MISSISSIPPI CODE OF 1972, TO ABOLISH THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY AND TRANSFER THE DUTIES, POWERS AND FUNDS OF THE DEPARTMENT TO THE OFFICE OF EMPLOYMENT SECURITY IN THE MISSISSIPPI DEPARTMENT OF LABOR; TO REPEAL SECTION 71-5-107, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY; TO EMPOWER THE DEPARTMENT OF LABOR TO ADMINISTER AND COORDINATE CERTAIN FEDERAL AND STATE-FUNDED JOB TRAINING AND EMPLOYMENT-RELATED EDUCATION PROGRAMS; TO PRESCRIBE THE RESPONSIBILITIES OF THE OFFICE OF INDUSTRY SERVICE AND INDUSTRY START-UP TRAINING, THE OFFICE OF EMPLOYEE RELATIONS AND JOB DISCRIMINATION AND THE OFFICE OF DISABLED EMPLOYEE ASSISTANCE IN THE DEPARTMENT; TO AMEND SECTIONS 7-1-351, 7-1-355, 7-1-357, 7-1-361, 7-1-363 AND 7-1-365, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AMEND SECTION 25-3-31, MISSISSIPPI CODE OF 1972, TO SET THE ANNUAL SALARY OF THE COMMISSIONER OF LABOR; TO AMEND SECTIONS 23-



15-193 AND 23-15-297, MISSISSIPPI CODE OF 1972, TO ADD THE COMMISSIONER OF LABOR TO THE LIST OF ELECTED OFFICIALS; AND FOR RELATED PURPOSES.  
By Senator(s) Simmons (12th)

**S. B. No. 2675:** Universities and Colleges; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 37-101-413, MISSISSIPPI CODE OF 1972, TO RAISE THE EQUIPMENT LEASING AND PURCHASE THRESHOLD FOR STATE INSTITUTIONS OF HIGHER LEARNING FROM \$5,000.00 TO \$10,000.00; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

**S. B. No. 2676:** Rules

AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO REVISE THE LEGAL HOLIDAYS BY REMOVING CONFEDERATE MEMORIAL DAY AND DESIGNATING THE NINETEENTH DAY OF JUNE AS JUNETEENTH FREEDOM DAY; TO CLARIFY WHEN A LEGAL HOLIDAY WILL BE CELEBRATED IF THE HOLIDAY FALLS ON A SATURDAY OR SUNDAY; AND FOR RELATED PURPOSES.

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

**S. B. No. 2677:** Rules

AN ACT TO AMEND SECTION 3-3-7, MISSISSIPPI CODE OF 1972, TO REVISE THE DAYS DESIGNATED AS LEGAL HOLIDAYS TO REMOVE THE LAST MONDAY OF APRIL (CONFEDERATE MEMORIAL DAY); AND FOR RELATED PURPOSES.

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

**S. B. No. 2678:** Accountability, Efficiency, Transparency

AN ACT TO PROVIDE THAT FROM AND AFTER JULY 1, 2023, THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A STATE AGENCY SEPARATE AND APART FROM THE DEPARTMENT OF HUMAN SERVICES AND NOT A SUBAGENCY HOUSED WITHIN THE DEPARTMENT OF HUMAN SERVICES, AND SHALL HAVE SUCH POWERS AND DUTIES AND PERFORM SUCH FUNCTIONS THAT ARE ASSIGNED TO THE DEPARTMENT OF CHILD PROTECTION SERVICES BY STATE LAW; TO AMEND SECTION 43-26-1, MISSISSIPPI CODE OF 1972, AND TO CREATE NEW SECTIONS 43-26-5, 43-26-7, 43-26-9, 43-26-11, 43-26-13, 43-26-15, 43-26-17, 43-26-19, 43-26-21 AND 43-26-23, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE POWERS AND DUTIES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES AND THE COMMISSIONER OF CHILD PROTECTION SERVICES; TO AMEND SECTIONS 11-46-1, 11-46-8, 25-1-109, 27-104-203, 37-31-107, 37-106-69, 37-115-43, 41-3-18, 41-67-12, 41-87-5, 41-101-1, 43-1-9, 43-1-101, 43-14-1, 43-14-5, 43-15-3, 43-15-5, 43-15-6, 43-15-7, 43-15-11, 43-15-15, 43-15-19, 43-15-21, 43-15-23, 43-15-103, 43-15-105, 43-15-107, 43-15-109, 43-15-113, 43-15-115, 43-15-117, 43-15-119, 43-15-121, 43-15-125, 43-15-201, 43-15-203, 43-15-207, 43-16-3, 43-16-7, 43-17-7, 43-18-3, 43-18-5, 43-21-351, 43-21-354, 43-21-357, 43-21-405, 43-21-603, 43-21-609, 43-21-701, 43-21-801, 43-27-101, 43-27-103, 43-27-109, 43-27-113, 43-27-115, 43-27-117, 43-27-119, 43-43-5, 43-43-7, 43-51-3, 43-51-5, 43-51-7, 45-33-36, 57-13-23, 93-5-23, 93-17-3, 93-17-5, 93-17-8, 93-17-11, 93-17-12, 93-17-53, 93-17-57, 93-17-59, 93-17-61, 93-17-63, 93-17-65, 93-17-101, 93-17-103, 93-17-107, 93-17-109, 93-17-203, 93-17-209, 93-21-305, 93-21-307, 93-21-309, 93-21-311, 93-31-3, 97-5-24, 97-5-39 AND 99-41-17, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO REPEAL SECTIONS 43-1-30, 43-1-51, 43-1-53, 43-1-57, 43-1-59, 43-1-63, 43-51-1 AND 43-51-9, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI TANF IMPLEMENTATION COUNCIL, CREATED THE DIVISION OF FAMILY AND CHILDREN'S SERVICES WITHIN THE DEPARTMENT OF HUMAN SERVICES, PROVIDES THE TITLE FOR THE FAMILY PRESERVATION ACT, AND REQUIRES AN ONGOING EVALUATION AND REPORT ON FAMILY PRESERVATION SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins, Hopson, Boyd, Branning, McCaughn

**S. B. No. 2679:** Rules

AN ACT TO CREATE THE NATIONAL STATUARY HALL SELECTION COMMISSION TO STUDY AND MAKE RECOMMENDATIONS FOR THE SELECTION OF TWO NEW HISTORIC FIGURES TO REPRESENT MISSISSIPPI IN THE NATIONAL STATUARY HALL COLLECTION AT THE UNITED STATES CAPITOL; TO PROVIDE THAT THE RECOMMENDATIONS SHALL BE FIGURES WHO BRING HONOR TO ALL MISSISSIPPIANS AND REFLECT THE DEMOGRAPHICS OF THE STATE AS A WHOLE; TO PRESCRIBE THE MEMBERSHIP OF THE COMMISSION AND TO PROVIDE FOR ITS ORGANIZATION AND MEETINGS; TO PROVIDE THAT THE COMMISSION SHALL MAKE WRITTEN RECOMMENDATIONS TO THE GOVERNOR AND THE LEGISLATURE NOT LATER THAN NOVEMBER 30, 2023; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Blount, Norwood, Hickman, Frazier, Thomas, Jackson, Jordan, Butler (36th), Butler (38th)

**S. B. No. 2680:** Rules

AN ACT TO DESIGNATE THE KEMP'S RIDLEY, THE MOST ENDANGERED SEA TURTLE IN THE WORLD, AS "THE OFFICIAL STATE SEA TURTLE OF THE STATE OF MISSISSIPPI".

By Senator(s) Thompson

**S. B. No. 2681:** Finance

AN ACT TO REENACT SECTIONS 57-62-5 AND 57-62-9, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI ADVANTAGE JOBS ACT; TO AMEND REENACTED SECTION 57-62-9, MISSISSIPPI CODE OF 1972, TO CODIFY AND EXTEND THE DATE OF THE REPEALER ON THAT SECTION AND SECTION 57-62-5; TO REENACT SECTION 57-75-5, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS USED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO AMEND REENACTED SECTION 57-75-5, MISSISSIPPI CODE OF 1972, TO CODIFY AND EXTEND THE DATE OF THE REPEALER ON THAT SECTION; TO REENACT SECTION 57-80-7, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE GROWTH AND PROSPERITY ACT; TO AMEND REENACTED SECTION 57-80-7, MISSISSIPPI CODE OF 1972, TO CODIFY AND EXTEND THE DATE OF THE REPEALER ON THAT SECTION; TO AMEND SECTION 60, CHAPTER 572, LAWS OF 2004, AS LAST AMENDED BY SECTION 7, CHAPTER 476, LAWS OF 2020, WHICH PROVIDES FOR THE REPEAL OF THOSE STATUTES WHOSE REPEALER IS CODIFIED BY THIS ACT, TO REMOVE SUCH STATUTES FROM THE REPEALER IN THE CHAPTER LAW; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2682:** Accountability, Efficiency, Transparency

AN ACT TO CREATE A BALLOT INITIATIVE REGARDING THE POTENTIAL OF MEDICAID EXPANSION; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2683:** Finance

AN ACT TO AMEND SECTION 27-33-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HOMEOWNER ALLOWED AN EXEMPTION FROM ALL AD VALOREM TAXES ON THE ASSESSED VALUE OF HOMESTEAD PROPERTY, DUE TO A SERVICE-CONNECTED, TOTAL DISABILITY AS AN AMERICAN VETERAN WHO HAS BEEN HONORABLY DISCHARGED FROM MILITARY SERVICE, SHALL BE PERMITTED TO APPLY FOR THE EXEMPTION WITHIN 30 CALENDAR DAYS OF THE CLOSING DATE FOR THE HOMESTEAD PURCHASE, BUT NOT LATER THAN DECEMBER 31 OF THE YEAR OF PURCHASE; TO PROVIDE THAT IF, AT THE TIME OF APPLICATION, THE APPLICANT HAS HOMESTEAD EXEMPTION ON ANOTHER PROPERTY, THE EFFECT OF THE NEW APPLICATION ON THE OLD HOMESTEAD PROPERTY SHALL BE THE SAME AS IF THE NEW APPLICATION WERE FILED ON

OR BEFORE APRIL 1; TO REPEAL SECTIONS 27-33-69, 27-33-71 AND 27-33-73, MISSISSIPPI CODE OF 1972, WHICH PROVIDE TABLES FOR AD VALOREM TAX EXEMPTIONS CLAIMED AND FOR WHICH REIMBURSEMENT WAS MADE IN PREVIOUS YEARS; TO AMEND SECTION 27-33-67, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE REPEAL OF THE ABOVE SECTIONS; TO BRING FORWARD SECTIONS 27-33-33 AND 27-33-75, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2684:** Finance

AN ACT TO AMEND SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH IS THE CHILDREN'S PROMISE ACT, TO REVISE THE DEFINITION OF "ELIGIBLE CHARITABLE ORGANIZATION"; AND FOR RELATED PURPOSES.

By Senator(s) McCaughn

**S. B. No. 2685:** Finance

AN ACT TO AUTHORIZE A REFUNDABLE INCOME TAX CREDIT FOR TAXPAYERS WHO SERVE AS VOLUNTEER FIREFIGHTERS; TO PROVIDE THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT IF THE AMOUNT OF TAX CREDIT CLAIMED BY A TAXPAYER EXCEEDS THE AMOUNT OF INCOME TAX IMPOSED UPON THE TAXPAYER FOR THE TAXABLE YEAR, THEN THE TAXPAYER SHALL RECEIVE A REFUND FROM THE DEPARTMENT OF REVENUE FOR THE AMOUNT OF SUCH EXCESS; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2686:** Finance

AN ACT TO AUTHORIZE A PERSON WHO IS THE HOLDER OF A WINE MANUFACTURER'S PERMIT IN THIS STATE, OR WHO IS LICENSED OR PERMITTED OUTSIDE OF THE STATE TO ENGAGE IN THE ACTIVITY OF MANUFACTURING, SUPPLYING, IMPORTING, DISTRIBUTING, WHOLESALING OR RETAILING WINE, TO SELL AND SHIP WINE DIRECTLY TO RESIDENTS IN THIS STATE, IF THE PERSON OBTAINS A DIRECT WINE SHIPPER'S PERMIT FROM THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE ISSUANCE OF DIRECT WINE SHIPPER'S PERMITS; TO REQUIRE THE HOLDER OF A DIRECT WINE SHIPPER'S PERMIT TO KEEP CERTAIN RECORDS; TO PROHIBIT THE HOLDER OF A DIRECT WINE SHIPPER'S PERMIT FROM SELLING OR SHIPPING LIGHT WINE OR BEER OR ANY ALCOHOLIC BEVERAGE OTHER THAN WINE; TO LIMIT THE AMOUNT OF WINE THAT A HOLDER OF A DIRECT WINE SHIPPER'S PERMIT MAY SELL OR SHIP TO AN INDIVIDUAL EACH YEAR; TO PROVIDE FOR THE ANNUAL RENEWAL OF DIRECT WINE SHIPPER'S PERMITS; TO PROVIDE THAT PERSONS PURCHASING OR RECEIVING A DIRECT SHIPMENT OF WINE FROM A DIRECT WINE SHIPPER MUST BE AT LEAST 21 YEARS OF AGE; TO PROVIDE THAT PERSONS RECEIVING A DIRECT SHIPMENT OF WINE FROM A DIRECT WINE SHIPPER SHALL USE THE WINE FOR PERSONAL CONSUMPTION ONLY AND MAY NOT RESELL IT; TO AUTHORIZE THE COMMISSIONER OF REVENUE TO ADOPT ANY RULES OR REGULATIONS AS NECESSARY TO CARRY OUT THIS ACT; TO PROVIDE PENALTIES FOR VIOLATIONS OF THIS ACT; TO AMEND SECTIONS 27-71-5, 27-71-7, 27-71-15 AND 27-71-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PRIVILEGE TAX REQUIRED FOR THE ISSUANCE OF A DIRECT WINE SHIPPER'S PERMIT; TO LEVY A TAX UPON THE SALES AND SHIPMENTS OF WINE MADE BY A DIRECT WINE SHIPPER; TO REQUIRE A CERTAIN AMOUNT OF THE TAXES LEVIED TO BE DEPOSITED INTO THE MENTAL HEALTH PROGRAMS FUND; TO AMEND SECTIONS 67-1-41, 67-1-45, 67-1-51, 67-1-53, 67-1-55, 67-1-57, 67-1-73, 97-31-47 AND 97-31-49, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE FOREGOING PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2687:** Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "GROCERY STORE"; TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE GROCERY STORE WINE-ONLY RETAILER'S PERMITS THAT AUTHORIZE THE HOLDER THEREOF TO SELL WINE AT RETAIL AT A GROCERY STORE IN ORIGINAL SEALED AND UNOPENED PACKAGES NOT TO BE CONSUMED ON THE PREMISES WHERE SOLD; TO PROVIDE THAT THE HOLDER OF A PACKAGE RETAILER'S PERMIT MAY SELL OTHER PRODUCTS AND MERCHANDISE, EXCEPT BEER, BUT MUST DERIVE AT LEAST 50% OF THE REVENUE OF THE LICENSED PREMISES FROM THE RETAIL SALE OF ALCOHOLIC BEVERAGES IN ORIGINAL SEALED AND UNOPENED PACKAGES NOT TO BE CONSUMED ON THE LICENSED PREMISES; TO AUTHORIZE A PERSON TO OWN OR CONTROL ANY INTEREST IN MORE THAN SIX PACKAGE RETAILER'S PERMITS; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THE LICENSE TAX REQUIRED FOR GROCERY STORE WINE-ONLY RETAILER'S PERMITS; TO AMEND SECTIONS 67-1-41, 67-1-75, 67-1-83 AND 67-1-85, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2688:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICES TO THE MISSISSIPPI AQUARIUM IN GULFPORT, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2689:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICE TO HEAD START PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2690:** Finance

AN ACT TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO REDUCE THE PRIVILEGE LICENSE TAX FOR PACKAGE RETAILER'S PERMIT ISSUED FOR PACKAGE STORES LOCATED IN MUNICIPALITIES WITH A POPULATION OF 5,000 OR LESS ACCORDING TO THE LATEST FEDERAL DECENNIAL CENSUS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2691:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY AND SERVICES TO CERTAIN COMMUNITY ACTION ORGANIZATIONS THAT ARE EXEMPT FROM FEDERAL INCOME TAXATION UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2692:** Finance

AN ACT TO AMEND SECTION 3, CHAPTER 421, LAWS OF 2019, TO REDUCE BY \$21,000,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE ACE FUND; TO REPEAL SECTION 6, CHAPTER 492, LAWS OF 2020, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$10,000,000.00 FOR THE ACE FUND; TO CREATE THE 2023 ACE FUND SUPPLEMENTARY FUND IN THE STATE TREASURY TO SUPPLEMENT THE ACE FUND IN REIMBURSING REASONABLE COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE ADMINISTRATION OF GRANT, LOAN AND FINANCIAL INCENTIVE PROGRAMS; TO TRANSFER \$31,000,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 ACE

FUND SUPPLEMENTARY FUND; TO AMEND SECTION 4, CHAPTER 460, LAWS OF 2006, TO REDUCE BY \$9,280,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE DEPARTMENT OF MARINE RESOURCES EQUIPMENT AND FACILITIES FUND; TO AMEND SECTION 1, CHAPTER 454, LAWS OF 2019, TO REDUCE BY \$2,500.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF REPAIR AND RENOVATION OF BUILDINGS AND RELATED FACILITIES AT THE SUSTAINABLE BIOPRODUCTS COMPLEX AND REPAIR AND RENOVATION OF BALLEW HALL AND RELATED FACILITIES; TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, TO REMOVE THE \$10,000,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF PHASE III OF CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING AND RELATED FACILITIES TO HOUSE THE KINESIOLOGY DEPARTMENT; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REDUCE BY \$10,180,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF PHASE I OF CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING AND RELATED FACILITIES TO HOUSE THE COLLEGE OF ARCHITECTURE, ART AND DESIGN; TO REDUCE BY \$6,400,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY'S DIVISION OF AGRICULTURE, FORESTRY AND VETERINARY MEDICINE IN PAYING THE COSTS OF REPAIR AND RENOVATION OF, AND UPGRADES AND IMPROVEMENTS TO, DORMAN HALL AND RELATED FACILITIES; TO REDUCE BY \$4,300,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING THE UNIVERSITY OF SOUTHERN MISSISSIPPI IN PAYING THE COSTS OF CONSTRUCTION, FURNISHING AND EQUIPPING OF EXECUTIVE EDUCATION AND CONFERENCE CENTER AND RELATED FACILITIES ON ITS GULF PARK CAMPUS; TO CREATE THE 2023 IHL CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF IHL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT, IN THE AMOUNT OF THE REDUCTION FOR EACH PROJECT; TO TRANSFER \$30,882,500.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 IHL CAPITAL PROJECTS FUND; TO AMEND SECTION 3, CHAPTER 492, LAWS OF 2020, TO REDUCE BY \$320,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE \$2,445,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE \$1,670,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO AMEND SECTION 2, CHAPTER 480, LAWS OF 2021, TO REDUCE BY \$758,372.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE \$2,070,016.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST MISSISSIPPI COMMUNITY COLLEGE; TO REDUCE BY \$2,434,814.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE \$2,052,257.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR NORTHEAST MISSISSIPPI COMMUNITY COLLEGE; TO REMOVE THE \$1,714,541.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO CREATE THE 2023 COMMUNITY COLLEGES CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF COMMUNITY COLLEGE CAPITAL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT IN THE AMOUNT OF THE REDUCTION FOR EACH COMMUNITY COLLEGE; TO TRANSFER \$13,465,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 COMMUNITY COLLEGES CAPITAL PROJECTS FUND; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO REDUCE BY

\$20,000,000.00, \$60,000,000.00 AND \$5,000,000.00 THE AMOUNTS OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPHS (XXVI), (XXVIII) AND (XXX), RESPECTIVELY, OF SECTION 57-75-5(F); TO AMEND SECTION 2, CHAPTER 522, LAWS OF 2011, TO REDUCE BY \$3,377.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 2011 MISSISSIPPI CIVIL RIGHTS MUSEUM AND MUSEUM OF MISSISSIPPI HISTORY CONSTRUCTION FUND; TO AMEND CHAPTER 464, LAWS OF 1999, AS LAST AMENDED BY SECTION 44, CHAPTER 472, LAWS OF 2015, TO REDUCE BY \$18,627.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 1999 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS IMPROVEMENTS FUND; TO REPEAL SECTION 3, CHAPTER 580, LAWS OF 2007, WHICH AUTHORIZES STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$4,000,000.00 TO BE ISSUED FOR THE GRAND GULF ACCESS ROAD CONSTRUCTION FUND TO BE SPENT UNDER THE DIRECTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO CREATE THE 2023 MDOT ROAD CONSTRUCTION FUND IN THE STATE TREASURY TO PAY THE STATE'S PORTION OF THE COSTS OF ROAD CONSTRUCTION PROJECTS; TO TRANSFER \$4,000,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 MDOT ROAD CONSTRUCTION FUND; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2693:** Finance

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

By Senator(s) Harkins

**S. B. No. 2694:** Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW, TO INCLUDE ANY FACILITY USED AS AN EVENT VENUE AND LOCATED ON PLEASANT GROVE DRIVE BETWEEN ONE AND ONE AND ONE-HALF MILES SOUTHEAST OF ITS INTERSECTION WITH HARMONY DRIVE, IN A COUNTY THROUGH WHICH RUN INTERSTATE 55 AND U.S. HIGHWAY 84; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2695:** Finance

AN ACT TO AMEND SECTION 57-26-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DEADLINE FOR THE MISSISSIPPI DEVELOPMENT AUTHORITY TO ISSUE CERTIFICATES APPROVING PARTICIPANTS IN THE TOURISM PROJECT INCENTIVE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2696:** Finance

AN ACT TO AMEND SECTION 27-7-22.32, MISSISSIPPI CODE OF 1972, TO REVISE THE TERMS OF THE INCOME TAX CREDIT FOR DEPENDENT CHILDREN LEGALLY ADOPTED UNDER THE LAWS OF THIS STATE; TO ALLOW A CREDIT IN THE AMOUNT OF THE QUALIFIED ADOPTION EXPENSES PAID OR INCURRED, NOT TO EXCEED \$5,000.00, FOR EACH DEPENDENT CHILD RESIDING OUTSIDE MISSISSIPPI; TO ALLOW A CREDIT IN THE AMOUNT OF \$7,500.00 FOR EACH DEPENDENT CHILD RESIDING IN MISSISSIPPI; TO REMOVE THE REVERTER EFFECTIVE JANUARY 1, 2024, WHICH WOULD LOWER TO \$2,500.00 THE MAXIMUM AMOUNT OF THE CREDIT PER CHILD ADOPTED; AND FOR RELATED PURPOSES.

By Senator(s) Boyd, Branning, Caughman, McCaughn

**S. B. No. 2697:** Finance

AN ACT TO AMEND SECTIONS 27-25-503 AND 27-25-703, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALERS ON THOSE PROVISIONS THAT ESTABLISH

A REDUCED RATE FOR THE LEVY AND ASSESSMENT OF SEVERANCE TAXES ON THE INITIAL OIL AND NATURAL GAS PRODUCED FROM CERTAIN HORIZONTALLY DRILLED WELLS AND HORIZONTALLY DRILLED RECOMPLETION WELLS; AND FOR RELATED PURPOSES.

By Senator(s) Carter, Butler (38th)

**S. B. No. 2698:** Finance

AN ACT TO AMEND SECTIONS 27-31-46.1 AND 27-31-104, MISSISSIPPI CODE OF 1972, TO EXTEND BY FIVE YEARS THE PERIOD IN WHICH A RENEWABLE ENERGY PROJECT MAY BEGIN CONSTRUCTION AND ENTER AN AGREEMENT WITH THE COUNTY BOARD OF SUPERVISORS AND/OR MUNICIPAL GOVERNING AUTHORITIES FOR A FEE-IN-LIEU OF AD VALOREM TAXES; AND FOR RELATED PURPOSES.

By Senator(s) Fillingane

**S. B. No. 2699:** Finance

AN ACT TO AMEND SECTION 27-65-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "INSTALLATION CHARGES" UNDER THE STATE SALES TAX LAW TO EXCLUDE CHARGES FOR LABOR SERVICES IN CONNECTION WITH THE APPLICATION OR REPAIR OF RESIDENTIAL ROOFING; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2700:** Finance

AN ACT TO AMEND SECTION 27-33-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A QUALIFIED HOMEOWNER WHO IS THE UNREMARIED SURVIVING SPOUSE OF A MEMBER OF THE UNITED STATES ARMED FORCES WHO WAS KILLED OR DIED ON ACTIVE DUTY, OR OF A MEMBER OF A RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES OR OF THE NATIONAL GUARD WHO WAS KILLED OR DIED ON ACTIVE DUTY FOR TRAINING, SHALL BE ALLOWED AN EXEMPTION FROM ALL AD VALOREM TAXES ON THE ASSESSED VALUE OF THE HOMESTEAD PROPERTY; TO AMEND SECTION 27-33-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUCH A HOMEOWNER, AS WELL AS A HOMEOWNER ALLOWED AN EXEMPTION FROM ALL AD VALOREM TAXES ON THE ASSESSED VALUE OF HOMESTEAD PROPERTY DUE TO A SERVICE-CONNECTED, TOTAL DISABILITY AS AN AMERICAN VETERAN WHO HAS BEEN HONORABLY DISCHARGED FROM MILITARY SERVICE, OR THE UNREMARIED SURVIVING SPOUSE OF SUCH A HOMEOWNER, SHALL BE PERMITTED TO APPLY FOR THE EXEMPTION WITHIN 30 CALENDAR DAYS OF THE CLOSING DATE FOR THE HOMESTEAD PURCHASE, BUT NOT LATER THAN DECEMBER 31 OF THE YEAR OF PURCHASE; TO PROVIDE THAT IF, AT THE TIME OF APPLICATION, THE APPLICANT HAS HOMESTEAD EXEMPTION ON ANOTHER PROPERTY, THE EFFECT OF THE NEW APPLICATION ON THE OLD HOMESTEAD PROPERTY SHALL BE THE SAME AS IF THE NEW APPLICATION WERE FILED ON OR BEFORE APRIL 1; TO REPEAL SECTIONS 27-33-69, 27-33-71 AND 27-33-73, MISSISSIPPI CODE OF 1972, WHICH PROVIDE TABLES FOR AD VALOREM TAX EXEMPTIONS CLAIMED AND FOR WHICH REIMBURSEMENT WAS MADE IN PREVIOUS YEARS; TO AMEND SECTION 27-33-67, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE REPEAL OF THE ABOVE SECTIONS; TO BRING FORWARD SECTION 27-33-33, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2701:** Finance

AN ACT TO CREATE THE MISSISSIPPI INCOME TAX HOLIDAY ACT OF 2023; TO PROVIDE THAT, BEGINNING WITH TAXES OWED FOR CALENDAR YEAR 2023, ANY TAXPAYER FILING A MISSISSIPPI INDIVIDUAL INCOME TAX RETURN WILL RECEIVE A CREDIT IN AN AMOUNT EQUAL TO 20% OF THE TAX AMOUNT, IF ANY, REPORTED AS "INCOME TAX DUE" BEFORE THE APPLICATION OF CREDITS; TO

SPECIFY THAT THE CREDIT AUTHORIZED IN THIS ACT MAY NOT BE TRANSFERRED TO ANOTHER TAXPAYER OR CARRIED OVER TO ANOTHER YEAR; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2702:** Finance

AN ACT TO AMEND SECTION 69-2-19, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTHORITY FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS FOR THE EMERGING CROPS FUND UNDER THE MISSISSIPPI FARM REFORM ACT; TO BRING FORWARD SECTIONS 69-2-21, 69-2-23, 69-2-25, 69-2-27, 69-2-29, 69-2-30, 69-2-31, 69-2-33, 69-2-35, 69-2-37 AND 69-2-39, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2703:** Finance

AN ACT TO AMEND SECTION 63-1-43, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO WAIVE THE FEE FOR ANY DRIVER'S LICENSE, INTERMEDIATE LICENSE OR LEARNER'S PERMIT ISSUED TO APPLICANTS WHO ARE IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 45-1-21, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2704:** Finance

AN ACT TO CREATE A NEW SECTION IN TITLE 25, CHAPTER 11, ARTICLE 3, MISSISSIPPI CODE OF 1972, TO IMPLEMENT THE "FIRST RESPONDERS RETIREMENT INCENTIVE"; TO PROVIDE, FOR THIS INCENTIVE, THAT ANY MEMBER OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM HIRED ON OR AFTER JULY 1, 2011, SHALL EARN ONE YEAR OF CREDITABLE SERVICE AT NO COST TO MEMBERS FOR EVERY FIVE YEARS SERVED AS A FIRST RESPONDER IN THE STATE OF MISSISSIPPI; TO PROVIDE THAT, IN ORDER TO USE THIS INCENTIVE, THE FIRST RESPONDER MUST NOT HAVE ANY FELONY CONVICTIONS AT THE TIME OF RETIREMENT; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2705:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICES TO 5TH SQUAD VETERAN NONPROFIT; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Barrett, Tate

**S. B. No. 2706:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX SALES OF FOOD AND BEVERAGES, OTHER THAN BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT, IN SUPERMARKETS, GROCERY STORES, CONVENIENCE STORES, DOLLAR STORES, DRUGSTORES AND FARMERS' MARKETS; AND FOR RELATED PURPOSES.

By Senator(s) Hickman, Butler (38th), Simmons (12th), Norwood, Thomas

**S. B. No. 2707:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX SALES OF FOOD AND BEVERAGES, OTHER THAN BEER, LIGHT WINE AND LIGHT SPIRIT PRODUCT, IN SUPERMARKETS, GROCERY STORES, CONVENIENCE STORES, DOLLAR STORES, DRUGSTORES AND FARMERS' MARKETS DURING THE MONTH OF AUGUST; AND FOR RELATED PURPOSES.

By Senator(s) Hickman, Simmons (12th), Norwood, Thomas, Butler (38th)



**S. B. No. 2708:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF COINS, CURRENCY AND BULLION; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2709:** Finance

AN ACT TO AMEND SECTION 57-26-1, MISSISSIPPI CODE OF 1972, TO INCLUDE CERTAIN HOTELS WITHIN THE DEFINITION OF THE TERM "TOURISM PROJECT" FOR PURPOSES OF THE TOURISM PROJECT SALES TAX INCENTIVE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2710:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE JACKSON MUNICIPAL AIRPORT AUTHORITY IN PAYING THE COSTS ASSOCIATED WITH PLANNING, DESIGN AND INFRASTRUCTURE CONSTRUCTION RELATED TO THE JACKSON METRO AEROPLEX INFRASTRUCTURE DEVELOPMENT PROJECT, INCLUDING, BUT NOT LIMITED TO, ACCESS ROADS FOR THE PROJECT, AND WATER, SEWER, NATURAL GAS AND ELECTRICAL SERVICE FOR THE PROJECT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2711:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING IN PROVIDING THE REMAINDER OF THE AMOUNT, ADJUSTED FOR INFLATION, THAT IT WAS CHARGED WITH RAISING FOR A PRIVATELY FUNDED ENDOWMENT FOR JACKSON STATE UNIVERSITY, MISSISSIPPI VALLEY STATE UNIVERSITY AND ALCORN STATE UNIVERSITY UNDER THE SETTLEMENT OF AYERS V. MUSGROVE; TO PROVIDE THAT THE PRIVATELY FUNDED ENDOWMENT SHALL BE USED FOR PROGRAM STABILIZATION, PROGRAM DEVELOPMENT AND EXPANSION AT THE THREE BENEFICIARY UNIVERSITIES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2712:** Finance

AN ACT TO AMEND SECTIONS 25-11-103, 25-11-105, 25-11-109, 25-11-111, 25-11-113, 25-11-114, 25-11-117, 25-11-311 AND 25-11-315, MISSISSIPPI CODE OF 1972, TO REDUCE THE VESTING PERIOD FOR RETIREMENT BENEFITS IN THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM FROM EIGHT YEARS TO FOUR YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2713:** Finance

AN ACT TO AMEND SECTION 69-2-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT THAT MAY BE LOANED TO ANY ONE BORROWER FROM THE EMERGING CROPS FUND TO ASSIST IN PROVIDING FINANCING FOR MINORITY ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2714:** Finance

AN ACT TO CREATE THE OFF-ROAD COMMERCIAL OPERATIONS GAS TAX REBATE STUDY COMMITTEE TO EXAMINE AND DEVELOP RECOMMENDATIONS REGARDING THE EFFECTS OF A GASOLINE TAX REBATE FOR FUEL USED IN OFF-ROAD COMMERCIAL OPERATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

**S. B. No. 2715:** Finance

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO BRING FORWARD SECTION 67-1-51, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins, England

**S. B. No. 2716:** Judiciary, Division A

AN ACT TO PROVIDE THAT THE CHANCERY COURT IN WHICH A DIVORCE OR CHILD CUSTODY DECREE IS ENTERED MAY RETAIN CONTINUING EXCLUSIVE JURISDICTION OVER ANY SUBSEQUENT MATTER ARISING FROM THE ENTERED DECREE; TO PROVIDE THAT VENUE SHALL BE PROPER IN THE COUNTY AT THE ORIGINAL FILING OR IN THE COUNTY WHERE ONE OF THE PARTIES RESIDES FOR ANY SUBSEQUENT MATTER ARISING FROM THE ENTERED DECREE WHERE ONE OF THE PARTIES TO THE ORIGINAL DECREE NO LONGER RESIDES IN THE COUNTY IN WHICH THE ORIGINAL DECREE WAS ENTERED; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2717:** Technology

AN ACT TO AMEND SECTION 25-53-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES SHALL EVALUATE THE OPPORTUNITIES FOR EXPANDING THE ENTERPRISE SECURITY PROGRAM AND THE COORDINATED OVERSIGHT OF CYBERSECURITY EFFORTS TO INCLUDE THOSE GOVERNING AUTHORITIES DEFINED IN SECTION 25-53-3(F); TO REQUIRE THE DEPARTMENT TO DEVELOP A REPORT ON THESE OPPORTUNITIES AND TO PRESENT THE REPORT TO THE CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES, ATTORNEY GENERAL AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE BY NOVEMBER 1, 2023; TO PROVIDE THAT FROM AND AFTER JULY 1, 2023, ALL STATE AGENCIES AND GOVERNING AUTHORITIES AS DEFINED IN SECTION 25-53-3 SHALL REPORT TO THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES ANY DEMAND FOR PAYMENT OR ANY PAYMENT MADE AS A RESULT OF RANSOMWARE; TO DEFINE RANSOMWARE; TO REQUIRE THESE AGENCIES AND AUTHORITIES TO REPORT THIS INFORMATION NO LATER THAN THE NEXT BUSINESS DAY UPON DISCOVERY OF THE RANSOMWARE; TO REQUIRE THE DEPARTMENT TO RECORD ALL INFORMATION SUBMITTED FROM THESE AGENCIES AND AUTHORITIES AND DEVELOP A REPORT ON THIS INFORMATION; TO REQUIRE THE DEPARTMENT TO PRESENT THIS REPORT TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, ATTORNEY GENERAL, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; TO REQUIRE THE DEPARTMENT TO PRESENT A YEARLY SUMMARY OF ALL RANSOMWARE INCIDENTS BY NOVEMBER 1 OF EACH YEAR TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2718:** Universities and Colleges; Appropriations

AN ACT TO ESTABLISH A PAID INTERNSHIP PROGRAM UNDER THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES TO TRAIN AND RETAIN COLLEGE GRADUATES WITH A TECHNICAL OR ENGINEERING DEGREE; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2719:** Technology

AN ACT TO AMEND SECTION 75-24-29, MISSISSIPPI CODE OF 1972, TO REQUIRE REPORTING OF A BREACH OF SECURITY TO THE ATTORNEY GENERAL; AND FOR RELATED PURPOSES.

By Senator(s) Williams

**S. B. No. 2720:** Public Property; Appropriations

AN ACT TO AMEND SECTION 29-1-145, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO WITHHOLD UP TO 10% OF THE PROCEEDS FROM THE SALES OF TAX-FORFEITED PROPERTIES CERTIFIED TO THE STATE TO DEFRAY THE COST OF THE REMOVAL OF TREES ON SUCH PROPERTY WHICH POSE AN IMMEDIATE HARM TO LIFE OR PROPERTY ON ADJOINING PARCELS UPON NOTIFICATION OF THE APPROPRIATE CHANCERY CLERK OR MUNICIPAL CLERK; TO AUTHORIZE THE SECRETARY OF STATE TO REIMBURSE THE MUNICIPALITY WHEREIN THE MOST TAX-FORFEITED LANDS ARE LOCATED FOR CLEANUP AND MAINTENANCE COSTS ON SUCH PROPERTY FROM ANY REMAINING BALANCE IN THE LAND RECORDS MAINTENANCE FUND; TO AMEND SECTION 27-104-205, MISSISSIPPI CODE OF 1972, TO EXEMPT THE LAND RECORDS MAINTENANCE FUND FROM CERTAIN SPECIAL FUND TRANSFER REQUIREMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2721:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 29-1-21, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE SECRETARY OF STATE MAY TAKE CERTAIN ACTION RELATING TO THE TRANSFER OF TAX-FORFEITED LAND TO STATE OR OTHER PUBLIC ENTITIES PRIOR TO THE SCHEDULED AUCTION DATE; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2722:** Public Property; Appropriations

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PURCHASE CERTAIN REAL PROPERTY LOCATED WITHIN THE CAPITOL COMPLEX IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI, KNOWN AS THE "NORTH FORTY"; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2723:** Public Property; Appropriations

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PURCHASE CERTAIN REAL PROPERTY LOCATED WITHIN THE CAPITOL COMPLEX ON HIGH STREET AND NORTH STREET IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2724:** Accountability, Efficiency, Transparency

AN ACT TO EXEMPT THE DEPARTMENT OF PUBLIC SAFETY BUILDING PROJECT AND CONTRACT FROM CERTAIN PUBLIC PURCHASING REQUIREMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 2725:** County Affairs; Municipalities

AN ACT TO AMEND SECTIONS 19-5-9 AND 21-19-25, MISSISSIPPI CODE OF 1972, TO RESTORE TO LOCAL GOVERNMENTS THE DISCRETION TO CHOOSE WHETHER TO REQUIRE PERMITTING AS A CONDITION TO CONSTRUCTION; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2726:** County Affairs; Municipalities

AN ACT TO AMEND SECTIONS 19-5-9 AND 21-19-25, MISSISSIPPI CODE OF 1972, TO RESTORE TO LOCAL GOVERNMENTS THE DISCRETION TO CHOOSE WHETHER TO REQUIRE PERMITTING AS A CONDITION TO CONSTRUCTION; AND FOR RELATED PURPOSES.

By Senator(s) Suber, McCaughn

**S. B. No. 2727:** Technology

AN ACT TO AMEND SECTION 57-56-1, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI OFFICE OF SPACE AND TECHNOLOGY AND DIRECT THE MISSISSIPPI DEVELOPMENT AUTHORITY TO ADMINISTER AND STAFF SUCH OFFICE; AND FOR RELATED PURPOSES.

By Senator(s) Moran, DeLano, Carter, Thompson, England, Hill, Seymour, Wiggins

**S. B. No. 2728:** Technology

AN ACT TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STATEWIDE MASTER AGREEMENTS; TO AUTHORIZE UTILIZATION OF INFORMATION TECHNOLOGY ACQUISITIONS MADE BY OTHER ENTITIES; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2729:** Technology; Judiciary, Division A

AN ACT TO AMEND SECTION 25-53-21, MISSISSIPPI CODE OF 1972, TO CLARIFY LIMITATION OF LIABILITY REQUIREMENTS FOR INFORMATION TECHNOLOGY CONTRACTS; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2730:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 21-1-27, MISSISSIPPI CODE OF 1972, TO REQUIRE THAT AN ELECTION BE HELD IN ANY PART OF A COUNTY WHICH IS THE SUBJECT OF A MUNICIPAL ANNEXATION OR REMOVAL ORDINANCE; TO PROVIDE THAT THE COSTS OF THE ELECTION SHALL BE PAID BY THE GOVERNING AUTHORITY OF THE MUNICIPALITY THAT IS SEEKING THE ANNEXATION OR REMOVAL OF THE PROPOSED TERRITORY IN THE COUNTY; TO AMEND SECTION 21-1-31, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MUNICIPAL AUTHORITIES TO PAY ATTORNEY'S FEES AND ALL COSTS OF COURT WHEN APPEALING THE ELECTION RESULTS; TO AMEND SECTION 21-1-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CHANCELLOR MAY CONSIDER ELECTION RESULTS AS EVIDENCE; TO AMEND SECTIONS 21-1-35 AND 21-1-43, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO REPEAL SECTION 21-1-29, MISSISSIPPI CODE OF 1972, WHICH REQUIRES A MUNICIPAL ENLARGEMENT OR CONTRACTION PETITION TO BE FILED IN CHANCERY COURT; AND FOR RELATED PURPOSES.

By Senator(s) McLendon

**S. B. No. 2731:** Finance

AN ACT TO AMEND SECTION 27-35-93, MISSISSIPPI CODE OF 1972, TO REVISE THE DEADLINE FOR A PROPERTY OWNER TO FILE A PROTEST OF THE ANNUAL TAX ASSESSMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2732:** Tourism; Appropriations

AN ACT TO CREATE THE MISSISSIPPI GOLF ASSOCIATION GRANT PROGRAM TO BE USED TO MAKE GRANTS FOR THE PURPOSE OF CREATING, ENHANCING, AND REVITALIZING MISSISSIPPI GOLF COURSES; TO PROVIDE THAT SUCH FUND SHALL BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO PRESCRIBE CERTAIN CONDITIONS ON THE ALLOCATIONS FROM THE FUND; TO PRESCRIBE ELIGIBLE COSTS FOR WHICH MONIES FROM THE FUND MAY BE ALLOCATED; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

**S. B. No. 2733:** Judiciary, Division A; Finance

AN ACT TO AMEND SECTION 27-41-77, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COUNTY TO RETAIN IN THE COUNTY GENERAL FUND ANY EXCESS IN THE AMOUNT BID FOR A SALE OF LAND FOR TAXES, AND TO PROHIBIT THE LANDOWNER FROM REQUESTING PAYMENT THEREOF; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2734:** County Affairs

AN ACT TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO PERMIT COUNTY BOARDS OF SUPERVISORS TO EXPEND FEDERAL FUNDS DURING THE LAST TERM OF OFFICE OF SUCH BOARD; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2735:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 21-7-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THE SCOPE OF MAYORAL VETO POWER; TO AMEND SECTION 21-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2736:** Finance

AN ACT TO AMEND SECTION 27-7-207, MISSISSIPPI CODE OF 1972, TO EXTEND THE TIME PERIOD IN WHICH INCOME TAX CREDITS MAY BE AUTHORIZED UNDER THE ENDOW MISSISSIPPI PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2737:** Education

AN ACT TO AMEND SECTION 37-15-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A SCHOOL DISTRICT SUPERINTENDENT, SUBJECT TO THE RATIFICATION OF THE SUPERINTENDENT'S SCHOOL BOARD, MAY CONSENT TO THE ENROLLMENT OF A CHILD FROM ANOTHER SCHOOL OR ATTENDANCE CENTER UPON THE REQUEST OF THE CHILD'S PARENT OR LEGAL GUARDIAN; TO AMEND SECTION 37-15-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CHILD ATTENDING A SCHOOL IN THIS STATE MAY TRANSFER TO ANY SCHOOL OFFERING INSTRUCTION AT THE GRADE LEVEL OF THE TRANSFERRING STUDENT IN ANY SCHOOL DISTRICT SUBJECT TO AVAILABLE CAPACITY; TO AMEND SECTION 37-15-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THE PROCESS BY WHICH A PARENT OR LEGAL GUARDIAN MAY PETITION A SCHOOL FOR THE TRANSFER OF THEIR CHILD; TO PROVIDE THAT THE PETITIONED DISTRICT SHALL DETERMINE IF THERE IS CAPACITY AT THE DESIRED SCHOOL BY USING PUBLICLY VERIFIABLE DATA; TO AMEND SECTION 37-151-93, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2738:** Universities and Colleges

AN ACT TO AMEND SECTIONS 37-121-3 AND 37-121-5, MISSISSIPPI CODE OF 1972, TO CORRECT OUTDATED LANGUAGE BY REPLACING THE NAME "ALCORN AGRICULTURAL AND MECHANICAL COLLEGE" WITH "ALCORN STATE UNIVERSITY"; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th)

**S. B. No. 2739:** Public Health and Welfare; Appropriations

AN ACT TO CREATE THE MISSISSIPPI TELE-EMERGENCY SERVICES GRANT PROGRAM TO BE ADMINISTERED BY THE MISSISSIPPI STATE

DEPARTMENT OF HEALTH; TO PROVIDE THAT THE GRANT PROGRAM SHALL BE USED BY THE MISSISSIPPI STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROMOTING RURAL TELE-EMERGENCY SERVICES WITH AN EMPHASIS ON TELE-STROKE, TELE-BEHAVIORAL HEALTH, AND TELE-EMERGENCY MEDICAL SERVICES (TELE-EMS); TO ALLOW AN ADMINISTRATIVE SET-ASIDE TO COVER COSTS OF ADMINISTRATION; TO PROVIDE THE CRITERIA THAT MUST BE SUBMITTED TO THE DEPARTMENT IN ORDER FOR AN APPLICANT TO BE ELIGIBLE FOR A GRANT; TO PROVIDE REPORTING REQUIREMENTS ABOUT THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2740:** Education; Appropriations

AN ACT TO CREATE THE "MISSISSIPPI UNIVERSAL PREKINDERGARTEN PROGRAM ACT OF 2023"; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR THE PUBLIC FUNDING OF THE PROGRAM, WHICH SHALL BE AVAILABLE TO PARENTS AND FAMILIES ON A VOLUNTARY PARTICIPATION BASIS; TO PRESCRIBE THE MINIMUM STANDARDS OF EDUCATION REQUIRED TO BE OFFERED TO CHILDREN ENROLLED IN THE PROGRAM; TO PRESCRIBE THE MANNER BY WHICH PAYMENTS WILL BE MADE TO PREKINDERGARTEN PROGRAMS, WHETHER SUCH PROGRAMS ARE OFFERED THROUGH THE PUBLIC SCHOOL DISTRICT OF RESIDENCE, AN OUTSIDE DISTRICT OR THROUGH A PREQUALIFIED PRIVATE PROVIDER; TO ESTABLISH THE MINIMUM STANDARDS REQUIRED FOR THE PREQUALIFICATION OF PRIVATE PROVIDERS; TO PRESCRIBE THE MANNER BY WHICH LOCAL SCHOOL DISTRICTS MUST ACCOUNT FOR STUDENTS ENROLLED IN PREKINDERGARTEN PROGRAMS FOR PURPOSES OF DETERMINING AVERAGE DAILY ATTENDANCE; TO REQUIRE THE PROGRAM TO BE JOINTLY ADMINISTERED BY THE STATE BOARD OF EDUCATION AND THE DIVISION OF EARLY CHILDHOOD CARE AND DEVELOPMENT; TO PROVIDE FOR THE EXPANSION OF SCHOOL-BASED PREKINDERGARTEN PROGRAMS; TO REQUIRE THE BOARD AND THE DIVISION TO ESTABLISH A PROCESS TO CALCULATE THE ANNUAL STATEWIDE TUITION RATE FOR PREKINDERGARTEN EDUCATION; TO PROVIDE FOR AN ADMINISTRATIVE PROCEDURES PROCESS FOR ENTITIES AGGRIEVED BY ACTIONS OF THE BOARD AND DIVISION; TO REQUIRE ANNUAL REPORTS ON THE PROGRAM AND ANY RECOMMENDATION FOR IMPROVEMENT OR DISCONTINUATION TO THE LEGISLATURE; TO BRING FORWARD SECTION 37-21-51, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2741:** Universities and Colleges; Appropriations

AN ACT TO CREATE NEW SECTION 37-125-11, MISSISSIPPI CODE OF 1972, TO CREATE A PROGRAM WITHIN THE BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT WITHIN THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSES OF CONSTRUCTING A NEW FOOTBALL STADIUM FOR THE USE OF JACKSON STATE UNIVERSITY; TO REQUIRE THE UNIVERSITY, IN COORDINATION WITH THE BUREAU, TO CONSTRUCT A NEW FOOTBALL STADIUM; TO AUTHORIZE THE BUREAU AND THE UNIVERSITY TO PURCHASE LAND, CONTRACT WITH ARCHITECTS, EMPLOY SURVEYORS, CONTRACT WITH CONSTRUCTION ENGINEERS AND/OR CONTRACT WITH CONSTRUCTION CREWS IN ORDER TO EFFECTUATE THE PURPOSES OF THIS SECTION; TO PROVIDE THAT THE PROJECT SHALL NOT BE EXEMPT FROM ANY CONTRACTING, BIDDING OR OTHER RESTRICTIONS CURRENTLY EXISTING IN STATUTE OR ANY RULE OR REGULATION ADOPTED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING OR OTHER STATE AUTHORITY PERTAINING TO SUCH CONSTRUCTION; TO REQUIRE THE DEPARTMENT TO COOPERATE WITH THE UNIVERSITY TO EFFECTUATE THE PURPOSES OF THIS SECTION; TO PROVIDE THAT THE DEPARTMENT SHALL MAINTAIN ULTIMATE OVERSIGHT AND ADMINISTRATIVE AUTHORITY OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Norwood, Simmons (12th), Thomas, Frazier, Blount, Jackson, Hickman, Butler (38th)

**S. B. No. 2742:** Education; Appropriations

AN ACT TO CREATE NEW SECTION 45-9-181, MISSISSIPPI CODE OF 1972, TO ENACT THE MISSISSIPPI SCHOOL SAFETY GUARDIAN ACT TO PROVIDE THAT THE GOVERNING BODY OF A SCHOOL, IN CONSULTATION WITH SCHOOL ADMINISTRATORS AND THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY, MAY DESIGNATE EMPLOYEES TO PARTICIPATE IN A SCHOOL SAFETY GUARDIAN PROGRAM DEVELOPED BY THE DEPARTMENT OF PUBLIC SAFETY BY WHICH DESIGNATED AND TRAINED SCHOOL EMPLOYEES MAY CARRY CONCEALED FIREARMS FOR THE PROTECTION OF THE STUDENTS, EMPLOYEES AND OTHERS ON THE CAMPUS OF THE SCHOOL; TO PROVIDE CERTAIN DEFINITIONS; TO PROVIDE CIVIL IMMUNITY UNDER CERTAIN CIRCUMSTANCES FOR SCHOOL SAFETY GUARDIANS WHO COMPLY WITH THE ACT; TO EXEMPT THE IDENTITY OF SCHOOL SAFETY GUARDIANS FROM PUBLIC DISCLOSURE; TO PROVIDE A TRAINING AND CERTIFICATION PROCESS AND TO ENACT STANDARDS; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2743:** Education; Appropriations

AN ACT TO CREATE NEW SECTION 45-9-181, MISSISSIPPI CODE OF 1972, TO ENACT THE MISSISSIPPI SCHOOL SAFETY GUARDIAN ACT; TO DEFINE TERMS; TO ESTABLISH THE SCHOOL SAFETY GUARDIAN TRAINING PROGRAM WITHIN THE OFFICE OF HOMELAND SECURITY WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AUTHORIZE THE GOVERNING BODY OF A SCHOOL TO ESTABLISH A SCHOOL SAFETY GUARDIAN PROGRAM; TO PROVIDE CIVIL IMMUNITY UNDER CERTAIN CIRCUMSTANCES FOR SCHOOL SAFETY GUARDIANS WHO COMPLY WITH THE ACT; TO EXEMPT THE IDENTITY OF SCHOOL SAFETY GUARDIANS FROM PUBLIC DISCLOSURE; TO PROVIDE MINIMUM REQUIREMENT FOR THE TRAINING PROGRAM; TO ENACT STANDARDS; TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO DIRECT THE COMMISSIONER TO ESTABLISH GUIDELINES FOR ACTIVE SHOOTER SITUATIONS; TO AMEND SECTION 97-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM THE INSTANCES OF JUSTIFIABLE HOMICIDE; TO AMEND SECTION 97-37-9, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFENSES TO A CHARGE OF UNLAWFULLY CARRYING OF A CONCEALED WEAPON; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2744:** Public Health and Welfare

AN ACT TO AMEND SECTIONS 41-7-173 AND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO REMOVE PSYCHIATRIC HOSPITALS, CHEMICAL DEPENDENCY HOSPITALS, INTERMEDIATE CARE FACILITIES, INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED AND PSYCHIATRIC RESIDENTIAL TREATMENT FACILITIES FROM THOSE FACILITIES THAT REQUIRE A CERTIFICATE OF NEED FROM THE STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2745:** Public Health and Welfare; Appropriations

AN ACT TO ESTABLISH THE MISSISSIPPI HOSPITAL RECOVERY TRUST PROGRAM IN THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROVIDE GRANTS TO PUBLIC HOSPITALS AT HIGH FINANCIAL RISK TO HELP THOSE HOSPITALS BE MORE FINANCIALLY VIABLE SO THAT THEY CAN CONTINUE TO OPERATE AND BE AVAILABLE TO PROVIDE HEALTH CARE SERVICES TO THE COMMUNITIES IN WHICH THEY ARE LOCATED; TO CREATE A SPECIAL FUND TO BE KNOWN AS THE MISSISSIPPI HOSPITAL RECOVERY TRUST FUND, WHICH SHALL BE ADMINISTERED BY THE DEPARTMENT AND EXPENDED FOR THE SOLE PURPOSE OF PROVIDING GRANTS TO PUBLIC HOSPITALS UNDER

THE PROVISIONS OF THIS ACT; TO PROVIDE THAT TO BE ELIGIBLE FOR A GRANT, A PUBLIC HOSPITAL MUST APPLY FOR THE GRANT AND INCLUDE SUCH DOCUMENTATION AS SPECIFIED BY THE DEPARTMENT SHOWING THAT THE HOSPITAL IS AT HIGH FINANCIAL RISK; TO PROVIDE THAT THE AMOUNT OF EACH GRANT SHALL BE DETERMINED BY THE DEPARTMENT, WITH PRIORITY FOR LARGER GRANTS BEING GIVEN TO PUBLIC HOSPITALS THAT ARE AT IMMEDIATE RISK OF CLOSING AND WHOSE SURVIVAL IS CRITICALLY ESSENTIAL TO THE COMMUNITY IN WHICH IT IS LOCATED; TO PROVIDE THAT WITHIN FIVE BUSINESS DAYS AFTER RECEIPT OF AN APPLICATION WITH THE REQUIRED DOCUMENTATION SHOWING THAT THE PUBLIC HOSPITAL IS AT HIGH FINANCIAL RISK, THE DEPARTMENT SHALL APPROVE THE APPLICATION AND DISTRIBUTE THE GRANT TO THE HOSPITAL; TO REQUIRE THE DEPARTMENT TO MAKE ANNUAL REPORTS TO THE JOINT LEGISLATIVE BUDGET COMMITTEE ABOUT EACH GRANT MADE UNDER THIS ACT; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ALLOCATE ONE HUNDRED AND FIFTY MILLION DOLLARS FOR THE MISSISSIPPI HOSPITAL RECOVERY TRUST FUND; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2746:** Appropriations

AN ACT ENTITLED THE "WOMEN'S ECONOMIC SECURITY ACT OF 2023"; TO REQUIRE THAT THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES AND/OR ANY STATE AGENCY RECEIVING AND ADMINISTERING THE FEDERAL TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BLOCK GRANT ANNUALLY SPEND NO LESS THAN \$20,000,000.00 OF FEDERAL TANF FUNDS AND/OR STATE MAINTENANCE OF EFFORT (MOE) FUNDS ON DIRECT CHILD CARE ASSISTANCE THROUGH THE CHILD CARE PAYMENT PROGRAM (CCPP) FOR SINGLE PARENTS UNDER 200% OF THE FEDERAL POVERTY GUIDELINES; TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO EXPAND THE MISSISSIPPI STATE WORKFORCE INVESTMENT BOARD TO INCLUDE A WOMAN WITH EXPERTISE IN ASSISTING WOMEN IN JOB TRAINING AND SECURING EMPLOYMENT IN NONTRADITIONAL OCCUPATIONS; TO AMEND SECTION 7-1-355, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO ACHIEVE GENDER EQUITY IN THE WORKFORCE INVESTMENT ACT OR WORKFORCE INNOVATION OPPORTUNITY ACT WORKFORCE DEVELOPMENT SYSTEM; TO REQUIRE CERTAIN INFORMATION TO BE INCLUDED IN AN ANNUAL REPORT TO THE LEGISLATURE; TO REQUIRE EQUAL PAY CERTIFICATES OF COMPLIANCE; TO CREATE WOMEN IN HIGH-WAGE, HIGH-DEMAND, NONTRADITIONAL JOBS GRANT PROGRAM; TO ESTABLISH THE MISSISSIPPI PAID FAMILY LEAVE ACT; TO ESTABLISH A MISSISSIPPI HIGHER EDUCATION GRANT PROGRAM FOR SINGLE MOTHERS TO PROVIDE FINANCIAL AID TO COMPLETE TWO- AND FOUR-YEAR DEGREES AT PUBLIC COLLEGES AND UNIVERSITIES ADMINISTERED BY THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BILL; TO CREATE THE MISSISSIPPI MINIMUM WAGE ACT; TO PROVIDE FOR THE IMPLEMENTATION OF A STATE MINIMUM WAGE; TO AMEND SECTIONS 17-1-51 AND 25-3-40, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTIONS 7-7-204, 23-15-239, 37-7-307, 57-34-5, 85-3-4, 97-3-54.4 AND 99-19-20, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO PROVIDE THAT NO EMPLOYER SHALL PAY AN EMPLOYEE A WAGE AT A RATE LESS THAN THE RATE AT WHICH AN EMPLOYEE OF A DIFFERENT GENDER IS PAID FOR COMPARABLE WORK; TO PROVIDE THAT AN EMPLOYEE MAY FILE A PETITION IN THE PROPER CIRCUIT COURT FOR VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2747:** Public Health and Welfare

AN ACT TO ALLOW PRACTITIONERS IN LEE COUNTY, MISSISSIPPI, WHO POSSESS A DOCTOR OF CHIROPRACTIC DEGREE AND A NEUROLOGY



CHIROPRACTIC DEGREE TO ADVERTISE AS CHIROPRACTIC NEUROLOGISTS;  
AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2748:** Education; Appropriations

AN ACT TO AMEND SECTION 37-153-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BEGINNING IN FISCAL YEAR 2024 AND SUBJECT TO AVAILABLE FUNDING, THE DEPARTMENT OF EDUCATION SHALL DEVELOP AND FUND THE SKILLPATH 2030 PROGRAM FOR THE PURPOSE OF TEACHING HIGH SCHOOL STUDENTS SKILLS RELATED TO THE CAREER AND TECHNICAL FIELDS; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS TO ADMINISTER THE PROGRAM; TO PROVIDE FOR THE MINIMUM CERTIFICATIONS THAT THE SKILLPATH 300 PROGRAM SHALL INCLUDE; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2749:** Education; Appropriations

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

By Senator(s) Hopson

**S. B. No. 2750:** Public Health and Welfare; Appropriations

AN ACT TO CREATE NEW SECTION 41-60-34, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE AUTOMATED EXTERNAL DEFIBRILLATORS IN PUBLIC PLACES GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROVIDING FUNDS TO ENTITIES TO SUPPLY AEDS IN PUBLIC PLACES; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS FOR THE PROGRAM; TO SET CERTAIN REQUIREMENTS OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Jackson, McCaughn

**S. B. No. 2751:** Education

AN ACT TO AMEND SECTION 29-3-132, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO LAW, ORDINANCE OR REGULATION SHALL PROHIBIT, RESTRICT OR INTERFERE WITH SCHOOL DISTRICTS' USE OF SIXTEENTH SECTION LANDS FOR THE CONSTRUCTION AND OPERATION OF EDUCATIONAL OR EXTRACURRICULAR FACILITIES; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Jackson, Seymour

**S. B. No. 2752:** Education

AN ACT TO AUTHORIZE LOCAL SCHOOL BOARDS TO EMPLOY LICENSED SOCIAL WORKERS AND LICENSED PSYCHOLOGISTS TO PROVIDE SERVICES TO STUDENTS IN THE PUBLIC SCHOOLS; TO PROVIDE THAT A SCHOOL DISTRICT THAT EMPLOYS AT LEAST ONE SOCIAL WORKER OR PSYCHOLOGIST FOR EVERY ONE THOUSAND STUDENTS ENROLLED IN THE SCHOOLS OF THE DISTRICT IS ELIGIBLE FOR REIMBURSEMENT FOR FIFTY PERCENT OF THE COST OF THE SALARY OF EACH SOCIAL WORKER OR PSYCHOLOGIST FROM THE STATE DEPARTMENT OF EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2753:** Education

AN ACT TO REQUIRE A COMPREHENSIVE COURSE IN MISSISSIPPI HISTORY TO BE TAUGHT TO ALL STUDENTS IN GRADE 9 IN PUBLIC SCHOOLS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2754:** Education; Appropriations

AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO PROVIDE A SALARY SUPPLEMENT, REIMBURSEMENT FOR MOVING EXPENSES, AND REIMBURSEMENT FOR INTERVIEWING EXPENSES FOR ANY TEACHER WHO HAS FIVE OR MORE YEARS OF EXPERIENCE AND CHOOSES TO TEACH IN AN "F"-DESIGNATED SCHOOL WITHIN AN "F"-DESIGNATED SCHOOL DISTRICT; TO AMEND SECTION 37-159-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2755:** Education; Appropriations

AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDING FOR ADDITIONAL ASSISTANT TEACHERS IN "C," "D" AND "F" SCHOOL DISTRICTS; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2756:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-7-191, MISSISSIPPI CODE OF 1972, TO DIRECT THE STATE DEPARTMENT OF HEALTH TO ISSUE MULTISPECIALTY CERTIFICATES OF NEED TO AN EXISTING AMBULATORY SURGICAL CENTER; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2757:** Education; Appropriations

AN ACT TO AMEND SECTION 37-151-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE ADJUSTMENT TO THE BASE STUDENT COST FOR AT-RISK STUDENTS UNDER THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2758:** Public Health and Welfare; Appropriations

AN ACT TO CREATE NEW SECTION 37-106-85, MISSISSIPPI CODE OF 1972, TO CREATE THE AFRICAN AMERICAN RESIDENT PHYSICIAN SCHOLARSHIP PROGRAM TO BE ADMINISTERED BY THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE PURPOSE OF INCREASING THE NUMBER OF AFRICAN AMERICAN PHYSICIANS THAT PROVIDE SERVICES IN UNDERSERVED CITIES OR COUNTIES; TO REQUIRE THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER TO ADOPT RULES AND REGULATIONS TO ADMINISTER THE PROGRAM; TO PROVIDE FOR THE ELIGIBILITY OF THE PROGRAM; TO PROVIDE THAT UPON ENTERING THE PRACTICE OF MEDICINE, A PARTICIPANT IN THE PROGRAM MUST SERVE IN A HEALTH PROFESSIONAL SHORTAGE AREA, MEDICALLY UNDERSERVED AREA, OR RURAL AREA OTHERWISE APPROVED FOR PRACTICE FOR AT LEAST FIVE YEARS; TO REQUIRE THE PHYSICIAN TO REPAY IF THEY DO NOT FULFILL SUCH OBLIGATION; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2759:** Public Health and Welfare

AN ACT TO CREATE NEW SECTION 41-9-20, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PATIENT OF A RURAL HOSPITAL SHALL BE ADMITTED TO A MAJOR HOSPITAL WHEN A DOCTOR OF SUCH RURAL HOSPITAL DEEMS IT IS MEDICALLY NECESSARY TO TRANSFER SUCH PATIENT TO THE EMERGENCY ROOM OF A MAJOR HOSPITAL; THE DEPARTMENT OF HEALTH SHALL PRESCRIBE RULES AND REGULATIONS THAT PROVIDE WHAT SITUATIONS SHALL BE CONSIDERED MEDICALLY NECESSARY IN COMPLIANCE WITH THIS ACT; TO PROVIDE CERTAIN PROVISIONS THAT THE DEPARTMENT MUST CONSIDER IN ADOPTING SUCH RULES; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2760:** Judiciary, Division A

AN ACT TO ENACT THE MISSISSIPPI HELP NOT HARM ACT; TO CREATE NEW SECTION 11-77-1, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO CREATE NEW SECTION 11-77-3, MISSISSIPPI CODE OF 1972, TO PROHIBIT ANY PERSON FROM KNOWINGLY PERFORMING OR PROVIDING GENDER REASSIGNMENT SURGERY OR SERVICES TO A MINOR; TO PROHIBIT ANY PERSON FROM KNOWINGLY ENGAGING IN CONDUCT THAT AIDS OR ABETS IN GENDER REASSIGNMENT SURGERY OR SERVICES BEING PERFORMED ON OR PROVIDED TO A MINOR; TO PROVIDE THAT ANY LICENSED MEDICAL PROFESSIONAL, INCLUDING, BUT NOT LIMITED TO, A PHYSICIAN, OSTEOPATH, PHYSICIAN ASSISTANT, NURSE PRACTITIONER OR NURSE WHO PERFORMS OR PROVIDES GENDER REASSIGNMENT SURGERY OR SERVICES TO A MINOR SHALL HAVE THEIR LICENSE REVOKED; TO PROVIDE A PRIVATE CAUSE OF ACTION AGAINST A PHYSICIAN, OSTEOPATH, HOSPITAL, PRESCRIBING CAREGIVER, CLINIC OR ANY OTHER HEALTH CARE FACILITY FOR INJURIES ARISING OUT OF THE COURSE OF MEDICAL, SURGICAL OR OTHER PROFESSIONAL SERVICES RELATED TO THE PERFORMANCE OF GENDER REASSIGNMENT SURGERY OR SERVICES; TO PROVIDE THAT THIS CLAIM MUST BE BROUGHT WITHIN 30 YEARS FROM THE DATE THE ALLEGED ACT OCCURRED; TO PROVIDE THAT THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE COMPLIANCE WITH THE ACT; TO PROVIDE CERTAIN EXCEPTIONS OF THE ACT; TO AMEND SECTION 73-25-29, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 73-25-33, MISSISSIPPI CODE OF 1972, TO REVISE PHYSICIAN'S SCOPE OF PRACTICE TO PROVIDE THAT THE PRACTICE OF MEDICINE SHALL NOT MEAN TO KNOWINGLY PROVIDE GENDER REASSIGNMENT SURGERY OR SERVICES FOR MINORS; TO AMEND SECTION 11-46-5, MISSISSIPPI CODE OF 1972, TO ESTABLISH THAT AN EMPLOYEE SHALL NOT BE CONSIDERED AS ACTING WITHIN THE COURSE AND SCOPE OF HIS EMPLOYMENT AND A GOVERNMENTAL ENTITY MAY BE LIABLE OR BE CONSIDERED TO HAVE WAIVED IMMUNITY FOR ANY CONDUCT OF ITS EMPLOYEE IF THE EMPLOYEE'S CONDUCT VIOLATED THE PROVISIONS OF THIS ACT; TO CREATE NEW SECTION 43-13-117.7, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE DIVISION OF MEDICAID FROM REIMBURSING ANY ENTITY FOR PART OR ALL OF THE COSTS OF CARE AND SERVICES RENDERED FOR GENDER REASSIGNMENT SURGERY OR SERVICES; TO CREATE NEW SECTION 83-9-401, MISSISSIPPI CODE OF 1972, TO PROHIBIT HEALTH COVERAGE PLANS THAT ARE FUNDED WHOLLY OR IN PART BY STATE FUNDS OR STATE-EMPLOYEE CONTRIBUTIONS FROM REIMBURSING OR AUTHORIZING PAYMENT OF PART OR ALL OF THE COSTS OF CARE AND SERVICES RENDERED BY ANY ENTITY FOR GENDER REASSIGNMENT SURGERY OR SERVICES; TO AMEND SECTION 11-1-60, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN ANY CAUSE OF ACTION FILED ON OR AFTER JULY 1, 2023, FOR A CLAIM BROUGHT UNDER SECTION 11-77-3, IN THE EVENT THE TRIER OF FACT FINDS THE DEFENDANT LIABLE, THERE SHALL NOT BE A LIMITATION PLACED ON THE NONECONOMIC DAMAGES AWARD THAT A TRIER OF FACT MAY AWARD TO THE PLAINTIFF; AND FOR RELATED PURPOSES.

By Senator(s) Hill, DeLano, Tate, Seymour, Whaley, Chism, Younger, Fillingane, Caughman, Moran, McCaughn, Suber, Barrett, Branning, Carter, McLendon, Williams, England, Chassaniol, DeBar, Thompson, Michel, Sojourner, McDaniel, Blackwell

**S. B. No. 2761:** Education

AN ACT RELATING TO PARENTS' BILL OF RIGHTS; PROVIDING THAT THE STATE, ITS POLITICAL SUBDIVISIONS, OTHER GOVERNMENTAL ENTITIES, OR OTHER INSTITUTIONS MAY NOT INFRINGE ON PARENTAL RIGHTS WITHOUT DEMONSTRATING SPECIFIED INFORMATION; PROVIDING THAT A PARENT OF A MINOR CHILD HAS SPECIFIED RIGHTS RELATING TO HIS OR HER MINOR CHILD; PROHIBITING THE STATE FROM INFRINGING UPON SPECIFIED PARENTAL RIGHTS; PROVIDING THAT CERTAIN ACTIONS BY SPECIFIED INDIVIDUALS ARE GROUNDS FOR DISCIPLINARY ACTIONS AGAINST SUCH INDIVIDUALS; PROHIBITING SPECIFIED PARENTAL RIGHTS FROM BEING DENIED OR

ABRIDGED; REQUIRING EACH DISTRICT SCHOOL BOARD TO DEVELOP AND ADOPT A POLICY TO PROMOTE PARENTAL INVOLVEMENT IN THE PUBLIC SCHOOL SYSTEM; PROVIDING REQUIREMENTS FOR SUCH POLICY; DEFINING THE TERM "INSTRUCTIONAL MATERIALS"; AUTHORIZING A DISTRICT SCHOOL BOARD TO PROVIDE SUCH POLICY ELECTRONICALLY OR ON ITS WEBSITE; AUTHORIZING A PARENT TO REQUEST CERTAIN INFORMATION IN WRITING; PROVIDING A PROCEDURE FOR THE DENIAL OF SUCH INFORMATION; PROHIBITING CERTAIN HEALTH CARE PRACTITIONERS AND THEIR EMPLOYEES FROM TAKING SPECIFIED ACTIONS WITHOUT A PARENT'S WRITTEN PERMISSION; PROHIBITING A HEALTH CARE FACILITY FROM ALLOWING CERTAIN ACTIONS WITHOUT A PARENT'S WRITTEN PERMISSION; PROVIDING EXCEPTIONS; PROVIDING FOR DISCIPLINARY ACTIONS AND CRIMINAL PENALTIES; PROVIDING THAT CERTAIN VIOLATIONS RELATING TO PARENTAL CONSENT ARE GROUNDS FOR ADMINISTRATIVE FINES FOR HEALTH CARE FACILITIES; PROVIDING THAT FAILURE TO COMPLY WITH CERTAIN PARENTAL CONSENT REQUIREMENTS IS GROUNDS FOR DISCIPLINARY ACTION FOR HEALTH CARE PRACTITIONERS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2762:** Education

AN ACT TO PROHIBIT SCHOOL DISTRICTS AND OTHER POLITICAL SUBDIVISIONS FROM REQUIRING ANTI-COVID VACCINES OR FACE COVERINGS; TO PROHIBIT DISCRIMINATION BASED ON A PERSON'S VACCINATION STATUS; TO PROVIDE THAT A SCHOOL DISTRICT OR OTHER POLITICAL SUBDIVISION SHALL NOT REQUIRE A PERSON TO RECEIVE AN ANTI-COVID VACCINE OR TO WEAR A FACE COVERING; TO PROVIDE FOR EXCEPTIONS TO WHAT SHALL BE CONSIDERED AN UNLAWFUL DISCRIMINATORY PRACTICE; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2763:** Education

AN ACT TO ENACT THE "FAMILIES' RIGHTS AND RESPONSIBILITIES ACT"; TO PROVIDE THAT THE LIBERTY OF A PARENT TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND MENTAL HEALTH OF THAT PARENT'S CHILD SHALL BE A FUNDAMENTAL RIGHT; TO PROVIDE THAT THE STATE, ANY POLITICAL SUBDIVISION OF THIS STATE OR ANY OTHER GOVERNMENTAL ENTITY SHALL NOT SUBSTANTIALLY BURDEN THE FUNDAMENTAL RIGHT OF A PARENT TO DIRECT THE UPBRINGING, EDUCATION, HEALTH CARE AND MENTAL HEALTH OF THAT PARENT'S CHILD WITHOUT DEMONSTRATING THAT THE BURDEN IS REQUIRED BY A COMPELLING GOVERNMENTAL INTEREST OF THE HIGHEST ORDER AS APPLIED TO THE PARENT AND THE CHILD AND IS THE LEAST RESTRICTIVE MEANS OF FURTHERING THAT COMPELLING GOVERNMENTAL INTEREST; TO PROVIDE SPECIFIC RIGHTS AND RESPONSIBILITIES OF PARENTS; TO SET STANDARDS FOR THE EDUCATIONAL INVOLVEMENT FOR PARENTS IN SCHOOL DISTRICTS; TO PROVIDE THAT A PERSON, CORPORATION, ASSOCIATION, ORGANIZATION, STATE-SUPPORTED INSTITUTION OR INDIVIDUAL EMPLOYED BY ANY OF THESE ENTITIES SHALL OBTAIN THE CONSENT OF A PARENT OF A CHILD BEFORE TAKING ANY SPECIFIC MEDICAL CARE; TO PROVIDE A CAUSE OF ACTION FOR ANY VIOLATION OF THE ACT; TO PROVIDE THAT PARENTS HAVE INALIENABLE RIGHTS THAT ARE MORE COMPREHENSIVE THAN THOSE LISTED IN THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2764:** Education

AN ACT TO PROVIDE THAT THE LOCAL SCHOOL BOARD OF EVERY PUBLIC SCHOOL DISTRICT AND PUBLIC CHARTER SCHOOL SHALL ADOPT A PROCEDURE FOR NOTIFYING THE PARENT OF A STUDENT ENROLLED IN THE SCHOOL REGARDING MENTAL, EMOTIONAL AND PHYSICAL HEALTH OF THE

STUDENT AND AVAILABLE HEALTH-RELATED SERVICES; TO PROVIDE FOR PARENTAL CONSENT FOR SUCH SERVICES; TO AUTHORIZE STUDENT WELL-BEING QUESTIONNAIRES; TO PROHIBIT SCHOOL PERSONNEL FROM PROVIDING OR ALLOWING A THIRD PARTY TO PROVIDE INSTRUCTION REGARDING SEXUAL ORIENTATION OR GENDER IDENTITY TO STUDENTS ENROLLED IN K-12 IN A MANNER THAT IS NOT AGE OR DEVELOPMENTALLY APPROPRIATE; TO AMEND SECTION 37-9-59, MISSISSIPPI CODE OF 1972; TO AUTHORIZE DISMISSAL OR SUSPENSION FOR A CERTIFIED TEACHER WHO DOES NOT COMPLY WITH THE PROVISIONS OF THIS ACT RELATING TO SEXUAL ORIENTATION OR GENDER IDENTITY; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2765:** Education

AN ACT ENTITLED THE "MISSISSIPPI FAMILIES' RIGHTS AND RESPONSIBILITIES ACT"; TO PROVIDE DEFINITIONS; TO PROVIDE THAT ALL PARENTAL RIGHTS ARE EXCLUSIVELY RESERVED TO A PARENT OF A CHILD WITHOUT INTERFERENCE FROM THE STATE OR POLITICAL SUBDIVISION OF THE STATE; TO PROVIDE THAT THE LOCAL SCHOOL BOARD IN CONSULTATION WITH PARENTS AND TEACHERS SHALL DEVELOP AND ADOPT A POLICY TO PROMOTE THE INVOLVEMENT OF PARENTS OF CHILDREN ENROLLED IN THE PUBLIC SCHOOLS; TO REQUIRE PUBLIC SCHOOLS TO ADOPT PROCEDURES TO ENSURE THAT A PARENT PROVIDES WRITTEN PERMISSION BEFORE THEIR CHILD PARTICIPATES IN IDENTITY CURRICULUM OR CRITICAL THEORY CURRICULUM AND ALLOW PARENTS TO EXEMPT THEIR CHILD FROM ANY SPECIFIC LESSONS THAT ARE OBJECTIONABLE TO THE FAMILY; TO REQUIRE PARENTAL CONSENT FOR MEDICAL AND MENTAL HEALTH CARE; TO PROVIDE A CAUSE OF ACTION FOR VIOLATIONS OF THIS ACT; TO PROVIDE RULES OF CONSTRUCTION; TO AMEND SECTION 37-13-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO BRING FORWARD SECTIONS 41-41-3, 41-41-7 AND 41-41-11, MISSISSIPPI CODE OF 1972, RELATING TO IMPLIED CONSENT FOR MEDICAL PROCEDURES ON MINORS; AND FOR RELATED PURPOSES.

By Senator(s) Hill, Seymour, Chism

**S. B. No. 2766:** Education

AN ACT TO AMEND SECTIONS 41-23-37 AND 43-20-8, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EXEMPTIONS FROM THE IMMUNIZATION REQUIREMENTS OF SCHOOLS AND LICENSED CHILD CARE FACILITIES WHEN A PARENT OR LEGAL GUARDIAN OBJECTS TO IMMUNIZATION OF THE CHILD ON THE GROUNDS THAT THE IMMUNIZATION CONFLICTS WITH THE RELIGIOUS BELIEFS OF THE PARENT OR GUARDIAN; TO PROVIDE THAT A PARENT OR GUARDIAN MUST FIRST FURNISH THE RESPONSIBLE OFFICIAL OF THE SCHOOL OR FACILITY AN AFFIDAVIT IN WHICH THE PARENT OR GUARDIAN SWEARS OR AFFIRMS THAT THE IMMUNIZATION REQUIRED CONFLICTS WITH THE RELIGIOUS BELIEFS OF THE PARENT OR GUARDIAN BEFORE A CHILD IS EXEMPTED FROM IMMUNIZATION ON RELIGIOUS GROUNDS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2767:** Education

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

By Senator(s) Hill

**S. B. No. 2768:** Public Health and Welfare

AN ACT TO AMEND SECTION 41-39-121, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON SHALL NOT BE DENIED AN ANATOMICAL GIFT, ORGAN TRANSPLANT OR RELATED TREATMENT AND SERVICES SOLELY ON THE BASIS OF THE PERSON'S VACCINATION OR IMMUNIZATION FOR CORONAVIRUS OR ITS VARIANTS; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2769:** Education

AN ACT TO AMEND SECTION 41-23-37, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EXEMPTIONS FROM THE IMMUNIZATION REQUIREMENTS OF SCHOOLS AND LICENSED CHILD CARE FACILITIES WHEN A PARENT OR LEGAL GUARDIAN OBJECTS TO IMMUNIZATION OF THE CHILD ON THE GROUNDS THAT THE IMMUNIZATION CONFLICTS WITH THE RELIGIOUS BELIEFS OF THE PARENT OR GUARDIAN; TO PROVIDE THAT A PARENT OR GUARDIAN MUST FIRST FURNISH THE RESPONSIBLE OFFICIAL OF THE SCHOOL OR FACILITY AN AFFIDAVIT IN WHICH THE PARENT OR GUARDIAN SWEARS OR AFFIRMS THAT THE IMMUNIZATION REQUIRED CONFLICTS WITH THE RELIGIOUS BELIEFS OF THE PARENT OR GUARDIAN BEFORE A CHILD IS EXEMPTED FROM IMMUNIZATION ON RELIGIOUS GROUNDS; TO PROVIDE THAT DURING AN EPIDEMIC OR THREATENED EPIDEMIC OF ANY DISEASE PREVENTABLE BY AN IMMUNIZATION REQUIRED BY THE DEPARTMENT OF HEALTH, CHILDREN WHO HAVE NOT BEEN IMMUNIZED MAY BE EXCLUDED FROM SCHOOL UNTIL THEY ARE IMMUNIZED AGAINST THE DISEASE OR THE EPIDEMIC OR THE THREAT NO LONGER CONSTITUTES A SIGNIFICANT PUBLIC HEALTH DANGER; TO PROVIDE THAT, SUBJECT TO APPROPRIATIONS, THE DEPARTMENT OF HEALTH SHALL ENGAGE IN A MARKETING PROGRAM TO PROVIDE IMMUNIZATION INFORMATION, INCLUDING, BUT NOT LIMITED TO, EVIDENCE-BASED RESEARCH, RESOURCES AND INFORMATION FROM CREDIBLE SCIENTIFIC AND PUBLIC HEALTH ORGANIZATIONS AND PEER-REVIEWED STUDIES CONCERNING THE BENEFITS AND RISKS OF IMMUNIZATIONS AND EVIDENCE-BASED PRACTICES; TO AMEND SECTION 43-20-8, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Sparks

**S. B. No. 2770:** Judiciary, Division A

AN ACT TO PROHIBIT GENDER REASSIGNMENT SURGERY FROM BEING PERFORMED UPON A MINOR; TO STATE LEGISLATIVE INTENT; TO DEFINE TERMS; TO CRIMINALIZE ANY PERSON THAT PERFORMS A GENDER REASSIGNMENT SURGERY UPON A MINOR FOR THE PURPOSE OF ASSISTING A MINOR WITH A GENDER TRANSITION; TO PROVIDE CRIMINAL PENALTIES; TO PROVIDE THAT THE PERFORMANCE OF A GENDER REASSIGNMENT SURGERY UPON A MINOR BY A MEDICAL PROFESSIONAL SHALL BE UNPROFESSIONAL CONDUCT; TO REQUIRE A MEDICAL PROFESSIONAL'S LICENSING OR CERTIFYING BOARD TO REVOKE THE LICENSURE OF THE MEDICAL PROFESSIONAL IF IT WAS DETERMINED THAT A GENDER REASSIGNMENT SURGERY WAS PERFORMED UPON A MINOR; TO PROVIDE A CIVIL PENALTY FOR ANY MEDICAL PROFESSIONAL WHO PERFORMS A GENDER REASSIGNMENT SURGERY UPON A MINOR; TO PROVIDE A GOOD-FAITH EXCEPTION FOR A MINOR BORN WITH A MEDICALLY VERIFIABLE GENETIC DISORDER OF SEXUAL DEVELOPMENT; TO PROVIDE A PRIVATE CAUSE OF ACTION FOR VIOLATIONS OF THIS ACT; TO PROVIDE THAT THE PROVISIONS OF THIS ACT ARE SEVERABLE; AND FOR RELATED PURPOSES.

By Senator(s) Tate, Hill

**S. B. No. 2771:** Judiciary, Division B

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO REMOVE MARIJUANA FROM THE LIST OF SCHEDULE I CONTROLLED SUBSTANCES; TO AMEND SECTION 41-29-139, MISSISSIPPI CODE OF 1972, TO

CONFORM THE PENALTY FOR POSSESSION OF CONTROLLED SUBSTANCES OTHER THAN MARIJUANA; TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO CONFORM DEFINITIONS FOR THE UNIFORM CONTROLLED SUBSTANCES ACT; TO AMEND SECTION 41-29-136, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO EXTEND THE REPEALER; TO AMEND SECTIONS 33-13-520, 41-29-147, 41-29-149.1 AND 41-29-150, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th), Hickman

**S. B. No. 2772:** Universities and Colleges

AN ACT TO ENACT THE FORMING OPEN AND ROBUST UNIVERSITY MINDS (FORUM) ACT; TO PROHIBIT A STATE INSTITUTION OF HIGHER LEARNING FROM DENYING A RELIGIOUS, POLITICAL OR IDEOLOGICAL STUDENT ORGANIZATION A BENEFIT OR PRIVILEGE AVAILABLE TO ANOTHER STUDENT ORGANIZATION, OR OTHERWISE DISCRIMINATE AGAINST SUCH AN ORGANIZATION, BASED ON THE EXPRESSION OF THE ORGANIZATION; TO REQUIRE STATE INSTITUTIONS OF HIGHER LEARNING TO DEVELOP AND MAKE AVAILABLE MATERIALS EXPLAINING THE POLICY FOR CAMPUS STAFF AND STUDENTS; TO REQUIRE STATE INSTITUTIONS OF HIGHER LEARNING TO SUBMIT A YEARLY REPORT DETAILING THE COURSE OF ACTION IMPLEMENTED TO COMPLY WITH THE POLICY; TO PRESCRIBE A ONE-YEAR STATUTE OF LIMITATIONS FOR ACTIONS BROUGHT UNDER THIS ACT; TO WAIVER THE STATE'S IMMUNITY FROM LIABILITY UNDER THE ELEVENTH AMENDMENT OF THE UNITED STATES CONSTITUTION; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2773:** Judiciary, Division A

AN ACT TO ENACT THE DEFENSE OF TITLE IX ACT; TO PROVIDE INTERPRETATION AND CLARIFICATION OF CERTAIN TERMS RELATING TO TITLE IX OF THE FEDERAL CODE; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO CLARIFY TERMS FOR THE PURPOSES OF STATE LAW; TO PROVIDE THAT POLICIES AND LAWS THAT DISTINGUISH BETWEEN THE SEXES ARE SUBJECT TO INTERMEDIATE CONSTITUTIONAL SCRUTINY; AND FOR RELATED PURPOSES.

By Senator(s) Hill, Branning

**S. B. No. 2774:** Education

AN ACT TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, TO PROHIBIT A PUBLIC SCHOOL DISTRICT FROM RESTRICTING A STUDENT ATTENDING A NONPUBLIC SCHOOL FROM PARTICIPATING IN ANY PUBLIC SCHOOL COURSES, SERVICES OR EXTRACURRICULAR ACTIVITIES UNDER CERTAIN CONDITIONS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2775:** Education

AN ACT TO AMEND SECTION 37-7-307, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NONLICENSED EMPLOYEES SHALL RECEIVE PAYMENT FOR UNUSED ACCUMULATED LEAVE FOR NOT MORE THAN THIRTY DAYS AT A RATE SET BY SCHOOL DISTRICTS BUT SHALL NOT BE LESS THAN AT A RATE EQUAL TO THE FEDERAL MINIMUM WAGE; AND FOR RELATED PURPOSES.

By Senator(s) Williams

**S. B. No. 2776:** Medicaid

AN ACT TO REQUIRE ADULT APPLICANTS FOR PUBLIC BENEFITS IN MISSISSIPPI TO COMPLY WITH MANDATORY COMMUNITY SERVICE PROGRAM REQUIREMENTS IN ORDER TO BE ELIGIBLE; TO PROVIDE THAT ANY SUCH PERSON WHO DOES NOT COMPLY SHALL BE INELIGIBLE TO RECEIVE PUBLIC ASSISTANCE FOR A PERIOD OF TIME BASED ON THE SERVICES OF NONCOMPLIANCE; TO PROVIDE PROCEDURES AND EXCEPTIONS FOR SUCH MANDATORY COMMUNITY SERVICE PROGRAMS TO BE DEVELOPED BY THE

MISSISSIPPI DEPARTMENT OF HUMAN SERVICES; TO PROVIDE CRIMINAL PENALTIES FOR WILLFUL VIOLATIONS OF SUCH REQUIREMENTS; TO MAKE IT UNLAWFUL FOR ANY STATE AGENCY TO PROVIDE ANY PUBLIC BENEFIT IN VIOLATION OF SUCH REQUIREMENTS; TO AMEND SECTION 43-17-1, MISSISSIPPI CODE OF 1972, TO SPECIFICALLY REQUIRE THE DIVISION OF MEDICAID, THE DEPARTMENT OF HUMAN SERVICES, THE OFFICE OF EMPLOYMENT SECURITY AND THE MISSISSIPPI HOUSING AUTHORITIES TO REQUIRE APPLICANTS OF PUBLIC ASSISTANCE PROGRAMS TO COMPLY WITH MANDATORY COMMUNITY SERVICE AS REQUIRED UNDER THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel

**S. B. No. 2777:** Education; Appropriations

AN ACT TO AMEND SECTION 37-13-89, MISSISSIPPI CODE OF 1972, TO PROVIDE A FORMULA FOR ALLOCATING FUNDS FOR THE EMPLOYMENT OF SCHOOL ATTENDANCE OFFICERS; TO INCREASE THE MINIMUM BASE SALARY FOR SCHOOL ATTENDANCE OFFICERS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), Williams, Simmons (12th), Thomas

**S. B. No. 2778:** Education; Appropriations

AN ACT TO AMEND SECTION 37-23-179, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL LOCAL SCHOOL DISTRICTS TO HAVE SPECIAL PROGRAMS FOR ACADEMICALLY GIFTED STUDENTS IN GRADES 6 THROUGH 12 AS APPROVED BY THE BOARD OF EDUCATION; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), Thomas

**S. B. No. 2779:** Education; Appropriations

AN ACT TO ESTABLISH THE PSYCHOLOGIST TO SCHOOLS GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROMOTING THE HIRING OF PSYCHOLOGISTS IN SCHOOL DISTRICTS; TO REQUIRE THE DEPARTMENT TO ADMINISTER AND DISTRIBUTE GRANT FUNDS; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), Simmons (12th)

**S. B. No. 2780:** Education; Appropriations

AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM SALARY OF ASSISTANT TEACHERS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th), Simmons (12th), Thomas

**S. B. No. 2781:** Judiciary, Division A

AN ACT TO CREATE THE MISSISSIPPI ACCESS TO MATERNAL ASSISTANCE PROGRAM WITHIN THE STATE DEPARTMENT OF HEALTH TO COORDINATE AND PROMOTE INFORMATION AND SERVICES RELATED TO PREGNANCY, CHILDBIRTH AND CARE FOR DEPENDENT CHILDREN FOR EXPECTANT MOTHERS AND NEW PARENTS; TO REQUIRE THE PROGRAM TO PROVIDE CERTAIN RESOURCES RELATED TO ADOPTION ASSISTANCE, CHILDCARE, DOMESTIC ABUSE PROTECTION, EARLY INTERVENTION, FOOD, CLOTHING AND SUPPLIES RELATED TO PREGNANCY AND NEWBORN CARE, JOB TRAINING AND PLACEMENT, PATERNITY, PARENTING SKILLS, AND PRENATAL AND POSTPARTUM CARE; TO REQUIRE THAT INFORMATION RELATED TO THE PROGRAM SHALL BE AVAILABLE ON A SEPARATE WEBSITE ACCESSIBLE FROM THE DEPARTMENT'S MAIN WEBSITE; TO REQUIRE THE DEPARTMENT TO ESTABLISH A PROMOTION CAMPAIGN TO EDUCATE THE PUBLIC ABOUT THE PROGRAM; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES TO IMPLEMENT THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Williams, Boyd, Branning

**S. B. No. 2782:** Public Health and Welfare



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

By Senator(s) Jackson

**S. B. No. 2783:** Education

AN ACT TO REQUIRE CARBON MONOXIDE DETECTORS IN ALL PUBLIC AND NONPUBLIC SCHOOLS IN MISSISSIPPI; TO AUTHORIZE AND DIRECT THE STATE FIRE MARSHAL TO PROVIDE REQUIREMENTS FOR TESTING AND INSPECTING CARBON MONOXIDE DETECTION AND WARNING EQUIPMENT INSTALLED IN PUBLIC OR NONPUBLIC SCHOOL BUILDINGS; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 2784:** Judiciary, Division A

AN ACT TO PROVIDE THAT THE STATE OF MISSISSIPPI AND ITS POLITICAL SUBDIVISIONS AND UNIVERSITIES SHALL NOT DISCRIMINATE AGAINST OR GRANT PREFERENTIAL TREATMENT TO ANY INDIVIDUAL ON THE BASIS OF RACE, SEX, GENDER, SEXUAL ORIENTATION, COLOR, ETHNICITY OR NATIONAL ORIGIN IN THE OPERATION OF PUBLIC EMPLOYMENT, EDUCATION OR PUBLIC CONTRACTING; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2785:** Universities and Colleges

AN ACT TO PROHIBIT STATE INSTITUTIONS OF HIGHER LEARNING FROM AWARDING TENURE OR ENTERING EMPLOYMENT CONTRACTS OF MORE THAN FOUR YEARS DURATION WITH EMPLOYEES HIRED AFTER DECEMBER 31, 2023; TO TERMINATE EXISTING TENURE PROGRAMS WHEN NO COVERED EMPLOYEES REMAIN EMPLOYED BY THE INSTITUTION; TO PROVIDE BEGINNING WITH THE 2025-2026 SCHOOL YEAR ALL FULL-TIME FACULTY AND TENURED FACULTY AT PUBLIC INSTITUTIONS OF HIGHER LEARNING SHALL TEACH AT LEAST TWO UNDERGRADUATE CLASSES IN THE FALL AND SPRING SEMESTERS EACH YEAR, AND TO PROVIDE AN EXCEPTION FOR FACULTY EMPLOYED IN DEPARTMENTS OR SCHOOLS ONLY OFFERING GRADUATE DEGREES; AND TO PROVIDE CERTAIN RELATED REPORTING REQUIREMENTS FOR PUBLIC INSTITUTIONS OF HIGHER LEARNING AND THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 37-101-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2786:** Education

AN ACT TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE SALARY OF THE STATE SUPERINTENDENT OF EDUCATION SHALL NOT EXCEED THE SALARY OF THE GOVERNOR; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2787:** Universities and Colleges

AN ACT TO REQUIRE STUDENTS IN HIGH SCHOOL TO EARN THE CIVIC LITERACY REQUIREMENT BEFORE ENROLLING IN A PUBLIC COMMUNITY COLLEGE OR UNIVERSITY IN THIS STATE; TO AMEND THE CIVIC LITERACY REQUIREMENT FOR POSTSECONDARY EDUCATION TO INCLUDE BOTH AN ASSESSMENT AND A COURSE OF INSTRUCTION; TO REQUIRE THE CHARACTER DEVELOPMENT CURRICULUM FOR PUBLIC SCHOOL STUDENTS IN THE 11TH AND 12TH GRADES TO INCLUDE INSTRUCTIONS ON VOTING USING THE PRIMARY AND GENERAL ELECTION BALLOT; TO AMEND SECTIONS 37-13-181, 37-13-183

AND 37-13-185, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2788:** Education

AN ACT RELATING TO CIVIC EDUCATION CURRICULUM; REVISING THE SOCIAL STUDIES HIGH SCHOOL GRADUATION CREDIT REQUIREMENT; REQUIRING THE STATE DEPARTMENT OF EDUCATION TO DEVELOP OR APPROVE AN INTEGRATED CIVIC EDUCATION CURRICULUM THAT MEETS CERTAIN REQUIREMENTS; REQUIRING THE DEPARTMENT TO USE ORAL HISTORY RESOURCES TO BE USED ALONG WITH SUCH CURRICULUM; REQUIRING THE DEPARTMENT TO APPROVE THE CIVIC EDUCATION CURRICULA SUBMITTED BY LOCAL SCHOOL DISTRICTS AND CHARTER SCHOOLS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2789:** Universities and Colleges; Appropriations

AN ACT TO CREATE NEW SECTION 37-99-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING AND THE BOARDS OF TRUSTEES OF THE COMMUNITY AND JUNIOR COLLEGES TO ADOPT POLICIES REQUIRING EACH PUBLIC INSTITUTION OF HIGHER LEARNING, COMMUNITY OR JUNIOR COLLEGE TO PROVIDE FREE TRANSCRIPTS TO FOSTER CARE CHILDREN AND CHILDREN PLACED IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; TO CREATE NEW SECTION 55-3-87, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOSTER CARE CHILDREN AND CHILDREN WHO WERE PREVIOUSLY PLACED IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES AND THEIR FAMILY, INCLUDING THEIR BIOLOGICAL PARENTS AND SIBLINGS, THEIR FOSTER PARENTS AND SIBLINGS, THEIR ADOPTED PARENTS AND SIBLINGS, THEIR GUARDIANS OR ANY OTHER MEMBER OF THEIR DIRECT HOUSEHOLD, AS APPLICABLE, SHALL BE ALLOWED FREE ADMISSION TO ANY STATE PARK IN THIS STATE; TO CREATE NEW SECTION 39-41-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOSTER CARE CHILDREN AND CHILDREN WHO WERE PREVIOUSLY PLACED IN THE LEGAL CUSTODY OF THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES AND THEIR FAMILY, INCLUDING THEIR BIOLOGICAL PARENTS AND SIBLINGS, THEIR FOSTER PARENTS AND SIBLINGS, THEIR ADOPTED PARENTS AND SIBLINGS, THEIR GUARDIANS OR ANY OTHER MEMBER OF THEIR DIRECT HOUSEHOLD, AS APPLICABLE, SHALL BE ALLOWED FREE ADMISSION TO ANY PUBLICLY FUNDED MUSEUM IN THIS STATE; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 2790:** Education; Appropriations

AN ACT TO CREATE NEW SECTION 37-13-187, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE PATRIOTIC EDUCATION GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROMOTING EDUCATION THAT INSPIRES AMERICAN HISTORY IN SCHOOLS; TO PROVIDE CERTAIN STANDARDS FOR THE GRANT PROGRAM; TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROMULGATE RULES AND REGULATIONS FOR THE PROGRAM; TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE ANNUAL GRANT FUNDING IN THE AMOUNT OF FIVE MILLION DOLLARS TO THE PATRIOTIC EDUCATION GRANT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2791:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A NURSE PRACTITIONER TO DISPENSE A LEGEND DRUG OR MEDICATION TO PATIENTS OF THE NURSE PRACTITIONER; TO CONFORM IN

ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2792:** Education

AN ACT TO ENACT THE MISSISSIPPI RELEASED TIME EDUCATION ACT TO REQUIRE EACH SCHOOL DISTRICT TO ADOPT A POLICY THAT EXCUSES STUDENTS FROM SCHOOL TO ATTEND A RELEASED TIME COURSE FOR AT LEAST ONE HOUR PER WEEK BUT NOT MORE THAN FIVE HOURS PER WEEK; TO ESTABLISH CERTAIN REQUIREMENTS THAT THE POLICY MUST HAVE; TO AUTHORIZE A SCHOOL DISTRICT TO ADOPT A POLICY THAT AWARDS ACADEMIC CREDIT FOR THE COMPLETION OF A RELEASED TIME COURSE; TO PROVIDE THAT ANY PERSON OR ORGANIZATION AGGRIEVED BY A VIOLATION OF THIS ACT TO BRING AN ACTION AGAINST THE SCHOOL DISTRICT RESPONSIBLE FOR THE VIOLATION AND SEEK APPROPRIATE RELIEF, INCLUDING, BUT NOT LIMITED TO, INJUNCTIVE RELIEF, MONETARY DAMAGES, REASONABLE ATTORNEY'S FEES AND COURT COSTS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2793:** Public Health and Welfare

AN ACT TO PROVIDE FOR THE LICENSURE AND REGULATION OF PROFESSIONAL MIDWIFERY; TO PROVIDE DEFINITIONS FOR THE PURPOSE OF THE ACT; TO PROVIDE EXCEPTIONS TO THE APPLICABILITY OF THE ACT; TO PROVIDE THE SCOPE OF PRACTICE FOR LICENSED MIDWIVES; TO PROVIDE MANDATORY PROCEDURES FOR LICENSED MIDWIVES; TO PROHIBIT LICENSED MIDWIVES FROM CERTAIN ACTIONS; TO CREATE THE STATE BOARD OF LICENSED MIDWIFERY AND PROVIDE FOR ITS COMPOSITION, APPOINTMENT AND POWERS AND DUTIES; TO REQUIRE THE BOARD TO PROMULGATE RULES NOT LATER THAN JULY 1, 2025; TO REQUIRE A LICENSE FROM THE BOARD TO PRACTICE PROFESSIONAL MIDWIFERY; TO PROVIDE FOR THE ISSUANCE OF TEMPORARY PERMITS TO PRACTICE PENDING QUALIFICATION FOR LICENSURE; TO PROVIDE EXEMPTIONS FROM LICENSURE FOR CERTAIN PERSONS; TO PROVIDE FOR THE CONFIDENTIALITY OF INFORMATION MAINTAINED BY THE BOARD; TO PROVIDE IMMUNITY FOR CERTAIN ACTIONS; TO PROVIDE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; TO PROHIBIT TERMINOLOGY IN ANY HEALTH COVERAGE PLAN, POLICY OR CONTRACT THAT IS DISCRIMINATORY AGAINST PROFESSIONAL MIDWIFERY; TO REQUIRE HEALTH COVERAGE PLANS THAT PROVIDE MATERNITY BENEFITS TO PROVIDE COVERAGE FOR SERVICES RENDERED BY A LICENSED MIDWIFE; TO PROVIDE WHENEVER A HEALTH COVERAGE PLAN PROVIDES FOR REIMBURSEMENT OF ANY SERVICES THAT ARE WITHIN THE LAWFUL SCOPE OF PRACTICE OF LICENSED MIDWIVES, THE PERSON ENTITLED TO BENEFITS UNDER THE PLAN SHALL BE ENTITLED TO REIMBURSEMENT FOR THE SERVICES, WHETHER THE SERVICES ARE PERFORMED BY A PHYSICIAN OR A LICENSED MIDWIFE; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO DEVELOP AND INSTITUTE A SAFE PERINATAL TRANSFER CERTIFICATION FOR THE FACILITIES THAT IT REGULATES; TO AMEND SECTION 73-25-33, MISSISSIPPI CODE OF 1972, TO REMOVE THE REFERENCE TO THE PRACTICE OF MIDWIFERY IN THE DEFINITION OF THE PRACTICE OF MEDICINE; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2794:** Public Health and Welfare; Appropriations

AN ACT TO AMEND SECTION 43-27-33, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO TRANSFER AT LEAST THIRTY PERCENT OF THE BLOCK GRANT FOR THE STATE AND AVAILABLE FEDERAL FUNDS FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) CHILD WELFARE SERVICES TO THE CHILD CARE AND DEVELOPMENT FUND FOR EACH FISCAL YEAR; AND FOR RELATED PURPOSES.

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

**S. B. No. 2795:** Public Health and Welfare; Appropriations

AN ACT TO PROVIDE THAT APPLICANTS FOR BENEFITS FROM THE DIVISION OF MEDICAID, ELECTRONIC BENEFITS TRANSFER CARDS ISSUED BY THE DEPARTMENT OF HUMAN SERVICES, OR ANY OTHER GOVERNMENT BENEFIT SHALL NOT BE DECLARED INELIGIBLE ON THE BASIS THAT SUCH APPLICANT IS A CONVICTED FELON; TO AMEND SECTION 43-17-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT TANF ASSISTANCE SHALL ONLY BE GRANTED TO A DEPENDENT CHILD AND SUCH CARETAKER RELATIVE IF THEIR FAMILY INCOME DOES NOT EXCEED 200% OF THE FEDERAL POVERTY LEVEL; TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO DELETE THE MANDATORY UP-FRONT JOB SEARCH FOR TANF APPLICANTS FOR CASH ASSISTANCE; TO DELETE CERTAIN WORK REQUIREMENTS FOR IMMEDIATE TANF BENEFITS; TO DELETE THE PROVISION THAT REQUIRED INDIVIDUALS TO COMPLY WITH DRUG TESTING AND SUBSTANCE USE DISORDER TREATMENT AS A CONDITION OF ELIGIBILITY; TO PROVIDE ADDITIONAL EXEMPTIONS TO THE WORK REQUIREMENT TO ALLOW APPLICANTS TO BE INVOLVED IN POST-HIGH SCHOOL EDUCATIONAL ENDEAVORS; TO DELETE THE PERMANENT DISQUALIFICATION FOR TANF BENEFITS; TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO PROVIDE CHILD CARE AND TRANSPORTATION FOR ELIGIBLE PARTICIPANTS WHO REQUIRE SUCH SERVICES SO THAT THEY MAY ACCEPT EMPLOYMENT OR REMAIN EMPLOYED; TO AMEND SECTION 43-27-33, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO TRANSFER AT LEAST THIRTY PERCENT OF THE BLOCK GRANT FOR THE STATE AND AVAILABLE FEDERAL FUNDS FOR TEMPORARY ASSISTANCE FOR NEEDY FAMILIES CHILD WELFARE SERVICES TO THE CHILD CARE AND DEVELOPMENT FUND FOR EACH FISCAL YEAR; TO AMEND SECTIONS 37-106-29, 37-106-31 AND 37-106-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SCHOLARSHIPS FOR THE HIGHER EDUCATION LEGISLATIVE PLAN GRANT PROGRAM, MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM AND THE EMINENT SCHOLARS FUND SHALL ONLY BE GRANTED TO APPLICANTS WHOSE FAMILY INCOME DOES NOT EXCEED 200% OF THE FEDERAL POVERTY LEVEL; TO REPEAL SECTION 43-17-6, MISSISSIPPI CODE OF 1972, WHICH REQUIRES APPLICANTS FOR TANF BENEFITS TO UNDERGO DRUG TESTING AS A CONDITION FOR ELIGIBILITY; TO REPEAL SECTIONS 43-12-1, 43-12-3, 43-12-5, 43-12-7, 43-12-9, 43-12-11, 43-12-13, 43-12-15, 43-12-17, 43-12-19, 43-12-21, 43-12-23, 43-12-25, 43-12-27, 43-12-29, 43-12-31, 43-12-33, 43-12-35, 43-12-37, 43-12-39, 43-12-41, 43-12-43, 43-12-45 AND 43-12-47, MISSISSIPPI CODE OF 1972, WHICH ARE SECTIONS OF THE MEDICAID AND HUMAN SERVICES TRANSPARENCY AND FRAUD PREVENTION ACT; AND FOR RELATED PURPOSES.

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

**S. B. No. 2796:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-15-3, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE STATEMENT OF PURPOSE OF THE MISSISSIPPI NURSING PRACTICE LAW; TO AMEND SECTION 73-15-5, MISSISSIPPI CODE OF 1972, TO DELETE CERTAIN DEFINITIONS AND REVISE CERTAIN DEFINITIONS IN THE NURSING PRACTICE LAW REGARDING ADVANCED NURSING PRACTICE; TO AMEND SECTION 73-15-9, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE MISSISSIPPI BOARD OF NURSING TO INCLUDE A CERTIFIED REGISTERED NURSE ANESTHETISTS AS A MEMBER; TO AMEND SECTION 73-15-20, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS RELATING TO THE PRACTICE OF ADVANCED NURSING PRACTICE NURSES; TO PROVIDE THAT AN ADVANCED PRACTICE REGISTERED

NURSE SHALL BE EXEMPT FROM THE REQUIREMENT OF ENTERING AND MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN OR DENTIST AFTER COMPLETING 6,240 PRACTICE HOURS; TO PROVIDE THAT CERTIFIED REGISTERED NURSE ANESTHETISTS SHALL BE EXEMPT FROM MAINTAINING A COLLABORATIVE/CONSULTATIVE RELATIONSHIP WITH A LICENSED PHYSICIAN OR DENTIST UPON COMPLETION OF 8,000 CLINICAL PRACTICE HOURS; TO PROVIDE THAT ADVANCED PRACTICE REGISTERED NURSES AND CERTIFIED REGISTERED NURSE ANESTHETISTS MAY APPLY HOURS WORKED BEFORE THE EFFECTIVE DATE OF THIS ACT TO FULFILL THEIR RESPECTIVE HOUR REQUIREMENT; TO CONFORM CERTAIN PROVISIONS WITH THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 73-15-29, MISSISSIPPI CODE OF 1972, TO INCLUDE ADVANCED PRACTICE REGISTERED NURSES IN THE PROVISIONS RELATING TO GROUNDS FOR DISCIPLINARY ACTIONS AGAINST NURSES; TO AMEND SECTION 41-21-131, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2797:** Public Health and Welfare

AN ACT TO CREATE NEW SECTION 41-21-110, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI STATE ASYLUM RECORDS IN THE POSSESSION OF THE MISSISSIPPI STATE HOSPITAL SHALL BE PERMANENTLY TRANSFERRED TO THE ROWLAND MEDICAL LIBRARY AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER; TO PROVIDE THAT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER SHALL ESTABLISH THE ASYLUM HILL OVERSIGHT COMMITTEE TO GOVERN THE ACCESS, USE AND DISCLOSURE OF THE MISSISSIPPI STATE ASYLUM RECORDS; TO REQUIRE THE OVERSIGHT COMMITTEE TO ESTABLISH STANDARDS FOR THE RECORDS INCLUDING CURATION AND STORAGE, DESCENDANTS' ACCESS TO RECORDS AND HIPAA CONSIDERATIONS; TO REQUIRE THE OVERSIGHT COMMITTEE TO ESTABLISH PROCEDURE TO NOTIFY ALL DESCENDANTS OF PATIENTS TREATED AT THE ASYLUM; TO AMEND SECTION 41-9-61, MISSISSIPPI CODE OF 1972, TO EXEMPT THE MISSISSIPPI STATE ASYLUM RECORDS FROM BEING CONSIDERED HOSPITAL RECORDS FOR PURPOSES OF THE CHAPTER; TO AMEND SECTION 41-21-97, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI STATE ASYLUM RECORDS SHALL NOT BE CONSIDERED CONFIDENTIAL FOR PURPOSES OF THE SECTION, PROVIDED THAT ANY MISSISSIPPI STATE ASYLUM RECORD RELATING TO ANY PERSON WHO HAS NOT BEEN DECEASED FOR AT LEAST 50 YEARS SHALL STILL BE CONSIDERED CONFIDENTIAL; TO AMEND SECTION 41-10-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI STATE ASYLUM RECORDS SHALL NOT BE CONSIDERED MEDICAL RECORDS FOR PURPOSES OF THE SECTION; TO CONFORM TO THE PROVISIONS OF THE ACT; TO AMEND SECTION 41-30-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI STATE ASYLUM RECORDS SHALL BE EXEMPT FROM CERTAIN DISCLOSURE PROHIBITIONS, PROVIDED THAT SUCH RECORDS RELATING TO ANY PERSON WHO HAS NOT BEEN DECEASED FOR AT LEAST 50 YEARS SHALL NOT BE EXEMPT; TO AMEND SECTION 13-1-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI STATE ASYLUM RECORDS SHALL BE EXEMPT FROM CERTAIN MEDICAL PRIVILEGE REQUIREMENTS, PROVIDED THAT SUCH RECORDS RELATING TO ANY PERSON WHO HAS NOT BEEN DECEASED FOR AT LEAST 50 YEARS SHALL NOT BE EXEMPT; AND FOR RELATED PURPOSES.

By Senator(s) Blount

**S. B. No. 2798:** Economic and Workforce Development; Appropriations

AN ACT TO CREATE THE MISSISSIPPI WORK AND SAVE PROGRAM, WHICH IS A RETIREMENT SAVINGS PROGRAM SPONSORED BY THE STATE FOR CERTAIN EMPLOYERS WHO DO NOT ALREADY OFFER A RETIREMENT PLAN THAT WILL ALLOW THOSE EMPLOYERS TO OFFER ELIGIBLE EMPLOYEES THE VOLUNTARY CHOICE TO CONTRIBUTE TO AN INDIVIDUAL RETIREMENT

ACCOUNT (IRA) THROUGH A PAYROLL DEDUCTION; TO ESTABLISH THE MISSISSIPPI WORK AND SAVE BOARD IN THE OFFICE OF THE STATE TREASURER TO ADMINISTER THE PROGRAM; TO PROVIDE FOR THE APPOINTMENT OF THE MEMBERS OF THE BOARD; TO PROVIDE THE POWERS, AUTHORITY AND DUTIES OF THE BOARD; TO PRESCRIBE THE REQUIREMENTS FOR THE PROGRAM; TO PROVIDE THAT THE IRA TO WHICH CONTRIBUTIONS ARE MADE WILL BE A ROTH IRA AND THE STANDARD PACKAGE WILL BE A ROTH IRA WITH A TARGET DATE FUND INVESTMENT AND A SPECIFIED CONTRIBUTION PERCENTAGE; TO PROVIDE CERTAIN PROTECTION FROM LIABILITY FOR EMPLOYERS IN THE PROGRAM AND FOR THE STATE; TO PROVIDE FOR THE CONFIDENTIALITY OF PARTICIPANT AND ACCOUNT INFORMATION; TO CREATE THE MISSISSIPPI WORK AND SAVE ADMINISTRATIVE FUND AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE FUND SHALL BE EXPENDED BY THE BOARD, UPON APPROPRIATION OF THE LEGISLATURE, FOR THE PURPOSES AUTHORIZED IN THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2799:** Public Health and Welfare

AN ACT TO CREATE THE VOLUNTEER HEALTH CARE SERVICES ACT; TO AUTHORIZE CERTAIN LICENSED MEDICAL PROFESSIONALS WHO ARE IN GOOD STANDING TO PROVIDE VOLUNTARY HEALTH CARE SERVICES; TO PROVIDE CIVIL IMMUNITY FOR THOSE SERVICES; TO BRING FORWARD SECTION 73-25-19, MISSISSIPPI CODE OF 1972, WHICH LIMITS THE PRACTICE OF MEDICINE IN THIS STATE BY NONRESIDENT PHYSICIANS WHO ARE NOT LICENSED TO PRACTICE MEDICINE IN THIS STATE, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 73-25-38, MISSISSIPPI CODE OF 1972, WHICH PROVIDES IMMUNITY TO MEDICAL PROFESSIONALS WHO VOLUNTARILY PROVIDE HEALTH CARE, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2800:** Public Health and Welfare; Appropriations

AN ACT TO AMEND SECTION 43-11-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A MEDICATION AIDE MAY PARTICIPATE IN MEDICATION ADMINISTRATION WHEN CERTIFIED THROUGH A MEDICATION AIDE CERTIFICATION PROGRAM IN ACCORDANCE WITH THIS ACT AND GENERALLY MANAGED BY A LICENSED HEALTHCARE PROFESSIONAL AT THE PERSONAL CARE HOME ASSISTED LIVING; TO PROVIDE CERTAIN MEDICATION ROUTES THAT A MEDICATION AIDE MAY PROVIDE; TO REQUIRE APPLICABLE FACILITIES TO KEEP AND MAINTAIN ACCURATE MEDICATION ADMINISTRATION RECORDS; TO SET THE MINIMUM COMPETENCIES OF SUCH AIDES; TO PROVIDE THE REQUIREMENTS OF A MEDICATION AIDE CERTIFICATION PROGRAM; TO ESTABLISH THE REQUIREMENTS TO RECEIVE A MEDICATION AIDE CERTIFICATE; TO PROVIDE THAT THE DEPARTMENT OF HEALTH SHALL ADMINISTER THE PROGRAM AND PRESCRIBE RULES AND REGULATIONS RELATED THERETO; TO PROVIDE THAT THE DEPARTMENT MAY COLLECT A FEE FOR SUCH CERTIFICATE; TO REQUIRE THE DEPARTMENT SHALL LIST EACH MEDICATION AIDE REGISTRATION IN THE MEDICATION AIDE REGISTRY; TO ESTABLISH CERTAIN HEARING AND APPEAL RIGHTS FOR CERTIFICATE HOLDERS; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2801:** Education

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

LEAST 60% OF THE CIVICS PORTION OF THE NATURALIZATION TEST USED BY THE IMMIGRATION SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2802:** Public Health and Welfare

AN ACT CREATING THE "NO PATIENT LEFT ALONE ACT"; TO PROVIDE FOR MINOR AND ADULT PATIENTS TO DESIGNATE A VISITOR WITH UNRESTRICTED VISITATION; TO PROHIBIT TERMINATION, SUSPENSION OR WAIVER OF VISITATION RIGHTS BY CERTAIN PARTIES; TO PROVIDE CERTAIN LIMITATIONS; TO PROHIBIT HOSPITALS FROM REQUIRING PATIENT WAIVER OF CERTAIN RIGHTS; TO REQUIRE POSTING OF CERTAIN INFORMATIONAL MATERIALS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2803:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 73-47-9, MISSISSIPPI CODE OF 1972, TO REVISE THE MEMBERSHIP OF THE OCCUPATIONAL LICENSING REVIEW COMMISSION TO INCLUDE THE LIEUTENANT GOVERNOR, COMMISSIONER OF INSURANCE, AND STATE TREASURER OR HIS OR HER RESPECTIVE DESIGNEE; TO REQUIRE AN OCCUPATIONAL LICENSING BOARD TO SUBMIT A REGULATORY IMPACT ASSESSMENT TO THE COMMISSION IN A MANNER PRESCRIBED BY THE COMMISSION; TO REQUIRE THAT ALL PROPOSED SUBMISSIONS TO THE COMMISSION BE ACTED ON BY THE COMMISSION WITHIN 120 CALENDAR DAYS OF SUBMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2804:** Judiciary, Division A

AN ACT TO AMEND SECTION 43-17-1, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE DEPARTMENT OF HUMAN SERVICES FROM PROVIDING ANY ASSISTANCE TO ANY PERSON CONVICTED OF MORE THAN TWO FELONY OFFENSES; TO REPEAL SECTION 43-12-71, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION THAT OPTS MISSISSIPPI OUT OF 21 USC SECTION 862a(a); AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel

**S. B. No. 2805:** Judiciary, Division A

AN ACT TO AMEND SECTION 41-23-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT EMPLOYERS ARE PROHIBITED FROM TAKING ANY ADVERSE EMPLOYMENT ACTION AGAINST AN INDIVIDUAL WHO DECLINES TO RECEIVE A COVID-19 VACCINATION DUE TO RELIGIOUS BELIEF; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2806:** Judiciary, Division A

AN ACT TO REPEAL SECTION 43-17-6, MISSISSIPPI CODE OF 1972, WHICH REQUIRES APPLICANTS FOR TANF BENEFITS TO UNDERGO DRUG TESTING AS A CONDITION FOR ELIGIBILITY; TO AMEND SECTION 43-17-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

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

**S. B. No. 2807:** Education

AN ACT TO AMEND SECTION 37-7-104.1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE WEST BOLIVAR CONSOLIDATED SCHOOL DISTRICT SHALL BE ADMINISTRATIVELY DECONSOLIDATED TO FORM THE WEST BOLIVAR SCHOOL DISTRICT, SHAW SCHOOL DISTRICT AND BENOIT SCHOOL DISTRICT; TO REQUIRE THE STATE BOARD OF EDUCATION TO SERVE INSTRUCTIONS AND NOTICE TO THE AFFECTED SCHOOL DISTRICTS; TO PROVIDE THAT THE NORTH

BOLIVAR CONSOLIDATED SCHOOL DISTRICT AND THE CLEVELAND SCHOOL DISTRICT SHALL NOT BE AFFECTED BY THE DECONSOLIDATION; TO PROVIDE FOR THE ELECTION PROCEDURES FOR THE NEW SCHOOL DISTRICTS' BOARD OF TRUSTEES; TO REQUIRE THE BOARD OF EDUCATION TO BASE THE NEW SCHOOL DISTRICTS' BOUNDARIES ON THE FORMER SCHOOL DISTRICTS AS THEY EXISTED PRIOR TO THEIR MANDATED CONSOLIDATION IN 2012; TO AUTHORIZE CERTAIN PROCEDURES FOR THE STATE BOARD OF EDUCATION TO ACCOMPLISH THE DECONSOLIDATION; TO PROVIDE THAT ALL REAL AND PERSONAL PROPERTY WHICH IS OWNED OR TITLED IN THE NAME OF A SCHOOL DISTRICT SHALL BE TRANSFERRED TO THE NEW REORGANIZED SCHOOL DISTRICTS IN WHICH SUCH FORMER DISTRICT IS LOCATED; TO AUTHORIZE EACH SCHOOL DISTRICT TO HAVE ITS OWN SUPERINTENDENT AND NO MORE THAN ONE ASSISTANT SUPERINTENDENT EACH; TO PROVIDE FOR THE PROCEDURES, ADMINISTRATIVE AUTHORITY AND BUDGET PRACTICES FOR THE BOARD OF EDUCATION AND THE SCHOOL DISTRICTS TO ACCOMPLISH THE DECONSOLIDATION; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2808:** Economic and Workforce Development

AN ACT TO AMEND SECTIONS 57-114-3 AND 57-114-15, MISSISSIPPI CODE OF 1972, TO MAKE MINOR TECHNICAL CORRECTIONS; TO BRING FORWARD SECTIONS 57-114-1, 57-114-5, 57-114-7, 57-114-9, 57-114-11, 57-114-13, 57-114-17, 57-114-19 AND 57-114-21, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2809:** Education

AN ACT TO AMEND SECTION 37-173-1, 37-173-9 AND 37-173-21, MISSISSIPPI CODE OF 1972, TO EXPAND THE DYSLEXIA THERAPY SCHOLARSHIP FOR STUDENTS WITH DYSLEXIA PROGRAM BY MAKING CERTIFIED ACADEMIC LANGUAGE THERAPISTS (CALT) ELIGIBLE TO BE EMPLOYED BY SCHOOL DISTRICTS TO PROVIDE DYSLEXIA THERAPY SERVICES; TO AMEND SECTION 37-106-71, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2810:** Economic and Workforce Development

AN ACT TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO PROVIDE TIME-LIMITED EXEMPTIONS FROM THE MISSISSIPPI PUBLIC RECORDS ACT OF 1983 FOR CERTAIN RECORDS AND CONFIDENTIAL CLIENT INFORMATION FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY OR LOCAL ECONOMIC DEVELOPMENT ENTITIES HELD BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO AMEND SECTION 71-5-353, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT ALL COSTS ASSOCIATED WITH THE ADMINISTRATION OF CERTAIN FUNDS BE REIMBURSED TO THE DEPARTMENT OF EMPLOYMENT SECURITY FROM THE MISSISSIPPI WORKS FUND; TO PROVIDE THAT CERTAIN CONTRACTS AND PROCUREMENTS OF THE OFFICE OF WORKFORCE DEVELOPMENT BE IN ACCORDANCE WITH POLICIES APPROVED BY THE STATE WORKFORCE INVESTMENT BOARD'S EXECUTIVE COMMITTEE DEEMED TO BE PRACTICAL, FEASIBLE AND IN THE PUBLIC INTEREST; TO EXEMPT THE OFFICE OF WORKFORCE DEVELOPMENT, THROUGH DECEMBER 31, 2024, FROM THE PUBLIC PROCUREMENT REVIEW BOARD WITH RESPECT TO RENTAL AGREEMENTS OR LEASING OF REAL PROPERTY FOR THE PURPOSE OF CONDUCTING AGENCY BUSINESS; TO AUTHORIZE THE OFFICE OF WORKFORCE DEVELOPMENT TO RECEIVE AND USE BEQUESTS AND TRANSFERS SUBJECT TO THE GRANTOR'S CONDITIONS, PROVIDED SUCH CONDITIONS ARE NOT CONTRARY TO LAW; TO AUTHORIZE THE OFFICE OF WORKFORCE DEVELOPMENT TO CONTRACT WITH OTHER STATE AGENCIES, GOVERNING AUTHORITIES, OR ECONOMIC AND WORKFORCE DEVELOPMENT ENTITIES TO



FURTHER ITS PURPOSES; TO ALLOW THE OFFICE DIRECT AND IMMEDIATE ACCESS TO ALL ACCOUNTING AND BANKING STATEMENTS RELATED TO FUNDS WITHIN ITS DIRECTION; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE TEMPORARY EXEMPTION FROM THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE TEMPORARY EXEMPTION FROM THE PUBLIC RECORDS ACT OF 1983; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. B. No. 2811:** Education

AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO SCHOOL DISTRICT SHALL REDUCE THE LOCAL SUPPLEMENT OR PAY AN INDIVIDUAL ASSISTANT TEACHER LESS THAN THE STATE MINIMUM SALARY IN A YEAR IN WHICH THE STATE MINIMUM SALARY IS INCREASED; TO PROVIDE THAT NO SCHOOL DISTRICT SHALL PAY ANY ASSISTANT TEACHER LESS THAN THE STATE MINIMUM SALARY UNLESS DONE SO BY A PRO RATA DAILY AMOUNT WHERE THERE HAS BEEN A REDUCTION IN ADEQUATE EDUCATION PROGRAM ALLOCATIONS FOR SUCH DISTRICT IN SUCH YEAR OR WHERE THERE HAS BEEN A REDUCTION IN THE AMOUNT OF FEDERAL FUNDS TO SUCH DISTRICT FROM THE PREVIOUS YEAR; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2812:** Education

AN ACT TO AMEND SECTION 37-17-13, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISION AUTHORIZING THE STATE BOARD OF EDUCATION TO APPOINT A NEW FIVE-MEMBER BOARD FOR THE ADMINISTRATION OF A FAILING SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2813:** Education; Appropriations

AN ACT TO ENACT THE TIM TEBOW ACT TO AUTHORIZE HOMESCHOOLED STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC EXTRACURRICULAR ACTIVITIES SPONSORED BY OR ENGAGED IN BY THE PUBLIC SCHOOL TO WHICH THE STUDENT WOULD BE ASSIGNED ACCORDING TO DISTRICT SCHOOL BOARD ATTENDANCE POLICIES TO PROVIDE CERTAIN REQUIREMENTS FOR SUCH STUDENTS; TO PROVIDE THAT TRANSPORTATION OF THE STUDENT TO THE PUBLIC SCHOOL SHALL BE THE RESPONSIBILITY OF THE PARENT, GUARDIAN OR STUDENT; TO PROHIBIT A PUBLIC SCHOOL FROM DISCRIMINATING AGAINST SUCH STUDENT IN THE SELECTION OF INTERSCHOLASTIC EXTRACURRICULAR TEAM MEMBERS; TO PROVIDE THAT SUCH PARTICIPATION SHALL BE CONSIDERED A PRIVILEGE AND NOT A RIGHT AND THAT NOTHING IN THE ACT SHALL BE INTERPRETED TO CREATE A CAUSE OF ACTION; TO CREATE THE "HOMESCHOOL EXTRACURRICULAR ACTIVITY FUND" AS A SPECIAL FUND WITHIN THE DEPARTMENT OF EDUCATION; TO PROVIDE THAT DISTRICTS MAY RECEIVE \$2,500.00 PER HOMESCHOOL STUDENT THAT PARTICIPATED IN EXTRACURRICULAR ACTIVITIES IN THE PRIOR YEAR; TO REQUIRE THE DEPARTMENT TO REPORT DISBURSEMENTS TO THE OFFICE OF THE STATE AUDITOR; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2814:** Education

AN ACT TO CREATE NEW SECTION 37-3-109, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF EDUCATION TO DISSEMINATE INFORMATION TO SCHOOL DISTRICTS, TEACHERS, STUDENTS AND PARENTS ABOUT THE DEPARTMENT'S 24/7 ONLINE TUTORING PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford, Blackmon

**S. B. No. 2815:** Public Health and Welfare

AN ACT TO AMEND SECTION 43-1-2, MISSISSIPPI CODE OF 1972, TO CREATE THE GOVERNING BOARD OF THE DEPARTMENT OF HUMAN SERVICES; TO PROVIDE FOR THE MEMBERSHIP AND CHAIRMANSHIP OF THE GOVERNING BOARD; AND FOR RELATED PURPOSES.

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

**S. B. No. 2816:** Public Health and Welfare

AN ACT RELATING TO THE PRACTICE OF MEDICINE; TO AMEND SECTION 73-25-1, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS UNDER THE MEDICAL PRACTICE ACT; TO AMEND SECTIONS 73-25-3 AND 73-25-5, MISSISSIPPI CODE OF 1972, TO CLARIFY CERTAIN PROCEDURES TO OBTAIN A LICENSE TO PRACTICE MEDICINE; TO AMEND SECTION 73-25-14, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR ELECTRONIC NOTICE OF LICENSE RENEWAL, TO PROVIDE PROCEDURES FOR PHYSICIANS TO REQUEST RETIRED STATUS; TO AMEND SECTION 73-25-17, MISSISSIPPI CODE OF 1972, TO CLARIFY PROCEDURES FOR THE ISSUANCE OF A TEMPORARY LICENSE TO PRACTICE MEDICINE; TO AMEND SECTIONS 73-25-21 AND 73-25-23, MISSISSIPPI CODE OF 1972, TO CLARIFY PROCEDURES FOR ISSUANCE OF A LICENSE BY RECIPROCITY; TO AMEND SECTIONS 73-25-27, 73-25-28, 73-25-29, 73-25-30, 73-25-31 AND 73-25-32, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROCEDURES FOR DISCIPLINARY ACTION AGAINST LICENSES, THE ISSUANCE OF SUBPOENAS BY THE BOARD OF MEDICAL LICENSURE, THE GROUNDS FOR DISCIPLINARY ACTION, THE OPTIONS AVAILABLE TO THE BOARD FOLLOWING DISCIPLINARY HEARINGS AGAINST LICENSEES, AND PETITIONS FOR REINSTATEMENT OF LICENSES; TO AMEND SECTION 73-25-33, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ACTION OF UNLAWFUL PRACTICE OF MEDICINE AND THE AUTHORITY OF THE BOARD TO SEEK INJUNCTIVE RELIEF; TO AMEND SECTION 73-25-34, MISSISSIPPI CODE OF 1972, TO DELETE A CERTAIN EXCEPTION TO LICENSURE; TO AMEND SECTION 73-25-53, MISSISSIPPI CODE OF 1972, TO INCLUDE THAT BEHAVIORAL CONDUCT THAT COULD BE ADDRESSED BY TREATMENT TO THE LIST OF REASONS A LICENSEE SHALL BE SUBJECT TO RESTRICTION OF THEIR LICENSE; TO AMEND SECTIONS 73-25-55, 73-25-57, 73-25-59, 73-25-61, 73-25-63 AND 73-25-65, MISSISSIPPI CODE OF 1972, TO CLARIFY CERTAIN PROCEDURES UNDER THE DISABLED PHYSICIAN LAW; TO AMEND SECTION 73-25-83, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO AMEND SECTION 73-25-87, MISSISSIPPI CODE OF 1972, TO REVISE DISCIPLINARY ACTION WHICH THE BOARD IS AUTHORIZED TO TAKE, INCLUDING PLACING A LICENSEE ON PROBATION OR IMPOSING A PUNITIVE FINE; TO AMEND SECTION 73-25-89, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HEARING MUST BE HELD WITHIN 30 DAYS IF THE BOARD DETERMINES THAT A PHYSICIAN'S CONTINUATION OF PRACTICE IS AN IMMEDIATE DANGER; TO AMEND SECTION 73-25-18, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO REPEAL SECTION 73-25-7, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE STATE BOARD OF MEDICAL LICENSURE TO MEET AT THE CAPITOL AT LEAST ONCE EACH YEAR FOR THE PURPOSE OF EXAMINING APPLICANTS; TO REPEAL SECTION 73-25-9, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE FEE CHARGED BY THE STATE BOARD OF MEDICAL LICENSURE TO APPLY FOR A LICENSE TO PRACTICE; TO REPEAL SECTION 73-25-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE PROCEDURES FOR LOST MEDICAL LICENSES; TO REPEAL SECTION 73-25-19, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR CERTAIN PROVISIONS RELATED TO NONRESIDENT PHYSICIANS; TO REPEAL SECTION 73-25-25, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR CERTAIN PROCEDURES FOR THOSE DESIRING TO PRACTICE OSTEOPATHIC MEDICINE IN THE STATE; TO REPEAL SECTION 73-25-39, MISSISSIPPI CODE OF 1972, WHICH ALLOWS THE STATE BOARD OF MEDICAL LICENSURE TO CONTRACT FOR THE ACQUISITION OF BOOKS AND OTHER RECORDS; TO REPEAL SECTION 73-25-81, MISSISSIPPI

CODE OF 1972, WHICH PROVIDES A TECHNICAL REFERENCE TO THE MISSISSIPPI STATE BOARD OF MEDICAL LICENSURE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2817:** Public Health and Welfare

AN ACT TO BRING FORWARD SECTIONS 7-9-70, 21-19-58, 27-19-44.3, 27-19-44.4, 27-39-331, 27-39-332, 37-115-45, AND 41-59-5, MISSISSIPPI CODE OF 1972, WHICH ARE CODE SECTIONS RELATED TO THE MISSISSIPPI BURN CENTER, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Polk, Jackson

**S. B. No. 2818:** Appropriations

AN ACT TO CREATE NEW SECTION 41-26-150, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE JACKSON WATER REIMBURSEMENT GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF ALLOWING CERTAIN REIMBURSEMENTS TO BUSINESSES, NON-PROFITS AND CITIZENS WHO WERE SUBJECT TO VARIOUS ISSUES, INCLUDING BOIL-WATER NOTICES AND LACK OF WATER PRESSURE, INVOLVING THE JACKSON WATER SYSTEM; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS TO ADMINISTER THE PROGRAM; TO PROVIDE FOR CERTAIN CONSIDERATIONS THAT THE DEPARTMENT MAY MAKE IN AWARDING GRANT FUNDS; TO REQUIRE THE DEPARTMENT TO PROVIDE ANNUAL GRANT FUNDING IN THE AMOUNT OF TWENTY MILLION DOLLARS TO THE JACKSON WATER REIMBURSEMENT GRANT PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Blount, Frazier, Norwood, Horhn

**S. B. No. 2819:** Public Health and Welfare; Appropriations

AN ACT TO ESTABLISH A SCREENING AND APPROVAL PROGRAM FOR THE OVER-THE-COUNTER AVAILABILITY AND RETAIL SALE OF PRODUCTS THAT CONTAIN ANY SUBSTANCE WITH THE POTENTIAL TO BE RECREATIONALLY USED OR ABUSED; TO REQUIRE THE STATE DEPARTMENT OF HEALTH TO ADMINISTER THE PROGRAM; TO REQUIRE THE STATE HEALTH OFFICER TO APPROVE OR DENY THE OVER-THE-COUNTER AVAILABILITY AND RETAIL SALE OF PRODUCTS THAT CONTAIN ANY SUBSTANCE WITH THE POTENTIAL TO BE RECREATIONALLY USED OR ABUSED; TO PROVIDE THAT A PROCESS TO APPEAL SUCH DETERMINATION SHALL BE AVAILABLE TO THE MANUFACTURER OR DISTRIBUTOR OF SUCH PRODUCT THAT WAS DENIED BY THE STATE HEALTH OFFICER; TO PROVIDE THAT THE DEPARTMENT SHALL ESTABLISH RULES AND REGULATIONS AS NECESSARY TO IMPLEMENT AND ADMINISTER THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2820:** Education

AN ACT ENTITLED THE "TRANSPARENCY IN EDUCATION ACT"; TO PROVIDE PARENTS OF PUBLIC SCHOOL STUDENTS CERTAIN RIGHTS RELATED TO THEIR CHILD'S EDUCATION, INCLUDING THE RIGHT TO REVIEW A SYLLABUS, CURRICULUM AND TEACHER-TRAINING MATERIALS AND MEET WITH THE TEACHER TO DISCUSS COURSE CONTENT; TO REQUIRE PUBLIC SCHOOLS TO ADOPT PROCEDURES TO ENSURE THAT A PARENT PROVIDES WRITTEN PERMISSION BEFORE THEIR CHILD PARTICIPATES IN IDENTITY CURRICULUM OR CRITICAL THEORY CURRICULUM AND ALLOW PARENTS TO EXEMPT THEIR CHILD FROM ANY SPECIFIC LESSONS THAT ARE OBJECTIONABLE TO THE FAMILY; TO DIRECT PUBLIC SCHOOLS TO HOLD A CURRICULUM NIGHT TO ALLOW PARENTS TO REVIEW THE CURRICULUM AND MEET WITH TEACHERS AND STAFF; TO PROVIDE PARENTAL ACCESS TO CERTAIN SCHOOL DISTRICT RECORDS CONCERNING THEIR CHILD; TO PROVIDE COMPLAINT PROCEDURES; TO AMEND SECTION 37-13-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY; AND FOR RELATED PURPOSES.

By Senator(s) Hill

**S. B. No. 2821:** Judiciary, Division B

AN ACT TO AMEND SECTION 73-23-43, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF PHYSICAL THERAPY WITH THE POWER TO ISSUE SUBPOENAS AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF PAPERS, RECORDS OR OTHER DOCUMENTARY EVIDENCE; TO PROVIDE THAT IF A SUBPOENAED PERSON FAILS OR REFUSES TO ATTEND ANY PROCEEDING BEFORE THE BOARD, REFUSES TO TESTIFY, REFUSES TO PRODUCE DOCUMENTS, OR OTHERWISE FAILS TO COMPLY WITH THE SUBPOENA, THE SUBPOENA SHALL BE ENFORCED BY ANY COURT OF COMPETENT JURISDICTION IN THE SAME MANNER PROVIDED FOR THE ENFORCEMENT OF ATTENDANCE AND TESTIMONY OF WITNESSES IN CIVIL CASES IN THE COURTS OF THIS STATE; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2822:** Public Health and Welfare

AN ACT TO AMEND SECTION 73-11-51, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSING REQUIREMENTS FOR FUNERAL DIRECTORS TO REQUIRE APPLICANTS TO HAVE SERVED AS A RESIDENT TRAINEE FOR NOT LESS THAN TWELVE MONTHS UNDER THE SUPERVISION OF A LICENSED FUNERAL DIRECTOR; TO AMEND SECTION 73-11-53, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE FUNERAL DIRECTOR TRAINEE AND APPRENTICESHIP PROGRAM; TO BRING FORWARD SECTION 73-11-57, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE NEW SECTION 73-11-57.2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON OR ENTITY SHALL ENGAGE IN ANY ACTIVITY FOR WHICH A LICENSE IS REQUIRED UNDER THE CHAPTER WITHOUT HOLDING SUCH LICENSE IN GOOD STANDING; TO PROVIDE THAT A PERSON MAY NOT BE, ACT AS, OR ADVERTISE OR HOLD HIMSELF OR HERSELF OUT TO BE A FUNERAL SERVICE, A FUNERAL DIRECTOR, OR A CERTIFIED CREMATORY OPERATOR UNLESS HE OR SHE IS CURRENTLY LICENSED BY THE BOARD; TO AUTHORIZE THE BOARD OF FUNERAL SERVICE TO ISSUE ADMINISTRATIVE COMPLAINTS TO ANY PERSON OR ENTITY WHO IT BELIEVES HAS VIOLATED PROVISIONS OF THE LAW; TO ALLOW THE BOARD TO IMPOSE A FINE OF UP TO \$5,000.00 FOR VIOLATIONS OF THE CHAPTER; TO AUTHORIZE THE BOARD TO HOLD AND CONDUCT HEARINGS ON SUBJECT VIOLATIONS; TO AUTHORIZE THE BOARD TO ISSUE AN EMERGENCY ORDER UPON AN UNLICENSED PERSON OR ENTITY; TO EMPOWER THE BOARD TO FILE FOR AN INJUNCTION SEEKING ENFORCEMENT OF THE EMERGENCY ORDER; TO PROVIDE THAT AN AGGRIEVED PARTY MAY APPEAL FROM THE ASSESSMENT AND LEVY OF A MONETARY PENALTY; TO AMEND SECTION 73-11-58, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE DISPOSITION OF DECEDENT'S BODIES BY FUNERAL SERVICE PRACTITIONERS; TO AMEND SECTION 73-11-69, MISSISSIPPI CODE OF 1972, TO REVISE THE NOTICE REQUIREMENT BEFORE A CREMATORY OR FUNERAL ESTABLISHMENT MAY DISPOSE OF UNCLAIMED REMAINS; TO AMEND SECTION 73-11-71, MISSISSIPPI CODE OF 1972, TO REVISE THE WRITTEN ACKNOWLEDGMENT FORM THAT IS OBTAINED FROM THE PERSON ENTITLED TO CONTROL THE DISPOSITION OF CREMATED REMAINS; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2823:** Accountability, Efficiency, Transparency

AN ACT TO PROVIDE THAT THE FUNDING ALLOCATION MODEL EMPLOYED BY THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING MUST WEIGHT NONRESIDENT COMPLETED CREDIT HOURS BASED ON THE PERCENTAGE OF NONRESIDENT ENROLLMENT AT EACH INSTITUTION; TO ESTABLISH APPROPRIATE WEIGHTING FOR NONRESIDENT CREDIT HOUR COMPLETION; TO PROVIDE THAT THE DIFFERENCE IN FUNDS BETWEEN THE

BOARD'S 2013 PERFORMANCE ALLOCATION MODEL AND THE FUNDING ALLOCATION MODEL WITH APPROPRIATE WEIGHTING SHALL BE SET ASIDE TO FUND GRANT AWARDS UNDER THE HIGHER EDUCATION LEGISLATIVE PLAN GRANT PROGRAM; TO AMEND SECTIONS 37-101-15 AND 37-106-12, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2824:** Education

AN ACT TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, TO ALLOW AN EXCUSED ABSENCE FOR COMPULSORY-SCHOOL-AGE CHILDREN BETWEEN THE AGES OF SIXTEEN AND EIGHTEEN WHO SERVE AS POLL WORKERS ON ELECTION DAY; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 2825:** Accountability, Efficiency, Transparency

AN ACT TO CREATE NEW SECTION 25-9-120.1, MISSISSIPPI CODE OF 1972, TO PROHIBIT STATE AGENCIES FROM USING RADIO AND TELEVISION ADVERTISING TO PROMOTE AGENCY PROGRAMS, EXCEPT IN CERTAIN INSTANCES; TO AMEND SECTION 25-9-120, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BIDDING OF AGENCY ADVERTISING CONTRACTS; TO PROVIDE A PROCEDURE FOR BIDDING CONTRACTS FOR TELEVISION AND RADIO ADVERTISING WHEN PROCURED WITH FEDERAL FUNDS; TO PROVIDE THAT A PERSON WHO IS A CANDIDATE FOR PUBLIC OFFICE SHALL NOT APPEAR IN, OR LEND HIS OR HER NAME, IMAGE OR VOICE TO ANY PUBLIC SERVICE ANNOUNCEMENT OR ANY ADVERTISEMENT THAT IS PRODUCED ON BEHALF OF ANY STATE-ADMINISTERED PROGRAM OR PAID FOR WITH PUBLIC FUNDS, FROM THE TIME THAT THE PERSON QUALIFIES AS A CANDIDATE FROM PUBLIC OFFICE UNTIL THE TIME THE PERSON IS NO LONGER A CANDIDATE FOR PUBLIC OFFICE; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2826:** Judiciary, Division A

AN ACT ENTITLED THE "MISSISSIPPI MARITAL CONTRACT AT COMMON LAW RECORDING ACT"; TO PROVIDE FOR A "RECORD OF MARITAL CONTRACT AT COMMON LAW" EVIDENCING A MARITAL CONTRACT; TO PROVIDE FOR THE RECORDING OF THE MARITAL CONTRACT WITH THE CIRCUIT CLERK; TO PROVIDE THAT A SECOND MARRIAGE BEFORE DISSOLUTION OR RECISSION OF FIRST MARRIAGE IS PROHIBITED; TO PROVIDE FOR THE CONTEST OF RECORD OF MARITAL CONTRACT AT COMMON LAW; TO PROVIDE FOR THE USE OF RECORD OF MARITAL CONTRACT AT COMMON LAW; TO PROVIDE FOR THE RECORDATION OF MARITAL CONTRACTS AT COMMON LAW WITH THE BUREAU OF VITAL RECORDS; TO AMEND SECTIONS 93-1-1 THROUGH 93-1-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI MARITAL CONTRACT AT COMMON LAW ACT SUPERSEDES EXISTING MISSISSIPPI STATUTES RELATING TO MARRIAGE; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2827:** Judiciary, Division A

AN ACT TO CREATE NEW SECTION 97-5-38, MISSISSIPPI CODE OF 1972, TO ENACT THE MISSISSIPPI FREE RANGE PARENTING ACT TO PROVIDE THAT IT SHALL NOT BE CONSIDERED NEGLECT FOR A PARENT TO PERMIT A CHILD WHO IS OF SUFFICIENT AGE AND MATURITY TO AVOID HARM OR UNREASONABLE RISK OF HARM, TO ENGAGE IN INDEPENDENT ACTIVITIES, INCLUDING TRAVELING TO AND FROM SCHOOL, INCLUDING BY WALKING, RUNNING OR BICYCLING, TRAVELING TO AND FROM NEARBY COMMERCIAL OR RECREATIONAL FACILITIES, AND ENGAGING IN OUTDOOR PLAY; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2828:** Judiciary, Division A

AN ACT TO AUTHORIZE AND DIRECT THE SECRETARY OF STATE TO TAKE SUCH ACTIONS AS MAY BE NECESSARY TO PROHIBIT THE PURCHASE OF PUBLIC OR PRIVATE REAL ESTATE LOCATED IN THE STATE OF MISSISSIPPI BY MEMBERS OF THE CHINESE COMMUNIST PARTY; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2829:** Accountability, Efficiency, Transparency

AN ACT TO PROVIDE THAT NO DEPARTMENT OR AGENCY OF THIS STATE SHALL ENFORCE ANY RULE OR REGULATION PROMULGATED BY THE FEDERAL GOVERNMENT UNLESS ENFORCEMENT IS SPECIFICALLY AUTHORIZED BY ACT OF THE LEGISLATURE; TO CREATE A JOINT COMMITTEE OF THE LEGISLATURE TO REVIEW ALL REGULATIONS OF STATE AGENCIES TO ENSURE COMPLIANCE WITH THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2830:** Tourism; Finance

AN ACT TO AMEND SECTION 67-3-46, MISSISSIPPI CODE OF 1972, TO REVISE THE LIST OF ENTITIES THAT MAY NOT HAVE INTEREST IN THE LICENSE, BUSINESS, ASSETS OR CORPORATE STOCK OF A WHOLESALER OR DISTRIBUTOR; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2831:** Municipalities

AN ACT TO AMEND SECTION 51-9-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE GOVERNOR SHALL APPOINT TWO MEMBERS FROM THE CITY OF JACKSON TO SERVE ON THE BOARD OF DIRECTORS OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2832:** Judiciary, Division B

AN ACT TO PROVIDE THAT THE COMPREHENSIVE FIREARMS CODE OF THE STATE OF MISSISSIPPI IS INTERPOSED IN PLACE OF ANY FEDERAL LAW CONFISCATING FIREARMS OF LAW-ABIDING CITIZENS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2833:** Elections

AN ACT ENTITLED THE "FAIR ACCESS TO ELECTIONS ACT"; TO PROVIDE THAT NO PUBLIC OFFICIAL OR ELECTION OFFICIAL SHALL SOLICIT, TAKE OR OTHERWISE ACCEPT FROM ANY PERSON ANY CONTRIBUTION, DONATION OR ANY THING ELSE OF VALUE FOR PURPOSES OF CONDUCTING STATE OR LOCAL ELECTIONS IN THIS STATE AND TO CLARIFY THAT ALL COSTS AND EXPENSES RELATING TO THE CONDUCT OF ELECTIONS SHALL BE PAID WITH PUBLIC FUNDS; TO AMEND SECTION 23-15-633, MISSISSIPPI CODE OF 1972, TO REQUIRE CERTAIN INFORMATION TO BE INSERTED BY THE VOTER WHO IS VOTING BY ABSENTEE BALLOT; TO PRESCRIBE CRIMINAL PENALTIES FOR VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2834:** Judiciary, Division B

AN ACT TO CODIFY SECTION 11-65-3, MISSISSIPPI CODE OF 1972, TO PROHIBIT STATE OR LOCAL ENABLING OF FEDERAL GUN BAN ENFORCEMENT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2835:** Finance

AN ACT TO AMEND SECTION 27-7-22.40, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW THAT ANY WATER TRANSPORTATION ENTERPRISE IS ALLOWED AN INCOME TAX CREDIT OF \$2,000.00 ANNUALLY FOR EACH MISSISSIPPI FULL-TIME JOB CREATED FOR A PERIOD OF FIVE YEARS FROM THE DATE THE CREDIT COMMENCES; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2836:** Finance

AN ACT TO AMEND SECTION 27-33-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HOMEOWNER ALLOWED AN EXEMPTION FROM ALL AD VALOREM TAXES ON THE ASSESSED VALUE OF HOMESTEAD PROPERTY, DUE TO A SERVICE-CONNECTED, TOTAL DISABILITY AS AN AMERICAN VETERAN WHO HAS BEEN HONORABLY DISCHARGED FROM MILITARY SERVICE, SHALL BE PERMITTED TO APPLY FOR THE EXEMPTION WITHIN 30 CALENDAR DAYS OF THE CLOSING DATE FOR THE HOMESTEAD PURCHASE, BUT NOT LATER THAN DECEMBER 31 OF THE YEAR OF PURCHASE; TO PROVIDE THAT IF, AT THE TIME OF APPLICATION, THE APPLICANT HAS HOMESTEAD EXEMPTION ON ANOTHER PROPERTY, THE EFFECT OF THE NEW APPLICATION ON THE OLD HOMESTEAD PROPERTY SHALL BE THE SAME AS IF THE NEW APPLICATION WERE FILED ON OR BEFORE APRIL 1; TO REPEAL SECTIONS 27-33-69, 27-33-71 AND 27-33-73, MISSISSIPPI CODE OF 1972, WHICH PROVIDE TABLES FOR AD VALOREM TAX EXEMPTIONS CLAIMED AND FOR WHICH REIMBURSEMENT WAS MADE IN PREVIOUS YEARS; TO AMEND SECTION 27-33-67, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE REPEAL OF THE ABOVE SECTIONS; TO BRING FORWARD SECTIONS 27-33-33 AND 27-33-75, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2837:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 7-7-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE FISCAL OFFICER TO SUBMIT PURCHASING NEEDS TO CERTAIN LEGISLATIVE COMMITTEES; AND FOR RELATED PURPOSES.

By Senator(s) Parks

**S. B. No. 2838:** Finance

AN ACT TO REPEAL CHAPTER 502, LAWS OF 2022, WHICH MANDATES THAT COUNTIES AND MUNICIPALITIES REQUIRE PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THEIR RESPECTIVE JURISDICTIONS, AND WHICH REQUIRES THAT CERTAIN SUBCONTRACTORS, AS WELL AS PERSONS OR ENTITIES ACTING AS RESIDENTIAL BUILDERS, RESIDENTIAL REMODELERS, CONSTRUCTION MANAGERS OR RESIDENTIAL SOLAR CONTRACTORS, BE ANNUALLY LICENSED BY THE STATE BOARD OF CONTRACTORS; TO AMEND SECTIONS 19-5-9, 21-19-25, 73-59-1, 73-59-3, 73-59-9 AND 73-59-15, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO PROHIBIT COUNTIES AND MUNICIPALITIES FROM PREVENTING A HOMEOWNER FROM APPLYING FOR A PERMIT FOR A CONSTRUCTION OR IMPROVEMENT PROJECT ON THAT HOMEOWNER'S RESIDENCE, OR FROM OBTAINING THE PERMIT UPON COMPLIANCE WITH LEGAL REQUIREMENTS; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2839:** Municipalities

AN ACT TO AMEND SECTIONS 19-31-9, 19-31-11, 19-31-17, 19-31-19, 19-31-25, 19-31-39, AND 19-31-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE MUNICIPALITY IN WHICH A PUBLIC IMPROVEMENT DISTRICT IS CONTAINED TO PERFORM THE DUTIES AND EXERCISE THE POWERS OF THE BOARD OF THE DISTRICT IN CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

By Senator(s) Michel

**S. B. No. 2840:** Finance

AN ACT TO AMEND SECTION 63-21-39, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS FOR TRANSFERRING A MOTOR VEHICLE TO BE SCRAPPED, DISMANTLED OR DESTROYED WHEN THE OWNER OR AUTHORIZED AGENT OF THE OWNER DOES NOT HAVE THE MOTOR VEHICLE TITLED IN HIS OR HER NAME; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. B. No. 2841:** Finance

AN ACT TO AMEND SECTION 27-19-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OWNER OF A MOTOR VEHICLE OR NONCOMMERCIAL TRAILER MAY CHOOSE A REGULAR LICENSE TAG WITH A BLACK BACKGROUND AND A WHITE PINSTRIPE BORDER, WITH "MISSISSIPPI" PRINTED AT THE TOP AND THE NAME OF THE COUNTY PRINTED AT THE BOTTOM; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAG; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAG; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2842:** Finance

AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, WHICH CREATES A SPECIAL FUND IN THE STATE TREASURY TO BE USED TO PROVIDE FUNDS TO ASSIST MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS AND WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS, TO REMOVE CALCULATIONS OF CERTAIN AVERAGE ANNUAL EXPENDITURES THAT A MUNICIPALITY MUST EXPEND IN ORDER TO BE ELIGIBLE FOR MONIES FROM THE SPECIAL FUND; TO PLACE MUNICIPALITIES UNDER THE SAME DISTRIBUTION RESTRICTIONS AS COUNTIES; AND FOR RELATED PURPOSES.

By Senator(s) DeLano

**S. B. No. 2843:** Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI LEGISLATIVE REGULATORY OVERSIGHT ACT; TO ESTABLISH THE JOINT STANDING COMMITTEE ON LEGISLATIVE REGULATORY OVERSIGHT; TO AMEND SECTIONS 25-43-3.105, 25-43-3.112 AND 25-43-3.113, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Seymour

**S. B. No. 2844:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-1-77, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE BUREAU OF FLEET MANAGEMENT; AND FOR RELATED PURPOSES.

By Senator(s) Polk

**S. B. No. 2845:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-11-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN UTILIZING THE CONSTRUCTION MANAGER AT-RISK METHOD OF PROJECT DELIVERY, THE DEPARTMENT OF FINANCE AND ADMINISTRATION MAY REQUIRE THE MANAGER TO PROCURE ANY AND ALL RESULTING CONSTRUCTION CONTRACTS NECESSARY TO COMPLETE THE PROJECT; TO PROVIDE THAT ALL SUCH CONTRACTS SHALL BE BETWEEN THE MANAGER AND THE CONTRACTORS AND SHALL BE EXEMPT FROM THE PROVISIONS OF THE BID LAW; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2846:** Finance



AN ACT TO AMEND SECTION 21, CHAPTER 480, LAWS OF 2021, TO INCREASE BY \$10,000,000.00 THE AMOUNT OF GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS TO ASSIST THE CITY OF RIDGELAND, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE PRECONSTRUCTION, DESIGN, ENGINEERING, LAND ACQUISITION, RIGHT-OF-WAY ACQUISITION, CONSTRUCTION AND DEVELOPMENT OF THE COMMERCE PARK CONNECTOR PROJECT FROM LAKE HARBOUR DRIVE TO HIGHLAND COLONY PARKWAY; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2847:** Finance

AN ACT TO CREATE A NEW SECTION IN TITLE 27, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INCOME TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY INDIVIDUALS TO HABITAT FOR HUMANITY MISSISSIPPI CAPITAL AREA; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; TO PROVIDE THAT THE CREDIT AUTHORIZED BY THIS ACT IS IN LIEU OF CHARITABLE DEDUCTIONS TAKEN UNDER THE INTERNAL REVENUE CODE AND UTILIZED FOR STATE TAX PURPOSES; TO CREATE A NEW SECTION IN TITLE 27, CHAPTER 7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INCOME TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY BUSINESS ENTERPRISES TO HABITAT FOR HUMANITY MISSISSIPPI CAPITAL AREA; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; TO PROVIDE THAT THE CREDIT AUTHORIZED BY THIS ACT IS IN LIEU OF CHARITABLE DEDUCTIONS TAKEN UNDER THE INTERNAL REVENUE CODE AND UTILIZED FOR STATE TAX PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2848:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-5-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERFORMANCE BOND IS NOT REQUIRED WHEN A CONTRACT FOR THE CONSTRUCTION, ALTERATION OR REPAIR OF ANY PUBLIC BUILDING OR PUBLIC WORK IS LESS THAN \$50,000.00 AND THE PUBLIC BODY ELECTS TO MAKE TWO PAYMENTS VALUED AT 50% OF THE CONTRACT AMOUNT; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. B. No. 2849:** Finance

AN ACT TO CLARIFY THE FIDUCIARY DUTY AND INVESTMENT POLICIES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO ENSURE THAT FIDUCIARIES RESPONSIBLE FOR INVESTING PUBLIC RETIREMENT MONIES DO SO ONLY IN A MANNER PRIORITIZING THE SAFETY OF AND HIGHEST RETURN ON INVESTMENT FOR BENEFICIARIES, WITHOUT CONSIDERATION OF ENVIRONMENTAL, SOCIAL AND GOVERNANCE (ESG) FACTORS OR OTHER NONPECUNIARY BELIEFS OR POLITICAL FACTORS; TO AMEND SECTIONS 25-11-3 AND 25-11-15, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2850:** Accountability, Efficiency, Transparency

AN ACT TO CREATE NEW SECTION 25-13-37, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE MISSISSIPPI HIGHWAY PATROL RETIREMENT HEALTH INSURANCE BENEFIT PROGRAM; TO PROVIDE THAT ALL RETIRED MEMBERS OF THE MISSISSIPPI HIGHWAY PATROL WHO HAVE NOT YET REACHED A CERTAIN AGE ARE ENTITLED TO A MONTHLY PAYMENT FROM THE STATE OF MISSISSIPPI FOR THE PURPOSE OF OFFSETTING HEALTH INSURANCE COSTS FOR THOSE MEMBERS; TO PROVIDE THAT THE PAYMENTS SHALL CEASE ONCE THE RETIREE REACHES A CERTAIN AGE; TO PROVIDE THAT PAYMENTS UNDER THIS SECTION SHALL NOT BE CONSIDERED AS INCOME BY THE DEPARTMENT OF

REVENUE FOR THE PURPOSES OF COLLECTING THE INDIVIDUAL INCOME TAX; TO AMEND SECTION 27-7-15, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2851:** Finance

AN ACT TO AMEND SECTIONS 57-103-1, 57-103-3 AND 57-103-7, MISSISSIPPI CODE OF 1972, TO CHANGE THE ADMINISTERING ENTITY OF CERTAIN TECHNOLOGY-BASED CAPITAL ASSISTANCE PROGRAMS FROM THE MISSISSIPPI TECHNOLOGY ALLIANCE TO INNOVATE MISSISSIPPI; TO INCREASE THE AMOUNT OF ASSISTANCE A BUSINESS MAY RECEIVE UNDER THE RESEARCH AND DEVELOPMENT PROGRAM; TO CHANGE THE MISSISSIPPI NEW TECHNOLOGY BUSINESS PROGRAM-LEVEL 1 TO THE PROOF OF CONCEPT LOAN PROGRAM; TO INCREASE THE AMOUNT OF ASSISTANCE A BUSINESS MAY RECEIVE UNDER THIS PROGRAM; TO CHANGE THE RURAL INNOVATION PROGRAM-LEVEL 1 TO THE PROOF OF CONCEPT GRANT PROGRAM; TO REVISE THE CONDITIONS UNDER WHICH A BUSINESS RECEIVING ASSISTANCE UNDER THIS PROGRAM SHALL BE REQUIRED TO REPAY THE ASSISTANCE; TO REVISE THE PURPOSES FOR WHICH THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY PROVIDE FUNDS TO INNOVATE MISSISSIPPI UNDER THESE PROGRAMS; AND FOR RELATED PURPOSES.

By Senator(s) Thompson

**S. B. No. 2852:** Finance; Municipalities

AN ACT TO AMEND SECTIONS 17-27-5 AND 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SALES TAX REVENUE GENERATED WITHIN MUNICIPAL HISTORICAL HAMLETS SHALL BE SEPARATELY RECORDED AND DESIGNATED AND ALLOCATED FOR EXPENDITURE BY THE COUNTY ONLY ON PROJECTS WITHIN THE GEOGRAPHIC BOUNDARIES OF OR DIRECTLY BENEFITTING THE CITIZENS OF SUCH HAMLET; AND FOR RELATED PURPOSES.

By Senator(s) Barrett

**S. B. No. 2853:** Accountability, Efficiency, Transparency

AN ACT TO REQUIRE STATE PURCHASED SMALL UNMANNED AIRCRAFT SYSTEMS OR DRONES TO BE MANUFACTURED IN THE UNITED STATES OF AMERICA AND POSSESS COLLISION AVOIDANCE SYSTEMS; TO GRANT A 10% BID PREFERENCE IN PUBLIC PROCUREMENT FOR SMALL UNMANNED AIRCRAFT SYSTEMS AND RELATED SERVICES TO MISSISSIPPI MANUFACTURERS AND SERVICING COMPANIES; AND FOR RELATED PURPOSES.

By Senator(s) Whaley

**S. B. No. 2854:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 31-5-51, MISSISSIPPI CODE OF 1972, TO INCREASE THE THRESHOLD FOR PERFORMANCE BONDS IN PUBLIC WORKS CONTRACTS FROM \$25,000.00 TO \$75,000.00; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. B. No. 2855:** Appropriations

AN ACT TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF 1972, TO DELETE THE ASSESSMENTS DIRECTED TO THE STATE GENERAL FUND FOR CERTAIN VIOLATIONS AND CRIMES; TO AMEND SECTION 99-19-72, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION OF LAW THAT PROVIDES THAT THE FEE FOR EXPUNGEMENTS SHALL BE DEPOSITED INTO THE STATE GENERAL FUND FROM AND AFTER JULY 1, 2016; AND FOR RELATED PURPOSES.

By Senator(s) Bryan

**S. B. No. 2856:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-41-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF PUBLIC BODY; TO CREATE NEW SECTION 25-41-4,

MISSISSIPPI CODE OF 1972, TO REQUIRE PUBLIC BODIES TO CREATE AND MAINTAIN A PUBLIC NOTICE LIST; TO AMEND SECTION 25-41-5, MISSISSIPPI CODE OF 1972, TO REQUIRE NOTICE BY EMAIL OF MEETING TIMES TO THOSE ON THE PUBLIC NOTICE LIST; TO AMEND SECTION 25-41-11, MISSISSIPPI CODE OF 1972, TO REVISE REQUIREMENTS RELATING TO THE AVAILABILITY OF MINUTES OF THE MEETINGS OF PUBLIC BODIES; AND FOR RELATED PURPOSES.  
By Senator(s) Norwood

**S. B. No. 2857:** Finance; Municipalities

AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, WHICH CREATES A SPECIAL FUND IN THE STATE TREASURY TO BE USED TO PROVIDE FUNDS TO ASSIST MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS AND WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS, TO REMOVE CALCULATIONS OF CERTAIN AVERAGE ANNUAL EXPENDITURES THAT A MUNICIPALITY MUST EXPEND IN ORDER TO BE ELIGIBLE FOR MONIES FROM THE SPECIAL FUND; TO PLACE MUNICIPALITIES UNDER THE SAME DISTRIBUTION RESTRICTIONS AS COUNTIES; AND FOR RELATED PURPOSES.

By Senator(s) Carter

**S. B. No. 2858:** Finance

AN ACT TO AMEND SECTION 57-115-5, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$45,000,000.00 THE AGGREGATE AMOUNT OF INVESTMENT TAX CREDITS THAT MAY BE ALLOCATED TO PARTICIPATING INVESTORS OF MISSISSIPPI SMALL BUSINESS INVESTMENT COMPANIES UNDER THE MISSISSIPPI SMALL BUSINESS INVESTMENT COMPANY ACT; TO PROVIDE THE TAXABLE YEARS IN WHICH PARTICIPATING INVESTORS MAY CLAIM THE ADDITIONAL CREDITS SO ALLOCATED AGAINST THEIR PREMIUM TAX LIABILITY; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 2859:** Finance

AN ACT TO PROVIDE FOR THE REBATE OF A PORTION OF INVESTMENT AND EXPENDITURES MADE BY COMPANIES ENGAGED IN THE PRODUCTION OF NATIONALLY DISTRIBUTED CONNECTED SETS OF TELEVISION PROGRAM EPISODES, CONSISTING OF NOT LESS THAN TWO EPISODES MADE IN MISSISSIPPI, IN WHOLE OR IN PART, FOR VIEWING THROUGH TRADITIONAL TELEVISION THAT IS BROADCAST VIA CABLE, SATELLITE OR OVER-THE-AIR AERIAL ANTENNA SYSTEMS; THROUGH THE DIGITAL DISTRIBUTION OF TELEVISION CONTENT AS STREAMING MEDIA OVER THE INTERNET THROUGH STREAMING PLATFORMS, WHICH MAY BE VIEWED ON DIGITAL DEVICES, SUCH AS A PERSONAL COMPUTER OR HANDHELD DEVICE; OR THROUGH DVD RELEASE; TO PROVIDE FOR THE AMOUNT OF THE REBATES AUTHORIZED IN THIS ACT; TO DEFINE CERTAIN TERMS; TO AMEND SECTION 57-89-7, MISSISSIPPI CODE OF 1972, WHICH IS A SECTION OF THE MISSISSIPPI MOTION PICTURE INCENTIVE ACT, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2860:** Finance

AN ACT TO AMEND SECTION 27-19-99, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE STANDARD LICENSE TAG FEE DEPOSITED INTO THE STATE GENERAL FUND, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.15, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE ADDITIONAL FEE DEPOSITED INTO THE STATE GENERAL FUND FROM THE SALE OF DISTINCTIVE LICENSE TAGS DISPLAYING THE EMBLEMS OF CERTAIN PUBLIC OR PRIVATE UNIVERSITIES LOCATED IN OTHER STATES, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION

FUND; TO AMEND SECTION 27-19-56.24, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE DUCKS UNLIMITED, INC., DISTINCTIVE LICENSE TAG ADDITIONAL FEE TO BE DEPOSITED INTO THE STATE GENERAL FUND IF THERE IS NO MISSISSIPPI CHAPTER OF DUCKS UNLIMITED, INC., SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-19-56.137, MISSISSIPPI CODE OF 1972, TO REDEDICATE THE PORTION OF THE REBUILD THE COAST.ORG DISTINCTIVE LICENSE TAG ADDITIONAL FEE TO BE DEPOSITED INTO THE STATE GENERAL FUND WHEN REBUILD THE COAST.ORG IS DISSOLVED, SO THAT IT WILL BE DEPOSITED INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTIONS 27-19-45, 27-19-47, 27-19-47.1, 27-19-47.2, 27-19-48, 27-19-56.1, 27-19-56.2, 27-19-56.3, 27-19-56.5, 27-19-56.6, 27-19-56.11, 27-19-56.13 AND 27-19-56.467, MISSISSIPPI CODE OF 1972, TO REMOVE THE PORTIONS OF OTHER DISTINCTIVE LICENSE TAG ADDITIONAL FEES THAT ARE CURRENTLY DEPOSITED INTO THE STATE GENERAL FUND; TO AMEND SECTION 27-19-179, MISSISSIPPI CODE OF 1972, TO CHANGE THE PROVISION THAT UNEXPENDED AMOUNTS ABOVE \$500,000.00 IN THE DEPARTMENT OF REVENUE LICENSE TAG ACQUISITION FUND SHALL LAPSE ANNUALLY INTO THE STATE GENERAL FUND, SO THAT THEY WILL LAPSE INSTEAD INTO THE MOTOR VEHICLE AD VALOREM TAX REDUCTION FUND; TO AMEND SECTION 27-51-105, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2861:** Insurance

AN ACT TO AMEND SECTION 83-9-22, MISSISSIPPI CODE OF 1972, TO PROHIBIT A HEALTH COVERAGE PLAN UNDER AN INSURANCE POLICY OR OTHER PLAN PROVIDING HEALTHCARE COVERAGE IN THIS STATE FROM BEING REQUIRED TO PROVIDE COVERAGE FOR ANY GENDER REASSIGNMENT SURGERY OR SERVICE; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, Chism, McDaniel

**S. B. No. 2862:** Finance

AN ACT TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX THE GROSS PROCEEDS FROM THE SALE OF ANY ITEM OF TANGIBLE PERSONAL PROPERTY BY THE MANUFACTURER OR CUSTOM PROCESSOR THEREOF, IF SUCH ITEM IS SHIPPED, TRANSPORTED OR EXPORTED FROM THIS STATE AND FIRST USED IN ANOTHER STATE, WHETHER SUCH SHIPMENT, TRANSPORTATION OR EXPORTATION IS MADE BY THE SELLER, PURCHASER OR ANY THIRD PARTY ACTING ON BEHALF OF SUCH PARTY; TO SPECIFY THAT, FOR PURPOSES OF THE EXEMPTION, ANY INSTRUCTION TO, TRAINING OF, OR INSPECTION BY THE PURCHASER WITH RESPECT TO THE ITEM PRIOR TO SHIPMENT, TRANSPORTATION OR EXPORTATION OF THE ITEM SHALL NOT CONSTITUTE A FIRST USE OF SUCH ITEM WITHIN THIS STATE; AND FOR RELATED PURPOSES.

By Senator(s) Barnett

**S. B. No. 2863:** Judiciary, Division A

AN ACT TO AMEND SECTION 71-3-9, MISSISSIPPI CODE OF 1972, TO REVISE THE EXCLUSIVE REMEDY PROVISION UNDER THE WORKERS' COMPENSATION LAW TO EXEMPT GROSS NEGLIGENT CLAIMS WHERE THE INJURY WAS SUBSTANTIALLY CERTAIN TO OCCUR; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2864:** Insurance; Medicaid

AN ACT TO CREATE NEW SECTION 43-13-117.7, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE DIVISION OF MEDICAID FROM REIMBURSING ANY ENTITY FOR PART OR ALL OF THE COSTS OF CARE AND SERVICES RENDERED FOR GENDER REASSIGNMENT SURGERY OR SERVICES; TO CREATE NEW SECTION 83-9-401,

MISSISSIPPI CODE OF 1972, TO PROHIBIT HEALTH COVERAGE PLANS THAT ARE FUNDED WHOLLY OR IN PART BY STATE FUNDS OR STATE-EMPLOYEE CONTRIBUTIONS FROM REIMBURSING OR AUTHORIZING PAYMENT OF PART OR ALL OF THE COSTS OF CARE AND SERVICES RENDERED BY ANY ENTITY FOR GENDER REASSIGNMENT SURGERY OR SERVICES; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, Chism, McDaniel

**S. B. No. 2865:** Finance

AN ACT TO AMEND SECTION 27-7-45, MISSISSIPPI CODE OF 1972, TO LIMIT TO 25% THE AMOUNT OF SALARY OTHERWISE DUE TO A PUBLIC OFFICIAL OR EMPLOYEE THAT CAN BE WITHHELD FOR PAYMENT OF CHILD SUPPORT ARREARAGE OR OVERDUE INCOME TAX UNTIL SAID ARREARAGE OR INCOME TAX IS PAID IN FULL; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2866:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-43-3.101, MISSISSIPPI CODE OF 1972, TO REQUIRE AGENCIES TO SOLICIT PUBLIC COMMENT BEFORE FILING A NOTICE OF PROPOSED RULE ADOPTION; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2867:** Accountability, Efficiency, Transparency

AN ACT TO PROHIBIT THE STATE OF MISSISSIPPI AND ITS POLITICAL SUBDIVISIONS FROM DISCRIMINATING AGAINST, OR GRANTING PREFERENTIAL TREATMENT TO, ANY INDIVIDUAL OR GROUP ON THE BASIS OF RACE, SEX, GENDER, SEXUAL ORIENTATION, COLOR, ETHNICITY OR NATIONAL ORIGIN IN THE OPERATION OF PUBLIC EMPLOYMENT, PUBLIC EDUCATION OR PUBLIC CONTRACTING; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2868:** Accountability, Efficiency, Transparency

AN ACT TO CREATE THE MISSISSIPPI SECOND AMENDMENT AND PROPERTY RIGHTS PRESERVATION ACT; TO PROHIBIT STATE OR LOCAL ENABLING OF FEDERAL GUN BAN AND OTHER PROPERTY RIGHTS VIOLATIONS ENFORCEMENT; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2869:** Ports and Marine Resources

AN ACT TO AMEND SECTION 59-15-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MUNICIPAL SMALL WATER CRAFT HARBORS ARE EXEMPT FROM LEASING REQUIREMENTS OF THE SECRETARY OF STATE; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2870:** Technology

AN ACT TO CREATE A NEW SECTION WITHIN TITLE 25, CHAPTER 53, MISSISSIPPI CODE OF 1972, TO ENACT THE NATIONAL SECURITY ON STATE DEVICES AND NETWORKS ACT; TO AMEND SECTION 25-53-191, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2871:** Municipalities; Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 21-27-77, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTOMATIC REPEALER ON THE AUTHORITY OF CERTAIN MUNICIPALITIES TO ESTABLISH A PROGRAM TO ADDRESS DELINQUENT WATER ACCOUNTS; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 2872:** Finance

AN ACT TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RETAIL SALES OF FOOD OR DRINK FOR HUMAN CONSUMPTION ELIGIBLE FOR PURCHASE WITH FOOD STAMPS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR OTHER FEDERAL AGENCY SHALL BE TAXED AT THE RATE OF 3-1/2%; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 2873:** Finance

AN ACT TO AUTHORIZE A CREDIT AGAINST INCOME, PREMIUM AND RETALIATORY TAXES FOR VOLUNTARY CASH CONTRIBUTIONS BY CERTAIN BUSINESS ENTERPRISES TO CERTAIN TAX-EXEMPT ORGANIZATIONS PURCHASING, WAREHOUSING AND DELIVERING FOOD DIRECTLY TO FOOD PANTRIES OR SOUP KITCHENS IN MORE THAN FIVE MISSISSIPPI COUNTIES ON A MONTHLY BASIS; TO AUTHORIZE A CREDIT AGAINST AD VALOREM TAXES ON REAL PROPERTY FOR SUCH CONTRIBUTIONS BY CERTAIN BUSINESS ORGANIZATIONS NOT OPERATING AS CORPORATIONS; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; TO PROVIDE THAT A CONTRIBUTION FOR WHICH A CREDIT IS CLAIMED UNDER THIS SECTION MAY NOT BE USED AS A DEDUCTION BY THE TAXPAYER FOR STATE INCOME TAX PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 2874:** Accountability, Efficiency, Transparency

AN ACT PROHIBITING THE MANDATORY COVID-19 VACCINATION OF MISSISSIPPI RESIDENTS BY THE STATE, POLITICAL SUBDIVISIONS OR AS A CONDITION OF EMPLOYMENT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2875:** Finance

AN ACT TO AMEND SECTION 27-7-5, MISSISSIPPI CODE OF 1972, TO PHASE OUT THE MISSISSIPPI STATE INCOME TAX BASED ON GENERAL FUND REVENUE COLLECTIONS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2876:** Accountability, Efficiency, Transparency

AN ACT ENTITLED THE "FEDERAL FUNDING ACCOUNTABILITY AND TRANSPARENCY ACT OF 2023"; TO PROVIDE DEFINITIONS; TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEVELOP AND OPERATE A SINGLE SEARCHABLE WEBSITE ACCESSIBLE BY THE PUBLIC AT NO COST THE NAME AND AMOUNT OF EVERY PUBLIC AND NONPUBLIC ENTITY IN THE STATE OF MISSISSIPPI RECEIVING AN AWARD OF FEDERAL FUNDS; TO DIRECT THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEVELOP AN ANNUAL REPORT TO THE LEGISLATURE ON THE IMPLEMENTATION OF THE WEBSITE; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2877:** Accountability, Efficiency, Transparency

AN ACT TO CODIFY SECTION 25-43-1.108, MISSISSIPPI CODE OF 1972, TO REQUIRE A REGULATORY REDUCTION PROGRAM FOR THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY AS A PILOT AGENCY; TO PROVIDE THAT THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY SHALL NOT ADOPT A NEW REGULATORY REQUIREMENT UNLESS IT SIMULTANEOUSLY REMOVES TWO OR MORE OTHER EXISTING REGULATORY REQUIREMENTS; TO REQUIRE THE MISSISSIPPI COMMISSION ON ENVIRONMENTAL QUALITY AND ANY OTHER PILOT AGENCY TO REPORT TO THE PEER COMMITTEE; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2878:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT SALES OF INVESTMENT GRADE GOLD OR SILVER BULLION FROM THE MISSISSIPPI SALES TAX; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2879:** Judiciary, Division A

AN ACT TO PROVIDE CERTAIN RESTRICTIONS, PROHIBITIONS AND CIVIL REMEDIES AGAINST AGENTS, EMPLOYEES AND CONTRACTORS OF THE INTERNAL REVENUE SERVICE RELATIVE TO CITIZENS OF THE STATE OF MISSISSIPPI AND TO PROVIDE THAT SAID PROVISIONS ARE INTERPOSED IN PLACE OF ANY FEDERAL LAW OR REGULATION AUTHORIZING SUCH ACTION AGAINST CITIZENS OF THE STATE OF MISSISSIPPI; TO DIRECT THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEVELOP QUARTERLY REPORTS, A TRANSPARENCY WEBSITE AND AN ANNUAL REPORT TO THE LEGISLATURE LISTING THE NUMBER OF INQUIRIES, REQUESTS FOR INFORMATION OR RECORDS, SUMMONS, SUBPOENAS ISSUED BY THE INTERNAL REVENUE SERVICE CONCERNING MISSISSIPPI RESIDENTS; TO ESTABLISH IN INTERNAL REVENUE CIVIL LIABILITY TRUST FUND ADMINISTERED BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PROVIDE REIMBURSEMENT FOR RETALIATORY ACTION AGAINST MISSISSIPPI BUSINESS BY THE INTERNAL REVENUE SERVICE IN TAX COURT; TO PROHIBIT CERTAIN ACTION BY DEBT COLLECTORS OF THE INTERNAL REVENUE SERVICE AND PROVIDE FOR LICENSURE DISCIPLINARY ACTION; TO ESTABLISH A CAUSE OF ACTION AGAINST INTERNAL REVENUE SERVICE AGENTS FOR DISCRIMINATORY ACTION AGAINST MISSISSIPPI TAXPAYERS; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2880:** Accountability, Efficiency, Transparency

AN ACT TO AMEND SECTION 25-3-93, MISSISSIPPI CODE OF 1972, TO ALLOW LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS WHO HAVE TAKEN PERSONAL LEAVE DUE TO A WORK-RELATED INJURY TO BUY BACK THOSE LEAVE HOURS UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTION 25-3-95, MISSISSIPPI CODE OF 1972, TO ALLOW LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS WHO HAVE TAKEN MAJOR MEDICAL LEAVE DUE TO A WORK-RELATED INJURY TO BUY BACK THOSE LEAVE HOURS UNDER CERTAIN CIRCUMSTANCES; TO BRING FORWARD SECTION 25-11-117, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2881:** Judiciary, Division B

AN ACT TO PROVIDE THAT THE COMPREHENSIVE FIREARMS CODE OF THE STATE OF MISSISSIPPI IS INTERPOSED IN PLACE OF ANY FEDERAL LAW CONFISCATING FIREARMS OF LAW-ABIDING CITIZENS; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2882:** Judiciary, Division B

AN ACT ENTITLED THE "SECOND AMENDMENT PRESERVATION ACT"; TO PROVIDE THAT THE MISSISSIPPI LEGISLATURE PREEMPTS THE LAW OF FIREARMS, COMPONENTS, AMMUNITION AND FIREARM SUPPLIES TO THE COMPLETE EXCLUSION OF ANY ORDER, ORDINANCE OR REGULATION BY ANY POLITICAL SUBDIVISION OR MUNICIPALITY OF THIS STATE; TO BRING FORWARD SECTIONS 45-9-51, 45-9-53 AND 45-9-101, MISSISSIPPI CODE OF 1972, WHICH PROVIDE CONDITIONS ON CARRYING CONCEALED WEAPONS AND TO BRING FORWARD SECTIONS 97-37-7 AND 97-37-9, MISSISSIPPI CODE OF 1972, WHICH

PROVIDE CONDITIONS ON CARRYING DEADLY WEAPONS AND PENALTIES; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2883:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-5-39, MISSISSIPPI CODE OF 1972, TO CRIMINALIZE THE STERILIZATION OR FACILITATION OF THE STERILIZATION OF A CHILD CHEMICALLY OR PHYSICALLY AS FELONIOUS CHILD ABUSE; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, Chism, McDaniel

**S. B. No. 2884:** Judiciary, Division B

AN ACT TO CODIFY SECTION 11-65-3, MISSISSIPPI CODE OF 1972, TO PROHIBIT STATE OR LOCAL ENABLING OF FEDERAL GUN BAN ENFORCEMENT; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2885:** Judiciary, Division B

AN ACT TO AMEND SECTION 97-37-31, MISSISSIPPI CODE OF 1972, TO LEGALIZE INTRASTATE MANUFACTURE AND POSSESSION OF A FIREARM SUPPRESSOR; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2886:** Judiciary, Division B

AN ACT TO REQUIRE ANY COMMERCIAL ENTITY THAT KNOWINGLY OR INTENTIONALLY PUBLISHES OR DISTRIBUTES MATERIAL HARMFUL TO MINORS ON THE INTERNET FROM A WEBSITE THAT CONTAINS A SUBSTANTIAL PORTION OF SUCH MATERIAL SHALL BE HELD LIABLE IF THE ENTITY FAILS TO PERFORM REASONABLE AGE VERIFICATION METHODS TO VERIFY THE AGE OF INDIVIDUALS ATTEMPTING TO ACCESS THE MATERIAL; TO STATE LEGISLATIVE INTENT AND FINDINGS; TO DEFINE TERMS; TO PROVIDE THAT THIS ACT SHALL NOT APPLY TO BONA FIDE NEWS AND SHALL NOT AFFECT THE RIGHTS OF ANY NEWS GATHERING ORGANIZATIONS; TO EXEMPT INTERNET SERVICE PROVIDERS FROM LIABILITY UNDER THE ACT; AND FOR RELATED PURPOSES.

By Senator(s) McDaniel

**S. B. No. 2887:** Finance

AN ACT TO AMEND SECTION 27-105-33, MISSISSIPPI CODE OF 1972, TO MODIFY CERTAIN PROVISIONS CONCERNING THE DEPOSIT AND INVESTMENT OF EXCESS STATE FUNDS BY THE STATE TREASURER; TO REMOVE THE REQUIREMENT OF ALLOCATING FUNDS TO QUALIFIED PUBLIC DEPOSITORIES; TO REMOVE THE REQUIREMENT THAT AT LEAST 80% OF THE TOTAL DOLLAR AMOUNT IN ALL REPURCHASE AGREEMENTS AT ANY ONE TIME SHALL BE PURSUANT TO CONTRACTS WITH QUALIFIED STATE DEPOSITORIES; TO PROVIDE THE OPTION OF INVESTING IN CERTAIN CORPORATE BONDS AND TAXABLE MUNICIPAL BONDS; TO REMOVE THE \$500,000.00 LIMIT FOR THE AMOUNT OF FUNDS THAT MAY BE INVESTED WITH FOREIGN FINANCIAL INSTITUTIONS; TO REMOVE THE REQUIREMENT THAT A LIQUIDATING AGENT OF A DEPOSITORY IN LIQUIDATION REDEEM FROM THE STATE ANY BONDS AND SECURITIES PLEDGED TO SECURE STATE FUNDS; TO AMEND SECTION 27-105-9, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO SPECIFY THAT CERTAIN PUBLIC PROCUREMENT REVIEW BOARD PROVISIONS DO NOT IMPAIR OR LIMIT THE AUTHORITY OF THE STATE TREASURER TO ENTER INTO ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS INVOLVING THE MANAGEMENT OF TRUST FUNDS, AN AUTHORITY COMPARABLE TO THAT GRANTED TO THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO REMOVE A SUBSECTION THAT REPEALED ON JULY 1, 2022; TO BRING FORWARD SECTIONS 27-105-5 AND



27-105-6, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 2888:** Local and Private; Public Health and Welfare

AN ACT TO ALLOW PRACTITIONERS IN LEE COUNTY, MISSISSIPPI, WHO POSSESS A DOCTOR OF CHIROPRACTIC DEGREE AND A NEUROLOGY CHIROPRACTIC DEGREE TO ADVERTISE AS CHIROPRACTIC NEUROLOGISTS; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2889:** Economic and Workforce Development

AN ACT TO CREATE THE MISSISSIPPI CAPITOL REGION UTILITY ACT; TO ENSURE ACCESS TO SAFE, CLEAN AND RELIABLE WATER FOR THE CITIZENS OF CENTRAL MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Parker

**S. C. R. No. 523:** Constitution

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 73 OF THE MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT THE GOVERNOR SHALL NOT VETO A CONDITION SET FORTH IN AN APPROPRIATION BILL AND TO PROVIDE THAT THE GOVERNOR'S PARTIAL VETO POWER IS ONLY APPLICABLE TO APPROPRIATION BILLS THAT FIX A DEFINITE MAXIMUM SUM TO BE PAID FROM THE STATE TREASURY AND CONTINUE TO BE IN FORCE WITHDRAWING MONEY FROM THE STATE TREASURY FOR UP TO TWO MONTHS AFTER THE EXPIRATION OF THE FISCAL YEAR ENDING AFTER THE MEETING OF THE LEGISLATURE AT ITS NEXT REGULAR SESSION.

By Senator(s) Wiggins

**S. C. R. No. 524:** Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY ON THE PASSING OF FORMER STATE REPRESENTATIVE BILLY NICHOLSON OF UNION, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

By Senator(s) McCaughn, Barnett, Branning, Butler (38th), DeBar, Jackson, Kirby, Parker

**S. C. R. No. 525:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE LOUISVILLE HIGH SCHOOL "WILDCATS" FOOTBALL TEAM AND HEAD COACH TYRONE SHORTER FOR WINNING THE 2022 MHSAA CLASS 4A STATE CHAMPIONSHIP.

By Senator(s) Branning, Hickman, Barnett, Butler (38th)

**S. C. R. No. 526:** Rules

A CONCURRENT RESOLUTION RECOGNIZING THE LEADERSHIP AND HIGHER EDUCATION SERVICE OF FORMER WILLIAM CAREY UNIVERSITY PRESIDENT DR. TOMMY KING ON THE OCCASION OF HIS RETIREMENT AND COMMENDING HIS OUTSTANDING 60-YEAR CAREER.

By Senator(s) Polk, Fillingane, Johnson, Barnett, Butler (38th), Frazier, McDaniel, Thompson

**S. C. R. No. 527:** Rules

A CONCURRENT RESOLUTION APOLOGIZING FOR THE ROLE MISSISSIPPI PLAYED IN THE MURDER OF EMMETT TILL AND THE ACQUITTAL OF HIS KILLERS.

By Senator(s) Norwood

**S. C. R. No. 528:** Constitution

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

By Senator(s) Sojourner, McDaniel

**S. C. R. No. 529:** Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO REINSTATE THE INITIATIVE PROCEDURE DECLARED INVALID BY THE MISSISSIPPI SUPREME COURT, TO PROVIDE THAT THE INITIATIVE PROCESS MAY BE USED TO AMEND THE MISSISSIPPI STATUTES OR TO AMEND THE MISSISSIPPI CONSTITUTION, TO BASE THE NUMBER OF SIGNATURES REQUIRED FOR AN INITIATIVE PETITION ON THE LATEST PRESIDENTIAL ELECTION, TO CONFORM THE PRO RATA SIGNATURE REQUIREMENTS FROM EACH CONGRESSIONAL DISTRICT FOR AN INITIATIVE PETITION TO THE NUMBER OF CURRENT CONGRESSIONAL DISTRICTS, TO SPECIFY THAT PETITION SIGNATURE REQUIREMENTS SHALL INCLUDE HOME ADDRESS, AND TO PROVIDE THAT ONLY ONE PROPOSAL OF LAW AND MATTERS PROPERLY CONNECTED THEREWITH SHALL BE CONTAINED IN AN INITIATIVE PETITION TO ENABLE THE ELECTORS TO VOTE ON THAT PROPOSAL SEPARATELY.

By Senator(s) Sojourner

**S. C. R. No. 530:** Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 33, 273, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT AMENDMENTS TO THE MISSISSIPPI CONSTITUTION MAY ONLY BE PROPOSED BY THE LEGISLATURE, BUT THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO EXERCISE THE LEGISLATIVE POWER OF THE STATE TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE.

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

**S. C. R. No. 531:** Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO REINSTATE THE INITIATIVE PROCEDURE DECLARED INVALID BY THE MISSISSIPPI SUPREME COURT, TO PROVIDE THAT THE INITIATIVE PROCESS MAY BE USED TO AMEND THE MISSISSIPPI STATUTES OR TO AMEND THE MISSISSIPPI CONSTITUTION, TO BASE THE NUMBER OF SIGNATURES REQUIRED TO AMEND A STATUTE ON THE LAST GUBERNATORIAL ELECTION AND TO BASE THE NUMBER OF SIGNATURES REQUIRED FOR AN INITIATIVE PETITION TO AMEND THE CONSTITUTION ON THE LATEST PRESIDENTIAL ELECTION, TO CONFORM THE PRO RATA SIGNATURE REQUIREMENTS FROM EACH CONGRESSIONAL DISTRICT FOR AN INITIATIVE PETITION TO THE NUMBER OF CURRENT CONGRESSIONAL DISTRICTS, TO SPECIFY THAT PETITION SIGNATURE REQUIREMENTS SHALL INCLUDE HOME ADDRESS, AND TO PROVIDE THAT ONLY ONE PROPOSAL OF LAW AND MATTERS PROPERLY CONNECTED THEREWITH SHALL BE CONTAINED IN AN INITIATIVE PETITION TO ENABLE THE ELECTORS TO VOTE ON THAT PROPOSAL SEPARATELY.

By Senator(s) McDaniel

**S. C. R. No. 532:** Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO REINSTATE THE INITIATIVE PROCEDURE DECLARED INVALID BY THE MISSISSIPPI SUPREME COURT, TO PROVIDE THAT THE INITIATIVE PROCESS MAY BE USED TO AMEND THE

MISSISSIPPI STATUTES OR TO AMEND THE MISSISSIPPI CONSTITUTION, TO BASE THE NUMBER OF SIGNATURES REQUIRED FOR AN INITIATIVE PETITION ON THE LATEST PRESIDENTIAL ELECTION, TO CONFORM THE PRO RATA SIGNATURE REQUIREMENTS FROM EACH CONGRESSIONAL DISTRICT FOR AN INITIATIVE PETITION TO THE NUMBER OF CURRENT CONGRESSIONAL DISTRICTS, TO SPECIFY THAT PETITION SIGNATURE REQUIREMENTS SHALL INCLUDE HOME ADDRESS, AND TO PROVIDE THAT ONLY ONE PROPOSAL OF LAW AND MATTERS PROPERLY CONNECTED THEREWITH SHALL BE CONTAINED IN AN INITIATIVE PETITION TO ENABLE THE ELECTORS TO VOTE ON THAT PROPOSAL SEPARATELY.

By Senator(s) Seymour

**S. C. R. No. 533:** Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 33, 273, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT AMENDMENTS TO THE MISSISSIPPI CONSTITUTION MAY ONLY BE PROPOSED BY THE LEGISLATURE, BUT THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO EXERCISE THE LEGISLATIVE POWER OF THE STATE TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE.

By Senator(s) McCaughn, Boyd

**S. C. R. No. 534:** Accountability, Efficiency, Transparency

A CONCURRENT RESOLUTION PROPOSING AN AMENDMENT TO SECTION 273, MISSISSIPPI CONSTITUTION OF 1890, TO REINSTATE THE INITIATIVE PROCEDURE DECLARED INVALID BY THE MISSISSIPPI SUPREME COURT, TO PROVIDE THAT THE INITIATIVE PROCESS MAY BE USED TO AMEND THE MISSISSIPPI STATUTES OR TO AMEND THE MISSISSIPPI CONSTITUTION, TO BASE THE NUMBER OF SIGNATURES REQUIRED FOR AN INITIATIVE PETITION ON THE LATEST PRESIDENTIAL ELECTION, TO CONFORM THE PRO RATA SIGNATURE REQUIREMENTS FROM EACH CONGRESSIONAL DISTRICT FOR AN INITIATIVE PETITION TO THE NUMBER OF CURRENT CONGRESSIONAL DISTRICTS, TO SPECIFY THAT PETITION SIGNATURE REQUIREMENTS SHALL INCLUDE HOME ADDRESS, AND TO PROVIDE THAT ONLY ONE PROPOSAL OF LAW AND MATTERS PROPERLY CONNECTED THEREWITH SHALL BE CONTAINED IN AN INITIATIVE PETITION TO ENABLE THE ELECTORS TO VOTE ON THAT PROPOSAL SEPARATELY.

By Senator(s) McCaughn, Boyd

**S. C. R. No. 535:** Rules

A CONCURRENT RESOLUTION DESIGNATING MARCH 2023 AS "COLORECTAL CANCER AWARENESS MONTH IN MISSISSIPPI".

By Senator(s) McMahan, Butler (38th), Michel, Thompson

**S. C. R. No. 536:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING CLARKSDALE GUITAR WUNDERKIND CHRISTONE "KINGFISH" INGRAM FOR WINNING THE 2022 GRAMMY AWARD IN THE CONTEMPORARY BLUES ALBUM CATEGORY FOR HIS ALBUM "662."

By Senator(s) Jackson, Butler (38th), Frazier

**S. C. R. No. 537:** Rules

A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE SURVIVING FAMILY AND FRIENDS OF JACKSON COMMUNITY LEADER AND ACTIVIST INEVA MAY-PITTMAN AND REMEMBERING HER ADVOCACY FOR HUMAN RIGHTS AND HER MANY ACHIEVEMENTS.

By Senator(s) Norwood, Horhn, Blount, Frazier, Butler (38th)

**S. C. R. No. 538:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PARKLANE ACADEMY "LADY PIONEERS" FAST-PITCH SOFTBALL TEAM AND HEAD COACH GREG GATLIN FOR WINNING THE 2022 MAIS CLASS 6A STATE CHAMPIONSHIP WHICH WAS THE TEAM'S FOURTH STATE CHAMPIONSHIP RING IN THE LAST SIX YEARS.

By Senator(s) Butler (38th)

**S. C. R. No. 539:** Rules

A CONCURRENT RESOLUTION MOURNING THE LOSS OF LEGENDARY OB/GYN DR. FRED A. MCKISSIC BUSH, M.D., OF JACKSON, MISSISSIPPI, AND EXTENDING THE CONDOLENCES OF THE LEGISLATURE TO HER FAMILY, FRIENDS, COLLEAGUES AND PATIENTS.

By Senator(s) Norwood, Frazier, Horhn, Butler (38th), Michel

**S. C. R. No. 540:** Rules

A CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE MISSISSIPPI LEGISLATURE FOR THE BOARD OF ALDERMEN OF THE TOWN OF MANTEE, WEBSTER COUNTY, MISSISSIPPI, TO UNOFFICIALLY NAME THE TOWN AS "THE EPICENTER OF THE NATCHEZ TRACE" AND TO CONSTRUCT APPROPRIATE MARKERS FOR PURPOSES OF PROMOTION OF TOURISM.

By Senator(s) Williams, Butler (38th)

**S. C. R. No. 541:** Constitution

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

By Senator(s) McDaniel

**S. R. No. 10:** Rules

A RESOLUTION COMMENDING AND THANKING THE MISSISSIPPI RURAL WATER ASSOCIATION EMERGENCY RESPONSE COOPERATIVE FOR THEIR ASSISTANCE DURING THE JACKSON WATER CRISIS.

By Senator(s) Blount, Butler (38th), Frazier, Michel

**S. R. No. 11:** Rules

A RESOLUTION TO AMEND SECTIONS 41, 42, 117, 128, 150, 154, 133, 173, AND 134, OF THE MISSISSIPPI CONSTITUTION OF 1890, TO ADD THE REQUIREMENT THAT CANDIDATES CANNOT RUN FOR CERTAIN ELECTED STATE OFFICE POSITIONS IF THEY WILL BE 75 YEARS OF AGE OR OLDER AT THE TIME OF ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

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FIFTEENTH DAY, TUESDAY, JANUARY 17, 2023

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Dr. William Casey Hughes, Senior Pastor, Meadowview Baptist Church, Starkville, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Daniel Mack Martin, Timothy Wade Graham and Rebecca "Becky" Fleming Ainsworth of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Larry Joe Spencer of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Billy Gene Baxley of Enterprise, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Peter Joseph Dacri, Sr. and Gaynell Mallette Carter Christian of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Louise Charlyne Thatcher of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Gerald DeWayne "Jerry" Gross of Saucier Community, MS.

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Senators England and Boyd moved that when the Senate adjourns, it adjourn in memory of Troy Tutor of Batesville, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Paula Feldner of Springfield, IL.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Joyce Kimbrough and Wilma Maxey of Saltillo, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Pamela Ann Maxey of Bonita, CA.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mr. William (Bill) Davis of Raymond, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Aline Burgess Rigney of Waynesboro, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Kenneth Michael Bell of New Albany, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 18, 2023.

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

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#### REPORT OF COMMITTEE ON RULES

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

**S. C. R. No. 501:** Mourn the loss and commend the life and public service of David R. Huggins. Title Sufficient. Do Be Adopted.

**S. C. R. No. 502:** Mourn the loss and commend the life and public service of former MDOT Commissioner and Legislator Dick Hall. Title Sufficient. Do Be Adopted.

**S. C. R. No. 503:** Mourn the passing of former Senator Steve Seale of Hattiesburg, and commend his public and charitable service. Title Sufficient. Do Be Adopted.

**S. C. R. No. 504:** Mourn the loss and commend the life and public service of former Representative Noal Akins. Title Sufficient. Do Be Adopted.

**S. C. R. No. 505:** Commend public service of Southern District Transportation Commissioner and former legislator Tom King. Title Sufficient. Do Be Adopted.

**S. C. R. No. 506:** Commend 2022 PRCC "Wildcats" Baseball Team and Coach Michael Avalon for first ever National Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 507:** Commend JSU "Tigers" Football Team for second consecutive SWAC Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 509:** Congratulate Scott Central "Rebels" Football Team for winning the back to back MHSAA Class 2A State Championships. Title Sufficient. Do Be Adopted.

**S. C. R. No. 510:** Congratulate Raleigh High School "Lions" Football Team for winning 2022 MHSAA Class 3A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 511:** Mourn the loss and commend the public service of Forrest Co. Tax Collector, former Supervisor and State Senator Billy Hudson. Title Sufficient. Do Be Adopted.

**S. C. R. No. 512:** Mourn the loss and celebrate the contributions and career of Mississippi music icon and Rock and Roll legend Jerry Lee Lewis. Title Sufficient. Do Be Adopted.

**S. C. R. No. 513:** Commend Newton County High School "Rams" Cheer Team for winning Class 4A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 514:** Commend Sumrall High School "Bobcats" Baseball Team for winning Mississippi 4A State Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 515:** Commend the life of former State Senator, Circuit Judge and Decorated WWII Veteran Thomas Frederick (Fred) Wicker. Title Sufficient. Do Be Adopted.

**S. C. R. No. 516:** Commend Myrtis Franke for a lifetime of service. Title Sufficient. Do Be Adopted.

**S. C. R. No. 518:** Congratulate Starkville High School "Yellowjackets" football team for winning MHSAA Class 6A State Title. Title Sufficient. Do Be Adopted.

**S. C. R. No. 519:** Extending deepest sympathy of Legislature to surviving family of MSU Football Coach Mike Leach and paying tribute to his legacy. Title Sufficient. Do Be Adopted.

**S. C. R. No. 520:** Congratulate Ole Miss 2022 Baseball Team for National Championship. Title Sufficient. Do Be Adopted.

**S. C. R. No. 521:** Congratulate Bay Springs High School "Bulldogs" Football team for winning back-to-back MHSAA Class 1A State Championships. Title Sufficient. Do Be Adopted.

**S. C. R. No. 524:** Mourn the passing of former Representative Billy Nicholson of Union, Mississippi, and commend his public and charitable service. Title Sufficient. Do Be Adopted.

**S. C. R. No. 525:** Congratulate Louisville High School "Wildcats" Football Team for winning the MHSAA 4A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 4:** Commemorate 50th anniversary of end of U.S. combat operations and release of American Prisoners of War in Vietnam. Title Sufficient. Do Be Adopted.

**S. R. No. 7:** Congratulate Jackson Prep "Patriots" Football Team for winning MAIS Class 6A Title. Title Sufficient. Do Be Adopted.

**S. R. No. 8:** Resolution; Commend BG Gant for her promotion to Brigadier General in the United States Army. Title Sufficient. Do Be Adopted.

**S. R. No. 9:** Welcome Bishop Vitaliy Kryvytskyi of Kyiv-Zhytomyr in Western Ukraine to the State of Mississippi. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 401:** AN ACT TO AMEND SECTION 63-17-75 AND 63-17-109, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE "MISSISSIPPI MOTOR VEHICLE COMMISSION LAW," TO PROVIDE EXCEPTIONS UNDER WHICH A MOTOR VEHICLE MANUFACTURER IS ELIGIBLE TO OWN ANY INTEREST IN, OPERATE OR CONTROL A MOTOR VEHICLE DEALER OR DEALERSHIP, APPLY FOR A MOTOR VEHICLE DEALERS LICENSE OR BE LICENSED AS A NEW MOTOR VEHICLE DEALER IN THE STATE OF MISSISSIPPI; TO SPECIFY IN THE EXCEPTION THAT STATE LAW SHALL NOT BE CONSTRUED TO PROHIBIT THE OWNERSHIP, OPERATION OR CONTROL BY A MANUFACTURER OR SUBSIDIARY THEREOF WHO HAS MET CERTAIN CONDITIONS TO RECEIVE A LICENSE AS A MOTOR VEHICLE DEALERSHIP; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Daniel Mack Martin, Timothy Wade Graham, Joyce Kimbrough, Wilma Maxey, Pamela Ann Maxey, Mr. William (Bill) Davis, Gaynell Mallette Carter Christian, Aline Burgess Rigney, Rebecca "Becky" Fleming Ainsworth, Larry Joe Spencer, Billy Gene Baxley, Peter Joseph Dacri, Sr., Louise Charlyne Thatcher, Gerald DeWayne "Jerry" Gross, Kenneth Michael Bell, Troy Tutor and Paula Feldner.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR TUESDAY, JANUARY 17, 2023

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SIXTEENTH DAY, WEDNESDAY, JANUARY 18, 2023

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,



England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Chad Bowen, Pastor, Moore Memorial United Methodist Church, Winona, MS.

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 501, S. C. R. No. 502, S. C. R. No. 503, S. C. R. No. 504 and S. C. R. No. 505 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 501:** Mourn the loss and commend the life and public service of David R. Huggins.

**S. C. R. No. 502:** Mourn the loss and commend the life and public service of former MDOT Commissioner and Legislator Dick Hall.

**S. C. R. No. 503:** Mourn the passing of former Senator Steve Seale of Hattiesburg and commend his public and charitable service.

**S. C. R. No. 504:** Mourn the loss and commend the life and public service of former Representative Noal Akins.

**S. C. R. No. 505:** Commend public service of Southern District Transportation Commissioner and former legislator Tom King.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 501, S. C. R. No. 502, S. C. R. No. 503, S. C. R. No. 504 and S. C. R. No. 505. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,

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

Nays--None.

Absent and those not voting----None.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 506, S. C. R. No. 507, S. C. R. No. 509, S. C. R. No. 510, S. C. R. No. 512, S. C. R. No. 514, S. C. R. No. 516, S. C. R. No. 518, S. C. R. No. 519, S. C. R. No. 520, S. C. R. No. 521, S. C. R. No. 525, S. R. No. 4, S. R. No. 7, S. R. No. 8 and S. R. No. 9 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 506:** Commend 2022 PRCC "Wildcats" Baseball Team and Coach Michael Avalon for first ever National Championship.

**S. C. R. No. 507:** Commend JSU "Tigers" Football Team for second consecutive SWAC Championship.

**S. C. R. No. 509:** Congratulate Scott Central "Rebels" Football Team for winning the back to back MHSAA Class 2A State Championships.

**S. C. R. No. 510:** Congratulate Raleigh High School "Lions" Football Team for winning 2022 MHSAA Class 3A State Championship.

**S. C. R. No. 512:** Mourn the loss and celebrate the contributions and career of Mississippi music icon and Rock and Roll legend Jerry Lee Lewis.

**S. C. R. No. 514:** Commend Sumrall High School "Bobcats" Baseball Team for winning Mississippi 4A State Championship.

**S. C. R. No. 516:** Commend Myrtis Franke for a lifetime of service.

**S. C. R. No. 518:** Congratulate Starkville High School "Yellowjackets" football team for winning MHSAA Class 6A State Title.

**S. C. R. No. 519:** Extending deepest sympathy of Legislature to surviving family of MSU Football Coach Mike Leach and paying tribute to his legacy.

**S. C. R. No. 520:** Congratulate Ole Miss 2022 Baseball Team for National Championship.

**S. C. R. No. 521:** Congratulate Bay Springs High School "Bulldogs" Football team for winning back-to-back MHSAA Class 1A State Championships.

**S. C. R. No. 525:** Congratulate Louisville High School "Wildcats" Football Team for winning the MHSAA 4A State Championship.

**S. R. No. 4:** Commemorate 50th anniversary of end of U.S. combat operations and release of American Prisoners of War in Vietnam.

**S. R. No. 7:** Congratulate Jackson Prep "Patriots" Football Team for winning MAIS Class 6A Title.

**S. R. No. 8:** Resolution; Commend BG Gant for her promotion to Brigadier General in the United States Army.

**S. R. No. 9:** Welcome Bishop Vitaliy Kryvytskyi of Kyiv-Zhytomyr in Western Ukraine to the State of Mississippi.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 506, S. C. R. No. 507, S. C. R. No. 509, S. C. R. No. 510, S. C. R. No. 512, S. C. R. No. 514, S. C. R. No. 516, S. C. R. No. 518, S. C. R. No. 519, S. C. R. No. 520, S. C. R. No. 521, S. C. R. No. 525, S. R. No. 4, S. R. No. 7, S. R. No. 8 and S. R. No. 9. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 511 and S. C. R. No. 524 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 511:** Mourn the loss and commend the public service of Forrest Co. Tax Collector, former Supervisor and State Senator Billy Hudson.

**S. C. R. No. 524:** Mourn the passing of former Representative Billy Nicholson of Union, Mississippi, and commend his public and charitable service.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 511 and S. C. R. No. 524. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Kirby moved that the rules be suspended to move to calendar item 14, **S. C. R. No. 515**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**S. C. R. No. 515:** Commend the life of former State Senator, Circuit Judge and Decorated WWII Veteran Thomas Frederick (Fred) Wicker.

YEAS AND NAYS On S. C. R. No. 515. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

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Unanimous consent was granted to add Senators Barnett, Boyd, Butler K. (38th), DeBar, Hill, Hopson, Jackson, Kirby, McCaughn, Michel, Norwood and Sparks as co-authors of **S. C. R. No. 501**.

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Unanimous consent was granted to add Senators Barnett, Blount, Branning, Butler K. (38th), Caughman, Chassaniol, DeBar, England, Hill, Hopson, Horhn, Jackson, Kirby, McCaughn, McMahan, Norwood, Parker, Seymour, Simmons S. (13th), Sparks, Thomas and Thompson as co-authors of **S. C. R. No. 502**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Chassaniol, DeBar, Hopson, Jackson, Johnson, Kirby, Michel, Norwood, Parker and Sparks as co-authors of **S. C. R. No. 503**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Chassaniol, DeBar, England, Hickman, Hill, Hopson, Jackson, McCaughn, Michel, Norwood, Parker, Sparks, Suber, Thompson and Williams as co-authors of **S. C. R. No. 504**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), Caughman, Chassaniol, DeBar, England, Hopson, Jackson, Johnson, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parker, Seymour, Simmons S. (13th), Suber, Thomas and Thompson as co-authors of **S. C. R. No. 505**.

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Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), McCaughn, Moran, Polk and Seymour as co-authors of **S. C. R. No. 506**.

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Unanimous consent was granted to add Senators Barnett, Blount, Butler K. (38th), Caughman, England, Frazier, Hickman, Hopson, Jackson, McCaughn, McLendon, McMahan, Michel, Norwood, Simmons S. (13th) and Thomas as co-authors of **S. C. R. No. 507**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. C. R. No. 509.**

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and McCaughn as co-authors of **S. C. R. No. 510.**

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Chassaniol, England, Jackson, McCaughn, McLendon, Michel, Moran, Norwood, Seymour, Simmons S. (13th), Sparks, Thomas and Williams as co-authors of **S. C. R. No. 512.**

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. C. R. No. 514.**

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Chassaniol, DeBar, Hill, Horhn, Jackson, Kirby, McCaughn, Seymour and Thompson as co-authors of **S. C. R. No. 516.**

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Hickman and Turner-Ford as co-authors of **S. C. R. No. 518.**

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Unanimous consent was granted to add Senators Barnett, Boyd, Branning, Butler K. (38th), DeBar, Hill, Hopson, Jackson, Kirby, McCaughn, McLendon, Moran, Norwood, Seymour, Simmons S. (13th), Sparks, Suber and Thompson as co-authors of **S. C. R. No. 519.**

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Unanimous consent was granted to add Senators Barnett, Boyd, Butler K. (38th), DeBar, Hickman, Hill, Hopson, Jackson, Kirby, McCaughn, McLendon, Moran, Norwood, Simmons S. (13th), Sparks and Suber as co-authors of **S. C. R. No. 520.**

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. C. R. No. 521.**

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. C. R. No. 525.**

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Caughman, DeBar, England, Hill, Jackson, Kirby, McCaughn, McLendon, Michel, Moran, Seymour and Sparks as co-authors of **S. R. No. 4.**

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), McLendon and Thomas as co-authors of **S. R. No. 7.**

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Unanimous consent was granted to add Senators Barnett, Blount, Butler K. (38th), DeBar, Hopson, Jackson, Kirby, McCaughn, Michel, Parker and Seymour as co-authors of **S. R. No. 8**.

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Unanimous consent was granted to add Senators Barnett, Jackson and McCaughn as co-authors of **S. R. No. 9**.

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Unanimous consent was granted to add Senators Barnett, Blount, Boyd, Branning, Butler K. (38th), Caughman, Chassaniol, DeBar, England, Hill, Hopson, Jackson, Johnson, Kirby, McCaughn, Michel, Norwood, Parker, Seymour, Sparks, Thomas and Turner-Ford as co-authors of **S. C. R. No. 511**.

---

Unanimous consent was granted to add Senators Barnett, Branning, Butler K. (38th), DeBar, Jackson, Kirby and Parker as co-authors of **S. C. R. No. 524**.

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Unanimous consent was granted to add Senators Barnett, Boyd, Branning, Butler K. (38th), Caughman, Chassaniol, DeBar, England, Hickman, Hopson, Horhn, Jackson, Kirby, McCaughn, McLendon, Michel, Moran, Parker, Simmons S. (13th), Sparks, Suber, Thompson and Williams as co-authors of **S. C. R. No. 515**.

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On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately all Rules Resolutions.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Martha Murphy Lowery of Moss Point, MS.

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

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Johnny Benson Dawson of Crystal Springs, MS.

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Senator Hill moved that when the Senate adjourns, it adjourn in memory of Daniel Schommer and Gregory Lamar "Greg" McQueen of Carriere, MS.

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Senator Hill moved that when the Senate adjourns, it adjourn in memory of Tessa Frierson Fortenberry of Picayune, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Katherine Anita "Kathy" Kirkwood of Lucedale, MS.

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Senator Thompson moved that when the Senate adjourns, it adjourn in memory of Adrienne d'Aquin Conwill and Loislyn Susan Blanchard Scardino of Pass Christian, MS.

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Senator Thompson moved that when the Senate adjourns, it adjourn in memory of Jordan Nichol Bradford, Sr. and Annette Lynn Morel Carter of Bay St. Louis, MS.

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Senator Thompson moved that when the Senate adjourns, it adjourn in memory of Nancy Stone of Gulfport, MS.

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Senator Thompson moved that when the Senate adjourns, it adjourn in memory of Virginia Jo Beard Barnes of Long Beach, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Virginia Arlene Burks of New Albany, MS.

---

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 19, 2023.

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

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#### MESSAGE FROM THE HOUSE

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

**S. C. R. No. 524:** Mourn the passing of former Representative Billy Nicholson of Union, Mississippi, and commend his public and charitable service.

Andrew Ketchings, Clerk of the House of Representatives

---

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

#### MESSAGE FROM THE HOUSE

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

**H. B. No. 366:** AN ACT DESIGNATING THE BUILDING AT 1505 EASTOVER DRIVE IN JACKSON, MISSISSIPPI, AS THE "SAM G. POLLES STATE OFFICE BUILDING"; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

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

**S. B. No. 2323:** Community hospitals; allow consolidation and collaboration involving other hospitals. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 524:** A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY ON THE PASSING OF FORMER STATE REPRESENTATIVE BILLY NICHOLSON OF UNION, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

Joseph Thomas, Chairman

---

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Martha Murphy Lowery, Bob Harris, Virginia Jo Beard Barnes, Daniel Schommer, Gregory Lamar "Greg" McQueen, Johnny Benson Dawson, Tessa Frierson Fortenberry, Katherine Anita "Kathy" Kirkwood, Adrienne d'Aquin Conwill, Loisllyn Susan Blanchard Scardino, Jordan Nichol Bradford, Sr., Annette Lynn Morel Carter, Virginia Arlene Burks and Nancy Stone.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR WEDNESDAY, JANUARY 18, 2023

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SEVENTEENTH DAY, THURSDAY, JANUARY 19, 2023

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

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

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



Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Pastor Kelvin Williams, Pastor, St. Mary United Church, McComb, MS.

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Senator Butler K. (38th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

---

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

---

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

The motion prevailed, and at 10:20 AM, the Senate stood in recess.

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The Senate resumed business at 11:04 AM, pursuant to recess, with President Pro Tempore Kirby presiding.

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Senators Barrett, Parker and McMahan moved that when the Senate adjourns, it adjourn in memory of Tyrone Powell of Brookhaven, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mr. Jimmy Clay Swanson of Tupelo, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Barbara Ann Barrett, Mr. Brian Hodges McCullen, Amma Quay McCoy and Kenneth Elam of Corinth, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Elizabeth Caldwell of Columbus, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Jane Robbins Ford of New Albany, MS.

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SENATE JOURNAL  
THURSDAY, JANUARY 19, 2023

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 23, 2023.

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

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 37:** AN ACT TO AMEND SECTION 19-5-171, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION OF LAW PROVIDING FOR THE COMPENSATION OF THE COMMISSIONERS OF THE STANDARD DEDEAUX WATER DISTRICT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. B. No. 390:** Historic property income tax credit; revise certain provisions regarding. Finance.

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

**H. B. No. 366:** Sam G. Polles State Office Building; designate the MS Dept. of Wildlife Central Office Building as. Public Property.

**H. B. No. 401:** Mississippi Motor Vehicle Commission Law; revise certain provisions relating to a manufacturer's ownership of motor vehicle dealership. Finance.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Tyrone Powell, Mr. Jimmy Clay Swanson, Barbara Ann Barrett, Mr. Brian Hodges McCullen, Amma Quay McCoy, Kenneth Elam, Jane Robbins Ford and Elizabeth Caldwell.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR THURSDAY, JANUARY 19, 2023

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TWENTY-FIRST DAY, MONDAY, JANUARY 23, 2023

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

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

Present--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Barrett, Tate. Total--2.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Charlie Harper, Associate Pastor, First United Methodist Church, Starkville, MS.

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

##### MESSAGE FROM THE HOUSE

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

**H. B. No. 393:** AN ACT TO AMEND SECTION 73-21-124, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE STATUTE AUTHORIZING THE SALE AND PURCHASE IN A REGISTERED PHARMACY, WITHOUT A PRESCRIPTION, OF CERTAIN PRODUCTS CONTAINING LIMITED AMOUNTS OF PSEUDOEPHEDRINE OR EPHEDRINE; AND FOR RELATED PURPOSES.

**H. B. No. 422:** AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH TO SURVEY, PARTITION, TRANSFER AND CONVEY ALL OF THE RIGHTS, TITLE AND INTEREST IN THE 3,207 ACRES OF CERTAIN REAL PROPERTY

LOCATED IN RANKIN COUNTY, MISSISSIPPI, ACQUIRED BY THE STATE OF MISSISSIPPI IN 1894 TO THE STATE AGENCIES CURRENTLY SITUATED AND OPERATING ON SAID PROPERTY; TO IDENTIFY THE EXISTING STATE AGENCIES AND INSTITUTIONS TO BE ASSIGNED PARCELS OF THE SAID PROPERTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE AND ASSIGN PARCELS OF SAID PROPERTY TO THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD FOR THE ESTABLISHMENT AND OPERATION OF A NEW VETERANS NURSING HOME IN RANKIN COUNTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE AND ASSIGN PARCELS OF SAID PROPERTY TO THE MISSISSIPPI STATE DEPARTMENT OF HEALTH FOR THE ESTABLISHMENT AND OPERATION OF A NEW COUNTER-MEASURE WAREHOUSE IN RANKIN COUNTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE SEWER EASEMENTS ON SAID PROPERTY TO BE ASSIGNED TO THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH FOR CONTINUED OPERATION; TO PROVIDE THAT THE BALANCE OF ANY UNASSIGNED PROPERTY SHALL BE UNDER THE MANAGEMENT AND CONTROL OF THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION UNTIL SUCH TIME AS SAID PROPERTY IS REQUIRED FOR FUTURE BUILDINGS OR FACILITIES OF THE STATE OF MISSISSIPPI; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH TO ASSESS EACH STATE AGENCY UTILIZING SAID PROPERTY AN AMOUNT PROPORTIONATE TO THE USE OF WATER/SEWER COSTS PAID TO THE WEST RANKIN COUNTY UTILITY DISTRICT; TO AMEND SECTIONS 35-1-19, 35-1-21, 35-1-23, 35-1-25 AND 35-1-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI VETERANS AFFAIRS BOARD TO ESTABLISH, OPERATE, MAINTAIN, RECEIVE FUNDS FOR, EMPLOY PERSONNEL AND SET ADMISSION STANDARDS FOR THE NEW VETERANS NURSING HOME IN RANKIN COUNTY; AND FOR RELATED PURPOSES.

**H. B. No. 423:** AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PURCHASE CERTAIN REAL PROPERTY, AND ANY IMPROVEMENTS THEREON, LOCATED WITHIN THE CAPITOL COMPLEX IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI, KNOWN AS THE FORMER "FIRST CHRISTIAN CHURCH"; AND FOR RELATED PURPOSES.

**H. B. No. 515:** AN ACT TO AMEND SECTION 49-7-7, MISSISSIPPI CODE OF 1972, TO INCLUDE TRAINING FACILITIES IN THE CATEGORIES ELIGIBLE FOR LICENSE FEE INCREASE PROCEEDS; AND FOR RELATED PURPOSES.

**H. B. No. 516:** AN ACT TO AMEND SECTION 49-1-15, MISSISSIPPI CODE OF 1972, TO DECREASE THE MINIMUM YEARS OF LAW ENFORCEMENT EXPERIENCE REQUIRED TO BE APPOINTED A CONSERVATION OFFICER FROM FIVE YEARS TO TWO YEARS; AND FOR RELATED PURPOSES.

**H. B. No. 517:** AN ACT TO AMEND SECTION 49-4-39, MISSISSIPPI CODE OF 1972, TO REVISE THE ANNUAL FEE FOR GUIDE AND OUTFITTER SERVICES LICENSES FOR BOTH RESIDENTS AND NONRESIDENTS; AND FOR RELATED PURPOSES.

**H. B. No. 722:** AN ACT TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO EXCLUDE FROM THE DEFINITION OF "PARAPHERNALIA" UNDER THE UNIFORM CONTROLLED SUBSTANCES LAW ANY MATERIALS USED OR INTENDED FOR USE IN TESTING FOR THE PRESENCE OF FENTANYL OR A FENTANYL ANALOG IN A SUBSTANCE; AND FOR RELATED PURPOSES.

**H. B. No. 1125:** AN ACT TO CREATE THE "REGULATE EXPERIMENTAL ADOLESCENT PROCEDURES (REAP)" ACT FOR ANY PERSON UNDER EIGHTEEN YEARS OF AGE; TO PROVIDE DEFINITIONS FOR THE ACT; TO PROHIBIT THE DIRECT OR INDIRECT USE, GRANT, PAYMENT OR DISTRIBUTION OF PUBLIC FUNDS TO ANY ENTITY, ORGANIZATION OR INDIVIDUAL THAT PROVIDES

GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE; TO PROVIDE THAT HEALTH CARE SERVICES FURNISHED IN A STATE OR LOCALLY-OWNED HEALTH CARE FACILITY OR BY A PHYSICIAN OR OTHER HEALTH CARE PROFESSIONAL EMPLOYED BY THE STATE OR LOCAL GOVERNMENT SHALL NOT INCLUDE GENDER TRANSITION PROCEDURES FOR A PERSON UNDER EIGHTEEN YEARS OF AGE; TO PROVIDE THAT AMOUNTS PAID DURING A TAXABLE YEAR FOR PROVISION OF GENDER TRANSITION PROCEDURES OR AS PREMIUMS FOR HEALTH CARE COVERAGE THAT INCLUDES COVERAGE FOR GENDER TRANSITION PROCEDURES ARE NOT DEDUCTIBLE UNDER THE STATE INCOME TAX LAWS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING AN ACTION TO ENFORCE COMPLIANCE WITH THIS ACT; TO CREATE NEW SECTION 43-13-117.7, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE DIVISION OF MEDICAID FROM REIMBURSING OR PROVIDING COVERAGE FOR GENDER TRANSITION PROCEDURES FOR A PERSON UNDER EIGHTEEN YEARS OF AGE; TO AMEND SECTION 83-9-22, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HEALTH COVERAGE PLANS ARE NOT REQUIRED TO INCLUDE GENDER TRANSITION PROCEDURES; TO CREATE NEW SECTION 83-9-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HEALTH BENEFIT PLAN UNDER AN INSURANCE POLICY OR OTHER PLAN PROVIDING HEALTH CARE COVERAGE SHALL NOT INCLUDE REIMBURSEMENT FOR GENDER TRANSITION PROCEDURES FOR A PERSON UNDER EIGHTEEN YEARS OF AGE; TO AMEND SECTIONS 27-7-17, 73-15-29 AND 73-25-29, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 73-25-33, MISSISSIPPI CODE OF 1972, TO EXCLUDE THE PERFORMANCE GENDER TRANSITION PROCEDURES FROM THE "PRACTICE OF MEDICINE" MEANING; TO AMEND SECTION 11-46-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE FROM TORT IMMUNITY VIOLATIONS OF THIS ACT; TO AMEND SECTION 41-41-219, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO PROVIDE SEVERABILITY IF ANY PART OF THIS ACT IS FOUND UNCONSTITUTIONAL; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Julius William Redmond, Jr. of Hurley Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of James Gerald Lamey of St. Martin Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Isaac Sipriano, Jr. of Biloxi, MS.

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Mr. Herman Leach and Mrs. Ollie B. Younger of Yazoo City, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Lisa E. Fulton of Wade, MS.

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Senators Parker and Williams moved that when the Senate adjourns, it adjourn in memory of Barbara Cherry of Memphis, TN.

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Senator Tate requested that when the Senate adjourns, it adjourn in memory of Bettye Claire Hayes, Pamela Matred Schickel, Janese Salter Allen, Karen Achord Plummer and Mattie Lee Brewer of Meridian, MS.

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Senator Tate requested that when the Senate adjourns, it adjourn in memory of Christopher James Summerford, Rexie Lee Laird, Shirley Gillespie Stephenson and Rita Faye Butler of Meridian, MS.

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Senator Tate requested that when the Senate adjourns, it adjourn in memory of Gay Avera of Shubuta, MS.

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Senators Hickman, Simmons D. T. (12th), Horhn, Norwood and Blount moved that when the Senate adjourns, it adjourn in memory of Frances Jackson Westbrooks of Memphis, TN.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Danny Kiddy, Jeanette Lambert Pittman Durn, Betty Ann Elam and Helen Carroll of Corinth, MS.

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

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, January 24, 2023.

The motion prevailed, and at 4:17 PM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Julius William Redmond, Jr., James Gerald Lamey, Karen Achord Plummer, Mattie Lee Brewwe, Christopher James Summerford, Rexie Lee Laird, Shirley Gillespie Stephenson, Rita Faye Butler, Gay Avera, Frances Jackson Westbrooks, Danny Kiddy, Gaylon D. Crager, Isaac Sipriano, Jr., Jeanette Lambert Pittman Durn, Betty Ann Elam, Helen Carroll, Mr. Herman Leach, Mrs. Ollie B. Younger, Lisa E. Fulton, Barbara Cherry, Bettye Claire Hayes, Pamela Matred Schickel and Janese Salter Allen.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR MONDAY, JANUARY 23, 2023

**S. B. No. 2890:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI, TO CONTRIBUTE ANNUALLY TO THE SANCTUARY HOSPICE HOUSE; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2891:** Local and Private

AN ACT TO AMEND CHAPTER 1017, LOCAL AND PRIVATE LAWS OF 2004, AS LAST AMENDED BY CHAPTER 902, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE REPEAL DATE ON THE AUTHORITY OF THE GOVERNING AUTHORITIES OF THE CITY OF BALDWIN TO LEVY A TAX UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS AND SALES OF PREPARED FOOD AT CONVENIENCE STORES, WHICH SHALL BE USED TO PROMOTE TOURISM AND TO ENCOURAGE RETIRED PERSONS TO REMAIN IN OR RELOCATE TO THE BALDWIN AREA; AND FOR RELATED PURPOSES.

By Senator(s) McMahan

**S. B. No. 2892:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE AVAILABLE FUNDS TO THE CREATION, DEVELOPMENT AND PROMOTION OF THE DR. JANE ELLEN MCALLISTER MUSEUM FOR THE PURPOSES OF TOURISM AND ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

\_\_\_\_\_  
TWENTY-SECOND DAY, TUESDAY, JANUARY 24, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Benjamin Pittman, Pastor, Mount Moriah Missionary Baptist Church, Louisville, MS.

\_\_\_\_\_  
Senator Hickman led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

\_\_\_\_\_  
INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator England moved that when the Senate adjourns, it adjourn in memory of Major Michael Paul "Robi" Robichaux of Moss Point, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Clyde Franklin Garrett of Meridian, MS.

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Senators Suber and McMahan moved that when the Senate adjourns, it adjourn in memory of Hassell H. Franklin of Houston, MS.

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Senators Suber and Parker moved that when the Senate adjourns, it adjourn in memory of Mayor Clinton Rudy Pope of Bruce, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, January 25, 2023.

The motion prevailed, and at 10:27 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON FINANCE

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

**H. B. No. 390:** Historic property income tax credit; revise certain provisions regarding. Title Sufficient. Do Pass.

**S. B. No. 2011:** Sales tax; exempt motor vehicle transfers to and from trusts, corporations, partnerships and limited liability companies. Title Sufficient. Do Pass.

**S. B. No. 2018:** Sales tax; remove tax on wholesale sales of beer. Title Sufficient. Do Pass.

**S. B. No. 2181:** Distinctive motor vehicle license tags; authorize for 2022 National Championship Rebels. Title Sufficient. Do Pass.

**S. B. No. 2448:** Distinctive motor vehicle license tag; authorize for supporters of the Magnolia Speech School. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2482:** Motor vehicles; allow Department of Revenue to transmit liens and receive lien satisfactions electronically. Title Sufficient. Do Pass.

**S. B. No. 2681:** Mississippi Development Authority; extend and codify repealers on certain laws related to. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2684:** Children's Promise Act; revise definition of "eligible charitable organization." Title Sufficient. Do Pass.



**S. B. No. 2692:** Bonds; repeal authorization for unissued bonds and replace with cash funds. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2697:** Oil and gas severance taxes; extend repealers on lower rate for production from horizontally drilled wells. Title Sufficient. Do Pass.

HARKINS, Chairman

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REPORT OF COMMITTEE ON ECONOMIC AND WORKFORCE DEVELOPMENT

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

**S. B. No. 2552:** MS Comprehensive Workforce Training & Education Consolidation Act of 2004; extend repealer on code sections conformed to. Title Sufficient. Do Pass.

**S. B. No. 2597:** Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004; extend repealer on. Title Sufficient. Do Pass.

**S. B. No. 2595:** ARPA Workforce Development and Retention Act; provide expiration date of grant funds. Title Sufficient. Do Pass.

**S. B. No. 2810:** Office of Workforce Development; amend certain provisions relating to. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2889:** Mississippi Capitol Region Utility Act; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2596:** Mississippi Nonprofit Transparency Act; create. Title Sufficient. Do Pass.

PARKER, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 5:** A CONCURRENT RESOLUTION HONORING THE LIFE AND LEGACY OF MR. CARLTON D. "CORKY" PALMER, AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

**H. C. R. No. 15:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BAY SPRINGS HIGH SCHOOL BULLDOGS FOOTBALL TEAM AND HEAD COACH DAN BRADY FOR WINNING THE 2022 MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 1A STATE FOOTBALL CHAMPIONSHIP.

Andrew Ketchings, Clerk of the House of Representatives

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## REPORT OF COMMITTEE ON RULES

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

**S. C. R. No. 526:** Recognize leadership of William Carey University President Dr. Tommy King on the occasion of his retirement. Title Sufficient. Do Be Adopted.

**S. C. R. No. 535:** Designate March 2023 as "Colorectal Cancer Awareness Month in Mississippi". Title Sufficient. Do Be Adopted.

**S. C. R. No. 536:** Congratulate Clarksdale Guitar Star Christone "Kingfish" Ingram for winning the 2022 Grammy Award for Contemporary Blues. Title Sufficient. Do Be Adopted.

**S. C. R. No. 537:** Mourn the loss of Ineva May-Pittman of Jackson, Mississippi. Title Sufficient. Do Be Adopted.

**S. C. R. No. 538:** Commend Parklane Academy "Lady Pioneers" Fast-Pitch Softball Team for fourth State Championship in last six years. Title Sufficient. Do Be Adopted.

**S. C. R. No. 539:** Mourn the passing of legendary physician Dr. Freda M. Bush. Title Sufficient. Do Be Adopted.

**S. R. No. 10:** Commend and thank MS Rural Water Association Emergency Response Cooperative for assistance during the Jackson Water Crisis. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Major Michael Paul "Robi" Robichaux, Clyde Franklin Garrett, Hassell H. Franklin and Mayor Clinton Rudy Pope.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, JANUARY 24, 2023

**S. B. No. 2893:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE FUNDS TO AND PROVIDE IN-KIND SERVICES FOR MAINTENANCE TO THE BEULAH CEMETERY; TO PROVIDE THAT COMMUNITY SERVICE OR INMATE LABOR MAY BE USED FOR SUCH MAINTENANCE; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

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TWENTY-THIRD DAY, WEDNESDAY, JANUARY 25, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Willie Tobias, Jr., New Mount Zion Baptist Church, Jackson, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

**H. C. R. No. 5:** Carlton D. "Corky" Palmer; honor the life and legacy of upon his passing. Rules.

**H. C. R. No. 15:** Bay Springs High School Football Team; commend upon winning MHSAA Class 1A State Championship. Rules.

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REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**S. B. No. 2099:** Motor vehicle theft; revise penalty for. Title Sufficient. Do Pass.

**S. B. No. 2100:** Receiving stolen property; revise the crime of. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2120:** Firearms; authorize law enforcement officers employed by attorney general to purchase upon retirement. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2122:** Bribery of a public official; increase statute of limitations to 5 years. Title Sufficient. Do Pass.

**S. B. No. 2127:** Terroristic threats; revise elements of. Title Sufficient. Do Pass.

**S. B. No. 2245:** Sale of seized weapons; authorize use of proceeds to purchase equipment. Title Sufficient. Do Pass.

**S. B. No. 2420:** Public Funds Offender Registry; create. Title Sufficient. Do Pass.

FILLINGANE, Chairman

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 513, S. C. R. No. 526, S. C. R. No. 535, S. C. R. No. 536, S. C. R. No. 537, S. C. R. No. 538, S. C. R. No. 539 and S. R. No. 10 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 513:** Commend Newton County High School "Cougars" Cheer Team for winning Class 4A State Championship.

**S. C. R. No. 526:** Recognize leadership of William Carey University President Dr. Tommy King on the occasion of his retirement.

**S. C. R. No. 535:** Designate March 2023 as "Colorectal Cancer Awareness Month in Mississippi".

**S. C. R. No. 536:** Congratulate Clarksdale Guitar Star Christone "Kingfish" Ingram for winning the 2022 Grammy Award for Contemporary Blues.

**S. C. R. No. 537:** Mourn the loss of Ineva May-Pittman of Jackson, Mississippi.

**S. C. R. No. 538:** Commend Parklane Academy "Lady Pioneers" Fast-Pitch Softball Team for fourth State Championship in last six years.

**S. C. R. No. 539:** Mourn the passing of legendary physician Dr. Freda M. Bush.

**S. R. No. 10:** Commend and thank MS Rural Water Association Emergency Response Cooperative for assistance during the Jackson Water Crisis.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 513, S. C. R. No. 526, S. C. R. No. 535, S. C. R. No. 536, S. C. R. No. 537, S. C. R. No. 538, S. C. R. No. 539 and S. R. No. 10. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. C. R. No. 513**.

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Unanimous consent was granted to add Senators Butler K. (38th), Frazier, McDaniel and Thompson as co-authors of **S. C. R. No. 526**.

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Unanimous consent was granted to add Senators Butler K. (38th), Michel and Thompson as co-authors of **S. C. R. No. 535**.

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Unanimous consent was granted to add Senators Butler K. (38th) and Frazier as co-authors of **S. C. R. No. 536**.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. C. R. No. 537**.

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Unanimous consent was granted to add Senators Butler K. (38th) and Michel as co-authors of **S. C. R. No. 539**.

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Unanimous consent was granted to add Senators Butler K. (38th), Frazier and Michel as co-authors of **S. R. No. 10**.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Terri Leigh Price Loftin of Mendenhall, MS.

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#### REPORT OF COMMITTEE ON TOURISM

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

**S. B. No. 2137:** "Mississippi Native Plant Month"; designate each April as. Title Sufficient. Do Pass.

**S. B. No. 2138:** Tourism; designate the Mississippi Opal as the state gemstone. Title Sufficient. Do Pass.

**S. B. No. 2139:** Mississippi USA Semiquincentennial Commission and Mississippi Semiquincentennial Celebration Fund; create. Title Sufficient. Do Pass.

CHASSANIOL, Chairman

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, January 26, 2023.

The motion prevailed, and at 10:26 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON TECHNOLOGY

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

**S. B. No. 2140:** National Security on State Devices and Networks Act; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2717:** Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2727:** Mississippi Office of Space and Technology; create and direct Mississippi Development Authority to administer. Title Sufficient. Do Pass.

**S. B. No. 2728:** Statewide master agreements and utilization of information technology acquisitions made by other entities; authorize. Title Sufficient. Do Pass.

DELANO, Chairman

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#### REPORT OF COMMITTEE ON FORESTRY

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

**S. B. No. 2548:** Motor vehicles; clarify that vehicle length restrictions are the same for day and night operation. Title Sufficient. Do Pass.

MCCAUGHN, Chairman

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#### MESSAGE FROM THE GOVERNOR January 24, 2023

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

Michael Bradley (Brad) Wood, Hattiesburg, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, six year term effective May 4, 2022 and ending March 31, 2028.

Brian Kendall Johnson, Madison, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective upon confirmation by the Senate and ending March 31, 2026, vice Reed Nelson.

Ora Lee (O.L.) Sims, II, Hattiesburg, Mississippi, State Board of Contractors as the Water and Sewer Contractor, five year term beginning July 1, 2022 and ending June 30, 2027.

Clint Tidwell, P.S., Ripley, Mississippi, MS BD of Licensure for Professional Engineers and Surveyors as a Prof. Surveyor representing the Third Supreme Court Dist., four year term effective June 30, 2022 and ending July 1, 2026, vice Mike Thornton, P.S..

Charles William (Bill) Cook, Jr., Oxford, Mississippi, Information Technology Services Authority, five year term beginning July 1, 2022 and ending June 30, 2027.

Robert Reed (Reed) Nelson, Madison, Mississippi, Mississippi Home Corporation representing the First Supreme Court District, remainder of six year term effective June 28, 2022 and ending April 23, 2026, vice Carl EuGene (Gene) Delcomyn.

Aimee Rebecca W. Robertson, Gulfport, Mississippi, Mississippi Home Corporation as a representative of the Second Supreme Court District, six year term effective June 27, 2022 and ending April 23, 2028.

Jane Marie (Janie) Clanton, RN, Meadville, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective July 1, 2022 and ending June 30, 2026.

Dason Colin (Colin) Maloney, Tupelo, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund representing the First Congressional District as it existed July 1, 2022, term effective July 6, 2022 and ending June 30, 2026.

Van Kyle Ray, Yazoo City, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund representing the Second Congressional District as it existed July 1, 2022, term effective July 14, 2022 and ending June 30, 2025.

Rodney Harris, Clinton, Mississippi, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed May 1, 1987, unexpired four year term effective October 4, 2022 and ending June 30, 2024, vice Thomas Henry Watts.

Tate Reeves  
GOVERNOR

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

Michael Bradley (Brad) Wood, Mississippi Business Finance Corporation as a member associated with banking or small business, six year term effective May 4, 2022 and ending March 31, 2028, Finance.

Brian Kendall Johnson, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective upon confirmation by the Senate and ending March 31, 2026, Finance.

Ora Lee (O.L.) Sims, II, State Board of Contractors as the Water and Sewer Contractor, five year term beginning July 1, 2022 and ending June 30, 2027, Business and Financial Institutions.

Clint Tidwell, P.S., MS BD of Licensure for Professional Engineers and Surveyors as a Prof. Surveyor representing the Third Supreme Court Dist., four year term effective June 30, 2022 and ending July 1, 2026, Business and Financial Institutions.

Charles William (Bill) Cook, Jr., Information Technology Services Authority, five year term beginning July 1, 2022 and ending June 30, 2027, Accountability, Efficiency, Transparency.

Robert Reed (Reed) Nelson, Mississippi Home Corporation, remainder of six year term effective June 28, 2022 and ending April 23, 2026, Finance.

Aimee Rebecca W. Robertson, Mississippi Home Corporation as a representative of the Second Supreme Court District, six year term effective June 27, 2022 and ending April 23, 2028, Finance.

Jane Marie (Janie) Clanton, RN, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective July 1, 2022 and ending June 30, 2026, Public Health and Welfare.

Dason Colin (Colin) Maloney, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 6, 2022 and ending June 30, 2026, Wildlife, Fisheries and Parks.

Van Kyle Ray, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 14, 2022 and ending June 30, 2025, Wildlife, Fisheries and Parks.

Rodney Harris, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed May 1, 1987, unexpired four year term effective October 4, 2022 and ending June 30, 2024, Veterans and Military Affairs.

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#### REPORT OF COMMITTEE ON EDUCATION

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

**S. B. No. 2164:** Real property owned by school districts; allow to be sold for development. Title Sufficient. Do Pass.

**S. B. No. 2360:** Agricultural high schools; revise board membership. Title Sufficient. Do Pass.

**S. B. No. 2364:** Mississippi Adequate Education Program; bring forward provision related to. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman

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#### REPORT OF COMMITTEE ON ENERGY



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

**S. B. No. 2338:** Municipal waterworks; ensure just, reasonable and transparent billing in. Title Sufficient. Committee Substitute. Do Pass.

CARTER, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1029:** AN ACT TO PROVIDE THAT REFERENCES IN THE MISSISSIPPI CODE TO "ARMED FORCES" OR "UNIFORMED SERVICES" SHALL INCLUDE MEMBERS OF THE UNITED STATES SPACE FORCE; TO AMEND SECTIONS 23-15-673, 33-1-1, 37-135-31, 49-7-351 AND 73-50-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 10:** A CONCURRENT RESOLUTION HONORING THE LIFE AND LEGACY OF THE HONORABLE AND DISTINGUISHED GENTLEMAN FROM LAFAYETTE COUNTY, FORMER REPRESENTATIVE NOAL AKINS, AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY, FRIENDS AND COMMUNITY UPON HIS PASSING.

**H. C. R. No. 31:** A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE TO HEAR THE STATE OF THE STATE ADDRESS OF GOVERNOR TATE REEVES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that a motion to reconsider has been entered in the House on the following:

**H. C. R. No. 31:** State of the State address of the Governor; call joint session to hear.

The HOUSE REQUESTS RETURN OF SAME.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

**S. B. No. 2002:** Memorial highways; designate segment of U.S. 45 in Lowndes County for WW2 Army veteran Bradford C. Freeman. Title Sufficient. Do Pass.

**S. B. No. 2003:** Highways; Dedicate a section of Highway 12 to G. Louis Jones. Title Sufficient. Do Pass.

**S. B. No. 2529:** Highways; dedicate a section of Highway 145 to Bishop Leroy Horne. Title Sufficient. Do Pass.

**S. B. No. 2532:** Highways and Transportation; dedicate the Second Creek Bridge to Boyd Sojourner. Title Sufficient. Do Pass.

**S. B. No. 2533:** Highways and Transportation; dedicate the Second Creek Bridge on Liberty Road to James Carter. Title Sufficient. Do Pass.

**S. B. No. 2542:** Highways; dedicate a section of Highway 8 to Jeremy Allen Voyles. Title Sufficient. Do Pass.

**S. B. No. 2545:** Highways; Dedicate a section of Highway 35 to Constable Raye Hawkins. Title Sufficient. Do Pass.

**S. B. No. 2546:** Highways; dedicate a section of Highway 51 to Deputy Joe Kenneth Cosby. Title Sufficient. Do Pass.

**S. B. No. 2547:** Highways; Dedicate a section of Highway 315 to Nolan Mettetal. Title Sufficient. Do Pass.

**S. B. No. 2588:** "Commissioner Dick Hall Hospitality Station"; MDOT to designate Warren County Welcome Center as. Title Sufficient. Do Pass.

**S. B. No. 2559:** Transportation; extend repealer on harvest permit authorization and fees. Title Sufficient. Do Pass.

**S. B. No. 2602:** Highways; dedicate a section of Highway 25 to Kash McGraw. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2531:** Highways; recognize Representative Alyce Clarke and amend dedication rules for members of public office. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2561:** Highways; make the MS Transportation Commission vote on use of ERBR Fund monies majority instead of unanimous. Title Sufficient. Do Pass.

**S. B. No. 2562:** Transportation; allow public and private partnerships to establish electric vehicle charging stations. Title Sufficient. Do Pass.

**S. B. No. 2589:** West Rankin Parkway; expand permission for use of federal funds. Title Sufficient. Do Pass.

BRANNING, Chairman

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

**H. C. R. No. 10:** Former Representative Noal Akins; honor life and legacy upon his passing. Rules.

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REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

**S. B. No. 2282:** Pseudoephedrine; delete the automatic repealer on the provision that authorizes the distribution of. Title Sufficient. Do Pass.

**S. B. No. 2369:** Department of Human Services; extend repealers on certain sections relating to. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2797:** Mississippi State Asylum Records; provide procedures and exempt from confidentiality and privilege requirements. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2817:** Mississippi Burn Center; bring forward code sections for possible amendment. Title Sufficient. Do Pass.

BRYAN, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Terri Leigh Price Loftin.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, JANUARY 25, 2023

**S. B. No. 2894:** Finance

AN ACT TO AMEND SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, TO REVISE THE DEFINITION OF "ELIGIBLE CHARITABLE ORGANIZATION"; AND FOR RELATED PURPOSES.

By Senator(s) Williams

**S. B. No. 2895:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES AND USE TAXATION RETAIL SALES OF FEMININE HYGIENE PRODUCTS AND DIAPERS; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2896:** Finance

AN ACT TO PROVIDE FOR AN INCOME TAX CREDIT EQUAL TO THE HOUSEHOLD AND DEPENDENT CARE SERVICES CREDIT AUTHORIZED FOR FEDERAL INCOME TAX PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2897:** Finance

AN ACT TO PROVIDE A STATE INCOME TAX CREDIT FOR TAXPAYERS CLAIMING THE FEDERAL EARNED INCOME TAX CREDIT; TO PROVIDE THE AMOUNT OF THE CREDIT; TO PROVIDE THAT IF THE AMOUNT OF CREDIT CLAIMED BY A TAXPAYER EXCEEDS THE AMOUNT OF INCOME TAX IMPOSED UPON THE TAXPAYER FOR THE TAXABLE YEAR, THEN THE TAXPAYER SHALL RECEIVE A REFUND FROM THE DEPARTMENT OF REVENUE FOR THE AMOUNT OF SUCH EXCESS; AND FOR RELATED PURPOSES.

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

**S. B. No. 2898:** Finance

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR TAXPAYERS IN AN AMOUNT EQUAL TO CHILD CARE EXPENSES PAID BY TAXPAYERS FOR CHILD CARE FOR THEIR CHILDREN TO PREKINDERGARTEN PROVIDERS WHO PARTICIPATE IN THE EARLY LEARNING COLLABORATIVE ACT OF 2013; TO AUTHORIZE A TAX CREDIT FOR PREKINDERGARTEN PROVIDERS WHO PARTICIPATE IN THE EARLY LEARNING COLLABORATIVE ACT; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. B. No. 2899:** Appropriations

AN ACT MAKING AN APPROPRIATION TO TUNICA COUNTY FOR THE PURPOSE OF RESTORING THE TUNICA COUNTY PENAL FARM BUILDING FOR THE FISCAL YEAR 2024.

By Senator(s) Jackson

**S. B. No. 2900:** Appropriations

AN ACT MAKING AN APPROPRIATION TO QUITMAN COUNTY FOR THE PURPOSE OF DEFRAYING EXPENSES OF CONSTRUCTION OF THE NATIONAL RHYTHM & BLUES HALL OF FAME PROJECT FOR THE FISCAL YEAR 2024.

By Senator(s) Jackson

**S. B. No. 2901:** Appropriations

AN ACT MAKING AN APPROPRIATION TO TUNICA COUNTY FOR THE PURPOSE OF EXPANDING THE PORT ALONG THE MISSISSIPPI RIVER AT THE RIVER PARK FOR THE FISCAL YEAR 2024.

By Senator(s) Jackson

**S. B. No. 2902:** Appropriations

AN ACT MAKING AN APPROPRIATION TO TUNICA COUNTY FOR THE PURPOSE OF UPGRADING TUNICA RIVERPARK FOR THE FISCAL YEAR 2024.

By Senator(s) Jackson

**S. B. No. 2903:** Appropriations

AN ACT MAKING AN APPROPRIATION TO TUNICA COUNTY FOR THE PURPOSE OF ROADWAY RENOVATIONS AND UPGRADING TRAFFIC SIGNALS ALONG CASINO STRIP RESORT BOULEVARD FOR THE FISCAL YEAR 2024.

By Senator(s) Jackson

**S. B. No. 2904:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF DEFRAYING THE EXPENSE OF THE MISSISSIPPI HIGHWAY PATROL RETIREMENT HEALTH INSURANCE BENEFIT PROGRAM FOR THE FISCAL YEAR 2024.

By Senator(s) Younger

**S. B. No. 2905:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DESOTO COUNTY FOR THE PURPOSE OF CONSTRUCTING A WEIGHT-BEARING ROAD TO THE NATIONAL GUARD ARMORY'S FACILITY ENTRANCE FOR THE FISCAL YEAR 2024.

By Senator(s) Blackwell, Parker, McLendon

**S. B. No. 2906:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE RURAL PHYSICIANS SCHOLARSHIP PROGRAM FOR FISCAL YEAR 2024.

By Senator(s) McLendon

**S. B. No. 2907:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO COPIAH-LINCOLN COMMUNITY COLLEGE TO DEFRAY EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF THE EDUCATIONAL, PERFORMING ARTS, AND ATHLETIC CENTER (EPAAC) FOR FISCAL YEAR 2024.

By Senator(s) Caughman, Barrett

**S. B. No. 2908:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF NEW HEBRON FOR THE PURPOSE OF PURCHASING A FIRE TRUCK FOR THE FISCAL YEAR 2024.

By Senator(s) Caughman

**S. B. No. 2909:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF DEFRAYING EXPENSES OF THE CITY OF JACKSON WATER REIMBURSEMENT GRANT PROGRAM FOR THE FISCAL YEAR 2024.

By Senator(s) Blount, Norwood, Frazier

**S. B. No. 2910:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR THE PURPOSE OF CONTRACTING WITH THE CITY OF JACKSON FIRE DEPARTMENT FOR PROVIDING FIRE PROTECTION FOR FISCAL YEAR 2024.

By Senator(s) Blount

**S. B. No. 2911:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF ALLIGATOR FOR THE PURPOSE OF IMPROVING ITS WATER AND SEWER INFRASTRUCTURE FOR THE FISCAL YEAR 2024.

By Senator(s) Simmons (13th)

**S. B. No. 2912:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF MAGNOLIA TO DEFRAY EXPENSES ASSOCIATED WITH DRAINAGE IMPROVEMENTS FOR NORTH CHERRY STREET FOR FISCAL YEAR 2024.

By Senator(s) Butler (38th)

**S. B. No. 2913:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO SIMPSON GENERAL HOSPITAL TO DEFRAY EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF ADDITIONAL SPACE FOR FISCAL YEAR 2024.

By Senator(s) Caughman

**S. B. No. 2914:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE LEE COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH THE RENOVATION OF THE POLLING PRECINCT AT PRATTS COMMUNITY CENTER, FORMERLY PRATTS SCHOOLHOUSE, FOR FISCAL YEAR 2024.

By Senator(s) McMahan

**S. B. No. 2915:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO VETERANS OF FOREIGN WARS (VFW) POST 4057 TO DEFRAY EXPENSES ASSOCIATED WITH RENOVATION OF ITS BUILDING FOR FISCAL YEAR 2024.

By Senator(s) McMahan

**S. B. No. 2916:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF COLUMBUS FOR THE PURPOSE OF PAYING COSTS TO COMPLETE THE SENATOR TERRY BROWN AMPHITHEATER FOR THE FISCAL YEAR 2024.

By Senator(s) Turner-Ford

**S. B. No. 2917:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF GUNTOWN TO DEFRAY EXPENSES ASSOCIATED WITH THE WIDENING OF AND OTHER IMPROVEMENTS TO SIDES STREET AND LONG STREET FOR FISCAL YEAR 2024.

By Senator(s) McMahan

**S. B. No. 2918:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE BOARD OF SUPERVISORS OF WALTHALL COUNTY, MISSISSIPPI, TO DEFRAY EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF A FRONTAGE ROAD ON THE SOUTH SIDE OF THE U.S. HIGHWAY 98 BYPASS FOR FISCAL YEAR 2024.

By Senator(s) Butler (38th)

**S. B. No. 2919:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO CIVIL AIR PATROL, SQUADRON 99, TO DEFRAY EXPENSES ASSOCIATED WITH THE PURCHASE OF A VAN AND ASSOCIATED LICENSE TAG, INSURANCE AND EQUIPMENT FOR FISCAL YEAR 2024.

By Senator(s) McMahan

**S. B. No. 2920:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF TYLERTOWN, MISSISSIPPI, TO DEFRAY EXPENSES ASSOCIATED WITH IMPROVEMENTS TO ITS EVENTS CENTER FOR FISCAL YEAR 2024.

By Senator(s) Butler (38th)

**S. B. No. 2921:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF MCCOMB TO DEFRAY EXPENSES ASSOCIATED WITH THE BUILDING AND EQUIPPING OF A FIRE STATION SERVING SOUTH MCCOMB, GATEWAY

INDUSTRIAL PARK AND THE MCCOMB/PIKE COUNTY AIRPORT FOR FISCAL YEAR 2024.

By Senator(s) Butler (38th)

**S. B. No. 2922:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF DESOTO COUNTY, MISSISSIPPI, TO TRANSFER A PARCEL OF COUNTY-OWNED PROPERTY TO THE CITY OF OLIVE BRANCH, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Blackwell

**S. C. R. No. 542:** Rules

A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THE SIGNIFICANT PUBLIC HEALTH SERVICE OF DR. ROY J. DUHE OF TUPELO, MISSISSIPPI, WHO WAS INSTRUMENTAL IN COLON CANCER INITIATIVES AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (UMMC).

By Senator(s) McMahan

**S. C. R. No. 543:** Rules

A CONCURRENT RESOLUTION EXTENDING THE CONDOLENCES OF THE LEGISLATURE TO THE SURVIVING FAMILY OF DR. CHESTER D. GASTON, JR., OF GULFPORT, MISSISSIPPI, RESPECTED MEMBER OF THE MISSISSIPPI BOARD OF PSYCHOLOGY, AND COMMENDING HIS OUTSTANDING EDUCATIONAL SERVICE TO THE STATE.

By Senator(s) Carter

**S. C. R. No. 544:** Rules

A CONCURRENT RESOLUTION DESIGNATING SATURDAY, JULY 1, 2023, AS "DELTA GAMMA FRATERNITY DAY" IN THE STATE OF MISSISSIPPI IN COMMEMORATION OF THE SESQUICENTENNIAL FOUNDING IN OXFORD, MISSISSIPPI (1873-2023) AT THE LEWIS SCHOOL FOR GIRLS.

By Senator(s) Boyd

**S. R. No. 12:** Rules

A RESOLUTION RECOGNIZING KENNADEE RIGGS AS MISS RODEO AMERICA 2023 AND WELCOMING HER TO MISSISSIPPI ON THE OCCASION OF THE DIXIE NATIONAL LIVESTOCK AND RODEO.

By Senator(s) McCaughn, Younger, Whaley, Suber

**S. R. No. 13:** Rules

A RESOLUTION RECOGNIZING JACQUELINE "J.D." ERVIN OF MCCOMB, MISSISSIPPI, AS "MISS RODEO MISSISSIPPI 2023" ON THE OCCASION OF THE DIXIE NATIONAL LIVESTOCK AND RODEO SHOW.

By Senator(s) McCaughn, Younger, Whaley, Suber

TWENTY-FOURTH DAY, THURSDAY, JANUARY 26, 2023

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Cornelius Johnson, Pastor, Waterloo Missionary Baptist Church, Lorman, MS.

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Senator Butler A. (36th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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#### REPORT OF COMMITTEE ON INSURANCE

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

**S. B. No. 2622:** Mississippi Prior Authorization Reform Act; enact. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2227:** Federal Home Loan Banks; provide certain rights and procedures regarding collateral. Title Sufficient. Do Pass.

**S. B. No. 2228:** Pet insurance; establish provisions for the sale and renewal of policies. Title Sufficient. Do Pass.

**S. B. No. 2617:** Fire insurance policies; exclude provisions related thereto from applying to builders' risk policies. Title Sufficient. Do Pass.

**S. B. No. 2224:** Insurance; prohibit insurer or third party payors from setting maximum dollar amount of reimbursement for proper ventilation treatment. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2615:** Contract personnel; authorize to purchase base plan of the State and School Employees' Health Insurance Plan. Title Sufficient. Do Pass.

**S. B. No. 2649:** Minority; remove for beneficiaries of certain insurance policies. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2623:** Mississippi State and School Employees' Life and Health Insurance Plan Task Force; establish. Title Sufficient. Do Pass.

MICHEL, Chairman



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REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**S. B. No. 2101:** Criminal law; increase penalties for crimes of fleeing a law enforcement officer, resisting arrest and carjacking. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2298:** Bail agents; revise procedure for determining in municipal and justice courts. Title Sufficient. Do Pass.

**S. B. No. 2346:** Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification. Title Sufficient. Do Pass.

**S. B. No. 2347:** Hospital police department; authorize for certain private entities. Title Sufficient. Do Pass.

FILLINGANE, Chairman

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REPORT OF COMMITTEE ON COUNTY AFFAIRS

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

**S. B. No. 2734:** County boards of supervisors; permit to expend federal funds during the last term of office of such board. Title Sufficient. Do Pass.

HILL, Chairman

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REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

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

**S. B. No. 2486:** Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections. Title Sufficient. Do Pass.

**S. B. No. 2581:** Commission on College Accreditation; revise technical provision related thereto. Title Sufficient. Do Pass.

**S. B. No. 2590:** Mississippi State University authority to lease property for public-private partnership student housing; increase term. Title Sufficient. Do Pass.

PARKS, Chairman

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Senator Carter called up the following entitled bill:

**S. B. No. 2338:** Municipal waterworks; ensure just, reasonable and transparent billing in.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

Senator Blackmon offered the following AMENDMENT NO. 1.

AMEND on line 3 by inserting before the semicolon the following:

AND RURAL WATER ASSOCIATIONS

FURTHER, AMEND to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to S. B. No. 2338 failed by the following vote:

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

Nays--Barrett, Blackwell, Boyd, Branning, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--34.

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

Voting Present--Hickman. Total--1.

YEAS AND NAYS On S. B. No. 2338. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Barnett, Blackmon, Blount, Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

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

Voting Present--Parker. Total--1.

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Unanimous consent was granted to add Senator Seymour as co-author of **S. B. No. 2338**.

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Senator Blount entered a motion to reconsider the vote whereby **S. B. No. 2338** passed the Senate.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of John Alna Travis, III of Madison, MS.

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Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Reverend Booker T. Benson of Greenville, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Betty Jean (Gattis) Windham of Ripley, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of J. L. Chism of Yorkville, IL.

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Senator Polk moved that the Senate stand in recess until the last committee report is filed, at which time the Senate would then adjourn until 9:00 AM, Friday, January 27, 2023.

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

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#### REPORT OF COMMITTEE ON MEDICAID

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

**S. B. No. 2210:** Medicaid reimbursements; revise certain provisions relating to a psychiatric residential treatment facility in DeSoto County. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2212:** Recipients of Medicaid; extend postpartum coverage up to 12 months. Title Sufficient. Do Pass.

**S. B. No. 2613:** Nonemergency transportation providers; extend date by which providers may provide service without a permit. Title Sufficient. Do Pass.

BLACKWELL, Chairman

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#### REPORT OF COMMITTEE ON APPROPRIATIONS

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

**S. B. No. 2446:** Appropriation; make technical amendments to certain transfers, and FY2023 appropriations. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2454:** Budget; bring forward code sections related to and provide for transfers. Title Sufficient. Do Pass.

**S. B. No. 2444:** ARPA programs; bring forward provisions related to for possible amendment. Title Sufficient. Do Pass.

**S. B. No. 2616:** Real Estate Commission; decrease fees charged by. Title Sufficient. Do Pass.

**S. B. No. 2663:** Mississippi Historic Site Preservation Fund; revise grant eligibility and require annual report. Title Sufficient. Do Pass.

**S. B. No. 2664:** Appropriations; revise certain FY2023 appropriations and direct transfers. Title Sufficient. Do Pass.

HOPSON, Chairman

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REPORT OF COMMITTEES ON  
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2749:** School board members; increase pay. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

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

**S. B. No. 2390:** Executive Director of the State Veterans Affairs Board; appointed by Governor with advice and consent of Senate. Title Sufficient. Do Pass.

**S. B. No. 2608:** United States Space Force; references to "Armed Forces" in Mississippi law shall include members of. Title Sufficient. Do Pass.

SEYMOUR, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 31:** A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE TO HEAR THE STATE OF THE STATE ADDRESS OF GOVERNOR TATE REEVES.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. C. R. No. 31:** State of the State address of the Governor; call joint session to hear. Rules.

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REPORT OF COMMITTEE ON FINANCE

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

**S. B. No. 2180:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2433:** Regulation of public utilities; exempt distribution of water by eligible homeowners association to its own residents from. Title Sufficient. Do Pass.

**S. B. No. 2451:** Income tax; exclude forgiven, cancelled or discharged federal student loan debt from definition of "gross income." Title Sufficient. Do Pass.

**S. B. No. 2696:** Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement. Title Sufficient. Do Pass.

**S. B. No. 2703:** Driver's license fees; waive for applicants in MDCPS custody. Title Sufficient. Do Pass.

**S. B. No. 2851:** Technology-based capital assistance programs; revise certain terms and amounts of assistance. Title Sufficient. Do Pass.

**S. B. No. 2862:** Sales tax; provide industrial exemption for tangible personal property first used in another state. Title Sufficient. Do Pass.

**H. B. No. 401:** Mississippi Motor Vehicle Commission Law; revise certain provisions relating to a manufacturer's ownership of motor vehicle dealership. Title Sufficient. Do Pass.

HARKINS, Chairman

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REPORT OF COMMITTEE ON ELECTIONS

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

**S. B. No. 2358:** Ballot harvesting; ban. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2353:** Elections; increase wage range for poll workers. Title Sufficient. Do Pass.

**S. B. No. 2423:** Elections; require that candidates receive majority of votes in general election to be elected to statewide office. Title Sufficient. Committee Substitute. Do Pass.

TATE, Chairman

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED

## FROM THE HOUSE OF REPRESENTATIVES

## MESSAGE FROM THE HOUSE

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

**H. B. No. 787:** AN ACT TO AMEND SECTION 73-36-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF REGISTRATION FOR FORESTERS TO SUSPEND THE LICENSE OF A LICENSEE FOR FAILURE OF THE LICENSEE TO SATISFY A JUDGEMENT AGAINST SUCH LICENSEE, AND/OR THE COMPANY OR BUSINESS FOR WHICH THE LICENSEE PROVIDED SERVICES; TO BRING FORWARD SECTIONS 73-36-1, 73-36-3, 73-36-5, 73-36-7, 73-36-9, 73-36-11, 73-36-13, 73-36-15, 73-36-17, 73-36-19, 73-36-21, 73-36-23, 73-36-25, 73-36-27, 73-36-29, 73-36-31, 73-36-35 AND 73-36-36, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE FORESTERS REGISTRATION LAW, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 858:** AN ACT TO CREATE THE MISSISSIPPI REGIONAL PRENEED DISASTER CLEAN UP ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTY BOARDS OF SUPERVISORS OR THE GOVERNING AUTHORITIES OF MUNICIPALITIES, AS THE CASE MAY BE, TO ENTER INTO JOINT BID AGREEMENTS FOR DISASTER CLEAN-UP; TO AMEND SECTION 17-13-11, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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## MESSAGE FROM THE HOUSE

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

**S. C. R. No. 518:** Congratulate Starkville High School "Yellowjackets" football team for winning MHSAA Class 6A State Title.

Andrew Ketchings, Clerk of the House of Representatives

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## REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

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

**S. B. No. 2564:** Mississippi Comprehensive Coastal Conservation and Restoration Act of 2023; enact. Title Sufficient. Do Pass.

MORAN, Chairman

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## REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

**S. B. No. 2075:** Birth certificate; adoptee may obtain certified copy of original after age 21. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2153:** Transportation; require disclosure of the total charges in the rental of motor vehicles. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2653:** Nonprofit corporations which receive public funds; require reporting to Secretary of State. Title Sufficient. Do Pass.

**S. B. No. 2202:** Child support; create presumption that support continues past the age of majority for a disabled child. Title Sufficient. Do Pass.

**S. B. No. 2379:** Code books; revise number required to be ordered from publisher. Title Sufficient. Do Pass.

**S. B. No. 2382:** Out-of-state lawyers; required to disclose whether licensed to practice law in Mississippi in television ads. Title Sufficient. Do Pass.

**S. B. No. 2652:** Mississippi Vulnerable Person Abuse Registry; create. Title Sufficient. Committee Substitute. Do Pass.

WIGGINS, Chairman

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REPORT OF COMMITTEES ON  
MEDICAID AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2381:** Medicaid; authorize liquidated damages in requests for proposals, bring forward provision related to. Title Sufficient. Do Pass.

BLACKWELL, Chairman  
WIGGINS, Chairman

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REPORT OF COMMITTEES ON  
TECHNOLOGY AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2729:** Limitation of liability requirements for information technology contracts; clarify. Title Sufficient. Committee Substitute. Do Pass.

DELANO, Chairman  
WIGGINS, Chairman

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REPORT OF COMMITTEES ON  
COUNTY AFFAIRS AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2392:** Fees for county garbage collection; revise provision related to. Title Sufficient. Committee Substitute. Do Pass.

HILL, Chairman  
WIGGINS, Chairman

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#### REPORT OF COMMITTEE ON PUBLIC PROPERTY

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

**S. B. No. 2203:** Public land in Rankin County; authorize DFA to assign property to state agencies and establish new Veterans Nursing Home. Title Sufficient. Do Pass.

**S. B. No. 2309:** MS Department of Archives and History property; add parcel known as "The Old Magnolia Church" for transfer to U.S. Park Service. Title Sufficient. Do Pass.

TURNER-FORD, Chairman

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#### REPORT OF COMMITTEE ON RULES

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

**H. C. R. No. 31:** State of the State address of the Governor; call joint session to hear. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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#### REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

**S. B. No. 2053:** Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists. Title Sufficient. Do Pass.

**S. B. No. 2160:** State Department of Health; transfer responsibilities of State Board of Cosmetology and Board of Barber Examiners to. Title Sufficient. Do Pass.

**S. B. No. 2054:** Appointed state officers; provide for the removal of for certain forms of willful neglect. Title Sufficient. Do Pass.

**S. B. No. 2673:** Mississippi Real Estate Appraisal Board; make independent from Mississippi Real Estate Commission. Title Sufficient. Do Pass.

**S. B. No. 2538:** Mississippi Regional Pre-Need Disaster Clean Up Act; create. Title Sufficient. Do Pass.



**S. B. No. 2496:** MDOC; require performance audit of. Title Sufficient. Do Pass.

**S. B. No. 2678:** Department of Child Protection Services; separate agency from the Department of Human Services. Title Sufficient. Do Pass.

**S. B. No. 2844:** Bureau of Fleet Management; revise duties thereof. Title Sufficient. Do Pass.

**S. B. No. 2853:** Small unmanned aircraft systems; require state purchase and servicing of from American companies only. Title Sufficient. Committee Substitute. Do Pass.

POLK, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:24 PM in memory of John Alna Travis, III, Reverend Booker T. Benson, J. L. Chism and Betty Jean (Gattis) Windham.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR THURSDAY, JANUARY 26, 2023

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TWENTY-FIFTH DAY, FRIDAY, JANUARY 27, 2023

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

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

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

Absent--Chassaniol, Hopson, Parks. Total--3.

The Secretary announced a quorum present.

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

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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REPORT OF COMMITTEE ON MUNICIPALITIES

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

**S. B. No. 2306:** Flood and drainage control districts; revise number of directors for certain municipalities. Title Sufficient. Do Pass.

**S. B. No. 2839:** Public Improvement District Act; amend to allow municipality to perform duties and exercise powers in certain circumstances. Title Sufficient. Do Pass.

SIMMONS (12TH), Chairman

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REPORT OF COMMITTEES ON  
COUNTY AFFAIRS AND MUNICIPALITIES

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2612:** Construction; bring forward code sections concerning local permitting and State Board of Contractors licensing. Title Sufficient. Committee Substitute. Do Pass.

HILL, Chairman  
SIMMONS (12TH), Chairman

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Senator Kirby called up the following entitled resolution:

**H. C. R. No. 31:** State of the State address of the Governor; call joint session to hear.

YEAS AND NAYS On H. C. R. No. 31. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Chassaniol, Hopson, Parks. Total--3.

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Senators Frazier, Norwood, Blount, Horhn, Michel and Butler A. (36th) moved that when the Senate adjourns, it adjourn in memory of Mrs. Ollie Mae Anderson of Jackson, MS.

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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Wilbert Willis of Brandon, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Marvin Edward Meadows of Wiggins, MS.

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Senator Butler K. (38th) moved that when the Senate adjourns, it adjourn in memory of E. T. Young of Osyka, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Patsy Moore of Forest, MS.

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Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Joe Mack Rose of Greenville, MS.

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Senator Blackmon moved that when the Senate adjourns, it adjourn in memory of the victims of the Holocaust.

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Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, January 30, 2023.

The motion prevailed, and at 9:15 AM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 603:** AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211, 27-103-213 AND 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATE TO VARIOUS ASPECTS OF THE BUDGET PROCESS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 57-119-9 AND 57-119-13, MISSISSIPPI CODE OF 1972, WHICH RELATE TO VARIOUS ASPECTS OF THE GULF COAST RESTORATION FUND, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND DURING FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

**H. B. No. 604:** AN ACT TO BRING FORWARD THE FOLLOWING SECTIONS FOR THE PURPOSE OF POSSIBLE AMENDMENT; SECTION 27-104-325, MISSISSIPPI CODE OF 1972, WHICH CREATED THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; SECTION 37-106-60, MISSISSIPPI CODE OF 1972, WHICH CREATED THE NURSING AND RESPIRATORY THERAPY EDUCATION INCENTIVE PROGRAM; SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, WHICH CREATED THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM; SECTION 41-14-31, MISSISSIPPI CODE OF 1972, WHICH CREATED THE COVID-19 HOSPITAL EXPANDED CAPACITY PROGRAM; SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT; SECTION 57-123-7, MISSISSIPPI CODE OF 1972, WHICH CREATED A PROGRAM TO PROVIDE FUNDS TO ASSIST DESTINATION MARKETING ORGANIZATIONS IN PAYING COSTS FOR MARKETING ACTIVITIES; SECTION 57-123-9, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED A PROGRAM TO PROVIDE ASSISTANCE TO MISSISSIPPI NONPROFIT MUSEUMS; AND SECTION 57-123-11, MISSISSIPPI CODE OF 1972, WHICH CREATED A PROGRAM TO PROVIDE FUNDS TO THE MISSISSIPPI MAIN STREET ASSOCIATION; TO AMEND SECTION 27-104-321, MISSISSIPPI CODE OF 1972, TO AUTHORIZE FUNDS IN THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO BE USED FOR PAYING EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN ADMINISTERING EXPENDITURES FROM THE FUND; TO AMEND SECTION 41-139-1, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS OF THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM; TO PROVIDE THAT APPLICANTS FOR GRANTS THAT WERE APPROVED AND FUNDED IN THE FIRST ROUND OF GRANTS AWARDED DURING FISCAL YEAR 2023 ARE ELIGIBLE TO APPLY FOR THE SECOND ROUND OF GRANTS AWARDED DURING FISCAL YEAR 2024; TO PROVIDE THAT GRANTS MAY BE USED FOR REIMBURSEMENT OF EXPENSES THAT WERE INCURRED BY PROVIDERS DURING THE PERIOD BEGINNING ON MARCH 3, 2021, THROUGH DECEMBER 31, 2024; TO DELETE THE REQUIREMENT THAT THE PROGRAM BE FUNDED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE THAT THE DEPARTMENT OF HEALTH MAY EXPEND A PORTION OF THE AMOUNT APPROPRIATED FOR THE PROGRAM FOR THE EXPENSES OF ADMINISTERING THE PROGRAM; TO AMEND SECTION 45-2-41, MISSISSIPPI CODE OF 1972, TO REVISE THE SOURCE OF FUNDING FOR THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM; TO CLARIFY THE AMOUNT OF PREMIUM PAY THAT A PERSON MAY RECEIVE FROM THIS PROGRAM IF THEY RECEIVED PREMIUM PAY FROM THEIR EMPLOYER; TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SHERIFFS MAY RECEIVE THE PREMIUM PROVIDED FOR IN SECTION 45-2-41, AS PART OF THEIR COMPENSATION; AND FOR RELATED PURPOSES.

**H. B. No. 763:** AN ACT TO AMEND SECTION 1, CHAPTER 109, LAWS OF 2022, TO REVISE THE RECIPIENT OF ONE PROJECT FUNDED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FROM THE GULF COAST RESTORATION FUND; TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY (MDA) TO INCREASE THE AMOUNT OF FUNDS APPROPRIATED FROM THE GULF COAST RESTORATION FUND TO ASSIST THE HANCOCK COUNTY PORT AND HARBOR COMMISSION WITH THE TECHNOLOGY PARK AT STENNIS AIRPORT BY THE TOTAL AMOUNT OF FUNDS REMOVED FROM OTHER MDA APPROPRIATIONS AS PROVIDED IN THIS ACT; TO AMEND SECTION 2, CHAPTER 109, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REMOVE THE FUNDS REAPPROPRIATED FROM THE GULF COAST RESTORATION FUND TO ASSIST THE HANCOCK COUNTY PORT AND HARBOR COMMISSION WITH THE ASSAULT LANDING STRIP; TO AMEND SECTION 3, CHAPTER 109, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI

DEVELOPMENT AUTHORITY TO REMOVE THE FUNDS REAPPROPRIATED FROM THE GULF COAST RESTORATION FUND TO ASSIST THE HANCOCK COUNTY PORT AND HARBOR COMMISSION WITH THE MULTIUSER AERO STRIP AT STENNIS AIRPORT; AND FOR RELATED PURPOSES.

**H. B. No. 1088:** AN ACT TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS DURING FISCAL YEAR 2024 FROM THE CAPITAL EXPENSE FUND – MS AUTHORITY FOR EDUCATIONAL TELEVISION, EDUCATION ENHANCEMENT FUND – MS AUTHORITY FOR EDUCATIONAL TELEVISION, GENERAL EDUCATION EEF FUND, MISSISSIPPI VETERANS AFFAIRS GRANT FUND, CAPITAL EXPENSE FUND – ARCHIVES & HISTORY, CAPITAL EXPENSE FUND – MDHS, MS VETERAN AFFAIRS CAP EXP FUND, CAPITAL EXPENSE FUND – ARTS COMMISSION, EDUCATION ENHANCEMENT FUND, MCCB EEF - CTE CENTERS FUND AND MCCB EEF - NURSING AND DORMITORY FUND TO OTHER FUNDS IN THE STATE TREASURY; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER FUNDS FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; TO CREATE THE CAPITAL PROJECT FUND - ARCHIVES & HISTORY FOR THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY; TO CREATE THE DATA SYSTEM REPLACEMENT FUND – MDHS FOR THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES; TO CREATE THE MSVA VETERANS HOME CAPITAL PROJECTS FUND FOR THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD; TO CREATE THE CAPITAL BUILDING FUND FOR THE ARTS FOR THE MISSISSIPPI ARTS COMMISSION; TO CREATE THE HEALTHCARE INNOVATION TECH HUB FUND – UM FOR THE UNIVERSITY OF MISSISSIPPI; TO CREATE THE UM EARLY LEARNING FUND FOR THE UNIVERSITY OF MISSISSIPPI; TO CREATE THE MSU CAPITAL PROJECTS FUND FOR MISSISSIPPI STATE UNIVERSITY; TO CREATE THE MUW CAPITAL PROJECTS FUND FOR THE MISSISSIPPI UNIVERSITY FOR WOMEN; TO CREATE THE ASU CAPITAL PROJECTS FUND FOR ALCORN STATE UNIVERSITY; TO CREATE THE JSU CAPITAL PROJECTS FUND FOR JACKSON STATE UNIVERSITY; TO CREATE THE CTE CAPITAL PROJECTS FUND – CCB FOR THE MISSISSIPPI COMMUNITY COLLEGE BOARD; TO CREATE THE CAPITAL PROJECTS FUND – CCB FOR THE MISSISSIPPI COMMUNITY COLLEGE BOARD; TO AMEND SECTION 27-103-127, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ANNUAL BUDGET REQUEST OF THE DEPARTMENT OF TRANSPORTATION SHALL INCLUDE A PROGRAM BUDGET FOR AERONAUTICS, RAILS AND OTHER; TO PROVIDE THAT THE "ADMINISTRATION AND OTHER EXPENSES" BUDGET OF THE DEPARTMENT SHALL INCLUDE EXPENSES INCURRED FOR ELECTRIC VEHICLES; AND FOR RELATED PURPOSES.

**H. B. No. 1187:** AN ACT TO PROVIDE THAT THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD SHALL BE SEPARATED FROM THE MISSISSIPPI REAL ESTATE COMMISSION AND BECOME THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD; TO PROVIDE FOR THE TRANSITION OF FUNCTIONS AND RESOURCES SO THAT BY JULY 1, 2023, THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD SHALL BE FULLY FUNCTIONAL AND INDEPENDENT FROM THE MISSISSIPPI REAL ESTATE COMMISSION; TO REQUIRE THE MISSISSIPPI STATE PERSONNEL BOARD, THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES TO PROVIDE SUPPORT DURING THE TRANSITION; TO AMEND SECTIONS 73-34-3 AND 73-34-5, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MEMBERSHIP OF THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD SHALL CONSIST OF FIVE MEMBERS TO BE APPOINTED BY THE GOVERNOR, FOUR OF WHOM SHALL BE FROM THE CONGRESSIONAL DISTRICTS AS THEY EXISTED ON JULY 1, 2004, AND ONE FROM THE STATE-AT-LARGE; TO AMEND SECTION 73-34-9, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ONLY THE LAST FOUR DIGITS OF AN APPLICANT'S SOCIAL SECURITY NUMBER SHALL BE

REQUIRED TO GO ON THE LICENSE APPLICATION; TO AMEND SECTIONS 73-34-17, 73-34-27, 73-34-35, 73-34-41, 73-34-45, 73-34-47, 73-34-49 AND 73-34-51, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-103, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE FROM JULY 1, 2026, UNTIL JULY 1, 2027, AND TO CONFORM; TO AMEND SECTIONS 73-34-107, 73-34-113 AND 73-34-117, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-129, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT ALLOWS AN APPRAISAL MANAGEMENT COMPANY TO REMOVE AN APPRAISER FROM ITS APPRAISER PANEL WITHIN THE FIRST NINETY DAYS AFTER AN INDEPENDENT APPRAISER IS FIRST ADDED TO THE APPRAISER PANEL OF AN APPRAISAL MANAGEMENT COMPANY, AND TO CONFORM; TO AMEND SECTIONS 73-34-131, 39-21-3, 29-1-209, 73-35-4 AND 93-11-64, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**H. B. No. 1229:** AN ACT TO AMEND SECTION 27-104-203, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CHARGES FOR SERVICES BETWEEN THE DEPARTMENT OF PUBLIC SAFETY AND OTHER STATE AGENCIES; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

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

**S. B. No. 2526:** Pat Harrison Waterway District; authorize municipalities to join. Title Sufficient. Do Pass.

**S. B. No. 2534:** Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides. Title Sufficient. Do Pass.

**S. B. No. 2543:** Chronic wasting disease; bring forward code sections for the purpose of possible amendment. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2556:** Qualifications for appointment as a conservation officer; clarify. Title Sufficient. Do Pass.

WHALEY, Chairman

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

**H. B. No. 1125:** Regulate Experimental Adolescent Procedures (REAP) Act; create to regulate transgender procedures and surgeries. Judiciary, Division B.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Marvin Edward Meadows, Mrs. Ollie Mae Anderson, E. T. Young, Wilbert Willis, Patsy Moore, Joe Mack Rose and victims of the Holocaust.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR FRIDAY, JANUARY 27, 2023

**S. B. No. 2923:** Finance

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM AD VALOREM TAXES ALL PROPERTY, REAL OR PERSONAL, BELONGING TO PERSONS AGED 65 YEARS OR OLDER; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel, Chism

**S. B. No. 2924:** Finance

AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO REVISE THE DISABILITY RATING REQUIREMENTS AND EMPLOYABILITY REQUIREMENTS FOR CERTAIN MOTOR VEHICLE AND MOTORCYCLE LICENSE PLATES AND TAGS AUTHORIZED FOR DISABLED VETERANS; TO AMEND SECTION 27-19-56.444, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel, Chism

**S. B. No. 2925:** Finance

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR PAYMENTS MADE BY TAXPAYERS TO PRIVATE SCHOOLS FOR TUITION FOR KINDERGARTEN THROUGH GRADE 12; TO PROVIDE THAT THE AMOUNT OF THE CREDIT SHALL BE THE AMOUNT OF TUITION PAID, UP TO THE AMOUNT OF THE TAXPAYER'S TOTAL STATE INCOME TAX LIABILITY FOR THAT CALENDAR YEAR; TO PROVIDE THAT THE CREDIT MAY NOT BE CARRIED FORWARD TO ANY SUCCESSIVE YEARS; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel, Chism

**S. B. No. 2926:** Finance

AN ACT TO AMEND SECTION 27-19-21, MISSISSIPPI CODE OF 1972, TO EXCLUDE VEHICLES INCAPABLE OF EXCEEDING THE SPEED OF 35 MILES PER HOUR FROM THE DEFINITION OF "ELECTRIC VEHICLE" FOR PURPOSES OF THE ELECTRIC VEHICLE TAX, AND TO REFUND TAXES COLLECTED ON SUCH VEHICLES; TO AMEND SECTION 27-19-23, MISSISSIPPI CODE OF 1972, TO EXCLUDE VEHICLES INCAPABLE OF EXCEEDING THE SPEED OF 35 MILES PER HOUR FROM THE DEFINITION OF "HYBRID VEHICLE" FOR PURPOSES OF THE HYBRID VEHICLE TAX, AND TO REFUND TAXES COLLECTED ON SUCH VEHICLES; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel, Chism

**S. B. No. 2927:** Finance

AN ACT TO PHASE IN AN EXEMPTION FROM AD VALOREM TAXES ON COMMODITIES, RAW MATERIALS, WORKS-IN-PROCESS, PRODUCTS, GOODS, WARES AND MERCHANDISE HELD FOR RESALE BY ANY MANUFACTURER, DISTRIBUTOR, WHOLESALE OR RETAIL MERCHANT; TO REPEAL SECTION 27-7-22.5, WHICH AUTHORIZES AN INCOME TAX CREDIT IN CERTAIN AMOUNTS FOR MANUFACTURERS, DISTRIBUTORS, WHOLESALE OR RETAIL MERCHANTS FOR AD VALOREM TAXES PAID ON COMMODITIES, RAW MATERIALS, WORKS-IN-PROCESS, PRODUCTS, GOODS, WARES AND MERCHANDISE HELD FOR RESALE BY ANY MANUFACTURER, DISTRIBUTOR, WHOLESALE OR RETAIL MERCHANT; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner, McDaniel, Chism

**S. B. No. 2928:** Appropriations

AN ACT MAKING AN APPROPRIATION TO COPIAH COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS DEMOLISHING THE FORMER HOSPITAL COMPLEX IN HAZLEHURST FOR THE FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2929:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT AT THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2930:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE PURPOSE OF SUPPORTING ALCORN STATE UNIVERSITY FOR THE FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2931:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES RELATED TO CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS FOR THE FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2932:** Appropriations

AN ACT MAKING AN APPROPRIATION TO ALCORN AGRICULTURE RESEARCH AND EXTENSION FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN CAPITAL PROJECTS FOR THE FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2933:** Appropriations

AN ACT MAKING AN APPROPRIATION TO ALCORN STATE UNIVERSITY FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN CAPITAL PROJECTS FOR THE FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2934:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF GLUCKSTADT TO DEFRAY EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF A MUNICIPAL COURT BUILDING AND A POLICE STATION FOR FISCAL YEAR 2024.

By Senator(s) Michel

**S. B. No. 2935:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE COAHOMA COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH THE RESTRIPING AND OVERLAY OF FRIARS POINT ROAD BETWEEN ITS NORTHERN LIMIT AND WESTOVER DRIVE FOR FISCAL YEAR 2024.

By Senator(s) Jackson, Simmons (12th)

**S. B. No. 2936:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE JACKSON REVIVAL CENTER'S LITTLE AMBASSADORS DEVELOPMENTAL LEARNING CENTER FOR EXCEPTIONAL CHILDREN TO ASSIST THE CENTER FOR THE FISCAL YEAR 2024.

By Senator(s) Frazier, Norwood, Blount

**S. B. No. 2937:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BROOKS WILLIAMS STEWART VETERANS OF FOREIGN WARS POST 9832 FOR THE PURPOSE OF DEFRAYING



THE COSTS OF THE CONSTRUCTION, REPAIR AND/OR RENOVATIONS OF CERTAIN INFRASTRUCTURE FOR THE FISCAL YEAR 2024.

By Senator(s) Frazier, Norwood, Blount

**S. B. No. 2938:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO NORTH MISSISSIPPI HEALTH SERVICES TO DEFRAY EXPENSES ASSOCIATED WITH THE CREATION AND ACQUISITION OF COMPUTER HARDWARE AND THE DEVELOPMENT OF COMPUTER SOFTWARE FOR THE PURPOSE OF CREATING A PUBLIC HEALTH DATA SYSTEM KNOWN AS THE NORTH MISSISSIPPI COMMUNITY CLINICAL DATA REPOSITORY (CCDR) FOR FISCAL YEAR 2024.

By Senator(s) McMahan

**S. B. No. 2939:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF TUPELO TO DRAW DOWN FEDERAL FUNDS FOR RAILROAD IMPROVEMENTS AND A SILENT TRACK FOR FISCAL YEAR 2024; TO PROVIDE THAT ANY MONIES IN EXCESS OF THE AMOUNT NEEDED FOR THE ABOVE PURPOSE MAY BE USED TO DEFRAY EXPENSES ASSOCIATED WITH IMPROVEMENTS TO THE CITY'S INFRASTRUCTURE.

By Senator(s) McMahan

**S. B. No. 2940:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE LEE COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH THE ACQUISITION OF REAL PROPERTY ADJACENT TO TURNER INDUSTRIAL PARK FOR THE PURPOSE OF SITE EXPANSION AND FOR RAIL SPUR IMPROVEMENTS FOR FISCAL YEAR 2024; TO PROVIDE THAT ANY MONIES IN EXCESS OF THE AMOUNT NEEDED FOR THE ABOVE PURPOSE MAY BE USED TO DEFRAY EXPENSES ASSOCIATED WITH ROAD AND STORMWATER IMPROVEMENTS WITHIN THE EXISTING INDUSTRIAL SITE OR THE NEWLY ACQUIRED SITE AREA.

By Senator(s) McMahan

**S. B. No. 2941:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE GREENE COUNTY SCHOOL DISTRICT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS TO AND THE PURCHASE OF EQUIPMENT FOR THE GREENE COUNTY CAREER AND TECHNICAL CENTER FOR FISCAL YEAR 2024.

By Senator(s) DeBar

**S. B. No. 2942:** Appropriations

AN ACT MAKING AN APPROPRIATION TO CAMP KAMASSA FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO CONSTRUCTION OF BUILDINGS, FACILITIES, COMPLEXES AND RELATED INFRASTRUCTURE FOR THE FISCAL YEAR 2024.

By Senator(s) Caughman, Butler (36th)

**S. B. No. 2943:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI SCHOOL OF ARTS FOR THE PURPOSE OF DEFRAYING ADMINISTRATIVE EXPENSES RELATED TO THE REALIGNMENT OF SUPPORT STAFF SALARIES FOR THE FISCAL YEAR 2024.

By Senator(s) Barrett

**S. B. No. 2944:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI SCHOOL OF ARTS FOR THE PURPOSE OF REPAIR AND/OR RENOVATION OF CAMPUS BUILDINGS AND GROUNDS FOR THE FISCAL YEAR 2024.

By Senator(s) Barrett

**S. B. No. 2945:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF MONTICELLO FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2024.

By Senator(s) Barrett

**S. B. No. 2946:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF BROOKHAVEN FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN INFRASTRUCTURE PROJECTS FOR THE FISCAL YEAR 2024.

By Senator(s) Barrett

**S. B. No. 2947:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE LAWRENCE COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH PAVEMENT MAINTENANCE FOR THE N.A. SANDIFER HIGHWAY FOR FISCAL YEAR 2024.

By Senator(s) Barrett

**S. B. No. 2948:** Appropriations

AN ACT MAKING AN APPROPRIATION TO HOLMES COUNTY FOR THE PURPOSE OF PROVIDING FUNDS TO DEFRAY THE EXPENSES OF ROAD PAVING AND IMPROVEMENT PROJECTS FOR THE FISCAL YEAR 2024.

By Senator(s) Blackmon

**S. B. No. 2949:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CANTON TO DEFRAY EXPENSES ASSOCIATED WITH IMPROVEMENTS TO CITY ROADS, IMPROVEMENTS TO CITY PARKS, AND THE CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW GOVERNMENT COMPLEX FOR FISCAL YEAR 2024.

By Senator(s) Blackmon

**S. B. No. 2950:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO HOLMES COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH THE PURCHASE OF A FIRE TRUCK FOR THE UNINCORPORATED COMMUNITY OF EBENEZER FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2951:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF TCHULA TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO ITS STREETS FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2952:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE GENERAL MISSIONARY BAPTIST CONVENTION OF MISSISSIPPI, INC., TO DEFRAY EXPENSES ASSOCIATED WITH THE COMPLETION OF RENOVATIONS TO THE NATCHEZ SEMINARY PROPERTY FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2953:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF DURANT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO ITS STREETS FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2954:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO HOLMES COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRING, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN THE UNINCORPORATED COMMUNITY OF EBENEZER FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Blackmon

**S. B. No. 2955:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CARTHAGE TO DEFRAY EXPENSES ASSOCIATED WITH IMPROVEMENTS TO CITY ROADS FOR FISCAL YEAR 2024.

By Senator(s) Blackmon

**S. B. No. 2956:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOUGALOO COLLEGE RESEARCH DEVELOPMENT FOUNDATION, INC., TO DEFRAY EXPENSES ASSOCIATED WITH COMPLETION OF RESTORATION, REPAIR, RENOVATION AND UPGRADES TO THE INTERIOR OF THE HISTORIC TOUGALOO COLLEGE SITE WHERE THE FREEDOM RIDERS TOOK REFUGE FOR FISCAL YEAR 2024.

By Senator(s) Blackmon

**S. B. No. 2957:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CANTON MUNICIPAL UTILITIES COMMISSION TO DEFRAY EXPENSES ASSOCIATED WITH WATER AND SEWER IMPROVEMENTS FOR FISCAL YEAR 2024.

By Senator(s) Blackmon

**S. B. No. 2958:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO DEFRAY EXPENSES ASSOCIATED WITH THE REDEVELOPMENT OF GREAT RIVER ROAD STATE PARK IN ROSEDALE FOR FISCAL YEAR 2024.

By Senator(s) Simmons (13th), Simmons (12th)

**S. B. No. 2959:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CLARKSDALE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPLACEMENT OF THE SECOND STREET BRIDGE FOR FISCAL YEAR 2024.

By Senator(s) Jackson, Simmons (12th)

**S. C. R. No. 545:** Rules

A CONCURRENT RESOLUTION TO DESIGNATE APRIL 23-29, 2023, AS "NATIONAL CRIME VICTIMS' WEEK IN MISSISSIPPI" AND TO DESIGNATE FRIDAY, APRIL 28, 2023, AS A "DAY OF PRAYER FOR VICTIMS OF CRIME IN MISSISSIPPI".

By Senator(s) DeLano

**S. C. R. No. 546:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BROOKHAVEN ACADEMY "LADY COUGARS" SOFTBALL TEAM AND COACH LISA

COVINGTON FOR WINNING THEIR SECOND CONSECUTIVE MISSISSIPPI ASSOCIATION OF INDEPENDENT SCHOOLS (MAIS) 5A STATE CHAMPIONSHIP.

By Senator(s) Barrett

**S. R. No. 14:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI FILM OFFICE ON THE OCCASION OF ITS 50TH ANNIVERSARY AND RECOGNIZING ITS CONTRIBUTIONS TO MISSISSIPPI'S ECONOMY AND TOURISM.

By Senator(s) Chassaniol, Horhn

**S. R. No. 15:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE MISSISSIPPI FILM OFFICE ON THE OCCASION OF ITS 50TH ANNIVERSARY AND RECOGNIZING ITS CONTRIBUTIONS TO MISSISSIPPI'S ECONOMY AND TOURISM.

By Senator(s) Horhn

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TWENTY-EIGHTH DAY, MONDAY, JANUARY 30, 2023

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger.  
Total--50.

Absent--Chism, Williams. Total--2.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Williams.

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The invocation was delivered by Reverend Moyese Boss, Pastor, Tickfaw Missionary Baptist Church, Magnolia, MS.

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Senator Butler K. (38th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 518:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE STARKVILLE HIGH SCHOOL "YELLOWJACKETS" FOOTBALL TEAM AND HEAD COACH CHRIS JONES FOR WINNING THE MHSAA CLASS 6A STATE FOOTBALL CHAMPIONSHIP.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

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

**S. B. No. 2215:** State depositories; revise definition of "primary capital." Title Sufficient. Do Pass.

**S. B. No. 2218:** Third-party service; prohibit from using name, likeness, trademark or intellectual property of merchant without agreement. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2648:** Financial Institutions; Earned wages access. Title Sufficient. Do Pass.

CAUGHMAN, Chairman

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Patricia Ann Evans Saucier and Karie Dolan of Gulfport, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Robert Joseph Simmons of Biloxi, MS.

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

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Roy Frank Neal, Sr. of Moss Point, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Michael "Mike" Adrian Hannon of Saucier Community, MS.

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

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Chief Charlie Watkins, Sr. of Columbus, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Honorable Judge Jerelene "Judy" Case Martin of Brookhaven, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Don Gomillion and Jerry Darby of Walnut Grove, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Rodney Wayne Homan of Lucedale, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of James William Jones, III, Ernie Eugene Mowery, Edward Bernell Moffett and Danny Ray Hall of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Annie Maureen Snow Jackson, Kim Ridinger Jones and Peggy Carolyn Hollingsworth Harper of Meridian, MS.

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Senator Wiggins moved that when the Senate adjourns, it adjourn in memory of Henry Andrew Lawrence, Sr. of Gautier, MS.

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Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time it would reconvene for the Joint Session held on the south steps of the New Capitol Building and that at the conclusion of the Joint Session, the Senate would then adjourn until 10:00 AM, Tuesday, January 31, 2023.

The motion prevailed, and at 4:19 PM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 559:** AN ACT TO CREATE NEW SECTION 3-3-67, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE SECOND WEEK OF APRIL EACH YEAR AS "THE PHILLIP CAMERON HENDRY MISSISSIPPI MOSQUITO AND WEST NILE VIRUS AWARENESS WEEK"; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. C. R. No. 501:** Mourn the loss and commend the life and public service of David R. Huggins.

**S. C. R. No. 502:** Mourn the loss and commend the life and public service of former MDOT Commissioner and Legislator Dick Hall.

**S. C. R. No. 503:** Mourn the passing of former Senator Steve Seale of Hattiesburg, and commend his public and charitable service.

**S. C. R. No. 504:** Mourn the loss and commend the life and public service of former Representative Noal Akins.

**S. C. R. No. 505:** Commend public service of Southern District Transportation Commissioner and former legislator Tom King.

**S. C. R. No. 506:** Commend 2022 PRCC "Wildcats" Baseball Team and Coach Michael Avalon for first ever National Championship.

**S. C. R. No. 507:** Commend JSU "Tigers" Football Team for second consecutive SWAC Championship.

**S. C. R. No. 509:** Congratulate Scott Central "Rebels" Football Team for winning the back to back MHSAA Class 2A State Championships.

**S. C. R. No. 510:** Congratulate Raleigh High School "Lions" Football Team for winning 2022 MHSAA Class 3A State Championship.

**S. C. R. No. 511:** Mourn the loss and commend the public service of Forrest Co. Tax Collector, former Supervisor and State Senator Billy Hudson.

**S. C. R. No. 512:** Mourn the loss and celebrate the contributions and career of Mississippi music icon and Rock and Roll legend Jerry Lee Lewis.

**S. C. R. No. 514:** Commend Sumrall High School "Bobcats" Baseball Team for winning Mississippi 4A State Championship.

**S. C. R. No. 515:** Commend the life of former State Senator, Circuit Judge and Decorated WWII Veteran Thomas Frederick (Fred) Wicker.

**S. C. R. No. 516:** Commend Myrtis Franke for a lifetime of service.

**S. C. R. No. 519:** Extending deepest sympathy of Legislature to surviving family of MSU Football Coach Mike Leach and paying tribute to his legacy.

**S. C. R. No. 520:** Congratulate Ole Miss 2022 Baseball Team for National Championship.

**S. C. R. No. 521:** Congratulate Bay Springs High School "Bulldogs" Football team for winning back-to-back MHSAA Class 1A State Championships.

**S. C. R. No. 525:** Congratulate Louisville High School "Wildcats" Football Team for winning the MHSAA 4A State Championship.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON AGRICULTURE

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

**S. B. No. 2523:** Pecan Harvesting Law; revise penalties for violating. Title Sufficient. Do Pass.

YOUNGER, Chairman

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

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

**S. B. No. 2576:** Community Mental Health and Intellectual Disability Centers and Programs; bring forward code sections. Title Sufficient. Do Pass.

**S. B. No. 2484:** Pharmacy Benefit Manager; revise certain requirements of. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman

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#### REPORT OF COMMITTEE ON ENERGY

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

**S. B. No. 2103:** Definitions and penalties regarding regulation of gasoline and petroleum products; extend repealer on. Title Sufficient. Do Pass.

**S. B. No. 2104:** Mississippi Gulf Coast Region Utility Act; extend repealer on. Title Sufficient. Do Pass.

**S. B. No. 2492:** Electric vehicle charging; allow by non-utilities while maintaining consumer protections. Title Sufficient. Do Pass.

CARTER, Chairman



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REPORT OF COMMITTEE ON ENERGY

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

**S. B. No. 2339:** Provision of law establishing energy efficiency standards for building construction; extend repealer on. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2494:** Mississippi Telephone Solicitation Act; transfer enforcement authority to Attorney General's Office. Title Sufficient. Committee Substitute. Do Pass.

CARTER, Chairman

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JOINT SESSION

Pursuant to H. C. R. No. 31, a Joint Session was held on the south steps of the New Capitol Building.

The House received the Senate.

The Joint Session was convened by Speaker Philip Gunn.

Speaker Philip Gunn introduced Bishop Sharma D. Lewis, Mississippi Area of the United Methodist Church who delivered the Invocation.

Speaker Philip Gunn introduced Lt. Governor Delbert Hosemann who presided over the Joint Session.

Lt. Governor Delbert Hosemann introduced Chapel Hart who performed the National Anthem.

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

Lt. Governor Delbert Hosemann called on the committee composed of Senators Kirby, Moran and Turner-Ford and Representatives Weathersby, Hulum and Boyd (37th) to escort Governor Tate Reeves and First Lady Elee Reeves to the dais.

Lt. Governor Delbert Hosemann introduced Governor Tate Reeves who addressed the joint assembly:

Thank you, Lieutenant Governor Hosemann and Speaker Gunn.

To the members of the legislature and other elected officials here tonight, thank you. Thank you for your continued partnership and thank you for the tireless work you do on behalf of our great state and her people.

I also have to take a moment to thank my beautiful wife and Mississippi's outstanding First Lady, Elee. She's an incredible wife, an awesome mom, and a wonderful representative for our state. I'm amazed daily by your grace and your kindness, and I'm so thankful to have you in my life every single day.

Finally and most importantly, I have to thank the three million Mississippians who have helped our state usher in an unprecedented period of economic growth, educational achievement, and freedom.

2022 was perhaps the best year in Mississippi's history. Because, here in Mississippi and unlike in Washington, D.C., we still have the incredible capacity to work together and accomplish great things for our constituents.

The sense that our state is one big, small town binds us and it furthers a sense of optimism that we can still work together here and deliver results on behalf of our people.

The people of Mississippi are our state's strength. It is because of your hard work that our state is primed and ready to face the challenges of tomorrow.

It is because of your work ethic and your commitment to excellence that more and more companies are choosing to do business in Mississippi and that our state's brightest days lie in front of us.

It has been the privilege of a lifetime to serve as your governor over the last three years. I haven't taken it for granted for one second, and I promise you that I never will. It is truly an honor to wake up each and every day and get to work on your behalf, and I look forward to making even bigger things happen in this great state.

Now, over these years some days have been more challenging than others. But no matter what's thrown at Mississippi, I thank God each night that I have the chance to live, work, and serve alongside of you. There is no place I would have rather weathered tornadoes, floods, hurricanes, or a global pandemic than right here in Mississippi.

But Mississippi – and I think you'll agree too – means more than simply a place to batten down the hatches during natural disasters.

Mississippi is all of our home. Our state is filled with natural beauty and friendly people. I, like so many of y'all today, am grateful to be raised in this loving community.

I'm proud to be a Mississippian, and I'm proud of the life lessons I've learned from the people I've met along the way.

One of those people, is my hero – my dad. Now, I don't remember the first time I met him because I was only a few minutes old. But I do remember some of the lessons he taught me, especially when it comes to the value of hard work.

My father grew up in a two-room home with five brothers and five sisters in Bogue Chitto. He started a small business in the early 70's and spent many, many nights sweeping the dirt floors and praying for his next clients.

Like entrepreneurs across Mississippi, he spent his life growing that business. Only in America could the son of that man stand here today as the governor of this great state. It is the American Dream, and the lessons I learned from him have inspired everything that I've done.

I've tried my best to take those lessons with me over the years and incorporate them into everything that I do. I've leaned on them when times were good, and I've leaned on them when times were bad.

They've helped to keep me grounded and to remember what's really important in life. They've helped me govern, and they've helped me keep perspective.

Today, it's a cold-hard-fact that really, really good things are happening in Mississippi. And it's my honor to stand before you today and announce that the state of our state is stronger than ever.

Our state is strong because our people and my administration are laser focused on the issues that matter to Mississippians.

As you've heard me say before, the way we measure success is in the wages of our workers, the success of our students, and winning the war on our values.

Mississippi is hitting the target on all three of these fronts.

First, wages. Since 2019, we've raised per capita personal income in Mississippi by approximately \$7,000 or almost 18%. We are boosting the money that Mississippi families are bringing home – especially right now, as we combat rising inflation from wasteful spending in Washington, D.C.

This wasn't by accident. We were able to accomplish this momentous feat because we never wavered from the tried and true economic and fiscally conservative principles that have set up states for growth for generations. And we were able to accomplish this despite the left's best attempts to grow government.

Our conservative reforms and sound budget management have laid the foundation for this economic boom. It's the policies of yesterday that have paved the pathway to today's prosperity.

It's led us to a \$4 billion budget surplus. \$4 billion!

It's led to investing a historic amount in jobs training, and because of that we have the lowest unemployment rate in our state's history.

It resulted in a record \$6 billion in new capital investment in 2022, which is more than seven times the previous average of approximately \$900 million a year before I became governor.

And it helped us finalize the largest economic development project in Mississippi history – a \$2.5 billion capital investment that will create 1,000 new jobs with an average salary of almost \$100,000 a year.

But we had more than just one major economic deal. That grand slam was great, but there were dozens and dozens of projects impacting every corner of our state over the last year. The fact is that thanks to our singles and our doubles, Mississippi is starting to run up the scoreboard.

Last year we announced a \$2 million investment that will create 117 new upholstery jobs in New Albany.

We announced a \$79 million investment that will create 21 new operations jobs in Pelahatchie.

We announced a \$51 million investment that will create 41 new manufacturing jobs in Winona.

Canton, Philadelphia, Bay Springs, Columbus, Starkville, Southaven, Meridian, Calhoun, Waynesboro, Vicksburg, Olive Branch, and Corinth – just to name a few of the places that we announced investments this last year.

My friends, when it comes to setting up our people and state for more economic prosperity, we are, by every objective standard, getting the job done.

We are boosting salaries and we are expanding the tax base. And we are investing in the areas that will provide our state with the highest return – our people.

I want our state to go even further in supporting Mississippians. Our state is in the best fiscal shape we've ever been in, and our state is in the best financial shape in history and our residents deserve to get a bigger piece of the pie.

We can and should do more to put additional dollars into the pockets of Mississippians. We will do this, by eliminating our state's income tax once and for all.

We can do this and we can do this without raising other taxes. You've heard me say this before, but I'm going to keep saying it because it's that important: government doesn't have anything that it doesn't first take from somebody else.

I believe that Mississippians not politicians or the government know best how to spend their dollars. I also believe that those who have competitive advantages win.

We have a competitive advantage in our people. We need to add another competitive advantage with our tax code.

To build the best possible environment for entrepreneurs, to combat President Biden's runaway inflation, to compete with the likes of Florida, Tennessee and Texas, to continue making it easier for Mississippians to support their families, we must eliminate Mississippi's income tax.

That's why last year I was so proud to sign into law the largest tax cut in Mississippi history, which returned over half a billion dollars to Mississippians.

That's more dollars in your pocket, more dollars in your kids' college funds, more dollars put toward buying a home or retirement, and more dollars for you to spend on your priorities. Not politicians' pet projects.

I'm proud of what we accomplished. But I'm even more fired up to keep the tax cuts coming. You have my word that as long as I'm governor, I'm going to continue relentlessly fighting for permanent, long-term tax relief that lets you keep more of your own hard-earned money.

But Mississippi isn't just witnessing historic achievements in our state's economy. We're also seeing it in classrooms across our state.

A little over a week ago we announced – for the third time since I've been governor – that Mississippi's high school graduation rate hit an all-time high and continues to be better than the national average.

And like our state's economic growth, our education improvements didn't happen by accident. Our state's stellar report card didn't just appear out of thin air.

Mississippi insisted on getting kids back into school when other blue states stayed closed, and now we have the best education numbers in our state's history!

The year Philip Gunn and I first presided over a State of the State in 2012, Mississippi was dead last in fourth grade math. Now, we're above the national average at Number 23.

That means that over the last ten years since we passed education reform, Mississippi surpassed half the states in the nation.

We've gone from needs improvement to most improved.

We've led the nation in fourth grade reading and fourth grade math gains.

And students from all walks of life are finding more success in Mississippi. In 2003, Mississippi was among the worst performers when it came to test scores for Black students. Today we're fifth in the entire nation when it comes to fourth grade reading test scores for Black students. Fifth in the entire nation!

So, when some people say, "Mississippi is last in education," folks, they're just not telling you the truth.

I want to personally thank all the legislators that played a role in helping to pass those education reforms. I also want to thank all the involved parents and dedicated teachers across Mississippi. We couldn't have accomplished these goals without you.

Our state – unlike some others that have been in the news – recognizes that we have a duty to both. We should ensure that parents continue to play an active role in their kids' education, and we should ensure that teachers are paid what they deserve.

It is my firm belief that Mississippi has some of the best teachers in the nation, and their salaries should reflect that.

That's why I was proud to sign legislation giving Mississippi teachers the largest pay raise in state history. We elevated teacher salaries above not only the Southeastern average, but even above the national average!

Mississippi's teachers earned those raises, and I was proud to sign them into law.

But regardless of the technology or textbooks we put in front of our kids, nothing is more influential to a child's educational development than parents.

And when it comes to education, Mississippi should protect parents' voices and their right to be involved in the classroom. Because at the end of the day, the state doesn't run a child's life – parents do. We need more transparency in schools in this country. We need more choice. We need more freedom. That will be the best way to protect our children.

I've been shocked to see how some states have embraced the misguided practice of pushing parents out of the classroom, pushing parents out of their children's lives, and pushing parents out of the school board decision-making process.

Nobody, and I mean nobody, is more invested in the life and the future of a child than a parent. They shouldn't be labeled as domestic terrorists for simply asking questions or for attending a school board meeting. They should be celebrated for being invested in their child's education.

As a father myself, I want schools across Mississippi to complement the lessons parents are trying to teach at home, not reject them. That's exactly why I am calling on the legislature to pass a Parents' Bill of Rights this session.

Through the Parents' Bill of Rights, we will reaffirm that in Mississippi, it is the state who answers to parents and not vice versa.

This Parents' Bill of Rights would further cement that when it comes to the usage of names, pronouns, or health matters, schools will adhere to the will of parents. There is no room in our schools for policies that attempt to undercut parents and require the usage of pronouns or names that fail to correspond with reality.

I am proud to be governor, but the greatest pride in my life is being the dad of three wonderful girls. There are few things I love more than having the chance to cheer them on from the sidelines at their soccer or basketball games.

That's why I'm especially proud to have signed legislation that ensured, that in Mississippi, we're going to let boys play boys sports, and girls play girls sports. I didn't do this just for my daughters, I did this for all of Mississippi's daughters.

But we need to do even more to protect Mississippi's children. We have a duty to keep pushing back against those that are taking advantage of children and using them to advance their sick and twisted ideologies.

There was a time in America when saying to kids 'you can be whatever you want when you grow up' meant that one day they could become a teacher, police officer, or fire fighter. A professional athlete, a doctor, or even a lawyer. That if you push yourself, there is nothing you can't accomplish.

But today, there is a dangerous and radical movement that is now being pushed upon America's kids. It threatens the very nature of truth. Across the country, activists are advancing untested experiments and persuading kids that they can live as a girl if they're a boy, and that they can live as a boy if they're a girl. And they're telling them to pursue expensive, radical medical procedures to advance that lie.

These radical liberals are attempting to undermine objective, scientific truths. They're trying to undermine how we view gender and even manipulate English words and grammar rules. From their illogical pronouns to their attempts at pushing the word Latinx onto the Hispanic community – they don't care about the destruction they're causing or whether they have the support of those they're trying to group or label. Rather, they're tyrannical in their approach to these issues and their unceasing attempts to have them adopted by society.

And let's be honest, America stands essentially alone in the truly outrageous position that we've staked out on this issue. While some in our country push surgical mutilation onto 11 year olds even here in Mississippi, even liberal darlings like Finland, Denmark, and Sweden don't allow these surgeries to be performed on kids who are under 18.

The fact is that we set age restrictions on driving a car and on getting a tattoo. We don't let 11 year olds enter an R-rated movie alone, yet some would have us believe that we should push permanent body-altering surgeries on them at such a young age.

Mississippi must continue to do everything in our power to counter those who want to push their experiments on our kids. Time is of the essence, and we don't have a second to waste. We must take every step to preserve the innocence of our children, especially against the cruel forces of modern progressivism which seek to use them as guinea pigs in their sick social experiments.

Let me be clear to those radical activists around the nation who want to do our kids harm.

Mississippi will not be trading compassion for compliance.

Our voices will not be silenced when it comes to science.

We will not be pressured into not asking questions.

And we will not give in to liberal intimidation when it comes to protecting our kids.

This is my promise to every Mississippian across our state.

There is also another way we are going to keep our kids safe, and it includes keeping their parents safe as well.

One of the most fundamental responsibilities of government is to ensure public safety and to uphold law and order.

I ran for governor to fix Mississippi's problems, not to hide them. That's why I've become increasingly concerned that, for three consecutive years now, homicides have numbered in the triple digits here in our capital city. We can and must do better.

The fact is, no matter how hard we try, there will always be evil in the world. There are those who lurk in the shadows seeking to hurt those around them. There are those who seek to inject drugs and crime into their communities, all so they can make a buck.

These actions undermine social cohesion and safety in our neighborhoods. They threaten the lives of our kids and the safety of our families.

To put it mildly, the crime situation in Jackson is unacceptable. Kids are getting killed in our streets and it's time we put a stop to it.

Now, some have suggested that the response should be to undercut, defund, and dismantle the police. I couldn't disagree more.

Many of us have family and friends who wear the badge. It's worth constantly reminding ourselves that these individuals are the thin blue line which helps hold communities together.

In Mississippi we choose to fund the police. We choose to back the blue. We choose to celebrate the brave men and women who put on the badge every day and run towards danger. That's exactly what Mississippi has done, and that's exactly what Mississippi will continue to do.

Last year, the Mississippi Department of Public Safety conducted two major surges of law enforcement personnel – one in Jackson and one along our Gulf Coast. We flexed law enforcement in the areas and helped to shut down criminal elements in the regions. And while those surges proved to be successful, we still have more work to do.

That's why this session, I'm calling on the legislature to make further investment into our Capitol Police by giving them the 150 officers and equipment they need to continue fulfilling their mission and continue pushing back on lawlessness in Jackson.

And let me say this as well, my administration will go after all crime within our jurisdiction. Regardless of the crime committed, regardless of who did it, regardless if it happened on the street or in an office building, my administration is and will continue to hold criminals accountable.

That's why my administration remains committed to delivering justice and recouping every dollar possible from those who stole from Mississippians through the theft of TANF dollars.

Again, I ran for governor to fix Mississippi's problems, not to hide them. Which brings me to my next area of focus – our state's healthcare system.

Mississippi is not immune to the struggles facing healthcare systems across the country. Together, we should keep working to improve Mississippians' access to quality healthcare, and together, we should keep working to ensure Mississippi's healthcare system meets the needs of our people.

It starts with leveling the playing field. Most people do not know that it is illegal to open a new health care facility that competes with other institutions. We are all frustrated and worried by the threats that some hospitals may close. The first step should be allowing new ones to open! By reforming Mississippi's Certificate of Need laws, we can root out anti-competitive behavior that blocks the formation of medical facilities and prevents the delivery of lifesaving healthcare to Mississippians.

We should continue to strengthen the pipeline of medical professionals by doubling and tripling down on our improved workforce development strategy, and we should pass legislation that levels the playing field for hospitals with expanded residency programs.

Because, at the end of the day, the real answers to our problems are not contained in the same old proposals that only serve to delay the inevitable at the expense of taxpayers. The real answer to our problems lies in innovation.

Technology is changing, and the way healthcare is delivered is changing. Our policies must adapt with the times and facilitate care that focuses not on institutions but on the patients we seek to support.

Throughout modern history we've witnessed innovation disrupt industries such as manufacturing, transportation, food, and entertainment. There was a time when people had to go to the theater to watch a movie. Today, they can watch them at home and on an airplane. On cable TV, Netflix, and every streaming service in between.

The fact of the matter is that technology and innovation lead to new opportunities. The same can be said of our healthcare system.

There was a time when if you needed medical services, you had to go to a large brick and mortar hospital – that was your only choice. But today, people are increasingly choosing new healthcare distribution channels over your traditional hospital. Today, people are accessing healthcare through telemedicine providers, micro-hospitals, urgent care facilities, and expanded care opportunities with nurse practitioners, pharmacists, and others.

This legislative session, I urge the legislature to think outside the box when it comes to improving Mississippi's healthcare system. Don't simply cave under the pressure of Democrats and their allies in the media who are pushing for the expansion of Obamacare, welfare, and socialized medicine.

Instead, seek innovative free market solutions that disrupt traditional healthcare delivery models, increase competition, and lead to better health outcomes for Mississippians.

Do not settle for something that won't solve the problem because it could potentially and only temporarily remove the liberal media's target on your back.

You have my word that if you stand up to the left's push for endless government-run healthcare, I will stand with you.

For as dire as national politics sometimes seem, there's still a tremendous amount of hope in Mississippi.

There really are incredible things happening here. And I'm talking about far more than our state winning its second college baseball national championship in a row, as incredible as that was.

Last year, Mississippi led the nation to overturn Roe v. Wade – the greatest accomplishment in the conservative movement in my lifetime.

Long story short, more innocent children will now have the chance to be born.



There are future doctors who now have the chance to be born. There are future teachers that now have the chance to be born. There are future nurses, future linemen, and future truckers. There are future fathers and future mothers, friends and family, brothers and sisters. They all now have the chance at life.

And there may very well even be a life that was saved who, a few years from now, will stand up here and give his or her update on the State of our State. What a wonderful blessing that would be.

But the fact is that being pro-life is about more than just being anti-abortion. We don't just want to eliminate the taking of unborn children's lives, we want to make it easier for parents to raise children and for mothers to give birth to happy and healthy kids.

Now some have said that too many children will be added to Mississippi's population. I say what a wonderful problem to have. On this point I agree with Mother Teresa when she said, 'How can there be too many children? That is like saying there are too many flowers.'

But I also recognize we are called to do more and to support these new moms and new babies. And I want every element of our laws to reflect and facilitate this critical mission.

That's why I'm also calling on the legislature to establish a New Pro-Life Agenda that helps make Mississippi the easiest place in the nation to raise a family.

Together, we can prove the country wrong just like we did in education. Just like we led the nation in overturning Roe, we can lead the nation in supporting mothers and babies.

This session, Mississippi should establish a childcare tax credit and allow Mississippi families to write off childcare supplies on state tax returns.

We should increase our support for pregnancy resource centers and thus help to care for expectant and new mothers, especially those who are struggling with poverty or isolation.

We should expand childcare opportunities by cutting red tape. There's no reason that we should let government get in the way of parents accessing care for their children.

We should expand safe haven laws, so parents have every available opportunity to choose life.

We should reduce the existing adoption backlogs and make it easier and less expensive for parents to adopt kids into a loving forever home.

And we should update our child support laws so that fathers must support their children from the moment their life begins – at conception.

This is our New Pro-Life Agenda. As I've said before, it will not be easy, and it will not be free. But I know that together, we are going to get the job done and deliver the support Mississippi mothers and babies deserve.

My fellow Mississippians, it's been quite the year for our state. We've had moments of triumph and moments of anguish. But through it all, we've emerged stronger, together.

We know where Mississippi has been, and we know where Mississippi is going. Regardless of the unfair stereotypes placed upon our state and her people, we know good things are happening here.

Is our state perfect? Of course not. But besides heaven, no place is.

We know what's happening on the ground here. We know it because we are seeing it. Whether it's the record investment or all-time low unemployment, the all-time high graduation rate or standing up to the radical left's war on our values – Mississippi is winning, and our state is on the rise.

That's why I urge all of you here today to stand with me and call out the lies when they are thrown at all of us.

We can never give into the cynics who seek to tear down our great state.

We can never give into Joe Biden and the national Democrats who seek to force feed us an unhealthy dose of progressivism because they view Mississippians as neanderthals.

And we can never give into those who want us to live in a perpetual state of self-condemnation.

My friends, I am proud to serve as Mississippi's 65<sup>th</sup> governor but I'm even prouder to call myself a Mississippian.

The eyes of our state are turned to the future, and that's why I will continue to reject those who would seek to divide and separate us. Instead, on behalf of all Mississippi, I am proud to pronounce once more that we are all Mississippians, committed to improving this home that we love.

We are blessed to live in a wonderful state. We are blessed to have wonderful neighbors. We are blessed by one common God who smiles down upon Mississippi.

I have no doubt that our future is brighter than ever before and that, together, we will continue to build this great state upwards.

God bless all of you. And may God continue to bless this great state that we all love, Mississippi.

On motion of Representative Roberson, the Joint Session was dissolved at 5:41 PM, and pursuant to motion by Senator Blackwell previously adopted, the Senate stood adjourned at 5:41 PM in memory of Patricia Ann Evans Saucier, Karie Dolan, Jerry Darby, Rodney Wayne Homan, James William Jones, III, Ernie Eugene Mowery, Edward Bernell Moffett, Danny Ray Hall, Annie Maureen Snow Jackson, Kim Ridinger Jones, Peggy Carolyn Hollingsworth Harper, Henry Andrew Lawrence, Sr., Robert Joseph Simmons, Carol Sue Fairley, Roy Frank Neal, Sr., Michael "Mike" Adrian Hannon, Obydee Nunnery, Chief Charlie Watkins, Sr., Honorable Judge Jerelene "Judy" Case Martin and Don Gomillion.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR MONDAY, JANUARY 30, 2023

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TWENTY-NINTH DAY, TUESDAY, JANUARY 31, 2023

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

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

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

Absent--Simmons S. (13th). Total--1.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Arthur E. Young, Pastor, New Bethel Missionary Baptist Church and Christian Bethel Missionary Baptist Church, Yazoo City, MS.

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**S. B. No. 2297:** Forensics laboratory; require approval of model of intoxilyzer equipment that is readily available to law enforcement agencies. Title Sufficient. Do Pass.

**S. B. No. 2308:** Municipalities; authorize to assess administrative or civil penalties for zoning violations. Title Sufficient. Do Pass.

**S. B. No. 2345:** Tianeptine; classify as a Schedule I substance. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2239:** Highway patrol officers; authorize use of official uniforms, weapons and vehicles off duty while performing private security services. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2337:** Conspiracy; revise statute of limitations. Title Sufficient. Do Pass.

FILLINGANE, Chairman

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## REPORT OF COMMITTEE ON EDUCATION

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

**S. B. No. 2361:** Mississippi Modified School Calendar Grant Program; establish and provide eligibility criteria. Title Sufficient. Do Pass.

**S. B. No. 2585:** William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; revise provisions of. Title Sufficient. Do Pass.

**S. B. No. 2599:** State funded schools; may participate in extracurricular activities against non accredited and nonpublic schools. Title Sufficient. Do Pass.

**S. B. No. 2586:** Computer science curriculum; clarify terminology to specify who may provide instruction in. Title Sufficient. Do Pass.

**S. B. No. 2751:** Sixteenth section lands; no law, ordinance or regulation shall prohibit school districts from using for educational facilities. Title Sufficient. Do Pass.

**S. B. No. 2811:** Local supplement for assistant teachers; prohibit school districts from reducing when given state minimum raise. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2812:** Board for administration of certain failing school district; extend date of repeal. Title Sufficient. Do Pass.

DEBAR, Chairman

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REPORT OF COMMITTEES ON  
FORESTRY AND EDUCATION

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2524:** Forestry; allow boards of education to approve sales of timber and forestry products on sixteenth section land. Title Sufficient. Do Pass.

MCCAUGHN, Chairman  
DEBAR, Chairman

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Unanimous consent was granted to withdraw Senators McMahan and Moran as co-authors of **S. B. No. 2484**.

**S. B. No. 2484:** Pharmacy Benefit Manager; revise certain requirements of.

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Senator Butler K. (38th) moved that when the Senate adjourns, it adjourn in memory of Rev. Bertrand Smith of Osyka, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Charles Donald Herrington, Sr. of Tupelo, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Peggy Williams Dees of Philadelphia, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Linda Ruth Hodgkin Meadows, Dolores Heflin Alexander, Jane Howle Weems and Nan Clark Dees of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Aubrey M. "Sonny" Swearingen, Jr. of Collinsville, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Danny Leone Kiddy of Myrtle, MS.

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Senator Polk moved that the Senate stand in recess until 4:00 PM.

The motion prevailed, and at 10:22 AM, the Senate stood in recess.

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The Senate resumed business at 4:00 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON ENERGY

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

**S. B. No. 2102:** Impending emergency excavation; define, establish advance notice requirements and require premarking for. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2341:** Electric transmission infrastructure; maintain state jurisdiction over integrity of. Title Sufficient. Committee Substitute. Do Pass.

CARTER, Chairman

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#### REPORT OF COMMITTEE ON ENERGY

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

**S. B. No. 2232:** Community water and wastewater facility system or solid waste program; reduce authorized interim period without certified operator. Title Sufficient. Do Pass.

CARTER, Chairman

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REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

**S. B. No. 2569:** Transportation; allow and regulate autonomous vehicles. Title Sufficient. Committee Substitute. Do Pass.

BRANNING, Chairman

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REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

**S. B. No. 2514:** Secretary of State; clarify authority to transfer land records to Department of Archives and History. Title Sufficient. Do Pass.

**S. B. No. 2735:** Mayoral veto power; clarify scope of. Title Sufficient. Do Pass.

**S. B. No. 2837:** Mississippi Management and Reporting System Revolving Fund; require State Fiscal Officer to submit purchasing needs to Legislature. Title Sufficient. Do Pass.

**S. B. No. 2512:** Counties; authorize to designate ARPA funds to rural water and sewer associations for infrastructure projects. Title Sufficient. Committee Substitute. Do Pass.

POLK, Chairman

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REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

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

**S. B. No. 2530:** "Secretary of State Eric Clark Coastal Preserve"; Department of Marine Resources to designate Danzler Tract. Title Sufficient. Do Pass.

**S. B. No. 2544:** Regulation of oyster beds and water bottoms by the MS Department of Marine Resources; bring forward authority. Title Sufficient. Do Pass.

**S. B. No. 2550:** Commercial crabbing licenses; applicable to boat instead of each fisherman. Title Sufficient. Do Pass.

**S. B. No. 2551:** Department of Marine Resources, Office of Marine Patrol; cooperate with federal law enforcement. Title Sufficient. Do Pass.

MORAN, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. C. R. No. 31:** A CONCURRENT RESOLUTION PROVIDING FOR A JOINT SESSION OF THE MISSISSIPPI LEGISLATURE TO HEAR THE STATE OF THE STATE ADDRESS OF GOVERNOR TATE REEVES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON FINANCE

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

**S. B. No. 2449:** Sales and use taxes; bring forward code sections for the purpose of possible amendment. Title Sufficient. Do Pass.

**S. B. No. 2603:** Digital Asset Mining Protection Act; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2695:** Tourism Project Incentive Program; extend deadline for MDA issuance of certificates approving participants. Title Sufficient. Do Pass.

**S. B. No. 2698:** Ad valorem tax; extend fee-in-lieu qualifying period for renewable energy project. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2736:** Endow Mississippi Program tax credits; extend time period for authorization. Title Sufficient. Do Pass.

**S. B. No. 2849:** PERS; clarify fiduciary duty to invest for highest return and not based on environmental, social and governance (ESG) factors. Title Sufficient. Do Pass.

**S. B. No. 2841:** Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular car tag. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

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REPORT OF COMMITTEES ON  
FORESTRY AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2525:** Forestry; create the Forestry Facility Grant Program. Title Sufficient. Committee Substitute. Do Pass.

MCCAUGHN, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEES ON  
HIGHWAYS AND TRANSPORTATION AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2539:** All-terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads. Title Sufficient. Committee Substitute. Do Pass.

BRANNING, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEES ON  
TOURISM AND FINANCE

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**S. B. No. 2006:** Festival wine permits; remove repealers and reverts on provisions relating to. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2830:** Tourism; revise list of entities that may not have interest in wholesalers or distributors. Title Sufficient. Do Pass.

CHASSANIOL, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEES ON  
VETERANS AND MILITARY AFFAIRS AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2187:** Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating. Title Sufficient. Committee Substitute. Do Pass.

SEYMOUR, Chairman  
HARKINS, Chairman

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## REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

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

**S. B. No. 2068:** Psychology Interjurisdictional Compact; enact. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2316:** Freedom of consumer choice of health care services; certain hospitals may be a "willing provider". Title Sufficient. Committee Substitute. Do Pass.



**S. B. No. 2485:** Early Intervention Act for Infants and Toddlers; add certain individuals to definition of qualified personnel. Title Sufficient. Do Pass.

**S. B. No. 2574:** Health and safety standards set by the State Board of Health; require counties to comply. Title Sufficient. Do Pass.

**S. B. No. 2575:** State Department of Health; provide that health insurers may not deny the right to participate as a contract provider. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman

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#### REPORT OF COMMITTEE ON ELECTIONS

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

**S. B. No. 2352:** Elections; penalty for fraudulently requesting or submitting absentee ballots. Title Sufficient. Committee Substitute. Do Pass.

TATE, Chairman

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#### REPORT OF COMMITTEE ON APPROPRIATIONS

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

**S. B. No. 2372:** Mississippi Hospital Sustainability Grant Program; establish and provide eligibility for funds. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2511:** Tourism Recovery Fund - Round 3; create. Title Sufficient. Committee Substitute. Do Pass.

HOPSON, Chairman

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#### REPORT OF COMMITTEES ON CORRECTIONS AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2495:** State inmates; require MDOC to pay increased rate to house inmates in county jails. Title Sufficient. Do Pass.

BARNETT, Chairman  
HOPSON, Chairman

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#### REPORT OF COMMITTEES ON ECONOMIC AND WORKFORCE DEVELOPMENT AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2371:** American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act; create. Title Sufficient. Do Pass.

PARKER, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2777:** School attendance officers; revise to increase the minimum base salary. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
PUBLIC HEALTH AND WELFARE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**S. B. No. 2750:** Automated External Defibrillators in Public Places Grant Program; establish. Title Sufficient. Do Pass.

**S. B. No. 2167:** Mississippi Early Intervention Pilot Project Act; enact and create Early Intervention Task Force. Title Sufficient. Committee Substitute. Do Pass.

BRYAN, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
PUBLIC PROPERTY AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**S. B. No. 2720:** Tax-forfeited land certified to state; authorize Secretary of State to withhold 10% for the cost of tree removal. Title Sufficient. Do Pass.

**S. B. No. 2722:** "North Forty" property; authorize DFA to purchase. Title Sufficient. Do Pass.

**S. B. No. 2723:** Certain real property located in the Capitol Complex area; authorize DFA to purchase. Title Sufficient. Do Pass.

TURNER-FORD, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
TOURISM AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2359:** Tourism; Mississippi Main Street Revitalization Grant Program. Title Sufficient. Committee Substitute. Do Pass.

CHASSANIOL, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
UNIVERSITIES AND COLLEGES AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2373:** Hospital Nurses Retention Loan Repayment Program; establish. Title Sufficient. Committee Substitute. Do Pass.

PARKS, Chairman  
HOPSON, Chairman

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Unanimous consent was granted to withdraw Senators England, Carter, Blackwell and McLendon as co-authors of **S. B. No. 2484**.

**S. B. No. 2484:** Pharmacy Benefit Manager; revise certain requirements of.

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Senator Polk moved that the Senate stand in recess until 5:30 PM.

The motion prevailed, and at 4:05 PM, the Senate stood in recess.

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The Senate resumed business at 5:30 PM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEE ON FINANCE

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

**S. B. No. 2458:** 2023 Mississippi Tax Rebate Fund; establish and provide for one-time income tax rebate from. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2842:** Use tax; revise standards for municipality's eligibility to receive monies from special infrastructure assistance fund. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2887:** State Treasurer; modify certain provisions concerning the deposit and investment of excess state funds. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

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REPORT OF COMMITTEES ON  
UNIVERSITIES AND COLLEGES AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**S. B. No. 2487:** Mississippi Dual Credit Scholarship Program; establish and provide provisions related thereto. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2580:** MTAG; repurpose and rename, revise provisions of HELP Grant. Title Sufficient. Committee Substitute. Do Pass.

PARKS, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEE ON EDUCATION

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

**S. B. No. 2333:** Seizure Safe Schools Act; enact. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman

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REPORT OF COMMITTEES ON  
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2367:** Public School Facilities Grant Program; create and replace Educational Facilities Revolving Loan Program. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

**S. B. No. 2724:** Department of Public Safety building project and contract; exempt from certain public purchasing requirements. Title Sufficient. Do Pass.

**S. C. R. No. 533:** Constitution; amend to revise ballot initiative process. Title Sufficient. Committee Substitute. Do Be Adopted.

POLK, Chairman

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REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

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

**S. B. No. 2638:** Ballot initiative measure process; revise the statutory provisions of. Title Sufficient. Committee Substitute. Do Pass.

POLK, Chairman

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REPORT OF COMMITTEES ON  
COUNTY AFFAIRS AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2312:** County-owned real estate; establish competitive bidding process for lease or sale. Title Sufficient. Do Pass.

HILL, Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
DRUG POLICY AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2281:** Tobacco education, prevention and cessation program; add fentanyl and drug abuse prevention education. Title Sufficient. Do Pass.

JORDAN, Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
ELECTIONS AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2351:** Elections; allow the Secretary of State to perform random procedural audits on counties. Title Sufficient. Committee Substitute. Do Pass.

TATE, Chairman  
POLK, Chairman

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Senator Polk moved that the Senate stand in recess until the last Committee Report is filed or 8:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 1, 2023.

The motion prevailed, and at 5:34 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**H. B. No. 1125:** Regulate Experimental Adolescent Procedures (REAP) Act; create to regulate transgender procedures and surgeries. Title Sufficient. Do Pass.

**S. B. No. 2343:** Capitol police; bring forward code section related to for possible amendment. Title Sufficient. Committee Substitute. Do Pass.

FILLINGANE, Chairman

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#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

**S. B. No. 2146:** Uncrewed aircraft systems; regulate. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2191:** Mississippi Foster Parent's Bill of Rights and Responsibilities; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2192:** Paternity; clarify circumstances when putative father cannot contest. Title Sufficient. Do Pass.

**S. B. No. 2377:** CPS; enact Mississippi Safe Haven Law, provide, establish clear path to permanency for children in custody of. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2384:** Foster Care and Adoption Task Force; create. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2781:** Mississippi Access to Maternal Assistance Program; create and provide for duties and responsibilities. Title Sufficient. Do Pass.

**S. B. No. 2634:** Child support; allow criminal charges three years after the child turns twenty-one. Title Sufficient. Do Pass.

**S. B. No. 2199:** County prosecuting attorney; clarify authorization to defend persons in criminal prosecutions in any other county. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2376:** Youth court; clarify that disclosure of certain records in criminal matters do not require youth court approval. Title Sufficient. Do Pass.

**S. B. No. 2380:** Supreme court; require to promulgate rules requiring the disclosure of all entities financially interested in litigation. Title Sufficient. Do Pass.

**S. B. No. 2073:** Age of majority; lower to 18 for securing home loans and entering contracts for real property. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2077:** Charitable Organizations; Raise audit threshold for contributions to \$750,000.00, and use a cash basis only. Title Sufficient. Do Pass.

**S. B. No. 2090:** Burial rights; preclude party at fault for death from deciding. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2197:** Veteran Service Officers; authorize action on behalf of a veteran under a power of attorney. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2644:** Divorce; authorize where marriage is irretrievably broken. Title Sufficient. Do Pass.

**S. B. No. 2082:** Child support; administratively suspend obligations for incarcerated individuals. Title Sufficient. Committee Substitute. Do Pass.

WIGGINS, Chairman

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REPORT OF COMMITTEES ON  
BUSINESS AND FINANCIAL INSTITUTIONS AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2647:** Real estate licensee; revise liability. Title Sufficient. Committee Substitute. Do Pass.

CAUGHMAN, Chairman  
WIGGINS, Chairman

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REPORT OF COMMITTEES ON  
DRUG POLICY AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2336:** Prevention of overdoses; authorize use of drug-testing equipment and expand use of opioid antagonists. Title Sufficient. Do Pass.

JORDAN, Chairman  
WIGGINS, Chairman

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REPORT OF COMMITTEES ON  
EDUCATION AND JUDICIARY, DIVISION A

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2079:** Mississippi School Protection Act; enact to allow armed educators. Title Sufficient. Committee Substitute. Do Pass.

DEBAR, Chairman  
WIGGINS, Chairman

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REPORT OF COMMITTEES ON  
JUDICIARY, DIVISION A AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**S. B. No. 2645:** Circuit court districts; increase number of assistant district attorneys and criminal investigators. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2088:** District attorneys; increase office operating allowance. Title Sufficient. Committee Substitute. Do Pass.

WIGGINS, Chairman  
HOPSON, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:09 PM in memory of Rev. Bertrand Smith, Charles Donald Herrington, Sr., Peggy Williams Dees, Linda Ruth Hodgkin Meadows, Dolores Heflin Alexander, Jane Howle Weems, Aubrey M. "Sonny" Swearingen, Jr., Danny Leone Kiddy and Nan Clark Dees.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, JANUARY 31, 2023

**S. B. No. 2960:** Local and Private

AN ACT TO AMEND CHAPTER 879, LOCAL AND PRIVATE LAWS OF 1992, AS LAST AMENDED BY CHAPTER 927, LOCAL AND PRIVATE LAWS OF 2022, TO EXTEND THE DATE OF REPEAL FROM SEPTEMBER 30, 2023, TO SEPTEMBER 30, 2027, ON THE PROVISION OF LAW THAT ESTABLISHES THE GRENADA TOURISM COMMISSION AND AUTHORIZES THE IMPOSITION OF A TOURIST AND CONVENTION TAX, TOGETHER WITH AN ADDITIONAL TAX ON HOTELS, MOTELS



AND RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO CONSTRUCT, FINANCE AND OPERATE A SPORTS PARK; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. R. No. 16:** Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO THE ROBERT M. HEARIN SUPPORT FOUNDATION AND THE ANNIE LAURIE SWAIM HEARIN MEMORIAL EXHIBITION SERIES AT THE MISSISSIPPI MUSEUM OF ART AS THE RECIPIENT OF THE 2023 GOVERNOR'S ARTS AWARD FOR PATRON OF THE ARTS.

By Senator(s) Horhn

**S. R. No. 17:** Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO WIDELY PUBLISHED AND LAUDED MISSISSIPPI AUTHOR AND JOURNALIST RALPH EUBANKS FROM MOUNT OLIVE AS THE RECIPIENT OF THE 2023 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN LITERATURE AND CULTURAL AMBASSADOR.

By Senator(s) Horhn

**S. R. No. 18:** Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO VETERAN BLUES MUSICIAN KING EDWARD ANTOINE AS THE RECIPIENT OF THE 2023 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN MUSIC.

By Senator(s) Horhn

**S. R. No. 19:** Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO TUPELO MULTIMEDIA ARTIST KE FRANCIS AS THE RECIPIENT OF THE 2023 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN VISUAL ARTS.

By Senator(s) Horhn

**S. R. No. 20:** Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO INTERNATIONALLY RENOWNED ARTIST ED MCGOWIN AS THE RECIPIENT OF THE 2023 GOVERNOR'S ARTS AWARD FOR LIFETIME ACHIEVEMENT.

By Senator(s) Horhn

**S. R. No. 21:** Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO ACCOMPLISHED WRITER, POET AND EDUCATOR DR. ANN FISHER-WIRTH AS THE RECIPIENT OF THE 2023 GOVERNOR'S ARTS AWARD FOR EXCELLENCE IN LITERATURE AND POETRY.

By Senator(s) Horhn

**S. R. No. 22:** Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE FOR THE OUTSTANDING ARTISTIC LEADERSHIP OF LONGTIME EXECUTIVE DIRECTOR OF THE MISSISSIPPI ARTS COMMISSION AND THE MISSISSIPPI MUSEUM OF ART BETSY BRADLEY AS RECIPIENT OF THE 2023 GOVERNOR'S ARTS AWARD FOR LEADERSHIP IN VISUAL ARTS AND COMMUNITY.

By Senator(s) Horhn

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## THIRTIETH DAY, WEDNESDAY, FEBRUARY 1, 2023

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Absent--Simmons D. T. (12th). Total--1.

The Secretary announced a quorum present.

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The invocation was delivered by Elder Sedgerick Lee, Pastor, Apostles Doctrine Ministries Church of Jesus Christ, Hattiesburg, MS.

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

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

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## INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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## REPORT OF COMMITTEE ON RULES

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

**S. C. R. No. 540:** Expressing support for the Town of Mantee to unofficially designate itself as "The Epicenter of the Natchez Trace." Title Sufficient. Do Be Adopted.

**S. C. R. No. 542:** Commend Dr. Roy J. Duhe for colon cancer initiatives at UMMC. Title Sufficient. Do Be Adopted.

**S. C. R. No. 543:** Mourn the passing of Dr. Chester D. Gaston, Jr., of Gulfport, respected member of the MS Board of Psychology. Title Sufficient. Do Be Adopted.

**S. C. R. No. 544:** Designate "Delta Gamma Fraternity Day" in Mississippi in Commemoration of Sesquicentennial celebration. Title Sufficient. Do Be Adopted.

**S. C. R. No. 545:** Designate April 23-29, 2023, as "National Crime Victims' Week in Mississippi" and April 28, 2023, as a "Day of Prayer". Title Sufficient. Do Be Adopted.

**S. C. R. No. 546:** Commend Brookhaven Academy "Lady Cougars" Softball Team for back-to-back MAIS 5A State Championships. Title Sufficient. Do Be Adopted.

**S. R. No. 12:** Recognize Kennadee Riggs as "Miss Rodeo America 2023." Title Sufficient. Do Be Adopted.

**S. R. No. 13:** Recognize Jacqueline "J.D." Ervin of McComb as "Miss Rodeo Mississippi 2023". Title Sufficient. Do Be Adopted.

**S. R. No. 14:** Recognizing the contributions of the Mississippi Film Office on its 50th Anniversary. Title Sufficient. Do Be Adopted.

**S. R. No. 16:** Recognize Robert M. Hearin Support Foundation as recipient of 2023 Governor's Patron of the Arts Award. Title Sufficient. Do Be Adopted.

**S. R. No. 17:** Recognize Ralph Eubanks as the recipient of the 2023 Governor's Arts Award for Excellence in Literature and Cultural Ambassador. Title Sufficient. Do Be Adopted.

**S. R. No. 18:** Recognize King Edward Antoine as the recipient of the 2023 Governor's Arts Award for Excellence in Music. Title Sufficient. Do Be Adopted.

**S. R. No. 19:** Recognize Ke Francis as the recipient of the 2023 Governor's Arts Award for Excellence in Visual Arts. Title Sufficient. Do Be Adopted.

**S. R. No. 20:** Recognize Ed McGowin as the recipient of the 2023 Governor's Arts Award for Lifetime Achievement. Title Sufficient. Do Be Adopted.

**S. R. No. 21:** Recognize Dr. Ann Fisher-Wirth as the recipient of the 2023 Governor's Arts Award for Excellence in Literature & Poetry. Title Sufficient. Do Be Adopted.

**S. R. No. 22:** Recognize Betsy Bradley as the recipient of the 2023 Governor's Arts Award for Leadership. Title Sufficient. Do Be Adopted.

**H. C. R. No. 5:** Carlton D. "Corky" Palmer; honor the life and legacy of upon his passing. Title Sufficient. Do Be Adopted.

**H. C. R. No. 10:** Former Representative Noal Akins; honor life and legacy upon his passing. Title Sufficient. Do Be Adopted.

**H. C. R. No. 15:** Bay Springs High School Football Team; commend upon winning MHSAA Class 1A State Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Hopson called up the following entitled bill:

**S. B. No. 2454:** Budget; bring forward code sections related to and provide for transfers.

YEAS AND NAYS On S. B. No. 2454. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2444:** ARPA programs; bring forward provisions related to for possible amendment.

YEAS AND NAYS On S. B. No. 2444. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2616:** Real Estate Commission; decrease fees charged by.

YEAS AND NAYS On S. B. No. 2616. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

Voting Present--Carter, Harkins. Total--2.

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Unanimous consent was granted to add Senators McCaughn, Norwood and Sparks as co-authors of **S. B. No. 2616**.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2663:** Mississippi Historic Site Preservation Fund; revise grant eligibility and require annual report.

YEAS AND NAYS On S. B. No. 2663. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Unanimous consent was granted to add Senator Horhn as co-author of **S. B. No. 2663**.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2511:** Tourism Recovery Fund - Round 3; create.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2511. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Unanimous consent was granted to add Senators Butler A. (36th) and Horhn as co-authors of **S. B. No. 2511**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2011:** Sales tax; exempt motor vehicle transfers to and from trusts, corporations, partnerships and limited liability companies.

YEAS AND NAYS On S. B. No. 2011. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2181:** Distinctive motor vehicle license tags; authorize for 2022 National Championship Rebels.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND by inserting the following below line 84 and renumbering the subsequent section:

SECTION 2. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the 2021 National Championship Ole Miss Rebels women's golf team. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Chancellor of the University of Mississippi or his designee, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag. The Chancellor of the University of Mississippi or his designee shall choose the first one hundred (100) tag numbers and provide them to the Department of Revenue.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars (\$50.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Forty-four Dollars (\$44.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the University of Mississippi Foundation.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag, and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

FURTHER, AMEND the title to conform by inserting the following on line 3 after the semicolon:

TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE 2021 NATIONAL CHAMPIONSHIP OLE MISS REBELS WOMEN'S GOLF TEAM;

Amendment No. 1 to S. B. No. 2181 was adopted.

YEAS AND NAYS On S. B. No. 2181. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2448:** Distinctive motor vehicle license tag; authorize for supporters of the Magnolia Speech School.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2448. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2703:** Driver's license fees; waive for applicants in MDCPS custody.

YEAS AND NAYS On S. B. No. 2703. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2736:** Endow Mississippi Program tax credits; extend time period for authorization.

YEAS AND NAYS On S. B. No. 2736. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.



Absent and those not voting--Simmons D. T. (12th). Total--1.  
Voting Present--Hill. Total--1.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2841:** Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular car tag.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2841. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Unanimous consent was granted to add Senators Barrett, Branning, Hill, McCaughn, McLendon, Moran, Parker and Tate as co-authors of **S. B. No. 2841**.

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Senator Parker called up the following entitled bill:

**S. B. No. 2597:** Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004; extend repealer on.

YEAS AND NAYS On S. B. No. 2597. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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

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Senator Parker called up the following entitled bill:

**S. B. No. 2595:** ARPA Workforce Development and Retention Act; provide expiration date of grant funds.

YEAS AND NAYS On S. B. No. 2595. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

Voting Present--Sojourner. Total--1.

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Unanimous consent was granted to add Senator Butler A. (36th) as co-author of **S. B. No. 2595**.

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Senator Parker called up the following entitled bill:

**S. B. No. 2810:** Office of Workforce Development; amend certain provisions relating to.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2810. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2120:** Firearms; authorize law enforcement officers employed by attorney general to purchase upon retirement.

On motion of Senator McCaughn, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2120. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Unanimous consent was granted to add Senators Barrett, Branning, Hill, McLendon, Moran, Seymour and Tate as co-authors of **S. B. No. 2120**.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2122:** Bribery of a public official; increase statute of limitations to 5 years.

YEAS AND NAYS On S. B. No. 2122. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Unanimous consent was granted to add Senators Branning, Hill and Seymour as co-authors of **S. B. No. 2122**.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2127:** Terroristic threats; revise elements of.

YEAS AND NAYS On S. B. No. 2127. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Unanimous consent was granted to add Senators Butler A. (36th), Caughman, Jordan and Parker as co-authors of **S. B. No. 2127**.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2245:** Sale of seized weapons; authorize use of proceeds to purchase equipment.

YEAS AND NAYS On S. B. No. 2245. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Chassaniol called up the following entitled bill:

**S. B. No. 2139:** Mississippi USA Semiquincentennial Commission and Mississippi Semiquincentennial Celebration Fund; create.

YEAS AND NAYS On S. B. No. 2139. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2282:** Pseudoephedrine; delete the automatic repealer on the provision that authorizes the distribution of.

YEAS AND NAYS On S. B. No. 2282. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2817:** Mississippi Burn Center; bring forward code sections for possible amendment.

YEAS AND NAYS On S. B. No. 2817. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Michel called up the following entitled bill:

**S. B. No. 2622:** Mississippi Prior Authorization Reform Act; enact.

On motion of Senator Michel, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2622. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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

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Unanimous consent was granted to add Senator Parker as co-author of **S. B. No. 2622.**

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Senator Michel called up the following entitled bill:

**S. B. No. 2227:** Federal Home Loan Banks; provide certain rights and procedures regarding collateral.

YEAS AND NAYS On S. B. No. 2227. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Michel called up the following entitled bill:

**S. B. No. 2228:** Pet insurance; establish provisions for the sale and renewal of policies.

YEAS AND NAYS On S. B. No. 2228. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Unanimous consent was granted to add Senators McLendon and Thomas as co-authors of **S. B. No. 2228**.

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:28 AM, the Senate stood in recess.

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The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

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Senator Michel called up the following entitled bill:

**S. B. No. 2617:** Fire insurance policies; exclude provisions related thereto from applying to builders' risk policies.

YEAS AND NAYS On S. B. No. 2617. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Michel called up the following entitled bill:

**S. B. No. 2623:** Mississippi State and School Employees' Life and Health Insurance Plan Task Force; establish.

YEAS AND NAYS On S. B. No. 2623. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Hill called up the following entitled bill:

**S. B. No. 2734:** County boards of supervisors; permit to expend federal funds during the last term of office of such board.

YEAS AND NAYS On S. B. No. 2734. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Blackwell called up the following entitled bill:

**S. B. No. 2613:** Nonemergency transportation providers; extend date by which providers may provide service without a permit.

YEAS AND NAYS On S. B. No. 2613. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackwell, Blount, Boyd, Branning, Butler A. (36th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackmon, Hill, McDaniel, Polk, Turner-Ford. Total--5.

Absent and those not voting--Barrett, Bryan, Butler K. (38th), Chism, Jackson, Simmons D. T. (12th), Sojourner. Total--7.

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Senator Seymour called up the following entitled bill:

**S. B. No. 2390:** Executive Director of the State Veterans Affairs Board; appointed by Governor with advice and consent of Senate.

YEAS AND NAYS On S. B. No. 2390. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Jackson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Butler A. (36th), Frazier, Hickman, Horhn, Jordan, Norwood, Thomas. Total--7.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Seymour called up the following entitled bill:

**S. B. No. 2608:** United States Space Force; references to "Armed Forces" in Mississippi law shall include members of.

YEAS AND NAYS On S. B. No. 2608. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Tate called up the following entitled bill:

**S. B. No. 2353:** Elections; increase wage range for poll workers.



YEAS AND NAYS On S. B. No. 2353. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Blackwell called up the following entitled bill:

**S. B. No. 2381:** Medicaid; authorize liquidated damages in requests for proposals, bring forward provision related to.

Senator Polk offered the following AMENDMENT NO. 1.

AMEND on lines 8 and 12 by striking the word "may" and inserting the word "shall" in lieu thereof.

FURTHER, AMEND on line 52 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2381 was adopted.

YEAS AND NAYS On S. B. No. 2381. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Jackson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Blackmon, Butler A. (36th), Hill, Horhn, Jordan, Thomas, Turner-Ford. Total--7.

Absent and those not voting--Simmons D. T. (12th). Total--1.

Voting Present--Hickman. Total--1.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2382:** Out-of-state lawyers; required to disclose whether licensed to practice law in Mississippi in television ads.

YEAS AND NAYS On S. B. No. 2382. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Hill. Total--1.

Absent and those not voting--Simmons D. T. (12th). Total--1.

Voting Present--Turner-Ford. Total--1.

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Senator Whaley called up the following entitled bill:

**S. B. No. 2526:** Pat Harrison Waterway District; authorize municipalities to join.

YEAS AND NAYS On S. B. No. 2526. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Whaley called up the following entitled bill:

**S. B. No. 2543:** Chronic wasting disease; bring forward code sections for the purpose of possible amendment.

On motion of Senator Whaley, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2543. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Unanimous consent was granted to add Senator Boyd as co-author of **S. B. No. 2543.**

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Senator Whaley called up the following entitled bill:

**S. B. No. 2556:** Qualifications for appointment as a conservation officer; clarify.

YEAS AND NAYS On S. B. No. 2556. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Carter called up the following entitled bill:

**S. B. No. 2103:** Definitions and penalties regarding regulation of gasoline and petroleum products; extend repealer on.

YEAS AND NAYS On S. B. No. 2103. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Carter called up the following entitled bill:

**S. B. No. 2104:** Mississippi Gulf Coast Region Utility Act; extend repealer on.

YEAS AND NAYS On S. B. No. 2104. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Carter called up the following entitled bill:

**S. B. No. 2492:** Electric vehicle charging; allow by non-utilities while maintaining consumer protections.

YEAS AND NAYS On S. B. No. 2492. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2337:** Conspiracy; revise statute of limitations.

YEAS AND NAYS On S. B. No. 2337. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator McCaughn called up the following entitled bill:

**S. B. No. 2524:** Forestry; allow boards of education to approve sales of timber and forestry products on sixteenth section land.

YEAS AND NAYS On S. B. No. 2524. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Carter called up the following entitled bill:

**S. B. No. 2102:** Impending emergency excavation; define, establish advance notice requirements and require premarking for.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2102. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2199:** County prosecuting attorney; clarify authorization to defend persons in criminal prosecutions in any other county.

On motion of Senator Hickman, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2199. On motion of Senator Hickman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Simmons D. T. (12th). Total--1.

Voting Present--Hill. Total--1.

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On request of Senator McMahan, unanimous consent was requested that calendar item 147, **S. B. No. 2484** be recommitted to Public Health and Welfare

**S. B. No. 2484:** Pharmacy Benefit Manager; revise certain requirements of.

There was an objection to the foregoing request for unanimous consent.

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Senator Norwood entered a motion to reconsider the vote whereby **S. B. No. 2390** passed the Senate.

**S. B. No. 2390:** Executive Director of the State Veterans Affairs Board; appointed by Governor with advice and consent of Senate.

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Senator Bryan entered a motion to reconsider the vote whereby **S. B. No. 2817** passed the Senate.

**S. B. No. 2817:** Mississippi Burn Center; bring forward code sections for possible amendment.

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Senators Blount, Horhn, Frazier and Norwood moved that when the Senate adjourns, it adjourn in memory of Rev. Bennie Wallace of Edwards, MS.

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Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Robert Stribling of Brandon, MS.

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Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Mary Miller of Pearl, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 2, 2023.

The motion prevailed, and at 3:05 PM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Rev. Bennie Wallace, Robert Stribling and Mary Miller.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 1, 2023

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THIRTY-FIRST DAY, THURSDAY, FEBRUARY 2, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Ryan McGough, Pastor, Forest United Methodist Church, Forest, MS and Independence United Methodist Church, Morton, MS

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

##### MESSAGE FROM THE HOUSE

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

**H. B. No. 626:** AN ACT TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO EXPEND OR CONTRACT AN OBLIGATION AGAINST CERTAIN FUNDS IN THE LAST SIX MONTHS OF THEIR TERM OFFICE IF A COUNTY HAS PROJECTS OR A PROJECT FUNDED BY THE AMERICAN RESCUE PLAN ACT (ARPA) SO THAT SUCH COUNTY MAY WORK TOWARDS COMPLETING SUCH PROJECTS OR PROJECT TO MEET THE YEAR 2026 FEDERAL ARPA SPENDING DEADLINE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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President Hosemann yielded the gavel to President Pro Tempore Kirby who presided over the Senate.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2446:** Appropriation; make technical amendments to certain transfers, and FY2023 appropriations.

On motion of Senator Hopson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2446. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2018:** Sales tax; remove tax on wholesale sales of beer.

YEAS AND NAYS On S. B. No. 2018. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Butler A. (36th), Chism, Frazier, Jackson, Jordan, Norwood, Tate, Turner-Ford. Total--8.

Absent and those not voting---None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2482:** Motor vehicles; allow Department of Revenue to transmit liens and receive lien satisfactions electronically.

YEAS AND NAYS On S. B. No. 2482. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.



Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2697:** Oil and gas severance taxes; extend repealers on lower rate for production from horizontally drilled wells.

YEAS AND NAYS On S. B. No. 2697. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. B. No. 2697.**

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Senator Harkins called up the following entitled bill:

**S. B. No. 2180:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

On motion of Senator Caughman, the Committee Substitute was adopted for consideration.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 645 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to S. B. No. 2180 was adopted.

YEAS AND NAYS On S. B. No. 2180. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Frazier, Norwood, Tate. Total--3.

Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2696:** Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement.

YEAS AND NAYS On S. B. No. 2696. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

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Unanimous consent was granted to add Senators Branning, Caughman and McCaughn as co-authors of **S. B. No. 2696**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2851:** Technology-based capital assistance programs; revise certain terms and amounts of assistance.

YEAS AND NAYS On S. B. No. 2851. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

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President Pro Tempore Kirby yielded the gavel to President Hosemann, who presided over the Senate.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 540, S. C. R. No. 542, S. C. R. No. 543, S. C. R. No. 544, S. C. R. No. 545, S. C. R. No. 546, S. R. No. 12, S. R. No. 13, S. R. No. 14, S. R. No. 16, S. R. No. 17,

S. R. No. 18, S. R. No. 19, S. R. No. 20, S. R. No. 21, S. R. No. 22, H. C. R. No. 5, H. C. R. No. 10 and H. C. R. No. 15 and the motion prevailed.

Senator Michel called up the following entitled resolutions:

**S. C. R. No. 540:** Expressing support for the Town of Mantee to unofficially designate itself as "The Epicenter of the Natchez Trace."

**S. C. R. No. 542:** Commend Dr. Roy J. Duhe for colon cancer initiatives at UMMC.

**S. C. R. No. 543:** Mourn the passing of Dr. Chester D. Gaston, Jr., of Gulfport, respected member of the MS Board of Psychology.

**S. C. R. No. 544:** Designate "Delta Gamma Fraternity Day" in Mississippi in Commemoration of Sesquicentennial celebration.

**S. C. R. No. 545:** Designate April 23-29, 2023, as "National Crime Victims' Week in Mississippi" and April 28, 2023, as a "Day of Prayer".

**S. C. R. No. 546:** Commend Brookhaven Academy "Lady Cougars" Softball Team for back-to-back MAIS 5A State Championships.

**S. R. No. 12:** Recognize Kennadee Riggs as "Miss Rodeo America 2023."

**S. R. No. 13:** Recognize Jacqueline "J.D." Ervin of McComb as "Miss Rodeo Mississippi 2023".

**S. R. No. 14:** Recognizing the contributions of the Mississippi Film Office on its 50th Anniversary.

**S. R. No. 16:** Recognize Robert M. Hearin Support Foundation as recipient of 2023 Governor's Patron of the Arts Award.

**S. R. No. 17:** Recognize Ralph Eubanks as the recipient of the 2023 Governor's Arts Award for Excellence in Literature and Cultural Ambassador.

**S. R. No. 18:** Recognize King Edward Antoine as the recipient of the 2023 Governor's Arts Award for Excellence in Music.

**S. R. No. 19:** Recognize Ke Francis as the recipient of the 2023 Governor's Arts Award for Excellence in Visual Arts.

**S. R. No. 20:** Recognize Ed McGowin as the recipient of the 2023 Governor's Arts Award for Lifetime Achievement.

**S. R. No. 21:** Recognize Dr. Ann Fisher-Wirth as the recipient of the 2023 Governor's Arts Award for Excellence in Literature & Poetry.

**S. R. No. 22:** Recognize Betsy Bradley as the recipient of the 2023 Governor's Arts Award for Leadership.

**H. C. R. No. 5:** Carlton D. "Corky" Palmer; honor the life and legacy of upon his passing.

**H. C. R. No. 10:** Former Representative Noal Akins; honor life and legacy upon his passing.

**H. C. R. No. 15:** Bay Springs High School Football Team; commend upon winning MHSAA Class 1A State Championship.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 540, S. C. R. No. 542, S. C. R. No. 543, S. C. R. No. 544, S. C. R. No. 545, S. C. R. No. 546, S. R. No. 12, S. R. No. 13, S. R. No. 14, S. R. No. 16, S. R. No. 17, S. R. No. 18, S. R. No. 19, S. R. No. 20, S. R. No. 21, S. R. No. 22, H. C. R. No. 5, H. C. R. No. 10 and H. C. R. No. 15. On motion of Senator Michel, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting---None.

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Unanimous consent was granted to add Senator Michel as co-author of **S. C. R. No. 542**.

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Unanimous consent was granted to add Senators England and Seymour as co-authors of **S. C. R. No. 543**.

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Unanimous consent was granted to add Senators England and Michel as co-authors of **S. C. R. No. 544**.

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Unanimous consent was granted to add Senators Caughman, England and Seymour as co-authors of **S. C. R. No. 545**.

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Unanimous consent was granted to add Senator Seymour as co-author of **S. R. No. 12**.

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Unanimous consent was granted to add Senator Seymour as co-author of **S. R. No. 14**.

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Unanimous consent was granted to add Senators Hopson and Michel as co-authors of **S. R. No. 22**.

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Senator Seymour called up the motion to reconsider the vote whereby **S. B. No. 2390** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2390:** Executive Director of the State Veterans Affairs Board; appointed by Governor with advice and consent of Senate.

The foregoing motion prevailed.

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Senator Carter moved that the rules be suspended to move to calendar item 45, **S. B. No. 2338**, and the motion prevailed.

Senator Carter called up the motion to reconsider the vote whereby **S. B. No. 2338** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2338:** Municipal waterworks; ensure just, reasonable and transparent billing in.

The foregoing motion prevailed.

Senator Parker called up the following entitled bill:

**S. B. No. 2552:** MS Comprehensive Workforce Training & Education Consolidation Act of 2004; extend repealer on code sections conformed to.

Senator Parker offered the following AMENDMENT NO. 1.

AMEND by striking lines 5800-5801 and inserting in lieu thereof the following:

SECTION 54. Section 52 of this act shall take effect and be in force from and after January 1, 2023, and the remainder of this act shall take effect and be in force from and after its passage.

Amendment No. 1 to S. B. No. 2552 was adopted.

Senator Parker offered the following AMENDMENT NO. 2.

AMEND by inserting the following language below line 5239 and renumbering subsequent sections:

SECTION \*. Section 25-1-98, Mississippi Code of 1972, is amended as follows:

25-1-98. (1) (a) In addition to any other times required by statute, all state offices shall be open and staffed for the normal conduct of business from 8:00 a.m. until 5:00 p.m., Monday through Friday, except on legal holidays as set forth in Section 3-3-7. The Governor may designate certain state offices and institutions as providers of essential services and require that they be open and staffed on legal holidays. The Board of Directors of the Mississippi Industries for the Blind may, in its discretion, require that its offices and operations be open and staffed on legal holidays. Employees required to work on legal holidays shall earn compensatory leave under the provisions of Section 25-3-92. No employee shall receive additional vacation or sick leave benefits for working on a legal holiday, nor shall this section be construed to authorize any additional compensation as an alternative to the accrual of compensatory leave except as specifically provided for in a legislative appropriation. The provisions of this section shall not be construed to limit the hours of operation of any agency or to abrogate any action taken during hours other than those stated, nor shall these provisions apply to any offices that do not customarily stay open five (5) days a week. The provisions of this section shall not apply to the military department of the State of Mississippi or to the armories, field training sites, air bases or other installations of the Mississippi National Guard.

(b) A workday for a state employee in a full-time employment position shall be eight (8) hours in duration at a minimum exclusive of time off for meals. The appointing authority shall develop work schedules which ensure that each full-time employee works a full workday and shall provide the State Auditor with a copy of the regular work schedule of the appointing authority.

(2) An appointing authority of any state service agency within the meaning of Section 25-9-107 may authorize telework for one or more of its employees in accordance with a telework policy, approved by the State Personnel Board, as provided in subsection (3) of this section.

(3) In order to implement a telework policy for one or more of its employees, an appointing authority shall:

(a) Determine whether or not telework is in the best interest of the agency. In doing so, the appointing authority shall seek guidance from the State Personnel Board in determining what forms of work activities can be effectively and efficiently managed through a telework arrangement;

(b) Establish procedures to protect any information that is privileged or confidential under state or federal law;

(c) Require all teleworking employees to sign a telework agreement that includes their work schedule, provides for supervisory oversight through the review of work product and deliverables on a regular basis, requires the protection of privileged or confidential information that is managed remotely on an agency computer or other devices, establishes protocols for accessibility to coworkers and clients, workplace safety, and any other matters deemed appropriate by the appointing authority; and

(d) Establish work schedules that ensure that some personnel are at the appointing authority's offices to provide direct contact with the public.

(4) For purposes of subsections (2) and (3) of this section, the term "telework" shall mean a work flexibility arrangement under which an employee performs duties, responsibilities, or other authorized activities from an approved worksite other than the location from which the employee would otherwise work.

(5) All agencies that allow employees to telework shall report to the State Personnel Board the names of the employees, their job titles, office schedule and telework schedule, who are performing telework for their agencies. On or before December 31 of each year, the State Personnel Board shall make a report related to the utilization of telework policies to the Chairmen of the House and Senate Appropriations Committees, the Accountability, Efficiency and Transparency Committees, and the Joint Legislative Committee on Performance Evaluation and Expenditure Review.

(6) The State Personnel Board may promulgate rules for the administration of this section which shall be binding upon state service agencies within the meaning of Section 25-9-107.

(7) Subsections (2) through (6) of this section shall stand repealed on July 1, \* \* \* 2025.

FURTHER, AMEND the title to conform by inserting the following language on line 50 after the semicolon:

TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE AUTHORITY OF STATE SERVICE AGENCIES TO ALLOW TELEWORK IN ACCORDANCE WITH A POLICY APPROVED BY THE STATE PERSONNEL BOARD;

Amendment No. 2 to S. B. No. 2552 was adopted.

YEAS AND NAYS On S. B. No. 2552. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Parker called up the following entitled bill:

**S. B. No. 2596:** Mississippi Nonprofit Transparency Act; create.

Senator Parker offered the following AMENDMENT NO. 1.

AMEND on line 21 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to S. B. No. 2596 was adopted.

YEAS AND NAYS On S. B. No. 2596. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Branning and McCaughn as co-authors of **S. B. No. 2596**.

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Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:29 AM, the Senate stood in recess.

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The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

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

The motion prevailed, and at 2:00 PM, the Senate stood in recess.

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The Senate resumed business at 2:43 PM, pursuant to recess, with President Hosemann presiding.

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Senator McCaughn called up the following entitled bill:

**S. B. No. 2548:** Motor vehicles; clarify that vehicle length restrictions are the same for day and night operation.

YEAS AND NAYS On S. B. No. 2548. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2164:** Real property owned by school districts; allow to be sold for development.

YEAS AND NAYS On S. B. No. 2164. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Jackson, Norwood, Thomas, Hickman, Simmons S. (13th) and Butler A. (36th) as co-authors of **S. B. No. 2164**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2360:** Agricultural high schools; revise board membership.



YEAS AND NAYS On S. B. No. 2360. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Michel called up the following entitled bill:

**S. B. No. 2615:** Contract personnel; authorize to purchase base plan of the State and School Employees' Health Insurance Plan.

YEAS AND NAYS On S. B. No. 2615. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Fillingane moved that the rules be suspended to move to calendar item 54, **S. B. No. 2420**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2420:** Public Funds Offender Registry; create.

Senator England offered the following AMENDMENT NO. 1.

AMEND by inserting the following language on line 10 after the semicolon:

TO AMEND SECTION 99-15-26, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DEFENDANT IN A CRIMINAL CASE SHALL BE INELIGIBLE FOR NONADJUDICATION WHERE THE CRIME IS A REGISTRABLE OFFENSE; TO AMEND SECTION 99-15-107, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A DEFENDANT IN A CRIMINAL CASE SHALL BE INELIGIBLE FOR PRETRIAL DIVERSION WHERE THE CRIME IS A REGISTRABLE OFFENSE;

FURTHER, AMEND by inserting the following on line 118 and renumbering subsequent sections accordingly:

SECTION \*. Section 99-15-26, Mississippi Code of 1972, is amended as follows:

99-15-26. (1) (a) In all criminal cases, felony and misdemeanor, other than crimes against the person, a crime of violence as defined in Section 97-3-2, a violation of Section 97-11-31, a crime that is a registrable offense as defined in paragraph (d) of Section 1 of this act, or crimes in which a person unlawfully takes, obtains or misappropriates funds received by or entrusted to the person by virtue of his or her public office or employment, the circuit or county court shall be empowered, upon the entry of a plea of guilty by a criminal defendant made on or after July 1, 2014, to withhold acceptance of the plea and sentence thereon pending successful completion of such conditions as may be imposed by the court pursuant to subsection (2) of this section.

(b) In all misdemeanor criminal cases, other than crimes against the person, the justice or municipal court shall be empowered, upon the entry of a plea of guilty by a criminal defendant, to withhold acceptance of the plea and sentence thereon pending successful completion of such conditions as may be imposed by the court pursuant to subsection (2) of this section.

(c) Notwithstanding paragraph (a) of this subsection (1), in all criminal cases charging a misdemeanor of domestic violence as defined in Section 99-3-7(5), a circuit, county, justice or municipal court shall be empowered, upon the entry of a plea of guilty by the criminal defendant, to withhold acceptance of the plea and sentence thereon pending successful completion of such conditions as may be imposed by the court pursuant to subsection (2) of this section.

(d) No person having previously qualified under the provisions of this section shall be eligible to qualify for release in accordance with this section for a repeat offense. A person shall not be eligible to qualify for release in accordance with this section if charged with the offense of trafficking of a controlled substance as provided in Section 41-29-139(f) or if charged with an offense under the Mississippi Implied Consent Law. Violations under the Mississippi Implied Consent Law can only be nonadjudicated under the provisions of Section 63-11-30.

(2) (a) Conditions which the circuit, county, justice or municipal court may impose under subsection (1) of this section shall consist of:

(i) Reasonable restitution to the victim of the crime.

(ii) Performance of not more than nine hundred sixty (960) hours of public service work approved by the court.

(iii) Payment of a fine not to exceed the statutory limit.

(iv) Successful completion of drug, alcohol, psychological or psychiatric treatment, successful completion of a program designed to bring about the cessation of domestic abuse, or any combination thereof, if the court deems treatment necessary.

(v) The circuit or county court, in its discretion, may require the defendant to remain in the program subject to good behavior for a period of time not to exceed five (5) years. The justice or municipal court, in its discretion, may require the defendant to remain in the program subject to good behavior for a period of time not to exceed two (2) years.

(b) Conditions which the circuit or county court may impose under subsection (1) of this section also include successful completion of an effective evidence-based program or a properly controlled pilot study designed to contribute to the evidence-based research literature on programs targeted at reducing recidivism. Such

program or pilot study may be community based or institutionally based and should address risk factors identified in a formal assessment of the offender's risks and needs.

(3) When the court has imposed upon the defendant the conditions set out in this section, the court shall release the bail bond, if any.

(4) Upon successful completion of the court-imposed conditions permitted by subsection (2) of this section, the court shall direct that the cause be dismissed and the case be closed.

(5) Upon petition therefor, the court shall expunge the record of any case in which an arrest was made, the person arrested was released and the case was dismissed or the charges were dropped, there was no disposition of such case, or the person was found not guilty at trial.

SECTION \*. Section 99-15-107, Mississippi Code of 1972, is amended as follows:

99-15-107. A person shall not be eligible for the intervention program provided by Sections 99-15-101 through 99-15-127 if the person has been charged with:

(a) Any crime of violence listed in Section 97-3-2;

(b) Any crime that is a registrable offense as defined in paragraph (d) of Section 1 of this act;

( \*\* \*c) Any offense pertaining to trafficking in a controlled substance, as provided in Section 41-29-139(f); or

( \*\* \*d) Any crime of fraud or embezzlement committed in a public office pursuant to Section 97-7-11 or 97-11-31, amounting to or exceeding Ten Thousand Dollars (\$10,000.00).

President Hosemann yielded the gavel to President Pro Tempore Kirby who presided over the Senate.

Amendment No. 1 to S. B. No. 2420 was withdrawn.

Senator England moved that S. B. No. 2420 be tabled subject to call, and the motion prevailed.

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Senator Parks called up the following entitled bill:

**S. B. No. 2486:** Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections.

YEAS AND NAYS On S. B. No. 2486. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Parks called up the following entitled bill:

**S. B. No. 2581:** Commission on College Accreditation; revise technical provision related thereto.

YEAS AND NAYS On S. B. No. 2581. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Parks called up the following entitled bill:

**S. B. No. 2590:** Mississippi State University authority to lease property for public-private partnership student housing; increase term.

YEAS AND NAYS On S. B. No. 2590. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, DeLano, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, Michel, Moran, Norwood, Parker, Parks, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Turner-Ford, Whaley, Williams, Younger. Total--39.

Nays--Blackwell, Carter, Chism, DeBar, England, Hill, McLendon, McMahan, Polk, Seymour, Thompson, Wiggins. Total--12.

Absent and those not voting----None.

Voting Present--Tate. Total--1.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2749:** School board members; increase pay.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2749. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Barnett, Jordan, Parker, Sojourner. Total--4.

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Unanimous consent was granted to add Senators Blackwell, Boyd, Butler K. (38th), Carter, DeBar, DeLano, Frazier, Hickman, Jackson, McLendon, McMahan, Moran, Seymour, Simmons S. (13th) and Tate as co-authors of **S. B. No. 2749**.

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Senator Hill called up the following entitled bill:

**S. B. No. 2392:** Fees for county garbage collection; revise provision related to.

On motion of Senator McCaughn, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2392. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Boyd, Branning, Bryan, Caughman, DeLano, England, Kirby, McCaughn, Michel, Moran, Polk, Seymour, Sparks, Suber, Thompson, Wiggins, Williams. Total--17.

Nays--Barrett, Blackmon, Blackwell, Butler A. (36th), Butler K. (38th), Carter, Chism, DeBar, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Johnson, McDaniel, McLendon, Norwood, Parks, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Thomas, Turner-Ford, Whaley, Younger. Total--26.

Absent and those not voting--Barnett, Blount, Chassaniol, Hopson, McMahan, Parker. Total--6.

Voting Present--Tate. Total--1.

Senator Jackson, who would have voted yea on S. B. No. 2392, announced a pair with Senator Jordan, who would have voted nay.

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Senator McCaughn entered a motion to reconsider the vote whereby **S. B. No. 2392** failed to pass the Senate.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2075:** Birth certificate; adoptee may obtain certified copy of original after age 21.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2075. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--41.

Nays--Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Horhn, Jackson, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--11.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Caughman and Younger as co-authors of **S. B. No. 2075**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2202:** Child support; create presumption that support continues past the age of majority for a disabled child.

YEAS AND NAYS On S. B. No. 2202. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2202**.

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Senator Turner-Ford called up the following entitled bill:

**S. B. No. 2203:** Public land in Rankin County; authorize DFA to assign property to state agencies and establish new Veterans Nursing Home.

President Pro Tempore Kirby yielded the gavel to Senator Hopson who presided over the Senate.

YEAS AND NAYS On S. B. No. 2203. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--34.

Nays--Blackmon, Blount, Butler K. (38th), Frazier, Horhn, Jackson, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--10.

Absent and those not voting--Barnett, Barrett, Hickman, Jordan, McMahan, Parker, Parks. Total--7.

Voting Present--Butler A. (36th). Total--1.

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Unanimous consent was granted to add Senator Seymour as co-author of **S. B. No. 2203**.

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Senator Turner-Ford called up the following entitled bill:

**S. B. No. 2309:** MS Department of Archives and History property; add parcel known as "The Old Magnolia Church" for transfer to U.S. Park Service.

YEAS AND NAYS On S. B. No. 2309. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Butler A. (36th) as co-author of **S. B. No. 2309**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2053:** Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists.

Senators Blount and Polk offered the following AMENDMENT NO. 1.

AMEND on line 27 by striking "Office of the State Auditor" and inserting "Legislative Budget Office" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2053 was adopted.

YEAS AND NAYS On S. B. No. 2053. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Butler A. (36th), England, Hickman, Norwood and Simmons D. T. (12th) as co-authors of **S. B. No. 2053**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2538:** Mississippi Regional Pre-Need Disaster Clean Up Act; create.

YEAS AND NAYS On S. B. No. 2538. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Butler A. (36th), Horhn and McLendon as co-authors of **S. B. No. 2538**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2678:** Department of Child Protection Services; separate agency from the Department of Human Services.

YEAS AND NAYS On S. B. No. 2678. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,



Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Branning and McCaughn as co-authors of **S. B. No. 2678**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2844:** Bureau of Fleet Management; revise duties thereof.

YEAS AND NAYS On S. B. No. 2844. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

---

Senator Simmons D. T. (12th) called up the following entitled bill:

**S. B. No. 2306:** Flood and drainage control districts; revise number of directors for certain municipalities.

Senator Hopson yielded the gavel to President Pro Tempore Kirby who presided over the Senate.

YEAS AND NAYS On S. B. No. 2306. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Barrett. Total--1.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Blount, Norwood and Simmons D. T. (12th) as co-authors of **S. B. No. 2306**.

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Senator Simmons D. T. (12th) called up the following entitled bill:

**S. B. No. 2839:** Public Improvement District Act; amend to allow municipality to perform duties and exercise powers in certain circumstances.

YEAS AND NAYS On S. B. No. 2839. On motion of Senator Simmons D. T. (12th), the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2297:** Forensics laboratory; require approval of model of intoxilyzer equipment that is readily available to law enforcement agencies.

YEAS AND NAYS On S. B. No. 2297. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2308:** Municipalities; authorize to assess administrative or civil penalties for zoning violations.

Senator Thompson offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-1-27, Mississippi Code of 1972, is amended as follows:

17-1-27. (1) Any person, firm or corporation who shall knowingly and \* \* \* willfully violate the terms, conditions or provisions of a zoning ordinance adopted under the

authority of Sections 17-1-1 through 17-1-25, inclusive, for violation of which no other criminal penalty is prescribed, shall be guilty of a misdemeanor and upon conviction therefor shall be sentenced to pay a fine of not to exceed One Hundred Dollars (\$100.00), and in case of continuing violations without reasonable effort on the part of the defendant to correct same, each day the violation continues thereafter shall be a separate offense.

(2) A municipality may, in its discretion and in lieu of assessing a misdemeanor criminal penalty for a violation of such zoning ordinance, assess an administrative or civil penalty not to exceed Two Hundred Fifty Dollars (\$250.00).

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 17-1-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPALITIES TO ASSESS ADMINISTRATIVE OR CIVIL PENALTIES FOR ZONING VIOLATIONS; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2308 was adopted.

YEAS AND NAYS On S. B. No. 2308. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Tate entered a motion to reconsider the vote whereby **S. B. No. 2306** passed the Senate.

**S. B. No. 2306:** Flood and drainage control districts; revise number of directors for certain municipalities.

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Unanimous consent was granted to withdraw Senator DeLano as co-author of **S. B. No. 2484**.

**S. B. No. 2484:** Pharmacy Benefit Manager; revise certain requirements of.

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Unanimous consent was granted to add Senator McLendon as a co-author of **S. B. No. 2120**.

**S. B. No. 2120:** Firearms; authorize law enforcement officers to purchase at fair market value upon retirement.

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Unanimous consent was granted to add Senator Suber as co-author of **S. B. No. 2181**.

**S. B. No. 2181:** Distinctive motor vehicle license tags; authorize for 2022 National Championship Rebels.

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Unanimous consent was granted to add Senator Williams as a co-author of **S. B. No. 2228**.

**S. B. No. 2228:** Pet insurance; establish provisions for the sale and renewal of policies.

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Unanimous consent was granted to add Senator Jackson as a co-author of **S. B. No. 2282**.

**S. B. No. 2282:** Pseudoephedrine; delete the automatic repealer on the provision that authorizes the distribution of.

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Unanimous consent was granted to add Senators Jackson and Sparks as co-authors of **S. B. No. 2622**.

**S. B. No. 2622:** Mississippi Prior Authorization Reform Act; enact.

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Unanimous consent was granted to add Senator Jackson as a co-author of **S. B. No. 2817**.

**S. B. No. 2817:** Mississippi Burn Center; bring forward code sections for possible amendment.

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Unanimous consent was granted to add Senator McLendon as a co-author of **S. B. No. 2841**.

**S. B. No. 2841:** Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 217:** AN ACT TO AMEND SECTION 51-7-29, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE BOARD OF SUPERVISORS OF ANY COUNTY, WHICH HAS A MASTER WATER MANAGEMENT DISTRICT WITHIN A COUNTY, TO IMPLEMENT A TAX ASSESSMENT THAT IS LEVIED BY THE COMMISSIONERS OF A MASTER WATER MANAGEMENT DISTRICT; TO AMEND

SECTION 51-7-23, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 232:** AN ACT TO AMEND SECTION 69-5-107, MISSISSIPPI CODE OF 1972, TO CANCEL THE DAIRY SHOW HELD AT VERONA IN LEE COUNTY, MISSISSIPPI, AND RELOCATE THE SHOW TO PONTOTOC IN PONTOTOC COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 246:** AN ACT TO PROVIDE THAT A RIGHT OF FIRST REFUSAL IN REAL PROPERTY IS EXTINGUISHED UPON THE DEATH OF THE GRANTEE UNLESS THE INSTRUMENT GRANTING THE RIGHT OR A MEMORANDUM OF THE CONTRACTUAL AGREEMENT OR INSTRUMENT CLEARLY STATES THAT UPON THE GRANTEE'S DEATH, IT SHALL INURE TO THE BENEFIT OF THE GRANTEE'S HEIRS AND ASSIGNS; AND FOR RELATED PURPOSES.

**H. B. No. 252:** AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO ISSUE A FESTIVAL WINE PERMIT; TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE OF THE EXCEPTION TO THE STATUTE REQUIRING THE DEPARTMENT OF REVENUE TO SERVE AS A WHOLESALE DISTRIBUTOR AND SELLER OF ALCOHOLIC BEVERAGES FOR THOSE ALCOHOLIC BEVERAGES SOLD BY THE HOLDER OF A FESTIVAL WINE PERMIT; TO AMEND SECTION 67-1-77, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE ON THE AUTHORITY OF A DISTILLER, WINE MANUFACTURER, RECTIFIER, BLENDER OR BOTTLER TO HAVE A FINANCIAL INTEREST IN A WINE FESTIVAL PERMIT; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE ANNUAL PRIVILEGE LICENSE TAX FOR A FESTIVAL WINE PERMIT; AND FOR RELATED PURPOSES.

**H. B. No. 256:** AN ACT TO AMEND SECTION 69-37-17, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT REQUIRES THE MISSISSIPPI BOLL WEEVIL MANAGEMENT CORPORATION TO SUBMIT THE ANNUAL AUDIT OF ITS ACCOUNTS TO THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE NO LATER THAN NOVEMBER 15; AND FOR RELATED PURPOSES.

**H. B. No. 259:** AN ACT TO AMEND SECTIONS 41-58-1, 41-58-3 AND 41-58-5, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALERS ON THOSE STATUTES ESTABLISHING REGISTRATION AND CONTINUING EDUCATION REQUIREMENTS FOR MEDICAL RADIATION TECHNOLOGISTS; AND FOR RELATED PURPOSES.

**H. B. No. 273:** AN ACT TO ESTABLISH THE HEALTH CARE IMPACT GRANT PROGRAM TO BE ADMINISTERED BY THE STATE DEPARTMENT OF HEALTH; TO PROVIDE THAT THE PROGRAM SHALL PROVIDE GRANTS TO HOSPITALS AND LONG-TERM CARE FACILITIES FOR THE PURPOSE OF STRENGTHENING AND IMPROVING THE HEALTH CARE SYSTEM AND THE QUALITY AND AVAILABILITY OF HEALTH CARE SERVICES, AND PARTIALLY COMPENSATING HOSPITALS FOR THE COST OF UNCOMPENSATED CARE THAT THEY HAVE; TO PROVIDE THAT THE AMOUNT OF THE GRANTS SHALL BE CALCULATED BASED ON THE NUMBER OF LICENSED BEDS OF THE HOSPITALS AND LONG-TERM CARE FACILITIES; AND FOR RELATED PURPOSES.

**H. B. No. 287:** AN ACT TO AMEND SECTION 49-19-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI FORESTRY COMMISSION AND COUNTY FORESTERS WHO ARE EMPLOYED BY THE COMMISSION TO ELECTRONICALLY ACCEPT BIDS FOR TIMBER SALES; TO BRING FORWARD SECTION 29-1-1, 31-7-

13, 49-19-3 AND 55-3-53, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 371:** AN ACT TO AMEND SECTION 74, CHAPTER 492, LAWS OF 2020, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE CITY OF UNION, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS AND OVERLAY OF INDUSTRIAL CIRCLE IN THE CITY OF UNION, MAY BE USED; AND FOR RELATED PURPOSES.

**H. B. No. 384:** AN ACT TO AMEND SECTION 67-1-83, MISSISSIPPI CODE OF 1972, TO ALLOW ANY COUNTY, MUNICIPALITY, TRIBE OR OTHER POLITICAL SUBDIVISION OF THE STATE THAT IS WET UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW TO AUTHORIZE PERMITTED PACKAGE RETAILERS TO ENGAGE IN PACKAGE RETAIL SALES DURING CERTAIN HOURS ON SUNDAY; AND FOR RELATED PURPOSES.

**H. B. No. 388:** AN ACT TO AMEND SECTION 27-7-805, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERMS "CLAIMANT LOCAL GOVERNMENT" AND "LOCAL GOVERNMENT" FOR PURPOSES OF THE SECTIONS OF LAW THAT AUTHORIZE COUNTIES AND MUNICIPALITIES TO SUBMIT CERTAIN DEBTS OWED TO THEM TO THE DEPARTMENT OF REVENUE FOR COLLECTION THROUGH A SETOFF AGAINST THE DEBTORS' MISSISSIPPI INCOME TAX REFUND; AND FOR RELATED PURPOSES.

**H. B. No. 392:** AN ACT TO AMEND SECTION 27-7-22.44, MISSISSIPPI CODE OF 1972, TO EXTEND THE CALENDAR YEARS FOR WHICH AN EMPLOYER TAXPAYER MAY CLAIM AN INCOME TAX CREDIT FOR BLOOD DONATIONS MADE BY EMPLOYEES DURING A BLOOD DRIVE; AND FOR RELATED PURPOSES.

**H. B. No. 395:** AN ACT TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE BY WHICH THE STATE BOND COMMISSION MAY ISSUE GENERAL OBLIGATION BONDS UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT FOR CERTAIN AUTOMOTIVE PARTS MANUFACTURING PLANT PROJECTS; AND FOR RELATED PURPOSES.

**H. B. No. 478:** AN ACT TO ENACT INTO LAW THE OCCUPATIONAL THERAPY LICENSURE COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-24-3, 73-24-7, 73-24-9, 73-24-15, 73-24-17, 73-24-19, 73-24-23, 73-24-24, 73-24-25, 73-24-27 AND 73-24-29, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 484:** AN ACT TO AMEND SECTIONS 75-55-5 AND 75-55-37, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THOSE SECTIONS OF LAW WHICH PROVIDE DEFINITIONS AND PENALTIES UNDER THE PETROLEUM PRODUCTS INSPECTION LAW OF MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 518:** AN ACT TO AMEND SECTION 41-139-1, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS OF THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM; TO PROVIDE THAT APPLICANTS FOR GRANTS THAT WERE APPROVED AND FUNDED IN THE FIRST ROUND OF GRANTS AWARDED DURING FISCAL YEAR 2023 ARE ELIGIBLE TO APPLY FOR THE SECOND ROUND OF GRANTS AWARDED DURING FISCAL YEAR 2024; TO PROVIDE THAT GRANTS MAY BE USED FOR REIMBURSEMENT OF EXPENSES OF THAT WERE INCURRED BY PROVIDERS DURING THE PERIOD BEGINNING ON MARCH 3, 2021, THROUGH DECEMBER 31, 2024; TO DELETE THE REQUIREMENT THAT THE PROGRAM BE FUNDED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE THAT THE DEPARTMENT OF HEALTH MAY EXPEND A PORTION OF THE AMOUNT APPROPRIATED FOR THE PROGRAM FOR

THE EXPENSES OF ADMINISTERING THE PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 522:** AN ACT TO REENACT SECTIONS 41-67-1 THROUGH 41-67-7, 41-67-9 THROUGH 41-67-12, 41-67-15, 41-67-19 THROUGH 41-67-29, 41-67-33 AND 41-67-37 THROUGH 41-67-41, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEM LAW; TO AMEND REENACTED SECTION 41-67-33, MISSISSIPPI CODE OF 1972, TO CORRECT A GRAMMATICAL ERROR; TO AMEND SECTION 41-67-31, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEM LAW; AND FOR RELATED PURPOSES.

**H. B. No. 535:** AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION TO BE HELD BEFORE CERTAIN MUNICIPALITIES MAY BE DESIGNATED A QUALIFIED RESORT AREA UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

**H. B. No. 557:** AN ACT TO AMEND SECTION 37-146-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF STUDENTS ADMITTED ANNUALLY TO THE MISSISSIPPI RURAL DENTIST SCHOLARSHIP PROGRAM FROM THREE TO SIX; AND FOR RELATED PURPOSES.

**H. B. No. 584:** AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE AMOUNT SPECIFIED FOR CARE GRANTS UNDER THE MISSISSIPPI QUALIFIED HEALTH CENTER GRANT PROGRAM IS THE MINIMUM AMOUNT OF GRANTS TO BE ISSUED; AND FOR RELATED PURPOSES.

**H. B. No. 588:** AN ACT TO REENACT SECTIONS 37-153-1 THROUGH 37-153-15, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; TO AMEND SECTION 37-153-17, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE STATUTES COMPOSING THE MISSISSIPPI COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; TO REENACT SECTIONS 71-5-5, 71-5-11 AND 71-5-19, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI EMPLOYMENT SECURITY LAW; TO REENACT SECTIONS 71-5-101 AND 71-5-107 THROUGH 71-5-143, MISSISSIPPI CODE OF 1972, WHICH TRANSFER THE POWERS AND RESPONSIBILITIES OF THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION TO THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY IN THE OFFICE OF THE GOVERNOR AND PRESCRIBE THE DEPARTMENT'S POWERS AND DUTIES; TO REENACT SECTION 71-5-201, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE MISSISSIPPI STATE EMPLOYMENT SERVICE WITHIN THE DEPARTMENT OF EMPLOYMENT SECURITY; TO REENACT SECTIONS 71-5-357 AND 71-5-359, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBE REGULATIONS GOVERNING NONPROFIT ORGANIZATIONS, STATE AGENCIES AND POLITICAL SUBDIVISIONS UNDER THE EMPLOYMENT SECURITY LAW; TO REENACT SECTIONS 71-5-451 AND 71-5-457, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE UNEMPLOYMENT COMPENSATION FUND AND THE UNEMPLOYMENT TRUST FUND; TO REENACT SECTIONS 71-5-511, 71-5-513, 71-5-517, 71-5-519, 71-5-523, 71-5-525, 71-5-529, 71-5-531 AND 71-5-541, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PAYMENT OF UNEMPLOYMENT COMPENSATION BENEFITS; TO REENACT SECTION 73-30-25, MISSISSIPPI CODE OF 1972, WHICH EXCLUDES CERTAIN PROFESSIONALS FROM REGULATION UNDER THE LAWS GOVERNING LICENSED PROFESSIONAL COUNSELORS; TO REENACT SECTION 7-1-355, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF

EMPLOYMENT SECURITY, OFFICE OF THE GOVERNOR, TO MAKE AN ANNUAL REPORT TO THE LEGISLATURE ON WORKFORCE INVESTMENT ACTIVITIES; TO REENACT SECTION 43-1-30, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TANF IMPLEMENTATION COUNCIL AND PRESCRIBES ITS POWERS AND DUTIES; TO REENACT SECTION 43-17-5, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES THE AMOUNT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BENEFITS WHICH MAY BE GRANTED TO RECIPIENTS; TO REENACT SECTION 43-19-45, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE CHILD SUPPORT UNIT ESTABLISHED BY THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A STATE PARENT LOCATOR SERVICE; TO REENACT SECTION 43-19-46, MISSISSIPPI CODE OF 1972, WHICH REQUIRES EMPLOYERS TO SUBMIT CERTAIN INFORMATION RELATING TO NEWLY HIRED EMPLOYEES TO THE DIRECTORY OF NEW HIRES WITHIN THE DEPARTMENT OF HUMAN SERVICES; TO REENACT SECTIONS 57-62-5 AND 57-62-9, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI ADVANTAGE JOBS ACT; TO REENACT SECTION 57-75-5, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS USED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO REENACT SECTION 57-80-7, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE GROWTH AND PROSPERITY ACT; TO REENACT SECTION 69-2-5, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES CERTAIN DUTIES OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE RELATING TO THE DISSEMINATION OF INFORMATION TO THE AGRICULTURAL COMMUNITY; TO AMEND SECTION 60, CHAPTER 572, LAWS OF 2004, AS LAST AMENDED BY SECTION 7, CHAPTER 476, LAWS OF 2020, TO EXTEND THE DATE OF THE REPEALER ON THE PRECEDING STATUTES, EXCLUDING SECTIONS 37-153-1 THROUGH 37-153-15, MISSISSIPPI CODE OF 1972, WHICH ARE REENACTED BY THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 631:** AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO REVISE THE DISABILITY RATING REQUIREMENTS FOR CERTAIN MOTOR VEHICLE AND MOTORCYCLE LICENSE PLATES AND TAGS AUTHORIZED FOR DISABLED VETERANS; TO AMEND SECTION 27-19-56.444, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 675:** AN ACT TO AMEND SECTION 35-1-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE VETERANS AFFAIRS BOARD SHALL HAVE THIRTY DAYS AFTER RECEIVING WRITTEN NOTICE OF AN APPEAL OF A CLAIM THROUGH POWER OF ATTORNEY ON BEHALF OF A VETERAN IN ORDER TO PROCESS THE APPEAL; TO PROVIDE THAT IF THE APPEAL TIME IS LESS THAN THIRTY DAYS THE STATE VETERANS AFFAIRS BOARD MAY ONLY ADVISE THE VETERAN WITH THE CLAIM; AND FOR RELATED PURPOSES.

**H. B. No. 677:** AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN QUALIFICATIONS FOR COUNTY VETERAN SERVICE OFFICES; AND FOR RELATED PURPOSES.

**H. B. No. 693:** AN ACT TO AMEND SECTION 21-17-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MAXIMUM AMOUNT OF SURETY BOND SHALL NOT EXCEED ONE MILLION DOLLARS RATHER THAN ONE HUNDRED THOUSAND DOLLARS FOR MUNICIPAL ALDERMEN AND COUNCILMEN; AND FOR RELATED PURPOSES.

**H. B. No. 702:** AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REVISE THE REVERSE AUCTION METHOD FOR RECEIVING BIDS TO DIFFERENTIATE BETWEEN AGENCIES AND GOVERNING AUTHORITIES; TO PROVIDE THAT IF AN AGENCY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY, THEN THAT DETERMINATION MUST BE APPROVED BY THE PUBLIC PROCUREMENT REVIEW BOARD; TO PROVIDE THAT IF A GOVERNING AUTHORITY DETERMINES THAT A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE GOVERNING AUTHORITY, THEN THAT



DETERMINATION MUST BE APPROVED BY THE GOVERNING BOARD OF THE GOVERNING AUTHORITY; TO PROVIDE THAT THE AGENCY AND GOVERNING AUTHORITY MUST SUBMIT AN EXPLANATION AS TO WHY A REVERSE AUCTION IS NOT IN THE BEST INTEREST OF THE AGENCY OR GOVERNING AUTHORITY; AND FOR RELATED PURPOSES.

**H. B. No. 769:** AN ACT TO DESIGNATE THE WILDLIFE MANAGEMENT AREA FORMERLY KNOWN AS THE TUSCUMBIA WILDLIFE MANAGEMENT AREA, THE HARVEY MOSS WILDLIFE MANAGEMENT AREA AT TUSCUMBIA; AND FOR RELATED PURPOSES.

**H. B. No. 793:** AN ACT TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL DESIGN AND CAUSE TO BE CONSTRUCTED AND MAINTAINED AN EMERGENCY MEDICAL SERVICES MEMORIAL TO HONOR THOSE EMERGENCY MEDICAL SERVICES PERSONNEL WHO HAVE GIVEN THEIR LIVES IN THE PERFORMANCE OF THEIR OFFICIAL DUTIES AND THOSE WHO HAVE MADE A DRAMATIC IMPACT ON OR SUBSTANTIAL CONTRIBUTION TO EMERGENCY MEDICAL SERVICES IN MISSISSIPPI; TO PROVIDE THAT THE DEPARTMENT SHALL FORM, ESTABLISH AND/OR COLLABORATE WITH A PRIVATE FOUNDATION OR NONPROFIT CORPORATION TO MAINTAIN THE MEMORIAL IN PERPETUITY AND DETERMINE THE ELIGIBILITY OF THOSE PERSONS TO BE INCLUDED ON THE MEMORIAL; AND FOR RELATED PURPOSES.

**H. B. No. 842:** AN ACT TO AUTHORIZE THE OFFICE OF WORKFORCE DEVELOPMENT TO PARTNER WITH THE MISSISSIPPI ALLIANCE OF NONPROFITS AND PHILANTHROPY TO CREATE A PROTOTYPE SYSTEM THAT WILL IDENTIFY, DOCUMENT, NETWORK, ASSESS NEEDS AND CREATE A PLAN FOR INCREASING ACCOUNTABILITY, TRANSPARENCY, OPERATIONAL CAPACITY AND INFORMATION SHARING FOR NONPROFIT ORGANIZATIONS IN MISSISSIPPI THAT ARE AWARDED GRANTS AND CONTRACTS THAT USE FEDERAL OR STATE RESOURCES THAT ARE RELATED TO WORKFORCE DEVELOPMENT AND EMPLOYMENT SERVICES; TO REQUIRE THE OFFICE AND THE ALLIANCE TO EXECUTE A MEMORANDUM OF UNDERSTANDING BETWEEN THEM THAT DETAILS THE SCOPE OF WORK, ANTICIPATED OUTCOMES AND THE TIMELINE FOR DEVELOPING THE PROTOTYPE SYSTEM; TO REQUIRE ALL AGENCIES, INSTITUTIONS AND DEPARTMENTS THAT SUB-GRANT OR CONTRACT WITH NONPROFITS FOR WORKFORCE OR EMPLOYMENT SERVICES, AND ANY NONPROFIT THAT RECEIVES SUCH SUB-GRANT OR CONTRACT, TO PROVIDE ANY INFORMATION THAT MAY BE REQUESTED FROM THE OFFICE OR THE ALLIANCE; AND FOR RELATED PURPOSES.

**H. B. No. 843:** AN ACT TO CREATE NEW SECTION 71-5-122, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO FINGERPRINT AND CONDUCT BACKGROUND INVESTIGATIONS ON EMPLOYEES, CONTRACTORS AND SUBCONTRACTORS WHO HAVE ACCESS TO FEDERAL TAX INFORMATION OR ARE OTHERWISE REQUIRED BY STATE OR FEDERAL LAW TO UNDERGO A BACKGROUND INVESTIGATION; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO ENACT POLICIES AND PROCEDURES RELATED TO THE BACKGROUND INVESTIGATIONS; AND FOR RELATED PURPOSES.

**H. B. No. 846:** AN ACT TO AMEND SECTION 29-3-132, MISSISSIPPI CODE OF 1972, TO REVISE THE ZONING AUTHORITY OF LOCAL GOVERNING ENTITIES TO PROHIBIT SUCH ENTITIES FROM RESTRICTING SCHOOL DISTRICTS' ABILITY TO CONSTRUCT FACILITIES ON SIXTEENTH SECTION LANDS; AND FOR RELATED PURPOSES.

**H. B. No. 854:** AN ACT TO AMEND SECTION 73-54-17, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS FOR A MARRIAGE AND FAMILY THERAPY

LICENSE TO PROVIDE THAT THE APPLICANT'S DEGREE MAY BE FROM AN INSTITUTION ACCREDITED BY THE COUNCIL FOR ACCREDITATION OF COUNSELING AND RELATED EDUCATIONAL PROGRAMS (CACREP) AND TO REDUCE THE NUMBER OF CLIENT CONTACT HOURS THAT THE APPLICANT MUST HAVE COMPLETED IN A CLINICAL PRACTICUM; AND FOR RELATED PURPOSES.

**H. B. No. 857:** AN ACT TO AMEND SECTION 27-7-805, MISSISSIPPI CODE OF 1972, TO CLARIFY THE TERM "CLAIMANT LOCAL GOVERNMENT" UNDER THE LOCAL GOVERNMENT DEBT COLLECTION SETOFF ACT; TO PROVIDE THAT SUCH TERM SHALL INCLUDE, FOR COUNTIES AND MUNICIPALITIES, ALL CORPORATIONS AND OTHER INSTRUMENTALITIES WHOSE GOVERNING BOARDS ARE COMPRISED OF A MAJORITY OF MEMBERS WHO ARE APPOINTED OR ELECTED BY COUNTIES OR MUNICIPALITIES; AND FOR RELATED PURPOSES.

**H. B. No. 874:** AN ACT TO AMEND CHAPTER 393, LAWS OF 2014, AS LAST AMENDED BY CHAPTER 443, LAWS OF 2022, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO DONATE THE REMAINDER OF CERTAIN REAL PROPERTY KNOWN AS THE "OLD MAGNOLIA CHURCH SITE" LOCATED IN CLAIBORNE COUNTY, MISSISSIPPI, TO THE NATIONAL PARK SERVICE FOR THE PURPOSE OF FACILITATING A COMPLETE DONATION OF ALL PARCELS OF LAND COMPRISING SAID PROPERTY; AND FOR RELATED PURPOSES.

**H. B. No. 876:** AN ACT TO AMEND CHAPTER 386, LAWS OF 2017, AS AMENDED BY SECTION 3, CHAPTER 449, LAWS OF 2018, AS AMENDED BY SECTIONS 1 AND 2, CHAPTER 363, LAWS OF 2019, AS LAST AMENDED BY SECTION 1, CHAPTER 412, LAWS OF 2022, TO AUTHORIZE THE MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT TO BE REIMBURSED FOR ALL OUT-OF-POCKET EXPENSES FOR WATER, SEWER, ROADS, BRIDGES, AND ELECTRICAL, OR ANY OTHER PROPERTY ENHANCEMENTS OR IMPROVEMENTS EXPENDED FOR THE DEVELOPMENT OF THE FORMER COLUMBIA TRAINING SCHOOL PROPERTY IN MARION COUNTY, MISSISSIPPI, BEFORE THE PROCEEDS FROM THE SALES OF ANY PARCELS OF SUCH PROPERTY IS EQUALLY DIVIDED BETWEEN THE MARION COUNTY ECONOMIC DEVELOPMENT DISTRICT AND THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 877:** AN ACT TO AMEND SECTION 1, CHAPTER 451, LAWS OF 2022, TO CLARIFY THE AUTHORITY OF THE UNIVERSITY OF SOUTHERN MISSISSIPPI TO ENTER INTO INSURANCE AGREEMENTS FOR THE PROTECTION OF LEASED AND SUBLEASED PROPERTY ADMINISTERED BY THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT AGAINST LOSS OR DAMAGE TO THE PROPERTY; AND FOR RELATED PURPOSES.

**H. B. No. 904:** AN ACT TO AMEND SECTION 51-13-111, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF DIRECTORS OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT TO TRANSFER KEMPER LAKE TO THE KEMPER COUNTY BOARD OF SUPERVISORS; TO AUTHORIZE THE BOARD TO PAY \$40,000 FOR COSTS ASSOCIATED WITH PAVILION REPAIRS AND IMPROVEMENTS TO THE KEMPER COUNTY BOARD OF SUPERVISORS; TO AUTHORIZE THE KEMPER COUNTY BOARD OF SUPERVISORS TO TRANSFER KEMPER LAKE TO ANY WATER MANAGEMENT DISTRICT THAT MEETS CERTAIN CRITERIA PRESCRIBED BY THE BOARD OF SUPERVISORS, UPON THE TERMS AND CONDITIONS AS IT MAY DETERMINE; AND FOR RELATED PURPOSES.

**H. B. No. 916:** AN ACT TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NONCHARGES CAUSED BY THE COVID-19 PANDEMIC SHALL NOT BE USED FOR THE PURPOSES OF CALCULATING THE GENERAL EXPERIENCE RATE; AND FOR RELATED PURPOSES.

**H. B. No. 923:** AN ACT TO AMEND SECTIONS 49-4-37 AND 57-61-32, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE FISH HATCHERY THAT IS LOCATED IN NORTH MISSISSIPPI AS THE BOB TYLER FISH HATCHERY; AND FOR RELATED PURPOSES.

**H. B. No. 989:** AN ACT TO PROVIDE THAT FROM AND AFTER JULY 1, 2023, THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A STATE AGENCY SEPARATE AND APART FROM THE DEPARTMENT OF HUMAN SERVICES AND NOT A SUBAGENCY HOUSED WITHIN THE DEPARTMENT OF HUMAN SERVICES, AND SHALL HAVE SUCH POWERS AND DUTIES AND PERFORM SUCH FUNCTIONS THAT ARE ASSIGNED TO THE DEPARTMENT OF CHILD PROTECTION SERVICES BY STATE LAW; TO AMEND SECTION 43-26-1, MISSISSIPPI CODE OF 1972, AND TO CREATE NEW SECTIONS 43-26-5, 43-26-7, 43-26-9, 43-26-11, 43-26-13, 43-26-15, 43-26-17, 43-26-19, 43-26-21 AND 43-26-23, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE POWERS AND DUTIES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES AND THE COMMISSIONER OF CHILD PROTECTION SERVICES; TO CREATE NEW SECTION 43-26-25, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR A REPEALER ON THE STATUTES PRESCRIBING THE POWERS AND DUTIES OF THE DEPARTMENT AND THE COMMISSIONER; TO AMEND SECTIONS 11-46-1, 11-46-8, 25-1-109, 27-104-203, 37-31-107, 37-106-69, 37-115-43, 41-3-18, 41-67-12, 41-87-5, 41-101-1, 43-1-9, 43-1-101, 43-14-1, 43-14-5, 43-15-3, 43-15-5, 43-15-6, 43-15-7, 43-15-11, 43-15-15, 43-15-19, 43-15-21, 43-15-23, 43-15-103, 43-15-105, 43-15-107, 43-15-109, 43-15-113, 43-15-115, 43-15-117, 43-15-119, 43-15-121, 43-15-125, 43-15-201, 43-15-203, 43-15-207, 43-16-3, 43-16-7, 43-18-3, 43-18-5, 43-21-351, 43-21-354, 43-21-357, 43-21-405, 43-21-603, 43-21-609, 43-21-701, 43-21-801, 43-27-101, 43-27-103, 43-27-109, 43-27-113, 43-27-115, 43-27-117, 43-27-119, 43-43-5, 43-43-7, 43-51-3, 43-51-5, 43-51-7, 45-33-36, 57-13-23, 93-5-23, 93-17-3, 93-17-5, 93-17-8, 93-17-11, 93-17-12, 93-17-53, 93-17-57, 93-17-59, 93-17-61, 93-17-63, 93-17-65, 93-17-101, 93-17-103, 93-17-107, 93-17-109, 93-17-203, 93-17-209, 93-21-305, 93-21-307, 93-21-309, 93-21-311, 93-31-3, 97-5-24, 97-5-39 AND 99-41-17, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO REPEAL SECTIONS 43-1-51, 43-1-53, 43-1-57, 43-1-59, 43-1-63, 43-51-1 AND 43-51-9, MISSISSIPPI CODE OF 1972, WHICH CREATED THE DIVISION OF FAMILY AND CHILDREN'S SERVICES WITHIN THE DEPARTMENT OF HUMAN SERVICES, PROVIDES THE TITLE FOR THE FAMILY PRESERVATION ACT, AND REQUIRES AN ONGOING EVALUATION AND REPORT ON FAMILY PRESERVATION SERVICES; AND FOR RELATED PURPOSES.

**H. B. No. 999:** AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF THE STATE SALES TAX REVENUE DERIVED FROM SALES OF BUSINESSES WITH A CERTAIN NORTH AMERICAN INDUSTRY CLASSIFICATION SYSTEM CODE SHALL BE DEPOSITED INTO THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; TO AMEND SECTION 49-39-7, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 1039:** AN ACT TO AMEND SECTION 73-50-1, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISIONS APPLICABLE TO THE ISSUANCE OF OCCUPATIONAL LICENSES TO APPLICANTS WHO ARE MEMBERS OF THE MILITARY OR MARRIED TO OR DEPENDENTS OF MEMBERS OF THE MILITARY, TO MAKE SUCH PROVISIONS APPLY TO APPLICANTS WHO ARE VETERANS OF THE MILITARY OR MARRIED TO OR DEPENDENTS OF VETERANS OF THE MILITARY; AND FOR RELATED PURPOSES.

**H. B. No. 1136:** AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI ROAD BUILDERS ASSOCIATION; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF

THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; AND FOR RELATED PURPOSES.

**H. B. No. 1140:** AN ACT TO AMEND SECTION 67-3-46, MISSISSIPPI CODE OF 1972, TO REVISE THE TYPES OF MANUFACTURERS OF BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCTS THAT ARE PROHIBITED FROM HAVING AN INTEREST IN WHOLESALERS OR DISTRIBUTORS OF BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCTS; AND FOR RELATED PURPOSES.

**H. B. No. 1167:** AN ACT TO AMEND SECTION 73-59-5, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN ALTERNATIVE EXAMINATION METHOD FOR CERTAIN PERSONS OR ENTITIES APPLYING FOR A LICENSE UNDER THE LAWS REGULATING RESIDENTIAL BUILDERS AND REMODELERS; TO BRING FORWARD SECTION 73-59-3, MISSISSIPPI CODE OF 1972, WHICH IS A SECTION OF THE LAWS REGULATING RESIDENTIAL BUILDERS AND REMODELERS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1169:** AN ACT TO AMEND SECTION 27-7-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF ANY OFFICER OR EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION THEREOF DOES NOT PAY STATE INCOME TAX BY AUGUST 15 AFTER SUCH INCOME TAX BECOMES DUE AND PAYABLE, THE OFFICER OR EMPLOYEE MAY ELECT TO HAVE FIFTY PERCENT, INSTEAD OF THE FULL AMOUNT, OF HIS WAGES, SALARY OR OTHER COMPENSATION WITHHELD AND PAID TO THE DEPARTMENT OF REVENUE IN SATISFACTION OF SUCH INCOME TAX, INTEREST AND PENALTY, IF ANY, UNTIL PAID IN FULL; TO AMEND SECTION 7-7-43, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 1195:** AN ACT TO AMEND SECTION 25-11-109, MISSISSIPPI CODE OF 1972, TO AUTHORIZE CERTAIN MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM TO RECEIVE A MAXIMUM OF THREE YEARS CREDITABLE SERVICE; TO PROVIDE THAT THE MEMBER SHALL PAY TO THE RETIREMENT SYSTEM BEFORE THE DATE OF RETIREMENT THE ACTUARIAL COST AS DETERMINED BY THE ACTUARY FOR EACH INCREMENT OF SERVICE PURCHASED; TO PROVIDE THAT A MEMBER MAY RECEIVE NO MORE YEARS OF CREDITABLE SERVICE UNDER THIS ACT THAN AN AMOUNT THAT, WHEN COMBINED WITH ALL OTHER CREDITABLE SERVICE, EXCLUDING UNUSED LEAVE, WOULD CAUSE THE MEMBER TO HAVE THE SPECIFIED NUMBER OF YEARS OF CREDITABLE SERVICE TO RETIRE REGARDLESS OF AGE; AND FOR RELATED PURPOSES.

**H. B. No. 1235:** AN ACT TO AMEND SECTION 25-3-92, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STATE AGENCIES TO GRANT UP TO SIX DAYS OF ADMINISTRATIVE LEAVE WITH PAY WITHIN A SIX-MONTH PERIOD TO EMPLOYEES WHO ARE QUALIFIED MEMBERS OF THE MISSISSIPPI WING OF THE CIVIL AIR PATROL PARTICIPATING IN OFFICIAL EMERGENCY SERVICES MISSIONS; TO PROVIDE THAT EMPLOYEES OF ANY PUBLIC OR PRIVATE BUSINESS OR INDUSTRY, WHO ARE ACTIVE MEMBERS OF THE MISSISSIPPI WING OF THE CIVIL AIR PATROL, MAY, IN THE DISCRETION OF AN EMPLOYEE'S EMPLOYER, BE ENTITLED TO A LEAVE OF ABSENCE FROM THEIR RESPECTIVE DUTIES ON ALL DAYS DURING WHICH THEY PARTICIPATE IN AN OFFICIAL OPERATIONAL EMERGENCY SERVICES MISSION FOR THE CIVIL AIR PATROL IN THIS STATE OR IN A STATE CONTIGUOUS TO THIS STATE WHEN THE CIVIL AIR PATROL REQUESTS THE EMPLOYEE'S PARTICIPATION; AND FOR RELATED PURPOSES.

**H. B. No. 1286:** AN ACT TO NAME THE ALCORN STATE UNIVERSITY EXTENSION AND RESEARCH COMPLEX, LOCATED IN LORMAN, JEFFERSON COUNTY, MISSISSIPPI, THE "DR. JESSE HARNESS, SR., EXTENSION AND

RESEARCH CENTER"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH ALCORN STATE UNIVERSITY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDING DISPLAYING THE OFFICIAL NAME AS THE "DR. JESSE HARNESS, SR., EXTENSION AND RESEARCH CENTER"; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 363:** AN ACT TO AMEND SECTION 69-5-31, MISSISSIPPI CODE OF 1972, TO EXEMPT OR MAINTAIN CONFIDENTIALITY OF PERSONAL IDENTIFYING INFORMATION OF LAW ENFORCEMENT OFFICERS HIRED BY THE DEPARTMENT; TO AMEND SECTION 69-29-1, MISSISSIPPI CODE OF 1972, TO PERMIT RETIRING INVESTIGATORS TO RETAIN SIDE ARM; TO AMEND SECTION 69-42-1, MISSISSIPPI CODE OF 1972, TO DELETE REQUIREMENT FOR PRODUCTION OF ANNUAL REPORTS; TO AMEND SECTION 69-46-3, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL MEETING VENUE FOR THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES BOARD MEETINGS; TO AMEND SECTION 75-45-311, MISSISSIPPI CODE OF 1972, TO REPEAL SECTIONS 69-41-1, 69-41-3, 69-41-5, 69-41-7, 69-41-9, 69-41-11, 69-41-13 AND 69-41-19, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING AND GOVERNING THE ADMINISTRATION OF THE "MISSISSIPPI AGRIBUSINESS COUNCIL ACT OF 1993"; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 18:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE DILIGENCE, SERVICE AND WIDE INFLUENCE OF THE PASTORS AND MEMBERS OF SALEM MISSIONARY BAPTIST CHURCH ON THE OCCASION OF THE CHURCH'S HISTORIC 157TH YEAR ANNIVERSARY.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 61:** Irvin Lynn Posey, Union Church, Mississippi, Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, term effective September 23, 2022. Do Advise and Consent.

WHALEY, Chairman

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Senator Polk moved that the Senate adjourn until 9:00 AM, Friday, February 3, 2023.

The motion prevailed, and at 4:54 PM, the Senate stood adjourned.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR THURSDAY, FEBRUARY 2, 2023

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THIRTY-SECOND DAY, FRIDAY, FEBRUARY 3, 2023

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.  
Absent--Chism, Moran, Parker, Tate. Total--4.

The Secretary announced a quorum present.

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The invocation was delivered by Father Patrick Sanders, Pastor, St. Peter's By-The-Sea Episcopal Church, Gulfport, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Harkins called up the following entitled bill:

**S. B. No. 2681:** Mississippi Development Authority; extend and codify repealers on certain laws related to.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2681. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Chism, Moran, Parker, Tate. Total--4.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2684:** Children's Promise Act; revise definition of "eligible charitable organization."

YEAS AND NAYS On S. B. No. 2684. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Chism, Moran, Parker, Tate. Total--4.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2698:** Ad valorem tax; extend fee-in-lieu qualifying period for renewable energy project.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2698. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Chism, Moran, Parker, Tate. Total--4.

Voting Present--Hill. Total--1.

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Senator Simmons D. T. (12th) called up the motion to reconsider the vote whereby **S. B. No. 2306** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2306:** Flood and drainage control districts; revise number of directors for certain municipalities.

The foregoing motion prevailed.

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On motion of Senator Fillingane the following entitled bill was removed from the table for immediate consideration:

**S. B. No. 2420:** Public Funds Offender Registry; create.

Senator England offered the following AMENDMENT NO. 2.

AMEND on lines 19-20 by deleting the words "of pretrial diversion or" and inserting the word "by" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 2 to S. B. No. 2420 was adopted.

YEAS AND NAYS On S. B. No. 2420. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Barrett. Total--1.

Absent and those not voting--Chism, Moran, Parker, Tate. Total--4.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2323:** Community hospitals; allow consolidation and collaboration involving other hospitals.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.



Senators Wiggins and England offered the following AMENDMENT NO. 1.

AMEND on line 53 by deleting "power" and inserting in lieu thereof "powers and duties"

AMEND on line 54 by deleting "authority"

AMEND on Line 261 by deleting "and"

AMEND BY inserting the following below line 271:

(ff) The board of trustees shall not sell, lease, enter into any agreement, or otherwise dispose of assets, facilities, real property or personal property described in this subsection without the approval of the owners of those assets, facilities, real property or personal property.

FURTHER, AMEND THE TITLE TO CONFORM

Senator Hopson offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 1.

AMEND on lines 6 and 7 by deleting ", lease, enter into any agreement, or otherwise dispose of assets, facilities,"

FURTHER, AMEND on line 8 by deleting "or personal property"

FURTHER, AMEND on line 9 by deleting "of those assets, facilities," and inserting in lieu thereof "the"

FURTHER, AMEND on line 10 by deleting "or personal property"

FURTHER, AMEND the title to conform.

Amendment No. 1 to Amendment No. 1 to S. B. No. 2323 was adopted.

Amendment No. 1 as amended to S. B. No. 2323 was adopted.

YEAS AND NAYS On S. B. No. 2323. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Chism, Moran, Parker, Tate. Total--4.

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Unanimous consent was granted to add Senators Jordan and Branning as co-authors of **S. B. No. 2323**.

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Senator Blount entered a motion to reconsider the vote whereby **S. B. No. 2596** passed the Senate.

**S. B. No. 2596:** Mississippi Nonprofit Transparency Act; create.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2797:** Mississippi State Asylum Records; provide procedures and exempt from confidentiality and privilege requirements.

On motion of Senator Blount, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2797. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Chism, Moran, Parker, Tate. Total--4.

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Senator Chassaniol called up the following entitled bill:

**S. B. No. 2006:** Festival wine permits; remove repealers and reverts on provisions relating to.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND by inserting the following below line 63:

(dd) On-premises tobacco permit.....\$ 450.00

FURTHER, AMEND by inserting the following below line 811:

(w) On-premises tobacco permit. An on-premises tobacco permit shall authorize the permittee to sell alcoholic beverages for consumption on the licensed premises. In addition to all other requirements to obtain an alcoholic beverage permit, the permittee must obtain and maintain a tobacco permit issued by the State of Mississippi. In addition to alcoholic beverages, the permittee is authorized to sell cigars, cheroots, tobacco pipes, pipe tobacco and/or stogies. The permittee is prohibited from selling

cigarettes. Additionally, seventy-five percent (75%) of its annual gross revenue must be derived from the sale of cigars, cheroots, tobacco pipes, pipe tobacco and/or stogies. No food sales shall be required, but food may be sold on the premises. The issuance of this permit does not remove any obligation a permittee may have to follow local ordinances or actions prohibiting the consumption of tobacco products.

FURTHER, AMEND the title to conform by inserting the following on line 4 after the semicolon:

TO AUTHORIZE THE ISSUANCE OF AN ON-PREMISES TOBACCO PERMIT ALLOWING THE PERMITTEE TO SELL ALCOHOLIC BEVERAGES AND CERTAIN TOBACCO PRODUCTS ON THE LICENSED PREMISES; TO SPECIFY THAT ISSUANCE OF THE PERMIT DOES NOT REMOVE ANY OBLIGATION A PERMITTEE MAY HAVE TO FOLLOW LOCAL ORDINANCES OR ACTIONS PROHIBITING THE CONSUMPTION OF TOBACCO PRODUCTS; TO SET THE ANNUAL PRIVILEGE LICENSE TAX FOR THE PERMIT;

#### POINT OF ORDER

A point of order was raised by Senator Blackmon that Amendment No. 1 is not germane.

#### RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order not well-taken.

Amendment No. 1 to S. B. No. 2006 was adopted.

YEAS AND NAYS On S. B. No. 2006. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Blount, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horn, Jackson, Johnson, Jordan, McLendon, McMahan, Michel, Norwood, Polk, Simmons D. T. (12th), Simmons S. (13th), Thomas, Whaley, Wiggins, Williams, Younger. Total--29.

Nays--Blackmon, Branning, Bryan, Frazier, Hill, Sojourner, Sparks, Turner-Ford. Total--8.

Absent and those not voting--Barnett, Boyd, Chism, DeBar, Kirby, McDaniel, Moran, Parker, Parks, Seymour, Tate. Total--11.

Senator Suber, who would have voted nay on S. B. No. 2006, announced a pair with Senator Thompson, who would have voted yea.

Senator McCaughn, who would have voted nay on S. B. No. 2006, announced a pair with Senator Carter, who would have voted yea.

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Senator Sojourner entered a motion to reconsider the vote whereby **S. B. No. 2006** passed the Senate.

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Senator Harkins entered a motion to reconsider the vote whereby **S. B. No. 2681** passed the Senate.

**S. B. No. 2681:** Mississippi Development Authority; extend and codify repealers on certain laws related to.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Franklin Pearson "Pepper" Allen, III of Memphis, TN.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Acie Joseph "A.J." Spring of Bogue Chitto, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Herman Larry Lawrence of Brookhaven, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Mark Glenn Young of Smithdale, MS.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 261:** AN ACT TO AMEND SECTION 27-7-207, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL DECEMBER 31, 2026, THE INCOME TAX CREDIT AUTHORIZED UNDER THE ENDOW MISSISSIPPI PROGRAM FOR A QUALIFIED CONTRIBUTION BY A TAXPAYER TO AN ENDOWED FUND AT A QUALIFIED COMMUNITY FOUNDATION; AND FOR RELATED PURPOSES.

**H. B. No. 396:** AN ACT TO AMEND SECTION 57-26-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE AUTHORITY OF THE MISSISSIPPI DEVELOPMENT AUTHORITY TO ISSUE A CERTIFICATE DESIGNATING AN ENTITY AS AN APPROVED PARTICIPANT AND AUTHORIZING THE APPROVED PARTICIPANT TO PARTICIPATE IN THE TOURISM PROJECT SALES TAX INCENTIVE PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 845:** AN ACT TO CREATE THE MISSISSIPPI NEW ECONOMIC DEVELOPMENT TRAINING ASSISTANCE GRANT PROGRAM TO BE ADMINISTERED BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO PROVIDE THAT THE PROGRAM SHALL BE USED BY THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY ACTING AS THE FISCAL AGENT, FOR THE PURPOSE OF PROVIDING SUPPORT TO COMMUNITY AND JUNIOR COLLEGES FOR THE TRAINING NEEDS THAT MAY ARISE WHEN NEW BUSINESSES LOCATE IN MISSISSIPPI AND PROVIDING SUPPORT TO EXISTING INDUSTRIES WHO MAY LOSE EMPLOYEES AS A RESULT OF THE NEW BUSINESS LOCATING IN THE AREA; TO PROVIDE THE CONDITIONS

FOR ELIGIBILITY FOR A GRANT; TO PROVIDE REPORTING REQUIREMENTS ABOUT THE PROGRAM FOR THE OFFICE OF WORKFORCE DEVELOPMENT; AND FOR RELATED PURPOSES.

**H. B. No. 920:** AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO CLARIFY HOW POPULATION IS CALCULATED FOR AUTHORIZED USE OF RADAR SPEED DETECTION EQUIPMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1211:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY AND THE GOVERNING AUTHORITIES OF ANY MUNICIPALITY TO WORK COOPERATIVELY, BY AGREEMENT, WHEN UTILIZING FUNDS FROM THE AMERICAN RESCUE PLAN ACT(ARPA), CORONAVIRUS AID, RELIEF AND ECONOMIC SECURITY (CARES) ACT OR THE INFLATION REDUCTION ACT; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO EXPEND OR CONTRACT AN OBLIGATION AGAINST CERTAIN FUNDS IN THE LAST SIX MONTHS OF THEIR TERM OFFICE IF A COUNTY HAS PROJECTS OR A PROJECT FUNDED BY ARPA, THE CARES ACT OR THE INFLATION REDUCTION ACT SO THAT SUCH COUNTY MAY WORK TOWARDS COMPLETING SUCH PROJECTS OR PROJECT TO MEET THE FEDERAL SPENDING DEADLINE; TO AMEND SECTION 21-35-27, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; NOTWITHSTANDING THE PROVISIONS OF SECTION 19-5-22, IF THE TAX COLLECTOR DETERMINES THAT THE DELINQUENCY NOTICE ATTACHED TO THE PERSON ATTEMPTING TO BE ISSUED OR RENEW A MOTOR VEHICLE ROAD AND BRIDGE PRIVILEGE LICENSE IS A RESULT OF THE PREVIOUS OWNER OF THE PROPERTY WHO ALLOWED THE GARBAGE FEES TO ACCRUE AND BECOME DELINQUENT, THEN SUCH TAX COLLECTOR MAY ISSUE OR RENEW THE PERSON'S MOTOR VEHICLE ROAD AND BRIDGE PRIVILEGE LICENSE; AND FOR RELATED PURPOSES.

**H. B. No. 1293:** AN ACT TO CREATE NEW SECTION 31-7-15.1, MISSISSIPPI CODE OF 1972, TO REQUIRE STATE AGENCIES TO GIVE A PURCHASING PREFERENCE TO DRONES MANUFACTURED IN THE STATE OF MISSISSIPPI; TO PROHIBIT STATE AGENCIES FROM PURCHASING OR OPERATING DRONES MANUFACTURED OR ASSEMBLED FROM PARTS MANUFACTURED IN THE PEOPLE'S REPUBLIC OF CHINA; TO PROVIDE THAT THE PROVISIONS OF THIS ACT SHALL NOT APPLY TO AN INSTITUTION OF HIGHER LEARNING WITH A FEDERALLY DESIGNATED RESEARCH CENTER ON UNCREWED SYSTEMS AND RELATED MATTERS; AND FOR RELATED PURPOSES.

**H. B. No. 1301:** AN ACT TO AMEND SECTION 37-73-3, MISSISSIPPI CODE OF 1972, TO MODIFY THE DIRECTIVE OF THE OFFICE OF WORKFORCE DEVELOPMENT FROM PILOTING A CAREER COACHING PROGRAM IN MIDDLE SCHOOLS AND HIGH SCHOOLS, TO IMPLEMENTING SUCH PROGRAM FOR THE LONG TERM; TO AUTHORIZE THE OFFICE TO PROVIDE ALL CAREER COACHES ACCESS TO A SECURE END-TO-END PLATFORM THAT ENABLES THEM TO USE ADVANCE ANALYTICS FOR THE PURPOSE ASSISTING STUDENTS TO DEVELOP CUSTOMIZED CAREER PATHWAYS AND DIRECTLY CONNECTING STUDENTS WITH POST-SECONDARY AND EMPLOYMENT OPPORTUNITIES THAT MATCH THEIR SKILLS AND INTERESTS; TO PROVIDE WHAT THE PLATFORM MAY INCLUDE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

## MESSAGE FROM THE HOUSE

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

**H. B. No. 334:** AN ACT TO AMEND SECTION 63-21-39, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS FOR TRANSFERRING A MOTOR VEHICLE TO BE SCRAPPED, DISMANTLED OR DESTROYED WHEN THE OWNER OR AUTHORIZED AGENT OF THE OWNER DOES NOT HAVE THE MOTOR VEHICLE TITLED IN HIS OR HER NAME; AND FOR RELATED PURPOSES.

**H. B. No. 1002:** AN ACT TO AMEND SECTIONS 75-55-5 AND 75-55-37, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALERS ON THOSE SECTIONS OF LAW WHICH PROVIDE DEFINITIONS AND PENALTIES UNDER THE PETROLEUM PRODUCTS INSPECTION LAW OF MISSISSIPPI; TO AMEND SECTION 57-43-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SOUTHERN RAIL COMMISSION TO PREPARE GRANT APPLICATIONS RELATED TO THE ESTABLISHMENT OR MAINTENANCE OF PASSENGER RAIL SERVICE, ENTER INTO OPERATING AND OTHER CONTRACTUAL AGREEMENTS WITH PROVIDERS OF PASSENGER RAIL SERVICE, AND ENTER INTO AGREEMENTS WITH OWNERS OR OPERATORS OF RAILWAY TRACKS IN ORDER TO PROVIDE FOR UPGRADES NECESSARY TO ESTABLISH OR MAINTAIN PASSENGER RAIL SERVICE; AND FOR RELATED PURPOSES.

**H. B. No. 1341:** AN ACT TO CREATE NEW SECTIONS 37-11-81 AND 39-3-25, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PUBLIC SCHOOLS, CHARTER SCHOOLS, THE MISSISSIPPI SCHOOL OF THE ARTS, THE MISSISSIPPI SCHOOL FOR MATHEMATICS AND SCIENCE, THE MISSISSIPPI VIRTUAL PUBLIC SCHOOL, THE MISSISSIPPI SCHOOL FOR THE DEAF, THE MISSISSIPPI SCHOOL FOR THE BLIND AND PUBLIC LIBRARIES TO OFFER DIGITAL OR ONLINE RESOURCES OR DATABASES TO PERSONS ONLY IF THE VENDOR PROVIDING THOSE RESOURCES VERIFIES THAT IT HAS IN PLACE SAFETY POLICIES AND TECHNOLOGY PROTECTION MEASURES THAT PROHIBIT CHILDREN FROM ACCESSING AND SENDING CHILD PORNOGRAPHY, OBSCENE AND SEXUALLY ORIENTED MATERIALS AND OTHER MATERIALS HARMFUL TO CHILDREN; TO ESTABLISH MONETARY PENALTIES FOR A VENDOR THAT FAILS TO CORRECT NONCOMPLIANCE; TO REQUIRE REPORTS OF NONCOMPLIANCE TO BE MADE TO THE STATE AUDITOR; TO BRING FORWARD SECTIONS 97-5-27, 97-5-29, 97-5-31, 97-5-33, 97-5-37, 97-29-101, 97-29-107 and 97-29-109, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO PROVIDE SEVERABILITY IF ANY PART OF THIS ACT IS FOUND UNCONSTITUTIONAL; AND FOR RELATED PURPOSES.

**H. B. No. 1373:** AN ACT TO CREATE THE "RELEASED-TIME MORAL INSTRUCTION ACT OF 2023"; TO AUTHORIZE LOCAL SCHOOL BOARDS TO PERMIT THE RELEASED-TIME MORAL INSTRUCTION OF PUPILS; TO PERMIT SCHOOL BOARDS TO COMPLETE A SURVEY TO DETERMINE PUPILS WITHIN THE SCHOOL DISTRICT WHO DESIRE RELEASED-TIME MORAL INSTRUCTION AND WHO HAVE RECEIVED CONSENT FROM THEIR PARENT OR LEGAL GUARDIAN FOR SUCH INSTRUCTION; TO REQUIRE SCHOOL BOARDS TO ALLOW THOSE STUDENTS DESIRING RELEASED-TIME MORAL INSTRUCTION TO PARTICIPATE IN OFF-SITE FOR AT LEAST ONE HOUR, ONE DAY EACH WEEK; TO PROHIBIT THE SCHOOL DISTRICT FROM PROVIDING OR FACILITATING RELEASED-TIME MORAL INSTRUCTION ON SCHOOL PREMISES; TO PERMIT LOCAL SCHOOL BOARDS TO MAKE ARRANGEMENTS WITH THE PERSONS IN CHARGE OF THE RELEASED-TIME MORAL INSTRUCTION AS THE BOARD DEEMS NECESSARY AND ADVISABLE; TO PROVIDE THAT STUDENTS SHALL NOT BE PENALIZED OR CONSIDERED ABSENT FROM THE SCHOOL FOR PURPOSES OF ATTENDING RELEASED-TIME MORAL INSTRUCTION; TO PROVIDE THAT STUDENTS WHO DO

NOT PARTICIPATE IN RELEASED-TIME MORAL INSTRUCTION SHALL CONTINUE IN THE REGULAR COURSE OF DAILY INSTRUCTION; TO PROVIDE THAT RELEASED-TIME MORAL INSTRUCTION SHALL BE GIVEN WITHOUT EXPENSE TO ANY LOCAL SCHOOL BOARD BEYOND THE COST OF THE ORIGINAL SURVEY; TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1392:** AN ACT TO CREATE NEW SECTION 43-47-41, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH AND MAINTAIN THE MISSISSIPPI VULNERABLE PERSONS ABUSE REGISTRY; TO AMEND SECTION 43-47-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 485:** AN ACT TO PROVIDE A PROCESS TO COLLECT AND PRESERVE SEXUAL ASSAULT EVIDENCE COLLECTION KITS; TO REQUIRE THE LAW ENFORCEMENT AGENCY TO IMMEDIATELY COLLECT AND STORE THE KIT IN COMPLIANCE WITH CERTAIN STANDARDS; TO REQUIRE THE LAW ENFORCEMENT AGENCY TO SEND THE KIT TO THE MISSISSIPPI FORENSICS LABORATORY WITHIN A CERTAIN NUMBER OF DAYS; TO REQUIRE THE FORENSICS LABORATORY TO PROCESS THE KIT AND ENTER DNA INFORMATION INTO THE APPROPRIATE FEDERAL, STATE AND LOCAL DATABASES; TO PROVIDE ADDITIONAL RIGHTS FOR SEXUAL ASSAULT VICTIMS; TO REQUIRE THE MISSISSIPPI FORENSICS LABORATORY, THE MISSISSIPPI ASSOCIATION OF FORENSIC NURSES AND THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO CONDUCT A STUDY AND ISSUE A REPORT THAT EXAMINES THE RESOURCES REQUIRED TO IMPLEMENT A RAPE KIT TRACKING SYSTEM; TO CREATE THE SEXUAL ASSAULT EVIDENCE ACCOUNTABILITY TASK FORCE; TO BRING FORWARD SECTION 99-43-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CRIME VICTIMS' BILL OF RIGHTS, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 99-49-1, TO REVISE PRESERVATION OF EVIDENCE TIMELINES TO CONFORM TO THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 540:** AN ACT TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONDUCT PERSONAL AND PROFESSIONAL SERVICES SOLICITATIONS IN EXCESS OF SEVENTY-FIVE THOUSAND DOLLARS FOR THE DEPARTMENT OF MARINE RESOURCES, THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS, THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY AND THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-104-103, MISSISSIPPI CODE OF 1972, TO REVISE THE POWER AND DUTIES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONFORM; AND FOR RELATED PURPOSES.

**H. B. No. 566:** AN ACT TO AMEND SECTION 63-7-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE HEADLIGHTS OF VEHICLES SHALL BE OPERATED WHENEVER CONDITIONS NECESSITATE THE USE OF WINDSHIELD WIPERS; TO

PROHIBIT THE USE OF ONLY THE PARKING LIGHTS OF VEHICLES DURING TIMES WHEN THE USE OF HEADLIGHTS IS REQUIRED; AND FOR RELATED PURPOSES.

**H. B. No. 602:** AN ACT TO AMEND SECTION 25-31-8, MISSISSIPPI CODE OF 1972, TO INCREASE THE OFFICE OPERATING ALLOWANCE FOR DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.

**H. B. No. 691:** AN ACT TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 45 LOCATED IN WAYNE COUNTY, MISSISSIPPI, AS THE "ARMY SERGEANT ERIC C. NEWMAN MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 703:** AN ACT TO DESIGNATE THE ENTIRE SEGMENT OF INTERSTATE 22 THAT LIES WITHIN THE STATE OF MISSISSIPPI, ALONG WITH A PORTION OF U.S. HIGHWAY 78 LOCATED IN BYHALIA, DESOTO COUNTY, MISSISSIPPI THAT EXTENDS NORTHWESTERLY TO ITS POINT OF BEGINNING AT THE MISSISSIPPI-TENNESSEE STATE LINE, AS THE "MEDAL OF HONOR TRAIL"; AND FOR RELATED PURPOSES.

**H. B. No. 735:** AN ACT TO CREATE THE "RETAILER TAX FAIRNESS ACT"; TO DEFINE CERTAIN TERMS RELATING TO ELECTRONIC PAYMENT TRANSACTIONS; TO PROVIDE THAT THE AMOUNT OF ANY STATE AND LOCAL TAXES THAT ARE COLLECTED THROUGH AN ELECTRONIC PAYMENT TRANSACTION SHALL RESULT IN A CREDIT TO THE MERCHANT OR SELLER FOR ASSOCIATED FEES; AND FOR RELATED PURPOSES.

**H. B. No. 824:** AN ACT TO AMEND SECTION 65-1-8, MISSISSIPPI CODE OF 1972, TO INCLUDE PUBLICLY OWNED GAS AND WATER DISTRICTS LOCATED IN LIMITED POPULATION COUNTIES OF WITH A POPULATION 30,000 OR LESS IN THE LIST OF ENTITIES WHICH THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION IS AUTHORIZED TO ASSIST WITH CERTAIN REMOVAL AND RELOCATION PROJECTS; AND FOR RELATED PURPOSES.

**H. B. No. 834:** AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF LEGAL ASSISTANTS FOR CIRCUIT COURT DISTRICTS; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF CRIMINAL INVESTIGATORS FOR CERTAIN CIRCUIT COURT DISTRICTS; AND FOR RELATED PURPOSES.

**H. B. No. 840:** AN ACT TO AMEND SECTION 99-18-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE STATE DEFENDER TO REPRESENT INDIGENT PERSONS; AND FOR RELATED PURPOSES.

**H. B. No. 850:** AN ACT TO AMEND SECTION 37-57-104, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE LEVYING AUTHORITY FOR A SCHOOL DISTRICT IN CONSERVATORSHIP TO APPROVE OR DISAPPROVE, IN FULL OR IN PART, CERTAIN REQUESTS FOR AN INCREASE IN THE AD VALOREM TAX EFFORT FOR THE SCHOOL DISTRICT; TO AMEND SECTION 37-57-105, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO BRING FORWARD SECTION 37-57-107, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE LEVY OF AD VALOREM TAXES FOR SCHOOL DISTRICTS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 894:** AN ACT TO AMEND SECTION 17-1-27, MISSISSIPPI CODE OF 1972, TO ADD ADMINISTRATIVE OR CIVIL PENALTIES AS AN OPTION THAT LOCAL GOVERNING AUTHORITIES MAY PURSUE WHEN A LOCAL ZONING ORDINANCE IS VIOLATED; AND FOR RELATED PURPOSES.

**H. B. No. 903:** AN ACT TO AMEND SECTION 97-15-29, MISSISSIPPI CODE OF 1972, TO INCREASE THE AMOUNT OF THE FINE FOR INDIVIDUALS WHO ARE



FOUND GUILTY OF VIOLATING LITTERING ORDINANCES OF COUNTIES AND MUNICIPALITIES; AND FOR RELATED PURPOSES.

**H. B. No. 986:** AN ACT TO AMEND MISSISSIPPI CODE ANNOTATED TO ADD A NEW SECTION IN CHAPTER 1 OF TITLE 65 TO ALLOW FOR PUBLIC AND PRIVATE PARTNERSHIPS TO ESTABLISH ELECTRIC VEHICLE CHARGING STATIONS AND TO ALLOW THE MISSISSIPPI TRANSPORTATION COMMISSION TO PROVIDE GRANTS TO PRIVATE COMPANIES FOR THE PURPOSE OF PROVIDING ELECTRIC VEHICLE CHARGING STATIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1016:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 8 LOCATED IN HOUSTON, CHICKASAW COUNTY, MISSISSIPPI, AS THE "DEPUTY JEREMY ALLEN VOYLES MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 1017:** AN ACT TO DESIGNATE THE INTERSECTION OF U.S. HIGHWAY 45 AND COUNTY ROAD 110 LOCATED IN QUITMAN, CLARKE COUNTY, MISSISSIPPI, AS THE "ARMY SPECIALIST TERRY KISHAUN DANTEZ GORDON MEMORIAL INTERSECTION"; AND FOR RELATED PURPOSES.

**H. B. No. 1056:** AN ACT TO AMEND SECTION 37-7-307, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN NONLICENSED SCHOOL EMPLOYEES RETIRE FROM EMPLOYMENT, THE PAYMENT BY THE SCHOOL DISTRICT FOR UP TO THIRTY DAYS OF UNUSED EARNED ACCUMULATED LEAVE SHALL BE MADE AT THE RATE SET BY THE SCHOOL BOARD, WHICH SHALL NOT BE LESS THAN THE FEDERAL MINIMUM WAGE; AND FOR RELATED PURPOSES.

**H. B. No. 1089:** AN ACT TO AMEND SECTION 27-104-371, MISSISSIPPI CODE OF 1972, TO REVISE THE LANGUAGE OF SEVERAL PROJECTS FUNDED FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTIONS 1 AND 4, CHAPTER 103, LAWS OF 2022, TO PROVIDE THAT THE FUNDING FOR THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM WILL BE FROM THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND INSTEAD OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO AMEND SECTION 7, CHAPTER 9, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE STATE BOARD OF PSYCHOLOGY TO INCREASE THE AMOUNT OF FUNDS PROVIDED FOR THE ADMINISTRATIVE SUPPORT OF THE MISSISSIPPI AUTISM BOARD; TO AMEND SECTION 15, CHAPTER 74, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION TO CLARIFY THAT THE FUNDS REAPPROPRIATED TO PROVIDE FOR TOWER MAINTENANCE AND UPGRADES ARE FROM THE CAPITAL EXPENSE FUND INSTEAD OF THE GENERAL FUND; TO AMEND SECTION 1, CHAPTER 81, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE TO CLARIFY THAT THE FUNDS APPROPRIATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND ARE FOR THE PURPOSE OF REIMBURSING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR CERTAIN ELIGIBLE EXPENSES; TO AMEND SECTION 1, CHAPTER 482, LAWS OF 2022, TO REVISE THE RECIPIENT FUNDS FOR SEVERAL TRANSFERS MADE BY THE STATE FISCAL OFFICER FROM THE CAPITAL EXPENSE FUND; TO AMEND SECTION 1, CHAPTER 109, LAWS OF 2022, TO REVISE THE RECIPIENT OF ONE PROJECT FUNDED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FROM THE GULF COAST RESTORATION FUND; TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY (MDA) TO INCREASE THE AMOUNT OF FUNDS APPROPRIATED FROM THE GULF COAST RESTORATION FUND (GCRF) TO ASSIST THE HANCOCK COUNTY PORT AND HARBOR COMMISSION WITH THE TECHNOLOGY PARK AT STENNIS AIRPORT BY THE TOTAL AMOUNT OF FUNDS REMOVED FROM OTHER MDA APPROPRIATIONS AS PROVIDED IN THIS ACT; TO

AMEND SECTION 2, CHAPTER 109, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REMOVE THE FUNDS REAPPROPRIATED FROM THE GULF COAST RESTORATION FUND TO ASSIST THE HANCOCK COUNTY PORT AND HARBOR COMMISSION WITH THE ASSAULT LANDING STRIP; TO AMEND SECTION 3, CHAPTER 109, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REMOVE THE FUNDS REAPPROPRIATED FROM THE GULF COAST RESTORATION FUND TO ASSIST THE HANCOCK COUNTY PORT AND HARBOR COMMISSION WITH THE MULTIUSER AERO STRIP AT STENNIS AIRPORT; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE 2022 MISSISSIPPI PORTS IMPROVEMENTS FUND, WHICH SHALL BE EXPENDED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY UPON APPROPRIATION BY THE LEGISLATURE; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE 2022 MISSISSIPPI LAND, WATER, AND TIMBER RESOURCES FUND, WHICH SHALL BE EXPENDED BY THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES BOARD UPON APPROPRIATION BY THE LEGISLATURE; TO BRING FORWARD SECTION 57-1-18, MISSISSIPPI CODE OF 1972, WHICH CREATED THE SMALL MUNICIPALITIES AND LIMITED POPULATION COUNTIES FUND, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1111:** AN ACT TO AMEND SECTION 93-15-105, MISSISSIPPI CODE OF 1972, TO AUTHORIZE YOUTH COURT, IN ABUSE OR NEGLECT PROCEEDINGS, TO HAVE ORIGINAL, EXCLUSIVE JURISDICTION OF BOTH VOLUNTARY AND INVOLUNTARY TERMINATION OF PARENTAL RIGHTS ACTIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1139:** AN ACT TO AMEND SECTION 97-3-7, MISSISSIPPI CODE OF 1972, TO GIVE THE JUDGE DISCRETION IN ASSESSING FINES FOR SIMPLE ASSAULT; AND FOR RELATED PURPOSES.

**H. B. No. 1149:** AN ACT TO PROVIDE A CLEAR PATH TO PERMANENCY FOR CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILDREN ALLEGED TO HAVE BEEN ABUSED OR NEGLECTED SHALL BE A PARTY AND SHALL BE REPRESENTED BY COUNSEL; TO PROVIDE THAT A PARTY'S RIGHT TO REPRESENTATION SHALL EXTEND TO SHELTER HEARINGS; TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A NECESSARY PARTY AT ALL STAGES OF THE PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY INCLUDING, BUT NOT LIMITED TO, SHELTER, ADJUDICATORY, DISPOSITION AND PERMANENCY HEARINGS; TO AMEND SECTION 43-21-501, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO ISSUE A SUMMONS TO THE DEPARTMENT OF CHILD PROTECTION SERVICES IF A PETITION IS FILED THAT INVOLVES A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO AMEND SECTION 43-21-701, MISSISSIPPI CODE OF 1972, TO ADD ADDITIONAL MEMBERS TO THE MISSISSIPPI COMMISSION ON A UNIFORM YOUTH COURT SYSTEM AND PROCEDURES; TO REVISE THE QUORUM OF THE COMMISSION; TO AMEND SECTION 43-21-703, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSION SHALL FILE A REPORT WITH THE LEGISLATURE ON OR BEFORE A CERTAIN DATE; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CLERK TO DOCKET TERMINATION-OF-PARENTAL-RIGHTS CASES AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR ADOPTION PROCEEDINGS THE CHANCERY COURT HAS ORIGINAL EXCLUSIVE JURISDICTION OVER ALL ADOPTION PROCEEDINGS EXCEPT WHEN A COUNTY COURT SITTING AS A YOUTH COURT HAS ACQUIRED JURISDICTION OF A CHILD

IN AN ABUSE OR NEGLECT PROCEEDING; TO PROVIDE THAT THE COUNTY COURT SHALL HAVE ORIGINAL EXCLUSIVE JURISDICTION TO HEAR A PETITION FOR ADOPTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO REQUIRE THE CLERK TO DOCKET ADOPTION PROCEEDINGS AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO BRING FORWARD SECTION 7-5-1, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE POWERS OF THE ATTORNEY GENERAL, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1159:** AN ACT TO AMEND SECTIONS 51-15-103, 51-15-107, 51-15-109, 51-15-113, 51-15-115 AND 51-15-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPALITIES LOCATED IN COUNTIES THAT ARE NOT MEMBERS OF THE PAT HARRISON WATERWAY DISTRICT TO JOIN THE DISTRICT; TO AMEND SECTION 51-15-118, TO AUTHORIZE THE GOVERNING AUTHORITIES OF A MEMBER MUNICIPALITY TO WITHDRAW THE MUNICIPALITY FROM THE DISTRICT; TO AMEND SECTIONS 51-15-119, 51-15-131, 51-15-133, 51-15-136, 51-15-139 AND 51-15-158, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROCEEDING SECTION; TO BRING FORWARD SECTIONS 51-15-105 AND 51-15-129, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1170:** AN ACT TO AMEND SECTION 63-21-16, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE ELECTRONIC LIENS AND TITLES FOR MOTOR VEHICLES AND MANUFACTURED HOMES; TO BRING FORWARD SECTION 63-21-15, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE APPLICATION FOR THE CERTIFICATE OF TITLE OF A MOTOR VEHICLE OR MANUFACTURED HOME, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 63-21-45, MISSISSIPPI CODE OF 1972, WHICH RELATES TO SECURITY INTERESTS IN MOTOR VEHICLES AND MANUFACTURED HOMES, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1173:** AN ACT TO AMEND SECTIONS 31-7-9 AND 37-61-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO PROVIDE EEF CLASSROOM SUPPLY PROCUREMENT CARDS OR CREDENTIALS FOR A DIGITAL SOLUTION TO ELIGIBLE TEACHERS EMPLOYED BY CHARTER SCHOOLS; TO AMEND SECTION 37-28-55, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 1244:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 365 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "HOWARD TILLMAN BOBO MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 1245:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 364 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "JAMES MILLARD JOURDAN MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 1246:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 365 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "LELAND L. HOLLAND MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 1315:** AN ACT TO REGULATE PORNOGRAPHIC MEDIA EXPOSURE TO CHILDREN; TO PROVIDE THE LEGISLATIVE INTENT; TO PROVIDE DEFINITIONS; TO REQUIRE COMMERCIAL ENTITIES THAT PROVIDE SUCH CONTENT TO HAVE AGE VERIFICATION SYSTEMS; TO PROVIDE LIABILITY FOR THOSE COMMERCIAL ENTITIES THAT DO NOT PROVIDE AN AGE VERIFICATION; TO BRING FORWARD SECTIONS 97-29-107 AND 97-29-109, MISSISSIPPI CODE OF 1972, WHICH PROVIDE THE EXEMPTIONS AND PENALTIES FOR DISTRIBUTION OF

OBSCENE MATERIALS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1369:** AN ACT TO AMEND SECTION 37-151-5, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "AVERAGE DAILY MEMBERSHIP (ADM)" FOR PURPOSES OF THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM; TO AMEND SECTION 37-151-7, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE DETERMINATION OF THE BASIC ADEQUATE EDUCATION PROGRAM COST FOR EACH SCHOOL DISTRICT BASED ON STUDENT AVERAGE DAILY MEMBERSHIP WITH CERTAIN EXCEPTIONS; TO PROVIDE FOR STUDENT COUNTS BY THE STATE AUDITOR; TO REVISE THE DEFINITION OF THE TERMS "MINIMUM SCHOOL TERM" AND "AVERAGE DAILY ATTENDANCE" AS SUCH TERMS ARE USED FOR DETERMINING ALLOCATIONS TO SCHOOL DISTRICTS UNDER THE ADEQUATE EDUCATION PROGRAM; TO AMEND SECTIONS 37-151-85, 37-151-97 AND 37-151-103, MISSISSIPPI CODE OF 1972, IN CONFORMITY; TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, TO REMOVE THE ATTENDANCE REQUIREMENT THAT A COMPULSORY-SCHOOL-AGE CHILD WHO IS ABSENT MORE THAN 37% OF THE INSTRUCTIONAL DAY MUST BE CONSIDERED ABSENT FOR THE ENTIRE DAY; AND FOR RELATED PURPOSES.

**H. B. No. 1390:** AN ACT TO AMEND SECTION 37-13-171, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE REQUIREMENT FOR SCHOOL BOARDS TO ADOPT A POLICY ON THE IMPLEMENTATION OF ABSTINENCE-ONLY OR ABSTINENCE-PLUS EDUCATION INTO THE CURRICULUM; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 501:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC SERVICE OF FORMER CHIEF OF THE MISSISSIPPI HIGHWAY PATROL AND COMMISSIONER OF PUBLIC SAFETY AND FORMER SERGEANT AT ARMS OF THE MISSISSIPPI SENATE DAVID RICHARD HUGGINS AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE ON HIS PASSING.

**S. C. R. No. 503:** A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE BEREAVED FAMILY OF FORMER STATE SENATOR CHARLES STEVENS (STEVE) SEALE OF HATTIESBURG, MISSISSIPPI, AND PAYING TRIBUTE TO HIS CAREER OF PUBLIC AND CHARITABLE SERVICE.

**S. C. R. No. 504:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC SERVICE OF FORMER REPRESENTATIVE NOAL AKINS OF OXFORD, MISSISSIPPI, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE ON HIS PASSING.

**S. C. R. No. 505:** A CONCURRENT RESOLUTION COMMENDING SOUTHERN DISTRICT TRANSPORTATION COMMISSIONER, FORMER STATE SENATOR, FORMER MISSISSIPPI REPRESENTATIVE AND VIETNAM VETERAN THOMAS EDWARD (TOM) KING, JR., FOR HIS DISTINGUISHED PUBLIC SERVICE ON THE OCCASION OF HIS RETIREMENT.

**S. C. R. No. 506:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE 2022 PEARL RIVER COMMUNITY COLLEGE "WILDCATS"

BASEBALL TEAM FOR WINNING THEIR FIRST-EVER NATIONAL CHAMPIONSHIP AND HEAD COACH MICHAEL AVALON FOR HIS 200TH CAREER VICTORY.

**S. C. R. No. 510:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE RALEIGH HIGH SCHOOL "LIONS" FOOTBALL TEAM AND HEAD COACH RYAN HIGDON FOR WINNING THE 2022 MHSAA CLASS 3A STATE CHAMPIONSHIP.

**S. C. R. No. 511:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE, PUBLIC CAREER AND LEGACY OF FORREST COUNTY TAX COLLECTOR, FORMER MAGEE ALDERMAN, FORMER PRESIDENT OF THE FORREST COUNTY BOARD OF SUPERVISORS AND FORMER STATE SENATOR BILLY C. HUDSON AND EXTENDING THE SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY AND FRIENDS.

**S. C. R. No. 515:** A CONCURRENT RESOLUTION MOURNING THE PASSING AND COMMENDING THE LIFE, PUBLIC SERVICE AND COMMUNITY CONTRIBUTIONS OF FORMER STATE SENATOR, CIRCUIT JUDGE AND DECORATED WORLD WAR II VETERAN THOMAS FREDERICK (FRED) WICKER OF PONTOTOC, MISSISSIPPI, AND EXTENDING THE SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY.

**S. C. R. No. 520:** A CONCURRENT RESOLUTION CELEBRATING AND CONGRATULATING THE UNIVERSITY OF MISSISSIPPI "OLE MISS REBELS" BASEBALL TEAM AND HEAD COACH MIKE BIANCO, INCLUDING THE ATHLETES, COACHING STAFF, ADMINISTRATION, FACULTY, STUDENTS AND ALUMNI, FOR WINNING THE 2022 NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION 1 BASEBALL CHAMPIONSHIP.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 521:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BAY SPRINGS HIGH SCHOOL "BULLDOGS" FOOTBALL TEAM AND HEAD COACH DAN BRADY FOR WINNING THE MHSAA CLASS 1A STATE FOOTBALL CHAMPIONSHIP FOR THE SECOND CONSECUTIVE YEAR.

**S. C. R. No. 525:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE LOUISVILLE HIGH SCHOOL "WILDCATS" FOOTBALL TEAM AND HEAD COACH TYRONE SHORTER FOR WINNING THE 2022 MHSAA CLASS 4A STATE CHAMPIONSHIP.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate adjourn until 4:00 PM, Monday, February 6, 2023.

The motion prevailed, and at 11:13 AM, the Senate stood adjourned in memory of Franklin Pearson "Pepper" Allen, III, Acie Joseph "A.J." Spring, Herman Larry Lawrence and Mark Glenn Young.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR FRIDAY, FEBRUARY 3, 2023

## THIRTY-FIFTH DAY, MONDAY, FEBRUARY 6, 2023

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Hopson, Simmons D. T. (12th). Total--2.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Hopson.

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The invocation was delivered by Senator Blackwell.

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

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

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## INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

## MESSAGE FROM THE HOUSE

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

**H. B. No. 917:** AN ACT TO AMEND SECTION 29-5-2, MISSISSIPPI CODE OF 1972, TO PLACE THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION OFFICE BUILDING UNDER THE SUPERVISION AND CARE OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR RELATED PURPOSES.

**H. B. No. 1155:** AN ACT TO AUTHORIZE PROPERTY OWNERS IN A RESIDENTIAL SUBDIVISION THAT IS NOT GOVERNED BY A HOMEOWNERS ASSOCIATION TO ESTABLISH OR AMEND COVENANTS, CONDITIONS, AND RESTRICTIONS, INCLUDING THOSE THAT RUN WITH THE LAND; TO AUTHORIZE PROPERTY OWNERS IN A RESIDENTIAL SUBDIVISION THAT IS GOVERNED BY A HOMEOWNERS ASSOCIATION, TO ESTABLISH AND AMEND COVENANTS, CONDITIONS, AND RESTRICTIONS, INCLUDING THOSE THAT RUN WITH THE LAND; TO REQUIRE SUCH PROPERTY OWNERS TO FILE A PETITION TO ESTABLISH AND/OR AMEND COVENANTS, CONDITIONS AND RESTRICTIONS, IF NECESSARY; TO REQUIRE NOTICE OF THE HEARING ON SUCH PETITION TO BE PROVIDED THROUGH PUBLICATION; TO PROVIDE THAT IF THE CHANCELLOR FINDS THAT THE PETITION IS WELL TAKEN THEN HE OR SHE SHALL ENTER A DECREE ACCORDINGLY, WHICH SHALL BE FILED WITH THE CHANCERY CLERK; TO BRING FORWARD SECTIONS 17-1-23, 19-5-10, 21-19-63 AND 89-1-69, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1158:** AN ACT TO AMEND SECTION 41-137-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A PRACTITIONER TO ASSIST A PATIENT IN REGISTERING FOR A REGISTRY IDENTIFICATION CARD WITH THE DEPARTMENT OF HEALTH AFTER THE PRACTITIONER HAS ISSUED A WRITTEN CERTIFICATION TO THE PATIENT; TO PROVIDE THAT THE REQUIREMENTS OF THIS SECTION SHALL NOT APPLY TO A PERSON WHO IS AUTHORIZED TO PURCHASE TOPICAL CANNABIS, AND SUCH PERSONS MAY POSSESS AND USE SUCH PRODUCTS WITHOUT BEING IN VIOLATION OF THIS CHAPTER; TO PROHIBIT ANY STATE AGENCY OR BOARD FROM REQUIRING A PRACTITIONER TO REQUIRE A PATIENT TO SUBMIT TO A DRUG TEST AS A CONDITION TO RECEIVING A CERTIFICATION FOR A REGISTRY IDENTIFICATION CARD; TO PROVIDE THAT A PRACTITIONER SHALL NOT BE REQUIRED TO HAVE ANY ADDITIONAL QUALIFICATIONS TO BE AUTHORIZED TO CERTIFY A QUALIFYING PATIENT FOR A REGISTRY IDENTIFICATION CARD; TO PROVIDE THAT A PRACTITIONER SHALL NOT BE REQUIRED TO BE REGISTERED TO CERTIFY PATIENTS WITH ANY STATE AGENCY OR BOARD OTHER THAN THE MDOH; TO AMEND SECTION 41-137-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A MEDICAL CANNABIS WRITTEN CERTIFICATION ISSUED BY A PRACTITIONER SHALL BE VALID FOR THE SIX MONTHS IMMEDIATELY PRECEDING THE DATE OF APPLICATION; TO AMEND SECTION 41-137-35, MISSISSIPPI CODE OF 1972, TO CAP THE CANNABIS CULTIVATION FACILITY TIER 6 TO NOT MORE THAN 150,000 SQUARE FEET; TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, TO REQUIRE A PROSPECTIVE EMPLOYEE TO UNDERGO A FINGERPRINT-BASED BACKGROUND CHECK BY THE DEPARTMENT OF PUBLIC SAFETY; TO REQUIRE A SUBSEQUENT BACKGROUND CHECK TO BE CONDUCTED ON PROSPECTIVE EMPLOYEES IF THEY DO NOT START EMPLOYMENT WITH AN ENTITY FOR SIX MONTHS; TO AUTHORIZE ANY TOPICAL CANNABIS PRODUCT THAT IS PURCHASED BY A DISPENSARY FROM A LICENSED PROCESSOR, AND THAT IS NOT INGESTED BY THE LIVER, TO BE SOLD TO A CARDHOLDER OR ANY PERSON OVER THE AGE OF TWENTY-ONE WHO IS NOT A CARDHOLDER; TO AMEND SECTION 41-137-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DISPENSARY WEBSITES TO DISPLAY PICTURES OF THE PRODUCTS THAT THE DISPENSARY SELLS; TO PROHIBIT A STATE AGENCY OR BOARD FROM IMPLEMENTING ANY RULE, REGULATION, POLICY OR REQUIREMENT THAT IS CONTRARY TO THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 41-137-47, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LICENSING AGENCIES TO DENY THE APPLICATION OF ANY APPLICANT WHO FAILS TO MEET THE QUALIFICATIONS FOR OBTAINING SUCH LICENSE; TO ESTABLISH CERTAIN APPEAL PROCEDURES FOR DENIALS; TO PROVIDE THAT ANY INVESTIGATION, FINE, SUSPENSION OR REVOCATION BY A LICENSING AGENCY UNDER THIS SECTION SHALL BE CONSIDERED CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 41-137-49, MISSISSIPPI

CODE OF 1972, TO PROVIDE THAT THE ADDRESSES OF PROSPECTIVE AND LICENSED MEDICAL CANNABIS ESTABLISHMENTS SHALL BE CONSIDERED CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 41-137-59, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE JUDICIAL REVIEW OF AN APPEAL FROM A FINAL DECISION OR ORDER OF AN AGENCY UNDER THE PROVISIONS OF THE MEDICAL CANNABIS ACT SHALL BE BASED ON THE RECORD MADE BEFORE THE AGENCY; TO AMEND SECTION 41-137-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL FOR THE MEDICAL CANNABIS ADVISORY COMMITTEE; TO AMEND SECTION 41-29-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTROLLED SUBSTANCES AND RAW MATERIALS WHICH HAVE BEEN USED IN VIOLATION OF THE MEDICAL CANNABIS ACT MAY BE SUBJECT TO FORFEITURE; TO EMPOWER LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF REVENUE OR MISSISSIPPI DEPARTMENT OF HEALTH ACTING WITH THEIR DUTIES IN ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT TO SEIZE SUCH SUBJECTS; TO AMEND SECTION 41-29-154, MISSISSIPPI CODE OF 1972, TO EMPOWER LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF REVENUE OR MISSISSIPPI DEPARTMENT OF HEALTH ACTING WITH THEIR DUTIES IN ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT TO DESTROY ANY CONTROLLED SUBSTANCES OR PARAPHERNALIA SEIZED UNDER THEIR AUTHORITY; TO AMEND SECTION 25-53-1, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL THAT ALLOWS AN EXEMPTION TO ITS OVERSIGHT FOR THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL THAT ALLOWS AN EXEMPTION TO ITS PROCUREMENT PROCEDURES FOR THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO CREATE NEW SECTION 73-21-127.1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE PRESCRIPTION MONITORING PROGRAM TO ISSUE AN ANNUAL REPORT TO THE LEGISLATURE THAT INDICATES THE NUMBER OF OPIOID PRESCRIPTIONS THAT WERE PROVIDED TO PATIENTS DURING THAT YEAR; AND FOR RELATED PURPOSES.

**H. B. No. 1194:** AN ACT TO AMEND SECTION 19-5-93, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF SUPERVISORS OF ANY COUNTY TO DONATE FUNDS TO ANY DESIGNATED COMMUNITY OF THE MISSISSIPPI MAIN STREET ASSOCIATION AS WELL AS TO ANY CIVIL RIGHTS MEMORIALS, SITES AND DESTINATIONS WITHIN A COUNTY; TO ESTABLISH THE 2023 SUPPLEMENTARY RURAL FIRE TRUCK ACQUISITION ASSISTANCE PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 1365:** AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE AN INCREASE TO THE MINIMUM BASE SALARY FOR ASSISTANT TEACHERS IN THE AMOUNT OF \$3,000.00; TO PROHIBIT LOCAL SCHOOL DISTRICTS FROM USING ANY STATE-FUNDED INCREASES TO THE MINIMUM SALARY OF ASSISTANT TEACHERS AS A SUBSTITUTE FOR THE LOCAL CONTRIBUTION; TO REQUIRE SCHOOL DISTRICTS DETERMINED TO HAVE VIOLATED THE PURPOSE STATE-FUNDED SALARY INCREASES TO BE HELD FINANCIALLY LIABLE FOR THE RETROACTIVE PAYMENT OF THE LOCAL CONTRIBUTION FOR EACH YEAR THE DISTRICT FAILED TO PROVIDE THE LOCAL CONTRIBUTION TO TEACHERS EMPLOYED BY THE DISTRICT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives



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MESSAGE FROM THE LT. GOVERNOR  
February 3, 2023

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

Norman Paul Katool, Madison, Mississippi, Public Procurement Review Board, four year term effective July 1, 2023 and will expire June 30, 2027.

Delbert Hosemann  
LT. GOVERNOR

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

Norman Paul Katool, Public Procurement Review Board, four year term effective July 1, 2023 and will expire June 30, 2027, Accountability, Efficiency, Transparency.

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. C. R. No. 5:** A CONCURRENT RESOLUTION HONORING THE LIFE AND LEGACY OF MR. CARLTON D. "CORKY" PALMER, AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY AND FRIENDS UPON HIS PASSING.

**H. C. R. No. 10:** A CONCURRENT RESOLUTION HONORING THE LIFE AND LEGACY OF THE HONORABLE AND DISTINGUISHED GENTLEMAN FROM LAFAYETTE COUNTY, FORMER REPRESENTATIVE NOAL AKINS, AND EXPRESSING DEEPEST SYMPATHY TO HIS FAMILY, FRIENDS AND COMMUNITY UPON HIS PASSING.

**H. C. R. No. 15:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BAY SPRINGS HIGH SCHOOL BULLDOGS FOOTBALL TEAM AND HEAD COACH DAN BRADY FOR WINNING THE 2022 MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 1A STATE FOOTBALL CHAMPIONSHIP.

Joseph Thomas, Chairman

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Senator Harkins called up the following entitled bill:

**S. B. No. 2862:** Sales tax; provide industrial exemption for tangible personal property first used in another state.

YEAS AND NAYS On S. B. No. 2862. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker,

Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2842:** Use tax; revise standards for municipality's eligibility to receive monies from special infrastructure assistance fund.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2842. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Senator Chassaniol called up the motion to reconsider the vote whereby **S. B. No. 2006** passed the Senate and moved that it be reconsidered:

**S. B. No. 2006:** Festival wine permits; remove repealers and reverts on provisions relating to.

The foregoing motion prevailed.

Senator Chassaniol moved to reconsider the vote whereby Amendment No. 1 to **S. B. No. 2006** was adopted by the Senate.

The foregoing motion prevailed.

The vote now recurring, Amendment No. 1 to S. B. No. 2006 failed.

YEAS AND NAYS On S. B. No. 2006. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Frazier, Norwood, Tate. Total--3.  
Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Senator Harkins called up the motion to reconsider the vote whereby **S. B. No. 2681** passed the Senate and moved that it be reconsidered:

**S. B. No. 2681:** Mississippi Development Authority; extend and codify repealers on certain laws related to.

The foregoing motion prevailed.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND by striking lines 28-1515 and 1580-1595 and renumbering remaining sections accordingly.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2681 was adopted.

YEAS AND NAYS On S. B. No. 2681. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Senator Branning moved that the rules be suspended for the consideration en bloc of S. B. No. 2003, S. B. No. 2542, S. B. No. 2545, S. B. No. 2546 and S. B. No. 2547 and the motion prevailed.

Senator Branning called up the following measures:

**S. B. No. 2003:** Highways; Dedicate a section of Highway 12 to G. Louis Jones.

**S. B. No. 2542:** Highways; dedicate a section of Highway 8 to Jeremy Allen Voyles.

**S. B. No. 2545:** Highways; Dedicate a section of Highway 35 to Constable Raye Hawkins.

**S. B. No. 2546:** Highways; dedicate a section of Highway 51 to Deputy Joe Kenneth Cosby.

**S. B. No. 2547:** Highways; Dedicate a section of Highway 315 to Nolan Mettetal.

YEAS AND NAYS on consideration en bloc of S. B. No. 2003, S. B. No. 2542, S. B. No. 2545, S. B. No. 2546 and S. B. No. 2547. On motion of Senator Branning, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Unanimous consent was granted to add Senators Parker, Harkins, Kirby, Fillingane, Seymour, Hopson, Blackwell, Whaley and Butler K. (38th) as co-authors of **S. B. No. 2547**.

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Senator Branning called up the following entitled bill:

**S. B. No. 2559:** Transportation; extend repealer on harvest permit authorization and fees.

YEAS AND NAYS On S. B. No. 2559. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Senator Branning called up the following entitled bill:

**S. B. No. 2602:** Highways; dedicate a section of Highway 25 to Kash McGraw.

On motion of Senator Branning, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2602. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker,

Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Senator Branning called up the following entitled bill:

**S. B. No. 2561:** Highways; make the MS Transportation Commission vote on use of ERBR Fund monies majority instead of unanimous.

Senator Branning offered the following AMENDMENT NO. 1.

AMEND on line 94 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to S. B. No. 2561 was adopted.

YEAS AND NAYS On S. B. No. 2561. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2379:** Code books; revise number required to be ordered from publisher.

YEAS AND NAYS On S. B. No. 2379. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2239:** Highway patrol officers; authorize use of official uniforms, weapons and vehicles off duty while performing private security services.

On motion of Senator Barnett, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2239. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blount, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeLano, England, Fillingane, Harkins, Hill, Horhn, Johnson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Barrett, Blackmon, Blackwell, Boyd, Chism, DeBar, Frazier, Kirby, Michel, Polk, Seymour, Turner-Ford. Total--12.

Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

Voting Present--Hickman, Jackson. Total--2.

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Senator Polk called up the following entitled bill:

**S. B. No. 2514:** Secretary of State; clarify authority to transfer land records to Department of Archives and History.

YEAS AND NAYS On S. B. No. 2514. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Senator Polk called up the following entitled bill:

**S. B. No. 2735:** Mayoral veto power; clarify scope of.

Senator Hill offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 21-7-13, Mississippi Code of 1972, is amended as follows:

21-7-13. The powers and duties heretofore conferred upon the mayor of municipalities by law are hereby conferred upon and charged to the council. The mayor, or in his absence the vice mayor, shall (a) as chairman preside at all meetings of the

council, and shall have veto power, in writing, giving his reasons therefor, of any affirmative measure passed by the council, although \* \* \* an affirmative measure vetoed may be adopted notwithstanding, if two-thirds (2/3) of the council vote therefor; (b) represent the municipality in all functions political, social or economic, but he shall in no wise bind the municipality, other than as he may be specifically authorized or delegated to do by the council, as reflected by its orders, resolutions or ordinances; (c) execute for and on behalf of the council, all documents or instruments of writing, of whatever kind and character, under the seal of the municipality, when necessary or required; and (d) act for the municipality as directed by the council, in any manner and for any purpose which by any statute or law, because of its particular wording or meaning, provides for individual action of the mayor rather than body action of the council, wherein and whereby such right of action could not be properly or consistently exercised by the latter, all to the end that any such municipality coming under the provisions of this chapter shall not be denied any of the rights and privileges which any such municipality would enjoy except for the provisions of this chapter. In carrying out his duties or exercising his powers, the mayor shall in no case expend municipal funds in excess of One Hundred Dollars (\$100.00) in any one instance without the prior approval of the council. No mayor shall implement any ordinance nor enter into any public contract which has not previously been adopted by the council. The council shall fix the amount of compensation of the mayor and vice mayor, for their additional duties as such, which compensation shall be in addition to their compensation as councilmen.

SECTION 2. Section 21-8-17, Mississippi Code of 1972, is amended as follows:

21-8-17. (1) The mayor shall enforce the charter and ordinances of the municipality and all general laws applicable thereto, but he shall neither expend municipal funds in excess of One Hundred Dollars (\$100.00) nor enforce or implement any municipal ordinance nor enter into any public contract without the prior approval of the council. He shall annually report to the council and the public on the work of the previous year and on the condition and requirements of the municipal government and shall, from time to time, make such recommendations for action by the council as he may deem in the public interest. He shall supervise all of the departments of the municipal government and shall require each department to make an annual report and such other reports of its work as he may deem desirable. No member of the council shall give orders to any employee or subordinate of a municipality other than the council member's personal staff.

(2) Affirmative ordinances adopted by the council shall be submitted to the mayor and he shall, within ten (10) days (not including Saturdays, Sundays or holidays) after receiving any affirmative ordinance, either approve the affirmative ordinance by affixing his signature thereto or return it to the council by delivering it to the clerk of the council together with a statement setting forth his objections thereto or to any item or part thereof. No affirmative ordinance or any item or part thereof shall take effect without the mayor's approval, unless the mayor fails to return an affirmative ordinance to the council prior to the next council meeting, but no later than fifteen (15) days (not including Saturdays, Sundays or holidays) after it has been presented to him or unless the council upon reconsideration thereof not later than the tenth day (not including Saturdays, Sundays or holidays) following its return by the mayor, shall, by a vote of two-thirds (2/3) of the members present and voting resolve to override the mayor's veto.

(3) The mayor may attend meetings of the council and may take part in discussions of the council but shall have no vote except in the case of a tie on the question of filling a vacancy in the council, in which case he may cast the deciding vote.

SECTION 3. Section 21-3-15, Mississippi Code of 1972, is amended as follows:

21-3-15. (1) The mayor shall preside at all meetings of the board of aldermen, and in case there shall be an equal division, shall give the deciding vote. The executive power of the municipality shall be exercised by the mayor, and the mayor shall have the superintending control of all the officers and affairs of the municipality, and shall take care

that the laws and ordinances are executed. In exercising his executive power, the mayor shall in no case expend municipal funds in excess of One Hundred Dollars (\$100.00) in any one instance without the prior approval of the board of aldermen.

(2) (a) The legislative power of the municipality shall be exercised by the board of aldermen by a vote within a legally called meeting. No member of the board of aldermen shall give orders to any employee or subordinate of a municipality other than the alderman's personal staff.

(b) Ordinances adopted by the board of aldermen shall be submitted to the mayor. The mayor shall, within ten (10) days after receiving any ordinance, either approve the ordinance by affixing his signature thereto, or return it to the board of aldermen by delivering it to the municipal clerk together with a written statement setting forth his objections thereto or to any item or part thereof. No ordinance or any item or part thereof shall take effect without the mayor's approval, unless the mayor fails to return an ordinance to the board of aldermen prior to the next meeting of the board, but no later than fifteen (15) days after it has been presented to him, or unless the board of aldermen, upon reconsideration thereof on or after the third day following its return by the mayor, shall, by a vote of two-thirds (2/3) of the members of the board, resolve to override the mayor's veto.

(c) No mayor shall implement any ordinance nor enter into any public contract which has not previously been adopted by the board of aldermen.

(3) The term "ordinance" as used in this section shall be deemed to include ordinances, resolutions and orders.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 21-7-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THE SCOPE OF MAYORAL VETO POWER AND CONTRACT POWER UNDER THE COUNCIL FORM OF GOVERNMENT; TO AMEND SECTION 21-8-17, MISSISSIPPI CODE OF 1972, TO CLARIFY THE SCOPE OF MAYORAL VETO POWER AND CONTRACT POWER UNDER THE MAYOR-COUNCIL FORM OF GOVERNMENT; TO AMEND SECTION 21-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2735 was adopted.

Senator Hill moved to reconsider the vote whereby Amendment No. 1 to **S. B. No. 2735** was adopted by the Senate.

The foregoing motion prevailed.

Senator Wiggins offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 1.

AMEND on line 120 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023



Amendment No. 1 to Amendment No. 1 to S. B. No. 2735 was adopted.

Vote recurring, Amendment No. 1 as amended to S. B. No. 2735 was adopted.

YEAS AND NAYS On S. B. No. 2735. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, Jordan, Kirby, McDaniel, McLendon, McMahan, Michel, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Nays--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Moran, Norwood, Thomas, Turner-Ford. Total--13.

Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

Voting Present--McCaughn, Suber. Total--2.

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Senator Polk called up the following entitled bill:

**S. B. No. 2512:** Counties; authorize to designate ARPA funds to rural water and sewer associations for infrastructure projects.

On motion of Senator Younger, the Committee Substitute was adopted for consideration.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND by inserting on line 10 after "rural water associations" the following language:

, and regional sewer utilities or districts

Amendment No. 1 to S. B. No. 2512 was adopted.

Senator Sparks offered the following AMENDMENT NO. 2.

AMEND on line 19 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023

Amendment No. 2 to S. B. No. 2512 was adopted.

YEAS AND NAYS On S. B. No. 2512. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Hopson, Simmons D. T. (12th). Total--2.

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Unanimous consent was granted to add Senator Seymour as co-author of **S. B. No. 2512**.

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Senator Polk entered a motion to reconsider the vote whereby **S. B. No. 2239** passed the Senate.

**S. B. No. 2239:** Highway patrol officers; authorize use of official uniforms, weapons and vehicles off duty while performing private security services.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Willie A. Holcomb, II and Patricia A. "Pat" Kuehling of Gulfport, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jackie McIlwain Vaughn and Raymond Andy Page of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Barbara Kathlene Meier of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Robert "Bob" Hershel Powell of Three Rivers, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Janell "Nell" Kennedy of Moss Point, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mary Margaret Adamo of Latimer, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Colin "Buddy" DeSilvey of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Shannon Chunn Trochesset of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jackie "Jack" Glen Lord of Lucedale, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Syble C. Collins of Meridian, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Danny Jack Hunt of Columbus, MS.

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Senator Polk moved that the Senate stand in recess until 6:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 7, 2023.

The motion prevailed, and at 5:34 PM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:00 PM in memory of Willie A. Holcomb, II, Patricia A. "Pat" Kuehling, Raymond Andy Page, Syble C. Collins, Danny Jack Hunt, Barbara Kathlene Meier, Robert "Bob" Hershel Powell, Janell "Neil" Kennedy, Mary Margaret Adamo, Colin "Buddy" DeSilvey, Shannon Chunn Trochesset, Jackie "Jack" Glen Lord and Jackie McIlwain Vaughn.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR MONDAY, FEBRUARY 6, 2023

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THIRTY-SIXTH DAY, TUESDAY, FEBRUARY 7, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Dr. Paul Brashier, Senior Pastor, Rocky Creek Baptist Church, Lucedale, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 502:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND COMMENDING THE LIFE AND PUBLIC CAREER AND LEGACY OF FORMER CENTRAL DISTRICT TRANSPORTATION COMMISSIONER, FORMER MISSISSIPPI SENATOR AND FORMER MISSISSIPPI REPRESENTATIVE RICHARD "DICK" HALL WHO DIED AT AGE 84 ON NOVEMBER 2, 2022, AND EXTENDING THE SYMPATHY OF THE LEGISLATURE TO HIS SURVIVING FAMILY AND FRIENDS.

**S. C. R. No. 509:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SCOTT CENTRAL "REBELS" FOOTBALL TEAM AND HEAD COACH JEFF STOCKSTILL FOR WINNING BACK-TO-BACK MHSAA CLASS 2A STATE CHAMPIONSHIPS.

**S. C. R. No. 512:** A CONCURRENT RESOLUTION MOURNING THE LOSS AND CELEBRATING THE CONTRIBUTIONS AND CAREER OF MISSISSIPPI MUSIC ICON AND ROCK AND ROLL LEGEND JERRY LEE LEWIS OF NESBIT, DESOTO COUNTY, MISSISSIPPI, AND EXPRESSING THE SYMPATHY OF THE LEGISLATURE ON HIS PASSING.

**S. C. R. No. 514:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SUMRALL HIGH SCHOOL "BOBCATS" BASEBALL TEAM AND COACH ANDY DAVIS FOR WINNING THE MHSAA CLASS 4A STATE CHAMPIONSHIP WHICH IS THEIR SIXTH STATE TITLE IN SCHOOL HISTORY.

Joseph Thomas, Chairman

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Senator Harkins called up the following entitled bill:

**S. B. No. 2692:** Bonds; repeal authorization for unissued bonds and replace with cash funds.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2692. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.  
Absent and those not voting----None.

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Unanimous consent was granted to add Senators Branning and Sparks as co-authors of **S. B. No. 2692**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2449:** Sales and use taxes; bring forward code sections for the purpose of possible amendment.

Senator Harkins offered the following AMENDMENT NO. 1.

AMEND on line 1904 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to S. B. No. 2449 was adopted.

YEAS AND NAYS On S. B. No. 2449. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.  
Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2695:** Tourism Project Incentive Program; extend deadline for MDA issuance of certificates approving participants.

YEAS AND NAYS On S. B. No. 2695. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.  
Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2887:** State Treasurer; modify certain provisions concerning the deposit and investment of excess state funds.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2887. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Parker called up the motion to reconsider the vote whereby **S. B. No. 2596** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2596:** Mississippi Nonprofit Transparency Act; create.

The foregoing motion prevailed.

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Senator Parker called up the following entitled bill:

**S. B. No. 2889:** Mississippi Capitol Region Utility Act; create.

On motion of Senator Parker, the Committee Substitute was adopted for consideration.

Senator Parker offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Capitol Region Utility Act."

SECTION 2. (1) The Mississippi Legislature finds the following:

(a) For the benefit of the citizens centrally located in the State of Mississippi, including citizens residing or working in the capital city of the State of Mississippi, it is essential to have access to safe, clean and reliable water, wastewater and storm water systems at affordable, regulated rates which are just, reasonable and provide an adequate amount of capital to keep such systems in good repair;

(b) The availability of safe, clean and reliable water, wastewater and storm water has vast impacts on health, schools and academic outcomes, crime and safety, state and local government operations, businesses and economic development, the availability of a workforce, tourism and many other critical areas;

(c) The availability of safe, clean and reliable water, wastewater and storm water systems requires significant financial resources and human capital to engage in the planning, acquisition, construction, maintenance, coordination and operation required to deliver transparent and efficient services which meet and exceed federal and state regulations and requirements;

(d) On November 29, 2022, the Department of Justice filed a complaint alleging that the City of Jackson has failed to provide drinking water that is reliably compliant with the Safe Drinking Water Act to citizens within the boundaries of the water system. The Department of Justice simultaneously filed a proposal which would appoint a receiver, or an interim third-party manager, to stabilize the City of Jackson's public drinking water system and build confidence in the water system's ability to supply safe, clean and reliable water to citizens within the boundaries of the water system. The U.S. District Court for the Southern District of Mississippi appointed a receiver to oversee and operate the water system on November 29, 2022.

(e) The receiver appointed by the U.S. District Court for the Southern District of Mississippi provided in his January 27, 2023, plan for the water system that he would like a concept for future governance in place by September 30, 2023, and a utility authority or corporate nonprofit entity are viable options for the concept of future governance;

(f) The creation and organization of a structure for future governance requires legislation for it to continue in perpetuity beyond the eventual end of the receiver's work and related federal court orders; and

(g) The creation and organization of a structure for future governance prior to the date of the conclusion of the receiver's work will allow the best opportunity for minimal disruption in water, wastewater and storm water service and maximum ease of transition after the receiver has concluded his work in overseeing and operating the water system.

(2) Therefore, it is the intent of the Mississippi Legislature to:

(a) Provide authority to the Mississippi Capitol Region Utility Authority to transfer water, wastewater and storm water services provided by the City of Jackson to the utility authority's ownership, management and control when the court-appointed receiver's work concludes with the water system to ensure all citizens have access to safe, clean and reliable water, wastewater and storm water systems at affordable, regulated rates which are just, reasonable and provide an adequate amount of capital to keep such systems in good repair; and

(b) Partner with the Mississippi Department of Health, Mississippi Department of Environmental Quality, local governments, including the City of Jackson, within the boundaries of the utility district, and any other federal, state or local entity in taking any action necessary under this act to ensure all citizens have access to safe, clean and reliable water, wastewater and storm water systems, with the understanding that federal and state agencies are solely responsible for regulating, but not operating, the utility authority.

SECTION 3. As used in this act, the following words and phrases have the meanings ascribed herein, unless the context clearly indicates otherwise:

(a) "Act" means the Mississippi Capitol Region Utility Act.

(b) "Board" means the Board of Directors of the Mississippi Capitol Region Utility Authority.

(c) "Bonds" means revenue bonds and other certificates of indebtedness of the authority issued under the provisions of this act.

(d) "Fiscal year" means the period of time beginning on July 1 of each year and ending on June 30 of each year.

(e) "Major procurement" means the procurement of any good or service in excess of One Million Dollars (\$1,000,000.00).

(f) "Municipality" means any incorporated city, town or village of the State of Mississippi, whether operating under general law or special charter.

(g) "Person" means the State of Mississippi, a county, a municipality, any state agency or any other city, town, village or political subdivision or governmental agency or instrumentality of the State of Mississippi or of the United States of America, or any private utility, individual, copartnership, association, firm, trust, estate or any other entity whatsoever.

(h) "Project" means the construction, development or acquisition by the utility authority of any infrastructure for water, wastewater and storm water systems or services and includes upgrading or repair of existing systems.

(i) "Public agency" means any county, municipality, state board or utility authority owning or operating properties, districts created pursuant to the general laws or local and private laws of the State of Mississippi, or any other political subdivision of the State of Mississippi possessing the power to own and operate waterworks, water supply systems, sewerage systems, sewage treatment systems or other facilities or systems for the collection, transportation and treatment of water, wastewater, and storm water.

(j) "Receiver" means the interim third-party manager for the water system owned by the City of Jackson who was appointed by the U.S. District Court for the Southern District of Mississippi on November 29, 2022, to oversee and operate the water system during the negotiation of a consent decree related to compliance with the Safe Drinking Water Act and other laws.

(k) "Storm water" means any flow occurring during or following any form of natural precipitation and resulting from that precipitation.

(l) "System" or "systems" means any plants, structures, facilities and other real and personal property used or useful in the generation, storage, transportation or supply of water, and the collection, transportation, treatment or disposal of wastewater and storm water, including tanks, lakes, streams, ponds, pipes, trunk lines, mains, sewers, conduits, pipelines, pumping and ventilating stations, plants, works, connections and any other real or personal property and rights therein necessary, useful or convenient for the purposes of the utility board or authorities in connection therewith.

(m) "Utility authority" shall mean the Mississippi Capitol Region Utility Authority.

(n) "Wastewater" means water being disposed of by any person and which is contaminated with waste or sewage, including industrial, municipal, and any other wastewater that may cause impairment of the quality of waters in the state.

(o) "Water" means potable water, surface water and groundwater.

SECTION 4. (1) There is hereby created and established a corporate nonprofit known as the Mississippi Capitol Region Utility Authority. The authority will be composed of geographic areas receiving water, wastewater and storm water services from the City of Jackson as of the date of enactment of this act for the planning, acquisition,



construction, maintenance, operation and coordination of water, wastewater and storm water systems in order to ensure the delivery of water, wastewater and storm water services to citizens. Such utility authority is created solely to accomplish the purposes of the State under this act and the exercise by the utility authority of the powers conferred by this act shall be deemed and held to be the performance of an essential public function promoting the health, welfare and prosperity of the general public. It is the intent of the Legislature that the utility authority shall be accountable to ratepayers within the systems through the audits, reports and disclosures required by this act.

(2) The existence of the corporate nonprofit utility authority, which shall be domiciled in the State of Mississippi, shall begin upon the appointment of a majority of its board as provided in Section 5 of this act.

(3) The utility authority shall assume ownership, management and control over the water, wastewater and storm water systems on the date of termination of the receiver by the U.S. District Court for the Southern District of Mississippi.

(4) In the event of any action or matter against the utility authority, the Chief Justice of the Mississippi Supreme Court shall select an appropriate Circuit or Chancery Court, which shall have exclusive jurisdiction over the matter. For purposes of court costs, the utility authority shall be a private corporation.

(5) All funds provided by the federal government in H.R. 2617, the Consolidated Appropriations Act of 2023, and any other funds provided by the state or federal government in response to the water crisis detailed by the U.S. District Court for the Southern District of Mississippi in Case No. 3:22-cv-00686, United States v. City of Jackson, shall be spent according to the direction of the receiver and federal court within the service territory impacted by the water crisis and in accordance with federal law.

SECTION 5. (1) The affairs of the utility authority shall be administered by the Mississippi Capitol Region Utility Authority Board of Directors. The board shall be composed of nine (9) members to be selected as follows: the Mayor of the City of Jackson, with the advice and consent of the Senate, shall appoint four (4) members. The Governor, with the advice and consent of the Senate, shall appoint three (3) members. The Governor shall consult with the City of Byram to appoint one (1) of the three (3) appointments, so long as the City of Byram is included within the boundaries of the systems. The Lieutenant Governor, with the advice and consent of the Senate, shall appoint two (2) members. The Lieutenant Governor shall consult with the Mayor of the City of Ridgeland to appoint one (1) of their two (2) appointments, so long as the City of Ridgeland is included within the boundaries of the systems. All members shall be appointed within sixty (60) days of the enactment of this act.

In the appointment process, appointing authorities shall attempt to see that all portions of society and its diversity are represented in members of the utility authority. All appointed members must be residents of the State of Mississippi, must be ratepayers within the system boundaries, and must have significant, demonstrated experience in business management, fiscal affairs, public health or public utilities.

(2) The initial terms of the board of directors shall be as follows: One (1) member appointed by the Mayor of the City of Jackson shall serve for an initial term of four (4) years. One (1) member appointed by the Mayor of the City of Jackson shall serve for an initial term of three (3) years. One (1) member appointed by the Mayor of the City of Jackson shall serve for an initial term of two (2) years. One (1) member appointed by the Mayor of the City of Jackson shall serve for an initial term of one (1) year. The Governor shall appoint one (1) member for a term of four (4) years, one (1) member for a term of three (3) years, and one (1) member for a term of two (2) years. The Lieutenant Governor shall appoint one (1) member for a term of four (4) years and one (1) member for a term of three (3) years.

(3) Except as provided in Subsection 2 of this section, appointments shall be for a term of four (4) years. Each member shall hold office until his successor has been appointed and qualified. Vacancies shall be filled by appointment by the appropriate appointing authority, subject to the advice and consent of the Senate, for the length of the unexpired term only. Any member of the utility authority shall be eligible for reappointment for a maximum of two (2) full terms. Each member of the utility authority shall, before entering upon his duty, take an oath of office to administer the duties of his office faithfully and impartially, and a record of such oath shall be filed in the Office of the Secretary of State. The utility authority shall annually elect from its membership a chairman and vice chairman who shall be eligible for reelection. The utility authority shall also elect or appoint, and prescribe the duties of, such other officers, who need not be members, as the utility authority deems necessary or advisable and the utility authority shall fix the compensation of such officers. The utility authority may delegate to one or more of its members, officers, employees or agents such powers and duties as it may deem proper, not inconsistent with this article or other provisions of law.

(4) The members of the utility authority shall serve without salary, but shall be entitled to receive per diem pay as provided in Section 25-3-69, plus travel and necessary expenses, including mileage, as provided in Section 25-3-41, incurred while in the performance of his or her duties as a member of the board of directors of the utility authority upon authorization by the board. Expenses shall be paid from the available funds of the utility authority after the utility authority assumes ownership, management and control of the water, wastewater and storm systems as provided in this act. Until the date the utility authority assumes ownership, management and control of the water, wastewater and stormwater systems as provided in this act, expenses shall be paid by the State of Mississippi.

(5) All meetings of the board shall be subject to the Open Meetings Act in Section 25-41-1 et seq. The chairman or a majority of members of the utility authority may convene the board for a meeting.

(6) Except as may be provided by law, all records of the utility authority shall be deemed public records and subject to public inspection as provided by Section 25-61-1 et seq.

(7) The board may by majority vote excuse the absence of any member of the board. In the event that any member of the board is absent for two (2) board meetings in a twelve-month period without such absences being excused by the board, his or her membership on the board shall be terminated as a function of law, without any action by the board, and the removed member of the board shall be ineligible for reappointment to the board. The original appointing authority shall retain their right to appoint a new board member to replace the removed board member.

(8) No employee of the utility authority shall be a member of the board.

(9) Until such time that the utility district assumes ownership, management, and control of the water, wastewater and storm water systems, the board shall cooperate and coordinate with the receiver in order to provide the best opportunity for minimal disruption in service and maximum ease of transition after the receiver has concluded his work in overseeing and operating the water system.

SECTION 6. (1) The utility authority shall consult with the receiver and the City of Jackson in appointing a president by January 1, 2024, who shall serve at the will and pleasure of the board. If the utility authority does not have ownership, management, and control of the water, wastewater and storm water systems by the date of the appointment of a president, the State of Mississippi shall pay the salary of the president on a bimonthly basis. The president shall manage the daily affairs of the utility authority and shall have such powers and duties as specified by this act, by the board, and any rules or regulations

adopted by the board. The president shall not be a member of the board. The president shall serve at the will and pleasure of the board.

(2) Until such time that the utility district assumes ownership, management, and control of the water, wastewater and storm water systems, the president shall cooperate and coordinate with the receiver in order to provide the best opportunity for minimal disruption in service and maximum ease of transition after the receiver has concluded his work in overseeing and operating the water system.

(3) The president shall employ such personnel as he or she deems necessary. All personnel shall serve at the will and pleasure of the president, unless otherwise specified by the president.

(4) The board shall set the salary of the president at such level as is necessary to recruit and retain a qualified professional with the expertise necessary in a public utility. The board may authorize whatsoever incentive compensation program for the president and utility authority staff as it deems necessary and proper. The utility authority shall be exempt from the provisions of Section 25-3-39.

SECTION 7. (1) The utility authority shall have the power, duty and responsibility to exercise general supervision over the design, construction, operation and maintenance of water, wastewater and storm water systems.

(2) The utility authority shall adopt rules and regulations regarding the design, construction or installation, operation and maintenance of water, wastewater and storm water systems.

(3) The utility authority shall adopt rules and regulations regarding the use of decentralized treatment systems, individual on-site wastewater treatment systems and centralized wastewater treatment systems.

(4) The utility authority shall adopt rules establishing performance standards for water, wastewater and storm water systems and the operation and maintenance of the same. Such rules and regulations shall include the implementation of a standard application form for the installation, operation and maintenance of such systems; application review; approval or denial procedures for any proposed system; inspection, monitoring and reporting guidelines; and enforcement procedures.

(5) (a) Before a building or development which requires the installation of a water, wastewater or storm water system is constructed, the system must be submitted to the utility authority for certification that the system complies with the utility authority requirements for such system.

(b) Before approving or renewing a water, wastewater or storm water related permit for a system within a utility authority, the state agency must require certification that the system complies with the requirements of the utility authority.

(6) Any system of any municipality, public agency or other persons which contracts with a utility authority shall be subject to the terms of that contract and the terms of this act.

(7) Notwithstanding the provisions of Section 51-39-1 et seq., the utility authority shall have the full power to adopt rules and regulations and to construct, maintain, lease and operate facilities for the control of storm water quality and quantity. In addition, the provisions of Section 51-33-1 relating to drainage districts and flood control districts do not apply to the utility authority.

(8) The utility authority may control and operate the local retail water, wastewater or storm water services and may provide or be responsible for direct servicing of those

services to residences, businesses and individuals; however, the utility authority shall not provide the same service in an area provided by a public utility or person holding a certificate of public convenience and necessity issued by the Mississippi Public Service Commission for the provision of such services in the certificated area.

(9) The utility authority shall enter into contracts for major procurements after bidding. The utility authority may adopt administrative rules and regulations pursuant to the provisions of this act providing for special procedures whereby the utility authority may make any class of procurement.

(10) In its bidding processes, the utility authority may do its own bidding and procurement or may utilize the services of the Department of Finance and Administration, the Department of Information Technology Services or other state agencies as appropriate and necessary.

(11) The utility authority shall only have oversight or control of wastewater service provided to ratepayers in the City of Ridgeland, which is only served by the wastewater system as of the effective date of this act. To maintain consistency with the agreement in place with the City of Jackson prior to the existence of the utility authority, the City of Ridgeland shall have control over its rate structure, with the City of Ridgeland compensating the utility authority for its prorated share of wastewater conveyance, treatment, capital improvements and debt service.

SECTION 8. (1) The utility authority, in addition to any other powers granted under any other provision of law is authorized:

(a) To acquire, construct, improve, enlarge, extend, repair, operate and maintain one or more of its systems used for the collection, transportation, treatment and disposal of water, wastewater and storm water;

(b) To make contracts with any person in furtherance thereof; and to make contracts with any person, under the terms of which the utility authority will collect, transport, treat or dispose of water, wastewater and storm water for such person, and to cancel any contracts existing as of the date of enactment of this act;

(c) To make contracts with any person to design and construct any water, wastewater and storm water systems or facilities, and thereafter to purchase, lease or sell, by installments over such terms as may be deemed desirable, reasonable and necessary, or otherwise, any such system or systems;

(d) To enter into operating agreements with any person, for such terms and upon such conditions as may be deemed desirable, for the operation of any water, wastewater and storm water systems; and the utility authority may lease to or from any person, for such term and upon such conditions as may be deemed desirable, any water, wastewater and storm water collection, transportation, treatment or its other facilities or systems. Any such contract may contain provisions requiring any public agency or other person to regulate the quality and strength of materials to be handled by the respective system or systems and also may provide that the utility authority shall have the right to use any streets, alleys and public ways and places within the jurisdiction of a public agency or other person during the term of the contract;

(e) To enter into contracts with any person or any public agency, including, but not limited to, contracts authorized by this act, in furtherance of any of the purposes authorized under this act upon such consideration as the board of directors and such person may agree. Any such contract may extend over any period of time, notwithstanding any provision or rule of law to the contrary; may be upon such terms and for such consideration, nominal or otherwise, as the parties thereto shall agree; and may provide that it shall continue in effect until bonds specified therein, refunding bonds issued

in lieu of such bonds, and all other obligations specified therein are paid or terminated. Any such contract shall be binding upon the parties thereto according to its terms;

(f) To sue and be sued, in its own name, and to enjoy all of the protections, immunities and benefits provided by the Mississippi Tort Claims Act, Section 11-46-1 et seq., as it may be amended or supplemented from time to time;

(g) To maintain office space at such place or places within the utility authority's boundaries as it may determine;

(h) To invest money of the utility authority, including proceeds from the sale of any bonds subject to any agreements with bondholders, on such terms and in such manner as the utility authority deems proper;

(i) To pay any outstanding City of Jackson bonds relating to the water and sewer systems under their existing terms;

(j) To require the necessary relocation or rerouting of roads and highways, railroad, telephone and telegraph lines, and properties, electric power lines, gas pipelines and related facilities, or to require the anchoring or other protection of any of these, provided fair compensation is first paid to the owners or an agreement with such owners regarding the payment of the cost of such relocation, and to acquire easements or rights-of-way for such relocation or rerouting and to convey the same to the owners of the property being relocated or rerouted in connection with the purposes of this act. This provision shall be in accordance with Mississippi Constitution Article 17A, Section 11-27-30, and House Bill No. 1769 as passed during the 2022 Legislative Session;

(k) To acquire, construct, improve or modify, to operate or cause to be operated and maintained, either as owner of all or of any part in common with others, any water, wastewater or storm water system within the utility authority's service area. The utility authority may pay all or part of the cost of any system from any contribution by persons, firms, public agencies or corporations. The utility authority may receive, accept and use all funds, public or private, and pay all costs of the development, implementation and maintenance as may be determined as necessary for any project;

(l) To acquire, in its own name, by purchase on any terms and conditions and in any manner as it may deem proper, property for public use, or by gift, grant, lease, or otherwise, real property or easements therein, franchises and personal property necessary or convenient for its corporate purposes. This provision shall be in accordance with Mississippi Constitution Article 17A, Section 11-27-30, and House Bill No. 1769 as passed during the 2022 Legislative Session;

(m) To acquire insurance for the utility authority's systems, facilities, buildings, treatment plants and all property, real or personal, to insure against all risks as any insurance may, from time to time, be available;

(n) To use any property and rent or lease any property to or from others, including public agencies, or make contracts for the use of the property. The utility authority may sell, lease, exchange, transfer, assign, pledge, mortgage or grant a security interest for any property. The powers to acquire, use and dispose of property as set forth in this paragraph shall include the power to acquire, use and dispose of any interest in that property, whether divided or undivided. Title to any property of the utility authority shall be held by the utility authority exclusively for the benefit of the public;

(o) To apply, contract for, accept, receive and administer gifts, grants, appropriations and donations of money, materials and property of any kind, including loans and grants from the United States, the state, a unit of local government, or any agency, department, district or instrumentality of any of the foregoing, upon any terms and conditions as the United States, the state, a unit of local government, or any agency,

department, district or instrumentality shall impose. The utility authority may administer trusts. The utility authority may sell, lease, transfer, convey, appropriate and pledge any and all of its property and assets;

(p) To make and enforce, and from time to time amend and repeal, bylaws, rules, ordinances and regulations for the management of its business and affairs and for the construction, use, maintenance and operation of any of the systems under its management and control;

(q) To employ and terminate staff and other personnel, including attorneys, engineers and consultants as may be necessary to the functioning of the utility authority;

(r) To establish and maintain rates, fees and any other charges for services and the use of systems and facilities within the control of the utility authority, and from time to time, to adjust such rates, fees and any other charges to the end that the revenues therefrom will be sufficient at all times to pay the expenses of operating and maintaining of the facilities and treatment systems and all of the persons' obligations under any contract or bonds resolution with respect thereto or any obligation of any person under any agreement, contract, indenture or bonds resolution with respect thereto. Such rates, fees, assessments and any other charges shall be subject to the jurisdiction of the Mississippi Public Service Commission. Such rates, fees, assessments or any other charges shall be equal as levied on citizens throughout the utility authority's boundaries. For purposes of Section 77-3-33, the rates charged by the utility authority shall be just and reasonable if they are adequate to provide safe and reliable water, wastewater and storm water service to its customers, including providing an adequate amount of capital for the utility authority to perform such repairs, upgrades and improvements as it deems necessary on an ongoing basis. The Mississippi Public Service Commission shall defer to the utility authority's determination of what rates are just and reasonable absent a showing of manifest error;

(s) To adopt rules and regulations necessary to accomplish the purposes of the utility authority and to assure the payment of each participating person or public agency of its proportionate share of the costs for use of any of the systems and facilities of the utility authority and for the utility authority's proportionate share of the costs of the board;

(t) To enter on public or private lands, waters or premises for the purpose of making surveys, borings or soundings, or conducting tests, examinations or inspections for the purposes of the authority, subject to responsibility for any damage done to property entered;

(u) To accept industrial wastewater from within the boundaries of the utility authority for treatment and to require the pretreatment of same when, in the opinion of the utility authority, such pretreatment is necessary;

(v) To control and operate local retail water, wastewater and storm water services, and may provide or be responsible for direct servicing of those services to residences, businesses and individuals; however, the utility authority shall not provide the same services in an area provided by a public utility or person holding a certificate of public convenience and necessity issued by the Mississippi Public Service Commission for the provision of such services in the certificated area;

(w) To assume control and administer, within the utility authority's jurisdiction, any water, wastewater or storm water system or systems by agreement or contract with any person if the person providing such services requests to be relieved of that responsibility. However, the person may maintain control over connections in their service areas and may charge rates, fees and any other charges in addition to the rates, fees and any charges of the utility authority;

(x) To acquire property designated by plan to sufficiently accommodate the location of water, wastewater or storm water systems and such requirements related directly thereto pursuant to the provisions of Title 11, Chapter 27, Mississippi Code of 1972. The utility authority may acquire property necessary for any system and the exercise of the powers, rights and duties conferred upon the utility authority by this act. No person owning the drilling rights or the right to share in production shall be prevented from exploring, developing or producing oil or gas with necessary rights-of-way for ingress and egress, pipelines and other means of transporting such interests on any lands or interest of the utility authority held or used for the purposes of this act, but any such activities shall be subject to reasonable regulations by the board of directors that will adequately protect the systems or projects of the utility authority. This provision shall be in accordance with Mississippi Constitution Article 17A and House Bill No. 1769 as passed during the 2022 Legislative Session;

(y) To use any legally available funds to acquire, rebuild, operate and maintain any existing water, wastewater or storm water systems owned or operated by any person;

(z) To refuse to receive water, wastewater or storm water from any public agency or person, except with regard to municipalities or other areas within the service territory of the systems as of the effective date of this act;

(aa) So long as any indebtedness on the systems of the utility authority remains outstanding, to require a member public agency, or other person, that all water, wastewater and storm water within the boundaries of the respective utility authority be disposed of through the appropriate treatment system to the extent that the same may be available, but no public agency shall be precluded from constructing, operating and maintaining its own such system after the current indebtedness owing on the system as of the date of enactment of this act, is paid in full; and

(bb) To adopt a seal and a symbol, and hold patents, copyrights, trademarks, and service marks and enforce its rights with respect thereto.

(3) The utility authority shall:

(a) Submit annual reports to the Governor, Lieutenant Governor, Speaker of the House of Representatives, State Auditor, Joint Legislative Committee on Performance Evaluation and Expenditure Review and the governing authorities of any municipality whose citizens are within the utility authority's boundaries regarding the water quality and financial conditions of such system or systems, as well as a schedule of currently planned repairs, upgrades or improvements planned by the utility authority;

(b) Immediately submit to the Governor, Lieutenant Governor, Speaker of the House of Representatives and the governing authorities of any municipality whose citizens are within the utility authority's boundaries any information received from the Mississippi State Department of Health or Department of Environmental Quality or other state or federal regulatory agencies regarding the condition of a transferred eligible municipal system. The utility authority, in addition to abiding by any other federal or state reporting requirements, must also report such information to the public on its website and to individuals residing within the municipality as required by federal or state law;

(c) Publish audited annual financial statements, which shall be made available to the public. The annual financial statements shall include disposition of all funds expended by the Utility authority for any purpose. Quarterly financial statements shall be made available to the public by posting on the utility authority's website;

(d) Adopt by administrative rules and regulations a system of continuous internal audits;

(e) Adopt by administrative rules and regulations a code of ethics for officers and employees of the utility authority to carry out the standards of conduct established by this act; and

(f) Adopt by administrative rules and regulations guidelines for the disposal of property if the utility authority is dissolved. Such administrative rules and regulations shall include that ownership, management and control of the systems shall revert to the City of Jackson.

SECTION 9. (1) The president, as executive director of the utility authority, if so appointed by the utility authority, shall direct and supervise all administrative and technical activities in accordance with the provisions of this act, within the administrative rules and regulations adopted by the board, and in accordance with industry practice. The president shall:

(a) Supervise and administer or contract for the supervision and administration of the water, wastewater and storm water systems owned, managed or controlled by the utility authority.

(b) Employ and direct such personnel as may be necessary to carry out the purposes of this act and utilize such services, personnel or facilities of the utility authority as he or she may deem necessary.

(c) Make available for inspection by the board or any member of the board or the Governor, Lieutenant Governor, Speaker of the House or the governing authorities of any municipality whose citizens are served by the utility authority, upon request, all books, records, files and other information and documents of his or her office and advise the board and recommend such administrative rules and regulations and other matters he or she deems necessary and advisable to improve the operation and administration of the utility authority.

(d) Attend meetings of the board or appoint a designee to attend on his or her behalf.

(e) Not later than thirty (30) days before the beginning of the utility authority's fiscal year, submit the proposed annual budget of the utility authority to the board for review and approval. This shall include a schedule of planned repairs, upgrades or improvements to the systems and the anticipated capital cost of each. In addition, the proposed annual budget of the utility authority shall include a personnel table reporting information for each full-time and part-time permanent position, as follows:

(i) The position title and the salary for each position in the existing operating budget for the current fiscal year, indicating whether each position is filled or vacant as of the reporting date; and

(ii) The position title and the salary recommended for each position for the next fiscal year.

(f) The president shall require bond of Fifty Thousand Dollars (\$50,000.00) from employees with access to funds or in such an amount as provided in the administrative rules and regulations of the board.

(2) The president may:

(a) Require bond from other employees as he or she deems necessary;

(b) For good cause, and with approval from the majority of the board, suspend, revoke or refuse to renew any contract entered into in accordance with this act or the administrative rules and regulations of the board; and



(c) Upon specific or general approval of the board, enter into personal service contracts pursuant to administrative rules and regulations adopted by the board and compensate such consultants and technical assistants as may be required to carry out the provisions of this act.

(3) Agencies, departments or units of state government, including, but not limited to, the Mississippi Department of Health and the Mississippi Department of Environmental Quality, shall cooperate with the utility authority to regulate the utility authority and assure the effective operation of the utility authority's systems, with the understanding that such agencies act as a regulator and not operator of such systems. All state officers are hereby empowered and required to render such services to the utility authority within their respective functions as may be requested by the utility authority.

SECTION 10. Employees of the utility authority shall serve at the will and pleasure of the president who shall determine their compensation and benefits. The compensation of officers at the division head level and above shall be determined by the board.

SECTION 11. Neither the directors of the utility authority, the board, its employees, nor any person or persons acting on their behalf, while acting within the scope of their authority, shall be subject to personal liability resulting from carrying out any of the powers granted herein in accordance with his or her good-faith belief that he or she is acting in the best interests of the utility authority.

SECTION 12. (1) The utility authority shall enter into its contracts for major procurements after a competitive and open procurement process. The utility authority may adopt administrative rules and regulations pursuant to the provisions of this act providing for special procedures whereby the utility authority may make any class of procurement. The utility authority shall endeavor to ensure the transparency and competitiveness of procurements of all sizes.

(2) In its bidding processes, the utility authority may do its own bidding and procurement or may utilize the services of other state agencies as appropriate and necessary. The president may, with the approval of a majority of the board, declare an emergency for purchasing purposes which shall be governed by the administrative rules and regulations adopted by the board.

SECTION 13. All monies received by the utility authority shall be deposited into an operating account. Such account shall be established in a custodian financial institution domiciled in the State of Mississippi, insured by the Federal Deposit Insurance Corporation and collateralized as prescribed by Section 27-105-5.

SECTION 14. All division heads, officers and employees of the utility authority shall be considered public servants as defined in Section 25-4-103. All division heads and officers of the utility authority are subject to Section 25-4-25 and shall be required to file a Statement of Economic Interest with the Mississippi Ethics Commission.

SECTION 15. (1) Any public agency or person, pursuant to a duly adopted resolution of the governing body of such public agency or person, may enter into contracts with the utility authority under the terms of which the utility authority will manage, operate and contract for usage of its systems and facilities, or other services, for such person or public agency.

(2) Any public agency or person may enter into contracts with the utility authority for the utility authority to purchase or sell, by installments over such terms as may be deemed desirable, or otherwise, to any person or any systems. Any public agency may sell, donate, convey, or otherwise dispose of water, wastewater and storm water facilities or systems; or any equipment, personal property or any other things, deemed necessary for the construction, operation, and maintenance to the utility authority without the

necessity of appraisal, advertising, or bidding. This section creates an alternative method of disposal of public property.

(3) Any public agency is authorized to enter into operating agreements with the utility authority, for such terms and upon such conditions as may be deemed desirable, for the operation of any of its systems of any person by the utility authority or by any person contracting with the utility authority to operate such systems.

(4) Any public agency may lease to or from the utility authority, for such term and upon such conditions as may be deemed desirable, any of its systems.

(5) Any municipality or county may donate office space, equipment, supplies, and materials to the utility authority.

(6) Any such contract may contain provisions requiring any public agency or other person to regulate the quality and strength of the material to be handled by the wastewater or storm water systems and may also provide that the utility authority shall have the right to use any streets, alleys and public ways and places within the jurisdiction of a public agency or other person during the term of the contract. Such contracts may obligate the public agency to make payments to the utility authority or to a trustee in amounts which shall be sufficient to enable the utility authority to defray the expenses of administering, operating and maintaining its respective systems, to pay interest and principal (whether at maturity upon redemption or otherwise) on bonds of the utility authority, issued under this act and to fund reserves for debt service, for operation and maintenance and for renewals and replacements, to fulfill the requirements of any rate covenant with respect to debt service coverage contained in any resolution, trust indenture or other security agreement relating to the bonds of the utility authority issued under this act or to fulfill any other requirement relating to bonds issued pursuant to this act.

(7) Any public agency shall have the power to enter into such contracts with the utility authority as in the discretion of the governing body of the public agency would be in the best interest of the public agency. Such contracts may include a pledge of the full faith and credit of such public agency and/or the avails of any special assessments made by such public agency against property receiving benefits, as now or hereafter are provided by law. Any such contract may provide for the sale, or lease to, or use of by the utility authority, of the systems or any part thereof, of the public agency; and may provide that the utility authority shall operate its systems or any part thereof of the public agency; and may provide that any public agency shall have the right to continued use and/or priority use of the systems or any part thereof during the useful life thereof upon payment of reasonable charges therefor; and may contain provisions to assure equitable treatment of persons or public agencies who contract with the utility authority under this act; and may contain such other provisions and requirements as the parties thereto may determine to be appropriate or necessary. Such contracts may extend over any period of time, notwithstanding any provisions of law to the contrary, and may extend beyond the life of the respective systems or any part thereof or the term of the bonds sold with respect to such facilities or improvements thereto.

(8) The obligations of a public agency arising under the terms of any contract referred to in this act, whether or not payable solely from a pledge of revenues, shall not be included within the indebtedness limitations of the public agency for purposes of any constitutional or statutory limitation or provision. To the extent provided in such contract and to the extent such obligations of the public agency are payable wholly or in part from the revenues and other monies derived by the public agency from the operation of its systems or of its combined systems, or any part thereof, such obligations shall be treated as expenses of operating such systems.

(9) Contracts referred to in this section may also provide for payments in the form of contributions to defray the cost of any purpose set forth in the contracts and as advances for the respective systems or any part thereof subject to repayment by the utility

authority. A public agency may make such contributions or advances from its general fund or surplus fund or from special assessments or from any monies legally available therefor.

(10) Subject to the terms of a contract or contracts referred to in this act, the utility authority is hereby authorized to do and perform any and all acts or things necessary, convenient or desirable to carry out the purposes of such contracts, including the fixing, charging, collecting, maintaining and revising of rates, fees and other charges for the services rendered to any user of any of the systems operated or maintained by the utility authority, whether or not such systems are owned by the utility authority.

(11) No provision of this act shall be construed to prohibit any public agency, otherwise permitted by law to issue bonds, from issuing bonds in the manner provided by law for the construction, renovation, repair or development of any of the utility authority's systems, or any part thereof, owned or operated by such public agency.

SECTION 16. Whenever a public agency shall have executed a contract under this act and the payments thereunder are to be made either wholly or partly from the revenues of the public agency's systems, or any part thereof, or a combination of such systems, the duty is hereby imposed on the public agency to establish and maintain and from time to time to adjust the rate or fees charged by the public agency for the services of such systems, so that the revenues therefrom, together with any taxes and special assessments levied in support thereof, will be sufficient at all times to pay:

(a) The expense of operating and maintaining such systems, including, but not limited to, all of the public agency's obligations to the utility authority and the cost required to staff such systems, its successors or assigns under such contract; and

(b) All of the public agency's obligations under and in connection with bonds theretofore issued, or which may be issued thereafter and secured by the revenues of such systems. Any such contract may require the use of consulting engineers and financial experts to advise the public agency whether and when such rates and fees are to be adjusted.

SECTION 17. (1) Notwithstanding the provisions of Sections 77-3-21 and 77-3-23, the certificate of public convenience and necessity held by any municipality, public agency, district, public utility or other person authorized by law to provide water, sewer and wastewater services may be cancelled and its powers, duties and responsibilities transferred to the utility authority in the manner provided by this section.

(2) Any entity described in subsection (1) of this section desiring to have its certificate of public convenience and necessity cancelled and its powers, duties and responsibilities transferred to the utility authority shall make a determination to that effect on its official minutes if a public entity, or by affidavit if not a public entity, and transmit such determination to the utility authority.

(3) Upon receipt of the document evidencing such determination from an entity to transfer its powers, duties and responsibilities to the utility authority, the utility authority shall, by resolution, declare whether it is willing and able to accept such transfer from the entity.

(4) Upon completion of the requirements of subsections (2) and (3) of this section herein and agreement by both parties to the transfer, the holder of the certificate of public convenience and necessity and the utility authority shall jointly petition the Public Service Commission to cancel the certificate of public convenience and necessity. The petition must be accompanied by copies of the official minutes, affidavit or resolution, as the case may be, reflecting the actions of the petitioners. After review of the petition and any other evidence as the Public Service Commission deems necessary, the commission may issue an order canceling the certificate and transferring to the utility authority the powers, duties

and responsibilities granted by the certificate, including all assets and debts of the transferor petitioner related to such certificated services, real or personal, or both, if it finds that:

- (a) Subsections (2) and (3) of this section have been complied with; and
- (b) Such action is in the public interest.

(5) The utility authority and providers of water, sewer, wastewater and storm water services that are not holders of a certificate of a public convenience and necessity from the Public Service Commission may enter into agreements for the provision of such services, including, but not limited to, the transfer to the utility authority of such provider's powers, duties, responsibilities, assets and debts.

(6) Nothing herein shall require a municipality currently served by the utility authority to remain within the boundaries of the utility authority.

SECTION 18. (1) Any system of a municipality, public agency or person that becomes subject to the jurisdiction of a utility authority and this act shall not impair, invalidate or abrogate any liens, bonds or other certificates of indebtedness related to water, storm water or wastewater facilities and systems incurred prior to becoming subject to the jurisdiction of the utility authority.

(2) The utility authority may do and perform any and all acts necessary, convenient or desirable to ensure the payment, redemption or satisfaction of such liens, bonds or other certificates of indebtedness.

SECTION 19. (1) Sections 18 through 27 of this act apply to all bonds to be issued after the date of enactment of this act, and such provisions shall not affect, limit or alter the rights and powers of any utility authority under this act or any law of Mississippi to conduct the activities referred to herein in any way pertinent to the interests of the bondholders, including, without limitation, such utility authority's right to charge and collect rates, fees and charges and to fulfill the terms of any covenants made with the registered owners of any existing bonds, or in any other way impair the rights and remedies of the registered owners of any existing bonds, unless provision for full payment of such bonds, by escrow or otherwise, has been made pursuant to the terms of the bonds or the resolution, trust indenture or security interest securing the bonds.

(2) The utility authority shall have the power and is hereby authorized, from time to time, to borrow money and to issue revenue bonds and interim notes in such principal amounts as the utility authority may determine to be necessary to provide sufficient funds for achieving one or more of the purposes of this act, including, without limiting the generality of the foregoing, to defray all the costs of the project, the cost of the acquisition, construction, improvement, repair or extension of a system, or any part thereof, whether or not such facilities are owned by the utility authority, the payment of interest on bonds of the utility authority issued pursuant to this act, establishment of reserves to secure such bonds and payment of the interest thereon, expenses incident to the issuance of such bonds and to the implementation of the utility authority's system, and all other expenditures of the utility authority incident to or necessary or convenient to carry out the purposes of this act.

(3) Before issuing bonds, other than interim notes or refunding bonds as provided in Section 20 of this act, the board of directors of the utility authority shall adopt a resolution declaring its intention to issue such bonds and stating the maximum principal amount of bonds proposed to be issued, a general generic description of the proposed improvements and the proposed location thereof and the date, time and place at which the board of directors proposes to take further action with respect to the issuance of such bonds. The resolution shall be published once a week for at least three (3) consecutive weeks in at least one (1) newspaper having a general circulation within the geographical

limits of all of the public agencies which have contracted with the utility authority pursuant to this act.

(4) Bonds of the utility authority issued pursuant to this act shall be payable from and secured by a pledge of all or any part of the revenues under one or more contracts entered into pursuant to this act between the utility authority and one or more of its contracting public agencies and from all or any part of the revenues derived from the operation of any designated system or any part or parts thereof and any other monies legally available and designated therefor, as may be determined by such utility authority, subject only to any agreement with the purchasers of the bonds. Such bonds may be further secured by a trust indenture between such utility authority and a corporate trustee, which may be any trust company or bank having powers of a trust company without or within the state.

(5) Bonds of the utility authority issued pursuant to this act shall be authorized by a resolution or resolutions adopted by a majority affirmative vote of the total membership of the board of directors of the utility authority. Such bonds may be issued in series, and each series of such bonds shall bear such date or dates, mature at such time or times, bear interest at such rate or rates (not exceeding the maximum rate set out in Section 75-17-103, Mississippi Code of 1972), be in such denomination or denominations, be in such form, carry such conversion privileges, have such rank or priority, be executed in such manner and by such officers, be payable from such sources in such medium of payment at such place or places within or without the state, provided that one such place shall be within the state, and be subject to such terms of redemption prior to maturity, all as may be provided by resolution or resolutions of the board of directors. The term of such bonds issued pursuant to this act shall not exceed forty (40) years.

(6) Bonds of the utility authority issued pursuant to this act may be sold at such price or prices, at public or private sale, in such manner and at such times as may be determined by such utility authority to be in the public interest, and such utility authority may pay all expenses, premiums, fees and commissions which it may deem necessary and advantageous in connection with the issuance and sale thereof.

(7) Any pledge of earnings, revenues or other monies made by the utility authority shall be valid and binding from the time the pledge is made. The earnings, revenues or other monies so pledged and thereafter received by such utility authority shall immediately be subject to the lien of such pledge without any physical delivery thereof or further act, and the lien of any such pledge shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against such utility authority irrespective of whether such parties have notice thereof. Neither the resolution nor any other instrument by which a pledge is created need be recorded.

(8) Neither the members of the board of directors nor any person executing the bonds shall be personally liable on the bonds or be subject to any personal liability or accountability by reason of the issuance thereof.

(9) Proceeds from the sale of bonds of the utility authority may be invested, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earnings on such investments applied as provided in such resolution or trust indenture.

(10) Whenever any bonds shall have been signed by the officer(s) designated by the resolution of the board of directors to sign the bonds who were in office at the time of such signing but who may have ceased to be such officer(s) prior to the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the manual or facsimile signatures of such officer(s) upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially executing such bonds had remained in office until the delivery of the same to the purchaser or had been in office on the date such bonds may bear.

(11) The utility authority has the discretion to advance or borrow funds needed to satisfy any short-term cash flow demands or deficiencies or to cover start-up costs until such time as sufficient bonds, assets and revenues have been secured to satisfy the needs of the utility authority.

SECTION 20. (1) The utility authority may, by resolution adopted by its board of directors, issue refunding bonds for the purpose of paying any of its bonds at or prior to maturity or upon acceleration or redemption. Refunding bonds may be issued at such time prior to the maturity or redemption of the refunded bonds as the board of directors deems to be in the public interest, without an election on the question of the issuance thereof. The refunding bonds may be issued in sufficient amounts to pay or provide the principal of the bonds being refunded, together with any redemption premium thereon, any interest accrued or to accrue to the date of payment of such bonds, the expenses of issue of the refunding bonds, the expenses of redeeming the bonds being refunded, and such reserves for debt service or other capital or current expenses from the proceeds of such refunding bonds as may be required by the resolution, trust indenture or other security instruments. The issue of refunding bonds, the maturities and other details thereof, the security therefor, the rights of the holders and the rights, duties and obligations of the utility authority in respect of the same shall be governed by the provisions of this act relating to the issue of bonds other than refunding bonds insofar as the same may be applicable. Any such refunding may be effected, whether the obligations to be refunded shall have then matured or shall thereafter mature, either by the exchange of the refunding bonds for the obligations to be refunded thereby with the consent of the holders of the obligations so to be refunded, or by sale of the refunding bonds and the application of the proceeds thereof to the payment of the obligations proposed to be refunded thereby, and regardless of whether the obligations proposed to be refunded shall be payable on the same date or different dates or shall be due serially or otherwise.

(2) Borrowing by the utility authority may be made by the delivery of interim notes to any person or public agency or financial institution by a majority vote of the board of directors.

SECTION 21. All bonds, other than refunding bonds, interim notes and certificates of indebtedness, which may be validated issued pursuant to this act shall be validated as now provided by law in Sections 31-13-1 through 31-13-11, Mississippi Code of 1972; however, notice of such validation proceedings shall be addressed to the citizens of the respective public agencies (a) which have contracted with the utility authority pursuant to this act, and (b) whose contracts and the payments to be made by the public agencies thereunder constitute security for the bonds of such utility authority proposed to be issued, and that such notice shall be published at least once in a newspaper or newspapers having a general circulation within the geographical boundaries of each of the contracting public agencies to whose citizens the notice is addressed. Such validation proceedings shall be instituted in any chancery courts within the boundaries of the utility authority. The validity of the bonds so validated and of the contracts and payments to be made by the public agencies thereunder constituting security for the bonds shall be forever conclusive against the utility authority and the public agencies, which are parties to said contracts; and the validity of said bonds and said contracts and the payments to be made thereunder shall never be called in question in any court in this state.

SECTION 22. Bonds issued under the provisions of this act shall not be deemed to constitute, within the meaning of any constitutional or statutory limitation, an indebtedness of the utility authority or the state. Such bonds shall be payable solely from the revenues or assets of the utility authority pledged therefor. Each bond issued under this act shall contain on the face thereof a statement to the effect that such utility authority, nor the state, shall not be obligated to pay the same nor the interest thereon except from the revenues or assets pledged therefor.

SECTION 23. The utility authority shall have power in connection with the issuance of its bonds pursuant to this act to:

- (a) Covenant as to the use of any or all of its property, real or personal;
- (b) Redeem the bonds, to covenant for their redemption and to provide the terms and conditions thereof;
- (c) Covenant to charge rates, fees and charges sufficient to meet operating and maintenance expenses, renewals and replacements, principal and debt service on bonds, creation and maintenance of any reserves required by a bonds resolution, trust indenture or other security instrument and to provide for any margins or coverages over and above debt service on the bonds deemed desirable for the marketability of the bonds;
- (d) Covenant and prescribe as to events of default and terms and conditions upon which any or all of its bonds shall become or may be declared due before maturity, as to the terms and conditions upon which such declaration and its consequences may be waived and as to the consequences of default and the remedies of the registered owners of the bonds;
- (e) Covenant as to the mortgage or pledge of or the grant of a security interest in any real or personal property and all or any part of the revenues from any designated system or any part thereof or any revenue-producing contract or contracts made by a utility authority with any person to secure the payment of bonds, subject to such agreements with the registered owners of bonds as may then exist;
- (f) Covenant as to the custody, collection, securing, investment and payment of any revenues, assets, monies, funds or property with respect to which a utility authority may have any rights or interest;
- (g) Covenant as to the purposes to which the proceeds from the sale of any bonds then or thereafter to be issued may be applied, and the pledge of such proceeds to secure the payment of the bonds;
- (h) Covenant as to the limitations on the issuance of any additional bonds, the terms upon which additional bonds may be issued and secured, and the refunding of outstanding bonds;
- (i) Covenant as to the rank or priority of any bonds with respect to any lien or security;
- (j) Covenant as to the procedure by which the terms of any contract with or for the benefit of the registered owners of bonds may be amended or abrogated, the amount of bonds the registered owners of which must consent thereto, and the manner in which such consent may be given;
- (k) Covenant as to the custody of any of its properties or investments, the safekeeping thereof, the insurance to be carried thereon, and the use and disposition of insurance proceeds;
- (l) Covenant as to the vesting in a trustee or trustees, within or outside the state, of such properties, rights, powers and duties in trust as such utility authority may determine;
- (m) Covenant as to the appointing and providing for the duties and obligations of a paying agent or paying agents or other fiduciaries within or outside the state;

(n) Make all other covenants and to do any and all such acts and things as may be necessary or convenient or desirable in order to secure its bonds, or in the absolute discretion of the utility authority tend to make the bonds more marketable, notwithstanding that such covenants, acts or things may not be enumerated herein; it being the intention hereof to give any utility authority power to do all things in the issuance of bonds and in the provisions for security thereof which are not inconsistent with the Constitution of the state; and

(o) Execute all instruments necessary or convenient in the exercise of the powers herein granted or in the performance of covenants or duties, which may contain such covenants and provisions, as any purchaser of the bonds of the utility authority may reasonably require.

SECTION 24. The utility authority may, in any authorizing resolution of the board of directors, trust indenture or other security instrument relating to its bonds issued pursuant to this act, provide for the appointment of a trustee who shall have such powers as are provided therein to represent the registered owners of any issue of bonds in the enforcement or protection of their rights under any such resolution, trust indenture or security instrument. The utility authority may also provide in such resolution, trust indenture or other security instrument that the trustee, or in the event that the trustee so appointed shall fail or decline to so protect and enforce such registered owners' rights then such percentage of registered owners as shall be set forth in, and subject to the provisions of, such resolution, trust indenture or other security interest, may petition the court of proper jurisdiction for the appointment of a receiver of the utility authority's systems, the revenues of which are pledged to the payment of the principal of and interest on the bonds of such registered owners. Such receiver may exercise any power as may be granted in any such resolution, trust indenture or security instrument to enter upon and take possession of, acquire, construct, reconstruct or operate and maintain such system, fix charges for services of the system and enforce collection thereof, and receive all revenues derived from such system or facilities and perform the public duties and carry out the contracts and obligations of such utility authority in the same manner as such utility authority itself might do, all under the direction of such court.

SECTION 25. (1) The exercise of the powers granted by this act will be in all respects for the benefit of the people of the state, for their well-being and prosperity and for the improvement of their social and economic conditions, and the utility authority shall not be required to pay any tax or assessment on any property owned by the utility authority under the provisions of this act or upon the income therefrom; nor shall the utility authority be required to pay any recording fee or transfer tax of any kind on account of instruments recorded by it or on its behalf.

(2) Any bonds issued by the utility authority under and pursuant to the provisions of this act, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

SECTION 26. All bonds issued under the provisions of this act shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

SECTION 27. The state hereby covenants with the registered owners of any bonds of any utility authority that so long as the bonds are outstanding and unpaid, the state will not limit or alter the rights and powers of any utility authority under this act to conduct the activities referred to herein in any way pertinent to the interests of the bondholders, including, without limitation, such utility authority's right to charge and collect rates, fees, assessments and charges and to fulfill the terms of any covenants made with the



registered owners of the bonds, or in any other way impair the rights and remedies of the registered owners of the bonds, unless provision for full payment of such bonds, by escrow or otherwise, has been made pursuant to the terms of the bonds or the resolution, trust indenture or security interest securing the bonds.

SECTION 28. For the purposes of satisfying any temporary cash flow demands and deficiencies, and to maintain a working balance for the utility authority, the county, municipalities or public agencies within the geographic boundaries of the utility authority, or other persons, subject to their lawful authority to do so, are authorized to advance, at any time, such funds which, in its discretion, are necessary, or borrow such funds by issuance of notes, for initial capital contribution and to cover start-up costs until such times as sufficient bonds, assets and revenues have been secured to satisfy the needs of the utility authority for its management, operation and formation. To this end, the county, municipality, public agency or person, subject to their lawful authority to do so, shall advance such funds, or borrow such funds by issuance of notes, under such terms and conditions as may be provided by resolution of the governing body, or other persons as defined in this act, subject to their lawful authority to do so, except that each such resolution shall state:

(a) The need for the proceeds advanced or borrowed;

(b) The amount to be advanced or the amount to be borrowed;

(c) The maximum principal amount of any note issued the interest rate or maximum interest rate to be incurred, and the maturity date of said note;

(d) In addition, the governing body, or other persons as defined in this act, subject to their lawful authority to do so, may arrange for lines of credit with any bank, firm or person for the purpose of providing an additional source of repayment for notes issued pursuant to this section. Amounts drawn on a line of credit may be evidenced by negotiable or nonnegotiable notes or other evidences of indebtedness and contain such terms and conditions as the governing body, or other persons as defined in this act, subject to their lawful authority to do so, may authorize in the resolution approving the same;

(e) The governing body of the county, municipalities or other persons as defined in this act, subject to their lawful authority to do so, may authorize the repayment of such advances, notes, lines of credit and other debt incurred under this section, along with all costs associated with the same, including, but not limited to, rating agency fees, printing costs, legal fees, bank or trust company fees, line of credit fees and other charges to be reimbursed by the utility authority under such terms and conditions as are reasonable and are to be provided for by resolution of the governing body, or terms agreed upon with other persons as defined in this act, subject to their lawful authority to do so; and

(f) In addition, the governing body of the county, municipality or public agency may lease or donate office space and equipment to the utility authority under such terms and conditions as are reasonable and are to be provided for by resolution of the governing body, or terms agreed upon by the utility authority.

SECTION 29. This act being necessary for the welfare of the state and its inhabitants shall be liberally construed to effect the purposes thereof. If any section, provision, paragraph, sentence, phrase or word of this act shall be held invalid by any court of competent jurisdiction, the remainder of this act shall not be affected thereby.

SECTION 30. Sections 1 through 29 of this act shall be codified in Title 77, Mississippi Code of 1972.

SECTION 31. This act shall take effect and be in force from and after July 1, 2023.

FURTHER, AMEND the title to conform.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI CAPITOL REGION UTILITY ACT; TO ESTABLISH THE MISSISSIPPI CAPITOL REGION UTILITY AUTHORITY; TO PROVIDE FOR THE APPOINTMENT OF A PRESIDENT AND A BOARD OF DIRECTORS FOR SUCH AUTHORITY; TO CLARIFY THE POWERS AND DUTIES OF SUCH BOARD; TO ENSURE ACCESS TO SAFE, CLEAN AND RELIABLE WATER FOR THE CITIZENS OF CENTRAL MISSISSIPPI; AND FOR RELATED PURPOSES.

Senator Horhn offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 1.

AMEND on line 1284 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023.

Amendment No. 1 to Amendment No. 1 to S. B. No. 2889 was adopted.

Amendment No. 1 as amended to S. B. No. 2889 was adopted.

Senator McMahan offered the following AMENDMENT NO. 2.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The capital of the State of Mississippi shall be moved to the City of Tupelo in Lee County by 2025.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT THE CAPITAL OF THE STATE OF MISSISSIPPI SHALL BE MOVED TO THE CITY OF TUPELO IN LEE COUNTY BY 2025.

#### POINT OF ORDER

A point of order was raised by Senator Horhn that Amendment No. 2 is not germane.

#### RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken.

YEAS AND NAYS On S. B. No. 2889. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

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

Absent and those not voting--Bryan, Hopson, Parks. Total--3.

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Senator Polk moved that the Senate stand in recess until 2:30 PM.

The motion prevailed, and at 12:50 PM, the Senate stood in recess.

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The Senate resumed business at 2:30 PM, pursuant to recess, with President Hosemann presiding.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2099:** Motor vehicle theft; revise penalty for.

Senator Fillingane offered the following AMENDMENT NO. 1.

AMEND by inserting the following subsection below line 31 and renumbering subsequent subsections:

(\*) Notwithstanding any other law to the contrary, the minimum terms imposed under this section shall not be reduced or suspended nor shall such person be eligible for probation or parole before the expiration of the minimum term of incarceration.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2099 was adopted.

YEAS AND NAYS On S. B. No. 2099. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Hickman, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting--Frazier, Horhn. Total--2.

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Unanimous consent was granted to add Senators Blackwell and McLendon as co-authors of **S. B. No. 2099**.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2100:** Receiving stolen property; revise the crime of.

On motion of Senator Fillingane, the Committee Substitute was offered for consideration and the motion lost.

Senator Fillingane offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-17-70, Mississippi Code of 1972, is amended as follows:

97-17-70. (1) A person commits the crime of receiving stolen property if he intentionally possesses, receives, retains or disposes of stolen property knowing that it has been stolen or having reasonable grounds to believe it has been stolen, unless the property is possessed, received, retained or disposed of with intent to restore it to the owner.

(2) The fact that the person who stole the property has not been convicted, apprehended or identified is not a defense to a charge of receiving stolen property.

(3) (a) Evidence that the person charged under this section stole the property that is the subject of the charge of receiving stolen property is not a defense to a charge under this section; however, dual charges of both stealing and receiving the same property shall not be brought against a single defendant in a single jurisdiction.

(b) Proof that a defendant stole the property that is the subject of a charge under this section shall be prima facie evidence that the defendant had knowledge that the property was stolen.

(4) Any person who shall be convicted of receiving stolen property which exceeds One Thousand Dollars (\$1,000.00) or more, but less than Five Thousand Dollars (\$5,000.00) in value and is not a motor vehicle shall be punished by imprisonment in the custody of the State Department of Corrections for a term not exceeding five (5) years or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(5) Any person who shall be convicted of receiving stolen property which exceeds Five Thousand Dollars (\$5,000.00) or more, but less than Twenty-five Thousand Dollars (\$25,000.00) in value and is not a motor vehicle shall be punished by imprisonment in the custody of the State Department of Corrections for a term not exceeding ten (10) years or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(6) Any person who shall be convicted of receiving stolen property which exceeds Twenty-five Thousand Dollars (\$25,000.00) in value and is not a motor vehicle shall be punished by imprisonment in the custody of the State Department of Corrections for a term not less than five (5) years but not exceeding twenty (20) years or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(7) Any person who shall be convicted of receiving stolen property which does not exceed One Thousand Dollars (\$1,000.00) in value and is not a motor vehicle may be punished by imprisonment in the county jail for not more than six (6) months or by a fine

of not more than One Thousand Dollars (\$1,000.00), or both, if the court finds substantial and compelling reasons why the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both. Any person convicted of a third or subsequent offense under this subsection where the value of the property is not less than Five Hundred Dollars (\$500.00), shall be imprisoned in the Penitentiary for a term not exceeding three (3) years or fined an amount not exceeding One Thousand Dollars (\$1,000.00), or both.

(8) Any person who shall be convicted of receiving stolen property which is a motor vehicle shall be punished by imprisonment in the custody of the State Department of Corrections for a term not less than five (5) years but not exceeding twenty (20) years or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(9) Notwithstanding any other law to the contrary, the minimum terms imposed under subsection (6) and (8) of this section shall not be reduced or suspended nor shall such person be eligible for probation or parole before the expiration of the minimum term of incarceration.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-17-70, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RECEIPT OF STOLEN PROPERTY VALUED AT A CERTAIN AMOUNT SHALL BE A FELONY WITH A MANDATORY MINIMUM TERM OF IMPRISONMENT; TO PROVIDE A MANDATORY SENTENCING RANGE FOR A PERSON CONVICTED OF THE RECEIPT OF STOLEN PROPERTY WHICH IS A MOTOR VEHICLE; TO PROVIDE THAT THE MINIMUM TERMS IMPOSED UNDER THIS SECTION SHALL NOT BE REDUCED OR SUSPENDED NOR SHALL SUCH PERSON BE ELIGIBLE FOR PROBATION OR PAROLE BEFORE THE EXPIRATION OF THE MINIMUM TERM OF INCARCERATION; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2100 was adopted.

#### PARLIAMENTARY INQUIRY

Senator Simmons D. T. (12th) raised a point of inquiry whether, per Joint Rule 20, a fiscal note is required.

#### RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled that no fiscal note is required.

YEAS AND NAYS On S. B. No. 2100. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn,

McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

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

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

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Unanimous consent was granted to add Senator McLendon as co-author of **S. B. No. 2100**.

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Senator Chassaniol called up the following entitled bill:

**S. B. No. 2137:** "Mississippi Native Plant Month"; designate each April as.

YEAS AND NAYS On S. B. No. 2137. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Boyd, England, McCaughn, Seymour and Younger as co-authors of **S. B. No. 2137**.

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Senator Chassaniol called up the following entitled bill:

**S. B. No. 2138:** Tourism; designate the Mississippi Opal as the state gemstone.

YEAS AND NAYS On S. B. No. 2138. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Jackson, Jordan and Butler A. (36th) as co-authors of **S. B. No. 2138**.

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Senator DeLano called up the following entitled bill:

**S. B. No. 2717:** Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2717. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator DeLano called up the following entitled bill:

**S. B. No. 2727:** Mississippi Office of Space and Technology; create and direct Mississippi Development Authority to administer.

YEAS AND NAYS On S. B. No. 2727. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--McDaniel, Seymour. Total--2.

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Senator DeLano called up the following entitled bill:

**S. B. No. 2728:** Statewide master agreements and utilization of information technology acquisitions made by other entities; authorize.

YEAS AND NAYS On S. B. No. 2728. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Michel called up the following entitled bill:

**S. B. No. 2224:** Insurance; prohibit insurer or third party payors from setting maximum dollar amount of reimbursement for proper ventilation treatment.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

Senators Blackwell and Michel offered the following AMENDMENT NO. 1.

AMEND on lines 39 through 43 by striking SECTION 2 in its entirety and inserting in lieu thereof the following:

SECTION 2. The Commissioner of Insurance may adopt rules and regulations to address any inequalities or irregularities regarding provider reimbursement rates paid by an insurer, subcontractor, third-party administrator or other payor regarding covered services received by covered persons in this state. Failure to comply with rules and regulations adopted by the Commissioner under this section shall result in a fine not to exceed Ten Thousand Dollars (\$10,000.00) per violation.

FURTHER, AMEND on line 616 by striking "July 1, 2023" and inserting in lieu thereof "its passage".

Amendment No. 1 to S. B. No. 2224 was adopted.

YEAS AND NAYS On S. B. No. 2224. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

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Senator Michel called up the following entitled bill:

**S. B. No. 2649:** Minority; remove for beneficiaries of certain insurance policies.

On motion of Senator Michel, the Committee Substitute was adopted for consideration.



YEAS AND NAYS On S. B. No. 2649. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Branning, England, Jackson, Jordan, McLendon, Parker and Seymour as co-authors of **S. B. No. 2649**.

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Senator Bryan moved that the rules be suspended for the immediate consideration of calendar item 36, **S. B. No. 2369**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

**S. B. No. 2369:** Department of Human Services; extend repealers on certain sections relating to.

On motion of Senator Bryan, the Committee Substitute was adopted for consideration.

Senator Bryan offered the following AMENDMENT NO. 1.

AMEND on lines 20, 124, 150, 217 and 287 by striking "2027" and inserting "2026" in lieu thereof.

Amendment No. 1 to S. B. No. 2369 was adopted.

Senators Blount, Simmons D. T. (12th), Simmons S. (13th), Jackson, Thomas, Butler A. (36th), Butler K. (38th), Turner-Ford, Frazier, Jordan, Barnett, Norwood, Hickman, Horhn and Blackmon offered the following AMENDMENT NO. 2.

AMEND by inserting the following language below line 216:

(4) Transfer at least thirty percent (30%) of the block grant for the state and available federal funds for Temporary Assistance for Needy Families (TANF) child welfare services to the Child Care and Development Fund for each fiscal year.

AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 2 to S. B. No. 2369 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Parker, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--17.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn,

McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.  
Absent and those not voting----None.

Senators Simmons D. T. (12th), Jackson, Butler K. (38th), Butler A. (36th), Jordan, Frazier, Turner-Ford, Thomas, Hickman, Norwood, Simmons S. (13th), Blackmon and Blount offered the following AMENDMENT NO. 3.

AMEND by inserting after line 287 the following language and renumbering subsequent sections accordingly:

SECTION \*. Section 43-17-6, Mississippi Code of 1972, which requires TANF benefit applicants to undergo drug testing, is hereby repealed.

SECTION \*. Section 43-17-5, Mississippi Code of 1972, is amended as follows:

43-17-5. (1) The amount of Temporary Assistance for Needy Families (TANF) benefits which may be granted for any dependent child and a needy caretaker relative shall be determined by the county department with due regard to the resources and necessary expenditures of the family and the conditions existing in each case, and in accordance with the rules and regulations made by the Department of Human Services which shall not be less than the Standard of Need in effect for 1988, and shall be sufficient when added to all other income (except that any income specified in the federal Social Security Act, as amended, may be disregarded) and support available to the child to provide such child with a reasonable subsistence compatible with decency and health. The first family member in the dependent child's budget may receive an amount not to exceed Two Hundred Dollars (\$200.00) per month; the second family member in the dependent child's budget may receive an amount not to exceed Thirty-six Dollars (\$36.00) per month; and each additional family member in the dependent child's budget an amount not to exceed Twenty-four Dollars (\$24.00) per month. The maximum for any individual family member in the dependent child's budget may be exceeded for foster or medical care or in cases of children with an intellectual disability or a physical disability. TANF benefits granted shall be specifically limited only (a) to children existing or conceived at the time the caretaker relative initially applies and qualifies for such assistance, unless this limitation is specifically waived by the department, or (b) to a child born following a twelve-consecutive-month period of discontinued benefits by the caretaker relative.

(2) TANF benefits in Mississippi shall be provided to the recipient family by an online electronic benefits transfer system.

(3) The Department of Human Services shall deny TANF benefits to the following categories of individuals, except for individuals and families specifically exempt or excluded for good cause as allowed by federal statute or regulation:

(a) Families without a minor child residing with the custodial parent or other adult caretaker relative of the child;

(b) Families which include an adult who has received TANF assistance for sixty (60) months after the commencement of the Mississippi TANF program, whether or not such period of time is consecutive;

(c) Families not assigning to the state any rights a family member may have, on behalf of the family member or of any other person for whom the family member has applied for or is receiving such assistance, to support from any other person, as required by law;

(d) Families who fail to cooperate in establishing paternity or obtaining child support, as required by law;

(e) Any individual who has not attained eighteen (18) years of age, is not married to the head of household, has a minor child at least twelve (12) weeks of age in his or her care, and has not successfully completed a high school education or its equivalent, if such individual does not participate in educational activities directed toward the attainment of a high school diploma or its equivalent, or an alternative educational or training program approved by the department;

(f) Any individual who has not attained eighteen (18) years of age, is not married, has a minor child in his or her care, and does not reside in a place or residence maintained by a parent, legal guardian or other adult relative or the individual as such parent's, guardian's or adult relative's own home;

(g) Any minor child who has been, or is expected by a parent or other caretaker relative of the child to be, absent from the home for a period of more than thirty (30) days;

(h) Any individual who is a parent or other caretaker relative of a minor child who fails to notify the department of the absence of the minor child from the home for the thirty-day period specified in paragraph (g), by the end of the five-day period that begins with the date that it becomes clear to the individual that the minor child will be absent for the thirty-day period;

(i) Any individual who fails to comply with the provisions of the Employability Development Plan signed by the individual which prescribe those activities designed to help the individual become and remain employed, or to participate satisfactorily in the assigned work activity, as authorized under subsection (6)(c) and (d), or who does not engage in applicant job search activities within the thirty-day period for TANF application approval after receiving the advice and consultation of eligibility workers and/or caseworkers of the department providing a detailed description of available job search venues in the individual's county of residence or the surrounding counties;

(j) A parent or caretaker relative who has not engaged in an allowable work activity once the department determines the parent or caretaker relative is ready to engage in work, or once the parent or caretaker relative has received TANF assistance under the program for twenty-four (24) months, whether or not consecutive, whichever is earlier;

(k) Any individual who is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the jurisdiction from which the individual flees, for a crime, or an attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or who is violating a condition of probation or parole imposed under federal or state law;

(l) Aliens who are not qualified under federal law;

(m) For a period of ten (10) years following conviction, individuals convicted in federal or state court of having made a fraudulent statement or representation with respect to the individual's place of residence in order to receive TANF, food stamps or Supplemental Security Income (SSI) assistance under Title XVI or Title XIX simultaneously from two (2) or more states;

(n) Individuals who are recipients of federal Supplemental Security Income (SSI) assistance \* \* \*.

\* \* \*

(4) (a) Any person who is otherwise eligible for TANF benefits, including custodial and noncustodial parents, shall be required to attend school and meet the monthly attendance requirement as provided in this subsection if all of the following apply:

- (i) The person is under age twenty (20);
- (ii) The person has not graduated from a public or private high school or obtained a High School Equivalency Diploma equivalent;
- (iii) The person is physically able to attend school and is not excused from attending school; and
- (iv) If the person is a parent or caretaker relative with whom a dependent child is living, child care is available for the child.

The monthly attendance requirement under this subsection shall be attendance at the school in which the person is enrolled for each day during a month that the school conducts classes in which the person is enrolled, with not more than two (2) absences during the month for reasons other than the reasons listed in paragraph (e)(iv) of this subsection. Persons who fail to meet participation requirements in this subsection shall be subject to sanctions as provided in paragraph (f) of this subsection.

(b) As used in this subsection, "school" means any one (1) of the following:

- (i) A school as defined in Section 37-13-91(2);
- (ii) A vocational, technical and adult education program; or
- (iii) A course of study meeting the standards established by the State Department of Education for the granting of a declaration of equivalency of high school graduation.

(c) If any compulsory-school-age child, as defined in Section 37-13-91(2), to which TANF eligibility requirements apply is not in compliance with the compulsory school attendance requirements of Section 37-13-91(6), the superintendent of schools of the school district in which the child is enrolled or eligible to attend shall notify the county department of human services of the child's noncompliance. The Department of Human Services shall review school attendance information as provided under this paragraph at all initial eligibility determinations and upon subsequent report of unsatisfactory attendance.

(d) The signature of a person on an application for TANF benefits constitutes permission for the release of school attendance records for that person or for any child residing with that person. The department shall request information from the child's school district about the child's attendance in the school district's most recently completed semester of attendance. If information about the child's previous school attendance is not available or cannot be verified, the department shall require the child to meet the monthly attendance requirement for one (1) semester or until the information is obtained. The department shall use the attendance information provided by a school district to verify attendance for a child. The department shall review with the parent or caretaker relative a child's claim that he or she has a good cause for not attending school.

A school district shall provide information to the department about the attendance of a child who is enrolled in a public school in the district within five (5) working days of the receipt of a written request for that information from the department. The school district shall define how many hours of attendance count as a full day and shall provide that information, upon request, to the department. In reporting attendance, the school district may add partial days' absence together to constitute a full day's absence.

If a school district fails to provide to the department the information about the school attendance of any child within fifteen (15) working days after a written request, the department shall notify the Department of Audit within three (3) working days of the school district's failure to comply with that requirement. The Department of Audit shall begin audit proceedings within five (5) working days of notification by the Department of Human Services to determine the school district's compliance with the requirements of this subsection (4). If the Department of Audit finds that the school district is not in compliance with the requirements of this subsection, the school district shall be penalized as follows: The Department of Audit shall notify the State Department of Education of the school district's noncompliance, and the Department of Education shall reduce the calculation of the school district's average daily attendance (ADA) that is used to determine the allocation of Mississippi Adequate Education Program funds by the number of children for which the district has failed to provide to the Department of Human Services the required information about the school attendance of those children. The reduction in the calculation of the school district's ADA under this paragraph shall be effective for a period of one (1) year.

(e) A child who is required to attend school to meet the requirements under this subsection shall comply except when there is good cause, which shall be demonstrated by any of the following circumstances:

(i) The minor parent is the caretaker of a child less than twelve (12) weeks old; or

(ii) The department determines that child care services are necessary for the minor parent to attend school and there is no child care available; or

(iii) The child is prohibited by the school district from attending school and an expulsion is pending. This exemption no longer applies once the teenager has been expelled; however, a teenager who has been expelled and is making satisfactory progress towards obtaining a High School Equivalency Diploma equivalent shall be eligible for TANF benefits; or

(iv) The child failed to attend school for one or more of the following reasons:

1. Illness, injury or incapacity of the child or the minor parent's child;

2. Court-required appearances or temporary incarceration;

3. Medical or dental appointments for the child or minor parent's child;

4. Death of a close relative;

5. Observance of a religious holiday;

6. Family emergency;

7. Breakdown in transportation;

8. Suspension; or

9. Any other circumstance beyond the control of the child, as defined in regulations of the department.

(f) Upon determination that a child has failed without good cause to attend school as required, the department shall provide written notice to the parent or caretaker relative (whoever is the primary recipient of the TANF benefits) that specifies:

(i) That the family will be sanctioned in the next possible payment month because the child who is required to attend school has failed to meet the attendance requirement of this subsection;

(ii) The beginning date of the sanction, and the child to whom the sanction applies;

(iii) The right of the child's parents or caretaker relative (whoever is the primary recipient of the TANF benefits) to request a fair hearing under this subsection.

The child's parent or caretaker relative (whoever is the primary recipient of the TANF benefits) may request a fair hearing on the department's determination that the child has not been attending school. If the child's parents or caretaker relative does not request a fair hearing under this subsection, or if, after a fair hearing has been held, the hearing officer finds that the child without good cause has failed to meet the monthly attendance requirement, the department shall discontinue or deny TANF benefits to the child thirteen (13) years old, or older, in the next possible payment month. The department shall discontinue or deny twenty-five percent (25%) of the family grant when a child six (6) through twelve (12) years of age without good cause has failed to meet the monthly attendance requirement. Both the child and family sanction may apply when children in both age groups fail to meet the attendance requirement without good cause. A sanction applied under this subsection shall be effective for one (1) month for each month that the child failed to meet the monthly attendance requirement. In the case of a dropout, the sanction shall remain in force until the parent or caretaker relative provides written proof from the school district that the child has reenrolled and met the monthly attendance requirement for one (1) calendar month. Any month in which school is in session for at least ten (10) days during the month may be used to meet the attendance requirement under this subsection. This includes attendance at summer school. The sanction shall be removed the next possible payment month.

(5) All parents or caretaker relatives shall have their dependent children receive vaccinations and booster vaccinations against those diseases specified by the State Health Officer under Section 41-23-37 in accordance with the vaccination and booster vaccination schedule prescribed by the State Health Officer for children of that age, in order for the parents or caretaker relatives to be eligible or remain eligible to receive TANF benefits. Proof of having received such vaccinations and booster vaccinations shall be given by presenting the certificates of vaccination issued by any health care provider licensed to administer vaccinations, and submitted on forms specified by the State Board of Health. If the parents without good cause do not have their dependent children receive the vaccinations and booster vaccinations as required by this subsection and they fail to comply after thirty (30) days' notice, the department shall sanction the family's TANF benefits by twenty-five percent (25%) for the next payment month and each subsequent payment month until the requirements of this subsection are met.

(6) (a) If the parent or caretaker relative applying for TANF assistance is work eligible, as determined by the Department of Human Services, the person shall be required to engage in an allowable work activity once the department determines the parent or caretaker relative is determined work eligible, or once the parent or caretaker relative has received TANF assistance under the program for twenty-four (24) months, whether or not consecutive, whichever is earlier. No TANF benefits shall be given to any person to whom this section applies who fails without good cause to comply with the Employability Development Plan prepared by the department for the person, or who has refused to accept a referral or offer of employment, training or education in which he or she is able to engage, subject to the penalties prescribed in paragraph (e) of this

subsection. A person shall be deemed to have refused to accept a referral or offer of employment, training or education if he or she:

(i) Willfully fails to report for an interview with respect to employment when requested to do so by the department; or

(ii) Willfully fails to report to the department the result of a referral to employment; or

(iii) Willfully fails to report for allowable work activities as prescribed in paragraphs (c) and (d) of this subsection.

(b) The Department of Human Services shall operate a statewide work program for TANF recipients to provide work activities and supportive services to enable families to become self-sufficient and improve their competitive position in the workforce in accordance with the requirements of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), as amended, and the regulations promulgated thereunder, and the Deficit Reduction Act of 2005 (Public Law 109-171), as amended. Within sixty (60) days after the initial application for TANF benefits, the TANF recipient must participate in a job search skills training workshop or a job readiness program, which shall include resume writing, job search skills, employability skills and, if available at no charge, the General Aptitude Test Battery or its equivalent. All adults who are not specifically exempt shall be referred by the department for allowable work activities. An adult may be exempt from the mandatory work activity requirement for the following reasons:

(i) Incapacity;

(ii) Temporary illness or injury, verified by physician's certificate;

(iii) Is in the third trimester of pregnancy, and there are complications verified by the certificate of a physician, nurse practitioner, physician assistant, or any other licensed health care professional practicing under a protocol with a licensed physician;

(iv) Caretaker of a child under twelve (12) months, for not more than twelve (12) months of the sixty-month maximum benefit period;

(v) Caretaker of an ill or incapacitated person, as verified by physician's certificate;

(vi) Age, if over sixty (60) or under eighteen (18) years of age;

(vii) Receiving treatment for substance abuse, if the person is in compliance with the substance abuse treatment plan;

(viii) In a two-parent family, the caretaker of a severely disabled child, as verified by a physician's certificate; or

(ix) History of having been a victim of domestic violence, which has been reported as required by state law and is substantiated by police reports or court records, and being at risk of further domestic violence, shall be exempt for a period as deemed necessary by the department but not to exceed a total of twelve (12) months, which need not be consecutive, in the sixty-month maximum benefit period. For the purposes of this subparagraph (ix), "domestic violence" means that an individual has been subjected to:

1. Physical acts that resulted in, or threatened to result in, physical injury to the individual;

2. Sexual abuse;
3. Sexual activity involving a dependent child;
4. Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;
5. Threats of, or attempts at, physical or sexual abuse;
6. Mental abuse; or
7. Neglect or deprivation of medical care.

(c) For all families, all adults who are not specifically exempt shall be required to participate in work activities for at least the minimum average number of hours per week specified by federal law or regulation, not fewer than twenty (20) hours per week (thirty-five (35) hours per week for two-parent families) of which are attributable to the following allowable work activities:

- (i) Unsubsidized employment;
- (ii) Subsidized private employment;
- (iii) Subsidized public employment;
- (iv) Work experience (including work associated with the refurbishing of publicly assisted housing), if sufficient private employment is not available;
- (v) On-the-job training;
- (vi) Job search and job readiness assistance consistent with federal TANF regulations;
- (vii) Community service programs;
- (viii) Vocational educational training (not to exceed twelve (12) months with respect to any individual);
- (ix) The provision of child care services to an individual who is participating in a community service program;
- (x) Satisfactory attendance at high school or in a course of study leading to a high school equivalency certificate, for heads of household under age twenty (20) who have not completed high school or received such certificate;
- (xi) Education directly related to employment, for heads of household under age twenty (20) who have not completed high school or received such equivalency certificate.

(d) The following are allowable work activities which may be attributable to hours in excess of the minimum specified in paragraph (c) of this subsection:

- (i) Job skills training directly related to employment;
- (ii) Education directly related to employment for individuals who have not completed high school or received a high school equivalency certificate;



(iii) Satisfactory attendance at high school or in a course of study leading to a high school equivalency, for individuals who have not completed high school or received such equivalency certificate;

(iv) Job search and job readiness assistance consistent with federal TANF regulations.

(e) If any adult or caretaker relative refuses to participate in allowable work activity as required under this subsection (6), the following full family TANF benefit penalty will apply, subject to due process to include notification, conciliation and a hearing if requested by the recipient:

(i) For the first violation, the department shall terminate the TANF assistance otherwise payable to the family for a two-month period or until the person has complied with the required work activity, whichever is longer;

(ii) For the second violation, the department shall terminate the TANF assistance otherwise payable to the family for a six-month period or until the person has complied with the required work activity, whichever is longer;

(iii) For the third violation, the department shall terminate the TANF assistance otherwise payable to the family for a twelve-month period or until the person has complied with the required work activity, whichever is longer;

(iv) For the fourth violation, the person shall be permanently disqualified.

For a two-parent family, unless prohibited by state or federal law, Medicaid assistance shall be terminated only for the person whose failure to participate in allowable work activity caused the family's TANF assistance to be sanctioned under this paragraph (e), unless an individual is pregnant, but shall not be terminated for any other person in the family who is meeting that person's applicable work requirement or who is not required to work. Minor children shall continue to be eligible for Medicaid benefits regardless of the disqualification of their parent or caretaker relative for TANF assistance under this subsection (6), unless prohibited by state or federal law.

(f) Any person enrolled in a two-year or four-year college program who meets the eligibility requirements to receive TANF benefits, and who is meeting the applicable work requirements and all other applicable requirements of the TANF program, shall continue to be eligible for TANF benefits while enrolled in the college program for as long as the person meets the requirements of the TANF program, unless prohibited by federal law.

(g) No adult in a work activity required under this subsection (6) shall be employed or assigned (i) when any other individual is on layoff from the same or any substantially equivalent job within six (6) months before the date of the TANF recipient's employment or assignment; or (ii) if the employer has terminated the employment of any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy so created with an adult receiving TANF assistance. The Mississippi Department of Employment Security, established under Section 71-5-101, shall appoint one or more impartial hearing officers to hear and decide claims by employees of violations of this paragraph (g). The hearing officer shall hear all the evidence with respect to any claim made hereunder and such additional evidence as he may require and shall make a determination and the reason therefor. The claimant shall be promptly notified of the decision of the hearing officer and the reason therefor. Within ten (10) days after the decision of the hearing officer has become final, any party aggrieved thereby may secure judicial review thereof by commencing an action, in the circuit court of the county in which the claimant resides, against the department for the review of such decision, in which action any other party to the proceeding before the hearing officer shall be made a

defendant. Any such appeal shall be on the record which shall be certified to the court by the department in the manner provided in Section 71-5-531, and the jurisdiction of the court shall be confined to questions of law which shall render its decision as provided in that section.

(7) The Department of Human Services may provide child care for eligible participants who require such care so that they may accept employment or remain employed. The department may also provide child care for those participating in the TANF program when it is determined that they are satisfactorily involved in education, training or other allowable work activities. The department may contract with Head Start agencies to provide child care services to TANF recipients. The department may also arrange for child care by use of contract or vouchers, provide vouchers in advance to a caretaker relative, reimburse a child care provider, or use any other arrangement deemed appropriate by the department, and may establish different reimbursement rates for child care services depending on the category of the facility or home. Any center-based or group home child care facility under this subsection shall be licensed by the State Department of Health pursuant to law. When child care is being provided in the child's own home, in the home of a relative of the child, or in any other unlicensed setting, the provision of such child care may be monitored on a random basis by the Department of Human Services or the State Department of Health. Transitional child care assistance may be continued if it is necessary for parents to maintain employment once support has ended, unless prohibited under state or federal law. Transitional child care assistance may be provided for up to twenty-four (24) months after the last month during which the family was eligible for TANF assistance, if federal funds are available for such child care assistance.

(8) The Department of Human Services may provide transportation or provide reasonable reimbursement for transportation expenses that are necessary for individuals to be able to participate in allowable work activity under the TANF program.

(9) Medicaid assistance shall be provided to a family of TANF program participants for up to twenty-four (24) consecutive calendar months following the month in which the participating family would be ineligible for TANF benefits because of increased income, expiration of earned income disregards, or increased hours of employment of the caretaker relative; however, Medicaid assistance for more than twelve (12) months may be provided only if a federal waiver is obtained to provide such assistance for more than twelve (12) months and federal and state funds are available to provide such assistance.

(10) The department shall require applicants for and recipients of public assistance from the department to sign a personal responsibility contract that will require the applicant or recipient to acknowledge his or her responsibilities to the state.

(11) The department shall enter into an agreement with the State Personnel Board and other state agencies that will allow those TANF participants who qualify for vacant jobs within state agencies to be placed in state jobs. State agencies participating in the TANF work program shall receive any and all benefits received by employers in the private sector for hiring TANF recipients. This subsection (11) shall be effective only if the state obtains any necessary federal waiver or approval and if federal funds are available therefor. Not later than September 1, 2021, the department shall prepare a report, which shall be provided to the Chairmen of the House and Senate Public Health Committees and to any other member of the Legislature upon request, on the history, status, outcomes and effectiveness of the agreements required under this subsection.

(12) Any unspent TANF funds remaining from the prior fiscal year may be expended for any TANF allowable activities.

(13) The Mississippi Department of Human Services shall provide TANF applicants information and referral to programs that provide information about birth control, prenatal health care, abstinence education, marriage education, family

preservation and fatherhood. Not later than September 1, 2021, the department shall prepare a report, which shall be provided to the Chairmen of the House and Senate Public Health Committees and to any other member of the Legislature upon request, on the history, status, outcomes and effectiveness of the information and referral requirements under this subsection.

(14) No new TANF program requirement or restriction affecting a person's eligibility for TANF assistance, or allowable work activity, which is not mandated by federal law or regulation may be implemented by the Department of Human Services after July 1, 2004, unless such is specifically authorized by an amendment to this section by the Legislature.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 3 to S. B. No. 2369 failed by the following vote:

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

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Absent and those not voting--Butler A. (36th), Johnson. Total--2.

Senators Hickman, Simmons D. T. (12th), Simmons S. (13th), Blount, Frazier, Jackson, Jordan, Thomas, Turner-Ford, Butler A. (36th), Butler K. (38th), Blackmon, Barnett, Norwood and Horhn offered the following AMENDMENT NO. 4.

AMEND by inserting the following language below line 216:

(4) Grant assistance under the TANF program to a dependent child and such caretaker relative if their family income does not exceed one hundred eighty-five percent (185%) of the federal poverty level. However, the Department of Human Services shall not deny TANF benefits to any family assistance unit under one hundred thirty percent (130%) of the federal poverty level and who otherwise meets all other qualifications set out under state and federal law.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 4 to S. B. No. 2369 failed by the following vote:

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

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

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

YEAS AND NAYS On S. B. No. 2369. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2298:** Bail agents; revise procedure for determining in municipal and justice courts.

YEAS AND NAYS On S. B. No. 2298. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Hill. Total--1.

Absent and those not voting----None.

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Senator Blackwell called up the following entitled bill:

**S. B. No. 2212:** Recipients of Medicaid; extend postpartum coverage up to 12 months.

#### POINT OF ORDER

A point of order was raised by Senator Blackwell that it was not appropriate to offer an amendment, given that he had already moved for final passage.

#### RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled that the amendment could be offered, because the vote had not been called for.

Senators Blackmon, Butler A. (36th), Butler K. (38th), Barnett, Blount, Jackson, Horhn, Hickman, Simmons S. (13th), Simmons D. T. (12th), Turner-Ford, Frazier, Jordan, Norwood and Thomas offered the following AMENDMENT NO. 1.

AMEND by inserting new paragraph (29) below line 293:

(29) Under the federal Patient Protection and Affordable Care Act of 2010 and as amended, beginning July 1, 2023, individuals who are under sixty-five (65) years of age, not pregnant, not entitled to nor enrolled for benefits in Part A of Title XVIII of the federal Social Security Act or enrolled for benefits in Part B of Title XVIII of the federal Social Security Act, not described in any other part of this section, and whose income does not exceed one hundred thirty-three percent (133%) of the Federal Poverty Level applicable to a family of the size involved. The eligibility of individuals covered under this paragraph (29) shall be determined by the Division of Medicaid, and those individuals determined eligible shall only receive essential health benefits as described in the federal Patient Protection and Affordable Care Act of 2010, as amended. This paragraph (29) shall stand repealed on December 31, 2025.

FURTHER AMEND on line 297 by inserting Section 43-13-117 and renumber subsequent section(s) accordingly:

SECTION \*. Section 43-13-117, Mississippi Code of 1972, is amended as follows:

43-13-117. (A) Medicaid as authorized by this article shall include payment of part or all of the costs, at the discretion of the division, with approval of the Governor and the Centers for Medicare and Medicaid Services, of the following types of care and services rendered to eligible applicants who have been determined to be eligible for that care and services, within the limits of state appropriations and federal matching funds:

(1) Inpatient hospital services.

(a) The division is authorized to implement an All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement methodology for inpatient hospital services.

(b) No service benefits or reimbursement limitations in this subsection (A)(1) shall apply to payments under an APR-DRG or Ambulatory Payment Classification (APC) model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(2) Outpatient hospital services.

(a) Emergency services.

(b) Other outpatient hospital services. The division shall allow benefits for other medically necessary outpatient hospital services (such as chemotherapy, radiation, surgery and therapy), including outpatient services in a clinic or other facility that is not located inside the hospital, but that has been designated as an outpatient facility by the hospital, and that was in operation or under construction on July 1, 2009, provided that the costs and charges associated with the operation of the hospital clinic are included in the hospital's cost report. In addition, the Medicare thirty-five-mile rule will apply to those hospital clinics not located inside the hospital that are constructed after July 1, 2009. Where the same services are reimbursed as clinic services, the division may revise the rate or methodology of outpatient reimbursement to maintain consistency, efficiency, economy and quality of care.

(c) The division is authorized to implement an Ambulatory Payment Classification (APC) methodology for outpatient hospital services. The division shall give rural hospitals that have fifty (50) or fewer licensed beds the option to not be reimbursed for outpatient hospital services using the APC methodology, but reimbursement for

outpatient hospital services provided by those hospitals shall be based on one hundred one percent (101%) of the rate established under Medicare for outpatient hospital services. Those hospitals choosing to not be reimbursed under the APC methodology shall remain under cost-based reimbursement for a two-year period.

(d) No service benefits or reimbursement limitations in this subsection (A)(2) shall apply to payments under an APR-DRG or APC model or a managed care program or similar model described in subsection (H) of this section unless specifically authorized by the division.

(3) Laboratory and x-ray services.

(4) Nursing facility services.

(a) The division shall make full payment to nursing facilities for each day, not exceeding forty-two (42) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the forty-two-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) From and after July 1, 1997, the division shall implement the integrated case-mix payment and quality monitoring system, which includes the fair rental system for property costs and in which recapture of depreciation is eliminated. The division may reduce the payment for hospital leave and therapeutic home leave days to the lower of the case-mix category as computed for the resident on leave using the assessment being utilized for payment at that point in time, or a case-mix score of 1.000 for nursing facilities, and shall compute case-mix scores of residents so that only services provided at the nursing facility are considered in calculating a facility's per diem.

(c) From and after July 1, 1997, all state-owned nursing facilities shall be reimbursed on a full reasonable cost basis.

(d) On or after January 1, 2015, the division shall update the case-mix payment system resource utilization grouper and classifications and fair rental reimbursement system. The division shall develop and implement a payment add-on to reimburse nursing facilities for ventilator-dependent resident services.

(e) The division shall develop and implement, not later than January 1, 2001, a case-mix payment add-on determined by time studies and other valid statistical data that will reimburse a nursing facility for the additional cost of caring for a resident who has a diagnosis of Alzheimer's or other related dementia and exhibits symptoms that require special care. Any such case-mix add-on payment shall be supported by a determination of additional cost. The division shall also develop and implement as part of the fair rental reimbursement system for nursing facility beds, an Alzheimer's resident bed depreciation enhanced reimbursement system that will provide an incentive to encourage nursing facilities to convert or construct beds for residents with Alzheimer's or other related dementia.

(f) The division shall develop and implement an assessment process for long-term care services. The division may provide the assessment and related functions directly or through contract with the area agencies on aging.

The division shall apply for necessary federal waivers to assure that additional services providing alternatives to nursing facility care are made available to applicants for nursing facility care.

(5) Periodic screening and diagnostic services for individuals under age twenty-one (21) years as are needed to identify physical and mental defects and to provide health care treatment and other measures designed to correct or ameliorate defects and physical and mental illness and conditions discovered by the screening services, regardless of whether these services are included in the state plan. The division may include in its periodic screening and diagnostic program those discretionary services authorized under the federal regulations adopted to implement Title XIX of the federal Social Security Act, as amended. The division, in obtaining physical therapy services, occupational therapy services, and services for individuals with speech, hearing and language disorders, may enter into a cooperative agreement with the State Department of Education for the provision of those services to handicapped students by public school districts using state funds that are provided from the appropriation to the Department of Education to obtain federal matching funds through the division. The division, in obtaining medical and mental health assessments, treatment, care and services for children who are in, or at risk of being put in, the custody of the Mississippi Department of Human Services may enter into a cooperative agreement with the Mississippi Department of Human Services for the provision of those services using state funds that are provided from the appropriation to the Department of Human Services to obtain federal matching funds through the division.

(6) Physician services. Fees for physician's services that are covered only by Medicaid shall be reimbursed at ninety percent (90%) of the rate established on January 1, 2018, and as may be adjusted each July thereafter, under Medicare. The division may provide for a reimbursement rate for physician's services of up to one hundred percent (100%) of the rate established under Medicare for physician's services that are provided after the normal working hours of the physician, as determined in accordance with regulations of the division. The division may reimburse eligible providers, as determined by the division, for certain primary care services at one hundred percent (100%) of the rate established under Medicare. The division shall reimburse obstetricians and gynecologists for certain primary care services as defined by the division at one hundred percent (100%) of the rate established under Medicare.

(7) (a) Home health services for eligible persons, not to exceed in cost the prevailing cost of nursing facility services. All home health visits must be precertified as required by the division. In addition to physicians, certified registered nurse practitioners, physician assistants and clinical nurse specialists are authorized to prescribe or order home health services and plans of care, sign home health plans of care, certify and recertify eligibility for home health services and conduct the required initial face-to-face visit with the recipient of the services.

(b) [Repealed]

(8) Emergency medical transportation services as determined by the division.

(9) Prescription drugs and other covered drugs and services as determined by the division.

The division shall establish a mandatory preferred drug list. Drugs not on the mandatory preferred drug list shall be made available by utilizing prior authorization procedures established by the division.

The division may seek to establish relationships with other states in order to lower acquisition costs of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs. In addition, if allowed by federal law or regulation, the division may seek to establish relationships with and negotiate with other countries to facilitate the acquisition of prescription drugs to include single-source and innovator multiple-source drugs or generic drugs, if that will lower the acquisition costs of those prescription drugs.

The division may allow for a combination of prescriptions for single-source and innovator multiple-source drugs and generic drugs to meet the needs of the beneficiaries.

The executive director may approve specific maintenance drugs for beneficiaries with certain medical conditions, which may be prescribed and dispensed in three-month supply increments.

Drugs prescribed for a resident of a psychiatric residential treatment facility must be provided in true unit doses when available. The division may require that drugs not covered by Medicare Part D for a resident of a long-term care facility be provided in true unit doses when available. Those drugs that were originally billed to the division but are not used by a resident in any of those facilities shall be returned to the billing pharmacy for credit to the division, in accordance with the guidelines of the State Board of Pharmacy and any requirements of federal law and regulation. Drugs shall be dispensed to a recipient and only one (1) dispensing fee per month may be charged. The division shall develop a methodology for reimbursing for restocked drugs, which shall include a restock fee as determined by the division not exceeding Seven Dollars and Eighty-two Cents (\$7.82).

Except for those specific maintenance drugs approved by the executive director, the division shall not reimburse for any portion of a prescription that exceeds a thirty-one-day supply of the drug based on the daily dosage.

The division is authorized to develop and implement a program of payment for additional pharmacist services as determined by the division.

All claims for drugs for dually eligible Medicare/Medicaid beneficiaries that are paid for by Medicare must be submitted to Medicare for payment before they may be processed by the division's online payment system.

The division shall develop a pharmacy policy in which drugs in tamper-resistant packaging that are prescribed for a resident of a nursing facility but are not dispensed to the resident shall be returned to the pharmacy and not billed to Medicaid, in accordance with guidelines of the State Board of Pharmacy.

The division shall develop and implement a method or methods by which the division will provide on a regular basis to Medicaid providers who are authorized to prescribe drugs, information about the costs to the Medicaid program of single-source drugs and innovator multiple-source drugs, and information about other drugs that may be prescribed as alternatives to those single-source drugs and innovator multiple-source drugs and the costs to the Medicaid program of those alternative drugs.

Notwithstanding any law or regulation, information obtained or maintained by the division regarding the prescription drug program, including trade secrets and



manufacturer or labeler pricing, is confidential and not subject to disclosure except to other state agencies.

The dispensing fee for each new or refill prescription, including nonlegend or over-the-counter drugs covered by the division, shall be not less than Three Dollars and Ninety-one Cents (\$3.91), as determined by the division.

The division shall not reimburse for single-source or innovator multiple-source drugs if there are equally effective generic equivalents available and if the generic equivalents are the least expensive.

It is the intent of the Legislature that the pharmacists providers be reimbursed for the reasonable costs of filling and dispensing prescriptions for Medicaid beneficiaries.

The division shall allow certain drugs, including physician-administered drugs, and implantable drug system devices, and medical supplies, with limited distribution or limited access for beneficiaries and administered in an appropriate clinical setting, to be reimbursed as either a medical claim or pharmacy claim, as determined by the division.

It is the intent of the Legislature that the division and any managed care entity described in subsection (H) of this section encourage the use of Alpha-Hydroxyprogesterone Caproate (17P) to prevent recurrent preterm birth.

(10) Dental and orthodontic services to be determined by the division.

The division shall increase the amount of the reimbursement rate for diagnostic and preventative dental services for each of the fiscal years 2022, 2023 and 2024 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. The division shall increase the amount of the reimbursement rate for restorative dental services for each of the fiscal years 2023, 2024 and 2025 by five percent (5%) above the amount of the reimbursement rate for the previous fiscal year. It is the intent of the Legislature that the reimbursement rate revision for preventative dental services will be an incentive to increase the number of dentists who actively provide Medicaid services. This dental services reimbursement rate revision shall be known as the "James Russell Dumas Medicaid Dental Services Incentive Program."

The Medical Care Advisory Committee, assisted by the Division of Medicaid, shall annually determine the effect of this incentive by evaluating the number of dentists who are Medicaid providers, the number who and the degree to which they are actively billing Medicaid, the geographic trends of where dentists are offering what types of Medicaid services and other statistics pertinent to the goals of this legislative intent. This data shall annually be presented to the Chair of the Senate Medicaid Committee and the Chair of the House Medicaid Committee.

The division shall include dental services as a necessary component of overall health services provided to children who are eligible for services.

(11) Eyeglasses for all Medicaid beneficiaries who have (a) had surgery on the eyeball or ocular muscle that results in a vision change for which eyeglasses or a change in eyeglasses is medically indicated within six (6) months of the surgery and is in accordance with policies established by the division, or (b) one (1) pair every five (5) years and in accordance with policies established by the division. In either instance, the eyeglasses must be prescribed by a physician skilled in diseases of the eye or an optometrist, whichever the beneficiary may select.

(12) Intermediate care facility services.

(a) The division shall make full payment to all intermediate care facilities for individuals with intellectual disabilities for each day, not exceeding sixty-three (63) days per year, that a patient is absent from the facility on home leave. Payment may be made for the following home leave days in addition to the sixty-three-day limitation: Christmas, the day before Christmas, the day after Christmas, Thanksgiving, the day before Thanksgiving and the day after Thanksgiving.

(b) All state-owned intermediate care facilities for individuals with intellectual disabilities shall be reimbursed on a full reasonable cost basis.

(c) Effective January 1, 2015, the division shall update the fair rental reimbursement system for intermediate care facilities for individuals with intellectual disabilities.

(13) Family planning services, including drugs, supplies and devices, when those services are under the supervision of a physician or nurse practitioner.

(14) Clinic services. Preventive, diagnostic, therapeutic, rehabilitative or palliative services that are furnished by a facility that is not part of a hospital but is organized and operated to provide medical care to outpatients. Clinic services include, but are not limited to:

(a) Services provided by ambulatory surgical centers (ASCs) as defined in Section 41-75-1(a); and

(b) Dialysis center services.

(15) Home- and community-based services for the elderly and disabled, as provided under Title XIX of the federal Social Security Act, as amended, under waivers, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(16) Mental health services. Certain services provided by a psychiatrist shall be reimbursed at up to one hundred percent (100%) of the Medicare rate. Approved therapeutic and case management services (a) provided by an approved regional mental health/intellectual disability center established under Sections 41-19-31 through 41-19-39, or by another community mental health service provider meeting the requirements of the Department of Mental Health to be an approved mental health/intellectual disability center if determined necessary by the Department of Mental Health, using state funds that are provided in the appropriation to the division to match federal funds, or (b) provided by a facility that is certified by the State Department of Mental Health to provide therapeutic and case management services, to be reimbursed on a fee for service basis, or (c) provided in the community by a facility or program operated by the Department of Mental Health. Any such services provided by a facility described in subparagraph (b) must have the prior approval of the division to be reimbursable under this section.

(17) Durable medical equipment services and medical supplies. Precertification of durable medical equipment and medical supplies must be obtained as required by the division. The Division of Medicaid may require durable medical equipment providers to obtain a surety bond in the amount and to the specifications as established by the Balanced Budget Act of 1997. A maximum dollar amount of reimbursement for

noninvasive ventilators or ventilation treatments properly ordered and being used in an appropriate care setting shall not be set by any health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section. Reimbursement by these organizations to durable medical equipment suppliers for home use of noninvasive and invasive ventilators shall be on a continuous monthly payment basis for the duration of medical need throughout a patient's valid prescription period.

(18) (a) Notwithstanding any other provision of this section to the contrary, as provided in the Medicaid state plan amendment or amendments as defined in Section 43-13-145(10), the division shall make additional reimbursement to hospitals that serve a disproportionate share of low-income patients and that meet the federal requirements for those payments as provided in Section 1923 of the federal Social Security Act and any applicable regulations. It is the intent of the Legislature that the division shall draw down all available federal funds allotted to the state for disproportionate share hospitals. However, from and after January 1, 1999, public hospitals participating in the Medicaid disproportionate share program may be required to participate in an intergovernmental transfer program as provided in Section 1903 of the federal Social Security Act and any applicable regulations.

(b) (i) 1. The division may establish a Medicare Upper Payment Limits Program, as defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, or an allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for hospitals, nursing facilities and physicians employed or contracted by hospitals.

2. The division shall establish a Medicaid Supplemental Payment Program, as permitted by the federal Social Security Act and a comparable allowable delivery system or provider payment initiative authorized under 42 CFR 438.6(c), for emergency ambulance transportation providers in accordance with this subsection (A)(18)(b).

(ii) The division shall assess each hospital, nursing facility, and emergency ambulance transportation provider for the sole purpose of financing the state portion of the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). The hospital assessment shall be as provided in Section 43-13-145(4)(a), and the nursing facility and the emergency ambulance transportation assessments, if established, shall be based on Medicaid utilization or other appropriate method, as determined by the division, consistent with federal regulations. The assessments will remain in effect as long as the state participates in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b). In addition to the hospital assessment provided in Section 43-13-145(4)(a), hospitals with physicians participating in the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b) shall be required to participate in an intergovernmental transfer or assessment, as determined by the division, for the purpose of financing the state portion of the physician UPL payments or other payment(s) authorized under this subsection (A)(18)(b).

(iii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS) and the provisions of this subsection (A)(18)(b), the division shall make additional reimbursement to hospitals, nursing facilities, and emergency ambulance transportation providers for the Medicare Upper Payment Limits Program or other program(s) authorized under this subsection (A)(18)(b), and, if the program is established for physicians, shall make additional reimbursement for physicians, as

defined in Section 1902(a)(30) of the federal Social Security Act and any applicable federal regulations, provided the assessment in this subsection (A)(18)(b) is in effect.

(iv) Notwithstanding any other provision of this article to the contrary, effective upon implementation of the Mississippi Hospital Access Program (MHAP) provided in subparagraph (c)(i) below, the hospital portion of the inpatient Upper Payment Limits Program shall transition into and be replaced by the MHAP program. However, the division is authorized to develop and implement an alternative fee-for-service Upper Payment Limits model in accordance with federal laws and regulations if necessary to preserve supplemental funding. Further, the division, in consultation with the hospital industry shall develop alternative models for distribution of medical claims and supplemental payments for inpatient and outpatient hospital services, and such models may include, but shall not be limited to the following: increasing rates for inpatient and outpatient services; creating a low-income utilization pool of funds to reimburse hospitals for the costs of uncompensated care, charity care and bad debts as permitted and approved pursuant to federal regulations and the Centers for Medicare and Medicaid Services; supplemental payments based upon Medicaid utilization, quality, service lines and/or costs of providing such services to Medicaid beneficiaries and to uninsured patients. The goals of such payment models shall be to ensure access to inpatient and outpatient care and to maximize any federal funds that are available to reimburse hospitals for services provided. Any such documents required to achieve the goals described in this paragraph shall be submitted to the Centers for Medicare and Medicaid Services, with a proposed effective date of July 1, 2019, to the extent possible, but in no event shall the effective date of such payment models be later than July 1, 2020. The Chairmen of the Senate and House Medicaid Committees shall be provided a copy of the proposed payment model(s) prior to submission. Effective July 1, 2018, and until such time as any payment model(s) as described above become effective, the division, in consultation with the hospital industry, is authorized to implement a transitional program for inpatient and outpatient payments and/or supplemental payments (including, but not limited to, MHAP and directed payments), to redistribute available supplemental funds among hospital providers, provided that when compared to a hospital's prior year supplemental payments, supplemental payments made pursuant to any such transitional program shall not result in a decrease of more than five percent (5%) and shall not increase by more than the amount needed to maximize the distribution of the available funds.

(v) 1. To preserve and improve access to ambulance transportation provider services, the division shall seek CMS approval to make ambulance service access payments as set forth in this subsection (A)(18)(b) for all covered emergency ambulance services rendered on or after July 1, 2022, and shall make such ambulance service access payments for all covered services rendered on or after the effective date of CMS approval.

2. The division shall calculate the ambulance service access payment amount as the balance of the portion of the Medical Care Fund related to ambulance transportation service provider assessments plus any federal matching funds earned on the balance, up to, but not to exceed, the upper payment limit gap for all emergency ambulance service providers.

3. a. Except for ambulance services exempt from the assessment provided in this paragraph (18)(b), all ambulance transportation service providers shall be eligible for ambulance service access payments each state fiscal year as set forth in this paragraph (18)(b).

b. In addition to any other funds paid to ambulance transportation service providers for emergency medical services provided to

Medicaid beneficiaries, each eligible ambulance transportation service provider shall receive ambulance service access payments each state fiscal year equal to the ambulance transportation service provider's upper payment limit gap. Subject to approval by the Centers for Medicare and Medicaid Services, ambulance service access payments shall be made no less than on a quarterly basis.

c. As used in this paragraph (18)(b)(v), the term "upper payment limit gap" means the difference between the total amount that the ambulance transportation service provider received from Medicaid and the average amount that the ambulance transportation service provider would have received from commercial insurers for those services reimbursed by Medicaid.

4. An ambulance service access payment shall not be used to offset any other payment by the division for emergency or nonemergency services to Medicaid beneficiaries.

(c) (i) Not later than December 1, 2015, the division shall, subject to approval by the Centers for Medicare and Medicaid Services (CMS), establish, implement and operate a Mississippi Hospital Access Program (MHAP) for the purpose of protecting patient access to hospital care through hospital inpatient reimbursement programs provided in this section designed to maintain total hospital reimbursement for inpatient services rendered by in-state hospitals and the out-of-state hospital that is authorized by federal law to submit intergovernmental transfers (IGTs) to the State of Mississippi and is classified as Level I trauma center located in a county contiguous to the state line at the maximum levels permissible under applicable federal statutes and regulations, at which time the current inpatient Medicare Upper Payment Limits (UPL) Program for hospital inpatient services shall transition to the MHAP.

(ii) Subject to approval by the Centers for Medicare and Medicaid Services (CMS), the MHAP shall provide increased inpatient capitation (PMPM) payments to managed care entities contracting with the division pursuant to subsection (H) of this section to support availability of hospital services or such other payments permissible under federal law necessary to accomplish the intent of this subsection.

(iii) The intent of this subparagraph (c) is that effective for all inpatient hospital Medicaid services during state fiscal year 2016, and so long as this provision shall remain in effect hereafter, the division shall to the fullest extent feasible replace the additional reimbursement for hospital inpatient services under the inpatient Medicare Upper Payment Limits (UPL) Program with additional reimbursement under the MHAP and other payment programs for inpatient and/or outpatient payments which may be developed under the authority of this paragraph.

(iv) The division shall assess each hospital as provided in Section 43-13-145(4)(a) for the purpose of financing the state portion of the MHAP, supplemental payments and such other purposes as specified in Section 43-13-145. The assessment will remain in effect as long as the MHAP and supplemental payments are in effect.

(19) (a) Perinatal risk management services. The division shall promulgate regulations to be effective from and after October 1, 1988, to establish a comprehensive perinatal system for risk assessment of all pregnant and infant Medicaid recipients and for management, education and follow-up for those who are determined to be at risk. Services to be performed include case management, nutrition assessment/counseling, psychosocial assessment/counseling and health education. The division shall contract with the State Department of Health to provide services within this paragraph (Perinatal High Risk Management/Infant Services System (PHRM/ISS)). The State Department of

Health shall be reimbursed on a full reasonable cost basis for services provided under this subparagraph (a).

(b) Early intervention system services. The division shall cooperate with the State Department of Health, acting as lead agency, in the development and implementation of a statewide system of delivery of early intervention services, under Part C of the Individuals with Disabilities Education Act (IDEA). The State Department of Health shall certify annually in writing to the executive director of the division the dollar amount of state early intervention funds available that will be utilized as a certified match for Medicaid matching funds. Those funds then shall be used to provide expanded targeted case management services for Medicaid eligible children with special needs who are eligible for the state's early intervention system. Qualifications for persons providing service coordination shall be determined by the State Department of Health and the Division of Medicaid.

(20) Home- and community-based services for physically disabled approved services as allowed by a waiver from the United States Department of Health and Human Services for home- and community-based services for physically disabled people using state funds that are provided from the appropriation to the State Department of Rehabilitation Services and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Rehabilitation Services.

(21) Nurse practitioner services. Services furnished by a registered nurse who is licensed and certified by the Mississippi Board of Nursing as a nurse practitioner, including, but not limited to, nurse anesthetists, nurse midwives, family nurse practitioners, family planning nurse practitioners, pediatric nurse practitioners, obstetrics-gynecology nurse practitioners and neonatal nurse practitioners, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for nurse practitioner services of up to one hundred percent (100%) of the reimbursement rate for comparable services rendered by a physician for nurse practitioner services that are provided after the normal working hours of the nurse practitioner, as determined in accordance with regulations of the division.

(22) Ambulatory services delivered in federally qualified health centers, rural health centers and clinics of the local health departments of the State Department of Health for individuals eligible for Medicaid under this article based on reasonable costs as determined by the division. Federally qualified health centers shall be reimbursed by the Medicaid prospective payment system as approved by the Centers for Medicare and Medicaid Services. The division shall recognize federally qualified health centers (FQHCs), rural health clinics (RHCs) and community mental health centers (CMHCs) as both an originating and distant site provider for the purposes of telehealth reimbursement. The division is further authorized and directed to reimburse FQHCs, RHCs and CMHCs for both distant site and originating site services when such services are appropriately provided by the same organization.

(23) Inpatient psychiatric services.

(a) Inpatient psychiatric services to be determined by the division for recipients under age twenty-one (21) that are provided under the direction of a physician in an inpatient program in a licensed acute care psychiatric facility or in a licensed psychiatric residential treatment facility, before the recipient reaches age twenty-one (21) or, if the recipient was receiving the services immediately before he or she reached age twenty-one (21), before the earlier of the date he or she no longer requires the services or the date he or she reaches age twenty-two (22), as provided by federal regulations.

From and after January 1, 2015, the division shall update the fair rental reimbursement system for psychiatric residential treatment facilities. Precertification of inpatient days and residential treatment days must be obtained as required by the division. From and after July 1, 2009, all state-owned and state-operated facilities that provide inpatient psychiatric services to persons under age twenty-one (21) who are eligible for Medicaid reimbursement shall be reimbursed for those services on a full reasonable cost basis.

(b) The division may reimburse for services provided by a licensed freestanding psychiatric hospital to Medicaid recipients over the age of twenty-one (21) in a method and manner consistent with the provisions of Section 43-13-117.5.

(24) [Deleted]

(25) [Deleted]

(26) Hospice care. As used in this paragraph, the term "hospice care" means a coordinated program of active professional medical attention within the home and outpatient and inpatient care that treats the terminally ill patient and family as a unit, employing a medically directed interdisciplinary team. The program provides relief of severe pain or other physical symptoms and supportive care to meet the special needs arising out of physical, psychological, spiritual, social and economic stresses that are experienced during the final stages of illness and during dying and bereavement and meets the Medicare requirements for participation as a hospice as provided in federal regulations.

(27) Group health plan premiums and cost-sharing if it is cost-effective as defined by the United States Secretary of Health and Human Services.

(28) Other health insurance premiums that are cost-effective as defined by the United States Secretary of Health and Human Services. Medicare eligible must have Medicare Part B before other insurance premiums can be paid.

(29) The Division of Medicaid may apply for a waiver from the United States Department of Health and Human Services for home- and community-based services for developmentally disabled people using state funds that are provided from the appropriation to the State Department of Mental Health and/or funds transferred to the department by a political subdivision or instrumentality of the state and used to match federal funds under a cooperative agreement between the division and the department, provided that funds for these services are specifically appropriated to the Department of Mental Health and/or transferred to the department by a political subdivision or instrumentality of the state.

(30) Pediatric skilled nursing services as determined by the division and in a manner consistent with regulations promulgated by the Mississippi State Department of Health.

(31) Targeted case management services for children with special needs, under waivers from the United States Department of Health and Human Services, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(32) Care and services provided in Christian Science Sanatoria listed and certified by the Commission for Accreditation of Christian Science Nursing

Organizations/Facilities, Inc., rendered in connection with treatment by prayer or spiritual means to the extent that those services are subject to reimbursement under Section 1903 of the federal Social Security Act.

(33) Podiatrist services.

(34) Assisted living services as provided through home- and community-based services under Title XIX of the federal Social Security Act, as amended, subject to the availability of funds specifically appropriated for that purpose by the Legislature.

(35) Services and activities authorized in Sections 43-27-101 and 43-27-103, using state funds that are provided from the appropriation to the Mississippi Department of Human Services and used to match federal funds under a cooperative agreement between the division and the department.

(36) Nonemergency transportation services for Medicaid-eligible persons as determined by the division. The PEER Committee shall conduct a performance evaluation of the nonemergency transportation program to evaluate the administration of the program and the providers of transportation services to determine the most cost-effective ways of providing nonemergency transportation services to the patients served under the program. The performance evaluation shall be completed and provided to the members of the Senate Medicaid Committee and the House Medicaid Committee not later than January 1, 2019, and every two (2) years thereafter.

(37) [Deleted]

(38) Chiropractic services. A chiropractor's manual manipulation of the spine to correct a subluxation, if x-ray demonstrates that a subluxation exists and if the subluxation has resulted in a neuromusculoskeletal condition for which manipulation is appropriate treatment, and related spinal x-rays performed to document these conditions. Reimbursement for chiropractic services shall not exceed Seven Hundred Dollars (\$700.00) per year per beneficiary.

(39) Dually eligible Medicare/Medicaid beneficiaries. The division shall pay the Medicare deductible and coinsurance amounts for services available under Medicare, as determined by the division. From and after July 1, 2009, the division shall reimburse crossover claims for inpatient hospital services and crossover claims covered under Medicare Part B in the same manner that was in effect on January 1, 2008, unless specifically authorized by the Legislature to change this method.

(40) [Deleted]

(41) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons with spinal cord injuries or traumatic brain injuries, as allowed under waivers from the United States Department of Health and Human Services, using up to seventy-five percent (75%) of the funds that are appropriated to the Department of Rehabilitation Services from the Spinal Cord and Head Injury Trust Fund established under Section 37-33-261 and used to match federal funds under a cooperative agreement between the division and the department.

(42) [Deleted]



(43) The division shall provide reimbursement, according to a payment schedule developed by the division, for smoking cessation medications for pregnant women during their pregnancy and other Medicaid-eligible women who are of child-bearing age.

(44) Nursing facility services for the severely disabled.

(a) Severe disabilities include, but are not limited to, spinal cord injuries, closed-head injuries and ventilator-dependent patients.

(b) Those services must be provided in a long-term care nursing facility dedicated to the care and treatment of persons with severe disabilities.

(45) Physician assistant services. Services furnished by a physician assistant who is licensed by the State Board of Medical Licensure and is practicing with physician supervision under regulations adopted by the board, under regulations adopted by the division. Reimbursement for those services shall not exceed ninety percent (90%) of the reimbursement rate for comparable services rendered by a physician. The division may provide for a reimbursement rate for physician assistant services of up to one hundred percent (100%) or the reimbursement rate for comparable services rendered by a physician for physician assistant services that are provided after the normal working hours of the physician assistant, as determined in accordance with regulations of the division.

(46) The division shall make application to the federal Centers for Medicare and Medicaid Services (CMS) for a waiver to develop and provide services for children with serious emotional disturbances as defined in Section 43-14-1(1), which may include home- and community-based services, case management services or managed care services through mental health providers certified by the Department of Mental Health. The division may implement and provide services under this waived program only if funds for these services are specifically appropriated for this purpose by the Legislature, or if funds are voluntarily provided by affected agencies.

(47) (a) The division may develop and implement disease management programs for individuals with high-cost chronic diseases and conditions, including the use of grants, waivers, demonstrations or other projects as necessary.

(b) Participation in any disease management program implemented under this paragraph (47) is optional with the individual. An individual must affirmatively elect to participate in the disease management program in order to participate, and may elect to discontinue participation in the program at any time.

(48) Pediatric long-term acute care hospital services.

(a) Pediatric long-term acute care hospital services means services provided to eligible persons under twenty-one (21) years of age by a freestanding Medicare-certified hospital that has an average length of inpatient stay greater than twenty-five (25) days and that is primarily engaged in providing chronic or long-term medical care to persons under twenty-one (21) years of age.

(b) The services under this paragraph (48) shall be reimbursed as a separate category of hospital services.

(49) The division may establish copayments and/or coinsurance for any Medicaid services for which copayments and/or coinsurance are allowable under federal law or regulation.

(50) Services provided by the State Department of Rehabilitation Services for the care and rehabilitation of persons who are deaf and blind, as allowed under waivers from the United States Department of Health and Human Services to provide home- and community-based services using state funds that are provided from the appropriation to the State Department of Rehabilitation Services or if funds are voluntarily provided by another agency.

(51) Upon determination of Medicaid eligibility and in association with annual redetermination of Medicaid eligibility, beneficiaries shall be encouraged to undertake a physical examination that will establish a base-line level of health and identification of a usual and customary source of care (a medical home) to aid utilization of disease management tools. This physical examination and utilization of these disease management tools shall be consistent with current United States Preventive Services Task Force or other recognized authority recommendations.

For persons who are determined ineligible for Medicaid, the division will provide information and direction for accessing medical care and services in the area of their residence.

(52) Notwithstanding any provisions of this article, the division may pay enhanced reimbursement fees related to trauma care, as determined by the division in conjunction with the State Department of Health, using funds appropriated to the State Department of Health for trauma care and services and used to match federal funds under a cooperative agreement between the division and the State Department of Health. The division, in conjunction with the State Department of Health, may use grants, waivers, demonstrations, enhanced reimbursements, Upper Payment Limits Programs, supplemental payments, or other projects as necessary in the development and implementation of this reimbursement program.

(53) Targeted case management services for high-cost beneficiaries may be developed by the division for all services under this section.

(54) [Deleted]

(55) Therapy services. The plan of care for therapy services may be developed to cover a period of treatment for up to six (6) months, but in no event shall the plan of care exceed a six-month period of treatment. The projected period of treatment must be indicated on the initial plan of care and must be updated with each subsequent revised plan of care. Based on medical necessity, the division shall approve certification periods for less than or up to six (6) months, but in no event shall the certification period exceed the period of treatment indicated on the plan of care. The appeal process for any reduction in therapy services shall be consistent with the appeal process in federal regulations.

(56) Prescribed pediatric extended care centers services for medically dependent or technologically dependent children with complex medical conditions that require continual care as prescribed by the child's attending physician, as determined by the division.

(57) No Medicaid benefit shall restrict coverage for medically appropriate treatment prescribed by a physician and agreed to by a fully informed individual, or if the

individual lacks legal capacity to consent by a person who has legal authority to consent on his or her behalf, based on an individual's diagnosis with a terminal condition. As used in this paragraph (57), "terminal condition" means any aggressive malignancy, chronic end-stage cardiovascular or cerebral vascular disease, or any other disease, illness or condition which a physician diagnoses as terminal.

(58) Treatment services for persons with opioid dependency or other highly addictive substance use disorders. The division is authorized to reimburse eligible providers for treatment of opioid dependency and other highly addictive substance use disorders, as determined by the division. Treatment related to these conditions shall not count against any physician visit limit imposed under this section.

(59) The division shall allow beneficiaries between the ages of ten (10) and eighteen (18) years to receive vaccines through a pharmacy venue. The division and the State Department of Health shall coordinate and notify OB-GYN providers that the Vaccines for Children program is available to providers free of charge.

(60) Border city university-affiliated pediatric teaching hospital.

(a) Payments may only be made to a border city university-affiliated pediatric teaching hospital if the Centers for Medicare and Medicaid Services (CMS) approve an increase in the annual request for the provider payment initiative authorized under 42 CFR Section 438.6(c) in an amount equal to or greater than the estimated annual payment to be made to the border city university-affiliated pediatric teaching hospital. The estimate shall be based on the hospital's prior year Mississippi managed care utilization.

(b) As used in this paragraph (60), the term "border city university-affiliated pediatric teaching hospital" means an out-of-state hospital located within a city bordering the eastern bank of the Mississippi River and the State of Mississippi that submits to the division a copy of a current and effective affiliation agreement with an accredited university and other documentation establishing that the hospital is university-affiliated, is licensed and designated as a pediatric hospital or pediatric primary hospital within its home state, maintains at least five (5) different pediatric specialty training programs, and maintains at least one hundred (100) operated beds dedicated exclusively for the treatment of patients under the age of twenty-one (21) years.

(c) The cost of providing services to Mississippi Medicaid beneficiaries under the age of twenty-one (21) years who are treated by a border city university-affiliated pediatric teaching hospital shall not exceed the cost of providing the same services to individuals in hospitals in the state.

(d) It is the intent of the Legislature that payments shall not result in any in-state hospital receiving payments lower than they would otherwise receive if not for the payments made to any border city university-affiliated pediatric teaching hospital.

(e) This paragraph (60) shall stand repealed on July 1, 2024.

(61) Beginning July 1, 2023, essential health benefits as described in the federal Patient Protection and Affordable Care Act of 2010 and as amended, for individuals eligible for Medicaid under the federal Patient Protection and Affordable Care Act of 2010, as amended, as described in Section 43-13-115(29) of this article. These services shall be provided only so long as the Medicaid federal matching percentage is not less than ninety percent (90%) for Medicaid services to this population. This paragraph (61) shall stand repealed on December 31, 2025.

(B) Planning and development districts participating in the home- and community-based services program for the elderly and disabled as case management providers shall be reimbursed for case management services at the maximum rate approved by the Centers for Medicare and Medicaid Services (CMS).

(C) The division may pay to those providers who participate in and accept patient referrals from the division's emergency room redirection program a percentage, as determined by the division, of savings achieved according to the performance measures and reduction of costs required of that program. Federally qualified health centers may participate in the emergency room redirection program, and the division may pay those centers a percentage of any savings to the Medicaid program achieved by the centers' accepting patient referrals through the program, as provided in this subsection (C).

(D) (1) As used in this subsection (D), the following terms shall be defined as provided in this paragraph, except as otherwise provided in this subsection:

(a) "Committees" means the Medicaid Committees of the House of Representatives and the Senate, and "committee" means either one of those committees.

(b) "Rate change" means an increase, decrease or other change in the payments or rates of reimbursement, or a change in any payment methodology that results in an increase, decrease or other change in the payments or rates of reimbursement, to any Medicaid provider that renders any services authorized to be provided to Medicaid recipients under this article.

(2) Whenever the Division of Medicaid proposes a rate change, the division shall give notice to the chairmen of the committees at least thirty (30) calendar days before the proposed rate change is scheduled to take effect. The division shall furnish the chairmen with a concise summary of each proposed rate change along with the notice, and shall furnish the chairmen with a copy of any proposed rate change upon request. The division also shall provide a summary and copy of any proposed rate change to any other member of the Legislature upon request.

(3) If the chairman of either committee or both chairmen jointly object to the proposed rate change or any part thereof, the chairman or chairmen shall notify the division and provide the reasons for their objection in writing not later than seven (7) calendar days after receipt of the notice from the division. The chairman or chairmen may make written recommendations to the division for changes to be made to a proposed rate change.

(4) (a) The chairman of either committee or both chairmen jointly may hold a committee meeting to review a proposed rate change. If either chairman or both chairmen decide to hold a meeting, they shall notify the division of their intention in writing within seven (7) calendar days after receipt of the notice from the division, and shall set the date and time for the meeting in their notice to the division, which shall not be later than fourteen (14) calendar days after receipt of the notice from the division.

(b) After the committee meeting, the committee or committees may object to the proposed rate change or any part thereof. The committee or committees shall notify the division and the reasons for their objection in writing not later than seven (7) calendar days after the meeting. The committee or committees may make written recommendations to the division for changes to be made to a proposed rate change.

(5) If both chairmen notify the division in writing within seven (7) calendar days after receipt of the notice from the division that they do not object to the proposed rate change and will not be holding a meeting to review the proposed rate change, the proposed rate change will take effect on the original date as scheduled by the division or on such other date as specified by the division.

(6) (a) If there are any objections to a proposed rate change or any part thereof from either or both of the chairmen or the committees, the division may withdraw the proposed rate change, make any of the recommended changes to the proposed rate change, or not make any changes to the proposed rate change.

(b) If the division does not make any changes to the proposed rate change, it shall notify the chairmen of that fact in writing, and the proposed rate change shall take effect on the original date as scheduled by the division or on such other date as specified by the division.

(c) If the division makes any changes to the proposed rate change, the division shall notify the chairmen of its actions in writing, and the revised proposed rate change shall take effect on the date as specified by the division.

(7) Nothing in this subsection (D) shall be construed as giving the chairmen or the committees any authority to veto, nullify or revise any rate change proposed by the division. The authority of the chairmen or the committees under this subsection shall be limited to reviewing, making objections to and making recommendations for changes to rate changes proposed by the division.

(E) Notwithstanding any provision of this article, no new groups or categories of recipients and new types of care and services may be added without enabling legislation from the Mississippi Legislature, except that the division may authorize those changes without enabling legislation when the addition of recipients or services is ordered by a court of proper authority.

(F) The executive director shall keep the Governor advised on a timely basis of the funds available for expenditure and the projected expenditures. Notwithstanding any other provisions of this article, if current or projected expenditures of the division are reasonably anticipated to exceed the amount of funds appropriated to the division for any fiscal year, the Governor, after consultation with the executive director, shall take all appropriate measures to reduce costs, which may include, but are not limited to:

(1) Reducing or discontinuing any or all services that are deemed to be optional under Title XIX of the Social Security Act;

(2) Reducing reimbursement rates for any or all service types;

(3) Imposing additional assessments on health care providers; or

(4) Any additional cost-containment measures deemed appropriate by the Governor.

To the extent allowed under federal law, any reduction to services or reimbursement rates under this subsection (F) shall be accompanied by a reduction, to the fullest allowable amount, to the profit margin and administrative fee portions of capitated payments to organizations described in paragraph (1) of subsection (H).

Beginning in fiscal year 2010 and in fiscal years thereafter, when Medicaid expenditures are projected to exceed funds available for the fiscal year, the division shall submit the expected shortfall information to the PEER Committee not later than December 1 of the year in which the shortfall is projected to occur. PEER shall review the computations of the division and report its findings to the Legislative Budget Office not later than January 7 in any year.

(G) Notwithstanding any other provision of this article, it shall be the duty of each provider participating in the Medicaid program to keep and maintain books, documents and other records as prescribed by the Division of Medicaid in accordance with federal laws and regulations.

(H) (1) Notwithstanding any other provision of this article, the division is authorized to implement (a) a managed care program, (b) a coordinated care program, (c) a coordinated care organization program, (d) a health maintenance organization program, (e) a patient-centered medical home program, (f) an accountable care organization program, (g) provider-sponsored health plan, or (h) any combination of the above programs. As a condition for the approval of any program under this subsection (H)(1), the division shall require that no managed care program, coordinated care program, coordinated care organization program, health maintenance organization program, or provider-sponsored health plan may:

(a) Pay providers at a rate that is less than the Medicaid All Patient Refined Diagnosis Related Groups (APR-DRG) reimbursement rate;

(b) Override the medical decisions of hospital physicians or staff regarding patients admitted to a hospital for an emergency medical condition as defined by 42 US Code Section 1395dd. This restriction (b) does not prohibit the retrospective review of the appropriateness of the determination that an emergency medical condition exists by chart review or coding algorithm, nor does it prohibit prior authorization for nonemergency hospital admissions;

(c) Pay providers at a rate that is less than the normal Medicaid reimbursement rate. It is the intent of the Legislature that all managed care entities described in this subsection (H), in collaboration with the division, develop and implement innovative payment models that incentivize improvements in health care quality, outcomes, or value, as determined by the division. Participation in the provider network of any managed care, coordinated care, provider-sponsored health plan, or similar contractor shall not be conditioned on the provider's agreement to accept such alternative payment models;

(d) Implement a prior authorization and utilization review program for medical services, transportation services and prescription drugs that is more stringent than the prior authorization processes used by the division in its administration of the Medicaid program. Not later than December 2, 2021, the contractors that are receiving capitated payments under a managed care delivery system established under this subsection (H) shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the prior authorization and utilization review program for medical services, transportation services and prescription drugs that is required to be implemented under this subparagraph (d);

(e) [Deleted]

(f) Implement a preferred drug list that is more stringent than the mandatory preferred drug list established by the division under subsection (A)(9) of this section;

(g) Implement a policy which denies beneficiaries with hemophilia access to the federally funded hemophilia treatment centers as part of the Medicaid Managed Care network of providers.

Each health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall use a clear set of level of care guidelines in the determination of medical necessity and in all utilization management practices, including the prior authorization process, concurrent reviews, retrospective reviews and payments, that are consistent with widely accepted professional standards of care. Organizations participating in a managed care program or coordinated care program implemented by the division may not use any additional criteria that would result in denial of care that would be determined appropriate and, therefore, medically necessary under those levels of care guidelines.

(2) Notwithstanding any provision of this section, the recipients eligible for enrollment into a Medicaid Managed Care Program authorized under this subsection (H) may include only those categories of recipients eligible for participation in the Medicaid Managed Care Program as of January 1, 2021, the Children's Health Insurance Program (CHIP), and the CMS-approved Section 1115 demonstration waivers in operation as of January 1, 2021. No expansion of Medicaid Managed Care Program contracts may be implemented by the division without enabling legislation from the Mississippi Legislature.

(3) (a) Any contractors receiving capitated payments under a managed care delivery system established in this section shall provide to the Legislature and the division statistical data to be shared with provider groups in order to improve patient access, appropriate utilization, cost savings and health outcomes not later than October 1 of each year. Additionally, each contractor shall disclose to the Chairmen of the Senate and House Medicaid Committees the administrative expenses costs for the prior calendar year, and the number of full-equivalent employees located in the State of Mississippi dedicated to the Medicaid and CHIP lines of business as of June 30 of the current year.

(b) The division and the contractors participating in the managed care program, a coordinated care program or a provider-sponsored health plan shall be subject to annual program reviews or audits performed by the Office of the State Auditor, the PEER Committee, the Department of Insurance and/or independent third parties.

(c) Those reviews shall include, but not be limited to, at least two (2) of the following items:

(i) The financial benefit to the State of Mississippi of the managed care program,

(ii) The difference between the premiums paid to the managed care contractors and the payments made by those contractors to health care providers,

(iii) Compliance with performance measures required under the contracts,

- (iv) Administrative expense allocation methodologies,
- (v) Whether nonprovider payments assigned as medical expenses are appropriate,
- (vi) Capitated arrangements with related party subcontractors,
- (vii) Reasonableness of corporate allocations,
- (viii) Value-added benefits and the extent to which they are used,
- (ix) The effectiveness of subcontractor oversight, including subcontractor review,
- (x) Whether health care outcomes have been improved, and
- (xi) The most common claim denial codes to determine the reasons for the denials.

The audit reports shall be considered public documents and shall be posted in their entirety on the division's website.

(4) All health maintenance organizations, coordinated care organizations, provider-sponsored health plans, or other organizations paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall reimburse all providers in those organizations at rates no lower than those provided under this section for beneficiaries who are not participating in those programs.

(5) No health maintenance organization, coordinated care organization, provider-sponsored health plan, or other organization paid for services on a capitated basis by the division under any managed care program or coordinated care program implemented by the division under this section shall require its providers or beneficiaries to use any pharmacy that ships, mails or delivers prescription drugs or legend drugs or devices.

(6) (a) Not later than December 1, 2021, the contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H) shall develop and implement a uniform credentialing process for providers. Under that uniform credentialing process, a provider who meets the criteria for credentialing will be credentialed with all of those contractors and no such provider will have to be separately credentialed by any individual contractor in order to receive reimbursement from the contractor. Not later than December 2, 2021, those contractors shall submit a report to the Chairmen of the House and Senate Medicaid Committees on the status of the uniform credentialing process for providers that is required under this subparagraph (a).

(b) If those contractors have not implemented a uniform credentialing process as described in subparagraph (a) by December 1, 2021, the division shall develop and implement, not later than July 1, 2022, a single, consolidated credentialing process by which all providers will be credentialed. Under the division's single, consolidated credentialing process, no such contractor shall require its providers to be separately



credentialed by the contractor in order to receive reimbursement from the contractor, but those contractors shall recognize the credentialing of the providers by the division's credentialing process.

(c) The division shall require a uniform provider credentialing application that shall be used in the credentialing process that is established under subparagraph (a) or (b). If the contractor or division, as applicable, has not approved or denied the provider credentialing application within sixty (60) days of receipt of the completed application that includes all required information necessary for credentialing, then the contractor or division, upon receipt of a written request from the applicant and within five (5) business days of its receipt, shall issue a temporary provider credential/enrollment to the applicant if the applicant has a valid Mississippi professional or occupational license to provide the health care services to which the credential/enrollment would apply. The contractor or the division shall not issue a temporary credential/enrollment if the applicant has reported on the application a history of medical or other professional or occupational malpractice claims, a history of substance abuse or mental health issues, a criminal record, or a history of medical or other licensing board, state or federal disciplinary action, including any suspension from participation in a federal or state program. The temporary credential/enrollment shall be effective upon issuance and shall remain in effect until the provider's credentialing/enrollment application is approved or denied by the contractor or division. The contractor or division shall render a final decision regarding credentialing/enrollment of the provider within sixty (60) days from the date that the temporary provider credential/enrollment is issued to the applicant.

(d) If the contractor or division does not render a final decision regarding credentialing/enrollment of the provider within the time required in subparagraph (c), the provider shall be deemed to be credentialed by and enrolled with all of the contractors and eligible to receive reimbursement from the contractors.

(7) (a) Each contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to each provider for whom the contractor has denied the coverage of a procedure that was ordered or requested by the provider for or on behalf of a patient, a letter that provides a detailed explanation of the reasons for the denial of coverage of the procedure and the name and the credentials of the person who denied the coverage. The letter shall be sent to the provider in electronic format.

(b) After a contractor that is receiving capitated payments under a managed care delivery system established under this subsection (H) has denied coverage for a claim submitted by a provider, the contractor shall issue to the provider within sixty (60) days a final ruling of denial of the claim that allows the provider to have a state fair hearing and/or agency appeal with the division. If a contractor does not issue a final ruling of denial within sixty (60) days as required by this subparagraph (b), the provider's claim shall be deemed to be automatically approved and the contractor shall pay the amount of the claim to the provider.

(c) After a contractor has issued a final ruling of denial of a claim submitted by a provider, the division shall conduct a state fair hearing and/or agency appeal on the matter of the disputed claim between the contractor and the provider within sixty (60) days, and shall render a decision on the matter within thirty (30) days after the date of the hearing and/or appeal.

(8) It is the intention of the Legislature that the division evaluate the feasibility of using a single vendor to administer pharmacy benefits provided under a managed care delivery system established under this subsection (H). Providers of

pharmacy benefits shall cooperate with the division in any transition to a carve-out of pharmacy benefits under managed care.

(9) The division shall evaluate the feasibility of using a single vendor to administer dental benefits provided under a managed care delivery system established in this subsection (H). Providers of dental benefits shall cooperate with the division in any transition to a carve-out of dental benefits under managed care.

(10) It is the intent of the Legislature that any contractor receiving capitated payments under a managed care delivery system established in this section shall implement innovative programs to improve the health and well-being of members diagnosed with prediabetes and diabetes.

(11) It is the intent of the Legislature that any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall work with providers of Medicaid services to improve the utilization of long-acting reversible contraceptives (LARCs). Not later than December 1, 2021, any contractors receiving capitated payments under a managed care delivery system established under this subsection (H) shall provide to the Chairmen of the House and Senate Medicaid Committees and House and Senate Public Health Committees a report of LARC utilization for State Fiscal Years 2018 through 2020 as well as any programs, initiatives, or efforts made by the contractors and providers to increase LARC utilization. This report shall be updated annually to include information for subsequent state fiscal years.

(12) The division is authorized to make not more than one (1) emergency extension of the contracts that are in effect on July 1, 2021, with contractors who are receiving capitated payments under a managed care delivery system established under this subsection (H), as provided in this paragraph (12). The maximum period of any such extension shall be one (1) year, and under any such extensions, the contractors shall be subject to all of the provisions of this subsection (H). The extended contracts shall be revised to incorporate any provisions of this subsection (H).

(I) [Deleted]

(J) There shall be no cuts in inpatient and outpatient hospital payments, or allowable days or volumes, as long as the hospital assessment provided in Section 43-13-145 is in effect. This subsection (J) shall not apply to decreases in payments that are a result of: reduced hospital admissions, audits or payments under the APR-DRG or APC models, or a managed care program or similar model described in subsection (H) of this section.

(K) In the negotiation and execution of such contracts involving services performed by actuarial firms, the Executive Director of the Division of Medicaid may negotiate a limitation on liability to the state of prospective contractors.

(L) The Division of Medicaid shall reimburse for services provided to eligible Medicaid beneficiaries by a licensed birthing center in a method and manner to be determined by the division in accordance with federal laws and federal regulations. The division shall seek any necessary waivers, make any required amendments to its State Plan or revise any contracts authorized under subsection (H) of this section as necessary to provide the services authorized under this subsection. As used in this subsection, the term "birthing centers" shall have the meaning as defined in Section 41-77-1(a), which is a publicly or privately owned facility, place or institution constructed, renovated, leased or otherwise established where nonemergency births are planned to occur away from the mother's usual residence following a documented period of prenatal care for a normal

uncomplicated pregnancy which has been determined to be low risk through a formal risk-scoring examination.

(M) This section shall stand repealed on July 1, 2024.  
FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to S. B. No. 2212 failed by the following vote:

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

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

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

YEAS AND NAYS On S. B. No. 2212. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--41.

Nays--Branning, Caughman, Chism, Hill, McDaniel, McLendon, Moran, Seymour, Sojourner, Suber, Whaley. Total--11.

Absent and those not voting---None.

Unanimous consent was granted to add Senators Blount and Jackson as co-authors of **S. B. No. 2212**.

President Hosemann yielded the gavel to Senator Hopson, who presided over the Senate.

Senator Tate called up the following entitled bill:

**S. B. No. 2358:** Ballot harvesting; ban.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

Senator Tate offered the following AMENDMENT NO. 1.

AMEND on line 4 by inserting "(1)" before the "A":

FURTHER AMEND below line 17 by inserting the following as a new subsection:

(\*) Any violation of this section shall be subject to the penalties of Section 97-13-37.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2358 was adopted.

YEAS AND NAYS On S. B. No. 2358. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--37.

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

Absent and those not voting----None.

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Unanimous consent was granted to add Senator McLendon as co-author of **S. B. No. 2358**.

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Senator Tate called up the following entitled bill:

**S. B. No. 2423:** Elections; require that candidates receive majority of votes in general election to be elected to statewide office.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2423. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Blackmon, Turner-Ford. Total--2.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Jackson and McLendon as co-authors of **S. B. No. 2423**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2652:** Mississippi Vulnerable Person Abuse Registry; create.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2652. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2652**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2054:** Appointed state officers; provide for the removal of for certain forms of willful neglect.

YEAS AND NAYS On S. B. No. 2054. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Jackson, McCaughn and Younger as co-authors of **S. B. No. 2054**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2673:** Mississippi Real Estate Appraisal Board; make independent from Mississippi Real Estate Commission.

YEAS AND NAYS On S. B. No. 2673. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

Voting Present--Carter. Total--1.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2673**.

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Senator Hill called up the following entitled bill:

**S. B. No. 2612:** Construction; bring forward code sections concerning local permitting and State Board of Contractors licensing.

On motion of Senator Hill, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2612. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Caughman called up the following entitled bill:

**S. B. No. 2215:** State depositories; revise definition of "primary capital."

YEAS AND NAYS On S. B. No. 2215. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2215**.

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Senator Carter called up the following entitled bill:

**S. B. No. 2339:** Provision of law establishing energy efficiency standards for building construction; extend repealer on.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2339. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2339**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2361:** Mississippi Modified School Calendar Grant Program; establish and provide eligibility criteria.

YEAS AND NAYS On S. B. No. 2361. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Boyd, England and Jackson as co-authors of **S. B. No. 2361**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2585:** William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; revise provisions of.

YEAS AND NAYS On S. B. No. 2585. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--40.

Nays--Branning, Chism, England, Hill, McDaniel, Seymour, Sojourner, Suber. Total--8.

Absent and those not voting---None.

Voting Present--Barrett, Parker, Tate, Whaley. Total--4.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2585**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2599:** State funded schools; may participate in extracurricular activities against non accredited and nonpublic schools.

YEAS AND NAYS On S. B. No. 2599. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

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Unanimous consent was granted to add Senators Tate, Whaley, England, Younger, Seymour, McCaughn and Carter as co-authors of **S. B. No. 2599**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2586:** Computer science curriculum; clarify terminology to specify who may provide instruction in.

YEAS AND NAYS On S. B. No. 2586. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,



England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2586**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2751:** Sixteenth section lands; no law, ordinance or regulation shall prohibit school districts from using for educational facilities.

YEAS AND NAYS On S. B. No. 2751. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Jackson and Seymour as co-authors of **S. B. No. 2751**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2811:** Local supplement for assistant teachers; prohibit school districts from reducing when given state minimum raise.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2811. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Jordan and McLendon as co-authors of **S. B. No. 2811**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2812:** Board for administration of certain failing school district; extend date of repeal.

YEAS AND NAYS On S. B. No. 2812. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Hill. Total--1.

Absent and those not voting----None.

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Senator Moran called up the following entitled bill:

**S. B. No. 2550:** Commercial crabbing licenses; applicable to boat instead of each fisherman.

YEAS AND NAYS On S. B. No. 2550. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2550**.

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Senator Moran called up the following entitled bill:

**S. B. No. 2551:** Department of Marine Resources, Office of Marine Patrol; cooperate with federal law enforcement.

YEAS AND NAYS On S. B. No. 2551. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--Chism, Hill. Total--2.  
Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2551**.

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Senator Seymour called up the following entitled bill:

**S. B. No. 2187:** Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating.

On motion of Senator Seymour, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2187. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

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Unanimous consent was granted to add Senators Branning, England, Jackson, McCaughn, McLendon and Parker as co-authors of **S. B. No. 2187**.

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Senator Turner-Ford called up the following entitled bill:

**S. B. No. 2720:** Tax-forfeited land certified to state; authorize Secretary of State to withhold 10% for the cost of tree removal.

Senator Turner-Ford offered the following AMENDMENT NO. 1.

AMEND on line 34 by inserting the following after the word "parcels,":  
as determined by the State Forestry Commission,

Amendment No. 1 to S. B. No. 2720 was adopted.

YEAS AND NAYS On S. B. No. 2720. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Chism, Sojourner. Total--2.

Absent and those not voting----None.

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Senator Turner-Ford called up the following entitled bill:

**S. B. No. 2722:** "North Forty" property; authorize DFA to purchase.

YEAS AND NAYS On S. B. No. 2722. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Turner-Ford called up the following entitled bill:

**S. B. No. 2723:** Certain real property located in the Capitol Complex area; authorize DFA to purchase.

YEAS AND NAYS On S. B. No. 2723. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

Voting Present--Blount. Total--1.

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Senator Parks called up the following entitled bill:

**S. B. No. 2373:** Hospital Nurses Retention Loan Repayment Program; establish.

On motion of Senator Parks, the Committee Substitute was adopted for consideration.

Senator Parks offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is established the "Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program" for new nursing graduates to be administered by the Mississippi Postsecondary Education Financial Assistance Board.

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Legal residency in the State of Mississippi;

(b) Gained employment within the last year for the first time as a full-time licensed practical nurse or licensed registered nurse at a skilled nursing home in the State of Mississippi or a general acute care hospital in the State of Mississippi that is licensed by the Mississippi State Department of Health;

(c) A current relevant Mississippi professional license; and

(d) Outstanding qualifying educational loans, received at any point during the recipients postsecondary education career, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for educational expense.

(3) Persons who have received funds from state-forgivable loan programs established under Mississippi law, or who are in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Recipients in the program shall be selected on a first-come, first-served basis from all eligible applicants. The Mississippi Postsecondary Education Financial Assistance Board shall renew eligible applicants approved in prior years only if the renewal applicant continues to meet the standards set forth in this act, and the renewal applicant has not received full funding provided by this subsection (4).

(5) Awards for recipients who are employed at a skilled nursing home or a licensed general acute care hospital in the state may be a maximum of Six Thousand Dollars (\$6,000.00) for each year of employment up to three (3) years.

(6) A recipient shall not be penalized for ending employment at a skilled nursing home or a licensed general acute care hospital in the State of Mississippi if the recipient begins working for another skilled nursing home or licensed general acute care hospital in the State of Mississippi during the year on which the award is based.

(7) Awards shall be granted on a year-to-year basis, and recipients have no obligation to seek a subsequent award.

(8) Awards shall be paid annually, after the expiration of the year of employment for which the award was granted, to the recipient's lender or loan service provider, to be applied to the outstanding balance. Monies paid by the recipient or on the recipient's behalf toward qualifying educational loans before payment of the award shall not be eligible for reimbursement through the program.

(9) During the employment year for which the award is granted, a recipient shall at all times keep the State Financial Aid Board informed of any changes to the recipient's current, correct and complete employment information and status.

(10) Recipients who fail to maintain a relevant Mississippi professional license or fail to fulfill the year of employment on which the award was based forfeit any right to the award.

(11) The Mississippi Postsecondary Education Financial Assistance Board, in collaboration with the State Board of Nursing and any other applicable state agency as determined by the Mississippi Postsecondary Education Financial Assistance Board, shall attempt to track award recipients under this program through their third employment year, unless the recipient leaves employment at a skilled nursing home or a licensed general acute care hospital in the state at an earlier date. Data collected shall include each recipients' place of employment and any other pertinent information necessary to determine the efficacy of the program in retaining nurses in skilled nursing homes or licensed general acute care hospitals in the State of Mississippi.

(12) The Mississippi Postsecondary Education Financial Assistance Board shall promulgate regulations necessary for the proper administration of this section, including setting a fiscal year policy for the program and application dates and deadlines.

(13) This section shall stand repealed on July 1, 2027.

SECTION 2. Section 1, Chapter 47, Laws of 2022, appropriation to the Board of Trustees of State Institutions of Higher Learning, is amended as follows:

SECTION 3. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the \* \* \* Mississippi Postsecondary Education Financial Assistance Board for the purpose of providing funding for the \* \* \* Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 6,000,000.00.

SECTION 4. Section 1, Chapter 47, Laws of 2022, appropriation to the Board of Trustees of State Institutions of Higher Learning, is amended as follows:

SECTION 5. (1) As used in this section and Section 3 of this act, the term "agency" means the \* \* \* Mississippi Postsecondary Education Financial Assistance Board.

(2) The agency shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(3) None of the funds appropriated under Section 1 of this act shall be used to pay employee premium payments.

SECTION 6. Sections 37-106-59 and 37-106-60, Mississippi Code of 1972, which establishes a forgivable loan program for baccalaureate and graduate studies in nursing, is repealed from and after July 1, 2023.

SECTION 7. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE SKILLED NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM FOR NEW NURSING GRADUATES TO BE ADMINISTERED BY THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO PROVIDE FOR THE ELIGIBILITY REQUIREMENTS; TO SET A MAXIMUM AMOUNT OF LOAN REPAYMENT; TO ESTABLISH THE PROCEDURES FOR THE LOAN PROCESS; TO REQUIRE THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD TO PROMULGATE REGULATIONS NECESSARY FOR THE PROPER ADMINISTRATION OF THE ACT, INCLUDING SETTING A FISCAL YEAR POLICY FOR THE PROGRAM AND APPLICATION DATES AND DEADLINES; TO AMEND SECTION 1, CHAPTER 47, LAWS OF 2022, WHICH IS THE APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REPLACE THE NURSING AND RESPIRATORY THERAPIST INCENTIVE PROGRAM WITH THE SKILLED NURSING HOME AND HOSPITAL NURSES RETENTION LOAN PROGRAM; TO AMEND SECTION 1, CHAPTER 47, LAWS OF 2022, WHICH IS THE APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REPLACE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING WITH THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD FOR PURPOSES OF DISBURSING FUNDS ALLOCATED FOR THE REPAYMENT PROGRAM; TO REPEAL SECTIONS 37-106-59 AND 37-106-60, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES A FORGIVABLE LOAN PROGRAM FOR BACCALAUREATE AND GRADUATE STUDIES IN NURSING; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2373 was adopted.

YEAS AND NAYS On S. B. No. 2373. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2373**.

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Senator Jordan called up the following entitled bill:

**S. B. No. 2281:** Tobacco education, prevention and cessation program; add fentanyl and drug abuse prevention education.

Senator Hickman offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "2023 Mississippi Fentanyl and Drug Abuse Education Act."

SECTION 2. (1) (a) There is established within the State Department of Mental Health the Mississippi Fentanyl and Drug Abuse Education Program.

(b) The State Department of Mental Health shall develop and implement a comprehensive statewide fentanyl and drug abuse education, prevention and cessation program that is based on scientific data and research that have been demonstrated to be effective at accomplishing the purposes of this section.

(2) At a minimum, the program shall include the following components:

(a) A mass media campaign, including paid advertising and other communication tools, to discourage the use of fentanyl and abuse of other drugs and to educate people, especially youth, about the health hazards from the use of fentanyl and abuse of other drugs, which shall be designed to be effective at achieving these goals and shall include, but need not be limited to, television, radio, social media and print advertising, as well as sponsorship, exhibits and other opportunities to raise awareness statewide;

(b) Materials, curricula and programs that may be used or implemented in schools and other locations to educate youth about fentanyl and other harmful drugs and to discourage the use of fentanyl and abuse of other drugs, including, but not limited to, materials, curricula and programs that involve youth, educate youth about the health hazards from the use of fentanyl and abuse of other drugs, help youth develop skills to refuse fentanyl and other harmful drugs, and demonstrate to youth how to stop using fentanyl and abusing other drugs;

(c) Local community programs, including, but not limited to, youth-based partnerships that discourage the use of fentanyl and abuse of other drugs and involve community-based organizations in fentanyl and drug abuse education, prevention and cessation programs in their communities;

(d) Programs to assist and help people to stop using fentanyl and/or abusing other drugs; and

(e) A surveillance and evaluation system that monitors program accountability and results, produces publicly available reports that review how monies expended for the program are spent, and includes an evaluation of the program's effectiveness in reducing and preventing the use of fentanyl and abuse of other drugs, and annual recommendations for improvements to enhance the program's effectiveness.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:



AN ACT TO ENACT THE 2023 MISSISSIPPI FENTANYL AND DRUG ABUSE EDUCATION ACT; TO ESTABLISH THE MISSISSIPPI FENTANYL AND DRUG ABUSE EDUCATION PROGRAM WITHIN THE DEPARTMENT OF MENTAL HEALTH; TO REQUIRE THE STATE DEPARTMENT OF MENTAL HEALTH TO DEVELOP AND IMPLEMENT A COMPREHENSIVE STATEWIDE FENTANYL AND DRUG ABUSE EDUCATION, PREVENTION AND CESSATION PROGRAM; TO REQUIRE THE PROGRAM TO BE BASED ON SCIENTIFIC DATA AND RESEARCH THAT HAVE BEEN DEMONSTRATED TO BE EFFECTIVE AT ACCOMPLISHING THE PURPOSES OF THIS SECTION; TO REQUIRE CERTAIN MINIMUM COMPONENTS IN THE PROGRAM; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2281 was adopted.

YEAS AND NAYS On S. B. No. 2281. On motion of Senator Hickman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2281**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2781:** Mississippi Access to Maternal Assistance Program; create and provide for duties and responsibilities.

YEAS AND NAYS On S. B. No. 2781. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2781**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2634:** Child support; allow criminal charges three years after the child turns twenty-one.

YEAS AND NAYS On S. B. No. 2634. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Barnett, Blackmon, Frazier, Simmons D. T. (12th). Total--4.

Absent and those not voting---None.

Voting Present--Hickman, Jackson. Total--2.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2376:** Youth court; clarify that disclosure of certain records in criminal matters do not require youth court approval.

Senator Johnson offered the following AMENDMENT NO. 1.

AMEND on line 264 by inserting before the period the following language:

and the records are subject to a protective order issued by the Circuit Court presiding over the criminal matter which incorporates the penalties stated in Section 43-21-267.

FURTHER, AMEND on line 266 by deleting "July 1, 2023" and insert in lieu thereof "its passage"

Amendment No. 1 to S. B. No. 2376 was adopted.

YEAS AND NAYS On S. B. No. 2376. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Barnett, Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Jackson, Norwood, Simmons D. T. (12th), Simmons S. (13th), Turner-Ford. Total--10.

Absent and those not voting---None.

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Senator Jordan called up the following entitled bill:

**S. B. No. 2336:** Prevention of overdoses; authorize use of drug-testing equipment and expand use of opioid antagonists.

YEAS AND NAYS On S. B. No. 2336. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Butler A. (36th), Butler K. (38th), Caughman, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, McCaughn, McLendon, Michel, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Wiggins, Williams, Younger. Total--38.

Nays--Blackmon, Chism, Hill, Moran, Sojourner, Whaley. Total--6.

Absent and those not voting--Bryan, Chassaniol, Kirby, McDaniel. Total--4.

Senator Carter, who would have voted yea on S. B. No. 2336, announced a pair with Senator Horhn, who would have voted nay.

Senator Turner-Ford, who would have voted nay on S. B. No. 2336, announced a pair with Senator McMahan, who would have voted yea.

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Unanimous consent was granted to add Senators McLendon and Parker as co-authors of **S. B. No. 2336**.

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Senator Barnett entered a motion to reconsider the vote whereby **S. B. No. 2735** passed the Senate.

**S. B. No. 2735:** Mayoral veto power; clarify scope of.

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Senator Norwood entered a motion to reconsider the vote whereby **S. B. No. 2889** passed the Senate.

**S. B. No. 2889:** Mississippi Capitol Region Utility Act; create.

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Senator Hickman entered a motion to reconsider the vote whereby **S. B. No. 2099** passed the Senate.

**S. B. No. 2099:** Motor vehicle theft; revise penalty for.

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Senator Hickman entered a motion to reconsider the vote whereby **S. B. No. 2100** passed the Senate.

**S. B. No. 2100:** Receiving stolen property; revise the crime of.

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Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **S. B. No. 2224** passed the Senate.

**S. B. No. 2224:** Insurance; prohibit insurer or third party payors from setting maximum dollar amount of reimbursement for proper ventilation treatment.

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SENATE JOURNAL  
TUESDAY, FEBRUARY 7, 2023

Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Pearlean W. Lester of Marks, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Tony D. Taylor of Terry, MS.

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Senator Polk moved that the Senate adjourn until 10:00 AM, Wednesday, February 8, 2023.

The motion prevailed, and at 6:47 PM, the Senate stood adjourned in memory of Pearlean W. Lester and Tony D. Taylor.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR TUESDAY, FEBRUARY 7, 2023

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THIRTY-SEVENTH DAY, WEDNESDAY, FEBRUARY 8, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Bishop Roderick Mitchell, Pastor, New Life Church, Cleveland MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 49:** AN ACT TO AMEND SECTION 49-7-153, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO ISSUE A NATIVE SON OR DAUGHTER RESIDENT LIFETIME SPORTSMAN HUNTING AND FISHING LICENSE IF OFFICIAL DOCUMENTS REFLECT THAT ONE OF THE APPLICANT'S PARENTS WAS BORN IN THE STATE OF MISSISSIPPI AND WAS ON ACTIVE MILITARY SERVICE AT THE TIME OF THE APPLICANT'S BIRTH; TO REQUIRE AN APPLICANT FOR SUCH LICENSE TO PROVIDE A CERTIFIED COPY OF AN ORIGINAL BIRTH CERTIFICATE OF SUCH PARENT SHOWING THAT THE PARENT WAS BORN IN MISSISSIPPI AND PROVIDE OFFICIAL DOCUMENTS INDICATING THAT SUCH PARENT WAS ON ACTIVE MILITARY SERVICE AT THE TIME OF THE APPLICANT'S BIRTH; TO PROVIDE THAT AN APPLICANT FOR SUCH LICENSE SHALL NOT BE REQUIRED TO HAVE BEEN DOMICILED IN THIS STATE FOR EIGHTEEN CONSECUTIVE MONTHS IMMEDIATELY PRECEDING THE DATE OF HIS OR HER APPLICATION FOR A LICENSE; AND FOR RELATED PURPOSES.

**H. B. No. 208:** AN ACT TO AMEND SECTION 37-13-205, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF TERMINOLOGY RELATED TO THE OFFERING OF INSTRUCTION UNDER PROVISIONS OF THE "MISSISSIPPI COMPUTER SCIENCE AND CYBER EDUCATION EQUALITY ACT"; TO PROVIDE THAT SUCH INSTRUCTION MUST BE TAUGHT BY APPROPRIATELY ENDORSED TEACHERS FOR COMPUTER SCIENCE COURSES WHICH AWARD CARNEGIE UNITS, AND BY LICENSED TEACHERS OR PARAPROFESSIONALS WITH PROPER TRAINING IN COMPUTER SCIENCE INSTRUCTION WHO ARE UNDER THE GUIDANCE OR SUPERVISION OF A LICENSED TEACHER; TO INCLUDE IN THE DEFINITION SECTION OF THE ACT THE MEANING OF THE TERM PARAPROFESSIONAL; TO AMEND SECTION 37-13-211, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 209:** AN ACT TO AMEND SECTION 97-7-75, MISSISSIPPI CODE OF 1972, TO REVISE THE ELEMENTS OF THE OFFENSE OF MAKING A TERRORISTIC THREAT; AND FOR RELATED PURPOSES.

**H. B. No. 556:** AN ACT TO CREATE THE "PROPERTY CLEANUP REVOLVING FUND" TO ASSIST MUNICIPALITIES WITH THE CLEAN UP OF PROPERTIES THAT HAVE BEEN DETERMINED TO BE A MENACE TO THE PUBLIC HEALTH, SAFETY AND WELFARE OF THE COMMUNITY IN ACCORDANCE WITH SECTION 21-19-11 OR COURT; TO AUTHORIZE THE CREATION OF A GRANT PROGRAM AND A REVOLVING LOAN PROGRAM ADMINISTERED BY THE MISSISSIPPI HOME CORPORATION FOR SUCH PROPERTY CLEANUP BY THE MUNICIPALITY; TO AUTHORIZE MUNICIPALITIES TO ENTER INTO AGREEMENTS AND TAKE SUCH ACTIONS NECESSARY TO PARTICIPATE IN THE GRANT PROGRAM AND LOAN PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 617:** AN ACT TO AMEND SECTION 57-1-64, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PORTION OF MONIES IN THE MISSISSIPPI DEVELOPMENT AUTHORITY TOURISM ADVERTISING FUND SHALL BE USED FOR

ADVERTISING AND PROMOTIONAL INFORMATION AND MATERIALS RELATED TO MISSISSIPPI STATE PARKS; AND FOR RELATED PURPOSES.

**H. B. No. 729:** AN ACT TO ESTABLISH THE "MISSISSIPPI SUCCESSFUL TECHNIQUES RESULTING IN DELIVERING EXCELLENCE IN EDUCATION AND EMPLOYABILITY (STRIDE) SCHOLARSHIP PROGRAM" FOR THE PURPOSE OF ESTABLISHING AND MAKING SCHOLARSHIPS AVAILABLE TO STUDENTS WHO BECOME ELIGIBLE TO PARTICIPATE IN THE PROGRAM FOR COSTS ASSOCIATED WITH DUAL-CREDIT AND DUAL-ENROLLMENT OPTION, CAREER AND TECHNICAL EDUCATION COURSES THAT LEAD TO INDUSTRY CERTIFICATION AND OVERLOAD COURSES; TO ESTABLISH THE MINIMUM QUALIFICATIONS FOR EACH SUBSIDIARY SCHOLARSHIP PROGRAM, TO PROVIDE THAT THE PROGRAMS SHALL BE RESPECTIVELY ADMINISTERED BY THE MISSISSIPPI COMMUNITY COLLEGE BOARD AND THE STATE BOARD OF EDUCATION; TO AMEND SECTIONS 37-71-7 AND 37-71-9, MISSISSIPPI CODE OF 1972, TO CLARIFY PROVISIONS OF THE "MISSISSIPPI LEARN TO EARN ACT" PERTAINING TO APPLICATION PROCEDURES IN A MANNER CONSISTENT WITH THE IMPLEMENTATION OF THE "MISSISSIPPI SUCCESSFUL TECHNIQUES RESULTING IN DELIVERING EXCELLENCE IN EDUCATION AND EMPLOYABILITY (STRIDE) SCHOLARSHIP PROGRAM"; AND FOR RELATED PURPOSES.

**H. B. No. 730:** AN ACT TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS OF THE "WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM" FOR THE PURPOSE OF ALLOWING INDIVIDUALS PURSUING AN ALTERNATE ROUTE LICENSURE PATHWAY TO BECOME ELIGIBLE TO RECEIVE FINANCIAL ASSISTANCE UNDER THE PROGRAM; TO REMOVE THE CAP ON THE NUMBER OF APPLICANTS ELIGIBLE TO RECEIVE ASSISTANCE UNDER THE PROGRAM IN ANY FISCAL YEAR; AND FOR RELATED PURPOSES.

**H. B. No. 772:** AN ACT TO DESIGNATE THE MISSISSIPPI OPAL AS THE OFFICIAL STATE GEMSTONE; AND FOR RELATED PURPOSES.

**H. B. No. 817:** AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM FUNDING LEVELS FOR EACH STUDENT ENROLLED IN FULL-DAY EARLY LEARNING COLLABORATIVE PROGRAMS TO \$2,500.00, AND HALF-DAY EARLY LEARNING COLLABORATIVE PROGRAMS TO \$1,250.00; AND FOR RELATED PURPOSES.

**H. B. No. 860:** AN ACT TO BRING FORWARD SECTIONS 37-97-103, 37-97-105, 37-97-107 AND 37-97-109, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING THE "MISSISSIPPI INTERCOLLEGIATE ATHLETICS COMPENSATION RIGHTS ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO BRING FORWARD SECTIONS 73-42-3, 73-42-5, 73-42-7, 73-42-9, 73-42-11, 73-42-13, 73-42-15, 73-42-17, 73-42-19, 73-42-21, 73-42-23, 73-42-25, 73-42-27, 73-42-29, 73-42-31, 73-42-33, 73-42-34, 73-42-35, 73-42-37 AND 73-42-39, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING THE "UNIFORM ATHLETE AGENTS ACT," FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 976:** AN ACT TO AMEND SECTION 59-21-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE VALIDATION DECAL CERTIFYING THE AWARDED NUMBER TO BE DISPLAYED ON EACH SIDE OF THE VESSEL WITHIN SIX INCHES OF THE AWARDED NUMBER; TO BRING FORWARD SECTION 59-21-19, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CERTIFICATE FORM, DURATION AND TRANSFER OF VESSELS, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1027:** AN ACT TO DESIGNATE THE BLUEBERRY AS THE STATE FRUIT OF MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 1101:** AN ACT TO AMEND SECTIONS 79-4-14.21 AND 79-29-823, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO SERVE DETERMINATION NOTICES AND CERTIFICATES OF ADMINISTRATIVE DISSOLUTION ON CORPORATIONS AND LIMITED LIABILITY COMPANIES BY EMAIL TO THE REGISTERED AGENT OF A CORPORATION OR LIMITED LIABILITY COMPANY; AND FOR RELATED PURPOSES.

**H. B. No. 1161:** AN ACT TO ENACT THE INTERSTATE TEACHER MOBILITY COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1168:** AN ACT TO AMEND SECTION 27-65-241, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE LEVY OF A MUNICIPAL SPECIAL SALES TAX IN CERTAIN MUNICIPALITIES, TO PROVIDE THAT FOR A MUNICIPALITY THAT IS LEVYING A TAX UNDER THIS SECTION ON JULY 1, 2023, ALL REVENUE COLLECTED BY THE MUNICIPALITY AFTER JULY 1, 2023, SHALL BE USED SOLELY TO PAY THE COST OF REPAIRS, UPGRADES AND IMPROVEMENTS TO THE MUNICIPALITY'S WATER SYSTEM AND RELATED INFRASTRUCTURE; TO PROVIDE THAT IF A MUNICIPALITY LEVYING A TAX UNDER THIS SECTION FAILS TO COMPLY WITH CERTAIN AUDIT OR REPORTING REQUIREMENTS AND DOES NOT REMEDY THE NONCOMPLIANCE WITHIN THIRTY DAYS AFTER RECEIVING WRITTEN NOTICE OF NONCOMPLIANCE, THE DEPARTMENT OF REVENUE SHALL WITHHOLD PAYMENTS OTHERWISE PAYABLE TO THE MUNICIPALITY UNDER THIS SECTION UNTIL THE DEPARTMENT RECEIVES WRITTEN NOTICE THAT THE MUNICIPALITY HAS COMPLIED WITH SUCH REQUIREMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1177:** AN ACT TO AMEND SECTION 37-3-2, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DISCIPLINARY ACTIONS THAT MAY BE TAKEN AGAINST AN EDUCATOR OR ADMINISTRATOR EMPLOYED BY EITHER OF THE FOUR PUBLIC SPECIAL PURPOSE SCHOOLS THAT RESULT IN LICENSURE REVOCATION OR SUSPENSION, AND TO PROVIDE AN ADMINISTRATIVE HEARING PROCESS THAT ALLOWS SUCH EMPLOYEES TO DIRECT APPEAL ADVERSE DECISIONS TO THE CHANCERY COURT OF THE FIRST JUDICIAL DISTRICT OF HINDS COUNTY, MISSISSIPPI; TO AMEND SECTIONS 37-9-55 AND 37-9-57, MISSISSIPPI CODE OF 1972, TO PROVIDE A DUE PROCESS HEARING TO EMPLOYEES WHO SEEK RELEASE FROM THEIR CONTRACT AS AN EDUCATOR OR ADMINISTRATOR AND THE SCHOOL BOARD FAILS TO ACT FAVORABLY UPON THE REQUEST; TO SUSPEND, FOR ONE YEAR, THE LICENSE OF EDUCATORS AND ADMINISTRATORS WHO FAIL TO COMPLY WITH THE DECISION OF THE SCHOOL BOARD TO DENY THE RELEASE FROM CONTRACT AND WHO SUBSEQUENTLY ABANDON THEIR POSITION OR BREACH THE CONTRACT; AND FOR RELATED PURPOSES.

**H. B. No. 1200:** AN ACT TO AMEND SECTION 37-173-1, 37-173-9 AND 37-173-21, MISSISSIPPI CODE OF 1972, TO EXPAND THE DYSLEXIA THERAPY SCHOLARSHIP FOR STUDENTS WITH DYSLEXIA PROGRAM BY MAKING CERTIFIED ACADEMIC LANGUAGE THERAPISTS (CALT) ELIGIBLE TO BE EMPLOYED BY SCHOOL DISTRICTS TO PROVIDE DYSLEXIA THERAPY SERVICES; TO AMEND SECTION 37-106-71, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1217:** AN ACT TO REVISE THE COURT INTERPRETERS PROGRAM ADMINISTERED BY THE ADMINISTRATIVE OFFICE OF COURTS; TO AMEND

SECTION 9-21-71, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS AND TO CREATE THREE LEVELS OF INTERPRETERS AUTHORIZED TO SERVE IN CIVIL AND CRIMINAL PROCEEDINGS IN ALL COURTS; TO AMEND SECTION 9-21-73, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE USE OF AN INTERPRETER WHENEVER A LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUAL IS INVOLVED IN LITIGATION; TO AMEND SECTIONS 9-21-77 AND 9-21-79, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO CREATE NEW SECTION 9-21-80, MISSISSIPPI CODE OF 1972, TO PRESCRIBE CERTAIN REQUIREMENTS FOR THE COURTS RELATING TO THE APPOINTMENT OF AN INTERPRETER; TO AMEND SECTION 9-21-81, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COST OF PROVIDING AN INTERPRETER IN ANY PROCEEDING TO BE PAID BY THE COUNTY OR MUNICIPALITY; TO AMEND SECTION 99-17-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE APPOINTMENT OF AN INTERPRETER IN ALL CRIMINAL CASES WHERE THE DEFENDANT IS A LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUAL; AND FOR RELATED PURPOSES.

**H. B. No. 1218:** AN ACT TO AMEND SECTION 9-27-1, MISSISSIPPI CODE OF 1972, TO CHANGE THE CITING OF MENTAL HEALTH COURTS TO "RIVERS MCGRAW MENTAL HEALTH TREATMENT COURT ACT"; TO AMEND SECTION 9-27-3, MISSISSIPPI CODE OF 1972, TO ADD THE WORD "TREATMENT"; TO AMEND SECTION 9-27-5, MISSISSIPPI CODE OF 1972, TO PROVIDE NEW DEFINITIONS RELATED TO BEHAVIORAL HEALTH; TO AMEND SECTION 9-27-7, MISSISSIPPI CODE OF 1972, TO REVISE THE STANDARDS FOR MENTAL HEALTH TREATMENT COURTS; TO AMEND SECTION 9-27-9, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY MENTAL AND BEHAVIORAL HEALTH TREATMENT PROVIDER TO BE LICENSED BY THE APPROPRIATE STATE LICENSING BOARD; TO AMEND SECTION 9-27-11, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR ALTERNATIVE SENTENCING; TO AMEND SECTIONS 9-27-15, 9-27-17 AND 9-27-19, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO CREATE NEW SECTION 9-27-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THE DUTIES OF THE ADMINISTRATIVE OFFICE OF COURTS FOR THE MENTAL HEALTH TREATMENT COURTS; TO CREATE NEW SECTION 9-27-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THE CERTIFICATION AND RECERTIFICATION PROCESS FOR MENTAL HEALTH TREATMENT COURTS; AND FOR RELATED PURPOSES.

**H. B. No. 1266:** AN ACT TO ESTABLISH A MISSISSIPPI USA SEMIQUINCENTENNIAL COMMISSION TO DEVELOP PROGRAMS FOR OBSERVING THE 250TH ANNIVERSARY OF THE UNITED STATES OF AMERICA; TO AUTHORIZE COOPERATION WITH THE UNITED STATES SEMIQUINCENTENNIAL COMMISSION AND THE AMERICA250 FOUNDATION AND OTHER PUBLIC AND PRIVATE ORGANIZATIONS; TO DESIGNATE SPECIFIC OBJECTIVES OF THE COMMISSION; TO PROVIDE FOR THE MEMBERSHIP AND ORGANIZATION OF THE COMMISSION; TO PROVIDE FOR REIMBURSEMENT OF EXPENSES; TO PROHIBIT SOLICITATION OF FUNDS BY MEMBERS WHO ARE ELECTED OFFICIALS OR PUBLIC EMPLOYEES; TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE OFFICER AND SECRETARY TO THE COMMISSION; TO PROVIDE FOR ADVISORY COMMITTEES; TO ENCOURAGE THE COOPERATION OF STATE AGENCIES AND POLITICAL SUBDIVISIONS; TO EMPOWER THE COMMISSION TO ACCEPT AND EXPEND FUNDS FROM PRIVATE AND PUBLIC SOURCES FOR THIS CELEBRATION; TO CREATE THE MISSISSIPPI SEMIQUINCENTENNIAL CELEBRATION FUND IN THE STATE TREASURY; TO REQUIRE AN ANNUAL REPORT OF THE COMMISSION TO THE GOVERNOR AND LEGISLATURE; AND FOR RELATED PURPOSES.

**H. B. No. 1277:** AN ACT TO CREATE THE "MISSISSIPPI DUAL CREDIT SCHOLARSHIP PROGRAM ACT OF 2023" TO BE ADMINISTERED BY THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO DEFINE TERMINOLOGY; TO REQUIRE THE BOARD TO SET THE DATES AND DEADLINES FOR APPLYING FOR FUNDING FOR DUAL CREDIT COURSES OF ELIGIBLE MISSISSIPPI HIGH SCHOOL STUDENTS; TO PROVIDE THAT ELIGIBILITY FOR



PARTICIPATION IN THE PROGRAM BY POSTSECONDARY EDUCATIONAL INSTITUTIONS AND STUDENTS ALL ARE REQUIRED TO ADHERE TO THE GUIDELINES PRESCRIBED IN THE PROCEDURES MANUAL FOR THE STATE OF MISSISSIPPI DUAL ENROLLMENT AND ACCELERATED PROGRAMS; TO PROVIDE THE RATE AT WHICH PARTICIPATING INSTITUTIONS WILL BE REIMBURSED FOR PARTICIPATING STUDENTS; TO PROVIDE ONLY THE COURSES ON THE "APPROVED ACADEMIC DUAL CREDIT LISTING" ARE ELIGIBLE FOR FUNDING IN ORDER TO ENSURE APPROPRIATE ARTICULATION OF COLLEGE CREDITS TO OTHER INSTITUTIONS; TO EXCLUDE THE PARTICIPATION OF EARLY COLLEGE STUDENTS AND DUAL ENROLLED STUDENTS FROM PARTICIPATION IN THE PROGRAM; TO PROVIDE THAT ANY UNEXPENDED BALANCES APPROPRIATED BY THE LEGISLATURE REMAINING AVAILABLE AT THE END OF THE FISCAL YEAR SHALL NOT LAPSE INTO THE STATE GENERAL FUND, BUT SHALL CARRY OVER AND BE AVAILABLE FOR EXPENDITURE IN THE SUCCEEDING FISCAL YEAR; AND FOR RELATED PURPOSES.

**H. B. No. 1371:** AN ACT TO CREATE NEW SECTION 97-3-102, MISSISSIPPI CODE OF 1972, TO PROVIDE A CRIME FOR A THERAPIST WHO ENGAGES IN SEXUAL CONTACT WITH A PATIENT; TO AMEND SECTION 97-3-95, MISSISSIPPI CODE OF 1972, TO INCLUDE THE TERM "THERAPIST" IN THE PROVISION OF LAW THAT REGULATES THE CRIME OF SEXUAL BATTERY; TO AMEND SECTION 73-54-29, MISSISSIPPI CODE OF 1972, TO ADD ENGAGING IN SEXUAL CONTACT WITH A PATIENT TO THE GROUNDS FOR DISCIPLINARY ACTION OF MARRIAGE AND FAMILY THERAPISTS; TO AMEND SECTION 73-53-17, MISSISSIPPI CODE OF 1972, TO ADD ENGAGING IN SEXUAL CONTACT WITH A PATIENT TO THE GROUNDS FOR DISCIPLINARY ACTION OF SOCIAL WORKERS; TO AMEND SECTION 73-30-21, MISSISSIPPI CODE OF 1972, TO ADD ENGAGING IN SEXUAL CONTACT WITH A PATIENT TO THE GROUNDS FOR DISCIPLINARY ACTION OF LICENSED PROFESSIONAL COUNSELORS; TO AMEND SECTION 73-31-21, MISSISSIPPI CODE OF 1972, TO ADD ENGAGING IN SEXUAL CONTACT WITH A PATIENT TO THE GROUNDS FOR DISCIPLINARY ACTION OF PSYCHOLOGISTS; TO AMEND SECTION 73-25-29, MISSISSIPPI CODE OF 1972, TO ADD ENGAGING IN SEXUAL CONTACT WITH A PATIENT TO THE GROUNDS FOR DISCIPLINARY ACTION OF PHYSICIANS; TO BRING FORWARD SECTION 97-3-97, MISSISSIPPI CODE OF 1972, WHICH PROVIDES DEFINITIONS FOR THE CRIME OF SEXUAL BATTERY; TO BRING FORWARD SECTION 97-3-101, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE PENALTIES FOR THE CRIME OF SEXUAL BATTERY; TO PROVIDE ADDITIONAL IMMUNITY FOR ANY PERSON WHO, IN GOOD FAITH, REPORTS ABUSE, NEGLECT OR COMMERCIAL SEXUAL EXPLOITATION; TO REQUIRE ANY PERSON OR ENTITY WHO LEARNS THAT AN ADULT WAS ABUSED AS A CHILD BY A PERSON WHO WAS OR IS ASSOCIATED WITH THE PERSON OR ENTITY; TO PROVIDE IMMUNITY TO SUCH PERSON FOR REPORTING; TO AMEND SECTIONS 43-21-353 AND 97-3-54.1, MISSISSIPPI CODE OF 1972, TO PROVIDE IMMUNITY FOR THE REPORTER OF SEXUAL ABUSE WHICH MAY BE INCURRED AS A RESULT OF REPORTING; TO BRING FORWARD SECTION 97-5-51, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR MANDATORY REPORTING, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 419:** AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES AND TOURISM DEVELOPMENT ACTIVITIES; TO DEFINE THE TERMS "DESTINATION MARKETING ORGANIZATIONS", "MARKETING ACTIVITIES" AND "TOURISM DEVELOPMENT ACTIVITIES" FOR THE PURPOSES OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 685:** AN ACT TO AMEND SECTION 89-1-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN A PERSON CONVEYS AN INTEREST IN PROPERTY TO TWO INDIVIDUALS WHO ARE MARRIED TO EACH OTHER, AND SUCH PROPERTY IS THE PRIMARY RESIDENCE OF THAT MARRIED COUPLE, THE DEED CONVEYING SUCH INTEREST SHALL CREATE A REBUTTABLE PRESUMPTION THAT THE PROPERTY IS THE PRIMARY RESIDENCE OF THE MARRIED INDIVIDUALS; TO PROVIDE THAT THE PROPERTY INTEREST IS CONSIDERED TO BE JOINT TENANCY WITH A RIGHT OF SURVIVORSHIP, UNLESS THERE ARE SPECIFIC PROVISIONS PROVIDED FOR IN THE DEED TO THE CONTRARY AND FOR RELATED PURPOSES.

**H. B. No. 1342:** AN ACT TO CREATE THE "BOARD OF TRUSTEES OF THE MISSISSIPPI ADOPTION LICENSURE AUTHORITY"; TO CREATE "THE MISSISSIPPI ADOPTION RELIEF FUND"; TO AMEND SECTION 43-15-103, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS OF THE ADOPTION AGENCY REGULATIONS; TO AMEND SECTION 43-15-105, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF TRUSTEES OF THE ADOPTION LICENSURE AUTHORITY SHALL BE THE LICENSING AGENCY FOR ADOPTIONS; TO AMEND SECTIONS 43-15-107, 43-15-109 AND 43-15-111, MISSISSIPPI CODE OF 1972, TO REVISE THE APPLICATION PROCESS FOR ADOPTION LICENSES; TO AMEND SECTION 43-15-113, MISSISSIPPI CODE OF 1972, TO ADD CONDITIONS FOR GRANTING NEW LICENSES AFTER REVOCATION OF LICENSES; TO AMEND SECTION 43-15-117, MISSISSIPPI CODE OF 1972, TO PROHIBIT AN ATTORNEY FROM SHARING ANY FEES PROVIDED FOR ADOPTION SERVICES; TO AMEND SECTION 43-15-115, MISSISSIPPI CODE OF 1972, TO REGULATE DISBURSEMENT OF MONIES BETWEEN ADOPTION AGENCIES AND ATTORNEYS; TO AMEND SECTION 43-15-119, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DIVISION TO ENLIST THE BOARD UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 43-15-123 AND 43-15-125, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Hopson called up the following entitled bill:

**S. B. No. 2664:** Appropriations; revise certain FY2023 appropriations and direct transfers.

Senator Hopson offered the following AMENDMENT NO. 1.

AMEND by inserting below line 832 the following language as a new section and renumbering subsequent sections accordingly:

SECTION \*. During fiscal year 2023, the State Fiscal Officer shall transfer the sum of One Million Two Hundred Sixty-Six Thousand Twenty-Four Dollars and Ninety-Eight

Cents (\$1,266,024.98) from the Mississippi Veterans Affairs Grant Fund (Fund No. 5373200000) to the Mississippi Veterans' Home Fund (Fund No. 3373200000).

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2664 was adopted.

YEAS AND NAYS On S. B. No. 2664. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2433:** Regulation of public utilities; exempt distribution of water by eligible homeowners association to its own residents from.

YEAS AND NAYS On S. B. No. 2433. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Horhn, Jackson, Jordan, Norwood, Simmons S. (13th), Thomas, Turner-Ford. Total--12.

Absent and those not voting---None.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2603:** Digital Asset Mining Protection Act; create.

On motion of Senator Harkins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2603. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Blount, Bryan, Chism, Hickman, Hill, Seymour, Simmons D. T. (12th), Suber, Tate. Total--9.  
Absent and those not voting----None.

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Senator Parker called up the motion to reconsider the vote whereby **S. B. No. 2889** passed the Senate and moved that the motion to reconsider be tabled:  
**S. B. No. 2889:** Mississippi Capitol Region Utility Act; create.

The foregoing motion prevailed.

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Senator Michel called up the motion to reconsider the vote whereby **S. B. No. 2224** passed the Senate and moved that the motion to reconsider be tabled:  
**S. B. No. 2224:** Insurance; prohibit insurer or third party payors from setting maximum dollar amount of reimbursement for proper ventilation treatment.

The foregoing motion prevailed.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2346:** Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification.

YEAS AND NAYS On S. B. No. 2346. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Branning and Parker as co-authors of **S. B. No. 2346**.

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2347:** Hospital police department; authorize for certain private entities.

Senator England offered the following AMENDMENT NO. 1.

AMEND by inserting the following language below line 52 as a new paragraph and renumbering subsequent paragraphs:

(\*) The governing body of the employing hospital shall enter into a memorandum of understanding with a local law enforcement agency with concurrent jurisdiction of the geographic location of the hospital to hold and to maintain a hospital

police officer's certification issued by the Board on Law Enforcement Officer Standards and Training.

FURTHER, AMEND on lines 112-113 and lines 115-116 by striking "Mississippi Law Enforcement Board of Standards and Training" and inserting in lieu thereof the following:

Board on Law Enforcement Officer Standards and Training

FURTHER, AMEND by inserting the following language below line 129 as a new subsection and renumbering subsequent subsections:

(\*) This section shall stand repealed on July 1, 2028.

FURTHER, AMEND title to conform.

Amendment No. 1 to S. B. No. 2347 was adopted.

YEAS AND NAYS On S. B. No. 2347. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Blackmon, Hopson, Simmons D. T. (12th), Thomas, Turner-Ford. Total--5.  
Absent and those not voting----None.

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Senator DeLano called up the following entitled bill:

**S. B. No. 2729:** Limitation of liability requirements for information technology contracts; clarify.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

Senator DeLano offered the following AMENDMENT NO. 1.

AMEND on line 117 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to S. B. No. 2729 was adopted.

YEAS AND NAYS On S. B. No. 2729. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2153:** Transportation; require disclosure of the total charges in the rental of motor vehicles.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2153. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2653:** Nonprofit corporations which receive public funds; require reporting to Secretary of State.

YEAS AND NAYS On S. B. No. 2653. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Branning and Parker as co-authors of **S. B. No. 2653**.

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Senator Whaley called up the following entitled bill:

**S. B. No. 2534:** Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides.

YEAS AND NAYS On S. B. No. 2534. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--McMahan. Total--1.  
Absent and those not voting----None.

Unanimous consent was granted to add Senator McLendon as co-author of **S. B. No. 2534.**

Senator Caughman called up the following entitled bill:

**S. B. No. 2218:** Third-party service; prohibit from using name, likeness, trademark or intellectual property of merchant without agreement.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND on line 29 by striking the words "or other retail entity".

Amendment No. 1 to S. B. No. 2218 was adopted.

Senator Hopson offered the following AMENDMENT NO. 2.

AMEND on line 61 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023

Amendment No. 2 to S. B. No. 2218 was adopted.

YEAS AND NAYS On S. B. No. 2218. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass, title standing as stated, by the following vote:

Yeas--Barrett, Blount, Bryan, Carter, Caughman, Chassaniol, DeBar, Harkins, Hopson, Johnson, Kirby, McMahan, Michel, Polk, Sparks, Suber, Tate, Thompson, Wiggins, Williams, Younger. Total--21.

Nays--Barnett, Blackmon, Blackwell, Boyd, Branning, Butler A. (36th), Butler K. (38th), Chism, DeLano, England, Fillingane, Frazier, Hickman, Hill, Horhn, Jackson, Jordan, McCaughn, McDaniel, McLendon, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Thomas, Turner-Ford. Total--30.

Absent and those not voting----None.

Voting Present--Whaley. Total--1.

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Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 12:03 PM, the Senate stood in recess.

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The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

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

The motion prevailed, and at 2:00 PM, the Senate stood in recess.

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The Senate resumed business at 2:12 PM, pursuant to recess, with President Hosemann presiding.

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

**H. B. No. 559:** The Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week; designate the second week in April annually as. Rules.

**H. C. R. No. 18:** Salem Missionary Baptist Church; commend upon 157th anniversary of. Rules.

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REPORT OF COMMITTEE ON APPROPRIATIONS

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

**S. B. No. 2962:** Appropriation; additional appropriations for various state agencies for FY2023 and FY2024. Title Sufficient. Do Pass.

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2023 and FY2024. Title Sufficient. Do Pass.

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HOPSON, Chairman

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Senator Caughman called up the following entitled bill:

**S. B. No. 2648:** Financial Institutions; Earned wages access.

YEAS AND NAYS On S. B. No. 2648. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,



England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Younger called up the following entitled bill:

**S. B. No. 2523:** Pecan Harvesting Law; revise penalties for violating.

YEAS AND NAYS On S. B. No. 2523. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Tate as co-author of **S. B. No. 2523.**

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Senator Carter called up the following entitled bill:

**S. B. No. 2494:** Mississippi Telephone Solicitation Act; transfer enforcement authority to Attorney General's Office.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2494. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Blount, Bryan. Total--2.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Jackson and Younger as co-authors of **S. B. No. 2494**.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2576:** Community Mental Health and Intellectual Disability Centers and Programs; bring forward code sections.

YEAS AND NAYS On S. B. No. 2576. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

---

Senator Carter called up the following entitled bill:

**S. B. No. 2341:** Electric transmission infrastructure; maintain state jurisdiction over integrity of.

On motion of Senator Carter, the Committee Substitute was adopted for consideration.

Senator Carter offered the following AMENDMENT NO. 1.

AMEND on line 15 by striking "after the effective date of this act"

FURTHER, AMEND by striking lines 29 to 31 and insert the following in lieu thereof:

(2) Nothing in this section shall apply to applications filed before the effective date of this act, nor to any amendments or supplements to such application made thereafter. Nothing in this section shall be construed as requiring a certificate for facilities that the commission has determined by rule do not require certification to build, own or operate.

FURTHER, AMEND on line 35 by striking the following language:

, and shall stand repealed on June 30, 2023

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2341 was adopted.

YEAS AND NAYS On S. B. No. 2341. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--England. Total--1.  
Absent and those not voting----None.  
Not Voting--Hill. Total--1.

---

Senator Branning called up the following entitled bill:

**S. B. No. 2569:** Transportation; allow and regulate autonomous vehicles.

On motion of Senator Williams, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2569. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blount, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--41.

Nays--Barnett, Blackmon, Blackwell, Bryan, Chism, Hill, Norwood, Sojourner, Suber, Tate. Total--10.  
Absent and those not voting--Horhn. Total--1.

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Senator Moran called up the following entitled bill:

**S. B. No. 2530:** "Secretary of State Eric Clark Coastal Preserve"; Department of Marine Resources to designate Danzler Tract.

Senator DeLano offered the following AMENDMENT NO. 1.

AMEND by inserting the following new section after line 23 and renumbering subsequent sections accordingly:

SECTION \*. The following shall be codified as Section 49-27-4.1, Mississippi Code of 1972:-27-4.1, Mississippi Code of 1972:

49-27-4.1 (1) The Mississippi Department of Marine Resources is authorized and directed to designate the "Big Island", 57 acres located at the physical address of 0 Mouth of Back Bay of Biloxi in Harrison County, Mississippi, as "Gollott Island" in honor of the role of Senator Thomas A. Gollott in the development of the Mississippi Gulf Coast. Big Island is more particularly described as Patent No. 1211672 Big Island Lot 2 of Section 22-7-9 A Swamp and Overflowed land located at the mouth of the Back Bay of Biloxi. The Mississippi Department of Marine Resources is further authorized and directed to designate the breakwater improvements on the south side of the island as "Godfather Point".

(2) The Mississippi Department of Marine Resources in conjunction with the Office of the Secretary of State are further authorized to erect appropriate markers and signs indicating the location of "Gollott Island" and "Godfather Point" and other pertinent

information on the mission, trail systems and visitor guidelines relating to the Mississippi Coastal Plain.

FURTHER, AMEND the title by inserting the following after the semicolon on line 6:

TO CODIFY SECTION 49-27-4.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO DESIGNATE THE BIG ISLAND AT THE MOUTH OF THE BACK BAY OF BILOXI AS "GOLLOTT ISLAND" AND THE BREAKWATER IMPROVEMENTS ON THE SOUTH SIDE OF THE ISLAND AS "GODFATHER POINT" IN HONOR OF SENATOR THOMAS A. GOLLOTT'S ROLE IN THE DEVELOPMENT OF THE MISSISSIPPI GULF COAST;

Amendment No. 1 to S. B. No. 2530 was adopted.

YEAS AND NAYS On S. B. No. 2530. On motion of Senator Moran, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams and Younger as co-authors of **S. B. No. 2530**.

---

Senator McCaughn called up the following entitled bill:

**S. B. No. 2525:** Forestry; create the Forestry Facility Grant Program.

On motion of Senator McCaughn, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2525. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.  
Not Voting--Sparks. Total--1.  
Voting Present--Turner-Ford. Total--1.

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Unanimous consent was granted to add Senator Hickman as co-author of  
**S. B. No. 2525.**

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Senator Chassaniol called up the following entitled bill:

**S. B. No. 2830:** Tourism; revise list of entities that may not have interest in wholesalers or distributors.

Senator Chassaniol offered the following AMENDMENT NO. 1.

AMEND on line 32 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to S. B. No. 2830 was adopted.

YEAS AND NAYS On S. B. No. 2830. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Barrett, Branning, Chism, Frazier, Hill, McDaniel, Norwood, Parker, Sojourner. Total--9.

Absent and those not voting----None.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2068:** Psychology Interjurisdictional Compact; enact.

On motion of Senator Bryan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2068. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2485:** Early Intervention Act for Infants and Toddlers; add certain individuals to definition of qualified personnel.

YEAS AND NAYS On S. B. No. 2485. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2485**.

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Senator Tate called up the following entitled bill:

**S. B. No. 2352:** Elections; penalty for fraudulently requesting or submitting absentee ballots.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2352. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Barrett, Caughman, Chism, England, Hill, McCaughn, McDaniel, McLendon, Parker, Parks, Seymour, Suber, Williams and Younger as co-authors of **S. B. No. 2352**.

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Senator Parker called up the following entitled bill:

**S. B. No. 2371:** American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act; create.

Senator Parker offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This article shall be known and may be cited as the "American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act." Under this article, the Legislature creates the "Accelerate Mississippi Nursing/Allied Health Grant Program" and the "Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program."

SECTION 2. (1) The Mississippi Legislature finds that:

(a) The public health crisis related to COVID-19 resulted in a general disruption in the Mississippi economy and workforce, particularly in hospitals, clinics, long-term care facilities and other health care facilities across the state;

(b) Workforce shortages exist in the health care industry; and

(c) The availability of unprecedented federal funding to mitigate the impact of COVID-19 on the workforce and economy has created a unique opportunity for the Office of Workforce Development, working with community colleges, to provide education and training to help Mississippians find employment in the nursing, allied health and other health care fields.

(2) Therefore, the intent of the Mississippi Legislature is:

(a) To provide funding for outreach efforts to connect citizens seeking employment in nursing, allied health, and other health care fields with the education and training required to obtain necessary skills for relevant employment in the state;

(b) To provide funding for new and increased capacity in existing nursing and allied health training programs, or to help retain and graduate nursing and allied health students, to include any required equipment or supplies, at community and junior colleges or through other entities facilitating healthcare-focused workforce training programs across the state;

(c) To provide funding for new and increased capacity in physician residency and fellowship programs in hospitals across the state; and

(d) To gauge the effectiveness of these programs by gathering data related to participation and wage and employment outcomes in order to replicate successful efforts in future workforce development programs.

SECTION 3. (1) There is established the Accelerate Mississippi Nursing/Allied Health Grant Program, which shall be directed by the office for the purpose of increasing capacity in nursing and allied health training programs, job sectors which were severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Grant program" means the program established in this section, which provides funding, as determined by the office, from federal COVID-19 relief funds to sustain and increase capacity in nursing and allied health education and training programs, or to help

retain and graduate nursing and allied health students, at community and junior colleges or other entities facilitating healthcare-focused training programs as determined by the office.

(b) "Office" means the Office of Workforce Development established in Section 37-153-7.

(c) "Recipient" means a community or junior college or other entities facilitating healthcare-focused training programs as determined by the office.

(d) "Trainee" means an individual receiving training or other services through the grant program under this article with the goal of becoming employed in the nursing or allied health field.

(e) "COVID-19" means the Coronavirus Disease 2019.

(f) "Federal COVID-19 relief funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(g) "High-wage, high-demand industry" means those nursing or allied health jobs paying above Mississippi's median annual income and prioritized by the office.

(h) "Eligible expenses" means a cost incurred by a recipient under this article, to include:

(i) Necessary equipment or other supplies to sustain or increase capacity in nursing or allied health training programs;

(ii) Necessary infrastructure, including building renovation or construction, for increasing capacity in nursing or allied health training programs;

(iii) Curricula or other academic or training materials to sustain or increase capacity in nursing or allied health training programs;

(iv) Remote learning or other classroom technology to sustain or increase capacity in nursing or allied health training programs;

(v) Job placement services for nursing or allied health students and graduates;

(vi) Recruitment programs for nursing or allied health students and graduates;

(vii) Other services aimed at helping retain and graduate current nursing and allied health students.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, to include:



(i) A description of the nursing or allied health workforce shortage the program is intended to address, including specific information from hospitals, clinics, long-term care facilities or other health care providers in the region;

(ii) Any relevant waitlist or other information demonstrating high demand for graduates from the relevant nursing or allied health program;

(iii) The number of nursing or allied health students who will be served by the program; and

(iv) The average wage rate for nursing or allied health students receiving employment after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program will be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize jobs within the nursing or allied health fields which are currently experiencing staffing shortages in hospitals, clinics, long-term care facilities and other health care providers across the state; and

(d) Prioritize jobs which are high-wage, high-demand within the nursing and allied health fields.

(7) There is created a special fund in the State Treasury to be known as the "Accelerate Mississippi Nursing/Allied Health Grant Program Fund," from which the grants authorized in this section shall be disbursed by the office. All monies shall be disbursed from the fund in compliance with the guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the American Rescue Plan Act. Unexpended amounts of any monies remaining in the fund at the end of the fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any interest earned on amounts in the fund shall remain in the fund.

(8) Seventy-five percent (75%) of the funds provided through the appropriations process for this program shall be reserved for community and junior colleges. A maximum of twenty-five percent (25%) of the funds provided through the appropriations process for this program may be awarded to recipients other than a community or junior college which facilitate healthcare-focused training programs as determined by the office.

SECTION 4. (1) There is established the Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program, which shall be directed by the office

for the purpose of creating new or increasing capacity in existing physician residency and fellowship programs in hospitals, which were severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Grant program" means the program established in this section, which provides funding, as determined by the office, from federal COVID-19 relief funds to create new or increase capacity in existing physician residency and fellowship programs at general acute care hospitals in the State of Mississippi which are licensed by the Mississippi State Department of Health.

(b) "Office" means the Office of Workforce Development established in Section 37-153-7.

(c) "Recipient" means a general acute care hospital in the State of Mississippi which is licensed by the Mississippi State Department of Health.

(d) "Residency and fellowship programs" means advanced training programs in medical or surgical specialty areas which are accredited by the Accreditation Council for Graduate Medical Education or a similar accreditation body.

(e) "COVID-19" means the Coronavirus Disease 2019.

(f) "Federal COVID-19 relief funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(g) "Eligible expenses" means a cost incurred by a recipient, pursuant to this article, to include:

(i) Equipment or other supplies necessary for accreditation;

(ii) Necessary infrastructure, including building renovation or construction, for accreditation;

(iii) Curricula or other academic or training materials necessary for accreditation;

(iv) Stipends for the recruitment, hiring and development of program directors, program coordinators, faculty and/or teaching staff and clinic staff necessary for accreditation; and

(v) Remote learning or other classroom technology.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) Evidence that the applicant is in the process of preparing for accreditation, has applied for accreditation or has received accreditation for a new residency or fellowship program, or increased capacity in an existing residency or fellowship program;

(b) A detailed explanation of the residency or fellowship program the applicant intends to use awarded funds to create or expand, to include:

(i) A description of the workforce shortage the residency or fellowship program is intended to address, including specific information from health care providers in the region;

(ii) Any relevant waitlist or other information demonstrating high demand for medical school graduates to enter the residency or fellowship program;

(iii) The number of residents who will be served by the residency or fellowship program;

(iv) The budget for the residency or fellowship program, including a plan showing sustainability after accreditation and any required federal approval of the program; and

(v) The average wage rate for residents or fellows receiving employment after completing the program;

(c) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(d) A plan to provide data on participation and outcomes of the residency or fellowship program, including a plan to report outcomes to the office throughout the funding commitment; and

(e) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program shall be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize residency or fellowship programs within medical or surgical specialties which are currently experiencing staffing shortages in hospitals, clinics, long-term care facilities and other health care providers across the state; and

(d) Prioritize residency or fellowship programs which produce graduates in high-demand medical and surgical fields.

(7) There is created a special fund in the State Treasury to be known as the "Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program Fund," from which the grants authorized in this section shall be disbursed by the office. All monies shall be disbursed from the fund in compliance with the guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the American Rescue Plan Act. Unexpended amounts of any monies remaining in the fund at the end of the fiscal year shall not lapse into the Coronavirus State Fiscal Recovery Fund or the State General Fund, and any interest earned on amounts in the fund shall remain in the fund.

SECTION 5. The Office of Workforce Development may use a maximum of two percent (2%) of funds allocated for the administration of the grant programs authorized in Sections 3 and 4 of this act, to the extent permissible under federal law. The office shall try to minimize any expense of administrative funds by establishing policies and procedures mirroring past programs utilizing federal COVID-19 relief funds.

SECTION 6. The Office of Workforce Development shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the office under this article is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-1).

SECTION 7. The Office of Workforce Development shall provide a comprehensive report on the use and effectiveness of funds distributed under the grant programs created in this article, to include wage data and employment outcomes for residents, to the Governor, Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chair of the Senate Economic and Workforce Development Committee, and Chair of the House Workforce Development Committee by October 1 each year of the existence of the program and for at least three (3) years after the program ceases.

SECTION 8. Grant funds shall be available under this article through December 31, 2026, or on the date of the fund expenditure deadline provided by the federal government, whichever occurs later. Each grant recipient shall certify, for any project for which a grant is awarded, that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA funds, then the grant recipient will complete the project through other funds.

SECTION 9. If any section, paragraph, sentence, clause, phrase or part of this article is declared to be in conflict with federal law, or if for any reason is declared to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts thereof shall be in no matter affected thereby but shall remain in full force and effect.

SECTION 10. Sections 1 through 9 of this act shall be codified as a new article in Title 37, Chapter 153, Mississippi Code of 1972.

SECTION 11. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE AMERICAN RESCUE PLAN ACT (ARPA) NURSE/ALLIED HEALTH WORKFORCE DEVELOPMENT AND RETENTION ACT; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO ESTABLISH THE ACCELERATE MISSISSIPPI NURSING/ALLIED HEALTH GRANT PROGRAM; TO ESTABLISH THE ACCELERATE MISSISSIPPI PHYSICIAN RESIDENCY AND FELLOWSHIP START-UP GRANT PROGRAM; TO OUTLINE REQUIREMENTS FOR THE APPLICATIONS AND FOR THE GRANT AWARDS; TO CREATE SPECIAL FUNDS IN THE STATE TREASURY FROM WHICH THE GRANTS AUTHORIZED IN THIS ACT SHALL BE DISBURSED BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO ALLOW THE OFFICE OF WORKFORCE DEVELOPMENT TO USE A MAXIMUM OF 2% OF FUNDS ALLOCATED FOR THE ADMINISTRATION OF THE GRANT PROGRAMS, TO THE EXTENT PERMISSIBLE UNDER FEDERAL LAW; TO DIRECT THE OFFICE TO TRY TO MINIMIZE ANY EXPENSE OF ADMINISTRATIVE FUNDS BY ESTABLISHING POLICIES AND PROCEDURES MIRRORING PAST PROGRAMS UTILIZING FEDERAL COVID-19 RELIEF FUNDS; TO REQUIRE THE OFFICE OF WORKFORCE

DEVELOPMENT TO CERTIFY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION THAT EACH EXPENDITURE APPROPRIATED TO THE OFFICE IS IN COMPLIANCE WITH UNITED STATES DEPARTMENT OF THE TREASURY CRITERIA REGARDING THE USE OF MONIES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE REPORTING REQUIREMENTS TO THE GOVERNOR AND THE LEGISLATURE BY OCTOBER 1 OF EACH YEAR; TO PROVIDE THAT GRANT FUNDS SHALL BE AVAILABLE THROUGH DECEMBER 31, 2026, OR ON THE DATE OF THE FUND EXPENDITURE DEADLINE PROVIDED BY THE FEDERAL GOVERNMENT, WHICHEVER OCCURS LATER; TO PROVIDE THAT EACH GRANT RECIPIENT SHALL CERTIFY, FOR ANY PROJECT FOR WHICH A GRANT IS AWARDED, THAT IF THE PROJECT IS NOT COMPLETED BY DECEMBER 31, 2026, AND THE UNITED STATES CONGRESS DOES NOT ENACT AN EXTENSION OF THE DEADLINE ON THE AVAILABILITY OF ARPA FUNDS, THEN THE GRANT RECIPIENT WILL COMPLETE THE PROJECT THROUGH OTHER FUNDS; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2371 was adopted.

YEAS AND NAYS On S. B. No. 2371. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senator McCaughn as co-author of **S. B. No. 2371**.

Senator Barnett called up the following entitled bill:

**S. B. No. 2495:** State inmates; require MDOC to pay increased rate to house inmates in county jails.

Senators Sparks and Hopson offered the following AMENDMENT NO. 1.

AMEND by inserting on line 176 the following language and renumbering subsequent sections accordingly:

SECTION \*. Section 47-5-931, Mississippi Code of 1972, is brought forward as follows:

47-5-931. (1) The Department of Corrections, in its discretion, may contract with the board of supervisors of one or more counties or with a regional facility operated by one or more counties, to provide for housing, care and control of offenders who are in the custody of the State of Mississippi. Any facility owned or leased by a county or counties for this purpose shall be designed, constructed, operated and maintained in accordance with American Correctional Association standards, and shall comply with all constitutional

standards of the United States and the State of Mississippi, and with all court orders that may now or hereinafter be applicable to the facility. If the Department of Corrections contracts with more than one (1) county to house state offenders in county correctional facilities, excluding a regional facility, then the first of such facilities shall be constructed in Sharkey County and the second of such facilities shall be constructed in Jefferson County.

(2) The Department of Corrections shall contract with the board of supervisors of the following counties to house state inmates in regional facilities: (a) Marion and Walthall Counties; (b) Carroll and Montgomery Counties; (c) Stone and Pearl River Counties; (d) Winston and Choctaw Counties; (e) Kemper and Neshoba Counties; (f) Alcorn County and any contiguous county in which there is located an unapproved jail; (g) Yazoo County and any contiguous county in which there is located an unapproved jail; (h) Chickasaw County and any contiguous county in which there is located an unapproved jail; (i) George and Greene Counties and any contiguous county in which there is located an unapproved jail; (j) Washington County and any contiguous county in which there is located an unapproved jail; (k) Hinds County and any contiguous county in which there is located an unapproved jail; (l) Leake County and any contiguous county in which there is located an unapproved jail; (m) Issaquena County and any contiguous county in which there is located an unapproved jail; (n) Jefferson County and any contiguous county in which there is located an unapproved jail; (o) Franklin County and any contiguous county in which there is located an unapproved jail; (p) Holmes County and any contiguous county in which there is located an unapproved jail; and (q) Bolivar County and any contiguous county in which there is located an unapproved jail. The Department of Corrections shall decide the order of priority of the counties listed in this subsection with which it will contract for the housing of state inmates. For the purposes of this subsection, the term "unapproved jail" means any jail that the local grand jury determines should be condemned or has found to be of substandard condition or in need of substantial repair or reconstruction.

(3) In addition to the offenders authorized to be housed under subsection (1) of this section, the Department of Corrections may contract with any regional facility to provide for housing, care and control of not more than seventy-five (75) additional offenders who are in the custody of the State of Mississippi.

(4) The Governor and the Commissioner of Corrections are authorized to increase administratively the number of offenders who are in the custody of the State of Mississippi that can be placed in regional correctional facilities.

SECTION \*. Section 47-5-933, Mississippi Code of 1972, is brought forward as follows:

47-5-933. The Department of Corrections may contract for the purposes set out in Section 47-5-931 for a period of not more than twenty (20) years. The contract may provide that the Department of Corrections pay a fee of no more than Thirty-one Dollars (\$31.00) per day for each offender that is housed in the facility. The Department of Corrections may include in the contract, as an inflation factor, a three percent (3%) annual increase in the contract price. The state shall retain responsibility for medical care for state offenders to the extent that is required by law; provided, however, the department may reimburse each facility for contract medical services as provided by law in an amount not to exceed Six Dollars and Twenty-five Cents (\$6.25) per day per offender.

FURTHER, AMEND on line 177 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023

FURTHER, AMEND the title by inserting after the semicolon on line 11 the following language:

TO BRING FORWARD SECTIONS 47-5-931 AND 47-5-933, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT;

Amendment No. 1 to S. B. No. 2495 was adopted.

YEAS AND NAYS On S. B. No. 2495. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

Voting Present--Turner-Ford. Total--1.

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Unanimous consent was granted to add Senators Boyd and McCaughn as co-authors of **S. B. No. 2495**.

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Senator Chassaniol called up the following entitled bill:

**S. B. No. 2359:** Tourism; Mississippi Main Street Revitalization Grant Program.

On motion of Senator Chassaniol, the Committee Substitute was adopted for consideration.

Senators Chassaniol and Williams offered the following AMENDMENT NO. 1.

AMEND on line 27 by inserting "or 501(c)(6)" after "501(c)(3)".

FURTHER, AMEND on line 199 by inserting before the period the following language:

, and shall stand repealed on June 30, 2025

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2359 was adopted.

YEAS AND NAYS On S. B. No. 2359. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.  
Absent and those not voting----None.

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Unanimous consent was granted to add Senators Branning, Butler A. (36th), Butler K. (38th), Caughman, England, Jackson, Jordan, Norwood, Seymour, Simmons S. (13th), Suber, Thomas and Wiggins as co-authors of **S. B. No. 2359**.

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Senator Parks called up the following entitled bill:

**S. B. No. 2487:** Mississippi Dual Credit Scholarship Program; establish and provide provisions related thereto.

On motion of Senator Parks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2487. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.  
Absent and those not voting----None.

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Unanimous consent was granted to add Senator Jackson as co-author of **S. B. No. 2487**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2724:** Department of Public Safety building project and contract; exempt from certain public purchasing requirements.

Senator Kirby offered the following AMENDMENT NO. 1.

AMEND on line 33 by deleting "July 1, 2023" and inserting in lieu thereof "its passage"

Amendment No. 1 to S. B. No. 2724 was adopted.

YEAS AND NAYS On S. B. No. 2724. On motion of Senator Kirby, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons



D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.  
Nays--Blount, Frazier, Horhn, Jackson, Norwood, Thomas. Total--6.  
Absent and those not voting----None.

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Senator Hill called up the following entitled bill:

**S. B. No. 2312:** County-owned real estate; establish competitive bidding process for lease or sale.

YEAS AND NAYS On S. B. No. 2312. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

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Senator Tate called up the following entitled bill:

**S. B. No. 2351:** Elections; allow the Secretary of State to perform random procedural audits on counties.

On motion of Senator Tate, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2351. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.  
Nays--Barnett, Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--13.  
Absent and those not voting--Blount, Bryan, Hickman. Total--3.

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Unanimous consent was granted to add Senator Seymour as co-author of **S. B. No. 2351.**

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2377:** CPS; enact Mississippi Safe Haven Law, provide, establish clear path to permanency for children in custody of.

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

Senator Boyd offered the following AMENDMENT NO. 1.

AMEND on line 264-266 by striking the following language "is not required to conduct a search for the relatives of a child for whom the department assumes cares, control, and custody under this article." and inserting the following language in lieu thereof:

"shall conduct a reasonable search for the relatives of the child for whom the department assumes care, control, and custody under this article within forty-five (45) days of assuming care, control and custody of the child"

FURTHER, AMEND on line 292 by deleting the word "thirty (30)" and inserting "sixty (60)" in lieu thereof and by deleting the word "forty-five (45)" and inserting "seventy-five (75)" in lieu thereof:

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2377 was adopted.

YEAS AND NAYS On S. B. No. 2377. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Seymour, Simmons D. T. (12th). Total--2.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

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Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2377.**

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2384:** Foster Care and Adoption Task Force; create.

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2384. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Branning and Parker as co-authors of **S. B. No. 2384**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2380:** Supreme court; require to promulgate rules requiring the disclosure of all entities financially interested in litigation.

YEAS AND NAYS On S. B. No. 2380. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2073:** Age of majority; lower to 18 for securing home loans and entering contracts for real property.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

Senators Wiggins and Hill offered the following AMENDMENT NO. 1.

AMEND on lines 23-27 by striking the following:

"was in or remains in the legal custody of the Department of Human Services or Child Protection Services and residing within a qualified residential child care agency, as defined in Section 37-106-81, at any time on or after attaining thirteen (13) years of age"

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2073 was adopted.

YEAS AND NAYS On S. B. No. 2073. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,

Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Norwood. Total--1.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Branning, Jordan and Parker as co-authors of **S. B. No. 2073**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2077:** Charitable Organizations; Raise audit threshold for contributions to \$750,000.00, and use a cash basis only.

YEAS AND NAYS On S. B. No. 2077. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2090:** Burial rights; preclude party at fault for death from deciding.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2090. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2197:** Veteran Service Officers; authorize action on behalf of a veteran under a power of attorney.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2197. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2082:** Child support; administratively suspend obligations for incarcerated individuals.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2082. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Caughman called up the following entitled bill:

**S. B. No. 2647:** Real estate licensee; revise liability.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2647. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hill,

Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Williams, Younger. Total--45.

Nays--Blackwell, Simmons D. T. (12th), Wiggins. Total--3.

Absent and those not voting----None.

Voting Present--Branning, Carter, Harkins, Hickman. Total--4.

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Unanimous consent was granted to add Senator Chism as co-author of **S. B. No. 2647**.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2079:** Mississippi School Protection Act; enact to allow armed educators.

On motion of Senator Hill, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2079. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Jackson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--39.

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

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Blackwell, Branning, Caughman, Chassaniol, Chism, England, Fillingane, McCaughn, McLendon, Moran, Seymour, Sojourner, Tate and Whaley as co-authors of **S. B. No. 2079**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2088:** District attorneys; increase office operating allowance.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2088. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.  
Absent and those not voting----None.

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Unanimous consent was granted to add Senator DeLano as co-author of  
**S. B. No. 2088.**

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2343:** Capitol police; bring forward code section related to for possible amendment.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2343. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Thomas, Turner-Ford. Total--14.

Absent and those not voting----None.

Senator Barrett, who would have voted yea on S. B. No. 2343, announced a pair with Senator Simmons S. (13th), who would have voted nay.

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Unanimous consent was granted to add Senator Michel as co-author of  
**S. B. No. 2343.**

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Senator Whaley called up the following entitled nomination:

**S. N. No. 61:** Irvin Lynn Posey, Union Church, Mississippi, Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, term effective September 23, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 61 by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator McCaughn entered a motion to reconsider the vote whereby **S. B. No. 2720** passed the Senate.

**S. B. No. 2720:** Tax-forfeited land certified to state; authorize Secretary of State to withhold 10% for the cost of tree removal.

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Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **S. B. No. 2351** passed the Senate.

**S. B. No. 2351:** Elections; allow the Secretary of State to perform random procedural audits on counties.

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Senator Fillingane entered a motion to reconsider the vote whereby **S. B. No. 2218** failed to pass the Senate.

**S. B. No. 2218:** Third-party service; prohibit from using name, likeness, trademark or intellectual property of merchant without agreement.

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Senator Horhn entered a motion to reconsider the vote whereby **S. B. No. 2343** passed the Senate.

**S. B. No. 2343:** Capitol police; bring forward code section related to for possible amendment.

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Senator Sojourner entered a motion to reconsider the vote whereby **S. B. No. 2341** passed the Senate.

**S. B. No. 2341:** Electric transmission infrastructure; maintain state jurisdiction over integrity of.

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Senator Blackwell entered a motion to reconsider the vote whereby **S. B. No. 2647** passed the Senate.

**S. B. No. 2647:** Real estate licensee; revise liability.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Mattie Lee Downey of Causeyville, MS.

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Senator Williams moved that when the Senate adjourns, it adjourn in memory of Elvanell Vickers Waits of Maben, MS.

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Senators Sparks, McMahan, Chism and Bryan moved that when the Senate adjourns, it adjourn in memory of Jerry Stansel Boyd of Mantachie, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Larry Noel Reedy of New Albany, MS.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 4:** AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO ADD TIANEPTINE TO SCHEDULE I OF THE UNIFORM CONTROLLED SUBSTANCES ACT; AND FOR RELATED PURPOSES.

**H. B. No. 133:** AN ACT TO CREATE THE "MISSISSIPPI JOINT MUNICIPAL LAW ENFORCEMENT ACT"; TO DEFINE CERTAIN TERMS; TO PROVIDE THAT TWO OR MORE MUNICIPALITIES IN A COUNTY MAY ESTABLISH A JOINT POLICE DEPARTMENT IF THE GOVERNING AUTHORITIES OF SUCH MUNICIPALITIES DETERMINE IT IS IN THE BEST INTERESTS OF THE MUNICIPALITIES; TO PROVIDE THAT A JOINT POLICE DEPARTMENT SHALL BE GOVERNED BY A BOARD; TO PROVIDE THE MEMBERSHIP OF SUCH BOARD; TO PRESCRIBE THE ESTABLISHMENT PROCESS OF A JOINT POLICE DEPARTMENT; TO PROVIDE THE RIGHTS AND DUTIES AS WELL AS THE FUNDING MECHANISM FOR A JOINT POLICE DEPARTMENT; AND FOR RELATED PURPOSES.

**H. B. No. 249:** AN ACT TO AMEND SECTION 25-9-107, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW EXCLUDING FROM THE STATE SERVICE THOSE EMPLOYEES OF THE STATE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE WHOSE EMPLOYMENT IS SOLELY RELATED TO THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 25-43-1.103, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE DEPARTMENTS' EXEMPTION FROM THE MISSISSIPPI ADMINISTRATIVE PROCEDURES LAW FOR PURPOSES RELATED TO THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTIONS 25-53-1 AND 25-53-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THOSE DEPARTMENTS' EXEMPTION FOR PURPOSES RELATED TO THE MISSISSIPPI MEDICAL CANNABIS ACT FROM THE BID AND CONTRACT REQUIREMENTS OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE EXEMPTION FOR THOSE DEPARTMENTS' PERSONAL AND PROFESSIONAL SERVICE CONTRACTS RELATING TO THE MISSISSIPPI MEDICAL CANNABIS ACT FROM THE REQUIREMENTS OF THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE EXEMPTION FROM STATE BID REQUIREMENTS FOR PURCHASES MADE BY THOSE DEPARTMENTS IN CONNECTION WITH THEIR RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT; TO INCLUDE SERVICES PROVIDED BY THE MISSISSIPPI INDUSTRIES FOR THE BLIND IN THE EXCEPTIONS FROM BIDDING REQUIREMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 288:** AN ACT TO AMEND SECTION 77-2-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PERSONNEL AND MEMBERS OF THE PUBLIC UTILITIES STAFF SHALL BE FILLED BY CONSULTING CONTRACT IN ADDITION TO

BEING COMPETITIVELY APPOINTED BY THE EXECUTIVE DIRECTOR; AND FOR RELATED PURPOSES.

**H. B. No. 383:** AN ACT TO AMEND SECTIONS 27-25-503 AND 27-25-703, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALERS ON THOSE PROVISIONS THAT ESTABLISH A TEMPORARILY REDUCED RATE FOR THE LEVY AND ASSESSMENT OF SEVERANCE TAXES ON THE INITIAL OIL AND NATURAL GAS PRODUCED FROM CERTAIN HORIZONTALLY DRILLED WELLS AND HORIZONTALLY DRILLED RECOMPLETION WELLS; AND FOR RELATED PURPOSES.

**H. B. No. 397:** AN ACT TO AMEND SECTIONS 49-17-707 THROUGH 49-17-713, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALERS ON THE STATUTES THAT CREATE AND GOVERN THE MISSISSIPPI GULF COAST REGION UTILITY BOARD; AND FOR RELATED PURPOSES.

**H. B. No. 443:** AN ACT TO AMEND SECTIONS 37-101-241 AND 37-101-243, MISSISSIPPI CODE OF 1972, TO PROVIDE AUTHORITY TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING TO APPOINT STAFF TO ASSIST AND PROVIDE NECESSARY FACILITIES, SUPPORT AND OTHER SERVICES TO FURTHER THE PROPER MANAGEMENT OF THE DUTIES OF THE MISSISSIPPI COMMISSION ON COLLEGE ACCREDITATION; TO PERMIT THE BOARD TO CHARGE THE COMMISSION FOR THE ACTUAL COSTS INCURRED TO PROVIDE STAFFING AND SUPPORT ASSISTANCE; TO CLARIFY THE POWER AND AUTHORITY GRANTED TO THE COMMISSION; AND FOR RELATED PURPOSES.

**H. B. No. 536:** AN ACT TO AMEND SECTION 1 AND SECTION 2, CHAPTER 493, LAWS OF 2016, TO AUTHORIZE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, ACTING ON BEHALF OF MISSISSIPPI STATE UNIVERSITY OF AGRICULTURE AND APPLIED SCIENCES, TO EXTEND THE ORIGINAL LEASE TERMS FOR THE DEVELOPMENT OF HOUSING AND RETAIL SPACE FOR THE BENEFIT OF THE UNIVERSITY, BY GRANTING A SECOND OPTION TO RENEW FOR AN ADDITIONAL TEN YEARS AND ONE ADDITIONAL OPTION FOR A RENEWAL PERIOD NOT TO EXCEED FIVE YEARS, INCREASING THE ORIGINAL LEASE TERMS FROM A TOTAL OF 50 YEARS TO A NEW LEASE TERM TOTALING 65 YEARS; AND FOR RELATED PURPOSES.

**H. B. No. 690:** AN ACT TO AMEND SECTION 77-15-1, MISSISSIPPI CODE OF 1972, TO INCREASE FROM TWO HUNDRED DOLLARS TO FIVE HUNDRED DOLLARS THE MONTHLY COMPENSATION OF THE BOARD OF DIRECTORS OF THE CHICKASAWHAY NATURAL GAS DISTRICT; TO INCREASE FROM TWO HUNDRED FIFTY DOLLARS TO FIVE HUNDRED FIFTY DOLLARS THE MONTHLY COMPENSATION OF THE CHAIRPERSON OF THE BOARD OF DIRECTORS OF THE DISTRICT; AND FOR RELATED PURPOSES.

**H. B. No. 698:** AN ACT TO AMEND SECTIONS 21-27-7 AND 21-27-189, MISSISSIPPI CODE OF 1972, TO ENSURE JUST, REASONABLE AND TRANSPARENT BILLING FOR MUNICIPAL WATER, WASTEWATER AND SEWER SERVICES; AND FOR RELATED PURPOSES.

**H. B. No. 922:** AN ACT TO AMEND SECTIONS 37-101-1, 37-101-91, 37-101-141, 37-101-147, 37-101-181, 37-121-3 AND 37-121-5, MISSISSIPPI CODE OF 1972, TO UPDATE REFERENCES TO ALCORN STATE UNIVERSITY AND CERTAIN OTHER STATE INSTITUTIONS OF HIGHER LEARNING IN THE MISSISSIPPI CODE TO REFLECT CURRENT NAME DESIGNATION; AND FOR RELATED PURPOSES.

**H. B. No. 1060:** AN ACT TO AMEND SECTION 77-3-3, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DEFINITION OF THE TERM "PUBLIC UTILITY"; TO AUTHORIZE ELECTRIC VEHICLE CHARGING BY NONUTILITIES; TO BRING

FORWARD SECTION 77-3-11, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 77-3-201, MISSISSIPPI CODE OF 1972, WHICH RELATES TO DEFINITIONS REGARDING FAILURE TO CONSTRUCT FACILITIES NECESSARY TO PROVIDE SERVICE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 77-11-305, MISSISSIPPI CODE OF 1972, WHICH RELATES TO DEFINITIONS REGARDING INTERSTATE GAS PIPELINES, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1071:** AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE SIXTEEN SUBSTANCES AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE SERDEXMETHYLPHENIDATE AS A SCHEDULE IV CONTROLLED SUBSTANCE BECAUSE THE DRUG HAS A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate adjourn until 10:00 AM, Thursday, February 9, 2023.

The motion prevailed, and at 6:00 PM, the Senate stood adjourned in memory of Mattie Lee Downey, Elvanell Vickers Waits, Larry Noel Reedy and Jerry Stansel Boyd.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 8, 2023

**S. B. No. 2961:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, MISSISSIPPI ETHICS COMMISSION FOR FISCAL YEAR 2023; MISSISSIPPI EMERGENCY MANAGEMENT AGENCY FOR FISCAL YEAR 2023; STATE DEPARTMENT OF HEALTH FOR FISCAL YEARS 2023 AND 2024; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 2962:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEARS 2023 AND 2024; THE STATE VETERANS AFFAIRS BOARD FOR FISCAL YEARS 2023 AND 2024; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2023; THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2023; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEARS 2023 AND 2024; THE DEPARTMENT OF WILDLIFE FISHERIES AND PARKS FOR FISCAL YEAR 2023; THE STATE VETERANS HOME PURCHASE BOARD FOR FISCAL YEAR 2023; THE BOARD OF ANIMAL HEALTH FOR FISCAL YEAR 2023; THE ADMINISTRATIVE OFFICE OF THE COURTS FOR FISCAL YEAR 2023; EAST CENTRAL COMMUNITY COLLEGE FOR FISCAL YEAR 2023; HINDS COMMUNITY COLLEGE FOR FISCAL YEAR 2023; MISSISSIPPI

BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2023; MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEARS 2023 AND 2024; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. C. R. No. 547:** Rules

A CONCURRENT RESOLUTION EXTENDING THE CONDOLENCES OF THE LEGISLATURE TO THE SURVIVING FAMILY OF RENOWNED MISSISSIPPI FOOTBALL DEFENSIVE COACH JIM CARMODY AND REMEMBERING HIS LEGACY IN THE FOOTBALL HISTORIES OF OLE MISS, SOUTHERN MISS, MISSISSIPPI STATE AND THE NFL.

By Senator(s) Michel, Hickman, Polk, Boyd, Carter, Fillingane, Parks, Harkins, Johnson, DeBar

**S. C. R. No. 548:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PICAYUNE HIGH SCHOOL "MAROON TIDE" FOOTBALL TEAM AND HEAD COACH CODY STOGNER FOR ITS BACK-TO-BACK MHSAA CLASS 5A STATE CHAMPIONSHIP.

By Senator(s) Hill, Moran

**S. R. No. 23:** Rules

A RESOLUTION HONORING THE LIFE AND LEGACY OF DR. KATHERINE TERESA "KATIE" PATTERSON, AND EXPRESSING DEEPEST SYMPATHY TO HER FAMILY AND FRIENDS UPON HER PASSING.

By Senator(s) Kirby

**S. R. No. 24:** Rules

A RESOLUTION RECOGNIZING THE OUTSTANDING LAW ENFORCEMENT TRAINING CAREER AND MILITARY SERVICE OF LT. COLONEL THOMAS TUGGLE ON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HIGHWAY PATROL AND COMMENDING HIS LEGACY OF PUBLIC SERVICE.

By Senator(s) Parker

**S. R. No. 25:** Rules

A RESOLUTION RECOGNIZING AND CONGRATULATING THE MISSISSIPPI NATIONAL GUARD AND THE REPUBLIC OF UZBEKISTAN ON THE OCCASION OF THEIR TENTH ANNIVERSARY OF PARTNERSHIP UNDER THE STATE PARTNERSHIP PROGRAM.

By Senator(s) Kirby

**S. R. No. 26:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE 2022 BROOKHAVEN HIGH SCHOOL "PANTHERS" AND "LADY PANTHERS" TRACK AND FIELD TEAMS FOR WINNING BOTH BOYS AND GIRLS MHSAA CLASS 5A STATE CHAMPIONSHIPS.

By Senator(s) Barrett

**S. R. No. 27:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING BROOKHAVEN HIGH SCHOOL SENIOR CALEB HARRIS FOR SETTING A NEW MHSAA 5A STATE POWERLIFTING RECORD.

By Senator(s) Barrett

**S. R. No. 28:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING WEST LINCOLN HIGH SCHOOL "BEARS" SENIOR JACKSON TAYLOR FOR WINNING THE 2022 MHSAA 2A STATE POWERLIFTING MEET WHICH WAS THE SCHOOL'S FIRST POWERLIFTING STATE TITLE IN SCHOOL HISTORY.

By Senator(s) Barrett

**S. R. No. 29:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING CO-LIN LEGENDARY BASKETBALL COACH GWYN YOUNG ON CAREER WIN NO. 1,000.

By Senator(s) Caughman, Barrett, Butler (36th)

**S. R. No. 30:** Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO MILLSAPS COLLEGE PRESIDENT DR. ROBERT W. PEARIGEN FOR HIS CONTRIBUTIONS TO HIGHER EDUCATION AND CIVIC LEADERSHIP IN MISSISSIPPI.

By Senator(s) Blount

**S. R. No. 31:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE 2022 LOYD STAR HIGH SCHOOL "HORNETS" BOYS GOLF TEAM AND COACHES LYDIA KING AND CHRIS KING FOR WINNING BACK-TO-BACK MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION (MHSAA) CLASS 1 STATE CHAMPIONSHIPS.

By Senator(s) Barrett

**S. R. No. 32:** Rules

A RESOLUTION EXTENDING THE RECOGNITION AND COMMENDATION OF THE MISSISSIPPI SENATE TO 16-YEAR-OLD CORION EVANS FROM MOSS POINT, MISSISSIPPI, FOR HIS EXTREME BRAVERY IN RESCUING FOUR PEOPLE FROM DROWNING IN A SERIOUS CAR ACCIDENT ON JULY 3, 2022.

By Senator(s) England, Jackson, Wiggins

**S. R. No. 33:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LINCOLN COUNTY COMMUNITY ROBOTICS TEAMS FOR WINNING THE 2022 MISSISSIPPI STATE ROBOTICS CHAMPIONSHIP.

By Senator(s) Barrett

**S. R. No. 34:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE BROOKHAVEN HIGH SCHOOL "OLE BROOK" GIRLS TENNIS TEAM AND COACH STEPHANIE TRIPLETT FOR WINNING THE STATE DOUBLES TITLE AT THE 2022 MHSAA 5A INDIVIDUAL TENNIS CHAMPIONSHIP.

By Senator(s) Barrett

**S. R. No. 35:** Rules

A RESOLUTION RECOGNIZING THE "P3: PASSION. PURPOSE. PAYCHECK." PROGRAM IN JACKSON COUNTY, MISSISSIPPI, WHICH DEVELOPS HIGH SCHOOL STUDENT CAREER OPPORTUNITIES IN PARTNERSHIP WITH LOCAL COMMUNITY INDUSTRY AND BUSINESS PARTNERS AND HONORING RECENT GRADUATES OF THE PROGRAM.

By Senator(s) England, Parker, Wiggins, Seymour, Carter, Thompson, Moran, DeLano

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THIRTY-EIGHTH DAY, THURSDAY, FEBRUARY 9, 2023

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

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

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

Absent--Michel. Total--1.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Michel.

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The invocation was delivered by Reverend Chip Stevens, Senior Pastor, First Baptist Jackson, Jackson, MS.

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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#### REPORT OF COMMITTEE ON RULES

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

**S. C. R. No. 547:** Mourn the loss of legendary Defensive Football Coach Jim Carmody and remembering his legacy. Title Sufficient. Do Be Adopted.

**S. C. R. No. 548:** Congratulate Picayune High School "Maroon Tide" Football Team for back-to-back MHSAA Class 5A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 23:** Mourn the loss and honor the life of Dr. Katherine T. "Katie" Patterson. Title Sufficient. Do Be Adopted.

**S. R. No. 24:** Recognize outstanding law enforcement training career of Lt. Colonel Thomas Tuggle on his retirement from MHP. Title Sufficient. Do Be Adopted.

**S. R. No. 25:** Recognizing Ms National Guard and Republic of Uzbekistan for 10th anniversary of partnership. Title Sufficient. Do Be Adopted.

**S. R. No. 26:** Commend Brookhaven High School track and field teams for winning both boys and girls Class 5A State Titles. Title Sufficient. Do Be Adopted.

**S. R. No. 27:** Commend Brookhaven High School Senior Caleb Harris for setting new MHSAA 5A State Powerlifting record. Title Sufficient. Do Be Adopted.

**S. R. No. 28:** Commend Jackson Taylor for first MHSAA Powerlifting title in West Lincoln High School history. Title Sufficient. Do Be Adopted.

**S. R. No. 29:** Commend Co-Lin legendary Basketball Coach Gwyn Young on career win No. 1,000. Title Sufficient. Do Be Adopted.

**S. R. No. 30:** Recognize Millsaps College President Dr. Robert W. Pearigen for his contributions to higher education in Mississippi. Title Sufficient. Do Be Adopted.

**S. R. No. 31:** Commend 2022 Loyd Star High School "Hornets" Golf Team for winning back-to-back MHSAA Class 1 State Championships. Title Sufficient. Do Be Adopted.

**S. R. No. 32:** Commend 16 year old Corion Evans for extreme bravery in rescuing four people from drowning in car accident. Title Sufficient. Do Be Adopted.

**S. R. No. 33:** Commend Lincoln County Robotics Teams for winning 2022 Mississippi State Robotics Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 34:** Commend Brookhaven High School "Ole Brook" Girls Tennis Team for winning 2022 5A State Doubles Title. Title Sufficient. Do Be Adopted.

**S. R. No. 35:** Recognizing the "P3: Passion. Purpose. Paycheck." Student Career Development Program in Jackson County. Title Sufficient. Do Be Adopted.

**H. B. No. 559:** The Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week; designate the second week in April annually as. Title Sufficient. Do Pass.

**H. C. R. No. 18:** Salem Missionary Baptist Church; commend upon 157th anniversary of. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Hopson called up the following entitled bill:

**S. B. No. 2372:** Mississippi Hospital Sustainability Grant Program; establish and provide eligibility for funds.

On motion of Senator Blackwell, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2372. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker,

Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator Jordan as co-author of **S. B. No. 2372**.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2962:** Appropriation; additional appropriations for various state agencies for FY2023 and FY2024.

Senator Hopson offered the following AMENDMENT NO. 1.

AMEND on line 157 by striking "70,783.00" and inserting "220,783.00" in lieu thereof.

FURTHER, AMEND on line 207 by deleting the word "public" and inserting the word "private" in lieu thereof.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2962 was adopted.

YEAS AND NAYS On S. B. No. 2962. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

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

Voting Present--Simmons D. T. (12th). Total--1.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2023 and FY2024.

YEAS AND NAYS On S. B. No. 2961. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker,



Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

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

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Senator Fillingane called up the motion to reconsider the vote whereby **S. B. No. 2239** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2239:** State law enforcement officers; authorize use of uniforms, weapons and vehicles off duty while performing security services.

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

Yeas--Barnett, Boyd, Butler K. (38th), Caughman, Chassaniol, DeLano, England, Fillingane, Harkins, Hickman, Hill, Horhn, Jackson, Jordan, McCaughn, McDaniel, McLendon, McMahan, Norwood, Parker, Parks, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Tate, Thomas, Thompson, Wiggins, Williams, Younger. Total--31.

Nays--Barrett, Blackmon, Blackwell, Branning, Bryan, Chism, DeBar, Frazier, Hopson, Johnson, Kirby, Moran, Polk, Seymour, Whaley. Total--15.

Absent and those not voting--Blount, Butler A. (36th), Carter, Michel, Suber, Turner-Ford. Total--6.

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Senator Caughman called up the motion to reconsider the vote whereby **S. B. No. 2218** failed to pass the Senate and moved that it be reconsidered:

**S. B. No. 2218:** Third-party service; prohibit from using name, likeness, trademark or intellectual property of merchant without agreement.

The foregoing motion prevailed.

YEAS AND NAYS On S. B. No. 2218. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blount, Boyd, Branning, Bryan, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackmon, Butler K. (38th), Hickman, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--6.

Absent and those not voting--Blackwell, Butler A. (36th), Carter, Johnson, Michel, Turner-Ford. Total--6.

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Senator Caughman called up the motion to reconsider the vote whereby **S. B. No. 2647** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2647:** Real estate licensee; revise liability.

The foregoing motion prevailed.

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Senator DeLano called up the following entitled bill:

**S. B. No. 2140:** National Security on State Devices and Networks Act; create.

On motion of Senator DeLano, the Committee Substitute was adopted for consideration.

Senator DeLano offered the following AMENDMENT NO. 1.

AMEND by inserting the following below line 35:

(4) The provisions of this section shall not apply to law enforcement agencies of the state or its political subdivisions when downloading, accessing or using TikTok is necessary to carry out their official duties for bona fide law enforcement, investigative or public safety purposes.

Amendment No. 1 to S. B. No. 2140 was adopted.

YEAS AND NAYS On S. B. No. 2140. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

---

Unanimous consent was granted to add Senator Tate as co-author of **S. B. No. 2140.**

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Senator DeBar called up the following entitled bill:

**S. B. No. 2364:** Mississippi Adequate Education Program; bring forward provision related to.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2364. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--51.

Nays--None.

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

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Unanimous consent was granted to add Senator Jordan as co-author of  
**S. B. No. 2364.**

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Senator Branning called up the following entitled bill:

**S. B. No. 2002:** Memorial highways; designate segment of U.S. 45 in Lowndes County for WW2 Army veteran Bradford C. Freeman.

Senators Branning, Blount, Frazier, Thomas, Simmons D. T. (12th), Jackson, Jordan, Simmons S. (13th), Horhn, Harkins and Butler K. (38th) offered the following  
AMENDMENT NO. 1.

AMEND by inserting the following as a new section after line 16 and renumbering subsequent sections accordingly:

SECTION \*. (1) The section of Interstate 220 North located in Hinds County, Mississippi, beginning at the Highway 49 intersection in Jackson, Mississippi, and extending north for one (1) mile, is designated and shall be known as the "Senator Douglas Anderson Memorial Highway" in honor of former Mississippi Senator Mr. Douglas Anderson of Jackson, Mississippi.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

FURTHER, AMEND on line 18 by striking "its passage" and inserting in lieu thereof the following:

July 1, 2023, and shall stand repealed on June 30, 2023

FURTHER, AMEND the title on line 4 by inserting after the semicolon the following language:

TO DESIGNATE A SECTION OF INTERSTATE 220 NORTH IN HINDS COUNTY, MISSISSIPPI, AS THE "SENATOR DOUGLAS ANDERSON MEMORIAL HIGHWAY" IN HONOR OF FORMER MISSISSIPPI SENATOR DOUGLAS ANDERSON;

Amendment No. 1 to S. B. No. 2002 was adopted.

YEAS AND NAYS On S. B. No. 2002. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--51.

Nays--None.

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

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Senator Branning called up the following entitled bill:

**S. B. No. 2588:** "Commissioner Dick Hall Hospitality Station"; MDOT to designate Warren County Welcome Center as.

YEAS AND NAYS On S. B. No. 2588. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators Harkins and McCaughn as co-authors of **S. B. No. 2588**.

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Senator Branning called up the following entitled bill:

**S. B. No. 2562:** Transportation; allow public and private partnerships to establish electric vehicle charging stations.

Senator Branning offered the following AMENDMENT NO. 1.

AMEND on line 23 by striking the word "new"

FURTHER, AMEND on line 26 by striking the word "new"

FURTHER, AMEND by inserting below line 39 the following language:

(5) Nothing in this act shall conflict with the provisions of Sections 77-3-3, 77-3-5 and 77-3-12.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2562 was adopted.

YEAS AND NAYS On S. B. No. 2562. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--None.

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

Voting Present--Barrett, Blackwell, Chism, Hill, Horhn, McDaniel, Seymour, Sojourner, Tate. Total--9.

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Senator Branning called up the following entitled bill:

**S. B. No. 2589:** West Rankin Parkway; expand permission for use of federal funds.

YEAS AND NAYS On S. B. No. 2589. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Senator Fillingane called up the following entitled bill:

**S. B. No. 2101:** Criminal law; increase penalties for crimes of fleeing a law enforcement officer, resisting arrest and carjacking.

On motion of Senator Fillingane, the Committee Substitute was adopted for consideration.

Senator Fillingane offered the following AMENDMENT NO. 1.

AMEND by inserting the following subsection below line 49 and renumbering subsequent subsections:

(\*) Notwithstanding any other law to the contrary, the minimum terms imposed under subsection (3) and (4) of this section shall not be reduced or suspended nor shall such person be eligible for probation or parole before the expiration of the minimum term of incarceration.

FURTHER, AMEND by inserting the following subsection below line 101 and renumbering subsequent subsections:

(\*) Notwithstanding any other law to the contrary, the minimum terms imposed under this section shall not be reduced or suspended nor shall such person be eligible for probation or parole before the expiration of the minimum term of incarceration.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2101 was adopted.

YEAS AND NAYS On S. B. No. 2101. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Blackmon, Bryan, Butler K. (38th), Frazier, Hickman, Jackson, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--9.

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

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Unanimous consent was granted to add Senators Branning and McCaughn as co-authors of **S. B. No. 2101**.

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Senator Polk called up the following entitled bill:

**S. B. No. 2853:** Small unmanned aircraft systems; require state purchase and servicing of from American companies only.

On motion of Senator Whaley, the Committee Substitute was adopted for consideration.

Senator Whaley offered the following AMENDMENT NO. 1.

AMEND on line 32 by striking "July 1, 2023" and inserting "March 1, 2024" in lieu thereof.

Amendment No. 1 to S. B. No. 2853 was adopted.

YEAS AND NAYS On S. B. No. 2853. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

Voting Present--Hickman, Simmons D. T. (12th), Suber. Total--3.

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Unanimous consent was granted to add Senator Branning as co-author of **S. B. No. 2853**.

Senator Moran called up the following entitled bill:

**S. B. No. 2544:** Regulation of oyster beds and water bottoms by the MS Department of Marine Resources; bring forward authority.

Senator Thompson offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-15-5, Mississippi Code of 1972, is amended as follows:

49-15-5. All seafoods existing or living in waters within the territorial jurisdiction of the State of Mississippi not held in private ownership legally acquired, and all beds and bottoms of rivers, streams, bayous, lagoons, lakes, bays, sounds and inlets bordering on or connecting with the Gulf of Mexico or Mississippi Sound within such territorial jurisdiction, including all oysters and other shell fish and parts thereof grown thereon, either naturally or cultivated, shall be, continue, and remain the property of the State of Mississippi, to be held in trust for the people thereof until title thereto shall be legally divested in the manner and form hereinafter authorized, and the same shall be under the exclusive control of the \* \* \* department until the right of private ownership shall vest therein as hereinafter provided.

SECTION 2. Section 49-15-7, Mississippi Code of 1972, is amended as follows:

49-15-7. All shells of dead oysters, clams and other shellfish; and all of the oyster shells, clam shells, mussel shells, dead reef shells, and cay shells, being upon or under the bottom of, or under the tidewaters within the territorial jurisdiction of the State of Mississippi, and all beds, banks and accumulations of such shells within such territorial jurisdiction on or under the bottoms of such waters, or surrounded by such waters, being the property of the State of Mississippi are hereby further declared to be the property of the State of Mississippi under the jurisdiction of the \* \* \* department.

SECTION 3. Section 49-15-27, Mississippi Code of 1972, is amended as follows:

49-15-27. The department is hereby granted full and complete authority to lease the bottoms within its jurisdiction upon the following terms and conditions:

(1) All areas within the department's jurisdiction, not designated \* \* \* state-owned reefs by this chapter, or hereinafter designated tonging reefs by the department \* \* \*, and all areas not within the boundaries of riparian property owners may be leased by the department.

(2) All individual lessees shall be residents of the State of Mississippi, or if a firm or corporation, such firm or corporation shall be organized under the laws of the State of Mississippi.

(3) No individual, corporation, partnership or association may lease less than one (1) acre nor more than \* \* \* one thousand (1,000) acres; however, in the case of an individual there shall not be counted towards such limitation any lands leased by a corporation, partnership or association in which such individual owns ten percent (10%) or less interest and, in the case of a corporation, partnership or association, there shall not be counted toward such limitation any lands leased by an individual stockholder, partner or associate thereof who owns ten percent (10%) or less interest in such corporation, partnership or association.

(4) Individuals, firms or corporations desiring to lease bottoms shall make application to the department in writing, describing the area to be leased. The application fee for each lease application shall be Fifty Dollars (\$50.00). Applications must include a plat showing the proposed lease area and description of cultch material type and amount to be deployed on the leased area.

(5) The department shall consider bottom leasing applications in the order in which each is filed and \* \* \* shall either (a) make a lease with the applicant or (b) issue a written notice declining the application with reasons for same within \* \* \* thirty (30) days \* \* \* of the date of the application. Such lease \* \* \* shall be for the area described in the application upon payment of the annual rent in advance.

(6) Such leases shall be for an initial term of \* \* \* fifteen (15) years, with the right of lessee to renew the lease for an additional \* \* \* fifteen (15) years, and continue to renew at \* \* \* fifteen-year intervals, at the same ground rental rate so long as lessee actively cultivates and gathers oysters, and complies with the provisions of this chapter. No lease may be transferred without approval by the department of the transfer.

(7) The lease shall ensure the maximum culture and propagation of oysters.

( \* \* \*8) The department shall fix a ground rental at not less than \* \* \* Two Dollars (\$2.00) and no more than Fifteen Dollars (\$15.00) per acre.

( \* \* \*9) The department shall keep an accurate chart of the areas within its jurisdiction and shall mark on such chart those areas which are under lease. All leases shall be marked by appropriate poles, stakes or buoys of such material as will not injure watercraft, at the expense of the leaseholder. The department shall keep an accurate book, designated "Mississippi Oyster Farms" which shall contain copies of all leases. If any lease be cancelled or expire, such fact shall be noted on the face of such lease. Lessees shall be "oyster farmers" for the purposes of any grants, aid, subsidies or other assistance from the federal government or other governmental or private agencies.

( \* \* \*10) All funds derived from leasing shall be paid into the Seafood Fund under Section 49-15-17, for use by the department to further oyster production in this state, which includes plantings of oysters and cultch materials.

( \* \* \*11) All leases made by the department under the authority of this section shall be subject to the paramount right of the state and any of its political subdivisions authorized by law, to promote and develop ports, harbors, channels, industrial or recreational projects, and all such leases shall contain a provision that in the event such authorized public body shall require the area so leased or any part thereof for such public purposes, that the lease shall be terminated on reasonable notice fixed by the department in such lease. On the termination of any lease, the lessees shall have the right to remove any oysters within the leased area within such time as may be fixed by the department and in accordance with such reasonable rules and regulations as the department may adopt.

Any person convicted of taking oysters from leased land or from waters that are not of a safe sanitary quality without a permit as provided in Section 49-15-37 shall, on the first offense, forfeit all equipment used, exclusive of any boat or boats; and be fined not to exceed Two Thousand Dollars (\$2,000.00) or sentenced not to exceed one (1) year in the county jail, or both. Subsequent convictions shall be punishable by forfeiture of all equipment, including any boat or boats; and a fine not to exceed Five Thousand Dollars (\$5,000.00) or not to exceed two (2) years in prison, or both such fine and imprisonment.

The department is enjoined to cooperate with the Jackson County Port Authority, the Harrison County Development Commission, the municipal port commission and other port and harbor agencies, so that oyster beds shall not be planted in close proximity to navigable channels. The department or lessee shall have no right of action as against



any such public body for damages accruing to any natural reef or leased reef by any necessary improvement of such channel in the interest of shipping, commerce, navigation or other purpose authorized by law.

(12) A lessee has the exclusive use of the water bottoms leased and all oysters and cultch grown or placed thereon. However, this exclusive right is subordinate to the rights and responsibilities of the state, any political subdivision of the state, the United States, or any agency or agent thereof, to take action in furtherance of coastal protection, conservation or restoration.

SECTION 4. Section 49-15-36, Mississippi Code of 1972, is amended as follows:

49-15-36. (1) The Department of Marine Resources shall have full jurisdiction and control of all \* \* \* designated state-owned reefs and oyster bottoms of the State of Mississippi.

(2) \* \* \* State-owned reefs may be opened for harvest of oysters during the season on a rotating basis. If the department determines that a particular reef has been overharvested or that a high percentage of sublegal size oysters exist on a particular reef and that harvest could damage future oyster crops, the department may close designated reef areas and keep them closed during the season.

(3) The department shall promulgate regulations regarding the closing of oyster reefs to protect the public health. When that testing indicates the oysters on the closed reef are suitable for consumption, the reef shall be opened for the taking of oysters as soon as notice of that opening may be made to interested parties. The authority to open or close oyster reefs under this chapter shall be solely within the discretion of the department. The Gulf Coast Research Laboratory or other certified laboratory shall cooperate with the department and shall conduct necessary tests to determine the condition of oyster reefs at the request of the department. The department may limit the sale of oysters for human consumption.

(4) (a) The department may issue special permits for the purpose of catching oysters outside the open season or in areas not normally open to harvest to those nonprofit organizations that are tax exempt under Section 501(c) of the United States Internal Revenue Code and which have on file with the Department of Revenue a tax exemption letter issued by the United States Internal Revenue Service.

(b) The department shall promulgate rules and regulations governing the taking of oysters by the nonprofit organization and shall issue such regulations to all organizations upon request and at the issuance of the special permit.

(5) The department shall establish a reasonable period of time for depuration of oysters replanted from restricted waters. That period of time shall be consistent with the maintenance of the public health and may vary from time to time and from one reef to another in accordance with environmental conditions.

\* \* \*

SECTION 5. Section 49-15-37, Mississippi Code of 1972, is amended as follows:

49-15-37. \* \* \* The department may employ boats, crews and laborers \* \* \* to cultivate the \* \* \* state-owned reefs of the state, and \* \* \* dredge the oysters in the Mississippi Sound from places where they are too thick, and \* \* \* spread them on reefs where they are too thin, and \* \* \* carry shells from the factories and spread them in places where the oyster beds can be improved and enlarged. The department may purchase other materials as may be equally suitable for the propagation of oysters. The department in cultivating the reefs, transplanting and spreading oysters and shells and other suitable materials, may expend any funds available for that purpose. In taking seed oysters, care

shall be used to not injure or destroy the merchantable oysters on the reefs from which they are taken. The seed oysters shall be tonged from the "conner" or seed reefs, unless it is practicable and safe to dredge those oysters. The \*\*\* department may, \*\*\* , establish new bedding grounds at those places within the boundaries of the state as it may determine, on advice of the director, or on advice of technical governmental experts, or competent aquatic biologists. On existing \*\*\* state-owned reefs in which oysters exist and in waters not of a safe sanitary quality as determined by the department, the \*\*\* department shall prohibit any person, firm or corporation from taking oysters from those areas. The \*\*\* department shall from time to time remove the oysters from the areas and relay or replant them in an approved area for a period of time under Section 49-15-36 before they may be harvested. The \*\*\* department may transport the oysters to an onshore, molluscan depuration facility for the purpose of proving depuration technology and for other experimental purposes. In connection with the testing of onshore, molluscan depuration technology, the \*\*\* department may sell or dispose of the relaid oysters in a manner consistent with all applicable state and federal laws and regulations. Any funds received from the sale of the oysters shall be used in a like manner as those funds received under Section 49-15-38.

If the \*\*\* department finds that onshore, molluscan depuration technology proves to be successful, the \*\*\* department may issue permits to private enterprise which may locate depuration facilities in Hancock, Harrison and Jackson Counties. The \*\*\* department shall promulgate rules and regulations for the taking of oysters from reefs for transport to an onshore, molluscan depuration facility and for the operation of the facilities. Each depuration facility operated by private enterprise shall return oyster shells to the oyster reefs for replanting under the proper supervision of the department and under Section 49-15-38.

The \*\*\* department may issue permits to persons to remove oysters by dredging or otherwise from water bottoms which are not of a safe sanitary quality for oysters for human consumption even though those areas may have been reserved for tonging only in Section 49-15-39. These areas \*\*\* may be designated as seed grounds, and permits to persons shall be issued only for the purpose of transplanting oysters to privately leased Mississippi territorial waters. The \*\*\* department may permit the transplanting of these seed oysters by a duly authorized public agency.

The \*\*\* department may, upon certification of the department that the water bottom from which oysters are to be removed is not of a safe, sanitary quality for oyster production for human consumption and has been unsafe for a period of at least one (1) year immediately preceding certification, and upon complying with the following requirements, permit the dredging of oysters from restricted public areas and relaying the oysters to private leased grounds in the State of Mississippi:

- (a) Permittee must hold valid lease of oyster bedding grounds in the State of Mississippi;
- (b) Permittee must be bonded in compliance with the permit system established by the \*\*\* department;
- (c) Permittee must fulfill all permit requirements as established by the \*\*\* department;
- (d) Permittee shall not move oysters from one restricted area to another restricted area;
- (e) Permittee shall move oysters only to an area leased by the \*\*\* department; and
- (f) Permittee shall not move oysters from the restricted area without the presence of an employee of the department at all times, from the dredging of the oysters

from the restricted areas to their deposit on private leased grounds or to an onshore, molluscan depuration facility.

Harvesting of oysters shall be permitted only during daylight hours and with the most efficient gear possible consistent with conservation requirements of not damaging the reefs. This shall include permission to use two (2) dredges per boat on restricted areas and on private leased grounds.

Any person obtaining a permit to remove oysters from seed grounds shall post a penal bond of One Hundred Dollars (\$100.00) per leased acre with the \* \* \* department to be forfeited upon any violation of this section. The bond may be approved by the director of the department if the director finds the bond to be secured by sufficient property or sureties.

The \* \* \* department shall regulate the amount and time of taking of oysters from seed areas and shall supervise the removal, planting and harvesting of oysters from the areas. The time set for the taking of oysters from restricted seed areas for relaying or replanting and the time set for the taking of oysters from private leased grounds shall be separated by not less than a period of time determined under Section 49-15-36 during which neither activity may be allowed.

The \* \* \* department shall regulate the taking of oysters from restricted seed areas and the subsequent depuration of the oysters to protect public health, while at the same time fostering the utilization of the state's oyster resources. The regulations shall include the setting of the period of depuration for the oysters by the use of appropriate techniques and provide for an employee of the department to be present when the oysters are taken from restricted seed areas, and transported, held and deposited on private lease grounds. Any person, firm, corporation or private lease holder engaged in the depuration of oysters shall pay to the department an amount equal to the regular compensation of the employee of the department for the time the employee actually spends performing the duties, not to exceed Two Hundred Dollars (\$200.00) per twenty-four-hour period.

Only persons who have been residents of Mississippi for at least five (5) years shall be eligible to obtain permits for removal of oysters from seed grounds.

The \* \* \* department shall designate certain reefs in the state as \* \* \* state-owned reefs and shall remove oysters from water bottoms which are not of a safe, sanitary quality for oyster production for human consumption and shall transport the oysters to the \* \* \* state-owned reefs.

SECTION 6. Section 49-15-38, Mississippi Code of 1972, is amended as follows:

49-15-38. (1) (a) Unless otherwise permitted by the \* \* \* department, no oysters shall be taken from the reefs of this state unless culled upon the natural reefs, and all oysters less than three (3) inches from end to end, and all dead shells, shall be replaced, scattered and broadcast immediately on the natural reefs from which they are taken. It is unlawful for any captain or person in charge of any vessel, or any canner, packer, commission man, dealer or other person to purchase, sell or to have in that person's possession or under that person's control any oysters off the \* \* \* state-owned reefs or private bedding grounds not culled according to this section, or any oysters under the legal size. A ten percent (10%) tolerance shall be allowed in relation to any culling.

(b) The \* \* \* department may authorize the culling of oysters of a lesser measure. That authorization shall be in response to special circumstances or extreme natural conditions affecting the habitat, including, but not limited to, flooding. The department may establish checkpoints in any area within its jurisdiction to conduct inspections, collect fees and issue tags in the enforcement of this chapter and regulations adopted by the commission.

(2) The \* \* \* department shall acquire and replant shells, seed oysters and other materials, when funding is available, for the purpose of growing oysters.

(3) Any person, firm or corporation failing or refusing to pay the shell retention fee required under Section 49-15-46 to the department when called for by the department, is guilty of a misdemeanor and, upon conviction, shall be fined not more than One Hundred Dollars (\$100.00) for each barrel of shells for which they fail or refuse to tender the shell retention fee. In addition to the fine, the violator shall pay the reasonable value of the oyster shells and shall be ineligible to be licensed for any activity set forth in this chapter for a period of two (2) years from the date of conviction.

(4) The planting of oyster shells as provided under this chapter shall be under the direction and supervision of the executive director of the department. \* \* \*

SECTION 7. Section 49-15-39, Mississippi Code of 1972, is amended as follows:

49-15-39. (1) It is unlawful for any person to catch or take oysters by means of dredging in any of the waters designated as tonging reefs by the \* \* \* department.

(2) The \* \* \* department shall designate certain areas as tonging reefs. The \* \* \* department shall mark the boundaries of the areas designated by appropriate poles, stakes or buoys of material that will not injure watercraft. The \* \* \* department may authorize the taking of oysters on reefs designated as tonging reefs by dredge, drag or scoop if the \* \* \* department finds that the dredging, dragging or scooping is necessary to manage the resource properly. Any dredging, dragging or scooping authorized under this section shall be for a specific time period as provided by the \* \* \* department.

(3) Unless otherwise authorized under this section, any boat or vessel which catches or takes oysters by means of dredges, drags or scoops, other than hand tongs, from any of the areas described in this section, or with a dredge or dredges in the water, shall have all oysters on board the boat or vessel declared to be contraband. The oysters shall be taken and confiscated by the department or any marine law enforcement officer without court procedure. The captain and crew of the boat or vessel, promptly upon being ordered so to do, shall transport the oysters to a point on the \* \* \* state-owned reefs where the boat or vessel is found and there scatter the oysters according to the instructions of the enforcement officers.

(4) A violation of this section is punishable by a fine of Five Hundred Dollars (\$500.00). For a second offense when the offense is committed within a period of three (3) years from the first offense, the violation is punishable by a fine of One Thousand Dollars (\$1,000.00). For a third or subsequent offense when the offense is committed within a period of three (3) years from the first offense, the violation is punishable by a fine of Two Thousand Dollars (\$2,000.00).

(5) In addition, upon conviction of a third or subsequent offense within three (3) years of the first offense, it shall be the duty of the court to revoke the license of the convicted party and of the vessel used in the offense, and no license shall be issued to that person or for the vessel to engage in the catching or taking of any seafood from the waters of this state for a period of one (1) year following the conviction.

(6) The fine imposed under this section shall not be suspended or reduced.

SECTION 8. Section 49-15-40, Mississippi Code of 1972, is amended as follows:

49-15-40. (1) The \* \* \* department may support projects in the nature of digging or constructing canals or ditches to bring additional water to existing oyster reefs or beds in need of that water, or for the purpose of creating or establishing new oyster reefs or beds. \* \* \* The \* \* \* department may expend any monies as it deems necessary and expedient to participate in the digging of those canals. The \* \* \* department may also

enter into interstate or intrastate efforts to support these projects and may seek and utilize aid from all federal, state and local sources in this endeavor. \* \* \*

(2) The \* \* \* department may construct, operate and maintain onshore, molluscan facilities using any federal or special funds, other than general funds, for the purpose of testing and proving technology relating to oysters and other shellfish. In connection with the construction, operation and maintenance of the facilities, the \* \* \* department may contract with any persons it deems necessary for the operation, testing, maintenance and evaluation of the facilities, subject to the approval of the State Personnel Board. The \* \* \* department may locate the facilities on any available public properties, subject to the approval of the governing body of that jurisdiction and all other applicable state laws. Once the technology has been tested and proven, the \* \* \* department may conduct any other tests and experiments with oysters or other shellfish as may be necessary to enhance production or quality of shellfish.

\* \* \*

SECTION 9. Section 49-15-41, Mississippi Code of 1972, is brought forward as follows:

49-15-41. It shall be unlawful for any person to fish, catch or take oysters from the waters of Mississippi during the hours between sunset and sunrise of each day.

Violation of this section shall be punishable by a fine not to exceed Ten Thousand Dollars (\$10,000.00) or imprisonment not to exceed one (1) year in the county jail, or both.

SECTION 10. Section 49-15-42, Mississippi Code of 1972, is brought forward as follows:

49-15-42. (1) All oysters caught in Mississippi territorial waters shall be tagged and unloaded in Mississippi. Before tagging and unloading, the oysters must be sacked or packaged in containers or by other methods approved by the department. However, a person is exempt from the unloading requirement if he is transporting the oysters to a state that has a reciprocity agreement with Mississippi exempting Mississippi residents from the unloading requirements of that state.

(2) The driver of any vehicle used in the transporting of oysters in the shell from outside the territorial limits of the State of Mississippi, whether the vehicle is a boat or motor vehicle, shall possess an invoice, statement or other bill of lading which bears the name of the person, firm or corporation from whom the oysters were purchased, the name of the purchaser and the number of barrels or bushels of oysters which the vehicle or vessel contains.

SECTION 11. Section 49-15-43, Mississippi Code of 1972, is brought forward as follows:

49-15-43. Oysters for sale either wholesale or retail may be packaged in glass jars covered with a screw-type top or lid of the type customarily and heretofore used in the seafood industry in the State of Mississippi, but this section shall automatically be repealed if and when such type packaging becomes prohibited by any agency of the United States Government for shipment in interstate commerce.

SECTION 12. Section 49-15-44, Mississippi Code of 1972, is amended as follows:

49-15-44. The \* \* \* department shall prohibit the sale or possession of illegal oysters. It is unlawful for any person, firm or corporation to possess or to engage in the sale of oysters not certified in this state, or to shuck or repack for sale any illegal oysters, unless that person, firm or corporation possesses a bill of sale, valid permit or affidavit of another state, properly dated, evidencing the legality of the sale or possession of the

oysters in that state. Any person in possession of illegal oysters shall be subject to civil or criminal prosecution and shall be fined not less than One Hundred Dollars (\$100.00) or punished as provided in Section 49-15-63.

SECTION 13. Section 49-15-45, Mississippi Code of 1972, is amended as follows:

49-15-45. (1) Any municipality bounded by the Gulf of Mexico or Mississippi Sound, which has wholly or partly within its corporate limits, or in the waters adjacent thereto, a public oyster reef reserved for catching oysters exclusively by use of hand tongs, is hereby authorized to aid and cooperate with the \* \* \* department in enforcing all laws regulating the catching, taking and transporting of oysters, including all of the provisions of this chapter, and all regulations and ordinances of such \* \* \* department relating to such oyster reefs.

\* \* \*

SECTION 14. Section 49-15-46, Mississippi Code of 1972, is brought forward as follows:

49-15-46. (1) Each vessel used to catch, take, carry or transport oysters from the reefs of the State of Mississippi, or engaged in transporting any oysters in any of the waters within the territorial jurisdiction of the State of Mississippi, for commercial use, shall annually, before beginning operations, be licensed by the department and pay the following license fee:

(a) Fifty Dollars (\$50.00) on each in-state vessel or boat used for tonging oysters or gathering oysters by hand;

(b) One Hundred Dollars (\$100.00) on each in-state vessel or boat used for dredging oysters;

(c) One Hundred Dollars (\$100.00) on each out-of-state vessel or boat used for tonging oysters or gathering oysters by hand; or

(d) Two Hundred Dollars (\$200.00) on each out-of-state vessel or boat used for dredging oysters.

(2) Each molluscan shellfish aquaculture operation shall annually, before beginning operations, be licensed by the department and pay the following license fee:

(a) Fifty Dollars (\$50.00) on each resident molluscan shellfish aquaculture operation; or

(b) One Hundred Dollars (\$100.00) on each nonresident molluscan shellfish aquaculture operation.

(3) The department may authorize the transfer of a vessel license to a different vessel provided that the owner of both vessels is the same titled owner.

(4) All oysters harvested in the State of Mississippi shall be tagged. Tags shall be issued by the department and shall bear the catcher's name, the date and origin of the catch, the shell stock dealer's name and permit number. The department shall number all tags issued and shall maintain a record of those tags. The department, in its discretion, may adopt any regulations regarding the tagging of oysters and other shellfish.

(5) Each person catching or taking oysters from the waters of the State of Mississippi for personal use shall obtain a permit from the department and pay an annual recreational oyster permit fee of Ten Dollars (\$10.00). Oysters caught under a recreational permit shall not be offered for sale. The limits on the allowable catch of

oysters for recreational purposes shall be three (3) sacks per week. The department shall issue tags of a distinguishing color to designate recreationally harvested oysters, which shall be tagged on the same day of harvest in the manner prescribed in subsection (4) of this section for commercially harvested oysters or by regulation of the department.

(6) The department shall assess and collect a shell retention fee for the shells taken from waters within the territorial jurisdiction of the State of Mississippi as follows:

(a) Commercial and recreational harvesters - Fifteen Cents (15¢) per sack paid to the department on the day of harvest;

(b) Initial oyster processor, dealer or factory first purchasing the oysters - Fifteen Cents (15¢) per sack paid to the department no later than the tenth day of the month following the purchase, on forms submitted by the department;

(c) Commercial harvesters transporting their catch out of the state - Fifty Cents (50¢) per sack paid to the department on the day of harvest, in addition to the fees paid in paragraph (a) of this subsection; and

(d) Commercial harvesters not selling their oysters to a Mississippi dealer - Fifteen Cents (15¢) per sack paid to the department on the day of harvest, in addition to fees paid in paragraph (a) of this subsection.

Funds received from the shell retention fee shall be paid into a special fund in the State Treasury to be appropriated by the Legislature for use by the department to further oyster production in this state, which includes plantings of oysters and/or cultch materials.

(7) During open seasons, oysters may be taken only by hands, tongs and dredges.

(8) Vessels licensed under Section 49-15-46 may keep in whole, for personal consumption up to thirty-six (36) blue crabs (portunidae family), per day. This exemption for personal consumption does not apply to fish or crabs that are otherwise illegal to possess or catch.

SECTION 15. Section 49-15-47, Mississippi Code of 1972, is amended as follows:

49-15-47. (1) It is unlawful for any person, firm or corporation to discharge solid or human waste from any vessel while the vessel is used to harvest or transport oysters in the marine waters of the state.

(2) Each vessel used to harvest or transport oysters is required to have an approved functional marine sanitation device (MSD), portable toilet or other sewage disposal receptacle designed to contain human sewage. The approved marine sanitation device (MSD), portable toilet or other sewage disposal receptacle shall:

(a) Be used only for the purpose intended.

(b) Be secured while on board and located to prevent contamination of shell stock by spillage or leakage.

(c) Be emptied only into an approved sewage disposal system.

(d) Be cleaned before being returned to the vessel.

(e) Not be cleaned with equipment used for washing or processing food.

(3) The use of other receptacles for sewage disposal may be approved by the department if the receptacles are:

- (a) Constructed of impervious, cleanable materials and have tight-fitting lids;  
and
- (b) Meet the requirements listed in subsection (2).

(4) The \* \* \* department shall promulgate administrative penalties for violations of this section, which may include, but not be limited to, revocation of the license of the oyster vessel for up to one (1) year for the first offense, revocation up to two (2) years for the second offense, and permanent revocation for the third offense.

(5) Upon issuance of a citation for a violation of this section, the vessel shall be removed from the oyster reef and any oysters on board the vessel shall be confiscated and disposed of by the department. The vessel shall not be permitted to harvest from any \* \* \* state-owned or private reefs until the vessel is properly equipped as determined by an inspection by the department.

SECTION 16. Section 49-15-49, Mississippi Code of 1972, is brought forward as follows:

49-15-49. The Mississippi Department of Marine Resources' oyster check station located at the Pass Christian Harbor, Pass Christian, Mississippi, shall be named the Colonel George J. Wright, Sr., building. The Department of Finance and Administration shall prepare or have prepared a distinctive plaque to be placed in a prominent place within the Colonel George J. Wright, Sr., building, which states the background, accomplishments and public health service to the state and nation of Colonel George J. Wright, Sr.

SECTION 17. Section 49-15-40.1, Mississippi Code of 1972, which authorizes the Mississippi Department of Marine Resources to conduct a pilot program for bottom land leasing for oyster production in waters adjacent to Hancock County, is hereby repealed.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT RELATING TO THE REGULATION OF SEAFOOD AND OYSTERS BY THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES; TO BRING FORWARD OR AMEND SECTIONS 49-15-5, 49-15-7, 49-15-27, 49-15-36, 49-15-37, 49-15-38, 49-15-39, 49-15-40, 49-15-41, 49-15-42, 49-15-43, 49-15-44, 49-15-45, 49-15-46, 49-15-47, AND 49-15-49, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO LEASE REEFS AND BOTTOM LAND FOR OYSTER GROWING/HARVESTING AND TO CLARIFY THE AUTHORITY OF THE DEPARTMENT TO REGULATE THE TAKING OF OYSTERS AND THE ESTABLISHMENT OF NEW OYSTER BEDS; TO DELETE THE AUTHORITY OF LOCAL GOVERNING AUTHORITIES TO ASSIST THE DEPARTMENT IN PLANTING OYSTER SHELLS; TO DELETE THE PROVISIONS THAT ALL REEFS ARE PUBLIC; TO DELETE THE AUTHORITY OF THE DEPARTMENT TO EXERCISE EMINENT DOMAIN IN CONSTRUCTING CANALS; TO CLARIFY THE AUTHORITY OF MUNICIPALITIES RELATIVE TO THE WATERS OF THE MISSISSIPPI SOUND; TO REPEAL SECTION 49-15-40.1, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO CONDUCT A PILOT PROGRAM FOR BOTTOM LAND LEASING FOR OYSTER PRODUCTION IN WATERS ADJACENT TO HANCOCK COUNTY; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2544 was adopted.



YEAS AND NAYS On S. B. No. 2544. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senator Moran as co-author of **S. B. No. 2544.**

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MESSAGE FROM THE HOUSE

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

**S. C. R. No. 526:** Recognize leadership of William Carey University President Dr. Tommy King on the occasion of his retirement.

**S. C. R. No. 535:** Designate March 2023 as "Colorectal Cancer Awareness Month in Mississippi".

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 11:54 AM, the Senate stood in recess.

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The Senate resumed business at 2:00 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 231:** AN ACT TO DIRECT THE STATE DEPARTMENT OF MENTAL HEALTH TO DEVELOP AND IMPLEMENT A COMPREHENSIVE AND STATEWIDE

FENTANYL AND DRUG ABUSE EDUCATION, PREVENTION AND CESSATION PROGRAM THAT IS BASED ON SCIENTIFIC DATA AND RESEARCH; TO REQUIRE THAT THE PROGRAM INCLUDE THE FOLLOWING MINIMUM COMPONENTS: THE USE OF MASS MEDIA TO DISCOURAGE THE USE OF FENTANYL AND ABUSE OF OTHER DRUGS AND TO EDUCATE PEOPLE ABOUT THE HEALTH HAZARDS FROM THE USE OF FENTANYL AND ABUSE OF OTHER DRUGS; MATERIALS, CURRICULA AND PROGRAMS THAT MAY BE USED OR IMPLEMENTED IN SCHOOLS AND OTHER LOCATIONS TO EDUCATE YOUTH ABOUT FENTANYL AND OTHER HARMFUL DRUGS AND TO DISCOURAGE THE USE OF FENTANYL AND ABUSE OF OTHER DRUGS; LOCAL COMMUNITY PROGRAMS THAT DISCOURAGE THE USE OF FENTANYL AND ABUSE OF OTHER DRUGS AND INVOLVE COMMUNITY-BASED ORGANIZATIONS IN FENTANYL AND DRUG ABUSE EDUCATION, PREVENTION AND CESSATION PROGRAMS IN THEIR COMMUNITIES; AND PROGRAMS TO ASSIST AND HELP PEOPLE TO STOP USING FENTANYL AND/OR ABUSING OTHER DRUGS; AND FOR RELATED PURPOSES.

**H. B. No. 400:** AN ACT TO AMEND SECTIONS 97-13-3, 97-13-5, 97-13-7, 97-13-9, 97-13-35, 97-13-36, 97-13-37, 97-13-43, 23-15-93, 23-15-561, 23-15-627, 23-15-635, 23-15-751 AND 23-15-753, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTIES FOR COMMITTING CERTAIN ELECTION CRIMES; TO CREATE A NEW SECTION OF LAW TO PROVIDE THAT ANY PERSON WHO SHALL DENY A PERSON THE RIGHT TO VOTE SHALL BE DEEMED GUILTY OF A CRIME; TO PROVIDE THE PENALTIES FOR THE CRIME; AND FOR RELATED PURPOSES.

**H. B. No. 412:** AN ACT TO AMEND SECTION 45-47-1, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT DNA SAMPLES SHALL BE COLLECTED FROM PERSONS ARRESTED FOR ANY FELONY; TO PROVIDE THAT THE DNA SAMPLE SHALL BE DESTROYED ONLY UPON RECEIPT OF AN EXPUNGEMENT REQUEST FROM THE PERSON WHOSE DNA HAS BEEN INCLUDED IN THE STATE DATABASE; TO AMEND SECTION 99-49-1, MISSISSIPPI CODE OF 1972, TO CONFORM THE PROVISION OF LAW THAT PROVIDES FOR THE PRESERVATION AND DESTRUCTION OF DNA SAMPLES; AND FOR RELATED PURPOSES.

**H. B. No. 510:** AN ACT TO AMEND SECTION 43-15-13, MISSISSIPPI CODE OF 1972, TO REVISE THE FOSTER CARE PLACEMENT PROGRAM TO CREATE THE FOSTER PARENTS' BILL OF RIGHTS; TO REQUIRE THE DEPARTMENT OF CHILD PROTECTION SERVICES TO PROVIDE THE FOSTER PARENTS' BILL OF RIGHTS AND RESPONSIBILITIES TO ALL FOSTER PARENTS AT FOSTER PARENT TRAINING; AND FOR RELATED PURPOSES.

**H. B. No. 770:** AN ACT TO AMEND SECTION 57-56-1, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI OFFICE OF SPACE AND TECHNOLOGY AND DIRECT THE MISSISSIPPI DEVELOPMENT AUTHORITY TO ADMINISTER AND STAFF SUCH OFFICE; AND FOR RELATED PURPOSES.

**H. B. No. 799:** AN ACT TO AMEND SECTION 47-5-158, MISSISSIPPI CODE OF 1972, TO INCREASE FROM ONE MILLION DOLLARS TO TWO MILLION DOLLARS THE PORTION OF THE INMATE WELFARE FUND THAT IS DEPOSITED INTO THE INMATE INCENTIVE TO WORK PROGRAM FUND; TO AMEND SECTION 47-5-933, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$31.00 TO \$34.00 THE AMOUNT THE DEPARTMENT OF CORRECTIONS PAYS PER DAY FOR EACH STATE OFFENDER WHO IS HOUSED IN A REGIONAL CORRECTIONAL FACILITY; AND FOR RELATED PURPOSES.

**H. B. No. 1061:** AN ACT TO CREATE NEW SECTION 77-3-11.1, MISSISSIPPI CODE OF 1972, TO MAINTAIN STATE JURISDICTION OVER THE INTEGRITY OF ELECTRIC TRANSMISSION INFRASTRUCTURE IN ORDER TO ASSURE LANDOWNER SAFEGUARDS, TRANSPARENCY AND OVERSIGHT OF CUSTOMER

RATES, RELIABILITY AND RELIEF; TO PRESCRIBE THE REQUIREMENTS FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BUILD CERTAIN ELECTRIC TRANSMISSION FACILITIES IN A REGIONAL TRANSMISSION ORGANIZATION; AND FOR RELATED PURPOSES.

**H. B. No. 1067:** AN ACT TO CREATE THE MISSISSIPPI BROADBAND ACCESSIBILITY ACT; TO PROVIDE LEGISLATIVE FINDINGS; TO DEFINE THE TERM "BEAM"; TO CREATE THE MISSISSIPPI BROADBAND ACCESSIBILITY FUND FOR THE PURPOSE OF THE EXPANSION AND ACCESSIBILITY OF BROADBAND IN UNSERVED AREAS; TO PROVIDE THAT DISBURSEMENTS FROM THE FUND SHALL BE MADE BY THE DEPARTMENT OF FINANCE AND ADMINISTRATION UPON APPROPRIATION OR DESIGNATION BY THE LEGISLATURE; AND FOR RELATED PURPOSES.

**H. B. No. 1207:** AN ACT TO CREATE THE PARAMEDICS RECRUITMENT AND RETENTION SCHOLARSHIP GRANT PROGRAM; TO PROVIDE THAT THE PROGRAM SHALL BE USED BY THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY ACTING AS THE FISCAL AGENT, FOR THE PURPOSE OF PROVIDING FUNDING FOR GRANTS TO COVER THE FULL COST OF TUITION, FEES, BOOKS AND ANY REQUIRED UNIFORMS FOR QUALIFIED APPLICANTS TO ATTEND AN ACCREDITED PARAMEDIC PROGRAM AND TO REIMBURSE THE COST OF A QUALIFIED APPLICANT'S FEE FOR THE SUCCESSFUL COMPLETION OF THE NATIONAL REGISTRY PARAMEDIC COGNITIVE AND PSYCHOMOTOR EXAMINATIONS; TO PROVIDE HOW AN APPLICANT MAY QUALIFY FOR A GRANT; TO PROVIDE THAT THE RECIPIENT OF A GRANT SHALL COMMIT TO SERVING AS A PARAMEDIC FOR THREE CONTINUOUS YEARS IN THE STATE; TO PROVIDE THE REPORTING REQUIREMENTS; TO AUTHORIZE THE OFFICE OF WORKFORCE DEVELOPMENT TO ENTER INTO MOAS WITH LOCAL SCHOOL DISTRICTS FOR THE PURPOSE OF ALLOWING CERTAIN HIGH SCHOOL STUDENTS TO ENROLL IN ACCREDITED PARAMEDIC TRAINING PROGRAMS THROUGH DUAL-CREDIT OR DUAL-ENROLLMENT; TO PROVIDE THAT SUCH STUDENT CANNOT TAKE THE CERTIFICATION EXAM UNTIL HE OR SHE ATTAINS 18 YEARS OF AGE; AND FOR RELATED PURPOSES.

**H. B. No. 1318:** AN ACT TO AMEND SECTION 43-15-201, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF A CHILD THAT CAN BE DROPPED OFF UNDER THE "BABY DROP-OFF LAW"; TO AUTHORIZE A BABY TO BE DROPPED OFF IN A BABY SAFETY DEVICE SPONSORED BY AN EMERGENCY MEDICAL SERVICES PROVIDER; TO AUTHORIZE ANY CITY OR COUNTY TO SPONSOR A BABY SAFETY DEVICE THAT MEETS THE REQUIREMENTS OF THIS ACT; TO AMEND SECTIONS 43-15-203 AND 43-15-205, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES IS THE AGENCY OF CONTACT; TO AMEND SECTION 43-15-207, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY CHURCH LICENSED WITH THE DEPARTMENT OF CHILD PROTECTION SERVICES TO RECEIVE CHILDREN UNDER THE PROVISIONS OF THIS ACT MAY BE AN EMERGENCY SERVICES PROVIDER; TO AMEND SECTION 43-15-209, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO CREATE NEW SECTION 43-15-211, MISSISSIPPI CODE OF 1972; TO AMEND SECTION 93-15-103, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT SURRENDER OF A CHILD UNDER THE "BABY DROP-OFF LAW" IS CONSIDERED ABANDONMENT FOR PURPOSES OF TERMINATION OF PARENTAL RIGHTS; TO AMEND SECTION 93-15-109, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF EMERGENCY SERVICES PROVIDERS TO RECEIVE BABIES FOR PURPOSE OF TERMINATION OF PARENTAL RIGHTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

Senator Bryan called up the following entitled bill:

**S. B. No. 2574:** Health and safety standards set by the State Board of Health; require counties to comply.

Senator Bryan offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-3-43, Mississippi Code of 1972, is amended as follows:

41-3-43. (1) (a) Each county in the state is authorized in its discretion to create a county health department and to appropriate funds for its support. A director for the same shall be appointed in accordance with Section 41-3-37 and certified to the board of supervisors of the county. Said director shall be a licensed physician, well trained in health work and shall be required to give his entire time to the work.

(b) The board of supervisors is authorized and directed to comply with health and safety standards as set by the State Board of Health pursuant to Sections 41-3-43 and 41-3-49, Mississippi Code of 1972. The Board is authorized to appropriate and expend local funds from any available source for the construction, maintenance, equipping, staffing and support of county health department buildings.

(2) (a) The State Board of Health may create public health districts of two (2) or more counties for the purpose of administering health programs and supervising public health workers in the district. The State Board of Health or its executive officer shall appoint for each such district created a district director, who shall be a licensed physician, well trained in public health work, who shall give his entire time to the work. The district director may serve as county health officer of any or all counties in the district.

(b) The boards of supervisors of the counties comprising a public health district are hereby authorized, in their discretion, to appropriate funds for the support of the public health district from the general funds of the counties; and pursuant to Section 19-9-97, to levy additional taxes for the support of county or district health departments.

(3) When any county or counties create a health department hereunder, then all other local or municipal or county public health agencies and departments are thereby automatically abolished, and said county and district health departments shall have full control over all health matters in said county and counties, including all municipalities therein, subject to the supervision, direction, and jurisdiction of the State Board of Health. The proper authorities of any municipality in the State of Mississippi are hereby authorized in their discretion to make an appropriation for the support of such county or district health department from the general funds of such municipality.

SECTION 2. Section 41-3-53, Mississippi Code of 1972, is amended as follows:

41-3-53. The board of supervisors shall be authorized to make such appropriations for the Department of Health as may be necessary to pay the salary of the director, and the salaries of all necessary sanitary inspectors, nurses, and such other employees as may be employed for carrying on the work. The board shall be authorized to pay all necessary traveling expenses of said employees in the performance of their duties. The board shall be authorized to pay for all necessary medicine, materials and supplies. The board shall provide an office for its health department, and furnish said office, and its employees, with all necessary record books, stationery, stamps, tables, chairs, furniture and all other necessary articles. The board is also authorized to do any and all things

necessary and proper to maintain and support a health department. The board of supervisors is authorized and directed to comply with health and safety standards as set by the State Board of Health pursuant to Sections 41-3-43 and 41-3-49, Mississippi Code of 1972. The Board is authorized to appropriate and expend local funds from any available source for the construction, maintenance, equipping, staffing and support of county health department buildings. Where two (2) or more counties shall unite in having a Department of Health, the amount contributed by each for maintaining and supporting the work shall be agreed upon by the respective counties, subject to the approval of the State Board of Health, or its executive committee, and all salaries to be paid shall be recommended by the State Board of Health, or its executive committee to the board of supervisors of the county or counties for which the officers or employees are to act. All employees shall be recommended by the State Board of Health, or its executive committee, and all salaries shall be recommended in the same way.

SECTION 3. Section 41-3-15, Mississippi Code of 1972, is brought forward as follows:

41-3-15. (1) (a) There shall be a State Department of Health.

(b) The State Board of Health shall have the following powers and duties:

(i) To formulate the policy of the State Department of Health regarding public health matters within the jurisdiction of the department;

(ii) To adopt, modify, repeal and promulgate, after due notice and hearing, and enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction, and as the board may deem necessary;

(iii) To apply for, receive, accept and expend any federal or state funds or contributions, gifts, trusts, devises, bequests, grants, endowments or funds from any other source or transfers of property of any kind;

(iv) To enter into, and to authorize the executive officer to execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if it finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature;

(v) To appoint, upon recommendation of the Executive Officer of the State Department of Health, a Director of Internal Audit who shall be either a Certified Public Accountant or Certified Internal Auditor, and whose employment shall be continued at the discretion of the board, and who shall report directly to the board, or its designee; and

(vi) To discharge such other duties, responsibilities and powers as are necessary to implement the provisions of this chapter.

(c) The Executive Officer of the State Department of Health shall have the following powers and duties:

(i) To administer the policies of the State Board of Health within the authority granted by the board;

(ii) To supervise and direct all administrative and technical activities of the department, except that the department's internal auditor shall be subject to the sole supervision and direction of the board;

(iii) To organize the administrative units of the department in accordance with the plan adopted by the board and, with board approval, alter the organizational plan and reassign responsibilities as he or she may deem necessary to carry out the policies of the board;

(iv) To coordinate the activities of the various offices of the department;

(v) To employ, subject to regulations of the State Personnel Board, qualified professional personnel in the subject matter or fields of each office, and such other technical and clerical staff as may be required for the operation of the department. The executive officer shall be the appointing authority for the department, and shall have the power to delegate the authority to appoint or dismiss employees to appropriate subordinates, subject to the rules and regulations of the State Personnel Board;

(vi) To recommend to the board such studies and investigations as he or she may deem appropriate, and to carry out the approved recommendations in conjunction with the various offices;

(vii) To prepare and deliver to the Legislature and the Governor on or before January 1 of each year, and at such other times as may be required by the Legislature or Governor, a full report of the work of the department and the offices thereof, including a detailed statement of expenditures of the department and any recommendations the board may have;

(viii) To prepare and deliver to the Chairmen of the Public Health and Welfare/Human Services Committees of the Senate and House on or before January 1 of each year, a plan for monitoring infant mortality in Mississippi and a full report of the work of the department on reducing Mississippi's infant mortality and morbidity rates and improving the status of maternal and infant health; and

(ix) To enter into contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the provisions of this chapter, if he or she finds those actions to be in the public interest and the contracts or agreements do not have a financial cost that exceeds the amounts appropriated for those purposes by the Legislature. Each contract or agreement entered into by the executive officer shall be submitted to the board before its next meeting.

(2) The State Board of Health shall have the authority to establish an Office of Rural Health within the department. The duties and responsibilities of this office shall include the following:

(a) To collect and evaluate data on rural health conditions and needs;

(b) To engage in policy analysis, policy development and economic impact studies with regard to rural health issues;

(c) To develop and implement plans and provide technical assistance to enable community health systems to respond to various changes in their circumstances;

(d) To plan and assist in professional recruitment and retention of medical professionals and assistants; and

(e) To establish information clearinghouses to improve access to and sharing of rural health care information.

(3) The State Board of Health shall have general supervision of the health interests of the people of the state and to exercise the rights, powers and duties of those acts which it is authorized by law to enforce.

(4) The State Board of Health shall have authority:

(a) To make investigations and inquiries with respect to the causes of disease and death, and to investigate the effect of environment, including conditions of employment and other conditions that may affect health, and to make such other investigations as it may deem necessary for the preservation and improvement of health.

(b) To make such sanitary investigations as it may, from time to time, deem necessary for the protection and improvement of health and to investigate nuisance questions that affect the security of life and health within the state.

(c) To direct and control sanitary and quarantine measures for dealing with all diseases within the state possible to suppress same and prevent their spread.

(d) To obtain, collect and preserve such information relative to mortality, morbidity, disease and health as may be useful in the discharge of its duties or may contribute to the prevention of disease or the promotion of health in this state.

(e) To charge and collect reasonable fees for health services, including immunizations, inspections and related activities, and the board shall charge fees for those services; however, if it is determined that a person receiving services is unable to pay the total fee, the board shall collect any amount that the person is able to pay. Any increase in the fees charged by the board under this paragraph shall be in accordance with the provisions of Section 41-3-65.

(f) (i) To establish standards for, issue permits and exercise control over, any cafes, restaurants, food or drink stands, sandwich manufacturing establishments, and all other establishments, other than churches, church-related and private schools, and other nonprofit or charitable organizations, where food or drink is regularly prepared, handled and served for pay; and

(ii) To require that a permit be obtained from the Department of Health before those persons begin operation. If any such person fails to obtain the permit required in this subparagraph (ii), the State Board of Health, after due notice and opportunity for a hearing, may impose a monetary penalty not to exceed One Thousand Dollars (\$1,000.00) for each violation. However, the department is not authorized to impose a monetary penalty against any person whose gross annual prepared food sales are less than Five Thousand Dollars (\$5,000.00). Money collected by the board under this subparagraph (ii) shall be deposited to the credit of the State General Fund of the State Treasury.

(g) To promulgate rules and regulations and exercise control over the production and sale of milk pursuant to the provisions of Sections 75-31-41 through 75-31-49.

(h) On presentation of proper authority, to enter into and inspect any public place or building where the State Health Officer or his representative deems it necessary and proper to enter for the discovery and suppression of disease and for the enforcement of any health or sanitary laws and regulations in the state.

(i) To conduct investigations, inquiries and hearings, and to issue subpoenas for the attendance of witnesses and the production of books and records at any hearing when authorized and required by statute to be conducted by the State Health Officer or the State Board of Health.

(j) To promulgate rules and regulations, and to collect data and information, on (i) the delivery of services through the practice of telemedicine; and (ii) the use of electronic records for the delivery of telemedicine services.

(k) To enforce and regulate domestic and imported fish as authorized under Section 69-7-601 et seq.

(5) (a) The State Board of Health shall have the authority, in its discretion, to establish programs to promote the public health, to be administered by the State Department of Health. Specifically, those programs may include, but shall not be limited to, programs in the following areas:

- (i) Maternal and child health;
- (ii) Family planning;
- (iii) Pediatric services;
- (iv) Services to crippled and disabled children;
- (v) Control of communicable and noncommunicable disease;
- (vi) Chronic disease;
- (vii) Accidental deaths and injuries;
- (viii) Child care licensure;
- (ix) Radiological health;
- (x) Dental health;
- (xi) Milk sanitation;
- (xii) Occupational safety and health;
- (xiii) Food, vector control and general sanitation;
- (xiv) Protection of drinking water;
- (xv) Sanitation in food handling establishments open to the public;
- (xvi) Registration of births and deaths and other vital events;
- (xvii) Such public health programs and services as may be assigned to the State Board of Health by the Legislature or by executive order; and
- (xviii) Regulation of domestic and imported fish for human consumption.

(b) The State Board of Health and State Department of Health shall not be authorized to sell, transfer, alienate or otherwise dispose of any of the home health agencies owned and operated by the department on January 1, 1995, and shall not be authorized to sell, transfer, assign, alienate or otherwise dispose of the license of any of those home health agencies, except upon the specific authorization of the Legislature by an amendment to this section. However, this paragraph (b) shall not prevent the board or the department from closing or terminating the operation of any home health agency owned and operated by the department, or closing or terminating any office, branch office or clinic of any such home health agency, or otherwise discontinuing the providing of home



health services through any such home health agency, office, branch office or clinic, if the board first demonstrates that there are other providers of home health services in the area being served by the department's home health agency, office, branch office or clinic that will be able to provide adequate home health services to the residents of the area if the department's home health agency, office, branch office or clinic is closed or otherwise discontinues the providing of home health services. This demonstration by the board that there are other providers of adequate home health services in the area shall be spread at length upon the minutes of the board at a regular or special meeting of the board at least thirty (30) days before a home health agency, office, branch office or clinic is proposed to be closed or otherwise discontinue the providing of home health services.

(c) The State Department of Health may undertake such technical programs and activities as may be required for the support and operation of those programs, including maintaining physical, chemical, bacteriological and radiological laboratories, and may make such diagnostic tests for diseases and tests for the evaluation of health hazards as may be deemed necessary for the protection of the people of the state.

(6) (a) The State Board of Health shall administer the local governments and rural water systems improvements loan program in accordance with the provisions of Section 41-3-16.

(b) The State Board of Health shall have authority:

(i) To enter into capitalization grant agreements with the United States Environmental Protection Agency, or any successor agency thereto;

(ii) To accept capitalization grant awards made under the federal Safe Drinking Water Act, as amended;

(iii) To provide annual reports and audits to the United States Environmental Protection Agency, as may be required by federal capitalization grant agreements; and

(iv) To establish and collect fees to defray the reasonable costs of administering the revolving fund or emergency fund if the State Board of Health determines that those costs will exceed the limitations established in the federal Safe Drinking Water Act, as amended. The administration fees may be included in loan amounts to loan recipients for the purpose of facilitating payment to the board; however, those fees may not exceed five percent (5%) of the loan amount.

(7) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The department shall issue a license to Alexander Milne Home for Women, Inc., a 501(c)(3) nonprofit corporation, for the construction, conversion, expansion and operation of not more than forty-five (45) beds for developmentally disabled adults who have been displaced from New Orleans, Louisiana, with the beds to be located in a certified ICF-MR facility in the City of Laurel, Mississippi. There shall be no prohibition or restrictions on participation in the Medicaid program for the person receiving the license under this subsection (7). The license described in this subsection shall expire five (5) years from the date of its issue. The license authorized by this subsection shall be issued upon the initial payment by the licensee of an application fee of Sixty-seven Thousand Dollars (\$67,000.00) and a monthly fee of Sixty-seven Thousand Dollars (\$67,000.00) after the issuance of the license, to be paid as long as the licensee continues to operate. The initial and monthly licensing fees shall be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(8) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to issue a license to an existing home health agency for the transfer of a county

from that agency to another existing home health agency, and to charge a fee for reviewing and making a determination on the application for such transfer not to exceed one-half (1/2) of the authorized fee assessed for the original application for the home health agency, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(9) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: For the period beginning July 1, 2010, through July 1, 2017, the State Department of Health is authorized and empowered to assess a fee in addition to the fee prescribed in Section 41-7-188 for reviewing applications for certificates of need in an amount not to exceed twenty-five one-hundredths of one percent (.25 of 1%) of the amount of a proposed capital expenditure, but shall be not less than Two Hundred Fifty Dollars (\$250.00) regardless of the amount of the proposed capital expenditure, and the maximum additional fee permitted shall not exceed Fifty Thousand Dollars (\$50,000.00). Provided that the total assessments of fees for certificate of need applications under Section 41-7-188 and this section shall not exceed the actual cost of operating the certificate of need program.

(10) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized to extend and renew any certificate of need that has expired, and to charge a fee for reviewing and making a determination on the application for such action not to exceed one-half (1/2) of the authorized fee assessed for the original application for the certificate of need, with the revenue to be deposited by the State Department of Health into the special fund created under Section 41-7-188.

(11) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to revoke, immediately, the license and require closure of any institution for the aged or infirm, including any other remedy less than closure to protect the health and safety of the residents of said institution or the health and safety of the general public.

(12) Notwithstanding any other provision to the contrary, the State Department of Health shall have the following specific powers: The State Department of Health is authorized and empowered, to require the temporary detainment of individuals for disease control purposes based upon violation of any order of the State Health Officer, as provided in Section 41-23-5. For the purpose of enforcing such orders of the State Health Officer, persons employed by the department as investigators shall have general arrest powers. All law enforcement officers are authorized and directed to assist in the enforcement of such orders of the State Health Officer.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 41-3-43 AND 41-3-53, MISSISSIPPI CODE OF 1972, AND BRING FORWARD SECTION 41-3-15, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE LOCAL BOARDS OF SUPERVISORS TO COMPLY WITH APPLICABLE HEALTH AND SAFETY STANDARDS AS SET BY THE STATE BOARD OF HEALTH IN THE CONSTRUCTION, MAINTENANCE, EQUIPPING, STAFFING AND SUPPORT OF LOCAL COUNTY HEALTH DEPARTMENT BUILDINGS; TO PROVIDE THAT THE BOARD IS AUTHORIZED TO APPROPRIATE AND EXPEND LOCAL FUNDS FROM ANY AVAILABLE SOURCE FOR THE CONSTRUCTION, MAINTENANCE, EQUIPPING, STAFFING AND SUPPORT OF COUNTY HEALTH DEPARTMENT BUILDINGS; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2574 was adopted.

YEAS AND NAYS On S. B. No. 2574. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Senator Bryan called up the following entitled bill:

**S. B. No. 2575:** State Department of Health; provide that health insurers may not deny the right to participate as a contract provider.

On motion of Senator Bryan, the Committee Substitute was adopted for consideration.

Senator Bryan offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 83-9-10, Mississippi Code of 1972:

83-9-10. (1) For purposes of this section, alternative delivery systems and covered benefits shall have the same definitions as provided in Section 83-9-37.

(2) All alternative delivery systems and all group health insurance policies, plans or programs regulated by the state of Mississippi shall provide covered benefits for medical treatment provided by the Mississippi State Department of Health in the same manner as other providers.

(3) Alternative delivery systems and group health insurance policies, plans or programs regulated by the State of Mississippi shall not deny the Mississippi State Department of Health the right to participate as a contract provider.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 83-9-10, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL ALTERNATIVE DELIVERY SYSTEMS AND ALL GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI TO PROVIDE COVERED BENEFITS FOR MEDICAL TREATMENT

PROVIDED BY THE MISSISSIPPI STATE DEPARTMENT OF HEALTH IN THE SAME MANNER AS OTHER PROVIDERS; TO PROHIBIT ALTERNATIVE DELIVERY SYSTEMS AND GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI FROM DENYING THE MISSISSIPPI STATE DEPARTMENT OF HEALTH THE RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2575 was adopted.

YEAS AND NAYS On S. B. No. 2575. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Senator DeBar called up the following entitled bill:

**S. B. No. 2777:** School attendance officers; revise to increase the minimum base salary.

On motion of Senator DeBar, the Committee Substitute was adopted for consideration.

Senator DeBar offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-13-89, Mississippi Code of 1972, is amended as follows:

37-13-89. (1) In each school district within the state, there shall be employed the number of school attendance officers determined by the Office of Compulsory School Attendance Enforcement to be necessary to adequately enforce the provisions of the Mississippi Compulsory School Attendance Law \* \* \*. From and after July 1, 1998, all school attendance officers employed pursuant to this section shall be employees of the State Department of Education. The State Department of Education shall employ all persons employed as school attendance officers by district attorneys before July 1, 1998, and shall assign them to school attendance responsibilities in the school district in which they were employed before July 1, 1998. The first twelve (12) months of employment for each school attendance officer shall be the probationary period of state service.

(2) (a) The State Department of Education shall obtain current criminal records background checks and current child abuse registry checks on all persons applying for the position of school attendance officer after July 2, 2002. The criminal records information and registry checks must be kept on file for any new hires. In order to determine an applicant's suitability for employment as a school attendance officer, the

applicant must be fingerprinted. If no disqualifying record is identified at the state level, the Department of Public Safety shall forward the fingerprints to the Federal Bureau of Investigation (FBI) for a national criminal history record check. The applicant shall pay the fee, not to exceed Fifty Dollars (\$50.00), for the fingerprinting and criminal records background check; however, the State Department of Education, in its discretion, may pay the fee for the fingerprinting and criminal records background check on behalf of any applicant. Under no circumstances may a member of the State Board of Education, employee of the State Department of Education or any person other than the subject of the criminal records background check disseminate information received through any such checks except insofar as required to fulfill the purposes of this subsection.

(b) If the fingerprinting or criminal records check discloses a felony conviction, guilty plea or plea of nolo contendere to a felony of possession or sale of drugs, murder, manslaughter, armed robbery, rape, sexual battery, sex offense listed in Section 45-33-23(h), child abuse, arson, grand larceny, burglary, gratification of lust or aggravated assault which has not been reversed on appeal or for which a pardon has not been granted, the applicant is not eligible to be employed as a school attendance officer. Any employment of an applicant pending the results of the fingerprinting and criminal records check is voidable if the new hire receives a disqualifying criminal records check. However, the State Board of Education, in its discretion, may allow an applicant aggrieved by an employment decision under this subsection to appear before the board, or before a hearing officer designated for that purpose, to show mitigating circumstances that may exist and allow the new hire to be employed as a school attendance officer. The State Board of Education may grant waivers for mitigating circumstances, which may include, but are not necessarily limited to: (i) age at which the crime was committed; (ii) circumstances surrounding the crime; (iii) length of time since the conviction and criminal history since the conviction; (iv) work history; (v) current employment and character references; and (vi) other evidence demonstrating the ability of the person to perform the responsibilities of a school attendance officer competently and that the person does not pose a threat to the health or safety of children.

(c) A member of the State Board of Education or employee of the State Department of Education may not be held liable in any employment discrimination suit in which an allegation of discrimination is made regarding an employment decision authorized under this section.

(3) Each school attendance officer shall possess a college degree with a major in a behavioral science or a related field or shall have no less than three (3) years combined actual experience as a school teacher, school administrator, law enforcement officer possessing such degree, and/or social worker; however, these requirements shall not apply to persons employed as school attendance officers before January 1, 1987. School attendance officers also shall satisfy any additional requirements that may be established by the State Personnel Board for the position of school attendance officer.

(4) It shall be the duty of each school attendance officer to:

(a) Cooperate with any public agency to locate and identify all compulsory-school-age children who are not attending school;

(b) Cooperate with all courts of competent jurisdiction;

(c) Investigate all cases of nonattendance and unlawful absences by compulsory-school-age children not enrolled in a nonpublic school;

(d) Provide appropriate counseling to encourage all school-age children to attend school until they have completed high school;

(e) Attempt to secure the provision of social or welfare services that may be required to enable any child to attend school;

(f) Contact the home or place of residence of a compulsory-school-age child and any other place in which the officer is likely to find any compulsory-school-age child when the child is absent from school during school hours without a valid written excuse from school officials, and when the child is found, the officer shall notify the parents and school officials as to where the child was physically located;

(g) Contact promptly the home of each compulsory-school-age child in the school district within the officer's jurisdiction who is not enrolled in school or is not in attendance at public school and is without a valid written excuse from school officials; if no valid reason is found for the nonenrollment or absence from the school, the school attendance officer shall give written notice to the parent, guardian or custodian of the requirement for the child's enrollment or attendance;

(h) Collect and maintain information concerning absenteeism, dropouts and other attendance-related problems, as may be required by law or the Office of Compulsory School Attendance Enforcement; and

(i) Perform all other duties relating to compulsory school attendance established by the State Department of Education or district school attendance supervisor, or both.

(5) While engaged in the performance of his duties, each school attendance officer shall carry on his person a badge identifying him as a school attendance officer under the Office of Compulsory School Attendance Enforcement of the State Department of Education and an identification card designed by the State Superintendent of Public Education and issued by the school attendance officer supervisor. Neither the badge nor the identification card shall bear the name of any elected public official.

(6) \* \* \* The various pay ranges of the salary scale shall be based upon factors including, but not limited to, education, professional certification and licensure, and number of years of experience. School attendance officers shall be paid in accordance with this salary scale. The minimum salaries under the scale shall be no less than the following:

\* \* \*

Exp.	Master's Degree/Licensed Social Worker	Bachelor's Degree/No Degree
0	\$31,500.00	\$29,500.00
1	\$32,050.00	\$29,900.00
2	\$32,600.00	\$30,300.00
3	\$33,150.00	\$30,700.00
4	\$33,700.00	\$31,100.00
5	\$35,000.00	\$32,300.00
6	\$35,550.00	\$32,700.00
7	\$36,100.00	\$33,100.00

8	\$36,650.00	\$33,500.00
9	\$37,200.00	\$33,900.00
10	\$38,500.00	\$35,100.00
11	\$39,050.00	\$35,500.00
12	\$39,600.00	\$35,900.00
13	\$40,150.00	\$36,300.00
14	\$40,700.00	\$36,700.00
15	\$42,000.00	\$37,900.00
16	\$42,550.00	\$38,300.00
17	\$43,100.00	\$38,700.00
18	\$43,650.00	\$39,100.00
19	\$44,200.00	\$39,500.00
20	\$45,500.00	\$40,700.00
21	\$46,050.00	\$41,100.00
22	\$46,600.00	\$41,500.00
23	\$47,150.00	\$41,900.00
24	\$47,700.00	\$42,300.00
25	\$50,200.00	\$44,800.00
26	\$50,750.00	\$45,200.00
27	\$51,300.00	\$45,600.00
28	\$51,850.00	\$46,000.00
29	\$52,400.00	\$46,400.00
30	\$52,950.00	\$46,800.00
31	\$53,500.00	\$47,200.00
32	\$54,050.00	\$47,600.00
33	\$54,600.00	\$48,000.00
34	\$55,150.00	\$48,400.00
35		
& above	\$55,700.00	\$48,800.00

(7) (a) Each school attendance officer employed by a district attorney on June 30, 1998, who became an employee of the State Department of Education on July 1, 1998, shall be awarded credit for personal leave and major medical leave for his continuous service as a school attendance officer under the district attorney, and if applicable, the youth or family court or a state agency. The credit for personal leave shall be in an amount equal to one-third (1/3) of the maximum personal leave the school attendance officer could have accumulated had he been credited with such leave under Section 25-3-93 during his employment with the district attorney, and if applicable, the youth or family court or a state agency. The credit for major medical leave shall be in an amount equal to one-half (1/2) of the maximum major medical leave the school attendance officer could have accumulated had he been credited with such leave under Section 25-3-95 during his employment with the district attorney, and if applicable, the youth or family court or a state agency. However, if a district attorney who employed a school attendance officer on June 30, 1998, certifies, in writing, to the State Department of Education that the school attendance officer had accumulated, pursuant to a personal leave policy or major medical leave policy lawfully adopted by the district attorney, a number of days of unused personal leave or major medical leave, or both, which is greater than the number of days to which the school attendance officer is entitled under this paragraph, the State Department of Education shall authorize the school attendance officer to retain the actual unused personal leave or major medical leave, or both, certified by the district attorney, subject to the maximum amount of personal leave and major medical leave the school attendance officer could have accumulated had he been credited with such leave under Sections 25-3-93 and 25-3-95.

(b) For the purpose of determining the accrual rate for personal leave under Section 25-3-93 and major medical leave under Section 25-3-95, the State Department of Education shall give consideration to all continuous service rendered by a school attendance officer before July 1, 1998, in addition to the service rendered by the school attendance officer as an employee of the department.

(c) In order for a school attendance officer to be awarded credit for personal leave and major medical leave or to retain the actual unused personal leave and major medical leave accumulated by him before July 1, 1998, the district attorney who employed the school attendance officer must certify, in writing, to the State Department of Education the hire date of the school attendance officer. For each school attendance officer employed by the youth or family court or a state agency before being designated an employee of the district attorney who has not had a break in continuous service, the hire date shall be the date that the school attendance officer was hired by the youth or family court or state agency. The department shall prescribe the date by which the certification must be received by the department and shall provide written notice to all district attorneys of the certification requirement and the date by which the certification must be received.

(8) (a) School attendance officers shall maintain regular office hours on a year-round basis; however, during the school term, on those days that teachers in all of the school districts served by a school attendance officer are not required to report to work, the school attendance officer also shall not be required to report to work. (For purposes of this subsection, a school district's school term is that period of time identified as the school term in contracts entered into by the district with licensed personnel.) A school attendance officer shall be required to report to work on any day recognized as an official state holiday if teachers in any school district served by that school attendance officer are required to report to work on that day, regardless of the school attendance officer's status as an employee of the State Department of Education, and compensatory leave may not be awarded to the school attendance officer for working during that day. However, a school attendance officer may be allowed by the school attendance officer's supervisor to use earned leave on such days.

(b) The State Department of Education annually shall designate a period of six (6) consecutive weeks in the summer between school years during which school attendance officers shall not be required to report to work. A school attendance officer



who elects to work at any time during that period may not be awarded compensatory leave for such work and may not opt to be absent from work at any time other than during the six (6) weeks designated by the department unless the school attendance officer uses personal leave or major medical leave accrued under Section 25-3-93 or 25-3-95 for such absence.

(9) The State Department of Education shall provide all continuing education and training courses that school attendance officers are required to complete under state law or rules and regulations of the department.

SECTION 2. Section 37-3-9, Mississippi Code of 1972, is amended as follows:

37-3-9. (1) There shall be a State Superintendent of Public Education who shall be appointed by the State Board of Education, with the advice and consent of the Senate, and serve at the board's will and pleasure. He shall be the Chief Administrative Officer for the State Department of Education and shall administer the department in accordance with the policies established by the State Board of Education. The State Superintendent of Education, serving on July 1, 2011, shall continue to receive the salary that he was receiving on January 1, 2011. From and after \*\*\* July 1, \*\*\* 2023, the salary of the State Superintendent of Education shall be established by the State Board of Education and shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) per year. The State Superintendent of Public Education shall have at least a master's degree in any field and a minimum of five (5) years' experience in administration in the educational field.

(2) The State Superintendent shall give bond in the penalty of Seventy-five Thousand Dollars (\$75,000.00), with sureties to be approved by the Governor, conditioned according to law. The bond, when approved, shall be filed and recorded in the Office of the Secretary of State.

SECTION 3. Section 37-4-3, Mississippi Code of 1972, is amended as follows:

37-4-3. (1) From and after July 1, 1986, there shall be a Mississippi Community College Board which shall receive and distribute funds appropriated by the Legislature for the use of the public community and junior colleges and funds from federal and other sources that are transmitted through the state governmental organization for use by said colleges. This board shall provide general coordination of the public community and junior colleges, assemble reports and such other duties as may be prescribed by law.

(2) The board shall consist of ten (10) members of which none shall be an elected official. The Governor shall appoint two (2) members from the First Mississippi Congressional District, one (1) who shall serve an initial term of two (2) years and one (1) who shall serve an initial term of five (5) years; two (2) members from the Second Mississippi Congressional District, one (1) who shall serve an initial term of five (5) years and one (1) who shall serve an initial term of three (3) years; and two (2) members from the Third Mississippi Congressional District, one (1) who shall serve an initial term of four (4) years and one (1) who shall serve an initial term of two (2) years; two (2) members from the Fourth Mississippi Congressional District, one (1) who shall serve an initial term of three (3) years and one (1) who shall serve an initial term of four (4) years; and two (2) members from the Fifth Mississippi Congressional District, one (1) who shall serve an initial term of five (5) years and one (1) who shall serve an initial term of two (2) years. All subsequent appointments shall be for a term of six (6) years and continue until their successors are appointed and qualify. An appointment to fill a vacancy which arises for reasons other than by expiration of a term of office shall be for the unexpired term only. All members shall be appointed with the advice and consent of the Senate.

(3) There shall be a chairman and vice chairman of the board, elected by and from the membership of the board; and the chairman shall be the presiding officer of the board. The board shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business.

(4) The members of the board shall receive no annual salary, but shall receive per diem compensation as authorized by Section 25-3-69, Mississippi Code of 1972, for each day devoted to the discharge of official board duties and shall be entitled to reimbursement for all actual and necessary expenses incurred in the discharge of their duties, including mileage as authorized by Section 25-3-41, Mississippi Code of 1972.

(5) The board shall name a director for the state system of public junior and community colleges, who shall serve at the pleasure of the board. Such director shall be the chief executive officer of the board, give direction to the board staff, carry out the policies set forth by the board, and work with the presidents of the several community and junior colleges to assist them in carrying out the mandates of the several boards of trustees and in functioning within the state system and policies established by the Mississippi Community College Board. The Mississippi Community College Board shall set the salary of the director of the board. From and after July 1, 2023, the salary of the director shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) per year. The Legislature shall provide adequate funds for the Mississippi Community College Board, its activities and its staff.

(6) The powers and duties of the Mississippi Community College Board shall be:

(a) To authorize disbursements of state-appropriated funds to community and junior colleges through orders in the minutes of the board.

(b) To make studies of the needs of the state as they relate to the mission of the community and junior colleges.

(c) To approve new, changes to and deletions of vocational and technical programs to the various colleges.

(d) To require community and junior colleges to supply such information as the board may request and compile, publish and make available such reports based thereon as the board may deem advisable.

(e) To approve proposed new attendance centers (campus locations) as the local boards of trustees should determine to be in the best interest of the district. Provided, however, that no new community/junior college branch campus shall be approved without an authorizing act of the Legislature.

(f) To serve as the state approving agency for federal funds for proposed contracts to borrow money for the purpose of acquiring land, erecting, repairing, etc., dormitories, dwellings or apartments for students and/or faculty, such loans to be paid from revenue produced by such facilities as requested by local boards of trustees.

(g) To approve applications from community and junior colleges for state funds for vocational-technical education facilities.

(h) To approve any university branch campus offering lower undergraduate level courses for credit.

(i) To appoint members to the Post-Secondary Educational Assistance Board.

(j) To appoint members to the Authority for Educational Television.

(k) To contract with other boards, commissions, governmental entities, foundations, corporations or individuals for programs, services, grants and awards when such are needed for the operation and development of the state public community and junior college system.

(l) To fix standards for community and junior colleges to qualify for appropriations, and qualifications for community and junior college teachers.

(m) To have sign-off approval on the State Plan for Vocational Education which is developed in cooperation with appropriate units of the State Department of Education.

(n) To approve or disapprove of any proposed inclusion within municipal corporate limits of state-owned buildings and grounds of any community college or junior college and to approve or disapprove of land use development, zoning requirements, building codes and delivery of governmental services applicable to state-owned buildings and grounds of any community college or junior college. Any agreement by a local board of trustees of a community college or junior college to annexation of state-owned property or other conditions described in this paragraph shall be void unless approved by the board and by the board of supervisors of the county in which the state-owned property is located.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-13-89, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM BASE SALARY FOR SCHOOL ATTENDANCE OFFICERS; TO SET A SALARY SCALE FOR SCHOOL ATTENDANCE OFFICERS; TO AMEND SECTION 37-3-9, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE STATE SUPERINTENDENT OF PUBLIC EDUCATION; TO AMEND SECTION 37-4-3, MISSISSIPPI CODE OF 1972, TO PROVIDE A LIMITATION ON THE SALARY OF THE EXECUTIVE DIRECTOR OF THE COMMUNITY COLLEGE BOARD; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2777 was adopted.

YEAS AND NAYS On S. B. No. 2777. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators Blackwell, Blount, Branning, McCaughn and Suber as co-authors of **S. B. No. 2777**.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2750:** Automated External Defibrillators in Public Places Grant Program; establish.

Senator Hopson offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 41-60-34, Mississippi Code of 1972:

41-60-34. (1) There is hereby established the Automated External Defibrillators in Public and Charter Schools Grant Program, which shall be administered by the Department of Health for the purpose of providing funds to entities to supply AEDs in public and charter schools.

(2) For purposes of this section, "AED" shall mean an automated external defibrillator as defined in Section 41-60-31.

(3) The Department of Health shall administer the program with the intent to ensure the health and safety of individuals in public and charter schools. The Department of Health shall promulgate rules and regulations to accomplish the purpose of the program. The Department of Health shall establish criteria for applicants applying on behalf of a school district or charter school.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 41-60-34, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE AUTOMATED EXTERNAL DEFIBRILLATORS IN PUBLIC AND CHARTER SCHOOLS GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROVIDING FUNDS TO ENTITIES TO SUPPLY AEDS IN PUBLIC AND CHARTER SCHOOLS; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS FOR THE PROGRAM; TO SET CERTAIN REQUIREMENTS OF THE PROGRAM; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2750 was adopted.

YEAS AND NAYS On S. B. No. 2750. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators Jackson and McCaughn as co-authors of **S. B. No. 2750**.

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Senator Bryan called up the following entitled bill:

**S. B. No. 2167:** Mississippi Early Intervention Pilot Project Act; enact and create Early Intervention Task Force.

On motion of Senator Bryan, the Committee Substitute was adopted for consideration.

Senators Norwood, Blount, Butler K. (38th), Frazier, Simmons D. T. (12th) and Hickman offered the following AMENDMENT NO. 1.

AMEND on line 59 by striking the word "and".

FURTHER, AMEND on line 63 by striking the period and inserting "; and" in lieu thereof.

FURTHER, AMEND after line 63 by inserting the following language:

(o) One (1) faculty member from the College of Health Sciences at Jackson State University, to be named by the President of such University; and

(p) One (1) pediatrician, to be named by the Mississippi Region of the National Medical Association.

FURTHER, AMEND the title to conform.

Amendment No. 1 to S. B. No. 2167 was adopted.

YEAS AND NAYS On S. B. No. 2167. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

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

Voting Present--Hill. Total--1.

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Senator DeBar called up the following entitled bill:

**S. B. No. 2333:** Seizure Safe Schools Act; enact.

On motion of Senator Boyd, the Committee Substitute was adopted for consideration.

Senator Boyd offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act, the term "seizure action plan" means a written, individualized health plan designed to acknowledge and prepare for the health care needs of a student or employee diagnosed with a seizure disorder.

SECTION 2. (1) (a) Beginning on July 1, 2024, the local school board of each public school district shall have at least one (1) school employee or vendor at each school who has met the training requirements necessary to administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms as approved by the United States Food and Drug Administration and any successor agency.

(b) For those assigned the duties under paragraph (a) of this subsection, the training provided shall include instructions in administering seizure medications as well as the recognition of the signs and symptoms of seizures and the appropriate steps to be taken to respond to these symptoms.

(c) The presence of a registered nurse employed full time by a school who assumes responsibility for the administration of seizure medications may fulfill requirements of paragraphs (a) and (b) of this subsection.

(d) The Mississippi Department of Education shall provide webinar training at no cost and shall make such training available to all public and charter schools in the state. Public and charter schools shall provide training to all relevant personnel who have direct contact and supervision of children, on the recognition of the signs and symptoms of seizures and the appropriate steps for seizure first aid.

(e) A local school district shall be permitted to use any adequate and appropriate training program or guidelines for training of school personnel in the seizure disorder care tasks covered under this section.

(2) (a) Before administering a seizure rescue medication or medication prescribed to treat seizure disorder symptoms, the student's parent, guardian or responsible adult shall:

(i) Provide the school with a written authorization to administer the medication at school;

(ii) Provide a written statement from the person's health care practitioner, which shall contain the following information:

1. Full name;
2. The name and purpose of the medication;
3. The prescribed dosage;
4. The route of administration;
5. The frequency that the medication may be administered;

and

6. The circumstances under which the medication may be administered;

(iii) Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact.

(b) In addition to the statements required in paragraph (a) of this subsection, the parent or guardian, or adult shall collaborate with school personnel to create a seizure action plan.

(3) The statements and seizure action plan required in subsection (2) of this section shall be kept on file in the office of the school nurse or school administrator.

(4) The permission for the administration of any of the medications authorized under subsection (1)(a) of this section shall be effective for the school year in which it is granted and shall be renewed each following school year upon fulfilling the requirements of subsections (2) through (4) of this section.

(5) The requirements of this section shall apply only to schools that have an adult employee or enrolled student who has a seizure disorder, a seizure rescue medication or medication prescribed to treat seizure disorder symptoms approved by the United States Food and Drug Administration and any successor agency prescribed by the student's health care provider.

SECTION 3. A school district, school district employee or agent acting in good faith and in substantial compliance with the student's individual health plan and the instructions of the student's licensed health care professional, that provides assistance or services under this act shall be immune from criminal prosecution and shall not be liable in any criminal action for civil damages in his or her individual, marital, governmental, corporate or other capacities as a result of the services provided under this act to students with epilepsy or seizure disorders.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT BEGINNING ON JULY 1, 2024, EACH PUBLIC SCHOOL BOARD SHALL HAVE AT LEAST ONE EMPLOYEE OR VENDOR AT EACH SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO ADMINISTER SEIZURE RESCUE MEDICATION FOR PERSONS EXPERIENCING SEIZURE DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO BE CONSISTENT WITH GUIDELINES DEVELOPED BY THE EPILEPSY FOUNDATION OF AMERICA OR SIMILAR SUCCESSOR ORGANIZATION; TO REQUIRE THE PARENTS, LEGAL GUARDIANS OR OTHER RESPONSIBLE ADULT OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF NECESSARY MEDICATION, ALONG WITH A WRITTEN STATEMENT FROM THE CHILD'S MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE CHILD'S SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE OR SCHOOL ADMINISTRATOR; TO EXEMPT SCHOOL EMPLOYEES ACTING IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2333 was adopted.

YEAS AND NAYS On S. B. No. 2333. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senator McCaughn as co-author of **S. B. No. 2333**.

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Senator Polk called up the following entitled resolution:

**S. C. R. No. 533:** Constitution; amend to revise ballot initiative process.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

Senators Polk and McCaughn offered the following AMENDMENT NO. 1.

Amend by striking all after the resolving clause and inserting in lieu thereof the following:

That the following amendments to the Mississippi Constitution of 1890 are proposed to the qualified electors of the state:

I.

Amend Section 33, Mississippi Constitution of 1890, to read as follows:

Section 33. (1) The legislative power of this state shall be vested in a Legislature which shall consist of a Senate and a House of Representatives, but the people reserve to themselves the right to exercise the legislative power of the state to propose new laws and to amend or repeal existing laws by initiative, and to approve or reject the same in an election independent of the Legislature, in the manner prescribed in and subject to the provisions of this section.

(2) An initiative may be proposed by a petition signed over a twelve-month period by qualified electors equal to at least twelve-percent (12%) of the total qualified electors of the state as of the date of the last presidential election. The signatures of the qualified electors from any congressional district shall not exceed the total number of signatures required to qualify an initiative measure for placement on the ballot divided by the number of congressional districts in existence on the day that the petition is filed. If an initiative petition contains signatures from a single congressional district that exceed the total number of required signatures, the excess signatures from that congressional district shall not be considered by the Secretary of State in determining whether the initiative measure qualifies for placement on the ballot.



(3) The sponsor of an initiative shall identify in the text of the initiative the amount and source of revenue required to implement the initiative. If the initiative requires a reduction in any source of government revenue, or a reallocation of funding from currently funded programs, the sponsor shall identify in the text of the initiative the program or programs whose funding must be reduced or eliminated to implement the initiative.

(4) The initiative process shall not be used:

(a) For the proposal, modification or repeal of any portion of this Constitution;

(b) To amend or repeal any law relating to the Mississippi Public Employees' Retirement System;

(c) To amend or repeal the constitutional guarantee that the right of any person to work shall not be denied or abridged on account of membership or nonmembership in any labor union or organization; or

(d) To propose, amend or repeal any local or special law.

(5) (a) The Secretary of State shall file with the Clerk of the House and the Secretary of the Senate the complete text of the certified initiative on the first day of the regular session. An initiative may be adopted or adopted as amended by a majority vote of each house of the Legislature. If the initiative is adopted or adopted as amended by the Legislature, or if no action is taken within four (4) months of the date that the initiative is filed with the Legislature, the Secretary of State shall place the initiative, as adopted or adopted as amended as the case may be, on the ballot for the next statewide general election.

(b) The chief legislative budget officer shall prepare a fiscal analysis of each initiative and each legislative alternative. A summary of each fiscal analysis shall appear on the ballot.

(6) If the Legislature amends an initiative, the amended version and the original initiative shall be submitted to the electors. An initiative or legislative alternative must receive a majority of the votes thereon and not less than forty percent (40%) of the total votes cast at the election at which the measure was submitted to be approved. If conflicting initiatives or legislative alternatives are approved at the same election, the initiative or legislative alternative receiving the highest number of affirmative votes shall prevail.

(7) If an initiative measure proposed to the Legislature has been rejected by the Legislature and an alternative measure is passed by the Legislature in lieu thereof, the ballot titles of both such measures shall be so printed on the official ballots that a voter can express separately two (2) preferences: First, by voting for the approval of either measure or against both measures, and secondly, by voting for one (1) measure or the other measure. If the majority of those voting on the first issue is against both measures, then both measures fail, but in that case the votes on the second issue nevertheless shall be carefully counted and made public. If a majority voting on the first issue is for the approval of either measure, then the measure receiving a majority of the votes on the second issue and also receiving not less than forty percent (40%) of the total votes cast at the election at which the initiative was submitted for approval shall be law. Any person who votes for the ratification of either measure on the first issue must vote for one (1) of the measures on the second issue in order for the ballot to be valid. Any person who votes against both measures on the first issue may vote but shall not be required to vote for any of the measures on the second issue in order for the ballot to be valid. Substantially the following form shall be in compliance with this subsection:

## INITIATED BY PETITION AND ALTERNATIVE BY LEGISLATURE

Initiative Measure No. \_\_\_\_\_, entitled (here insert the ballot title of the initiative measure).

Alternative Measure No. \_\_\_\_\_ A, entitled (here insert the ballot title of the alternative measure).

## VOTE FOR APPROVAL OF EITHER, OR AGAINST BOTH:

FOR APPROVAL OF EITHER Initiative No. \_\_\_\_\_

OR Alternative No. \_\_\_\_\_ A .....( ) AGAINST Both Initiative No. \_\_\_\_\_

AND Alternative No. \_\_\_\_\_ A .....( )

## AND VOTE FOR ONE

FOR Initiative Measure No. \_\_\_\_\_ ( ) FOR Alternative Measure No. \_\_\_\_\_ A ..... ( )

(8) No more than five (5) initiative proposals shall be submitted to the votes on a single ballot, and the first five (5) initiative proposals submitted to the Secretary of State with sufficient petitions shall be the proposals which are submitted to the voters. The sufficiency of petitions shall be decided in the first instance by the Secretary of State, subject to review by the Supreme Court of the state, which shall have original and exclusive jurisdiction over all such cases.

(9) An initiative approved by the electors shall take effect thirty (30) days from the official declaration of the vote by the Secretary of State, unless the measure provides otherwise.

(10) The Legislature shall provide by law the manner in which initiative petitions shall be circulated, presented and certified. To prevent signature fraud and to maintain the integrity of the initiative process the state has a compelling interest in ensuring that no person shall circulate an initiative petition or obtain signatures on an initiative petition unless the person is a resident of this state at the time of circulation. For the purposes of this subsection, the term "resident" means a person who is domiciled in Mississippi as evidenced by an intent to maintain a principal dwelling place in Mississippi indefinitely and to return to Mississippi if temporarily absent, coupled with an act or acts consistent with that intent. Every person who circulates an initiative petition shall print and sign his name on each page of an initiative petition, or on a separate page attached to each page, certifying that he was a resident of this state at the time of circulating the petition. The Secretary of State shall refuse to accept for filing any page of an initiative petition upon which the signatures appearing thereon were obtained by a person who was not a resident of this state at the time of circulating the petition, and an initiative measure shall not be placed on the ballot if the Secretary of State determines that without such signatures the petition clearly bears an insufficient number of signatures. The provisions of this subsection (10) shall be applicable to all initiative measures that have not been placed on the ballot at the time this proposed amendment is ratified by the electorate.

(11) The Legislature may enact laws to carry out the provisions of this section but shall in no way restrict or impair the provisions of this section or the powers herein reserved to the people.

## II.

Amend Section 56, Mississippi Constitution of 1890, to read as follows:

Section 56. The style of the laws of the state that are enacted by the Legislature shall be: "Be it enacted by the Legislature of the State of Mississippi."

III.

Amend Section 61, Mississippi Constitution of 1890, to read as follows:

Section 61. No law enacted by the Legislature or by initiative of the people shall be revived or amended by reference to its title only, but the section or sections, as amended or revived, shall be inserted at length.

IV.

Amend Section 72, Mississippi Constitution of 1890, to read as follows:

Section 72. Every Bill which shall pass both Houses shall be presented to the Governor of the state. If he approve, he shall sign it; but if he does not approve, he shall return it, with his objections, to the House in which it originated, which shall enter the objections at large upon its Journal, and proceed to reconsider it. If after such reconsideration two-thirds (2/3) of that House shall agree to pass the Bill, it shall be sent, with the objections, to the other House, by which, likewise, it shall be reconsidered; and if approved by two-thirds (2/3) of that House, it shall become a law; but in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the Governor within five (5) days (Sundays excepted) after it has been presented to him, it shall become a law in like manner as if he had signed it, unless the Legislature, by adjournment, prevented its return, in which case such Bill shall be a law unless the Governor shall veto it within fifteen (15) days (Sundays excepted) after it is presented to him, and such Bill shall be returned to the Legislature, with his objections, within three (3) days after the beginning of the next session of the Legislature. The provisions of this section are not applicable to initiative measures approved by the people.

BE IT FURTHER RESOLVED, That these proposed amendments shall be submitted by the Secretary of State to the qualified electors at an election to be held on the first Tuesday after the first Monday of November 2023, as provided by Section 273 of the Constitution and by general law, with the proposed amendments in this resolution being voted on as one (1) amendment.

BE IT FURTHER RESOLVED, That the explanation of this proposed amendment for the ballot shall read as follows: "This proposed constitutional amendment provides that amendments to the Mississippi Constitution may only be proposed by the Legislature, but that the people reserve to themselves the right to exercise the legislative power of the state to propose new laws and to amend or repeal existing laws by initiative, and to approve or reject the same in an election independent of the Legislature."

BE IT FURTHER RESOLVED, That this resolution shall take effect on July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 33, 273, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT AMENDMENTS TO THE MISSISSIPPI CONSTITUTION MAY ONLY BE PROPOSED BY THE LEGISLATURE, BUT THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO EXERCISE THE LEGISLATIVE POWER OF THE STATE TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO

APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE.

Amendment No. 1 to S. C. R. No. 533 was adopted.

Senator Blackmon offered the following AMENDMENT NO. 2.

Amend by striking all after the resolving clause and inserting in lieu thereof the following:

That the following amendments to the Mississippi Constitution of 1890 are proposed to the qualified electors of the state:

I.

Amend Section 33, Mississippi Constitution of 1890, to read as follows:

Section 33. (1) The legislative power of this state shall be vested in a Legislature which shall consist of a Senate and a House of Representatives, but the people reserve to themselves the right to exercise the legislative power of the state to propose new laws and to amend or repeal existing laws by initiative, and to approve or reject the same in an election independent of the Legislature, in the manner prescribed in and subject to the provisions of this section.

(2) An initiative may be proposed by a petition signed over a twelve-month period by qualified electors equal to at least twelve-percent (12%) of the total qualified electors of the state as of the date of the last presidential election. The signatures of the qualified electors from any congressional district shall not exceed the total number of signatures required to qualify an initiative measure for placement on the ballot divided by the number of congressional districts in existence on the day that the petition is filed. If an initiative petition contains signatures from a single congressional district that exceed the total number of required signatures, the excess signatures from that congressional district shall not be considered by the Secretary of State in determining whether the initiative measure qualifies for placement on the ballot.

(3) The sponsor of an initiative shall identify in the text of the initiative the amount and source of revenue required to implement the initiative. If the initiative requires a reduction in any source of government revenue, or a reallocation of funding from currently funded programs, the sponsor shall identify in the text of the initiative the program or programs whose funding must be reduced or eliminated to implement the initiative.

(4) The initiative process shall not be used:

(a) For the proposal, modification or repeal of any portion of this Constitution;

(b) To amend or repeal any law relating to the Mississippi Public Employees' Retirement System;

(c) To amend or repeal the constitutional guarantee that the right of any person to work shall not be denied or abridged on account of membership or nonmembership in any labor union or organization; or

(d) To propose, amend or repeal any local or special law.

(5) (a) The Secretary of State shall file with the Clerk of the House and the Secretary of the Senate the complete text of the certified initiative on the first day of the

regular session. An initiative may be adopted or adopted as amended by a majority vote of each house of the Legislature. If the initiative is adopted or adopted as amended by the Legislature, or if no action is taken within four (4) months of the date that the initiative is filed with the Legislature, the Secretary of State shall place the initiative, as adopted or adopted as amended as the case may be, on the ballot for the next statewide general election.

(b) The chief legislative budget officer shall prepare a fiscal analysis of each initiative and each legislative alternative. A summary of each fiscal analysis shall appear on the ballot.

(6) No more than five (5) initiative proposals shall be submitted to the votes on a single ballot, and the first five (5) initiative proposals submitted to the Secretary of State with sufficient petitions shall be the proposals which are submitted to the voters. The sufficiency of petitions shall be decided in the first instance by the Secretary of State, subject to review by the Supreme Court of the state, which shall have original and exclusive jurisdiction over all such cases.

(7) An initiative approved by the electors shall take effect thirty (30) days from the official declaration of the vote by the Secretary of State, unless the measure provides otherwise.

(8) The Legislature shall provide by law the manner in which initiative petitions shall be circulated, presented and certified. To prevent signature fraud and to maintain the integrity of the initiative process the state has a compelling interest in ensuring that no person shall circulate an initiative petition or obtain signatures on an initiative petition unless the person is a resident of this state at the time of circulation. For the purposes of this subsection, the term "resident" means a person who is domiciled in Mississippi as evidenced by an intent to maintain a principal dwelling place in Mississippi indefinitely and to return to Mississippi if temporarily absent, coupled with an act or acts consistent with that intent. Every person who circulates an initiative petition shall print and sign his name on each page of an initiative petition, or on a separate page attached to each page, certifying that he was a resident of this state at the time of circulating the petition. The Secretary of State shall refuse to accept for filing any page of an initiative petition upon which the signatures appearing thereon were obtained by a person who was not a resident of this state at the time of circulating the petition, and an initiative measure shall not be placed on the ballot if the Secretary of State determines that without such signatures the petition clearly bears an insufficient number of signatures. The provisions of this subsection (10) shall be applicable to all initiative measures that have not been placed on the ballot at the time this proposed amendment is ratified by the electorate.

(9) The Legislature may enact laws to carry out the provisions of this section but shall in no way restrict or impair the provisions of this section or the powers herein reserved to the people.

II.

Amend Section 56, Mississippi Constitution of 1890, to read as follows:

Section 56. The style of the laws of the state that are enacted by the Legislature shall be: "Be it enacted by the Legislature of the State of Mississippi."

III.

Amend Section 61, Mississippi Constitution of 1890, to read as follows:

Section 61. No law enacted by the Legislature or by initiative of the people shall be revived or amended by reference to its title only, but the section or sections, as amended or revived, shall be inserted at length.

## IV.

Amend Section 72, Mississippi Constitution of 1890, to read as follows:

Section 72. Every Bill which shall pass both Houses shall be presented to the Governor of the state. If he approve, he shall sign it; but if he does not approve, he shall return it, with his objections, to the House in which it originated, which shall enter the objections at large upon its Journal, and proceed to reconsider it. If after such reconsideration two-thirds (2/3) of that House shall agree to pass the Bill, it shall be sent, with the objections, to the other House, by which, likewise, it shall be reconsidered; and if approved by two-thirds (2/3) of that House, it shall become a law; but in all such cases the votes of both Houses shall be determined by yeas and nays, and the names of the persons voting for and against the Bill shall be entered on the Journal of each House respectively. If any Bill shall not be returned by the Governor within five (5) days (Sundays excepted) after it has been presented to him, it shall become a law in like manner as if he had signed it, unless the Legislature, by adjournment, prevented its return, in which case such Bill shall be a law unless the Governor shall veto it within fifteen (15) days (Sundays excepted) after it is presented to him, and such Bill shall be returned to the Legislature, with his objections, within three (3) days after the beginning of the next session of the Legislature. The provisions of this section are not applicable to initiative measures approved by the people.

BE IT FURTHER RESOLVED, That these proposed amendments shall be submitted by the Secretary of State to the qualified electors at an election to be held on the first Tuesday after the first Monday of November 2023, as provided by Section 273 of the Constitution and by general law, with the proposed amendments in this resolution being voted on as one (1) amendment.

BE IT FURTHER RESOLVED, That the explanation of this proposed amendment for the ballot shall read as follows: "This proposed constitutional amendment provides that amendments to the Mississippi Constitution may only be proposed by the Legislature, but that the people reserve to themselves the right to exercise the legislative power of the state to propose new laws and to amend or repeal existing laws by initiative, and to approve or reject the same in an election independent of the Legislature."

BE IT FURTHER RESOLVED, That this resolution shall take effect on July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

A CONCURRENT RESOLUTION PROPOSING AMENDMENTS TO SECTIONS 33, 273, 56, 61 AND 72, MISSISSIPPI CONSTITUTION OF 1890, TO PROVIDE THAT AMENDMENTS TO THE MISSISSIPPI CONSTITUTION MAY ONLY BE PROPOSED BY THE LEGISLATURE, BUT THAT THE PEOPLE RESERVE TO THEMSELVES THE RIGHT TO EXERCISE THE LEGISLATIVE POWER OF THE STATE TO PROPOSE NEW LAWS AND TO AMEND OR REPEAL EXISTING LAWS BY INITIATIVE, AND TO APPROVE OR REJECT THE SAME IN AN ELECTION INDEPENDENT OF THE LEGISLATURE.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 2 to S. C. R. No. 533 failed by the following vote:

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

Nays--Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Parker, Polk, Seymour, Sojourner, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--33.  
Absent and those not voting--Michel, Parks. Total--2.

Senator Suber, who would have voted nay on S. C. R. No. 533, announced a pair with Senator Jordan, who would have voted yea.

Senator Hickman, who would have voted yea on S. C. R. No. 533, announced a pair with Senator Caughman, who would have voted nay.

YEAS AND NAYS On S. C. R. No. 533. On motion of Senator Polk, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams. Total--43.

Nays--Hill, Johnson, Parker, Polk. Total--4.

Absent and those not voting--Jordan, Michel, Parks. Total--3.

Senator Younger, who would have voted nay on S. C. R. No. 533, announced a pair with Senator Caughman, who would have voted yea.

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Senator Polk moved that the rules be suspended to move to calendar item 52, **S. B. No. 2638**, and the motion prevailed.

Senator Polk called up the following entitled bill:

**S. B. No. 2638:** Ballot initiative measure process; revise the statutory provisions of.

On motion of Senator Polk, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2638. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2146:** Uncrewed aircraft systems; regulate.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2146. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--DeBar, Seymour. Total--2.

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

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Unanimous consent was granted to add Senator England as co-author of **S. B. No. 2146**.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2191:** Mississippi Foster Parent's Bill of Rights and Responsibilities; create.

Senator Wiggins moved that **S. B. No. 2191** be recommitted to Judiciary, Division A, and the motion prevailed.

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Senator Wiggins called up the following entitled bill:

**S. B. No. 2644:** Divorce; authorize where marriage is irretrievably broken.

YEAS AND NAYS On S. B. No. 2644. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Chism, McDaniel, Seymour, Sparks, Tate. Total--5.

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

Voting Present--Branning, Turner-Ford. Total--2.

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Senator Wiggins called up the following entitled bill:



**S. B. No. 2645:** Circuit court districts; increase number of assistant district attorneys and criminal investigators.

On motion of Senator Wiggins, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2645. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators McLendon and Parker as co-authors of **S. B. No. 2645**.

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

The motion prevailed, and at 4:03 PM, the Senate stood in recess.

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The Senate resumed business at 4:20 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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Senator Polk moved that the rules be suspended to move to calendar item 34, **S. B. No. 2160**, and the motion prevailed.

Senator Polk called up the following entitled bill:

**S. B. No. 2160:** State Department of Health; transfer responsibilities of State Board of Cosmetology and Board of Barber Examiners to.

Senator Blackwell offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Any reference to the State Board of Cosmetology or the Board of Barber Examiners in Title 73, Chapters 5 and 7, Mississippi Code of 1972, or any other provision of law, shall mean the State Board of Cosmetology and Barbering created in Section 73-7-1.

SECTION 2. Section 73-7-1, Mississippi Code of 1972, is amended as follows:

73-7-1. There is hereby \* \* \* the State Board of Cosmetology and Barbering, composed of the State Health Officer, or his or her designee, and six (6) members to be appointed by the Governor, with the advice and consent of the Senate, and will consist of

one (1) manicurist or esthetician, two (2) cosmetologists, one (1) of whom is a salon owner, and three (3) barbers. Two (2) members shall be appointed from each Supreme Court District as they currently exist, and one (1) member from each district shall be a barber. The initial term of office for the first cosmetologist member and first barber member shall be two (2) years and thereafter shall be six (6) years; the initial term of office for the second cosmetologist member and second barber member shall be four (4) years and thereafter shall be six (6) years; and the initial term of office for the manicurist/esthetician member and third barber member shall be six (6) years. No member may serve more than two (2) consecutive terms. The initial appointments must be made before September 1, 2023.

There shall be a president of the board and such other officers as deemed necessary by the board elected by and from its membership, provided that the member elected as president shall have at least one (1) year of experience on the board. Any member appointed by the Governor and confirmed by the Senate for a term to begin on or after July 1, \* \* \* 2023, who was designated by the Governor to serve as president of the board, shall be fully qualified to serve on the board for a full term of office, but shall not serve as president of the board unless elected by the membership of the board as provided under this paragraph.

To be eligible for appointment as a member of the State Board of Cosmetology and Barbering, the person applying shall have been a citizen of this state for a minimum of five (5) years immediately prior to appointment. Such person shall be at least thirty (30) years of age, possess a high school education or its equivalent, and shall have been \* \* \* licensed \* \* \* by the board with not less \* \* \* than five (5) years' active practice in \* \* \* an occupation regulated by the board. No member of the board shall be connected in any way with any school wherein cosmetology is taught, nor shall any two (2) members of the board be graduates of the same school of cosmetology or barbering.

However, in the event of vacancy by death or resignation of any member of the board, the Governor shall, within thirty (30) days, appoint a person possessing all qualifications required to serve the remainder of the term. Any member who shall not attend two (2) consecutive meetings of the board for reasons other than illness of such member shall be subject to removal by the Governor. The president of the board shall notify the Governor in writing when any such member has failed to attend two (2) consecutive regular meetings.

The salaries of all paid employees of the board shall be paid out of funds in the board's special fund in the State Treasury. Each member of the board, excepting the inspectors provided for herein, shall receive per diem as authorized by Section 25-3-69, and shall be reimbursed for such other expenses at the same rate and under the same conditions as other state employees as provided for in Section 25-3-41.

The board shall give reasonable public notice of all board meetings not less than ten (10) days prior to such meetings.

(2) In addition to any powers conferred upon the board in other provisions of law, the State Board of Cosmetology and Barbering shall appoint an individual to serve as the Executive Director of the State Board of Cosmetology and Barbering. The executive director shall possess the qualifications established by the board, which shall be based on National Best Practices. The executive director shall be considered a full-time position. The executive director shall serve at the will and pleasure of the board and shall devote his or her time to the proper administration of the board and the duties assigned to him or her by the board. The executive director shall be paid a salary established by the board, subject to the approval of the State Personnel Board. Subject to the availability of funding, the executive director may employ such administrative staff as may be necessary to assist the director and board in carrying out the duties and directives of the State Board of Cosmetology and Barbering.

SECTION 3. Section 73-7-2, Mississippi Code of 1972, is amended as follows:

73-7-2. As used in this chapter, the following terms shall have the meanings ascribed herein unless the context otherwise requires:

(a) "Board" means the \* \* \* State Board of Cosmetology and Barbering.

(b) "Barbering" means the occupation of shaving or trimming the beard, cutting or dressing the hair, giving facial or scalp treatment with oils or creams or other cosmetic preparations made for that purpose, antiseptics, powders, clays or lotions to scalp, face, neck or upper part of the body either by hand or by means of mechanical appliances, singeing and shampooing the hair, dyeing the hair or permanently waving or straightening the hair for compensation.

(c) "Barber" means a person, other than a student, who performs barbering on the general public for compensation, and who shall satisfy the qualifications and licensure requirements provided in this chapter.

( \* \* \*d) "Cosmetology" means any one (1) or a combination of the following practices if they are performed on a person's head, face, neck, shoulder, arms, hands, legs or feet for cosmetic purposes:

(i) Cutting, clipping or trimming hair and hair pieces.

(ii) Styling, arranging, dressing, curling, waving, permanent waving, straightening, cleansing, bleaching, tinting, coloring or similarly treating hair and hair pieces.

(iii) Cleansing, stimulating, manipulating, beautifying or applying oils, antiseptics, clays, lotions or other preparations, either by hand or by mechanical or electrical apparatus.

(iv) Arching eyebrows, to include tweezing, waxing, threading or any other methods of epilation, or tinting eyebrows and eyelashes.

(v) Removing superfluous hair by the use of depilation.

(vi) Manicuring and pedicuring.

For regulation purposes, the terms "cosmetology" and "barbering" \* \* \* do not include persons whose practice is limited to only performing makeup artistry, threading or applying or removing eyelash extensions; however, a person may perform a combination of not more than three (3) such practices and still be exempt from this chapter.

( \* \* \*d) "Cosmetologist" means a person who for compensation, whether direct or indirect, engages in the practice of cosmetology.

( \* \* \*e) "Esthetics" means any one (1) or a combination of the following practices:

(i) Massaging the face or neck of a person.

(ii) Arching eyebrows to include trimming, tweezing, waxing, threading or any other method of epilation or tinting eyebrows and eyelashes.

(iii) Tinting eyelashes or eyebrows.

(iv) Waxing, stimulating, cleaning or beautifying the face, neck, arms or legs of a person by any method with the aid of the hands or any mechanical or electrical apparatus, or by the use of a cosmetic preparation.

The term "esthetics" shall not include the diagnosis, treatment or therapy of any dermatological condition. For regulation purposes, the term "esthetics" does not include persons whose practice is limited to only performing makeup artistry, threading or applying or removing eyelash extensions; however, a person may perform a combination of not more than three (3) such practices and still be exempt from this chapter.

( \*\*f) "Esthetician" means any person who, for compensation, either direct or indirect, engages in the practice of esthetics.

( \*\*g) "Instructor" means a person licensed to teach cosmetology, or manicuring and pedicuring, or esthetics, or all of those, pursuant to this chapter, and shall include those persons engaged in the instruction of student instructors.

( \*\*h) "Manicuring and pedicuring" means any one (1) or a combination of the following practices:

(i) Cutting, trimming, polishing, coloring, tinting, cleansing or otherwise treating a person's nails.

(ii) Applying artificial nails.

(iii) Massaging or cleaning a person's hands, arms, legs or feet.

( \*\*i) "Manicurist" means a person who for compensation, either direct or indirect, engages in the practice of manicuring and pedicuring.

( \*\*j) "Master" means a person holding a cosmetology, manicuring, barbering and esthetics license who has completed the minimum course of continuing education prescribed by Section 73-7-14.

( \*\*k) "Salon" or "barber business" means an establishment operated for the purpose of engaging in the practice of cosmetology, or manicuring and pedicuring, barbering, esthetics, \*\*, or all of those.

( \*\*) "School" means an establishment, public or private, operated for the purpose of teaching cosmetology, barbering, or manicuring and pedicuring, or esthetics, or \*\*, or all of those.

SECTION 4. Section 73-7-3, Mississippi Code of 1972, is amended as follows:

73-7-3. (1) The board shall be authorized to employ such clerical and stenographic assistance, bookkeepers, investigators and other agents as they may deem necessary to carry out the provisions of this chapter, and to fix their tenure of employment and compensation therefor. The members of the board shall file a bond with the Secretary of State in the sum of not less than Five Thousand Dollars (\$5,000.00) payable to the State of Mississippi for the faithful performance of their duties. The bond shall be made by a surety company authorized to do business in this state, the premium of the bond to be paid out of any money in the board's special fund in the State Treasury.

(2) The office of the board shall be located in the greater metropolitan area of the City of Jackson, Mississippi, and in the event office space cannot be obtained in any state-owned building, the board is authorized to rent suitable office space and to pay therefor out of funds in the board's special fund. The board shall employ inspectors as needed, not to exceed \*\* twelve (12), who shall be full-time employees and whose salaries and duties shall be fixed by the board.

(3) The salaries of all paid employees of the board shall be paid out of the funds in the board's special fund. The inspectors shall, in addition to their salaries, be reimbursed for such expenses as are allowed other state employees under the provisions of Section 25-3-41. In addition to the paying of office rent, the board is authorized to purchase necessary office furniture and equipment, stationery, books, certificates and any other equipment necessary for the proper administration of this chapter.

SECTION 5. Section 73-7-7, Mississippi Code of 1972, is amended as follows:

73-7-7. (1) The board shall have authority to make reasonable rules and regulations for the administration of the provisions of this chapter. The board shall set up a curriculum for operation of schools of cosmetology, barbering and the other professions it is charged to regulate in this state. The board shall receive and consider for adoption recommendations for rules and regulations, school curriculum, and related matters from the Mississippi Cosmetology Council, whose membership shall consist of, in addition to the board members, five (5) elected delegates from the Mississippi Cosmetology Association, five (5) elected delegates from the Mississippi Cosmetology School Association, five (5) elected delegates from the Mississippi Independent Beauticians Association, and five (5) elected delegates from the School Owners and Teachers Association. The board may revoke the license of any cosmetologist, barber, esthetician, manicurist, instructor, school of cosmetology or barbering, or salon and/or barber business, or may refuse to issue a license to any cosmetologist, barber, esthetician, manicurist, instructor, school of cosmetology or barbering, or salon and/or barber business that fails or refuses to comply with the provisions of this chapter and the rules and regulations of the board in carrying out the provisions of this chapter.

(2) The board shall have authority to prescribe reasonable rules and regulations governing sanitation of schools of cosmetology and barbering and beauty salons and barber businesses for the guidance of persons licensed under this chapter in the operation of schools of cosmetology and barbering, or a beauty salon and/or barber business, and in the practice of cosmetology, barbering, esthetics, manicuring and pedicuring \* \* \*. However, any and all rules and regulations relating to sanitation shall, before adoption by the board, have the written approval of the State Board of Health. When the board has reason to believe that any of the provisions of this chapter or of the rules and regulations of the board have been violated, either upon receipt of a written complaint alleging such violations or upon the board's own initiative, the board, or any of its authorized agents, shall investigate same and shall have authority to enter upon the premises of a school of cosmetology or barbering or salon and/or barber business at any time during the regular business hours of that school or salon and/or barber business to conduct the investigation. Such investigation may include, but not be limited to, conducting oral interviews with the complaining party, school or salon and/or barber business owner(s) and/or students of the school, and reviewing records of the school or salon and/or barber business pertinent to the complaint and related to an area subject to the authority of the board. Such investigation shall not include written interviews or surveys of school employees or students, and the privacy of patrons shall be respected by any person making such investigation.

(3) On or before July 1, 2001, the board shall adopt regulations to ensure that all fingernail service products used by licensed cosmetologists, manicurists and other licensees do not contain methyl methacrylate (MMA) as a monomer agent for cosmetic nail applications.

(4) If the board finds that a violation of the provisions of this chapter or the rules and regulations of the board has occurred, it may cause a hearing to be held as set forth in Section 73-7-27.

SECTION 6. Section 73-7-9, Mississippi Code of 1972, is amended as follows:

73-7-9. No person required by this chapter to have a license shall conduct a beauty salon, barber business or school of cosmetology, or practice cosmetology, barbering, esthetics, manicuring and pedicuring, or practice as an instructor, unless such person has received a license or temporary permit therefor from the board. \* \* \* Anyone determined to have violated any of these rules or regulations prior to being licensed by the board shall be subject to the same discipline by the board as licensees. They may be disciplined and fined accordingly.

SECTION 7. Section 73-7-11, Mississippi Code of 1972, is amended as follows:

73-7-11. Each owner of a license issued by the board under the provisions of this chapter shall display the license in a conspicuous place in his or her principal office, place of business or employment, at all times.

Each practitioner and instructor license shall contain a head photograph of the license holder, the person's name, and the type of license held by the person. The requirements of this section shall apply at the time of issuance of a new license or at the time of renewal of an existing license.

A barber pole can only be displayed if the business carries a barber business license or is dual licensed as a cosmetology and barber business.

SECTION 8. Section 73-7-12, Mississippi Code of 1972, is amended as follows:

73-7-12. Effective January 1, \* \* \* 2024, the State Board of Cosmetology and Barbering shall terminate its student testing contract with proper notice and shall conduct examinations for cosmetologists, barbers, estheticians, manicurists and instructors at such times and locations as determined by the board. The members of the board shall not personally administer or monitor the examinations, but the board shall contract for administrators of the examinations. A member of the board shall not receive any per diem compensation for any day that the member is present at the site where the examinations are being administered.

SECTION 9. Section 73-7-13, Mississippi Code of 1972, is amended as follows:

73-7-13. (1) The \* \* \* State Board of Cosmetology and Barbering shall admit to examination for a cosmetology license any person who has made application to the \* \* \* State Board of Cosmetology and Barbering in proper form, has paid the required fee, and who (a) is at least \* \* \* sixteen (16) years of age, (b) \* \* \* has successfully completed no less than fifteen hundred (1500) hours over a period of no less than nine (9) months in a licensed school of cosmetology or in an apprenticeship program for three thousand (3,000) hours certified by the State Board of Cosmetology and Barbering, and ( \* \* \*c) has a high school tenth-grade education or its equivalent or has been successfully enrolled in a community college. Apprenticeships provided for in this subsection may be monitored or mentored by a licensed cosmetology instructor. Only one (1) apprentice may be mentored by any person at the same time.

( \* \* \*2) The \* \* \* State Board of Cosmetology and Barbering may, in its discretion, issue to any student who has completed the prescribed hours in a licensed school and paid the required fee a temporary permit until such time as the next examination may be held, but such student shall be issued only one (1) temporary permit. Application for an examination and license shall be accompanied by two (2) passport photographs of the applicant. No temporary permit will be issued to an applicant from any other state to operate a beauty salon or school of cosmetology in this state unless in case of emergency.

( \* \* \*3) Applicants for the cosmetologist examination, after having satisfactorily passed the prescribed examination, shall be issued a cosmetology license which until June 30, 2001, shall be valid for one (1) year, and after July 1, 2001, shall be valid for two (2) years, and all those licenses shall be subject to renewal.

( \*\* \*4) Any barber who \*\* \* has successfully completed no less than fifteen hundred (1500) hours in a licensed barber school, and who holds a current valid certificate of registration to practice barbering and who holds a current valid license, is eligible to take the cosmetology examination to secure a cosmetology license upon successfully completing \*\* \* six hundred (600) hours in a licensed school of cosmetology. All fees for application, examination, registration and renewal thereof shall be the same as provided for cosmetologists.

( \*\* \*5) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

( \*\* \*6) Any licensed cosmetologist, barbers, esthetician, or manicurist who is registered but not actively practicing in the State of Mississippi at the time of making application for renewal, may apply for registration on the "inactive" list. Such "inactive" list shall be maintained by the \*\* \* State Board of Cosmetology and Barbering and shall set out the names and post office addresses of all persons registered but not actively practicing in this state, arranged alphabetically by name and also by the municipalities and states of their last-known professional or residential address. Only the cosmetologists, barbers, estheticians and manicurists registered on the appropriate list as actively practicing in the State of Mississippi shall be authorized to practice those professions. For the purpose of this section, any licensed cosmetologist, barber, esthetician or manicurist who has actively practiced his or her profession for at least three (3) months of the immediately preceding license renewal period shall be considered inactive practice. No cosmetologist, barber, esthetician, or manicurist shall be registered on the "inactive" list until the person has furnished a statement of intent to take such action to the board. Any licensed cosmetologist, barber, esthetician, or manicurist \*\* \* registered on the "inactive" list shall not be eligible for registration on the active list until either of the following conditions have been satisfied:

(a) Written application shall be submitted to the \*\* \* State Board of Cosmetology and Barbering stating the reasons for such inactivity and setting forth such other information as the board may require on an individual basis and completion of the number of clock hours of continuing education as approved by the board; or

(b) Evidence to the satisfaction of the board shall be submitted that they have actively practiced their profession in good standing in another state and have not been guilty of conduct that would warrant suspension or revocation as provided by applicable law; and

(c) Payment of the fee for processing such inactive license shall be paid biennially in accordance to \*\* \* State Board of Cosmetology and Barbering rules.

SECTION 10. Section 73-7-14, Mississippi Code of 1972, is amended as follows:

73-7-14. (1) Any person who holds a current, valid cosmetology, barber, manicuring or esthetics license may be licensed as a master cosmetologist, barber, manicurist or esthetician if he or she has been a licensed cosmetologist, barber, manicurist or esthetician in this state for a period of not less than twelve (12) months, and has completed a minimum course of sixteen (16) hours' study in continuing education approved by the board within the licensing period preceding initial application for the license, and has paid the original license fee. Master cosmetologist, barber, manicurist or esthetician licenses shall be renewable upon completion of a minimum course of eight (8) hours' study in continuing education approved by the board within a licensing period and payment of the required renewal fee. This is an optional license and persons who do not wish to complete the continuing education requirement may obtain a cosmetology license when renewing their license.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 11. Section 73-7-15, Mississippi Code of 1972, is amended as follows:

73-7-15. (1) The board shall admit to examination for a cosmetology instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) \*\*\* Is a graduate of a licensed cosmetology school;

( \*\* \*c) Has a high school education or its equivalent;

( \*\* \*d) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school of cosmetology;

( \*\* \*e) Has successfully completed six (6) semester hours in college courses approved by the board;

( \*\* \*f) Holds a current, valid Mississippi cosmetology license; and

( \*\* \*g) Has at least one (1) year active practical experience as a cosmetologist or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school of cosmetology.

(2) The board shall admit to examination for an esthetics instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) \*\*\* Has a high school education or its equivalent;

( \*\* \*c) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of esthetics is taught;

( \*\* \*d) Has successfully completed six (6) semester hours in college courses approved by the board;

( \*\* \*e) Holds a current, valid Mississippi esthetician's license; and

( \*\* \*f) Has had one (1) year of active practical experience as an esthetician or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of esthetics is taught.

(3) The board shall admit to examination for a manicurist instructor's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than twenty-one (21) years of age;

(b) \*\*\* Has a high school education or its equivalent;



( \*\*c) Has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of manicuring is taught;

( \*\*d) Has successfully completed six (6) semester hours in college courses approved by the board;

( \*\*e) Holds a current, valid Mississippi manicurist's license; and

( \*\*f) Has had one (1) year of active practical experience as a manicurist or, as an alternative to such experience, has successfully completed one thousand (1,000) hours of instructor training in a licensed school in which the practice of manicuring is taught.

(4) Applicants shall satisfactorily pass the examination prescribed by the board for licensing instructors prior to the issuance of the licenses provided for in this section. However, the board may, in its discretion, issue a temporary instructor's permit until such time as the next examination may be held, but such applicant shall be issued only one (1) temporary permit. All applications for an instructor's examination shall be accompanied by two (2) recent head photographs of the applicant.

(5) All instructors licensed pursuant to this section shall biennially obtain twenty-four (24) clock hours of continuing education in teacher training instruction in cosmetology or esthetics or manicuring, as the case may be, as approved by the board. Any instructor who fails to obtain the continuing education required by this subsection shall not be allowed to instruct nor enroll students under his or her license until such education requirement has been met. The board may issue an inactive instructor's license to such instructors, and an inactive license may be converted into an active license after proof satisfactory to the board of completion of at least twenty-four (24) clock hours of approved continuing education required for teacher training instruction.

(6) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 12. Section 73-7-16, Mississippi Code of 1972, is amended as follows:

73-7-16. (1) \*\*\* All schools of cosmetology or barbering or school owners shall have a school license and shall pay to the board the required license fee. The board is hereby authorized and empowered to promulgate necessary and reasonable rules and regulations for the issuance of school licensees.

(2) Any school making application for a license under this act shall not be transferable for any cause and shall include a surety bond in the penal sum of Fifty Thousand Dollars (\$50,000.00) in favor of the Mississippi State Board of Cosmetology and Barbering on a bond form completed by the insurance company or agency. The applicant may file in lieu of the bond, cash or a certificate of deposit or government bonds in the amount of Fifty Thousand Dollars (\$50,000.00).

(3) The school applicant shall maintain a professional liability insurance policy covering any aspect of the facility, personnel and/or students.

(4) The school shall meet all applicable health and safety standards that may be required by local, state and federal agencies.

(5) Private business and vocational schools that have obtained national accreditation from an accrediting agency designated by the United States Department of Education must submit evidence of current accreditation.

(6) The course content and length of instruction shall be of such nature and quality as to assure that the students will adequately develop the job skills and knowledge necessary for passing any and all examinations required for licensure.

(7) Schools shall provide favorable conditions for effective classroom instruction. A total pattern of successful instruction includes:

- (a) Well-defined instructional objectives;
- (b) Systematic planning;
- (c) Selection and use of varied types of learning materials and experiences;
- (d) Adaptation of organization and instructional procedures to student needs;
- (e) Use of varied evaluation instruments and procedures; and
- (f) Good student and teacher morale.

(8) Each board-approved school of cosmetology, barbering, esthetics or manicuring must provide proof to the board of an annual pass rate that meets or exceeds the current minimum standard as established by the board.

(9) The Board of Cosmetology and Barbering will evaluate school curriculum for conformance with educational requirements set forth by the Mississippi Cosmetology and Barbering Act.

(10) There shall be no automatic renewal of school licenses and each licensee shall be audited for conformity prior to the issuance of any a new license.

(11) The licensee shall notify the board at least thirty (30) days in advance of closure and provide a teach-out plan for existing students which must be approved by the board.

(12) In the event that a school closes a facility, the licensee must notify the board within sixty (60) days prior to closing and provide proof of the reason for the closure; proof of method developed to assist students with the completion of their program of study and individual courses; proof of notice sent to all currently enrolled students, notifying them of the closure; proof of notice given to students indicating where they may obtain any of their records; proof of disposition of student records, with a contact person, complete address and telephone number and how students' information may be obtained; proof of notice sent to all students who have paid for any tuition and/or fees for future enrollment in a program of study or individual course informing them of the closure, and refund information; proof of certified transcripts for each currently enrolled student who has paid for and completed coursework in lieu of receiving a full or partial refund. In the event a school files a bankruptcy petition, a certified copy must be filed with the Board of Cosmetology and Barbering.

(13) School licenses may be issued, as follows:

(a) Temporary licenses may be issued for a one-year period. These licenses may be issued to new schools with less than two (2) graduating classes. Schools shall submit annual reports by July 16 of each year unless otherwise specified. Prospective students prior to enrolling and enrolled students shall be notified in writing of the school's temporary status.

(b) Probationary licenses shall indicate warning status and may be issued for a one-year period. These licenses may be issued to new schools with less than two (2) graduating classes and with any significant violation(s) in the most recent year. Such schools shall submit annual reports by July 16 of each year unless otherwise specified. Such schools shall notify both prospective students prior to their enrolling and enrolled students in writing of the school's probationary status.

(c) Conditional licenses may be issued to schools for a one-year period. Conditional license status for schools that previously held a nonconditional license shall not exceed two (2) years. Such schools shall submit annual reports by July 16 of each year unless otherwise specified. Such schools shall notify both prospective students prior to their enrolling and enrolled students in writing of the school's conditional status.

These licenses may be issued to schools with two (2) or more graduating classes and with any of the following:

(i) Any significant violation(s) in the most recent year; and

(ii) Either the school's annual pass rate or the school's comprehensive pass rate does not meet or exceed the board's current minimum standard.

(d) Nonconditional licenses may be issued for a two-year period. Such schools shall submit annual reports by July 16 of each year unless otherwise specified. These licenses may be issued to schools with two (2) or more graduating classes and with all of the following:

(i) No significant violation(s) in the most recent year; and

(ii) Either an annual pass rate or a comprehensive pass rate that meets or exceeds the board's current minimum standard.

(14) The combined temporary, probationary and/or conditional license status for schools shall not exceed a five-year-consecutive period before moving to a nonconditional license status.

(15) Cosmetology and barber school owners, instructors, and/or employees or contractors of the school shall adhere to the Mississippi Board of Cosmetology and Barbering statute and relative rules and regulations and shall regard students with the same care and consideration as clients.

(16) The Board of Cosmetology and Barbering will evaluate school curriculum for conformance with educational requirements set forth by the Mississippi Cosmetology and Barbering Act.

(17) There shall be no automatic renewal of school licenses and each licensee shall be audited for conformity. Prior to the issuance of any such license, the board shall inspect the premises to determine if same qualifies with the law.

(18) Each application made under this section shall include the social security number of the applicant, owners or agents in accordance with Section 93-11-64.

SECTION 13. Section 73-7-17, Mississippi Code of 1972, is amended as follows:

73-7-17. (1) All salon and/or barber business owners shall have a salon and/or barber business license and shall pay to the board the required license fee therefor and pay the required renewal fee for renewal thereof. A grace period of sixty (60) days will be given in which to renew the license, and upon the expiration of the grace period of sixty (60) days any applicant for the renewal of a salon and/or barber business license will be required to pay a delinquent fee in addition to the renewal fee. A salon and/or barber business license that has been expired for over one (1) year is nonrenewable and requires a new application. Prior to the initial issuance of such license, the board shall inspect the premises to determine if same qualifies with the law, upon payment by the applicant of the required inspection fee.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 14. Section 73-7-18, Mississippi Code of 1972, is amended as follows:

73-7-18. (1) The \*\*\* State Board of Cosmetology and Barbering shall admit to examination for an esthetician's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is not less than \*\*\* sixteen (16) years of age;

(b) \*\*\* Has a high school education or its equivalent; and

( \*\*c) Has successfully completed a course of training in esthetics of not less than six hundred (600) hours in an accredited school in which the practice of esthetics is taught, including not less than one hundred (100) hours of theory and five hundred (500) hours of skill practice or an apprenticeship program of twelve hundred (1200) hours certified by the State Board of Cosmetology and Barbering. Apprenticeships provided for in this section may be monitored or mentored by a person with an instructor license in cosmetology or esthetics. Only one (1) apprentice may be mentored by any person at the same time.

Licensed estheticians desiring to pursue additional hours to be eligible for a license as a cosmetologists may be credited with any hours acquired in studying and training to be an esthetician, which may be applied to the number of hours required for a cosmetology license examination.

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(2) Every person who has completed not less than three hundred fifty (350) hours of training in esthetics approved by the board in this or any other state prior to July 1, 1987, shall be registered with the board within a period not exceeding six (6) months after July 1, 1987, and shall be granted an esthetician's license by the board if such person presents satisfactory evidence to the board that he or she has fulfilled all the requirements to be admitted to examination except the training hours requirement.

(3) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 15. Section 73-7-19, Mississippi Code of 1972, is amended as follows:

73-7-19. (1) Except as provided in Section 33-1-39, all licenses shall be renewed biennially under the fee schedule in Section 73-7-29. Applications for renewal of licenses for cosmetologists, barbers, estheticians, manicurists and instructors must be accompanied by the required renewal fee. A grace period of sixty (60) days will be given in which to renew the license; and upon the expiration of the grace period of sixty (60) days, any applicant for the renewal of a license will be required to pay the required renewal fee and a delinquent fee in addition to the renewal fee. The fees may be paid by either personal or certified check, cash or money order, under such safeguards, rules and regulations as the board may prescribe. Checks returned to the board because of insufficient funds shall result in nonrenewal of the license, which will require the penalty fee for insufficient fund checks plus all other amounts due for renewal of the license before the license may be renewed. After one (1) year has passed from the expiration date of the license, a delinquent fee must be paid for each year up to three (3) years, after which the required examination must be taken. All applications for examination required by this chapter shall expire ninety (90) days from the date thereof.

(2) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 16. Section 73-7-21, Mississippi Code of 1972, is amended as follows:

73-7-21. (1) The \* \* \* State Board of Cosmetology and Barbering shall admit to examination for a manicurist's license any person who has made application to the board in proper form, has paid the required fee, and who:

(a) Is at least \* \* \* sixteen (16) years of age;

(b) \* \* \* Has successfully completed no less than three hundred fifty (350) hours of practice and related theory in manicuring and pedicuring over a period of no less than nine (9) weeks in an accredited school of cosmetology in this or any other state, or in an apprenticeship program of seven hundred (700) hours certified by the State Board of Cosmetology and Barbering. Apprenticeships provided for in this section may be monitored or mentored by a person with an instructor license in cosmetology or manicuring. Only one (1) apprentice may be mentored by any person at the same time; and

(d) Has a high school tenth-grade education or its equivalent, or has been successfully enrolled in a community college.

(2) Licensed manicurists desiring to pursue additional hours to be eligible for a license as a cosmetologist may be credited with \* \* \* any hours acquired in studying and training to be a manicurist which may be applied to the number of hours required for a cosmetology license examination.

(3) The \* \* \* State Board of Cosmetology and Barbering shall adopt regulations governing the use of electric nail files for the purpose of filing false or natural nails.

(4) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 17. Section 73-7-23, Mississippi Code of 1972, is amended as follows:

73-7-23. (1) The board may, upon application, issue a license by reciprocity to any cosmetologist, esthetician or manicurist over the age of \* \* \* sixteen (16) years from any other state who has satisfactorily completed the required number of accredited hours in that state, provided the State Board from which the applicant comes issues to cosmetologists, barbers, estheticians or manicurists, as the case may be, from the State of Mississippi a license under the same conditions and the other state has entered into a written reciprocal agreement between participating states. Applications must be accompanied by (a) proof satisfactory to the board that the required hours have been completed, and (b) the required reciprocity fee, which shall be paid to the board.

(2) An instructor from any other state may be qualified for a Mississippi instructor's license upon presenting a valid instructor's license and proof of a high school education or its equivalent, provided that the instructor (a) is not less than twenty-one (21) years of age, (b) has completed training equivalent to the State of Mississippi's training as provided in Section 73-7-15 or has three (3) years or more of experience as a licensed instructor prior to application, (c) \* \* \* has completed twelve (12) semester hours in college courses approved by the board, and ( \* \* \*d) has completed a minimum of five (5) continuing education hours in Mississippi board laws, rules and regulations. Such application must be accompanied by two (2) recent passport photographs of the applicant. Applicants shall pay the required license fee.

(3) An applicant for a Mississippi instructor's license by reciprocity who has not completed the college courses requirement at the time of application may apply for a onetime temporary teaching permit, which shall be valid for six (6) months and shall be nonrenewable. Such application must be accompanied by proof of enrollment in college course(s), required permit fee, two (2) recent passport photographs of the applicant and other documentation as required for application for a Mississippi instructor's license by reciprocity. Upon proof of completion of college courses and payment of the required license fee, a Mississippi instructor's license shall be issued.

(4) The issuance of a license by reciprocity to a military-trained applicant, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 18. Section 73-7-25, Mississippi Code of 1972, is amended as follows:

73-7-25. Every demonstrator in the field of cosmetology or barbering shall, before making demonstrations in a salon and/or barber business or school, apply for and obtain a permit from the board. For such permit, which shall be for one (1) year, the required fee shall be paid to the board. This section shall be construed to apply to demonstrators in salons and barber businesses and schools.

SECTION 19. Section 73-7-27, Mississippi Code of 1972, is amended as follows:

73-7-27. (1) Any complaint may be filed with the board by a member or agent of the board or by any person charging any licensee of the board with the commission of any of the offenses enumerated in subsection (2) of this section. Such complaint shall be in writing, signed by the accuser or accusers, and verified under oath, and such complaints shall be investigated as set forth in Section 73-7-7. If, after the investigation, the board through its administrative review agents determines that there is not substantial justification to believe that the accused licensee has committed any of the offenses enumerated, it may dismiss the complaint or may prepare a formal complaint proceeding against the licensee as hereinafter provided. When used with reference to any complaint filed against a licensee herein, the term "not substantial justification" means a complaint that is frivolous, groundless in fact or law, or vexatious, as determined by unanimous vote of the board. In the event of a dismissal, the person filing the accusation and the accused licensee shall be given written notice of the board's determination. If the board determines there is reasonable cause to believe the accused has committed any of those offenses, the secretary of the board shall give written notice of such determination to the accused licensee and set a day for a hearing as provided in subsection (3) of this section.

(2) The board shall have the power to revoke, suspend or refuse to issue or renew any license or certificate provided for in this chapter, and to fine, place on probation and/or otherwise discipline a student or licensee or holder of a certificate, upon proof that such person: (a) has not complied with an order, decision or ruling of the board or has violated any of the rules and regulations promulgated by the board; (b)

has not complied with or has violated any of the sections of this chapter; (c) has committed fraud or dishonest conduct in the taking of the examination herein provided for; (d) has been convicted of a felony; (e) has committed grossly unprofessional or dishonest conduct; (f) is addicted to the excessive use of intoxicating liquors or to the use of drugs to such an extent as to render him or her unfit to practice in any of the practices or occupations set forth in this chapter; (g) has advertised by means of knowingly false or deceptive statements; or (h) has failed to display the license or certificate issued to him or her as provided for in this chapter; or (i) has been convicted of violating any of the provisions of this chapter. A conviction of violating any of the provisions of this chapter shall be grounds for automatic suspension of the license or certificate of such person.

(3) (a) The board shall not revoke, suspend or refuse to issue or renew any license or certificate, or fine, place on probation or otherwise discipline any person in a disciplinary matter except after a hearing of which the applicant or licensee or holder of the certificate affected shall be given at least twenty (20) days' notice in writing, specifying the reason or reasons for denying the applicant a license or certificate of registration, or in the case of any other disciplinary action, the offense or offenses of which the licensee or holder of a certificate of registration is charged. Such notice may be served by mailing a copy thereof by United States first-class certified mail, postage prepaid, to the last-known residence or business address of such applicant, licensee or holder of a certificate. The hearing on such charges shall be at such time and place as the board may prescribe. The provisions of this paragraph (a) shall not apply to the board's collection of a civil penalty or fine imposed by the board under paragraph (b) of this subsection.

(b) Any civil penalty or fine imposed by the board under this chapter shall become due and payable when the person incurring the penalty receives a notice in writing from the board of the penalty. The notice shall be sent by registered or certified mail. The person to whom the notice is addressed shall have thirty (30) days from the date of mailing of the notice in which to make written application for a hearing. Any person who makes that application shall be entitled to a hearing. The hearing shall be conducted as a contested case hearing. When an order assessing a civil penalty under this section becomes final by operation of law or on appeal, unless the amount of penalty is paid within ten (10) days after the order becomes final, it may be recorded with the circuit clerk in any county of this state. The clerk shall then record the name of the person incurring the penalty and the amount of the penalty in his lien record book.

(4) At such hearings, all witnesses shall be sworn by a member of the board or court reporter, and stenographic notes of the proceedings shall be taken. Any party to the proceedings desiring it shall be furnished with a copy of such stenographic notes upon payment to the board of such fees as it shall prescribe, not exceeding, however, the actual costs of transcription.

(5) The board is hereby authorized and empowered to issue subpoenas for the attendance of witnesses and the production of books and papers. The process issued by the board shall extend to all parts of the state and such process shall be served by any person designated by the board for such service. The person serving such process shall receive such compensation as may be allowed by the board, not to exceed the fee prescribed by law for similar services. All witnesses who shall be subpoenaed, and who shall appear in any proceedings before the board, shall receive the same fees and mileage as allowed by law.

(6) Where in any proceeding before the board any witness shall fail or refuse to attend upon subpoena issued by the board, shall refuse to testify, or shall refuse to produce any books and papers, the production of which is called for by the subpoena, the attendance of such witness and the giving of his testimony and the production of the books and papers shall be enforced by any court of competent jurisdiction of this state, in the same manner as are enforced for the attendance and testimony of witnesses in civil cases in the courts of this state.

(7) The board shall conduct the hearing in an orderly and continuous manner, granting continuances only when the ends of justice may be served. The board shall, within sixty (60) days after conclusion of the hearing, reduce its decision to writing and forward an attested true copy thereof to the last-known residence or business address of

such applicant, licensee or holder of a certificate, by way of United States first-class certified mail, postage prepaid. Such applicant, licensee, holder of a certificate, or person aggrieved shall have the right of appeal from an adverse ruling, or order, or decision of the board to the Chancery Court of the First Judicial District of Hinds County, Mississippi, upon forwarding notice of appeal to the board within thirty (30) days after the decision of the board is mailed in the manner here contemplated. An appeal will not be allowed in the event notice of appeal, together with the appeal bond hereinafter required, shall not have been forwarded to the board within the thirty-day period. Appeal shall be to the Chancery Court of the First Judicial District of Hinds County, Mississippi. The appeal shall thereupon be heard in due course by the court which shall review the record and make its determination thereon.

(8) The appellant shall, together with the notice of appeal, \* \* \* first pay the costs for the transcription of the record of the hearing(s) and proceeding(s) before the board in which the adverse ruling, order or decision of the board was made.

(9) In the event of an appeal, the court shall dispose of the appeal and enter its decision promptly. The hearing on the appeal may, in the discretion of the chancellor, be tried in vacation. If there is an appeal, such appeal may, in the discretion of and on motion to the chancery court, act as a supersedeas. However, any fine imposed by the board under the provisions of this chapter shall not take effect until after the time for appeal has expired, and an appeal of the imposition of such a fine shall act as a supersedeas.

(10) Any fine imposed by the board upon a licensee or holder of a certificate shall be in accordance with the following \* \* \* class designation of fines:

(a) \* \* \* Class A. Class A violations shall be set at no less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00). Class A violations are specific to the following:

(i) Unlicensed practice or the use of fraudulent statements to obtain any benefits or privileges under this chapter or practicing one (1) of the professions without a license. These violations will be handled in accordance with the requirements of Section 73-7-27 or 73-7-37, as applicable; and

(ii) Extremely dangerous to the health and safety of the general public.

(b) Class B. Class B violations shall be set at no less than Two Hundred Fifty Dollars (\$250.00) nor more than Seven Hundred Fifty Dollars (\$750.00). Class B violations are major health and safety concerns that are detrimental to public safety and welfare.

(c) Class C. Class C violations shall be set at no less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00). Class C violations are minor health and safety violations that are detrimental to public safety and welfare.

The power and authority of the board to impose such fines under this section shall not be affected or diminished by any other proceeding, civil or criminal, concerning the same violation or violations.

(11) In addition to the reasons specified in subsection (2) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 20. Section 73-7-29, Mississippi Code of 1972, is amended as follows:



73-7-29. The State Board of Cosmetology and Barbering shall assess fees in the following amounts and for the following purposes:

(a) Initial license/renewal for cosmetologist, barber, manicurist * * * or esthetician * * *	\$ 50.00
(b) Instructor initial license/renewal	80.00
(c) Master cosmetologist or barber license/renewal	70.00
(d) Delinquent renewal penalty - cosmetologist, barber, manicurist * * * or esthetician * * * and instructor	50.00
There shall be no renewal fee for any licensee seventy (70) years of age or older.	
(e) Salon/barber business application and initial inspection	85.00
(f) Salon/barber business reinspection	35.00
(g) Salon/barber business change of ownership or location, or both	85.00
(h) Salon/barber business renewal	60.00
(i) Salon/barber business delinquent renewal penalty	50.00
(j) Application and initial inspection for a new school	300.00
(k) New school reinspection	100.00
(l) School change of ownership	300.00
(m) School relocation	150.00
(n) School renewal	75.00
(o) School delinquent renewal penalty	100.00
(p) Duplicate license	10.00
(q) Penalty for insufficient fund checks	20.00
(r) Affidavit processing	15.00

The State Board of Cosmetology and Barbering may charge additional fees for services which the board deems appropriate to carry out its intent and purpose. These additional fees shall not exceed the cost of rendering the service.

The board is fully authorized to make refunds of any deposits received by the board for services which are not rendered. Refunds will automatically be made on overpayment of fees. Refunds will be made on underpayments by written requests from applicants. If no request for refund is made within sixty (60) days, the fees will be forfeited.

SECTION 21. Section 73-7-33, Mississippi Code of 1972, is amended as follows:

73-7-33. In addition to the rules and regulations that may be prescribed and promulgated by the board under authority of this chapter, the following rules and regulations shall be observed:

Every establishment must be kept sanitary, including all utensils and equipment, must be well ventilated and properly lighted. Each salon and/or barber business must be provided with hot and cold running water. Electrical appliances must be properly installed and grounded.

Cosmetologists shall be allowed to wear any type of clothing or apparel while at work as long as such clothing or apparel is sanitary.

Cosmetologists shall be allowed to use any type of hair roller as long as they do so in a sanitary manner.

Persons with a communicable disease or parasitic infection that is medically recognized to be a direct threat of transmission by the type of contact that practitioners have with clients are not to be permitted to practice in an establishment until their condition is no longer communicable under those circumstances. No work shall be performed on any patron having a visible disease unless the patron shall produce a certificate from a practicing physician stating that the patron is free from infectious, contagious or communicable disease. A cosmetologist's license does not authorize such person to treat or prescribe for an infectious, contagious or any other disease.

A home salon and/or barbering business must have a solid wall to the ceiling with an outside entrance, or if a door exists between the salon and the remainder of the house, the door must be kept closed at all times while service is being rendered.

SECTION 22. Section 73-7-35, Mississippi Code of 1972, is amended as follows:

73-7-35. (1) No person licensed pursuant to this chapter shall practice his or her profession except within the physical confines of a salon and/or barber business possessing and displaying a properly executed license issued pursuant to Section 73-7-17. However, this requirement shall not prevent a person from rendering his or her services to any person who may be confined to his or her home, a hospital, or other place as a result of illness, and cosmetologists and barbers shall be permitted to render their services to deceased persons away from their salons and/or barber business.

(2) No salon and/or barber business owner licensed pursuant to this chapter shall allow a cosmetologist, barber, esthetician, or manicurist to practice his/her profession in the salon and/or barber business without possessing a valid license issued pursuant to this chapter.

SECTION 23. Section 73-7-37, Mississippi Code of 1972, is amended as follows:

73-7-37. (1) The violation of any of the provisions of this chapter, including the use of fraudulent statements to obtain any benefits or privileges under this chapter or practicing one (1) of these professions without a license, shall constitute a misdemeanor, punishable in any court of competent jurisdiction at the seat of government, and any person or firm convicted of the violation of any of the provisions of this chapter shall be fined not less than \* \* \* Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00). The court shall not be authorized to suspend or suspend the execution of the fine required under this section.

(2) If any person, \* \* \* salon, school or other type of business entity engaged in the practice or teaching of the provisions governed by this chapter violates any of the provisions of this chapter, the secretary of the board, upon direction of a majority of the board and in the name of the board, acting through the Attorney General or an attorney employed by the board, shall apply in the Chancery Court of the \* \* \* county in which the person or licensee resides or in the county in which the person or licensee practices, or the county in which the salon, school or other type of business entity is located, for an order enjoining such violation or for an order enforcing compliance with the provisions of this chapter. Upon the filing of a verified petition in the chancery court and after notice as provided under the Mississippi Rules of Civil Procedure, such court, if satisfied by the sworn petition, by affidavit or otherwise, that such person or entity has violated any of the provisions of this chapter, may issue an injunction without notice or bond, enjoining such continued violation and such injunction shall remain in force and effect until a final hearing. If at such hearing it is established that such person or entity has violated or is violating any of the provisions of this chapter, the court may enter a decree permanently enjoining such violation or enforcing compliance with this chapter. In addition, the court may enter a judgment against such person or entity for attorney's fees, court costs and the actual costs incurred by the board in investigating the actions of such person or entity for which the board brought the suit for an injunction. In case of violation of any decree issued in compliance with this subsection, the court may punish the offender for contempt of court and the court shall proceed as in other cases.

(3) The proceedings in this section shall be in addition to and not in lieu of the other remedies and penalties provided in this chapter.

SECTION 24. Section 73-5-8, Mississippi Code of 1972, is amended as follows:

73-5-8. Any person is qualified to receive a certificate of registration as a barber instructor who:

- (a) Is \* \* \* twenty-one (21) years of age or older;
- (b) Is of good moral and temperate habits;
- ( \* \* \* c ) \* \* \* Possesses a high school tenth-grade education or its

equivalent;

( \* \* \* d ) Has successfully completed not less than fifteen hundred (1500) hours at a barbering school approved by the State Board of Barber Examiners and holds a valid certificate of registration to practice barbering;

( \* \* \* e ) Has (i) not less than two (2) years of active experience as a registered barber and has successfully completed not less than six hundred (600) hours of barber instructor training at a school approved by the board, or (ii) less than two (2) years of active experience as a registered barber and has successfully completed not less than one thousand (1,000) hours of barber instructor training at a school approved by the board; and

( \*\*f) Has passed a satisfactory examination conducted by the board to determine his fitness to practice as a barber instructor.

All instructors licensed pursuant to this section shall biennially obtain twenty four (24) hours of continuing education in teacher training instruction in barbering. Such education shall be acquired in classes or trade show teaching materials that are approved by the board. Any instructor who fails to obtain the continuing education required by this subsection shall not be allowed to instruct nor enroll students under his or her license until such education requirement have been met. The board may issue an inactive instructor's license to such instructors, and an inactive license may be converted into an active license after proof satisfactory to the board of completion of at least twenty four (24) hours of approved continuing education required for teacher training instruction.

All persons who have received a certificate of registration as a barber instructor from the board before July 1, 2002, shall be considered to have met the requirements of this section, and all those certificates of registration shall be renewable as otherwise provided in this chapter.

The board will implement an active and inactive instructor license. In order to renew an active license, instructors holding an active license shall be required to submit proof of twelve (12) hours of continuing education each year to the Board of Barber Examiners. That education shall be acquired in classes or trade shows teaching materials that are approved by the board. Instructors holding an inactive license shall be required to submit proof of twelve (12) hours continuing education before upgrading to an active status.

SECTION 25. Section 73-5-11, Mississippi Code of 1972, is amended as follows:

73-5-11. (1) To be eligible for enrollment at a barbering school approved by the \*\*\* State Board of Cosmetology and Barbering, a person shall be at least sixteen (16) years of age, have a minimum education of tenth grade or its equivalent, \*\*\* and/or shall have satisfactorily passed the Ability-to-Benefit Test (ATB) approved by the U.S. Department of Education.

(2) Any person is qualified to receive a certificate of registration to practice barbering:

- (a) Who is qualified under the provisions of this chapter;
- (b) Who is of good moral character and temperate habits;

(c) Who has completed not less than fifteen hundred (1500) hours at a barbering school approved by the \*\*\* State Board of Cosmetology and Barbering or three thousand (3,000) hours of State Board of Cosmetology and Barbering-approved apprenticeship training. Apprenticeships shall only be monitored and mentored by those with an instructor license and there shall be only one (1) apprentice per mentor; and

(d) Who has passed a satisfactory examination conducted by the board \*\*\* to determine his fitness to practice barbering.

(3) A temporary permit to practice barbering until the next examination is given may be issued to a student who has completed not less than fifteen hundred (1500) hours at a barbering school approved by the \*\*\* State Board of Cosmetology and Barbering or three thousand (3,000) hours of State Board of Cosmetology and Barbering-approved apprenticeship training. In no event shall a person be allowed to practice barbering on a temporary permit beyond the date the next examination is given, except because of personal illness.

(4) The ability to read, write and speak English shall not be a requirement for licensure as a registered barber.

SECTION 26. Section 73-5-12, Mississippi Code of 1972, is amended as follows:

73-5-12. Any cosmetologist who \*\*\* has successfully completed not less than fifteen hundred (1500) hours in an accredited school of cosmetology, and holds a valid, current license, shall be eligible to take the barber examination to secure a certificate of registration as a barber upon successfully completing six hundred (600) hours in a barber school approved by the Board of Barber Examiners.

All fees for application, examination, registration and renewal thereof shall be the same as provided for in this chapter.

SECTION 27. On or before December 15, 2024, the PEER Committee shall conduct a review of the operations of the board and report its findings to the Legislature

with recommendation on whether or not the board has carried out its mandate effectively and efficiently. PEER shall also make recommendations to the Legislature on improvements that need to be made to ensure effective and efficient operations in the future.

SECTION 28. The Department of Finance and Administration, the Department of Information Technology Services, and the State Personnel Board, shall assist the boards in carrying out the consolidation required by this act. This section shall become effective from and after passage, and shall stand repealed on July 1, 2024.

SECTION 29. Section 73-5-1, Mississippi Code of 1972, which creates the State Board of Barber Examiners, is hereby repealed.

SECTION 30. Section 73-5-3, Mississippi Code of 1972, which addresses the staffing and compensation of the State Board of Barber Examiners, is hereby repealed.

SECTION 31. Section 73-5-7, Mississippi Code of 1972, which allows the State Board of Barber Examiners the authority to create and enforce rules and regulations, is hereby repealed.

SECTION 32. Section 73-5-9, Mississippi Code of 1972, which addresses the requirement for barbers to be registered with and licensed by the State Board of Barber Examiners, is hereby repealed.

SECTION 33. Section 73-5-15, Mississippi Code of 1972, which establishes certain requirements for the administration of barber examinations, is hereby repealed.

SECTION 34. Section 73-5-17, Mississippi Code of 1972, which establishes certain requirements for the administration of barber examinations, is hereby repealed.

SECTION 35. Section 73-5-21, Mississippi Code of 1972, which creates the license procedures for persons having practiced barbering in another state or country or in military service for the State Board of Barber Examiners, is hereby repealed.

SECTION 36. Section 73-5-27, Mississippi Code of 1972, which creates the hearing procedures for the State Board of Barber Examiners, is hereby repealed.

SECTION 37. Section 73-5-29, Mississippi Code of 1972, which establishes fees for the State Board of Barber Examiners, is hereby repealed.

SECTION 38. Section 73-5-33, Mississippi Code of 1972, which creates licensure procedures and fees for barbershops, and the enforcement of licensure requirements for the State Board of Barber Examiners, is hereby repealed.

SECTION 39. Section 73-5-35, Mississippi Code of 1972, which creates licensure procedures and fees for barber schools for the State Board of Barber Examiners, is hereby repealed.

SECTION 40. Section 73-5-37, Mississippi Code of 1972, which sets an annual cycle for barber license renewal for the State Board of Barber Examiners, is hereby repealed.

SECTION 41. Section 73-5-39, Mississippi Code of 1972, which defines what constitutes the practice of barbering, is hereby repealed.

SECTION 42. Sections 1 through 27 of this act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2025. Sections 29 through 41 of this act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 73-7-1, 73-7-2, 73-7-3, 73-7-7, 73-7-9, 73-7-11, 73-7-12, 73-7-13, 73-7-14, 73-7-15, 73-7-16, 73-7-17, 73-7-18, 73-7-19, 73-7-21, 73-7-23, 73-7-25, 73-7-27, 73-7-29, 73-7-33, 73-7-35, 73-7-37, 73-5-8, 73-5-11, AND 73-5-12, MISSISSIPPI CODE OF 1972, TO MERGE THE STATE BOARD OF COSMETOLOGY AND THE STATE BOARD OF BARBERING INTO THE STATE BOARD OF COSMETOLOGY AND BARBERING; TO PROVIDE FOR THE MEMBERSHIP OF THE BOARD; TO PROVIDE FOR THE APPOINTMENT OF THE EXECUTIVE DIRECTOR; TO REVISE THE LICENSING REQUIREMENTS OF BARBERS AND COSMETOLOGISTS; TO REQUIRE CERTAIN CONTINUING EDUCATION; TO SET CERTAIN PROHIBITIONS; TO PROVIDE THAT THE BOARD MAY CHARGE A LICENSE FEE; TO SET THE BARBERING AND COSMETOLOGY SCHOOL REQUIREMENTS; TO SET CERTAIN VIOLATIONS, PENALTIES AND FINES; TO MAKE TECHNICAL AMENDMENTS TO CONFORM; TO REPEAL

SECTION 73-5-1, MISSISSIPPI CODE OF 1972, WHICH CREATES THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-3, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES THE STAFFING AND COMPENSATION OF THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-7, MISSISSIPPI CODE OF 1972, WHICH ALLOWS THE STATE BOARD OF BARBER EXAMINERS THE AUTHORITY TO CREATE AND ENFORCE RULES AND REGULATIONS; TO REPEAL SECTION 73-5-9, MISSISSIPPI CODE OF 1972, WHICH ADDRESSES THE REQUIREMENT FOR BARBERS TO BE REGISTERED WITH AND LICENSED BY THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-15, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES CERTAIN REQUIREMENTS FOR THE ADMINISTRATION OF BARBER EXAMINATION; TO REPEAL SECTION 73-5-17, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES CERTAIN REQUIREMENTS FOR THE ADMINISTRATION OF BARBER EXAMINATIONS; TO REPEAL SECTION 73-5-21, MISSISSIPPI CODE OF 1972, WHICH CREATES THE LICENSE PROCEDURES FOR PERSONS HAVING PRACTICED BARBERING IN ANOTHER STATE OR COUNTRY OR IN MILITARY SERVICE FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-27, MISSISSIPPI CODE OF 1972, WHICH CREATES THE HEARING PROCEDURES FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-29, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES FEES FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-33, MISSISSIPPI CODE OF 1972, WHICH CREATES LICENSURE PROCEDURES AND FEES FOR BARBERSHOPS, AND THE ENFORCEMENT OF LICENSURE REQUIREMENTS FOR THE STATE BOARD OF BARBER EXAMINER; TO REPEAL SECTION 73-5-35, MISSISSIPPI CODE OF 1972, WHICH CREATES LICENSURE PROCEDURES AND FEES FOR BARBER SCHOOLS FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-37, MISSISSIPPI CODE OF 1972, WHICH SETS AN ANNUAL CYCLE FOR BARBER LICENSE RENEWAL FOR THE STATE BOARD OF BARBER EXAMINERS; TO REPEAL SECTION 73-5-39, MISSISSIPPI CODE OF 1972, WHICH DEFINES WHAT CONSTITUTES THE PRACTICE OF BARBERING; AND FOR RELATED PURPOSES.

Senator England offered the following AMENDMENT NO. 1 TO AMENDMENT NO.

1.

AMEND on lines 259, 261 and 262 by inserting the words "and Barbering" after the word "Cosmetology".

Amendment No. 1 to Amendment No. 1 to S. B. No. 2160 was adopted.

Senator England offered the following AMENDMENT NO. 2 TO AMENDMENT NO.

1.

AMEND on lines 359, 760, 1152 and 1200 by deleting the words "tenth-grade".

FURTHER, AMEND on line 1200 by striking the word "minimum" and inserting "high school" in lieu thereof.

FURTHER, AMEND on lines 353 by striking the words "and who (a) is at least sixteen (16) years of age" and re-lettering subsequent subparagraphs accordingly.

FURTHER, AMEND on lines 687, 749 by striking the words "Is not less than sixteen (16) years of age" and re-lettering subsequent subparagraphs accordingly.

FURTHER, AMEND on line 1199 by striking the words "be at least sixteen (16) years of age,".

FURTHER, AMEND the title to conform.

Amendment No. 2 to Amendment No. 1 to S. B. No. 2160 failed.

YEAS AND NAYS On S. B. No. 2160. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--45.

Nays--Chism, McDaniel, Seymour, Sojourner, Suber, Williams. Total--6.

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

Senator Blackwell moved to reconsider the vote whereby **S. B. No. 2160** passed the Senate.

The foregoing motion prevailed.

Amendment No. 1 as amended to S. B. No. 2160 was adopted.

YEAS AND NAYS Vote recurring on S. B. No. 2160. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Younger. Total--45.

Nays--Chism, McDaniel, Seymour, Sojourner, Suber, Williams. Total--6.

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

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Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **S. B. No. 2101** passed the Senate.

**S. B. No. 2101:** Criminal law; increase penalties for crimes of fleeing a law enforcement officer, resisting arrest and carjacking.

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Senator Turner-Ford entered a motion to reconsider the vote whereby **S. B. No. 2347** passed the Senate.

**S. B. No. 2347:** Hospital police department; authorize for certain private entities.

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Senator Hickman entered a motion to reconsider the vote whereby **S. B. No. 2777** passed the Senate.

**S. B. No. 2777:** School attendance officers; revise to increase the minimum base salary.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of William Bond Compton, Jr. of Meridian, MS.

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Senators Parker, Blackwell, McLendon, Whaley and Jackson moved that when the Senate adjourns, it adjourn in memory of Tom Dees, Fox News Reporter of Olive Branch, MS.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 771:** AN ACT TO AMEND SECTION 37-106-75, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS OF THE HIGHER EDUCATION LEGISLATIVE PLAN (HELP) GRANT TO PRESCRIBE AWARD MINIMUMS BASED ON CLASSIFICATION AND ENROLLMENT STATUS; TO AMEND SECTION 37-106-29, MISSISSIPPI CODE OF 1972, TO REVISE PROVISIONS OF THE MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM FOR THE PURPOSE OF STRENGTHENING MISSISSIPPI'S WORKFORCE PIPELINE; TO PROVIDE MORE MISSISSIPPIS ACCESS TO AFFORDABLE EDUCATION PATHWAYS FOR IN-DEMAND CAREERS; TO RENAME THE PROGRAM AS THE "MTAG WORKS GRANT PROGRAM"; TO ESTABLISH ELIGIBILITY CRITERIA FOR RECIPIENTS TO QUALIFY FOR GRANT AWARDS; TO PROVIDE FOR BONUSES FOR STUDENTS ENROLLED IN EDUCATION PROGRAMS THAT LEAD TO EMPLOYMENT IN HIGH-NEED OR HIGH-DEMAND FIELD; TO PROVIDE THE MINIMUM STUDENT ENROLLMENT TO BE USED IN DETERMINING ELIGIBILITY FOR FULL TUITION FOR FRESHMEN AND SOPHOMORE STUDENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1020:** AN ACT TO CREATE INFERIOR COURTS IN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT (CCID) TO HEAR CERTAIN CRIMINAL AND CIVIL MATTERS OCCURRING OR ACCRUING IN THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO PROVIDE JUDGES FOR THE CCID INFERIOR COURTS THAT SHALL POSSESS THE SAME QUALIFICATIONS AS CIRCUIT AND CHANCERY COURT JUDGES; TO PROVIDE FOR THE APPOINTMENT OF THE JUDGES BY THE CHIEF JUSTICE OF THE MISSISSIPPI SUPREME COURT; TO PROVIDE FOR THE SALARY AND OPERATING ALLOWANCE OF THE JUDGES; TO REQUIRE THE ATTORNEY GENERAL TO APPOINT ATTORNEYS TO PROSECUTE CASES WITHIN THE JURISDICTION OF THE CCID INFERIOR COURTS; TO REQUIRE THE STATE DEFENDER TO APPOINT PUBLIC DEFENDERS FOR DEFENDANTS WHO FALL WITHIN THE JURISDICTION OF THE CCID INFERIOR COURTS; TO PROVIDE FOR THE APPOINTMENT OF A CLERK AND DEPUTY CLERK FOR THE CCID INFERIOR COURTS; TO REQUIRE THE CLERK TO MAINTAIN A JURY BOX; TO DESCRIBE THE JURISDICTION OF THE CCID INFERIOR COURTS AS ALL MATTERS THAT OCCUR OR ACCRUE WITHIN THE BOUNDARIES OF THE CAPITAL

COMPLEX IMPROVEMENT DISTRICT; TO PROVIDE FOR THE POWERS OF THE JUDGES OF THE COURTS; TO AUTHORIZE JURISDICTION FOR CERTAIN ACTIONS THAT OCCUR OR ACCRUE WITHIN THE CCID INFERIOR COURTS; TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE FOR THE CCID; AND FOR RELATED PURPOSES.

**H. B. No. 1225:** AN ACT TO BRING FORWARD SECTIONS 77-3-601, 77-3-603, 77-3-605, 77-3-607, 77-3-609, 77-3-611, 77-3-613, 77-3-615, 77-3-617 AND 77-3-619, MISSISSIPPI CODE OF 1972, WHICH RELATE TO UNSOLICITED RESIDENTIAL TELEPHONIC SALES CALLS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 77-3-701, 77-3-703, 77-3-705, 77-3-707, 77-3-709, 77-3-711, 77-3-713, 77-3-715, 77-3-717, 77-3-719, 77-3-721, 77-3-723, 77-3-725, 77-3-727, 77-3-729, 77-3-731, 77-3-733 AND 77-3-735, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI TELEPHONE SOLICITATION ACT AND PENALTIES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 77-3-801, 77-3-803, 77-3-805, 77-3-807 AND 77-3-809, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE CALLER ID ANTI-SPOOFING ACT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 23-15-875, MISSISSIPPI CODE OF 1972, WHICH RELATES TO LANGUAGE UTTERED OR PUBLISHED REGARDING THE INTEGRITY OF A CANDIDATE FOR OFFICE, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1375:** AN ACT TO AMEND SECTION 21-1-27, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN A MUNICIPALITY DESIRES TO ANNEX TERRITORY, THE ORDINANCE MUST PROVIDE SPECIFIC BENEFITS AND SERVICES THAT MUST BE PROVIDED TO THE TERRITORY WITHIN FIVE YEARS OF THE COURT'S ORDERING AN ANNEXATION DECREE; TO AMEND SECTION 21-1-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF SUCH BENEFITS AND SERVICES ARE NOT PROVIDED WITHIN FIVE YEARS TO AN ANNEXED TERRITORY, THEN THE ANNEXATION SHALL BE ORDERED NULL AND VOID OR PARTIALLY ORDERED NULL AND VOID, AS THE CASE MAY BE; TO AMEND SECTIONS 21-33-1 AND 27-35-3, MISSISSIPPI CODE OF 1972, TO PROHIBIT A MUNICIPALITY THAT HAS HAD AN ANNEXATION ORDERED NULL AND VOID OR PARTIALLY ORDERED NULL AND VOID, AS THE CASE MAY BE, FROM ASSESSING PROPERTY WITHIN THE FORMERLY ANNEXED AREA FOR TAX PURPOSES; TO AMEND SECTION 27-51-9, MISSISSIPPI CODE OF 1972, TO PROHIBIT A MUNICIPAL TAX COLLECTOR FROM COLLECTING AD VALOREM TAXES ON MOTOR VEHICLES LOCATED IN ANNEXED TERRITORY THAT HAS HAD THE ANNEXATION ORDERED NULL AND VOID OR PARTIALLY ORDERED NULL AND VOID, AS THE CASE MAY BE; TO AMEND SECTION 27-51-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COUNTIES MAY NOT COLLECT MOTOR VEHICLE AND AD VALOREM TAXES FOR MUNICIPALITIES IN ANNEXED TERRITORY THAT HAS HAD THE ANNEXATION ORDERED NULL AND VOID OR PARTIALLY ORDERED NULL AND VOID, AS THE CASE MAY BE; TO AMEND SECTION 27-39-307, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MUNICIPALITIES MAY NOT LEVY AD VALOREM TAXES ON PROPERTY LOCATED WITHIN ANNEXED TERRITORY THAT HAS HAD THE ANNEXATION ORDERED NULL AND VOID OR PARTIALLY ORDERED NULL AND VOID, AS THE CASE MAY BE; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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



MESSAGE FROM THE HOUSE

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

**H. B. No. 16:** AN ACT TO PROVIDE THAT THE OFFICE OF ELECTION COMMISSIONER SHALL BE A NONPARTISAN OFFICE; TO PROVIDE THAT THE NAMES OF CANDIDATES FOR THE OFFICE OF ELECTION COMMISSIONER SHALL BE LISTED AS NONPARTISAN ON A BALLOT; TO AMEND SECTIONS 23-15-213, 23-15-367 AND 23-15-511, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 88:** AN ACT TO ESTABLISH THE NATURAL RESOURCE CAMP PILOT PROGRAM ACT OF 2023 FOR STUDENTS IN LEE AND MONROE COUNTIES; TO PROVIDE THE PURPOSE OF THE PROGRAM; TO PROVIDE THAT THE PROGRAM SHALL BE A THREE-YEAR PROGRAM ADMINISTERED JOINTLY BY THE BOARDS OF SUPERVISORS OF LEE AND MONROE COUNTIES; TO REQUIRE THE BOARDS TO SUBMIT AN ANNUAL REPORT ON THE PROGRAM TO THE LEGISLATURE; TO PROVIDE THAT THE PROGRAM IS SUBJECT TO RECEIVING FUNDS APPROPRIATED BY THE LEGISLATURE; AND FOR RELATED PURPOSES.

**H. B. No. 241:** AN ACT TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO REVISE THE TIME FOR FILING CAMPAIGN FINANCE REPORTS WHEN THOSE REPORTS ARE FILED ELECTRONICALLY OR WITH A FAX MACHINE; AND FOR RELATED PURPOSES.

**H. B. No. 374:** AN ACT TO AMEND SECTION 41-29-501, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF DIRECTOR TO INCLUDE THE HEAD OF ANY STATE OR LOCAL LAW ENFORCEMENT AGENCY; TO AMEND SECTION 41-29-505, MISSISSIPPI CODE OF 1972, TO EXPAND THE PURPOSES OF WIRETAPPING TO INCLUDE HUMAN TRAFFICKING AND COMMERCIAL SEXUAL EXPLOITATION OF CHILDREN; TO AMEND SECTIONS 41-29-507, 41-29-509, 41-29-513, 41-29-527 AND 41-29-536, MISSISSIPPI CODE OF 1972, WHICH REGULATE WIRETAPPING PROCEDURES, TO CONFORM TO THE PRECEDING SECTIONS; TO BRING FORWARD SECTIONS 41-29-529, 41-29-531, 41-29-533, 41-29-535, 41-29-519, 41-29-521, 41-29-523, 41-29-525, 41-29-517, 41-29-515 AND 41-29-511, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR WIRETAPPING PROCEDURES, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 405:** AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE STATUTE OF LIMITATIONS FOR BRIBERY OF A CANDIDATE TO FIVE YEARS; AND FOR RELATED PURPOSES.

**H. B. No. 451:** AN ACT TO AMEND SECTION 21-23-8, MISSISSIPPI CODE OF 1972, TO REVISE HOW BAIL FOR A DEFENDANT MAY BE DETERMINED BY THE COURT; TO ALLOW A DEFENDANT TO FILE A MOTION TO REDUCE OR SET ASIDE THE BAIL REQUIREMENT; TO AUTHORIZE THE DEFENDANT TO WAIVE AN APPEARANCE BEFORE THE JUDGE AND EXECUTE AN APPEARANCE BOND IN AN AMOUNT DETERMINED BY THE COURT FROM THE BOND GUIDELINES SET OUT IN THE MISSISSIPPI RULES OF CIVIL PROCEDURE AND AGREE TO APPEAR AT A SPECIFIED TIME AND PLACE; TO AMEND SECTION 99-5-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE AMOUNT OF BAIL FOR A DEFENDANT SHALL BE PRESUMED NECESSARY AND REASONABLE; AND FOR RELATED PURPOSES.

**H. B. No. 483:** AN ACT TO AUTHORIZE A SENTENCING JUDGE TO SET A DATE CERTAIN IN HIS OR HER SENTENCING ORDER FOR THE PURPOSE OF RE-EVALUATING THE PENALTY FOR CONVICTION OF NONVIOLENT CRIMES; TO

AUTHORIZE THE JUDGE TO PROVIDE ALTERNATIVES TO PLACEMENT IN THE DEPARTMENT OF CORRECTIONS; AND FOR RELATED PURPOSES.

**H. B. No. 552:** AN ACT TO AMEND SECTION 23-15-227, MISSISSIPPI CODE OF 1972, TO INCREASE THE POLL MANAGERS COMPENSATION TO ONE HUNDRED FIFTY DOLLARS; TO INCREASE THE COMPENSATION OF THE POLL MANAGERS WHO CARRY AND RETURN THE BALLOTS TO THIRTY DOLLARS; TO MAKE A MINOR, NONSUBSTANTIVE CHANGE; TO AMEND SECTION 23-15-229, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE CHANGE; AND FOR RELATED PURPOSES.

**H. B. No. 618:** AN ACT TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, A POLITICAL SUBDIVISION OF THE STATE OR A MUNICIPALITY OF THE STATE MAY FORM A PUBLIC-PRIVATE PARTNERSHIP FOR A HIGHWAY, ROAD, BRIDGE OR OTHER ASSET IMPROVEMENT BY WHICH THE DEPARTMENT, POLITICAL SUBDIVISION OR MUNICIPALITY MAY NEGOTIATE FOR PRIVATE FUNDING ASSISTANCE TOWARD A HIGHWAY, ROAD, BRIDGE OR OTHER ASSET IMPROVEMENT IN EXCHANGE FOR NAMING RIGHTS OF THE SECTION OF HIGHWAY, ROAD, BRIDGE OR OTHER ASSET FOR WHICH THE PRIVATE FUNDING ASSISTANCE WAS PROVIDED; AND FOR RELATED PURPOSES.

**H. B. No. 773:** AN ACT TO AMEND SECTION 73-35-4.1, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR A REAL ESTATE LICENSEE REGARDING DISCLOSURE OF THE SIZE OR AREA OF PROPERTY; TO AMEND SECTIONS 89-1-505 AND 89-1-523, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR CERTAIN REQUIRED REAL ESTATE DISCLOSURES; TO AMEND SECTION 89-1-527, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR THE FAILURE TO DISCLOSE NONMATERIAL FACT; TO AMEND SECTION 89-1-503, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR FAILURE OF A TRANSFEROR OF REAL PROPERTY TO PROVIDE CERTAIN INFORMATION; TO AMEND SECTIONS 89-1-507 AND 89-1-515, MISSISSIPPI CODE OF 1972, TO REMOVE REFERENCES TO AGENTS OF TRANSFERORS OF REAL PROPERTY; TO AMEND SECTION 89-1-519, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON OR ENTITY SHALL BE DEEMED THE AGENT OF THE TRANSFEROR OR TRANSFEREE FOR PURPOSES OF THE DISCLOSURE REQUIREMENTS OF SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 89-1-523, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY OF REAL ESTATE LICENSEES; TO AMEND SECTION 89-1-525, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE REAL ESTATE COMMISSION; TO AMEND SECTIONS 73-35-21 AND 73-35-23, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE REAL ESTATE COMMISSION REGARDING; TO REPEAL SECTIONS 89-1-521 AND 89-1-525, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CERTAIN DISCLOSURES AND PENALTIES OF LICENSED REAL ESTATE BROKERS AND SALESPERSONS; AND FOR RELATED PURPOSES.

**H. B. No. 809:** AN ACT TO AMEND SECTION 77-2-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE PUBLIC SERVICE COMMISSION SUBMIT TO THE GOVERNOR A LIST OF QUALIFIED CANDIDATES FOR THE POSITION OF EXECUTIVE DIRECTOR OF THE PUBLIC UTILITIES STAFF; AND FOR RELATED PURPOSES.

**H. B. No. 823:** AN ACT TO ESTABLISH THE COMMISSION ON EDUCATION AND ECONOMIC COMPETITIVENESS TO DEVELOP A VISION FOR MISSISSIPPI'S FUTURE ECONOMY AND CONSIDER HOW TO REFORM EDUCATION TO PREPARE ALL STUDENTS FOR THAT FUTURE; TO DEVELOP INITIAL LEGISLATIVE RECOMMENDATIONS FOR THE 2024 LEGISLATIVE SESSION; TO DEVELOP OMNIBUS LEGISLATION TO INTRODUCE DURING THE 2025 LEGISLATIVE SESSION; TO ESTABLISH COLLABORATIVE PARTNERSHIPS BETWEEN

MISSISSIPPI'S EARLY CHILDHOOD, K-12, HIGHER EDUCATION AND WORKFORCE DEVELOPMENT SYSTEMS INTO A WORLD-CLASS SYSTEM THAT PREPARES ALL STUDENTS FOR SUCCESS IN WORK AND LIFE BY ADDRESSING CAREER AND TECHNICAL EDUCATION, CURRICULUM AND ASSESSMENT, FOUNDATIONS OF SUPPORT, AND GOVERNANCE AND ACCOUNTABILITY TO SUPPORT THIS SYSTEM; TO DEVELOP A PLAN FOR IMPLEMENTATION OF THE PROPOSED OMNIBUS LEGISLATION; TO APPROPRIATE FUNDING TO PROCURE THE SELECTION OF A NATIONALLY RECOGNIZED ORGANIZATION WITH EXPERTISE IN INTERNATIONAL EDUCATION BENCHMARKING, FACILITATION, AND LEADERSHIP DEVELOPMENT AND EXTENSIVE EXPERIENCE WITH MISSISSIPPI'S EDUCATION SYSTEM TO FACILITATE THE COMMISSION'S MEETINGS; AND FOR RELATED PURPOSES.

**H. B. No. 859:** AN ACT TO AMEND SECTIONS 7-7-211, 29-9-13 AND 29-9-17, MISSISSIPPI CODE OF 1972, TO PROVIDE AN EXEMPTION TO PUBLIC SPECIAL PURPOSE SCHOOLS FROM CERTAIN AUDIT REQUIREMENTS OF THE OFFICE OF THE STATE AUDITOR REGARDING THE PENALTIES IMPOSED FOR FAILURE OF STATE AGENCIES TO INVENTORY AND PROTECT THE WIRELESS COMMUNICATION DEVICES, EQUIPMENT AND TECHNOLOGY PROCURED BY SUCH SCHOOLS AND ISSUED TO STUDENTS, FACULTY AND STAFF FOR THE IMPLEMENTATION AND SUPPORT THE SCHOOL DISTANCE LEARNING PROGRAMS AND 1:1 INSTRUCTION; TO BRING FORWARD SECTION 37-68-1, 37-68-3, 37-68-5, 37-68-7, 37-68-9, 37-68-11, 37-68-13 AND 37-68-15, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING THE "EQUITY IN DISTANCE LEARNING ACT," FOR PURPOSES OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 870:** AN ACT TO AMEND SECTION 11-51-85, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF DAYS A PARTY MAY APPEAL A JUSTICE COURT DECISION TO CIRCUIT COURT; AND FOR RELATED PURPOSES.

**H. B. No. 1041:** AN ACT TO AMEND SECTION 27-105-5, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "REGULATORY CAPITAL" AND REVISE THE DEFINITION OF THE TERM "TOTAL ASSETS" TO ALIGN WITH FEDERAL REGULATORY STANDARDS; TO BRING FORWARD SECTIONS 27-105-6, 27-105-33 AND 27-105-315, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1087:** AN ACT TO CREATE NEW SECTION 37-139-15, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI SCHOOL FOR MATHEMATICS AND SCIENCE TO INCREASE THE SALARIES OF LICENSED EMPLOYEES BY AN AMOUNT, FOR THE SAME NUMBER OF YEARS OF TEACHING EXPERIENCE, CORRESPONDING TO INCREASES IN THE TEACHER SALARY SCALE ESTABLISHED FOR SCHOOL DISTRICTS; AND FOR RELATED PURPOSES.

**H. B. No. 1108:** AN ACT TO AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE RURAL WATER ASSOCIATIONS THAT ALSO PROVIDE SEWER SERVICES TO PARTICIPATE IN THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM; TO BRING FORWARD SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE (MCWI) GRANT PROGRAM, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1306:** AN ACT TO AMEND SECTION 23-15-211, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE STATE BOARD OF ELECTION COMMISSIONERS TO REMOVE THE DUTY OF THE BOARD TO REMOVE THE NAMES OF CANDIDATES FROM THE BALLOT FOR FAILURE TO COMPLY WITH CAMPAIGN FINANCE FILING REQUIREMENTS; TO AMEND SECTION 23-15-811, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON SHALL BE QUALIFIED

TO APPEAR ON THE BALLOT IF, BY THE QUALIFYING DEADLINE FOR THE OFFICE SOUGHT, HE OR SHE HAS FAILED TO FILE ALL REPORTS REQUIRED TO BE FILED WITHIN THE LAST FIVE YEARS; TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CANDIDATES FOR JUDICIAL OFFICE SHALL NOT BE REQUIRED TO FILE AN ANNUAL REPORT IN AN ELECTION YEAR BUT SHALL FILE ONE IN OTHER YEARS; TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO PROVIDE A PENALTY FOR ANY PERSON WHO FRAUDULENTLY REQUESTS OR SUBMITS AN ABSENTEE BALLOT APPLICATION FOR ANY VOTER; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1490:** AN ACT TO AMEND SECTION 49-7-27, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO SUSPEND THE LICENSE OF ANY PERSON WHO HAS NOT PAID CHILD SUPPORT; TO AMEND SECTION 93-11-155, MISSISSIPPI CODE OF 1972, TO ALLOW ANY PARTY TO SUBMIT PROOF OF ARREARAGE FOR CHILD SUPPORT; TO BRING FORWARD SECTIONS 93-11-157 AND 93-11-163, MISSISSIPPI CODE OF 1972, WHICH PROVIDE THE PROCEDURE FOR NOTIFICATION OF LICENSEES WHO HAVE NOT PAID CHILD SUPPORT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 533:** AN ACT TO AMEND SECTIONS 93-17-3 AND 93-17-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE JUDGE TO DETERMINE IF A HOME STUDY IS NECESSARY IN AN ADOPTION; TO CLARIFY RESIDENCY REQUIREMENTS; TO AMEND SECTION 93-17-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO DISCLOSE INFORMATION RECEIVED DURING CLOSED ADOPTION HEARINGS OR FROM RECORDS PERTAINING TO ADOPTION PROCEEDINGS ARE GUILTY OF A MISDEMEANOR, SUBJECT TO BEING FINED OR IMPRISONED, AND MAY BE HELD IN CONTEMPT OF COURT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate adjourn until 9:00 AM, Friday, February 10, 2023.

The motion prevailed, and at 4:53 PM, the Senate stood adjourned in memory of William Bond Compton, Jr. and Tom Dees.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR THURSDAY, FEBRUARY 9, 2023

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THIRTY-NINTH DAY, FRIDAY, FEBRUARY 10, 2023

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

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

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

Absent--Branning, Michel, Parks, Tate. Total--4.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Michel.

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The invocation was delivered by Reverend Jerron Carney, Lead Pastor, Woodlawn Pentecostal Church, Columbia, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

## MESSAGE FROM THE HOUSE

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

**H. B. No. 33:** AN ACT TO AMEND SECTION 45-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO INVESTIGATE THE DEATH OF ANY FORMER OR SITTING LOCAL, MUNICIPAL, COUNTY OR STATE OFFICIAL UNDER CERTAIN CIRCUMSTANCES; TO NAME THE PROVISIONS OF THIS ACT THE "REPRESENTATIVE ASHLEY HENLEY INVESTIGATIVE AUTHORITY ACT"; AND FOR RELATED PURPOSES.

**H. B. No. 365:** AN ACT TO AUTHORIZE SCHOOL PRINCIPALS TO PERMIT THE BOY SCOUTS OF AMERICA AND THE GIRL SCOUTS OF THE UNITED STATES OF AMERICA TO SPEAK WITH STUDENTS ABOUT CIVIC INVOLVEMENT AND THEIR PARTICIPATION; TO PROVIDE A PROCESS FOR APPROVAL OF REQUESTS TO SPEAK WITH STUDENTS; TO REQUIRE PARENTS TO BE NOTIFIED OF SUCH PRESENTATIONS BY THE BOY SCOUTS OR GIRL SCOUTS; AND FOR RELATED PURPOSES.

**H. B. No. 696:** AN ACT TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; AND FOR RELATED PURPOSES.

**H. B. No. 838:** AN ACT TO CREATE THE "MISSISSIPPI TIANEPTINE CONSUMER PROTECTION ACT"; TO DEFINE CERTAIN TERMS RELATING TO THE ACT; TO PROHIBIT A PROCESSOR OR RETAILER FROM PREPARING, DISTRIBUTING, SELLING, OR EXPOSING FOR SALE EITHER A TIANEPTINE EXTRACT THAT CONTAINS CERTAIN LEVELS OF RESIDUAL, OR A TIANEPTINE PRODUCT THAT DOES NOT HAVE ADEQUATE LABELING DIRECTIONS NECESSARY FOR SAFE AND EFFECTIVE USE BY CONSUMERS; TO PROVIDE THAT IT IS UNLAWFUL FOR ANY MINOR TO PURCHASE, USE, POSSESS, OR TRANSPORT A PRODUCT CONTAINING TIANEPTINE WITHIN THE STATE; TO REQUIRE ANY PERSON WHO DISTRIBUTES TIANEPTINE PRODUCTS WITHIN THIS STATE TO POST CONSPICUOUSLY AT EACH LOCATION OF DISTRIBUTION A SIGN THAT IS PLACED IN SUCH A MANNER THAT IT IS LIKELY TO BE READ BY THOSE SEEKING TO PURCHASE OR OBTAIN TIANEPTINE PRODUCTS; TO PROVIDE CIVIL PENALTIES FOR VIOLATIONS OF THIS ACT; TO REQUIRE THE DIVISION TO ADOPT RULES AND REGULATIONS FOR THE ADMINISTRATION AND ENFORCEMENT OF THIS ACT; TO BRING FORWARD SECTION 67-1-37, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE POWERS AND DUTIES OF THE DIVISION, FOR PURPOSES OF POSSIBLE AMENDMENT; TO ENACT THE "MISSISSIPPI KRATOM CONSUMER PROTECTION ACT" TO REGULATE THE PREPARATION, DISTRIBUTION, AND SALE OF KRATOM PRODUCTS; TO DEFINE TERMS; TO PROHIBIT THE PREPARATION, DISTRIBUTION AND SALE OF ADULTERATED OR CONTAMINATED KRATOM PRODUCTS; TO PRESCRIBE FINES AND PENALTIES FOR VIOLATIONS OF THIS ACT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ADMINISTER THE ACT; TO PROVIDE THAT THE PROVISIONS OF THIS ACT DO NOT LIMIT THE AUTHORITY OF A COUNTY OR MUNICIPALITY TO REGULATE TIANEPTINE OR KRATOM; AND FOR RELATED PURPOSES.

**H. B. No. 1000:** AN ACT TO ALLOW FOSTER AND ADOPTIVE PARENTS OR LEGAL GUARDIANS TO ENROLL FOSTER OR ADOPTED CHILDREN IN THEIR CARE OR LEGAL GUARDIANSHIP IN ANY SCHOOL OR SCHOOL DISTRICT OF THE

FOSTER OR ADOPTIVE PARENT'S OR LEGAL GUARDIAN'S CHOOSING; AND FOR RELATED PURPOSES.

**H. B. No. 1003:** AN ACT TO ESTABLISH THE MISSISSIPPI FULLY AUTONOMOUS VEHICLE ENABLING (MS FAVE) ACT OF 2023; TO DEFINE TERMINOLOGY USED HEREIN; TO AUTHORIZE THE OPERATION OF FULLY AUTONOMOUS VEHICLES ON THE PUBLIC ROADS OF THIS STATE WITHOUT A HUMAN DRIVER PROVIDED THAT THE AUTOMATED DRIVING SYSTEM IS ENGAGED AND CERTAIN CONDITIONS ARE MET; TO SPECIFY THE CONDITIONS TO BE SATISFIED BEFORE A FULLY AUTONOMOUS VEHICLE MAY OPERATE UPON THE PUBLIC ROADS OF THIS STATE; TO REQUIRE THE OPERATOR OF A FULLY AUTONOMOUS VEHICLE TO SUBMIT A LAW ENFORCEMENT INTERACTION PLAN TO THE DEPARTMENT OF PUBLIC SAFETY; TO PROVIDE THAT AN AUTOMATED DRIVING SYSTEM INSTALLED ON A MOTOR VEHICLE IS CONSIDERED THE DRIVER OR OPERATOR, FOR THE PURPOSE OF ASSESSING COMPLIANCE WITH APPLICABLE UNIFORM TRAFFIC LAWS; TO STIPULATE THAT BEFORE OPERATING A FULLY AUTONOMOUS VEHICLE ON PUBLIC ROADS IN THIS STATE WITHOUT A HUMAN DRIVER, SATISFACTORY PROOF OF FINANCIAL RESPONSIBILITY MUST BE FILED WITH THE DEPARTMENT OF PUBLIC SAFETY; TO PRESCRIBE THE PROCEDURES TO BE FOLLOWED WHEN A FULLY AUTONOMOUS VEHICLE IS INVOLVED IN AN ACCIDENT; TO PERMIT THE OPERATION OF AN ON-DEMAND AUTONOMOUS VEHICLE NETWORK IN COMPLIANCE WITH THE OPERATION OF TRANSPORTATION NETWORK COMPANIES, TAXIS OR ANY OTHER GROUND TRANSPORTATION FOR-HIRE OF PASSENGERS; TO REQUIRE FULLY AUTONOMOUS VEHICLES TO BE REGISTERED AND TITLED WITH THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE MANUAL HUMAN OPERATION OF VEHICLES EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM; TO AUTHORIZE THE OPERATION OF FULLY AUTONOMOUS VEHICLES THAT ARE CLASSIFIED AS COMMERCIAL MOTOR VEHICLES; TO EXEMPT FULLY AUTONOMOUS VEHICLES DESIGNED TO BE OPERATED EXCLUSIVELY BY AUTOMATED DRIVING SYSTEMS FROM CERTAIN VEHICLE EQUIPMENT REQUIREMENTS; TO PROHIBIT UNAUTHORIZED STATE AGENCIES, POLITICAL SUBDIVISIONS OF THE STATE, OR LOCAL GOVERNING AUTHORITY FROM RESTRICTING THE OPERATION OF FULLY AUTONOMOUS VEHICLES OR IMPOSING TAXES, FEES AND OTHER REQUIREMENTS UPON FULLY AUTONOMOUS VEHICLES; TO AMEND SECTIONS 63-1-203, 63-3-103, 63-15-49, 63-15-51, 63-15-53, 63-21-3 AND 63-21-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTIONS 63-1-5, 63-3-401, 63-3-405, 63-3-411, 63-3-413, 63-3-619, 63-5-53, 63-7-9, 63-15-37, 63-15-39, 63-15-41, 63-15-43, 63-19-3, 63-21-11, 63-21-15 AND 63-21-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1030:** AN ACT TO CREATE A NEW SECTION OF LAW IN THE MOTOR VEHICLE SALES FINANCE LAW TO CLARIFY THAT EMPLOYEES OF A STATE LICENSEE MAY WORK FROM HOME OR OTHER REMOTE LOCATION SUBJECT TO CERTAIN CONDITIONS; TO REQUIRE A LICENSEE THAT ALLOWS ITS EMPLOYEES TO WORK FROM HOME OR ANOTHER REMOTE LOCATION SELECTED BY THE EMPLOYEE TO PAY A SPECIAL EXAMINATION FEE; TO PROVIDE THAT LICENSEES THAT DO NOT ALLOW REMOTE WORK ARE NOT REQUIRED TO PAY SUCH SPECIAL EXAMINATION FEE; TO AMEND SECTION 63-19-15, MISSISSIPPI CODE OF 1972, TO EXEMPT THE LICENSEE FROM INDICATION ON THE LICENSE THE LOCATIONS FROM WHICH EMPLOYEE ARE WORKING REMOTELY; TO AMEND SECTION 63-19-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER TO CHARGE THE LICENSEE FEES FOR SPECIAL EXAMINATIONS BASED ON THE AVERAGE DAILY COST OF ALL EXAMINERS IN THE DEPARTMENT OF BANKING AND CONSUMER FINANCE; TO BRING FORWARD SECTIONS 63-19-7, 63-19-11, 63-19-19 AND 63-19-23,

MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1123:** AN ACT TO REGULATE THE DELIVERY OF PAYMENT SERVICES; TO DEFINE CERTAIN TERMS; TO PROVIDE THAT THE PROVISIONS OF THIS ACT SHALL NOT APPLY TO ANY BANK, TRUST COMPANY, SAVINGS ASSOCIATION, SAVINGS AND LOAN ASSOCIATION, SAVINGS BANK OR CREDIT UNION THAT IS CHARTERED UNDER THE LAWS OF THIS STATE OR UNDER FEDERAL LAW AND DOMICILED OR DOING BUSINESS IN THIS STATE; TO REQUIRE A PROVIDER WHO IS IN THE BUSINESS OF OFFERING AND PROVIDING EARNED WAGE ACCESS SERVICES TO CONSUMERS TO COMPLY WITH CERTAIN REQUIREMENTS; TO PROVIDE CERTAIN PROHIBITIONS FOR SUCH PROVIDER OPERATING IN THE STATE; TO AUTHORIZE THE ATTORNEY GENERAL TO CONDUCT CIVIL INVESTIGATIONS AND BRING CIVIL ACTIONS UNDER THE PROVISIONS OF THIS ACT; TO AUTHORIZE MUNICIPALITIES TO ENACT ORDINANCES THAT ARE IN COMPLIANCE WITH, BUT NOT MORE RESTRICTIVE THAN, THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1150:** AN ACT TO BRING FORWARD SECTIONS 37-28-5, 37-28-7, 37-28-9, 37-28-11, 37-28-13, 37-28-15, 37-28-19, 37-28-21, 37-28-23, 37-28-29, 37-28-33, 37-28-37, 37-28-47, 37-28-49, 37-28-55 AND 37-28-57, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE "MISSISSIPPI CHARTER SCHOOL ACT OF 2013", FOR PURPOSES OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1213:** AN ACT TO AMEND SECTION 49-2-131, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN AWARDING GRANTS IN SECOND AND SUBSEQUENT ROUNDS UNDER MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM, THE DEPARTMENT OF ENVIRONMENTAL QUALITY SHALL GIVE PRIORITY TO ELIGIBLE APPLICANTS THAT DID NOT RECEIVE FUNDING IN THEIR FIRST ROUND GRANTS TO IMPLEMENT NECESSARY REPAIRS TO THEIR EXISTING WATER AND/OR SEWER SYSTEMS; TO AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT CERTAIN ENTITIES ARE ELIGIBLE TO PARTICIPATE IN THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 1477:** AN ACT TO AMEND SECTION 27-19-81, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO ISSUE HARVEST PERMITS TO OWNERS AND OPERATORS OF VEHICLES HAULING CERTAIN PRODUCTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Bryan called up the motion to reconsider the vote whereby **S. B. No. 2817** passed the Senate and moved that it be reconsidered:

**S. B. No. 2817:** Mississippi Burn Center; bring forward code sections for possible amendment.

The foregoing motion prevailed.

Senator Polk offered the following AMENDMENT NO. 1.



Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 7-9-70, Mississippi Code of 1972, is amended as follows:

7-9-70. (1) There is created and established in the State Treasury a special trust fund to be known as the "Mississippi Fire Fighters Memorial Burn Center Fund." There shall be deposited in such fund (a) all such fees as the State Treasurer is directed to deposit therein under subsection (4) of Section 27-19-56.1, under subsection (4) of Section 27-19-56.2 and under subsection (5)(b) of Section 27-19-56.4; and (b) any gift, donation, bequest, trust, grant, endowment, transfer of money or securities or any other monies from any source whatsoever as may be designated for deposit in the fund.

(2) The principal of the trust fund created under subsection (1) of this section shall remain inviolate and shall be invested as provided by law. Interest and income derived from investment of the principal of the trust fund may be appropriated by the Legislature and expended exclusively for the support and maintenance of the Mississippi Fire Fighters Memorial Burn Center.

(3) From and after June 17, 2005, there shall be created in the State Treasury a fund known as the Mississippi Burn Care Fund. The Mississippi Burn Care Fund shall be the Mississippi Fire Fighters Memorial Burn Center Fund and any reference to the Mississippi Fire Fighters Memorial Burn Center Fund in law shall mean the Mississippi Burn Care Fund. All funds payable to the Mississippi Fire Fighters Memorial Burn Center Fund shall, from and after June 17, 2005, be paid to the Mississippi Burn Care Fund. All balances in the Mississippi Fire Fighters Memorial Burn Center Fund and the Mississippi Fire Fighters Memorial Fire Fighters Burn Center Escrow Fund shall be transferred to the Mississippi Burn Care Fund on June 17, 2005. All interest earned by funds in the Mississippi Burn Care Fund shall be credited to the fund and not the General Fund. For fiscal year 2006, and for each fiscal year thereafter, the Legislature may appropriate interest, income or other funds credited to the Mississippi Burn Care Fund, and there shall be no requirement that the monies deposited to the fund be held inviolate in trust. Any appropriation of funds from the Mississippi Burn Care Fund shall be to the Mississippi Department of Health for the purpose of carrying out its responsibilities established in Section 41-59-5 \* \* \*. The Mississippi Burn Care Fund shall be authorized to accept gifts, donations, bequests, appropriations or other grants from any source, governmental or private, for deposit into the fund. The Department of Health \* \* \* shall be the agency responsible for receiving any such gifts, donations, bequests, appropriations or grants and shall deposit such to the Mississippi Burn Care Fund.

SECTION 2. Section 21-19-58, Mississippi Code of 1972, is amended as follows:

21-19-58. The board of supervisors of any county, and the governing authorities of any municipality in the state, are authorized and empowered, in their discretion, to make contributions to the Mississippi Department of Health \* \* \* for deposit to the Mississippi Burn Care Fund from the general fund or federal revenue sharing funds of such county or municipality wherein such funds may be available.

SECTION 3. Section 27-19-44.3, Mississippi Code of 1972, is amended as follows:

27-19-44.3. The Mississippi Department of Health \* \* \* shall file an annual report with the Secretary of the Senate and the Clerk of the House of Representatives not later than January 10 of each year, describing the expenditure of funds appropriated to it from the Mississippi Burn Care Fund received from fees collected from the issuance of distinctive or special license tags under this chapter.

SECTION 4. Section 27-19-44.4, Mississippi Code of 1972, is brought forward as follows:

27-19-44.4. (1) Notwithstanding any other provision of law to the contrary, beginning with any registration year commencing on or after January 1, 2004, an additional fee of One Dollar (\$1.00) is imposed for any distinctive or special license tag or plate authorized under this chapter regardless of whether such a distinctive or special license tag or plate was authorized before or after July 1, 2003. The proceeds collected from the additional fee imposed under this section shall be deposited into the special fund created under Section 27-19-56.69(8).

(2) Notwithstanding any other provision of law to the contrary, beginning with any registration year commencing on or after January 1, 2018, an additional fee of Two Dollars (\$2.00) is imposed for any distinctive or special license tag or plate authorized under this chapter regardless of whether such a distinctive or special license tag or plate was authorized before or after July 1, 2018. The proceeds collected from the additional fee imposed under this section shall be deposited into the Mississippi Burn Care Fund created under Section 7-9-70.

(3) The fees imposed under this section shall be in addition to any other fees imposed under this chapter for a distinctive or special license tag or plate.

(4) The provisions of this section shall not apply to distinctive or special license tags or plates:

(a) Which are issued under Section 27-19-46, 27-19-51, 27-19-53, 27-19-54, 27-19-56.5, 27-19-56.12, 27-19-56.13, 27-19-56.33, 27-19-56.36, 27-19-56.38, 27-19-56.42, 27-19-56.48, 27-19-56.49, 27-19-56.50, 27-19-56.51, 27-19-56.62, 27-19-56.79, 27-19-56.85 or 27-19-169; or

(b) For which no additional fee is required to be paid.

SECTION 5. Section 27-39-331, Mississippi Code of 1972, is amended as follows:

27-39-331. The board of supervisors of any county is authorized and empowered, in its discretion, to set aside, appropriate and expend monies from the general fund to the Mississippi Department of Health \* \* \*, for deposit to the Mississippi Burn Care Fund.

SECTION 6. Section 27-39-332, Mississippi Code of 1972, is amended as follows:

[Until July 1, 2016, this section shall read as follows:]

27-39-332. (1) The board of supervisors of any county is authorized and empowered, in its discretion, to levy a tax not to exceed one (1) mill per annum upon all taxable property of the county, which shall be provided directly to the Mississippi Department of Health to support the Mississippi Burn Care Fund.

(2) (a) The board of supervisors of any county is authorized and empowered, in its discretion, to levy a tax not to exceed one (1) mill per annum upon all taxable property of the county, which shall be provided directly to the Mississippi Burn Foundation to support the construction and/or operation of the Burn Center Lodge for families of victims being treated at the Joseph M. Still Burn and Reconstructive Center, Inc., at Crossgates River Oaks Hospital.

(b) (i) The Mississippi Burn Foundation shall hire an independent auditor, who uses generally accepted accounting principles and auditing standards, to perform an annual audit on the financial condition of the association and to create a report containing the results of the audit. The auditor's report shall be submitted to the Mississippi Commissioner of Insurance within one hundred eighty (180) days of the end of the association's fiscal year, and shall be published in accordance with the Mississippi Public Records Act of 1983.

(ii) No county board of supervisors shall donate any funds to the Mississippi Burn Foundation in any year in which the association fails to submit the annual audit report, required by this paragraph (b), to the Commissioner of Insurance. The Mississippi Burn Foundation shall be prohibited from receiving any funds until the annual audit report, required by this paragraph (b), is submitted to the Commissioner of Insurance.

[From and after July 1, 2016, this section shall read as follows:]

27-39-332. The board of supervisors of any county is authorized and empowered, in its discretion, to levy a tax not to exceed one (1) mill per annum upon all taxable property of the county, which shall be provided directly to the Mississippi Department of Health \* \* \* to support the Mississippi Burn Care Fund.

SECTION 7. Section 37-115-45, Mississippi Code of 1972, is amended as follows:

37-115-45. \* \* \* The University of Mississippi Medical Center \* \* \* may establish a separate unit at the medical center for the treatment of burn victims, which shall be known as the Mississippi Burn Center. The opening and operation of the Mississippi Burn Center shall be conditioned upon the Board of Trustees of State Institutions of Higher Learning making a written determination, spread upon their minutes, that adequate funds are available from public and/or private sources for the annual operating cost of the facility.

\* \* \*

SECTION 8. Section 41-59-5, Mississippi Code of 1972, is amended as follows:

41-59-5. (1) The State Board of Health shall establish and maintain a program for the improvement and regulation of emergency medical services (hereinafter EMS) in the State of Mississippi. The responsibility for implementation and conduct of this program shall be vested in the State Health Officer of the State Board of Health along with such other officers and boards as may be specified by law or regulation.

(2) The board shall provide for the regulation and licensing of public and private ambulance service, inspection and issuance of permits for ambulance vehicles, training and certification of EMS personnel, including drivers and attendants, the development and maintenance of a statewide EMS records program, development and adoption of EMS regulations, the coordination of an EMS communications system, and other related EMS activities.

(3) The board is authorized to promulgate and enforce such rules, regulations and minimum standards as needed to carry out the provisions of this chapter.

(4) The board is authorized to receive any funds appropriated to the board from the Emergency Medical Services Operating Fund created in Section 41-59-61 and is further authorized, with the Emergency Medical Services Advisory Council acting in an advisory capacity, to administer the disbursement of such funds to the counties, municipalities and organized emergency medical service districts and the utilization of such funds by the same, as provided in Section 41-59-61.

(5) The department acting as the lead agency, in consultation with and having solicited advice from the EMS Advisory Council, shall develop a uniform nonfragmented inclusive statewide trauma care system that provides excellent patient care. It is the intent of the Legislature that the purpose of this system is to reduce death and disability resulting from traumatic injury, and in order to accomplish this goal it is necessary to assign additional responsibilities to the department. The department is assigned the responsibility for creating, implementing and managing the statewide trauma care system. The department shall be designated as the lead agency for trauma care systems development. The department shall develop and administer trauma regulations that

include, but are not limited to, the Mississippi Trauma Care System Plan, trauma system standards, trauma center designations, field triage, interfacility trauma transfer, EMS aero medical transportation, trauma data collection, trauma care system evaluation and management of state trauma systems funding. The department shall promulgate regulations specifying the methods and procedures by which Mississippi-licensed acute care facilities shall participate in the statewide trauma system. Those regulations shall include mechanisms for determining the appropriate level of participation for each facility or class of facilities. The department shall also adopt a schedule of fees to be assessed for facilities that choose not to participate in the statewide trauma care system, or which participate at a level lower than the level at which they are capable of participating. The fees paid under this provision shall be for the exclusive benefit of the statewide trauma care system and shall not lapse into the State General Fund. The department shall promulgate rules and regulations necessary to effectuate this provision by September 1, 2008, with an implementation date of September 1, 2008. The department shall take the necessary steps to develop, adopt and implement the Mississippi Trauma Care System Plan and all associated trauma care system regulations necessary to implement the Mississippi Trauma Care System. The department shall cause the implementation of both professional and lay trauma education programs. These trauma educational programs shall include both clinical trauma education and injury prevention. As it is recognized that rehabilitation services are essential for traumatized individuals to be returned to active, productive lives, the department shall coordinate the development of the inclusive trauma system with the Mississippi Department of Rehabilitation Services and all other appropriate rehabilitation systems.

(6) The State Board of Health is authorized to receive any funds appropriated to the board from the Mississippi Trauma Care \*\*\* Systems Fund created in Section 41-59-75. It is further authorized, with the Emergency Medical Services Advisory Council and the Mississippi Trauma Advisory Committee acting in advisory capacities, to administer the disbursements of those funds according to adopted trauma care system regulations. Any Level I trauma care facility or center located in a state contiguous to the State of Mississippi that participates in the Mississippi Trauma Care System and has been designated by the department to perform specified trauma care services within the Trauma Care System under standards adopted by the department shall receive a reasonable amount of reimbursement from the department for the cost of providing trauma care services to Mississippi residents whose treatment is uncompensated.

(7) In addition to the trauma-related duties provided for in this section, the Board of Health shall develop a plan for the delivery of services to Mississippi burn victims through the existing trauma care system of hospitals. Such plan shall be operational by July 1, 2005, and shall include:

(a) Systems by which burn patients will be assigned or transferred to hospitals capable of meeting their needs;

(b) \*\*\* Procedures for allocating funds appropriated from the Mississippi Burn Care Fund to hospitals that provide services to Mississippi burn victims; and

(c) Such other provisions necessary to provide burn care for Mississippi residents, including reimbursement for travel, lodging, if no free lodging is available, meals and other reasonable travel-related expenses incurred by burn victims, family members and/or caregivers, as established by the State Board of Health through rules and regulations.

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SECTION 9. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 7-9-70, 21-19-58, 27-19-44.3, 27-39-331, 27-39-332, 41-59-5, MISSISSIPPI CODE OF 1972, TO REMOVE REFERENCES REGARDING THE MISSISSIPPI BURN CENTER ESTABLISHED AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER; TO BRING FORWARD SECTION 27-19-44.4, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 37-115-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER MAY ESTABLISH A SEPARATE UNIT AT THE MEDICAL CENTER FOR THE TREATMENT OF BURN VICTIMS, WHICH SHALL BE KNOWN AS THE MISSISSIPPI BURN CENTER; TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

Senator Norwood offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 1.

AMEND on line 271 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to Amendment No. 1 to S. B. No. 2817 was adopted.

Amendment No. 1 as amended to S. B. No. 2817 was adopted.

YEAS AND NAYS On S. B. No. 2817. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Branning, Michel, Parks, Tate. Total--4.

Not Voting--Sparks. Total--1.

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Senator Hill called up the motion to reconsider the vote whereby **S. B. No. 2392** failed to pass the Senate and moved that it be reconsidered:

**S. B. No. 2392:** Fees for county garbage collection; revise provision related to.

The foregoing motion prevailed.

Senator McCaughn offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-5-22, Mississippi Code of 1972, is amended as follows:

19-5-22. (1) Fees for garbage or rubbish collection or disposal shall be assessed jointly and severally against the generator of the garbage or rubbish and against the owner of the property furnished the service. In addition to such fees, an additional amount not to exceed up to One Dollar (\$1.00) or ten percent (10%) per month, whichever is greater, on the current monthly bill may be assessed on the balance of any delinquent monthly fees. Any person who pays, as a part of a rental or lease agreement, an amount for garbage or rubbish collection or disposal services shall not be held liable upon the failure of the property owner to pay those fees.

(2) (a) Every generator assessed the fees authorized by Section 19-5-21 and the owner of the property occupied by that generator shall be jointly and severally liable for the fees.

(b) Subject to subsection (6) of this section, the fees shall be a lien upon the real property offered garbage or rubbish collection or disposal service.

(c) (i) The board of supervisors may assess the fees annually. If the fees are assessed annually, the fees for each calendar year shall be a lien upon the real property beginning on January 1 of the next immediately succeeding calendar year subject to subsection (6) of this section. The person or entity owing the fees, upon signing a form provided by the board of supervisors, may pay the fees in equal installments.

(ii) If fees are assessed on a basis other than annually, the fees shall become a lien upon the real property offered the service on the date that the fees become due and payable subject to subsection (6) of this section.

No real or personal property shall be sold to satisfy any lien imposed under this subsection (2).

(d) The county shall mail a notice of the lien, including the amount of unpaid fees and a description of the property subject to the lien, to the owner of the property.

(3) Liens created under subsection (2) may be discharged by filing with the \* \* \* chancery clerk a receipt or acknowledgement, signed by the designated county official or billing and collection entity, that the lien has been paid or discharged.

(4) (a) The board of supervisors may notify the tax collector of any unpaid fees assessed under Section 19-5-21 within ninety (90) days after the fees are due. Before notifying the tax collector, the board of supervisors shall provide notice of the delinquency to the person who owes the delinquent fees and shall afford an opportunity for a hearing, that complies with the due process protections the board deems necessary, consistent with the Constitutions of the United States and the State of Mississippi. The board of supervisors shall establish procedures for the manner in which notice shall be given and the contents of the notice; however, each notice shall include the amount of fees and shall prescribe the procedure required for payment of the delinquent fees. The board of supervisors may designate a disinterested individual to serve as hearing officer. The board of supervisors shall continue to update the delinquency notice to the tax collector at least once per quarter of each year.

(b) Upon receipt of a delinquency notice, the tax collector shall not issue or renew a motor vehicle road and bridge privilege license for any motor vehicle owned by a person who is delinquent in the payment of fees unless those fees in addition to any other taxes or fees assessed against the motor vehicle are paid. A person who did not generate the garbage or own the property furnished the service at the time that the garbage was generated shall not be considered delinquent for any fees under this section. Payment of all delinquent garbage fees shall be deemed a condition of receiving a motor vehicle road and privilege license tag.

(c) The tax collector may forward the motor vehicle road and privilege license tag renewal notices to the designated county official or entity that is responsible for the billing and collection of the county garbage fees. The designated county official or the billing and collection entity shall identify those license tags that shall not be issued due to delinquent garbage fees. The designated county official or the billing and collection entity shall stamp a message on the license tag renewal notices that the tag will not be renewed until delinquent garbage fees are paid. The designated county official or the billing and collection entity shall return the license tag notices to the tax collector before the first of the month.

(d) Any appeal from a decision of the board of supervisors under this section regarding payment of delinquent garbage fees may be taken as provided in Section 11-51-75.

(5) The board of supervisors may levy the garbage fees as a special assessment against the property in lieu of the lien authorized in this section. The board of supervisors shall certify to the tax collector the assessment due from the owner of the property. The tax collector shall enter the assessment upon the annual tax roll of the county and shall collect the assessment at the same time he collects the county ad valorem taxes on the property.

No real or personal property shall be sold to satisfy any assessment imposed under this subsection (5).

(6) Liens created under this statute shall be contained in the chancery clerk's office in a separate hard copy book format and/or a digital format and shall include all information necessary for the recording and indexing therein. The registry created herein shall be created on or before January 1, 2024.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 19-5-22, MISSISSIPPI CODE OF 1972, TO REQUIRE A COUNTY BOARD OF SUPERVISORS TO NOTIFY THE COUNTY TAX COLLECTOR WHEN UNPAID FEES ASSESSED UNDER SECTION 19-5-21 ARE PAST DUE; TO REQUIRE THE TAX COLLECTOR TO INDEX THE DELINQUENCY NOTICE RECEIVED FROM THE BOARD OF SUPERVISORS; TO PROVIDE THAT A PERSON WHO DID NOT GENERATE THE GARBAGE OR OWN THE PROPERTY FURNISHED THE SERVICE AT THE TIME THAT THE GARBAGE WAS GENERATED SHALL NOT BE CONSIDERED DELINQUENT FOR ANY FEES UNDER THIS SECTION; TO PROVIDE THAT LIENS CREATED UNDER THIS STATUTE SHALL BE AVAILABLE IN A REGISTRY IN THE CHANCERY CLERK'S OFFICE; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2392 was adopted.

YEAS AND NAYS On S. B. No. 2392. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Norwood, Parker, Polk,

Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting--Branning, Michel, Parks, Tate. Total--4.

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Senator Hill called up the motion to reconsider the vote whereby **S. B. No. 2735** passed the Senate and moved that it be reconsidered:

**S. B. No. 2735:** Mayoral veto power; clarify scope of.

The foregoing motion prevailed.

Senator Hill offered the following AMENDMENT NO. 2.

AMEND on line 35 by striking the following language:

"In carrying out his duties or exercising his powers, the mayor shall in no case expend municipal funds in excess of One Hundred Dollars (\$100.00) in any one instance without the prior approval of the council."

FURTHER, AMEND on lines 48 and 49 by striking "expend municipal funds in excess of One Hundred Dollars (\$100.00) nor"

FURTHER, AMEND by striking the new language on lines 90-93.

FURTHER, AMEND on line 99 by striking "Ordinances" and inserting "Affirmative ordinances" in lieu thereof.

FURTHER, AMEND on lines 101 and 105 by inserting "affirmative" before "ordinance".

FURTHER, AMEND the title to conform.

Amendment No. 2 to S. B. No. 2735 was adopted.

YEAS AND NAYS On S. B. No. 2735. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Branning, Michel, Parks, Tate. Total--4.

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Senator Fillingane called up the motion to reconsider the vote whereby **S. B. No. 2099** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2099:** Motor vehicle theft; revise penalty for.

The foregoing motion prevailed.

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Senator Fillingane called up the motion to reconsider the vote whereby **S. B. No. 2100** passed the Senate and moved that the motion to reconsider be tabled:  
**S. B. No. 2100:** Receiving stolen property; revise the crime of.

The foregoing motion prevailed.

Senator Sparks called up the motion to reconsider the vote whereby **S. B. No. 2351** passed the Senate and moved that it be reconsidered:  
**S. B. No. 2351:** Elections; allow the Secretary of State to perform random procedural audits on counties.

The foregoing motion prevailed.

Senator Sparks offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified in Title 23, Chapter 15, Mississippi Code of 1972:

(1) The Attorney General is authorized to investigate alleged election fraud in the counties of this state upon a verified complaint of a candidate whose name appears on the ballot of the election in question, or from an election official or circuit clerk of a county where the election in question took place. The conduct of an investigation shall not create excessive interference with the general duties and responsibilities of the Attorney General.

(2) Upon request by the Attorney General, the Secretary of State shall assist in any investigation of a complaint pursuant to subsection (1).

(3) The Attorney General shall not investigate a complaint under this section at any precinct where an election occurred and that election is being challenged pursuant to Sections 23-15-927, 23-15-951 or 23-15-955.

(4) The Attorney General shall provide reasoning in writing if their office determines that an investigation is not warranted, and said document shall be provided to the complainant, circuit clerk of the county in the complaint and the Secretary of State's office. The Attorney General shall give a written report at the completion of the investigation to the complainant, circuit clerk of the county in the complaint and the Secretary of State's office if criminal action is not pursued. If the Attorney General alleges that a criminal act has occurred, he or she shall turn their findings over to the district attorney of the district where the alleged criminal acts occurred, or prosecute through his or her authority pursuant to Section 7-5-1.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A NEW SECTION TO BE ADDED TO TITLE 23, CHAPTER 15, MISSISSIPPI CODE OF 1972, TO ALLOW THE ATTORNEY GENERAL'S OFFICE TO INVESTIGATE COMPLAINTS OF ELECTION FRAUD; TO PROVIDE PROCEDURES FOR WHICH THE ATTORNEY GENERAL SHOULD FOLLOW TO

SHARE THE FINDINGS OF AN ELECTION FRAUD INVESTIGATION; AND FOR RELATED PURPOSES.

Amendment No. 1 to S. B. No. 2351 was adopted.

YEAS AND NAYS On S. B. No. 2351. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Parker, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Norwood, Simmons D. T. (12th), Thomas, Turner-Ford. Total--8.

Absent and those not voting--Branning, Michel, Parks, Tate. Total--4.

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Senator Fillingane called up the motion to reconsider the vote whereby **S. B. No. 2343** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2343:** Capitol police; bring forward code section related to for possible amendment..

The foregoing motion prevailed.

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Senator Fillingane called up the motion to reconsider the vote whereby **S. B. No. 2101** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2101:** Criminal law; increase penalties for crimes of fleeing a law enforcement officer, resisting arrest and carjacking.

The foregoing motion prevailed.

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Senator Fillingane called up the motion to reconsider the vote whereby **S. B. No. 2347** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2347:** Hospital police department; authorize for certain private entities.

The foregoing motion prevailed.

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Senator DeBar called up the motion to reconsider the vote whereby **S. B. No. 2777** passed the Senate and moved that it be reconsidered:

**S. B. No. 2777:** School attendance officers; revise to increase the minimum base salary.

The foregoing motion prevailed.

Senator DeBar offered the following AMENDMENT NO. 2.

AMEND on line 408 before the period by inserting "and shall stand repealed on June 30, 2023"

Amendment No. 2 to S. B. No. 2777 was adopted.

YEAS AND NAYS On S. B. No. 2777. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting--Branning, Michel, Parks, Tate. Total--4.

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Unanimous consent was granted to add Senators Norwood, Butler A. (36th) and Hickman as co-authors of **S. B. No. 2777**.

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Unanimous consent was granted to add Senator Hill as a co-author of S. B. No. 2099, S. B. No. 2100, S. B. No. 2101, S. B. No. 2853, S. B. No. 2575, S. B. No. 2346, S. B. No. 2358, S. B. No. 2153, S. B. No. 2612, S. B. No. 2596 and S. B. No. 2054.

**S. B. No. 2099:** Motor vehicle theft; revise penalty for.

**S. B. No. 2100:** Receiving stolen property; revise the crime of.

**S. B. No. 2101:** Criminal law; increase penalties for crimes of fleeing a law enforcement officer, resisting arrest and carjacking.

**S. B. No. 2853:** Small unmanned aircraft systems; require state purchase and servicing of from American companies only.

**S. B. No. 2575:** State Department of Health; provide that health insurers may not deny the right to participate as a contract provider.

**S. B. No. 2346:** Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification.

**S. B. No. 2358:** Ballot harvesting; ban.

**S. B. No. 2153:** Transportation; require disclosure of the total charges in the rental of motor vehicles.

**S. B. No. 2612:** Construction; bring forward code sections concerning local permitting and State Board of Contractors licensing.

**S. B. No. 2596:** Mississippi Nonprofit Transparency Act; create.

**S. B. No. 2054:** Appointed state officers; provide for the removal of for certain forms of willful neglect.

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Senator Butler A. (36th) moved that when the Senate adjourns, it adjourn in memory of Fredrick Yarbrough of Port Gibson, MS.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Joseph Paul "Joe" Hans of Moss Point, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Nancy Harvey and Chris Stokley of Morton, MS.

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Senators McCaughn and Jackson moved that when the Senate adjourns, it adjourn in memory of Fred Snow of Newton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Charlene Champion of Lena, MS.

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Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 13, 2023.

The motion prevailed, and at 10:15 AM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 258:** AN ACT TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW THAT REQUIRES MONTHLY PAYMENTS PREVIOUSLY MADE TO THE STATE PUBLIC SCHOOL BUILDING FUND TO INSTEAD BE PAID TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND AND TO DELETE OUTDATED REFERENCES TO CODE SECTIONS THAT HAVE BEEN REPEALED; TO AMEND SECTIONS 37-47-11, 37-47-13, 37-47-15, 37-47-17, 37-47-19, 37-47-21, 37-47-23 AND 37-47-29, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALERS ON THOSE STATUTES RELATING TO THE ADMINISTRATION OF THE STATE PUBLIC SCHOOL BUILDING FUND AND TO REVISE OUTDATED AGENCY NOMENCLATURE; TO AMEND SECTION 37-47-27, MISSISSIPPI CODE OF 1972, TO REVISE OUTDATED AGENCY NOMENCLATURE; AND FOR RELATED PURPOSES.

**H. B. No. 276:** AN ACT TO AMEND SECTION 73-23-43, MISSISSIPPI CODE OF 1972, TO AMEND THE GENERAL POWERS AND DUTIES OF THE STATE BOARD OF PHYSICAL THERAPY TO AUTHORIZE THE BOARD TO ISSUE SUBPOENAS FOR THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF PAPERS, RECORDS OR OTHER DOCUMENTARY EVIDENCE; AND FOR RELATED PURPOSES.

**H. B. No. 454:** AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE USE OF RADAR SPEED DETECTION EQUIPMENT BY MUNICIPAL LAW ENFORCEMENT OFFICERS IN ANY MUNICIPALITY WHERE THE COUNTY SEAT IS LOCATED IN THE MUNICIPALITY AND WHERE THERE IS

LOCATED A PUBLIC COMMUNITY COLLEGE IN SUCH MUNICIPALITY; AND FOR RELATED PURPOSES.

**H. B. No. 537:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITY OF ANY MUNICIPALITY TO WAIVE LIENS, UNDER CERTAIN CIRCUMSTANCES, THAT ARE IMPOSED ON REAL PROPERTY FOR COSTS AND/OR PENALTIES ASSOCIATED WITH A MUNICIPALITY'S CLEANING OF REAL PROPERTY THAT HAS BEEN DEEMED A MENACE; TO PROVIDE THAT AN APPLICATION FOR THE WAIVER BE SUBMITTED FOR CONSIDERATION OF SUCH WAIVER; TO PROHIBIT THE PROPERTY OWNER WHO CAUSED THE PROPERTY TO BE DEEMED A MENACE BY THE MUNICIPALITY FROM SUBMITTING SUCH APPLICATION; TO AMEND SECTION 21-19-11, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; AND FOR RELATED PURPOSES.

**H. B. No. 538:** AN ACT TO AMEND SECTION 51-15-118, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PARTICIPATING COUNTY IN THE PAT HARRISON WATERWAY DISTRICT THAT IS WITHDRAWING FROM THE DISTRICT, SUCH WITHDRAWAL SHALL NOT BECOME EFFECTIVE UNTIL THE CLOSE OF THE FISCAL YEAR IN WHICH THE COUNTY HAS SATISFIED CERTAIN OBLIGATIONS WITH THE DISTRICT; TO AMEND SECTION 51-15-119, MISSISSIPPI CODE OF 1972, TO REQUIRE THE BOARD OF DIRECTORS OF THE DISTRICT TO PROVIDE TO THE CHAIRMEN OF THE HOUSE AND SENATE APPROPRIATIONS COMMITTEES CERTAIN ANNUAL PLANS CONCERNING THE DISTRICT; AND FOR RELATED PURPOSES.

**H. B. No. 544:** AN ACT TO AMEND SECTION 83-13-5, MISSISSIPPI CODE OF 1972, TO EXEMPT BUILDER'S RISK INSURANCE POLICIES FROM THE VALUED POLICY LAW; AND FOR RELATED PURPOSES.

**H. B. No. 752:** AN ACT TO AMEND SECTIONS 37-173-1, 37-173-3 AND 37-173-15, MISSISSIPPI CODE OF 1972, TO EXPAND THE ELIGIBILITY FOR THE MISSISSIPPI DYSLEXIA THERAPY SCHOLARSHIP FOR STUDENTS WITH DYSLEXIA PROGRAM TO INCLUDE STUDENTS IN KINDERGARTEN THROUGH GRADE 12; AND FOR RELATED PURPOSES.

**H. B. No. 768:** AN ACT TO AMEND SECTION 25-9-127, MISSISSIPPI CODE OF 1972, TO REQUIRE AN AGENCY REQUESTING AN EXEMPTION FROM THE MISSISSIPPI STATE PERSONNEL BOARD OVERSIGHT TO CREATE A WRITTEN PLAN DESCRIBING THE JUSTIFICATION FOR REQUESTING AN EXEMPTION AND THE ACTIONS THE AGENCY PLANS TO IMPLEMENT IF THE EXEMPTION IS GRANTED; TO REQUIRE ADDITIONAL REPORTING REQUIREMENTS FOR ANY AGENCY GRANTED AN EXEMPTION; AND FOR RELATED PURPOSES.

**H. B. No. 795:** AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO REVISE HOW THE FINES FOR THE CRIME OF SHOPLIFTING ARE CALCULATED; TO REQUIRE THAT FINES BE BASED ON TOTAL PRICE OF ALL SHOPLIFTED ITEMS; AND FOR RELATED PURPOSES.

**H. B. No. 996:** AN ACT TO AMEND SECTION 91-1-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR THE PURPOSES OF INTESTATE SUCCESSION, IF THE DECEDENT DIES BEFORE THE START OF A PREGNANCY BY ASSISTED REPRODUCTION RESULTING IN THE BIRTH OF AN INDIVIDUAL WHO LIVES AT LEAST ONE HUNDRED TWENTY HOURS AFTER BIRTH, THAT INDIVIDUAL IS DEEMED TO BE LIVING AT THE TIME OF THE DECEDENT'S DEATH UNDER CERTAIN CONDITIONS; TO AMEND SECTION 91-1-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1033:** AN ACT TO AMEND SECTION 7-7-3, MISSISSIPPI CODE OF 1972, TO REQUIRE THE ADMINISTRATOR OF THE MISSISSIPPI MANAGEMENT

AND REPORTING SYSTEM REVOLVING FUND TO SUBMIT AN ANNUAL REPORT OF PURCHASING NEEDS TO THE CHAIRS OF THE HOUSE AND SENATE APPROPRIATIONS AND ACCOUNTABILITY, EFFICIENCY AND TRANSPARENCY COMMITTEES; AND FOR RELATED PURPOSES.

**H. B. No. 1115:** AN ACT TO AMEND SECTION 43-21-609, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF YOUTH COURT REGARDING DURABLE LEGAL CUSTODY; TO AMEND SECTION 43-21-613, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL DISPOSITIONS AND MODIFICATIONS OF DURABLE LEGAL CUSTODY TO BE REVIEWED BY YOUTH COURT; AND FOR RELATED PURPOSES.

**H. B. No. 1157:** AN ACT TO REQUIRE PERSONS OR ENTITIES ENGAGED IN THE RENTAL OF MOTOR VEHICLES TO DISCLOSE THE TOTAL CHARGES FOR THE ENTIRE RENTAL, INCLUDING ALL ADDITIONAL MANDATORY CHARGES; AND FOR RELATED PURPOSES.

**H. B. No. 1162:** AN ACT TO AMEND SECTION 83-33-5, MISSISSIPPI CODE OF 1972, TO REVISE SWORN DECLARATION REQUIREMENTS FOR RECIPROCAL INSURANCE; TO AMEND SECTION 83-33-23, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS OF THE BOARD OF DIRECTORS FOR THE RECIPROCAL; AND FOR RELATED PURPOSES.

**H. B. No. 1172:** AN ACT TO PROVIDE PROCEDURES AND CERTAIN RIGHTS REGARDING COLLATERAL IN FEDERAL HOME LOAN BANKS' DELINQUENCY PROCEEDINGS; TO AMEND SECTION 83-24-7, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "FEDERAL HOME LOAN BANK"; TO AMEND SECTIONS 83-24-11, 83-24-29, 83-24-41, 83-24-51 AND 83-24-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A FEDERAL HOME LOAN BANK SHALL NOT BE PROHIBITED FROM EXERCISING OR ENFORCING ANY RIGHT OR CAUSE OF ACTION REGARDING COLLATERAL PLEDGED UNDER A SECURITY AGREEMENT OR OTHER SIMILAR AGREEMENT OR ARRANGEMENT TO WHICH SUCH BANK IS A PARTY; AND FOR RELATED PURPOSES.

**H. B. No. 1190:** AN ACT TO PROVIDE THAT PLAN SPONSOR OF A HEALTH BENEFIT PLAN MAY, ON BEHALF OF COVERED PERSONS IN THE PLAN, PROVIDE THE CONSENT REQUIRED IN THE MISSISSIPPI INSURANCE E-COMMERCE MODEL ACT TO THE MAILING OF ALL COMMUNICATIONS RELATED TO THE PLAN BY ELECTRONIC MEANS; TO DEFINE "HEALTH BENEFIT PLAN" AND "PLAN SPONSOR"; TO PROVIDE THAT BEFORE CONSENTING ON BEHALF OF A PARTY, A PLAN SPONSOR SHALL CONFIRM THAT THE PARTY ROUTINELY USES ELECTRONIC COMMUNICATIONS DURING THE NORMAL COURSE OF EMPLOYMENT; TO PROVIDE THAT BEFORE PROVIDING DELIVERY BY ELECTRONIC MEANS, THE INSURER FOR THE HEALTH BENEFIT PLAN SHALL PROVIDE THE PARTY AN OPPORTUNITY TO OPT OUT OF DELIVERY BY ELECTRONIC MEANS AND MEET CERTAIN OTHER CONDITIONS OF THE MISSISSIPPI INSURANCE E-COMMERCE MODEL ACT; TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES TO IMPLEMENT THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1191:** AN ACT TO ESTABLISH THE LEGAL FRAMEWORK BY WHICH PET INSURANCE MAY BE SOLD IN THIS STATE; TO PROVIDE DEFINITIONS; TO REQUIRE THAT A PET INSURER TRANSACTING PET INSURANCE DISCLOSE CERTAIN INFORMATION TO CONSUMERS; TO PROVIDE THAT ANY PERSON WHO IS LICENSED IN A MAJOR LINE OF AUTHORITY AND APPOINTED BY A PET INSURER MAY BE AUTHORIZED TO SELL, SOLICIT OR NEGOTIATE A PET INSURANCE PRODUCT; TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ESTABLISH TRAINING REQUIREMENTS FOR INSURANCE PRODUCERS SELLING PET INSURANCE; TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ISSUE

ANY RULES AND REGULATIONS AS NECESSARY FOR THE IMPLEMENTATION OF THE ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1227:** AN ACT TO CREATE THE MENTAL AWARENESS PROGRAM FOR SCHOOLS; TO AMEND SECTION 37-3-89, MISSISSIPPI CODE OF 1972, TO REQUIRE MENTAL AWARENESS AND TRAUMA-INFORMED APPROACHES IN EDUCATOR PREPARATION PROGRAMS; TO DEFINE TRAUMA-INFORMED APPROACHES; TO AMEND SECTION 37-9-79, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS SHALL HAVE AT LEAST ONE SCHOOL COUNSELOR OR MENTAL HEALTH SERVICES PROVIDER PER 250 STUDENTS; TO AUTHORIZE UNDERFUNDED AND UNDERSTAFFED SCHOOLS TO EMPLOY ONE SCHOOL COUNSELOR TO SERVICE ALL THE SCHOOLS IN THE EMPLOYING SCHOOL DISTRICT; TO PROVIDE FOR THE DISTRIBUTION OF TIME AND DUTIES WITHIN SUCH DISTRICTS; TO REQUIRE SCHOOL COUNSELORS OR SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDERS TO CREATE A TRAUMA-INFORMED TEAM FOR EACH SCHOOL; TO REQUIRE SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS TO REPORT THE NUMBER AND PLACEMENT OF SCHOOL COUNSELORS IN THE DISTRICT TO THE DEPARTMENT OF EDUCATION; TO AUTHORIZE SCHOOL DISTRICTS TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH A NATIONALLY RECOGNIZED SOCIAL WORK CONSORTIUM AND CERTAIN STATE INSTITUTIONS OF HIGHER LEARNING TO PLACE MASTER'S LEVEL GRADUATE STUDENTS INTO SCHOOLS AS SCHOOL COUNSELORS UNDER A SUPERVISED INTERNSHIP PROGRAM; TO CREATE NEW SECTION 37-9-80, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF EDUCATION, IN COLLABORATION WITH THE DEPARTMENT OF MENTAL HEALTH, TO CREATE A TOOLKIT TO ASSIST SCHOOLS IN IMPLEMENTING TRAUMA-INFORMED APPROACHES; AND FOR RELATED PURPOSES.

**H. B. No. 1228:** AN ACT TO AMEND SECTIONS 37-179-1 AND 37-179-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPROVE THE CREATION OF DISTRICTS OF INNOVATION; TO DEFINE CERTAIN TERMS RELATED TO "DISTRICTS OF INNOVATION"; TO LIMIT THE INITIAL APPROVAL AND SUBSEQUENT RENEWALS OF DISTRICTS OF INNOVATION TO FIVE-YEAR PERIODS; TO DIRECT THE BOARD TO PROMULGATE ADMINISTRATIVE RULES AND REGULATIONS TO PRESCRIBE THE CONDITIONS AND PROCEDURES TO BE USED BY LOCAL SCHOOL BOARDS TO BE APPROVED AS A DISTRICT OF INNOVATION; TO SPECIFY THE CRITERIA TO BE ADDRESSED BY THE ADMINISTRATIVE REGULATIONS; TO PRESCRIBE THE REQUIREMENTS FOR A DISTRICT TO BE A DISTRICT OF INNOVATION APPLICANT; TO PRESCRIBE THE STATUTORY REQUIREMENTS WITH WHICH SCHOOLS OF INNOVATION WITHIN DISTRICTS OF INNOVATION MUST COMPLY; TO IDENTIFY AREAS IN WHICH DISTRICTS OF INNOVATION MAY REQUEST APPROVAL OF PRACTICES THAT ARE DIFFERENT THAN CURRENT STATUTORY REQUIREMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1264:** AN ACT TO AUTHORIZE SCHOOL DISTRICTS TO MAKE FEMININE HYGIENE PRODUCTS AVAILABLE, AT NO COST TO STUDENTS, IN THE BATHROOMS OR OFFICES OF THE SCHOOL NURSE IN SCHOOL BUILDINGS FOR STUDENTS IN GRADE 6 THROUGH GRADE 12; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

## MESSAGE FROM THE HOUSE

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

**H. B. No. 124:** AN ACT TO AMEND SECTION 47-5-1211, MISSISSIPPI CODE OF 1972, TO PROVIDE A CERTAIN EXCEPTION REGARDING THE TEN PERCENT COST-SAVINGS REQUIREMENT TO THE DEPARTMENT OF CORRECTIONS FOR THE INCARCERATION OF STATE INMATES BY PRIVATE CORRECTIONAL FACILITIES; AND FOR RELATED PURPOSES.

**H. B. No. 521:** AN ACT TO AUTHORIZE THE MISSISSIPPI INSURANCE DEPARTMENT TO CREATE THE MISSISSIPPI LENGTH OF SERVICE AWARD PROGRAM (LOSAP) FOR THE RECRUITMENT AND RETENTION OF VOLUNTEER FIREFIGHTERS; TO PROVIDE THAT THE PROGRAM WILL PROVIDE PAID LENGTH OF SERVICE AWARDS TO ELIGIBLE VOLUNTEER FIREFIGHTERS; TO PROVIDE DEFINITIONS; TO PROVIDE THAT THE LOSAP SHALL BE ADMINISTERED BY THE MISSISSIPPI LENGTH OF SERVICE AWARD PROGRAM BOARD OF TRUSTEES AND TO PROVIDE THE MEMBERS WHO WILL SERVE ON THE BOARD; TO PROVIDE THE POWERS AND DUTIES OF THE LOSAP BOARD OF TRUSTEES; TO CREATE THE "MISSISSIPPI VOLUNTEER FIREFIGHTER LENGTH OF SERVICE AWARDS PROGRAM FUND" (LOSAP FUND) AND TO PROVIDE WHAT MONIES IN THE FUND MAY BE USED FOR; TO PROVIDE THAT THE MISSISSIPPI INSURANCE DEPARTMENT SHALL NOTIFY THE STATE FIRE MARSHAL AND THE LOSAP BOARD OF TRUSTEES OF ANY VOLUNTEER FIRE DEPARTMENT MEMBER WHO IS INELIGIBLE TO RECEIVE THE LOSAP FUNDS; TO AMEND SECTION 83-1-37, MISSISSIPPI CODE OF 1972, TO REVISE THE AMOUNT OF THE INSURANCE TAX PREMIUM THAT IS DEPOSITED INTO THE "MUNICIPAL FIRE PROTECTION FUND" FROM ONE-HALF OF TEN PERCENT TO ONE-HALF OF TWENTY PERCENT; TO AMEND SECTION 83-1-39, MISSISSIPPI CODE OF 1972, TO REVISE THE AMOUNT OF THE INSURANCE TAX PREMIUM THAT IS DEPOSITED INTO THE "COUNTY VOLUNTEER FIRE DEPARTMENT FUND" FROM ONE-HALF OF TEN PERCENT TO ONE-HALF OF TWENTY PERCENT; AND FOR RELATED PURPOSES.

**H. B. No. 529:** AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO PAY BENEFITS WHEN A COVERED INDIVIDUAL DIES; TO AMEND SECTION 63-16-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY TO USE MONIES IN THE UNINSURED MOTORIST IDENTIFICATION FUND TO PAY A BENEFIT FOR COVERED INDIVIDUALS; TO AMEND SECTION 63-16-3, MISSISSIPPI CODE OF 1972, TO EXEMPT RECORDS IN THE MOTOR VEHICLE INSURANCE VERIFICATION SYSTEM FROM THE MISSISSIPPI PUBLIC RECORDS ACT; TO CREATE NEW SECTION 45-27-23, MISSISSIPPI CODE OF 1972, TO RATIFY THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT AND TO DESIGNATE THE DIRECTOR OF THE MISSISSIPPI JUSTICE INFORMATION CENTER AS THE STATE'S COMPACT OFFICER; TO AMEND SECTION 45-27-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI JUSTICE INFORMATION CENTER TO PURCHASE LIVE SCAN EQUIPMENT TO BE USED FOR FINGERPRINTING BY LAW ENFORCEMENT AGENCIES THROUGHOUT THE STATE; TO AMEND SECTION 63-1-16, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO FURNISH A DRIVER SERVICE BUREAU PUBLIC ACCESS COMPUTER IN EACH COUNTY; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE CONCEALED CARRY OF A FIREARM WITH A LICENSE, TO REVISE HOW LICENSE RENEWALS MAY BE SENT; TO REPEAL SECTION 63-16-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE AUTOMATIC REPEAL OF THE PUBLIC SAFETY VERIFICATION AND ENFORCEMENT ACT; AND FOR RELATED PURPOSES.



**H. B. No. 534:** AN ACT TO AMEND SECTIONS 9-23-1 AND 9-23-3, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO DRUG INTERVENTION COURTS; TO AMEND SECTION 9-23-5, MISSISSIPPI CODE OF 1972, TO REVISE DEFINITIONS RELATING TO VARIOUS TYPES OF INTERVENTION COURTS; TO AMEND SECTION 9-23-9, MISSISSIPPI CODE OF 1972, TO REQUIRE THE STATE INTERVENTION COURTS ADVISORY COMMITTEE TO PROMULGATE RULES AND REGULATIONS THAT ALLOW THE ADMINISTRATIVE OFFICE OF COURTS TO PROVIDE ADDITIONAL FUNDING TO INTERVENTION COURTS BASED ON THE FINANCIAL NEEDS OF THE COURT; TO AMEND SECTION 9-23-11, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COLLECTION OF DATA BY THE ADMINISTRATIVE OFFICE OF COURTS ON PARTICIPANTS IN INTERVENTION PROGRAMS; TO REVISE THE MINIMUM CERTIFICATION STANDARDS FOR OPERATION OF AN INTERVENTION COURT OR PROBLEM SOLVING COURT BY REQUIRING THE PROVISION OF MENTAL HEALTH SERVICES; TO AMEND SECTIONS 9-23-13 AND 9-23-15, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO DRUG INTERVENTION COURTS; TO AMEND SECTION 9-23-17, MISSISSIPPI CODE OF 1972, TO PROVIDE EVALUATION STANDARDS; TO AMEND SECTIONS 9-23-19, 9-23-21, 9-23-23, 9-23-51, 9-25-1, 9-27-1, 9-27-3, 9-27-5, 9-27-7, 9-27-9 AND 9-27-11, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO VARIOUS TYPES OF INTERVENTION COURTS; TO AMEND SECTIONS 9-27-15, 9-27-17 AND 9-27-19, MISSISSIPPI CODE OF 1972, TO STANDARDIZE REFERENCES TO MENTAL HEALTH INTERVENTION COURTS; TO AMEND SECTION 41-113-1, MISSISSIPPI CODE OF 1972, TO INCLUDE DRUG ABUSE IN THE LEGISLATIVE INTENT FOR THE TOBACCO EDUCATION, PREVENTION AND CESSATION PROGRAM; TO AMEND SECTION 41-113-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE OFFICE OF TOBACCO CONTROL BY ADDING FENTANYL AND DRUG ABUSE PREVENTION EDUCATION; TO AMEND SECTION 41-113-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE DIRECTOR OF THE OFFICE OF TOBACCO CONTROL TO INCLUDE IMPLEMENTATION OF A FENTANYL DRUG ABUSE EDUCATION, PREVENTION AND CESSATION PROGRAM; TO AMEND SECTION 41-113-7, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE OFFICE OF TOBACCO CONTROL BY ADDING FENTANYL AND DRUG ABUSE PREVENTION EDUCATION; TO AMEND SECTION 41-114-1, MISSISSIPPI CODE OF 1972, TO INCLUDE VAPORIZING DEVICES IN THE DEFINITION OF "SMOKE" OR "SMOKING" FOR THE PROVISIONS OF LAW THAT RESTRICT TOBACCO USE IN PUBLIC FACILITIES; TO BRING FORWARD SECTIONS 41-113-9 AND 41-113-11, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE MISSISSIPPI TOBACCO CONTROL ADVISORY COUNCIL AND THE TOBACCO CONTROL PROGRAM FUND, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 606:** AN ACT TO CREATE THE MOBILE-ONLINE BETTING TASK FORCE; TO PROVIDE THE PURPOSES OF THE TASK FORCE; TO DESIGNATE THE CHAIRPERSON AND CO-CHAIRPERSON OF THE TASK FORCE; TO PROVIDE FOR THE APPOINTED MEMBERS TO THE TASK FORCE; AND FOR RELATED PURPOSES.

**H. B. No. 821:** AN ACT TO AMEND SECTION 25-34-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES REGARDING WHEN A NOTARY IS PERMITTED TO CHARGE A FEE FOR SERVICES RENDERED; TO AMEND SECTION 25-34-41, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A NOTARY PUBLIC SHALL NOT BE REQUIRED TO BE A RESIDENT OF MISSISSIPPI IF HE OR SHE IS AN EMPLOYEE IN, OR HAS A PRACTICE IN, MISSISSIPPI; TO AMEND SECTION 25-34-37, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 912:** AN ACT TO PROVIDE THAT A FIREARM SUPPRESSOR MANUFACTURED AND REMAINING IN THE STATE OF MISSISSIPPI IS NOT SUBJECT TO FEDERAL LAWS AND REGULATIONS GOVERNING FIREARM

SUPPRESSORS; TO PROHIBIT STATE AND LOCAL GOVERNMENTAL AUTHORITIES FROM ENFORCING FEDERAL REGULATIONS ON SUPPRESSORS MADE IN MISSISSIPPI; TO REQUIRE STATE FUNDING TO BE WITHHELD FROM ANY GOVERNMENTAL ENTITY THAT ADOPTS A RULE OR POLICY ENFORCING THE FEDERAL LAWS GOVERNING FIREARM SUPPRESSORS; TO REQUIRE THE DISMISSAL OF CHARGES OF ILLEGALLY CARRYING A MUFFLER OR SILENCER WHICH ARE PENDING ON JULY 1, 2023; TO AMEND SECTIONS 11-1-67, 97-37-1 AND 97-37-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO REPEAL SECTION 97-37-31, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISDEMEANOR OFFENSE OF MAKING, MANUFACTURING, SELLING OR POSSESSING A DEVICE THAT WILL MUFFLE THE REPORT OF A FIREARM BY A PERSON NOT AUTHORIZED TO DO SUCH UNDER FEDERAL LAW; AND FOR RELATED PURPOSES.

**H. B. No. 979:** AN ACT TO AMEND SECTION 49-7-95, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO HUNTS, TAKES OR KILLS ANY ANIMAL DURING LEGAL HUNTING HOURS, AND SUBSEQUENTLY SEARCHES FOR AND/OR RECOVERS SUCH MORTALLY WOUNDED ANIMAL WITH THE AID OF A LIGHT OR LIGHTING DEVICE, IS NOT IN VIOLATION OF THIS SECTION; TO BRING FORWARD SECTIONS 49-7-27 AND 49-7-141, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 995:** AN ACT TO AMEND SECTION 97-3-69, MISSISSIPPI CODE OF 1972, TO REVISE THE EVIDENTIARY REQUIREMENTS FOR RAPE TRIALS; TO REPEAL SECTION 97-3-99, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR SPOUSAL RAPE; TO AMEND SECTION 97-3-65, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTION 97-3-68, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE EVIDENTIARY PROCEDURES FOR RAPE PROSECUTIONS; TO AMEND SECTION 97-3-71, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ELEMENTS OF THE CRIME OF RAPE; TO AMEND SECTION 97-3-101, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF SEXUAL BATTERY; TO BRING FORWARD SECTIONS 97-3-95 AND SECTION 97-3-97, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE CRIME OF SEXUAL BATTERY AND DEFINITIONS RELATED TO THE CRIME FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1025:** AN ACT TO AMEND SECTION 61-3-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF AN AIRPORT AUTHORITY FINDS THAT THE FAIR MARKET VALUE OF AIRPORT PERSONAL PROPERTY IS ZERO AND THE FINDING IS ENTERED ON THE MINUTES OF THE AUTHORITY, THEN THE AUTHORITY MAY DISPOSE OF SUCH PROPERTY IN THE MANNER IT DEEMS APPROPRIATE AND IN ITS BEST INTEREST, PROVIDED THAT NO OFFICIAL OR EMPLOYEE OF THE AUTHORITY MAY DERIVE ANY PERSONAL ECONOMIC BENEFIT FROM THE DISPOSAL OF THE PERSONAL PROPERTY; AND FOR RELATED PURPOSES.

**H. B. No. 1034:** AN ACT TO AMEND SECTION 35-1-1, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE STATE VETERANS AFFAIRS BOARD; AND FOR RELATED PURPOSES.

**H. B. No. 1048:** AN ACT TO ESTABLISH THE UNIVERSAL CHANGING TABLES INSTALLATION INCENTIVE GRANT PROGRAM ACT FOR THE PURPOSES OF CREATING FINANCIAL INCENTIVES TO PUBLIC AND PRIVATE OR COMMERCIAL ENTITIES LOCATED WITHIN THE STATE OF MISSISSIPPI TO INSTALL UNIVERSAL CHANGING TABLES WITHIN THE RESTROOM OF FACILITIES UNDER THEIR CONTROL; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES SHALL ADMINISTER THE PROGRAM; TO PROVIDE THAT GRANTS SHALL BE FUNDED FROM MONIES APPROPRIATED BY THE LEGISLATURE AND ANY OTHER SOURCES OF FUNDS MADE AVAILABLE TO THE

DEPARTMENT FOR THAT PURPOSE; TO PROVIDE THAT THE GRANTS SHALL BE AWARDED SUBJECT TO AVAILABLE FUNDING; AND FOR RELATED PURPOSES.

**H. B. No. 1072:** AN ACT TO AMEND SECTION 29-1-145, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF A CHANCERY CLERK OR MUNICIPAL CLERK NOTIFIES THE SECRETARY OF STATE OF A HAZARDOUS TREE ON CERTIFIED TAX FORFEITED PROPERTY AND SUCH TREE IS REMOVED, THEN THE COST OF THE REMOVAL MAY BE SUBMITTED TO THE SECRETARY OF STATE FOR REIMBURSEMENT; TO PROVIDE THAT THE MAINTENANCE COSTS SHALL BE PAID WITH PROCEEDS FROM THE SALES OF TAX FORFEITED PROPERTIES FROM THE PRECEDING YEAR RATHER THAN FROM FUNDS DEPOSITED INTO THE LAND RECORDS MAINTENANCE FUND; TO AUTHORIZE THE SECRETARY OF STATE TO WITHHOLD A CERTAIN PERCENTAGE OF ITS PROCEEDS FROM THE SALES OF TAX FORFEITED LAND TO PAY FOR THE REMOVAL; AND FOR RELATED PURPOSES.

**H. B. No. 1276:** AN ACT TO AMEND SECTION 23-15-193, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE OFFICERS THAT RECEIVE A MAJORITY OF VOTES CAST FOR THE OFFICE AT THE GENERAL ELECTION SHALL BE ELECTED, BUT IF NO CANDIDATE RECEIVES A MAJORITY NUMBER OF VOTES CAST AT THE ELECTION, THEN THE TWO CANDIDATES WHO RECEIVE THE HIGHEST NUMBER OF VOTES CAST SHALL HAVE THEIR NAMES PLACED ON THE BALLOT FOR THE RUNOFF ELECTION TO BE HELD THREE WEEKS LATER; TO AMEND SECTIONS 23-15-603 AND 7-3-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 170:** AN ACT TO CREATE NEW SECTIONS 9-23-101, 9-23-103, 9-23-105, 9-23-107, 9-23-109, 9-23-111, 9-23-113 AND 9-23-115, MISSISSIPPI CODE OF 1972, TO PROVIDE AUTHORITY FOR A CHANCERY OR COUNTY COURT TO ESTABLISH A DOMESTIC ABUSE COURT AND TO PROVIDE AUTHORITY FOR JUSTICE AND MUNICIPAL COURTS TO PARTICIPATE IN SUCH A COURT; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR THE ENACTMENT OF STANDARDS OF OPERATION TO GOVERN THE OPERATION OF DOMESTIC ABUSE COURTS BY THE ADMINISTRATIVE OFFICE OF COURTS; TO CREATE THE DOMESTIC ABUSE COURT SPECIAL FUND; TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ASSESSMENT TO FUND DOMESTIC ABUSE COURTS; TO AMEND SECTIONS 9-5-81 AND 9-9-21, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**H. B. No. 281:** AN ACT TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A BENEFICIARY OF A MUNICIPAL OR COUNTY LAW ENFORCEMENT OFFICER KILLED IN THE LINE OF DUTY TO RECEIVE THE OFFICER'S SIDEARM; TO BRING FORWARD SECTION 45-3-51, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES A BENEFICIARY OF A MISSISSIPPI HIGHWAY SAFETY PATROL OFFICER OR AGENT OF THE MISSISSIPPI BUREAU OF

NARCOTICS WHO IS KILLED IN THE LINE OF DUTY TO RECEIVE THE OFFICER'S SIDEARM; AND FOR RELATED PURPOSES.

**H. B. No. 368:** AN ACT TO AMEND SECTION 45-35-17, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE COMMISSIONER OF PUBLIC SAFETY TO CREATE RULES AND REGULATIONS TO PROVIDE AN ALTERNATIVE STATE IDENTIFICATION CARD TO HOMELESS PERSONS; TO AMEND SECTIONS 45-35-17, 45-35-7 AND 45-35-5, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; FOR RELATED PURPOSES.

**H. B. No. 408:** AN ACT TO CREATE THE CRIME OF RECKLESS ENDANGERMENT; TO PROVIDE THAT SUCH CRIME SHALL BE A MISDEMEANOR; AND FOR RELATED PURPOSES.

**H. B. No. 704:** AN ACT TO PROVIDE FOR THE REBATE OF A PORTION OF INVESTMENT AND EXPENDITURES MADE BY COMPANIES ENGAGED IN THE PRODUCTION OF NATIONALLY DISTRIBUTED CONNECTED SETS OF TELEVISION PROGRAM EPISODES, CONSISTING OF NOT LESS THAN TWO EPISODES MADE IN MISSISSIPPI, IN WHOLE OR IN PART, FOR VIEWING THROUGH TRADITIONAL TELEVISION THAT IS BROADCAST VIA CABLE, SATELLITE OR OVER-THE-AIR AERIAL ANTENNA SYSTEMS; THROUGH THE DIGITAL DISTRIBUTION OF TELEVISION CONTENT AS STREAMING MEDIA OVER THE INTERNET THROUGH STREAMING PLATFORMS, WHICH MAY BE VIEWED ON DIGITAL DEVICES, SUCH AS A PERSONAL COMPUTER OR HANDHELD DEVICE; OR THROUGH DVD RELEASE; TO PROVIDE FOR THE AMOUNT OF THE REBATES AUTHORIZED IN THIS ACT; TO DEFINE CERTAIN TERMS; TO AMEND SECTION 57-89-7, MISSISSIPPI CODE OF 1972, WHICH IS A SECTION OF THE MISSISSIPPI MOTION PICTURE INCENTIVE ACT, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 723:** AN ACT AUTHORIZING THE AIRPORT PARKWAY COMMISSION TO CONDUCT A STUDY ON THE FEASIBILITY OF ESTABLISHING SAFE, RELIABLE AND COST-EFFECTIVE BUS, RAIL AND LIGHT RAIL TRANSIT SERVICES FOR THE AREAS LOCATED BETWEEN DOWNTOWN JACKSON, HINDS COUNTY, MISSISSIPPI, AND THE JACKSON-MEDGAR WILEY EVERS INTERNATIONAL AIRPORT LOCATED IN RANKIN COUNTY, MISSISSIPPI; TO PROVIDE THAT THE STUDY SHALL PROVIDE A REPORT OF ITS FINDINGS AND RECOMMENDATIONS FOR THE ESTABLISHMENT, IMPLEMENTATION AND OPERATION OF SUCH SERVICES FOR THE STATE TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

**H. B. No. 726:** AN ACT TO BRING FORWARD SECTIONS 9-3-1, 9-4-5, 9-5-5, 9-5-7, 9-5-9, 9-5-11, 9-5-13, 9-5-15, 9-5-17, 9-5-19, 9-5-21, 9-5-22, 9-5-23, 9-5-25, 9-5-27, 9-5-29, 9-5-31, 9-5-33, 9-5-35, 9-5-36, 9-5-37, 9-5-38, 9-5-39, 9-5-40, 9-5-41, 9-5-43, 9-5-45, 9-5-47, 9-5-49, 9-5-50, 9-5-51, 9-5-53, 9-5-54, 9-5-55, 9-5-57, 9-5-58, 9-7-5, 9-7-7, 9-7-9, 9-7-11, 9-7-13, 9-7-14, 9-7-15, 9-7-17, 9-7-19, 9-7-20, 9-7-21, 9-7-23, 9-7-25, 9-7-27, 9-7-29, 9-7-30, 9-7-31, 9-7-32, 9-7-33, 9-7-34, 9-7-35, 9-7-37, 9-7-39, 9-7-41, 9-7-42, 9-7-43, 9-7-44, 9-7-45, 9-7-46, 9-7-47, 9-7-49, 9-7-51, 9-7-53, 9-7-54, 9-7-55, 9-7-57, 9-7-63, 9-7-64, 9-5-1 AND 9-7-1, MISSISSIPPI CODE OF 1972, WHICH CREATE THE DISTRICTS FOR THE SUPREME COURT, COURT OF APPEALS, CHANCERY COURTS AND CIRCUIT COURTS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 880:** AN ACT TO CREATE NEW SECTION 25-61-11.1, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE "MISSISSIPPI CONSUMER PRIVACY ACT FOR STATE AGENCIES"; TO CREATE NEW SECTION 25-61-11.3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN RECORDS OF ANY PROFESSIONAL OR OCCUPATIONAL LICENSEE THAT ARE HELD BY A STATE AGENCY THAT LICENSES PROFESSIONS OR OCCUPATIONS SHALL NOT BE DEEMED PUBLIC

RECORDS, UNLESS THE LICENSEE HAS CONSENTED TO THE RELEASE OF SUCH RECORDS; TO CREATE NEW SECTION 25-61-11.4, MISSISSIPPI CODE OF 1972, TO DEFINE CERTAIN TERMS; TO CREATE NEW SECTION 25-61-11.5, MISSISSIPPI CODE OF 1972, TO PROHIBIT AN AGENCY FROM DISCLOSING A PERSON'S PERSONAL INFORMATION OBTAINED BY THE AGENCY IN CONNECTION WITH A MOTOR VEHICLE RECORD, EXCEPT AS PROVIDED IN THIS ACT; TO CREATE NEW SECTION 25-61-11.6, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONAL INFORMATION OBTAINED BY AN AGENCY IN CONNECTION WITH A MOTOR VEHICLE RECORD SHALL BE DISCLOSED FOR USE IN CONNECTION WITH CERTAIN MATTERS; TO CREATE NEW SECTION 25-61-11.7, MISSISSIPPI CODE OF 1972, TO PROVIDE PENALTIES FOR ANY REQUESTOR WHO MISREPRESENTS HIS OR HER PURPOSE FOR SEEKING MOTOR VEHICLE INFORMATION, OR WHO VIOLATES ANY PROVISION OF THIS ACT OR ANY RULES OF AN AGENCY PROMULGATED TO CARRY OUT THE PROVISIONS OF THIS ACT, OR ANY CORPORATION, ASSOCIATION, FIRM OR OTHER ENTITY WHO VIOLATES ANY PROVISION OF THIS ACT; TO CREATE NEW SECTION 25-61-11.8, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A PERSON WHO SELLS TO A PERSON WHO IS NOT AN AUTHORIZED RECIPIENT OF PERSONAL INFORMATION OBTAINED BY AN AGENCY IN CONNECTION WITH A MOTOR VEHICLE RECORD IS LIABLE TO THE PERSON WHO IS THE SUBJECT OF THE INFORMATION FOR DAMAGES, COURT COSTS, FEES, OR ANY OTHER EQUITABLE REMEDY DETERMINED TO BE APPROPRIATE BY THE COURT; TO CREATE NEW SECTION 25-61-11.9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN AUTHORIZED RECIPIENT OF PERSONAL INFORMATION MAY REDISCLOSE THE INFORMATION, INCLUDING REDISCLOSURE FOR COMPENSATION, ONLY FOR A CERTAIN PERMITTED USE, AND TO PROVIDE CERTAIN REQUIREMENTS FOR SUCH REDISCLOSURE; TO CREATE NEW SECTION 25-61-11.10, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN RECORDS HELD BY THE MISSISSIPPI DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS OF ANY PERSON WHO HAS DONE BUSINESS WITH THE DEPARTMENT SHALL NOT BE PUBLIC RECORD; TO CREATE NEW SECTION 25-61-11.11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, IN ADDITION TO ANY PENALTIES PROVIDED FOR UNDER THIS ACT, PERSONS WHO VIOLATE THE PROVISIONS OF THIS ACT BY USING INFORMATION THAT WAS UNLAWFULLY OBTAINED TO CONTACT INDIVIDUALS BY TELEPHONE, MAY ALSO BE INVESTIGATED AND SANCTIONED UNDER THE PROVISIONS OF THE MISSISSIPPI TELEPHONE SOLICITATION ACT; TO BRING FORWARD SECTION 49-7-4, MISSISSIPPI CODE OF 1972, WHICH RELATES TO RECORDS OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR APPLICATIONS FOR AND SALES OF ANY RESIDENT OR NONRESIDENT LICENSES, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 77-3-725, MISSISSIPPI CODE OF 1972, WHICH RELATES TO VIOLATIONS OF THE MISSISSIPPI TELEPHONE SOLICITATION ACT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 882:** AN ACT TO ESTABLISH THE RENAISSANCE ASSISTANCE PROGRAM TO INITIATE DEVELOPMENT TO PROVIDE FINANCING FOR THE STARTUP OR EXPANSION OF SMALL BUSINESSES, IN CONJUNCTION WITH TRADITIONAL COMMERCIAL BANK LENDING; TO CREATE A SPECIAL FUND TO BE KNOWN AS THE RENAISSANCE ASSISTANCE PROGRAM TO INITIATE DEVELOPMENT REVOLVING LOAN FUND, WHICH SHALL BE ADMINISTERED BY A QUALIFIED NONDEPOSITORY, NONPROFIT COMMUNITY DEVELOPMENT FINANCIAL INSTITUTION DOMICILED IN THE STATE OF MISSISSIPPI, UNDER THE OVERSIGHT OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION, AND EXPENDED FOR THE PURPOSE OF PROVIDING LOANS TO SMALL BUSINESSES UNDER THE PROVISIONS OF THIS ACT; TO PROVIDE THAT THE DEPARTMENT SHALL DETERMINE THE TERMS AND CONDITIONS OF THE LOANS AND SPECIFY CERTAIN REQUIREMENTS FOR THE LOANS; AND FOR RELATED PURPOSES.

**H. B. No. 968:** AN ACT TO AMEND SECTION 27-65-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TANGIBLE PERSONAL PROPERTY" UNDER THE STATE SALES TAX LAW; TO DEFINE THE TERMS "COMPUTER SOFTWARE", "COMPUTER SOFTWARE SERVICE" AND "COMPUTER SERVICE" UNDER THE STATE SALES TAX LAW; TO AMEND SECTION 27-65-23, MISSISSIPPI CODE OF 1972, TO CLARIFY THE TAXATION OF COMPUTER SERVICE; TO REVISE THE TYPE OF APPORTIONMENT FORMULAE THAT MAY BE USED WHEN A TAXPAYER PERFORMS UNITARY SERVICES; TO AMEND SECTION 27-67-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TANGIBLE PERSONAL PROPERTY" UNDER THE STATE USE TAX LAW; TO DEFINE THE TERM "COMPUTER SOFTWARE" UNDER THE STATE USE TAX LAW; TO PROVIDE THAT A TAXPAYER THAT HAS PAID A SALES TAX IN ANOTHER STATE ON COMPUTER SOFTWARE, COMPUTER SOFTWARE SERVICE OR COMPUTER SERVICE THAT IS TAXABLE IN THIS STATE SHALL BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED IN THIS STATE ON SUCH COMPUTER SOFTWARE, COMPUTER SOFTWARE SERVICE OR COMPUTER SERVICE TO THE EXTENT THAT THE AMOUNT OF THE OTHER TAX IS PROPERLY DUE AND ACTUALLY PAID IN THE OTHER STATE AND TO THE EXTENT THAT THE RATE OF SALES TAX IMPOSED BY AND PAID IN THE OTHER STATE DOES NOT EXCEED THE RATE OF SALES TAX IMPOSED IN THIS STATE; TO PROVIDE FOR THE ALLOCATION OF TAXABLE AND NONTAXABLE PORTIONS OF COMPUTER SOFTWARE, COMPUTER SOFTWARE SERVICE OR COMPUTER SERVICE IN BUNDLED TRANSACTIONS; TO PROVIDE A METHOD FOR A TAXPAYER THAT PAID SALES OR USE TAX TO A VENDOR THAT COLLECTED AND REMITTED SUCH TAXES TO THE DEPARTMENT OF REVENUE TO REQUEST A REFUND FROM THE DEPARTMENT OF REVENUE FOR EXCESS TAXES COLLECTED BY THE VENDOR; TO CLARIFY THAT A TAXPAYER USING COMPUTER SOFTWARE, COMPUTER SOFTWARE SERVICE OR COMPUTER SERVICE FROM BOTH WITHIN AND WITHOUT MISSISSIPPI, MAY APPORTION THE SALES TAX OR USE TAX ON THE PURCHASE OF COMPUTER SOFTWARE, COMPUTER SOFTWARE SERVICE OR COMPUTER SERVICE ACCORDING TO THE USE IN MISSISSIPPI COMPARED TO THE TOTAL USE IN ALL STATES; TO BRING FORWARD SECTION 27-65-7, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS UNDER THE STATE SALES TAX, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-65-19, MISSISSIPPI CODE OF 1972, WHICH LEVIES SALES TAX ON UTILITIES, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-65-93, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR CERTAIN DUTIES OF THE COMMISSIONER OF REVENUE UNDER THE STATE SALES TAX LAW, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-67-5, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE LEVY OF USE TAX, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 985:** AN ACT TO AMEND SECTION 41-59-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MEMBERSHIP OF THE EMERGENCY MEDICAL SERVICES ADVISORY COUNCIL TO THE STATE BOARD OF HEALTH; AND FOR RELATED PURPOSES.

**H. B. No. 1068:** AN ACT TO CREATE THE WATER QUALITY ACCOUNTABILITY ACT; TO DEFINE CERTAIN TERMS RELATING TO WATER AND WASTEWATER UTILITIES; TO PROVIDE THAT A WATER OR WASTEWATER UTILITY IS SUBJECT TO THE JURISDICTION OF THE DEPARTMENT OF HEALTH WITH RESPECT TO RATES, CHARGES, CERTAIN EVIDENCE OF INDEBTEDNESS, RULES AND ANNUAL REPORT FILINGS; TO PROVIDE CERTAIN REQUIREMENTS REGARDING WATER OR WASTEWATER UTILITIES THAT REQUEST A LOAN OR FINANCIAL ASSISTANCE; TO PROVIDE CERTAIN PERMIT AND PERMIT APPLICATION REQUIREMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1070:** AN ACT TO CREATE NEW SECTION 37-13-187, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE PATRIOTIC EDUCATION GRANT PROGRAM TO

BE ADMINISTERED BY THE DEPARTMENT OF EDUCATION FOR THE PURPOSE OF PROMOTING EDUCATION THAT TEACHES AMERICAN HISTORY IN SCHOOLS; TO PROVIDE CERTAIN STANDARDS FOR THE GRANT PROGRAM; TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROMULGATE RULES AND REGULATIONS FOR THE PROGRAM; TO REQUIRE THE DEPARTMENT OF EDUCATION TO PROVIDE ANNUAL GRANT FUNDING IN THE AMOUNT OF FIVE MILLION DOLLARS TO THE PATRIOTIC EDUCATION GRANT PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 1084:** AN ACT TO AMEND SECTION 83-17-251, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INDIVIDUAL WHO IS SIXTY FIVE YEARS OF AGE OR OLDER AND WHO HAS BEEN LICENSED AS AN INSURANCE PRODUCER FOR A CONTINUOUS PERIOD OF TWENTY YEARS OR MORE AS OF JULY 1, 2023, AS EVIDENCED BY SUBMISSION OF AN AFFIDAVIT, UNDER OATH, ON A FORM PRESCRIBED BY THE COMMISSIONER, SIGNED BY THE LICENSEE ATTESTING TO SATISFACTION OF THE AGE, LICENSING AND EXPERIENCE REQUIREMENTS SHALL NOT BE REQUIRED TO COMPLETE THE CONTINUING EDUCATION REQUIREMENTS OF AN INSURANCE PRODUCER; TO BRING FORWARD SECTIONS 83-17-255, 83-17-259, 83-17-415 AND 83-17-513, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1110:** AN ACT TO CREATE THE "SECOND AMENDMENT FINANCIAL PRIVACY ACT"; TO PROVIDE LEGISLATIVE FINDINGS; TO DEFINE CERTAIN TERMS RELATING TO THE ACT; TO PROHIBIT A STATE AGENCY OR OTHER POLITICAL SUBDIVISION OF THE STATE, OR ANY OTHER PERSON, PUBLIC OR PRIVATE, FROM KEEPING ANY RECORD OF PRIVATELY OWNED FIREARMS, OR REGISTRY OF THE OWNER OF THOSE FIREARMS; TO PROHIBIT A FINANCIAL INSTITUTION FROM USING A FIREARMS CODE TO ENGAGE IN CERTAIN DISCRIMINATORY CONDUCT IN THE STATE; TO AUTHORIZE THE ATTORNEY GENERAL TO INVESTIGATE ALLEGED VIOLATIONS OF THIS ACT; TO AUTHORIZE THE ATTORNEY GENERAL TO PURSUE AN INJUNCTION AGAINST ANY ENTITY OR INDIVIDUAL IN VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1131:** AN ACT TO BRING FORWARD SECTION 47-5-535, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE LEGISLATIVE INTENT OF THE MISSISSIPPI PRISON INDUSTRIES ACT OF 1990, FOR PURPOSES OF AMENDMENT; TO BRING FORWARD SECTION 47-5-539, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO CERTAIN TERMS OF THE ACT, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 47-5-541, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF DIRECTORS OF MISSISSIPPI PRISON INDUSTRIES MAY SET SUPPLEMENT COMPENSATION FOR CERTAIN DUTIES AND RESPONSIBILITIES FOR ITS CHIEF EXECUTIVE OFFICER; TO BRING FORWARD SECTION 47-5-547, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO CERTAIN TRAINING PROGRAMS, FOR PURPOSES OF AMENDMENT; TO BRING FORWARD SECTION 47-5-577, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE DATE OF REPEAL OF THE ACT, FOR PURPOSES OF AMENDMENT; TO BRING FORWARD SECTION 47-5-1251, MISSISSIPPI CODE OF 1972, WHICH PERTAINS TO THE PRISON INDUSTRY ENHANCEMENT PROGRAM, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1176:** AN ACT TO AMEND SECTION 37-19-7, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT ONLY THOSE INDIVIDUALS WHO HAVE RECEIVED NATIONAL BOARD CERTIFICATION AND WHO ARE EMPLOYED BY A LOCAL SCHOOL DISTRICT TO PROVIDE SERVICES IN THE CAPACITY FOR WHICH THEY HAVE RECEIVED NATIONAL CERTIFICATION SHALL BE ELIGIBLE FOR THE ANNUAL SALARY SUPPLEMENT; TO INCLUDE LICENSED SCHOOL PSYCHOLOGISTS IN THE CATEGORY OF NATIONALLY CERTIFIED PROFESSIONALS WHO ARE ELIGIBLE TO RECEIVE AN ANNUAL SALARY SUPPLEMENT; TO REMOVE ELIGIBILITY OF INDIVIDUALS EMPLOYED BY THE

STATE DEPARTMENT OF EDUCATION TO RECEIVE THE ANNUAL SALARY SUPPLEMENT; TO INCLUDE SCHOOL NURSES, CERTIFIED ACADEMIC LANGUAGE THERAPISTS AND LICENSED ATHLETIC TRAINERS TO THE LIST OF NATIONALLY CERTIFIED EMPLOYEES WHO ARE ELIGIBLE FOR REIMBURSEMENT FOR COMPLETION OF EACH COMPONENT OF THE NATIONAL CERTIFICATION PROCESS; AND FOR RELATED PURPOSES.

**H. B. No. 1215:** AN ACT TO CREATE NEW SECTION 43-19-36, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILD SUPPORT OBLIGATIONS SHALL BE SUSPENDED BY OPERATION OF LAW FOR PERSONS ORDERED TO PAY CHILD SUPPORT WHO ARE INCARCERATED OR INVOLUNTARILY INSTITUTIONALIZED FOR MORE THAN 180 DAYS, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT THE CHILD SUPPORT OBLIGATION WILL RESUME 60 DAYS AFTER THE NONCUSTODIAL PARENT IS RELEASED FROM INCARCERATION, AND THE NONCUSTODIAL PARENT'S CHILD SUPPORT ORDER AND OBLIGATION WILL BECOME ENFORCEABLE ON THAT DATE; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES WHEN ENFORCING A CHILD SUPPORT ORDER TO ADMINISTRATIVELY ADJUST THE ARREARS BALANCE FOR AN ORDER FOR CHILD SUPPORT THAT WAS SUSPENDED BECAUSE OF INCARCERATION OR INSTITUTIONALIZATION UNDER CERTAIN CONDITIONS; TO AMEND SECTIONS 93-11-65, 93-11-71 AND 93-5-23, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM in memory of Fredrick Yarbrough, Joseph Paul "Joe" Hans, Nancy Harvey, Chris Stokley, Fred Snow and Charlene Champion.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR FRIDAY, FEBRUARY 10, 2023

**S. B. No. 2963:** Local and Private

AN ACT TO AMEND CHAPTER 916, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 918, LOCAL AND PRIVATE LAWS OF 2021, TO EXTEND THE REPEAL DATE FROM JULY 1, 2023, TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF MCCOMB, MISSISSIPPI, TO IMPOSE A TOURISM TAX WITHIN THE CITY, AND TO EXPEND THE PROCEEDS OF THE TAX TO PROMOTE TOURISM, PARKS AND RECREATION; AND FOR RELATED PURPOSES.

By Senator(s) Butler (38th)

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#### FORTY-SECOND DAY, MONDAY, FEBRUARY 13, 2023

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

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



Present--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Absent--Barrett, Hill, Parks, Simmons S. (13th), Tate. Total--5.

The Secretary announced a quorum present.

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The invocation was delivered by Chase Ellis, Senate Senior Page.

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

#### MESSAGE FROM THE HOUSE

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

**H. B. No. 3:** AN ACT TO PROVIDE DEFINITIONS RELATING TO THIRD-PARTY DELIVERY SERVICES THAT ADVERTISE, PROMOTE OR CONVEY ANY RELATIONSHIP WITH A RESTAURANT OR USE THE NAME, LIKENESS, TRADEMARK, OR INTELLECTUAL PROPERTY BELONGING TO A RESTAURANT ON THE THIRD-PARTY DELIVERY PLATFORM; TO PROHIBIT THIRD-PARTY DELIVERY SERVICES FROM USING THE NAME OR LIKENESS OR ANY INTELLECTUAL PROPERTY OF A RESTAURANT WITHOUT AN AGREEMENT; TO PROHIBIT AN INDEMNITY CLAUSE IN SUCH AGREEMENT; TO PROVIDE A RIGHT TO BRING ACTION RELATING TO THIRD-PARTY DELIVERY SERVICES THAT USE THE NAME, LIKENESS, TRADEMARK, OR INTELLECTUAL PROPERTY OF A RESTAURANT IN VIOLATION OF THIS ACT; TO PROVIDE PENALTIES RELATING TO THIRD-PARTY DELIVERY SERVICES THAT USE THE NAME, LIKENESS, TRADEMARK, OR INTELLECTUAL PROPERTY OF A RESTAURANT IN VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 844:** AN ACT TO AMEND SECTION 71-5-353, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM FUND IN THE STATE TREASURY WHICH SHALL CONSIST OF FUNDS COLLECTED FROM THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM CONTRIBUTIONS AND ANY OTHER MONIES THAT MAY BE APPROPRIATED TO IT FROM THE LEGISLATURE; TO PROVIDE THAT THE STATE

WORKFORCE INVESTMENT BOARD CONTRIBUTIONS THAT WERE BEING DEPOSITED INTO THE STATE WORKFORCE INVESTMENT BOARD BANK ACCOUNT SHALL NOW BE CONTRIBUTIONS FOR THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM AND DEPOSITED INTO THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM FUND; TO PROVIDE THAT ADMINISTRATIVE FEE COLLECTED FOR THE TRAINING PROVIDED USING THE MISSISSIPPI WORKFORCE ENHANCEMENT TRAINING AND MISSISSIPPI WORKS FUNDS MAY NOT BE MORE THAN FIVE PERCENT; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY SHALL BE THE FISCAL AGENT FOR ALL FUNDS APPROPRIATED TO IT FOR USE BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO CREATE A NEW SECTION THAT ESTABLISHES THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM; TO PROVIDE THAT THE PURPOSE FOR THE GRANT PROGRAM SHALL BE FOR CONSTRUCTING, REMODELING, PURCHASING OR UPGRADING EQUIPMENT OR OTHERWISE PROVIDING SUPPORT TO CAREER TECHNICAL CENTERS AT THE K-12 EDUCATION LEVEL; TO PROVIDE HOW THE PROGRAM SHALL BE FUNDED; TO PROVIDE HOW A SCHOOL MAY APPLY FOR A GRANT; TO PROVIDE THAT MAXIMUM AMOUNT OF FUNDS APPROPRIATED TO THE PROGRAM THAT MAY BE USED FOR ADMINISTERING THE PROGRAM; TO PROVIDE THE REPORTING REQUIREMENTS OF THE PROGRAM; TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO REVISE THE REPORTING REQUIREMENTS OF THE OFFICE OF WORKFORCE DEVELOPMENT; TO PROVIDE SPECIFIC POWERS AND DUTIES FOR THE OFFICE OF WORKFORCE DEVELOPMENT; TO AMEND SECTIONS 71-5-355, 71-5-453 AND 27-104-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 37-153-63, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALER ON THE AMERICAN RESCUE PLAN ACT (ARPA) WORKFORCE DEVELOPMENT AND RETENTION ACT; TO PROVIDE THAT GRANT FUNDS SHALL BE AVAILABLE UNDER THE ACT THROUGH DECEMBER 31, 2026, OR ON THE DATE OF THE FUND EXPENDITURE DEADLINE PROVIDED BY THE FEDERAL GOVERNMENT, WHICHEVER OCCURS LATER; TO PROVIDE THAT EACH GRANT RECIPIENT SHALL CERTIFY, FOR ANY PROJECT FOR WHICH A GRANT IS AWARDED, THAT IF THE PROJECT IS NOT COMPLETED BY DECEMBER 31, 2026, AND THE UNITED STATES CONGRESS DOES NOT ENACT AN EXTENSION OF THE DEADLINE ON THE AVAILABILITY OF ARPA FUNDS, THEN THE GRANT RECIPIENT WILL COMPLETE THE PROJECT THROUGH OTHER FUNDS; AND FOR RELATED PURPOSES.

**H. B. No. 1094:** AN ACT TO PROVIDE THAT UPON A FINDING BY THE MISSISSIPPI DEPARTMENT OF ENVIRONMENTAL QUALITY THAT WASTEWATER AND/OR SEWAGE HAS BEEN IMPROPERLY DISPOSED OF BY ANY MUNICIPALITY OR COUNTY, SUCH MUNICIPALITY OR COUNTY, THE CITY SHALL BE FINED BY THE DEPARTMENT FOR EACH INSTANCE OF IMPROPER DISPOSAL; TO PROVIDE THAT THE DEPARTMENT SHALL DISTRIBUTE SUCH FUNDS EQUALLY AMONG CERTAIN COUNTIES AND MUNICIPALITIES THAT THE DEPARTMENT FINDS WERE AFFECTED BY SUCH IMPROPER DISPOSAL OF WASTEWATER AND/OR SEWAGE; TO BRING FORWARD SECTIONS 41-67-3, 41-67-6, 41-67-7, 41-67-9, 41-67-21, 41-67-28, 49-2-7 AND 49-2-9, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1174:** AN ACT TO AUTHORIZE PUBLIC SCHOOLS TO PURCHASE A SUPPLY OR ENTER INTO AN ARRANGEMENT TO RECEIVE A SUPPLY OF FDA-APPROVED OPIOID REVERSAL AGENTS FOR CERTAIN PURPOSES; TO REQUIRE THE SCHOOL DISTRICT TO ADOPT A PROTOCOL FOR THE ADMINISTRATION OF FDA-APPROVED OPIOID REVERSAL AGENTS; TO EXEMPT THE SCHOOL DISTRICT AND ITS EMPLOYEES WHO PROVIDE THE PROTOCOL FROM LIABILITY FOR INJURIES RESULTING FROM THE ADMINISTRATION OF FDA-APPROVED OPIOID REVERSAL AGENTS; TO PROVIDE EXCEPTIONS TO WHICH THE EXEMPTION FROM LIABILITY DOES NOT APPLY; TO ESTABLISH THE SEIZURE SAFE SCHOOLS

ACT; TO PROVIDE THAT BEGINNING ON JULY 1, 2024, EACH PUBLIC SCHOOL BOARD AND THE GOVERNING BODY OF EACH NONPUBLIC SCHOOL SHALL HAVE AT LEAST ONE EMPLOYEE AT EACH SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO ADMINISTER SEIZURE RESCUE MEDICATION OR PERFORM MANUAL VAGUS NERVE STIMULATION FOR PERSONS EXPERIENCING SEIZURE DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO BE CONSISTENT WITH GUIDELINES DEVELOPED BY THE EPILEPSY FOUNDATION OF AMERICA OR SIMILAR SUCCESSOR ORGANIZATION, TO REQUIRE THE TRAINING TO OCCUR EVERY TWO YEARS FOR THOSE EMPLOYEES OF THE SCHOOL WITH DIRECT CONTACT OR SUPERVISION OF CHILDREN; TO REQUIRE THE PARENTS OR LEGAL GUARDIANS OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF NECESSARY MEDICATION ALONG WITH A WRITTEN STATEMENT FROM THE CHILD'S MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE CHILD'S SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE OR SCHOOL ADMINISTRATOR; TO AUTHORIZE SCHOOLS TO PROVIDE AGE-APPROPRIATE SEIZURE EDUCATION PROGRAMS TO ALL STUDENTS ON SEIZURES AND SEIZURE DISORDERS; TO EXEMPT SCHOOL EMPLOYEES ACTING IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY; AND FOR RELATED PURPOSES.

**H. B. No. 1216:** AN ACT TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE OFFICE OPERATING ALLOWANCE, SUPPORT STAFF FUNDING AND THE ADDITIONAL OFFICE EXPENSE ALLOWANCE PAYABLE TO CIRCUIT JUDGES AND CHANCELLORS; AND FOR RELATED PURPOSES.

**H. B. No. 1222:** AN ACT TO CREATE "THE MISSISSIPPI COLLABORATIVE RESPONSE TO MENTAL HEALTH ACT"; TO REQUIRE EACH MUNICIPAL AND COUNTY LAW ENFORCEMENT AGENCY TO PROVIDE MENTAL HEALTH FIRST AID TRAINING THAT IS EVIDENCE-BASED AND APPROVED BY THE DEPARTMENT OF MENTAL HEALTH; TO REQUIRE EACH MUNICIPAL AND COUNTY LAW ENFORCEMENT AGENCY TO HAVE AT LEAST ONE CRISIS INTERVENTION TRAINED OFFICER BY A CERTAIN DATE; TO CREATE NEW SECTION 41-21-77.1, TO REQUIRE COURT LIAISONS FOR CERTAIN COUNTIES; TO AMEND SECTION 41-4-3, MISSISSIPPI CODE OF 1972, TO REVISE THE TERMS OF THE MEMBERS OF THE STATE BOARD OF MENTAL HEALTH; TO AMEND SECTION 41-19-31, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISION WHICH REGULATED REGIONAL COMMISSIONS TO THIS ACT; TO AMEND SECTION 41-19-33, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH REGIONAL COMMISSION TO EMPLOY OR CONTRACT WITH AN ACCOUNTANT TO MANAGE ITS FINANCES; TO REQUIRE THE ACCOUNTANT TO PROVIDE AN ANNUAL AUDIT IN ADDITION TO OTHER DUTIES; TO PROVIDE QUALIFICATIONS FOR MEMBERS OF THE BOARD; TO AMEND SECTION 41-19-35, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEMBERS OF THE REGIONAL COMMISSION SHALL SERVE AT THE WILL AND PLEASURE OF THE APPOINTING BOARD OF SUPERVISORS; TO REQUIRE THE COMMISSIONERS TO ATTEND CERTAIN TRAININGS AS A CONDITION TO REMAINING A COMMISSIONER; TO REQUIRE REMOVAL OF ANY COMMISSIONER WHO FAILS TO ATTEND CERTAIN TRAININGS PROVIDED BY THE DEPARTMENT OF MENTAL HEALTH; TO AMEND SECTION 41-21-63, MISSISSIPPI CODE OF 1972, TO REMOVE THE RESTRICTION FOR UNRESOLVED FELONIES FOR PURPOSES OF MENTAL HEALTH COMMITMENT FOR NONVIOLENT CRIMES; TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO PERFORM PRE-SCREENING EVALUATIONS SHALL BE CERTIFIED BY THE COMMUNITY MENTAL HEALTH CENTERS; TO REVISE WHO MAY PERFORM A PHYSICAL AND MENTAL EXAMINATION WHEN A LICENSED PHYSICIAN IS NOT AVAILABLE WITHIN 48 HOURS OF ISSUANCE OF A WRIT; TO AMEND SECTION 41-21-77, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CHANCERY CLERK TO

MAINTAIN A RECORD FOR THE NUMBER OF PERSONS ORDERED FOR ADMISSION TO A TREATMENT FACILITY, THE NUMBER OF HEARINGS TO DETERMINE WHETHER A PERSON SHOULD BE ADMITTED AND THE NUMBER OF AFFIDAVITS FILED FOR PURPOSES OF ADMITTING A PERSON TO A TREATMENT FACILITY; TO AMEND SECTION 41-4-7, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE STATE BOARD OF MENTAL HEALTH; TO BRING FORWARD SECTIONS 41-21-69, 41-21-71 AND 41-21-77, MISSISSIPPI CODE OF 1972, WHICH REGULATE PROCEDURES AFTER AN ORDER FOR ADMISSION TO A TREATMENT FACILITY HAS BEEN RENDERED; TO REQUIRE LAW ENFORCEMENT OFFICERS TO TRANSPORT PERSONS IN CRISIS TO THE APPROPRIATE HEALTHCARE FACILITY AT THE REQUEST OF THE CRISIS INTERVENTION TEAM; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 264:** AN ACT TO AMEND SECTION 57-39-21, MISSISSIPPI CODE OF 1972, WHICH REQUIRES CERTAIN STANDARDS THAT PROMOTE EFFICIENT ENERGY USE TO BE IMPLEMENTED DURING THE DESIGN, DIRECTION, CONSTRUCTION AND ALTERATION OF CERTAIN BUILDINGS, TO EXTEND THE DATE OF THE REPEALER ON THAT STATUTE AND TO UPDATE AGENCY NOMENCLATURE; TO CREATE A NEW SECTION TO PROVIDE THAT STATE, COUNTY OR MUNICIPAL BUILDING CODES MAY NOT PROHIBIT OR LIMIT THE USE OF FEDERALLY APPROVED SUBSTITUTE REFRIGERANTS; AND FOR RELATED PURPOSES.

**H. B. No. 280:** AN ACT TO CREATE A STUDY COMMITTEE FOR THE PURPOSE OF STUDYING THE PURCHASING, ACQUIRING, LEASING OR HOLDING AN INTEREST IN AGRICULTURAL LAND BY FOREIGN GOVERNMENT; TO PROVIDE THE NINE MEMBERS OF THE STUDY COMMITTEE; TO PROVIDE THE INFORMATION THAT THE STUDY COMMITTEE SHALL STUDY, TO REQUIRE A REPORT TO BE PROVIDED TO THE LEGISLATURE BY DECEMBER 1, 2023; AND FOR RELATED PURPOSES.

**H. B. No. 402:** AN ACT TO AMEND SECTION 97-9-72, MISSISSIPPI CODE OF 1972, TO INCREASE PENALTIES FOR THE CRIME OF FLEEING FROM LAW ENFORCEMENT IN A MOTOR VEHICLE; TO PROVIDE THE FACTORS THAT A COURT SHALL CONSIDER WHEN DETERMINING WHETHER A POLICE WAS RECKLESS IN HIS OR HER PURSUIT OF A SUSPECT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. B. No. 124:** Private incarceration of state inmates; provide exception to 10% cost-savings requirement to state. Appropriations.

**H. B. No. 231:** Tobacco education, prevention and cessation program; add fentanyl and drug abuse prevention education. Drug Policy; Accountability, Efficiency, Transparency.

**H. B. No. 722:** Controlled substances; exclude fentanyl testing materials from definition of "paraphernalia" under. Drug Policy.

**H. B. No. 799:** Inmate Welfare Fund; increase portion of the fund that is utilized to fund Inmate Incentive to Work Program. Corrections; Appropriations.

**H. B. No. 1071:** Uniform Controlled Substances Act; revise schedules. Drug Policy.

**H. B. No. 1131:** MS Prison Industries Act; bring forward certain sections pertaining to. Appropriations.

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

**H. B. No. 217:** Taxes levied by commissioners of master water management districts; remove requirement that boards of supervisors must implement. Finance.

**H. B. No. 252:** Festival wine permits; extend repealers on authority to issue and certain provisions relating to. Tourism.

**H. B. No. 261:** Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations. Finance.

**H. B. No. 334:** Motor vehicle; revise requirements for scrapping, dismantling or destroying when owner does not have title in his or her name. Finance.

**H. B. No. 371:** Bonds; revise purposes for which proceeds of bonds authorized for City of Union. Finance.

**H. B. No. 384:** Alcoholic beverages; authorize local authorities of wet jurisdiction to permit package retail sales on Sunday. Finance.

**H. B. No. 388:** Income tax; revise local governmental entities that may collect debt by a setoff against a debtor's refund. Finance.

**H. B. No. 392:** Income tax; extend tax years for employer taxpayer to claim credit for employees' blood donations during blood drive. Finance.

**H. B. No. 395:** MS Major Economic Impact Act; extend deadline for issuance of bonds for certain automotive parts manufacturing plant projects. Finance.

**H. B. No. 396:** Tourism Project Sales Tax Incentive Program; extend authority of MDA to approve participants for projects. Finance.

**H. B. No. 535:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Finance.

**H. B. No. 538:** Pat Harrison Waterway District; provide county withdrawal from district not effective until close of FY in which county obligations met. Accountability, Efficiency, Transparency.

**H. B. No. 602:** District Attorneys; increase the operating allowance of. Appropriations.

**H. B. No. 603:** State budget; bring forward sections relating to. Appropriations.

**H. B. No. 604:** New programs funded with ARPA funds; revise certain provisions and bring forward sections of. Appropriations.

**H. B. No. 631:** Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating. Finance.

**H. B. No. 702:** Reverse auction; revise method of receiving bids through for agencies and governing authorities. Accountability, Efficiency, Transparency.

**H. B. No. 735:** Retailer Tax Fairness Act; create. Finance.

**H. B. No. 763:** MDA FY23 appropriations from Gulf Coast Restoration Fund; revise those made to the Hancock County Port and Harbor Commission. Appropriations.

**H. B. No. 768:** State Personnel Board; require agencies seeking an exemption from the oversight of to submit written plan of justification to Legislature and SPB. Accountability, Efficiency, Transparency.

**H. B. No. 834:** Assistant District Attorneys and criminal investigators; increase authorized number of. Appropriations.

**H. B. No. 968:** Sales tax and use tax; revise provisions regarding computer software, computer software service and computer service. Finance.

**H. B. No. 985:** EMS Advisory Council; revise membership of. Accountability, Efficiency, Transparency.

**H. B. No. 999:** Sales tax; deposit portion of revenue into the Mississippi Outdoor Stewardship Trust Fund. Finance.

**H. B. No. 1033:** MS Management and Reporting System Revolving Fund; require administration to submit report of purchasing needs to legislative committees. Accountability, Efficiency, Transparency.

**H. B. No. 1088:** State budget; provide for various transfers and create new special funds. Appropriations.

**H. B. No. 1089:** State budget; revise provisions of several FY 23 bills and create special funds. Appropriations.

**H. B. No. 1136:** Distinctive motor vehicle license tag; authorize issuance to supporters of the Mississippi Road Builders Association. Finance.

**H. B. No. 1167:** Residential builders and remodelers; revise license examination for certain license applicants. Finance.

**H. B. No. 1168:** Municipal special sales tax; revise use of revenue for certain. Finance.

**H. B. No. 1169:** Income tax; revise method of collecting delinquent tax from public officers and employees. Finance.

**H. B. No. 1170:** Motor vehicles and manufactured homes; authorize Department of Revenue to issue electronic liens and titles. Finance.

**H. B. No. 1187:** Mississippi Real Estate Appraiser Licensing and Certification Board; separate from Mississippi Real Estate Commission and from Mississippi Real Estate Appraisal Board. Accountability, Efficiency, Transparency.

**H. B. No. 1195:** Retirement; allow certain members of PERS to purchase up to three years of creditable service. Finance.

**H. B. No. 1229:** Department of Public Safety; authorize charges for services with other state agencies. Accountability, Efficiency, Transparency.

**H. B. No. 1293:** Public purchasing; require state agencies to give a preference to Mississippi-made drones and prohibit purchase of drones made in China. Accountability, Efficiency, Transparency.

**H. B. No. 1375:** Municipal annexation; require additional services to annexed area to be completed within three years of annexation decree. Municipalities.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 547, S. C. R. No. 548, S. R. No. 23, S. R. No. 24, S. R. No. 25, S. R. No. 26, S. R. No. 27, S. R. No. 28, S. R. No. 29, S. R. No. 30, S. R. No. 31, S. R. No. 32, S. R. No. 33, S. R. No. 34, S. R. No. 35 and H. C. R. No. 18 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 547:** Mourn the loss of legendary Defensive Football Coach Jim Carmody and remembering his legacy.

**S. C. R. No. 548:** Congratulate Picayune High School "Maroon Tide" Football Team for back-to-back MHSAA Class 5A State Championship.

**S. R. No. 23:** Mourn the loss and honor the life of Dr. Katherine T. "Katie" Patterson.

**S. R. No. 24:** Recognize outstanding law enforcement training career of Lt. Colonel Thomas Tuggle on his retirement from MHP.

**S. R. No. 25:** Recognizing MS National Guard and Republic of Uzbekistan for 10th anniversary of partnership.

**S. R. No. 26:** Commend Brookhaven High School track and field teams for winning both boys and girls Class 5A State Titles.

**S. R. No. 27:** Commend Brookhaven High School Senior Caleb Harris for setting new MHSAA 5A State Powerlifting record.

**S. R. No. 28:** Commend Jackson Taylor for first MHSAA Powerlifting title in West Lincoln High School history.

**S. R. No. 29:** Commend Co-Lin legendary Basketball Coach Gwyn Young on career win No. 1,000.

**S. R. No. 30:** Recognize Millsaps College President Dr. Robert W. Pearigen for his contributions to higher education in Mississippi.

**S. R. No. 31:** Commend 2022 Loyd Star High School "Hornets" Golf Team for winning back-to-back MHSAA Class 1 State Championships.

**S. R. No. 32:** Commend 16 year old Corion Evans for extreme bravery in rescuing four people from drowning in car accident.

**S. R. No. 33:** Commend Lincoln County Robotics Teams for winning 2022 Mississippi State Robotics Championship.

**S. R. No. 34:** Commend Brookhaven High School "Ole Brook" Girls Tennis Team for winning 2022 5A State Doubles Title.

**S. R. No. 35:** Recognizing the "P3: Passion. Purpose. Paycheck." Student Career Development Program in Jackson County.

**H. C. R. No. 18:** Salem Missionary Baptist Church; commend upon 157th anniversary of.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 547, S. C. R. No. 548, S. R. No. 23, S. R. No. 24, S. R. No. 25, S. R. No. 26, S. R. No. 27, S. R. No. 28, S. R. No. 29, S. R. No. 30, S. R. No. 31, S. R. No. 32, S. R. No. 33, S. R. No. 34, S. R. No. 35 and H. C. R. No. 18. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Barrett, Hill, Parks, Simmons S. (13th), Tate. Total--5.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Caughman, Hopson, Horhn and Seymour as co-authors of **S. C. R. No. 547**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Moran and Seymour as co-authors of **S. C. R. No. 548**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 23**.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), Frazier, Horhn, McDaniel and Seymour as co-authors of **S. R. No. 24**.

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Unanimous consent was granted to Senators Barnett, Butler K. (38th), England and Frazier as co-authors of **S. R. No. 25**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 26**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 27**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 28**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 29**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Frazier, Hopson and Horhn as co-authors of **S. R. No. 30**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 31**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Frazier, McDaniel, Michel and Seymour as co-authors of **S. R. No. 32**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Frazier and McDaniel as co-authors of **S. R. No. 33**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 34**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Parker as co-authors of **S. R. No. 35**.

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Senator Kirby called up the following entitled bill:

**H. B. No. 559:** The Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week; designate the second week in April annually as.

YEAS AND NAYS On H. B. No. 559. On motion of Senator Kirby, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England,

Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Barrett, Hill, Parks, Simmons S. (13th), Tate. Total--

5.

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Senator Carter called up the motion to reconsider the vote whereby **S. B. No. 2341** passed the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2341:** Electric transmission infrastructure; maintain state jurisdiction over integrity of.

The foregoing motion prevailed.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Forrest Chad Evans of Wiggins, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Thelma Louise Forshee of Vancleave, MS.

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

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jean Alden Holcombe Quave of Gulfport, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Melanie Myers of Philadelphia, MS.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Jane Biederman Emling of Jackson, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Debra Miller of Tupelo, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Julius William "Buck" Redmond, Jr. of Moss Point, MS.

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Senators Carter, Moran, Thompson, DeLano, Wiggins, England, Seymour and Hopson moved that when the Senate adjourns, it adjourn in memory of Al Hopkins of Gulfport, MS.

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Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Phyllis Kee Schlautman of Lumberton, MS.

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Senator Johnson moved that when the Senate adjourns, it adjourn in memory of Estelle Ladner Lee of Wiggins, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Suzanne Batte Brewer of Memphis, TN.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Donna Lynn O'Kelley Bennett of New Albany, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 14, 2023.

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

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#### REPORT OF COMMITTEE ON CORRECTIONS

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 45:** Julia Monteele Norman, Meridian, Mississippi, State Parole Board, term effective July 15, 2022 and appointee shall serve a term at the will and pleasure of the Governor, vice Betty Lou Jones. Do Advise and Consent.

BARNETT, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 516:** A CONCURRENT RESOLUTION COMMENDING, CONGRATULATING, AND THANKING MYRTIS FRANKE FOR HER LIFETIME OF SERVICE TO THE STATE OF MISSISSIPPI.

**S. C. R. No. 519:** CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE SURVIVING FAMILY OF MISSISSIPPI STATE UNIVERSITY FOOTBALL COACH MIKE LEACH AND PAYING TRIBUTE TO HIS CAREER AND LEGACY AS ONE OF THE MOST INFLUENTIAL COACHES OF THIS GENERATION.

**S. C. R. No. 526:** A CONCURRENT RESOLUTION RECOGNIZING THE LEADERSHIP AND HIGHER EDUCATION SERVICE OF FORMER WILLIAM CAREY UNIVERSITY PRESIDENT DR. TOMMY KING ON THE OCCASION OF HIS RETIREMENT AND COMMENDING HIS OUTSTANDING 60-YEAR CAREER.

**S. C. R. No. 535:** A CONCURRENT RESOLUTION DESIGNATING MARCH 2023 AS "COLORECTAL CANCER AWARENESS MONTH IN MISSISSIPPI".

Joseph Thomas, Chairman

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

**H. B. No. 16:** Election commissioner; revise office of to be nonpartisan. Elections.

**H. B. No. 241:** Campaign finance reports; revise the time for filing electronically. Elections.

**H. B. No. 264:** Energy Efficiency standards on buildings; extend repealer on statute requiring certain buildings to meet. Energy.

**H. B. No. 288:** Public Utilities Staff; authorize certain personnel to be filled by consulting contract. Energy.

**H. B. No. 383:** Oil and gas severance taxes; extend repealer on lower rate for production from horizontally drilled wells. Finance.

**H. B. No. 397:** MS Gulf Coast Region Utility Board; extend repealers on. Energy.

**H. B. No. 552:** Poll managers; increase the compensation of. Accountability, Efficiency, Transparency.

**H. B. No. 690:** Chickasawhay Natural Gas District; increase compensation of board of directors and chairperson of. Energy; Appropriations.

**H. B. No. 698:** Municipal water, wastewater and sewer services; require equity based billing based on use of. Energy.

**H. B. No. 809:** Executive Director of Public Utilities Staff; remove Public Service Commission from the process of appointing. Accountability, Efficiency, Transparency.

**H. B. No. 1061:** Electric transmission infrastructure; prescribe requirements for issuance of certificate of public convenience and necessity. Energy.

**H. B. No. 1067:** Mississippi Broadband Accessibility Act; create. Finance.

**H. B. No. 1225:** Telephone solicitation; bring forward provisions of law relating to. Energy.

**H. B. No. 1276:** State officers; provide for a runoff election for. Elections.

**H. B. No. 1306:** Elections; revise certain provisions about names of candidates appearing on the ballot, judicial candidate's annual report and fraudulent absentee voter applications. Elections.

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

**H. B. No. 3:** Third-party delivery service; prohibit from using name, likeness, trademark or intellectual property of merchant without agreement. Business and Financial Institutions.

**H. B. No. 246:** Real property; right of first refusal expires on grantee's death unless specifically stated otherwise. Judiciary, Division A.

**H. B. No. 276:** State Board of Physical Therapy, authorize to issue subpoenas for the attendance of witnesses and the production of documents. Judiciary, Division A.

**H. B. No. 510:** Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents. Judiciary, Division A.

**H. B. No. 521:** Length of Service Award Program; authorize for the recruitment and retention of volunteer firefighters. Insurance; Appropriations.

**H. B. No. 533:** Adoption procedures; revise home study and residency requirements. Judiciary, Division A.

**H. B. No. 544:** Valued policy law; exempt builder's risk insurance policies from. Insurance.

**H. B. No. 606:** The Mobile/Online Betting Task Force; authorize. Gaming.

**H. B. No. 675:** State Veterans Affairs Board; revise provisions regarding processing appeals of claims. Judiciary, Division A.

**H. B. No. 677:** County veteran service officers; revise certain qualifications for. Veterans and Military Affairs.

**H. B. No. 685:** Deeds to married couples; create a rebuttable presumption of joint tenancy with rights of survivorship. Judiciary, Division A.

**H. B. No. 726:** Supreme court, court of appeals, chancery courts and circuit courts; bring forward code sections related to. Judiciary, Division A.

**H. B. No. 773:** Real estate brokers and agents; revise liability regarding disclosure statements. Business and Financial Institutions.

**H. B. No. 821:** Notaries; revise residency requirements of. Judiciary, Division A.

**H. B. No. 880:** Mississippi Consumer Privacy Act for State Agencies; create. Business and Financial Institutions; Judiciary, Division A.

**H. B. No. 882:** Renaissance Assistance Program to Initiate Development; create to assist small businesses. Business and Financial Institutions; Appropriations.

**H. B. No. 996:** Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at time of death. Judiciary, Division A.

**H. B. No. 1029:** United States Space Force; provide that reference to "Armed Forces" and "Uniformed Services" in Mississippi law shall include members of. Veterans and Military Affairs.

**H. B. No. 1030:** Motor Vehicle Sales Finance Law; clarify employees of state licensee may work remotely. Business and Financial Institutions.

**H. B. No. 1034:** State Veterans Affairs Board; revise composition of. Veterans and Military Affairs.

**H. B. No. 1039:** Occupational licensing; revise certain provisions relating to members of the military to include veterans. Public Health and Welfare.

**H. B. No. 1041:** State depositories; revise certain definitions relating to align with federal regulatory standards. Business and Financial Institutions.

**H. B. No. 1084:** Insurance agents; revise the continuing education requirements of those who are 65 and have been licensed for 20 years. Insurance.

**H. B. No. 1101:** Corporations and LLCs; authorize determination notices and certificates of administrative dissolution to be served by email to registered agent. Judiciary, Division A.

**H. B. No. 1110:** Second Amendment Financial Privacy Act; create. Business and Financial Institutions.

**H. B. No. 1111:** County court jurisdiction for termination of parental rights; authorize for both involuntary and voluntary termination. Judiciary, Division A.

**H. B. No. 1115:** Durable legal custody; clarify jurisdiction for. Judiciary, Division A.

**H. B. No. 1123:** Delivery of payment services; regulate. Business and Financial Institutions.

**H. B. No. 1149:** Path to permanency; provide for children in Child Protection Services. Judiciary, Division A.

**H. B. No. 1155:** Residential subdivisions; authorize property owners to establish and/or amend covenants, conditions and restrictions. Judiciary, Division A.

**H. B. No. 1157:** Vehicle rental; require those engaged in to disclose total charges, including all additional mandatory charges. Judiciary, Division A.

**H. B. No. 1162:** Reciprocal insurance; revise sworn declaration requirements of and board of directors for. Insurance.

**H. B. No. 1172:** Federal home loan banks; define term and provide process for handling delinquent insurer's secured claim. Insurance.

**H. B. No. 1190:** Health benefit plan; authorize plan sponsor of to consent, on behalf of covered pensions, to delivery of all communications by electronic means. Insurance.

**H. B. No. 1191:** Pet insurance; create legal framework by which it may be sold in the state. Insurance.

**H. B. No. 1215:** Child Support; suspend for incarcerated persons under certain conditions. Judiciary, Division A.

**H. B. No. 1216:** Circuit judges and chancellors; increase office operating and expense allowances and support staff funding. Judiciary, Division A; Appropriations.

**H. B. No. 1217:** Court interpreters; revise program under the Administration of the Administrative Office of Courts. Judiciary, Division A.

**H. B. No. 1218:** Rivers McGraw Mental Health Treatment Court Act; revise. Judiciary, Division A.

**H. B. No. 1235:** Civil Air Patrol members; authorize granting of administrative leave and leave of absence to for certain emergency services. Appropriations.

**H. B. No. 1318:** Baby drop-off and safe haven; revise provisions that regulate. Judiciary, Division A.

**H. B. No. 1342:** Adoption procedures; regulate by creating a licensure authority. Judiciary, Division A.

**H. B. No. 1490:** Licenses issued by Commission on Wildlife, Fisheries and Parks; require suspension for failure to pay child support. Judiciary, Division A.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Forrest Chad Evans, Thelma Louise Forshee, Estelle Ladner Lee, Suzanne Batte Brewer, Mickey Rhodes, Jean Alden Holcombe Quave, Melanie Myers, Jane Biederman Emling, Debra Miller, Julius William "Buck" Redmond, Jr., Al Hopkins, Donna Lynn O'Kelley Bennett and Phyllis Kee Schlautman.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR MONDAY, FEBRUARY 13, 2023

**S. B. No. 2964:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST THE CITY OF COLUMBUS, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE COMPLETION OF THE SENATOR TERRY BROWN AMPHITHEATER; AND FOR RELATED PURPOSES.

By Senator(s) Turner-Ford

**S. B. No. 2965:** Finance

AN ACT TO AUTHORIZE AN INCOME TAX CREDIT FOR TAXPAYERS WHO PROVIDE PAID MATERNITY LEAVE AND PAID PATERNITY LEAVE FOR EMPLOYEES; TO PROVIDE ELIGIBILITY CRITERIA FOR THE TAX CREDIT; TO PROVIDE FOR THE AMOUNT OF THE CREDIT; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 2966:** Finance

AN ACT RELATING TO GOLD AND SILVER BULLION; TO AMEND SECTION 27-7-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CAPITAL GAIN ON THE SALE OR EXCHANGE OF GOLD OR SILVER BULLION IS EXEMPT FROM STATE INCOME TAX; TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT SALES OF INVESTMENT GRADE GOLD OR SILVER BULLION FROM THE MISSISSIPPI SALES TAX; TO AMEND SECTION 27-105-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE STATE TREASURER TO INVEST NO LESS THAN ONE PERCENT (1%) OF STATE SURPLUS FUNDS IN GOLD OR SILVER BULLION AND TO ESTABLISH THE MISSISSIPPI BULLION DEPOSITORY WITH THE OFFICE OF STATE TREASURER FOR THIS PURPOSE; AND FOR RELATED PURPOSES.

By Senator(s) Sojourner

**S. B. No. 2967:** Finance

AN ACT TO AMEND SECTION 27-65-107, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX SALES OF WATER FOR AGRICULTURAL PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 2968:** Appropriations

AN ACT MAKING AN APPROPRIATION TO JACKSON STATE UNIVERSITY FOR THE PURPOSE OF CONSTRUCTING STUDENT HOUSING FOR THE FISCAL YEAR 2024.

By Senator(s) Simmons (12th), Norwood, Frazier, Thomas, Hickman

**S. B. No. 2969:** Appropriations

AN ACT MAKING AN APPROPRIATION TO JACKSON STATE UNIVERSITY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF REPAIR, RENOVATION AND/OR UPGRADES TO THE UNIVERSITY'S WATER SYSTEM FOR THE FISCAL YEAR 2024.

By Senator(s) Simmons (12th), Norwood, Frazier, Thomas, Hickman

**S. B. No. 2970:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE PURPOSE OF DREDGING PORTIONS OF THE ROSS BARNETT RESERVOIR LOCATED IN MADISON COUNTY FOR THE FISCAL YEAR 2024.

By Senator(s) Michel, Horhn, Blackmon, Thomas

**S. B. No. 2971:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO MISSISSIPPI STATE UNIVERSITY EXTENSION SERVICE TO DEFRAY EXPENSES ASSOCIATED WITH THE IMPLEMENTATION OF CERTAIN YOUTH PREPAREDNESS EDUCATION PROGRAMS FOR FISCAL YEAR 2024.

By Senator(s) Barrett

**S. B. No. 2972:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF CLEVELAND TO DEFRAY EXPENSES ASSOCIATED WITH THE INSTALLATION OF A ROBERT JOHNSON STATUE ON HIGHWAY 8 WITHIN THE CITY LIMITS FOR FISCAL YEAR 2024.

By Senator(s) Simmons (13th)

**S. B. No. 2973:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE ADAMS COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH THE OVERLAY OF SOUTH PALESTINE ROAD FOR FISCAL YEAR 2024.

By Senator(s) Butler (38th), Butler (36th)

**S. B. No. 2974:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE ADAMS COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH THE EXTENSION OF A WATER MAIN FOR RESIDENTS TO BE SERVED BY THE ADAMS COUNTY WATER ASSOCIATION, INC. (ACWA) FOR FISCAL YEAR 2024.

By Senator(s) Butler (38th), Butler (36th)

**S. B. No. 2975:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE PIKE COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF A BRIDGE ON U.S. HIGHWAY 51 OVER THE RAILROAD FOR ACCESS TO THE METRO PIKE INDUSTRIAL PARK FOR FISCAL YEAR 2024.

By Senator(s) Butler (38th)

**S. B. No. 2976:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE TOWN OF DECATUR TO DEFRAY EXPENSES ASSOCIATED WITH THE PURCHASE OF TWO PATROL VEHICLES AND EQUIPMENT FOR FISCAL YEAR 2024.

By Senator(s) McCaughn



**S. B. No. 2977:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE NEWTON COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH AN ADDITION TO THE COUNTY CORRECTIONAL FACILITY AND SHERIFF'S DEPARTMENT, TOGETHER WITH THE PURCHASE OF NEEDED SUPPLIES AND EQUIPMENT, FOR FISCAL YEAR 2024.

By Senator(s) McCaughn

**S. B. No. 2978:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE T.K. MARTIN CENTER FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI EARLY INTERVENTION PILOT PROJECT FOR THE FISCAL YEAR 2024.

By Senator(s) Boyd

**S. B. No. 2979:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE PETAL SCHOOL DISTRICT TO DEFRAY EXPENSES ASSOCIATED WITH THE RENOVATION OF THE CENTRAL OFFICE BUILDING FOR FISCAL YEAR 2024.

By Senator(s) Johnson

**S. B. No. 2980:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF TUPELO FOR THE PURPOSE OF DRAWING DOWN FEDERAL GRANT FUNDS FOR PUBLIC SAFETY AND ECONOMIC DEVELOPMENT IMPROVEMENTS FOR RAILWAY LINES IN THE CITY FOR THE FISCAL YEAR 2024.

By Senator(s) Bryan

**S. B. No. 2981:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF TUPELO TO DEFRAY COSTS TO REPAIR, UPGRADE AND/OR RENOVATE BALLARD PARK FOR THE FISCAL YEAR 2024.

By Senator(s) Bryan

**S. B. No. 2982:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF TUPELO TO DEFRAY THE COSTS OF UPGRADING THE HVAC AIR FILTRATION SYSTEM AT THE CITY'S AQUATIC FACILITY FOR THE FISCAL YEAR 2024.

By Senator(s) Bryan

**S. B. No. 2983:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF TUPELO FOR THE PURPOSE OF DEFRAYING EXPENSES FOR CERTAIN INFRASTRUCTURE REPAIR PROJECTS AT FIRE STATION NO. 5 IN ORDER TO ENSURE COMPLIANCE WITH SAFETY AND HEALTH STANDARDS FOR THE FISCAL YEAR 2024.

By Senator(s) Bryan

**S. B. No. 2984:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF TUPELO TO DEFRAY EXPENSES TO DEVELOP, CONSTRUCT, AND/OR EQUIP A REAL TIME COMMAND CENTER FOR THE TUPELO POLICE DEPARTMENT FOR THE FISCAL YEAR 2024.

By Senator(s) Bryan

**S. B. No. 2985:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF TUPELO TO DEFRAY THE EXPENSES OF DEVELOPING A CLASS II RUBBISH SITE FOR THE FISCAL YEAR 2024.

By Senator(s) Bryan

**S. B. No. 2986:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF TUPELO FOR THE PURPOSE OF DEFRAYING EXPENSES OF ROAD REPAIR AND/OR REHABILITATION OF MITCHELL ROAD FOR THE FISCAL YEAR 2024.

By Senator(s) Bryan

**S. B. No. 2987:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE JACKSON REDEVELOPMENT AUTHORITY FOR THE PURPOSE OF DEFRAYING EXPENSES OF THE REPAIR, IMPROVEMENT AND/OR RENOVATION OF FARISH STREET FOR THE FISCAL YEAR 2024.

By Senator(s) Norwood

**S. B. No. 2988:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE JACKSON REDEVELOPMENT AUTHORITY FOR THE PURPOSE OF DEFRAYING EXPENSES OF THE REPAIR, IMPROVEMENT AND/OR RENOVATION OF UNION STATION TRANSIT HUB LOCATED AT 300 WEST CAPITOL STREET FOR THE FISCAL YEAR 2024.

By Senator(s) Norwood, Blount

**S. B. No. 2989:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR GENERAL SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2024.

By Senator(s) Butler (36th)

**S. B. No. 2990:** Appropriations

AN ACT MAKING AN APPROPRIATION TO ASSIST THE VILLAGE OF CARY, MISSISSIPPI, IN PAYING THE COSTS ASSOCIATED WITH THE CONSTRUCTION OF A FIRE STATION FOR THE FISCAL YEAR 2024.

By Senator(s) Thomas

**S. B. No. 2991:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE MONTGOMERY COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH THE INSTALLATION OF TRAFFIC SIGNALS AT THE INTERSECTION OF U.S. HIGHWAY 82 AND MIDDLETON ROAD AND AT THE INTERSECTION OF U.S. HIGHWAY 82 AND MISSION ROAD FOR FISCAL YEAR 2024.

By Senator(s) Chassaniol

**S. B. No. 2992:** Appropriations

AN ACT MAKING AN APPROPRIATION TO LINCOLN COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN CAPITAL PROJECTS FOR THE FISCAL YEAR 2024.

By Senator(s) Barrett

**S. B. No. 2993:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI HERITAGE TRUST FOR THE PURPOSE OF MATCHING A FEDERAL GRANT TO REHABILITATE THE MOUND BAYOU BANK BUILDING FOR THE FISCAL YEAR 2024.

By Senator(s) Simmons (13th)

**S. B. No. 2994:** Appropriations

AN ACT MAKING AN APPROPRIATION OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS TO SISTERS IN BIRTH'S NONPROFIT, CHARITABLE, COMMUNITY-FOCUSED WOMEN'S CLINIC TO IMPROVE MATERNAL AND CHILD HEALTH FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Butler (36th), Blackwell, Horhn, Thomas, Simmons (13th), Simmons (12th)

**S. B. No. 2995:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF AND UPGRADES AND IMPROVEMENTS TO THE BILL WALLER CRAFT CENTER FOR FISCAL YEAR 2024.  
By Senator(s) Michel, Blackmon, Thomas

**S. B. No. 2996:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM THE SPECIAL FUND DESIGNATED AS THE "2022 LOCAL IMPROVEMENTS PROJECTS FUND" TO THE SCENIC RIVERS DEVELOPMENT ALLIANCE FOR CERTAIN PARK UPGRADES IN WALTHALL COUNTY, PIKE COUNTY, AMITE COUNTY, FRANKLIN COUNTY AND WILKINSON COUNTY AND TO THE SUMMIT COMMUNITY DEVELOPMENT FOUNDATION FOR THE STAND PIPE PROJECT, WHICH FUNDS WERE VETOED BY THE GOVERNOR IN HOUSE BILL NO. 1353 (2022 REGULAR SESSION) FOR FISCAL YEAR 2024.

By Senator(s) Butler (38th)

**S. B. No. 2997:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF ASSISTING RURAL PUBLIC HOSPITALS AT HIGH FINANCIAL RISK FOR THE FISCAL YEAR 2024.

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

**S. B. No. 2998:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE PERRY COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF A ROADWAY AND A BRIDGE TO ACCESS THE PERRY COUNTY INDUSTRIAL PARK FOR FISCAL YEAR 2024.

By Senator(s) Johnson

**S. B. No. 2999:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF UNION FOR THE PURPOSE OF PROVIDING FUNDS TO DEFRAY THE EXPENSES OF ROAD PAVING AND IMPROVEMENT PROJECTS FOR THE FISCAL YEAR 2024.

By Senator(s) McCaughn

**S. R. No. 36:** Rules

A RESOLUTION COMMENDING OMEGA PSI PHI FRATERNITY, INC., FOR ITS OUTSTANDING COMMUNITY SERVICE AND PHILANTHROPY AND DESIGNATING FEBRUARY 9, 2023, AS "OMEGA PSI PHI DAY" IN MISSISSIPPI.

By Senator(s) Butler (36th)

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FORTY-THIRD DAY, TUESDAY, FEBRUARY 14, 2023

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

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

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

Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--51.

Absent--Tate. Total--1.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Myron Schilling, Pastor, First United Pentecostal Church, Leakesville, MS.

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

##### MESSAGE FROM THE HOUSE

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

**H. B. No. 253:** AN ACT TO AMEND SECTIONS 63-11-23 AND 63-11-30, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE 120-DAY SUSPENSION FOR DUI VIOLATIONS BEGINS ON THE DATE THE JUDGE SIGNS THE ORDER FOR SUSPENSION; TO PROVIDE AN AGGRAVATED DUI PENALTY FOR PERSONS WHO ARE UNDER THE LEGAL AGE FOR PURCHASING ALCOHOLIC BEVERAGES; TO BRING FORWARD SECTION 63-11-31, MISSISSIPPI CODE OF 1972, WHICH REGULATES IGNITION INTERLOCK FOR DUI VIOLATIONS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 519:** AN ACT TO AMEND SECTION 73-1-19, MISSISSIPPI CODE OF 1972, TO REVISE THE MISSISSIPPI ARCHITECT LICENSING LAWS TO AUTHORIZE MULTI-DISCIPLINARY FIRMS TO INCLUDE ARCHITECTS, LANDSCAPE ARCHITECTS AND/OR ENGINEERS AS LONG AS ONE ACTIVE MEMBER OR STOCKHOLDER HOLDS A CERTIFICATE TO PRACTICE ARCHITECTURE IN THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 875:** AN ACT TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY SOLICITATION FOR CONSTRUCTION IN EXCESS OF \$5,000.00 TO INCLUDE DRAWINGS, RENDERINGS OR SPECIFICATIONS OF SUFFICIENT DETAIL TO DEFINE THE WORK OR REQUIRE THAT COST PROPOSALS BE BROKEN DOWN BY COMPONENTS; TO PROVIDE THAT AGENCY PURCHASES FOR BUILDINGS DESIGNATED BY THE DEPARTMENT OF ARCHIVES AND HISTORY OF TRUSTEES AS MISSISSIPPI LANDMARKS REQUIRES

REQUESTS FOR QUALIFICATIONS FOR PREQUALIFIED BIDDERS TO BE ESTABLISHED AND MAINTAINED BY DFA FOR NOT LESS THAN 15 WORKING DAYS BEFORE THE DATE ESTABLISHED FOR RECEIPT OF SUCH QUALIFICATIONS; TO PRESCRIBE THE DECISION PROCEDURE TO BE USED BY AN AGENCY OR GOVERNING AUTHORITY FOR HIGH COMPLEXITY CONSTRUCTION PROJECTS; TO PROVIDE AN EXCEPTION FROM BIDDING REQUIREMENTS FOR CERTAIN PURCHASES MADE FOR THE RENOVATION, REPAIR, RESTORATION OR IMPROVEMENT TO BUILDINGS DESIGNATED AS MISSISSIPPI LANDMARKS LOCATED WITHIN THE CAPITOL COMPLEX THAT DO NOT EXCEED \$500,000, AND FOR AIRCRAFT AND AIRCRAFT SIMULATION DEVICES FOR ACADEMIC INSTRUCTIONAL PURPOSES; AND FOR RELATED PURPOSES.

**H. B. No. 1299:** AN ACT TO REQUIRE PHARMACY BENEFIT MANAGERS TO MAKE AVAILABLE TO THE PUBLIC UPON REQUEST, AND WITHOUT REDACTION, THIRD PARTY AGGREGATOR CONTRACTS AND CONTRACTS RELATING TO PHARMACY BENEFIT MANAGEMENT SERVICES BETWEEN A PHARMACY BENEFIT MANAGER AND ANY ENTITY, AND CONTRACTS WITH PHARMACY SERVICES ADMINISTRATIVE ORGANIZATIONS; TO PROVIDE THAT ONLY THOSE CONTRACTS WHERE THE STATE OF MISSISSIPPI OR A POLITICAL SUBDIVISION OF THE STATE IS A PARTY TO THE THIRD PARTY AGGREGATOR CONTRACT OR THE CONTRACT RELATING TO PHARMACY BENEFIT MANAGEMENT SERVICES OR WITH A PHARMACY SERVICES ADMINISTRATIVE ORGANIZATION SHALL BE REQUIRED TO BE MADE PUBLIC; TO AMEND SECTION 73-21-153, MISSISSIPPI CODE OF 1972, TO REMOVE THE EXEMPTION FOR THE MISSISSIPPI STATE AND SCHOOL EMPLOYEES HEALTH INSURANCE PLAN AND THE MISSISSIPPI DIVISION OF MEDICAID OR ITS CONTRACTORS WHEN PERFORMING PHARMACY BENEFIT MANAGER SERVICES FOR THE DIVISION OF MEDICAID IN THE DEFINITION OF "PHARMACY BENEFIT MANAGER"; TO BRING FORWARD SECTIONS 73-21-155, 73-21-156, 73-21-157, 73-21-159, 73-21-161 AND 73-21-163, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE PHARMACY BENEFIT PROMPT PAY ACT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 73-21-177, 73-21-179, 73-21-181, 73-21-183, 73-21-185, 73-21-187, 73-21-189 AND 73-21-191, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE PHARMACY AUDIT INTEGRITY ACT, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1310:** AN ACT TO CREATE NEW SECTION 23-15-615, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO AUDIT ELECTION PROCEDURES IN THE COUNTIES OF THE STATE; TO PROVIDE WHEN AN AUDIT SHALL BE COMPLETED; TO REPEAL SECTION 23-15-613, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ELECTION COMMISSIONS AND COUNTY AND MUNICIPAL EXECUTIVE COMMITTEES SHALL REPORT RESIDUAL VOTE INFORMATION TO THE SECRETARY OF STATE; TO CREATE NEW SECTION 23-15-617, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE PROCEDURES FOR A RISK-LIMITING AUDIT PILOT PROGRAM BEGINNING WITH THE GENERAL ELECTIONS IN 2026; TO PROVIDE WHEN A MANUAL RECOUNT OF ELECTION RESULTS SHALL BE NECESSARY; TO PROVIDE WHEN AND WHERE THE RESULTS OF A RISK-LIMITING AUDIT SHALL BE AVAILABLE; TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ELECTION COMMISSIONERS TO RECEIVE A PER DIEM OF \$100.00 FOR CONDUCTING AN ELECTION RECOUNT; TO BRING FORWARD SECTION 23-15-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE NEW SECTION 23-15-395, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS FOR THE REVIEW, CERTIFICATION AND DECERTIFICATION AND IMPLEMENTATION OF ALL VOTING SYSTEMS; TO CREATE NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR WHO FAILS TO RESPOND TO A CONFIRMATION NOTICE AND WHO FAILS TO VOTE DURING A CERTAIN PERIOD OF TIME SHALL BE REMOVED FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE DEFINITIONS

FOR "CONFIRMATION NOTICE" AND "FAILS TO RESPOND TO THE CONFIRMATION NOTICE"; TO PROVIDE THOSE REGISTERED VOTERS WHO SHALL RECEIVE CONFIRMATION NOTICES; TO PROVIDE THAT A REGISTERED VOTER WHO IS MAILED A CONFIRMATION NOTICE SHALL BE PLACED ON INACTIVE STATUS IN THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM BUT SHALL BE ABLE TO VOTE BY AFFIDAVIT BALLOT; TO PROVIDE THE TIME FOR REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO AMEND SECTION 23-15-125, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF AN ATTEMPTED VOTER DOES NOT PROVIDE PROOF OF CITIZENSHIP WITHIN THIRTY DAYS OF THE RECEIPT OF NOTIFICATION THAT THE VOTER HAS BEEN FLAGGED AS A POTENTIAL NON-CITIZEN, THE REGISTRAR, OR HIS OR HER DESIGNEE, WHERE THE PERSON REGISTERED TO VOTE SHALL PURGE THE VOTER FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE AN APPEAL PROCESS FOR THE VOTER; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTION 23-15-603, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE THE VETERANS ENFRANCHISING ACT TO PROVIDE THAT A VETERAN WHO COMMITTED A NONVIOLENT, DISENFRANCHISING CRIME SHALL HAVE HIS RIGHT TO VOTE AUTOMATICALLY RESTORED ONCE HE HAS SATISFIED ALLOT THE SENTENCING REQUIREMENTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1105:** AN ACT TO AMEND SECTION 97-37-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE EMPLOYEES OF THE SECRETARY OF STATE WHO ARE AUTHORIZED BY THE SECRETARY OF STATE TO PERFORM INVESTIGATIVE OR REGULATORY FUNCTIONS TO CARRY FIREARMS; TO BRING FORWARD SECTION 45-9-101, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR FIREARMS PERMITS FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of David Woods and Ella Mae Ladner of Pass Christian, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Lela Mary Haas Curry of Waveland, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Harold Saucier of Diamondhead, MS.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Joe Landon Kinsey, Sr. of Moss Point, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Camille Borroum Mitchell and Jeanette Nelson of Corinth, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of Danna Rose Hines Johnson of Walnut, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 15, 2023.

The motion prevailed, and at 10:42 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON FINANCE

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

**S. B. No. 2858:** Mississippi Small Business Investment Company Act; increase the amount of investment tax credits that can be allocated under. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

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#### REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 53:** Sara M. Fox, Brandon, Mississippi, State Tax Appeals Board as Chairman, six year term beginning July 1, 2022 and ending June 30, 2028. Do Advise and Consent.

HARKINS, Chairman

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

**H. B. No. 4:** Tianeptine; include in Schedule I controlled substance list. Judiciary, Division B.

**H. B. No. 33:** The Ashley Henley Investigative Authority Act; create. Judiciary, Division B.

**H. B. No. 37:** Standard Dedeaux Water District; delete provision on compensation of commissioners. Local and Private.

**H. B. No. 49:** Resident lifetime hunting and fishing license; authorize Department of Wildlife to issue if parent was born in the state and was on active military service at the time of applicant's birth. Wildlife, Fisheries and Parks.

**H. B. No. 88:** Natural Resource Camp Pilot Program Act of 2023; establish for students in Lee and Monroe Counties. Agriculture.

**H. B. No. 133:** "Mississippi Joint Municipal Law Enforcement Act"; create. Municipalities; Judiciary, Division B.

**H. B. No. 170:** Domestic abuse court program; establish. Judiciary, Division B; Appropriations.

**H. B. No. 209:** Terroristic threats; revise elements of. Judiciary, Division B.

**H. B. No. 232:** Dairy show; relocate the show held in Lee County, MS, to Pontotoc County, MS. Agriculture.

**H. B. No. 256:** Mississippi Boll Weevil Management Corporation; extend repealer on requirement that audits be submitted by November 15. Agriculture.

**H. B. No. 266:** Department of Public Safety Headquarters Office; name in honor of Commissioner David R. Huggins. Judiciary, Division B.

**H. B. No. 280:** Foreign governments; prohibit sale of agricultural lands to. Agriculture.

**H. B. No. 281:** Law enforcement officers killed in line of duty; clarify that beneficiaries may receive sidearm of. Judiciary, Division B.

**H. B. No. 287:** Mississippi Forestry Commission; authorize to electronically accept bids for timber sales. Forestry.

**H. B. No. 363:** Mississippi Department of Agriculture and Commerce; technical amendments related to certain powers and duties. Agriculture.

**H. B. No. 368:** State identification for homeless persons; authorize. Judiciary, Division B.

**H. B. No. 374:** Wiretapping; authorize state and local law enforcement to use for human trafficking. Judiciary, Division B.

**H. B. No. 400:** Election crimes; revise the penalties for certain. Judiciary, Division B.

**H. B. No. 402:** Fleeing law enforcement; increase penalties for the crime of. Judiciary, Division B.

**H. B. No. 405:** Bribery of a candidate; revise statute of limitations. Judiciary, Division B.

**H. B. No. 408:** Reckless endangerment; create the crime of. Judiciary, Division B.

**H. B. No. 412:** DNA samples; destroy upon request for expungement. Judiciary, Division B.



**H. B. No. 419:** Tourism; provide assistance to destination marketing organization. Tourism; Appropriations.

**H. B. No. 422:** Public land in Rankin County; authorize DFA to assign property to various state agencies and institutions and establish new Veterans Nursing Home. Public Property; Appropriations.

**H. B. No. 423:** Former First Christian Church property within the Capitol Complex; authorize DFA to purchase. Public Property; Appropriations.

**H. B. No. 451:** Bail; revise how the amount is determined and authorize certain options for the defendant. Judiciary, Division B.

**H. B. No. 454:** Radar; authorize use by municipal law enforcement officers in certain municipalities. Highways and Transportation.

**H. B. No. 483:** Sentencing judge; authorize to set date to revisit sentencing of nonviolent offenders. Judiciary, Division B.

**H. B. No. 484:** Petroleum Products Inspection Law; delete repealer on definitions and penalties under. Agriculture.

**H. B. No. 515:** Training facilities; include in categories eligible for license fee increase proceeds. Wildlife, Fisheries and Parks; Appropriations.

**H. B. No. 516:** Conservation officer; decrease minimum years of law enforcement experience required to be appointed a. Wildlife, Fisheries and Parks.

**H. B. No. 517:** Guide and outfitter services licenses; revise annual fee for both residents and nonresidents. Wildlife, Fisheries and Parks.

**H. B. No. 529:** Department of Public Safety; revise various provisions. Judiciary, Division B; Appropriations.

**H. B. No. 534:** Drug Intervention Courts; standardize references. Judiciary, Division B.

**H. B. No. 537:** Municipalities; authorize waiver of liens, under certain circumstances, for costs associated with cleaning menaced property. Municipalities.

**H. B. No. 556:** "Property Clean up Revolving Fund"; establish. Municipalities; Accountability, Efficiency, Transparency.

**H. B. No. 566:** Headlights; require to be used whenever windshield wipers necessitated. Highways and Transportation.

**H. B. No. 617:** Mississippi Development Authority Tourism Advertising Fund; use portion of monies in to advertise for state parks. Appropriations.

**H. B. No. 618:** Transportation funding; authorize public-private partnerships to include naming rights. Highways and Transportation.

**H. B. No. 626:** Boards of Supervisors; provide exception on prohibition of expending certain funds in last months of office to meet federal ARPA spending deadline. County Affairs.

**H. B. No. 691:** Memorial highway; designate a portion of U.S. Highway 45 in Wayne County, MS, as the "Army Sergeant Eric C. Newman Memorial Highway." Highways and Transportation.

**H. B. No. 693:** Aldermen and councilmen; increase the maximum amount of surety bond that may be given by. Municipalities.

**H. B. No. 696:** Capitol Complex Improvement District; revise boundary lines of. Accountability, Efficiency, Transparency.

**H. B. No. 703:** "Medal of Honor Trail"; designate portion of Interstate 22 and U.S. Highway 78 within the State of Mississippi as. Highways and Transportation.

**H. B. No. 704:** Television series production; provide incentives for certain. Tourism; Finance.

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

**H. B. No. 208:** Computer science curriculum; clarify terminology to specify who may provide instruction in. Education.

**H. B. No. 258:** Educational Facilities Revolving Loan Fund; extend repealers on statutes relating to sales tax distribution and state public school building fund. Education.

**H. B. No. 259:** Medical radiation technologists; delete repealers on registration statutes. Public Health and Welfare.

**H. B. No. 365:** Boy Scouts and Girl Scouts; allow to speak to student regarding civic involvement with principal's approval. Education.

**H. B. No. 443:** MS Commission on College Accreditation; authorize IHL Board to provide staff, facilities and other means of support to. Universities and Colleges.

**H. B. No. 478:** Occupational Therapy Licensure Compact; create. Public Health and Welfare.

**H. B. No. 518:** Local Provider Innovation Grant Program; revise certain provisions of. Public Health and Welfare; Appropriations.

**H. B. No. 557:** MS Rural Dentists Scholarship Program; increase number of students who may be admitted into annually. Public Health and Welfare; Appropriations.

**H. B. No. 584:** Qualified Health Center Grant Program; clarify that amount specified for grants under is minimum amount to be issued. Public Health and Welfare; Appropriations.

**H. B. No. 588:** MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming code sections. Economic and Workforce Development.

**H. B. No. 729:** "Mississippi Successful Techniques Resulting in Delivering Excellence in Education and Employability (STRIDE) Scholarship Program"; establish. Education; Appropriations.

**H. B. No. 730:** "William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program"; revise to expand eligibility. Education.

**H. B. No. 752:** MS Dyslexia Therapy Scholarship for Students with Dyslexia; revise eligibility beginning with kindergarten. Education; Appropriations.

**H. B. No. 770:** Mississippi Office of Space and Technology; create to be administered by MDA, which shall staff. Economic and Workforce Development; Appropriations.

**H. B. No. 793:** EMS Memorial; Health Dept. shall design and construct to honor EMS personnel who died in line of duty. Public Health and Welfare; Appropriations.

**H. B. No. 817:** Early Learning Collaborative; increase minimum funding levels for full-day and half-day programs. Education; Appropriations.

**H. B. No. 823:** Commission on Education and Economic Competitiveness; establish to develop vision for the state's future economic and educational success. Education; Appropriations.

**H. B. No. 842:** Office of Workforce Development; authorize to work with MS Alliance of Nonprofits and Philanthropy to create an accountability system for certain nonprofits. Economic and Workforce Development; Appropriations.

**H. B. No. 843:** Mississippi Department of Employment Security; authorize to conduct background investigations on certain employees. Economic and Workforce Development.

**H. B. No. 845:** Mississippi New Economic Development Training Assistance Grant Program; create. Economic and Workforce Development; Appropriations.

**H. B. No. 846:** Sixteenth Section land; revise zoning authority of local governing entities to prohibit restrictions on school districts' ability to build on said lands. Education.

**H. B. No. 854:** Marriage and family therapists; revise certain requirements for licensure. Public Health and Welfare.

**H. B. No. 916:** General experience rate; provide that noncharges caused by COVID-19 pandemic shall not impact. Economic and Workforce Development.

**H. B. No. 922:** Alcorn State University; update references to in code to reflect current name designation. Universities and Colleges.

**H. B. No. 1000:** Foster and adopted children; allow foster or adoptive parent to choose school or school district of enrollment. Education.

**H. B. No. 1087:** MS School for Math and Science; increase licensed employees' salaries by amount corresponding to increases to amount and years in teacher salary scale. Education; Appropriations.

**H. B. No. 1150:** Charter schools; bring forward various provision relating to powers and duties of authorizer board. Education.

**H. B. No. 1161:** Interstate Teacher Mobility Compact; enact. Education.

**H. B. No. 1173:** EEF procurement cards; authorize issuance to eligible charter school teachers. Education; Appropriations.

**H. B. No. 1177:** Educator misconduct; clarify provisions relating to disciplinary action taken against personnel of public special purpose schools and other educators. Education.

**H. B. No. 1200:** Dyslexia Therapy Scholarship for Students with Dyslexia Program; expand to allow certified academic language therapists (CALT); to provide dyslexia therapy services. Education.

**H. B. No. 1207:** Paramedics Recruitment and Retention Scholarship Grant Program; create. Education; Appropriations.

**H. B. No. 1227:** Mental Awareness Program for School Act; enact to provide for mental health service providers and certain trauma-informed training. Education.

**H. B. No. 1228:** Community schools; authorize implementation under the administration of a district innovation. Education; Appropriations.

**H. B. No. 1264:** School districts; authorize to provide feminine hygiene products for female students in Grades 6-12. Public Health and Welfare.

**H. B. No. 1301:** Career coaching program; modify directive of Office of Workforce Development from piloting to implementing long term. Economic and Workforce Development; Appropriations.

**H. B. No. 1365:** Assistant teacher salaries; prohibit school districts from using any state-funded increase to substitute the local contribution. Education.

**H. B. No. 1369:** MAEP; determine cost of using Average Daily Membership (ADM) in lieu of ADA with 90% threshold attendance trigger. Education; Appropriations.

**H. B. No. 1373:** "Released-Time Moral Instruction Act of 2023"; enact to permit students to receive religious instruction during the school day. Education.

**H. B. No. 1390:** Abstinence education; delete repealer on school board requirement to adopt a policy on abstinence-only or abstinence-plus. Education.

**H. B. No. 1392:** MS Vulnerable Persons Abuse Registry; require Department of Human Services to establish. Public Health and Welfare.

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

**H. B. No. 273:** Health Care Impact Grant Program; establish to provide grants to hospitals and nursing facilities. Appropriations.

**H. B. No. 723:** Mississippi Transit Corporation; establish and create study committee. Highways and Transportation.

**H. B. No. 769:** Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as. Wildlife, Fisheries and Parks.

**H. B. No. 772:** Mississippi Opal; designate as official state gemstone. Tourism.

**H. B. No. 787:** Mississippi Board of Registration for Foresters; bring forward all code sections and authorize to suspend license of licensee for failure to satisfy judgement. Forestry.

**H. B. No. 795:** Shoplifting; require to calculate total price of all shoplifting items for fine. Judiciary, Division B.

**H. B. No. 824:** MDOT; authorize to assist publicly owned gas and water districts with certain removal and relocation projects. Highways and Transportation.

**H. B. No. 838:** Mississippi Tianeptine and Kratom Consumer Protection Act; create. Judiciary, Division B.

**H. B. No. 840:** State Public Defender; revise certain powers and duties of. Judiciary, Division B.

**H. B. No. 850:** School ad valorem tax levy; authorize levying authority for certain districts to approve/disapprove request for certain increases. Finance.

**H. B. No. 857:** Local Government Debt Collection Setoff Act; clarify term of "claimant local government" under. County Affairs; Municipalities.

**H. B. No. 858:** Mississippi Regional Preneed Disaster Clean Up Act; create. Accountability, Efficiency, Transparency.

**H. B. No. 870:** Justice Court appeals; revise number of days to circuit court. Judiciary, Division B.

**H. B. No. 874:** MS Dept. of Archives and History property; authorize DFA to clarify donation of certain lands in Claiborne County to U.S. Dept. of Interior - National Park Service. Public Property.

**H. B. No. 876:** Columbia Training School Property; clarify purposes for which the Marion County Economic Development District may be reimbursed. Public Property.

**H. B. No. 894:** Violations of local zoning ordinances; authorize governing authorities to pursue administrative or civil penalties for. Judiciary, Division B.

**H. B. No. 903:** Counties and municipalities; revise fine amount that may be paid by those convicted of violating anti-littering ordinance. Judiciary, Division B.

**H. B. No. 904:** Tombigbee River Valley Water Management District; authorize to transfer Kemper Lake to Kemper County Board of Supervisors. Wildlife, Fisheries and Parks.

**H. B. No. 912:** Firearm suppressors; authorizing manufacture and possession in Mississippi and prohibit enforcement of federal laws governing. Judiciary, Division B.

**H. B. No. 917:** Mississippi Worker's Comp commission office building; place under the supervision and care of DFA. Public Property; Appropriations.

**H. B. No. 920:** Radar; clarify how population is calculated. Highways and Transportation.

**H. B. No. 923:** Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as. Wildlife, Fisheries and Parks.

**H. B. No. 976:** Boats; require validation decal certifying the awarded number to be displayed on each side of vessel. Wildlife, Fisheries and Parks.

**H. B. No. 979:** Hunting; provide exception for recovering mortally wounded animals at night with use of light. Wildlife, Fisheries and Parks.

**H. B. No. 986:** Transportation; allow public and private partnerships to establish electric vehicle charging stations. Highways and Transportation; Accountability, Efficiency, Transparency.

**H. B. No. 995:** Rape; revise elements for the crime of and remove spousal exception. Judiciary, Division B.

**H. B. No. 1002:** Petroleum Products Inspection Law; delete repealer on. Highways and Transportation.

**H. B. No. 1003:** Mississippi Fully Autonomous Vehicle Enabling (MS FAVE) Act of 2023; establish to regulate operation of autonomous vehicle on public roads. Highways and Transportation.

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

**H. B. No. 1016:** Memorial highway; designate segment of MS Hwy 8 in Chickasaw County as the "Deputy Jeremy Allen Voyles Memorial Highway". Highways and Transportation.

**H. B. No. 1017:** Memorial intersection; designate intersection of U.S. 45 and CR 110 in Clarke County as the "Army Spc. Terry Kishaun Dantez Gordon Memorial Intersection". Highways and Transportation.

**H. B. No. 1025:** Airport authority; authorize to dispose of property with a fair market value of zero if certain conditions are met. Highways and Transportation.

**H. B. No. 1027:** State Fruit; designate the blueberry as. Tourism.

**H. B. No. 1048:** "Universal Changing Tables Installation Incentive Grant Program Act"; establish to be administered by Mississippi Department of Rehabilitation Services. Appropriations.

**H. B. No. 1072:** Hazardous trees on tax forfeited land; authorize counties/municipalities to remove and Secretary of State to reimburse for the removal of. Public Property; Appropriations.

**H. B. No. 1108:** Rural water associations; authorize those providing sewer services to participate in the ARPAA Rural Water Association Infrastructure Grant Program. Accountability, Efficiency, Transparency.

**H. B. No. 1139:** Simple assault; authorize judicial discretion when assessing fines. Judiciary, Division B.

**H. B. No. 1140:** Beer, light wine and light spirit products; revise manufacturers prohibited from having interest in wholesalers or distributors. Finance.

**H. B. No. 1159:** Pat Harrison Waterway District; authorize municipalities to join. Wildlife, Fisheries and Parks.

**H. B. No. 1194:** County boards of supervisors; authorize donations to MS Main Street programs and civil rights memorials. County Affairs; Accountability, Efficiency, Transparency.

**H. B. No. 1211:** Counties and municipalities; authorize to enter into certain agreement when utilizing certain federal funds. Judiciary, Division A.

**H. B. No. 1213:** Water Infrastructure Grant Program; DEQ shall give priority to applicants not receiving funding in first round grants. Accountability, Efficiency, Transparency.

**H. B. No. 1244:** Memorial highway; designate a segment of MS Highway 365 in Prentiss County as the "Howard Tillman Bobo Memorial Highway". Highways and Transportation.

**H. B. No. 1245:** Memorial highway; designate a segment of MS Highway 364 in Prentiss County as the "James Millard Jourdan Memorial Highway". Highways and Transportation.

**H. B. No. 1246:** Memorial highway; designate a segment of MS Highway 365 in Prentiss County as the "Leland L. Holland Memorial Highway". Highways and Transportation.

**H. B. No. 1266:** Mississippi USA Semiquincentennial Commission and Mississippi Semiquincentennial Celebration Fund; create. Tourism; Appropriations.

**H. B. No. 1315:** Pornographic media materials; regulate access to minors and require age verification. Judiciary, Division B.

**H. B. No. 1371:** Therapists; create a felony for those who have sexual contact with patients. Judiciary, Division B.

**H. B. No. 1477:** Harvest permits; extend repealer on authority of MDOT to issue. Highways and Transportation.

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MESSAGE FROM THE HOUSE

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

**S. C. R. No. 513:** Commend Newton County High School "Cougars" Cheer Team for winning Class 4A State Championship.

**S. C. R. No. 536:** Congratulate Clarksdale Guitar Star Christone "Kingfish" Ingram for winning the 2022 Grammy Award for Contemporary Blues.

**S. C. R. No. 537:** Mourn the loss of Ineva May-Pittman of Jackson, Mississippi.

**S. C. R. No. 538:** Commend Parklane Academy "Lady Pioneers" Fast-Pitch Softball Team for fourth State Championship in last six years.

**S. C. R. No. 539:** Mourn the passing of legendary physician Dr. Freda M. Bush.

**S. C. R. No. 540:** Expressing support for the Town of Mantee to unofficially designate itself as "The Epicenter of the Natchez Trace."

**S. C. R. No. 542:** Commend Dr. Roy J. Duhe for colon cancer initiatives at UMMC.

**S. C. R. No. 543:** Mourn the passing of Dr. Chester D. Gaston, Jr., of Gulfport, respected member of the MS Board of Psychology.

**S. C. R. No. 544:** Designate "Delta Gamma Fraternity Day" in Mississippi in Commemoration of Sesquicentennial celebration.

**S. C. R. No. 545:** Designate April 23-29, 2023, as "National Crime Victims' Week in Mississippi" and April 28, 2023, as a "Day of Prayer".

**S. C. R. No. 546:** Commend Brookhaven Academy "Lady Cougars" Softball Team for back-to-back MAIS 5A State Championships.

Andrew Ketchings, Clerk of the House of Representatives

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 35:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE OLE MISS BASEBALL TEAM FOR WINNING THE 2022 NCAA BASEBALL NATIONAL CHAMPIONSHIP AT THE 2022 COLLEGE WORLD SERIES.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 559:** AN ACT TO CREATE NEW SECTION 3-3-67, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE SECOND WEEK OF APRIL EACH YEAR AS "THE PHILLIP CAMERON HENDRY MISSISSIPPI MOSQUITO AND WEST NILE VIRUS AWARENESS WEEK"; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. C. R. No. 18:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE DILIGENCE, SERVICE AND WIDE INFLUENCE OF THE PASTORS AND MEMBERS OF SALEM MISSIONARY BAPTIST CHURCH ON THE OCCASION OF THE CHURCH'S HISTORIC 157TH YEAR ANNIVERSARY.

Joseph Thomas, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of David Woods, Ella Mae Ladner, Lela Mary Haas Curry, Harold



Saucier, Joe Landon Kinsey, Sr., Camille Borroum Mitchell, Jeanette Nelson and Danna Rose Hines Johnson.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, FEBRUARY 14, 2023

**S. B. No. 3000:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3001:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3002:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3003:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENT STATION FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3004:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3005:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3006:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3007:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS

AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3008:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Parks, DeBar, Simmons (13th), Williams

**S. B. No. 3009:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Frazier, Branning, DeLano, McLendon

**S. B. No. 3010:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Frazier, Branning, DeLano, McLendon

**S. B. No. 3011:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Wiggins, Hickman, Tate

**S. B. No. 3012:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Wiggins, Hickman, Tate

**S. B. No. 3013:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3014:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3015:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3016:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3017:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3018:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, DeLano, Butler (38th), Moran, Seymour

**S. B. No. 3019:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Norwood, Branning, DeBar, Seymour

**S. B. No. 3020:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Norwood, Branning, DeBar, Seymour

**S. B. No. 3021:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Michel, Hickman, Wiggins

**S. B. No. 3022:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Michel, Hickman, McCaughn, Wiggins

**S. B. No. 3023:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Michel, Hickman, McCaughn, Wiggins

**S. B. No. 3024:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Michel, Hickman, McCaughn, Wiggins

**S. B. No. 3025:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Hill, Frazier, Michel, Moran

**S. B. No. 3026:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Branning, Butler (36th), Butler (38th), Parks

**S. B. No. 3027:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Branning, Butler (36th), Butler (38th), Parks

**S. B. No. 3028:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3029:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3030:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3031:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3032:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3033:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3034:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY EXAMINERS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Butler (36th), Hill, Jackson, Suber

**S. B. No. 3035:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3036:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3037:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3038:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3039:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3040:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Turner-Ford, Chism, DeLano, Norwood

**S. B. No. 3041:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3042:** Appropriations

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3043:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3044:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3045:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3046:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3047:** Appropriations

AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY APPROPRIATED FOR PROJECTS FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams, DeLano, Wiggins

**S. B. No. 3048:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3049:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3050:** Appropriations

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3051:** Appropriations

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2024, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2024.

By Senator(s) Hopson, Polk, Blackwell, Simmons (13th), Williams

**S. B. No. 3052:** Appropriations

AN ACT MAKING A REAPPROPRIATION TO CERTAIN AGENCIES TO REAUTHORIZE THE EXPENDITURE OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS PREVIOUSLY APPROPRIATED FOR CERTAIN PROJECTS FOR FISCAL YEAR 2024.

By Senator(s) Hopson

**S. B. No. 3053:** Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO EDWARD CARTER, SR., OF CLAIBORNE COUNTY, MISSISSIPPI.

By Senator(s) Butler (36th)

**S. B. No. 3054:** Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO LARRY SILLS OF NEWTON COUNTY, MISSISSIPPI.

By Senator(s) McCaughn

**S. B. No. 3055:** Judiciary, Division B

AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO JESSICA COMPTON OF JACKSON COUNTY, MISSISSIPPI.

By Senator(s) Wiggins

**S. B. No. 3056:** Appropriations

AN ACT MAKING AN APPROPRIATION TO BE ADMINISTERED BY THE COMMUNITY FOUNDATION OF MISSISSIPPI TO DEFRAY THE EXPENSES OF REPAIRING, REHABILITATING AND IMPROVING THE RUSSELL C. DAVIS PLANETARIUM FOR THE FISCAL YEAR 2024.

By Senator(s) Horhn, Frazier, Blount, Norwood

**S. B. No. 3057:** Finance

AN ACT ENTITLED "THE MISSISSIPPI AFFORDABLE HOUSING TAX CREDIT ACT"; TO PROVIDE A TAX CREDIT AGAINST MISSISSIPPI STATE INCOME TAX LIABILITY FOR ELIGIBLE INVESTORS IN LOW-INCOME AFFORDABLE HOUSE PROJECTS APPROVED BY THE MISSISSIPPI HOME CORPORATION; TO ESTABLISH STANDARDS FOR QUALIFIED PROJECTS AND THE TAX CREDIT TO BE ADMINISTERED BY THE MISSISSIPPI HOME CORPORATION; TO PROVIDE THAT STATE CREDITS SHALL NOT EXCEED FEDERAL LOW-INCOME HOUSING TAX CREDITS AND TO ESTABLISH A STATE CAP FOR THE CREDITS; TO PROVIDE FOR THE CARRY OVER OF UNUSED CREDITS; TO REQUIRE REVIEW OF THE PROGRAM; AND FOR RELATED PURPOSES.

By Senator(s) Horhn

**S. R. No. 37:** Rules

A RESOLUTION RECOGNIZING JANE MOSS, CEO OF VIKING RANGE IN GREENWOOD AS THE INCOMING CHAIRWOMAN OF THE BOARD FOR THE MISSISSIPPI MANUFACTURERS ASSOCIATION (MMA).

By Senator(s) Chassaniol, Jordan

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FORTY-FOURTH DAY, WEDNESDAY, FEBRUARY 15, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Dr. Walter Williams, Pastor, Antioch Missionary Baptist Church, Yazoo City, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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

**H. B. No. 249:** MS Medical Cannabis Act; extend repealers to certain state laws for Departments of Health and Revenue in connection with. Public Health and Welfare.

**H. B. No. 253:** DUI suspension; clarify how the 120 days are counted. Judiciary, Division B.

**H. B. No. 393:** Pseudoephedrine and ephedrine; extend repealer on authority to sell and purchase without a prescription certain products containing. Drug Policy.

**H. B. No. 522:** Mississippi Individual On-site Wastewater Disposal System Law; extend repealer on. Public Health and Welfare.

**H. B. No. 536:** MSU; amend authority to enter into a long-term lease for housing and retail purpose to extend the original lease term to 65 years. Universities and Colleges.

**H. B. No. 771:** HELP Grant and MTAG Programs; revise level of funding provided to eligible students. Universities and Colleges; Appropriations.

**H. B. No. 844:** Office of Workforce Development; revise funding mechanism for and create Mississippi K-12 Workforce Development Grant Program. Economic and Workforce Development; Appropriations.

**H. B. No. 859:** Public special purpose schools; exempt from certain audit requirements. Education.

**H. B. No. 860:** "MS Intercollegiate Athletics Compensation Rights Act" and "Uniform Athlete Agents Act"; bring forward. Universities and Colleges.

**H. B. No. 877:** USM; clarify authority to enter into insurance agreement for protection of property at the state port at Gulfport. Insurance.

**H. B. No. 1056:** School employees; revise rate for payment for unused leave to unlicensed employees upon retirement. Education.

**H. B. No. 1060:** Electric vehicles; authorize charging by nonutilities. Energy.

**H. B. No. 1068:** Water Quality Accountability Act; create. Public Health and Welfare.

**H. B. No. 1070:** Patriotic Education Grant Program; establish. Education; Appropriations.



**H. B. No. 1094:** Wastewater and sewage; authorize MDEQ to fine any municipality or county for improper disposal of. Public Health and Welfare.

**H. B. No. 1105:** Secretary of State employees; authorize certain employees to carry a firearm. Judiciary, Division B.

**H. B. No. 1158:** Medical Cannabis Act; revise certain provisions of. Public Health and Welfare.

**H. B. No. 1174:** Public schools; authorize to have a supply of FDA-approved opioid reversal agents on premises to counter opioid overdose. Education.

**H. B. No. 1176:** National board certified education professionals; clarify provisions related to certification component reimbursements. Education.

**H. B. No. 1222:** The Mississippi Collaborative Response to Mental Health Act; create. Public Health and Welfare.

**H. B. No. 1277:** Mississippi Dual Credit Scholarship Program; create. Universities and Colleges; Appropriations.

**H. B. No. 1286:** Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center". Public Property; Appropriations.

**H. B. No. 1310:** Elections; revise provisions related to the integrity of. Elections; Accountability, Efficiency, Transparency.

**H. B. No. 1341:** Digital or online resources or databases; require vendors to verify technology protection for persons under 15. Education; Judiciary, Division A.

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#### REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 2149:** City of Guntown; authorize the use of side by side vehicles on certain public roads. Title Sufficient. Do Pass.

**S. B. No. 2151:** Town of North Carrollton; extend repeal date on restaurant tourism tax. Title Sufficient. Do Pass.

**S. B. No. 2518:** City of Batesville; extend repealer on hotel/motel & restaurant tourism tax. Title Sufficient. Do Pass.

**S. B. No. 2521:** Town of Carrollton; extend repealer on provision of law authorizing to levy tax on sales of restaurants. Title Sufficient. Do Pass.

**S. B. No. 2890:** Lee County; authorize annual contributions to Sanctuary Hospice House. Title Sufficient. Do Pass.

**H. B. No. 37:** Standard Dedeaux Water District; delete provision on compensation of commissioners. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Patty Tucker Dahlem of Hamilton, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 16, 2023.

The motion prevailed, and at 10:37 AM, the Senate stood in recess.

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

**H. B. No. 519:** Landscape architects; authorize to participate with multi-disciplinary engineer and architecture firms. Accountability, Efficiency, Transparency.

**H. B. No. 875:** Public purchases; revise bidding requirements for certain projects and other related to Mississippi Landmarks. Accountability, Efficiency, Transparency.

**H. B. No. 989:** Child Protection Services; remove from DHS and make it a separate agency. Accountability, Efficiency, Transparency.

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize. Judiciary, Division A.

**H. B. No. 1299:** Pharmacy benefit managers; require to make available to the public, without redaction, contracts relating to pharmacy benefit management services. Public Health and Welfare.

**H. C. R. No. 35:** Ole Miss Baseball Team; commend for winning the 2022 NCAA Baseball National Championship. Rules.

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REPORT OF COMMITTEE ON APPROPRIATIONS

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

**S. B. No. 3000:** Appropriation; IHL - General support. Title Sufficient. Do Pass.

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs. Title Sufficient. Do Pass.

**S. B. No. 3002:** Appropriation; IHL - Alcorn State - Agricultural programs. Title Sufficient. Do Pass.

**S. B. No. 3003:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. Title Sufficient. Do Pass.

**S. B. No. 3004:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service. Title Sufficient. Do Pass.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. Title Sufficient. Do Pass.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. Title Sufficient. Do Pass.

**S. B. No. 3007:** Appropriation; IHL - Student Financial Aid. Title Sufficient. Do Pass.

**S. B. No. 3008:** Appropriation; IHL - University of Mississippi Medical Center. Title Sufficient. Do Pass.

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses. Title Sufficient. Do Pass.

**S. B. No. 3010:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. Title Sufficient. Do Pass.

**S. B. No. 3011:** Appropriation; Corrections, Department of. Title Sufficient. Do Pass.

**S. B. No. 3012:** Appropriation; Public Safety, Department of. Title Sufficient. Do Pass.

**S. B. No. 3013:** Appropriation; Agriculture and Commerce, Department of. Title Sufficient. Do Pass.

**S. B. No. 3014:** Appropriation; Fair and Coliseum Commission - Livestock shows. Title Sufficient. Do Pass.

**S. B. No. 3015:** Appropriation; Animal Health, Board of. Title Sufficient. Do Pass.

**S. B. No. 3016:** Appropriation; Emergency Management Agency. Title Sufficient. Do Pass.

**S. B. No. 3017:** Appropriation; Military Department. Title Sufficient. Do Pass.

**S. B. No. 3018:** Appropriation; Veterans Affairs Board. Title Sufficient. Do Pass.

**S. B. No. 3019:** Appropriation; Ethics Commission. Title Sufficient. Do Pass.

**S. B. No. 3020:** Appropriation; Judicial Performance Commission. Title Sufficient. Do Pass.

**S. B. No. 3021:** Appropriation; Employment Security, Department of. Title Sufficient. Do Pass.

**S. B. No. 3022:** Appropriation; Revenue, Department of. Title Sufficient. Do Pass.

**S. B. No. 3023:** Appropriation; Tax Appeals Board. Title Sufficient. Do Pass.

**S. B. No. 3024:** Appropriation; Workers' Compensation Commission. Title Sufficient. Do Pass.

**S. B. No. 3025:** Appropriation; Mental Health, Department of. Title Sufficient. Do Pass.

**S. B. No. 3026:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of. Title Sufficient. Do Pass.

**S. B. No. 3027:** Appropriation; Tennessee-Tombigbee Waterway Development Authority. Title Sufficient. Do Pass.

**S. B. No. 3028:** Appropriation; Chiropractic Examiners, Board of. Title Sufficient. Do Pass.

**S. B. No. 3029:** Appropriation; Dental Examiners, Board of. Title Sufficient. Do Pass.

**S. B. No. 3030:** Appropriation; Funeral Services Board. Title Sufficient. Do Pass.

**S. B. No. 3031:** Appropriation; Massage Therapy, Board of. Title Sufficient. Do Pass.

**S. B. No. 3032:** Appropriation; Pharmacy, Board of. Title Sufficient. Do Pass.

**S. B. No. 3033:** Appropriation; Counselors, Board of Examiners for Licensed Professional. Title Sufficient. Do Pass.

**S. B. No. 3034:** Appropriation; Veterinary Examiners, Board of. Title Sufficient. Do Pass.

**S. B. No. 3035:** Appropriation; Architecture, Board of. Title Sufficient. Do Pass.

**S. B. No. 3036:** Appropriation; Gaming Commission. Title Sufficient. Do Pass.

**S. B. No. 3037:** Appropriation; Geologists, Board of Registered Professional. Title Sufficient. Do Pass.

**S. B. No. 3038:** Appropriation; Motor Vehicle Commission. Title Sufficient. Do Pass.

**S. B. No. 3039:** Appropriation; Accountancy, Board of Public. Title Sufficient. Do Pass.

**S. B. No. 3040:** Appropriation; Contractors, Board of. Title Sufficient. Do Pass.

**S. B. No. 3041:** Appropriation; Audit, Department of. Title Sufficient. Do Pass.

**S. B. No. 3042:** Appropriation; Banking and Consumer Finance, Department of. Title Sufficient. Do Pass.

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of. Title Sufficient. Do Pass.

**S. B. No. 3044:** Appropriation; Governor's Office and Mansion. Title Sufficient. Do Pass.

**S. B. No. 3045:** Appropriation; Information Technology Services, Department of. Title Sufficient. Do Pass.

**S. B. No. 3046:** Appropriation; Development Authority, Mississippi. Title Sufficient. Do Pass.

**S. B. No. 3047:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority. Title Sufficient. Do Pass.

**S. B. No. 3048:** Appropriation; Personnel Board. Title Sufficient. Do Pass.

**S. B. No. 3049:** Appropriation; Secretary of State. Title Sufficient. Do Pass.

**S. B. No. 3050:** Appropriation; Treasurer's Office. Title Sufficient. Do Pass.

**S. B. No. 3051:** Appropriation; Debt Service-Gen. Obli. Title Sufficient. Do Pass.

**S. B. No. 3052:** Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies. Title Sufficient. Do Pass.

HOPSON, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 507:** A CONCURRENT RESOLUTION CONGRATULATING AND COMMENDING THE JACKSON STATE UNIVERSITY "TIGERS" FOOTBALL TEAM, HEAD COACH DEION SANDERS AND THE "TIGERS" COACHING STAFF UPON WINNING THEIR SECOND CONSECUTIVE SOUTHWESTERN ATHLETIC CONFERENCE (SWAC) CHAMPIONSHIP AND UPON BECOMING THE 2022 SWAC CHAMPIONS, AND RECOGNIZING JACKSON STATE UNIVERSITY'S CONTINUAL FULFILLMENT OF ITS VISION STATEMENT OF BUILDING UPON ITS HISTORIC MISSION OF PROMOTING AND EMPOWERING DIVERSITY AND INCLUSION AMONG ITS SCHOLARS AND SCHOLAR-ATHLETES THROUGH INTERDISCIPLINARY AND MULTIMODAL COLLABORATIVE LEARNING.

Joseph Thomas, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 2:** A CONCURRENT RESOLUTION CELEBRATING NATIONAL THERAPY ANIMAL DAY IN MISSISSIPPI ON APRIL 30, 2023.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE STATE BOARD OF EDUCATION  
February 15, 2023

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

Dr. Robert Pernell (Doc) Taylor, Flowood, Mississippi, State Superintendent of Public Education, term beginning January 16, 2023.

Rosemary G. Aultman, Chair  
STATE BOARD OF EDUCATION

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

Dr. Robert Pernell (Doc) Taylor, State Superintendent of Public Education, term beginning January 16, 2023, Education.

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

**H. B. No. 540:** Personal and professional services; require the Department of Finance and Administration to conduct solicitations of for certain agencies. Accountability, Efficiency, Transparency.

**H. C. R. No. 2:** National Therapy Animal Day; celebrate in Mississippi on April 30, 2023. Rules.

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 513:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NEWTON COUNTY HIGH SCHOOL "COUGARS" CHEERLEADING TEAM AND CHEER COACH TONYA NOWELL FOR WINNING THE MHSAA CLASS 4A STATE CHAMPIONSHIP.

**S. C. R. No. 536:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING CLARKSDALE GUITAR WUNDERKIND CHRISTONE "KINGFISH" INGRAM FOR WINNING THE 2022 GRAMMY AWARD IN THE CONTEMPORARY BLUES ALBUM CATEGORY FOR HIS ALBUM 662.

**S. C. R. No. 540:** A CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE MISSISSIPPI LEGISLATURE FOR THE MAYOR AND BOARD OF ALDERMEN OF THE TOWN OF MANTEE, WEBSTER COUNTY, MISSISSIPPI, TO UNOFFICIALLY NAME THE TOWN AS "THE EPICENTER OF THE NATCHEZ TRACE" AND TO CONSTRUCT APPROPRIATE MARKERS FOR PURPOSES OF PROMOTION OF TOURISM.

**S. C. R. No. 542:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THE SIGNIFICANT PUBLIC HEALTH SERVICE OF DR. ROY J. DUHE OF TUPELO, MISSISSIPPI, WHO WAS INSTRUMENTAL IN COLON CANCER INITIATIVES AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER (UMMC).

**S. C. R. No. 543:** A CONCURRENT RESOLUTION EXTENDING THE CONDOLENCES OF THE LEGISLATURE TO THE SURVIVING FAMILY OF DR. CHESTER D. GASTON, JR., OF GULFPORT, MISSISSIPPI, RESPECTED MEMBER OF THE MISSISSIPPI BOARD OF PSYCHOLOGY, AND COMMENDING HIS OUTSTANDING EDUCATIONAL SERVICE TO THE STATE.

**S. C. R. No. 544:** A CONCURRENT RESOLUTION DESIGNATING SATURDAY, JULY 1, 2023, AS "DELTA GAMMA FRATERNITY DAY" IN THE STATE OF MISSISSIPPI IN COMMEMORATION OF THE SESQUICENTENNIAL FOUNDING IN OXFORD, MISSISSIPPI, (1873-2023) AT THE LEWIS SCHOOL FOR GIRLS.

**S. C. R. No. 545:** A CONCURRENT RESOLUTION TO DESIGNATE APRIL 23-29, 2023, AS "NATIONAL CRIME VICTIMS' WEEK IN MISSISSIPPI" AND TO

DESIGNATE FRIDAY, APRIL 28, 2023, AS A "DAY OF PRAYER FOR VICTIMS OF CRIME IN MISSISSIPPI".

**S. C. R. No. 546:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BROOKHAVEN ACADEMY "LADY COUGARS" SOFTBALL TEAM AND COACH LISA COVINGTON FOR WINNING THEIR SECOND CONSECUTIVE MISSISSIPPI ASSOCIATION OF INDEPENDENT SCHOOLS (MAIS) 5A STATE CHAMPIONSHIP.

Joseph Thomas, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Patty Tucker Dahlem.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 15, 2023

**S. B. No. 3058:** Local and Private

AN ACT TO AMEND CHAPTER 901, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITY OF THE CITY OF COLUMBUS, MISSISSIPPI, TO LEVY A TAX ON RETAIL SALES OF BEER, ALCOHOLIC BEVERAGES AND PREPARED FOOD SOLD BY RESTAURANTS WITHIN THE CITY FOR THE PURPOSE OF FUNDING THE COLUMBUS-LOWNDES CONVENTION AND VISITOR'S BUREAU, THE PROMOTION OF COMMUNITY AND ECONOMIC DEVELOPMENT BY THE GOLDEN TRIANGLE DEVELOPMENT LINK, CITY AND COUNTY PARKS AND RECREATIONAL ACTIVITIES AND IMPROVEMENTS, AND OTHER COMMUNITY DEVELOPMENT AND TOURISM-RELATED EVENTS AND ACTIVITIES; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 3059:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR, RENOVATION AND REFURBISHMENT OF THE E.E. BASS CULTURAL ARTS CENTER FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3060:** Local and Private

AN ACT TO REENACT AND AMEND CHAPTER 1005, LOCAL AND PRIVATE LAWS OF 2004, AS LAST AMENDED BY CHAPTER 939, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF PASCAGOULA, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS DERIVED FROM HOTEL, MOTEL AND BED-AND-BREAKFAST ROOM RENTALS IN THE CITY; AND FOR RELATED PURPOSES.

By Senator(s) Wiggins

**S. C. R. No. 549:** Rules

A CONCURRENT RESOLUTION COMMEMORATING THE 77TH SOUTHERN LEGISLATIVE CONFERENCE OF THE COUNCIL OF STATE GOVERNMENTS AND RECOGNIZING THE MISSION OF THE SOUTHERN OFFICE (CSG SOUTH).

By Senator(s) Kirby

**S. C. R. No. 550:** Rules

A CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE MISSISSIPPI LEGISLATURE FOR THE PLAINTIFFS AND THE RULING OF THE UNITED STATES DISTRICT COURT IN HARRISON COUNTY, MISSISSIPPI, ET AL. V. THE U.S. ARMY CORPS OF ENGINEERS REGARDING THE DIVERSION OF WATERS OF THE MISSISSIPPI RIVER THROUGH THE OPENING OF THE BONNET CARRE' SPILLWAY; RESPECTFULLY REQUESTING THE CORPS OF ENGINEERS COMPLY WITH THE RULING AND CONSULT WITH THE NATIONAL MARINE FISHERIES SERVICE TO CONSERVE THE ESSENTIAL FISH HABITAT IN THE MISSISSIPPI SOUND ON THE MISSISSIPPI GULF COAST; EXPRESSING THE SUPPORT OF THE MISSISSIPPI LEGISLATURE FOR THE IMPLEMENTATION OF THE FEDERAL MAGNUSON-STEVENSON FISHERY CONSERVATION AND MANAGEMENT ACT; EXPRESSING THE SUPPORT OF THE MISSISSIPPI LEGISLATURE FOR THE COMPLETION OF A NEW ENVIRONMENTAL IMPACT STATEMENT (EIS) TO ASSESS THE POTENTIAL IMPACT OF FEDERAL ACTIONS SIGNIFICANTLY AFFECTING THE QUALITY OF THE HUMAN ENVIRONMENT REGARDING OPENINGS OF THE BONNET CARRE' SPILLWAY, INCLUDING CONSIDERATION OF ALTERNATIVE MEANS OF FLOOD CONTROL AND MANAGEMENT ON THE MISSISSIPPI RIVER WHICH COULD LESSEN OR MITIGATE ADVERSE IMPACTS TO THE MISSISSIPPI SOUND ESTUARY AND LAKE PONTCHARTRAIN FROM OPERATION OF THE BONNET CARRE' SPILLWAY AND OTHER ELEMENTS OF THE MISSISSIPPI RIVER AND TRIBUTARIES PROJECT; AND ACKNOWLEDGING THE ENVIRONMENTAL IMPACTS OF THE RECENT OPERATION OF THE SAID BONNET CARRE' SPILLWAY IN DECIMATION OF OYSTER HARVESTS AND OTHER ESSENTIAL FISH HABITAT, THE MISSISSIPPI COAST TOURISM INDUSTRY AND CONSEQUENTLY THE TAX BASES OF LOCAL AND STATE GOVERNMENTS; AND FOR RELATED PURPOSES.  
By Senator(s) Thompson, Carter, DeLano, Wiggins, England, Moran, Seymour, Hill

**S. R. No. 38: Rules**

A RESOLUTION COMMENDING AND CONGRATULATING THE STONE COUNTY HIGH SCHOOL "LADY CATS" SOCCER TEAM AND HEAD COACH CARISSA HARRISON FOR WINNING THEIR FIRST MHSAA 4A GIRLS SOCCER STATE CHAMPIONSHIP IN SCHOOL HISTORY.  
By Senator(s) Seymour

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FORTY-FIFTH DAY, THURSDAY, FEBRUARY 16, 2023

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

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

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

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Tom Washburn, Assistant Pastor, First Baptist Jackson, Jackson, MS.



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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3000, S. B. No. 3001, S. B. No. 3002, S. B. No. 3003, S. B. No. 3004, S. B. No. 3005, S. B. No. 3006 and S. B. No. 3007 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3000:** Appropriation; IHL - General support.

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3002:** Appropriation; IHL - Alcorn State - Agricultural programs.

**S. B. No. 3003:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

**S. B. No. 3004:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

**S. B. No. 3007:** Appropriation; IHL - Student Financial Aid.

YEAS AND NAYS on consideration en bloc of S. B. No. 3000, S. B. No. 3001, S. B. No. 3002, S. B. No. 3003, S. B. No. 3004, S. B. No. 3005, S. B. No. 3006 and S. B. No. 3007. On motion of Senator Hopson, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting---None.

Senator Hopson called up the following entitled bill:

**S. B. No. 3008:** Appropriation; IHL - University of Mississippi Medical Center.

Senators Blackmon, Barnett, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas and Turner-Ford offered the following AMENDMENT NO. 1.

AMEND by inserting the following as a new section below line 18 and renumbering subsequent sections accordingly:

SECTION \*. The following sum is appropriated out of any money in the State General Fund not otherwise appropriated, to the University of Mississippi Medical Center for the purpose of recruiting additional African American medical students and defraying the expenses associated with providing grants to African American medical students for the fiscal year beginning July 1, 2023, and ending July 1, 2024..... \$20,000,000.00

In accordance with the requirements of Joint Rule 20A, the amount of State General Funds that are appropriated for the purpose of debt service as provided by Senate Bill 3051, Regular Session 2023 shall be reduced by ..... \$20,000,000.00  
FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to S. B. No. 3008 failed by the following vote:

Yeas--Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Nays--Barrett, Blackwell, Boyd, Branning, Bryan, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Absent and those not voting--Barnett, Carter, Parks. Total--3.

YEAS AND NAYS On S. B. No. 3008. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

Not Voting--Sparks. Total--1.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3009 and S. B. No. 3010 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

**S. B. No. 3010:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

YEAS AND NAYS on consideration en bloc of S. B. No. 3009 and S. B. No. 3010. On motion of Senator Hopson, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting---None.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3011 and S. B. No. 3012 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3011:** Appropriation; Corrections, Department of.

**S. B. No. 3012:** Appropriation; Public Safety, Department of.

YEAS AND NAYS on consideration en bloc of S. B. No. 3011 and S. B. No. 3012. On motion of Senator Wiggins, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting---None.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3013, S. B. No. 3014, S. B. No. 3015, S. B. No. 3016 and S. B. No. 3018 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3013:** Appropriation; Agriculture and Commerce, Department of.

**S. B. No. 3014:** Appropriation; Fair and Coliseum Commission - Livestock shows.

**S. B. No. 3015:** Appropriation; Animal Health, Board of.

**S. B. No. 3016:** Appropriation; Emergency Management Agency.

**S. B. No. 3018:** Appropriation; Veterans Affairs Board.

YEAS AND NAYS on consideration en bloc of S. B. No. 3013, S. B. No. 3014, S. B. No. 3015, S. B. No. 3016 and S. B. No. 3018. On motion of Senator DeLano, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3017:** Appropriation; Military Department.

YEAS AND NAYS On S. B. No. 3017. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

Not Voting--DeBar. Total--1.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3019 and S. B. No. 3020 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3019:** Appropriation; Ethics Commission.

**S. B. No. 3020:** Appropriation; Judicial Performance Commission.

YEAS AND NAYS on consideration en bloc of S. B. No. 3019 and S. B. No. 3020. On motion of Senator Norwood, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3021:** Appropriation; Employment Security, Department of.

YEAS AND NAYS On S. B. No. 3021. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

Not Voting--McCaughn. Total--1.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3022 and S. B. No. 3023 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3022:** Appropriation; Revenue, Department of.

**S. B. No. 3023:** Appropriation; Tax Appeals Board.

YEAS AND NAYS on consideration en bloc of S. B. No. 3022 and S. B. No. 3023. On motion of Senator Michel, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3024:** Appropriation; Workers' Compensation Commission.

YEAS AND NAYS On S. B. No. 3024. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

Voting Present--Harkins. Total--1.

Senator Hopson called up the following entitled bill:

**S. B. No. 3025:** Appropriation; Mental Health, Department of.

Senators Blackmon, Barnett, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas and Turner-Ford offered the following AMENDMENT NO. 1.

AMEND by inserting the following as a new section below line 15 and renumbering subsequent sections accordingly:

SECTION \*. The following sum is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Mental Health to develop and implement an outreach plan to the schools, junior colleges, community colleges and universities for students who have had an adverse mental-health effect from the lockdown as a result of the COVID-19 Emergency for the fiscal year beginning July 1, 2023, and ending July 1, 2024 \$10,000,000.00

In accordance with the requirements of Joint Rule 20A, the amount of State General Funds that are appropriated for the purpose of debt service as provided by Senate Bill 3051, Regular Session 2023 shall be reduced by ..... \$10,000,000.00

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to S. B. No. 3025 failed by the following vote:

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

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

Absent and those not voting--Barnett, Blount, Bryan, Carter, Parks. Total--5.

Senators Blackmon, Barnett, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas and Turner-Ford offered the following AMENDMENT NO. 2.

AMEND by inserting the following as a new section below line 15 and renumbering subsequent sections accordingly:

SECTION \*. The following sum is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Mental Health for the purpose of defraying expenses related to providing mental-health therapy to parents of children who are transgender and to children who are transgender to provide counseling and support until the children reach the age of 18 upon the passage of House Bill 1125, Regular Session 2023, for the fiscal year beginning July 1, 2023, and ending July 1, 2024 \$5,000,000.00

In accordance with the requirements of Joint Rule 20A, the amount of State General Funds that are appropriated for the purpose of debt service as provided by Senate Bill 3051, Regular Session 2023 shall be reduced by ..... \$5,000,000.00

FURTHER, AMEND the effective clause to conform.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 2 to S. B. No. 3025 failed by the following vote:

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

Nays--Barrett, Blackwell, Boyd, Branning, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--35.

Absent and those not voting--Barnett, Blount, Bryan, Carter, Parks. Total--5.

YEAS AND NAYS On S. B. No. 3025. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting---None.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3026 and S. B. No. 3027 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3026:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

**S. B. No. 3027:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.

YEAS AND NAYS on consideration en bloc of S. B. No. 3026 and S. B. No. 3027. On motion of Senator Branning, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Polk moved that the Senate stand in recess until 2:15 PM.

The motion prevailed, and at 11:52 AM, the Senate stood in recess.

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The Senate resumed business at 2:15 PM, pursuant to recess, with President Hosemann presiding.

#### REPORT OF COMMITTEE ON FINANCE

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

**S. B. No. 2019:** Sales tax; exempt sales of coins, currency and bullion. Title Sufficient. Do Pass.

HARKINS, Chairman

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Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3028, S. B. No. 3029, S. B. No. 3030, S. B. No. 3031, S. B. No. 3032, S. B. No. 3033 and S. B. No. 3034 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3028:** Appropriation; Chiropractic Examiners, Board of.

**S. B. No. 3029:** Appropriation; Dental Examiners, Board of.

**S. B. No. 3030:** Appropriation; Funeral Services Board.

**S. B. No. 3031:** Appropriation; Massage Therapy, Board of.

**S. B. No. 3032:** Appropriation; Pharmacy, Board of.



**S. B. No. 3033:** Appropriation; Counselors, Board of Examiners for Licensed Professional.

**S. B. No. 3034:** Appropriation; Veterinary Examiners, Board of.

YEAS AND NAYS on consideration en bloc of S. B. No. 3028, S. B. No. 3029, S. B. No. 3030, S. B. No. 3031, S. B. No. 3032, S. B. No. 3033 and S. B. No. 3034. On motion of Senator Butler A. (36th), the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3035, S. B. No. 3036, S. B. No. 3037, S. B. No. 3038, S. B. No. 3039 and S. B. No. 3040 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3035:** Appropriation; Architecture, Board of.

**S. B. No. 3036:** Appropriation; Gaming Commission.

**S. B. No. 3037:** Appropriation; Geologists, Board of Registered Professional.

**S. B. No. 3038:** Appropriation; Motor Vehicle Commission.

**S. B. No. 3039:** Appropriation; Accountancy, Board of Public.

**S. B. No. 3040:** Appropriation; Contractors, Board of.

YEAS AND NAYS on consideration en bloc of S. B. No. 3035, S. B. No. 3036, S. B. No. 3037, S. B. No. 3038, S. B. No. 3039 and S. B. No. 3040. On motion of Senator Turner-Ford, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3041, S. B. No. 3042, S. B. No. 3043, S. B. No. 3044, S. B. No. 3045, S. B. No. 3046, S. B. No. 3047, S. B. No. 3048, S. B. No. 3049, S. B. No. 3050 and S. B. No. 3051 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3041:** Appropriation; Audit, Department of.

**S. B. No. 3042:** Appropriation; Banking and Consumer Finance, Department of.

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of.

**S. B. No. 3044:** Appropriation; Governor's Office and Mansion.

**S. B. No. 3045:** Appropriation; Information Technology Services, Department of.

**S. B. No. 3046:** Appropriation; Development Authority, Mississippi.

**S. B. No. 3047:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

**S. B. No. 3048:** Appropriation; Personnel Board.

**S. B. No. 3049:** Appropriation; Secretary of State.

**S. B. No. 3050:** Appropriation; Treasurer's Office.

**S. B. No. 3051:** Appropriation; Debt Service-Gen. Obli.

YEAS AND NAYS on consideration en bloc of S. B. No. 3041, S. B. No. 3042, S. B. No. 3043, S. B. No. 3044, S. B. No. 3045, S. B. No. 3046, S. B. No. 3047, S. B. No. 3048, S. B. No. 3049, S. B. No. 3050 and S. B. No. 3051. On motion of Senator Polk, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3052:** Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies.

Senator Blount offered the following AMENDMENT NO. 1.

AMEND by striking Section 6 in its entirety on lines 88 through 103 and renumbering subsequent sections accordingly.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to S. B. No. 3052 failed by the following vote:

Yeas--Barrett, Blackmon, Blount, Boyd, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Hopson, Horhn, Jackson, McCaughn, Michel, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Turner-Ford. Total--19.

Nays--Blackwell, Branning, Carter, Caughman, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, Kirby, McDaniel, McMahan, Moran, Parker, Polk, Seymour, Sojourner, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--26.

Absent and those not voting--Barnett, Bryan, Chassaniol, Parks. Total--4.

Voting Present--McLendon. Total--1.

Senator Suber, who would have voted nay on S. B. No. 3052, announced a pair with Senator Jordan, who would have voted yea.

YEAS AND NAYS On S. B. No. 3052. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 53:** Sara M. Fox, Brandon, Mississippi, State Tax Appeals Board as Chairman, six year term beginning July 1, 2022 and ending June 30, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 53 by the following vote:

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

Nays--None.

Absent and those not voting----None.

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Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Mrs. Jane B. Emiling and Mr. Robert Stokes of Jackson, MS.

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

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of John H. Knochenmuss, Jr. of Little Rock, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Dorothy "Molly" Hayes of Decatur, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Artemus Jennings Cox, Jr., Christopher Harper Montgomery, Harry Dowdle, Jr. and Doris Atkins of Columbus, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of John "J. L." Clifton Leggett of Lucedale, MS.

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Senators Tate and McCaughn moved that when the Senate adjourns, it adjourn in memory of Shannon Leigh Mott of Collinsville, MS.

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Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Mrs. Rachel Talton Watkins of Jackson, MS.

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Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Elvin McKinley Levy of Canton, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Tadrian LaChristopher Shaw and Marion (Nell) Harris of Macon, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Morgan "Marvin" Bester of Philadelphia, MS.

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Senator Hickman moved that when the Senate adjourns, it adjourn in memory of Darelene LeGrone White of Shuqualak, MS.

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Senators Sparks, Bryan and McMahan moved that when the Senate adjourns, it adjourn in memory of Ben Patton of Itawamba County, MS.

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Senators Barrett and Butler A. (36th) moved that when the Senate adjourns, it adjourn in memory of Tyrone Porter (member of the Christianaires gospel quartet) of Sontag, MS.

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Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Joseph Reddix of Jackson, MS.

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2962:** Appropriation; additional appropriations for various state agencies for FY2023 and FY2024.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 20, 2023.

The motion prevailed, and at 2:50 PM, the Senate stood in recess.

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

**H. B. No. 485:** Sexual assault evidence kit; regulate the processing of. Judiciary, Division A.

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MESSAGE FROM THE DEPARTMENT OF PUBLIC SAFETY  
February 16, 2023

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

Homer Rex Germany, Union, Mississippi, Commercial Transportation Enforcement Division Appeals Board as the board member representing the Mississippi Dept. of Public Safety, remainder of a four year term effective immediately and ending June 30, 2025.

Sean J. Tindell, Commissioner  
DEPARTMENT OF PUBLIC SAFETY

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

Homer Rex Germany, Commercial Transportation Enforcement Division Appeals Board as the board member representing the Mississippi Dept. of Public Safety,

remainder of a four year term effective immediately and ending June 30, 2025, Highways and Transportation.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1593:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1594:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1595:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2024.

**H. B. No. 1596:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2024.

**H. B. No. 1597:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2024.

**H. B. No. 1598:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2024.

**H. B. No. 1599:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2024.

**H. B. No. 1600:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2024.

**H. B. No. 1601:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2024.

**H. B. No. 1602:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2024.

**H. B. No. 1603:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2024.

**H. B. No. 1604:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2024.

**H. B. No. 1605:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2024.

**H. B. No. 1606:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2024.

**H. B. No. 1607:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2024.

**H. B. No. 1608:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2024.

**H. B. No. 1609:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION FOR FISCAL YEAR 2024.

**H. B. No. 1610:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2024.

**H. B. No. 1611:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1612:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2024.

**H. B. No. 1613:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2024.

**H. B. No. 1614:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2024.

**H. B. No. 1615:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1616:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2024.

**H. B. No. 1617:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2024.

**H. B. No. 1618:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1619:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2024.

**H. B. No. 1620:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1621:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2024.

**H. B. No. 1622:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF HUMAN SERVICES FOR THE FISCAL YEAR 2024.

**H. B. No. 1623:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2024.

**H. B. No. 1624:** AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2024.

**H. B. No. 1625:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2024.

**H. B. No. 1626:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2024.

**H. B. No. 1627:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2024.



**H. B. No. 1628:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1629:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1630:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2024.

**H. B. No. 1631:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2024.

**H. B. No. 1632:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2024.

**H. B. No. 1633:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2024.

**H. B. No. 1634:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2024.

**H. B. No. 1635:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2024.

**H. B. No. 1636:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2024.

**H. B. No. 1637:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2024.

**H. B. No. 1638:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

**H. B. No. 1639:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

**H. B. No. 1640:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

**H. B. No. 1641:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2024.

**H. B. No. 1642:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

**H. B. No. 1643:** AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF CAPITAL EXPENSES AND SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2024.

**H. B. No. 1644:** AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS AND SPECIAL FUNDS FOR FISCAL YEARS 2023 AND 2024 TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF HEALTH; THE DEPARTMENT OF PUBLIC SAFETY; THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY; THE DEPARTMENT OF AGRICULTURE AND COMMERCE; THE SUPREME COURT ADMINISTRATIVE OFFICE OF COURTS; THE STATE BOARD OF MEDICAL LICENSURE; AND THE ETHICS COMMISSION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mrs. Jane B. Emling, Mr. Robert Stokes, Shannon Leigh Mott, Mrs. Rachel Talton Watkins, T Adrian LaChristopher Shaw, Marion (Nell) Harris, Morgan "Marvin" Bester, Darelene LeGrone White, Elvin McKinley Levy, Austin Parker, John H. Knochenmuss, Jr., Dorothy "Molly" Hayes, Artemus Jennings Cox, Jr., Christopher Harper Montgomery, Harry Dowdle, Jr., Doris Atkins, Ben Patton, Tyrone Porter, Joseph Reddix and John "J. L." Clifton Leggett.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR THURSDAY, FEBRUARY 16, 2023

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FORTY-NINTH DAY, MONDAY, FEBRUARY 20, 2023

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

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

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby,

McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Absent--Carter, Caughman. Total--2.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Carter.

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The invocation was delivered by Senator Blackwell.

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 537:** A CONCURRENT RESOLUTION EXTENDING THE DEEPEST SYMPATHY OF THE LEGISLATURE TO THE SURVIVING FAMILY AND FRIENDS OF JACKSON COMMUNITY LEADER AND ACTIVIST INEVA MAY-PITTMAN AND REMEMBERING HER ADVOCACY FOR HUMAN RIGHTS AND HER MANY ACHIEVEMENTS.

**S. C. R. No. 539:** A CONCURRENT RESOLUTION MOURNING THE LOSS OF LEGENDARY OB/GYN DR. FRED A. MCKISSIC BUSH, M.D., OF JACKSON, MISSISSIPPI, AND EXTENDING THE CONDOLENCES OF THE LEGISLATURE TO HER FAMILY, FRIENDS, COLLEAGUES AND PATIENTS.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 538:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PARKLANE ACADEMY "LADY PIONEERS" FAST-PITCH SOFTBALL TEAM AND HEAD COACH GREG GATLIN FOR WINNING THE 2022 MAIS

CLASS 6A STATE CHAMPIONSHIP WHICH WAS THE TEAM'S FOURTH STATE CHAMPIONSHIP RING IN THE LAST SIX YEARS.

Joseph Thomas, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 271:** AN ACT MAKING AN APPROPRIATION FROM THE CAPITAL EXPENSE FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF DISTRIBUTING FUNDS TO HOSPITALS UNDER THE HEALTH CARE IMPACT GRANT PROGRAM ESTABLISHED IN HOUSE BILL NO. 273, 2023 REGULAR SESSION, FOR FISCAL YEAR 2024.

**H. B. No. 272:** AN ACT MAKING AN APPROPRIATION FROM THE CAPITAL EXPENSE FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM FOR FISCAL YEAR 2024.

**H. B. No. 1196:** AN ACT TO AMEND CHAPTER 916, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 910, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 945, LOCAL AND PRIVATE LAWS OF 2017, AS AMENDED BY CHAPTER 918, LOCAL AND PRIVATE LAWS OF 2021, TO EXTEND THE DATE OF REPEAL TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF MCCOMB, MISSISSIPPI, TO IMPOSE A TOURISM TAX WITHIN THE CITY, AND TO EXPEND THE PROCEEDS OF THE TAX TO PROMOTE TOURISM, PARKS AND RECREATION; AND FOR RELATED PURPOSES.

**H. B. No. 1197:** AN ACT TO AMEND CHAPTER 1017, LOCAL AND PRIVATE LAWS OF 2004, AS LAST AMENDED BY CHAPTER 902, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE REPEAL DATE FROM JULY 1, 2023, TO JULY 1, 2027, ON THE AUTHORITY OF THE GOVERNING AUTHORITIES OF THE CITY OF BALDWIN TO LEVY A TAX UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS AND SALES OF PREPARED FOOD AT CONVENIENCE STORES, WHICH SHALL BE USED TO PROMOTE TOURISM AND TO ENCOURAGE RETIRED PERSONS TO REMAIN IN OR RELOCATE TO THE BALDWIN AREA; AND FOR RELATED PURPOSES.

**H. B. No. 1209:** AN ACT TO AMEND CHAPTER 942, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF WAYNESBORO, MISSISSIPPI, TO IMPOSE A SPECIAL TAX UPON THE GROSS PROCEEDS DERIVED FROM THE SALES OF BARS AND RESTAURANTS AS WELL AS UPON THE GROSS PROCEEDS DERIVED FROM THE SALES OF HOTELS, MOTELS AND BED-AND-BREAKFAST ROOM RENTALS; AND FOR RELATED PURPOSES.

**H. B. No. 1356:** AN ACT TO AMEND CHAPTER 926, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE

CITY OF LEXINGTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1528:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF BENTON COUNTY, MISSISSIPPI, TO CONTRACT WITH AND/OR CONTRIBUTE TO THE INSTITUTE OF COMMUNITY SERVICES, INC. (ICS), ALSO KNOWN AS HEAD START; AND FOR RELATED PURPOSES.

**H. B. No. 1547:** AN ACT TO AMEND CHAPTER 1005, LOCAL AND PRIVATE LAWS OF 2004, AS LAST AMENDED BY CHAPTER 939, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2027, ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF PASCAGOULA, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS DERIVED FROM HOTEL, MOTEL AND BED-AND-BREAKFAST ROOM RENTALS IN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1581:** AN ACT TO AMEND CHAPTER 901, LOCAL AND PRIVATE LAWS OF 2019 TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2033, ON THE PROVISIONS OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITY OF THE CITY OF COLUMBUS, MISSISSIPPI, TO LEVY A TAX ON RETAIL SALES OF BEER, ALCOHOLIC BEVERAGES AND PREPARED FOOD SOLD BY RESTAURANTS WITHIN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1648:** AN ACT TO AMEND SECTION 57-115-5, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$50,000,000.00 THE AGGREGATE AMOUNT OF INVESTMENT TAX CREDITS THAT MAY BE ALLOCATED TO PARTICIPATING INVESTORS OF MISSISSIPPI SMALL BUSINESS INVESTMENT COMPANIES UNDER THE MISSISSIPPI SMALL BUSINESS INVESTMENT COMPANY ACT; TO PROVIDE THE TAXABLE YEARS IN WHICH A PARTICIPATING INVESTOR MAY CLAIM THE ADDITIONAL CREDITS SO ALLOCATED AGAINST HIS PREMIUM TAX LIABILITY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2023 and FY2024.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. B. No. 1196:** City of McComb; extend date of repeal on hotel/motel tourism tax. Local and Private.

**H. B. No. 1197:** City of Baldwin; extend date of repeal on tax for hotels, motels, restaurants and convenience stores. Local and Private.

**H. B. No. 1209:** City of Waynesboro; extend repealer on authority to impose tax on bars, restaurants, hotels/motels, B & Bs. Local and Private.

**H. B. No. 1356:** City of Lexington; extend repealer on restaurant tourism tax. Local and Private.

**H. B. No. 1528:** Benton County; authorize to contract with and/or contribute to the Institute of Community Services, Inc. Local and Private.

**H. B. No. 1547:** City of Pascagoula; extend repealer on hotel, motel and bed-and-breakfast tax. Local and Private.

**H. B. No. 1581:** City of Columbus; extend repealer on alcoholic beverage and restaurant tax. Local and Private.

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INTRODUCTIONS FOR FRIDAY, FEBRUARY 17, 2023

**S. B. No. 3061:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF PASCAGOULA TO DEFRAY EXPENSES ASSOCIATED WITH A POLICE SUBSTATION FOR EAST PASCAGOULA FOR FISCAL YEAR 2024.

By Senator(s) Wiggins

**S. B. No. 3062:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF COAHOMA AND COAHOMA COUNTY TO DEFRAY EXPENSES FOR THE IMPROVEMENT OF THE TOWN'S WATER AND SEWER SYSTEM AND FOR THE MOON LAKE SEWER PROJECT BETWEEN COAHOMA COUNTY AND THE TOWN OF COAHOMA TO DEFRAY EXPENSES FOR THE TOWN'S AND COUNTY'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3063:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF METCALFE TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3064:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF LULA TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3065:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF BOLIVAR COUNTY, MISSISSIPPI, TO CONTRIBUTE UP TO \$5,000.00 ANNUALLY TO THE FANNIE LOU HAMER BREAST CANCER FOUNDATION FROM THE GENERAL FUND OF THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (13th)

**S. B. No. 3066:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF GAUTIER TO DEFRAY EXPENSES ASSOCIATED WITH THE COMPLETION OF THE RESTORATION OF THE HISTORIC SCHOOLHOUSE FOR AFRICAN AMERICAN STUDENTS FOR FISCAL YEAR 2024.

By Senator(s) Wiggins

**S. B. No. 3067:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE SINGING RIVER HEALTH SYSTEM FOR THE PURPOSE OF DEFRAYING EXPENSES OF CONSTRUCTING THE SINGING RIVER HEALTH SYSTEM HEALTHCARE TRAINING ACADEMY FOR THE FISCAL YEAR 2024.

By Senator(s) Wiggins, England

**S. B. No. 3068:** Appropriations

AN ACT MAKING AN APPROPRIATION TO JACKSON COUNTY FOR THE PURPOSE OF DEFRAYING COSTS ASSOCIATED WITH ENGINEERING AND CONSTRUCTING THE JACKSON COUNTY BLUEWAY CONNECTION ALONG THE PASCAGOULA RIVER FOR THE FISCAL YEAR 2024.

By Senator(s) Wiggins, England

**S. B. No. 3069:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF OCEAN SPRINGS TO DEFRAY EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF A CONFERENCE CENTER FOR FISCAL YEAR 2024.

By Senator(s) Wiggins

**S. B. No. 3070:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE PASCAGOULA REDEVELOPMENT AUTHORITY TO DEFRAY EXPENSES ASSOCIATED WITH THE CONTINUED ECONOMIC DEVELOPMENT OF THE CITY OF PASCAGOULA FOR FISCAL YEAR 2024.

By Senator(s) Wiggins

**S. B. No. 3071:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF GAUTIER TO DEFRAY EXPENSES ASSOCIATED WITH THE COMPLETION OF TOWN COMMONS PARK FOR FISCAL YEAR 2024.

By Senator(s) Wiggins

**S. B. No. 3072:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE CITY OF OCEAN SPRINGS TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS TO THE MARY C. O'KEEFE CULTURAL ARTS CENTER FOR FISCAL YEAR 2024.

By Senator(s) Wiggins

**S. B. No. 3073:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE TO DEFRAY EXPENSES FOR A NEW COMMUNITY HEALTH CENTER TO BE KNOWN AS DELTA HEALTH CENTER FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3074:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF BENOIT TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3075:** Appropriations

AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING, AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 1 FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3076:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF BEULAH TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3077:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE JACKSON STATE UNIVERSITY AND ENTERGY SUSTAINABLE ENERGY PARTNERSHIP PROGRAM FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3078:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF ROSEDALE TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3079:** Appropriations

AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 4 FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3080:** Appropriations

AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 3 FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3081:** Appropriations

AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 5 FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3082:** Appropriations

AN ACT MAKING AN APPROPRIATION TO BOLIVAR COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 1 FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3083:** Appropriations

AN ACT MAKING AN APPROPRIATION TO WASHINGTON COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS LOCATED IN SUPERVISOR DISTRICT 2 FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)



**S. B. No. 3084:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF CITY PARKS FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3085:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF GUNNISON TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3086:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF BENOIT TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS TOWN PARK FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3087:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF LELAND TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS CITY PARK FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3088:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE TO DEFRAY EXPENSES ASSOCIATED WITH THE CONSTRUCTION, FURNISHING AND EQUIPPING OF THE MISSISSIPPI RIVER MUSEUM FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3089:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF METCALFE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS TOWN PARK FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3090:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF ROSEDALE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS CITY PARK FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3091:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF NATCHEZ FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN DRAINAGE PROJECTS FOR THE FISCAL YEAR 2024.

By Senator(s) Butler (38th)

**S. B. No. 3092:** Appropriations

AN ACT MAKING AN APPROPRIATION OF GENERAL FUNDS TO THE BOLIVAR COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH IMPROVEMENT PROJECTS AT TERRENE LANDING RIVER BOAT PARK FOR FISCAL YEAR 2024.

By Senator(s) Simmons (13th)

**S. B. No. 3093:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF CROSBY FOR THE PURPOSE OF REMOVING DEBRIS AND SEDIMENT ALONG CYPRESS AND REDDING CREEKS FOR THE FISCAL YEAR 2024.

By Senator(s) Butler (38th)

**S. B. No. 3094:** Finance

AN ACT TO AMEND SECTION 27-31-1, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM TAXATION ALL PROPERTY, REAL OR PERSONAL, USED EXCLUSIVELY FOR THE HOUSING OF AND PROVISION OF SERVICES TO VICTIMS OF DOMESTIC VIOLENCE OR SEXUAL ASSAULT, WHICH IS OWNED, OPERATED AND MANAGED BY A NOT-FOR-PROFIT CORPORATION, QUALIFIED UNDER SECTION 501(C)(3) OF THE INTERNAL REVENUE CODE; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. B. No. 3095:** Finance

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX RETAIL SALES OF FOOD OR DRINK FOR HUMAN CONSUMPTION ELIGIBLE FOR PURCHASE WITH FOOD STAMPS ISSUED BY THE UNITED STATES DEPARTMENT OF AGRICULTURE OR OTHER FEDERAL AGENCY; AND FOR RELATED PURPOSES.

By Senator(s) Simmons (12th)

**S. C. R. No. 551:** Rules

A CONCURRENT RESOLUTION HONORING THE LEGACY OF DECORATED WORLD WAR II CORPORAL L.C. JACKSON, 3449TH QUARTERMASTER TRUCK COMPANY, UNITED STATES ARMY, OF BROOKHAVEN, MISSISSIPPI, ON THE OCCASION OF HIS 100TH BIRTHDAY CELEBRATION.

By Senator(s) Seymour, Barrett

**S. C. R. No. 552:** Rules

A CONCURRENT RESOLUTION MOURNING THE LOSS OF WORLD WAR II AND KOREAN WAR PILOT AND PRESIDENT OF THE MISSISSIPPI NATIONAL GUARD ASSOCIATION, BRIGADIER GENERAL SAM FORBERT, JR., OF MERIDIAN MISSISSIPPI, COMMENDING HIS MILITARY SERVICE AND EXTENDING CONDOLENCES TO HIS SURVIVING FAMILY.

By Senator(s) Tate, McCaughn, Seymour, DeBar, Suber, Whaley, Barrett, Hickman

**S. C. R. No. 553:** Rules

A CONCURRENT RESOLUTION MOURNING THE PASSING AND EXTENDING THE DEEP AND HEARTFELT SYMPATHY OF THE MISSISSIPPI LEGISLATURE TO THE SURVIVING FAMILY OF ALBEN N. (AL) HOPKINS, SR., MAJOR GENERAL, MSARNG (RET.) AND COMMENDING HIS SERVICE AS MISSISSIPPI GAMING COMMISSION CHAIR, VETERAN GULFPORT ATTORNEY AND CIVIC LEADER.

By Senator(s) DeLano, Carter, Thompson, Seymour, England, DeBar, Wiggins, Hopson

**S. C. R. No. 554:** Rules

A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING UNIVERSITY OF MISSISSIPPI BASEBALL'S HEAD COACH MIKE BIANCO FOR HIS THIRD NATIONAL COACH OF THE YEAR HONOR.

By Senator(s) Michel, Boyd, Sparks, Hopson

**S. R. No. 39:** Rules

A RESOLUTION EXTENDING THE SINCEREST CONGRATULATIONS OF THE MISSISSIPPI SENATE TO MR. RURAL AMERICA "DEE DOTSON" OF GREENSBORO, MISSISSIPPI, ON THE MEMORABLE OCCASION OF HIS 100TH BIRTHDAY CELEBRATION.

By Senator(s) Hickman

**S. R. No. 40:** Rules

A RESOLUTION EXTENDING THE CONGRATULATIONS OF THE MISSISSIPPI SENATE TO RANDY MCINNIS AND DAVID HARVISON OF TIMBERLINE TRUCKING/D

& R LOGGING IN LEAKESVILLE, MISSISSIPPI, IN RECOGNITION OF BEING SELECTED AS THE MISSISSIPPI FORESTRY ASSOCIATION'S 2022 "LOGGERS OF THE YEAR".

By Senator(s) DeBar

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

**H. B. No. 271:** Appropriation; Health Department for distributing funds to hospitals under the Health Care Impact Grant Program. Appropriations.

**H. B. No. 272:** Appropriation; Health Department for Local Provider Innovation Grant Program. Appropriations.

**H. B. No. 1593:** Appropriation; Athletic Commission. Appropriations.

**H. B. No. 1594:** Appropriation; Auctioneers Commission. Appropriations.

**H. B. No. 1595:** Appropriation; Barber Examiners, Board of. Appropriations.

**H. B. No. 1596:** Appropriation; Cosmetology, Board of. Appropriations.

**H. B. No. 1597:** Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Appropriations.

**H. B. No. 1598:** Appropriation; Medical Licensure, Board of. Appropriations.

**H. B. No. 1599:** Appropriation; Nursing, Board of. Appropriations.

**H. B. No. 1600:** Appropriation; Nursing Home Administrators, Board of. Appropriations.

**H. B. No. 1601:** Appropriation; Optometry, Board of. Appropriations.

**H. B. No. 1602:** Appropriation; Physical Therapy Board. Appropriations.

**H. B. No. 1603:** Appropriation; Psychology, Board of. Appropriations.

**H. B. No. 1604:** Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Appropriations.

**H. B. No. 1605:** Appropriation; Insurance, Department of. Appropriations.

**H. B. No. 1606:** Appropriation; Fire Academy. Appropriations.

**H. B. No. 1607:** Appropriation; Public Employees' Retirement System. Appropriations.

**H. B. No. 1608:** Appropriation; Real Estate Appraiser Licensing and Certification Board. Appropriations.

**H. B. No. 1609:** Appropriation; Real Estate Commission. Appropriations.

**H. B. No. 1610:** Appropriation; Legislative expenses. Appropriations.

**H. B. No. 1611:** Appropriation; Arts Commission. Appropriations.

**H. B. No. 1612:** Appropriation; Archives and History, Department of. Appropriations.

**H. B. No. 1613:** Appropriation; Education, Department of. Appropriations.

**H. B. No. 1614:** Appropriation; Educational Television, Authority for. Appropriations.

**H. B. No. 1615:** Appropriation; Library Commission. Appropriations.

**H. B. No. 1616:** Appropriation; Environmental Quality, Department of. Appropriations.

**H. B. No. 1617:** Appropriation; Wildlife, Fisheries and Parks, Department of. Appropriations.

**H. B. No. 1618:** Appropriation; Grand Gulf Military Monument Commission. Appropriations.

**H. B. No. 1619:** Appropriation; Oil and Gas Board. Appropriations.

**H. B. No. 1620:** Appropriation; Public Service Commission. Appropriations.

**H. B. No. 1621:** Appropriation; Public Utilities Staff. Appropriations.

**H. B. No. 1622:** Appropriation; Human Services, Department of. Appropriations.

**H. B. No. 1623:** Appropriation; Rehabilitation Services, Department of. Appropriations.

**H. B. No. 1624:** Appropriation; Medicaid, Division of. Appropriations.

**H. B. No. 1625:** Appropriation; Child Protection Services, Department of. Appropriations.

**H. B. No. 1626:** Appropriation; Health, Department of. Appropriations.

**H. B. No. 1627:** Appropriation; Foresters, Board of Registration for. Appropriations.

**H. B. No. 1628:** Appropriation; Forestry Commission. Appropriations.

**H. B. No. 1629:** Appropriation; Soil and Water Conservation Commission. Appropriations.

**H. B. No. 1630:** Appropriation; Pat Harrison Waterway District. Appropriations.

**H. B. No. 1631:** Appropriation; Pearl River Valley Water Supply District. Appropriations.

**H. B. No. 1632:** Appropriation; Port Authority, State. Appropriations.

**H. B. No. 1633:** Appropriation; Tombigbee River Valley Water Management District. Appropriations.

**H. B. No. 1634:** Appropriation; Yellow Creek State Inland Port Authority. Appropriations.

**H. B. No. 1635:** Appropriation; Veterans' Home Purchase Board. Appropriations.

**H. B. No. 1636:** Appropriation; Marine Resources, Department of. Appropriations.

**H. B. No. 1637:** Appropriation; District attorneys and staff. Appropriations.

**H. B. No. 1638:** Appropriation; Capital Post-Conviction Counsel, Office of. Appropriations.

**H. B. No. 1639:** Appropriation; State Public Defender, Office of. Appropriations.

**H. B. No. 1640:** Appropriation; Supreme Court, Court of Appeals and trial judges services. Appropriations.

**H. B. No. 1641:** Appropriation; Attorney General. Appropriations.

**H. B. No. 1642:** Appropriation; Transportation, Department of. Appropriations.

**H. B. No. 1643:** Appropriation, Reappropriation, DFA - Bureau of Building - FY2024. Appropriations.

**H. B. No. 1644:** Appropriations; additional for various state agencies for FY 2023 and FY 2024. Appropriations.

**H. B. No. 1648:** Mississippi Small Business Investment Company Act; increase the amount of tax credits that can be allocated under. Finance.

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#### REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

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

**H. B. No. 677:** County veteran service officers; revise certain qualifications for. Title Sufficient. Do Pass As Amended.

**H. B. No. 1029:** United States Space Force; provide that reference to "Armed Forces" and "Uniformed Services" in Mississippi law shall include members of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1034:** State Veterans Affairs Board; revise composition of. Title Sufficient. Do Pass As Amended.

SEYMOUR, Chairman

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Senator Harkins called up the following entitled bill:

**S. B. No. 2858:** Mississippi Small Business Investment Company Act; increase the amount of investment tax credits that can be allocated under.

On motion of Senator Johnson, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2858. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Blount. Total--1.

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

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Unanimous consent was granted to add Senators Parker, Branning, Blackwell and Seymour as co-authors of **S. B. No. 2858**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2019:** Sales tax; exempt sales of coins, currency and bullion.

YEAS AND NAYS On S. B. No. 2019. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Horhn, Turner-Ford. Total--2.

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

Voting Present--Jackson. Total--1.

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Unanimous consent was granted to add Senators Parker, Branning, Blackwell, Hill and Seymour as co-authors of **S. B. No. 2019**.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2151:** Town of North Carrollton; extend repeal date on restaurant tourism tax.

YEAS AND NAYS On S. B. No. 2151. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, McDaniel, Sojourner. Total--3.

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

Voting Present--Hill. Total--1.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2518:** City of Batesville; extend repealer on hotel/motel & restaurant tourism tax.

YEAS AND NAYS On S. B. No. 2518. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, McDaniel, Sojourner. Total--3.

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

Voting Present--Hill. Total--1.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2521:** Town of Carrollton; extend repealer on provision of law authorizing to levy tax on sales of restaurants.

YEAS AND NAYS On S. B. No. 2521. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, McDaniel, Sojourner. Total--3.

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

Voting Present--Hill. Total--1.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2890:** Lee County; authorize annual contributions to Sanctuary Hospice House.

YEAS AND NAYS On S. B. No. 2890. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks,

Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

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

Voting Present--Sojourner. Total--1.

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Senator McMahan called up the following entitled bill:

**H. B. No. 37:** Standard Dedeaux Water District; delete provision on compensation of commissioners.

YEAS AND NAYS On H. B. No. 37. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

Voting Present--Turner-Ford. Total--1.

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Senator Barnett called up the following entitled nomination:

**S. N. No. 45:** Julia Monteele Norman, Meridian, Mississippi, State Parole Board, term effective July 15, 2022 and appointee shall serve a term at the will and pleasure of the Governor, vice Betty Lou Jones.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 45 by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

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

Voting Present--Barrett, Hill, McMahan. Total--3.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Laura Sue Fisher Jones of Moss Point, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Margaret Carswell of United Kingdom.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Henry M. Shoemaker, Kevin Todd Meadows, Sr. and T. W. Whittington of Perkinston, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Wade Forster Atwell and Raymond J. Carter, Col., U.S. Army, Ret. of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Vance Marvin Stockman of Hurley Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Johanna Mari Williams Pierce Brower of Saucier Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Rosemary Elizabeth Riels of Big Level Community, MS.

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Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Lillie Mae Green of Crowder, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of TPO Captain Brett Moyer and James Michael "Mike" Fly of Tupelo, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Spencer Tracy "Moose" Fondren of Guntown, MS.

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Senator Norwood moved that when the Senate adjourns, it adjourn in memory of Roy L. Dixon, Sr. of Georgetown, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Randy "Skully" McLeod of Lucedale, MS.

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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Caden Wesley Porter of Brandon, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Mildred Aldridge of Columbus, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Dolly Reed Kilpatrick, Sue Gressett, Gladys Geraldine "Gerry" Crawley and Claudyne "Dean" Ward Baskin of Meridian, MS.

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SENATE JOURNAL  
MONDAY, FEBRUARY 20, 2023

Senator Tate moved that when the Senate adjourns, it adjourn in memory of Charles William Hughes, Fred Michael "Mike" Mabry, Sr. and Judy McCarty Lauderdale of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Charles "Bub" Stinnette of Russell, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Ruth Carroll Rigby of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of James Robert House of Hattiesburg, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Charles J. Malouf of Tampa, FL.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Norris Ray Ashley of New Albany, MS.

---

Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 21, 2023.

The motion prevailed, and at 4:36 PM, the Senate stood in recess.

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

MESSAGE FROM THE HOUSE

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

**H. C. R. No. 37:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE LIONS CLUB ON THE OCCASION OF ITS 75TH ANNIVERSARY AND ENCOURAGING ALL CITIZENS TO RECOGNIZE THE BOONEVILLE LIONS CLUB FOR THEIR GENEROUS CIVIC AND COMMUNITY SERVICE.

**H. C. R. No. 38:** A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED AND LAUDABLE LEGISLATIVE CAREER OF FORMER REPRESENTATIVE, THE HONORABLE DEBRA HENDRICKS GIBBS AND CONGRATULATING HER UPON BEING ELECTED TO THE BENCH AS CIRCUIT COURT JUDGE OF DISTRICT 7, PLACE 2, HINDS COUNTY, MISSISSIPPI.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON RULES

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

**S. C. R. No. 549:** Commemorate 77th Southern Legislative Conference of the Council of State Governments. Title Sufficient. Do Be Adopted.

**S. C. R. No. 551:** Honor the legacy of decorated WWII Army Corporal L.C. Jackson of Brookhaven, Mississippi, on his 100th Birthday. Title Sufficient. Do Be Adopted.

**S. C. R. No. 552:** Mourn the loss of WWII and Korean War pilot Brigadier General Sam Forbert, Jr. Title Sufficient. Do Be Adopted.

**S. C. R. No. 553:** Mourn the passing of Major Genl. Al Hopkins, Chairman of the MS Gaming Commission and respected Gulfport Attorney and Civic Leader. Title Sufficient. Do Be Adopted.

**S. C. R. No. 554:** Commend University of Mississippi baseball Head Coach Mike Bianco as National Coach of the Year. Title Sufficient. Do Be Adopted.

**S. R. No. 36:** "Omega Psi Phi Day"; designate February 9, 2023, as in Mississippi. Title Sufficient. Do Be Adopted.

**S. R. No. 37:** Recognize Jane Moss of Greenwood as new Chairwoman of the Board for Mississippi Manufacturers Association. Title Sufficient. Do Be Adopted.

**S. R. No. 38:** Commend Stone County High School "Lady Cats" Soccer Team for winning their first 4A Girls Soccer State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 39:** Congratulate Mr. Rural America "Dee Dotson" of Greensboro, MS, on the memorable occasion of his 100th birthday. Title Sufficient. Do Be Adopted.

**S. R. No. 40:** Recognize Randy McInnis and David Harvison of Timberline Trucking in Leakesville as MFA 2022 "Loggers of the Year". Title Sufficient. Do Be Adopted.

**H. C. R. No. 2:** National Therapy Animal Day; celebrate in Mississippi on April 30, 2023. Title Sufficient. Do Be Adopted.

**H. C. R. No. 35:** Ole Miss Baseball Team; commend for winning the 2022 NCAA Baseball National Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Margaret Carswell, Henry M. Shoemaker, TPO Captain Brett Moyer, James Michael "Mike" Fly, Spencer Tracy "Moose" Fondren, Laura Sue Fisher Jones, Roy L. Dixon, Sr., Randy "Skully" McLeod, Caden Wesley Porter, Mildred Aldridge, Dolly Reed Kilpatrick, Sue Gressett, Kevin Todd Meadows, Sr., Gladys Geraldine "Gerry" Crawley, Claudyne "Dean" Ward Baskin, Charles William Hughes, Fred Michael "Mike" Mabry, Sr., Judy McCarty Lauderdale, Charles "Bub" Stinnette, Ruth Carroll Rigby, James Robert House, Charles J. Malouf, T. W. Whittington, Wade Forster Atwell, Raymond J. Carter, Vance Marvin Stockman, Johanna Mari Williams Pierce Brower, Rosemary Elizabeth Riels, Norris Ray Ashley and Lillie Mae Green.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR MONDAY, FEBRUARY 20, 2023**S. B. No. 3096:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF FRIARS POINT TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3097:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF FRIARS POINT TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3098:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF METCALFE TO DEFRAY EXPENSES ASSOCIATED WITH IMPROVEMENTS TO ITS WATER AND SEWER SYSTEMS FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3099:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF FARRELL TO DEFRAY EXPENSES FOR THE TOWN'S WATER AND SEWER SYSTEM FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3100:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF COAHOMA TO DEFRAY EXPENSES ASSOCIATED WITH REPAIRS, RESURFACING AND MAKING OTHER IMPROVEMENTS TO STREETS FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

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## FIFTIETH DAY, TUESDAY, FEBRUARY 21, 2023

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

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

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

Absent--Carter, Caughman, Williams. Total--3.

The Secretary announced a quorum present.

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Leave of absence was granted to Senators Carter, Caughman and Williams.

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The invocation was delivered by Elder Henry L. Walker, Pastor, Greater New Jerusalem Church of God in Christ, Indianola, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. B. No. 2962:** AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, AND SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEARS 2023 AND 2024; THE STATE VETERANS AFFAIRS BOARD FOR FISCAL YEARS 2023 AND 2024; THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2023; THE DEPARTMENT OF EDUCATION FOR FISCAL YEAR 2023; THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEARS 2023 AND 2024; THE DEPARTMENT OF WILDLIFE FISHERIES AND PARKS FOR FISCAL YEAR 2023; THE STATE VETERANS HOME PURCHASE BOARD FOR FISCAL YEAR 2023; THE BOARD OF ANIMAL HEALTH FOR FISCAL YEAR 2023; THE ADMINISTRATIVE OFFICE OF COURTS FOR FISCAL YEAR 2023; EAST CENTRAL COMMUNITY COLLEGE FOR FISCAL YEAR 2023; HINDS COMMUNITY COLLEGE FOR FISCAL YEAR 2023; MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2023; MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEARS 2023 AND 2024.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON TOURISM

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

**H. B. No. 252:** Festival wine permits; extend repealers on authority to issue and certain provisions relating to. Title Sufficient. Do Pass.

**H. B. No. 772:** Mississippi Opal; designate as official state gemstone. Title Sufficient. Do Pass.

**H. B. No. 1027:** State Fruit; designate the blueberry as. Title Sufficient. Do Pass.

CHASSANIOL, Chairman

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

The motion prevailed, and at 10:41 AM, the Senate stood in recess.

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The Senate resumed business at 11:33 AM, pursuant to recess, with President Hosemann presiding.

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

**H. C. R. No. 37:** Boonesville Lions Club; commend upon the 75th anniversary of its founding. Rules.

**H. C. R. No. 38:** Honorable Debra Hendricks Gibbs; commend distinguished legislative career and congratulate on election as circuit. Rules.

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REPORT OF COMMITTEE ON FINANCE

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

**S. B. No. 2700:** Homestead; provide full exemption for unremarried surviving spouse of U.S. military member killed on active duty or training. Title Sufficient. Do Pass.

**S. B. No. 3101:** Mississippi Full Expensing Tax Reform Act of 2023; create. Title Sufficient. Do Pass.

**S. B. No. 3102:** Income tax; revise certain provisions relating to electing pass-through entities. Title Sufficient. Committee Substitute. Do Pass.

HARKINS, Chairman

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REPORT OF COMMITTEES ON  
ECONOMIC AND WORKFORCE DEVELOPMENT AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**S. B. No. 2335:** Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee. Title Sufficient. Do Pass.

PARKER, Chairman  
HARKINS, Chairman

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Senator Fillingane called up the following entitled bill:

**H. B. No. 1125:** Regulate Experimental Adolescent Procedures (REAP) Act; create to regulate transgender procedures and surgeries.

Senators Hickman and Simmons D. T. (12th) offered the following AMENDMENT NO. 1.

AMEND on line 109 by striking the word "or"

FURTHER, AMEND on line 110 after the semicolon by inserting the following language:

or

5. Mental health counseling or other activities not specifically listed in (f)(i);

FURTHER, AMEND on line 136 before the period by inserting the following language:

and shall not prohibit any health care provider from providing mental-health counseling.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to H. B. No. 1125 failed by the following vote:

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

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

Absent and those not voting--Carter, Caughman, Williams. Total--3.

YEAS AND NAYS On H. B. No. 1125. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

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

Absent and those not voting--Carter, Caughman, Williams. Total--3.

Voting Present--Turner-Ford. Total--1.

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

EXPLANATION

If I were present when the vote was taken for H. B. No. 1125, I would have voted "Aye".

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

EXPLANATION

I was absent on 21 February 2023 due to a death in my family. I would like to be noted in the Journal that on House Bill 1125 I would have voted "Yea" had I been present.

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Senator Blount moved that when the Senate adjourns, it adjourn in memory of Mary Nelson Kister of Terry, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Eddie De Wayne Johnson, Sr., Robert "Wayne" Belk, Sr., Rita Jean Wilson and Cindy Rutledge of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Aline Pharr McCary, Ruth Louise Siegfried and Deidra "Dea" Posey Dickerson of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Beverly Sue McMurtry Lucas of Quitman, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Clifford Frank Campbell of Whynot, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Sergeant Terry Dismuke of Jackson, MS.

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Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Mary Jane Ferretti of Pearl, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of L. J. "Buddy" Hamilton, Jr., Vicky Lynn Smith Kyzar, Jan Ratcliff and Sandra Gay Allen Stewart of Brookhaven, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of David Pierce Russell, Sr. and Robert Lee Hanley, Jr. of Bogue Chitto, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Acie Joseph "A.J." Spring of Smithdale, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, February 22, 2023.

The motion prevailed, and at 12:34 PM, the Senate stood in recess.

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REPORT OF COMMITTEE ON APPROPRIATIONS

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

**S. B. No. 3113:** Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3114:** Appropriation; additional to DEQ for Mississippi Municipality and County Water Infrastructure Grant Program, ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3115:** Appropriation; additional to DOH for ARPA Rural Water Associations Infrastructure Grant Program. Title Sufficient. Do Pass.

**S. B. No. 3116:** Appropriation; additional to DFA for destination marketing organizations and Main Street Association, ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3117:** Appropriation; additional for DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan, ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3118:** Appropriation; additional to DFA - Bureau of Buildings, ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3119:** Appropriation; additional to DOH for Mississippi Hospital Sustainability Grant Program, ARPA funds. Title Sufficient. Do Pass.

**S. B. No. 3120:** Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses. Title Sufficient. Do Pass.

**H. B. No. 603:** State budget; bring forward sections relating to. Title Sufficient. Do Pass As Amended.

**H. B. No. 604:** New programs funded with ARPA funds; revise certain provisions and bring forward sections of. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mary Nelson Kister, Eddie De Wayne Johnson, Sr., Sergeant Terry Dismuke, Mary Jane Ferretti, L. J. "Buddy" Hamilton, Jr., Vicky Lynn Smith Kyzar, Jan Ratcliff, Sandra Gay Allen Stewart, David Pierce Russell, Sr., Robert Lee Hadley, Jr., Acie Joseph "A.J." Spring, Robert "Wayne" Belk, Sr., Rita Jean Wilson, Cindy Rutledge, Aline Pharr McCary, Ruth Louise Siegfried, Deidra "Dea" Posey Dickerson, Beverly Sue McMurtry Lucas and Clifford Frank Campbell.

Eugene S. Clarke, Secretary of the Senate

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## INTRODUCTIONS FOR TUESDAY, FEBRUARY 21, 2023

**S. B. No. 3101:** Finance

AN ACT TO CREATE THE MISSISSIPPI FULL EXPENSING TAX REFORM ACT OF 2023; TO STATE THE PURPOSE OF THE ACT; TO PROVIDE DEFINITIONS; TO ALLOW THE FULL AND IMMEDIATE EXPENSING OF RESEARCH AND DEVELOPMENT EXPENDITURES OR, ALTERNATIVELY, THE DEPRECIATION OF SUCH EXPENDITURES ON A SCHEDULE; TO ALLOW THE FULL AND IMMEDIATE EXPENSING OF EXPENDITURES FOR QUALIFIED PROPERTY OR QUALIFIED IMPROVEMENT PROPERTY OR, ALTERNATIVELY, THE DEPRECIATION OF SUCH EXPENDITURES ON A SCHEDULE; TO DIRECT THE DEPARTMENT OF REVENUE TO DEVELOP RULES FOR THE IMPLEMENTATION OF THE ACT; TO BRING FORWARD SECTION 27-7-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

By Senator(s) Johnson

**S. B. No. 3102:** Finance

AN ACT TO AMEND SECTION 27-7-26, MISSISSIPPI CODE OF 1972, TO REVISE THE METHOD BY WHICH A PARTNERSHIP, S CORPORATION OR SIMILAR PASS-THROUGH ENTITY MAY ELECT TO BECOME AN ELECTING PASS-THROUGH ENTITY FOR INCOME TAX PURPOSES, AND BY WHICH SUCH ELECTION MAY BE REVOKED; TO INCLUDE EACH OWNER'S, MEMBER'S, PARTNER'S OR SHAREHOLDER'S PRO RATA OR DISTRIBUTIVE SHARE OF THE ELECTING PASS-THROUGH ENTITY'S INCOME IN THE COMPUTATION OF SUCH INDIVIDUAL TAXPAYER'S GROSS INCOME TAX LIABILITY; TO PROVIDE THAT THE INDIVIDUAL TAXPAYER'S CREDIT SHALL BE EQUAL TO HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF TAX DUE BEFORE APPLICATION OF ANY ENTITY-LEVEL CREDITS BY THE ELECTING PASS-THROUGH ENTITY; TO PROVIDE THAT, IF AN OWNER'S, MEMBER'S, PARTNER'S OR SHAREHOLDER'S CREDIT EXCEEDS HIS OR HER INCOME TAX LIABILITY, SUCH EXCESS SHALL BE CREDITED OR REFUNDED TO SUCH PERSON; AND FOR RELATED PURPOSES.

By Senator(s) Harkins

**S. B. No. 3103:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF PROVIDING A SUPPLEMENTAL RAISE TO THE ANNUAL SALARY OF EACH LAW ENFORCEMENT OFFICER EMPLOYED BY THE DEPARTMENT FOR THE FISCAL YEAR 2024.

By Senator(s) Hill

**S. B. No. 3104:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF HATTIESBURG TO DEFRAY EXPENSES ASSOCIATED WITH IMPROVEMENTS IN THE MIDTOWN AREA OF THE CITY, INCLUDING, BUT NOT LIMITED TO, ROADS, BRIDGES, DRAINAGE, SIDEWALKS, STORMWATER DETENTION, LAND ACQUISITION, UTILITY RELOCATION AND LIGHTING FOR FISCAL YEAR 2024.

By Senator(s) Johnson

**S. B. No. 3105:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF CLINTON FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO AND/OR DRAWING DOWN FEDERAL FUNDS FOR THE TREATED WASTEWATER PROJECT TO BE OVERSEEN BY THE WASTEWATER AUTHORITY AUTHORIZED IN HOUSE BILL 1762, GENERAL SESSION 2022 FOR THE FISCAL YEAR 2024.

By Senator(s) Frazier

**S. B. No. 3106:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE WASHINGTON COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ESTES STREET AND AIRDALE DRIVE IN SUPERVISOR DISTRICT 3 FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3107:** Appropriations

AN ACT MAKING AN APPROPRIATION TO TOWN OF BUDE FOR THE PURPOSE OF DEFRAYING THE COSTS OF CERTAIN CAPITAL PROJECTS FOR THE FISCAL YEAR 2024.

By Senator(s) Barrett

**S. B. No. 3108:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO LEASE FOR NOMINAL CONSIDERATION PROPERTY OWNED BY THE COUNTY TO THE PALMER HOME FOR CHILDREN FOR NONPROFIT USE FOR THE BENEFIT OF DISADVANTAGED CHILDREN; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 3109:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF WARREN COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO CERTAIN NONPROFIT CORPORATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Hopson

**S. B. No. 3110:** Local and Private

AN ACT TO AMEND CHAPTER 958, LOCAL AND PRIVATE LAWS OF 1996, AS AMENDED BY CHAPTER 917, LOCAL AND PRIVATE LAWS OF 1997, AS AMENDED BY CHAPTER 1028, LOCAL AND PRIVATE LAWS OF 1999, AS AMENDED BY CHAPTER 12, LOCAL AND PRIVATE LAWS OF 2006 FIRST EXTRAORDINARY SESSION, TO DELETE THE PROVISION OF LAW SUBJECTING THE TUNICA COUNTY UTILITY DISTRICT TO RATE REGULATION BY THE PUBLIC SERVICE COMMISSION; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. B. No. 3111:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH IMPROVEMENTS TO NORTH HILLS STREET IN MERIDIAN, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Tate, Hickman, McCaughn

**S. B. No. 3112:** Finance

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH THE LOCATION OF EMERGENCY WATER STORAGE NEAR THE FACILITIES OF ANDERSON REGIONAL MEDICAL CENTER AND RUSH HEALTH SYSTEMS IN MERIDIAN, MISSISSIPPI; AND FOR RELATED PURPOSES.

By Senator(s) Tate

**S. B. No. 3113:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE DEPARTMENT OF EMPLOYMENT SECURITY SERVING AS THE FISCAL AGENT, FOR THE PURPOSES OF DEFRAYING

THE EXPENSES OF CERTAIN PROGRAMS AND FOR CERTAIN ADMINISTRATIVE FEES FOR THE PERIOD BEGINNING UPON PASSAGE AND ENDING JUNE 30, 2024.  
By Senator(s) Hopson, Polk

**S. B. No. 3114:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF ADMINISTERING THE "MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE (MCWI) GRANT PROGRAM ACT ESTABLISHED UNDER SECTION 49-2-131 FOR THE PERIOD BEGINNING UPON PASSAGE AND ENDING JUNE 30, 2024.  
By Senator(s) Hopson, Polk

**S. B. No. 3115:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD BEGINNING ON THE PASSAGE OF THIS ACT THROUGH JUNE 30, 2024.  
By Senator(s) Hopson, Polk

**S. B. No. 3116:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE PURPOSE OF PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES AND PROVIDING FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION FOR THE PERIOD BEGINNING ON THE PASSAGE OF THIS ACT AND ENDING ON JUNE 30, 2024.  
By Senator(s) Hopson, Polk

**S. B. No. 3117:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR THE PURPOSE OF REIMBURSING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR ELIGIBLE EXPENSES INCURRED ON OR AFTER MARCH 3, 2021, THROUGH THE FINAL EXPENDITURE DATE AS DETERMINED BY THE UNITED STATES TREASURY FOR THE PERIOD BEGINNING ON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.  
By Senator(s) Hopson, Polk

**S. B. No. 3118:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING ON PASSAGE AND ENDING ON JUNE 30, 2024.  
By Senator(s) Hopson, Polk

**S. B. No. 3119:** Appropriations

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM ESTABLISHED UNDER SENATE BILL NO. 2372, 2023 REGULAR SESSION, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.  
By Senator(s) Hopson, Polk

**S. B. No. 3120:** Appropriations

AN ACT MAKING AN APPROPRIATION FROM CAPITAL EXPENSE FUNDS FOR THE PURPOSE OF DEFRAYING CERTAIN INFRASTRUCTURE EXPENSES OF

THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. C. R. No. 555:** Rules

A CONCURRENT RESOLUTION MOURNING THE PASSING AND COMMENDING THE LIFE AND CIVIC CONTRIBUTIONS OF BUSINESSMAN WIRT ADAMS YERGER, JR., OF JACKSON, MISSISSIPPI, AND RECOGNIZING HIS LEADERSHIP IN THE POLITICAL HISTORY OF OUR STATE.

By Senator(s) Michel

**S. C. R. No. 556:** Rules

A CONCURRENT RESOLUTION EXTENDING THE CONGRATULATIONS OF THE MISSISSIPPI LEGISLATURE TO UNIVERSITY OF MISSISSIPPI (OLE MISS) ALL-SEC SENIOR OFFENSIVE LINEMAN NICK BROEKER UPON BEING NAMED THE WINNER OF THE 2022 KENT HULL TROPHY BY THE MISSISSIPPI SPORTS HALL OF FAME AND FOR HIS POSTSEASON ACCOLADES.

By Senator(s) Michel

**S. C. R. No. 557:** Rules

A CONCURRENT RESOLUTION EXTENDING THE SINCEREST CONGRATULATIONS OF THE MISSISSIPPI LEGISLATURE TO NESHOPA COUNTY SCHOOL DISTRICT SUPERINTENDENT DR. LUNDY BRANTLEY IN RECOGNITION OF BEING NAMED 2022-2023 "SUPERINTENDENT OF THE YEAR" BY THE MISSISSIPPI ASSOCIATION OF SCHOOL ADMINISTRATORS (MASA).

By Senator(s) Branning

**S. R. No. 41:** Rules

A RESOLUTION OFFERING THE SINCEREST CONGRATULATIONS OF THE MISSISSIPPI SENATE TO NICHOLAS ANDERSON OF VICKSBURG, MISSISSIPPI, IN RECOGNITION OF HIS OUTSTANDING FOOTBALL AWARDS AT THE HIGH SCHOOL, JUNIOR COLLEGE AND UNIVERSITY LEVEL AND FOR HIS CAMPUS LEADERSHIP AND COMMUNITY SERVICE.

By Senator(s) Hopson

**S. R. No. 42:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LAMAR ACADEMY "RAIDERS" GIRLS VOLLEYBALL TEAM AND HEAD COACH COURTNEY SCHIMELPFENING FOR WINNING THEIR FIRST MAIS 5A STATE CHAMPIONSHIP.

By Senator(s) Tate

**S. R. No. 43:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE RUSSELL CHRISTIAN ACADEMY "WARRIORS" FOOTBALL TEAM FROM MERIDIAN, MISSISSIPPI, AND COACH ANDY BRADDOCK FOR WINNING THEIR SIXTH CONSECUTIVE ALABAMA CHRISTIAN EDUCATION ASSOCIATION STATE CHAMPIONSHIP.

By Senator(s) Tate

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FIFTY-FIRST DAY, WEDNESDAY, FEBRUARY 22, 2023

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

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

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

Absent--Caughman. Total--1.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Caughman.

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The invocation was delivered by Senator Butler K. (38th).

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

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

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 37:** AN ACT TO AMEND SECTION 19-5-171, MISSISSIPPI CODE OF 1972, TO DELETE THE PROVISION OF LAW PROVIDING FOR THE COMPENSATION OF THE COMMISSIONERS OF THE STANDARD DEDEAUX WATER DISTRICT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

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

**H. B. No. 4:** Tianeptine; include in Schedule I controlled substance list. Title Sufficient. Do Pass As Amended.

**H. B. No. 281:** Law enforcement officers killed in line of duty; clarify that beneficiaries may receive sidearm of. Title Sufficient. Do Pass As Amended.

**H. B. No. 894:** Violations of local zoning ordinances; authorize governing authorities to pursue administrative or civil penalties for. Title Sufficient. Do Pass As Amended.

**H. B. No. 903:** Counties and municipalities; revise fine amount that may be paid by those convicted of violating anti-littering ordinance. Title Sufficient. Do Pass As Amended.

FILLINGANE, Chairman

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3113, S. B. No. 3114, S. B. No. 3117 and S. B. No. 3118 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3113:** Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds.

**S. B. No. 3114:** Appropriation; additional to DEQ for Mississippi Municipality and County Water Infrastructure Grant Program, ARPA funds.

**S. B. No. 3117:** Appropriation; additional for DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan, ARPA funds.

**S. B. No. 3118:** Appropriation; additional to DFA - Bureau of Buildings, ARPA funds.

YEAS AND NAYS on consideration en bloc of S. B. No. 3113, S. B. No. 3114, S. B. No. 3117 and S. B. No. 3118. On motion of Senator Polk, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

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

Nays--None.

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

Unanimous consent was granted to add Senators Butler A. (36th) and Jackson as co-authors of **S. B. No. 3117**.

Senator Hopson called up the following entitled bill:

**S. B. No. 3116:** Appropriation; additional to DFA for destination marketing organizations and Main Street Association, ARPA funds.

YEAS AND NAYS On S. B. No. 3116. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--McCaughn. Total--1.

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

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Unanimous consent was granted to add Senators DeLano and McMahan as co-authors of **S. B. No. 3116**.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3115:** Appropriation; additional to DOH for ARPA Rural Water Associations Infrastructure Grant Program.

Senator Blackmon offered the following AMENDMENT NO. 1.

AMEND below line 12 by inserting the following language and renumbering subsequent sections accordingly:

SECTION (\*). It is the intent of the Legislature that the Canton Municipal Utilities Commission be awarded a grant in the full amount available under Section 41-3-16.1 provided that the commission provides matching funds.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to S. B. No. 3115 failed by the following vote:

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

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

Absent and those not voting--Blount, Bryan, Caughman. Total--3.

YEAS AND NAYS On S. B. No. 3115. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,



Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--51.

Nays--None.

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

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Senator Hopson called up the following entitled bill:

**S. B. No. 3119:** Appropriation; additional to DOH for Mississippi Hospital Sustainability Grant Program, ARPA funds.

YEAS AND NAYS On S. B. No. 3119. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Senator Hopson called up the following entitled bill:

**S. B. No. 3120:** Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses.

YEAS AND NAYS On S. B. No. 3120. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators Boyd, Butler A. (36th), Jackson and Sparks as co-authors of **S. B. No. 3120**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2700:** Homestead; provide full exemption for unremarried surviving spouse of U.S. military member killed on active duty or training.

YEAS AND NAYS On S. B. No. 2700. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators McMahan, Parker, Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams and Younger as co-authors of **S. B. No. 2700**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 3101:** Mississippi Full Expensing Tax Reform Act of 2023; create.

YEAS AND NAYS On S. B. No. 3101. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators Blackwell and Harkins as co-authors of **S. B. No. 3101**.

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Senator Harkins called up the following entitled bill:

**S. B. No. 3102:** Income tax; revise certain provisions relating to electing pass-through entities.

On motion of Senator Sparks, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 3102. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators Boyd, McMahan and Sparks as co-authors of **S. B. No. 3102**.

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Senator Parker called up the following entitled bill:

**S. B. No. 2335:** Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee.

YEAS AND NAYS On S. B. No. 2335. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators Boyd and Branning as co-authors of **S. B. No. 2335**.

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Senators Johnson and Fillingane moved that when the Senate adjourns, it adjourn in memory of Janey Fay Trussell Foote of Hattiesburg, MS.

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Senators Harkins and Michel moved that when the Senate adjourns, it adjourn in memory of Donald Dean "Andy" Anderson of Brandon, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, February 23, 2023.

The motion prevailed, and at 11:33 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON RULES

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

**H. C. R. No. 37:** Booneville Lions Club; commend upon the 75th anniversary of its founding. Title Sufficient. Do Be Adopted.

**H. C. R. No. 38:** Honorable Debra Hendricks Gibbs; commend distinguished legislative career and congratulate on election as circuit. Title Sufficient. Do Be Adopted.

**S. C. R. No. 550:** Expressing the support of the Legislature for the plaintiffs in Harrison Co. et al. v. U.S. Army Corps of Engineers. Title Sufficient. Do Be Adopted.

**S. C. R. No. 555:** Mourn passing and commend civic leadership of businessman Wirt Adams Yerger, Jr., of Jackson, MS. Title Sufficient. Do Be Adopted.

**S. C. R. No. 556:** Congratulate Ole Miss Senior Offensive Lineman Nick Broeker as winner of 2022 Kent Hull Trophy and for postseason awards. Title Sufficient. Do Be Adopted.

**S. C. R. No. 557:** Congratulate Neshoba County School District Superintendent Dr. Lundy Brantley as 2022-2023 "Superintendent of the Year." Title Sufficient. Do Be Adopted.

**S. R. No. 41:** Congratulate Nicholas Anderson of Vicksburg for his outstanding football awards at the secondary, junior college and university level. Title Sufficient. Do Be Adopted.

**S. R. No. 42:** Commend Lamar Academy "Raiders" Girls Volleyball Team for first MAIS 5A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 43:** Commend Russell Christian Academy "Warriors" Football Team for sixth straight state championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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#### MESSAGE FROM THE HOUSE

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

**S. C. R. No. 547:** Mourn the loss of legendary Defensive Football Coach Jim Carmody and remembering his legacy.

**S. C. R. No. 548:** Congratulate Picayune High School "Maroon Tide" Football Team for back-to-back MHSAA Class 5A State Championship.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

**H. B. No. 454:** Radar; authorize use by municipal law enforcement officers in certain municipalities. Title Sufficient. Do Pass.

**H. B. No. 1025:** Airport authority; authorize to dispose of property with a fair market value of zero if certain conditions are met. Title Sufficient. Do Pass.

**H. B. No. 1477:** Harvest permits; extend repealer on authority of MDOT to issue. Title Sufficient. Do Pass As Amended.

**H. B. No. 691:** Memorial highway; designate a portion of U.S. Highway 45 in Wayne County, MS, as the "Army Sergeant Eric C. Newman Memorial Highway." Title Sufficient. Do Pass As Amended.

BRANNING, Chairman

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REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

**H. B. No. 1003:** Mississippi Fully Autonomous Vehicle Enabling (MS FAVE) Act of 2023; establish to regulate operation of autonomous vehicle on public roads. Title Sufficient. Do Pass As Amended.

BRANNING, Chairman

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REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

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

**H. B. No. 1016:** Memorial highway; designate segment of MS Hwy 8 in Chickasaw County as the "Deputy Jeremy Allen Voyles Memorial Highway". Title Sufficient. Do Pass.

**H. B. No. 1017:** Memorial intersection; designate intersection of U.S. 45 and CR 110 in Clarke County as the "Army Spc. Terry Kishaun Dantez Gordon Memorial Intersection". Title Sufficient. Do Pass.

**H. B. No. 1244:** Memorial highway; designate a segment of MS Highway 365 in Prentiss County as the "Howard Tillman Bobo Memorial Highway". Title Sufficient. Do Pass.

**H. B. No. 1245:** Memorial highway; designate a segment of MS Highway 364 in Prentiss County as the "James Millard Jourdan Memorial Highway". Title Sufficient. Do Pass.

**H. B. No. 1246:** Memorial highway; designate a segment of MS Highway 365 in Prentiss County as the "Leland L. Holland Memorial Highway". Title Sufficient. Do Pass.

BRANNING, Chairman

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 549:** AN ACT TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY BY THE MANUFACTURER OR CUSTOM PROCESSOR THEREOF IF SUCH PROPERTY IS SHIPPED, TRANSPORTED OR EXPORTED FROM THIS STATE AND FIRST USED IN ANOTHER STATE, WHETHER SUCH SHIPMENT, TRANSPORTATION OR EXPORTATION IS MADE BY THE SELLER, PURCHASER, OR ANY THIRD PARTY ACTING ON BEHALF OF SUCH PARTY; AND FOR RELATED PURPOSES.

**H. B. No. 871:** AN ACT TO AMEND SECTION 27-31-46.1, MISSISSIPPI CODE OF 1972, TO EXTEND THE PERIOD IN WHICH CERTAIN RENEWABLE ENERGY PROJECTS MAY BEGIN CONSTRUCTION IN ORDER TO BE ELIGIBLE FOR A PARTIAL AD VALOREM TAX EXEMPTION; TO EXTEND THE TIME PERIOD WITHIN WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES MAY AUTHORIZE A PARTIAL AD VALOREM TAX EXEMPTION FOR CERTAIN RENEWABLE ENERGY PROJECTS; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO ENTER INTO AGREEMENTS WITH CERTAIN ENTERPRISES GRANTING A FEE-IN-LIEU OF AD VALOREM TAXES, TO REVISE THE ENTERPRISES WITH WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES ARE AUTHORIZED TO ENTER INTO SUCH AGREEMENTS; TO EXTEND THE TIME PERIOD WITHIN WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES MAY ENTER INTO SUCH AGREEMENTS WITH CERTAIN RENEWABLE ENERGY PROJECTS; AND FOR RELATED PURPOSES.

**H. B. No. 1561:** AN ACT TO AMEND SECTION 27-31-101, MISSISSIPPI CODE OF 1972, TO INCLUDE CONTROLLED ENVIRONMENT AGRICULTURE ENTERPRISES MEETING MINIMUM CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY IN THE TYPES OF NEW ENTERPRISES FOR WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES MAY GRANT AD VALOREM TAX EXEMPTIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1661:** AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF COINS, CURRENCY AND BULLION; AND FOR RELATED PURPOSES.

**H. B. No. 1715:** AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL

WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE FISCAL YEAR 2024.

**H. B. No. 1716:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF FUNDING THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM FOR THE FISCAL YEAR 2024.

**H. B. No. 1717:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR THE PURPOSE OF REIMBURSING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR ELIGIBLE EXPENSES INCURRED DURING A CERTAIN PERIOD, FOR THE FISCAL YEAR 2024.

**H. B. No. 1718:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION, BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT, FOR THE PURPOSE OF COMPLETING CAPITAL PROJECTS AT STATE-OWNED BUILDINGS AND GROUNDS FOR THE FISCAL YEAR 2024.

**H. B. No. 1719:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ASSIST DESTINATION MARKETING ORGANIZATIONS IN PAYING FOR MARKETING ACTIVITIES AS PROVIDED IN HOUSE BILL NO. 419, 2023 REGULAR SESSION, FOR THE FISCAL YEAR 2024.

**H. B. No. 1720:** AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH REPAIR AND RENOVATION AT AND ACQUISITION OF EQUIPMENT FOR THE FACILITY USED FOR THE ADOLESCENT PSYCHIATRIC PROGRAM, FOR THE FISCAL YEAR 2024.

**H. B. No. 1722:** AN ACT MAKING AN APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH CONSTRUCTION, REPAIR AND RENOVATION AT AND ACQUISITION OF EQUIPMENT FOR THE SCHOOL OF DENTISTRY, FOR THE FISCAL YEAR 2024.

**H. B. No. 1723:** AN ACT TO AUTHORIZE A CREDIT AGAINST INCOME AND INSURANCE PREMIUM TAXES FOR VOLUNTARY CASH CONTRIBUTIONS BY CERTAIN BUSINESS ENTERPRISES TO CERTAIN TAX-EXEMPT ORGANIZATIONS PURCHASING, WAREHOUSING AND DELIVERING FOOD DIRECTLY TO FOOD PANTRIES OR SOUP KITCHENS IN MORE THAN FIVE MISSISSIPPI COUNTIES ON A MONTHLY BASIS; TO AUTHORIZE A CREDIT AGAINST AD VALOREM TAXES ON REAL PROPERTY FOR SUCH CONTRIBUTIONS BY CERTAIN BUSINESS ORGANIZATIONS NOT OPERATING AS CORPORATIONS; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; AND FOR RELATED PURPOSES.

**H. B. No. 1733:** AN ACT TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, TO REVISE THE METHODS OF DEPRECIATION THAT MAY BE USED FOR CERTAIN EXPENDITURES AND PROPERTY UNDER THE STATE INCOME TAX LAW; AND FOR RELATED PURPOSES.

**H. B. No. 1734:** AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING, COMMUNITY AND JUNIOR COLLEGES AND STATE AGENCIES; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE UNIVERSITY OF SOUTHERN MISSISSIPPI

MAY BE USED; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; TO AMEND SECTION 18, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE "MISSISSIPPI DAM SAFETY FUND"; TO AMEND SECTIONS 6 THROUGH 20, CHAPTER 521, LAWS OF 1995, AS LAST AMENDED BY SECTION 25, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI MAIN STREET INVESTMENT GRANT FUND; TO AMEND SECTION 3, CHAPTER 421, LAWS OF 2019, TO REDUCE BY \$21,000,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE ACE FUND; TO REPEAL SECTION 6, CHAPTER 492, LAWS OF 2020, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$10,000,000.00 FOR THE ACE FUND; TO CREATE THE 2023 ACE FUND SUPPLEMENTARY FUND IN THE STATE TREASURY TO SUPPLEMENT THE ACE FUND IN REIMBURSING REASONABLE COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE ADMINISTRATION OF GRANT, LOAN AND FINANCIAL INCENTIVE PROGRAMS; TO TRANSFER \$31,000,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 ACE FUND SUPPLEMENTARY FUND; TO AMEND SECTION 4, CHAPTER 460, LAWS OF 2006, TO REDUCE BY \$9,280,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE DEPARTMENT OF MARINE RESOURCES EQUIPMENT AND FACILITIES FUND; TO AMEND SECTION 1, CHAPTER 454, LAWS OF 2019, TO REDUCE BY \$2,500.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF REPAIR AND RENOVATION OF BUILDINGS AND RELATED FACILITIES AT THE SUSTAINABLE BIOPRODUCTS COMPLEX AND REPAIR AND RENOVATION OF BALLEW HALL AND RELATED FACILITIES; TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, TO REMOVE THE \$10,000,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF PHASE III OF CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING AND RELATED FACILITIES TO HOUSE THE KINESIOLOGY DEPARTMENT; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REDUCE BY \$10,180,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF PHASE I OF CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING AND RELATED FACILITIES TO HOUSE THE COLLEGE OF ARCHITECTURE, ART AND DESIGN; TO REDUCE BY \$6,400,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY'S DIVISION OF AGRICULTURE, FORESTRY AND VETERINARY MEDICINE IN PAYING THE COSTS OF REPAIR AND RENOVATION OF, AND UPGRADES AND IMPROVEMENTS TO, DORMAN HALL AND RELATED FACILITIES; TO REDUCE BY \$4,300,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING THE UNIVERSITY OF SOUTHERN MISSISSIPPI IN PAYING THE COSTS OF CONSTRUCTION, FURNISHING AND EQUIPPING OF EXECUTIVE EDUCATION AND CONFERENCE CENTER AND RELATED FACILITIES ON ITS GULF PARK CAMPUS, AND OF REPAIR, RENOVATION, LIFE SAFETY, AND ADA CODE UPGRADES, FURNISHING AND



EQUIPPING OF CAMPUS BUILDINGS AND FACILITIES AT THE GULF COAST RESEARCH LABORATORY, HALSTEAD CAMPUS; TO CREATE THE 2023 IHL CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF IHL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT, IN THE AMOUNT OF THE REDUCTION FOR EACH PROJECT; TO TRANSFER \$30,882,500.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 IHL CAPITAL PROJECTS FUND; TO AMEND SECTION 3, CHAPTER 492, LAWS OF 2020, TO REDUCE BY \$320,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE \$2,445,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE \$1,670,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO AMEND SECTION 2, CHAPTER 480, LAWS OF 2021, TO REDUCE BY \$758,372.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE \$2,070,016.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST MISSISSIPPI COMMUNITY COLLEGE; TO REDUCE BY \$2,434,814.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE \$2,052,257.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR NORTHEAST MISSISSIPPI COMMUNITY COLLEGE; TO REMOVE THE \$1,714,541.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO CREATE THE 2023 COMMUNITY COLLEGES CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF COMMUNITY COLLEGE CAPITAL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT IN THE AMOUNT OF THE REDUCTION FOR EACH COMMUNITY COLLEGE; TO TRANSFER \$13,465,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 COMMUNITY COLLEGES CAPITAL PROJECTS FUND; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO REDUCE BY \$20,000,000.00, \$60,000,000.00 AND \$5,000,000.00 THE AMOUNTS OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPHS (XXVI), (XXVIII) AND (XXX), RESPECTIVELY, OF SECTION 57-75-5(F); TO AMEND SECTION 2, CHAPTER 522, LAWS OF 2011, TO REDUCE BY \$3,377.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 2011 MISSISSIPPI CIVIL RIGHTS MUSEUM AND MUSEUM OF MISSISSIPPI HISTORY CONSTRUCTION FUND; TO AMEND CHAPTER 464, LAWS OF 1999, AS LAST AMENDED BY SECTION 44, CHAPTER 472, LAWS OF 2015, TO REDUCE BY \$18,627.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 1999 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS IMPROVEMENTS FUND; TO REPEAL SECTION 3, CHAPTER 580, LAWS OF 2007, WHICH AUTHORIZES STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$4,000,000.00 TO BE ISSUED FOR THE GRAND GULF ACCESS ROAD CONSTRUCTION FUND TO BE SPENT UNDER THE DIRECTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO CREATE THE 2023 MDOT ROAD CONSTRUCTION FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF THE GRAND GULF ACCESS ROAD PROJECT; TO TRANSFER \$4,000,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 MDOT ROAD CONSTRUCTION FUND; TO BRING FORWARD SECTIONS 27-7-22.32, 27-7-22.39, 27-7-22.41 AND 27-7-22.43, WHICH AUTHORIZE CERTAIN TAX CREDITS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO REVISE THE PORTION OF STATE USE TAX REVENUE DEPOSITED INTO THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION FUND; TO PROVIDE THAT A PORTION OF STATE USE TAX REVENUE SHALL BE DEPOSITED INTO THE STATE AID ROAD FUND; TO AMEND SECTION 65-9-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUCH MONIES DEPOSITED INTO THE STATE AID ROAD FUND SHALL BE USED TO PRIORITIZE THE TIMELY REPAIR AND REPLACEMENT OF DEFICIENT STATE AID SYSTEM

BRIDGES; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO ALLOW COUNTY BOARDS OF SUPERVISORS TO EXPEND MONIES ON CERTAIN DEFICIENT BRIDGES DURING THE LAST TERM OF OFFICE OF SUCH BOARDS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Janey Fay Trussell Foote and Donald Dean "Andy" Anderson.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, FEBRUARY 22, 2023

**S. B. No. 3121:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF WEST POINT TO DEFRAY EXPENSES ASSOCIATED WITH STREET PAVING FOR FISCAL YEAR 2024.  
By Senator(s) Turner-Ford

**S. B. No. 3122:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF SUPERVISORS OF CLAY COUNTY FOR IMPROVEMENTS TO LAKE GROVE ROAD IN SUPERVISOR DISTRICT 4 FOR FISCAL YEAR 2024.  
By Senator(s) Turner-Ford

**S. B. No. 3123:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF SUPERVISORS OF CLAY COUNTY FOR INFRASTRUCTURE IMPROVEMENTS IN SUPERVISOR DISTRICT 3 FOR FISCAL YEAR 2024.  
By Senator(s) Turner-Ford

**S. B. No. 3124:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE TOWN OF BROOKSVILLE TO DEFRAY EXPENSES ASSOCIATED WITH STREET PAVING AND OTHER INFRASTRUCTURE IMPROVEMENTS FOR FISCAL YEAR 2024.  
By Senator(s) Turner-Ford

**S. B. No. 3125:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE NOXUBEE COUNTY BOARD OF SUPERVISORS TO DEFRAY EXPENSES ASSOCIATED WITH A WORKOUT FACILITY FOR FIRST RESPONDERS, TWO SHERIFF'S VEHICLES AND ONE OFFICIAL LAW ENFORCEMENT VEHICLE FOR FISCAL YEAR 2024.  
By Senator(s) Turner-Ford

**S. B. No. 3126:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE SUMMIT RURAL FIRE DEPARTMENT FOR THE PURPOSE OF DEFRAYING EXPENSES RELATED TO THE CONSTRUCTION OF A NEW FIRE STATION FOR THE FISCAL YEAR 2024.  
By Senator(s) Butler (38th)

**S. B. No. 3127:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF TRANSPORTATION TO THE SOUTHERN RAIL COMMISSION FOR THE PURPOSE

OF DRAWING DOWN FEDERAL TRANSPORTATION FUNDS FOR THE FISCAL YEAR 2024.

By Senator(s) Wiggins

**S. B. No. 3128:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE TO DEFRAY EXPENSES ASSOCIATED WITH THE REPAIR AND RENOVATION OF ITS WASTEWATER TREATMENT PLANT FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3129:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF PONTOTOC, TO DEFRAY EXPENSES ASSOCIATED WITH THE DESIGN, CONSTRUCTION AND EQUIPPING OF A TRAINING FACILITY FOR FIREFIGHTERS FOR FISCAL YEAR 2024.

By Senator(s) Suber, Chism

**S. B. No. 3130:** Appropriations

AN ACT MAKING AN APPROPRIATION TO PONTOTOC COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH THE DESIGN, CONSTRUCTION AND EQUIPPING OF A FACILITY TO DISTRIBUTE FOOD ASSISTANCE FOR FISCAL YEAR 2024.

By Senator(s) Suber, Chism

**S. B. No. 3131:** Appropriations

AN ACT MAKING AN APPROPRIATION TO PONTOTOC COUNTY FOR THE PURPOSE OF DEFRAYING THE COSTS ASSOCIATED WITH REPAIR, RENOVATION, FURNISHING AND EQUIPPING OF AND UPGRADES AND IMPROVEMENTS TO THE W.A. GRIST BUILDING FOR THE FISCAL YEAR 2024.

By Senator(s) Suber, Chism

**S. B. No. 3132:** Appropriations

AN ACT MAKING AN APPROPRIATION TO PONTOTOC COUNTY, TO DEFRAY EXPENSES ASSOCIATED WITH THE PAVING OF THE PARKING LOT FOR AND THE DRIVE TO THE EXTENSION BUILDING OFF OF C.J. HARDIN JR. DRIVE FOR FISCAL YEAR 2024.

By Senator(s) Suber, Chism

**S. B. No. 3133:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF PONTOTOC, TO DEFRAY EXPENSES ASSOCIATED WITH THE COMPLETION OF THE PAVILION AT THE GATEWAY TO THE TANGLE FOOT TRAIL FOR FISCAL YEAR 2024.

By Senator(s) Suber, Chism

**S. B. No. 3134:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE CITY OF GREENVILLE, TO DEFRAY EXPENSES ASSOCIATED WITH THE IMPROVEMENT, RENOVATIONS, REPAIR AND UPGRADE OF THE MID-DELTA REGIONAL AIRPORT FOR FISCAL YEAR 2024.

By Senator(s) Simmons (12th)

**S. B. No. 3135:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE COLUMBUS REDEVELOPMENT AUTHORITY TO DEFRAY EXPENSES ASSOCIATED WITH THE PARK VIEW - BURNS BOTTOM PROJECT FOR FISCAL YEAR 2024.

By Senator(s) Younger

**S. B. No. 3136:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE LAMBERT VOLUNTEER FIRE DEPARTMENT OF QUITMAN COUNTY TO DEFRAY EXPENSES ASSOCIATED WITH

THE CONSTRUCTION OF A NEW FIREHOUSE AND THE PURCHASE OF A NEW FIRE ENGINE AND OTHER EQUIPMENT, FOR THE FISCAL YEAR 2024.

By Senator(s) Jackson

**S. B. No. 3137:** Appropriations

AN ACT MAKING AN APPROPRIATION TO SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE TO DEFRAY EXPENSES ASSOCIATED WITH THE CONSTRUCTION OF A WOMEN'S RESIDENCE HALL AND THE RENOVATION OF THE FINE ARTS COMPLEX FOR THE FISCAL YEAR 2024.

By Senator(s) Butler (38th)

**S. B. No. 3138:** Appropriations

AN ACT MAKING AN APPROPRIATION TO THE GOVERNING AUTHORITIES OF THE CITY OF MERIDIAN TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH MAKING ROAD IMPROVEMENTS TO NORTH HILL STREET IN THE CITY, FOR THE FISCAL YEAR 2024.

By Senator(s) Tate

**S. C. R. No. 558:** Rules

A CONCURRENT RESOLUTION EXTENDING THE CONDOLENCES OF THE MISSISSIPPI LEGISLATURE TO THE SURVIVING FAMILY OF ORIGINAL MOTOWN RECORDING ARTIST AND SONGWRITER BARRETT STRONG FROM WEST POINT, MISSISSIPPI, AND REMEMBERING HIS MUSICAL LEGACY.

By Senator(s) Turner-Ford, Horhn

**S. C. R. No. 559:** Rules

A CONCURRENT RESOLUTION OFFERING THE SINCEREST CONGRATULATIONS OF THE LEGISLATURE TO RICKY STENHOUSE, JR., FROM OLIVE BRANCH, MISSISSIPPI, FOR WINNING THE 2023 DAYTONA 500 AFTER A RECORD 212 LAPS.

By Senator(s) Blackwell, Parker, McLendon, Whaley

**S. C. R. No. 560:** Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE PURPOSE OF REQUESTING THE DRAFTING, INTRODUCTION, CONSIDERATION AND PASSAGE OF A BILL ENTITLED "AN ACT TO REQUIRE THE PUBLIC SERVICE COMMISSION TO MODIFY THE BOUNDARIES OF THE ELECTRIC SERVICE AREA OPERATED BY THE CITY OF HOLLY SPRINGS SUCH THAT ITS SERVICE AREA IS LIMITED TO THE CITY LIMITS OF HOLLY SPRINGS; TO AUTHORIZE CERTAIN ELECTRIC COOPERATIVES TO PROVIDE ELECTRIC SERVICE TO THOSE CUSTOMERS WHO WOULD HAVE BEEN SERVED BY THE CITY OF HOLLY SPRINGS UNDER THE DISTRICT'S PREVIOUS BOUNDARIES; AND FOR RELATED PURPOSES."

By Senator(s) Whaley

**S. R. No. 44:** Rules

A RESOLUTION RECOGNIZING BOBBY MORGAN, VICE PRESIDENT OF PUBLIC AFFAIRS AT ATMOS ENERGY IN JACKSON, MISSISSIPPI, AS A RECIPIENT OF THE PRESTIGIOUS OLE MISS ALUMNI ASSOCIATION 2023 "40 UNDER 40" AWARD.

By Senator(s) Michel

**S. R. No. 45:** Rules

A RESOLUTION EXTENDING THE CONGRATULATIONS OF THE MISSISSIPPI SENATE TO THE NINE MISSISSIPPI PROFESSIONAL FOOTBALL PLAYERS WHO PLAYED IN THE 2023 NFL SUPER BOWL.

By Senator(s) Jackson, Butler (38th), McMahan, Blackmon, Harkins, Parker, Sparks, Blackwell, England, Turner-Ford, Branning, Hill, Simmons (12th), McDaniel, Michel, Barnett, Butler (36th), Frazier, Moran, Seymour, Simmons (13th), Tate, Suber, DeLano,

Fillingane, Norwood, Williams, Jordan, Thomas, Caughman, Thompson, Chism, Whaley, Blount, Hopson, Chassaniol, Younger, Polk, Horhn, Hickman, McCaughn, DeBar, Bryan, Kirby, McLendon, Carter, Wiggins, Johnson, Sojourner, Barrett, Boyd, Parks

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FIFTY-SECOND DAY, THURSDAY, FEBRUARY 23, 2023

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

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

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

Absent--Caughman. Total--1.

The Secretary announced a quorum present.

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The invocation was delivered by Dr. Calvin Collins, Pastor, New Zion Missionary Baptist Church, Greenwood, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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REPORT OF COMMITTEE ON ECONOMIC AND WORKFORCE DEVELOPMENT

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

**H. B. No. 588:** MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming code sections. Title Sufficient. Do Pass As Amended.

PARKER, Chairman

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## REPORT OF COMMITTEE ON INSURANCE

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

**H. B. No. 544:** Valued policy law; exempt builder's risk insurance policies from. Title Sufficient. Do Pass.

**H. B. No. 877:** USM; clarify authority to enter into insurance agreement for protection of property at the state port at Gulfport. Title Sufficient. Do Pass.

**H. B. No. 1084:** Insurance agents; revise the continuing education requirements of those who are 65 and have been licensed for 20 years. Title Sufficient. Do Pass As Amended.

**H. B. No. 1162:** Reciprocal insurance; revise sworn declaration requirements of and board of directors for. Title Sufficient. Do Pass.

**H. B. No. 1190:** Health benefit plan; authorize plan sponsor of to consent, on behalf of covered pensions, to delivery of all communications by electronic means. Title Sufficient. Do Pass.

MICHEL, Chairman

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 549, S. C. R. No. 551, S. C. R. No. 552, S. C. R. No. 553, S. C. R. No. 554, S. R. No. 36, S. R. No. 37, S. R. No. 38, S. R. No. 39, S. R. No. 40, H. C. R. No. 2, H. C. R. No. 35, H. C. R. No. 37 and H. C. R. No. 38 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 549:** Commemorate 77th Southern Legislative Conference of the Council of State Governments.

**S. C. R. No. 551:** Honor the legacy of decorated WWII Army Corporal L.C. Jackson of Brookhaven, Mississippi, on his 100th Birthday.

**S. C. R. No. 552:** Mourn the loss of WWII and Korean War pilot Brigadier General Sam Forbert, Jr.

**S. C. R. No. 553:** Mourn the passing of Major Genl. Al Hopkins, Chairman of the MS Gaming Commission and respected Gulfport Attorney and Civic Leader.

**S. C. R. No. 554:** Commend University of Mississippi baseball Head Coach Mike Bianco as National Coach of the Year.

**S. R. No. 36:** "Omega Psi Phi Day"; designate February 9, 2023, as in Mississippi.

**S. R. No. 37:** Recognize Jane Moss of Greenwood as new Chairwoman of the Board for Mississippi Manufacturers Association.

**S. R. No. 38:** Commend Stone County High School "Lady Cats" Soccer Team for winning their first 4A Girls Soccer State Championship.

**S. R. No. 39:** Congratulate Mr. Rural America "Dee Dotson" of Greensboro, MS, on the memorable occasion of his 100th birthday.

**S. R. No. 40:** Recognize Randy McInnis and David Harvison of Timberline Trucking in Leakesville as MFA 2022 "Loggers of the Year".

**H. C. R. No. 2:** National Therapy Animal Day; celebrate in Mississippi on April 30, 2023.

**H. C. R. No. 35:** Ole Miss Baseball Team; commend for winning the 2022 NCAA Baseball National Championship.

**H. C. R. No. 37:** Booneville Lions Club; commend upon the 75th anniversary of its founding.

**H. C. R. No. 38:** Honorable Debra Hendricks Gibbs; commend distinguished legislative career and congratulate on election as circuit.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 549, S. C. R. No. 551, S. C. R. No. 552, S. C. R. No. 553, S. C. R. No. 554, S. R. No. 36, S. R. No. 37, S. R. No. 38, S. R. No. 39, S. R. No. 40, H. C. R. No. 2, H. C. R. No. 35, H. C. R. No. 37 and H. C. R. No. 38. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), England, McCaughn and Seymour as co-authors of **S. C. R. No. 549**.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), England, McCaughn, McDaniel, Michel, Moran and Thompson as co-authors of **S. C. R. No. 551**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), England, Michel, Moran and Thompson as co-authors of **S. C. R. No. 552**.

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Unanimous consent was granted to add Senators Barnett, Boyd, Butler K. (38th), Hopson, McCaughn, McDaniel, Michel, Moran and Thompson as co-authors of **S. C. R. No. 553**.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), Hopson, McDaniel and Seymour as co-authors of **S. C. R. No. 554**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Horhn as co-authors of **S. R. No. 36**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), England and McCaughn as co-authors of **S. R. No. 37**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 38**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 39**.

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Unanimous consent was granted to add Senators Barnett, McCaughn and Seymour as co-authors of **S. R. No. 40**.

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Senator Kirby called up the following entitled resolution:

**S. C. R. No. 550:** Expressing the support of the Legislature for the plaintiffs in Harrison Co. et al. v. U.S. Army Corps of Engineers.

YEAS AND NAYS On S. C. R. No. 550. On motion of Senator Thompson, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--None.

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

Voting Present--Barnett, Barrett, Butler A. (36th), Butler K. (38th), Hopson, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Sparks. Total--11.

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Unanimous consent was granted to add Senators McLendon and Moran as co-authors of **S. C. R. No. 550**.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 555, S. C. R. No. 556, S. C. R. No. 557, S. R. No. 41, S. R. No. 42 and S. R. No. 43 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 555:** Mourn passing and commend civic leadership of businessman Wirt Adams Yerger, Jr., of Jackson, MS.



**S. C. R. No. 556:** Congratulate Ole Miss Senior Offensive Lineman Nick Broeker as winner of 2022 Kent Hull Trophy and for postseason awards.

**S. C. R. No. 557:** Congratulate Neshoba County School District Superintendent Dr. Lundy Brantley as 2022-2023 "Superintendent of the Year."

**S. R. No. 41:** Congratulate Nicholas Anderson of Vicksburg for his outstanding football awards at the secondary, junior college and university level.

**S. R. No. 42:** Commend Lamar Academy "Raiders" Girls Volleyball Team for first MAIS 5A State Championship.

**S. R. No. 43:** Commend Russell Christian Academy "Warriors" Football Team for sixth straight state championship.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 555, S. C. R. No. 556, S. C. R. No. 557, S. R. No. 41, S. R. No. 42 and S. R. No. 43. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

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

Nays--None.

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

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Unanimous consent was granted to add Senators Blackwell, Boyd, Butler K. (38th), Hopson and McDaniel as co-authors of **S. C. R. No. 555**.

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Unanimous consent was granted to add Senators Boyd, Butler K. (38th) and McCaughn as co-authors of **S. C. R. No. 556**.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. C. R. No. 557**.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. R. No. 41**.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. R. No. 42**.

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Unanimous consent was granted to add Senators Butler K. (38th) and McCaughn as co-authors of **S. R. No. 43**.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2149:** City of Guntown; authorize the use of side by side vehicles on certain public roads.

YEAS AND NAYS On S. B. No. 2149. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

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

Nays--Chism, DeLano, Sparks. Total--3.

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

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Senator Hopson called up the following House Amendment to **S. B. No. 2961** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the State Department of Health for the period beginning January 1, 2023, and ending December 31, 2023 \$ 1,103,950.00.

This additional appropriation is provided for defraying the costs of legal expenses.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Public Safety for the period beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 4,464,848.00.

This additional appropriation is for the purpose of defraying the expenses related to the Capitol Police.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Public Safety for the period beginning July 1, 2022, and ending June 30, 2023 .....  
\$ 4,000,000.00.

This additional appropriation is for the purpose of defraying the expenses related to the Office of the Mississippi Highway Safety Patrol.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Public Safety for the period beginning July 1, 2022, and ending June 30, 2023 .....

\$ 3,248,183.00.

This additional appropriation is for the purpose of defraying the expenses related to the Office of the Driver Services Bureau.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Public Safety for the period beginning July 1, 2022, and ending June 30, 2023 .....

\$ 3,000,000.00.

This additional appropriation is for the purpose of defraying the expenses related to the Office of Forensic Laboratories.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Corrections for the period beginning July 1, 2022, and ending June 30, 2023 .....

\$ 23,865,997.00.

This additional appropriation is for the purpose of defraying the expenses of the medical program.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Corrections for the period beginning July 1, 2022, and ending June 30, 2023 .....

\$ 1,596,594.00.

This additional appropriation is for the purpose of defraying the expenses of the Regional Facilities.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Corrections for the period beginning July 1, 2022, and ending June 30, 2023 .....

\$ 2,873,765.00.

This additional appropriation is for the purpose of defraying the expenses of private prisons.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Emergency Management Agency for the period beginning July 1, 2022, and ending June 30, 2023 .....

\$ 6,518,942.00.

This additional appropriation is for the purpose of reimbursing the Hazard Mitigation fund for the expenses incurred relating to the 2022 Jackson Water Crisis.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Agriculture and Commerce for the period beginning July 1, 2022, and ending June 30, 2023 .....

\$ 1,699,288.00.

This additional appropriation is for the purpose of defraying the expenses related to the operations of the Mississippi Department of Agriculture and Commerce.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Supreme Court Administrative Office of Courts for the period beginning July 1, 2022, and ending June 30, 2023 .....

\$ 335,000.00.

This additional appropriation is for the purpose of defraying the cost of special judges.

SECTION 12. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the state Treasury, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the State Board of Medical Licensure for the period beginning July 1, 2022, and ending June 30, 2023 .....

\$ 38,000.00.

This additional appropriation is made to defray the expenses of the Medical Cannabis Unit at the State Board of Medical Licensure.

SECTION 13. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Ethics Commission for the period beginning July 1, 2022, and ending June 30, 2023 ..... \$ 24,961.00.

This additional appropriation is for the purpose of defraying the expenses of additional case volume related to Open Meetings and Public Records Acts. Also, this additional appropriation is to repair or replace computer equipment, including the cost of necessary services to procure and install the new equipment.

SECTION 14. This act shall take effect and be in force from and after its passage, and shall stand repealed June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS AND SPECIAL FUNDS FOR FISCAL YEARS 2023 AND 2024 TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF HEALTH; THE DEPARTMENT OF PUBLIC SAFETY; THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY; THE DEPARTMENT OF AGRICULTURE AND COMMERCE; THE SUPREME COURT ADMINISTRATIVE OFFICE OF COURTS; THE STATE BOARD OF MEDICAL LICENSURE; AND THE ETHICS COMMISSION; AND FOR RELATED PURPOSES.

Senator Seymour called up the following entitled bill:

**H. B. No. 1034:** State Veterans Affairs Board; revise composition of.

Senator Seymour offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 35-1-1, Mississippi Code of 1972, is amended as follows:

35-1-1. (1) (a) There is hereby created a State Veterans Affairs Board, which may also be referred to as the "Mississippi Veterans Affairs," to consist of seven (7) members, to be appointed by the Governor, one (1) from each congressional district as they existed on January 1, 1952, of the State of Mississippi. One (1) shall be appointed for one (1) year, another for two (2) years, another for three (3) years, another for four (4) years, another for five (5) years, another for six (6) years, and another for seven (7) years, thus staggered. At the end of such term for each of said seven (7) members, a successor shall be appointed for a term of seven (7) years, thus providing for seven (7) members, one (1) of whom shall be appointed each year. In the event of death, resignation or removal of a member of the board, such person appointed to fill the vacancy shall be a legal resident of the congressional district in which the vacancy shall occur, and shall serve for the remainder of the term to which such member was appointed. Members of the board shall be veterans of any war or police action in which the Armed Forces of the United States have been, are, or shall be committed for action, who have been honorably discharged or honorably released.

(b) From and after May 14, 1992, terms of all members then serving on the State Veterans Affairs Board shall terminate, and the board shall be reconstituted as follows: The board shall consist of seven (7) members. All members shall be appointed by the Governor, with the advice and consent of the Senate. One (1) member shall be

appointed from each congressional district as such districts existed on March 1, 1992, and two (2) members shall be appointed from the state at large. Of the initial congressional district appointees to the board, one (1) shall serve for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, one (1) for a term of four (4) years and one (1) for a term of five (5) years. Of the initial at-large appointees, one (1) (who shall be that person appointed in January 1992 from the First Congressional District under the provisions of paragraph (a) of this subsection) shall serve for a term of three (3) years and one (1) (who shall be that person appointed in January 1992 from the Seventh Congressional District under the provisions of paragraph (a) of this subsection) shall serve for a term of five (5) years. All appointees after the initial appointees shall serve for terms of five (5) years each. In the event of death, resignation or removal of a member of the board, the vacancy shall be filled by appointment of the Governor, with the advice and consent of the Senate, from the congressional district in which the vacancy occurs, for the length of the unexpired term only. Members of the board shall be honorably discharged or released veterans of any war or police action in which the Armed Forces of the United States have been, are, or shall be committed for action. No state/department commander of any federally recognized veterans organization, no national officer of any federally recognized veterans organization and no member of the Mississippi Council of Veterans Organizations shall be eligible for appointment to the board until the expiration of a period of three (3) years after the termination of their service in such disqualifying positions.

(c) From and after July 1, 2023, the State Veterans Affairs Board shall consist of seven (7) members, to be appointed by the Governor, with the advice and consent of the Senate. There shall be one (1) member appointed from each of the four (4) congressional districts created in Section 23-15-1037 and three (3) members shall be appointed from the state at large. Members serving on or before July 1, 2023, will continue to serve in accordance with their term and when such a member's term ends, the seat will be filled by appointment of the Governor, with the advice and consent of the Senate, from the appropriate congressional district or from the state at large, as the case may be. All members appointed after July 1, 2023, shall serve for terms of five (5) years each. In the event of death, resignation or removal of a member of the board, the vacancy shall be filled by appointment of the Governor, with the advice and consent of the Senate, from the congressional district in which the vacancy occurs or from the state at large, as the case may be, for the length of the unexpired term only. Members of the board shall be honorably discharged or honorably released veterans of any war or police action in which the Armed Forces of the United States have been, are, or shall be committed for action.

(2) Members of the board shall annually elect as chairman one (1) of their \* \* \* members and another member as vice chairman. Members of the board shall hold regular monthly meetings and such other meetings as may be called by the chairman or the vice chairman in his absence.

(3) Beginning July 1, 2019, any reference in this code to the State Veterans Affairs Board shall also mean the Mississippi Veterans Affairs.

SECTION 2. Section 35-1-3, Mississippi Code of 1972, is amended as follows:

35-1-3. The Governor shall appoint an Executive Director of the State Veterans Affairs Board with the advice and consent of the Senate, \* \* \* to serve at the will and pleasure of the Governor \* \* \*. \* \* \* The Executive Director \* \* \* shall also serve as Executive Secretary of the State Veterans Affairs Board \* \* \*. The State Veterans Affairs Board shall appoint a deputy director, individuals to manage each of the agency's major functional areas and individuals to manage each of the state veterans homes. The executive director and deputy director shall be a currently serving member or honorably discharged or honorably released veteran of any active or reserve component branch of the Armed Forces of the United States. The board may establish additional minimum qualifications for agency positions.

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 35-1-1, MISSISSIPPI CODE OF 1972, TO REVISE THE COMPOSITION OF THE STATE VETERANS AFFAIRS BOARD; TO AMEND SECTION 35-1-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE EXECUTIVE DIRECTOR OF THE STATE VETERANS AFFAIRS BOARD SHALL BE APPOINTED BY THE GOVERNOR WITH THE ADVICE AND CONSENT OF THE SENATE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1034 was adopted.

YEAS AND NAYS On H. B. No. 1034. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Thompson, Whaley, Wiggins, Williams, Younger. Total--30.

Nays--Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Hopson, Horhn, Jackson, Jordan, McCaughn, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--15.

Absent and those not voting--Bryan, Carter, Caughman, Tate, Turner-Ford. Total--5.

Voting Present--Barnett, Kirby. Total--2.

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Senators McMahan and Sparks moved that when the Senate adjourns, it adjourn in memory of Betsy Ross Hooper of Tupelo, MS.

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Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Debra "Debbie" Dottley Brumitt and Velma Myers Robichaux of Vicksburg, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Robert Earl Dow, Sr. of Jackson, MS.

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Senator DeLano moved that when the Senate adjourns, it adjourn in memory of Joey St. Amant of Biloxi, MS.

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Senators Branning and McCaughn moved that when the Senate adjourns, it adjourn in memory of Sydnee Claire Stokes of Louisville, MS.

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

MESSAGE FROM THE HOUSE

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

**H. B. No. 1668:** AN ACT TO AMEND SECTION 27-7-26, MISSISSIPPI CODE OF 1972, WHICH ALLOWS PARTNERSHIPS, S CORPORATIONS OR SIMILAR PASS-THROUGH ENTITIES TO ELECT TO BE TAXED AS AN ELECTING PASS-THROUGH ENTITY FOR STATE INCOME TAX PURPOSES AND PAY INCOME TAX AT THE ENTITY LEVEL, TO REVISE THE MANNER BY WHICH A PARTNERSHIP, S CORPORATION OR SIMILAR PASS-THROUGH ENTITY MAY ELECT TO BE TAXED AS AN ELECTING PASS-THROUGH ENTITY; TO PROVIDE THAT EACH OWNER, MEMBER, PARTNER OR SHAREHOLDER OF AN ELECTING PASS-THROUGH ENTITY SHALL REPORT HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF THE INCOME OF THE ELECTING PASS-THROUGH ENTITY IN COMPUTING SUCH TAXPAYER'S GROSS INCOME TAX LIABILITY; TO PROVIDE THAT ANY ADDITIONAL INCOME TAX CREDITS GENERATED BY AN ELECTING PASS-THROUGH ENTITY SHALL PASS THROUGH TO THE OWNERS, MEMBERS, PARTNERS, OR SHAREHOLDERS ON A PRO-RATA BASIS AND MAY BE CLAIMED ON THE RETURNS OF THOSE TAXPAYERS; TO PROVIDE THAT IF AN OWNER'S, MEMBER'S, PARTNER'S OR SHAREHOLDER'S AGGREGATE INCOME TAX CREDITS EXCEED HIS OR HER INCOME TAX LIABILITY, SUCH EXCESS SHALL BE CARRIED FORWARD AS AN OVERPAYMENT OR REFUNDED AT THE ELECTION OF SUCH PERSON; TO PROVIDE THAT ANY CARRYFORWARD LIMITATIONS APPLICABLE TO CREDITS GENERATED BY THE PASS-THROUGH ENTITY, OTHER THAN THE CREDIT PROVIDED BY THIS SECTION FOR INCOME TAXES PAID BY THE PASS-THROUGH ENTITY, SHALL APPLY AT THE OWNER, MEMBER, PARTNER, OR SHAREHOLDER LEVEL; AND FOR RELATED PURPOSES.

**H. B. No. 1671:** AN ACT TO AMEND SECTION 27-7-22.43, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS UNDER THE PREGNANCY RESOURCE ACT, TO INCREASE THE AMOUNT OF CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION; TO REVISE THE TAXPAYERS ELIGIBLE FOR AN AD VALOREM TAX CREDIT FOR SUCH CONTRIBUTIONS; TO AMEND SECTION 27-7-22.32, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR EXPENSES INCURRED FOR THE ADOPTION OF A CHILD, TO INCREASE THE AMOUNT OF THE CREDIT AND TO DELETE THE REVERTER ON THE PROVISION OF LAW THAT INCREASES THE MAXIMUM AMOUNT OF THE TAX CREDIT FROM \$2,500 TO \$5,000 PER CHILD AND THE PROVISION THAT AUTHORIZES AN INCOME TAX CREDIT FOR A CHILD ADOPTED THROUGH THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 27-7-22.39, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES INCOME TAX CREDITS FOR VOLUNTARY CASH CONTRIBUTIONS TO QUALIFYING CHARITABLE ORGANIZATIONS AND QUALIFYING FOSTER CARE CHARITABLE ORGANIZATIONS, TO REVISE THE AMOUNT OF CREDIT THAT A TAXPAYER IS ALLOWED TO CLAIM FOR SUCH A VOLUNTARY CASH CONTRIBUTION; TO BRING FORWARD SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY TAXPAYERS TO ELIGIBLE TRANSITIONAL HOME ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THE CRITERIA THAT AN

ELIGIBLE TRANSITIONAL HOME ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR A TAX CREDIT AUTHORIZED BY THIS ACT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY TAXPAYERS TO ELIGIBLE CHARITABLE ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE CHARITABLE ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR A TAX CREDIT AUTHORIZED BY THIS ACT; TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS CLAIMING A FEDERAL INCOME TAX CREDIT FOR CERTAIN DEPENDENT CARE EXPENSES; TO PROVIDE THE AMOUNT OF THE CREDIT; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 9:00 AM, Friday, February 24, 2023.

The motion prevailed, and at 10:58 AM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**S. C. R. No. 547:** A CONCURRENT RESOLUTION EXTENDING THE CONDOLENCES OF THE LEGISLATURE TO THE SURVIVING FAMILY OF RENOWNED MISSISSIPPI FOOTBALL DEFENSIVE COACH JIM CARMODY AND REMEMBERING HIS LEGACY IN THE FOOTBALL HISTORIES OF OLE MISS, SOUTHERN MISS, MISSISSIPPI STATE AND THE NFL.

**S. C. R. No. 548:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE PICAYUNE HIGH SCHOOL "MAROON TIDE" FOOTBALL TEAM AND HEAD COACH CODY STOGNER FOR ITS BACK-TO-BACK MHSAA CLASS 5A STATE CHAMPIONSHIP.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

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

**H. B. No. 1125:** AN ACT TO CREATE THE "REGULATE EXPERIMENTAL ADOLESCENT PROCEDURES (REAP)" ACT FOR ANY PERSON UNDER EIGHTEEN YEARS OF AGE; TO PROVIDE DEFINITIONS FOR THE ACT; TO PROHIBIT THE DIRECT OR INDIRECT USE, GRANT, PAYMENT OR DISTRIBUTION OF PUBLIC FUNDS TO ANY ENTITY, ORGANIZATION OR INDIVIDUAL THAT PROVIDES GENDER TRANSITION PROCEDURES TO A PERSON UNDER EIGHTEEN YEARS OF AGE; TO PROVIDE THAT HEALTH CARE SERVICES FURNISHED IN A STATE OR LOCALLY-OWNED HEALTH CARE FACILITY OR BY A PHYSICIAN OR OTHER HEALTH CARE PROFESSIONAL EMPLOYED BY THE STATE OR LOCAL



GOVERNMENT SHALL NOT INCLUDE GENDER TRANSITION PROCEDURES FOR A PERSON UNDER EIGHTEEN YEARS OF AGE; TO PROVIDE THAT AMOUNTS PAID DURING A TAXABLE YEAR FOR PROVISION OF GENDER TRANSITION PROCEDURES OR AS PREMIUMS FOR HEALTH CARE COVERAGE THAT INCLUDES COVERAGE FOR GENDER TRANSITION PROCEDURES ARE NOT DEDUCTIBLE UNDER THE STATE INCOME TAX LAWS; TO AUTHORIZE THE ATTORNEY GENERAL TO BRING AN ACTION TO ENFORCE COMPLIANCE WITH THIS ACT; TO CREATE NEW SECTION 43-13-117.7, MISSISSIPPI CODE OF 1972, TO PROHIBIT THE DIVISION OF MEDICAID FROM REIMBURSING OR PROVIDING COVERAGE FOR GENDER TRANSITION PROCEDURES FOR A PERSON UNDER EIGHTEEN YEARS OF AGE; TO AMEND SECTION 83-9-22, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT HEALTH COVERAGE PLANS ARE NOT REQUIRED TO INCLUDE GENDER TRANSITION PROCEDURES; TO CREATE NEW SECTION 83-9-37, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A HEALTH BENEFIT PLAN UNDER AN INSURANCE POLICY OR OTHER PLAN PROVIDING HEALTH CARE COVERAGE SHALL NOT INCLUDE REIMBURSEMENT FOR GENDER TRANSITION PROCEDURES FOR A PERSON UNDER EIGHTEEN YEARS OF AGE; TO AMEND SECTIONS 27-7-17, 73-15-29 AND 73-25-29, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 73-25-33, MISSISSIPPI CODE OF 1972, TO EXCLUDE THE PERFORMANCE GENDER TRANSITION PROCEDURES FROM THE "PRACTICE OF MEDICINE" MEANING; TO AMEND SECTION 11-46-5, MISSISSIPPI CODE OF 1972, TO EXCLUDE FROM TORT IMMUNITY VIOLATIONS OF THIS ACT; TO AMEND SECTION 41-41-219, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO PROVIDE SEVERABILITY IF ANY PART OF THIS ACT IS FOUND UNCONSTITUTIONAL; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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

**H. B. No. 549:** Sales Tax; exempt certain sales of property transported from this state and first used in another state. Finance.

**H. B. No. 871:** Ad valorem tax; extend time for partial exemption and fee-in-lieu of ad valorem tax agreement for certain renewable energy projects. Finance.

**H. B. No. 1561:** Ad valorem taxation; revise types of new enterprises eligible for tax exemption. Finance.

**H. B. No. 1661:** Sales tax; exempt sales of coins, currency and bullion. Finance.

**H. B. No. 1715:** Appropriation; Health Department for funding the ARPA Rural Water Associations Infrastructure Grant Program. Appropriations.

**H. B. No. 1716:** Appropriation; DEQ for funding the MS Municipality and County Water Infrastructure Grant Program. Appropriations.

**H. B. No. 1717:** Appropriation; DFA - Office of Insurance for reimbursing the State Health Plan for eligible expenses incurred. Appropriations.

**H. B. No. 1718:** Appropriation; DFA Bureau of Building for completing capital projects at state-owned buildings and grounds. Appropriations.

**H. B. No. 1719:** Appropriation; DFA to assist destination marketing organizations in paying for marketing activities. Appropriations.

**H. B. No. 1720:** Appropriation; UMMC for repair and renovation of the adolescent psychiatric program facility. Appropriations.

**H. B. No. 1722:** Appropriation; UMMC for construction, repair and renovation of the School of Dentistry. Appropriations.

**H. B. No. 1723:** Tax credits; authorize for business contributions to certain organizations supporting food pantries or soup kitchens. Finance.

**H. B. No. 1733:** Income tax; revise deduction for depreciation for certain expenditures and property. Finance.

**H. B. No. 1734:** Bonds; authorize for various purposes. Finance.

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#### REPORT OF COMMITTEE ON FINANCE

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

**H. B. No. 371:** Bonds; revise purposes for which proceeds of bonds authorized for City of Union. Title Sufficient. Do Pass.

**H. B. No. 383:** Oil and gas severance taxes; extend repealer on lower rate for production from horizontally drilled wells. Title Sufficient. Do Pass.

**H. B. No. 396:** Tourism Project Sales Tax Incentive Program; extend authority of MDA to approve participants for projects. Title Sufficient. Do Pass As Amended.

**H. B. No. 535:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Title Sufficient. Do Pass As Amended.

**H. B. No. 1136:** Distinctive motor vehicle license tag; authorize issuance to supporters of the Mississippi Road Builders Association. Title Sufficient. Do Pass As Amended.

**H. B. No. 1140:** Beer, light wine and light spirit products; revise manufacturers prohibited from having interest in wholesalers or distributors. Title Sufficient. Do Pass As Amended.

**H. B. No. 1170:** Motor vehicles and manufactured homes; authorize Department of Revenue to issue electronic liens and titles. Title Sufficient. Do Pass.

HARKINS, Chairman

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#### REPORT OF COMMITTEE ON FORESTRY

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

**H. B. No. 787:** Mississippi Board of Registration for Foresters; bring forward all code sections and authorize to suspend license of licensee for failure to satisfy judgement. Title Sufficient. Do Pass As Amended.

MCCAUGHN, Chairman

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REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

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

**H. B. No. 922:** Alcorn State University; update references to in code to reflect current name designation. Title Sufficient. Do Pass.

PARKS, Chairman

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2526:** Pat Harrison Waterway District; authorize municipalities to join.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2352:** Elections; penalty for fraudulently requesting or submitting absentee ballots.

**S. B. No. 2353:** Elections; increase wage range for poll workers.

**S. B. No. 2647:** Real estate licensee; revise liability.

**S. B. No. 2734:** County boards of supervisors; permit to expend federal funds during the last term of office of such board.

Andrew Ketchings, Clerk of the House of Representatives

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

**H. B. No. 1668:** Income tax; revise certain provisions regarding pass-through entities. Finance.

**H. B. No. 1671:** Tax credits; revise certain existing and authorize additional. Finance.

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2392:** Fees for county garbage collection; revise provision related to.

Andrew Ketchings, Clerk of the House of Representatives

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## REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

**H. B. No. 246:** Real property; right of first refusal expires on grantee's death unless specifically stated otherwise. Title Sufficient. Do Pass As Amended.

**H. B. No. 685:** Deeds to married couples; create a rebuttable presumption of joint tenancy with rights of survivorship. Title Sufficient. Do Pass.

**H. B. No. 821:** Notaries; revise residency requirements of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1101:** Corporations and LLCs; authorize determination notices and certificates of administrative dissolution to be served by email to registered agent. Title Sufficient. Do Pass As Amended.

**H. B. No. 276:** State Board of Physical Therapy, authorize to issue subpoenas for the attendance of witnesses and the production of documents. Title Sufficient. Do Pass.

**H. B. No. 485:** Sexual assault evidence kit; regulate the processing of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize. Title Sufficient. Do Pass As Amended.

**H. B. No. 1215:** Child Support; suspend for incarcerated persons under certain conditions. Title Sufficient. Do Pass As Amended.

**H. B. No. 1217:** Court interpreters; revise program under the Administration of the Administrative Office of Courts. Title Sufficient. Do Pass.

**H. B. No. 510:** Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents. Title Sufficient. Do Pass As Amended.

**H. B. No. 533:** Adoption procedures; revise home study and residency requirements. Title Sufficient. Do Pass As Amended.

**H. B. No. 996:** Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at time of death. Title Sufficient. Do Pass As Amended.

**H. B. No. 1115:** Durable legal custody; clarify jurisdiction for. Title Sufficient. Do Pass As Amended.

WIGGINS, Chairman

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REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

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

**H. B. No. 1111:** County court jurisdiction for termination of parental rights; authorize for both involuntary and voluntary termination. Title Sufficient. Do Pass As Amended.

WIGGINS, Chairman

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REPORT OF COMMITTEE ON PUBLIC PROPERTY

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

**H. B. No. 366:** Sam G. Polles State Office Buidling; designate the MS Dept. of Wildlife Central Office Buidling as. Title Sufficient. Do Pass.

**H. B. No. 874:** MS Dept. of Archives and History property; authorize DFA to clarify donation of certain lands in Claiborne County to U.S. Dept. of Interior - National Park Service. Title Sufficient. Do Pass.

TURNER-FORD, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Betsy Ross Hooper, Debra "Debbie" Dottley Brumitt, Velma Myers Robichaux, Robert Earl Dow, Sr., Joey St. Amant and Sydnee Claire Stokes.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR THURSDAY, FEBRUARY 23, 2023

**S. C. R. No. 561:** Rules

A CONCURRENT RESOLUTION DESIGNATING MARCH 2023 AS "AMERICAN RED CROSS MONTH IN MISSISSIPPI" IN SUPPORT OF ITS CRITICAL HUMANITARIAN MISSION.

By Senator(s) Frazier

**S. C. R. No. 562:** Rules

A CONCURRENT RESOLUTION TO DESIGNATE OCTOBER 2023 AS "WALKER MONTGOMERY NATIONAL CATFISHING AWARENESS MONTH IN MISSISSIPPI" TO BRING ATTENTION TO THE VICTIMS OF CATFISHING ON SOCIAL

MEDIA AND TO DIRECT THE STATE BOARD OF MENTAL HEALTH TO DEVELOP RECOMMENDATIONS TO THE LEGISLATURE.

By Senator(s) Williams

**S. C. R. No. 563:** Rules

A CONCURRENT RESOLUTION DESIGNATING MARCH 5-11, 2023, AS "NATIONAL SCHOOL SOCIAL WORK WEEK IN MISSISSIPPI" AND EXPRESSING THE IMPORTANCE OF SCHOOL SOCIAL WORK PROGRAMS.

By Senator(s) Hill

**S. R. No. 46:** Rules

A RESOLUTION RECOGNIZING AND SUPPORTING NATIONAL DEFENSE MANUFACTURING OPERATIONS AND INSTALLATIONS IN MISSISSIPPI AND THE MISSION OF THE MISSISSIPPI DEFENSE COMMUNITIES DEVELOPMENT COUNCIL.

By Senator(s) McCaughn, Sparks, Seymour, Hill, Suber, Johnson, Barrett, England, Thompson

**S. R. No. 47:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE EAST CENTRAL HIGH SCHOOL "HORNETS" BASEBALL TEAM IN HURLEY, MISSISSIPPI, AND COACH BO LONG FOR WINNING THE 2022 MHSAA CLASS 5A STATE CHAMPIONSHIP, THEIR FIRST STATE TITLE SINCE 2008.

By Senator(s) Seymour, England

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FIFTY-THIRD DAY, FRIDAY, FEBRUARY 24, 2023

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

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

Present--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Absent--Barrett, Carter, Caughman, Chassaniol, Fillingane, Johnson, Parks, Tate. Total--8.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Caughman.

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The invocation was delivered by Reverend Brent Parker, Lead Pastor, First Baptist Church, Vancleave, MS.

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

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

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

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

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Senator Hopson called up the following entitled bill:

**H. B. No. 603:** State budget; bring forward sections relating to.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-103-125, Mississippi Code of 1972, is brought forward as follows:

27-103-125. The proposed budget of each state agency shall show the amounts required for operating expenses separately from the amounts required for permanent improvements. The overall budget shall show, separately by each source, the estimated amount of general fund revenue and of special fund revenues of general fund agencies. The total proposed expenditures in Part 1 of the overall budget shall not exceed the amount of estimated revenues that will be available in the general and special funds for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand in the general and special funds at the close of the then current fiscal year. The total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee. The Legislative Budget Office may recommend additional taxes or sources of revenue if in its judgment those additional funds are necessary to adequately support the functions of the state government.

SECTION 2. Section 27-103-139, Mississippi Code of 1972, is brought forward as follows:

27-103-139. On or before November 15 preceding each regular session of the Legislature, except the first regular session of a new term of office, the Governor shall submit to the members of the Legislature, the Legislative Budget Office or the members-elect, as the case may be, and to the executive head of each state agency a balanced budget for the succeeding fiscal year. The budget submitted shall be prepared in a format that will include performance measurement data associated with the various programs operated by each agency. The total proposed expenditures in the balanced budget shall not exceed the amount of estimated revenues that will be available for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand at the close of the then current fiscal year, as determined by the revenue estimate jointly adopted by the Governor and the Legislative Budget Committee. The total proposed expenditures from the State

General Fund in the balanced budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee.

The revenues used in preparing the balanced budget shall be only those revenues that will be available under the general laws of the state as they exist when the balanced budget is prepared, and shall not include any proposed revenues that would become available only after the enactment of new legislation. If the Governor has any recommendations for additional proposed expenditures or proposed revenues that are not included in his balanced budget, he shall submit those recommendations in a supplement that is separate from his balanced budget, and whenever the Governor recommends any such additional proposed expenditures, he also shall recommend proposed revenues that are sufficient to fund the additional proposed expenditures, providing specific details regarding the sources and the total amount of those proposed revenues.

The Governor may employ a budget officer for the purpose of receiving information from the State Fiscal Officer and preparing his recommendations on the budget. If the Governor determines that information received from the State Fiscal Officer is not sufficient to enable him to prepare his budget recommendations, he may request an appropriation from the Legislature to provide additional staff within the Governor's office for that purpose. At the first regular session after his election for Governor, the Governor shall submit any budget recommendations plus the required revenue source recommendations no later than January 31 of that year.

SECTION 3. Section 27-103-203, Mississippi Code of 1972, is brought forward as follows:

27-103-203. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Working Cash-Stabilization Reserve Fund.

(2) The Working Cash-Stabilization Reserve Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Working Cash-Stabilization Reserve Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. If the Ayers Settlement Fund is created under Section 37-101-27(5), the first Five Million Dollars (\$5,000,000.00) of interest earned on those sums each fiscal year shall be deposited into that fund until a total of Seventy Million Dollars (\$70,000,000.00) has been deposited into the fund. The interest, or the remaining interest if the Ayers Settlement Fund is created, that is earned on those sums shall be deposited in the Working Cash-Stabilization Reserve Fund until the balance of principal and interest in the fund reaches ten percent (10%) of the total General Fund appropriations for the current fiscal year, and all interest earned in excess of amounts necessary to maintain the ten percent (10%) fund balance requirement shall be deposited by the State Treasurer into the State General Fund.

(3) The Working Cash-Stabilization Reserve Fund, except for Fifteen Million Dollars (\$15,000,000.00) and the amount of the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27, shall be used by the State Treasurer for cash flow needs throughout the year when the Executive Director of the Department of Finance and Administration certifies that in his opinion there will be cash flow deficiencies in the State General Fund. No borrowing of monies from other



special funds for such purposes as authorized by Section 31-17-101 et seq., shall be made as long as an unencumbered balance in excess of Fifteen Million Dollars (\$15,000,000.00) and the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27 remains in the fund. The State Treasurer shall reimburse the fund for all sums borrowed for those purposes from General Fund revenues collected during the fiscal year in which those funds are used. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department of Finance and Administration of each transfer into and out of the fund. Fifteen Million Dollars (\$15,000,000.00) in the Working Cash-Stabilization Reserve Fund shall remain available for exclusive use of the Ayers Endowment Trust created by Section 37-101-27. If the Ayers Settlement Fund is created under Section 37-101-27(5), beginning when a total of Fifty-five Million Dollars (\$55,000,000.00) has been deposited into the fund, for each annual deposit of interest to that fund under subsection (2) of this section, the Ayers Endowment Trust created under Section 37-101-27(1) shall be reduced by an equal amount annually until the Ayers Endowment Trust reaches Zero Dollars (\$0.00), at which time any requirements concerning the Ayers Endowment Trust in this section shall be null and void.

(4) The Working Cash-Stabilization Reserve Fund, except for Forty Million Dollars (\$40,000,000.00), shall also be used for the purpose of covering any projected deficits that may occur in the General Fund at the end of a fiscal year as a result of revenue shortfalls. If the Governor determines that a deficit in revenues from all sources may occur, it shall be the duty of the Executive Director of the Department of Finance and Administration to transfer such funds as necessary to the General Fund to alleviate the deficit in accordance with Sections 27-104-13 and 31-17-123; however, not more than Fifty Million Dollars (\$50,000,000.00) may be transferred from the fund for that purpose in any one (1) fiscal year.

(5) The Working Cash-Stabilization Reserve Fund also shall be used to provide funds for the Disaster Assistance Trust Fund when those funds are immediately needed to provide for disaster assistance under Sections 33-15-301 through 33-15-317. Any transfer of funds from the Working Cash-Stabilization Reserve Fund to the Disaster Assistance Trust Fund shall be made in accordance with the provisions of subsection (5) of Section 33-15-307.

(6) The Department of Finance and Administration shall immediately send notice of any transfers made, or other action taken under authority of this section, to the Legislative Budget Office.

(7) Funds deposited in the Working Cash-Stabilization Reserve Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Working Cash-Stabilization Reserve Fund shall be made except by act of the Legislature making specific reference to the Working Cash-Stabilization Reserve Fund as the source of those funds.

(8) Any funds appropriated from the Working Cash-Stabilization Reserve Fund that are unexpended at the end of a fiscal year shall lapse into the Working Cash-Stabilization Reserve Fund.

SECTION 4. Section 27-103-211, Mississippi Code of 1972, is brought forward as follows:

27-103-211. The total sum appropriated by the Legislature from the State General Fund for any fiscal year shall not exceed ninety-eight percent (98%) of the general fund revenue estimate for that fiscal year developed by the Department of Revenue and the

University Research Center and adopted by the Joint Legislative Budget Committee. The unencumbered balances in general funds that will be available and on hand at the close of the fiscal year shall not include projected amounts required to be deposited into the Working Cash-Stabilization Reserve Fund under Section 27-103-203.

SECTION 5. Section 27-103-213, Mississippi Code of 1972, is brought forward as follows:

27-103-213. (1) The unencumbered cash balance in the General Fund in the State Treasury at the close of each fiscal year shall be distributed to the Municipal Revolving Fund, the Working Cash-Stabilization Reserve Fund and the Capital Expense Fund in the manner provided in this section.

(2) (a) At the end of each fiscal year, the Executive Director of the Department of Finance and Administration and the State Treasurer shall determine the extent of the unencumbered cash balance existing in the General Fund in the State Treasury.

(b) As used in this section, the term "unencumbered cash balance" or "unencumbered General Fund cash balance" means the amount in the State General Fund after deducting all appropriations and other expenditures. However, if the Legislature has authorized additional or deficit appropriations or transfers from the State General Fund for that fiscal year, those amounts shall be subtracted from the unencumbered cash balance in the General Fund before determining the amount available for distribution. The unencumbered General Fund cash balance shall not be determined until after August 31 of each year, and it shall not be made until the State Treasurer has received a certificate in writing from the Executive Director of the Department of Finance and Administration, with notification to the Legislative Budget Office, showing the amount of the unencumbered General Fund cash balance.

(3) If any unencumbered General Fund cash balance is available for distribution under this section, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Working Cash-Stabilization Reserve Fund, fifty percent (50%) of the amount of the unencumbered General Fund cash balance after the distributions are made under paragraph (a), not to exceed ten percent (10%) of the General Fund appropriations for the fiscal year that the unencumbered General Fund cash balance represents. For the purposes of this paragraph (b), the appropriations for the fiscal year shall be the total amount contained in the actual appropriation bills passed by the Legislature.

(c) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a) and (b).

SECTION 6. Section 27-103-303, Mississippi Code of 1972, is brought forward as follows:

27-103-303. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Capital Expense Fund.

(2) The Capital Expense Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Capital Expense Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. Interest earned on this fund shall be deposited by the State Treasurer into the State General Fund.

(3) The Capital Expense Fund shall be used for capital expense needs, repair and renovation of state-owned properties and specific expenditures authorized by the Legislature. The Legislature shall designate those capital expense projects, repair and renovation projects and other authorized projects in an appropriation act passed by the Legislature, which shall direct the Director of the Department of Finance and Administration to administer the projects.

(4) In addition to the purposes specified in subsection (3) of this section, the Capital Expense Fund shall be used to provide funds for emergency repairs on state-owned buildings upon requisition of the Executive Director of the Department of Finance and Administration. Whenever the executive director determines that funds are immediately needed for emergency repairs on state-owned buildings, he or she shall requisition the funds needed from the Capital Expense Fund, which shall be subject to the limitations set forth in this subsection. At the same time he or she makes the requisition, the executive director shall notify the Lieutenant Governor, the Speaker of the House of Representatives, the respective Chairmen of the Senate Appropriations Committee, the Senate Finance Committee, the House Appropriations Committee and the House Ways and Means Committee and the Legislative Budget Office of his or her determination of the need for the funds, the amount that he or she has requisitioned and where the funds will be used. If the amount requisitioned is available in the Capital Expense Fund, is not allocated for any specific projects as authorized in subsection (3) of this section and is within the limitations set forth below in this subsection, then the executive director may escalate the budget of the Bureau of Building, Grounds and Real Property Management to use the full amount of the requisitioned funds for the emergency repairs and transfer that amount to the bureau for that purpose. If the amount requisitioned is more than the amount available in the Capital Expense Fund or above the limitations set forth below in this subsection, then the executive director may escalate the budget of the bureau to use the amount that is available within the limitations for the emergency repairs and transfer that amount to the bureau for that purpose. The maximum amount that may be transferred from the Capital Expense Fund to the bureau for any single emergency shall be One Million Dollars (\$1,000,000.00), and the maximum amount that may be transferred to the bureau for all emergencies during any fiscal year shall be Five Million Dollars (\$5,000,000.00).

(5) Funds deposited in the Capital Expense Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Capital Expense Fund shall be made except by act of the Legislature making specific reference to the Capital Expense Fund as the source of those funds.

(6) Unexpended funds in the Capital Expense Fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the fund for use under this section. Any funds appropriated from the Capital Expense Fund that are unexpended at the end of a fiscal year shall lapse into the Capital Expense Fund.

SECTION 7. During fiscal year 2024, the State Fiscal Officer shall transfer to the General Fund out of the following enumerated funds, the amounts listed below from each fund:

FUND	FUND NUMBER	AMOUNT
Capital Expense Fund	6499C00000	\$1.00
Budget Contingency Fund	6117700000	\$1.00
TOTAL .....		\$2.00

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTION 27-103-125, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-139, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-203, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-211, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-213, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE BUDGET PROCESS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS DURING FISCAL YEAR 2024 FROM THE CAPITAL EXPENSE FUND; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 603 was adopted.

YEAS AND NAYS On H. B. No. 603. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barrett, Carter, Caughman, Chassaniol, Fillingane, Johnson, Parks, Tate. Total--8.

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Senator Hopson called up the following entitled bill:

**H. B. No. 604:** New programs funded with ARPA funds; revise certain provisions and bring forward sections of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-2-131, Mississippi Code of 1972, is brought forward as follows:

49-2-131. (1) This section shall be known and may be cited as the "Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022."

(2) There is hereby established within the Mississippi Department of Environmental Quality the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program under which municipalities, counties and certain public utilities not regulated by the Public Service Commission may apply for reimbursable grants to make necessary investments in water, wastewater, and stormwater infrastructure to be funded by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 (ARPA). Such grants shall be made available to municipalities and counties to be matched with the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA on a one-to-one matching basis. Coronavirus Local Fiscal Recovery Funds that a county transfers to a municipality or that a county or municipality transfers to a public utility not regulated by the Public Service Commission are eligible on a one-to-one matching basis. Municipalities that received less than One Million Dollars (\$1,000,000.00) in the total allocation of Coronavirus Local Fiscal Recovery Funds are eligible for a two-to-one match only on the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA. The total funds provided for all two-to-one matches shall not exceed Fifty Million Dollars (\$50,000,000.00). The dollar amount for professional fees that can be allocated as a part of a county's, municipality's or public utility's matching share is not to exceed four percent (4%) of the total project cost.

(3) For purposes of this section, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "MCWI Grant Program" means the Mississippi Municipality and County Water Infrastructure Grant Program.

(b) "ARPA" means the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(c) "State Recovery Funds" means Coronavirus State Fiscal Recovery Funds awarded through Section 602 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(d) "Local Recovery Funds" means Coronavirus Local Fiscal Recovery Funds awarded through Section 603 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(e) "Department" means the Department of Environmental Quality.

(f) "Professional fees" means fees for the services of attorneys and engineering, surveying, and environmental studies.

(g) "Project" means the infrastructure improvements defined in an application that (i) complies with all requirements of ARPA, and (ii) is eligible for a grant award under this section.

(4) (a) On or before July 1, 2022, the Department of Environmental Quality shall promulgate rules and regulations necessary to administer the MCWI Grant Program prescribed under this section, including application procedures and deadlines. The department is exempt from compliance with the Mississippi Administrative Procedures Law in fulfilling the requirements of this section.

(b) The Department of Health shall advise the Mississippi Department of Environmental Quality regarding all such rules and regulations as related to the federal Safe Drinking Water Act.

(5) Funding under the MCWI Grant Program shall be allocated to projects certified by the Mississippi Department of Environmental Quality as eligible for federal funding, including, but not be limited to, the following:

(a) Construction of publicly owned treatment works;

(b) Projects pursuant to the implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA);

(c) Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage;

(d) Management and treatment of stormwater or subsurface drainage water;

(e) Water conservation, efficiency, or reuse measures;

(f) Development and implementation of a conservation and management plan under the CWA;

(g) Watershed projects meeting the criteria set forth in the CWA;

(h) Energy consumption reduction for publicly owned treatment works;

(i) Reuse or recycling of wastewater, stormwater, or subsurface drainage water;

(j) Facilities to improve drinking water quality;

(k) Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements;

(l) New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage;

(m) Storage of drinking water, such as to prevent contaminants or equalize water demands;

- (n) Purchase of water systems and interconnection of systems;
- (o) New community water systems;
- (p) Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure;
- (q) Dam and reservoir rehabilitation, if the primary purpose of dam or reservoir is for drinking water supply and project is necessary for the provision of drinking water;
- (r) Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act; and
- (s) Any eligible drinking water, wastewater or stormwater project through ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury.

(6) The governing authority of a municipality, county or public utility that is not regulated by the Public Service Commission may submit an application for grant funds under this section if the applicant is an operator-member of Mississippi 811, Inc., as defined in Section 77-13-3. Applicants shall certify to the department that each expenditure of the funds awarded to them under this section is in compliance with ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent submissions will be due by the dates established by the department.

(7) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application for grant funds shall include the following at a minimum: (a) applicant contact information; (b) project description and type of project; (c) project map; (d) estimate of population affected by the project; (e) disadvantaged community criteria (population, median household income, unemployment, current water/sewer rates); (f) estimated project cost; (g) list of match funds of direct Coronavirus Local Fiscal Recovery Funds received and to be received from the federal government, a certification that such funds have been or will be used for the project detailed in the application, and documentation of commitment; (h) estimated project schedule and readiness to proceed; (i) engineering services agreement; (j) engineering reports; and (k) information about status of obtaining any required permits.

(8) The department must apply a system for use in ranking the grant applications received. When applying the ranking system, the department shall apply a greater weight to projects that have approved engineering/design, plans and permits if the department has deemed the project is ready to begin construction within six (6) months. Projects that are included on the municipal or county engineer's approved list and provide applicable supporting documentation shall receive additional consideration awarded to the application. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project and the number of communities the project serves; (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant

applicant's long-term plans for the financial and physical operation and maintenance of the project; (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by the United States Department of Treasury rules for ARPA funds; (j) the extent to which the project benefits multiple political subdivisions in a regional manner; (k) the project's ability to enhance public service infrastructure, including transportation and emergency access; and (l) any other factors as determined by the department.

(9) The grant program shall include a specific emphasis on addressing the needs of an economically disadvantaged community, including providing safe, reliable drinking water in areas that lack infrastructure, providing sewage treatment capacity in unsewered areas and providing regional development of infrastructure to serve multiple communities.

(10) Applications shall be reviewed and scored as they are received. The Mississippi Department of Environmental Quality shall certify whether each project submitted is a "necessary investment" in water, wastewater, or stormwater infrastructure as defined in the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. The Department of Environmental Quality shall review the lists of recommended water infrastructure projects and issue its list of recommended projects to the Mississippi Department of Health for its advice. Grant agreements shall be executed between the recipient and the Mississippi Department of Environmental Quality. All final awards shall be determined at the discretion of the executive director of the department. Any funds awarded to the City of Jackson under this section shall be deposited in the Capital City Water/Sewer Projects Fund of the State Treasury. Funds shall be obligated to a grantee upon the execution of a grant agreement between the department and the approved applicant. Funds shall be made available to a grantee when the department obtains the necessary support for reimbursement. The department is authorized to conduct additional rounds of grants as needed; however, in the first round no more than forty percent (40%) of the total funds appropriated for each grant program may be awarded by the department, and the remaining funds may be awarded in the second or subsequent rounds which shall occur no later than six (6) months from the previous round. To ensure equitable treatment between the categories of projects, no less than twenty percent (20%) awarded under this section shall be allocated to each of the three (3) categories of drinking water projects, wastewater projects and stormwater projects. In second or subsequent rounds, any funds not requested may be allocated to any category.

(11) Grant funds shall be used prospectively; however, grant funds may be used to reimburse expenses incurred before the enactment of this program if the costs are adequately documented and comply with applicable ARPA guidelines. An applicant must agree to obtain all necessary state and federal permits and follow all state bidding and contracting laws and fiscally sound practices in the administration of the funds.

(12) (a) Monies must be disbursed under this section in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund, established by the American Rescue Plan of 2021.

(b) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. Each person receiving funds under these programs found to be fully or partially noncompliant with the requirements in this section shall return to the state all or a portion of the funds received.



(13) The department shall submit to the Lieutenant Governor, Speaker of the House, House and Senate Appropriations Chairmen, and the Legislative Budget Office quarterly reports and annual reports that are due by the dates established in the Compliance and Reporting Guidance by the United States Department of Treasury. The reports shall contain the applications received, the score of the applications, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and status of each applicant's project.

(14) Grant funds shall be available under this section through December 31, 2026, or on the date of the fund expenditure deadline provided by the federal government, whichever occurs later. Each grant recipient shall certify for any project for which a grant is awarded that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA funds, then the grant recipient will complete the project through other funds.

(15) The Mississippi Department of Environmental Quality may retain an amount not to exceed five percent (5%) of the total funds allocated to the program to defray administrative costs.

(16) The department shall be exempt from provisions of the Public Procurement Review Board for any requirements of personal or professional service contracts or the pre-approval of the solicitation for such contracts used in the execution of its responsibilities under this section. This subsection shall stand repealed on January 1, 2026.

(17) The provisions of this section shall stand repealed on January 1, 2027.

SECTION 2. Section 41-3-16.1, Mississippi Code of 1972, is brought forward as follows:

41-3-16.1. (1) The State Department of Health (department) shall establish a grant program to be known as the ARPA Rural Water Associations Infrastructure Grant Program (program) to assist rural water associations in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by the federal American Rescue Plan Act (ARPA).

(2) The program shall be funded from appropriations by the Legislature to the department from the Coronavirus State Fiscal Recovery Fund, and the department shall expend all such funds for the purposes provided in subsection (1) of this section. It is the intent of the Legislature that, in the first fiscal year after April 25, 2022, twenty percent (20%) of the funds appropriated to the department for the program be obligated to projects that have completed plans and specifications, acquired all necessary land and/or easements, and are ready to proceed to construction.

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through ARPA.

(4) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/

overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant. The maximum amount of funds that may be provided to any rural water association from all grants under the program is Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

(7) The department shall have all powers necessary to implement and administer the program. Of the funds appropriated to the department for the program, not more than five percent (5%) may be used by the department to cover the department's costs of administering the program.

(8) In carrying out its responsibilities under the program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(9) The department shall submit an annual report regarding the program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

SECTION 3. Section 57-123-7, Mississippi Code of 1972, is brought forward as follows:

57-123-7. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means:

(i) Special local governmental units created by local and private laws of the State of Mississippi for the purpose of tourism promotion, funded by special local tax levies, and staffed with professionals engaged in out-of-state tourism marketing and tourism product development for municipalities, counties and/or regions; or

(ii) Publicly-funded local organizations that engage in out-of-state tourism marketing and tourism development for municipalities, counties and/or regions.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption

effects of the Coronavirus Disease 2019 as expressed in Section 1 of Chapter 399, Laws of 2022.

(2) (a) The Department of Finance and Administration shall establish a program for the purpose of providing funds to assist destination marketing organizations in paying costs for marketing activities as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocation of funds under this section and shall disburse funds as follows:

(i) Not more than Nine Million Four Hundred Twenty-seven Thousand Five Hundred Fifty-seven Dollars (\$9,427,557.00) of such monies shall be allocated to destination marketing organizations in a manner that will provide monies to a destination marketing organization in an amount equal to seventy-five percent (75%) of the destination marketing organization's marketing and advertising expenditures during the 2019 fiscal year, and

(ii) Not more than Twenty Million Five Hundred Seventy-two Thousand Four Hundred Forty-three Dollars (\$20,572,443.00) of such monies shall be allocated to destination marketing organizations based on the proportion that a destination marketing organization's contribution toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report bears to all destination marketing organizations' contributions toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report. However, a destination marketing organization shall not receive an amount less than Two Hundred Fifty Thousand Dollars (\$250,000.00) under this subparagraph (ii).

(b) Within fifteen (15) days after July 1, 2022, the Department of Finance and Administration shall distribute the funds allocated under paragraph (a) of this subsection (2) to eligible destination marketing organizations. Before receiving funds under this subsection (2), a destination marketing organization must certify to the Department of Finance and Administration that:

(i) The funds will only be used for marketing activities, and

(ii) The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds, and

(iii) The destination marketing organization will obligate all funds by December 31, 2024, and fully expend all funds by December 31, 2026.

(c) Destination marketing organizations receiving funds under this subsection (2) shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this subsection (2) shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide semi-annual reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.

(d) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

SECTION 4. Section 57-123-9, Mississippi Code of 1972, is brought forward as follows:

57-123-9. (1) The Department of Finance and Administration shall establish a program for the purpose of providing assistance to Mississippi nonprofit museums as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall disburse funds under this section to nonprofit museums located in municipalities with a population of not more than fifty thousand (50,000) according to the latest federal decennial census to assist in paying costs associated with advertising and other forms of promoting and publicizing nonprofit museums and museum related activities, and repairs and renovations of and upgrades and improvements to such museums for health and safety purposes related to the Coronavirus Disease 19. Of the monies disbursed by the Department of Finance and Administration under this section, twenty-five percent (25%) of such monies shall be used to provide assistance for requests for assistance of less than Three Hundred Thousand Dollars (\$300,000.00); thirty-five percent (35%) of such monies shall be used to provide assistance for requests for assistance of Three Hundred Thousand Dollars (\$300,000.00) or more but less than Seven Hundred Thousand Dollars (\$700,000.00) and forty percent (40%) of such monies shall be used to provide assistance for requests for assistance of Seven Hundred Thousand Dollars (\$700,000.00) or more. A museum desiring assistance under this section must submit an application to the Department of Finance and Administration. The application must include a description of the purposes for which the assistance is requested, the amount of the assistance requested and any other information required by the department.

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 5. Section 57-123-11, Mississippi Code of 1972, is brought forward as follows:

57-123-11. (1) The Department of Finance and Administration shall establish a program for the purpose of providing funds to Mississippi Main Street Association as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall disburse funds under this section to Mississippi Main Street Association to be used for the purpose of making revitalization grants to Mississippi communities as follows:

2020	Number of	Grant	Total
population	communities	amount	grants

More than 25,000	8	\$ 125,000.00	\$ 1,000,000.00
Not more than 25,000	40	\$ 100,000.00	\$ 4,000,000.00
Total			\$ 5,000,000.00

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 6. Section 45-2-41, Mississippi Code of 1972, is brought forward as follows:

45-2-41. (1) There is created the "Mississippi Law Enforcement and Fire Fighters Premium Pay Program," which shall be administered by the Department of Public Safety to provide premium pay to those law enforcement officers and firefighters in the State of Mississippi as provided for in subsection (2) of this section. Monies disbursed by the Department of Public Safety under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section.

(2) The program shall be funded from monies appropriated by the Legislature from the Coronavirus State Fiscal Recovery Fund for that purpose. The Department of Public Safety shall distribute the monies for the program in accordance with the following:

(a) One Thousand Dollars (\$1,000.00) of premium pay shall be paid to each eligible individual.

(b) Eligible individuals are all certified, full-time and part-time law enforcement officers and certified, full-time and part-time firefighters who are serving in the State of Mississippi on July 1, 2022, except those excluded under paragraph (c) of this subsection (2). If a person is an eligible individual in more than one (1) position covered under this paragraph, that person shall only be eligible for one (1) payment of premium pay under paragraph (a) of this subsection.

(c) Any law enforcement officer who received hazard pay from the Governor's discretionary funds authorized by the Legislature from the federal Coronavirus Aid, Relief and Economic Security Act is not eligible to receive monies under this section.

(d) The department also shall distribute monies to counties, municipalities and other governmental entities that, before July 1, 2022, paid premium pay to law enforcement officers and firefighters employed by them from funds received under the federal American Rescue Plan Act, to reimburse those governmental entities for not more than One Thousand Dollars (\$1,000.00) of the amount of premium pay that the governmental entity paid to each recipient.

SECTION 7. Section 5, Chapter 113, Laws of 2022, additional appropriation to DFA-Bureau of Building,-ARPA Funds, is brought forward as follows:

Section 5. Of the funds appropriated under the provisions of Section 1 of this act, One Hundred Seventy-nine Million Seven Hundred Fifty Thousand Dollars (\$179,750,000.00) or so much thereof as may be necessary, shall be provided for capital projects at state-owned buildings or grounds occupied by the following state agencies, or for the following purposes as cited herein:

(a) Any state-owned building as deemed

necessary by the Department of Finance and

Administration Bureau of Building, Grounds

and Real Property Management..... \$ 14,000,000.00.

(b) The Department of Corrections..... \$ 80,000,000.00.

(c) The Department of Mental Health ..... \$ 40,000,000.00.

(d) The Department of Human Services

Oakley Youth Development Center ..... \$ 5,000,000.00.

(e) State Department of Health for

necessary capital investment to assist

in responding to the public health emergency..... \$ 12,000,000.00.

(f) The State Fire Academy..... \$ 750,000.00.

(g) To the entity that oversees the

operations of state parks for the purpose of

eligible water, wastewater, and stormwater

projects ..... \$ 12,000,000.00.

(h) To the entity that oversees the

operations of state parks for the purpose of

improvements to state parks due to increased use

and to promote tourism..... \$ 16,000,000.00.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTION 49-2-131, 41-3-16.1, 57-123-7, 57-123-9, 57-123-11, 45-2-41, MISSISSIPPI CODE OF 1972, WHICH ARE CERTAIN ARPA PROGRAMS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 5, CHAPTER 113, LAWS OF 2022, WHICH IS AN ADDITIONAL APPROPRIATION OF ARPA FUNDS TO THE BUREAU OF BUILDING WITHIN THE DEPARTMENT OF FINANCE AND ADMINISTRATIONS, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 604 was adopted.

YEAS AND NAYS On H. B. No. 604. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barrett, Carter, Caughman, Chassaniol, Fillingane, Johnson, Parks, Tate. Total--8.

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Senator Michel called up the following entitled bill:

**H. B. No. 1084:** Insurance agents; revise the continuing education requirements of those who are 65 and have been licensed for 20 years.

Senator Michel offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 83-17-251, Mississippi Code of 1972, is amended as follows:

83-17-251. (1) Every individual seeking to be licensed as an insurance producer in the State of Mississippi, as a condition of issuance of an original license, must furnish the Commissioner of Insurance certification on a form prescribed by the commissioner that he or she has completed an approved prelicensing course of study for the line of insurance requested.

(2) The prelicensing course of study hours shall consist of twenty (20) hours of approved prelicensing education courses per line of authority. The Commissioner of Insurance shall determine the content requirements for each prelicensing course of study. The prelicensing educational requirements of this section shall not apply to:

(a) An individual that is exempt from taking the written examination as provided in Section 83-17-39(1) and Section 83-17-67.

(b) An individual who has received a bachelor's degree with major coursework in insurance from an accredited institution of higher learning.

(c) An individual holding a current and valid CEBS, CHFC, CIC, CFP, CLU, FLMI, LUTCF designation is exempt for the life line of authority.

(d) An individual holding a current and valid RHU, CEBS, REBC, HIA designation is exempt for the accident and health or sickness line of authority.

(e) An individual holding a current and valid AAI, ARM, CIC, CPCU designation is exempt for the property and casualty lines of authority.

(f) Limited lines insurance producer and limited lines credit insurance producer as defined in Section 83-17-53.

(g) An individual that is seeking licensure for the variable life and variable annuity products line of authority only.

(3) Every individual seeking renewal of an insurance producer license, which has been in effect for a term of eighteen (18) months or less shall satisfactorily complete twelve (12) hours of study in approved continuing education courses. Every individual seeking renewal of an insurance producer license, which has been in effect for a term of more than eighteen (18) months shall satisfactorily complete twenty-four (24) hours of study in approved continuing education courses, of which three (3) hours shall have a course concentration in ethics.

(4) The continuing educational requirements of this section shall not apply to:

(a) Any individual that is exempt from taking the written examination as provided in Section 83-17-39(1)(b), (c), (e) and (g);

(b) Any limited lines producer or limited lines credit insurance producer;

(c) A person not a resident of this state who meets the continuing educational requirement in the state in which such person resides and Mississippi has a reciprocal agreement with that state; \* \* \*

(d) Nonactive agents as defined in Section 83-17-1 \* \* \*; or

(e) Any individual who is sixty-five (65) years of age or older and who has been licensed as an insurance producer for a continuous period of twenty-five (25) years or more as of July 1, 2023, as evidenced by submission of an affidavit, under oath, on a form prescribed by the commissioner, signed by the licensee attesting to satisfaction of the age, licensing and experience requirements of this paragraph (e).

SECTION 2. Section 83-17-255, Mississippi Code of 1972, is brought forward as follows:

83-17-255. (1) A preclicensing and continuing educational advisory committee, comprised of at least three (3) but not more than seven (7) individuals, may be appointed by and shall serve at the pleasure of the Commissioner of Insurance to advise the commissioner concerning preclicensing and continuing educational standards. Each committee member shall agree to serve a minimum of two (2) years. The chairman of the committee shall be appointed by and shall serve at the pleasure of the commissioner.

(2) A majority of those present at any meeting of the educational advisory committee shall be a quorum for purposes of performing the duties of the committee under this section.

(3) The committee may advise the commissioner on program content and exceptions as permitted under this section.

(4) The committee shall be available to consider other related matters as the commissioner may assign.

SECTION 3. Section 83-17-259, Mississippi Code of 1972, is brought forward as follows:

83-17-259. The Commissioner of Insurance, upon written request, may grant exception to or extend the time in which a licensee must comply with the continuing educational requirements of this section for reasons of poor health, military service or other reasonable and just causes.

SECTION 4. Section 83-17-415, Mississippi Code of 1972, is brought forward as follows:

83-17-415. The commissioner shall adopt a procedure for certifying continuing education programs. Each individual seeking renewal of an adjuster license, which has been in effect for a term of eighteen (18) months or less shall satisfactorily complete twelve (12) hours of study in approved continuing education courses. Every individual seeking renewal of an adjuster license, which has been in effect for a term of more than eighteen (18) months shall satisfactorily complete twenty-four (24) hours of study in approved continuing education courses, of which three (3) hours shall have a course concentration in ethics.

SECTION 5. Section 83-17-513, Mississippi Code of 1972, is brought forward as follows:

83-17-513. The commissioner shall adopt a procedure for certifying continuing education programs for public adjusters. Every individual seeking renewal of a public adjuster license, which has been in effect for a term of eighteen (18) months or less shall



satisfactorily complete twelve (12) hours of study in approved continuing education courses. Every individual seeking renewal of a public adjuster license, which has been in effect for a term of more than eighteen (18) months shall satisfactorily complete twenty-four (24) hours of study in approved continuing education courses of which three (3) hours shall have a course concentration in ethics.

SECTION 6. Section 73-35-18, Mississippi Code of 1972, is amended as follows:

73-35-18. (1) Each individual applicant for renewal of a license issued by the Mississippi Real Estate Commission shall, on or before the expiration date of his license, or at a time directed by the commission, submit proof of completion of not less than sixteen (16) clock hours of approved course work to the commission, in addition to any other requirements for renewal. The sixteen (16) clock hours' course work requirement shall apply to each two-year license renewal, and hours in excess thereof shall not be cumulated or credited for the purposes of subsequent license renewals except as provided in this subsection (1). The commission shall develop standards for approval of courses and shall require certification of such course work of the applicant. The commission may determine any required subject matter within the mandated sixteen (16) hours; provided that the required subjects shall not exceed eight (8) hours of the total sixteen (16) hours. Approved continuing education hours earned in the final three (3) months of a licensee's renewal period, if in excess of the required minimum sixteen (16) hours, may be carried over and credited to the next renewal period. However, no more than six (6) hours may be carried over in this manner. Any member of the Mississippi Legislature who has a real estate license shall be credited with eight (8) hours of credit for the attendance of each year of a legislative session. No person may receive continuing education credit for prelicense education courses taken, except as follows: a licensee whose license is on inactive status and whose continuing education credits are at least thirty (30) hours in arrears may, at the discretion of the commission, receive continuing education credit for retaking prelicense coursework, provided the entire prelicense course is retaken.

(2) This section shall apply to renewals of licenses which expire on and after July 1, 1994; however, an applicant for first renewal who has been licensed for not more than one (1) year shall not be required to comply with this section for the first renewal of the applicant's license. The provisions of this section shall not apply to persons who have held a broker's or salesperson's license in this state for at least twenty-five (25) years and who are \* \* \* at least sixty-five (65) years of age. Inactive licensees are not required to meet the real estate continuing education requirements specified in this section; however, such inactive licensees, before activating their license to active status, must cumulatively meet requirements missed during the period their license was inactive.

(3) A renewal of a license issued by the commission which expires after June 30, 2019, must include a current email address for the applicant. Any email address previously provided by an applicant to the commission which is no longer valid or the primary email address of the applicant must be updated when a renewal application is submitted under this section.

(4) The commission shall promulgate rules and regulations as necessary to accomplish the purposes of this section in accordance with the Mississippi Administrative Procedures Law.

(5) [Repealed]

SECTION 7. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 83-17-251, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INDIVIDUAL WHO IS SIXTY FIVE YEARS OF AGE OR OLDER AND WHO HAS BEEN LICENSED AS AN INSURANCE PRODUCER FOR A CONTINUOUS PERIOD OF TWENTY-FIVE YEARS OR MORE AS OF JULY 1, 2023, AS EVIDENCED BY SUBMISSION OF AN AFFIDAVIT, UNDER OATH, ON A FORM PRESCRIBED BY THE COMMISSIONER, SIGNED BY THE LICENSEE ATTESTING TO SATISFACTION OF THE AGE, LICENSING AND EXPERIENCE REQUIREMENTS SHALL NOT BE REQUIRED TO COMPLETE THE CONTINUING EDUCATION REQUIREMENTS OF AN INSURANCE PRODUCER; TO BRING FORWARD SECTIONS 83-17-255, 83-17-259, 83-17-415 AND 83-17-513, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 73-35-18, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSURE THOSE PERSONS WHO HAVE HELD A REAL ESTATE BROKER'S OR SALESPERSON'S LICENSE IN THIS STATE FOR AT LEAST TWENTY-FIVE YEARS AND WHO ARE AT LEAST SIXTY-FIVE YEARS OF AGE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1084 was adopted.

YEAS AND NAYS On H. B. No. 1084. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Polk. Total--1.

Absent and those not voting--Barrett, Carter, Caughman, Chassaniol, Fillingane, Johnson, Parks, Tate. Total--8.

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Senator Michel called up the following entitled bill:

**H. B. No. 1162:** Reciprocal insurance; revise sworn declaration requirements of and board of directors for.

YEAS AND NAYS On H. B. No. 1162. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--None.

Absent and those not voting--Barrett, Carter, Caughman, Chassaniol, Fillingane, Johnson, Parks, Tate. Total--8.

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Senator Polk moved that the Senate stand in recess until 11:00 AM, at which time the Senate would then adjourn until 4:00 PM, Monday, February 27, 2023.

The motion prevailed, and at 9:17 AM, the Senate stood in recess.

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REPORT OF COMMITTEE ON DRUG POLICY

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

**H. B. No. 722:** Controlled substances; exclude fentanyl testing materials from definition of "paraphernalia" under. Title Sufficient. Do Pass.

**H. B. No. 1071:** Uniform Controlled Substances Act; revise schedules. Title Sufficient. Do Pass.

JORDAN, Chairman

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MESSAGE FROM THE HOUSE

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

**S. B. No. 2104:** Mississippi Gulf Coast Region Utility Act; extend repealer on.

**S. B. No. 2137:** "Mississippi Native Plant Month"; designate each April as.

**S. B. No. 2138:** Tourism; designate the Mississippi Opal as the state gemstone.

**S. B. No. 2146:** Uncrewed aircraft systems; regulate.

**S. B. No. 2199:** County prosecuting attorney; clarify authorization to defend persons in criminal prosecutions in any other county.

**S. B. No. 2341:** Electric transmission infrastructure; maintain state jurisdiction over integrity of.

**S. B. No. 2561:** Highways; make the MS Transportation Commission vote on use of ERBR Fund monies majority instead of unanimous.

**S. B. No. 2562:** Transportation; allow public and private partnerships to establish electric vehicle charging stations.

**S. B. No. 2581:** Commission on College Accreditation; revise technical provision related thereto.

**S. B. No. 2588:** "Commissioner Dick Hall Hospitality Station"; MDOT to designate Warren County Welcome Center as.

**S. B. No. 2589:** West Rankin Parkway; expand permission for use of federal funds.

**S. B. No. 2590:** Mississippi State University authority to lease property for public-private partnership student housing; increase term.

**S. B. No. 2717:** Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto.

**S. B. No. 2839:** Public Improvement District Act; amend to allow municipality to perform duties and exercise powers in certain circumstances.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2722:** "North Forty" property; authorize DFA to purchase.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2002:** Memorial highways; designate segments of highways to Bradford C. Freeman and Douglas Anderson.

**S. B. No. 2203:** Public land in Rankin County; authorize DFA to assign property to state agencies and establish new Veterans Nursing Home.

**S. B. No. 2309:** MS Department of Archives and History property; add parcel known as "The Old Magnolia Church" for transfer to U.S. Park Service.

**S. B. No. 2312:** County-owned real estate; establish competitive bidding process for lease or sale.

**S. B. No. 2379:** Code books; revise number required to be ordered from publisher.

**S. B. No. 2486:** Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections.

**S. B. No. 2559:** Transportation; extend repealer on harvest permit authorization and fees.

**S. B. No. 2622:** Mississippi Prior Authorization Reform Act; enact.

**S. B. No. 2723:** Certain real property located in the Capitol Complex area; authorize DFA to purchase.

**S. B. No. 2728:** Statewide master agreements and utilization of information technology acquisitions made by other entities; authorize.

**S. B. No. 2853:** Small unmanned aircraft systems; require state purchase and servicing of from American companies only.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1702:** AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF BOOKS AT THE MISSISSIPPI BOOK FESTIVAL IF SOLD DURING A PERIOD BEGINNING AT 9:00 A.M. ON FRIDAY DURING THE FESTIVAL AND ENDING AT 12:00 NOON THE FOLLOWING SUNDAY; TO EXEMPT FROM SALES TAXATION SALES OF BOOKS AT CERTAIN BOOKSTORES IN THIS STATE IF SOLD DURING A PERIOD CORRESPONDING WITH THE MISSISSIPPI BOOK FESTIVAL AND BEGINNING AT 9:00 A.M. ON FRIDAY DURING THE FESTIVAL AND ENDING AT 12:00 NOON THE FOLLOWING SUNDAY; TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY OR SERVICES TO VETERANS OUTREACH; AND FOR RELATED PURPOSES.

**H. B. No. 1721:** AN ACT MAKING AN APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROVIDING FUNDING TO THE MISSISSIPPI BAPTIST MEDICAL CENTER IN JACKSON TO ESTABLISH A BURN CENTER OR UNIT AT THE MEDICAL CENTER FOR FISCAL YEAR 2024.

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1702:** Sales tax; exempt sales of books at the Mississippi Book Festival. Finance.

**H. B. No. 1721:** Appropriation; Health Department for MS Baptist Medical Center in Jackson to establish a burn center or unit. Appropriations.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:00 AM

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR FRIDAY, FEBRUARY 24, 2023

**S. B. No. 3139:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY AND THE JACKSON COUNTY UTILITY AUTHORITY TO SHARE EQUIPMENT, LABOR, SERVICES, RESOURCES, AND FUNDS UPON SUCH TERMS AND CONDITIONS AS THEY MAY MUTUALLY AGREE; AND FOR RELATED PURPOSES.

By Senator(s) Seymour, Wiggins

**S. R. No. 48:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE 2022 GAUTIER HIGH SCHOOL "GATORS" BOYS GOLF TEAM AND COACH TOMMY BREWER FOR WINNING THEIR FIRST MHSAA CLASS 5A STATE CHAMPIONSHIP.

By Senator(s) England, Wiggins

**S. R. No. 49:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE OCEAN SPRINGS HIGH SCHOOL "GREYHOUNDS" CHEER TEAM AND HEAD COACH DIANE NETTLES FOR WINNING CONSECUTIVE MHSAA CLASS 6A STATE CHAMPIONSHIPS.

By Senator(s) England, Wiggins

**S. R. No. 50:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE SIMPSON COUNTY ACADEMY "COUGARS" BOYS BASKETBALL TEAM AND COACH CAREY CRAIN FOR WINNING BACK-TO-BACK MAIS 5A STATE CHAMPIONSHIPS.

By Senator(s) Caughman

**S. R. No. 51:** Rules

A RESOLUTION EXTENDING THE CONDOLENCES OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY OF JACKSON MINORITY BUSINESS PIONEER ROY L. DIXON, SR., WHO FOUNDED "DIXON'S FRIED PORK SKIN SHOP".

By Senator(s) Norwood, Frazier, Jackson, Jordan, Butler (38th), Simmons (12th), Blount, Thomas, Turner-Ford, Butler (36th)

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FIFTY-SIXTH DAY, MONDAY, FEBRUARY 27, 2023

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--51.

Absent--Parks. Total--1.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Morris Allen, Pastor, Green Grove Missionary Baptist Church, Belzoni, MS.

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Senator Thomas led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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MESSAGE FROM THE GOVERNOR  
February 27, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2962:** Appropriation; additional appropriations for various state agencies for FY2023 and FY2024. (February 27, 2023, 1:33 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2138:** AN ACT CREATING A NEW SECTION 3-3-66, MISSISSIPPI CODE OF 1972, DESIGNATING THE MISSISSIPPI OPAL AS THE STATE GEMSTONE; AND FOR RELATED PURPOSES.

**S. B. No. 2146:** AN ACT TO ENACT THE UNCREWED AIRCRAFT SYSTEMS' RIGHTS AND AUTHORITIES ACT; TO DEFINE TERMS; TO PROVIDE THAT AN INDIVIDUAL, IN COMPLIANCE WITH FEDERAL LAW, MAY OPERATE AN UNCREWED AIRCRAFT SYSTEM FOR RECREATIONAL PURPOSES WITHIN THIS STATE; TO PROVIDE THAT AN INDIVIDUAL OR BUSINESS ENTITY, DOING BUSINESS LAWFULLY WITHIN THIS STATE AND IN COMPLIANCE WITH FEDERAL LAW, MAY OPERATE OR USE AN UNCREWED AIRCRAFT SYSTEM FOR COMMERCIAL PURPOSES WITHIN THIS STATE; TO PROVIDE THAT A PERSON MAY BE GUILTY OF AN OFFENSE COMMITTED WITH THE AID OF AN UNCREWED AIRCRAFT SYSTEM IF THE ACTIVITY PERFORMED WITH THE AID OF THE UNCREWED AIRCRAFT SYSTEM WOULD HAVE GIVEN RISE TO LIABILITY IF IT WAS PERFORMED DIRECTLY BY THE PERSON WITHOUT THE AID OF AN UNCREWED AIRCRAFT SYSTEM; TO PROVIDE FOR THE REGULATORY AUTHORITY OF THE STATE AND ITS POLITICAL SUBDIVISIONS; TO PROVIDE THAT NOTHING IN THE ACT SHALL PREEMPT FEDERAL LAW; AND FOR RELATED PURPOSES.

**S. B. No. 2199:** AN ACT TO AMEND SECTION 19-23-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT A COUNTY PROSECUTING ATTORNEY MAY DEFEND ANY PERSON IN ANY CRIMINAL PROSECUTION NOT WITHIN THE COUNTY IN WHICH HE OR SHE IS THE COUNTY PROSECUTING ATTORNEY; AND FOR RELATED PURPOSES.

**S. B. No. 2581:** AN ACT TO AMEND SECTION 37-101-241, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING SHALL APPOINT STAFF AS MAY BE REQUIRED FOR THE PERFORMANCE OF THE DUTIES OF THE COMMISSION ON COLLEGE ACCREDITATION AND TO PROVIDE NECESSARY FACILITIES AND SUPPORT TO MANAGE THE DUTIES OF THE COMMISSION; TO PROVIDE THAT THE COMMISSION SHALL AUTHORIZE AND MAINTAIN AN APPROVED LIST OF ALL PUBLIC AND PRIVATE POSTSECONDARY, ACADEMIC DEGREE-GRANTING INSTITUTIONS OR ANY OTHER ENTITIES DOMICILED IN THE STATE WHICH OFFER POSTSECONDARY ACADEMIC DEGREES OR PROGRAMS; TO ALLOW THE BOARD TO CHARGE THE COMMISSION FOR THE ACTUAL COSTS INCURRED BY THE BOARD TO ASSIST IN THE PERFORMANCE OF THE COMMISSION'S DUTIES; TO AMEND SECTION 37-101-243, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; AND FOR RELATED PURPOSES.

**S. B. No. 2589:** AN ACT TO AMEND SECTION 10, CHAPTER 582, LAWS OF 2002; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2526:** AN ACT TO AMEND SECTIONS 51-15-103, 51-15-107, 51-15-109, 51-15-113, 51-15-115, 51-15-117, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MUNICIPALITIES LOCATED IN COUNTIES THAT ARE NOT MEMBERS OF THE PAT HARRISON WATERWAY DISTRICT TO JOIN THE DISTRICT; TO AMEND SECTION 51-15-118, TO AUTHORIZE THE GOVERNING AUTHORITIES OF A MEMBER MUNICIPALITY TO WITHDRAW THE MUNICIPALITY FROM THE DISTRICT; TO AMEND SECTIONS 51-15-119, 51-15-131, 51-15-133, 51-15-136, 51-15-139 AND 51-15-158, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE ABOVE; TO BRING FORWARD SECTIONS 51-15-105 AND 51-15-129, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 2:** A CONCURRENT RESOLUTION CELEBRATING NATIONAL THERAPY ANIMAL DAY IN MISSISSIPPI ON APRIL 30, 2023.

**H. C. R. No. 35:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE OLE MISS BASEBALL TEAM FOR WINNING THE 2022 NCAA BASEBALL NATIONAL CHAMPIONSHIP AT THE 2022 COLLEGE WORLD SERIES.

**H. C. R. No. 37:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE LIONS CLUB ON THE OCCASION OF ITS 75TH ANNIVERSARY AND ENCOURAGING ALL CITIZENS TO RECOGNIZE THE



BOONEVILLE LIONS CLUB FOR THEIR GENEROUS CIVIC AND COMMUNITY SERVICE.

**H. C. R. No. 38:** A CONCURRENT RESOLUTION COMMENDING THE DISTINGUISHED AND LAUDABLE LEGISLATIVE CAREER OF FORMER REPRESENTATIVE, THE HONORABLE DEBRA HENDRICKS GIBBS AND CONGRATULATING HER UPON BEING ELECTED TO THE BENCH AS CIRCUIT COURT JUDGE OF DISTRICT 7, PLACE 2, HINDS COUNTY, MISSISSIPPI.

Joseph Thomas, Chairman

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Nancy Ann Sison of Gulfport, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Donnie Fay Ishee of Perkinston, MS.

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Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Mr. Linnell Jarriett of Lambert, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Matthew Ryan Rogers of Olive Branch, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of David Reid Williams of Memphis, TN.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Rosa Nell Huggins of Winona, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Jennifer Baird Harris of Tampa, FL.

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Senator Polk moved that the Senate stand in recess until the last Committee Report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, February 28, 2023.

The motion prevailed, and at 4:13 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON ENERGY

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 264:** Energy Efficiency standards on buildings; extend repealer on statute requiring certain buildings to meet. Title Sufficient. Do Pass.

**H. B. No. 288:** Public Utilities Staff; authorize certain personnel to be filled by consulting contract. Title Sufficient. Do Pass.

**H. B. No. 698:** Municipal water, wastewater and sewer services; require equity based billing based on use of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1060:** Electric vehicles; authorize charging by nonutilities. Title Sufficient. Do Pass As Amended.

**H. B. No. 1225:** Telephone solicitation; bring forward provisions of law relating to. Title Sufficient. Do Pass As Amended.

CARTER, Chairman

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#### REPORT OF COMMITTEE ON GAMING

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. B. No. 606:** The Mobile/Online Betting Task Force; authorize. Title Sufficient. Do Pass As Amended.

BLOUNT, Chairman

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#### REPORT OF COMMITTEE ON ELECTIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. B. No. 1276:** State officers; provide for a runoff election for. Title Sufficient. Do Pass.

TATE, Chairman

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#### REPORT OF COMMITTEE ON ELECTIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. B. No. 1306:** Elections; revise certain provisions about names of candidates appearing on the ballot, judicial candidate's annual report and fraudulent absentee voter applications. Title Sufficient. Do Pass As Amended.

TATE, Chairman

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#### REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. B. No. 1030:** Motor Vehicle Sales Finance Law; clarify employees of state licensee may work remotely. Title Sufficient. Do Pass.

CAUGHMAN, Chairman

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REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. B. No. 1110:** Second Amendment Financial Privacy Act; create. Title Sufficient. Do Pass As Amended.

CAUGHMAN, Chairman

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REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 256:** Mississippi Boll Weevil Management Corporation; extend repealer on requirement that audits be submitted by November 15. Title Sufficient. Do Pass As Amended.

**H. B. No. 280:** Foreign governments; prohibit sale of agricultural lands to. Title Sufficient. Do Pass As Amended.

**H. B. No. 363:** Mississippi Department of Agriculture and Commerce; technical amendments related to certain powers and duties. Title Sufficient. Do Pass As Amended.

**H. B. No. 484:** Petroleum Products Inspection Law; delete repealer on definitions and penalties under. Title Sufficient. Do Pass As Amended.

YOUNGER, Chairman

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REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. B. No. 232:** Dairy show; relocate the show held in Lee County, MS, to Pontotoc County, MS. Title Sufficient. Do Pass As Amended.

YOUNGER, Chairman

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REPORT OF COMMITTEE ON AGRICULTURE

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

SENATE JOURNAL  
MONDAY, FEBRUARY 27, 2023

**S. N. No. 59:** Dr. Robert Allen (Bob) Filgo, Jr., Madison, Mississippi, State Board of Veterinary Medicine, five year term effective June 28, 2022 and ending May 22, 2027, vice Dr. Gail S. Anderson. Do Advise and Consent.

YOUNGER, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:44 PM in memory of Nancy Ann Sison, Donnie Fay Ishee, Mr. Linnell Jarriett, Matthew Ryan Rogers, David Reid Williams, Rosa Nell Huggins and Jennifer Baird Harris.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR MONDAY, FEBRUARY 27, 2023

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FIFTY-SEVENTH DAY, TUESDAY, FEBRUARY 28, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Gary D. Houston, Pastor, Northside Church, Meridian MS.

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Senator Hickman led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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REPORT OF COMMITTEE ON EDUCATION

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 258:** Educational Facilities Revolving Loan Fund; extend repealers on statutes relating to sales tax distribution and state public school building fund. Title Sufficient. Do Pass As Amended.

**H. B. No. 1365:** Assistant teacher salaries; prohibit school districts from using any state-funded increase to substitute the local contribution. Title Sufficient. Do Pass As Amended.

**H. B. No. 1390:** Abstinence education; delete repealer on school board requirement to adopt a policy on abstinence-only or abstinence-plus. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman

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Senator Polk moved that the Senate stand in recess until 4:00 PM.

The motion prevailed, and at 10:20 AM, the Senate stood in recess.

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The Senate resumed business at 4:00 PM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. B. No. 3:** Third-party delivery service; prohibit from using name, likeness, trademark or intellectual property of merchant without agreement. Title Sufficient. Do Pass As Amended.

CAUGHMAN, Chairman

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REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 261:** Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations. Title Sufficient. Do Pass As Amended.

**H. B. No. 388:** Income tax; revise local governmental entities that may collect debt by a setoff against a debtor's refund. Title Sufficient. Do Pass As Amended.

**H. B. No. 395:** MS Major Economic Impact Act; extend deadline for issuance of bonds for certain automotive parts manufacturing plant projects. Title Sufficient. Do Pass.

**H. B. No. 968:** Sales tax and use tax; revise provisions regarding computer software, computer software service and computer service. Title Sufficient. Do Pass As Amended.

**H. B. No. 1168:** Municipal special sales tax; revise use of revenue for certain. Title Sufficient. Do Pass As Amended.

**H. B. No. 1169:** Income tax; revise method of collecting delinquent tax from public officers and employees. Title Sufficient. Do Pass.

HARKINS, Chairman

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REPORT OF COMMITTEES ON  
TOURISM AND FINANCE

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 704:** Television series production; provide incentives for certain. Title Sufficient. Do Pass.

CHASSANIOL, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2104:** AN ACT TO AMEND SECTIONS 49-17-707, 49-17-709, 49-17-711 AND 49-17-713, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE MISSISSIPPI GULF COAST REGION UTILITY ACT; AND FOR RELATED PURPOSES.

**S. B. No. 2137:** AN ACT TO DESIGNATE EACH APRIL AS "MISSISSIPPI NATIVE PLANT MONTH" IN ORDER TO PRESERVE THE HERITAGE AND THE IMPORTANCE OF NATIVE PLANTS FOR CLEAN AIR, WATER AND SOIL STABILITY; AND FOR RELATED PURPOSES.

**S. B. No. 2341:** AN ACT TO MAINTAIN STATE JURISDICTION OVER THE INTEGRITY OF ELECTRIC TRANSMISSION INFRASTRUCTURE TO ASSURE LANDOWNER SAFEGUARDS, TRANSPARENCY AND OVERSIGHT OF CUSTOMER RATES, RELIABILITY AND RELIEF; TO PRESCRIBE THE REQUIREMENTS FOR THE ISSUANCE OF A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY TO BUILD CERTAIN ELECTRIC TRANSMISSION FACILITIES IN A REGIONAL TRANSMISSION ORGANIZATION; AND FOR RELATED PURPOSES.

**S. B. No. 2562:** AN ACT TO CREATE A NEW SECTION WITHIN TITLE 65, CHAPTER 1, MISSISSIPPI CODE OF 1972, TO ALLOW FOR PUBLIC AND PRIVATE PARTNERSHIPS TO ESTABLISH ELECTRIC VEHICLE CHARGING STATIONS AND TO ALLOW THE MISSISSIPPI TRANSPORTATION COMMISSION TO PROVIDE GRANTS TO PRIVATE COMPANIES FOR THE PURPOSE OF PROVIDING ELECTRIC VEHICLE CHARGING STATIONS; AND FOR RELATED PURPOSES.

**S. B. No. 2588:** AN ACT TO CODIFY SECTION 65-31-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO DESIGNATE THE STATE HOSPITALITY STATION LOCATED IN VICKSBURG, WARREN COUNTY, ON THE MISSISSIPPI RIVER, AS THE "COMMISSIONER DICK HALL HOSPITALITY STATION"; AND FOR RELATED PURPOSES.

**S. B. No. 2590:** AN ACT TO AMEND CHAPTER 493, LAWS OF 2016, TO INCREASE THE LENGTH OF TIME MISSISSIPPI STATE UNIVERSITY IS AUTHORIZED TO LEASE CERTAIN LAND FOR PUBLIC-PRIVATE PARTNERSHIP STUDENT HOUSING; AND FOR RELATED PURPOSES.

**S. B. No. 2717:** AN ACT TO AMEND SECTION 25-53-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES SHALL EVALUATE THE OPPORTUNITIES FOR EXPANDING THE ENTERPRISE SECURITY PROGRAM AND THE COORDINATED OVERSIGHT OF CYBERSECURITY EFFORTS TO INCLUDE THOSE GOVERNING AUTHORITIES DEFINED IN SECTION 25-53-3(F); TO REQUIRE THE DEPARTMENT TO DEVELOP A REPORT ON THESE OPPORTUNITIES AND TO PRESENT THE REPORT TO THE CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES, ATTORNEY GENERAL AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE BY NOVEMBER 1, 2023; TO PROVIDE THAT FROM AND AFTER JULY 1, 2023, ALL STATE AGENCIES AND GOVERNING AUTHORITIES AS DEFINED IN SECTION 25-53-3 SHALL REPORT TO THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES ANY DEMAND FOR PAYMENT OR ANY PAYMENT MADE AS A RESULT OF RANSOMWARE; TO DEFINE RANSOMWARE; TO REQUIRE THESE AGENCIES AND AUTHORITIES TO REPORT THIS INFORMATION NO LATER THAN THE NEXT BUSINESS DAY UPON DISCOVERY OF THE RANSOMWARE; TO REQUIRE THE DEPARTMENT TO RECORD ALL INFORMATION SUBMITTED FROM THESE AGENCIES AND AUTHORITIES AND DEVELOP A REPORT ON THIS INFORMATION; TO REQUIRE THE DEPARTMENT TO PRESENT THIS REPORT TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, ATTORNEY GENERAL, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; TO REQUIRE THE DEPARTMENT TO PRESENT A YEARLY SUMMARY OF ALL RANSOMWARE INCIDENTS BY NOVEMBER 1 OF EACH YEAR TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, CHAIRMEN OF THE SENATE AND HOUSE OF REPRESENTATIVES ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY COMMITTEES AND THE CHAIRMAN OF THE SENATE TECHNOLOGY COMMITTEE; AND FOR RELATED PURPOSES.

**S. B. No. 2722:** AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PURCHASE CERTAIN REAL PROPERTY LOCATED WITHIN THE CAPITOL COMPLEX IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI, KNOWN AS THE "NORTH FORTY"; AND FOR RELATED PURPOSES.

**S. B. No. 2839:** AN ACT TO AMEND SECTIONS 19-31-9, 19-31-11, 19-31-17, 19-31-19, 19-31-25, 19-31-39, AND 19-31-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE MUNICIPALITY IN WHICH A PUBLIC IMPROVEMENT DISTRICT IS CONTAINED TO PERFORM THE DUTIES AND EXERCISE THE POWERS OF THE BOARD OF THE DISTRICT IN CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 1162:** AN ACT TO AMEND SECTION 83-33-5, MISSISSIPPI CODE OF 1972, TO REVISE SWORN DECLARATION REQUIREMENTS FOR RECIPROCAL INSURANCE; TO AMEND SECTION 83-33-23, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS OF THE BOARD OF DIRECTORS FOR THE RECIPROCAL; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 273:** Health Care Impact Grant Program; establish to provide grants to hospitals and nursing facilities. Title Sufficient. Do Pass As Amended.

**H. B. No. 602:** District Attorneys; increase the operating allowance of. Title Sufficient. Do Pass As Amended.

**H. B. No. 834:** Assistant District Attorneys and criminal investigators; increase authorized number of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1048:** "Universal Changing Tables Installation Incentive Grant Program Act"; establish to be administered by Mississippi Department of Rehabilitation Services. Title Sufficient. Do Pass As Amended.

**H. B. No. 1089:** State budget; revise provisions of several FY 23 bills and create special funds. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

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#### REPORT OF COMMITTEES ON CORRECTIONS AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 799:** Inmate Welfare Fund; increase portion of the fund that is utilized to fund Inmate Incentive to Work Program. Title Sufficient. Do Pass As Amended.

BARNETT, Chairman  
HOPSON, Chairman

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#### REPORT OF COMMITTEES ON ECONOMIC AND WORKFORCE DEVELOPMENT AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 770:** Mississippi Office of Space and Technology; create to be administered by MDA, which shall staff. Title Sufficient. Do Pass.



PARKER, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
EDUCATION AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**H. B. No. 817:** Early Learning Collaborative; increase minimum funding levels for full-day and half-day programs. Title Sufficient. Do Pass.

**H. B. No. 1173:** EEF procurement cards; authorize issuance to eligible charter school teachers. Title Sufficient. Do Pass.

**H. B. No. 1369:** MAEP; determine cost of using Average Daily Membership (ADM) in lieu of ADA with 90% threshold attendance trigger. Title Sufficient. Do Pass As Amended.

DEBAR, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
PUBLIC HEALTH AND WELFARE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**H. B. No. 518:** Local Provider Innovation Grant Program; revise certain provisions of. Title Sufficient. Do Pass.

**H. B. No. 584:** Qualified Health Center Grant Program; clarify that amount specified for grants under is minimum amount to be issued. Title Sufficient. Do Pass As Amended.

BRYAN, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
PUBLIC PROPERTY AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measures and report same back with the following recommendations:

**H. B. No. 917:** Mississippi Worker's Comp commission office building; place under the supervision and care of DFA. Title Sufficient. Do Pass As Amended.

**H. B. No. 1286:** Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center". Title Sufficient. Do Pass.

TURNER-FORD, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
TOURISM AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1266:** Mississippi USA Semiquincentennial Commission and Mississippi Semiquincentennial Celebration Fund; create. Title Sufficient. Do Pass.

CHASSANIOL, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEE ON JUDICIARY, DIVISION A

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 1155:** Residential subdivisions; authorize property owners to establish and/or amend covenants, conditions and restrictions. Title Sufficient. Do Pass As Amended.

**H. B. No. 1157:** Vehicle rental; require those engaged in to disclose total charges, including all additional mandatory charges. Title Sufficient. Do Pass As Amended.

**H. B. No. 1218:** Rivers McGraw Mental Health Treatment Court Act; revise. Title Sufficient. Do Pass.

**H. B. No. 1342:** Adoption procedures; regulate by creating a licensure authority. Title Sufficient. Do Pass As Amended.

**H. B. No. 1149:** Path to permanency; provide for children in Child Protection Services. Title Sufficient. Do Pass As Amended.

**H. B. No. 1318:** Baby drop-off and safe haven; revise provisions that regulate. Title Sufficient. Do Pass As Amended.

WIGGINS, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 550:** Expressing the support of the Legislature for the plaintiffs in Harrison Co. et al. v. U.S. Army Corps of Engineers.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 249:** MS Medical Cannabis Act; extend repealers to certain state laws for Departments of Health and Revenue in connection with. Title Sufficient. Do Pass.

**H. B. No. 259:** Medical radiation technologists; delete repealers on registration statutes. Title Sufficient. Do Pass.

**H. B. No. 522:** Mississippi Individual On-site Wastewater Disposal System Law; extend repealer on. Title Sufficient. Do Pass.

**H. B. No. 854:** Marriage and family therapists; revise certain requirements for licensure. Title Sufficient. Do Pass.

**H. B. No. 1039:** Occupational licensing; revise certain provisions relating to members of the military to include veterans. Title Sufficient. Do Pass.

**H. B. No. 1158:** Medical Cannabis Act; revise certain provisions of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1222:** The Mississippi Collaborative Response to Mental Health Act; create. Title Sufficient. Do Pass As Amended.

**H. B. No. 1264:** School districts; authorize to provide feminine hygiene products for female students in Grades 6-12. Title Sufficient. Do Pass As Amended.

**H. B. No. 1392:** MS Vulnerable Persons Abuse Registry; require Department of Human Services to establish. Title Sufficient. Do Pass.

BRYAN, Chairman

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REPORT OF COMMITTEES ON  
PUBLIC HEALTH AND WELFARE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 557:** MS Rural Dentists Scholarship Program; increase number of students who may be admitted into annually. Title Sufficient. Do Pass As Amended.

BRYAN, Chairman  
HOPSON, Chairman

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On request of Senator Branning, unanimous consent was granted to make the following correction in **S. B. No. 2561**:

**On line 94, strike the following language:**

, and shall stand repealed on June 30, 2023

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SENATE JOURNAL  
TUESDAY, FEBRUARY 28, 2023

Senator Polk moved that the Senate stand in recess until 5:00 PM.

The motion prevailed, and at 4:05 PM, the Senate stood in recess.

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The Senate resumed business at 5:00 PM, pursuant to recess, with President Hosemann presiding.

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REPORT OF COMMITTEES ON  
TOURISM AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 419:** Tourism; provide assistance to destination marketing organization. Title Sufficient. Do Pass As Amended.

CHASSANIOL, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 538:** Pat Harrison Waterway District; provide county withdrawal from district not effective until close of FY in which county obligations met. Title Sufficient. Do Pass.

**H. B. No. 768:** State Personnel Board; require agencies seeking an exemption from the oversight of to submit written plan of justification to Legislature and SPB. Title Sufficient. Do Pass.

**H. B. No. 540:** Personal and professional services; require the Department of Finance and Administration to conduct solicitations of for certain agencies. Title Sufficient. Do Pass As Amended.

**H. B. No. 985:** EMS Advisory Council; revise membership of. Title Sufficient. Do Pass.

**H. B. No. 809:** Executive Director of Public Utilities Staff; remove Public Service Commission from the process of appointing. Title Sufficient. Do Pass.

POLK, Chairman

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REPORT OF COMMITTEES ON  
DRUG POLICY AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 231:** Tobacco education, prevention and cessation program; add fentanyl and drug abuse prevention education. Title Sufficient. Do Pass.

JORDAN, Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
ELECTIONS AND ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1310:** Elections; revise provisions related to the integrity of. Title Sufficient. Do Pass As Amended.

TATE, Chairman  
POLK, Chairman

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REPORT OF COMMITTEES ON  
INSURANCE AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 521:** Length of Service Award Program; authorize for the recruitment and retention of volunteer firefighters. Title Sufficient. Do Pass As Amended.

MICHEL, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEE ON ELECTIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. B. No. 241:** Campaign finance reports; revise the time for filing electronically. Title Sufficient. Do Pass.

TATE, Chairman

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REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 49:** Resident lifetime hunting and fishing license; authorize Department of Wildlife to issue if parent was born in the state and was on active military service at the time of applicant's birth. Title Sufficient. Do Pass.

**H. B. No. 516:** Conservation officer; decrease minimum years of law enforcement experience required to be appointed a. Title Sufficient. Do Pass.

**H. B. No. 769:** Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as. Title Sufficient. Do Pass As Amended.

**H. B. No. 904:** Tombigbee River Valley Water Management District; authorize to transfer Kemper Lake to Kemper County Board of Supervisors. Title Sufficient. Do Pass.

**H. B. No. 923:** Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as. Title Sufficient. Do Pass As Amended.

**H. B. No. 517:** Guide and outfitter services licenses; revise annual fee for both residents and nonresidents. Title Sufficient. Do Pass As Amended.

**H. B. No. 979:** Hunting; provide exception for recovering mortally wounded animals at night with use of light. Title Sufficient. Do Pass As Amended.

WHALEY, Chairman

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REPORT OF COMMITTEES ON  
UNIVERSITIES AND COLLEGES AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 771:** HELP Grant and MTAG Programs; revise level of funding provided to eligible students. Title Sufficient. Do Pass As Amended.

PARKS, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
JUDICIARY, DIVISION A AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 1216:** Circuit judges and chancellors; increase office operating and expense allowances and support staff funding. Title Sufficient. Do Pass As Amended.

WIGGINS, Chairman  
HOPSON, Chairman

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REPORT OF COMMITTEES ON  
JUDICIARY, DIVISION B AND APPROPRIATIONS

Mr. President: The above-named committees have had under consideration the following measure and report same back with the following recommendation:

**H. B. No. 529:** Department of Public Safety; revise various provisions. Title Sufficient. Do Pass As Amended.

FILLINGANE, Chairman  
HOPSON, Chairman

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Senator Thomas moved that when the Senate adjourns, it adjourn in memory of Mrs. Mary Jones of Yazoo City, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Halbert Lee Bishop and James Milton Cunningham of Baldwin, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Judy A. McCoy of Madison, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Maxine D. Taliancich Comeaux of Biloxi, MS.

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Senator Polk moved that the Senate stand in recess until the last Committee Report is filed or 8:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 1, 2023.

The motion prevailed, and at 5:06 PM, the Senate stood in recess.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2433:** Regulation of public utilities; exempt distribution of water by eligible homeowners association to its own residents from.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 405:** Bribery of a candidate; revise statute of limitations. Title Sufficient. Do Pass.

**H. B. No. 795:** Shoplifting; require to calculate total price of all shoplifting items for fine. Title Sufficient. Do Pass As Amended.

**H. B. No. 995:** Rape; revise elements for the crime of and remove spousal exception. Title Sufficient. Do Pass.

SENATE JOURNAL  
TUESDAY, FEBRUARY 28, 2023

**H. B. No. 266:** Department of Public Safety Headquarters Office; name in honor of Commissioner David R. Huggins. Title Sufficient. Do Pass As Amended.

**H. B. No. 912:** Firearm suppressors; authorizing manufacture and possession in Mississippi and prohibit enforcement of federal laws governing. Title Sufficient. Do Pass As Amended.

**H. B. No. 400:** Election crimes; revise the penalties for certain. Title Sufficient. Do Pass As Amended.

**H. B. No. 1315:** Pornographic media materials; regulate access to minors and require age verification. Title Sufficient. Do Pass As Amended.

FILLINGANE, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:19 PM in memory of Mrs. Mary Jones, Judy A. McCoy, Halbert Lee Bishop, James Milton Cunningham and Maxine D. Taliancich Comeaux.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR TUESDAY, FEBRUARY 28, 2023

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FIFTY-EIGHTH DAY, WEDNESDAY, MARCH 1, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Parks. Total--1.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Parks.

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The invocation was delivered by Reverend Hugh M. Johnson, Sr., Pastor, Magnolia Missionary Baptist Church, Port Gibson, MS and Mt. Zion Missionary Baptist Church, Port Gibson, MS.

Senator Butler A. (36th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Hopson called up the following entitled bill:

**H. B. No. 602:** District Attorneys; increase the operating allowance of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-31-8, Mississippi Code of 1972, is amended as follows:

25-31-8. From and after July 1, 2006, in all circuit court districts in this state existing now or hereafter created, the district attorney shall receive from sums appropriated for such purpose from the General Fund or any special fund of the State of Mississippi, an office operating allowance for the necessary expenses of operating the office of the district attorney, including stenographic help, and other items and expenditures necessary and incident to the investigation of criminal cases, the general expenses of the office of the investigation of criminal cases, the general expenses of the office of the district attorney for preparing and/or trying felony cases and all other cases requiring the services of the district attorney, the sum of \* \* \* Fifty Thousand Dollars (\$50,000.00) for each district, and an additional Four Thousand Dollars (\$4,000.00) for each assistant authorized by Section 25-31-5(1). All expenditures made from such office operating allowances shall be upon written requisition of the duly elected district attorney to the State Auditor, as otherwise provided by law. The district attorney may delegate to the board of supervisors of any county in his district the responsibility and authority to employ and set the salary of not more than one (1) employee for the office of such district attorney, such salary to be paid as other expenditures are paid from the funds provided by this section. Such employee shall be deemed to be appointed and employed by the board of supervisors and the salary shall not be deemed to be a pecuniary benefit provided by the district attorney's office. The district attorney shall be authorized to assign the duties of any employees regardless of the source of funding for such employees.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-31-8, MISSISSIPPI CODE OF 1972, TO INCREASE THE OFFICE OPERATING ALLOWANCE FOR DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 602 was adopted.

YEAS AND NAYS On H. B. No. 602. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1089:** State budget; revise provisions of several FY 23 bills and create special funds.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-371, Mississippi Code of 1972, is amended as follows:

27-104-371. (1) A special fund, to be designated as the "2022 Local Improvements Projects Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(2) Monies deposited into the fund shall be disbursed by the Department of Finance and Administration as follows:

(a) To the Department of Archives and History for the purpose of providing a grant to the Scott Ford House, Inc., to develop the property located at 136 East Cohea Street in the City of Jackson, the home of the former slave Mary Scott Green, to tell her story and that of other Mississippi midwives, and to develop the property located at 138 East Cohea Street in the City of Jackson as a house museum to tell the family story of the midwife Virginia Scott Ford..... \$ 200,000.00

(b) To assist in paying costs associated with repair, renovation, furnishing and equipping of and upgrades and improvements to the Jackson Public School District's Career Development Center in Jackson, Mississippi ..... \$ 300,000.00

(c) To assist the Centreville Chamber of Commerce in paying costs associated with construction, furnishing and equipping of a recreation center and related facilities in the Town of Centreville, Mississippi..... \$ 500,000.00

(d) To assist \* \* \* the Richards Community Center, Inc., in paying costs associated with recreational equipment and lights for the Richards Community Center\$ 150,000.00

(e) To assist in paying costs associated with repair and renovation of the National Guard Armory in the Town of Gloster, Mississippi ..... \$ 250,000.00

(f) To assist the City of Georgetown, Mississippi, in paying costs associated with Railroad Avenue lighting and

park area ..... \$ 50,000.00

(g) To assist the City of Georgetown, Mississippi, in paying costs associated with Railroad Avenue

sidewalks ..... \$ 100,000.00

(h) To assist the City of Brookhaven, Mississippi, in paying costs associated with geometric improvements, signalization improvements, striping/signing and drainage improvements to Brookway Boulevard beginning at Interstate 55 and continuing east to U.S. Highway 51..... \$ 1,000,000.00

(i) To assist the Town of Byhalia, Mississippi, in paying costs associated with the Old School Commons restoration and upgrades necessary to meet ADA regulations.....\$ 500,000.00

(j) To assist Marshall County, Mississippi, in paying costs associated with the Blackwater Road Bridge

project ..... \$ 500,000.00

(k) To assist the Town of Tylertown, Mississippi, in paying costs associated with the renovation of the Civic Center and Mississippi State University Extension Service

offices..... \$ 450,000.00

(l) To assist the City of Durant, Mississippi, in paying costs associated with road repairs ..... \$ 50,000.00

(m) To assist the Town of Goodman, Mississippi, in paying costs associated with road repairs ..... \$ 50,000.00

(n) To assist Holmes County, Mississippi, in paying costs associated with courthouse renovation ..... \$ 150,000.00

(o) To assist the Town of Pickens, Mississippi, in paying costs associated with repair and renovation of the town police station ..... \$ 50,000.00

(p) To the Board of Supervisors of Lowndes County, Mississippi, to assist the Town of Crawford, Mississippi, in paying costs associated with infrastructure

needs ..... \$ 250,000.00

(q) To assist the City of D'Iberville, Mississippi, in paying costs associated with the extension of

Mallett Road ..... \$ 1,000,000.00

(r) To assist the Town of Coldwater, Mississippi, in paying costs associated with the acquisition of a fire

truck ..... \$ 350,000.00

(s) To assist the Town of Tunica, Mississippi, in paying costs associated with road repairs ..... \$ 500,000.00

(t) To assist Tunica County, Mississippi, in paying costs associated with the extension of natural gas

lines ..... \$ 150,000.00

(u) To assist the City of Starkville, Mississippi, in paying costs associated with Northside Drive drainage channel improvements, mobilization, channel shaping and

grading ..... \$ 250,000.00

(v) To assist the City of Starkville, Mississippi, in paying costs associated with J.L. King Center infrastructure, security and lighting ..... \$ 250,000.00

(w) To assist the City of Jackson, Mississippi, in paying costs associated with construction of a parking lot and related facilities for the Jackson Convention

Center ..... \$ 1,000,000.00

(x) To assist the City of Oxford, Mississippi, in paying costs associated with repair and renovation of a building to be used by the City of Oxford Police

Department ..... \$ 1,000,000.00

(y) To assist Perry County, Mississippi, in paying costs associated with the acquisition of a

fire truck ..... \$ 250,000.00

(z) To assist the City of Columbus, Mississippi, Fire and Rescue in paying costs associated with the acquisition of a fire engine ..... \$ 350,000.00

(aa) To assist the City of Fulton, Mississippi, in paying costs associated with the purchase of and repair and renovation of a building to house City Hall and repair and renovation of the former City Hall to house other city

departments ..... \$ 1,000,000.00

(bb) To assist Itawamba County, Mississippi, in paying costs associated with repair and renovation of the Itawamba County Courthouse and construction of a Justice

Court ..... \$ 1,000,000.00

(cc) To assist Jones County, Mississippi, in paying costs associated with repair, renovation, upgrades and additions to the Jones County Law Enforcement Complex.....\$ 500,000.00

(dd) To assist the City of Laurel, Mississippi, in paying costs associated with additions to the Veterans Museum in Laurel, Mississippi ..... \$ 250,000.00

(ee) To assist Arise and Shine, Inc., with providing children and youth programs and services in Copiah County, Mississippi ..... \$ 50,000.00

(ff) To assist the City of Crystal Springs, Mississippi, in paying costs associated with providing lighting for Pedestrian and Bicycle Corridor Federal Aid Project

No. STP-0130-00(013)LPA/107363-701000 ..... \$ 250,000.00

(gg) To assist in paying costs associated with repair and renovation of the Millsaps Heritage Center in the City of Hazlehurst, Mississippi ..... \$ 300,000.00

(hh) To assist the City of Ocean Springs, Mississippi, in paying costs associated with water system, sewer system and other infrastructure improvements and development of the Fayard project beautification ..... \$ 1,500,000.00

(ii) To assist the \* \* \* Diamondhead Fire District in paying various costs for the City Fire Department ..... \$ 25,000.00

(jj) To assist in paying various costs for the Fenton Fire Station in Hancock County, Mississippi ..... \$ 25,000.00

(kk) To assist in paying various costs for the County Farm Fire Station in Harrison County,

Mississippi ..... \$ 25,000.00

(ll) To assist in paying various costs for the Lizan Fire Station in Harrison County, Mississippi ..... \$ 25,000.00

(mm) To assist in paying various costs for the Saucier Fire Station in Harrison County,

Mississippi..... \$ 25,000.00

(nn) To assist in paying various costs for the Success Fire Station in Harrison County,

Mississippi..... \$ 25,000.00

(oo) To assist the City of Fayette, Mississippi, in paying costs associated with the construction, furnishing and equipping of a fire station for the city's fire

department..... \$ 400,000.00

(pp) To assist the City of Baldwin, Mississippi, in paying costs associated with the construction of a satellite fire station..... \$ 200,000.00

(qq) To assist the City of Baldwin, Mississippi, in paying costs associated with repairs to Winddance Drive necessary for trucking company weight

restrictions..... \$ 100,000.00

(rr) To assist the City of Tupelo, Mississippi, in paying costs associated with lighting and curb upgrades to McCullough Boulevard ..... \$ 500,000.00

(ss) To assist the City of Booneville, Mississippi, in paying costs associated with the repair, replacement, adjustment and relocation of sewer lines and related sewer system infrastructure underneath and near the Northeast Mississippi Community College football field and surrounding

area..... \$ 1,000,000.00

(tt) To assist Madison County, Mississippi, in paying costs associated with making improvements to Bozeman Road, beginning at its intersection with Mississippi Highway 463 and proceeding north..... \$ 2,500,000.00

(uu) To assist the City of Madison, Mississippi, in paying costs associated with renovation of the Performing Arts Center and placement of utility lines under the

center..... \$ 1,000,000.00

(vv) To assist the Town of Bruce, Mississippi, in paying costs associated with infrastructure improvements around and near both of the city's parks, including, but not limited to, paving town streets and parking lots, drainage improvements, water and sewer line repairs and extensions, and pavilion construction in such parks..... \$ 400,000.00

(ww) To assist the Town of Bruce, Mississippi, in paying costs associated with repair and resurfacing of "Jimmy Beckley" Industrial Park Road ..... \$ 500,000.00

(xx) To assist the Town of Derma, Mississippi, in paying costs associated with water well repairs ..... \$ 50,000.00

(yy) To assist the Town of Vardaman, Mississippi, in paying costs associated with paving town streets ..... \$ 150,000.00

(zz) To assist in paying costs associated with construction of an ambulance center for Tippah County

Hospital ..... \$ 500,000.00

(aaa) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of a fire truck for the town's fire department..... \$ 300,000.00

(bbb) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$ 25,000.00

(ccc) To assist in paying costs associated with creating a SkillPath 2030 Lab for the North Tippah School

District ..... \$ 200,000.00

(ddd) To assist the City of Ripley, Mississippi, in paying costs associated with the purchase of equipment for the city's fire department..... \$ 100,000.00

(eee) To assist the City of Ripley, Mississippi, in paying costs associated with various infrastructure

projects ..... \$ 200,000.00

(fff) To assist Mississippi Hills Heritage Area Alliance in paying costs associated with alliance

activities ..... \$ 100,000.00

(ggg) To assist in paying costs associated with exhibits with robotics and code training for students at the Issac Chapel Rosenwald Historical Museum and Education Center in Marshall County, Mississippi ..... \$ 200,000.00

(hhh) To assist Delta Health System in paying costs associated with capital improvements and infrastructure improvements related to patient room compliance and women's center services ..... \$ 2,000,000.00

(iii) To assist the City of Gautier, Mississippi, in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center and improvements to Town Commons Park, including, but not limited to, parking and through roads for an amphitheater ..... \$ 4,000,000.00

(jjj) To assist the City of Senatobia, Mississippi, in paying costs associated with repair, renovation and upgrades to Front Street Fire Station..... \$ 500,000.00

SENATE JOURNAL  
WEDNESDAY, MARCH 1, 2023

(kkk) To assist the City of Gautier, Mississippi, in paying costs associated with expansion of RV sites and paving at Shepard State Park ..... \$ 1,500,000.00

(lll) To assist Chickasaw County, Mississippi, in paying costs associated with the \* \* \* CR42 Road

project ..... \$ 500,000.00

(mmm) To assist in paying costs associated with construction of a firehouse for the Thorn Volunteer Fire Department in Chickasaw County, Mississippi..... \$ 50,000.00

(nnn) To assist Clay County, Mississippi, in paying costs associated with road projects in Supervisors District 2 in Clay County including overlay of Mayhew Road, Mayfield Road, Pinkerton Road, Clisby Road and Herman

Shirley Road..... \$ 500,000.00

(ooo) To assist Monroe County, Mississippi, in paying costs associated with road maintenance and

repairs ..... \$ 500,000.00

(ppp) To assist the City of West Point, Mississippi, in paying costs associated with roof repair and/or replacement for Bryan Public Library ..... \$ 250,000.00

(qqq) To assist in paying costs associated with construction of the Michael H. Ball Veterans of Foreign Wars Post 12191 building in Carroll County,

Mississippi..... \$ 200,000.00

(rrr) To assist the Town of Duck Hill, Mississippi, in paying costs associated with resurfacing

streets ..... \$ 200,000.00

(sss) To assist the Town of Carrollton, Mississippi, in paying various costs associated with the town's water tower project ..... \$ 20,000.00

(ttt) To assist in paying costs associated with various Winona-Montgomery County Consolidated School District renovation projects ..... \$ 7,000,000.00

(uuu) To assist in paying costs associated with a regional communications system for the Mississippi Organ Recovery Agency..... \$ 200,000.00

(vvv) To assist the City of Columbia, Mississippi, in paying costs associated with improvements to the city's downtown storm drainage system and related infrastructure. \$ 500,000.00

(www) To assist Marion County, Mississippi, in paying costs associated with pavement maintenance for county



roads..... \$ 500,000.00

(xxx) To assist Lamar County, Mississippi, in paying costs associated with the Mental Health Diversion Center in Purvis, Mississippi..... \$ 500,000.00

(yyy) To \*\*\* provide for the reimbursement of prior costs associated with acquisition and repair, renovation, furnishing and equipping of a building and related facilities for the Bovina Volunteer Fire Department in Warren County,

Mississippi..... \$ 250,000.00

(zzz) To assist the City of Vicksburg, Mississippi, in paying costs associated with lighting for city baseball

fields ..... \$ 250,000.00

(aaaa) To assist Warren County, Mississippi, in paying costs associated with the purchase of culverts and construction and installation of sluice gates..... \$ 75,000.00

(bbbb) To assist the City of Grenada, Mississippi, in paying costs associated with road resurfacing for Southwest Frontage Road..... \$ 250,000.00

(cccc) To assist Grenada County, Mississippi, in paying costs associated with construction and extension of New Industrial Park Road ..... \$ 500,000.00

(dddd) To assist Grenada County, Mississippi, in paying costs associated with resurfacing of National Guard Trout

Road ..... \$ 750,000.00

(eeee) To assist Tallahatchie County, Mississippi, in paying costs associated with roof repair for Phillip Community Center in Tallahatchie County, Mississippi\$ 50,000.00

(ffff) To assist the City of Petal, Mississippi, in paying costs associated with the construction of an access road beginning at or near the intersection of Central Avenue and M. J. Harris Drive in Petal, Mississippi, and running southerly into the Robert E. Russell Sports Complex ..... \$ 500,000.00

(gggg) To assist the City of Iuka, Mississippi, in paying costs associated with road paving, purchase of utility vehicles for the city's police department and fire department, city park upgrades, library repair and purchase of a dump truck and two (2) police cars. \$ 250,000.00

(hhhh) To assist the City of Pontotoc, Mississippi, in paying costs associated with relocating the fire station on Main Street in the city to a less congested corner lot near the current location..... \$ 750,000.00

(iiii) To assist in paying costs associated with construction of the Agricola Multipurpose Center in George County, Mississippi..... \$ 1,600,000.00

(jjjj) To assist in paying costs associated with industrial park wastewater replacement main in George County,

Mississippi..... \$ 400,000.00

(kkkk) To assist in paying costs associated with construction of a multipurpose arena in Jackson County, Mississippi ..... \$ 750,000.00

(llll) To assist Jasper County, Mississippi, in paying costs associated with repairs, resurfacing and improvements to roads and bridges including, but not limited to, CR 195

and CR 215..... \$ 650,000.00

(mmmm) To assist Smith County, Mississippi, in paying costs associated with repair and repaving of county

roads..... \$ 250,000.00

(nnnn) To assist in paying costs associated with acquisition of motor vehicles for the Winston County Sheriff's Department ..... \$ 150,000.00

(oooo) To assist Kemper County, Mississippi, in paying costs associated with a gas line project from Dekalb, Mississippi, to Scooba, Mississippi..... \$ 500,000.00

(pppp) To assist in paying costs associated with the purchase of equipment for the Kemper County Volunteer Fire Department..... \$ 50,000.00

(qqqq) To assist in paying costs associated with acquisition of motor vehicles for the Neshoba County Sheriff's Department..... \$ 150,000.00

(rrrr) To assist the Town of Scooba, Mississippi, in paying costs associated with the renovation of town

facilities ..... \$ 75,000.00

(ssss) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and

lighting..... \$ 1,750,000.00

(tttt) To assist the City of Hattiesburg, Mississippi, in paying costs associated with flood control, detention basins or other infrastructure improvements in and around

Gordon's Creek ..... \$ 250,000.00

(uuuu) To assist Alcorn County, Mississippi, in paying costs associated with repair and renovation of the Alcorn County Courthouse..... \$ 1,000,000.00

(vvvv) To assist in paying costs associated with Alcorn County School District improvements..... \$ 150,000.00

(www) To Alcorn County, Mississippi, to assist in paying Alcorn County Fire Chiefs and Firefighters Association

expenses..... \$ 100,000.00

(xxxx) To assist the Jacinto Foundation, Inc., in paying costs associated with capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the Jacinto Courthouse and related facilities in Alcorn County, Mississippi..... \$ 100,000.00

(yyyy) To assist Covington County, Mississippi, in paying costs associated with improvements to Kelly Creek Road and/or Fruitstand Road..... \$ 200,000.00

(zzzz) To assist Jefferson Davis County, Mississippi, in paying costs associated with improvements to Willie Fortenberry Road, Gum Swamp Road and/or

Sumrall Road ..... \$ 100,000.00

(aaaa) To assist the Town of Shubuta, Mississippi, in paying costs associated with refurbishing, repair, renovation, restoration and furnishing of the Town Hall

building..... \$ 200,000.00

(bbbb) To assist Coahoma Community College in paying costs associated with completion of the HVAC system for the Coahoma County Higher Education Center.....\$ 150,000.00

(cccc) To assist Simpson County, Mississippi, in paying costs associated with various road paving

projects ..... \$ 500,000.00

(dddd) To assist the Town of D'Lo, Mississippi, in paying costs associated with paving South Maple Street, Elm Street, North Oak Street and North Maple Street .....\$ 200,000.00

(eeee) To provide funds to be distributed equally among the following fire departments in Simpson County, Mississippi, and Rankin County, Mississippi, to assist in paying various department costs: Braxton Fire Department, Cato Fire Department, Harrisville Volunteer Fire Department, Magee Fire Department, Mendenhall Fire Department, \* \* \* Simpson County Station 7 Fire Department, Old Pearl Volunteer Fire Department, Pinola Fire Department, Puckett Volunteer Fire Department and Shell Road Volunteer Fire

Department ..... \$ 150,000.00

(ffff) To assist in paying costs associated with the purchase of playground equipment for Houston Community Park in Itawamba County ..... \$ 50,000.00

(ggggg) To assist Newton County, Mississippi, in paying costs associated with upgrades and repairs to Tanglewood

Road ..... \$ 450,000.00

(hhhhh) To assist Scott County, Mississippi, in paying costs associated with infrastructure improvements on Coal Bluff Road ..... \$ 350,000.00

(iiii) To assist the Town of Plantersville, Mississippi, in paying costs associated with infrastructure improvements and the purchase of equipment for the town's police department ..... \$ 100,000.00

(jjjj) To assist Oktibbeha County, Mississippi, in paying costs associated with upgrades and improvements to Maben Sturgis Road ..... \$ 1,000,000.00

(kkkkk) To assist the City of Starkville, Mississippi, in paying costs associated with the city's Main Street project ..... \$ 1,250,000.00

(lllll) To assist Humphreys County, Mississippi, in paying costs associated with repairs, including asbestos removal, to the Humphreys County Courthouse ..... \$ 400,000.00

(mmmmm) To assist the City of New Albany, Mississippi, in paying costs associated with central business district renovations ..... \$ 250,000.00

(nnnnn) To assist the CREATE Foundation in paying costs associated with storm shelter and community center renovations in the Red Hill Community in Union County, Mississippi ..... \$ 150,000.00

(ooooo) To the Board of Trustees of Southwest Mississippi Community College for the purpose of providing funds for the costs associated with the construction of a new \* \* \* outdoor multipurpose center on the campus of the college ..... \$ 500,000.00

(ppppp) To Scenic Rivers Development Alliance for the purpose of making improvements at parks and facilities as follows: golf cart path repairs and course equipment upgrades at Quail Hollow Golf Course in Pike County; building repairs and equipment upgrades at Bogue Chitto Water Park in Pike County; building repairs, arena equipment and bleachers at Ethel Vance Park in Pike County; building repairs and fencing at Liberty Town Fields in Pike County; ADA sidewalk improvements and building repairs at Walkers Bridge Water Park in Walthall County; pier improvements, building improvements and road improvements at the County Outdoor Complex in Walthall County and park improvements in Franklin County ..... \$ 1,000,000.00

(qqqqq) To assist the Caledonia Natural Gas District in paying costs associated with acquisition of three (3) pickup trucks to be used as service trucks ..... \$ 150,000.00

(rrrrr) To assist Neshoba County, Mississippi, \* \* \* for the reimbursement of prior costs associated with transition to the MSWIN system ..... \$ 1,000,000.00

(sssss) To assist in paying costs associated with the Neshoba General Hospital Ambulance Enterprise ..... \$ 250,000.00

(ttttt) To assist the Briarwood Pool in Jackson, Mississippi, in paying costs associated with ADA requirements and accessibility plan ..... \$ 250,000.00

(uuuuu) To assist Hinds County, Mississippi, in paying costs associated with Phase I White Oak Creek streambank erosion improvements to a portion of the creek running from at or near Old Canton Road to at or near Briarwood Drive in the City of Jackson, Mississippi ..... \$ 2,000,000.00

(vvvvv) To assist \* \* \* the City of Tupelo, Mississippi, in paying costs associated with improvements to Endville Road ..... \$ 500,000.00

(wwwww) To provide funds to Wayne County, Mississippi, to be distributed equally among the following volunteer fire departments in Wayne County, Mississippi, to assist in paying various department costs: Battles Volunteer Fire Department, Beat Four Volunteer Fire Department, Buckatunna Volunteer Fire Department, Central Volunteer Fire Department, Clara Volunteer Fire Department, Coyt Volunteer Fire Department, Crossroads Volunteer Fire Department, Denham Volunteer Fire Department, Ecutta Volunteer Fire Department, Hiwanee Volunteer Fire Department,

Matherville Volunteer Fire Department, Maynor Creek Volunteer Fire Department, Mulberry Volunteer Fire Department, Pleasant Grove Volunteer Fire Department, Progress Volunteer Fire Department, Strengthford Volunteer Fire Department and Yellow Creek Volunteer Fire Department..... \$ 340,000.00  
(xxxxx) To assist the City of Waynesboro, Mississippi, in paying city fire department costs..... \$ 70,000.00  
(yyyyy) To assist the Town of State Line, Mississippi, in paying various department costs for Stateline Volunteer Fire Department \* \* \* ..... \$ 20,000.00  
(zzzzz) To assist in paying various department costs for Richton Volunteer Fire Department in Perry County, Mississippi..... \$ 20,000.00  
(aaaaaa) To assist the \* \* \* Town of State Line, Mississippi, in paying costs associated with acquisition of motor vehicles for the city's police department ..... \$ 50,000.00  
(bbbbb) To assist the City of Picayune, Mississippi, in paying costs associated with improvements to North Frontage Road from Interstate 59 in Picayune \$ 850,000.00  
(ccccc) To assist the City of Raymond, Mississippi, in paying costs associated with renovation, rehabilitation and expansion of and additions to the city's police station ..... \$ 250,000.00  
(ddddd) To assist Benton County, Mississippi, in paying costs associated with maintenance of roads and bridges ..... \$ 500,000.00  
(eeeeee) To assist the Town of Potts Camp, Mississippi, in paying costs associated with the acquisition of a fire truck ..... \$ 300,000.00  
(fffff) To assist the Town of Hickory Flat, Mississippi, in paying costs associated with the acquisition of equipment for the town's police department ..... \$ 100,000.00  
(ggggg) To assist Union County, Mississippi, in paying costs associated with maintenance of roads in Supervisors District 1 in Union County ..... \$ 500,000.00  
(hhhhh) To assist Union County, Mississippi, in paying costs associated with maintenance of roads in Supervisors District 2 in Union County ..... \$ 500,000.00  
(iiiiii) To provide matching funds to the City of Charleston, Mississippi, for the repair of Charleston City Hall..... \$ 250,000.00  
(jjjjj) To assist the Town of Coffeeville, Mississippi, in paying costs associated with street improvements..... \$ 125,000.00  
(kkkkk) To assist the City of Water Valley, Mississippi, in paying costs associated with renovation of the Water Valley Civic Auditorium ..... \$ 225,000.00  
(lllll) To assist Pearl River County, Mississippi, in paying costs associated with county road maintenance..... \$ 500,000.00  
(mmmmm) To assist the City of Morton, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to streets and roads around Morton High School and surrounding areas in the City of Morton ..... \$ 150,000.00  
(nnnnn) To provide funds to be distributed equally among the eight (8) volunteer fire departments in Scott County, Mississippi, to assist in paying various department costs and expenses..... \$ 200,000.00  
(ooooo) To assist in paying costs associated with repair and renovation of facilities at Chautauqua Park in Crystal Springs, Mississippi..... \$ 500,000.00  
(ppppp) To assist Quitman Community Hospital in paying costs associated with improvements and upgrades to facilities and equipment..... \$ 500,000.00  
(qqqqq) To provide funds to be distributed in the amount of \$25,000.00 to fire departments in Prentiss County, Mississippi, to assist in paying equipment costs ..... \$ \* \* \* 375,000.00  
(rrrrr) To assist the City of Senatobia, Mississippi, in paying costs associated with lighting and other improvements to city-owned \* \* \* facilities ..... \$ 1,000,000.00

(ssssss) To assist Tate County, Mississippi, in paying costs associated with road and infrastructure improvements..... \$ 5,000,000.00

(ttttt) To assist in paying costs associated with construction of an Agriculture Technology building at Independence High School in the Tate County School District..... \$ 750,000.00

(uuuuuu) To provide funds to be distributed equally among all volunteer fire departments in Clarke County, Mississippi, to assist in paying equipment costs and for upgrades ..... \$ 150,000.00

(vvvvvv) To assist in paying costs associated with acquisition of motor vehicles with upfit, lights, cages and sirens, for the Clarke County Sheriff's Department ..... \$ 100,000.00

(wwwwww) To assist Lincoln County, Mississippi, in paying costs associated with HVAC system and equipment repairs and/or replacement..... \$ 500,000.00

(xxxxxx) To assist \* \* \* Jackson Metropolitan Technical Center in paying costs associated with roof and building repairs for its building..... \$ 100,000.00

(yyyyyy) To assist Attala County, Mississippi, to provide funds for the acquisition of fire trucks for Carmack Volunteer Fire Department, Friendship Volunteer Fire Department, Providence Fire Department and Zama Volunteer Fire Department ..... \$ 1,000,000.00

(zzzzzz) To assist Attala County, Mississippi, in defraying expenses associated with repairs, resurfacing and other improvements to county roads and bridges ..... \$ 1,000,000.00

(aaaaaaa) To assist Leake County, Mississippi, to provide funds for the acquisition of fire trucks, firefighting equipment and gear for volunteer fire departments in Leake County..... \$ 2,000,000.00

(bbbbbbb) To assist Attala County, Mississippi, in paying costs associated with repair and/or replacement of the roof for the Jack Post Industrial Building \$ 1,000,000.00

(ccccc) To assist the Town of West, Mississippi, in paying costs associated with repairs and improvements to town facilities ..... \$ 200,000.00

(ddddd) To assist the City of Kosciusko, Mississippi, in paying costs associated with repair and maintenance of city facilities ..... \$ 500,000.00

(eeeeeee) To assist in paying costs associated with construction of a new building for American Legion Post No. 44 in Attala County, Mississippi ..... \$ 300,000.00

(ffffff) To assist the City of Clinton, Mississippi, in paying costs associated with site work for and construction and development of streets, street lighting and signals, electrical and communications distribution systems and equipment, water system and sewer system infrastructure and related infrastructure within an area bound by U.S. Highway 80, Springridge Road, Interstate 20 and Clinton-Raymond Road/Madison Street in the City of Clinton ..... \$ 8,000,000.00

(ggggggg) To assist the Town of Flora, Mississippi, in paying costs associated with improvements to the town's water system and sewer system infrastructure..... \$ 1,000,000.00

(hhhhhhh) To assist Rankin County, Mississippi, in defraying expenses associated with repairs, resurfacing and other improvements to roads and bridges..... \$ 8,000,000.00

(iiiiiii) To assist the City of Brandon, Mississippi, in paying costs associated with infrastructure improvements..... \$ 2,000,000.00

(jjjjjjj) To assist the City of Pearl, Mississippi, in paying costs associated with construction of a bridge extending from the intersection of the extension of Ware Street and relocated St. Augustine Street to Pearson Road in the City of Pearl ... \$ 500,000.00

(kkkkkkk) To assist Harrison County, Mississippi, in paying costs associated with Sportsplex improvements in the City of Long Beach, Mississippi ..... \$ 1,500,000.00

(lllllll) To assist in paying costs associated with improvements to Lumpkin Stadium for the Long Beach School District ..... \$ 100,000.00

(mmmmmmm) To provide \* \* \* \$22,222.22 to \* \* \* each of the following fire departments in Choctaw County, Mississippi, to assist in paying various department costs: Chester Volunteer Fire Department, \* \* \* Town of Ackerman Fire Department, Bywy Volunteer Fire Department, Simpson Volunteer Fire Department, Town of Weir Fire Department, Panhandle Volunteer Fire Department, Union Volunteer Fire Department and Town of French Camp Fire Department and to provide \$22,222.24 to the Reform Fire Department in Choctaw County, Mississippi, to assist in paying various department

costs ..... \$ 200,000.00

(nnnnnnn) To provide funds to Winston County, Mississippi, to be distributed equally among the following fire departments in Winston County, Mississippi, to assist in paying various department costs: Nanih Waiya Volunteer Fire Department, Shiloh Volunteer Fire Department, City of Louisville Fire Department, Lo Butcha Volunteer Fire Department, Town of Noxapater Volunteer Fire Department and Mars Hill Volunteer Fire Department ..... \$ 120,000.00

(ooooooo) To provide funds to be distributed equally among the following fire departments in Webster County, Mississippi, to assist in paying various department costs: Town of Mathiston Volunteer Fire Department, City of Eupora Fire Department and Tomnolen Volunteer Fire Department ..... \$ 60,000.00

(ppppppp) To assist the City of Eupora, Mississippi, in paying costs associated with street repairs, resurfacing and improvements ..... \$ 300,000.00

(qqqqqqq) To assist the City of Louisville, Mississippi, in paying the costs associated with constructing a road and other transportation infrastructure in the City of Louisville that will provide and improve access to land owned by the city designated for an economic development project on or near the location of Winston Plywood & Veneer ..... \$ 200,000.00

(rrrrrrr) To assist the Town of French Camp, Mississippi, in paying the costs associated with sidewalk repairs, lighting and improvements for the town's Historic Downtown District and School Street ..... \$ 100,000.00

(sssssss) To provide funds to \* \* \* Choctaw County, Mississippi, for repairs and resurfacing of roads ..... \$ 500,000.00

(ttttttt) To assist the Town of Ackerman, Mississippi, in paying costs associated with street repairs, resurfacing and improvements ..... \$ 200,000.00

(uuuuuuu) To assist the Town of Mathiston, Mississippi, in paying costs associated with construction, repair, renovation, upgrades and improvements to the town's facilities ..... \$ 100,000.00

(vvvvvvv) To assist Choctaw County, Mississippi, in paying costs associated with Courthouse renovations and improvements ..... \$ 100,000.00

(wwwwwww) To assist American Legion Post 82 in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities ..... \$ 25,000.00

(xxxxxxx) To assist VFW Post 3806 in the City of Eupora, Mississippi, in paying costs associated with the Post building and Post activities ..... \$ 25,000.00

(yyyyyyy) To assist VFW Post 4540 in Winston County, Mississippi, in paying costs associated with the Post building and Post activities ..... \$ 25,000.00

(zzzzzzz) To assist \* \* \* the American Legion in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities ..... \$ 25,000.00

(aaaaaaaa) To assist in paying the costs associated with land acquisition, site development and construction, furnishing and equipping of new buildings and facilities for, and the relocation of, the Mississippi Armed Forces Museum at Camp Shelby to property owned by the Mississippi Military Department and located near Camp Shelby in Forrest County, Mississippi ..... \$ 6,000,000.00

(bbbbbbb) To assist the City of Pascagoula, Mississippi, in paying costs associated with renovations of

city offices ..... \$ 1,000,000.00  
 (ccccc) To assist the Town of Sardis, Mississippi, in paying costs associated with repairs, resurfacing and other improvements to roads and bridges..... \$ 250,000.00  
 (ddddd) To assist the Town of Como, Mississippi, in paying costs associated with repairs, resurfacing and other improvements to roads and bridges..... \$ 250,000.00  
 (eeeeee) To assist the City of Bay Springs, Mississippi, in paying the costs associated with repairs to Payton Avenue ..... \$ 35,000.00  
 (ffffff) To assist the Town of Heidelberg, Mississippi, in paying the costs associated with repairs to Walnut Street..... \$ 45,000.00  
 (ggggggg) To assist \* \* \* East Jasper School District in paying the costs associated with the acquisition of the Old Heidelberg Academy ..... \$ 350,000.00  
 (hhhhhhh) To assist the City of Hattiesburg, Mississippi, in paying the costs associated with improvements to Dabbs Street ..... \$ 250,000.00  
 (iiiiiii) To assist Lincoln County, Mississippi, in paying the costs associated with repairs and improvements to the county courthouse..... \$ 350,000.00  
 (jjjjjjj) To assist the City of Carthage, Mississippi, in paying the costs associated with the repair and renovation of the coliseum..... \$ 600,000.00  
 (kkkkkkk) To assist Holmes County, Mississippi, in paying the costs associated with the paving and improvements to Salem/Courts Road ..... \$ 600,300.00  
 (lllllll) To assist Tougaloo College in paying the costs associated with the improvement, renovation and preservation of the historic Mansion building\$ 600,000.00  
 (mmmmmmm) To assist the City of Southaven, Mississippi, in paying costs associated with a traffic signal at the intersection of Airways Boulevard and Guthrie Drive ..... \$ 270,000.00  
 (nnnnnnn) To assist DeSoto County, Mississippi, in paying the costs associated with a traffic signal at the intersection of Byhalia Road and Hwy 305 in Lewisburg/Olive Branch..... \$ 270,000.00  
 (ooooooo) To assist Marshall County, Mississippi, in paying the costs associated with building the Chickasaw Trail Emergency Response Center .....\$ 1,000,000.00  
 (ppppppp) To assist the Town of Terry, Mississippi, in paying the costs associated with the renovation of a community center ..... \$ 30,000.00  
 (qqqqqqq) To assist the City of Byram, Mississippi, in paying the costs associated with bridge and drainage projects ..... \$ 500,000.00  
 (rrrrrrr) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for Thalia Mara Hall ..... \$ 2,000,000.00  
 (sssssss) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for the Jackson Planetarium ..... \$ 2,000,000.00  
 (ttttttt) To assist Panola County, Mississippi, in paying the costs associated with airport improvements..... \$ 500,000.00  
 (uuuuuuu) To assist the Town of Sardis, Mississippi, in paying costs associated with the Sardis Lake Development project ..... \$ 1,700,000.00  
 (vvvvvvv) To assist the Town of Noxapater, Mississippi, in paying the costs associated with paving, repairs and improvements to city streets ..... \$ 250,000.00  
 (wwwwwww) To assist the Town of Walnut Grove, Mississippi, in paying the costs associated with the purchase of a new fire truck..... \$ 250,000.00  
 (xxxxxxx) To assist the Lee County 4th District Community Development Group, a nonprofit corporation, in paying the costs associated with the construction/improvement to its community center ..... \$ 300,000.00  
 (yyyyyyy) To assist the Windows of Amory, a nonprofit corporation, for expenses related to improvements and operations of the former First Christian Church, known as "The Windows" ..... \$ 200,000.00  
 (zzzzzzz) To assist the City of Aberdeen, Mississippi, in paying the costs associated with repairs and improvements to the Magnolias ..... \$ 150,000.00



(aaaaaaaa) To assist Claiborne County, Mississippi, in paying the costs associated with repairs and improvements to historical structures in the county .....\$ 75,000.00

(bbbbbbbbb) To assist Claiborne County, Mississippi, in paying the costs associated with the replacement of an air conditioning and heating system for the county jail ..... \$ 80,000.00

(cccccccc) To assist Claiborne County, Mississippi, in paying the costs associated with the resurfacing of Russom-Westside Road ..... \$ 300,000.00

(ddddddddd) To assist the Summit Community Development Foundation in paying the costs associated with the Stand Pipe project ..... \$ 200,000.00

(eeeeeeeee) To assist the City of Natchez, Mississippi, in paying the costs associated with lighting of the Mississippi River Bridge..... \$ 500,000.00

(fffffffff) To assist the City of Magee, Mississippi, in paying the costs associated with infrastructure improvements..... \$ 150,000.00

(ggggggggg) To assist the City of Mendenhall, Mississippi, in paying costs associated with infrastructure improvements ..... \$ 150,000.00

(hhhhhhhhh) To assist Montgomery County, Mississippi, in defraying expenses for infrastructure improvements and industrial facility..... \$ 1,000,000.00

(iiiiiii) To assist Attala County, Mississippi, in paying the costs associated with roof repairs for a county-owned building..... \$ 600,000.00

(jjjjjjjjj) To assist the Mississippi Department of Transportation in paying the costs associated with an overpass for Old Highway 63 over Highway 98..... \$ 1,200,000.00

(kkkkkkkkk) To assist Greene County, Mississippi, in paying the costs associated with asbestos abatement and demolition of an abandoned factory building \$ 600,000.00

(lllllllll) To assist Greene County, Mississippi, in paying the costs associated with the conversion of the old farmer's market into a regional emergency operations center ..... \$ 1,200,000.00

(mmmmmmmmm) To assist the Greene County School District in paying costs associated with tornado and wind damage at the McLain Attendance Center .....\$ 50,000.00

(nnnnnnnnn) To assist the City of D'Iberville, Mississippi, in paying the costs associated with upgrades, mitigation and improvements to the city marina \$ 750,000.00

(ooooooooo) To assist Jackson County, Mississippi, in paying the costs associated with the renovations and expansions of the Ball Park Road Fire Station .....\$ 750,000.00

(ppppppppp) To assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements to Riley Road..... \$ 500,000.00

(qqqqqqqqq) To assist the Pearl & Leaf Rivers Rails to Trails Recreational District in paying the costs associated with overlaying the trail from James Lynn Cartledge Gateway to Carolyn McRaney Gateway and paving the parking lots at stations..... \$ 1,500,000.00

(rrrrrrrrr) To assist the City of Flowood, Mississippi, in paying the costs associated with infrastructure improvements to North Flowood Drive ..... \$ 2,000,000.00

(sssssssss) To assist the Mississippi Department of Transportation in paying the costs associated with improvements to Highway 25 between Grants Ferry Road and Mississippi Highway 471 ..... \$ 4,000,000.00

(ttttttttt) To assist the City of Macon, Mississippi, in paying the costs associated with inspection, repairs and improvements to the Electric Department Office .....\$ 40,000.00

(uuuuuuuuu) To assist Noxubee County, Mississippi, in paying the costs associated with a roof replacement on the county courthouse ..... \$ 400,000.00

(vvvvvvvvv) To assist the City of Poplarville, Mississippi, in paying costs associated with the acquisition of a new fire truck..... \$ 500,000.00

(wwwwwwwww) To assist Warren County, Mississippi, in paying the costs associated with upgrades and improvements for the historic Old Courthouse and grounds in

Vicksburg ..... \$ 650,000.00  
 (xxxxxxx) To assist the City of Gulfport, Mississippi, in paying costs associated with the Interconnecting Gulfport project related to the federal BUILD grant route, to include Pool Street Extension, Creosote Road Extension, and Daniel Boulevard Extension ..... \$ 3,500,000.00  
 (yyyyyyyy) To assist Yazoo County, Mississippi, in paying the costs associated with the construction and repairs of the Lake George Bridge ..... \$ 3,000,000.00  
 (zzzzzzzz) To assist Issaquena County, Mississippi, in paying the costs associated with the construction and repairs of the Mannie Road Bridge.. \$ 1,500,000.00  
 (aaaaaaaa) To assist Sharkey County, Mississippi, in paying the costs associated with the construction and repairs of the Low Water Bridge Road Bridge .....\$ 1,500,000.00  
 (bbbbbbbb) To assist the Warren County Port Commission in defraying expenses for environmental and permit..... \$ 500,000.00  
 (cccccccc) To assist Quitman County, Mississippi, in paying the costs associated with infrastructure improvements on county roads and bridges \$ 500,000.00  
 (dddddddd) To assist Perry County, Mississippi, in paying the costs associated with the widening of Cochran Road ..... \$ 600,000.00  
 (eeeeeeee) To assist the City of Richland, Mississippi, in paying the costs associated with the Highway 49 pedestrian crossover ..... \$ 500,000.00  
 (ffffff) To assist the City of Pearl, Mississippi, in paying the costs associated with the Pearl-Richland Intermodal Bridge ..... \$ 2,000,000.00  
 (gggggggg) To assist the Mississippi Department of Transportation in paying the costs associated with improvements to Highway 21 in Sebastopol, Mississippi .....\$ 400,000.00  
 (hhhhhhhh) To assist the Town of Decatur, Mississippi, in paying the costs associated with upgrading rescue extrication equipment ..... \$ 60,000.00  
 (iiiiiiii) To assist the City of Hernando, Mississippi, in paying the costs associated with infrastructure improvements to the Oak Grove and Highway 51 intersection..... \$ 500,000.00  
 (jjjjjjjj) To assist the City of Tupelo, Mississippi, in the refurbishment of Ballard Park for the purposes of renovation and to establish a special needs (all inclusive) children's playground..... \$ 500,000.00  
 (kkkkkkkk) To assist the City of Tupelo, Mississippi, in paying costs associated with turnaround access at the Elvis Presley Birthplace ..... \$ 250,000.00  
 (llllllll) To assist the City of Saltillo, Mississippi, in paying the costs associated with infrastructure improvements..... \$ 250,000.00  
 (mmmmmmmm) To assist the City of Gluckstadt, Mississippi, in paying the costs associated with the acquisition of land and construction of a new police station ....\$ 1,000,000.00  
 (nnnnnnnn) To assist the City of Ridgeland, Mississippi, in paying the costs associated with the construction of the Commerce Park Connector Road \$ 1,000,000.00  
 (oooooooo) To assist the City of Ridgeland, Mississippi, in paying the costs associated with road paving and improvements to city streets ..... \$ 1,500,000.00  
 (pppppppp) To assist the City of Olive Branch, Mississippi, in paying the costs associated with infrastructure improvement on Pleasant Hill Road from SR 302 to Stateline Road ..... \$ 750,000.00  
 (qqqqqqqq) To assist the Horn Lake Creek Basin Interceptor Sewer District in paying the costs associated with an infrastructure project..... \$10,000,000.00  
 (rrrrrrrr) To assist the City of Corinth, Mississippi, in paying the costs associated with the EFLAP Bridge Replacement..... \$ 500,000.00  
 (ssssssss) To assist Alcorn County, Mississippi, in paying the costs associated with infrastructure improvements at the Getwell Road and Harper Road Intersection .....\$ 350,000.00  
 (tttttttt) To assist the Town of Blue Mountain, Mississippi, in paying the costs associated with improvements to the Blue Mountain Children's Park..... \$ 150,000.00

(uuuuuuuuuu) To assist the Town of Farmington, Mississippi, in paying the costs associated with computer equipment upgrades for city hall ..... \$ 25,000.00  
(vvvvvvvvvv) To assist the City of Corinth, Mississippi, in paying the costs associated with the Corinth Veterans Honor Memorial..... \$ 25,000.00  
(wwwwwwwww) To assist the University of Southern Mississippi in paying the costs associated with re-roofing the coliseum..... \$ 500,000.00  
(xxxxxxxxxx) To assist Stone County, Mississippi, in paying the costs associated with road paving and improvements to county roads and bridges..... \$ 500,000.00  
(yyyyyyyyyy) To assist the City of Greenville, Mississippi, in paying the costs of construction and development of the downtown green space associated with the new federal courthouse as part of the Thad Cochran Project ..... \$ 500,000.00  
(zzzzzzzzzz) To assist the City of Greenville, Mississippi, in paying the costs of redevelopment of Hangar 173 at airport to assist the Mississippi Delta Community College (MDCC) Aerospace Maintenance Instruction Program..... \$ 1,500,000.00  
(aaaaaaaaaa) To assist the City of Cleveland, Mississippi, in paying the costs associated with the Airport Terminal Road Extension Project ..... \$ 1,000,000.00  
(bbbbbbbbbb) To assist Tishomingo County, Mississippi, in paying the costs associated with a tornado siren and storm shelter at Carter's Branch Volunteer Fire Department ..... \$ 50,000.00  
(ccccccccc) To assist the Town of Marietta, Mississippi, in paying the costs associated with an infrastructure project..... \$ 165,000.00  
(dddddddddd) To assist the Town of Mantachie, Mississippi, in paying the costs associated with modernizing the town's police force ..... \$ 100,000.00  
(eeeeeeeeeee) To assist Tishomingo County, Mississippi, in paying the costs associated with a roof replacement for the Circuit Courthouse ..... \$ 400,000.00  
(ffffffffff) To assist the City of luka, Mississippi, in paying the costs associated with repairs and improvements to city streets ..... \$ 150,000.00  
(ggggggggggg) To assist the Yellow Creek Inland Port Authority in paying the costs associated with infrastructure and port improvement..... \$ 1,500,000.00  
(hhhhhhhhhhh) To assist Pontotoc County, Mississippi, in paying the costs associated with a Veteran's Service Center in Pontotoc ..... \$ 125,000.00  
(iiiiiiiiiii) To assist Pontotoc County, Mississippi, in paying costs associated with improvements to the Fairgrounds/Exhibit Building Parking Project. .... \$ 100,000.00  
(jjjjjjjjjjj) To assist the City of Calhoun City, Mississippi, in paying the costs associated with paving and improvements to city streets ..... \$ 200,000.00  
(kkkkkkkkkkk) To assist the Mississippi Arts and Entertainment Experience (The MAX) in paying the costs associated with upgrading exhibits ..... \$ 250,000.00  
(lllllllllll) To assist Yazoo County, Mississippi, in paying costs associated with renovations at the Oakes African-American Cultural Center ..... \$ 100,000.00  
(mmmmmmmmmm) To assist the City of Pass Christian, Mississippi, in paying the costs associated with the Pass Christian Downtown Redevelopment Initiative ..... \$ 750,000.00  
(nnnnnnnnnnn) To assist Clay County, Mississippi, in paying the costs associated with the renovations of the county courthouse ..... \$ 350,000.00  
(ooooooooooo) To assist the City of West Point, Mississippi, in paying the costs associated with road paving and improvements to city streets ..... \$ 400,000.00  
(ppppppppppp) To assist the City of Macon, Mississippi, for reimbursement to the city for engineers, clean up of debris, and to stabilize exterior of Electric Department when surrounding buildings collapsed  
(local state of emergency) ..... \$ 35,000.00  
(qqqqqqqqqqq) To assist the Pascagoula Redevelopment Authority in paying the costs associated with the downtown revitalization project..... \$ 750,000.00  
(rrrrrrrrrrr) To assist the City of Eupora, Mississippi, in paying the costs associated with the construction of an amphitheater..... \$ 50,000.00  
(sssssssssss) To assist the City of Eupora, Mississippi, in paying the costs associated with a walking trail ..... \$ 10,000.00

(ttttttttt) To assist Lowndes County, Mississippi, in paying the costs associated with the construction, development, upgrades and improvements to the rail yard expansion at the West Bank Port, and other rail improvements in Lowndes County that provide otherwise support freight rail service to and from the West Bank Port .....\$ 3,200,000.00

(uuuuuuuuuu) To assist the City of Jackson, Mississippi, in paying the costs associated with the widening, straightening and clearing debris from Eubanks Creek from State Street to Old Canton Road ..... \$ 500,000.00

(vvvvvvvvvv) To assist the Department of Finance and Administration in paying the costs associated with the development of the LeFleur's Bluff Otter Creek Golf Park and Connector Trail Project..... \$13,250,000.00

(wwwwwwwwww) To assist the City of Vicksburg, Mississippi, in paying costs associated with the river front development..... \$ 3,500,000.00

(xxxxxxxxxx) To assist the City of Pelahatchie, Mississippi, in paying the costs associated with repairs and improvements to roads and bridges ..... \$ 300,000.00

(yyyyyyyyyy) To assist the Marty Stuart Congress of Country Music Museum in paying the costs associated with the completion of the Ellis Theatre ..... \$ 500,000.00

(zzzzzzzzzz) To assist the City of Water Valley, Mississippi, in paying the costs associated with upgrades and improvements to the city-owned electrical system.....\$ 500,000.00

(aaaaaaaaaaa) To assist the North Mississippi Health Services in paying the costs associated with the unfinished dedicated operating room for cesarean deliveries at the hospital in Amory, Mississippi, which room may be used as a negative pressure room ..... \$ 1,000,000.00

(bbbbbbbbbbb) To assist the B.B. King Museum and Delta Interpretive Center in paying costs associated with renovations, repairs and improvements to the B.B. King Museum and Club Ebony..... \$ 2,500,000.00

(ccccccccccc) To assist the Department of Finance and Administration – Bureau of Building, Ground and Real Property Management for the Mississippi Sports Hall of Fame and Museum in paying costs associated with renovations, repairs and improvements to the Mississippi Sports Hall of Fame ..... \$ 2,500,000.00

(ddddddddddd) To assist the Town of Macon, Mississippi, in paying costs associated with storm cleanup and emergency operation including storm debris removal ..... \$ 75,000.00

(eeeeeeeeeee) To assist Noxubee County, Mississippi, in paying costs associated with repair of the Veterans Building ..... \$ 25,000.00

(ffffffttttt) To assist Noxubee County, Mississippi, in paying costs associated with road maintenance and repairs ..... \$ 150,000.00

(ggggggggggg) To assist Hinds County, Mississippi, in paying costs associated with resurfacing Champion Hill Road ..... \$ 500,000.00

(hhhhhhhhhhh) To assist the Town of Vaiden, Mississippi, in paying costs associated with various infrastructure projects..... \$ 100,000.00

(iiiiiiiiiii) To assist the Town of McCool, Mississippi, in paying costs associated with various infrastructure projects ..... \$ 100,000.00

(jjjjjjjjjjj) To assist the Tate County Heritage Museum in paying costs associated with acquisition and updating of exhibits and displays and repair, restoration, upgrades and improvements to equipment and facilities ..... \$ 50,000.00

(kkkkkkkkkkk) To assist the Mississippi's Toughest Kids Foundation in paying the costs associated with:

(i) Design, preplanning, construction, furnishing and equipping of buildings and related facilities at Camp Kamassa in Copiah County, Mississippi; and

(ii) Design, preplanning, construction and development of infrastructure at Camp Kamassa in Copiah County, Mississippi..... \$ 1,000,000.00

SECTION 2. Section 2, Chapter 109, Laws of 2022, is amended as follows:

Section 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the Gulf Coast Restoration Fund, as created in Section 57-119-1 Mississippi Code of 1972, not otherwise appropriated to the Mississippi Development Authority. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 37,857,356.00.

Of the funds appropriated in this section the following sums are provided for projects:

(a) To assist the Gulfport Redevelopment Commission for the completion of the second and final phase of a mixed-use, downtown redevelopment project, including public use components, so as to leverage public and private investment.....	\$ 8,000,000.00
(b) To assist the City of Pass Christian with the Water Front Redevelopment Plan.....	\$ 3,000,000.00
(c) To assist the Pascagoula Redevelopment Authority with the City of Pascagoula Rail Line Development Plan .....	\$ 3,061,356.00
(d) To assist the City of Biloxi with the Popp's Ferry Extension Project.....	\$ 3,000,000.00
(e) To assist the City of Waveland with the Waveland Marina Phase I.....	\$ 2,000,000.00
(f) To assist the Ocean Springs Redevelopment Authority with City of Ocean Springs Projects.....	\$ 2,000,000.00
(g) To assist the City of Moss Point with Moss Point's Magnificent Mile 2.0.....	\$ 2,000,000.00
(h) To assist the Hancock County Port and Harbor Commission with the Technology Park at Stennis Airport Phase I.....	\$ 2,000,000.00
(i) To assist the Pearl River County Board of Supervisors with the Pearl River County Industrial Park Project .....	\$ 1,600,000.00
(j) To assist the City of Long Beach with the Long Beach Harbor Complex Restoration.....	\$ 1,000,000.00
(k) To assist the City of Bay St. Louis with the City Public Safety Complex .....	\$ 1,000,000.00
(l) To assist the Mississippi State University Research and Technology Corporation with continued development of the Mississippi Cyber Center Project.....	\$ 1,000,000.00
(m) To assist the City of Diamondhead with the Commerce District Transportation .....	\$ 900,000.00
(n) To assist * * * Heritage Spring Water, LLC., with the Heritage Spring Water Project in Stone County, Mississippi.....	\$ 600,000.00
(o) To assist the Ocean Springs Collective with Ocean Springs Collective Projects .....	\$ 400,000.00
(p) To assist the Mississippi Export Railroad with Mississippi Export Projects.....	\$ 3,500,000.00
(q) To assist the Greater Biloxi Economic Development Foundation and JDLE, LLC with the Downtown Redevelopment of Barq's and Kress Buildings on Howard Avenue.....	\$ 2,000,000.00
(r) To assist the Mississippi Gulf Resort Classic Foundation with the Rapiscan Systems Classic Tournament .....	\$ 796,000.00

SECTION 3. Section 57-1-16, Mississippi Code of 1972, is amended as follows:

57-1-16. (1) As used in this section:

(a) "Extraordinary economic development opportunity" means a new or expanded business or industry which maintains a strong financial condition and minimal credit risk and creates substantial employment, particularly in areas of high unemployment. The term "extraordinary economic development opportunity" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) "Local economic development entities" means state institutions of higher learning or public or private nonprofit local economic development entities including, but not limited to, chambers of commerce, local authorities, commissions or other entities created by local and private legislation or districts created pursuant to Section 19-5-99.

(c) "MDA" means the Mississippi Development Authority.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the ACE Fund, which shall consist of money from any public or private source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. The purpose of the fund shall be to assist in maximizing extraordinary economic development opportunities related to any new or expanded business or industry or to assist a local unit of government as authorized in subsection (5) of this section. Such funds may be used to make grants to local economic development entities to assist any new or expanding business or industry that meets the criteria provided in this section when such assistance aids the consummation of a project within the State of Mississippi, including any federal Indian reservation located within the geographical boundary of Mississippi, or to make grants to a local unit of government as authorized in subsection (5) of this section.

(b) Monies in the fund which are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a grant program to make grants from the ACE Fund created under this section. Local economic development entities may apply to the MDA for a grant under this section in the manner provided for in subsection (4) of this section. Local units of government may apply to the MDA for a grant under this section in the manner provided in subsection (5) of this section.

(4) (a) Any business or industry desiring assistance from a local economic development entity under this section shall submit an application to the local economic development entity which shall include, at a minimum:

(i) Evidence that the business or industry meets the definition of an extraordinary economic development opportunity;

(ii) A demonstration that the business or industry is at an economic disadvantage by locating the new or expanded project in the county;

(iii) A description, including the cost, of the requested assistance;

(iv) A description of the purpose for which the assistance is requested;

(v) A two-year business plan;

(vi) Financial statements or tax returns for the three (3) years immediately prior to the application;

(vii) Credit reports on all persons or entities with a twenty percent (20%) or greater interest in the business or industry; and

(viii) Any other information required by the MDA.

(b) The MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this section and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(c) Upon receipt of the application from a business or industry, the local economic development entity may apply to the MDA for assistance under this section. Such application must contain evidence that the business or industry meets the definition of an extraordinary economic development opportunity, a demonstration that the business or industry is at an economic disadvantage by locating the new or expanded project in the county, a description, including the cost, of the requested assistance, and a statement of what efforts have been made or are being made by the business or industry for securing or qualifying for other local, state, federal or private funds for the project.

(d) The MDA shall have sole discretion in the awarding of ACE funds, provided that the business or industry and the local economic development entity have met the statutory requirements of this section. However, in making grants under this section, the MDA shall attempt to provide for an equitable distribution of such grants among each of the congressional districts of this state in order to promote economic development across the entire state.

(5) (a) The MDA may make grants to local units of government to assist the local unit of government in purchasing real property for the benefit of an existing industry that commits to maintain a minimum of one thousand three hundred (1,300) jobs for a minimum of ten (10) years after the date the grant is made. The MDA shall not make grants under this subsection to assist local units of government for the benefit of any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) Any local unit of government seeking a grant authorized under this subsection shall apply to MDA. The application shall contain such information as the MDA may require.

(c) The MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this subsection and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(6) The MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, for the implementation of this section. However, before the implementation of any such rules and regulations, they shall be submitted to a committee consisting of five (5) members of the Senate Finance Committee and five (5) members of the House of Representatives Ways and Means Committee, appointed by the respective committee chairmen.

SECTION 4. Section 57-1-701, Mississippi Code of 1972, is amended as follows:

57-1-701. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Eligible entity" means any (i) county, (ii) municipality or (iii) public or private nonprofit local economic development entity including, but not limited to, local authorities, commissions, or other entities created by local and private legislation or pursuant to Section 19-5-99.

(b) "Optioned property" means industrial property that is subject to a real estate option to purchase contract entered into between an eligible entity and a real estate owner, where such option shall be for a minimum of three (3) years and the option price shall not exceed the appraised fair market value of the real estate.

(c) "Eligible expenditures" means:

(i) Fees for architects, engineers, environmental consultants, attorneys, and such other advisors, consultants and agents that MDA determines are necessary to complete site due diligence associated with site development improvements located on industrial property that is publicly owned or is optioned property;

(ii) Contributions toward site development improvements, as approved by MDA, located on industrial property that is publicly owned;

(iii) Contributions toward public infrastructure improvements directly serving industrial property that is publicly owned or is optioned property; and/or

(iv) Contributions toward acquisition of publicly owned real property used for economic development purposes by an eligible entity, where the acquisition price shall not exceed the appraised fair market value of the property.

(d) "MDA" means the Mississippi Development Authority.

(e) "Site development improvements" means site clearing, grading, and environmental mitigation; improvements to drainage systems; easement and right-of-way acquisition; sewer systems; transportation directly affecting the site, including roads, bridges or rail; bulkheads; taxiways and parking ramps; land reclamation; water supply (storage, treatment and distribution); telecommunications systems, including fiber optic; natural gas distribution systems; aesthetic improvements; the dredging of channels and basins; or other improvements as approved by MDA.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Site Development Grant Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to assist eligible entities as provided in this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Section 2 of Chapter 390, Laws of 2017, Section 5 of Chapter 412, Laws of 2018, Section 1 of Chapter 421, Laws of 2019, Section 4 of Chapter 492, Laws of 2020, or Section 8 of Chapter 480, Laws of 2021 or provided by the Legislature, may be used to reimburse reasonable actual and necessary costs incurred by MDA for the administration of the various grant, loan and financial incentive programs administered by MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) (a) MDA shall establish a program to make grants to eligible entities to match local or other funds associated with improving the marketability of publicly owned industrial property for industrial economic development purposes and other property improvements as approved by MDA. An eligible entity may apply to MDA for a grant under this program in the manner provided for in this section. An eligible entity desiring assistance under this section must provide matching funds in an amount determined by MDA. Matching funds may be provided in the form of cash and/or in-kind services as determined by MDA.

(b) An eligible entity desiring assistance under this section must submit an application to MDA. The application must include:

(i) A description of the eligible expenditures for which assistance is requested;

(ii) The amount of assistance requested;

(iii) The amount and type of matching funds to be provided by the eligible entity; and

(iv) Any other information required by MDA.

(c) Upon request by MDA, an eligible entity shall provide MDA with access to all studies, reports, documents and/or plans developed as a result of or related to an eligible entity receiving assistance under this section.

(4) MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.



(5) MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 5. Section 57-61-21, Mississippi Code of 1972, is amended as follows:

57-61-21. (1) There is hereby created a special fund in the State Treasury to be known as the Mississippi Business Investment Fund dedicated to the purpose of providing grants and/or loans to municipalities for the purpose of providing for improvements authorized by this chapter. All monies received by the board to carry out the purposes of this chapter, by legislative appropriation, issuance of bonds or otherwise, shall be deposited into the Mississippi Business Investment Fund. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the Mississippi Business Investment Fund, and the State Auditor, or his successor to such duties, shall issue warrants upon requisitions signed by the Chairman or Executive Director of the Mississippi \* \* \* Development Authority.

(2) Any monies repaid to the state from loans funded through the Mississippi Business Investment Fund shall be deposited into the Mississippi Business Investment Sinking Fund, which is hereby created in the State Treasury. Funds required in excess of the amounts available in the Mississippi Business Investment Sinking Fund to retire bonds issued pursuant to this chapter shall be appropriated from the State General Fund.

(3) Monies in the fund which are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature.

SECTION 6. Section 57-61-25, Mississippi Code of 1972, is amended as follows:

57-61-25. (1) The seller is authorized to borrow, on the credit of the state upon receipt of a resolution from the Mississippi Development Authority requesting the same, monies not exceeding the aggregate sum of Three Hundred Ninety-seven Million Five Hundred Thousand Dollars (\$397,500,000.00), not including monies borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this chapter. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this chapter, general or limited obligation bonds of the state shall be issued, from time to time, to provide monies necessary to carry out the purposes of this chapter for such total amounts, in such form, in such denominations payable in such currencies (either domestic or foreign, or both) and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than thirty (30) years from date thereof.

(3) All bonds and notes issued under authority of this chapter shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this chapter may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenues derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest, as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and secretary of the seller.

(7) The seller is authorized to provide, by resolution, for the issuance of refunding bonds for the purpose of refunding any debt issued under the provisions of this chapter and then outstanding, either by voluntary exchange with the holders of the outstanding debt or to provide funds to redeem and the costs of issuance and retirement of the debt, at maturity or at any call date. The issuance of the refunding bonds, the maturities and other details thereof, the rights of the holders thereof and the duties of the issuing officials in respect to the same shall be governed by the provisions of this section, insofar as they may be applicable.

(8) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

(9) The proceeds of bonds issued under this chapter after April 9, 2002, and any monies provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi Development Authority. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 7. Section 65-4-15, Mississippi Code of 1972, is amended as follows:

65-4-15. (1) There is hereby established a special fund in the State Treasury to be known as the "Economic Development Highway Fund" which shall consist of such monies as the Legislature shall appropriate thereto or such other monies as the Legislature may designate to be deposited therein. Any monies to the credit of such fund may be expended by the Mississippi Department of Transportation or political subdivision, as appropriate, upon approval of requisitions therefor by the Mississippi Development Authority for any expenses incurred by the Transportation Department or political subdivision in constructing and improving highways and highway segments which have been approved by the Mississippi Development Authority under the provisions of this chapter. From and after July 1, 2004, no monies to the credit of the fund may be expended for the construction and improvement of highways for high economic benefit projects that are being developed for the primary purpose of conducting retail sales unless the Mississippi Development Authority has received an application for the project prior to July 1, 2004; however, the primary purpose is not conducting retail sales if the project is a mixed-use development for which retail space is no more than twenty percent (20%) of the square footage of the development. With regard to a high economic benefit project as defined in Section 65-4-5(1)(c)(xiii) for which the Mississippi Development Authority approved and allocated monies in the fund before January 1, 2016, for constructing or improving a highway or highway segment related to the high economic benefit project, the Mississippi Development Authority may reallocate such monies from the original highway or highway segment purpose and allocate the funds for constructing or improving another highway or highway segment provided that such highway or highway segment is located within three (3) miles of the high economic benefit project for which the Mississippi Development Authority originally allocated and approved the monies. The Office of State Aid Road Construction shall be entitled to reimbursement from monies in the fund, upon approval by the Mississippi Development Authority of requisitions therefor by the State Aid Engineer, for the actual expenses incurred by the office in administering and providing engineering services to political subdivisions. Monies remaining unexpended to the credit of such special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on the investment of monies in the special fund shall be deposited to the credit of the fund.

(2) Monies in the Economic Development Highway Fund which are derived from proceeds of bonds issued under this chapter after July 1, 2003, or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi

Development Authority. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements to the Mississippi Development Authority under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 8. Section 57-1-221, Mississippi Code of 1972, is amended as follows:

57-1-221. (1) As used in this section:

(a) "Approved business enterprise" means any project that:

(i) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of two hundred fifty (250) new, full-time jobs with a total capital investment in the state of a minimum of Thirty Million Dollars (\$30,000,000.00) in Tier 1 or Tier 2 counties;

(ii) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of one hundred fifty (150) new, full-time jobs with a total capital investment in the state of a minimum of Fifteen Million Dollars (\$15,000,000.00) in areas federally designated as low-income census tracts;

(iii) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of one thousand (1,000) new, full-time jobs;

(iv) Is a manufacturer of high-end kitchen appliances having at least four hundred (400) employees working at its Mississippi facilities on January 1, 2015, and with a capital investment of at least Five Million Dollars (\$5,000,000.00) made after July 1, 2014, through four (4) years after July 1, 2015, that expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and retains a minimum of four hundred (400) jobs; or

(v) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, with significant regional impact as determined by MDA.

(b) "MDA" means the Mississippi Development Authority.

(c) "Facility related to the project" means and includes any of the following, as they may pertain to the project:

(i) Facilities to provide potable and industrial water supply systems, sewage and waste disposal systems and water, natural gas and electric transmission systems to the site of the project;

(ii) Building facilities and equipment necessary to operate the facility;

(iii) Rail lines;

(iv) Airports, airfields, air terminals and port facilities;

(v) Highways, streets and other roadways; and

(vi) Fire protection facilities, equipment and elevated water tanks.

(d) "Project" means any industrial, commercial, research and development, warehousing, distribution, transportation, processing, mining, United States government or tourism enterprise together with all real property required for construction, maintenance and operation of the enterprise that is approved by the MDA. The term "project" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(2) (a) There is created a special fund in the State Treasury to be known as the Mississippi Industry Incentive Financing Revolving Fund which shall consist of monies from any source designated for deposit into the fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Except as otherwise provided, monies in the fund shall be disbursed by the Mississippi Development Authority for the purposes authorized in subsection (3) of this section. The Mississippi Development Authority shall allocate and disburse Thirty Million Dollars (\$30,000,000.00) from the fund as a grant to Mississippi State University for the construction, furnishing and equipping of a high-performance computing data center that is home to federally designated centers of computing excellence. The disbursement of such funds shall not be subject to any requirements of this section relating to grants and

loans made by the Mississippi Development Authority under this section. The Mississippi Development Authority shall allocate and disburse Three Million Dollars (\$3,000,000.00) from the fund as a grant to Delta Health System for capital costs related to hospital systems expansion. The disbursement of such funds shall not be subject to any requirements of this section relating to grants and loans made by the Mississippi Development Authority under this section. The Mississippi Development Authority shall disburse such funds to Delta Health System not later than thirty (30) days after April 22, 2021.

(b) Monies in the fund that are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a program to make grants or loans from the Mississippi Industry Incentive Financing Revolving Fund to local governments, including, but not limited to, counties, municipalities, industrial development authorities and economic development districts, and approved business enterprises to construct or otherwise provide facilities related to the project. Local governments are authorized to accept grants and enter into loans authorized under the program, and to sell, lease or otherwise dispose of a project or any property related to the project in whole or in part.

(4) (a) Except as otherwise provided in this section, any business enterprise or local government desiring a grant or loan under this section shall submit an application to the MDA which shall include, at a minimum:

(i) Evidence that the business or industry meets the definition of an approved business enterprise;

(ii) A description, including the cost, of the requested assistance;

(iii) A description of the purpose for which the assistance is requested; and

(iv) Any other information required by the MDA.

(b) Except as otherwise provided in this section, the MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this section and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(c) Upon receipt of the application from a business enterprise or local government for a grant or loan under this section, the MDA shall determine whether the enterprise meets the definition of an approved business enterprise and determine whether to provide the assistance requested in the form of a grant or a loan.

(d) Except as otherwise provided in subsection (2)(a) of this section, the MDA shall have sole discretion in providing grants or loans under this section. The terms of a grant or loan provided under this section and the manner of repayment of any loan shall be within the discretion of the MDA. Repayments of loans made under this section shall be deposited to the credit of the Mississippi Industry Incentive Financing Revolving Fund until the uncommitted balance in the fund reaches Fifty Million Dollars (\$50,000,000.00). Once the uncommitted balance in the fund reaches Fifty Million Dollars (\$50,000,000.00), repayments of loans under this section shall be deposited to the credit of Fund No. 3951 in the State Treasury to pay debt service on bonds until such time as the uncommitted balance in the fund falls below Fifty Million Dollars (\$50,000,000.00).

(e) The MDA shall notify the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the approval of any grant or loan application thirty (30) days prior to the disbursement of any monies for the loan or grant from the Mississippi Industry Incentive Financing Revolving Fund. The

notification shall identify the applicant and the purposes for which the loan or grant is made.

(5) (a) Contracts, by local governments, including, but not limited to, design and construction contracts, for the acquisition, purchase, construction or installation of a project shall be exempt from the provisions of Section 31-7-13 if:

(i) The MDA finds and records such finding on its minutes, that because of availability or the particular nature of a project, it would not be in the public interest or would less effectively achieve the purposes of this section to enter into such contracts on the basis of Section 31-7-13; and

(ii) The approved business enterprise that is involved in the project concurs in such finding.

(b) When the requirements of paragraph (a) of this subsection are met:

(i) The requirements of Section 31-7-13 shall not apply to such contracts; and

(ii) The contracts may be entered into on the basis of negotiation.

(6) It is the policy of the MDA and the MDA is authorized to accommodate and support any enterprise that receives a loan under this section for a project defined in Section 17-25-23 that wishes to have a program of diversity in contracting, and/or that wishes to do business with or cause its prime contractor to do business with Mississippi companies, including those companies that are small business concerns owned and controlled by socially and economically disadvantaged individuals. The term "socially and economically disadvantaged individuals" shall have the meaning ascribed to such term under Section 8(d) of the Small Business Act (15 USCS 637(d)) and relevant subcontracting regulations promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for the purposes of this subsection.

(7) The MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, for the implementation of this section.

SECTION 9. Section 57-1-601, Mississippi Code of 1972, is amended as follows:

57-1-601. (1) For the purposes of this section, the following words shall have the following meanings ascribed in this section, unless the context clearly otherwise requires:

(a) "MDA" means the Mississippi Development Authority.

(b) "Municipality" means any municipality with a population of less than fifteen thousand (15,000) according to the latest federal decennial census at the time the municipality submits an application to the MDA under this section.

(c) "Revitalization zone" means an area in the municipality officially designated by ordinance or resolution of the governing authorities of the municipality as a revitalization zone and approved and certified by the MDA as meeting the requirements of this section.

(2) (a) There is created in the State Treasury a special fund to be designated as the "Mississippi Main Street Investment Grant Fund" which shall consist of funds from any source designated for deposit into the fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the MDA for the purposes authorized in subsection (3) of this section.

(b) Monies in the fund which are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA in providing grants under this section through the use of proceeds of such general obligation bonds. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for the program. Reimbursement of reasonable actual and necessary costs for assistance shall not exceed three percent (3%) of the proceeds of bonds issued for such assistance or the monies provided by the Legislature. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a program to make grants to a municipality to assist with maintaining and improving the viability of revitalization zones. The proceeds of a grant made to a municipality under this section may be used for maintaining and/or

improving the viability of a revitalization zone through means deemed appropriate by the governing authorities of a municipality, including, but not limited to, making loans, grants and/or other forms of assistance to any person or public or private association or other entity for use for infrastructure projects, improvements to properties, signage and other purposes related to maintaining and/or improving the viability of the revitalization zone.

(4) (a) If a municipality desires a grant under this section, the municipality shall submit an application to the MDA seeking (i) approval and certification of the proposed revitalization zone and (ii) a grant for the purposes authorized in this section. The application shall include, at a minimum:

1. The name of the proposed revitalization zone, together with the words, "revitalization zone";
2. A description of the revitalization zone by metes and bounds;
3. A map showing the parcels of real property included in the revitalization zone and the present use of such parcels;
4. A master plan for the revitalization zone that has been approved by sixty percent (60%) of the property owners within the zone at the time the municipality submits the application; and
5. Any other information required by the MDA. The

governing authorities of a municipality may designate the boundaries of a proposed revitalization zone by adoption of an ordinance or resolution that is spread upon its minutes and describes the boundaries of the zone.

(b) The MDA shall review the application to confirm that the revitalization zone meets the requirements of this section. A revitalization zone may embrace two (2) or more separate parcels of real property, and such property may be publicly and/or privately owned. Each revitalization zone shall be of such size and form as to include all properties that, in the determination of the municipality and the MDA, constitute an integral part of the revitalization zone. If the MDA determines that the boundaries of the proposed revitalization zone exceed the area that is reasonably deemed to be integral to the revitalization zone, the MDA may reduce the boundaries of the proposed area. Upon the approval and selection of a municipal revitalization zone project, the MDA shall certify the revitalization zone.

(5) The MDA shall have all powers necessary to implement and administer the program established under this section, and the MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 10. Section 9, Chapter 98, Laws of 2022, appropriation to the Workers' Compensation Commission, is amended as follows:

Section 9. Of the funds appropriated under the provisions of Section 2 of this act, Seventy-five Thousand Dollars (\$75,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of \* \* \* infrastructure improvements to the commission's building, including, but not limited to, ADA compliance.

SECTION 11. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-104-371, MISSISSIPPI CODE OF 1972, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED FROM DISBURSEMENTS FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 2, CHAPTER 109, LAWS OF 2022, TO REVISE THE APPROPRIATION OF GULF COAST RESTORATION FUNDS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2023 TO REVISE THE USE OF FUNDS TO THE HERITAGE SPRING WATER, LLC.; TO AMEND SECTION 57-1-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE ACE FUND MAY BE USED TO

REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-61-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES FROM THE PROCEEDS OF BONDS AND PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI BUSINESS INVESTMENT FUND AND THE MISSISSIPPI BUSINESS INVESTMENT SINKING FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN A CERTAIN FUND IN THE CREATED IN THE MISSISSIPPI BUSINESS ACT MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 65-4-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE ECONOMIC DEVELOPMENT HIGHWAY FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-221, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-601, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI MAIN STREET INVESTMENT GRANT FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 9, CHAPTER 98, LAWS OF 2022, APPROPRIATION TO THE WORKERS' COMPENSATION COMMISSION TO REVISE THE PURPOSE OF THE APPROPRIATION; AND FOR RELATED PURPOSES.

Senator DeLano offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by deleting lines 1158-1160.

FURTHER, AMEND on line 1110 by deleting and "37,857,356.00" and inserting in lieu thereof "37,061,356.00"

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1089 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1089 was adopted.

YEAS AND NAYS On H. B. No. 1089. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Harkins called up the following entitled bill:

**H. B. No. 390:** Historic property income tax credit; revise certain provisions regarding.

YEAS AND NAYS On H. B. No. 390. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Harkins called up the following entitled bill:

**H. B. No. 371:** Bonds; revise purposes for which proceeds of bonds authorized for City of Union.

YEAS AND NAYS On H. B. No. 371. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Harkins called up the following entitled bill:

**H. B. No. 535:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:



SECTION 1. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this article and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly

defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this article unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this article, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this article, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen-hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;

13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen-hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect;

25. A municipality through which run Mississippi Highway 35 and Interstate 20;

26. A municipality in which Mississippi Highway 16 and Mississippi Highway 35 intersect;

27. A municipality in which U.S. Highway 82 and Old Highway 61 intersect;

28. A municipality in which Mississippi Highway 8 meets Mississippi Highway 1;

29. A municipality in which U.S. Highway 82 and Mississippi Highway 1 intersect;

30. A municipality in which Mississippi Highway 50 meets Mississippi Highway 9;

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge,

partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi;

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect;

35. A municipality in which Interstate 20 passes over Mississippi Highway 15;

36. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law;

37. A municipality in which Mississippi Highway 28 and Mississippi Highway 29 North intersect;

38. An area bounded as follows within a municipality through which run Interstate 22 and Mississippi Highway 15: Beginning at a point at the



intersection of Bankhead Street and Tallahatchie Trails; then running to a point at the intersection of Tallahatchie Trails and Interstate 22; then running to a point at the intersection of Interstate 22 and Carter Avenue; then running to a point at the intersection of Carter Avenue and Camp Avenue; then running to a point at the intersection of Camp Avenue and King Street; then running to a point at the intersection of King Street and E. Main Street; then running to a point at the intersection of E. Main Street and Camp Avenue; then running to a point at the intersection of Camp Avenue and Highland Street; then running to a point at the intersection of Highland Street and Adams Street; then running to a point at the intersection of Adams Street and Cleveland Street; then running to a point at the intersection of Cleveland Street and N. Railroad Avenue; then running to a point at the intersection of N. Railroad Avenue and McGill Street; then running to a point at the intersection of McGill Street and Snyder Street; then running to a point at the intersection of Snyder Street and Bankhead Street; then running to a point at the intersection of Bankhead Street and Tallahatchie Trails and the point of the beginning;

39. A municipality through which run Mississippi Highway 43 and U.S. Highway 80;

40. The coliseum in a municipality in which U.S. Highway 72 passes over U.S. Highway 45;

41. A piece of property on the northeast corner of the T-intersection where Builders Square Drive meets Mississippi Highway 471;

42. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities located on Oaks Country Club Road less than one-half (1/2) mile to the east of Mississippi Highway 15;

43. Any facility located on land more particularly described as follows:

The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2 East, running 210 feet east and west and 840 feet running north and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in Rankin County, Mississippi;

44. Any facility located on land more particularly described as follows:

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least two thousand two hundred (2,200) square feet, regardless of whether such patio is part of the facility and/or located adjacent to or in close proximity to the facility;

b. Includes a caterer's kitchen and green room for entertainment preparation;

c. For a fee is used to host events; and

d. Is located adjacent to or in close proximity to an approximately nine (9) acre lake on property that consists of at least one hundred twenty (120) acres in a county traversed by Mississippi Highway 15 and U.S. Highway 278;

46. Any municipality with a population in excess of one thousand (1,000) according to the 2010 federal decennial census and which is located in a county that is traversed by U.S. Highways 84 and 98 and has not voted to come out from under the dry law;

47. The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming pool and related facilities located on or near U.S. Highway 82 between Mississippi Highway 15 and Mississippi Highway 9;

48. The downtown square area bound by East Service Drive, Commerce Street, Second Street and Court Street and adjacent properties in a municipality through which run Interstate 55, U.S. Highway 51 and Mississippi Highway 306;

49. All parcels zoned for mixed-use development located west of Mississippi Highway 589, more than four hundred (400) feet north of Old Highway 24, east of Parkers Creek and Black Creek, and south of J M Burge Road; \* \* \*

50. Any facility used by a soccer club and located on Old Highway 11 between one-tenth (0.1) and two-tenths (0.2) of a mile from its intersection with Oak Grove Road, in a county in which U.S. Highway 98 and Mississippi Highway 589 intersect \* \* \*; and

51. A municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect.

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in this paragraph (o)(iii) as qualified resort areas does not require any declaration of same by the department.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46 \* \* \*, 48 or 51 of this paragraph (o)(iii) may by ordinance: specify the hours of operation of facilities offering alcoholic beverages for sale; specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a

producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this article unless on the date of the initial application for a license under this article more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this article, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 67-1-201.

SECTION 2. Section 67-1-16, Mississippi Code of 1972, is amended as follows:

67-1-16. (1) (a) Before an area may be designated by the governing authorities of a municipality as an area in which facilities which are defined as qualified resort areas in Section 67-1-5(o)(iii)5 may be located, an election shall be held, under the election laws applicable to the municipality, on the question of whether qualified resort areas shall be allowed in the municipality. An election to determine whether qualified resort areas shall be allowed in the municipality shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF QUALIFIED RESORT AREAS," and next below, "AGAINST THE ESTABLISHMENT OF QUALIFIED RESORT AREAS." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) Qualified resort areas may be established if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(2) (a) Before a municipality may be designated as a qualified resort area as defined in Section 67-1-5(o)(iii)6, an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(3) (a) Before an area may be designated a qualified resort area as defined in Section 67-1-5(o)(iii)7, an election shall be held in the municipality in which the area is located under the election laws applicable to the municipality, on the question of whether the area shall be a qualified resort area. An election to determine whether the area shall be a qualified resort area shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted

on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The area may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(4) (a) Before a municipality may be designated as a qualified resort area as defined in item 21, 35 \* \* \*, 36 or 51 of Section 67-1-5(o)(iii), an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION TO BE HELD BEFORE CERTAIN MUNICIPALITIES MAY BE DESIGNATED A QUALIFIED RESORT AREA UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 535 was adopted.

YEAS AND NAYS On H. B. No. 535. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Harkins called up the following entitled bill:

**H. B. No. 261:** Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-207, Mississippi Code of 1972, is amended as follows:

27-7-207. (1) Subject to the limitations provided for in this section, through calendar year \* \* \* 2027 a taxpayer shall be allowed a credit against the tax imposed by Chapter 7, Title 27, in an amount equal to twenty-five percent (25%) of a qualified contribution to an endowed fund at a qualified community foundation, subject to the following:

(a) The minimum amount of a qualified contribution shall be One Thousand Dollars (\$1,000.00).

(b) The maximum amount of a qualified contribution shall be Two Hundred Thousand Dollars (\$200,000.00).

(c) The total qualified contributions from any qualified taxpayer eligible for the tax credit authorized under this section shall be Two Hundred Thousand Dollars (\$200,000.00) per year.

(2) Except as otherwise provided in this subsection, the aggregate amount of tax credits authorized under this article shall not exceed Five Hundred Thousand Dollars (\$500,000.00) in any one (1) calendar year. The credits shall be awarded on a first-come, first-served basis. If the tax credits authorized for \* \* \* any calendar year are not utilized, the amount not utilized may be awarded or carried forward in up to five (5) subsequent calendar years from the year in which such credits are made available.

(3) If the amount allowable as a credit exceeds the tax imposed by Chapter 7, Title 27, the amount of such excess may be carried forward for not more than five (5) subsequent taxable years.

(4) From and after January 1, \* \* \* 2028, no additional credits shall be authorized under this section; however, any tax credits authorized prior to January 1, \* \* \* 2028, and not used, may be carried forward for not more than five (5) taxable years subsequent to calendar year \* \* \* 2027.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-207, MISSISSIPPI CODE OF 1972, TO EXTEND THE TIME PERIOD IN WHICH INCOME TAX CREDITS MAY BE AUTHORIZED UNDER THE ENDOW MISSISSIPPI PROGRAM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 261 was adopted.

YEAS AND NAYS On H. B. No. 261. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senator Tate called up the following House Amendment to **S. B. No. 2352** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-211, Mississippi Code of 1972, is amended as follows:

23-15-211. (1) There shall be a State Board of Election Commissioners to consist of the following members:

(a) The Governor, who shall serve as chair;

(b) The Secretary of State, who shall serve as secretary, maintain minutes of all meetings and accept service of process on behalf of the board; and

(c) The Attorney General.

Any two (2) of the members of the State Board of Election Commissioners may perform the duties required of the board.

(2) The duties of the board shall include, but not be limited to, the following:

(a) Ruling on a candidate's qualifications to run for statewide, Supreme Court, Court of Appeals, congressional district, circuit and chancery court district, and other state district offices;

(b) Approving the state ballot for the offices stated in paragraph (a) of this subsection (2); and

\* \* \*

( \* \* \*c) Adopting any administrative rules and regulations as are necessary to carry out the statutory duties of the board.

(3) The board of supervisors of each county shall pay members of the county election commission for attending training events a per diem in the amount provided in Section 23-15-153; however, except as otherwise provided in this section, the per diem shall not be paid to an election commissioner for more than twelve (12) days of training per year and shall only be paid to election commissioners who actually attend and complete a training event and obtain a training certificate.

(4) Included in this twelve (12) days shall be an elections seminar, conducted and sponsored by the Secretary of State. Election commissioners and chairpersons of each political party executive committee, or their designee, shall be required to attend. An election commissioner shall be certified by the Secretary of State only after attending the annual elections seminar and satisfactorily completing the skills assessment provided for in Section 23-15-213. Such skills assessment shall only be required once every four (4) years.

(5) Each participant shall receive a certificate from the Secretary of State indicating that the named participant has received the elections training seminar instruction and satisfactorily completed the skills assessment provided for in Section 23-15-213. Election commissioners shall annually file the certificate with the chancery clerk. If any election commissioner shall fail to file the certificate by April 30 of each year, his or her office shall be vacated, absent exigent circumstances as determined by the board of supervisors and consistent with the facts. The vacancy shall be declared by the board of supervisors and the vacancy shall be filled in the manner described by law. Before declaring the office vacant, the board of supervisors shall give the election commissioner notice and the opportunity for a hearing.

(6) The Secretary of State, upon approval of the board of supervisors, may authorize not more than eight (8) additional training days per year for election commissioners in one or more counties. The board of supervisors of each county shall pay members of the county election commission for attending training on these days a per diem in the amount provided in Section 23-15-153.

SECTION 2. Section 23-15-811, Mississippi Code of 1972, is amended as follows:

23-15-811. (a) Any candidate or any other person who willfully violates the provisions and prohibitions of this article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine in a sum not to exceed Three Thousand Dollars (\$3,000.00) or imprisoned for not longer than six (6) months or by both fine and imprisonment.

(b) In addition to the penalties provided in subsection (a) of this section and Chapter 13, Title 97, Mississippi Code of 1972, any candidate or political committee which is required to file a statement or report and fails to file the statement or report on the date it is due may be compelled to file the statement or report by an action in the nature of a mandamus brought by the Mississippi Ethics Commission.

(c) No candidate shall be certified as nominated for election or as elected to office until he or she files all reports required by this article that are due as of the date of certification.



(d) No person shall be qualified to appear on the ballot if, by the qualifying deadline for the office sought, he or she has failed to file all reports required to be filed within the last five (5) years.

( \*\* \*e) No candidate who is elected to office shall receive any salary or other remuneration for the office until he or she files all reports required by this article that are due as of the date the salary or remuneration is payable.

( \*\* \*f) In the event that a candidate fails to timely file any report required pursuant to this article but subsequently files a report or reports containing all of the information required to be reported, the candidate shall not be subject to the sanctions of subsections (c) and (d) of this section.

SECTION 3. Section 23-15-807, Mississippi Code of 1972, is amended as follows:

23-15-807. (a) Each candidate or political committee shall file reports of contributions and disbursements in accordance with the provisions of this section. All candidates or political committees required to report such contributions and disbursements may terminate the obligation to report only upon submitting a final report that contributions will no longer be received or disbursements made and that the candidate or committee has no outstanding debts or obligations. The candidate, treasurer or chief executive officer shall sign the report.

(b) Candidates seeking election, or nomination for election, and political committees making expenditures to influence or attempt to influence voters for or against the nomination for election of one or more candidates or balloted measures at such election, shall file the following reports:

(i) In any calendar year during which there is a regularly scheduled election, a pre-election report shall be filed no later than the seventh day before any election in which the candidate or political committee has accepted contributions or made expenditures and shall be completed as of the tenth day before the election;

(ii) In 1987 and every fourth year thereafter, periodic reports shall be filed no later than the tenth day after April 30, May 31, June 30, September 30 and December 31, and shall be completed as of the last day of each period;

(iii) In any calendar years except 1987 and except every fourth year thereafter, a report covering the calendar year shall be filed no later than January 31 of the following calendar year; and

(iv) Except as otherwise provided in the requirements of paragraph (i) of this subsection (b), unopposed candidates are not required to file pre-election reports but must file all other reports required by paragraphs (ii) and (iii) of this subsection (b).

(c) All candidates for judicial office as defined in Section 23-15-975, or their political committees, shall file periodic reports in the year in which they are to be elected no later than the tenth day after April 30, May 31, June 30, September 30 and December 31. Candidates for judicial office shall not be required to file an annual report during an election year, but shall file an annual report in all other years.

(d) Each report under this article shall disclose:

(i) For the reporting period and the calendar year, the total amount of all contributions and the total amount of all expenditures of the candidate or reporting committee, including those required to be identified pursuant to paragraph (ii) of this subsection (d) as well as the total of all other contributions and expenditures during the calendar year. The reports shall be cumulative during the calendar year to which they relate;

## (ii) The identification of:

1. Each person or political committee who makes a contribution to the reporting candidate or political committee during the reporting period, whose contribution or contributions within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars (\$200.00) together with the date and amount of any such contribution;

2. Each person or organization, candidate or political committee who receives an expenditure, payment or other transfer from the reporting candidate, political committee or its agent, employee, designee, contractor, consultant or other person or persons acting in its behalf during the reporting period when the expenditure, payment or other transfer to the person, organization, candidate or political committee within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars (\$200.00) together with the date and amount of the expenditure;

(iii) The total amount of cash on hand of each reporting candidate and reporting political committee;

(iv) In addition to the contents of reports specified in paragraphs (i), (ii) and (iii) of this subsection (d), each political party shall disclose:

1. Each person or political committee who makes a contribution to a political party during the reporting period and whose contribution or contributions to a political party within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars (\$200.00), together with the date and amount of the contribution;

2. Each person or organization who receives an expenditure or expenditures by a political party during the reporting period when the expenditure or expenditures to the person or organization within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars (\$200.00), together with the date and amount of the expenditure;

(v) Disclosure required under this section of an expenditure to a credit card issuer, financial institution or business allowing payments and money transfers to be made over the Internet must include, by way of detail or separate entry, the amount of funds passing to each person, business entity or organization receiving funds from the expenditure.

(e) The appropriate office specified in Section 23-15-805 must be in actual receipt of the reports specified in this article by 5:00 p.m. on the dates specified in subsection (b) of this section. If the date specified in subsection (b) of this section shall fall on a weekend or legal holiday then the report shall be due in the appropriate office at 5:00 p.m. on the first working day before the date specified in subsection (b) of this section. The reporting candidate or reporting political committee shall ensure that the reports are delivered to the appropriate office by the filing deadline. The Secretary of State may approve specific means of electronic transmission of completed campaign finance disclosure reports, which may include, but not be limited to, transmission by electronic facsimile (FAX) devices.

(f) (i) If any contribution of more than Two Hundred Dollars (\$200.00) is received by a candidate or candidate's political committee after the tenth day, but more than forty-eight (48) hours before 12:01 a.m. of the day of the election, the candidate or political committee shall notify the appropriate office designated in Section 23-15-805, within forty-eight (48) hours of receipt of the contribution. The notification shall include:

1. The name of the receiving candidate;

2. The name of the receiving candidate's political committee, if any;
3. The office sought by the candidate;
4. The identification of the contributor;
5. The date of receipt;
6. The amount of the contribution;
7. If the contribution is in-kind, a description of the in-kind contribution; and
8. The signature of the candidate or the treasurer or chair of the candidate's political organization.

(ii) The notification shall be in writing, and may be transmitted by overnight mail, courier service, or other reliable means, including electronic facsimile (FAX), but the candidate or candidate's committee shall ensure that the notification shall in fact be received in the appropriate office designated in Section 23-15-805 within forty-eight (48) hours of the contribution.

SECTION 4. Section 23-15-753, Mississippi Code of 1972, is amended as follows:

23-15-753. (1) Any person who willfully, unlawfully and feloniously procures, seeks to procure, or seeks to influence the vote of any person voting by absentee ballot, by the payment of money, the promise of payment of money, or by the delivery of any other item of value or promise to give the voter any item of value, or by promising or giving the voter any favor or reward in an effort to influence his vote, or any person who aids, abets, assists, encourages, helps, or causes any person voting an absentee ballot to violate any provision of law pertaining to absentee voting, or any person who sells his vote for money, favor, or reward, has been paid or promised money, a reward, a favor or favors, or any other item of value, or any person who fraudulently requests or submits an absentee ballot application for any voter, or any person who shall willfully swear falsely to any affidavit provided for in Sections 23-15-621 through 23-15-735, shall be guilty of the crime of "vote fraud" and, upon conviction, shall be sentenced to pay a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the county jail for no more than one (1) year, or by both fine and imprisonment, or by being sentenced to the State Penitentiary for not less than one (1) year nor more than five (5) years.

(2) It shall be unlawful for any person who pays or compensates another person for assisting voters in marking their absentee ballots to base the pay or compensation on the number of absentee voters assisted or the number of absentee ballots cast by persons who have received the assistance. Any person who violates this section, upon conviction, shall \* \* \* be fined not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00), or imprisoned in the Penitentiary not less than one (1) year nor more than five (5) years, or both.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 23-15-211, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE STATE BOARD OF ELECTION COMMISSIONERS TO REMOVE THE DUTY OF THE BOARD TO REMOVE THE NAMES OF CANDIDATES

FROM THE BALLOT FOR FAILURE TO COMPLY WITH CAMPAIGN FINANCE FILING REQUIREMENTS; TO AMEND SECTION 23-15-811, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON SHALL BE QUALIFIED TO APPEAR ON THE BALLOT IF, BY THE QUALIFYING DEADLINE FOR THE OFFICE SOUGHT, HE OR SHE HAS FAILED TO FILE ALL REPORTS REQUIRED TO BE FILED WITHIN THE LAST FIVE YEARS; TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CANDIDATES FOR JUDICIAL OFFICE SHALL NOT BE REQUIRED TO FILE AN ANNUAL REPORT IN AN ELECTION YEAR BUT SHALL FILE ONE IN OTHER YEARS; TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO PROVIDE A PENALTY FOR ANY PERSON WHO FRAUDULENTLY REQUESTS OR SUBMITS AN ABSENTEE BALLOT APPLICATION FOR ANY VOTER; AND FOR RELATED PURPOSES.

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Senator Tate called up the following House Amendment to **S. B. No. 2353** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-227, Mississippi Code of 1972, is amended as follows:

23-15-227. (1) The poll managers shall be each entitled to \* \* \* One Hundred Fifty Dollars (\$150.00) for each election; however, the board of supervisors may, in its discretion, pay the poll managers an additional amount not to exceed Fifty Dollars (\$50.00) per election.

\* \* \*

( \* \* \*2) The poll manager who shall carry to the place of voting, away from the courthouse, the official ballots, ballot boxes, pollbooks and other necessities, shall be allowed \* \* \* Thirty Dollars (\$30.00) for each voting precinct for so doing. The poll manager who acts as returning officer shall be allowed \* \* \* Thirty Dollars (\$30.00) for each voting precinct for that service. If a person who performs the duties described in this subsection uses a privately owned motor vehicle to perform them, he or she shall receive for each mile actually and necessarily traveled in excess of ten (10) miles, the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel.

(4) The compensation authorized in this section shall be allowed by the board of supervisors, and shall be payable out of the county treasury; provided, however, that any compensation for additional pandemic pay due to a public health emergency may be payable from federal funds available for such purpose, or a combination of both county and federal funding sources.

(5) The compensation provided in this section shall constitute payment in full for the services rendered by the persons named for any election, whether there be one (1) election or issue voted upon, or more than one (1) election or issue voted upon at the same time.

(6) The Secretary of State shall promulgate rules and regulations as are necessary to ensure the safety of poll managers, election commissioners, electors and their families

at the voting precincts during a COVID-19 public health risk or other public health risk declared by the Governor where the appearance of such persons may result in exposure to such risk or the exposure of other persons to such risk.

SECTION 2. Section 23-15-229, Mississippi Code of 1972, is amended as follows:

23-15-229. The compensation for poll managers and other workers in the polling places of a municipality shall be the same as the compensation paid by the county for those services; provided, however, that the governing authorities of a municipality shall not be required to pay any additional compensation authorized by the board of supervisors. The governing authorities of a municipality may, in their discretion, pay clerks and poll managers in the polling places of the municipality an additional amount of compensation not to exceed Fifty Dollars (\$50.00) per election \* \* \*. Such compensation shall be payable out of the county general fund, and may be payable from federal funds available for such purpose, or a combination of both funding sources.

SECTION 3. Section 23-15-239, Mississippi Code of 1972, is amended as follows:

23-15-239. (1) The executive committee of each county, in the case of a primary election, or the election commissioners of each county, in the case of all other elections, in conjunction with the circuit clerk, shall, in the years in which counties conduct an election, sponsor and conduct, not less than five (5) days before each election, not less than four (4) hours and not more than eight (8) hours of poll manager training to instruct poll managers as to their duties in the proper administration of the election and the operation of the polling place. Any poll manager who completes the online training course provided by the Secretary of State shall only be required to complete two (2) hours of in-person poll manager training. No poll manager shall serve in any election unless he or she has received these instructions once during the twelve (12) months immediately preceding the date upon which the election is held; however, nothing in this section shall prevent the appointment of an alternate poll manager to fill a vacancy in case of an emergency. The county executive committee or the election commissioners, as appropriate, shall train a sufficient number of alternates to serve in the event a poll manager is unable to serve for any reason.

(2) (a) If it is eligible under Section 23-15-266, the county executive committee may enter into a written agreement with the circuit clerk or the county election commission authorizing the circuit clerk or the county election commission to perform any of the duties required of the county executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the county executive committee and the circuit clerk or the chair of the county election commission, as appropriate. The county executive committee shall notify the state executive committee and the Secretary of State of the existence of the agreement.

(b) If it is eligible under Section 23-15-266, the municipal executive committee may enter into a written agreement with the municipal clerk or the municipal election commission authorizing the municipal clerk or the municipal election commission to perform any of the duties required of the municipal executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the municipal executive committee and the municipal clerk or the chair of the municipal election commission, as appropriate. The municipal executive committee shall notify the state executive committee and the Secretary of State of the existence of the agreement.

(3) The board of supervisors and the municipal governing authority, in their discretion, may compensate poll managers who attend these training sessions. The compensation shall be at a rate of not less than the federal hourly minimum wage nor more than \* \* \* Twenty Dollars (\$20.00) per hour. Poll managers shall not be compensated for more than sixteen (16) hours of attendance at the training sessions regardless of the actual amount of time that they attended the training sessions.

(4) The time and location of the training sessions required pursuant to this section shall be announced to the general public by posting a notice thereof at the courthouse and by delivering a copy of the notice to the office of a newspaper having general circulation in the county five (5) days before the date upon which the training session is to be conducted. Persons who will serve as poll watchers for candidates and political parties, as well as members of the general public, shall be allowed to attend the sessions.

(5) Subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of One Hundred Dollars (\$100.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in conducting training sessions as required by this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than five (5) days per year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than eight (8) days per year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than ten (10) days per year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than twelve (12) days per year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than fifteen (15) days per year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than eighteen (18) days per year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than nineteen (19) days per year;

(h) In counties having two hundred twenty-five thousand (225,000) residents or more according to the latest federal decennial census, not more than twenty-two (22) days per year.

(6) Election commissioners shall claim the per diem authorized in subsection (5) of this section in the manner provided for in Section 23-15-153(6).

(7) (a) To provide poll manager training, the Secretary of State has developed a single, comprehensive poll manager training program to ensure uniform, secure elections throughout the state. The program includes online training on all state and federal election laws and procedures and voting machine opening and closing procedures.

(b) County poll managers who individually access and complete the online training program, including all skills assessments, at least five (5) days before an election shall be defined as "certified poll managers," and entitled to a "Certificate of Completion."

(c) At least one (1) certified poll manager shall be appointed by the county election officials to work in each polling place in the county during each general election.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 23-15-227, MISSISSIPPI CODE OF 1972, TO INCREASE THE POLL MANAGERS COMPENSATION TO ONE HUNDRED FIFTY DOLLARS; TO INCREASE THE COMPENSATION OF THE POLL MANAGERS WHO CARRY AND RETURN THE BALLOTS TO THIRTY DOLLARS; TO MAKE A MINOR, NONSUBSTANTIVE CHANGE; TO AMEND SECTION 23-15-229, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE CHANGE; TO AMEND SECTION 23-15-239, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM ALLOWED COMPENSATION TO NOT MORE THAN TWENTY DOLLARS FOR POLL WORKERS FOR ATTENDING REQUIRED TRAINING; AND FOR RELATED PURPOSES.

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Senator Branning called up the following House Amendment to **S. B. No. 2002** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 29 by striking "June 30" and inserting in lieu thereof: "June 29".

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Senator Branning called up the following House Amendment to **S. B. No. 2559** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-19-81, Mississippi Code of 1972, is amended as follows:

27-19-81. (1) No vehicle shall be registered by the Department of Revenue or by a tax collector, and no license tag whatsoever shall be issued therefor, where the gross weight of such vehicle exceeds the limits provided by law. In the event of an emergency requiring the hauling of a greater gross weight than permitted by law, the owner or operator of such vehicle shall obtain an excess weight authorization from the Mississippi Department of Transportation or local authority having jurisdiction of the particular road, street or highway before operating such vehicle on the highways of this state to haul such a gross weight over a route to be designated by the aforesaid department. It shall then

be necessary for the owner or operator of the vehicle to obtain a permit from the Transportation Department, which shall be issued by the department under the same provisions as are provided for the issuance of trip permits under Section 27-19-79, but which permit shall likewise be obtained prior to the operation of such vehicle on the highways. No persons or agencies other than the Mississippi Department of Transportation shall have authority to issue the permits provided for in this section. The fee to be charged for such permits shall be computed in the same manner provided in Section 27-19-79 for each one thousand (1,000) pounds, or fractional part thereof, of gross weight above the licensed capacity of the vehicle, up to the maximum legal weights provided by this article on the roads to be traveled.

This subsection shall apply, but not be limited to, any tractor, road roller or road machinery used solely and specifically in road building or other highway construction or maintenance work.

For each one thousand (1,000) pounds, or fractional part thereof, in excess of the weight authorized by Sections 63-5-29 and 63-5-33 for any such vehicle or in excess of the limits set by the Transportation Department for specified roads and bridges, the fee shall be Five Cents (5¢) per one thousand (1,000) pounds, or fractional part thereof, for each mile traveled upon the highways of the state, except that the fee for manufactured housing modular units, residential or commercial, shall be Two Cents (2¢) per one thousand (1,000) pounds, or fractional part thereof, for each mile traveled upon the highways of the state. Provided, however, no permit shall be issued for a fee of less than Ten Dollars (\$10.00).

The Transportation Department may provide for an annual permit which will allow preapproved vehicles and loads to travel predesignated routes with self-issued permits. Under such self-issuance authority, the owner of the vehicle shall complete the permit in a format designated by the department, electronically transmit a copy to the department prior to the move, and ensure that a copy is in the possession of the operator. Vehicles having a gross weight exceeding the limits provided by law that have a nondivisible gross vehicle weight of ninety-five thousand (95,000) pounds or less, which are otherwise legal, shall not be restricted as to the hours of the day such vehicles may be operated on predesignated routes. The department shall bill the vehicle owner according to the provisions of the preceding paragraph. The department is authorized to modify predesignated routes at any time for cause, such as highway construction or hazardous highway conditions. The annual fee for the self-issuance permit authority obtained pursuant to this paragraph shall be Five Hundred Dollars (\$500.00) per owner, regardless of the number of vehicles which he will operate pursuant to such permit, in addition to any other fees required by this section. Any vehicle and load being operated pursuant to this paragraph for which the operator does not have the permit or a copy thereof in his possession, or for which a copy of the permit was not electronically transmitted to the department, shall be deemed not to have a permit and shall be penalized accordingly.

It shall not be necessary for the owner or operator of a vehicle to obtain a permit pursuant to this subsection if such owner or operator has obtained for his vehicle an annual special permit for vehicles transporting heavy equipment pursuant to Section 63-5-52.

(2) Before operating a vehicle where the size of the load being hauled is in excess of that permitted by law, the owner or operator of such vehicle shall obtain excess size authorization from the Transportation Department or proper local authority and an excess size permit from the Transportation Department. Such excess size permit shall be issued by the Mississippi Department of Transportation under the same provisions as are provided for the issuance of trip permits under Section 27-19-79, and it shall be obtained prior to the operation of such vehicle on the highways. The fee to be charged for such excess size permit shall be Ten Dollars (\$10.00) per trip. Such permits may be issued for an extended period of time and must coincide with the expiration date and other provisions of the carrier's permit or authorization issued by the Transportation Department or local



authority. The fee for such extended permits shall be based upon an annual fee of One Hundred Dollars (\$100.00) per carrier. No permit shall be issued under this subsection if the issuance of the permit would violate federal law or would cause the State of Mississippi to lose federal aid funds. This subsection shall not apply to any tractor, road roller or road machinery used solely and specifically in road building or other highway construction or maintenance work or to any machinery or equipment operated on the highways or transported thereon in the course of normal farming activities, including cotton module transporters.

(3) The Executive Director of the Mississippi Department of Transportation may authorize certain carriers of property to issue overweight and/or oversize permits for vehicles owned or operated by such carriers, provided such carriers have blanket authorization from the Transportation Commission and also meet other requirements established by the Transportation Commission.

(4) The owner or operator of a vehicle hauling sand, gravel, woodchips, wood shavings, sawdust, fill dirt, agricultural products, bulk feed, wood pellets or unprocessed forestry products may apply to the Mississippi Department of Transportation for a harvest permit for the purpose of authorizing any such vehicles to operate on the highways in this state (other than the federal interstate system or those highways designated by the Mississippi Department of Transportation as not capable of carrying more than fifty-seven thousand six hundred fifty (57,650) pounds at the maximum gross weight specified in Section 63-5-33). Harvest permits may be issued and are valid to permit any such vehicle to be operated on a highway in this state that has been designated by the Mississippi Department of Transportation as not capable of carrying more than fifty-seven thousand six hundred fifty (57,650) pounds only if such vehicle operates in compliance with the provisions of Section 63-5-29(3)(b). A fee of Twenty-five Dollars (\$25.00) shall be charged for each permit issued. The permit shall be in the form of a decal which shall be affixed to each permitted vehicle on the upper left corner of the windshield on the driver's side. Each permit shall expire one (1) year from its date of issue. The fees collected under this subsection shall be deposited into a special fund that is created in the State Treasury. Monies in the fund shall be allocated and distributed quarterly, beginning September 30, 1994, to each of the counties of the state on an equal basis. Monies distributed to the counties under this subsection shall be deposited in each county's road and bridge fund and may be expended, upon approval of the board of supervisors, for any purpose for which county road and bridge fund monies lawfully may be expended. This subsection (4) shall stand repealed from and after July 1, \* \* \* 2025.

(5) Any owner or operator who has met the requirements set by the Mississippi Transportation Commission may defer payment of permits issued by the department until the end of the current month. If full payment is not received by the twentieth of the following month, there may be added as damages to the total amount of the delinquency or deficiency the following percentages: ten percent (10%) for the first offense; fifteen percent (15%) for the second offense; and twenty-five percent (25%) for the third and any subsequent offense. Upon the third offense, the department may suspend the privilege to defer payment. The balance due shall become payable upon notice and demand by the department.

(6) The permit fee monies collected under this section, except as provided for in subsection (4) of this section, shall be deposited into the State Highway Fund for the construction, maintenance and reconstruction of highways and roads of the State of Mississippi or the payment of interest and principal on bonds authorized by the Legislature for construction and reconstruction of highways.

(7) The department may waive the permits, taxes and fees set forth in this section whenever a motor vehicle is operated upon the public highways in this state in response to an emergency, a major disaster or the threat of a major disaster.

(8) The Mississippi Department of Transportation and any other law enforcement agency authorized to perform escort of a vehicle designated as a superload vehicle pursuant to regulations of the Mississippi Department of Transportation may charge a reasonable fee to perform the escort of superload vehicles. The fee charged for escort will be collected by the agency performing the escort.

SECTION 2. This act shall take effect and be in force from and after June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-19-81, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE PROVISION OF LAW THAT REGULATES HARVEST PERMIT AUTHORIZATION AND FEES FOR A PERIOD OF TWO YEARS; AND FOR RELATED PURPOSES.

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Senator McCaughn called up the following entitled bill:

**H. B. No. 787:** Mississippi Board of Registration for Foresters; bring forward all code sections and authorize to suspend license of licensee for failure to satisfy judgement.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-36-33, Mississippi Code of 1972, is amended as follows:

73-36-33. (1) The board shall have the power, after notice and hearing, to suspend or revoke the license of any registrant who (a) is found guilty by the board of fraud or gross negligence in the practice of professional forestry; (b) fails to comply with board rules and regulations; (c) is found guilty by the board of unprofessional or unethical conduct; or (d) has had his license suspended or revoked for cause in another jurisdiction.

(2) Any person may prefer charges of fraud or gross negligence in connection with any forestry practice against any registrant. Such charges shall be in writing, shall be sworn to by the person making them, and shall be filed with the secretary of the board. All charges shall be heard by the board pursuant to its rules and regulations without undue delay.

(3) Any applicant whose license is suspended or revoked by the board may apply for a review of the proceedings with reference to such suspension or revocation by appealing to the Chancery Court of the First Judicial District of Hinds County, Mississippi, provided a notice of appeal is filed by such applicant with the clerk of said court within sixty (60) days from entry of an order by the board suspending or revoking his license, provided said applicant files with said notice of appeal a bond to be approved by the court assuring the prompt payment of any and all costs of said appeal, said amount to be fixed by the court. Upon the filing of such notice of appeal and posting of such bond, the clerk of the said court shall notify the secretary of the board thereof and the record of the proceedings involved shall be prepared by the secretary and forwarded to the court within a period of sixty (60) days from such notice by the clerk. The court shall thereupon review the proceedings on the record presented and may hear such additional testimony as to the court may appear material and dispose of the appeal in termtime or in vacation, and

the court may sustain or dismiss the appeal, or modify or vacate the order complained of, but in case the order is modified or vacated, the court may also, in its discretion, remand the matter to the board for such further proceedings not inconsistent with the court's order as, in the opinion of the court, justice may require. The decision of the chancery court may be appealed as other cases to the Supreme Court.

(4) The board is authorized to secure, by contract, the services of an investigator when deemed necessary by the board to properly consider any charge then before it. The board may, at its discretion, establish a program of routine inspections.

(5) In addition to the reasons specified in subsection (1) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153, or for failure of the licensee to satisfy a judgment against such licensee, and/or the company or business for which the licensee provided services, provided that such judgement was rendered in connection to the practice of forestry. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 2. Section 73-36-1, Mississippi Code of 1972, is brought forward as follows:

73-36-1. This chapter may be cited as the "Foresters Registration Law of 1977."

SECTION 3. Section 73-36-3, Mississippi Code of 1972, is brought forward as follows:

73-36-3. As used in this chapter the following words and phrases shall include the meanings ascribed in this section unless the context clearly requires a different meaning:

(a) The term "person" means a natural person.

(b) The term "forester" means a person who, by reason of his knowledge of the natural sciences, mathematics, economics and the principles of forestry, and by his demonstrated skills acquired through professional forestry education as set forth in Section 73-36-21, is qualified to engage in the practice of forestry and who also has been duly registered and holds a current valid license issued by the board.

(c) The term "registered forester" means a person who has been registered and licensed pursuant to this chapter.

(d) The term "practice of forestry" means any professional forestry service including, but not limited to, consultation, investigation, evaluation, valuation, planning, recommending silvicultural or harvesting practices or responsible supervision of any forestry activities in connection with any public or private lands wherein the public welfare and property are concerned or involved when such professional services require the application of forestry principles, knowledge and data.

(e) The term "board" means the State Board of Registration for Foresters.

SECTION 4. Section 73-36-5, Mississippi Code of 1972, is brought forward as follows:

73-36-5. In order to benefit and protect the public and the forest resources, no person in either public or private capacity shall practice or offer to practice forestry, unless he shall first have submitted evidence that he is qualified so to practice and shall be registered by the board or unless he is specifically exempted from registration under this chapter. It is unlawful for any person to practice or offer to practice forestry in this state, as defined by this chapter, or to use in connection with his name or otherwise assume, use or advertise any title or description tending to convey the impression that he is a forester, unless the person has been duly registered or is exempt from registration under this chapter.

This chapter shall not be construed to prevent or to affect:

(a) The conduct of business and support services including: tree planting, timber stand improvement, pesticide application, pest control, site preparation, heavy equipment operation, prescribed fire application, timber buying, logging contracting, timber cruising, timber marking and the application of best management practices.

(b) The application of forestry principles and procedures on any timberlands, woodlands or forest in which the person, firm, partnership or corporation owns the timberlands, woodlands or forest; or persons, firms, partnerships and corporations having the right to manage and administer forestlands in any legal manner.

(c) The work of an employee or a subordinate of any forester holding a license under this chapter; if that work is done under the direction, supervision and responsibility of a person holding a license under this chapter.

(d) The practice of forestry by officers and employees of the United States government on federally-owned lands.

(e) The practice of forestry by officers and employees of the State of Mississippi on state-owned lands.

(f) Employees of the federal government, state government and educational institutions of the State of Mississippi who, in the exercise of their assigned duties, conduct forestry education programs.

(g) Persons who hold valid licenses prior to July 1, 1989.

SECTION 5. Section 73-36-7, Mississippi Code of 1972, is brought forward as follows:

73-36-7. Nothing contained in this chapter shall be construed as preventing any person, firm, partnership or corporation from practicing forestry or managing woodlands, forests or trees on any land, provided such acts are not performed or offered to the public for compensation, unless otherwise exempted in Section 73-36-5.

SECTION 6. Section 73-36-9, Mississippi Code of 1972, is brought forward as follows:

73-36-9. There is hereby created the State Board of Registration for Foresters of the State of Mississippi for the purposes of safeguarding forests by regulating the practice of forestry and requiring that persons practicing or offering to practice forestry to be registered. The board shall be composed of seven (7) members appointed by the Governor with the advice and consent of the Senate. One (1) member shall be appointed from each of the six (6) forestry commission districts as constituted on January 1, 1999,

and one (1) member shall be appointed at large. The State Forester of Mississippi shall serve as an ex officio member of the board. Each of the members shall be a forester within the meaning of this chapter with at least three (3) years' experience in such field, and a resident and citizen of the State of Mississippi at the time of his appointment. Within thirty (30) days after July 1, 1977, the Governor shall appoint the members, designating a term of office of one (1), two (2), three (3), four (4) or five (5) years for each of the members as appointed; provided, however, two (2) members shall serve a term of one (1) year and two (2) shall serve a term of four (4) years. As the terms of office of the members so appointed expire, successors shall be appointed for terms of five (5) years. Any vacancy occurring in the membership of the board shall be filled by the Governor for the unexpired term. The Governor shall have the right, upon the approval of a majority of the board, to remove any members of the board for inefficiency, neglect of duty or dishonorable conduct.

SECTION 7. Section 73-36-11, Mississippi Code of 1972, is brought forward as follows:

73-36-11. No person shall be appointed a member of the board unless the person at the time appointed has held a license as a registered forester for at least five (5) years.

SECTION 8. Section 73-36-13, Mississippi Code of 1972, is brought forward as follows:

73-36-13. Each year the board shall elect one (1) of its members as chairman, one (1) as vice chairman, and one (1) as secretary, and each shall perform the usual duties of such offices. The board may adopt an official seal. Four (4) members of the board shall constitute a quorum, and a majority vote of those present at any meeting shall be necessary for the adoption of any order proposed or the disposition of other business coming before the board.

SECTION 9. Section 73-36-15, Mississippi Code of 1972, is brought forward as follows:

73-36-15. The board shall hold at least two (2) regular meetings during each year and such other meetings as the chairman may find necessary. Notice of the time and place of the meetings of the board shall be mailed to each of the members of the board at least five (5) days before the meeting and, in addition, shall be posted as provided by the rules and regulations of the board at least five (5) days prior to the meeting.

SECTION 10. Section 73-36-17, Mississippi Code of 1972, is brought forward as follows:

73-36-17. Each member of the board shall receive per diem compensation as authorized by Section 25-3-69, and shall be reimbursed for such other expenses at the same rate and under the same conditions as provided for public officers and employees in Section 25-3-41. The board shall pay for all expenses incurred by the board, including clerical help as may be needed, if itemized statements of the expenses are first approved by order of the board entered on its minutes. The board shall not expend in any fiscal year more monies than the amount of fees collected. All fees shall be paid to the secretary of the board and the secretary shall deposit all monies received under this chapter in the State Treasury. All such monies shall be kept in a special fund in the State Treasury known as the "State Board of Registered Foresters Fund" and shall be used for the administration of this chapter. The funds shall not lapse at the end of each year. All expenditures from the fund shall be by requisition to the Executive Director of the Department of Finance and Administration and signed by the board chairman. The secretary of the board shall be under a surety bond in the penal sum of Five Thousand Dollars (\$5,000.00) with a surety company authorized to do business in this state, the bond to be conditioned for the faithful performance of his duties, and the fee shall be paid by the board.

SECTION 11. Section 73-36-19, Mississippi Code of 1972, is brought forward as follows:

73-36-19. (1) The State Board of Registration for Foresters shall have the following powers and duties:

(a) To adopt rules and regulations governing the holding of its meetings, hearings, applications for licenses and any and all other duties provided by this chapter.

(b) To establish and promulgate standards of practice and a code of ethics for registered foresters and provide for the enforcement thereof.

(c) To establish minimum requirements for professional continuing education.

(d) To prepare a biennial roster showing the names, business addresses and such other information as the board may deem necessary of all foresters registered under this chapter, and to provide copies to the registered foresters and the public. A copy of the roster shall be filed with the Secretary of State of the State of Mississippi on or before April 1 in the year such roster is prepared.

(e) To issue, suspend or revoke licenses and to take all actions necessary.

(2) At any hearing before the board, any member may administer oaths to witnesses appearing before the board. If any person shall refuse to testify or to produce any books, papers or documents, the board may present its petition to any court of competent jurisdiction within the state setting forth the facts, and then the court, in a proper case, may issue its subpoena to the person requiring his attendance before the court and to testify or to produce such books, papers and documents as may be deemed necessary and pertinent thereto. Any person failing or refusing to obey the subpoena of the court may be proceeded against in the same manner as for refusal to obey any other subpoena of the court.

(3) The board shall keep a record of its proceedings and a register of all applications for registration. The register shall show the name, age and residence of each applicant, the date of the application and the board's action on the application and any other information as may be deemed necessary by the board. The board shall submit an annual report to the Governor and a report to the regular session of the Legislature. The report to the Legislature shall include a financial statement of the transactions of the board during the year.

SECTION 12. Section 73-36-21, Mississippi Code of 1972, is brought forward as follows:

73-36-21. (1) Any person who has graduated with a bachelor's degree or higher degree from a university or college of forestry in a curriculum in forestry acceptable to the board and found by the board to be substantially equivalent to curricula in schools of forestry accredited by the Society of American Foresters shall be eligible for registration as a registered forester, and a license shall be issued upon application and payment of the required fee, if the person files an application for registration with the board and successfully passes a written and/or oral examination.

(2) The board may review and investigate the denial of any license, upon appeal by the denied applicant, and the board may issue a license to an applicant who met the requirements for such license at the time of application.

SECTION 13. Section 73-36-23, Mississippi Code of 1972, is brought forward as follows:

73-36-23. Applications for registration shall be made on forms prescribed and furnished by the board. The initial registration fee for a license as a registered forester shall be fixed by the board, but shall not exceed Fifty Dollars (\$50.00). If the board denies the issuance of a license to any applicant, the fee deposited shall be retained by the board as an application fee.

Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

SECTION 14. Section 73-36-25, Mississippi Code of 1972, is brought forward as follows:

73-36-25. When written examinations are required, they shall be held at such time and place as the board shall determine. The methods of procedure shall be prescribed by the board. A candidate failing an examination may apply for reexamination at the expiration of six (6) months and shall be entitled to one (1) reexamination without payment of an additional fee. Subsequent examinations may be granted upon payment of a fee to be determined by the board, but not in excess of Fifty Dollars (\$50.00).

SECTION 15. Section 73-36-27, Mississippi Code of 1972, is brought forward as follows:

73-36-27. The board shall issue a properly authenticated, serially numbered license upon payment of the registration fee to any applicant who in the opinion of the board has satisfactorily met all the requirements of this chapter and the rules and regulations of the board duly adopted under this chapter. The issuance of a license by the board shall be evidence that the person named therein is entitled to all the rights and privileges of a registered forester while the license remains unrevoked or unexpired.

SECTION 16. Section 73-36-29, Mississippi Code of 1972, is brought forward as follows:

73-36-29. Except as provided in Section 33-1-39, all licenses issued under the provisions of this chapter shall expire after December 31 of odd numbered years and shall become invalid after that date unless renewed. The secretary of the board shall mail a notice to every person registered under this chapter notifying the person of the date of the expiration of his license and the amount of fee required for its renewal for two (2) years. The notice shall be mailed to the latest known address, according to the board's records, at least one (1) month in advance of the date of the expiration of the license. The board shall from time to time fix the fee for renewal of licenses, provided the fee shall not exceed the amount of One Hundred Dollars (\$100.00) for two (2) years' renewal. Any registrant failing to renew his license and applying for a license shall be required to pay a fee as set by the board not to exceed twice the total amount of the license fees had his license been continued in effect, and also to comply with such other reasonable requirements as may be established by rules and regulations of the board.

SECTION 17. Section 73-36-31, Mississippi Code of 1972, is brought forward as follows:

73-36-31. A person not a resident of and having no established place of business in Mississippi, or who has recently become a resident, may use the title of registered forester in Mississippi, provided: (a) such person is legally licensed as a registered forester in his own state or county and has submitted evidence to the board that he is so licensed and that the requirements for registration are at least substantially equivalent to the requirements of this chapter; and (b) the state or county in which he is so licensed observes these same rules of reciprocity in regard to persons licensed under this chapter. Each person seeking the privileges of reciprocity granted under this chapter shall submit

his application to the board and must receive a card or certificate from the board before exercising such privileges. The fee for obtaining a license through reciprocity shall be the same as charged a Mississippi licensee. The issuance of a license by reciprocity to a military-trained applicant, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 18. Section 73-36-35, Mississippi Code of 1972, is brought forward as follows:

73-36-35. Any person who practices or offers to practice the profession of forestry in this state without being registered in accordance with this chapter, or any person who uses in connection with his name, or otherwise assumes, uses or advertises any title or description tending to convey the impression that he is a registered forester without being registered in accordance with this chapter, or any person who presents or attempts to use as his own the license of another, or any person who gives any false or forged evidence of any kind to the board or any member in obtaining a license, or any person who attempts to use an expired or revoked license, or any person, firm, partnership or corporation who violates any of the provisions of this chapter and has not been issued an administrative fine by the board for the violation is guilty of a misdemeanor and, upon conviction, shall be fined not more than Five Thousand Dollars (\$5,000.00) for each violation. The board, or any person or persons as may be designated by the board to act in its stead, is empowered to prefer charges for any violations of this chapter in any court of competent jurisdiction. It shall be the duty of all duly constituted officers of the law of this state to enforce the provisions of this chapter and to prosecute any persons, firms, partnerships or corporations violating same. Except as otherwise authorized in Section 7-5-39, the Attorney General of the state or his designated assistant shall act as legal advisor of the board and render such assistance as may be necessary in carrying out the provisions of this chapter.

SECTION 19. Section 73-36-36, Mississippi Code of 1972, is brought forward as follows:

73-36-36. In addition to the penalties provided under Section 73-36-33 and Section 73-36-35, any person, found by the board to be in violation of this chapter or any rule or regulation of the board, shall be subject to an administrative fine of not more than One Thousand Dollars (\$1,000.00) for each violation. The person shall be given at least ten (10) days' written notice and an opportunity for a hearing before the board. If the administrative fine is not paid within ninety (90) days after the date of the board's order, the order shall become a judgment and may be filed and executed. Any person aggrieved of the board's order may appeal the order to the Circuit Court of Hinds County within thirty (30) days after the date of the order of the board is issued. Appeal shall be on the record made before the board.

SECTION 20. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-36-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF REGISTRATION FOR FORESTERS TO SUSPEND THE LICENSE OF A LICENSEE FOR FAILURE OF THE LICENSEE TO SATISFY A JUDGEMENT AGAINST SUCH LICENSEE, AND/OR THE COMPANY OR BUSINESS FOR WHICH THE LICENSEE PROVIDED SERVICES, WHICH WAS RENDERED IN CONNECTION TO THE PRACTICE OF FORESTRY; TO BRING FORWARD SECTIONS 73-36-1, 73-36-3, 73-36-5, 73-36-7, 73-36-9, 73-36-11, 73-36-13, 73-36-15, 73-36-17, 73-36-19, 73-36-21, 73-36-23, 73-36-25, 73-36-27, 73-36-29, 73-36-31, 73-36-35 AND 73-36-36, MISSISSIPPI CODE OF 1972, WHICH RELATES TO



THE FORESTERS REGISTRATION LAW, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 787 was adopted.

YEAS AND NAYS On H. B. No. 787. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Parks. Total--1.

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Senators McCaughn, Suber, England, Sparks, Carter, Younger, Moran, Barnett, Chassaniol, DeBar, Harkins, Hill, Michel, Polk and Whaley moved that when the Senate adjourns, it adjourn in memory of Herbert Touchton of Clinton, MS.

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Senator Williams moved that when the Senate adjourns, it adjourn in memory of Terry Earl McMullan of Eupora, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Al Franklin Cannon of Carthage, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Hugh Clifford Easley of New Albany, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 2, 2023.

The motion prevailed, and at 11:07 AM, the Senate stood in recess.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2227:** Federal Home Loan Banks; provide certain rights and procedures regarding collateral.

**S. B. No. 2228:** Pet insurance; establish provisions for the sale and renewal of policies.

**S. B. No. 2373:** Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program; establish.

**S. B. No. 2623:** Mississippi State and School Employees' Life and Health Insurance Plan Task Force; establish.

**S. B. No. 2649:** Minority; remove for beneficiaries of certain insurance policies.

**S. B. No. 2797:** Mississippi State Asylum Records; provide procedures and exempt from confidentiality and privilege requirements.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2323:** Community hospitals; allow consolidation and collaboration involving other hospitals.

**S. B. No. 2575:** State Department of Health; provide that health insurers may not deny the right to participate as a contract provider.

**S. B. No. 2615:** Contract personnel; authorize to purchase base plan of the State and School Employees' Health Insurance Plan.

**S. B. No. 2750:** Automated External Defibrillators in Public and Charter Schools Grant Program; establish.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 549:** Commemorate 77th Southern Legislative Conference of the Council of State Governments.

**S. C. R. No. 551:** Honor the legacy of decorated WWII Army Corporal L.C. Jackson of Brookhaven, Mississippi, on his 100th Birthday.

**S. C. R. No. 552:** Mourn the loss of WWII and Korean War pilot Brigadier General Sam Forbert, Jr.

**S. C. R. No. 553:** Mourn the passing of Major Genl. Al Hopkins, Chairman of the MS Gaming Commission and respected Gulfport Attorney and Civic Leader.

**S. C. R. No. 554:** Commend University of Mississippi baseball Head Coach Mike Bianco as National Coach of the Year.

**S. C. R. No. 555:** Mourn passing and commend civic leadership of businessman Wirt Adams Yerger, Jr., of Jackson, MS.

**S. C. R. No. 556:** Congratulate Ole Miss Senior Offensive Lineman Nick Broeker as winner of 2022 Kent Hull Trophy and for postseason awards.

**S. C. R. No. 557:** Congratulate Neshoba County School District Superintendent Dr. Lundy Brantley as 2022-2023 "Superintendent of the Year."

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2512:** Counties; authorize to designate ARPA funds to rural water and sewer associations and municipalities for infrastructure projects.

**S. B. No. 2781:** Mississippi Access to Maternal Assistance Program; create and provide for duties and responsibilities.

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Herbert Touchton, Terry Earl McMullan, Hugh Clifford Easley and Al Franklin Cannon.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, MARCH 1, 2023

**S. C. R. No. 564:** Rules

A CONCURRENT RESOLUTION TO DESIGNATE MARCH 2023 AS "BRAIN INJURY AWARENESS MONTH IN MISSISSIPPI" TO PROMOTE AWARENESS OF THE EXTENT, CONSEQUENCES, CAUSES, TREATMENTS AND PREVENTION OF ACQUIRED BRAIN INJURIES.

By Senator(s) Michel, Horhn

**S. R. No. 52:** Rules

A RESOLUTION RECOGNIZING THE OUTSTANDING JUDICIAL CAREER OF JUDGE LAWRENCE "LARRY" PRIMEAUX, CHANCELLOR OF THE TWELFTH CHANCERY COURT DISTRICT, ON THE OCCASION OF HIS RETIREMENT.

By Senator(s) McCaughn, Tate, Hickman

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## FIFTY-NINTH DAY, THURSDAY, MARCH 2, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Dr. Hal Kitchings, Pastor, Easthaven Baptist Church, Brookhaven, MS.

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Senator Barrett led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator Harkins called up the following entitled bill:

**H. B. No. 401:** Mississippi Motor Vehicle Commission Law; revise certain provisions relating to a manufacturer's ownership of motor vehicle dealership.

Senator England offered the following AMENDMENT NO. 1.

AMEND by inserting below line 125 the following language:

This subsection (5) shall stand repealed on July 1, 2025.

FURTHER, AMEND on line 226 by striking "one (1) motor vehicle dealership location" and inserting "two (2) motor vehicle dealership locations" in lieu thereof.

FURTHER, AMEND on line 229 by striking the language beginning with the comma up to the period on line 233.

FURTHER, AMEND by inserting below line 233 the following language:

This subsection (6) shall stand repealed on July 1, 2025.

FURTHER, AMEND the title to conform.

Amendment No. 1 to H. B. No. 401 failed.

Senator England offered the following AMENDMENT NO. 2.

AMEND by inserting the following below line 233 and renumbering the subsequent section accordingly:

SECTION \*. Except as expressly permitted by Section 63-17-109, no franchisor having a franchise agreement with a franchisee in this state is eligible to have any ownership interest in, operate or control any business in this state for the same type or classification of good or service covered by the franchise agreement.

FURTHER, AMEND the title by inserting the following on line 11 after the semicolon:

TO PROHIBIT A FRANCHISOR HAVING A FRANCHISE AGREEMENT WITH A FRANCHISEE IN THIS STATE FROM HAVING ANY OWNERSHIP INTEREST IN, OPERATING OR CONTROLLING ANY BUSINESS IN THIS STATE FOR THE SAME TYPE OR CLASSIFICATION OF GOOD OR SERVICE COVERED BY THE FRANCHISE AGREEMENT;

Amendment No. 2 to H. B. No. 401 failed.

Senator England offered the following AMENDMENT NO. 3.

AMEND on line 235 by inserting the following before the period:

, and shall stand repealed on June 30, 2023

Amendment No. 3 to H. B. No. 401 failed.

YEAS AND NAYS On H. B. No. 401. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Caughman, Chassaniol, DeLano, Harkins, Hickman, Hopson, Horhn, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Williams, Younger. Total--39.

Nays--Blackmon, Butler A. (36th), Chism, DeBar, England, Fillingane, Frazier, Hill, Jackson, McDaniel, Sojourner, Thompson, Wiggins. Total--13.

Absent and those not voting---None.

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Senator Harkins called up the following entitled bill:

**H. B. No. 383:** Oil and gas severance taxes; extend repealer on lower rate for production from horizontally drilled wells.

YEAS AND NAYS On H. B. No. 383. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1136:** Distinctive motor vehicle license tag; authorize issuance to supporters of the Mississippi Road Builders Association.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Mississippi Road Builders Association. The distinctive license tags so issued shall be of such color and design as the department, with the advice of the Mississippi Road Builders Association, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the department. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the department on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2023, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The department shall deposit all fees into the State Treasury on the day collected. At the end of each month, the department shall certify to the State Treasurer

the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi Road Builders Association.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI ROAD BUILDERS ASSOCIATION; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAGS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1136 was adopted.

YEAS AND NAYS On H. B. No. 1136. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,

Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1170:** Motor vehicles and manufactured homes; authorize Department of Revenue to issue electronic liens and titles.

YEAS AND NAYS On H. B. No. 1170. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1169:** Income tax; revise method of collecting delinquent tax from public officers and employees.

Senator Johnson offered the following AMENDMENT NO. 1.

AMEND on line 66 by striking "fifty percent (50%)" and inserting in lieu thereof "twenty-five percent (25%)".

FURTHER, AMEND the title to conform.

Amendment No. 1 to H. B. No. 1169 was adopted.

YEAS AND NAYS On H. B. No. 1169. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:46 AM, the Senate stood in recess.

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The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2215:** State depositories; revise definition of "primary capital."

**S. B. No. 2282:** Pseudoephedrine; delete the automatic repealer on the provision that authorizes the distribution of.

**S. B. No. 2525:** Forestry; create the Forestry Facility Grant Program.

**S. B. No. 2548:** Motor vehicles; clarify that vehicle length restrictions are the same for day and night operation.

**S. B. No. 2550:** Commercial crabbing licenses; applicable to boat instead of each fisherman.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2053:** Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists.

**S. B. No. 2054:** Appointed state officers; provide for the removal of for certain forms of willful neglect.

**S. B. No. 2102:** Impending emergency excavation; define, establish advance notice requirements and require premarking for.

**S. B. No. 2140:** National Security on State Devices and Networks Act; create.

**S. B. No. 2218:** Third-party service; prohibit from using name, likeness, trademark or intellectual property of merchant without agreement.

**S. B. No. 2224:** Insurance; prohibit insurer or third-party payors from setting maximum dollar amount of reimbursement for proper ventilation treatment.

**S. B. No. 2336:** Prevention of overdoses; authorize use of drug-testing equipment and expand use of opioid antagonists.

**S. B. No. 2369:** Department of Human Services; extend repealers and revise certain applicable sections.

**S. B. No. 2514:** Secretary of State; clarify authority to transfer land records to Department of Archives and History.

**S. B. No. 2530:** "Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate.

**S. B. No. 2544:** Regulation of oyster beds and water bottoms by the MS Department of Marine Resources; bring forward authority.

**S. B. No. 2551:** Department of Marine Resources, Office of Marine Patrol; cooperate with federal law enforcement.

**S. B. No. 2652:** Mississippi Vulnerable Person Abuse Registry; create.

**S. B. No. 2729:** Limitation of liability requirements for information technology contracts; clarify.

**S. B. No. 2844:** Bureau of Fleet Management; revise duties thereof.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 54:** Colonel Deborah Walley (Deb) Coleman, Brandon, Mississippi, State Veterans Affairs Board as an At-Large member, five year term effective June 1, 2022 and ending May 31, 2027. Do Advise and Consent.

**S. N. No. 55:** John Scott (Hoss) Ladner, Gulfport, Mississippi, State Veterans Affairs Board, five year term effective July 14, 2022 and ending May 31, 2027, representing the 5th Congressional District, vice General James H. Garner. Do Advise and Consent.

**S. N. No. 56:** Brig. Gen. (Ret.) Norman Gene Hortman, Jr., Hattiesburg, Mississippi, Veterans Home Purchase Board to represent the state at large, four year term beginning July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 75:** Rodney Harris, Clinton, Mississippi, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed May 1, 1987, unexpired four year term effective October 4, 2022 and ending June 30, 2024, vice Thomas Henry Watts. Do Advise and Consent.

SEYMOUR, Chairman

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Senator Hill called up the following House Amendment to **S. B. No. 2734** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-11-27, Mississippi Code of 1972, is amended as follows:

19-11-27. No board of supervisors of any county shall expend from, or contract an obligation against, the budget estimates for road and bridge construction, maintenance and equipment, made and published by it during the last year of the term of office of such board, between the first day of October and the first day of the following January, a sum exceeding one-fourth (1/4) of such item of the budget made and published by it, except in cases of emergency. The clerk of any county is prohibited from issuing any warrant contrary to the provisions of this section. No board of supervisors nor any member thereof shall buy any machinery or equipment in the last six (6) months of their or his term unless or until he has been elected at the general election of that year. The provisions of this section shall not apply to (i) projects of any type that receive monies from the Local System Bridge Replacement and Rehabilitation Program, the Emergency Road and Bridge Repair Fund, the 2018 Transportation and Infrastructure Improvement Fund or the Gulf Coast Restoration Fund \* \* \*; (ii) to expenditures on deficient bridges in the State Aid Road System or the Local System Road Program that have been deemed to be a deficient bridge as defined in Section 65-37-3; (iii) projects funded by the American Rescue Plan Act (ARPA) as well as any matching funds required under ARPA; or (iv) to a contract, lease or lease-purchase contract approved by a unanimous vote of the board and executed pursuant to the bidding requirements in Section 31-7-13 \* \* \*. Such unanimous vote shall include a statement indicating the board's proclamation that the award of the contract is essential to the efficiency and economy of the operation of the county government.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO PERMIT COUNTY BOARDS OF SUPERVISORS TO EXPEND FEDERAL FUNDS DURING THE LAST TERM OF OFFICE OF SUCH BOARD; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2734** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Turner-Ford called up the following House Amendment to **S. B. No. 2309** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 1, Chapter 393, Laws of 2014, as amended by Section 1, Chapter 443, Laws of 2022 is amended as follows:

Section 1. (1) The Department of Finance and Administration, acting on behalf of the Mississippi Department of Archives and History, is authorized to donate to the \* \* \* United States Department of the Interior, National Park Service, Vicksburg National Military Park all the rights, title and interest in certain real property under the possession and control of the Department of Archives and History, located in the Second Judicial District of Hinds County, Mississippi, subject to the requirements and conditions prescribed in subsection (3) of this section. Upon completing a field survey, the Department of Finance and Administration, acting on behalf of the Mississippi Department of Archives and History, is authorized to develop a legal description and file necessary deeds to exclude a two-hundred-foot buffer to extend southerly from the existing south right-of-way line of the railroad property, thereby forming the north line of the National Park Service property at the Champion Hill Battlefield property described below, and to describe an access corridor to be retained by the Mississippi Department of Archives and History. The purpose of this boundary line is to identify ownership and to assist in carrying out future park operations and maintenance. The property is more particularly described as follows:

Tract 1 - Coker House - Recorded in Hinds County Deed Book 472, Page 36.

A certain tract of land situated in the Northwest Quarter of the Southeast Quarter of Section 1, Township 5 North, Range 4 West, Hinds County, Mississippi, containing 5.00 acres and being more particularly described as follows: Commencing at a 3/4" galvanized pipe, marking the Southeast corner of Section 1, Township 5 North, Range 4 West, Hinds County, Mississippi; run thence North 53° 15' West for 2717.47 feet to a point in a fence, said point hereinafter referred to as the point of beginning: Thence North 79° 31' West along said fence for 67.16 feet; Thence North 71° 13' West along said fence for 259.57 feet; Thence North 78° 39' West along said fence for 30.04 feet; Thence 47° 52' West for 27.94 feet to the East line of a paved road; Thence North 42° 08' East along the East line of said road for 618.46 feet to the South line of Mississippi State Highway 467; Thence South 70° 44' East along the South line of said highway for 379.06 feet; Thence South 42° 09' West for 612.27 feet to the point of beginning; together with historic dwelling situated thereon, known as "The Coker House."

Tract 2 - C & W - Recorded in Hinds County Deed Book 403, Page 593.

242.6 acres situated in the W1/2 and in the NW1/4 SE1/44 of Section 30, Township 6 North, Range 3 west, in the E1/2 of Section 25, Township 6 North, Range 4 West, all in the Second Judicial District of Hinds County, Mississippi, and being further described as follows, to wit:

Commencing at an iron pin found marking the Southwest corner of Section 30, Township 6 North, Range 3 West, said Iron pin also marking the POINT OF BEGINNING, run thence, South 89 degrees 35 minutes East for 2,760.80 feet to an iron pin; run thence, North 00 degrees 14 minutes East for 1,663.20 feet to an iron pin; run thence South 89 degrees 30 minutes East for 660.00 feet to an iron pin; run thence North 01 degrees 15 minutes East for 239.76 feet to an iron pin on the South line of Billy Fields Road; run thence, along said South line of road, North 71 degrees 15 minutes West for 208.23 feet; run thence, North 73 degrees 55 minutes West for 297.42 feet; run thence, North 66 degrees 35 minutes West for 136.55 feet; run thence, North 63 degrees 10 minutes West for 138.69 feet; run thence, North 69 degrees 04 minutes West for 95.10 feet; run thence, North 72 degrees 35 minutes West for 481.03 feet; run thence, North 68 degrees 45 minutes West for 98.43 feet; run thence, North 60 degrees 47 minutes West for 100.12 feet; run thence, North 52 degrees 15 minutes West for 100.59 feet; run thence, North 44 degrees 21 minutes West for 201.58 feet; run thence, North 39 degrees 17 minutes West for 102.45 feet; run thence, North 27 degrees 24 minutes West for 108.12 feet; run thence, North 15 degrees 45 minutes West for 299.28 feet; run thence, North 21 degrees 02 minutes West for 188.20 feet to an iron pin on the South line of Champion Hill Road: run thence, along said South line, South 73 degrees 34 minutes West for 181.73 feet; run thence, South 74 degrees 12 minutes West for 168.85 feet; run thence, North 74 degrees 53 minutes West for 669.90 feet; run thence, South 74 degrees 00 minutes West for 162.04 feet; run thence, South 71 degrees 24 minutes West for 119.56 feet; run thence, South 65 degrees 21 minutes West for 119.02 feet; run thence, South 60 degrees 40 minutes West for 601.01 feet; run thence, South 64 degrees 32 minutes West for 110.96 feet; run thence, South 74 degrees 41 minutes West for 115.26 feet; run thence, South 85 degrees 07 minutes West for 292.00 feet to the centerline of Bakers Creek; run thence, Southerly along said centerline of creek to the intersection of the centerline of Bakers Creek with the South line of Section 25, Township 6 North, Range 4 West; run thence, leaving said centerline of creek and running along the South line of said Section line, North 89 degrees 52 minutes East for 60.00 feet to an iron pin on the top bank of creek: run thence, North 89 degrees 52 minutes East for 1,729.58 feet back to the iron pin marking the POINT OF BEGINNING.

Tract 3 - C & W - Recorded in Hinds County Deed Book 403, Page 593.

77.1 acres situated in the W1/2 and in the NE1/4 and in the NW1/4 SE1/4, all in Section 30, Township 6 North, Range 3 West, Second Judicial District of Hinds County, Mississippi, and being further described as follows, to wit:

Commencing at an iron pin found marking the Southwest corner of Section 30, Township 6 North, Range 3 West, run thence, South 89 degrees 35 minutes East for 2,760.80 feet to an iron pin, run thence, North 00 degrees 14 minutes East for 1,663.20 feet to an iron pin, run thence, South 89 degrees 30 minutes East for 660.00 feet to an iron pin, North 01 degrees 15 minutes East for 302.67 feet to an iron pin on the North line of Billy Fields Road, said pin marking the POINT OF BEGINNING, run thence, along North line of said road, North 71

degrees 15 minutes West for 190.71 feet; run thence, North 73 degrees 55 minutes West for 294.97 feet; run thence, North 66 degrees 35 minutes West for 130.92 feet; run thence, North 63 degrees 10 minutes West for 139.99 feet; run thence, North 69 degrees 04 minutes West for 100.03 feet; run thence, North 72 degrees 35 minutes West for 480.87 feet; run thence, North 68 degrees 45 minutes West for 92.24 feet; run thence, North 60 degrees 47 minutes West for 91.47 feet; run thence, North 52 degrees 15 minutes West for 91.53 feet; run thence, North 44 degrees 23 minutes West for 195.22 feet; run thence, North 39 degrees 17 minutes West for 93.55 feet; run thence, North 27 degrees 24 minutes West for 95.76 feet; run thence, North 15 degrees 45 minutes West for 295.92 feet; run thence, North 21 degrees 02 minutes West for 187.02 feet to an iron pin on the South line of Champion Hill Road; run thence, along South line of said road, North 72 degrees 02 minutes East for 2,742.66 feet to an iron pin; run thence, leaving said road, South for 1,500.29 feet; run thence, North 89 degrees 47 minutes West for 707.16 feet; run thence, South 01 degrees 15 minutes West for 677.19 feet back to the iron pin marking the point of beginning.

Tract 4 - Cosner - Recorded in Hinds County Deed Book 408, Page 377.

The N/2 of the NE/4 Section 29; all that part of the S/2 of the SE/4 of Section 20 that lies South of the Edwards-Bolton public road, all being in Township 6 North, Range 4 West, Hinds County, Mississippi, LESS AND EXCEPTING also an undivided one-half interest in and to all minerals heretofore reserved by the Federal Land Bank of New Orleans by deed dated 10 December, 1937, of record in Deed Book 98, Page 304, and LESS AND EXCEPTING also an undivided three-eighths interest in and to all of the oil, gas and minerals in, on and under the above described lands heretofore conveyed to C.R. Ridgway, Jr., by mineral conveyance dated 3 April, 1943, of record in Deed Book 110, Page 224, SUBJECT to right-of-way for an electric circuit over and across the NE/4 of NE/4 of Section 29, Township 6 North, Range 3 West, heretofore conveyed to Mississippi Power & Light Company by indenture dated 26 December, 1945, of record in Deed Book 124, Page 304, and SUBJECT, also, to a similar easement conveyed to Grantee over and across one acre, more or less, in the N/2 of NE/4 of said Section 29, by indenture date 21 December, 1945, of record in Deed Book 124, Page 28, the same having been conveyed unto said Grantee by the Champion Hill Baptist Church, LESS AND EXCEPTING the two acres, more or less, conveyed to Champion Hill M.B. Church by Quitclaim Deed dated July 20, 1989. This deed shall reflect the reservation of a fifteen foot nonexclusive right-of-way over the existing parcel previously granted unto the Champion Hill M.B. Church for purpose of ingress and egress only.

Tract 5 - C & W - Recorded in Hinds County Deed Book 403, Page 593.

137.4 acres situated in the W1/2 and in the W1/2 NE1/4 of Section 30, Township 6 North, Range 3 West, in the SW1/4 SW1/4 of Section 19, Township 6 North, Range 3 West, and in the E1/2 of Section 25 Township 6 North, Range 4 West, Second Judicial District of Hinds County, Mississippi, and being further described as follows, to wit:

Commencing at an iron pin found marking the southwest corner of Section 30, Township 6 North, Range 3 West, run thence, South 89 degrees 35 minutes East for 2,760.80 feet to an iron pin, run thence, North 00 degrees 14 minutes East for 1,663.20 feet to an iron pin, run thence, South 89 degrees 30 minutes East for 660.00 feet to an iron pin, North 01 degrees 15 minutes East for to an iron pin, run thence, South 89 degrees 47 minutes East for 707.16 feet to an iron pin, run thence, North for 2,638.06 feet to an iron pin marking the POINT OF BEGINNING, run thence, North 89 degrees 45 minutes West for 2,748.17 feet to an iron pin; running thence, North 00 degrees 00 minutes East for 881.98 feet to an iron pin on the South line of a Railroad; run thence, along said South line of railroad, South 65 degrees 23 minutes West for 1,250.63 feet to the center line of Bakers Creek; run thence, Southerly along said centerline of Bakers Creek to the intersection of Bakers Creek with the North line of Champion Hill Road, run thence, along said North line of road, North 85 degrees 07 minutes East for 272.03 feet; run thence, North 74 degrees 41 minutes East for 100.85 feet; run thence, North 64 degrees 32 minutes East for 101.16 feet; run thence, North 60 degrees 40 minutes East for 601.58 feet; run thence, North 65 degrees 21 minutes East for 126.51 feet; run thence, North 71 degrees 24 minutes East for 125.60 feet; run thence, North 74 degrees 00 minutes East for 164.48 feet; run thence, North 74 degrees 53 minutes East for 670.32 feet; run thence, North 74 degrees 12 minutes East for 167.65 feet; run thence, North 73 degrees 34 minutes East for 207.63 feet; run thence, North 72 degrees 02 minutes East for 475.65 feet to a point that is 16.88 feet North and 1.30 feet West of an iron pin; run thence, leaving said road, North 04 degrees 27 minutes West for 1,748.36 feet to a 2" pipe; run thence, North 89 degrees 34 minutes East for 677.00 feet to an iron pin in the center line of a gravel drive; run thence, along said centerline of gravel drive, South 11 degrees 29 minutes East for 71.56 feet; run thence, South 17 degrees 52 minutes East for 98.20 feet; run thence, South 20 degrees 24 minutes East for 96.89 feet; run thence, South 29 degrees 40 minutes East for 108.82 feet; run thence, South 46 degrees 28 minutes East for 109.61 feet; run thence, South 51 degrees 44 minutes East for 99.16 feet; run thence, South 51 degrees 27 minutes East for 101.80 feet; run thence, South 42 degrees 22 minutes East for 100.38 feet; run thence, South 27 degrees 25 minutes East for 98.45 feet; run thence, South 23 degrees 55 minutes East for 100.54 feet; run thence, South 27 degrees 21 minutes East for 95.85 feet; run thence, South 33 degrees 44 minutes East for 101.67 feet; run thence, South 32 degrees 33 minutes East for 102.76 feet; run thence, South 26 degrees 27 minutes East for 99.89 feet; run thence, South 19 degrees 03 minutes East for 101.52 feet; run thence, South 22 degrees 04 minutes East for 78.97 feet to an iron pin on the North line of Champion Hill Road, run thence, along said North line of road, North 72 degrees 02 minutes East for 929.65 feet to an iron pin, run thence, leaving said road, North 00 degrees 00 minutes East for 1,053.67 feet back to an iron pin marking the POINT OF BEGINNING.

Tract 6 - Gaddis tract - Recorded in Hinds County Deed Book 406, Page 612.

South one-half (S1/2) of Northeast one-fourth (NE1/4) of Section 29, Township 6 North, Range 3 West.

Tract 7 - Robbins tract - Recorded in Hinds County Deed Book 405, Page 215.

The Southeast Quarter (SE1/4) of Section 29, Township 6, Range 3 West, Hinds County, Mississippi.

Tract 8 - Robbins tract - Recorded in Hinds County Deed Book 405, Page 215.

The South 15 acres of the 17-3/10 acres lying East of the Edwards and Bolton public road and North of the Raymond and Edwards public road in the E/2 of the SW/4 of Section 29, Township 6 North, Range 3 West, Hinds County, Mississippi.

#### Buffer Description

A tract or parcel of land containing 5.56 acres (242,114 square feet), more or less, situated in the Southwest Quarter of the Southwest Quarter of Section 19, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi. The following description is oriented to Mississippi State Plane, West Zone, NAD 83 (2011), US Survey Feet, Grid Values, having a ground to grid scale factor of 0.99995451 and a convergence angle of (-)00 degrees 06 minutes 30.90 seconds calculated at the below described Point of Commencement; said parcel being more particularly described; to wit:

Commencing at a found #5 rebar located at the southeast corner of Section 30, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi thence run, North 00 degrees 00 minutes 00 seconds East for a distance of 5974.20 feet; thence run, North 90 degrees 00 minutes 00 seconds West for a distance of 4099.82 feet to a #5 rebar located on the east property line of that certain 137.4 acre tract (AKA "Parcel C") of land as described in Book 403, Page 593, records of the office of Chancery Clerk, Second Judicial District, Hinds County, Mississippi and being 200 feet south and perpendicular to the existing south right-of-way line of the Illinois Central Railroad, said point being hereinafter referred to as the Point of Beginning;

From the Point of Beginning thence along a line being 200 feet south and parallel to the existing south right-of-way line of the Illinois Central Railroad run, South 65 degrees 28 minutes 54 seconds West for a distance of 1170.50 feet to a point in the centerline of Baker's Creek, also being the west property line of said 137.4 acre tract (whence a #5 rebar that bears North 65 degrees 28 minutes 54 seconds East a distance of 59.70 feet on the east top bank of said Baker's Creek);

Thence along said centerline run, North 21 degrees 11 minutes 41 seconds West for 200.34 feet to a point located at the intersection of said centerline and the existing south right-of-way line of Illinois Central Railroad (whence a #5 rebar that bears North 65 degrees 28 minutes 54 seconds East a distance of 60.00 feet on the east top bank of said Baker's Creek);

Thence along said existing south right-of-way line run, North 65 degrees 28 minutes 54 seconds East for a distance of 1250.63 feet



to a found #4 rebar located at the northernmost corner of said 137.4 acre tract;

Thence along the east line of said 137.4 acre tract run, South 00 degrees 07 minutes 23 seconds West for a distance of 220.04 feet back to the Point of Beginning, containing, 5.56 acres, (242,114 square feet), more or less, and being situated in the Southwest Quarter of the Southwest Quarter of Section 19, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi.

#### 20 Foot Wide Ingress and Egress Easement

A tract or parcel of land containing 1.54 acres (67,154 square feet), more or less, situated in the Southwest Quarter of the Southwest Quarter of Section 19 and the North Half of Section 30, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi. The following description is oriented to Mississippi State Plane, West Zone, NAD 83 (2011), US Survey Feet, Grid Values, having a ground to grid scale factor of 0.99995451 and a convergence angle of (-)00 degrees 06 minutes 30.90 seconds calculated at the below described Point of Commencement; said parcel being more particularly described; to wit:

Commencing at a found #5 rebar located at the southeast corner of Section 30, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi thence run, North 00 degrees 00 minutes 00 seconds East for a distance of 5974.20 feet; thence run, North 90 degrees 00 minutes 00 seconds West for a distance of 4099.82 feet to a #5 rebar located on the east property line of that certain 137.4 acre tract (AKA "Parcel C") of land as described in Book 403, Page 593, records of the office of Chancery Clerk, Second Judicial District, Hinds County, Mississippi and being 200 feet south and perpendicular to the existing south right-of-way line of the Illinois Central Railroad, said point being hereinafter referred to as the Point of Beginning;

From the Point of Beginning thence along said east line run, South 00 degrees 07 minutes 58 seconds West for a distance of 661.74 feet to a found #4 rebar;

Thence continue along said east line run, South 89 degrees 37 minutes 28 seconds East for a distance of 1090.43 feet to a #5 rebar with plastic cap located 20 feet east of the centerline of an existing graveled road;

Thence along the following 16 courses and distances being 20 feet east of and parallel to said existing centerline run, South 11 degrees 16 minutes 25 seconds East for a distance of 86.82 feet to a #5 rebar with plastic cap;

Thence run, South 17 degrees 39 minutes 25 seconds East for a distance of 96.64 feet to a #5 rebar with plastic cap;

Thence run, South 20 degrees 11 minutes 25 seconds East for a distance of 94.83 feet to a #5 rebar with plastic cap;

Thence run, South 29 degrees 27 minutes 25 seconds East for a distance of 104.25 feet to a #5 rebar with plastic cap;

Thence run, South 46 degrees 15 minutes 25 seconds East for a distance of 105.74 feet to a #5 rebar with plastic cap;

Thence run, South 51 degrees 31 minutes 25 seconds East for a distance of 98.29 feet to a #5 rebar with plastic cap;

Thence run, South 51 degrees 14 minutes 25 seconds East for a distance of 103.44 feet to a #5 rebar with plastic cap;

Thence run, South 42 degrees 09 minutes 25 seconds East for a distance of 104.59 feet to a #5 rebar with plastic cap;

Thence run, South 27 degrees 12 minutes 25 seconds East for a distance of 101.69 feet to a #5 rebar with plastic cap;

Thence run, South 23 degrees 42 minutes 25 seconds East for a distance of 100.55 feet to a #5 rebar with plastic cap;

Thence run, South 27 degrees 08 minutes 25 seconds East for a distance of 94.14 feet to a #5 rebar with plastic cap;

Thence run, South 33 degrees 31 minutes 25 seconds East for a distance of 100.76 feet to a #5 rebar with plastic cap;

Thence run, South 32 degrees 20 minutes 25 seconds East for a distance of 104.03 feet to a #5 rebar with plastic cap;

Thence run, South 26 degrees 14 minutes 25 seconds East for a distance of 102.25 feet to a #5 rebar with plastic cap;

Thence run, South 18 degrees 50 minutes 25 seconds East for a distance of 102.34 feet to a #5 rebar with plastic cap;

Thence run, South 21 degrees 34 minutes 05 seconds East for a distance of 100.27 feet to a #5 rebar with plastic cap located on the existing north right-of-way line of Champion Hill Road;

Thence along said existing north right-of-way line run, South 72 degrees 27 minutes 31 seconds West for a distance of 20.05 feet to a #5 rebar with plastic cap located at the intersection of said existing north right-of-way line and the existing centerline of said graveled road, said centerline being the southerly property line of said 137.4 acre tract;

Thence along said existing centerline and southerly property the following 16 courses and distances run, North 21 degrees 34 minutes 05 seconds West for a distance of 99.34 feet to a point;

Thence run, North 18 degrees 50 minutes 25 seconds West for a distance of 101.52 feet to a point;

Thence run, North 26 degrees 14 minutes 25 seconds West for a distance of 99.89 feet to a point;

Thence run, North 32 degrees 20 minutes 25 seconds West for a distance of 102.76 feet to a point;

Thence run, North 33 degrees 31 minutes 25 seconds West for a distance of 101.67 feet to a point;

Thence run, North 27 degrees 08 minutes 25 seconds West for a distance of 95.85 feet to a point;

Thence run, North 23 degrees 42 minutes 25 seconds West for a distance of 100.54 feet to a point;

Thence run, North 27 degrees 12 minutes 25 seconds West for a distance of 98.45 feet to a point;

Thence run, North 42 degrees 09 minutes 25 seconds West for a distance of 100.38 feet to a point;

Thence run, North 51 degrees 14 minutes 25 seconds West for a distance of 101.80 feet to a point;

Thence run, North 51 degrees 31 minutes 25 seconds West for a distance of 99.16 feet to a point;

Thence run, North 46 degrees 15 minutes 25 seconds West for a distance of 109.61 feet to a point;

Thence run, North 29 degrees 27 minutes 25 seconds West for a distance of 108.82 feet to a point;

Thence run, North 20 degrees 11 minutes 25 seconds West for a distance of 96.89 feet to a point;

Thence run, North 17 degrees 39 minutes 25 seconds West for a distance of 98.20 feet to a point;

Thence run, North 11 degrees 16 minutes 25 seconds West for a distance of 71.56 feet to a #5 rebar with plastic cap located at the intersection of said existing centerline and a line 20 feet south and parallel with the easterly line of said 137.4 acre tract;

Thence along said parallel line run, North 89 degrees 37 minutes 28 seconds West for a distance of 1094.07 feet to a #5 rebar with plastic cap;

Thence along a line 20 feet west of and parallel to said east line run, North 00 degrees 07 minutes 49 seconds East for a distance of 672.54 feet to a #5 rebar with plastic cap located on the south line of the above described Buffer and being 200 feet south and perpendicular to the existing south right-of-way line of the Illinois Central Railroad;

Thence along a line 200 feet south and parallel to said existing south right-of-way line run, North 65 degrees 28 minutes 28 seconds East for a distance of 22.04 feet back to the Point of Beginning containing, 1.54 acres, 67,154 square feet, more or less, situated in the Southwest Quarter of the Southwest Quarter of Section 19 and the North Half of Section 30, Township 6 North, Range 3 West, Second Judicial District, Hinds County, Mississippi.

(2) The Department of Finance and Administration, acting on behalf of the Mississippi Department of Archives and History, is further authorized to donate to the U.S. Department of the Interior, National Park Service, Vicksburg National Military, all of the rights, title and interest in certain real property under the possession and control of the

Department of Archives and History, located in Claiborne County, Mississippi, subject to the requirements and conditions prescribed in subsection (3) of this section. The property is more particularly described as follows:

Tract No. 1 - Shaifer House - Recorded in Claiborne County Deed Book 10-F, Pages 425-430.

That certain tract of land known as the Old Shaifer House tract; for survey, begin at point on the southerly side of the public road, where it is intersected by the line between Parcels 1 and 2 of the partition of the Shaifer Estate property as described in partition deed executed by us and now recorded Book 10-B, Page 177 of the land records of said county, and which partition deed together with the plat recorded therewith is here referred to for full description of the location of said starting point, and run thence in a northeasterly direction along said old Port Gibson and Rodney public road, 1,307 feet to point where said road is intersected on its North side by a fence, and which point is point of beginning for survey of this tract (and which point is further located as being North 33° 45' East 1,434.67 feet from the most eastern corner of Section 16, Township 11 North, Range 2 East). From said point of beginning run thence along fence, North 35° West 134 feet; thence continue along fence; South 35° West 15 feet, South 86° West 16 feet to fence corner; thence along another fence, North 40° West 191 feet to fence corner; thence along another fence, North 40° East 160 feet; thence continue along fence, North 64° East 217 feet to point on private farm road; thence along said road, South 31° 45' East 372 feet to point where the same forks; thence along the fork going southwesterly 100 feet to old Port Gibson and Rodney public road; thence along said old Port Gibson and Rodney public road, in a southwesterly direction, 225 feet to point of beginning. Said tract contains 3.0 acres, more or less, and lies in Section Twelve (12), Township Eleven (11) North, Range Two (2) East. Said land is the same as is fully described in Section V of said above-mentioned partition deed executed by the grantors, now recorded Book 10-B, Page 177 of the deed records of said Claiborne County, which is here referred to in aid of description and for all purposes. All of the above is in accordance with survey made by R.D. Wade, Jr., and a copy of plat of his survey is attached hereto and made a part hereof by reference.

Tract No. 2 - Shaifer House - Recorded in Claiborne County Deed Book 10-H, Page 9.

A tract of land which adjoins the tract sometimes known as the Old Shaifer House tract and which Old Shaifer House tract is Tract No. 1 in the deed from me and others to the Grantee herein which is recorded in Book 10-F, Page 425 of the deed records of said Claiborne County. For survey of this tract, begin at the most Southerly or Southwesterly corner of said Old Shaifer House tract as described in said above mentioned deed and which is on the Northerly side of the public road running through said old Shaifer property and which deed is here referred to for description of location of the starting point hereof; from said point of beginning, run thence along the Northerly wayline of said public road South 67° 45' West 70 feet to stake; thence leave road and run thence North 52° 30' West 843.05 feet to stake; thence run North 43° 31' East 631.74 feet to stake on Easterly side of private ridge road; thence along the Easterly side of said ridge road South 44° 30' East 195 feet, South 39° 28' East 290 feet, South 37° 45' East 111 feet to stake on Northerly or

Northeasterly corner of said Old Shaifer House tract; thence around said Old Shaifer House tract site South 64° West 217 feet; thence South 40° West 191 feet; thence South 40° East 190 feet; thence South 86° East 16 feet; thence North 35° East 15 feet; thence South 35° East 134 feet to point of beginning. Said tract contains 8.32 acres, more or less and lies in Section 12, Township 11 North, Range 2 East, all in accordance with survey made by R.D. Wade, Jr. dated September, 1979 which is attached hereto and made a part hereof for all purposes.

Tract 3 - Shaifer House parking lot - Recorded in Claiborne County Deed Book 19K, Page 243.

Description of a 0.52 acre portion of Section 12, T11N-R2E, Claiborne County, Mississippi, being a portion of the Hollingsworth property.

Commencing at a 1" pipe on the northerly side of Shaifer Road, which pipe marks the southwesterly corner of a 8.32 acre portion of Section 12, T11N-R2E, Claiborne County, Mississippi, as shown by plat of survey by R.D. Wade, Claiborne County Surveyor, dated September 4, 1979, run thence N 82° 56' 57" E for 96.80 feet to a 5/8" iron rod set on the southerly side of Shaifer Road for the point of beginning, being the northeasterly corner of within described tract. Thence from the said point of beginning run S 24° 58' 45" E for 154.06 feet to a 5/8" iron rod set; thence run N 76° 27' 05" W for 151.59 feet to a 5/8" iron rod set; thence run S 54° 55' 29" W for 119.00 feet to a 5/8" iron rod set; thence run N 40° 02' 07" W for 90.73 feet to a 5/8" iron rod set on the southerly side of Shaifer Road; thence run N 66° 35' 38" E along said southerly side of Shaifer Road for 259.42 feet to the point of beginning. Recorded in Deed Book 19K at Pages 243-247, reference to which is hereby made in aid of and as a part of this description;

Tract 4 - Old Magnolia Church lot - Recorded in Claiborne County Deed Book 10-H, Page 9.

For survey of the tract hereby conveyed, begin at the Northwest corner of the said old Magnolia Church site as described in said deed above referred to and which deed is here referred to for description of location of said starting point; from said starting point, run thence South 16° East 78 feet; thence run South 2° East 52 feet; thence run South 16° West 69 feet; thence run South 17° West 109 feet to stake at southerly corner of said old Magnolia Church site; run thence North 79° 34' West 364.04 feet to stake; thence North 53° 45' East 396 feet to stake; thence South 84° 45' East 49 feet to point of beginning. Said tract contains 1.87 acres, more or less, and lies in Section 12, Township 11 North, Range 2 East;

Tract 5 - That certain tract of land being the site of the old Magnolia Church; to arrive at point of beginning for survey of this tract, begin at the most eastern corner of Section 16, Township 11 North, Range 2 East, and run thence South 74° 34' East 2,917.7 feet to stake on South side of public road, and run thence South 84° 45' East 49 feet to fence corner on South side of said road, which is point of beginning for survey of this tract; and which point is also the point where the East line of Parcel 2 in the partition of the Shaifer Estate property as described in partition deed executed by us and now recorded Book 10-B, page 177 of the land records of said Claiborne County,

intersects said public road, and which partition deed, together with plat recorded therewith, is here referred to in aid of description of location of said starting point. From said point of beginning, continue thence along road, South 84° 45' East 282.04 feet to stake in fence and property line; thence along fence and property line, South 46° West 396 feet to stake in fence corner; thence along fence (which is the East line of

95 Parcel 2 of the partition above referred to), North 17 East 109 feet, North 16° East 69 feet, North 2°, West 52 feet and North 16° West 78 feet to point of beginning. Said tract contains 1.29 acres, more or less, and lies in Section 12, Township 11 North, Range 2 East; all of the above in accordance with survey made by R.D. Wade, Jr., dated September 1979, and plat of survey showing this tract and the old Magnolia Church site referred to above is attached hereto as Exhibit "B" hereto and made a part hereof for all purposes.

(3) The State of Mississippi shall retain all mineral rights in the property donated under the provisions of this section.

(4) The Department of Finance and Administration may correct any discrepancies in any legal description provided in this section.

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND CHAPTER 393, LAWS OF 2014, AS LAST AMENDED BY CHAPTER 443, LAWS OF 2022, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO DONATE THE REMAINDER OF CERTAIN REAL PROPERTY KNOWN AS THE "OLD MAGNOLIA CHURCH SITE" LOCATED IN CLAIBORNE COUNTY, MISSISSIPPI, TO THE NATIONAL PARK SERVICE FOR THE PURPOSE OF FACILITATING A COMPLETE DONATION OF ALL PARCELS OF LAND COMPRISING SAID PROPERTY; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2309** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hill called up the following House Amendment to **S. B. No. 2312** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-7-3, Mississippi Code of 1972, is amended as follows:

19-7-3. (1) In case any of the real estate belonging to the county shall cease to be used for county purposes, the board of supervisors may sell, convey or lease the same on such terms as the board may elect and may, in addition, exchange the same for real estate belonging to any other political subdivision located within the county. In case of a sale on a credit, the county shall have a lien on the same for the purchase money, as against all persons, until paid and may enforce the lien as in such cases provided by law. The deed of conveyance in such cases shall be executed in the name of the county by the president of the board of supervisors, pursuant to an order of the board entered on its minutes.

(2) (a) Before any lease, deed or conveyance is executed, the board shall publish at least once each week for three (3) consecutive weeks, in a public newspaper of the county in which the land is located, or if no newspaper be published in said county then in a newspaper having general circulation therein, the intention to lease or sell, as the case may be, the county-owned land and to accept sealed competitive bids for the leasing or sale. The board shall thereafter accept bids for the lease or sale \* \* \*. The board, at its option, may reject all bids or accept the highest and best bid received in response to the advertisement, or the board may hold an auction among those who submitted bids in response to the advertisement. If the board elects to hold an auction, no bidder shall be granted any preference. The opening bid at the auction shall be the highest bid received in response to the advertisement.

(b) The board of supervisors of any county may contract for the professional services of a Mississippi-licensed real estate broker to assist in the marketing and sale or lease of the property for a reasonable commission, consistent with or lower than the market rate, for services rendered to be paid from the sale or lease proceeds.

(3) (a) During the final year of an existing lease of any real estate belonging to the county, the board shall notify the holder of the existing lease if the board intends to re-lease the property after advertising for bids or holding an auction in the same manner as provided in subsection (2) of this section. If the board receives an acceptable bid in response to the advertisement and elects not to hold an auction among those submitting bids, then the holder of the existing lease may submit a second bid in an amount not less than five percent (5%) of the highest acceptable bid received if the holder of the existing lease: (i) submitted a bid in response to the advertisement; and (ii) constructed or made improvements on the leasehold premises after receiving approval of the board during the term of the existing lease.

(b) If the holder of the existing lease elects to submit a second bid, the board shall hold an auction among those who submitted bids in response to the advertisement. The opening bid at the auction shall be the second bid of the holder of the existing lease. However, no leaseholder may submit a second bid if: (i) any rent, taxes or other payment required under the lease are past due; or (ii) the holder of the lease is otherwise in default of any term or provision of the lease and such default has not been corrected or cured to the satisfaction of the board after more than thirty (30) days' notice to the leaseholder of the default.

(c) If an auction is held, the auction may be conducted at the meeting at which bids are opened or at a subsequent regular or special meeting. The board shall announce the time and place of the auction at the meeting at which bids are opened, and no further notice of the auction is required.

( \*\* \*4) Whenever the board of supervisors shall find and determine, by resolution duly and lawfully adopted and spread upon its minutes (a) that any county-owned property is no longer needed for county or related purposes and is not to be used in the operation of the county, (b) that the sale of the property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the county, and (c) that the use of the county property for the purpose for which it is to be sold, conveyed or leased will promote and foster the development and improvement of the community in which it is located and the civic, social, educational, cultural, moral, economic or industrial welfare thereof, the board of supervisors of such county shall be authorized and empowered, in its discretion, to sell, convey, lease, or otherwise dispose of same for any of the purposes set forth herein.

( \*\* \*5) (a) In addition to such authority as is otherwise granted under this section, the board of supervisors, in its discretion, may sell, lease, or otherwise convey property to any person or legal entity without public notice, without having to advertise for and accept competitive bids and without appraisal, with or without consideration, and on such terms and conditions as the parties may agree if the board of supervisors finds and determines, by resolution duly and lawfully adopted and spread upon its official minutes:

(i) That the subject property is real property acquired by the county:

1. By reason of a tax sale;
2. Because the property was abandoned or blighted; or
3. In a proceeding to satisfy a county lien against the property;

(ii) That the subject property is blighted and is located in a blighted area;

(iii) That the subject property is not needed for governmental or related purposes and is not to be used in the operation of the county;

(iv) That the sale of the property in the manner otherwise provided by law is not necessary or desirable for the financial welfare of the county; and

(v) That the use of the property for the purpose for which it is to be conveyed will promote and foster the development and improvement of the community in which it is located or the civic, social, educational, cultural, moral, economic or industrial welfare thereof; the purpose for which the property is conveyed shall be stated.

(b) All costs associated with a conveyance under this subsection shall be paid by the person or entity to whom the conveyance is made.

(c) Any deed or instrument of conveyance executed pursuant to the authority granted under this subsection shall contain a clause of reverter providing that title to the property will revert to the county if the person or entity to whom the property is conveyed does not fulfill the purpose for which the property was conveyed and satisfy all conditions imposed on the conveyance within two (2) years of the date of the conveyance.

(d) In any such deed or instrument of conveyance, the county shall retain all mineral rights that it owns, together with the right of ingress and egress to remove same.

( \*\* \*6) Nothing contained in this section shall be construed to prohibit, restrict or to prescribe conditions with regard to the authority granted under Section 17-25-3 or Section 57-75-37.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.



Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 19-7-3, MISSISSIPPI CODE OF 1972, TO ESTABLISH A COMPETITIVE BIDDING PROCESS WITH RIGHT OF FIRST REFUSAL FOR THE LEASE OR SALE OF COUNTY-OWNED PROPERTY; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2312** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2379** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on page 6 by deleting lines 140 through 144 in their entirety and inserting in lieu thereof the following:

"(2) The sets of actual bound volumes of the Mississippi Code of 1972 \* \* \* shall be provided to each person or entity listed in subsection (1) \* \* \* unless the person or entity requests in writing to the Joint Committee on Compilation, Revision and Publication of Legislation not to receive one (1) or more of the sets that the person or entity is authorized to receive under subsection (1).

AMEND FURTHER the title by deleting lines 1 through 4 in their entirety and inserting in lieu thereof the following: "AN ACT TO AMEND SECTION 1-1-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACTUAL BOUND VOLUMES OF THE MISSISSIPPI CODE OF 1972 SHALL BE PROVIDED TO EACH PERSON OR ENTITY AS AUTHORIZED BY THIS SECTION UNLESS THE PERSON OR ENTITY REQUESTS IN WRITING NOT TO RECEIVE ANY OF THE VOLUMES; TO AMEND SECTION 1-1-33,"

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Senator DeLano called up the following House Amendment to **S. B. No. 2728** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND on line 118 by inserting the following language after the word "services":

",including cloud computing,"

AMEND FURTHER on line 124 by inserting the following language after the word "authorized":

"to consider new technologies, such as cloud computing,"

AMEND FURTHER on line 207 by inserting the following language after the word "services":

",including cloud computing,"

AMEND FURTHER on line 211 by inserting the following language after the word "services":

",including cloud computing,"

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2728** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Chassaniol called up the following entitled bill:

**H. B. No. 252:** Festival wine permits; extend repealers on authority to issue and certain provisions relating to.

Senator Chassaniol offered the following AMENDMENT NO. 1.

AMEND on line 966 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to H. B. No. 252 was adopted.

YEAS AND NAYS On H. B. No. 252. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Chassaniol called up the following entitled bill:

**H. B. No. 772:** Mississippi Opal; designate as official state gemstone.

YEAS AND NAYS On H. B. No. 772. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Chassaniol called up the following entitled bill:

**H. B. No. 1027:** State Fruit; designate the blueberry as.

YEAS AND NAYS On H. B. No. 1027. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Fillingane called up the following entitled bill:

**H. B. No. 4:** Tianeptine; include in Schedule I controlled substance list.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-115, Mississippi Code of 1972, is amended as follows:

41-29-115. (a) The controlled substances listed in this section, by whatever official name, common or usual name, chemical name, or brand name designated, are included in Schedule II.

#### SCHEDULE II

(b) Substances, vegetable origin or chemical synthesis. Unless specifically excepted or unless listed in other schedules, any of the following substances, whether produced directly or indirectly by extraction from substances of vegetable origin, or independently by means of chemical synthesis, or by combination of extraction and chemical synthesis:

(1) Opium and opiate, and any salt, compound, derivative, or preparation of opium or opiate, excluding apomorphine, thebaine-derived butorphanol, dextrophan, nalbuphine, naldemedine, nalmefene, naloxegol, naloxone and naltrexone, but including the following:

- (i) Codeine;
- (ii) Dihydroetorphine;
- (iii) Ethylmorphine;
- (iv) Etorphine hydrochloride;
- (v) Granulated opium;
- (vi) Hydrocodone, whether alone or in combination with any material, compound, mixture or preparation;
- (vii) Hydromorphone;
- (viii) Metopon;
- (ix) Morphine;
- (x) Opium extracts;
- (xi) Opium fluid extracts;
- (xii) Oripavine;
- (xiii) Oxycodone;
- (xiv) Oxymorphone;
- (xv) Powdered opium;
- (xvi) Raw opium;
- (xvii) Thebaine;
- (xviii) Tincture of opium;

(2) Any salt, compound, isomer, derivative, or preparation thereof which is chemically equivalent or identical with any of the substances referred to in paragraph (1), but not including the isoquinoline alkaloids of opium;

(3) Opium poppy and poppy straw;

(4) Coca leaves and any salt, compound, derivative, or preparation of cocaine or coca leaves, including cocaine and ecgonine and any salt, compound, derivative, isomer, or preparation thereof which is chemically equivalent or identical with any of these substances, but not including:

(i) Decocainized coca leaves or extraction of coca leaves, which extractions do not contain cocaine or ecgonine; or

(ii) loflupane;

(5) Concentrate of poppy straw (the crude extract of poppy straw in either liquid, solid or powder form which contains the phenanthrene alkaloids of the opium poppy).

(c) Opiates. Any of the following opiates, including their isomers, esters, ethers, salts, and salts of isomers, whenever the existence of these isomers, esters, ethers and salts is possible within the specified chemical designation, dextrorphan and levopropoxyphene excepted:

(1) Alfentanil;

(2) Alphaprodine;

(3) Anileridine;

(4) Bezitramide;

(5) Bulk dextropropoxyphene (nondosage forms);

(6) Carfentanil;

(7) Dihydrocodeine;

(8) Diphenoxylate;

(9) Fentanyl;

(10) Isomethadone;

(11) Levo-alpha-acetylmethadol (levo-alpha-acetylmethadol, levomethadyl acetate, LAAM);

(12) Levomethorphan;

(13) Levorphanol;

(14) Metazocine;

(15) Methadone;

(16) Methadone-intermediate, 4-cyano-2-dimethylamino-4,4-diphenyl butane;

(17) Moramide-intermediate, 2-methyl-3-morpholino-1,1-diphenylpropane-carboxylic acid;

(18) Oliceridine (N-[(3-methoxythiophen-2-yl)methyl]({2-[(9R)-9-(pyridin-2-yl)-6-

oxaspiro[4.5]decan-9-yl]ethyl})amine);

(19) Pethidine (meperidine);

(20) Pethidine-Intermediate-A, 4-cyano-1-methyl-4-phenylpiperidine;

(21) Pethidine-Intermediate-B, ethyl-4-phenylpiperidine-4-carboxylate;

(22) Pethidine-Intermediate-C, 1-methyl-4-phenylpiperidine-4-carboxylic acid;

(23) Phenazocine;

(24) Piminodine;

(25) Racemethorphan;

(26) Racemorphan;

(27) Remifentanil;

(28) Sufentanil;

(29) Tapentadol;

(30) Thiafentanil, methyl  
4-(2-methoxy-N-phenylacetamido)-1-(2-(thiophen-2-yl)ethyl)  
piperidine-4-carboxylate).

(d) Stimulants. Any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Amphetamine, its salts, optical isomers, and salts of its optical isomers;

(2) Phenmetrazine and its salts;

(3) Any substance which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers;

(4) Methylphenidate and its salts;

(5) Lisdexamphetamine, its salts, isomers and salts of isomers.

(e) Depressants. Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Amobarbital;

(2) Secobarbital;

(3) Pentobarbital;

(4) Glutethimide.

(f) Hallucinogenic substances.

(1) Dronabinol oral solution [(-)-delta-9-trans-tetrahydrocannabinol (delta-9-THC)];

(2) Nabilone [other names include: (+/-)-trans-3-(1,1-dimethylheptyl)-6,6a,7,8,10,10a-hexahydro-1-hydroxy-6,6-dimethyl-9H-dibenzo(b,d)pyran-9-one].

(g) Immediate precursors. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Amphetamine and methamphetamine immediate precursor: Phenylacetone (other names include: phenyl-2-propanone; P2P; benzyl methyl ketone; and methyl benzyl ketone);

(2) Phencyclidine immediate precursors:

(i) 1-phenylcyclohexylamine;

(ii) 1-piperidinocyclohexanecarbonitrile (PCC);

(3) Fentanyl immediate precursor: 4-anilino-N-phenethyl-4-piperidine (ANPP).

(h) Tianeptine

7-((3-chloro-6-methyl-5,5-dioxido-6,11-dihydrodibenzo[c,f][1,2]thiazepin-11-yl)amino)heptanoic acid.

(i) Any material, compound, mixture or preparation which contains any quantity of a Schedule II controlled substance and is listed as an exempt substance in 21 CFR, Section 1308.24 or 1308.32, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-29-115, MISSISSIPPI CODE OF 1972, TO INCLUDE TIANEPTINE AS A SCHEDULE II CONTROLLED SUBSTANCE BECAUSE IT HAS A RECOGNIZED MEDICAL USE BUT HAS A HIGH POTENTIAL FOR ABUSE THAT MAY LEAD TO SEVERE PSYCHOLOGICAL OR PHYSICAL DEPENDENCE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 4 was adopted.

YEAS AND NAYS On H. B. No. 4. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Fillingane called up the following entitled bill:

**H. B. No. 281:** Law enforcement officers killed in line of duty; clarify that beneficiaries may receive sidearm of.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-9-131, Mississippi Code of 1972, is amended as follows:

45-9-131. (1) Upon approval of the governing authority of the municipality or county, a member of any municipal or county law enforcement agency who retires under any state retirement system \* \* \* may be allowed to purchase, as his or her personal property, one (1) sidearm which was issued to the law enforcement officer by the law enforcement agency from which he or she retired or by whom he or she was employed at the time of death. \* \* \*

(2) Upon approval of the director of a state agency, board or commission, a law enforcement officer employed by a state agency, board or commission who retires under any state retirement system may be allowed to purchase, as his or her personal property, one (1) sidearm which was issued to the law enforcement officer by a state agency, board or commission.

(3) The next of kin of a law enforcement officer who is killed in the line of duty is authorized to purchase the sidearm that was issued to the officer. The amount to be paid for any firearm purchased under the authority of this subsection shall be an agreed upon price as determined by the appropriate governmental authority who employed the officer.

(4) The amount to be paid for any firearm purchased under the authority of this section, except for any firearm purchased under subsection (3) of this section, shall be the fair market value of the firearm as determined by the appropriate governmental authority who employed the officer.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A LAW ENFORCEMENT OFFICER WHO IS EMPLOYED BY A STATE AGENCY, BOARD OR COMMISSION TO PURCHASE HIS OR HER ISSUED SIDEARM AS PERSONAL PROPERTY FOR FAIR MARKET VALUE UPON THE OFFICER'S RETIREMENT; TO AUTHORIZE THE PURCHASE OF THE SIDEARM FOR AN AGREED UPON PRICE BY THE NEXT OF KIN OF A LAW ENFORCEMENT OFFICER WHO IS KILLED IN THE LINE OF DUTY; AND FOR RELATED PURPOSES.



Committee Amendment No. 1 to H. B. No. 281 was adopted.

YEAS AND NAYS On H. B. No. 281. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 894:** Violations of local zoning ordinances; authorize governing authorities to pursue administrative or civil penalties for.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-1-27, Mississippi Code of 1972, is amended as follows:

17-1-27. Any person, firm or corporation who shall knowingly and \* \* \* willfully violate the terms, conditions or provisions of a zoning ordinance adopted under the authority of Sections 17-1-1 through 17-1-25, inclusive, for violation of which no other administrative, civil or criminal penalty is prescribed by state or local law, shall be guilty of a misdemeanor and upon conviction therefor shall be sentenced to pay a fine of not to exceed One Hundred Dollars (\$100.00), and in case of continuing violations without reasonable effort on the part of the defendant to correct same, each day the violation continues thereafter shall be a separate offense.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 17-1-27, MISSISSIPPI CODE OF 1972, TO ADD ADMINISTRATIVE OR CIVIL PENALTIES AS AN OPTION THAT LOCAL GOVERNING AUTHORITIES MAY PURSUE WHEN A LOCAL ZONING ORDINANCE IS VIOLATED; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 894 failed.

YEAS AND NAYS On H. B. No. 894. On motion of Senator Thompson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Branning called up the following entitled bill:

**H. B. No. 1477:** Harvest permits; extend repealer on authority of MDOT to issue.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-19-81, Mississippi Code of 1972, is amended as follows:

27-19-81. (1) No vehicle shall be registered by the Department of Revenue or by a tax collector, and no license tag whatsoever shall be issued therefor, where the gross weight of such vehicle exceeds the limits provided by law. In the event of an emergency requiring the hauling of a greater gross weight than permitted by law, the owner or operator of such vehicle shall obtain an excess weight authorization from the Mississippi Department of Transportation or local authority having jurisdiction of the particular road, street or highway before operating such vehicle on the highways of this state to haul such a gross weight over a route to be designated by the aforesaid department. It shall then be necessary for the owner or operator of the vehicle to obtain a permit from the Transportation Department, which shall be issued by the department under the same provisions as are provided for the issuance of trip permits under Section 27-19-79, but which permit shall likewise be obtained prior to the operation of such vehicle on the highways. No persons or agencies other than the Mississippi Department of Transportation shall have authority to issue the permits provided for in this section. The fee to be charged for such permits shall be computed in the same manner provided in Section 27-19-79 for each one thousand (1,000) pounds, or fractional part thereof, of gross weight above the licensed capacity of the vehicle, up to the maximum legal weights provided by this article on the roads to be traveled.

This subsection shall apply, but not be limited to, any tractor, road roller or road machinery used solely and specifically in road building or other highway construction or maintenance work.

For each one thousand (1,000) pounds, or fractional part thereof, in excess of the weight authorized by Sections 63-5-29 and 63-5-33 for any such vehicle or in excess of the limits set by the Transportation Department for specified roads and bridges, the fee shall be Five Cents (5¢) per one thousand (1,000) pounds, or fractional part thereof, for each mile traveled upon the highways of the state, except that the fee for manufactured housing modular units, residential or commercial, shall be Two Cents (2¢) per one thousand (1,000) pounds, or fractional part thereof, for each mile traveled upon the highways of the state. Provided, however, no permit shall be issued for a fee of less than Ten Dollars (\$10.00).

The Transportation Department may provide for an annual permit which will allow preapproved vehicles and loads to travel predesignated routes with self-issued permits. Under such self-issuance authority, the owner of the vehicle shall complete the permit in a format designated by the department, electronically transmit a copy to the department prior to the move, and ensure that a copy is in the possession of the operator. Vehicles having a gross weight exceeding the limits provided by law that have a nondivisible gross vehicle weight of ninety-five thousand (95,000) pounds or less, which are otherwise legal, shall not be restricted as to the hours of the day such vehicles may be operated on predesignated routes. The department shall bill the vehicle owner according to the provisions of the preceding paragraph. The department is authorized to modify predesignated routes at any time for cause, such as highway construction or hazardous highway conditions. The annual fee for the self-issuance permit authority obtained pursuant to this paragraph shall be Five Hundred Dollars (\$500.00) per owner, regardless of the number of vehicles which he will operate pursuant to such permit, in addition to any other fees required by this section. Any vehicle and load being operated pursuant to this paragraph for which the operator does not have the permit or a copy thereof in his possession, or for which a copy of the permit was not electronically transmitted to the department, shall be deemed not to have a permit and shall be penalized accordingly.

It shall not be necessary for the owner or operator of a vehicle to obtain a permit pursuant to this subsection if such owner or operator has obtained for his vehicle an annual special permit for vehicles transporting heavy equipment pursuant to Section 63-5-52.

(2) Before operating a vehicle where the size of the load being hauled is in excess of that permitted by law, the owner or operator of such vehicle shall obtain excess size authorization from the Transportation Department or proper local authority and an excess size permit from the Transportation Department. Such excess size permit shall be issued by the Mississippi Department of Transportation under the same provisions as are provided for the issuance of trip permits under Section 27-19-79, and it shall be obtained prior to the operation of such vehicle on the highways. The fee to be charged for such excess size permit shall be Ten Dollars (\$10.00) per trip. Such permits may be issued for an extended period of time and must coincide with the expiration date and other provisions of the carrier's permit or authorization issued by the Transportation Department or local authority. The fee for such extended permits shall be based upon an annual fee of One Hundred Dollars (\$100.00) per carrier. No permit shall be issued under this subsection if the issuance of the permit would violate federal law or would cause the State of Mississippi to lose federal aid funds. This subsection shall not apply to any tractor, road roller or road machinery used solely and specifically in road building or other highway construction or maintenance work or to any machinery or equipment operated on the highways or transported thereon in the course of normal farming activities, including cotton module transporters.

(3) The Executive Director of the Mississippi Department of Transportation may authorize certain carriers of property to issue overweight and/or oversize permits for vehicles owned or operated by such carriers, provided such carriers have blanket authorization from the Transportation Commission and also meet other requirements established by the Transportation Commission.

(4) The owner or operator of a vehicle hauling sand, gravel, woodchips, wood shavings, sawdust, fill dirt, agricultural products, bulk feed, wood pellets or unprocessed forestry products may apply to the Mississippi Department of Transportation for a harvest permit for the purpose of authorizing any such vehicles to operate on the highways in this state (other than the federal interstate system or those highways designated by the Mississippi Department of Transportation as not capable of carrying more than fifty-seven thousand six hundred fifty (57,650) pounds at the maximum gross weight specified in Section 63-5-33). Harvest permits may be issued and are valid to permit any such vehicle to be operated on a highway in this state that has been designated by the Mississippi Department of Transportation as not capable of carrying more than fifty-seven thousand

six hundred fifty (57,650) pounds only if such vehicle operates in compliance with the provisions of Section 63-5-29(3)(b). A fee of Twenty-five Dollars (\$25.00) shall be charged for each permit issued. The permit shall be in the form of a decal which shall be affixed to each permitted vehicle on the upper left corner of the windshield on the driver's side. Each permit shall expire one (1) year from its date of issue. The fees collected under this subsection shall be deposited into a special fund that is created in the State Treasury. Monies in the fund shall be allocated and distributed quarterly, beginning September 30, 1994, to each of the counties of the state on an equal basis. Monies distributed to the counties under this subsection shall be deposited in each county's road and bridge fund and may be expended, upon approval of the board of supervisors, for any purpose for which county road and bridge fund monies lawfully may be expended. \* \* \*

(5) Any owner or operator who has met the requirements set by the Mississippi Transportation Commission may defer payment of permits issued by the department until the end of the current month. If full payment is not received by the twentieth of the following month, there may be added as damages to the total amount of the delinquency or deficiency the following percentages: ten percent (10%) for the first offense; fifteen percent (15%) for the second offense; and twenty-five percent (25%) for the third and any subsequent offense. Upon the third offense, the department may suspend the privilege to defer payment. The balance due shall become payable upon notice and demand by the department.

(6) The permit fee monies collected under this section, except as provided for in subsection (4) of this section, shall be deposited into the State Highway Fund for the construction, maintenance and reconstruction of highways and roads of the State of Mississippi or the payment of interest and principal on bonds authorized by the Legislature for construction and reconstruction of highways.

(7) The department may waive the permits, taxes and fees set forth in this section whenever a motor vehicle is operated upon the public highways in this state in response to an emergency, a major disaster or the threat of a major disaster.

(8) The Mississippi Department of Transportation and any other law enforcement agency authorized to perform escort of a vehicle designated as a superload vehicle pursuant to regulations of the Mississippi Department of Transportation may charge a reasonable fee to perform the escort of superload vehicles. The fee charged for escort will be collected by the agency performing the escort.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-19-81, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION TO ISSUE HARVEST PERMITS TO OWNERS AND OPERATORS OF VEHICLES HAULING CERTAIN PRODUCTS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1477 was adopted.

YEAS AND NAYS On H. B. No. 1477. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniell, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning moved that the rules be suspended for the consideration en bloc of H. B. No. 1016, H. B. No. 1017, H. B. No. 1244, H. B. No. 1245 and H. B. No. 1246 and the motion prevailed.

Senator Branning called up the following measures:

**H. B. No. 1016:** Memorial highway; designate segment of MS Hwy 8 in Chickasaw County as the "Deputy Jeremy Allen Voyles Memorial Highway".

**H. B. No. 1017:** Memorial intersection; designate intersection of U.S. 45 and CR 110 in Clarke County as the "Army Spc. Terry Kishaun Dantez Gordon Memorial Intersection".

**H. B. No. 1244:** Memorial highway; designate a segment of MS Highway 365 in Prentiss County as the "Howard Tillman Bobo Memorial Highway".

**H. B. No. 1245:** Memorial highway; designate a segment of MS Highway 364 in Prentiss County as the "James Millard Jourdan Memorial Highway".

**H. B. No. 1246:** Memorial highway; designate a segment of MS Highway 365 in Prentiss County as the "Leland L. Holland Memorial Highway".

YEAS AND NAYS on consideration en bloc of H. B. No. 1016, H. B. No. 1017, H. B. No. 1244, H. B. No. 1245 and H. B. No. 1246. On motion of Senator Branning, the rules were suspended, foregoing measures were considered, the yeas and nays were taken, and the measures passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniell, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning moved that the rules be suspended to move to calendar item 50, **H. B. No. 691**, and the motion prevailed.

Senator Branning called up the following entitled bill:

**H. B. No. 691:** Memorial highway; designate a portion of U.S. Highway 45 in Wayne County, MS, as the "Army Sergeant Eric C. Newman Memorial Highway."

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The segment of U.S. Highway 45 located in Wayne County, Mississippi, beginning at a point one-tenth (1/10) of a mile North of the Highway 84 West exit on U.S. Highway 45 and extending northerly for a distance of approximately one (1) mile near the intersection of Highway 145 and Highway 45 in Wayne County, Mississippi, is designated and shall be known as the "Army Sergeant Eric C. Newman Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 45 LOCATED IN WAYNE COUNTY, MISSISSIPPI, AS THE "ARMY SERGEANT ERIC C. NEWMAN MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 691 was adopted.

YEAS AND NAYS On H. B. No. 691. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel called up the following entitled bill:

**H. B. No. 544:** Valued policy law; exempt builder's risk insurance policies from.

YEAS AND NAYS On H. B. No. 544. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks,

Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--McMahan. Total--1.  
Absent and those not voting----None.

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Senator Michel called up the following entitled bill:

**H. B. No. 877:** USM; clarify authority to enter into insurance agreement for protection of property at the state port at Gulfport.

YEAS AND NAYS On H. B. No. 877. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

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Senator Michel called up the following entitled bill:

**H. B. No. 1190:** Health benefit plan; authorize plan sponsor of to consent, on behalf of covered pensions, to delivery of all communications by electronic means.

YEAS AND NAYS On H. B. No. 1190. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 276:** State Board of Physical Therapy, authorize to issue subpoenas for the attendance of witnesses and the production of documents.

YEAS AND NAYS On H. B. No. 276. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan,

Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting----None.

Voting Present--Barrett, Suber, Tate. Total--3.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1217:** Court interpreters; revise program under the Administration of the Administrative Office of Courts.

YEAS AND NAYS On H. B. No. 1217. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Turner-Ford called up the following entitled bill:

**H. B. No. 366:** Sam G. Polles State Office Building; designate the MS Dept. of Wildlife Central Office Building as.

Senator Turner-Ford offered the following AMENDMENT NO. 1.

AMEND on line 49 by inserting before the period the following:

, and shall stand repealed one (1) day before its passage

Amendment No. 1 to H. B. No. 366 was adopted.

YEAS AND NAYS On H. B. No. 366. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--DeBar, Hill. Total--2.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1111:** County court jurisdiction for termination of parental rights; authorize for both involuntary and voluntary termination.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 93-15-105, Mississippi Code of 1972, is amended as follows:

93-15-105. (1) The chancery court has original exclusive jurisdiction over all termination of parental rights proceedings except when a county court sitting as a youth court has acquired jurisdiction of a child in an abuse or neglect proceeding, then the county court shall have original exclusive jurisdiction to hear \* \* \* petitions for both voluntary and involuntary termination of parental rights actions against a parent of that child pursuant to the procedures of this chapter.

(2) (a) Venue in a county court sitting as a youth court for any termination of parental rights proceedings shall be in the county in which the court has jurisdiction of the child in the abuse or neglect proceedings. Venue in chancery court for termination of parental rights proceedings shall be proper either in the county in which the defendant resides, the child resides or in the county where an agency or institution having custody of the child is located.

(b) Transfers of venue shall be governed by the Mississippi Rules of Civil Procedure.

SECTION 2. Section 9-9-1, Mississippi Code of 1972, is amended as follows:

9-9-1. (1) There shall be an inferior court to be known as the county court in and for each \* \* \* county as follows:

- (a) \* \* \* District 1 - DeSoto County;
- (b) \* \* \* District 2 - Marshall and Tate Counties;
- (c) \* \* \* District 3 - Alcorn, Benton and Tippah Counties;
- (d) District 4 - Itawamba, Prentiss and Tishomingo Counties;
- (e) District 5 - Panola, Quitman and Tunica Counties;
- (f) District 6 - Lafayette County;
- (g) District 7 - Pontotoc and Union Counties;
- (h) District 8 - Lee County;
- (i) District 9 - Coahoma County;
- (j) District 10 - Bolivar County;
- (k) District 11 - Grenada, Tallahatchie and Yalobusha Counties;
- (l) District 12 - Calhoun, Choctaw, Clay and Webster Counties;

- (m) District 13 - Chickasaw and Monroe Counties;
- (n) District 14 - Washington County;
- (o) District 15 - Humphreys, Issaquena, Sharkey and Sunflower Counties;
- (p) District 16 - Leflore County;
- (q) District 17 - Carroll, Holmes and Montgomery Counties;
- (r) District 18 - Oktibbeha County;
- (s) District 19 - Lowndes County;
- (t) District 20 - Attala, Noxubee and Winston Counties;
- (u) District 21 - Yazoo County;
- (v) District 22 - Madison County;
- (w) District 23 - Leake and Scott Counties;
- (x) District 24 - Kemper, Neshoba and Newton Counties;
- (y) District 25 - Lauderdale County;
- (z) District 26 - Warren County;
- (aa) District 27 - Hinds County;
- (bb) District 28 - Rankin County;
- (cc) District 29 - Claiborne, Copiah and Jefferson Counties;
- (dd) District 30 - Simpson and Smith Counties;
- (ee) District 31 - Clarke, Jasper and Wayne Counties;
- (ff) District 32 - Adams County;
- (gg) District 33 - Amite, Franklin and Wilkinson Counties;
- (hh) District 34 - Pike County;
- (ii) District 35 - Lawrence, Lincoln and Walthall Counties;
- (jj) District 36 - Covington, Jefferson Davis and Marion Counties;
- (kk) District 37 - Jones County;
- (ll) District 38 - Lamar County;
- (mm) District 39 - Forrest County;
- (nn) District 40 - George, Greene, Perry and Stone Counties;
- (oo) District 41 - Pearl River County;

(pp) District 42 - Hancock County;

(qq) District 43 - Harrison County; and

(rr) District 44 - Jackson County.

(2) (a) Except as provided in paragraphs (b) and (c) of this subsection (2), there shall be one (1) county court judge per county court district.

(b) The following county court districts shall have two (2) county court judges:

(i) The First County Court District, consisting of DeSoto County;

(ii) The Eighth County Court District, consisting of Lee County;

(iii) The Twentieth County Court District, consisting of Madison County;

(iv) The Twenty-second County Court District, consisting of Lauderdale County;

(v) The Twenty-fifth County Court District, consisting of Rankin County; and

(vi) The Forty-first County Court District, consisting of Jackson County.

(c) The following county court districts shall have three (3) county court judges:

(i) The Twenty-fourth County Court District, consisting of Hinds County; and

(ii) The Fortieth County Court District, consisting of Harrison County.

( \*\*\*3)\*\*\* The county court judges shall be elected by the qualified electors of the county or county court district in the same manner as provided for the election of circuit court judges at an election held at the same time as the \*\*\* regular election of circuit court judges \*\*\*.

\*\*\*

(4) (a) For the purposes of nomination and election of judgeships in county court districts having multiple judges, the judgeships shall be separate and distinct and designated for purposes of appointment, nomination and election by sequentially numbered places. There shall be no distinction whatsoever in the powers, duties and compensation of any multiple offices of county court judge, except that the county court judge who has been for the longest time continuously a county court judge of the district shall have the right to assign cases, terms and dockets. Should no judge of the county court have served longer in office than the other, then that judge of the county court who has been for the longest time a member of The Mississippi Bar shall be the senior county court judge and have the right to assign cases, terms and dockets.

(b) While there shall be no limitation whatsoever upon the powers and duties of the county court judges other than as required by the Constitution and laws of this state, the senior county court judge may divide the county court into civil, equity, criminal and youth court divisions, or any combination thereof, as a matter of convenience by the entry of an order upon the minutes of the court.

## SECTION 3. Section 9-9-5, Mississippi Code of 1972, is amended as follows:

9-9-5. \*\*\* The county court judge shall possess all of the qualifications of a circuit judge as prescribed by the Mississippi Constitution. \*\*\* The judge of \*\*\* a county court serving more than one (1) county may be a qualified elector of any one (1) of \*\*\* the constituent counties \*\*\*. The county court judge shall be elected by the qualified electors of \*\*\* the county or county court district at the time and in the manner as circuit judges are elected and \*\*\* shall hold office for the same term. Vacancies in the office of county court judge shall be filled in the same manner as vacancies in the office of circuit judge.

\*\*\*

## SECTION 4. Section 9-9-11, Mississippi Code of 1972, is amended as follows:

9-9-11. (1) \*\*\* The county court judge shall receive an annual salary \*\*\* in \*\*\* the amount \*\*\* of One Thousand Dollars (\$1,000.00) less than the salary \*\*\* for circuit and chancery judges \*\*\*.

(2) \*\*\* (a) Each county that had a county court on January 1, 2023, shall transfer from the general funds of those county treasuries to the Administrative Office of Courts the amount of annual compensation of the county court judge or judges as determined by the State Auditor. The amount to be paid annually by each county shall be the compensation paid to the judge or judges of that county for fiscal year 2021. For purposes of this section, the term "compensation" means the gross salary plus all amounts paid for benefits, or otherwise, as a result of employment or as required by employment. However, only salary earned for services rendered shall be reported and credited for retirement purposes. Reimbursement for travel expenses shall not be reported or credited for retirement purposes. The amounts required under this section shall be paid in twelve (12) installments on the last working day of each month. Each county shall transfer to the Administrative Office of Courts one-twelfth (1/12) of the amount required to be paid pursuant to this paragraph (a) by the twentieth day of each month for the salary that is to be paid on the last working day of the month. Any county may pay, in the discretion of the board of supervisors, by the twentieth day of January of any year, the amount due for a full twelve (12) months.

(b) Each county that did not have a county court on January 1, 2023, shall transfer from the general funds of those county treasuries to the Administrative Office of Courts the amount the county spent to compensate the youth court referees as determined by the State Auditor for fiscal year 2023 not including reimbursement for travel expenses. The amounts required under this section shall be paid in twelve (12) installments on the last working day of each month. Each county shall transfer to the Administrative Office of Courts one-twelfth (1/12) of the amount required to be paid pursuant to this paragraph (b) by the twentieth day of each month. Any county may pay, in the discretion of the board of supervisors, by the twentieth day of January of any year, the amount due for a full twelve (12) months.

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## SECTION 5. Section 9-9-19, Mississippi Code of 1972, is amended as follows:

9-9-19. (1) Except as otherwise provided in this section, in county court districts composed of a single county, a term of court shall be held in the county courthouse of the county, beginning on the second Monday of each month and continuing so long as may be necessary; but in counties where there are two (2) circuit court districts the county court shall meet alternately in the two (2) districts in the county courthouse in the same month and in the same district as the board of supervisors of said county holds its meetings.

(a) \*\*\* In the County of Jones, \*\*\* a term shall be held in the second judicial district \*\*\* on the second Monday of each month \*\*\*; and \*\*\* in the first judicial district a term shall be held on the fourth Monday of January, the fourth Monday of March, the fourth Monday of April, the fourth Monday of June and the fourth Monday of October.

(b) \*\*\* In the County of Hinds, \*\*\* a term shall be held in the first judicial district on the second Monday of each month and in the second judicial district on the second Monday of March, June, September and December, and \*\*\*; when \*\*\* the terms are held concurrently, \*\*\* any of the county court judges of Hinds County may be assigned to hold all or any part of \*\*\* the terms in either of the two (2) judicial districts.

(c) \*\*\* In the County of Bolivar, \*\*\* a term shall be held in the first judicial district on the second Monday of April, August and December, and in the second judicial district on the second Monday of January, February, March, May, June, July, September, October and November.

(d) \*\*\* In the County of Harrison, \*\*\* a term shall be held in each judicial district concurrently each month.

(2) \*\*\* The judge of the county court for good cause shown may, by order spread on the minutes of the county court, designate some place other than the county courthouse for the holding of \*\*\* a term of the county court \*\*\*. The county court judge may call a special term of the county court upon giving ten (10) days' notice, and \*\*\* notice shall be given by posting \*\*\* on the front door of the courthouse in \*\*\* the county and by the publication of \*\*\* notice for one (1) insertion in some newspaper of general circulation in the county.

( \*\*\*3) If a county court \*\*\* district is composed of two (2) or more counties \*\*\*; the terms thereof shall remain continuously open and shall not be closed and the county court judge \*\*\* shall \*\*\* set cases as needed.

SECTION 6. Section 9-9-21, Mississippi Code of 1972, is amended as follows:

9-9-21. (1) (a) The jurisdiction of the county court shall be as follows: It shall have jurisdiction concurrent with the justice court in all matters, civil and criminal of which the justice court has jurisdiction; and it shall have jurisdiction concurrent with the circuit and chancery courts in all matters of law and equity wherein the amount of value of the thing in controversy shall not exceed, exclusive of costs and interest, the sum of Two Hundred Thousand Dollars (\$200,000.00), and the jurisdiction of the county court shall not be affected by any setoff, counterclaim or cross-bill in \*\*\* actions where the amount sought to be recovered in \*\*\* the setoff, counterclaim or cross-bill exceeds Two Hundred Thousand Dollars (\$200,000.00). \*\*\* If a party \*\*\* files a setoff, counterclaim or cross-bill which exceeds Two Hundred Thousand Dollars (\$200,000.00), the party shall give notice to the opposite party or parties as provided in Section 13-3-83, and on motion of all parties filed within twenty (20) days after the filing of \*\*\* the setoff, counterclaim or cross-bill, the county court shall transfer the case to the circuit or chancery court wherein the county court is situated and which would otherwise have jurisdiction. \*\*\*

(b) The county court shall have exclusively the jurisdiction \*\*\* in the following matters and causes: namely, eminent domain, the partition of personal property, and actions of unlawful entry and detainer, \*\*\* and the actions of eminent domain and unlawful entry and detainer may be returnable and triable before the \*\*\* court in vacation. The county court shall have jurisdiction over criminal matters in the county assigned by a judge of the circuit court district in which the county is included.

(2) \*\*\* If a county court \*\*\* serves two (2) or more counties \*\*\*; it shall be lawful for \*\*\* the court sitting in one (1) county to act upon any and all matters of which it has jurisdiction as provided by law arising in \*\*\* another county under the jurisdiction of \*\*\* the court.

## SECTION 7. Section 9-9-23, Mississippi Code of 1972, is amended as follows:

9-9-23. The county court judge shall have power to issue writs, and to try matters, of habeas corpus on application to him or her therefor, or when made returnable before him or her by a superior judge. He or she shall also have the power to order the issuance of writs of certiorari, supersedeas, attachments, and other remedial writs in all cases pending in, or within the jurisdiction of, his or her court. He or she shall have the authority to issue search warrants in his or her county returnable to his or her own court or to any court of a justice of the peace within his or her county in the same manner as is provided by law for the issuance of search warrants by justices of the peace. In all cases pending in, or within the jurisdiction of, his or her court, he or she shall have, in term time \* \* \* and in vacation, the power to order, do or determine to the same extent and in the same manner as a justice of the peace or a circuit judge or a chancellor could do in term time or in vacation in such cases. But he or she shall not have original power to issue writs of injunction, or other remedial writs in equity or in law except in those cases hereinabove specified as being within his or her jurisdiction. \* \* \* When any judge or chancellor authorized to issue \* \* \* writs of injunction \* \* \* or any other equitable or legal remedial writs \* \* \* reserved under this section, shall so direct in writing the hearing of application therefor may be by him or her referred to the county court judge, in which event the \* \* \* direction of the superior judge shall vest in the \* \* \* county court judge all authority to take \* \* \* action on \* \* \* the application as the \* \* \* superior judge could have taken under the right and the law, had the \* \* \* application been at all times before the \* \* \* superior judge \* \* \*, and jurisdiction \* \* \* shall cease upon the denying or granting of the application.

## SECTION 8. Section 9-1-19, Mississippi Code of 1972, is amended as follows:

9-1-19. The judges of the Supreme \* \* \*, circuit and county courts and chancellors and judges of the Court of Appeals, in termtime and in vacation, may severally order the issuance of writs of habeas corpus, mandamus, certiorari, supersedeas and attachments, and grant injunctions and all other remedial writs, in all cases where the same may properly be granted according to right and justice, returnable to any court, whether the suit or proceedings be pending in the district of the judge or chancellor granting the same or not. The fiat of such judge or chancellor shall authorize the issuance of the process for a writ returnable to the proper court or before the proper officer; and all such process or writs may be granted, issued and executed on Sunday.

## SECTION 9. Section 9-1-23, Mississippi Code of 1972, is amended as follows:

9-1-23. The judges of the Supreme, circuit and county courts and chancellors and judges of the Court of Appeals shall be conservators of the peace for the state, each with full power to do all acts which conservators of the peace may lawfully do; and the circuit judges \* \* \*, chancellors and county court judges shall reside within their respective districts \* \* \*.

## SECTION 10. Section 9-1-25, Mississippi Code of 1972, is amended as follows:

9-1-25. It shall not be lawful for any judge of the Supreme Court, Court of Appeals \* \* \*, circuit court, county court or a chancellor to exercise the profession or employment of an attorney or counsellor at law, or to be engaged in the practice of law; and any person offending against this prohibition shall be guilty of a high misdemeanor and be removed from office; but this shall not prohibit a chancellor \* \* \*, circuit judge, county court judge or a judge of the Court of Appeals from practicing in any of the courts for a period of six (6) months from the time \* \* \* the judges or chancellors assume office so far as to enable them to bring to a conclusion cases actually pending when they were appointed or elected in which \* \* \* the chancellor or judge was then employed, nor shall a judge of the Supreme Court be hindered from appearing in the courts of the United States in any case in which he was engaged when he was appointed or elected judge.

SECTION 11. Section 9-1-35, Mississippi Code of 1972, is amended as follows:

9-1-35. The clerk of the Supreme Court and of the Court of Appeals, at the expense of the state, and the clerk of every circuit \* \* \*, chancery court and county court, at the expense of the county, shall keep a seal, with the style of the court around the margin and the image of an eagle in the center.

SECTION 12. Section 43-21-107, Mississippi Code of 1972, is amended as follows:

43-21-107. \* \* \* A youth court division is hereby created as a division of the county court of each county \* \* \*, and the county court judge shall be the judge of the youth court \* \* \*.

\* \* \*

SECTION 13. Section 43-21-123, Mississippi Code of 1972, is amended as follows:

43-21-123. Except for expenses provided by state funds \* \* \* or other monies, the board of supervisors \* \* \* shall adequately provide funds for the operation of the youth court \* \* \* in conjunction with the regular \* \* \* county \* \* \* court. \* \* \* On an annual basis at the time requested, the youth court judge or administrator shall prepare and submit to the board of supervisors \* \* \* an annual budget which will identify the number, staff position, title and amount of annual or monthly compensation of each position as well as provide for other expenditures necessary to the functioning and operation of the youth court. When the budget of the youth court or youth court judge is approved by the board of supervisors \* \* \*, then the youth court or youth court judge may employ such persons as provided in the budget from time to time.

The board of supervisors \* \* \* are \* \* \* authorized to reimburse the youth court judges and other youth court employees or personnel for reasonable travel and expenses incurred in the performance of their duties and in attending educational meetings offering professional training to such persons as budgeted.

SECTION 14. Section 23-15-973, Mississippi Code of 1972, is amended as follows:

23-15-973. It shall be the duty of the judges of the circuit court to give a reasonable time and opportunity to the candidates for the office of judge of the Supreme Court, judges of the Court of Appeals, circuit judge, county court judge and chancellor to address the people during court terms. In order to give further and every possible emphasis to the fact that the said judicial offices are not political but are to be held without favor and with absolute impartiality as to all persons, and because of the jurisdiction conferred upon the courts by this chapter, the judges thereof should be as far removed as possible from any political affiliations or obligations. It shall be unlawful for any candidate for any of the offices mentioned in this section to align himself with any candidate or candidates for any other office or with any political faction or any political party at any time during any primary or general election campaign. Likewise it shall be unlawful for any candidate for any other office nominated or to be nominated at any primary election, wherein any candidate for any of the judicial offices in this section mentioned, is or are to be nominated, to align himself with any one or more of the candidates for said offices or to take any part whatever in any nomination for any one or more of said judicial offices, except to cast his individual vote. Any candidate for any office, whether nominated with or without opposition, at any primary wherein a candidate for any one (1) of the judicial offices herein mentioned is to be nominated who shall deliberately, knowingly and willfully violate the provisions of this section shall forfeit his nomination, or if elected at the following general election by virtue of said nomination, his election shall be void.

SECTION 15. Section 23-15-975, Mississippi Code of 1972, is amended as follows:

23-15-975. As used in Sections 23-15-974 through 23-15-985 of this subarticle, the term "judicial office" includes the office of justice of the Supreme Court, judge of the Court of Appeals, circuit judge, chancellor \* \* \* and county court judge \* \* \*. All such justices and judges shall be full-time positions and such justices and judges shall not engage in the practice of law before any court, administrative agency or other judicial or quasi-judicial forum except as provided by law for finalizing pending cases after election to judicial office.

SECTION 16. Section 9-13-1, Mississippi Code of 1972, is amended as follows:

9-13-1. Each circuit judge, county court judge and chancellor shall appoint a competent person as shorthand reporter in his district by an entry upon the minutes of the court of an order to that effect, dated and signed by him. The \* \* \* shorthand reporter shall be known as the official court reporter of \* \* \* the district.

SECTION 17. Section 9-13-17, Mississippi Code of 1972, is amended as follows:

9-13-17. The circuit judge, chancellor \* \* \* or county court judge may, by an order spread upon the minutes and made a part of the records of the court, appoint an additional court reporter for a term or part of a term whose duties, qualifications and compensation shall be the same as is now provided by law for official court reporters. The additional court reporter shall be subject to the control of the judge or chancellor, as is now provided by law for official court reporters, and the judge or chancellor shall have the additional power to terminate the appointment of \* \* \* the additional court reporter, whenever in his opinion the necessity for \* \* \* an additional court reporter ceases to exist, by placing upon the minutes of the court an order to that effect. The regular court reporter shall not draw any compensation while the assistant court reporter alone is serving; however, \* \* \* if the assistant court reporter is serving because of the illness of the regular court reporter, the court may authorize payment of \* \* \* the assistant court reporter from the Administrative Office of Courts without diminution of the salary of the regular court reporter, for a period not to exceed forty-five (45) days in any one (1) calendar year. However, in any circuit, chancery \* \* \* or county \* \* \* court district within the State of Mississippi, if the judge or chancellor \* \* \* determines that in order to relieve the continuously crowded docket in \* \* \* that district, or for other good cause shown, the appointment of an additional court reporter is necessary for the proper administration of justice, he may, with the advice and consent of the board of supervisors if the court district is composed of a single county and with the advice and consent of at least one-half (1/2) of the boards of supervisors if the court district is composed of more than one (1) county, by an order spread upon the minutes and made a part of the records of the court, appoint an additional court reporter. The additional court reporter shall serve at the will and pleasure of the judge or chancellor, may be a resident of any county of the state, and shall be paid a salary designated by the judge or chancellor not to exceed the salary authorized by Section 9-13-19. The salary of the additional court reporter shall be paid by the Administrative Office of Courts, as provided in Section 9-13-19; and mileage shall be paid to the additional court reporter by the county as provided in the same section. The office of \* \* \* an additional court reporter appointed under this section shall not be abolished or compensation reduced during the term of office of the appointing judge or chancellor without the consent and approval of the appointing judge or chancellor.

SECTION 18. Section 9-13-19, Mississippi Code of 1972, is amended as follows:

9-13-19. (1) Court reporters for circuit, county and chancery courts may be paid an annual salary payable by the Administrative Office of Courts not to exceed Forty-nine Thousand Five Hundred Dollars (\$49,500.00) for court reporters with five (5) years' experience or less; not to exceed Fifty-eight Thousand Five Hundred Dollars (\$58,500.00)



for court reporters who have more than five (5) years' experience but less than ten (10) years; and not to exceed Sixty-four Thousand Dollars (\$64,000.00) for court reporters who have ten (10) years or more experience. No amount of the increase in the maximum salary authorized by this section shall be paid from the State General Fund. The board of supervisors of any county is authorized to pay its court reporters the applicable amount of the maximum salary authorized by this section. In addition, any court reporter performing the duties of a court administrator in the same judicial district in which the person is employed as a court reporter may be paid additional compensation for performing the court administrator duties. The annual amount of the additional compensation shall be set by vote of the judges and chancellors for whom the court administrator duties are performed, with consideration given to the number of hours per month devoted by the court reporter to performing the duties of a court administrator. The additional compensation shall be submitted to the Administrative Office of Courts for approval.

(2) The several counties in each respective court district shall transfer from the general funds of those county treasuries to the Administrative Office of Courts a proportionate amount to be paid toward the annual compensation of the court reporter, including any additional compensation paid for the performance of court administrator duties. The amount to be paid by each county shall be determined by the number of weeks in which court is held in each county in proportion to the total number of weeks court is held in the district. For purposes of this section, the term "compensation" means the gross salary plus all amounts paid for benefits, or otherwise, as a result of employment or as required by employment, but does not include transcript fees otherwise authorized to be paid by or through the counties. However, only salary earned for services rendered shall be reported and credited for retirement purposes. Amounts paid for transcript fees, benefits or otherwise, including reimbursement for travel expenses, shall not be reported or credited for retirement purposes.

For example, if there are thirty-eight (38) scheduled court weeks in a particular district, a county in which court is scheduled five (5) weeks out of the year would have to pay five-thirty-eighths (5/38) of the total annual compensation.

(3) The salary and any additional compensation for the performance of court administrator duties shall be paid in twelve (12) installments on the last working day of each month after it has been duly authorized by the appointing judge or chancellor and an order duly placed on the minutes of the court. Each county shall transfer to the Administrative Office of Courts one-twelfth (1/12) of the amount required to be paid pursuant to subsection (2) of this section by the twentieth day of each month for the salary that is to be paid on the last working day of the month. The Administrative Office of Courts shall pay to the court reporter the total amount of salary due for that month. Any county may pay, in the discretion of the board of supervisors, by the twentieth day of January of any year, the amount due for a full twelve (12) months.

(4) From and after October 1, 1996, all circuit, county and chancery court reporters will be employees of the Administrative Office of Courts.

(5) No circuit, county or chancery court reporter shall be entitled to any compensation for any special or extended term of court after passage of this section.

(6) No \* \* \* circuit, county or chancery court reporter shall practice law in the court within which he or she is the court reporter.

(7) For all travel required in the performance of official duties, the circuit, county or chancery court reporter shall be paid mileage by the county in which the duties were performed at the same rate as provided for state employees in Section 25-3-41. The court reporter shall file in the office of the clerk of the court which he serves a certificate of mileage expense incurred during that term and payment of such expense to the court reporter shall be paid on allowance by the judge of such court.

SECTION 19. In counties in which a county court existed on December 31, 2022, the clerk of the youth court shall be the circuit clerk of the county. In counties in which a county court did not exist on December 31, 2022, the clerk of the youth court shall be the chancery clerk of the county. The clerk of the county court shall otherwise be the clerk of the circuit court.

SECTION 20. Section 43-21-111, Mississippi Code of 1972, is amended as follows:

43-21-111. \*\*\* All youth court judges are required to receive judicial training approved by the Mississippi Judicial College and \*\*\* to receive regular annual continuing education in the field of juvenile justice. The amount of judicial training and annual continuing education which shall be satisfactory to fulfill the requirements of this section shall conform with the amount prescribed by the Rules and Regulations for Mandatory Continuing Judicial Education promulgated by the Supreme Court. The Administrative Office of Courts shall \*\*\* enforce the provisions of this \*\*\* section and \*\*\* maintain records \*\*\* of all \*\*\* judges regarding \*\*\* this training. \*\*\*

SECTION 21. Section 43-21-123, Mississippi Code of 1972, is amended as follows:

43-21-123. Except for expenses provided by state funds and \*\*\* other monies, the board of supervisors \*\*\* shall adequately provide funds for the operation of the youth court division of the \*\*\* county \*\*\* court. \*\*\* Every year the youth court judge or administrator shall prepare and submit to the board of supervisors \*\*\* an annual budget which will identify the number, staff position, title and amount of annual or monthly compensation of each position as well as provide for other expenditures necessary to the functioning and operation of the youth court. When the budget of the youth court or youth court judge is approved by the board of supervisors \*\*\* , then the youth court or youth court judge may employ such persons as provided in the budget from time to time.

The board of supervisors of any county in which there is located a youth court \*\*\* are each authorized to reimburse the youth court judges and other youth court employees or personnel for reasonable travel and expenses incurred in the performance of their duties and in attending educational meetings offering professional training to such persons as budgeted.

SECTION 22. Section 43-21-125, Mississippi Code of 1972, is amended as follows:

43-21-125. (1) There shall be a Mississippi Council of Youth Court Judges which shall be the official organization of the judges having youth court jurisdiction in this state. The membership of the council shall consist of all the county court judges \*\*\* in the State of Mississippi.

(2) The Mississippi Council of Youth Court Judges is authorized to adopt and, from time to time, amend such rules, regulations or bylaws as it considers necessary to the conduct of its affairs.

(3) The council may elect officers and provide for such meetings of the council as it deems necessary. The council shall meet at least annually for the consideration of:

(a) Any and all matters pertaining to the discharge of the official duties and obligations of its members; and

(b) Problems that have arisen in connection with the operation of the youth courts in any county or in all counties in order to improve the administration of juvenile justice in the state.

(4) The council shall publish and submit to the Governor, the Chief Justice of the Supreme Court, and the Mississippi Judicial Council an annual report of the operations which shall include financial and statistical data and may include suggestions and recommendations for legislation.

(5) The council is authorized to receive and expend any funds which may become available from the federal government to carry out any of the purposes of this chapter, and to this end the council may meet any federal requirements not contrary to state law which may be conditions precedent to receiving such federal funds.

(6) The council may cooperate with the federal government in a program for training personnel employed or preparing for employment by the youth court and may receive and expend funds from federal or state sources or from private donations for such purposes. The council may contract with public or nonprofit institutions of higher learning for the training of such personnel, may conduct short-term training courses of its own, may hire experts on a temporary basis for such purpose and may cooperate with the department of youth services or other state departments or agencies in personnel training programs.

SECTION 23. Section 43-21-801, Mississippi Code of 1972, is amended as follows:

43-21-801. (1) There is established the Youth Court Support Program. The purpose of the program shall be to ensure that all youth courts have sufficient support funds to carry on the business of the youth court. \* \* \*

\* \* \*

( \*\*2) \* \* \* Each county court is eligible for youth court support funds. The Administrative Office of Courts shall allocate Sixty Thousand Dollars (\$60,000.00) per year to each county court district. The funds shall be utilized to provide compensation to an intake officer who shall be responsible for ensuring that all intake and case information for the Division of Youth Services, truancy matters and the Division of Family and Children's Services is entered into the Mississippi Youth Court Information Delivery System (MYCIDS) in an accurate and timely manner. If the county court already has an intake officer or other staff person responsible for entering all cases of the Division of Youth Services, truancy matters and the Division of Family and Children's Services into MYCIDS, the senior county court judge may certify that such a person is already on staff. In such a case, the senior county court judge shall have discretion to direct the expenditure of those funds in hiring other support staff to carry on the business of the court.

( \*\*a) For the purposes of this paragraph, "support staff" means court administrators, law clerks, legal research assistants, secretaries, resource administrators or case managers appointed by a youth court judge, or any combination thereof, but shall not mean school attendance officers.

( \*\*b) The appointment of support staff shall be evidenced by the entry of an order on the minutes of the court. The support staff so appointed shall serve at the will and pleasure of the senior county court judge but shall be \* \* \* employees of the county.

( \*\*c) The Administrative Office of Courts must approve the positions, job descriptions and salaries before the positions may be filled. The Administrative Office of Courts shall not approve any plan that does not first require the expenditure of funds from the Youth Court Support Fund before expenditure of county funds is authorized for that purpose.

( \*\*d) The Administrative Office of Courts may approve expenditure from the fund for additional equipment for support staff appointed pursuant to this paragraph if

funds are available for the additional expenditure \* \* \*. Title to any tangible property procured with funds authorized under this paragraph shall be and forever remain in the county to be used by the youth court and support staff.

\* \* \*

( \* \* \*3) Application to receive funds under this section shall be submitted in accordance with procedures established by the Administrative Office of Courts. \* \* \* Approval of the use of any of the youth court support funds distributed under this section shall be made by the Administrative Office of Courts in accordance with procedures established by the Administrative Office of Courts.

( \* \* \*4) (a) There is created in the State Treasury a special fund to be designated as the "Youth Court Support Fund," which shall consist of funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be distributed to the youth courts by the Administrative Office of Courts for the purposes described in this section.

(b) \* \* \* During each regular legislative session \* \* \*, the Legislature shall appropriate \* \* \* Two Million Six Hundred Forty Thousand Dollars (\$2,640,000.00) to the Youth Court Support Fund.

(c) No youth court judge \* \* \* shall be eligible to receive funding from the Youth Court Support Fund who has not received annual continuing education in the field of juvenile justice in an amount to conform with the requirements of the Rules and Regulations for Mandatory Continuing Judicial Education promulgated by the Supreme Court. The Administrative Office of Courts shall maintain records of all \* \* \* youth court judges regarding such training and shall not disburse funds to any county \* \* \* or county court district for the budget of a youth court judge \* \* \* who is not in compliance with the judicial training requirements.

( \* \* \*5) Any recipient of funds from the Youth Court Support Fund shall not be eligible for continuing disbursement of funds if the recipient is not in compliance with the terms, conditions and reporting requirements set forth in the procedures promulgated by the Administrative Office of Courts.

SECTION 24. Section 99-35-1, Mississippi Code of 1972, is amended as follows:

99-35-1. In all cases of conviction of a criminal offense against the laws of the state by the judgment of a justice court, or by a municipal court, for the violation of an ordinance thereof, an appeal may be taken within forty (40) days from the date of such judgment of conviction to the county court of the county \* \* \* which shall stay the judgment appealed from. Any person appealing a judgment of a justice court or a municipal court under this section shall post bond for court costs relating to such appeal. The amount of such bond shall be determined by the justice court judge or municipal judge, payable to the state in an amount of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00).

On appearance of the appellant in the \* \* \* county court the case shall be tried anew and disposed of as other cases pending therein.

SECTION 25. Section 9-13-61, Mississippi Code of 1972, is amended as follows:

9-13-61. There shall be an official court reporter for each county \* \* \* court judge in the State of Mississippi, to be appointed by such judge, for the purpose of performing the necessary and required stenographic work of the court or division thereof over which

the appointing judge is presiding, said work to be performed under the direction of such judge and in the same manner and to the same effect as is provided in the chapter on court reporting.

Except as hereinafter provided, the reporters of said courts shall receive an annual salary of not less than Twenty-four Thousand Dollars (\$24,000.00) and may, at the discretion of the board of supervisors, receive a monthly salary equal to that of the reporter of the circuit court district wherein the county lies, the same to be paid monthly by the county out of its general fund.

Provided, however, that in any Class 1 county having a population in excess of fifty-six thousand (56,000) persons according to the 1970 federal decennial census, the reporter shall receive a monthly salary equal to that of the reporter of the circuit court district wherein the county or family court lies, the same to be paid monthly by the county out of its general fund.

Provided further, that in any Class 1 county bordering on the Mississippi River and which has situated therein a national military park and national military cemetery, and having a population in excess of forty-four thousand (44,000) according to the 1970 federal decennial census, the reporter shall receive a monthly salary equal to that of the reporter of the circuit court district wherein the county lies, the same to be paid monthly by the county out of its general fund.

Provided further, that in any Class 1 county bordering on the Mississippi River wherein U.S. Highways 61 and 84 intersect, and having a population in excess of thirty-seven thousand (37,000) in the 1960 federal decennial census, the reporter shall receive a monthly salary equal to that of the reporter of the circuit court district wherein the county lies, the same to be paid monthly by the county out of its general fund.

Provided further, that in addition to the foregoing compensation, all county \* \* \* court reporters shall be paid the same fees for transcript of the record on appeals as are now or hereafter paid circuit court reporters for like or similar work.

SECTION 26. Section 9-9-3, Mississippi Code of 1972, which allows for establishment by agreement of a county court by two or more counties, is repealed.

SECTION 27. Section 9-9-9, Mississippi Code of 1972, which restricts the practice of law by county court judges, is repealed.

SECTION 28. Section 9-9-13, Mississippi Code of 1972, which allows municipalities to supplement county court judge salaries, is repealed.

SECTION 29. Section 9-9-14, Mississippi Code of 1972, which allows an additional county court judge for Harrison County, is repealed.

SECTION 30. Section 9-9-15, Mississippi Code of 1972, which allows additional county court judges for Hinds County, is repealed.

SECTION 31. Section 9-9-16, Mississippi Code of 1972, which allows an additional county court judge for Washington County, is repealed.

SECTION 32. Section 9-9-17, Mississippi Code of 1972, which allows an additional judge for Jackson County, is repealed.

SECTION 33. Section 9-9-18, Mississippi Code of 1972, which allows an additional county court judge for Rankin County, is repealed.

SECTION 34. Section 9-9-18.1, Mississippi Code of 1972, which allows an additional county court judge for Madison County, is repealed.

SECTION 35. Section 9-9-18.2, Mississippi Code of 1972, which allows a county court judge for Pearl River County, is repealed.

SECTION 36. Section 9-9-18.3, Mississippi Code of 1972, which allows an additional county court judge for Lauderdale County, is repealed.

SECTION 37. Section 9-9-18.5, Mississippi Code of 1972, which allows an additional county court judge for DeSoto County, is repealed.

SECTION 38. Section 9-9-18.6, Mississippi Code of 1972, which allows an additional county court judge for Lee County, is repealed.

SECTION 39. Sections 9-9-37, 9-9-39, 9-9-41, 9-9-43 and 9-9-45, Mississippi Code of 1972, which allow counties to establish or abolish a county court, are repealed.

SECTION 40. (1) Candidates for the county court judgeships created by this act shall run for those offices in a special election to be conducted in November 2023. Candidates shall qualify as provided by Section 23-15-977 and shall run for office and be elected as provided in Sections 23-15-974 through 23-15-985 (Nonpartisan Judicial Election Act).

(2) The initial terms of offices of the county court judgeships created by this act shall begin on January 1, 2024, and their terms of office shall continue for three (3) years.

(3) After the initial terms set forth in subsection (2) of this section, the subsequent terms of the offices of the county court judgeships created by this act shall begin on January 1, 2027, and their terms shall continue for four (4) years.

SECTION 41. Section 1 of this act shall take effect and be in force from and after July 1, 2023; Section 40 of this act shall take effect and be in force from and after its passage; and the remainder of this act shall take effect and be in force from and after January 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 93-15-105, MISSISSIPPI CODE OF 1972, TO AUTHORIZE YOUTH COURT, IN ABUSE OR NEGLECT PROCEEDINGS, TO HAVE ORIGINAL, EXCLUSIVE JURISDICTION OF BOTH VOLUNTARY AND INVOLUNTARY TERMINATION OF PARENTAL RIGHTS ACTIONS; TO CREATE A COUNTY COURT IN AND FOR EVERY COUNTY; TO AMEND SECTION 9-9-1, MISSISSIPPI CODE OF 1972, TO CREATE COUNTY COURT DISTRICTS; TO AMEND SECTION 9-9-5, MISSISSIPPI CODE OF 1972, TO SET FORTH THE QUALIFICATIONS OF JUDGES OF THE COUNTY COURTS; TO AMEND SECTION 9-9-11, MISSISSIPPI CODE OF 1972, TO SET FORTH THE SALARY OF THE COUNTY COURT JUDGES; TO AMEND SECTION 9-9-19, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR TERMS OF COURT; TO AMEND SECTION 9-9-21, MISSISSIPPI CODE OF 1972, TO SET FORTH THE JURISDICTION OF THE COUNTY COURT; TO AMEND SECTIONS 9-9-23, 9-1-19, 9-1-23, 9-1-25 AND 9-1-35, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 43-21-107, MISSISSIPPI CODE OF 1972, TO CONFORM YOUTH COURT JURISDICTION; TO AMEND SECTION 43-21-123, MISSISSIPPI CODE OF 1972, TO PROVIDE FUNDING FOR THE COUNTY COURTS; TO AMEND SECTIONS 23-15-973 AND 23-15-975, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-13-1, 9-13-17 AND 9-13-19, MISSISSIPPI CODE OF 1972, TO PROVIDE A COURT REPORTER AND CONFORM PROVISIONS CONCERNING COURT REPORTERS; TO DESIGNATE THE CLERK OF THE COUNTY COURT AND THE CLERK OF THE YOUTH COURT; TO AMEND SECTIONS 43-21-111, 43-21-123, 43-21-125, 43-21-801 and

99-35-1, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 9-13-61, MISSISSIPPI CODE OF 1972, TO DELETE ARCHAIC REFERENCE TO FAMILY COURTS; TO REPEAL SECTION 9-9-3, MISSISSIPPI CODE OF 1972, WHICH ALLOWS FOR ESTABLISHMENT OF A COUNTY COURT BY AGREEMENT OF TWO OR MORE COUNTIES; TO REPEAL SECTION 9-9-9, MISSISSIPPI CODE OF 1972, WHICH RESTRICTS THE PRACTICE OF LAW BY COUNTY COURT JUDGES; TO REPEAL SECTION 9-9-13, MISSISSIPPI CODE OF 1972, WHICH ALLOWS MUNICIPALITIES TO SUPPLEMENT COUNTY COURT JUDGE SALARIES; TO REPEAL SECTION 9-9-14, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR HARRISON COUNTY; TO REPEAL SECTION 9-9-15, MISSISSIPPI CODE OF 1972, WHICH ALLOWS ADDITIONAL COUNTY COURT JUDGES FOR HINDS COUNTY; TO REPEAL SECTION 9-9-16, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR WASHINGTON COUNTY; TO REPEAL SECTION 9-9-17, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL JUDGE FOR JACKSON COUNTY; TO REPEAL SECTION 9-9-18, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR RANKIN COUNTY; TO REPEAL SECTION 9-9-18.1, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR MADISON COUNTY; TO REPEAL SECTION 9-9-18.2, MISSISSIPPI CODE OF 1972, WHICH ALLOWS A COUNTY COURT JUDGE FOR PEARL RIVER COUNTY; TO REPEAL SECTION 9-9-18.3, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR LAUDERDALE COUNTY; TO REPEAL SECTION 9-9-18.5, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR DESOTO COUNTY; TO REPEAL SECTION 9-9-18.6, MISSISSIPPI CODE OF 1972, WHICH ALLOWS AN ADDITIONAL COUNTY COURT JUDGE FOR LEE COUNTY; TO REPEAL SECTIONS 9-9-37, 9-9-39, 9-9-41, 9-9-43 AND 9-9-45, MISSISSIPPI CODE OF 1972, WHICH ALLOW COUNTIES TO ESTABLISH OR ABOLISH A COUNTY COURT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1111 was adopted.

YEAS AND NAYS On H. B. No. 1111. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill, Seymour, Suber. Total--4.

Absent and those not voting---None.

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Senator Jordan called up the following entitled bill:

**H. B. No. 722:** Controlled substances; exclude fentanyl testing materials from definition of "paraphernalia" under.

YEAS AND NAYS On H. B. No. 722. On motion of Senator Hickman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill, Tate. Total--2.

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Senator Carter called up the following entitled bill:

**H. B. No. 288:** Public Utilities Staff; authorize certain personnel to be filled by consulting contract.

YEAS AND NAYS On H. B. No. 288. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Carter called up the following entitled bill:

**H. B. No. 1060:** Electric vehicles; authorize charging by nonutilities.

Senator Carter offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-3-3, Mississippi Code of 1972, as amended by Senate Bill No. 2433, 2023 Regular Session, is amended as follows:

77-3-3. As used in this chapter:

(a) The term "corporation" includes a private or public corporation, a municipality, an association, a joint-stock association or a business trust.

(b) The term "person" includes a natural person, a partnership of two (2) or more persons having a joint or common interest, a cooperative, nonprofit, limited dividend or mutual association, a corporation, or any other legal entity.

(c) The term "municipality" includes any incorporated city, town or village.



(d) The term "public utility" includes persons and corporations, or their lessees, trustees and receivers now or hereafter owning or operating in this state equipment or facilities for:

(i) The provision, furnishing, generation, manufacture, transmission or distribution of electricity to or for the public by any individual person or entity or collection of persons or entities for compensation;

(ii) The transmission, sale, sale for resale, or distribution of natural, artificial, or mixed natural and artificial gas to the public for compensation by means of transportation, transmission, or distribution facilities and equipment located within this state; however, the term shall not include the production and gathering of natural gas, the sale of natural gas in or within the vicinity of the field where produced, or the distribution or sale of liquefied petroleum gas or the sale to the ultimate consumer of natural gas for use as a motor vehicle fuel;

(iii) The transmission, conveyance or reception of any message over wire, of writing, signs, signals, pictures and sounds of all kinds by or for the public, where such service is offered to the public for compensation, and the furnishing, or the furnishing and maintenance, of equipment or facilities to the public, for compensation, for use as a private communications system or part thereof; however, no person or corporation not otherwise a public utility within the meaning of this chapter shall be deemed such solely because of engaging in this state in the furnishing, for private use as last aforementioned, and moreover, nothing in this chapter shall be construed to apply to television stations, radio stations, community television antenna services, video services, Voice over Internet Protocol services ("VoIP"), any wireless services, including commercial mobile services, Internet Protocol ("IP") - enabled services or broadband services; and

(iv) The transmission, distribution, sale or resale of water to the public for compensation, or the collection, transmission, treatment or disposal of sewage, or otherwise operating a sewage disposal service, to or for the public for compensation.

The term "public utility" shall not include any person not otherwise a public utility, who provides or furnishes the services or commodity described in this paragraph only to himself, his employees or tenants as an incident of such employee service or tenancy, if such services are not sold or resold to such tenants or employees on a metered or consumption basis other than the submetering authorized under Section 77-3-97.

(v) The term "public utility shall not include any person not otherwise a public utility, who:

1. Purchases electricity on a metered retail basis from the electric public utility holding a certificate of public convenience and necessity in the area where the person is located; and

2. Provides or furnishes a portion of that electricity, but not electricity from any other source, to the public for compensation directly and exclusively to charge battery-powered electric vehicles and plug-in hybrid electric vehicles.

3. A person meeting the criteria of items 1 and 2 of this subparagraph (v) shall be considered an end-use customer, whether or not such person receives compensation for battery or vehicle charging.

(vi) A public utility's business other than of the character defined in subparagraphs (i) through (iv) of this paragraph is not subject to the provisions of this chapter.

(e) The term "rate" means and includes every compensation, charge, fare, toll, customer deposit, rental and classification, or the formula or method by which such

may be determined, or any of them, demanded, observed, charged or collected by any public utility for any service, product or commodity described in this section, offered by it to the public, and any rules, regulations, practices or contracts relating to any such compensation, charge, fare, toll, rental or classification; however, the term "rate" shall not include charges for electrical current furnished, delivered or sold by one (1) public utility to another for resale.

(f) The word "commission" shall refer to the Public Service Commission of the State of Mississippi, as now existing, unless otherwise indicated.

(g) The term "affiliated interest" or "affiliate" includes:

(i) Any person or corporation owning or holding, directly or indirectly, twenty-five percent (25%) or more of the voting securities of a public utility;

(ii) Any person or corporation in any chain of successive ownership of twenty-five percent (25%) or more of the voting securities of a public utility;

(iii) Any corporation of which fifteen percent (15%) or more of the voting securities is owned or controlled, directly or indirectly, by a public utility;

(iv) Any corporation of which twenty-five percent (25%) or more of the voting securities is owned or controlled, directly or indirectly, by any person or corporation that owns or controls, directly or indirectly, twenty-five percent (25%) or more of the voting securities of any public utility or by any person or corporation in any chain of successive ownership of twenty-five percent (25%) of such securities;

(v) Any person who is an officer or director of a public utility or of any corporation in any chain of successive ownership of fifteen percent (15%) or more of voting securities of a public utility; or

(vi) Any person or corporation that the commission, after notice and hearing, determines actually exercises any substantial influence or control over the policies and actions of a public utility, or over which a public utility exercises such control, or that is under a common control with a public utility, such control being the possession, directly or indirectly, of the power to direct or cause the discretion of the management and policies of another, whether such power is established through ownership of voting securities or by any other direct or indirect means.

However, the term "affiliated interest" or "affiliate" shall not include a joint agency organized pursuant to Section 77-5-701 et seq., nor a member municipality thereof.

(h) The term "facilities" includes all the plant and equipment of a public utility, used or useful in furnishing public utility service, including all real and personal property without limitation, and any and all means and instrumentalities in any manner owned, operated, leased, licensed, used, controlled, furnished or supplied for, by or in connection with its public utility business.

(i) The term "cost of service" includes operating expenses, taxes, depreciation, net revenue and operating revenue requirement at a claimed rate of return from public utility operations.

(j) The term "lead-lag study" includes an analysis to determine the amount of capital which investors in a public utility, the rates of which are subject to regulation under the provisions of this chapter, must provide to meet the day-to-day operating costs of the public utility prior to the time such costs are recovered from customers, and the measurement of (i) the lag in collecting from the customer the cost of providing service, and (ii) the lag in paying the cost of providing service by the public utility.

(k) The term "broadband services" means any service that consists of or includes a high-speed access capability to transmit at a rate that is not less than two hundred (200) kilobits per second either in the upstream or downstream direction and either:

(i) Is used to provide access to the internet, or

(ii) Provides computer processing, information storage, information content or protocol conversion, including any service applications or information service provided over such high-speed access service.

(l) The term "video services" means video programming services without regard to delivery technology, including Internet Protocol technology ("Internet Protocol television or IPTV") and video programming provided as a part of a service that enables users to access content, information, email or other services offered over the public internet. The term "video programming" means any programming as defined in 47 USCS Section 522(20).

(m) The term "Voice over Internet Protocol services" or "VoIP services" means any service that: (i) enables real-time, two-way voice communications that originate from or terminate to the user's location in Internet Protocol or any successor protocol; (ii) uses a broadband connection from the user's location; and (iii) permits users generally to receive calls that originate on the Public Switched Telephone Network and to terminate calls to the Public Switched Telephone Network.

(n) The term "commercial mobile services" means any services as defined in 47 USCS Section 332(d).

(o) The term "Internet Protocol-enabled services" or "IP-enabled services" means any service, capability, functionality, or application provided using Internet Protocol, or any successor protocol, that enables an end user to send or receive a communication in Internet Protocol format, or any successor format, regardless of whether the communications is voice, data or video. Nothing contained in this paragraph shall apply to retail services that are tariffed by the commission.

(p) "Broadband service provider" means an entity that provides broadband services to others on a wholesale basis or to end-use customers on a retail basis.

(q) "Broadband operator" means a broadband service provider that uses the electric delivery system of any public utility of the type as defined in paragraph (d)(i) of this section with the public utility's consent to provide broadband services.

(r) "Electric delivery system" means the poles, lines, fiber, cables, broadband system, materials, equipment, easements and other facilities or properties used by any public utility of the type as defined in paragraph (d)(i) of this section to deliver or facilitate the delivery, sale or use of electric energy.

(s) "Eligible municipality" means any municipality with a population of greater than One Hundred Thousand (100,000) according to the latest decennial census which has been the subject of litigation by the United States Environmental Protection Agency for violations of the Safe Drinking Water Act, 42 USC Section 300(f) et seq.

(t) "Eligible homeowners association" means any homeowners association created and governed by restrictive covenants, if the subdivision subject to these covenants:

(i) Was constructed prior to 1970 outside of municipal boundaries;

(ii) Was subsequently annexed by an eligible municipality, irrespective of whether the municipality was an eligible municipality at the time of annexation or subsequently became eligible; and

(iii) Is adjacent to which a ground water well system originally designed to supply the subdivision which continues to provide drinking water to a private user is located.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 77-3-3, MISSISSIPPI CODE OF 1972, TO ALLOW FOR ELECTRIC VEHICLE CHARGING BY NONUTILITIES WHILE MAINTAINING CONSUMER PROTECTIONS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1060 failed.

YEAS AND NAYS On H. B. No. 1060. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Barrett, Chism, Hill, Tate. Total--4.

Absent and those not voting----None.

Voting Present--Horhn, McDaniel, Sojourner. Total--3.

Senator Carter called up the following entitled bill:

**H. B. No. 1225:** Telephone solicitation; bring forward provisions of law relating to.

Senator Carter offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) All positions, duties and functions of the Mississippi Public Service Commission that are substantially involved with the Mississippi No Call Program, and/or the

No-Call list, database or registry, shall be transferred to the Mississippi Attorney General.

Any person whose position was transferred to the Attorney General in this section shall be given first priority to be employed in that position by the Attorney General.

(2) All records, property, and contractual rights and obligations of, and unexpended balances of appropriations and any other allocations to, the Public Service Commission that relate to positions, duties and functions that are substantially involved with the Mississippi No Call Program, and/or the No-Call list, database or registry, shall be transferred to the Attorney General.

The State Fiscal Officer shall transfer to the Attorney General all funds that are allocated to the Public Service Commission for the purpose of implementing or administering the Mississippi No Call Program, and/or the No-Call list, database or registry, in House Bill \_\_\_\_\_, 2023 Regular Session, and such funds shall be used by the Attorney General during fiscal year 2024, under the same terms and conditions as specified for those funds in House Bill \_\_\_\_\_, 2023 Regular Session.

The Public Service Commission shall assist the Attorney General with the greatest degree of cooperation to carry out the intent and purpose of this act and to accomplish an orderly transition.

SECTION 2. Section 77-3-705, Mississippi Code of 1972, is amended as follows:

77-3-705. For the purposes of this article, the following words and terms shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Consumer" means a person or business that receives a telephone call or text message from a telephone solicitor.

(b) "Caller identification service" means a type of telephone service which permits a telephone subscriber to view the telephone number and name of the person or entity making an incoming telephone call or text message.

(c) "Telephone solicitor" means any person, firm, entity, organization, partnership, association, corporation, charitable entity, or a subsidiary or affiliate thereof, who engages in any type of telephone solicitation on his or her own behalf or through representatives, independent contractors, salespersons, agents, automated dialing systems, text messaging systems, or any other machines or other individuals or systems.

(d) "Telephone solicitation" means any voice or text message communication over the telephone line or cellular network of a consumer for the purpose of:

(i) Encouraging the purchase or rental of, or investment in, property;

(ii) Soliciting a sale of any consumer goods or services, or an extension of credit for consumer goods or services;

(iii) Soliciting any other item of value, pecuniary or otherwise, regardless of whether a sales presentation is made; or

(iv) Soliciting a charitable contribution of money or property.

\* \* \*

( \* \* \*e) "Doing business in this state" refers to businesses which conduct telephone solicitations from any location to consumers located in this state.

( \* \* \*f) "Consumer goods or services" means any real property or any tangible or intangible personal property which is normally used for personal, family or household purposes, including, without limitation, any property intended to be attached to, or installed in, any real property, and any services related to the property.

( \*\*g) "Established business relationship" means a prior or existing relationship formed by a voluntary two-way communication between a person or entity and a consumer, with or without an exchange of consideration, on the basis of an inquiry, application, purchase or transaction by the consumer, which relationship is currently existing or was terminated within six (6) months of the telephone solicitation; however, the act of purchasing consumer goods or services under an extension of credit does not create an existing business relationship between the consumer and the entity extending credit to the consumer for such purchase. The term does not include the situation wherein the consumer has merely been subject to a telephone solicitation by or at the behest of the telephone solicitor within the six (6) months immediately preceding the contemplated telephone solicitation.

( \*\*h) "Charitable organization" means any person or entity holding itself out to be established for any benevolent, educational, philanthropic, humane, scientific, patriotic, social welfare or advocacy, public health, environmental or conservation, civic or other eleemosynary purpose or for the benefit of law enforcement personnel, firefighters, or any other persons who protect the public safety, or for any other purpose where a charitable appeal is the basis of the solicitation.

( \*\*i) "Sales presentation" means attempting to obtain something of value, pecuniary or otherwise, regardless of whether consideration is or is expected to be exchanged.

(j) "Do Not Call Registry" means the registry created and maintained by the Federal Trade Commission pursuant to the Telemarketing Sales Rule or any other telemarketing registry created by the federal government, or the prior registry created by the Mississippi Public Service Commission.

(k) "Attorney General" means the Attorney General of the State of Mississippi.

SECTION 3. Section 77-3-707, Mississippi Code of 1972, is amended as follows:

77-3-707. (1) Except as otherwise provided pursuant to Section 77-3-709 or 77-3-711, a telephone solicitor may not make or cause to be made any telephone solicitation to any consumer in this state unless the telephone solicitor has \*\* obtained the "no-calls" database directly from \*\* the Federal Trade Commission or other federal agency.

(2) Except as otherwise provided pursuant to Section 77-3-709 or 77-3-711, a telephone solicitor may not make or cause to be made any telephone solicitation to any consumer in this state who has given notice to the \*\* federal government, or given notice to the Public Service Commission prior to July 1, 2023, of his or her objection to receiving telephone solicitations.

\*\*\*

( \*\*3) Each local exchange company and each competing local exchange carrier shall provide written notification on a semiannual basis to each of its consumers of the opportunity to provide notification to the \*\* Federal Trade Commission, or other entity as designed by federal law, that the consumer objects to receiving telephone solicitations. The notification must be disseminated at the option of the carrier, by television, radio or newspaper advertisements, written correspondence, bill inserts or messages, a publication in the consumer information pages of the local telephone directory, or any other method not expressly prohibited by the \*\* Attorney General.

\*\*\*

SECTION 4. Section 77-3-709, Mississippi Code of 1972, is amended as follows:

77-3-709. The \*\*\* Attorney General, in \*\*\* his or her discretion, may allow telephone solicitors to make telephone solicitations without requiring them to purchase the "no-calls" database, and regardless of whether a telephone solicitation may be made to a consumer who has given notice of his objection to receiving such solicitations, provided that it adopts a written policy incorporating the following criteria:

(a) The telephone solicitor must demonstrate to the \*\*\* Attorney General that its proposed telephone solicitation is reasonably related to an established business relationship as defined in Section 77-3-705(h), or is being made in response to an invitation or notice from a consumer which clearly signifies that he is open to a contact being initiated;

(b) The telephone solicitation is to be made by a person or entity for the purpose of soliciting a contribution or donation to a bona fide nonprofit corporation, regardless of whether consumer goods or services will be provided to the consumer in return for the contribution or donation; or

(c) The consumer will not be telephoned for a telephone solicitation as defined in Section 77-3-705(d), but he will be telephoned for a bona fide religious or charitable purpose, including an invitation to attend an event or a request for a contribution or donation.

In all cases, the telephone solicitor must demonstrate that it will not use an automated dialing system or a method that will block or otherwise circumvent the consumer's use of a caller identification service.

In making its determination of whether to allow a telephone solicitation to be made under the policy which will include the limitations set forth in this section, the \*\*\* Attorney General shall exercise due care in investigating previous conduct of the telephone solicitor seeking such authority. The \*\*\* Attorney General may deny any telephone solicitor the privilege of making telephone solicitations under this section, notwithstanding that any of the criteria set forth in this section have been met.

SECTION 5. Section 77-3-713, Mississippi Code of 1972, is amended as follows:

77-3-713. All telephone solicitors must register with the \*\*\* Attorney General before conducting any telephone solicitations in the State of Mississippi.

SECTION 6. Section 77-3-715, Mississippi Code of 1972, is amended as follows:

77-3-715. The \*\*\* Attorney General may promulgate rules and regulations necessary to effectuate this article, including, but not limited to, the following:

\*\*\*

(\*\*\*a) The methods by which a notice of objection becomes effective and the effect of a change of telephone number on the notice;

\*\*\*

(\*\*\*b) The process by which telephone solicitors must register with the \*\*\* Attorney General for the purpose of conducting telephonic solicitations in the state;

\*\*\*

(\*\*\*c) The establishment of a written policy which clearly articulates the circumstances under which the \*\*\* Attorney General, in \*\*\* his or her discretion, may allow exceptions to the provisions of this article pursuant to Section 77-3-703; and

( \*\*d) All other matters relating to the database that the \*\*\* Attorney General deems necessary.

SECTION 7. Section 77-3-717, Mississippi Code of 1972, is amended as follows:

77-3-717. If the Federal Trade Commission establishes a single national database of telephone numbers of consumers who object to receiving telephone solicitations, the \*\*\* Attorney General may utilize the single national database \*\*\* for enforcement in the State of Mississippi \*\*. \*\*\* The \*\*\* Attorney General shall make available the state's database of telephone numbers of consumers who object to receiving telephone solicitations to the Federal Trade Commission for inclusion in the national database.

SECTION 8. Section 77-3-721, Mississippi Code of 1972, is amended as follows:

77-3-721. All fees collected under the provisions of this article shall be deposited into a special fund which is created in the State Treasury to be expended by the \*\*\* Attorney General for the implementation and administration of this article. From and after July 1, 2016, the expenses of \*\*\* the Attorney General to implement the Mississippi Telephone Solicitation Act shall be defrayed by appropriation from the State General Fund, and all user charges and fees authorized under this article shall be deposited into the State General Fund as authorized by law and as determined by the State Fiscal Officer.

\*\*\*

SECTION 9. Section 77-3-725, Mississippi Code of 1972, is amended as follows:

77-3-725. The \*\*\* Attorney General may investigate alleged violations and initiate proceedings relative to a violation of this article or any rules and regulations promulgated pursuant to this article. Such proceedings include, without limitation, proceedings to issue a cease and desist order \*\*. Any telephone solicitor found to have violated this article, pursuant to \*\*\* an investigation or by default, may be subject to a civil penalty not to exceed Ten Thousand Dollars (\$10,000.00) for each violation to be assessed and collected by the \*\*\* Attorney General. Each telephonic communication shall constitute a separate violation.

All penalties collected by the \*\*\* Attorney General shall be deposited in the special fund created under Section 77-3-721, or as otherwise authorized by law for the administration of this article.

The \*\*\* Attorney General may issue subpoenas, require the production of relevant documents, administer oaths, conduct hearings, and do all things necessary in the course of investigating, determining and adjudicating an alleged violation.

The remedies, duties, prohibitions and penalties set forth under this article shall not be exclusive and shall be in addition to all other causes of action, remedies and penalties provided by law \*\*.

SECTION 10. Section 77-3-727, Mississippi Code of 1972, is amended as follows:

77-3-727. Any person who has received a telephone solicitation in violation of this article, or any rules and regulations promulgated pursuant to this article, may file a complaint with the \*\*\* Attorney General. The complaint will be processed pursuant to complaint procedures established by the \*\*\* Attorney General.

SECTION 11. Section 77-3-731, Mississippi Code of 1972, is amended as follows:



77-3-731. The \*\*\* Attorney General is granted personal jurisdiction over any telephone solicitor, whether a resident or a nonresident, \*\*\* for the purpose of administering this article. The \*\*\* Attorney General is granted personal jurisdiction over any nonresident telephone solicitor, its executor, administrator, receiver, trustee or any other appointed representative of such nonresident as to an action or proceeding authorized by this article or any rules and regulations promulgated pursuant to this article as authorized by Section 13-3-57, and also upon any nonresident, his or her executor, administrator, receiver, trustee or any other appointed representative of such nonresident who has qualified under the laws of this state to do business herein. The Attorney General may bring an action to enforce this act in the Chancery Court of Hinds County, Mississippi, First Judicial District, or in the Chancery Court of the county where a defendant resides or has their principal place of business. Service of summons and process upon the alleged violator of this article shall be had or made as is provided by the Mississippi Rules of Civil Procedure.

SECTION 12. Section 77-3-733, Mississippi Code of 1972, is amended as follows:

77-3-733. Any party aggrieved by any final order of the \*\*\* Chancery Court pursuant to this article, or any rules and regulations promulgated pursuant to this article, shall have the right of appeal to the \*\*\* Supreme Court of Mississippi.

SECTION 13. Section 77-3-735, Mississippi Code of 1972, is amended as follows:

77-3-735. No provider of telephonic caller identification service, local exchange telephone company or long distance company certificated by the \*\*\* Mississippi Public Service Commission may be held liable for violations of this article committed by other persons or entities.

SECTION 14. Section 77-3-701, Mississippi Code of 1972, is brought forward as follows:

77-3-701. This article shall be known and may be cited as the "Mississippi Telephone Solicitation Act."

SECTION 15. Section 77-3-703, Mississippi Code of 1972, is brought forward as follows:

77-3-703. (1) The use of the telephone to make all types of solicitations to consumers is pervasive. This article gives consumers a tool by which to object to telemarketing calls and text messages, as these communications can amount to a nuisance, an invasion of privacy, and can create a health and safety risk for certain consumers who maintain their phone service primarily for emergency medical situations.

(2) Any calls made for political purposes shall be governed by Section 23-15-875.

SECTION 16. Section 77-3-711, Mississippi Code of 1972, is brought forward as follows:

77-3-711. The provisions of this article shall not apply to:

(a) A person soliciting:

(i) Who does not make the major sales presentation during the telephone solicitation;

(ii) Without the intent to complete or obtain provisional acceptance of a sale, a charitable contribution, or the payment of some other item of value, pecuniary or otherwise, during the telephone solicitation; or

(iii) Without the intent to complete, and who does not complete, the sales presentation during the telephone solicitation, but who completes the sales presentation at a later face-to-face meeting between the person soliciting and the prospective purchaser or consumer.

(b) A person who is a licensee under Chapter 35, Title 73, Mississippi Code of 1972, who is a resident of the State of Mississippi, and whose telephone solicitation is for the sole purpose of selling, exchanging, purchasing, renting, listing for sale or rent or leasing real estate in connection with his real estate license and not in conjunction with any other offer.

(c) A motor vehicle dealer as that term is defined in Section 63-17-55, who is a resident of the State of Mississippi and who maintains a current motor vehicle dealer's license issued by the Mississippi Motor Vehicle Commission, whose telephone solicitation is for the sole purpose of selling, offering to sell, soliciting or advertising the sale of motor vehicles in connection with his motor vehicle dealer's license and not in conjunction with any other offer.

(d) An agent as that term is defined in Section 83-17-1 whose telephone solicitation is for the sole purpose of soliciting, consulting, advising, or adjusting in the business of insurance.

(e) A broker-dealer, agent, or investment advisor registered under Chapter 71, Title 75, Mississippi Code of 1972, whose telephone solicitation is for the sole purpose of effecting or attempting to effect the purchase or sale of securities or has the purpose of providing or seeking to provide investment or financial advice.

(f) A person calling on behalf of a charitable organization which is registered under Chapter 11, Title 79, Mississippi Code of 1972, whose telephone solicitation is for the sole purpose of soliciting for the charitable organization and who receives no compensation for his activities on behalf of the organization.

(g) A person calling on behalf of a newspaper of general circulation, whose telephone solicitation is for the sole purpose of soliciting a subscription to the newspaper from, or soliciting the purchase of advertising by, the consumer.

(h) A person calling on behalf of any supervised financial institution or parent, subsidiary or affiliate thereof. As used in this section, "supervised financial institution" means any commercial bank, trust company, savings and loan association, mutual savings bank, credit union, industrial loan company, small loan company, consumer finance lender, commercial finance lender or insurer, provided that the institution has a physical office located in the State of Mississippi and is subject to supervision by an official or agency of the State of Mississippi or of the United States.

(i) A person calling on behalf of a funeral establishment licensed under Section 73-11-41, cemetery or monument dealer, if the sole purpose of the telephone solicitation relates to services provided by the funeral or death related establishments in the course of its ordinary business.

(j) Any telephone solicitor who solicits a consumer with whom he has an established business relationship.

SECTION 17. Section 77-3-719, Mississippi Code of 1972, is brought forward as follows:

77-3-719. Information contained in the database established under this article may be used and accessed only for the purpose of compliance with this article and shall not be otherwise subject to public inspection or disclosure.

SECTION 18. Section 77-3-723, Mississippi Code of 1972, is brought forward as follows:

77-3-723. (1) Any person or entity who makes an authorized telephone solicitation to a consumer in this state shall announce clearly, at the beginning of each call, his or her name, the company he or she represents and the purpose of the call. Such calls may only be made between the hours of 8:00 a.m. and 8:00 p.m. Central Standard Time. No telephone solicitations may be made on a Sunday. For purposes of this provision, an "authorized telephone solicitation" means a solicitation that is made: (a) to a consumer who is not listed on the most current "no-calls" database; (b) by a telephone solicitor who has been authorized to make such solicitations under the provisions of Section 77-3-709; or (c) by a telephone solicitor who is exempt from this article under the provisions of Section 77-3-711.

(2) A person or entity who makes a telephone solicitation to a consumer in this state may not utilize knowingly any method that blocks or otherwise circumvents the consumer's use of a caller identification service, nor may the person or entity use an automated dialing system or any like system that uses a recorded voice message to communicate with the consumer unless the person or entity has an established business relationship with the consumer and uses the recorded voice message to inform the consumer about a new product or service.

SECTION 19. Section 77-3-729, Mississippi Code of 1972, is brought forward as follows:

77-3-729. It shall be a defense in any action or proceeding brought under Section 77-3-725 or 77-3-727 that the defendant has established and implemented, with due care, reasonable practices and procedures to effectively prevent telephone solicitations in violation of this article.

SECTION 20. Section 77-3-601, Mississippi Code of 1972, is brought forward as follows:

77-3-601. As used in this article:

(a) "Telephonic sales call" means a call made by a telephone solicitor to a consumer for the purpose of soliciting a sale of any consumer goods or services, or for the purpose of soliciting an extension of credit for consumer goods or services, or for the purpose of obtaining information or an extension of credit for these purposes.

(b) "Consumer goods or services" means any real property or any tangible or intangible personal property which is normally used for personal, family or household purposes, including, without limitation, any property intended to be attached to or installed in any real property regardless of whether it is attached or installed, as well as cemetery lots and time-share estates, and any services related to the property.

(c) "Unsolicited telephonic sales call" means a telephonic sales call other than a call made:

(i) In response to an express request of the person called;

(ii) In connection with an existing debt or contract, payment or performance which has not been completed at the time of the call; or

(iii) To any person with whom the telephone solicitor has an established business relationship.

(d) "Consumer" means an actual or prospective purchaser, lessee or recipient of consumer goods or services.

(e) "Merchant" means a person who, directly or indirectly, offers or makes available to consumers any consumer goods or services.

(f) "Telephone solicitor" means any natural person, firm, organization, partnership, association, corporation, or a subsidiary or affiliate thereof, doing business in this state, who makes or causes to be made a telephonic sales call.

(g) "Doing business in this state" refers to businesses who conduct telephonic sales calls from a location in Mississippi or from other states or nations to consumers located in Mississippi.

(h) "Established business relationship" means a prior or existing relationship formed by a voluntary two-way communication between a person or entity and a consumer with or without an exchange of consideration, on the basis of an inquiry, application, purchase or transaction by such person or entity, which relationship has not been previously terminated by either party.

SECTION 21. Section 77-3-603, Mississippi Code of 1972, is brought forward as follows:

77-3-603. Any telephone solicitor who makes an unsolicited telephonic sales call to a residential telephone number shall:

(a) Make calls between the hours of 8:00 a.m. and 9:00 p.m., Central Standard Time, Monday through Friday, and between the hours of 8:00 a.m. and 9:00 p.m. on Saturdays (no calls shall be made on Sundays);

(b) Identify himself or herself by his or her true first and last names and the business on whose behalf he or she is soliciting immediately upon making contact by telephone with the person who is the object of the telephone solicitation; and

(c) Discontinue the call immediately if at any time during the conversation the person being solicited expresses disinterest in continuing the call or sales presentation.

SECTION 22. Section 77-3-605, Mississippi Code of 1972, is brought forward as follows:

77-3-605. Any telephone solicitor shall apply for a certificate of registration from the Office of the Attorney General as a condition for doing business in this state. The certificate of registration shall be in a form as prescribed by the Attorney General.

The application for a certificate of registration shall be accompanied by a surety bond in the penal sum of Seventy-five Thousand Dollars (\$75,000.00) with conditions and in a form prescribed by the Attorney General. The bond shall provide for the indemnification of any person suffering loss as the result of any fraud, misrepresentation or violation of Sections 77-3-601 through 77-3-619 by the principal. The term of the bond shall be continuous, but it shall be subject to cancellation by the surety in the manner described in this section. The surety may terminate the bond upon giving a sixty-day written notice to the principal and to the Attorney General, but the liability of the surety for acts of the principal and its agents shall continue during the sixty (60) days of cancellation notice. The notice does not absolve the surety from liability which accrues before the cancellation becomes final but which is discovered after that date and which may have arisen at any time during the term of the bond. Unless the bond is replaced by that of another surety before the expiration of the sixty (60) days' notice of cancellation, the certificate of registration shall be suspended. Any person required pursuant to this section to file a bond with an application for a certificate of registration may file, in lieu thereof, cash, a certificate of deposit, or government bonds in the amount of Seventy-five

Thousand Dollars (\$75,000.00). Such deposit is subject to the same terms and conditions as are provided for in the surety bond required herein. Any interest or earnings on such deposits are payable to the depositor.

SECTION 23. Section 77-3-607, Mississippi Code of 1972, is brought forward as follows:

77-3-607. (1) A contract made pursuant to a telephonic sales call is not valid and enforceable against a consumer unless made in compliance with this section.

(2) A contract made pursuant to a telephonic sales call shall:

(a) Be reduced to writing and signed by the consumer.

(b) Comply with all other applicable laws and rules.

(c) Match the description of goods or services as principally used in the telephone solicitations.

(d) Contain the name, address, and telephone number of the seller, the total price of the contract and a detailed description of the goods or services being sold.

(e) Contain, in bold, conspicuous type, immediately preceding the signature, the following statement:

"YOU ARE NOT OBLIGATED TO PAY ANY MONEY UNLESS YOU SIGN THIS  
CONTRACT AND RETURN IT TO THE SELLER."

(f) Include in its terms any oral or written representations made by the telephone solicitor to the consumer in connection with the transaction.

(3) The provisions of this section do not apply to contractual sales regulated under other sections of the Mississippi statutes and to contractual sales of companies which provide telecommunication services and reach binding agreements by telephone for these services.

(4) A merchant who engages a telephone solicitor to make or cause to be made a telephonic sales call shall not make or submit any charge to the consumer's credit card account until after the merchant receives from the consumer a copy of the contract which complies with this section.

(5) The provisions of this section do not apply to a transaction:

(a) Made in accordance with prior negotiations in the course of a visit by the consumer to a merchant operating a retail business establishment which has a fixed permanent location and where consumer goods are displayed or offered for sale on a continuing basis;

(b) In which the consumer may obtain a full refund for the return of undamaged and unused goods or a cancellation of services notice to the seller within seven (7) days after receipt by the consumer, and the seller will process the refund within thirty (30) days after receipt of the returned merchandise by the consumer;

(c) In which the consumer purchases goods or services after an examination of a television, radio, or print advertisement or a sample, brochure, or catalog of the merchant that contains the name, address and telephone number of the merchant; a description of the goods or services being sold; and any limitations or restrictions that apply to the offer; or

(d) In which the merchant is a bona fide charitable organization ruled tax-exempt by the Internal Revenue Service.

SECTION 24. Section 77-3-609, Mississippi Code of 1972, is brought forward as follows:

77-3-609. The provisions of Sections 77-3-601 through 77-3-619 shall not apply to:

(a) A person engaging in commercial telephone solicitation where the solicitation is an isolated transaction and not done in the course of a pattern of repeated transactions of like nature.

(b) A person making calls for religious, charitable, political, education or other noncommercial purposes, or a person soliciting for a nonprofit corporation if that corporation is properly registered as such with the Secretary of State and is included within the exemption of Section 501(c)(3) or Section 501(c)(6) of the Internal Revenue Code.

(c) A person soliciting:

(i) Without the intent to complete or obtain provisional acceptance of a sale during the telephone solicitation;

(ii) Who does not make the major sales presentation during the telephone solicitation; or

(iii) Without the intent to complete, and who does not complete, the sales presentation during the telephone solicitation, but who completes the sales presentation at a later face-to-face meeting between the seller and the prospective purchaser. However, if a seller, directly following a telephone solicitation, causes an individual whose primary purpose it is to go to the prospective purchaser to collect the payment or deliver any item purchased, this exemption does not apply.

(d) Any licensed securities, commodities, or investments broker, dealer or investment advisor, when soliciting within the scope of his license. As used in this section, "licensed securities, commodities, or investments broker, dealer or investment advisor" means a person subject to license or registration as such by the Securities and Exchange Commission, by the National Association of Securities Dealers or other self-regulatory organization as defined by the Securities Exchange Act of 1934 (15 USC Section 781), or by an official or agency of this state or of any state of the United States.

(e) Any licensed associated person of a securities, commodities, or investments broker, dealer or investment advisor, when soliciting within the scope of his license. As used in this section, "licensed associated person of a securities, commodities, or investment broker, dealer or investment advisor" means any associated person registered or licensed by the National Association of Securities Dealers or other self-regulatory organization as defined by the Securities Exchange Act of 1934 (15 USC Section 781) or by an official or agency of this state or of any state of the United States.

(f) A person primarily soliciting the sale of a newspaper, magazine or periodical of general circulation by its publisher, or by the publisher's agent through written agreement.

(g) A book, video or record club or contractual plan or arrangement:

(i) Under which the seller provides the consumer with a form which the consumer may use to instruct the seller not to ship the offered merchandise;

(ii) Which is regulated by the Federal Trade Commission trade regulation concerning "use of negative option plans by sellers in commerce"; or

(iii) Which provides for the sale of books, records or videos which are not covered under paragraphs (i) or (ii), including continuity plans, subscription arrangements, standing order arrangements, supplements and series arrangements under which the seller periodically ships merchandise to a consumer who has consented in advance to receive such merchandise on a periodic basis.

(h) Any supervised financial institution or parent, subsidiary or affiliate thereof. As used in this section, "supervised financial institution" means any commercial bank, trust company, savings and loan association, mutual savings bank, credit union, industrial loan company, consumer finance lender, commercial finance lender or insurer, provided that the institution is subject to supervision by an official or agency of this state, of any state or of the United States.

(i) Any licensed insurance or real estate broker, agent, customer representative or solicitor when soliciting within the scope of his license. As used in this section, "licensed insurance or real estate broker, agent, customer representative or solicitor" means any insurance or real estate broker, agent, customer representative or solicitor licensed by an official or agency of this state or of any state of the United States.

(j) A person soliciting the sale of services provided by a cable television system operating under authority of a franchise or permit.

(k) A person who solicits sales by periodically publishing and delivering a catalog of the seller's merchandise to prospective purchasers, if the catalog:

(i) Contains a written description or illustration of each item offered for sale;

(ii) Includes the business address or home office address of the seller;

(iii) Includes at least twenty-four (24) pages of written material and illustrations and is distributed in more than one (1) state; or

(iv) Has an annual circulation by mailing of not less than two hundred fifty thousand (250,000).

(l) A person who solicits contracts for the maintenance or repair of goods previously purchased from the person making the solicitation or on whose behalf the solicitation is made.

(m) A telephone company, or its subsidiary or agents, or a business which is regulated by the Mississippi Public Service Commission, or a Federal Communications Commission licensed cellular telephone company or other bona fide radio telecommunication services provider.

(n) Any publicly traded corporation which has securities registered with the Securities and Exchange Commission which are a reported security within the meaning of subparagraph (4) of Regulation Section 240.11a3-1.(a), under the Securities Exchange Act of 1934, or which is exempt from registration under subparagraph (A), (B), (C), (E), (F), (G) or (H) of paragraph (2) of subsection (g) of Section 12 of the Securities Exchange Act of 1934 (15 USC Section 781), or any subsidiary of such a corporation.

(o) A business soliciting exclusively the sale of telephone answering services, provided that the telephone answering services will be supplied by the solicitor.

(p) A person soliciting a transaction regulated by the Commodity Futures Trading Commission if the person is registered or temporarily licensed for this activity with the Commodity Futures Trading Commission under the Commodity Exchange Act (7 USC Section 1 et seq.) and the registration or license has not expired or been suspended or revoked.

(q) A person soliciting the sale of food or produce if the solicitation neither intends to result in, or actually results in, a sale which costs the purchaser in excess of One Hundred Dollars (\$100.00).

(r) A person soliciting business from prospective consumers who have an established business relationship with, or who have previously purchased from, the business enterprise for which the solicitor is calling, if the solicitor is operating under the same exact business name.

(s) A person who has been operating, for at least one (1) year, a retail business establishment under the same name as that used in connection with telemarketing, and both of the following occur on a continuing basis:

(i) Either products are displayed and offered for sale, or services are offered for sale and provided at the business establishment; and

(ii) A majority of the seller's business involves the buyer obtaining such products or services at the seller's location.

(t) Any telephone marketing service company which provides telemarketing sales services under contract to sellers and has been operating continuously for at least five (5) years under the same business name and seventy-five percent (75%) of its contracts are performed on behalf of persons exempted from Sections 77-3-601 through 77-3-619.

SECTION 25. Section 77-3-611, Mississippi Code of 1972, is brought forward as follows:

77-3-611. The Attorney General shall investigate any complaints received concerning violations of Sections 77-3-601 through 77-3-619. If, after investigating any complaint, the Attorney General finds that there has been a violation of Sections 77-3-601 through 77-3-619, the Attorney General may bring an action to impose a civil penalty and to seek other relief, including injunctive relief, as the court deems appropriate against the telephone solicitor. The civil penalty shall not exceed Ten Thousand Dollars (\$10,000.00) per violation and shall be deposited in the State General Fund, unallocated. This civil penalty may be recovered in any action brought under Sections 77-3-601 through 77-3-619 by the Attorney General. Alternatively, the Attorney General may terminate any investigation or action upon agreement by the person to pay a stipulated civil penalty. The Attorney General or the court may waive any civil penalty if the person has previously made full restitution or reimbursement or has paid actual damages to the consumers who have been injured by the violation.

SECTION 26. Section 77-3-613, Mississippi Code of 1972, is brought forward as follows:

77-3-613. In any civil proceeding alleging a violation of Sections 77-3-601 through 77-3-619, the burden of proving an exemption or an exemption from a definition is upon the person claiming it.

SECTION 27. Section 77-3-615, Mississippi Code of 1972, is brought forward as follows:



77-3-615. (1) In any civil litigation resulting from a transaction involving a violation of Sections 77-3-601 through 77-3-619, the prevailing party, after judgment in the trial court and exhaustion of all appeals, if any, shall receive his reasonable attorney's fees and costs from the nonprevailing party.

(2) The attorney for the prevailing party shall submit a sworn affidavit of his time spent on the case and his costs incurred for all the motions, hearings, and appeals to the trial judge who presided over the civil case.

(3) The trial judge shall award the prevailing party the sum of reasonable costs incurred in the action plus a reasonable legal fee for the hours actually spent on the case as sworn to in an affidavit.

(4) Any award of attorney's fees or costs shall become a part of the judgment and subject to execution as the law allows.

(5) In any civil litigation initiated by the Attorney General, the court may award to the prevailing party reasonable attorney's fees and costs if the court finds that there was a complete absence of a justiciable issue of either law or fact raised by the losing party, or if the court finds bad faith on the part of the losing party.

SECTION 28. Section 77-3-617, Mississippi Code of 1972, is brought forward as follows:

77-3-617. The Attorney General shall by rule ensure that telecommunications companies inform their customers of the provisions of Sections 77-3-601 through 77-3-619. The notification may be made by:

(a) Annual inserts in the billing statements mailed to customers; and

(b) Conspicuous publication of the notice in the consumer information pages of the local telephone directories.

SECTION 29. Section 77-3-619, Mississippi Code of 1972, is brought forward as follows:

77-3-619. The Attorney General is authorized to issue any necessary rules and regulations in order to carry out the provisions of Sections 77-3-601 through 77-3-619.

SECTION 30. Section 77-3-801, Mississippi Code of 1972, is brought forward as follows:

77-3-801. This article may be cited as the "Caller ID Anti-Spoofing Act."

SECTION 31. Section 77-3-803, Mississippi Code of 1972, is brought forward as follows:

77-3-803. As used in this article:

(a) "Automatic number identification" means a system that identifies the billing account for a call and includes an enhanced 911 service capability that enables the automatic display of the ten-digit number used to place a 911 call from a wire line, wireless, interconnected VoIP or nontraditional telephone service.

(b) "Caller identification information" means information provided by a caller identification service regarding the telephone number, or other origination information, of a call or facsimile transmission made using a telecommunications service or an interconnected VoIP service, or of a text message sent using a text-messaging service.

(c) "Caller identification service" means any service or device designed to provide the user of the service or device with the telephone number of, or other information regarding the origination of, a call made using a telecommunications service or interconnected VoIP service. The term includes automatic number identification services.

(d) "Interconnected VoIP service" means an interconnected Voice over Internet Protocol service that:

- (i) Enables real-time, two-way voice communications;
- (ii) Requires a broadband internet connection from the user's location;
- (iii) Requires internet protocol-compatible customer premises equipment; and
- (iv) Permits users generally to receive calls that originate on the public switched telephone network and to terminate calls to the public switched telephone network.

(e) "Place of primary use" means the street address where a subscriber's use of a telecommunications service or interconnected VoIP service primarily occurs, which shall be:

- (i) The residential street address or the primary business street address of the subscriber or, in the case of a subscriber of interconnected VoIP service, the subscriber's registered location; and
- (ii) Within the licensed service area of the provider.

(f) "Provider" means a person or entity that offers telecommunications service or interconnected VoIP service.

(g) "Registered location" means the most recent information obtained by an interconnected VoIP service provider that identifies the physical location of an end user.

(h) "Subscriber" means a person:

- (i) Who subscribes to a caller identification service in connection with a telecommunications service or an interconnected VoIP service; and
- (ii) Whose place of primary use for the service described in paragraph (h)(i) is located in Mississippi.

(i) "Telecommunications service" means the offering of telecommunications for a fee directly to the public, or to classes of users so as to be effectively available directly to the public, regardless of the facilities used.

SECTION 32. Section 77-3-805, Mississippi Code of 1972, is brought forward as follows:

77-3-805. Except as provided in Section 77-3-807, a person shall not, in connection with any telecommunications service or interconnected VOIP service, knowingly and with the intent to defraud or cause harm to another person or to wrongfully obtain anything of value, cause any caller identification service to transmit misleading or inaccurate caller identification information to a subscriber.

SECTION 33. Section 77-3-807, Mississippi Code of 1972, is brought forward as follows:

77-3-807. This article does not apply to:

- (a) The blocking of caller identification information.
- (b) Any law enforcement agency of the federal, state, county or municipal government.
- (c) Any intelligence or security agency of the federal government.
- (d) A telecommunications, broadband or voice-over-Internet service provider that is acting solely as an intermediary for the transmission of telephone service between the caller and the recipient.

SECTION 34. Section 77-3-809, Mississippi Code of 1972, is brought forward as follows:

77-3-809. (1) Any person who violates this article shall be guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine of not more than One Thousand Dollars (\$1,000.00) or shall be imprisoned in the county jail not exceeding one (1) year, or both.

(2) Any violation of this article constitutes an unlawful trade practice under Section 75-24-5 and, in addition to any remedies or penalties set forth in this article, shall be subject to any remedies or penalties available for a violation of that statute.

(3) Any violation of this article constitutes a violation of the Mississippi Telephone Solicitation Act, Section 77-3-701 et seq., and in addition to any remedies or penalties provided in this article, shall be subject to any remedies or penalties available for a violation of that act.

SECTION 35. Section 23-15-875, Mississippi Code of 1972, is brought forward as follows:

23-15-875. No person, including a candidate, shall publicly or privately make, in a campaign then in progress, any charge or charges reflecting upon the honesty, integrity or moral character of any candidate, so far as his or her private life is concerned, unless the charge be in fact true and actually capable of proof; and any person who makes any such charge shall have the burden of proof to show the truth thereof when called to account therefor under any affidavit or indictment against him or her for a violation of this section. Any language deliberately uttered or published which, when fairly and reasonably construed and as commonly understood, would clearly and unmistakably imply any such charge, shall be deemed and held to be the equivalent of a direct charge.

SECTION 36. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 77-3-705, 77-3-707, 77-3-709, 77-3-713, 77-3-715, 77-3-717, 77-3-721, 77-3-725, 77-3-727, 77-3-731, 77-3-733 AND 77-3-735, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI TELEPHONE SOLICITATION ACT, TO TRANSFER THE STATE'S TELEPHONE SOLICITATION ADMINISTRATIVE, INVESTIGATIVE, AND ENFORCEMENT RESPONSIBILITIES AND DUTIES FROM THE MISSISSIPPI PUBLIC SERVICE COMMISSION TO THE MISSISSIPPI ATTORNEY GENERAL; TO REMOVE THE DEFINITION OF THE TERM "COMMISSION"; TO DEFINE THE TERM "DO NOT CALL REGISTRY"; TO REMOVE ALL REFERENCES TO THE PUBLIC SERVICE COMMISSION, AND INSERT THE

ATTORNEY GENERAL IN LIEU THEREOF; TO REMOVE THE REPEALER OF JULY 1, 2024, ON THE PROVISION OF LAW RELATING TO EXPENSES OF THE AGENCY AND FEES COLLECTED; TO REMOVE THE REQUIREMENT FOR A HEARING, AND PENALTY FOR FAILURE TO APPEAR FOR A HEARING; TO PROVIDE THE COURT WHERE THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE THIS ACT; TO PROVIDE FOR THE UTILIZATION OF A SINGLE DO NOT CALL REGISTRY; TO CLARIFY THAT THE DO NOT CALL REGISTRY IS A FEDERAL REGISTRY; TO BRING FORWARD SECTIONS 77-3-701, 77-3-703, 77-3-711, 77-3-719, 77-3-723 AND 77-3-729, WHICH RELATE TO THE MISSISSIPPI TELEPHONE SOLICITATION ACT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 77-3-601, 77-3-603, 77-3-605, 77-3-607, 77-3-609, 77-3-611, 77-3-613, 77-3-615, 77-3-617 AND 77-3-619, MISSISSIPPI CODE OF 1972, WHICH RELATE TO UNSOLICITED RESIDENTIAL TELEPHONIC SALES CALLS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 77-3-801, 77-3-803, 77-3-805, 77-3-807 AND 77-3-809, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE CALLER ID ANTI-SPOOFING ACT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 23-15-875, MISSISSIPPI CODE OF 1972, WHICH RELATES TO LANGUAGE UTTERED OR PUBLISHED REGARDING THE INTEGRITY OF A CANDIDATE FOR OFFICE, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1225 was adopted.

YEAS AND NAYS On H. B. No. 1225. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Barnett called up the following entitled bill:

**H. B. No. 799:** Inmate Welfare Fund; increase portion of the fund that is utilized to fund Inmate Incentive to Work Program.

Senator Barnett offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-933, Mississippi Code of 1972, is amended as follows:

47-5-933. The Department of Corrections may contract for the purposes set out in Section 47-5-931 for a period of not more than twenty (20) years. The contract may provide that the Department of Corrections pay a fee of no more than \* \* \* Thirty-four

Dollars (\$34.00) per day for each offender that is housed in the facility. The Department of Corrections may include in the contract, as an inflation factor, a three percent (3%) annual increase in the contract price. The state shall retain responsibility for medical care for state offenders to the extent that is required by law; provided, however, the department may reimburse each facility for contract medical services as provided by law in an amount not to exceed Six Dollars and Twenty-five Cents (\$6.25) per day per offender.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-933, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$31.00 TO \$34.00 THE AMOUNT THE DEPARTMENT OF CORRECTIONS PAYS PER DAY FOR EACH STATE OFFENDER WHO IS HOUSED IN A REGIONAL CORRECTIONAL FACILITY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 799 was adopted.

YEAS AND NAYS On H. B. No. 799. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Turner-Ford called up the following entitled bill:

**H. B. No. 917:** Mississippi Worker's Comp commission office building; place under the supervision and care of DFA.

Senator Turner-Ford offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 29-5-2, Mississippi Code of 1972, is amended as follows:

29-5-2. The duties of the Department of Finance and Administration shall be as follows:

(a) (i) To exercise general supervision and care over and keep in good condition the following state property located in the City of Jackson: the New State Capitol Building, the Woolfolk State Office Building and Parking Garage, the Carroll Gartin Justice Building, the Walter Sillers Office Building and Parking Garage, the War Veterans'

Memorial Building, the Charlotte Capers Building, the William F. Winter Archives and History Building, the Mississippi Museum Complex, the Gulf, Mobile and Ohio Train Depot (GM&O Depot), the Old State Capitol Building, the Governor's Mansion, the Heber Ladner Building, the Robert E. Lee Office Building, the Robert E. Lee Parking Garage, the former Naval Reserve Center, 515 East Amite Street, 620 North Street, 660 North Street, 700 North State Street, 350 High Street, 401 North Lamar Street, 455 North Lamar Street, the State Records Center, the Robert G. Clark, Jr. Building, the Mississippi State Fairgrounds Complex, the former Central High Building, the Mississippi Workers' Compensation Commission Office Building, as well as all state-owned or leased buildings situated on seat of government property.

(ii) To exercise general supervision and care over and keep in good condition the Dr. Eldon Langston Bolton Building located in Biloxi, Mississippi.

(iii) To exercise general supervision and care over and keep in good condition the State Service Center, located at the intersection of U.S. Highway 49 and John Merl Tatum Industrial Drive in Hattiesburg, Mississippi.

(iv) To exercise general supervision and care over and keep in good condition any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the department would be responsible for such, as approved by the Public Procurement Review Board, including, but not limited to:

1. The National Aeronautics and Space Administration (NASA) Shared Services Center and Lockheed Martin Building at Stennis Space Center;
2. The Mississippi Sports Hall of Fame;
3. The Mississippi Crafts Center;
4. The Mississippi Children's Museum; and
5. The Mississippi Arts and Entertainment Center.

(b) To assign suitable office space for the various state departments, officers and employees who are provided with an office in any of the buildings under the jurisdiction or control of the Department of Finance and Administration. However, the assignment of space in the New Capitol Building shall be designated by duly passed resolution of the combined Senate Rules Committee and the House Management Committee, meeting as a joint committee, approved by the Lieutenant Governor and Speaker of the House of Representatives. A majority vote of the members of the Senate Rules Committee and a majority vote of the members of the House Management Committee shall be required on all actions taken, resolutions or reports adopted, and all other matters considered by the full combined committee on occasions when the Senate Rules Committee and the House Management Committee shall meet as a full combined committee.

(c) To approve or disapprove with the concurrence of the Public Procurement Review Board, any lease or rental agreements by any state agency or department, including any state agency financed entirely by federal and special funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration, including space necessary for parking to be used by state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building. In no event shall any employee, officer, department, federally funded agency or bureau of the state be authorized to enter into a lease or rental agreement without prior approval of the Department of Finance and Administration and the Public Procurement Review Board.

The Department of Finance and Administration is authorized to use architects, engineers, building inspectors and other personnel for the purpose of making inspections as may be deemed necessary in carrying out its duties and maintaining the facilities.

This section is not intended to apply to locations for which the Department of Finance and Administration has decided to solicit proposals in accordance with subsection (e) of this section.

(d) To acquire by lease, lease-purchase agreement, or otherwise, as provided in Section 27-104-107, and to assign through the Office of General Services, by lease or sublease agreement from the office, and with the concurrence of the Public Procurement Review Board, to any state agency or department, including any state agency financed entirely by federal and special funds, appropriate office space in the buildings acquired.

(e) To solicit and approve or disapprove, notwithstanding any rule of law to the contrary, and with the concurrence of the Public Procurement Review Board, any lease, use or rental agreement for a charge or other consideration for space not exceeding three thousand (3,000) square feet in any individual building listed in subsection (a) of this section, with a private entry who will provide food and/or catering services for state employees, visitors and the general public.

The department shall select the entity using a competitive process which shall be publicly advertised. In addition to satisfying any other requirements for the Public Procurement Review Board's approval, the department must demonstrate that any agreement entered into under this section will neither result in a net cost to the state, nor impair or impede the function of state agencies at such location.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 29-5-2, MISSISSIPPI CODE OF 1972, TO PLACE THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION OFFICE BUILDING UNDER THE SUPERVISION AND CARE OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 917 was adopted.

YEAS AND NAYS On H. B. No. 917. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Turner-Ford called up the following entitled bill:

**H. B. No. 1286:** Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center".

Senator Turner-Ford offered the following AMENDMENT NO. 1.

AMEND on line 26 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to H. B. No. 1286 was adopted.

YEAS AND NAYS On H. B. No. 1286. On motion of Senator Turner-Ford, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

**H. B. No. 1157:** Vehicle rental; require those engaged in to disclose total charges, including all additional mandatory charges.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 75-24-8, Mississippi Code of 1972, is created as follows:

75-24-8. (1) The following words and phrases when used in this section have the meaning respectively ascribed to them, except for instances where the context clearly describes and indicates a different meaning:

(a) "Additional mandatory charge" means any separately stated charges that a renter is required to pay that specifically relate to the operation of a rental vehicle. This term includes, but is not limited to, a customer facility charge, airport concession recovery fee, vehicle license recovery fee, and any government imposed taxes or fees.

(b) "Quote" means an estimated cost of rental provided to a potential customer based on information provided by the customer, including potential dates of rental, location or class of vehicle.



(c) "Vehicle license recovery fee" means a charge to recover costs to license, title, register, plate, or inspect a rental vehicle that are incurred by a person or entity engaged in the business of renting motor vehicles under rental agreements.

(2) If a person or entity engaged in the business of renting motor vehicles under rental agreements imposes additional mandatory charges, the person or entity shall:

(a) Provide a good-faith estimate of the total charges for the entire rental, including all additional mandatory charges, whenever a quote is provided to a potential customer. The good-faith estimate may exclude mileage charges and charges for optional items that cannot be determined prior to completing a rental reservation based on the information provided by the potential customer; and

(b) Disclose in the rental contract provided to the renter the total charges for the entire rental, including all additional mandatory charges. Total charges for the entire rental do not include any charges that cannot be determined at the time the rental commences.

SECTION 2. Section 75-24-5, Mississippi Code of 1972, is amended as follows:

75-24-5. (1) Unfair methods of competition affecting commerce and unfair or deceptive trade practices in or affecting commerce are prohibited. Action may be brought under Section 75-24-5(1) only under the provisions of Section 75-24-9.

(2) Without limiting the scope of subsection (1) of this section, the following unfair methods of competition and unfair or deceptive trade practices or acts in the conduct of any trade or commerce are hereby prohibited:

(a) Passing off goods or services as those of another;

(b) Misrepresentation of the source, sponsorship, approval, or certification of goods or services;

(c) Misrepresentation of affiliation, connection, or association with, or certification by another;

(d) Misrepresentation of designations of geographic origin in connection with goods or services;

(e) Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that he does not have;

(f) Representing that goods are original or new if they are reconditioned, reclaimed, used, or secondhand;

(g) Representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;

(h) Disparaging the goods, services, or business of another by false or misleading representation of fact;

(i) Advertising goods or services with intent not to sell them as advertised;

(j) Advertising goods or services with intent not to supply reasonably expectable public demand, unless the advertisement discloses a limitation of quantity;

(k) Misrepresentations of fact concerning the reasons for, existence of, or amounts of price reductions;

(l) Advertising by or on behalf of any licensed or regulated health care professional which does not specifically describe the license or qualifications of the licensed or regulated health care professional;

(m) Charging an increased premium for reinstating a motor vehicle insurance policy that was cancelled or suspended by the insured solely for the reason that he was transferred out of this state while serving in the United States Armed Forces or on active duty in the National Guard or United States Armed Forces Reserve. It is also an unfair practice for an insurer to charge an increased premium for a new motor vehicle insurance policy if the applicant for coverage or his covered dependents were previously insured with a different insurer and canceled that policy solely for the reason that he was transferred out of this state while serving in the United States Armed Forces or on active duty in the National Guard or United States Armed Forces Reserve. For purposes of determining premiums, an insurer shall consider such persons as having maintained continuous coverage. The provisions of this paragraph (m) shall apply only to such instances when the insured does not drive the vehicle during the period of cancellation or suspension of his policy \* \* \*; and

(n) Violating the provisions of Section 75-24-8.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE SECTION 75-24-8, MISSISSIPPI CODE OF 1972, TO REQUIRE PERSONS OR ENTITIES ENGAGED IN THE RENTAL OF MOTOR VEHICLES TO DISCLOSE THE TOTAL CHARGES FOR THE ENTITY RENTAL, INCLUDING ALL ADDITIONAL MANDATORY CHARGES; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1157 was adopted.

YEAS AND NAYS On H. B. No. 1157. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1218:** Rivers McGraw Mental Health Treatment Court Act; revise.

YEAS AND NAYS On H. B. No. 1218. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Jordan called up the following entitled bill:

**H. B. No. 231:** Tobacco education, prevention and cessation program; add fentanyl and drug abuse prevention education.

YEAS AND NAYS On H. B. No. 231. On motion of Senator Hickman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Whaley called up the following entitled bill:

**H. B. No. 49:** Resident lifetime hunting and fishing license; authorize Department of Wildlife to issue if parent was born in the state and was on active military service at the time of applicant's birth.

YEAS AND NAYS On H. B. No. 49. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Hickman, Hill, Horhn, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--None.

Absent and those not voting----None.

Voting Present--Barnett, Barrett, Butler A. (36th), Butler K. (38th), DeBar, Frazier, Hopson, Jackson, Simmons D. T. (12th). Total--9.

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Senator Whaley called up the following entitled bill:

**H. B. No. 516:** Conservation officer; decrease minimum years of law enforcement experience required to be appointed a.

YEAS AND NAYS On H. B. No. 516. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Whaley called up the following entitled bill:

**H. B. No. 904:** Tombigbee River Valley Water Management District; authorize to transfer Kemper Lake to Kemper County Board of Supervisors.

YEAS AND NAYS On H. B. No. 904. On motion of Senator Hickman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Whaley called up the following entitled bill:

**H. B. No. 517:** Guide and outfitter services licenses; revise annual fee for both residents and nonresidents.

Senator Whaley offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-4-39, Mississippi Code of 1972, is amended as follows:

49-4-39. (1) As used in this section:

(a) "Head boat" means a fishing boat that takes recreational (sports) fishermen out for a fee per person.

(b) "Charter boat" means a fishing boat with a skipper, guide, outfitter or captain that is rented for a fee for the purpose of fishing.

(c) "Guide" means a person who advises or shows the way to others for a fee.

(d) "Outfitter" means an establishment that sells services for outdoor activities.

(e) "Skipper" means the captain of a ship or boat.

(f) "Captain" means a person who is at the helm, controls or steering of a ship or boat.

(2) The commission may regulate hunting, fishing and wildlife viewing, guide and outfitter services. The commission shall have the following powers and duties:

(a) Prescribe the form and type of licenses;

(b) Prescribe an annual distinguishable decal for each boat;

( \* \* \*c) Except as otherwise provided in this section, establish fees for the types of licenses; the fee for guide and outfitter services annual licenses \* \* \* to be less than Five Hundred Dollars (\$500.00) for residents and not less than Two Thousand Dollars (\$2,000.00) for nonresidents; \* \* \*

\* \* \*

(d) Require one-year proof of residency and a valid sportsman's license for residents;

(e) Require a valid nonresident fishing license for nonresidents;

(f) Require First Aid/CPR certification; and

(g) Exercise all powers to make regulations for enforcement and safety of such services.

(3) A fishing guide, outfitter, skipper or captain that utilizes a boat to provide fishing guide services shall obtain an annual fishing guide boat license and decal for a fee of Two Hundred Fifty Dollars (\$250.00). In order to obtain a fishing guide boat license and decal, an applicant must register the boat being utilized with the department and provide to the department a copy of the driver's license of the guide, outfitter, skipper or captain and proof of liability insurance and such other information as the department may require by regulation.

(4) A fishing guide, outfitter, skipper, captain, boat mate or crew is prohibited from keeping a recreational bag limit of fish.

(5) The presence of a guide, outfitter, skipper, captain, boat mate or crew does not count toward the boat's daily possession limit for all game fish.

(6) A violation of this section or any regulation created by the commission exercising its powers to regulate safety and services is a Class II violation and is punishable as provided in Section 9-7-143.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-4-39, MISSISSIPPI CODE OF 1972, TO REQUIRE A FRESHWATER FISHING GUIDE OR SERVICE THAT UTILIZES A BOAT TO OBTAIN A FISHING GUIDE BOAT LICENSE AND DECAL; TO PROVIDE THE FEE FOR SUCH LICENSE; TO PROVIDE THAT FRESHWATER FISHING GUIDES SHALL BE PROHIBITED FROM FISHING WHILE PROVIDING SERVICE; TO PROVIDE THAT FRESHWATER FISHING GUIDES SHALL BE PROHIBITED FROM KEEPING ANY FISH CAUGHT BY THE PERSONS THEY ARE GUIDING; TO PROVIDE THAT THE PRESENCE OF THE GUIDE DOES NOT COUNT TOWARD THE BAG LIMIT FOR FISH; AND FOR RELATED PURPOSES.

Senator Hill offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 65 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 517 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 517 was adopted.

YEAS AND NAYS On H. B. No. 517. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley called up the following entitled bill:

**H. B. No. 979:** Hunting; provide exception for recovering mortally wounded animals at night with use of light.

Senator Whaley offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-7-95, Mississippi Code of 1972, is amended as follows:

49-7-95. (1) (a) Except as otherwise provided in this section, any person who hunts or takes or kills any deer at night by headlighting, by any lighting device \* \* \*, light amplifying device, "forward-looking infrared (FLIR)" or thermal imaging device, shall, upon conviction thereof, be guilty of a Class I violation and shall be punished as provided in Section 49-7-141.

(b) For any person to be charged with a violation of this subsection, that person must have been observed committing an overt act consistent with the hunting of deer at night with the aid of a light, lighting device \* \* \*, light amplifying device, "forward-looking infrared (FLIR)" or thermal imaging device. Such observation of an overt act may include, but shall not be limited to, witnessing the discharge of a weapon capable of killing a deer, hearing the report of a firearm being fired, seeing the person in possession of a recently killed deer which could not have been killed during legal hunting hours, or witnessing the person committing any acts consistent with headlighting deer in violation of this subsection.

(c) A person who hunts, takes or kills any animal during legal hunting hours, and subsequently searches for and/or recovers such mortally wounded animal with the aid of a light or lighting device, is not in violation of this section.

(2) (a) Violators of subsection (1), twenty-one (21) years old or older, upon conviction, shall also forfeit all hunting, trapping and fishing privileges for a period of not less than three (3) consecutive years from the date of conviction and shall attend such courses prescribed by the commission. A violator shall pay a reinstatement fee of Five Hundred Dollars (\$500.00) to have his privileges restored.

(b) A person twenty-one (21) years old, or older, convicted of a first violation of subsection (1) may petition the commission to have his privileges restored after one (1) year from the date of his conviction. The commission may prescribe conditions on the restoration of privileges for a first-time offender, and the first-time offender shall pay a reinstatement fee of Five Hundred Dollars (\$500.00).

(c) A violator of subsection (1) under the age of twenty-one (21), upon conviction, shall forfeit all hunting, trapping and fishing privileges for one (1) year from the date of conviction, and shall attend courses prescribed by the commission. A violator under the age of twenty-one (21) may petition the commission to have his privileges restored after he has paid his penalty. The violator shall pay a reinstatement fee of Two Hundred Fifty Dollars (\$250.00) to have his privileges restored.

(d) A person under the age of twenty-one (21) convicted of a second or subsequent violation of subsection (1) shall forfeit all hunting, trapping and fishing privileges for a period of not less than three (3) consecutive years from the date of conviction and shall attend courses prescribed by the commission. The person shall pay a reinstatement fee of Five Hundred Dollars (\$500.00) to have his privileges restored.

(e) A person who is appealing from a violation of subsection (1) shall have his hunting privileges suspended or revoked as provided in Section 49-7-27.

(3) This section shall not apply to any deer killed in an accident with any motor vehicle.

(4) Anyone found guilty of violating this section who shoots or kills any livestock shall be punished as provided in Section 97-41-15, in addition to the penalties provided in this section.

(5) It shall be unlawful for a person to shine a light from a public road or right-of-way, or on the property of another, at night, from one-half (1/2) hour after sunset to one-half (1/2) hour before sunrise. This section shall not apply: (a) to the normal use of headlights of a vehicle traveling on a public road or right-of-way; (b) to law enforcement,

emergency or utility personnel in the performance of their official duties; (c) to landowners, agricultural or hunting leaseholders or their designated agents with written authorization from the landowner or agricultural leaseholder, and upon lands owned or leased by the landowner, leaseholder or agent; (d) to persons lawfully hunting, fishing or trapping; or (e) a landowner, agricultural leaseholder or a designated agent in the act of searching for or retrieving escaped livestock or pets. Any person convicted under this provision shall be guilty of harassment of wildlife and shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for not less than sixty (60) days nor more than six (6) months, or by both such fine and imprisonment.

(6) It shall not be unlawful for any licensed or exempt hunter or tracker to track or pursue a deer that was lawfully shot and wounded during legal hunting hours, into the night after legal hunting hours, and to dispatch the deer if the deer is found and is still alive. A licensed or exempt hunter or tracker tracking or pursuing a wounded white-tailed deer into the nighttime hours may use reasonable means to assist the pursuit, including, but not limited to, lights and blood-trailing/tracking dogs. If tracking/blood-trailing dogs are used, no more than two (2) dogs may be used. If the animal being tracked is discovered to still be alive, but wounded, the hunter or tracker may dispatch the animal by using a handgun with a barrel no longer than six (6) inches and chambered in a caliber no larger than .45 caliber. For the purposes of this section, a "licensed hunter" or "licensed tracker" shall mean a hunter or tracker with the proper license for hunting white-tailed deer.

Nothing in this subsection shall be construed as allowing any individual to trespass upon the lands of another while in pursuit of an injured or wounded white-tailed deer animal.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-7-95, MISSISSIPPI CODE OF 1972, TO ADD FORWARD-LOOKING INFRARED (FLIR) AND THERMAL IMAGING DEVICES TO THE PROHIBITED MEANS OF TAKING GAME AT NIGHT; TO PROVIDE THAT A PERSON WHO HUNTS, TAKES OR KILLS ANY ANIMAL DURING LEGAL HUNTING HOURS, AND SUBSEQUENTLY SEARCHES FOR AND/OR RECOVERS SUCH MORTALLY WOUNDED ANIMAL WITH THE AID OF A LIGHT OR LIGHTING DEVICE, IS NOT IN VIOLATION OF THIS SECTION; TO CLARIFY THE REQUIREMENTS FOR THE USE OF TRACKING DOGS FOR THE RETRIEVAL OF WHITE-TAILED DEER SHOT AND WOUNDED DURING LEGAL HUNTING HOURS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 979 was adopted.

YEAS AND NAYS On H. B. No. 979. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.



Nays--None.  
Absent and those not voting----None.

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Senator McCaughn entered a motion to reconsider the vote whereby **H. B. No. 1286** passed the Senate as amended.

**H. B. No. 1286:** Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center".

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Senator McCaughn entered a motion to reconsider the vote whereby **H. B. No. 366** passed the Senate as amended.

**H. B. No. 366:** Sam G. Polles State Office Building; designate the MS Dept. of Wildlife Central Office Building as.

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Senator McMahan entered a motion to reconsider the vote whereby **H. B. No. 544** passed the Senate.

**H. B. No. 544:** Valued policy law; exempt builder's risk insurance policies from.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Jeffrey William Devine and Alice Ann Forkel of Bay St. Louis, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Carolyn Ann Scarborough of Long Beach, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Dorothy Doty Mann of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Sue Block Parkes of Pope County, AR.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Dewitt Talmadge Hicks, Jr. of Columbus, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Clifford Ray McDonald of Lucedale, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Linda J. Avera of State Line, MS.

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Senator Michel moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 6, 2023.

The motion prevailed, and at 3:22 PM, the Senate stood in recess.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2002:** Memorial highways; designate segments of highways to Bradford C. Freeman and Douglas Anderson.  
Senators Branning, Williams, Younger.

**S. B. No. 2559:** Transportation; extend repealer on harvest permit authorization and fees.  
Senators Branning, Williams, Whaley.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Jeffrey William Devine, Alice Ann Forkel, Carolyn Ann Scarborough, Dorothy Doty Mann, Sue Block Parkes, Dewitt Talmadge Hicks, Jr., Clifford Ray McDonald and Linda J. Avera.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR THURSDAY, MARCH 2, 2023

**S. B. No. 3140:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GAUTIER, MISSISSIPPI, TO ENTER INTO A PUBLIC AND PRIVATE PARTNERSHIP WITH UNLIMITED PLAY, INC. FOR THE CONSTRUCTION OF AN INCLUSION PLAYGROUND; AND FOR RELATED PURPOSES.

By Senator(s) England

**S. R. No. 53:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE 2021 AND 2022 JACKSON STATE UNIVERSITY "TIGERS" MEN'S CROSS COUNTRY TEAMS FOR WINNING CONSECUTIVE SWACC CHAMPIONSHIPS.

By Senator(s) Norwood, Frazier, Thomas, Blount, Hickman, Horhn, Simmons (12th)

**S. R. No. 54:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE 2022 JACKSON STATE UNIVERSITY "LADY TIGERS" WOMEN'S BASKETBALL TEAM FOR WINNING ITS THIRD CONSECUTIVE SWAC CHAMPIONSHIP AND HEAD COACH TOMEKIA REED BEING NAMED SWAC "COACH OF THE YEAR" AND BOXTOROW "NATIONAL COACH OF THE YEAR."

By Senator(s) Norwood, Frazier, Thomas, Blount, Hickman, Horhn, Simmons (12th)

**S. R. No. 55:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE 2022 JACKSON STATE UNIVERSITY "LADY TIGERS" WOMEN'S TENNIS TEAM FOR WINNING THE SWAC REGULAR SEASON CHAMPIONSHIP AND HEAD COACH GABRIELLE MOORE AS SWAC "COACH OF THE YEAR."

By Senator(s) Norwood, Frazier, Thomas, Blount, Hickman, Horhn, Simmons (12th)

**S. R. No. 56:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON STATE UNIVERSITY "TIGERS" 2022 SOCCER TEAM FOR WINNING THE SWAC REGULAR SEASON CHAMPIONSHIP AND HEAD COACH DR. TED FLOGAITES AS "SWAC COACH OF THE YEAR".

By Senator(s) Norwood, Frazier, Thomas, Blount, Hickman, Horhn, Simmons (12th)

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SIXTY-THIRD DAY, MONDAY, MARCH 6, 2023

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Parks, Simmons S. (13th). Total--2.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Reed McCaleb, Pastor, Mineral Wells Church, Olive Branch, MS.

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Senator Blackwell led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1521:** AN ACT TO AMEND CHAPTER 946, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 922, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 941, LOCAL AND PRIVATE LAWS OF 2016, AS

AMENDED BY CHAPTER 935, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE LAW THAT AUTHORIZES THE CITY OF BRANDON, MISSISSIPPI, TO IMPOSE A TAX UPON THE SALE OF PREPARED FOOD AND BEVERAGES IN RESTAURANTS AND BARS WITHIN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1540:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF COFFEEVILLE, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED TWO PERCENT UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER THE TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**H. B. No. 1541:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF TALLAHATCHIE COUNTY, MISSISSIPPI, TO CONVEY TO THE GOVERNING AUTHORITIES OF THE TOWN OF WEBB, MISSISSIPPI, CERTAIN PROPERTY USED OR FORMERLY USED AS A PUBLIC LIBRARY IN THE TOWN; AND FOR RELATED PURPOSES.

**H. B. No. 1542:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF TALLAHATCHIE COUNTY, MISSISSIPPI, TO CONVEY TO THE TOWN OF TUTWILER, MISSISSIPPI, CERTAIN PROPERTY USED OR FORMERLY USED AS A PUBLIC LIBRARY IN THE TOWN; AND FOR RELATED PURPOSES.

**H. B. No. 1583:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF DURANT, MISSISSIPPI, TO LEVY A 2% TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**H. B. No. 1662:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF RIPLEY, MISSISSIPPI, TO EXPAND ITS WATER DISTRIBUTION THROUGHOUT TIPPAAH COUNTY, MISSISSIPPI, EXCLUDING ALL OTHER CERTIFIED AREAS OTHER THAN THE CITY OF RIPLEY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 1703:** AN ACT TO AMEND CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2013, AS AMENDED BY CHAPTER 909, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 918, LOCAL AND PRIVATE LAWS OF 2019, WHICH ESTABLISHES THE COAHOMA COUNTY RESERVE AND TRUST FUND, TO AUTHORIZE THE COAHOMA COUNTY BOARD OF SUPERVISORS, WHICH IS THE TRUSTEE OF THE FUND, TO UTILIZE A CERTAIN AMOUNT OF THE FUND TO SUPPLEMENT THE COUNTY GENERAL FUND DURING FISCAL YEAR 2022-2023, DUE TO THE NONPAYMENT OF A CERTAIN LEASE; AND FOR RELATED PURPOSES.

**H. B. No. 1712:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE FUNDS TO AND/OR PROVIDE IN-KIND SERVICES FOR THE MAINTENANCE OF TATE CEMETERY; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2011:** Sales tax; exempt motor vehicle transfers to and from trusts, corporations, partnerships and limited liability companies.

**S. B. No. 2018:** Sales tax; remove tax on wholesale sales of beer.

**S. B. No. 2151:** Town of North Carrollton; extend repeal date on restaurant tourism tax.

**S. B. No. 2518:** City of Batesville; extend repealer on hotel/motel & restaurant tourism tax.

**S. B. No. 2521:** Town of Carrollton; extend repealer on provision of law authorizing to levy tax on sales of restaurants.

**S. B. No. 2663:** Mississippi Historic Site Preservation Fund; revise grant eligibility and require annual report.

**S. B. No. 2681:** Mississippi Development Authority; clarify time trigger for tax exemption cutoff under Growth and Prosperity Act.

**S. B. No. 2700:** Homestead; provide full exemption for unremarried surviving spouse of U.S. military member killed on active duty or training.

**S. B. No. 2724:** Department of Public Safety building project and contract; exempt from certain public purchasing requirements.

**S. B. No. 2851:** Technology-based capital assistance programs; revise certain terms and amounts of assistance.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2006:** Festival wine permits; remove repealers and reverts on provisions relating to.

**S. B. No. 2335:** Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee.

**S. B. No. 2372:** Mississippi Hospital Sustainability Grant Program; establish and provide eligibility for funds.

**S. B. No. 2444:** ARPA programs; bring forward provisions related to for possible amendment.

**S. B. No. 2446:** Appropriations; revise certain transfers, fund authority, and FY2023 appropriations.

**S. B. No. 2454:** Budget; bring forward code sections related to and provide for transfers.

**S. B. No. 2612:** Construction; bring forward code sections concerning local permitting and State Board of Contractors licensing.

**S. B. No. 2616:** Real Estate Commission; decrease fees charged by.

**S. B. No. 2664:** Appropriations; revise certain FY2023 appropriations and direct transfers.

**S. B. No. 2692:** Bonds; repeal authorization for unissued bonds and replace with cash funds.

**S. B. No. 2695:** Tourism Project Incentive Program; extend deadline for MDA issuance of certificates approving participants.

**S. B. No. 2698:** Ad valorem tax; extend fee-in-lieu qualifying period for renewable energy project.

**S. B. No. 2703:** Driver's license fees; waive for applicants in MDCPS custody.

**S. B. No. 2842:** Use tax; revise standards for municipality's eligibility to receive monies from special infrastructure assistance fund.

**S. B. No. 2890:** Lee County; authorize annual contributions to Sanctuary Hospice House.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2373:** AN ACT TO CREATE THE SKILLED NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM FOR NEW NURSING GRADUATES TO BE ADMINISTERED BY THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO PROVIDE FOR THE ELIGIBILITY REQUIREMENTS; TO SET A MAXIMUM AMOUNT OF LOAN REPAYMENT; TO ESTABLISH THE PROCEDURES FOR THE LOAN PROCESS; TO REQUIRE THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD TO PROMULGATE REGULATIONS NECESSARY FOR THE PROPER ADMINISTRATION OF THE ACT, INCLUDING SETTING A FISCAL YEAR POLICY FOR THE PROGRAM AND APPLICATION DATES AND DEADLINES; TO AMEND SECTION 1, CHAPTER 47, LAWS OF 2022, WHICH IS THE APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REPLACE THE NURSING AND RESPIRATORY THERAPIST INCENTIVE PROGRAM WITH THE SKILLED NURSING HOME AND HOSPITAL NURSES RETENTION LOAN REPAYMENT PROGRAM; TO AMEND SECTION 2, CHAPTER 47, LAWS OF 2022, WHICH IS THE APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING, TO REPLACE THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING WITH THE MISSISSIPPI POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD FOR PURPOSES OF DISBURSING FUNDS ALLOCATED FOR THE REPAYMENT PROGRAM; TO REPEAL SECTIONS 37-106-59 AND 37-106-60, MISSISSIPPI CODE

OF 1972, WHICH ESTABLISH A FORGIVABLE LOAN PROGRAM FOR BACCALAUREATE AND GRADUATE STUDIES IN NURSING; AND FOR RELATED PURPOSES.

**S. C. R. No. 553:** A CONCURRENT RESOLUTION MOURNING THE PASSING AND EXTENDING THE DEEP AND HEARTFELT SYMPATHY OF THE MISSISSIPPI LEGISLATURE TO THE SURVIVING FAMILY OF ALBEN N. (AL) HOPKINS, SR., MAJOR GENERAL, MSARNG (RET.) AND COMMENDING HIS SERVICE AS MISSISSIPPI GAMING COMMISSION CHAIR, VETERAN GULFPORT ATTORNEY AND CIVIC LEADER.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2433:** AN ACT TO AMEND SECTIONS 77-3-1 AND 77-3-3, MISSISSIPPI CODE OF 1972, TO EXEMPT ELIGIBLE HOMEOWNERS ASSOCIATIONS IN ELIGIBLE MUNICIPALITIES FROM CERTAIN UTILITY REGULATION WHEN PROVIDING WATER TO THEIR OWN RESIDENTS; TO CREATE NEW SECTION 77-3-99, MISSISSIPPI CODE OF 1972, TO CLARIFY CONTINUING OBLIGATIONS ON THE PART OF THE ELIGIBLE MUNICIPALITY; AND FOR RELATED PURPOSES.

**S. C. R. No. 550:** A CONCURRENT RESOLUTION EXPRESSING THE SUPPORT OF THE MISSISSIPPI LEGISLATURE FOR THE PLAINTIFFS AND THE RULING OF THE UNITED STATES DISTRICT COURT IN HARRISON COUNTY, MISSISSIPPI, ET AL. V. THE U.S. ARMY CORPS OF ENGINEERS REGARDING THE DIVERSION OF WATERS OF THE MISSISSIPPI RIVER THROUGH THE OPENING OF THE BONNET CARRE' SPILLWAY; RESPECTFULLY REQUESTING THE CORPS OF ENGINEERS COMPLY WITH THE RULING AND CONSULT WITH THE NATIONAL MARINE FISHERIES SERVICE TO CONSERVE THE ESSENTIAL FISH HABITAT IN THE MISSISSIPPI SOUND ON THE MISSISSIPPI GULF COAST; EXPRESSING THE SUPPORT OF THE MISSISSIPPI LEGISLATURE FOR THE IMPLEMENTATION OF THE FEDERAL MAGNUSON-STEVEN'S FISHERY CONSERVATION AND MANAGEMENT ACT; EXPRESSING THE SUPPORT OF THE MISSISSIPPI LEGISLATURE FOR THE COMPLETION OF A NEW ENVIRONMENTAL IMPACT STATEMENT (EIS) TO ASSESS THE POTENTIAL IMPACT OF FEDERAL ACTIONS SIGNIFICANTLY AFFECTING THE QUALITY OF THE HUMAN ENVIRONMENT REGARDING OPENINGS OF THE BONNET CARRE' SPILLWAY, INCLUDING CONSIDERATION OF ALTERNATIVE MEANS OF FLOOD CONTROL AND MANAGEMENT ON THE MISSISSIPPI RIVER WHICH COULD LESSEN OR MITIGATE ADVERSE IMPACTS TO THE MISSISSIPPI SOUND ESTUARY AND LAKE PONTCHARTRAIN FROM OPERATION OF THE BONNET CARRE' SPILLWAY AND OTHER ELEMENTS OF THE MISSISSIPPI RIVER AND TRIBUTARIES PROJECT; AND ACKNOWLEDGING THE ENVIRONMENTAL IMPACTS OF THE RECENT OPERATION OF THE SAID BONNET CARRE' SPILLWAY IN DECIMATION OF OYSTER HARVESTS AND OTHER ESSENTIAL FISH HABITAT, THE MISSISSIPPI COAST TOURISM INDUSTRY AND CONSEQUENTLY THE TAX BASES OF LOCAL AND STATE GOVERNMENTS; AND FOR RELATED PURPOSES.

**S. C. R. No. 552:** A CONCURRENT RESOLUTION MOURNING THE LOSS OF WORLD WAR II AND KOREAN WAR PILOT AND PRESIDENT OF THE MISSISSIPPI NATIONAL GUARD ASSOCIATION, BRIGADIER GENERAL SAM FORBERT, JR., OF MERIDIAN MISSISSIPPI, COMMENDING HIS MILITARY SERVICE AND EXTENDING CONDOLENCES TO HIS SURVIVING FAMILY.

**S. C. R. No. 555:** A CONCURRENT RESOLUTION MOURNING THE PASSING AND COMMENDING THE LIFE AND CIVIC CONTRIBUTIONS OF BUSINESSMAN

WIRT ADAMS YERGER, JR., OF JACKSON, MISSISSIPPI, AND RECOGNIZING HIS LEADERSHIP IN THE POLITICAL HISTORY OF OUR STATE.

**S. C. R. No. 557:** A CONCURRENT RESOLUTION EXTENDING THE SINCEREST CONGRATULATIONS OF THE MISSISSIPPI LEGISLATURE TO NESHOPA COUNTY SCHOOL DISTRICT SUPERINTENDENT DR. LUNDY BRANTLEY IN RECOGNITION OF BEING NAMED 2022-2023 "SUPERINTENDENT OF THE YEAR" BY THE MISSISSIPPI ASSOCIATION OF SCHOOL ADMINISTRATORS (MASA).

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2561:** AN ACT TO AMEND SECTION 65-1-179, MISSISSIPPI CODE OF 1972, TO CHANGE THE REQUIREMENT OF A UNANIMOUS VOTE OF THE MISSISSIPPI TRANSPORTATION COMMISSION REGARDING THE USE OF EMERGENCY ROAD AND BRIDGE REPAIR FUND MONIES TO A MAJORITY VOTE; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2649:** AN ACT TO REMOVE THE MINORITY OF CERTAIN BENEFICIARIES OF INSURANCE POLICIES WHERE THE INSURED IS A MEMBER OR VETERAN OF THE UNITED STATES ARMED FORCES; AND FOR RELATED PURPOSES.

**S. C. R. No. 549:** A CONCURRENT RESOLUTION COMMEMORATING THE 77TH SOUTHERN LEGISLATIVE CONFERENCE OF THE COUNCIL OF STATE GOVERNMENTS AND RECOGNIZING THE MISSION OF THE SOUTHERN OFFICE (CSG SOUTH).

**S. C. R. No. 551:** A CONCURRENT RESOLUTION HONORING THE LEGACY OF DECORATED WORLD WAR II CORPORAL L.C. JACKSON, 3449TH QUARTERMASTER TRUCK COMPANY, UNITED STATES ARMY, OF BROOKHAVEN, MISSISSIPPI, ON THE OCCASION OF HIS 100TH BIRTHDAY CELEBRATION.

**S. C. R. No. 554:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING UNIVERSITY OF MISSISSIPPI BASEBALL'S HEAD COACH MIKE BIANCO FOR HIS THIRD NATIONAL COACH OF THE YEAR HONOR.

**S. C. R. No. 556:** A CONCURRENT RESOLUTION EXTENDING THE CONGRATULATIONS OF THE MISSISSIPPI LEGISLATURE TO UNIVERSITY OF MISSISSIPPI (OLE MISS) ALL-SEC SENIOR OFFENSIVE LINEMAN NICK BROEKER UPON BEING NAMED THE WINNER OF THE 2022 KENT HULL TROPHY BY THE MISSISSIPPI SPORTS HALL OF FAME AND FOR HIS POSTSEASON ACCOLADES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:



**H. B. No. 371:** AN ACT TO AMEND SECTION 74, CHAPTER 492, LAWS OF 2020, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED TO ASSIST THE CITY OF UNION, MISSISSIPPI, IN PAYING COSTS ASSOCIATED WITH REPAIRS AND OVERLAY OF INDUSTRIAL CIRCLE IN THE CITY OF UNION, MAY BE USED; AND FOR RELATED PURPOSES.

**H. B. No. 390:** AN ACT TO AMEND SECTION 27-7-22.31, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR COSTS AND EXPENSES INCURRED FOR THE REHABILITATION OF CERTAIN HISTORIC STRUCTURES, TO REVISE THE TIME DURING WHICH A TAXPAYER, IN LIEU OF CLAIMING A TAX CREDIT, MAY ELECT TO CLAIM A REBATE IN THE AMOUNT OF 75% OF THE AMOUNT THAT WOULD BE ELIGIBLE TO CLAIM AS A CREDIT; TO PROVIDE THAT IF A TAXPAYER HAS UTILIZED A TAX CREDIT ON AN INCOME TAX RETURN PRIOR TO MAKING AN ELECTION TO CLAIM A REBATE, THEN THE AVAILABLE REBATE WILL BE REDUCED BY THE AMOUNT OF CREDIT UTILIZED; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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MESSAGE FROM THE GOVERNOR  
March 3, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2104:** Mississippi Gulf Coast Region Utility Act; extend repealer on. (March 3, 2023, 1:54 PM)

**S. B. No. 2138:** Tourism; designate the Mississippi Opal as the state gemstone. (March 3, 2023, 1:43 PM)

**S. B. No. 2146:** Uncrewed aircraft systems; regulate. (March 3, 2023, 1:45 PM)

**S. B. No. 2199:** County prosecuting attorney; clarify authorization to defend persons in criminal prosecutions in any other county. (March 3, 2023, 1:47 PM)

**S. B. No. 2526:** Pat Harrison Waterway District; authorize municipalities to join. (March 3, 2023, 1:42 PM)

**S. B. No. 2562:** Transportation; allow public and private partnerships to establish electric vehicle charging stations. (March 3, 2023, 1:55 PM)

**S. B. No. 2581:** Commission on College Accreditation; revise technical provision related thereto. (March 3, 2023, 1:48 PM)

**S. B. No. 2588:** "Commissioner Dick Hall Hospitality Station"; MDOT to designate Warren County Welcome Center as. (March 3, 2023, 1:56 PM)

**S. B. No. 2589:** West Rankin Parkway; expand permission for use of federal funds. (March 3, 2023, 1:50 PM)

**S. B. No. 2590:** Mississippi State University authority to lease property for public-private partnership student housing; increase term. (March 3, 2023, 1:58 PM)

**S. B. No. 2717:** Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto. (March 3, 2023, 2:00 PM)

**S. B. No. 2722:** "North Forty" property; authorize DFA to purchase. (March 3, 2023, 2:02 PM)

**S. B. No. 2839:** Public Improvement District Act; amend to allow municipality to perform duties and exercise powers in certain circumstances. (March 3, 2023, 2:06 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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INTRODUCTIONS FOR FRIDAY, MARCH 3, 2023

**S. B. No. 3141:** Local and Private

AN ACT TO AMEND CHAPTER 948, LOCAL AND PRIVATE LAWS OF 2014, TO AUTHORIZE THE BOARD OF SUPERVISORS OF KEMPER COUNTY, MISSISSIPPI, TO EXPAND THE SCOPE OF AUTHORITY OF THE KEMPER COUNTY GAS DISTRICT TO BECOME A COUNTY UTILITY DISTRICT WITH THE AUTHORITY TO ADMINISTER ADDITIONAL PUBLIC UTILITY SERVICES INCLUDING BUT NOT LIMITED TO THE PROVISION OF DRINKING WATER; TO REVISE THE NAME OF THE KEMPER COUNTY GAS DISTRICT TO BE THE KEMPER COUNTY UTILITY DISTRICT; AND FOR RELATED PURPOSES.

By Senator(s) Hickman

**S. B. No. 3142:** Local and Private

AN ACT TO AMEND CHAPTER 943, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 937, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2026, ON THE PROVISION OF LAW AUTHORIZING THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, TO FUND THE LAUDERDALE COUNTY DETENTION FACILITY'S GOOD NEWS JAIL AND PRISON MINISTRY CHAPLAIN AND CHAPLAINCY PROGRAM FROM NONTAX REVENUE GENERATED BY THE INMATE TELEPHONE SERVICE; AND FOR RELATED PURPOSES.

By Senator(s) Hickman, Tate

**S. C. R. No. 565:** Rules

A CONCURRENT RESOLUTION RECOGNIZING WALTHALL COUNTY CONSTABLE RAYMOND GUTTER OF TYLERTOWN, MISSISSIPPI, ON THE OCCASION OF HIS RETIREMENT AND COMMENDING HIS THREE-DECADE CAREER OF EFFECTIVE LAW ENFORCEMENT SERVICE TO HIS COUNTY AND STATE.

By Senator(s) Butler (38th)

**S. R. No. 57:** Rules

A RESOLUTION COMMEMORATING THE 50TH ANNIVERSARY OF THE UNIVERSITY OF SOUTHERN MISSISSIPPI AIR FORCE RESERVE OFFICER TRAINING CORPS (AFROTC) DETACHMENT 432.

By Senator(s) Johnson, Fillingane, DeBar, Polk

**S. R. No. 58:** Rules

A RESOLUTION HONORING THE LEGACY OF MARINE GUNNERY SERGEANT ZACHARY TAYLOR OF JACKSON, MISSISSIPPI, A MONTFORD POINT MARINE, ON THE OCCASION OF HIS 100TH BIRTHDAY.

By Senator(s) Frazier

**S. R. No. 59: Rules**

A RESOLUTION COMMENDING AND CONGRATULATING THE BROOKHAVEN ACADEMY "LADY COUGARS" GIRLS BASKETBALL TEAM AND COACH RON KESSLER FOR WINNING THE 2023 MAIS 5A GIRLS BASKETBALL CHAMPIONSHIP.  
By Senator(s) Barrett

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MESSAGE FROM THE GOVERNOR  
March 3, 2023

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Ricky Jude Cox, Gulfport, Mississippi, State Board of Banking Review representing the 2nd Supreme Court District, five year term effective March 24, 2023 and ending March 23, 2028.

David Kennon (DK) Curtis, Sr., DMD, Columbus, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District One, six year term beginning February 22, 2023 and ending June 30, 2028.

George Martin (George) Hopper, Ph.D., Starkville, Mississippi, Mississippi Forestry Commission as an At-Large representative, six year term effective March 20, 2023 and ending March 19, 2029.

Patricia Ann (Pat) Thomasson, Philadelphia, Mississippi, Mississippi Forestry Commission as an At-Large representative, six year term effective February 22, 2023 and ending January 19, 2029.

Kimberly Janice (Kim) Bedford, Pontotoc, Mississippi, State Board of Funeral Service as a Funeral Director representative from the 3rd Supreme Court District, four year term effective February 23, 2023 and ending January 23, 2027.

Samuel Bryan (Sammy) Reed, Tupelo, Mississippi, State Board of Funeral Service as a Licensed Funeral Service representative from the 3rd Supreme Court District, four year term effective February 22, 2023 and ending January 23, 2027.

Renia Dotson, MD, Greenville, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028 vice Charles Miles, MD.

Harry Moore (Harry) Walker, Jackson, Mississippi, Mississippi Home Corporation as a representative of the First Supreme Court District, six year term effective June 27, 2022 and ending April 23, 2028.

Elvis Mark Cumbest, Moss Point, Mississippi, Mississippi Real Estate Commission representing the Fourth Congressional District, four year term beginning July 14, 2022 and ending June 30, 2026 vice Ken Austin.

William Jeffrey Hinton, Ph.D., Petal, Mississippi, Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Marriage and Family Therapist, unexpired four year term effective October 7, 2022 and ending June 30, 2024, vice Pamela Rollins, Ph.D..

Tate Reeves  
GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Ricky Jude Cox, State Board of Banking Review, five year term effective March 24, 2023 and ending March 23, 2028, Business and Financial Institutions.

David Kennon (DK) Curtis, Sr., DMD, Mississippi State Board of Dental Examiners to represent Dental District One, six year term beginning February 22, 2023 and ending June 30, 2028, Public Health and Welfare.

George Martin (George) Hopper, Ph.D., Mississippi Forestry Commission as an At-Large representative, six year term effective March 20, 2023 and ending March 19, 2029, Forestry.

Patricia Ann (Pat) Thomasson, Mississippi Forestry Commission as an At-Large representative, six year term effective February 22, 2023 and ending January 19, 2029, Forestry.

Kimberly Janice (Kim) Bedford, State Board of Funeral Service as a Funeral Director representative from the 3rd Supreme Court District, four year term effective February 23, 2023 and ending January 23, 2027, Business and Financial Institutions.

Samuel Bryan (Sammy) Reed, State Board of Funeral Service as a Licensed Funeral Service representative from the 3rd Supreme Court District, four year term effective February 22, 2023 and ending January 23, 2027, Business and Financial Institutions.

Renia Dotson, MD, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, Public Health and Welfare.

Harry Moore (Harry) Walker, Mississippi Home Corporation as a representative of the First Supreme Court District, six year term effective June 27, 2022 and ending April 23, 2028, Finance.

Elvis Mark Cumbest, Mississippi Real Estate Commission, four year term beginning July 14, 2022 and ending June 30, 2026, Business and Financial Institutions.

William Jeffrey Hinton, Ph.D., Board of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Marriage and Family Therapist, unexpired four year term effective October 7, 2022 and ending June 30, 2024, Public Health and Welfare.

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#### REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1521:** City of Brandon; extend repealer on tax on sales of prepared food and drink at restaurants and bars. Local and Private.

**H. B. No. 1540:** Town of Coffeeville; authorize a tax on restaurants to provide funds for tourism, parks and recreation. Local and Private; Finance.

**H. B. No. 1541:** Tallahatchie County; authorize conveyance of public library to the Town of Webb. Local and Private.

**H. B. No. 1542:** Tallahatchie County; authorize conveyance of public library to the Town of Tutwiler. Local and Private.

**H. B. No. 1583:** City of Durant; authorize a tax on restaurants to promote tourism, parks and recreation. Local and Private; Finance.

**H. B. No. 1662:** City of Ripley; authorize expansion of water system in Tippah County except in certificated areas other than those in the city. Local and Private.

**H. B. No. 1703:** Coahoma County; authorize reserve and trust fund trustees to use certain amount of fund to supplement county general fund. Local and Private.

**H. B. No. 1712:** City of Vicksburg; authorize to contribute funds and in-kind services to Tate Cemetery. Local and Private.

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MESSAGE FROM THE GOVERNOR  
March 6, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2137:** "Mississippi Native Plant Month"; designate each April as. (March 6, 2023, 2:47 PM)

**S. B. No. 2341:** Electric transmission infrastructure; maintain state jurisdiction over integrity of. (March 6, 2023, 2:58 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**S. C. R. No. 560:** Suspend rules; introduction of bill to require Public Service Commission to change boundaries of certain utility district. Title Sufficient. Do Be Adopted.

**S. C. R. No. 558:** Extending condolences of Legislature to surviving family of Motown recording artist/songwriter Barrett Strong of West Point. Title Sufficient. Do Be Adopted.

**S. C. R. No. 559:** Congratulate Ricky Stenhouse from Olive Branch for winning the Daytona 500. Title Sufficient. Do Be Adopted.

**S. C. R. No. 561:** Designate March 2023 as "American Red Cross Month in Mississippi." Title Sufficient. Do Be Adopted.

**S. C. R. No. 562:** Designate October 2023 as "Walker Montgomery National Catfishing Awareness Month in Mississippi." Title Sufficient. Do Be Adopted.

**S. C. R. No. 563:** Designate March 5-11, 2023, as "National School Social Work Week in Mississippi." Title Sufficient. Do Be Adopted.

**S. C. R. No. 564:** Designate March 2023 as "Brain Injury Awareness Month in Mississippi" to promote treatment and prevention. Title Sufficient. Do Be Adopted.

**S. C. R. No. 565:** Recognize Walthall County Constable Raymond Gutter on his retirement and three-decade law enforcement service. Title Sufficient. Do Be Adopted.

**S. R. No. 44:** Recognize Bobby Morgan, Vice President of Public Affairs at Atmos Energy as Ole Miss Alumni Assn 2023 "40 Under 40" award. Title Sufficient. Do Be Adopted.

**S. R. No. 45:** Congratulate nine Mississippi professional football players who played in the 2023 NFL Super Bowl. Title Sufficient. Do Be Adopted.

**S. R. No. 46:** Recognize national defense operations and installations in Mississippi and the mission of the Defense Communities Development Council. Title Sufficient. Do Be Adopted.

**S. R. No. 47:** Commend East Central High School "Hornets" Baseball Team for winning the 2022 MHSAA Class 5A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 48:** Commend 2022 Gautier High School "Gators" Boys Golf Team for winning first MHSAA 5A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 49:** Commend Ocean Springs High School Cheer Team for back-to-back MHSAA 6A State Championships. Title Sufficient. Do Be Adopted.

**S. R. No. 50:** Commend Simpson County Academy "Cougars" Boys Basketball Team for winning back-to-back MAIS 5A State Championships. Title Sufficient. Do Be Adopted.

**S. R. No. 51:** Extend condolences of Senate to surviving family of Jackson minority business pioneer Roy L. Dixon, Sr. Title Sufficient. Do Be Adopted.

**S. R. No. 52:** Recognize judicial career of Chancellor Lawrence "Larry" Primeaux, 12th Chancery Court District, on his retirement. Title Sufficient. Do Be Adopted.

**S. R. No. 53:** Commend 2021 and 2022 JSU "Tigers" Men's Cross Country Team for winning consecutive SWAC Championships. Title Sufficient. Do Be Adopted.

**S. R. No. 54:** Commend 2022 JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed for third straight SWAC Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 55:** Commend 2022 JSU "Lady Tigers" Women's Tennis Team and Head Coach Gabrielle Moore for SWAC Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 56:** Commend 2022 JSU "Tigers" Soccer Team for SWAC Championship and Coach Flogaites as "SWAC Coach of the Year". Title Sufficient. Do Be Adopted.

**S. R. No. 57:** Commemorate the 50th Anniversary of USM Air Force Reserve Officer Training Corps (AFROTC) Detachment 432. Title Sufficient. Do Be Adopted.

**S. R. No. 58:** Honor the legacy of Marine Gunnery Sergeant Zachary Taylor of Jackson, Mississippi, a Montford Point Marine, on his 100th Birthday. Title Sufficient. Do Be Adopted.

**S. R. No. 59:** Commend Brookhaven Academy "Lady Cougars" Girls Basketball Team and Coach Ron Kessler for winning MAIS 5A Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Harkins called up the following entitled bill:

**H. B. No. 388:** Income tax; revise local governmental entities that may collect debt by a setoff against a debtor's refund.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-805, Mississippi Code of 1972, is amended as follows:

27-7-805. As used in this article:

(a) "Claimant local government" means \* \* \* local governments acting through their nonprofit member organizations with respect to the collection of any debt owed and finalized by law, ordinance, order or resolution.

(b) "Debtor" means any person owing a debt to any claimant local government.

(c) "Debt" means any liquidated sum due and owing to any claimant local government which has accrued through contract, subrogation, tort, justice or municipal court conviction or any other debt regardless of whether there is an outstanding judgment for the sum.

(d) "Department" means the Mississippi Department of Revenue.

(e) "Local government" means a county or municipality. For purposes of this paragraph (e), county or municipality shall also include a community hospital owned by one or more counties, cities, towns, supervisors districts or combinations thereof.

(f) "Member organization" means the Mississippi Association of Supervisors for counties and community hospitals owned in whole or in part by one or more counties or supervisor districts, the Mississippi Municipal League for municipalities and community hospitals owned in whole or in part by one or more municipalities, or entities established through or contracted by these member organizations for the purpose of facilitating debt collection under this article.

(g) "Net proceeds collected" means gross proceeds collected through setoff against a debtor's refund less the collection assistance fees authorized in this article.

(h) "Person" means any individual, firm, partnership, association, trustee, receiver, assignee, corporation, entity, limited liability company, utility or joint venture.

(i) "Refund" means the Mississippi income tax refund which the department determines to be due a debtor.

(j) "Setoff" means the department's legal right to reduce the debtor's claim to a Mississippi income tax refund from the department by a debt the claimant local government properly establishes under this article which is owed by the debtor.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-805, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERMS "CLAIMANT LOCAL GOVERNMENT," "LOCAL GOVERNMENT" AND "MEMBER ORGANIZATION" FOR PURPOSES OF THE SECTIONS OF LAW THAT AUTHORIZE COUNTIES AND MUNICIPALITIES TO SUBMIT CERTAIN DEBTS OWED TO THEM TO THE DEPARTMENT OF REVENUE FOR COLLECTION THROUGH A SETOFF AGAINST THE DEBTORS' MISSISSIPPI INCOME TAX REFUND; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 388 was adopted.

YEAS AND NAYS On H. B. No. 388. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Parks, Simmons S. (13th). Total--2.

Voting Present--Hill, Seymour, Turner-Ford. Total--3.

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Senator Harkins called up the following entitled bill:

**H. B. No. 968:** Sales tax and use tax; revise provisions regarding computer software, computer software service and computer service.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-67-5, Mississippi Code of 1972, is amended as follows:

27-67-5. There is hereby levied, assessed and shall be collected from every person a tax for the privilege of using, storing or consuming, within this state, any tangible personal property or specified digital product possession of which is acquired in any manner.

(a) The use tax hereby imposed and levied shall be collected at the same rates as imposed under Section 27-65-20, and Sections 27-65-17, 27-65-18, 27-65-19,



27-65-24, 27-65-25 and 27-65-26 computed on the purchase or sales price, or value, as defined in this article.

(b) It shall be the duty of the tax collectors of the several counties, or the commissioner, as the case may be, to collect, remit and account for the tax on the use of all vehicles licensed or registered by the State of Mississippi for the first time, except when the Mississippi use tax was collected by an authorized out-of-state dealer at the time of purchase, or when the use thereof was exempt by Section 27-67-7. The tax collector or the commissioner shall give to the person registering the vehicle a receipt in a form prescribed and furnished by the Department of Revenue for the amount of tax collected.

The tax collector or the commissioner is expressly prohibited from issuing a license tag to any applicant without collecting the tax levied by this article, unless positive proof is filed, together with the application for the license tag, that the Mississippi tax has been paid, or that the sale was exempt by Section 27-67-7.

Persons not engaging and continuing in business so as to be registered for payment of sales and/or use tax may pay use tax due on the first use of boats, airplanes, equipment or other tangible personal property and specified digital products to county tax collectors who are hereby authorized to accept such payments on behalf of the commissioner. Receipts for all such payments shall be given to taxpayers in a form prescribed and furnished by the Department of Revenue.

County tax collectors and the commissioner shall be liable for the tax they are required hereby to collect, and taxes which are in fact collected under authority of this section; and failure to properly collect or maintain proper records shall not relieve them of liability for payment to the commissioner. Deficiencies in collection or payment shall be assessed against the tax collector or the commissioner in the same manner and subject to the same penalties and provisions for appeal as are deficiencies assessed against taxpayers.

A dealer authorized to collect and remit the tax to the Department of Revenue shall give to the purchaser a receipt for the payment of the tax, in a form prescribed and furnished by the commissioner, which shall serve as proof of payment to the tax collector of the county in which the license is to be issued.

Each tax collector of the several counties shall, on or before the twentieth day of each month, file a report with and pay to the commissioner all funds collected under the provisions of this article, less a commission of five percent (5%) which shall be retained by the tax collector as a commission for collecting such tax and be deposited in the county general fund. The report required to be filed shall cover all collections made during the calendar month next preceding the date on which the report is due and filed.

Any error in the report and remittance to the commissioner may be adjusted on a subsequent report. If the error was in the collection by the tax collector, it shall be adjusted through the tax collector with the taxpayer before credit is allowed by the commissioner.

All information relating to the collection of use tax by tax collectors and such records as the commissioner may require shall be preserved in the tax collector's office for a period of three (3) years for audit by the commissioner.

SECTION 2. Section 27-67-7, Mississippi Code of 1972, is amended as follows:

27-67-7. The tax levied by this article shall not be collected in the following instances:

(a) On the use, storage or consumption of any tangible personal property or specified digital products if the sale thereof has already been included in the measure of this tax or the tax imposed by Section 27-65-20 or Section 27-65-17, 27-65-19,

27-65-25 or 27-65-26, or has already been included in the measure of a sales tax imposed by another state in which the property or products were sold or use tax imposed by some other state in which the property was used. If the rate of sales or use tax paid another state by the person using the property or products in Mississippi is not equal to or greater than the rate imposed by this article, then the user or purchaser shall apply the difference in these rates to the purchase price or value of the property or products and pay to the commissioner the amount of tax thus computed. Persons using business property or products in this state which has been used by them in other states shall be entitled to a credit for sales and/or use tax paid to other states equal to the aggregate of all such state rates multiplied by the value of the property or products at the time of importation into this state. Persons using business property or products in this state which were acquired from another person who used it in other states shall be entitled to a credit equal to the applicable rate in the state of last prior use multiplied by the value of the property or products at the time of importation into this state. However, credit for use tax paid to another state shall not apply on the purchase price of tangible personal property or specified digital products that have been only stored or warehoused in the other state and the first use of the property or products occurs in Mississippi. Provided further, that credit for sales or use tax paid to another state shall not apply on the purchase price or value of automobiles, trucks, truck-tractors, semitrailers, trailers, boats, travel trailers, motorcycles and all-terrain cycles imported and first used in Mississippi.

Credit for sales or use tax paid to another state as provided in this paragraph (a) shall be evidenced by an invoice clearly and correctly showing the amount of the tax as a separate item, and no credit shall be allowed otherwise.

(b) On the use, storage or consumption of tangible personal property or specified digital products to the extent that sales of similar property or products in Mississippi are either excluded or specifically exempt from sales tax or are taxed at the wholesale rate.

This exemption shall be confined to the use of property or products the sale of which is an itemized exemption in the Mississippi Sales Tax Law, or to use by persons who are listed in the Mississippi Sales Tax Law as being exempt from sales tax.

(c) On the use, storage or consumption of tangible personal property or specified digital products brought into this state by a nonresident for his or her use or enjoyment while temporarily within the state, but not including tangible personal property or specified digital products brought in for use in connection with a business activity. This exemption shall not apply to property or products which remain situated in this state for the repeated use, storage or consumption by out-of-state visitors, or which is acquired by visitors and first used in this state.

(d) On the use of a motor vehicle for which a registration is required by the motor vehicle law, when such motor vehicle was purchased by a natural person for his personal or family use while such person was a bona fide resident of another state and who thereafter became a resident of this state, but not to include a motor vehicle which is transferred by the owner for commercial use or for use by another person within this state.

(e) On the use of personal and household effects by a natural person acquired while the person was a bona fide resident of another state, and who thereafter became a resident of this state.

(f) On the use or rental of motion picture film, video-audio tapes, phonograph records or specified digital products for exhibition either by a person paying Mississippi sales tax on gross income from admissions for the exhibitions or by a person operating a television or radio broadcasting station.

(g) On any vehicle purchased in another state for use outside of this state by a Mississippi citizen serving in the Armed Forces and stationed in another state who elects to license the vehicle in Mississippi.

(h) On the cost or value and on the use, storage and consumption of rail rolling stock and component parts thereof.

(i) On the use, storage or consumption of literature, video tapes, photographic slides or specified digital products used by religious institutions for the propagation of their creeds or for carrying on their customary nonprofit religious activities, and on the use of any tangible personal property or specified digital products purchased and first used in another state by religious institutions for the propagation of their creeds or for carrying on their customary nonprofit religious activities. "Religious institution," for the purpose of this exemption, means any religious institution granted an exemption under 26 USCS Section 501(c)(3). Any exemption under this paragraph obtained by fraud, misstatement or misrepresentation shall be cancelled by the \* \* \* department, and the person committing the fraud, misstatement or misrepresentation shall be liable for prosecution for fraud on the assessment, and, on conviction, shall be fined not less than One Thousand Dollars (\$1,000.00), or punished by imprisonment in the State Penitentiary for a term not to exceed five (5) years, or both, within the discretion of the court.

(j) The tax on the cost or value of farm machinery used in the harvesting of agricultural products shall be limited to the ratio of use within this state to the life of the property.

(k) [Repealed]

(l) On the use of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; or repair services thereon; by a taxpayer other than the manufacturer when the manufacturer still holds title to the items and the items are purchased by the manufacturer as a part of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii).

(m) On the use, storage or consumption of utilities purchased by a manufacturer described in Section 27-65-101(x).

(n) On the use, storage or consumption of utilities purchased by an enterprise described in Section 27-65-101(cc).

(o) On the use, storage or consumption of jet aircraft engines that are temporarily located within the State of Mississippi and are brought into the state for research and/or testing purposes at a jet aircraft engine research and testing facility.

SECTION 3. Section 27-67-11, Mississippi Code of 1972, is amended as follows:

27-67-11. (1) Every person maintaining a place of business, or doing business, in this state, shall collect the tax imposed by this article from the purchaser and remit the tax to the commissioner as hereinafter provided. Failure to collect the tax from the purchaser shall not relieve the seller of liability for payment of the tax.

(2) This section does not affect or impair the:

(a) Obligation of a purchaser in this state to remit use tax on any applicable transaction in which the seller does not collect and remit sales or use tax;

(b) Obligation of a seller, when the seller is transacting business in the state and tax is collected on the transaction, to remit all state and local taxes on any applicable transaction in which the seller provides goods or furnishes services within the state \* \* \*;

(c) Ability of a state entity to immediately collect the taxes described in this section.

(3) The department shall audit a marketplace facilitator solely for sales made by marketplace sellers and facilitated by the marketplace facilitator. The department shall not audit marketplace sellers for sales facilitated by a marketplace facilitator except to the extent the marketplace facilitator seeks relief from liability under subsection (5) of this section.

(4) A marketplace facilitator that collects and remits the taxes imposed by this chapter shall collect taxes on sales through its marketplace based upon the address where the tangible personal property or specified digital products taxable under this chapter are shipped or delivered; provided, however, that taxes on services sold through its marketplace shall be collected as otherwise provided.

(5) A marketplace facilitator is relieved of liability under this section for failure to collect and remit the correct amount of tax under this section to the extent that the failure was due to incorrect or insufficient information given to the marketplace facilitator by the marketplace seller, provided that the marketplace facilitator can demonstrate it made a reasonable effort to obtain correct and sufficient information from the marketplace seller. This subsection does not apply if the marketplace facilitator and the marketplace seller are related.

(6) Nothing herein shall prohibit the marketplace facilitator and the marketplace seller from contractually agreeing to have the marketplace seller collect and remit all applicable taxes and fees where the marketplace seller:

(a) Has annual United States gross sales over One Billion Dollars (\$1,000,000,000.00), including the gross sales of any related entities, and in the case of franchised entities, including the combined sales of all franchisees of a single franchisor;

(b) Provides evidence to the marketplace facilitator that it is registered under Section 27-65-27 or Section 27-67-9 in this state; and

(c) Notifies the department in a manner prescribed by the department that the marketplace seller will collect and remit all applicable taxes on its sales through the marketplace and is liable for failure to collect or remit applicable taxes on its sales.

(7) Any person selling tangible personal property or specified digital products that does not maintain a place of business in this state may be authorized by the commissioner to collect the tax from customers in Mississippi who are liable for its payment, and such person shall remit the tax to the commissioner in the same manner and subject to the same requirements as a person maintaining a place of business or doing business within this state. Such authority may be cancelled at any time when, in the judgment of the commissioner, the tax can be collected more effectively from the purchaser in this state. When the tax has been collected from the purchaser, the seller shall be liable for payment of the tax to the commissioner.

(8) Every person required or authorized to collect the tax shall add to the sales price of tangible personal property, services or specified digital products the amount of the tax imposed on purchaser for the use, storage, or consumption thereof, and, when so added, the tax shall be a debt from the purchaser to the seller until paid, and shall be collectible at law in the same manner as other debts. It shall be unlawful for any person to advertise, hold out, or state to the public or to any customer that the tax herein imposed will be assumed or absorbed by the seller or that any part thereof will be refunded. Said tax shall be stated separately from the sales price on the sales invoice and shown separately on the seller's records. The purchaser shall pay the tax to the seller as trustee for and on account of the state.

SECTION 4. Section 27-65-3, Mississippi Code of 1972, is brought forward as follows:

27-65-3. The words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them herein.

(a) "Tax Commission" or "department" means the Department of Revenue of the State of Mississippi.

(b) "Commissioner" means the Commissioner of Revenue of the Department of Revenue.

(c) "Person" means and includes any individual, firm, copartnership, joint venture, association, corporation, promoter of a temporary event, estate, trust or other group or combination acting as a unit, and includes the plural as well as the singular in number. "Person" shall include husband or wife, or both, where joint benefits are derived from the operation of a business taxed hereunder. "Person" shall also include any state, county, municipal or other agency or association engaging in a business taxable under this chapter.

(d) "Tax year" or "taxable year" means either the calendar year or the taxpayer's fiscal year.

(e) "Taxpayer" means any person liable for or having paid any tax to the State of Mississippi under the provisions of this chapter. A taxpayer is required to obtain a sales tax permit under Section 27-65-27 before engaging in business in this state. If a taxpayer fails to obtain a sales tax permit before engaging in business in this state, the taxpayer shall pay the retail rate on all purchases of tangible personal property and/or services in this state, even if purchased for resale. Upon obtaining a sales tax permit, a previously unregistered taxpayer shall file sales tax returns for all tax periods during which he engaged in business in this state without a sales tax permit, and report and pay the sales tax accruing from his operation during this period and any applicable penalties and interest. On such return, the taxpayer may take a credit for any sales taxes paid during the period he operated without a sales tax permit on a purchase that would have constituted a wholesale sale if the taxpayer had a sales tax permit at the time of the purchase and if proper documentation exists to substantiate a wholesale sale. This credit may also be allowed in any audit of the taxpayer. Any penalties and interest owed by the taxpayer on the return or in an audit for a period during which he operated without a sales tax permit may be determined based on the sales tax accruing from the taxpayer's operation for that period after the taking of this credit.

(f) "Sale" or "sales" includes the barter or exchange of property as well as the sale thereof for money or other consideration, and every closed transaction by which the title to taxable property passes shall constitute a taxable event.

"Sale" shall also include the passing of title to property for a consideration of coupons, trading stamps or by any other means when redemption is subsequent to the original sale by which the coupon, stamp or other obligation was created.

The situs of a sale for the purpose of distributing taxes to municipalities shall be the same as the location of the business from which the sale is made except that:

(i) Retail sales along a route from a vehicle or otherwise by a transient vendor shall take the situs of delivery to the customer.

(ii) The situs of wholesale sales of tangible personal property taxed at wholesale rates, the amount of which is allowed as a credit against the sales tax liability

of the retailer, shall be the same as the location of the business of the retailer receiving the credit.

(iii) The situs of wholesale sales of tangible personal property taxed at wholesale rates, the amount of which is not allowed as a credit against the sales tax liability of the retailer, shall have a rural situs.

(iv) Income received from the renting or leasing of property used for transportation purposes between cities or counties shall have a rural situs.

(g) "Delivery charges" shall mean and include any expenses incurred by a seller in acquiring merchandise for sale in the regular course of business commonly known as "freight-in" or "transportation costs-in." "Delivery charges" also include any charges made by the seller for delivery of property sold to the purchaser.

(h) "Gross proceeds of sales" means the value proceeding or accruing from the full sale price of tangible personal property, including installation charges, without any deduction for delivery charges, cost of property sold, other expenses or losses, or taxes of any kind except those expressly exempt by this chapter.

"Gross proceeds of sales" includes consideration received by the seller from third parties if:

(i) The seller actually received consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(ii) The seller has an obligation to pass the price reduction or discount through to the purchaser;

(iii) The amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(iv) One (1) of the following criteria is met:

1. The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

2. The purchaser identified himself or herself to the seller as a member of a group or organization entitled to a price reduction or discount (a "preferred customer" card that is available to any patron does not constitute membership in such a group); or

3. The price reduction or discount is identified as a third-party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

Where a trade-in is taken as part payment on tangible personal property sold, "gross proceeds of sales" shall include only the difference received between the selling price of the tangible personal property and the amount allowed for a trade-in of property of the same kind. When the trade-in is subsequently sold, the selling price thereof shall be included in "gross proceeds of sales."

"Gross proceeds of sales" shall include the value of any goods, wares, merchandise or property purchased at wholesale or manufactured, and any mineral or natural resources produced, which are withdrawn or used from an established business

or from the stock in trade for consumption or any other use in the business or by the owner. However, "gross proceeds of sales" does not include meals prepared by a restaurant and provided at no charge to employees of the restaurant or donated to a charitable organization that regularly provides food to the needy and the indigent and which has been granted exemption from the federal income tax as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986.

"Gross proceeds of sales" shall not include bad check or draft service charges as provided for in Section 97-19-57.

"Gross proceeds of sales" does not include finance charges, carrying charges or any other addition to the selling price as a result of deferred payments by the purchaser.

(i) "Gross income" means the total charges for service or the total receipts (actual or accrued) derived from trades, business or commerce by reason of the investment of capital in the business engaged in, including the sale or rental of tangible personal property, compensation for labor and services performed, and including the receipts from the sales of property retained as toll, without any deduction for rebates, cost of property sold, cost of materials used, labor costs, interest paid, losses or any expense whatever.

"Gross income" shall also include the cost of property given as compensation when the property is consumed by a person performing a taxable service for the donor.

However, "gross income" or "gross proceeds of sales" shall not be construed to include the value of goods returned by customers when the total sale price is refunded either in cash or by credit, or cash discounts allowed and taken on sales. Cash discounts shall not include the value of trading stamps given with a sale of property.

(j) "Tangible personal property" means personal property perceptible to the human senses or by chemical analysis as opposed to real property or intangibles and shall include property sold on an installed basis which may become a part of real or personal property.

(k) "Installation charges" shall mean and include the charge for the application of tangible personal property to real or personal property without regard to whether or not it becomes a part of the real property or retains its personal property classification. It shall include, but not be limited to, sales in place of roofing, tile, glass, carpets, drapes, fences, awnings, window air-conditioning units, gasoline pumps, window guards, floor coverings, carports, store fixtures, aluminum and plastic siding, tombstones and similar personal property.

(l) "Newspaper" means a periodical which:

(i) Is not published primarily for advertising purposes and has not contained more than seventy-five percent (75%) advertising in more than one-half (1/2) of its issues during any consecutive twelve-month period excluding separate advertising supplements inserted into but separately identifiable from any regular issue or issues;

(ii) Has been established and published continuously for at least twelve (12) months;

(iii) Is regularly issued at stated intervals no less frequently than once a week, bears a date of issue, and is numbered consecutively; provided, however, that publication on legal holidays of this state or of the United States and on Saturdays and Sundays shall not be required, and failure to publish not more than two (2) regular issues in any calendar year shall not exclude a periodical from this definition;

(iv) Is issued from a known office of publication, which shall be the principal public business office of the newspaper and need not be the place at which the periodical is printed and a newspaper shall be deemed to be "published" at the place where its known office of publication is located;

(v) Is formed of printed sheets; provided, however, that a periodical that is reproduced by the stencil, mimeograph or hectograph process shall not be considered to be a "newspaper"; and

(vi) Is originated and published for the dissemination of current news and intelligence of varied, broad and general public interest, announcements and notices, opinions as editorials on a regular or irregular basis, and advertising and miscellaneous reading matter.

The term "newspaper" shall include periodicals which are designed primarily for free circulation or for circulation at nominal rates as well as those which are designed for circulation at more than a nominal rate.

The term "newspaper" shall not include a publication or periodical which is published, sponsored by, is directly supported financially by, or is published to further the interests of, or is directed to, or has a circulation restricted, in whole or in part, to any particular sect, denomination, labor or fraternal organization or other special group or class or citizens.

For purposes of this paragraph, a periodical designed primarily for free circulation or circulation at nominal rates shall not be considered to be a newspaper unless such periodical has made an application for such status to the department in the manner prescribed by the department and has provided to the department documentation satisfactory to the department showing that such periodical meets the requirements of the definition of the term "newspaper." However, if such periodical has been determined to be a newspaper under action taken by the department on or before April 11, 1996, such periodical shall be considered to be a newspaper without the necessity of applying for such status. A determination by the Department of Revenue that a publication is a newspaper shall be limited to the application of this chapter and shall not establish that the publication is a newspaper for any other purpose.

(m) "MPC" or "Material Purchase Certificate" means a certificate for which a person that is liable for the tax levy under Section 27-65-21 can apply and obtain from the commissioner, and when issued, entitles the holder to purchase materials and services that are to become a component part of a structure to be erected or repaired with no tax due. Any person taxable under Section 27-65-21 who obtains an MPC for a project and purchases materials and services in this state that are to become a component part of a structure being erected or repaired in the project and at any time pays sales tax on these purchases may, after obtaining the MPC for the project, take a credit against his sales taxes for the sales tax paid on these purchases if proper documentation exists to substantiate the payment of the sales tax on the purchase of component materials and services. This credit may also be allowed in any audit of the taxpayer. Any penalties and interest owed by the taxpayer on the return or in the audit where this credit is taken may be determined based on the sales tax due after the taking of this credit.

SECTION 5. Section 27-65-7, Mississippi Code of 1972, is brought forward as follows:

27-65-7. "Retailer" shall apply to a person making retail sales through vending machines, by maintaining a store, or operating as a transient vendor, or renting or leasing tangible personal property. Retailer also includes persons who facilitate the sale of services or tangible personal property that belongs to a third party.



"Retail sales" shall mean and include all sales of tangible personal property except those defined herein as wholesale and those made to a wholesaler, jobber, manufacturer or custom processor for resale or for further processing.

"Retail sale" shall include the value of any tangible personal property manufactured or purchased at wholesale which is withdrawn from the business or stock in trade and is used or consumed within this state in the business or by the owner or by any other person, whether or not in the regular course of business or trade.

"Retail sale" shall also include a sale invoiced to a retailer but delivered to another person who pays for the merchandise upon taking possession.

"Retail sale" shall also include a sale made or facilitated by a person regularly engaged in the sale or facilitation of sales of services or tangible personal property. "Retail sale" does not include a sale by a third-party food delivery service that delivers food from an unrelated restaurant to a customer, regardless of whether the customer orders and pays for the food through the delivery service or whether the delivery service adds fees or upcharges to the price of the food.

SECTION 6. Section 27-65-9, Mississippi Code of 1972, is brought forward as follows:

27-65-9. (1) "Business" shall mean and include all activities or acts engaged in (personal or corporate), for benefit or advantage, either direct or indirect, and not exempting subactivities in connection therewith. Each of such subactivities shall be considered business engaged in, taxable in the class in which it falls.

(2) "Business" shall include activities engaged in by exempt organizations or political entities in competition with privately owned business subject to the provisions of this chapter; however, the term "business" shall not include the following activities:

(a) Sales of prepaid student meal plans by public or private universities, colleges and community or junior colleges;

(b) Sales of prepared meals by any public or private school to students in kindergarten through Grade 12; and

(c) Retail sales of prepared meals when:

(i) Sold on the campus of a public or private university, college or community or junior college in this state to a student enrolled at such university, college or community or junior college; and

(ii) Payment for the sale is made through the use of a prepaid declining balance account or similar instrument or account issued to such student by the university, college or community or junior college that may be used only to purchase prepared meals.

(3) "Business" shall include the activity or activities of a person in this state performing a service under contract or agreement with another person when the service performed is taxable under the provisions of this chapter.

(4) "Doing business" shall include any person owning personal property located in this state under lease or rental agreement or any person installing personal property within this state.

(5) "Doing business" shall include any person represented in this state by salesmen taking or soliciting orders to be filled from points outside this state for

subsequent delivery of the merchandise in equipment owned or leased by the seller to customers located in this state.

(6) "Doing business" shall include any person selling or facilitating the sale of services or tangible personal property.

SECTION 7. Section 27-65-17, Mississippi Code of 1972, is brought forward as follows:

27-65-17. (1) (a) Except as otherwise provided in this section, upon every person engaging or continuing within this state in the business of selling any tangible personal property whatsoever there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross proceeds of the retail sales of the business.

(b) Retail sales of farm tractors and parts and labor used to maintain and/or repair such tractors shall be taxed at the rate of one and one-half percent (1-1/2%) when made to farmers for agricultural purposes.

(c) (i) Retail sales of farm implements sold to farmers and used directly in the production of poultry, ratite, domesticated fish as defined in Section 69-7-501, livestock, livestock products, agricultural crops or ornamental plant crops or used for other agricultural purposes, and parts and labor used to maintain and/or repair such implements, shall be taxed at the rate of one and one-half percent (1-1/2%) when used on the farm.

(ii) The one and one-half percent (1-1/2%) rate shall also apply to all equipment used in logging, pulpwood operations or tree farming, and parts and labor used to maintain and/or repair such equipment, which is either:

1. Self-propelled, or

2. Mounted so that it is permanently attached to other equipment which is self-propelled or attached to other equipment drawn by a vehicle which is self-propelled.

In order to be eligible for the rate of tax provided for in this subparagraph (ii), such sales must be made to a professional logger. For the purposes of this subparagraph (ii), a "professional logger" is a person, corporation, limited liability company or other entity, or an agent thereof, who possesses a professional logger's permit issued by the Department of Revenue and who presents the permit to the seller at the time of purchase. The department shall establish an application process for a professional logger's permit to be issued, which shall include a requirement that the applicant submit a copy of documentation verifying that the applicant is certified according to Sustainable Forestry Initiative guidelines. Upon a determination that an applicant is a professional logger, the department shall issue the applicant a numbered professional logger's permit.

(d) Except as otherwise provided in subsection (3) of this section, retail sales of aircraft, automobiles, trucks, truck-tractors, semitrailers and manufactured or mobile homes shall be taxed at the rate of three percent (3%).

(e) Sales of manufacturing machinery or manufacturing machine parts when made to a manufacturer or custom processor for plant use only when the machinery and machine parts will be used exclusively and directly within this state in manufacturing a commodity for sale, rental or in processing for a fee shall be taxed at the rate of one and one-half percent (1-1/2%).

(f) Sales of machinery and machine parts when made to a technology intensive enterprise for plant use only when the machinery and machine parts will be used exclusively and directly within this state for industrial purposes, including, but not limited

to, manufacturing or research and development activities, shall be taxed at the rate of one and one-half percent (1-1/2%). In order to be considered a technology intensive enterprise for purposes of this paragraph:

(i) The enterprise shall meet minimum criteria established by the Mississippi Development Authority;

(ii) The enterprise shall employ at least ten (10) persons in full-time jobs;

(iii) At least ten percent (10%) of the workforce in the facility operated by the enterprise shall be scientists, engineers or computer specialists;

(iv) The enterprise shall manufacture plastics, chemicals, automobiles, aircraft, computers or electronics; or shall be a research and development facility, a computer design or related facility, or a software publishing facility or other technology intensive facility or enterprise as determined by the Mississippi Development Authority;

(v) The average wage of all workers employed by the enterprise at the facility shall be at least one hundred fifty percent (150%) of the state average annual wage; and

(vi) The enterprise must provide a basic health care plan to all employees at the facility.

A medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, shall not be considered to be a technology intensive enterprise for the purposes of this paragraph (f).

(g) Sales of materials for use in track and track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

(h) Sales of tangible personal property to electric power associations for use in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

(i) Wholesale sales of beer shall be taxed at the rate of seven percent (7%), and the retailer shall file a return and compute the retail tax on retail sales but may take credit for the amount of the tax paid to the wholesaler on said return covering the subsequent sales of same property, provided adequate invoices and records are maintained to substantiate the credit.

(j) Wholesale sales of food and drink for human consumption to full-service vending machine operators to be sold through vending machines located apart from and not connected with other taxable businesses shall be taxed at the rate of eight percent (8%).

(k) Sales of equipment used or designed for the purpose of assisting disabled persons, such as wheelchair equipment and lifts, that is mounted or attached to or installed on a private carrier of passengers or light carrier of property, as defined in Section 27-51-101, at the time when the private carrier of passengers or light carrier of property is sold shall be taxed at the same rate as the sale of such vehicles under this section.

(l) Sales of the factory-built components of modular homes, panelized homes and precut homes, and panel constructed homes consisting of structural insulated panels, shall be taxed at the rate of three percent (3%).

(m) Sales of materials used in the repair, renovation, addition to, expansion and/or improvement of buildings and related facilities used by a dairy producer shall be taxed at the rate of three and one-half percent (3-1/2%). For the purposes of this paragraph (m), "dairy producer" means any person engaged in the production of milk for commercial use.

(2) From and after January 1, 1995, retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101, shall be taxed an additional two percent (2%).

(3) A manufacturer selling at retail in this state shall be required to make returns of the gross proceeds of such sales and pay the tax imposed in this section.

SECTION 8. Section 27-65-19, Mississippi Code of 1972, is brought forward as follows:

27-65-19. (1) (a) (i) Except as otherwise provided in this subsection, upon every person selling to consumers, electricity, current, power, potable water, steam, coal, natural gas, liquefied petroleum gas or other fuel, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross income of the business. Provided, gross income from sales to consumers of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for residential heating, lighting or other residential noncommercial or nonagricultural use, and sales of potable water for residential, noncommercial or nonagricultural use shall be excluded from taxable gross income of the business. Provided further, upon every such seller using electricity, current, power, potable water, steam, coal, natural gas, liquefied petroleum gas or other fuel for nonindustrial purposes, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the cost or value of the product or service used.

(ii) Gross income from sales to a church that is exempt from federal income taxation under 26 USCS Section 501(c)(3) of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for heating, lighting or other use, and sales of potable water to such a church shall be excluded from taxable gross income of the business if the electricity, current, power, natural gas, liquefied petroleum gas or potable water is utilized on property that is primarily used for religious or educational purposes.

(b) (i) There is hereby levied, assessed and shall be collected a tax equal to one and one-half percent (1-1/2%) of the gross income of the business from the sale of naturally occurring carbon dioxide and anthropogenic carbon dioxide lawfully injected into the earth for:

1. Use in an enhanced oil recovery project, including, but not limited to, use for cycling, repressuring or lifting of oil; or

2. Permanent sequestration in a geological formation.

(ii) The one and one-half percent (1-1/2%) rate provided for in this subsection shall apply to electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel that is sold to a producer of oil and gas for use directly in enhanced oil recovery using carbon dioxide and/or the permanent sequestration of carbon dioxide in a geological formation.

(c) The one and one-half percent (1-1/2%) rate provided for in this subsection shall not apply to sales of fuel for automobiles, trucks, truck-tractors, buses, farm tractors or airplanes.

(d) (i) Upon every person providing services in this state, there is hereby levied, assessed and shall be collected:

1. A tax equal to seven percent (7%) of the gross income received from all charges for intrastate telecommunications services.

2. A tax equal to seven percent (7%) of the gross income received from all charges for interstate telecommunications services.

3. A tax equal to seven percent (7%) of the gross income received from all charges for international telecommunications services.

4. A tax equal to seven percent (7%) of the gross income received from all charges for ancillary services.

5. A tax equal to seven percent (7%) of the gross income received from all charges for products delivered electronically, including, but not limited to, software, music, games, reading materials or ring tones.

(ii) A person, upon proof that he has paid a tax in another state on an event described in subparagraph (i) of this paragraph (d), shall be allowed a credit against the tax imposed in this paragraph (d) on interstate telecommunications service charges to the extent that the amount of such tax is properly due and actually paid in such other state and to the extent that the rate of sales tax imposed by and paid in such other state does not exceed the rate of sales tax imposed by this paragraph (d).

(iii) Charges by one (1) telecommunications provider to another telecommunications provider holding a permit issued under Section 27-65-27 for services that are resold by such other telecommunications provider, including, but not limited to, access charges, shall not be subject to the tax levied pursuant to this paragraph (d).

(iv) For purposes of this paragraph (d):

1. "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between points. The term "telecommunications service" includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such service is referred to as voice over Internet protocol services or is classified by the Federal Communications Commission as enhanced or value added. The term "telecommunications service" shall not include:

a. Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

b. Installation or maintenance of wiring or equipment on a customer's premises;

c. Tangible personal property;

d. Advertising, including, but not limited to, directory advertising;

e. Billing and collection services provided to third parties;

f. Internet access service;

g. Radio and television audio and video programming services regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 USCS 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;

h. Ancillary services; or

i. Digital products delivered electronically, including, but not limited to, software, music, video, reading materials or ring tones.

2. "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail service.

a. "Conference bridging" means an ancillary service that links two (2) or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging does not include the telecommunications services used to reach the conference bridge.

b. "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

c. "Directory assistance" means an ancillary service of providing telephone number information and/or address information.

d. "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

e. "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

3. "Intrastate" means telecommunications service that originates in one (1) United States state or United States territory or possession, and terminates in the same United States state or United States territory or possession.

4. "Interstate" means a telecommunications service that originates in one (1) United States state or United States territory or possession, and terminates in a different United States state or United States territory or possession.

5. "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively.

(v) For purposes of paragraph (d), the following sourcing rules shall apply:

1. Except for the defined telecommunications services in item 3 of this subparagraph, the sales of telecommunications services sold on a call-by-call basis shall be sourced to:

a. Each level of taxing jurisdiction where the call originates and terminates in that jurisdiction, or

b. Each level of taxing jurisdiction where the call either originates or terminates and in which the service address is also located.

2. Except for the defined telecommunications services in item 3 of this subparagraph, a sale of telecommunications services sold on a basis other than a call-by-call basis, is sourced to the customer's place of primary use.

3. The sale of the following telecommunications services shall be sourced to each level of taxing jurisdiction as follows:

a. A sale of mobile telecommunications services other than air-to-ground radiotelephone service and prepaid calling service is sourced to the customer's place of primary use as required by the Mobile Telecommunication Sourcing Act.

A. A home service provider shall be responsible for obtaining and maintaining the customer's place of primary use. The home service provider shall be entitled to rely on the applicable residential or business street address supplied by such customer, if the home service provider's reliance is in good faith; and the home service provider shall be held harmless from liability for any additional taxes based on a different determination of the place of primary use for taxes that are customarily passed on to the customer as a separate itemized charge. A home service provider shall be allowed to treat the address used for purposes of the tax levied by this chapter for any customer under a service contract in effect on August 1, 2002, as that customer's place of primary use for the remaining term of such service contract or agreement, excluding any extension or renewal of such service contract or agreement. Month-to-month services provided after the expiration of a contract shall be treated as an extension or renewal of such contract or agreement.

B. If the commissioner determines that the address used by a home service provider as a customer's place of primary use does not meet the definition of the term "place of primary use" as defined in subitem a.A. of this item 3, the commissioner shall give binding notice to the home service provider to change the place of primary use on a prospective basis from the date of notice of determination; however, the customer shall have the opportunity, prior to such notice of determination, to demonstrate that such address satisfies the definition.

C. The department has the right to collect any taxes due directly from the home service provider's customer that has failed to provide an address that meets the definition of the term "place of primary use" which resulted in a failure of tax otherwise due being remitted.

b. A sale of postpaid calling service is sourced to the origination point of the telecommunications signal as first identified by either:

A. The seller's telecommunications system; or

B. Information received by the seller from its service provider, where the system used to transport such signals is not that of the seller.

c. A sale of a prepaid calling service or prepaid wireless calling service shall be subject to the tax imposed by this paragraph if the sale takes place in this state. If the customer physically purchases a prepaid calling service or prepaid wireless calling service at the vendor's place of business, the sale is deemed to take place at the vendor's place of business. If the customer does not physically purchase the service at the vendor's place of business, the sale of a prepaid calling card or prepaid

wireless calling card is deemed to take place at the first of the following locations that applies to the sale:

A. The customer's shipping address, if the sale involves a shipment;

B. The customer's billing address;

C. Any other address of the customer that is known by the vendor; or

D. The address of the vendor, or alternatively, in the case of a prepaid wireless calling service, the location associated with the mobile telephone number.

4. A sale of a private communication service is sourced as follows:

a. Service for a separate charge related to a customer channel termination point is sourced to each level of jurisdiction in which such customer channel termination point is located.

b. Service where all customer termination points are located entirely within one (1) jurisdiction or levels of jurisdiction is sourced in such jurisdiction in which the customer channel termination points are located.

c. Service for segments of a channel between two (2) customer channel termination points located in different jurisdictions and which segments of a channel are separately charged is sourced fifty percent (50%) in each level of jurisdiction in which the customer channel termination points are located.

d. Service for segments of a channel located in more than one (1) jurisdiction or levels of jurisdiction and which segments are not separately billed is sourced in each jurisdiction based on the percentage determined by dividing the number of customer channel termination points in such jurisdiction by the total number of customer channel termination points.

5. A sale of ancillary services is sourced to the customer's place of primary use.

(vi) For purposes of subparagraph (v) of this paragraph (d):

1. "Air-to-ground radiotelephone service" means a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft.

2. "Call-by-call basis" means any method of charging for telecommunications services where the price is measured by individual calls.

3. "Communications channel" means a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points.

4. "Customer" means the person or entity that contracts with the seller of telecommunications services. If the end user of telecommunications services is not the contracting party, the end user of the telecommunications service is the customer of the telecommunications service. Customer does not include a reseller of telecommunications service or for mobile telecommunications service of a serving carrier



under an agreement to serve the customer outside the home service provider's licensed service area.

5. "Customer channel termination point" means the location where the customer either inputs or receives the communications.

6. "End user" means the person who utilizes the telecommunications service. In the case of an entity, "end user" means the individual who utilizes the service on behalf of the entity.

7. "Home service provider" has the meaning ascribed to such term in Section 124(5) of Public Law 106-252 (Mobile Telecommunications Sourcing Act).

8. "Mobile telecommunications service" has the meaning ascribed to such term in Section 124(7) of Public Law 106-252 (Mobile Telecommunications Sourcing Act).

9. "Place of primary use" means the street address representative of where the customer's use of the telecommunications service primarily occurs, which must be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, the place of primary use must be within the licensed service area of the home service provider.

10. "Post-paid calling service" means the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes a telecommunications service, except a prepaid wireless calling service that would be a prepaid calling service except it is not exclusively a telecommunications service.

11. "Prepaid calling service" means the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.

12. "Prepaid wireless calling service" means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary service, which must be paid for in advance that is sold in predetermined units or dollars of which the number declines with use in a known amount.

13. "Private communication service" means a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations and any other associated services that are provided in connection with the use of such channel or channels.

14. "Service address" means:

a. The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid.

b. If the location in subitem a of this item 14 is not known, the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider, where the system used to transport such signals is not that of the seller.

c. If the location in subitems a and b of this item 14 are not known, the location of the customer's place of primary use.

(vii) 1. For purposes of this subparagraph (vii), "bundled transaction" means a transaction that consists of distinct and identifiable properties or services which are sold for a single nonitemized price but which are treated differently for tax purposes.

2. In the case of a bundled transaction that includes telecommunications services, ancillary services, Internet access, or audio or video programming services taxed under this chapter in which the price of the bundled transaction is attributable to properties or services that are taxable and nontaxable, the portion of the price that is attributable to any nontaxable property or service shall be subject to the tax unless the provider can reasonably identify that portion from its books and records kept in the regular course of business.

3. In the case of a bundled transaction that includes telecommunications services, ancillary services, Internet access, audio or video programming services subject to tax under this chapter in which the price is attributable to properties or services that are subject to the tax but the tax revenue from the different properties or services are dedicated to different funds or purposes, the provider shall allocate the price among the properties or services:

a. By reasonably identifying the portion of the price attributable to each of the properties and services from its books and records kept in the regular course of business; or

b. Based on a reasonable allocation methodology approved by the department.

4. This subparagraph (vii) shall not create a right of action for a customer to require that the provider or the department, for purposes of determining the amount of tax applicable to a bundled transaction, allocate the price to the different portions of the transaction in order to minimize the amount of tax charged to the customer. A customer shall not be entitled to rely on the fact that a portion of the price is attributable to properties or services not subject to tax unless the provider elects, after receiving a written request from the customer in the form required by the provider, to provide verifiable data based upon the provider's books and records that are kept in the regular course of business that reasonably identifies the portion of the price attributable to the properties or services not subject to the tax.

(2) Persons making sales to consumers of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for residential heating, lighting or other residential noncommercial or nonagricultural use or sales of potable water for residential, noncommercial or nonagricultural use shall indicate on each statement rendered to customers that such charges are exempt from sales taxes.

(3) There is hereby levied, assessed and shall be paid on transportation charges on shipments moving between points within this state when paid directly by the consumer, a tax equal to the rate applicable to the sale of the property being transported. Such tax shall be reported and paid directly to the Department of Revenue by the consumer.

SECTION 9. Section 27-65-23, Mississippi Code of 1972, is brought forward as follows:

27-65-23. Upon every person engaging or continuing in any of the following businesses or activities there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross income of the business, except as otherwise provided:

- Air-conditioning installation or repairs;
- Automobile, motorcycle, boat or any other vehicle repairing or servicing;
- Billiards, pool or domino parlors;
- Bowling or tenpin alleys;
- Burglar and fire alarm systems or services;
- Car washing — automatic, self-service, or manual;
- Computer software sales and services;
- Cotton compresses or cotton warehouses;
- Custom creosoting or treating, custom planing, custom sawing;
- Custom meat processing;
- Electricians, electrical work, wiring, all repairs or installation of electrical equipment;
- Elevator or escalator installing, repairing or servicing;
- Film developing or photo finishing;
- Foundries, machine or general repairing;
- Furniture repairing or upholstering;
- Grading, excavating, ditching, dredging or landscaping;
- Hotels (as defined in Section 41-49-3), motels, tourist courts or camps, trailer parks;
- Insulating services or repairs;
- Jewelry or watch repairing;
- Laundering, cleaning, pressing or dyeing;
- Marina services;
- Mattress renovating;
- Office and business machine repairing;
- Parking garages and lots;
- Plumbing or pipe fitting;

Public storage warehouses (There shall be no tax levied on gross income of a public storage warehouse derived from the temporary storage of tangible personal property in this state pending shipping or mailing of the property to another state.);

Refrigerating equipment repairs;

Radio or television installing, repairing, or servicing;

Renting or leasing personal property used within this state;

Services performed in connection with geophysical surveying, exploring, developing, drilling, producing, distributing, or testing of oil, gas, water and other mineral resources;

Shoe repairing;

Storage lockers;

Telephone answering or paging services;

Termite or pest control services;

Tin and sheet metal shops;

TV cable systems, subscription TV services, and other similar activities;

Vulcanizing, repairing or recapping of tires or tubes;

Welding; and

Woodworking or wood-turning shops.

Income from services taxed herein performed for electric power associations in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

Income from services taxed herein performed on materials for use in track or track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

Income from renting or leasing tangible personal property used within this state shall be taxed at the same rates as sales of the same property.

Persons doing business in this state who rent transportation equipment with a situs within or without the state to common, contract or private commercial carriers are taxed on that part of the income derived from use within this state. If specific accounting is impracticable, a formula may be used with approval of the commissioner.

A lessor may deduct from the tax computed on the rental income from tangible personal property a credit for sales or use tax paid to this state at the time of purchase of the specific personal property being leased or rented until such credit has been exhausted.

Charges for custom processing and repairing services may be excluded from gross taxable income when the property on which the service was performed is delivered to the customer in another state either by common carrier or in the seller's equipment.

When a taxpayer performs unitary services covered by this section, which are performed both in intrastate and interstate commerce, the commissioner is hereby

invested with authority to formulate in each particular case and to fix for such taxpayer in each instance formulae of apportionment which will apportion to this state, for taxation, that portion of the services which are performed within the State of Mississippi.

SECTION 10. Section 27-65-93, Mississippi Code of 1972, is brought forward as follows:

27-65-93. (1) The commissioner shall, from time to time, promulgate rules and regulations, not inconsistent with the provisions of the sales tax law, for making returns and for the ascertainment, assessment and collection of the tax imposed by the sales tax law as he may deem necessary to enforce its provisions; and, upon request, he shall furnish any taxpayer with a copy of the rules and regulations.

(2) All forms, necessary for the enforcement of the sales tax law, shall be prescribed, printed and furnished by the commissioner.

(3) The commissioner may adopt rules and regulations providing for the issuance of permits to manufacturers, utilities, construction contractors, companies receiving bond financing through the Mississippi Business Finance Corporation or the Mississippi Development Authority, and other taxpayers as determined by the commissioner, and the commissioner shall adopt rules and regulations providing for the issuance of a permit to any qualified business or industry, which is certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act and awarded any mFlex tax incentive amount for such qualified business's or industry's qualified economic development project, certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act, to purchase tangible personal property taxed under Section 27-65-17, items taxed under Section 27-65-18, items taxed under Section 27-65-19, services taxed under Section 27-65-23, items taxed under Section 27-65-24, and items taxed under Section 27-65-26 without the payment to the vendor of the tax imposed by the sales and use tax laws, and providing for persons to report and pay the tax directly to the commissioner in instances where the commissioner determines that these provisions will facilitate and expedite the collection of the tax at the proper rates which may be due on purchases by the permittee. Under the provisions of this chapter, the vendor is relieved of collecting and remitting the taxes specified hereunder and the person holding the permit shall become liable for such taxes instead of the seller. The full enforcement provisions of the sales tax law shall apply in the collection of the tax from the permittee.

SECTION 11. Section 27-65-101, Mississippi Code of 1972, is brought forward as follows:

27-65-101. (1) The exemptions from the provisions of this chapter which are of an industrial nature or which are more properly classified as industrial exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by the provisions of the Constitution of the United States or the State of Mississippi. No industrial exemption as now provided by any other section except Section 57-3-33 shall be valid as against the tax herein levied. Any subsequent industrial exemption from the tax levied hereunder shall be provided by amendment to this section. No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21.

The tax levied by this chapter shall not apply to the following:

(a) Sales of boxes, crates, cartons, cans, bottles and other packaging materials to manufacturers and wholesalers for use as containers or shipping materials to accompany goods sold by said manufacturers or wholesalers where possession thereof will pass to the customer at the time of sale of the goods contained therein and sales to anyone of containers or shipping materials for use in ships engaged in international commerce.

(b) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) to a manufacturer for use directly in manufacturing or processing a product for sale or rental or repairing or reconditioning vessels or barges of fifty (50) tons load displacement and over. For the purposes of this exemption, electricity used directly in the electrolysis process in the production of sodium chlorate shall be considered a raw material. This exemption shall not apply to any property used as fuel except to the extent that such fuel comprises by-products which have no market value.

(c) The gross proceeds of sales of dry docks, offshore drilling equipment for use in oil or natural gas exploration or production, vessels or barges of fifty (50) tons load displacement and over, when the vessels or barges are sold by the manufacturer or builder thereof. In addition to other types of equipment, offshore drilling equipment for use in oil or natural gas exploration or production shall include aircraft used predominately to transport passengers or property to or from offshore oil or natural gas exploration or production platforms or vessels, and engines, accessories and spare parts for such aircraft.

(d) Sales to commercial fishermen of commercial fishing boats of over five (5) tons load displacement and not more than fifty (50) tons load displacement as registered with the United States Coast Guard and licensed by the Mississippi Commission on Marine Resources.

(e) The gross income from repairs to vessels and barges engaged in foreign trade or interstate transportation.

(f) Sales of petroleum products to vessels or barges for consumption in marine international commerce or interstate transportation businesses.

(g) Sales and rentals of rail rolling stock (and component parts thereof) for ultimate use in interstate commerce and gross income from services with respect to manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof).

(h) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) used or consumed directly in manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof). This exemption shall not apply to any property used as fuel.

(i) Sales of machinery or tools or repair parts therefor or replacements thereof, fuel or supplies used directly in manufacturing, converting or repairing ships, vessels or barges of three thousand (3,000) tons load displacement and over, but not to include office and plant supplies or other equipment not directly used on the ship, vessel or barge being built, converted or repaired. For purposes of this exemption, "ships, vessels or barges" shall not include floating structures described in Section 27-65-18.

(j) Sales of tangible personal property to persons operating ships in international commerce for use or consumption on board such ships. This exemption shall be limited to cases in which procedures satisfactory to the commissioner, ensuring against use in this state other than on such ships, are established.

(k) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-51-5, which are located in a county or portion thereof designated as an enterprise zone pursuant to Sections 57-51-1 through 57-51-15.

(l) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-54-5.

(m) Income from storage and handling of perishable goods by a public storage warehouse.

(n) The value of natural gas lawfully injected into the earth for cycling, repressuring or lifting of oil, or lawfully vented or flared in connection with the production of oil; however, if any gas so injected into the earth is sold for such purposes, then the gas so sold shall not be exempt.

(o) The gross collections from self-service commercial laundering, drying, cleaning and pressing equipment.

(p) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified companies, certified as such by the Mississippi Development Authority under Section 57-53-1.

(q) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Three areas (as such term is defined in Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph (q). The exemption provided in this paragraph (q) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(r) (i) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company establishing or transferring its national or regional headquarters from within or outside the State of Mississippi and creating a minimum of twenty (20) jobs at the new headquarters in this state. The exemption provided in this subparagraph (i) shall not apply to sales for any company that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (i).

(ii) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company expanding or making additions after January 1, 2013, to its national or regional headquarters within the State of Mississippi and creating a minimum of twenty (20) new jobs at the headquarters as a result of the expansion or additions. The exemption provided in this subparagraph (ii) shall not apply to sales for any company that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (ii).

(s) The gross proceeds from the sale of semitrailers, trailers, boats, travel trailers, motorcycles, all-terrain cycles and rotary-wing aircraft if exported from this state within forty-eight (48) hours and registered and first used in another state.

(t) Gross income from the storage and handling of natural gas in underground salt domes and in other underground reservoirs, caverns, structures and formations suitable for such storage.

(u) Sales of machinery and equipment to nonprofit organizations if the organization:

(i) Is tax exempt pursuant to Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

(ii) Assists in the implementation of the contingency plan or area contingency plan, and which is created in response to the requirements of Title IV, Subtitle B of the Oil Pollution Act of 1990, Public Law 101-380; and

(iii) Engages primarily in programs to contain, clean up and otherwise mitigate spills of oil or other substances occurring in the United States coastal and tidal waters.

For purposes of this exemption, "machinery and equipment" means any ocean-going vessels, barges, booms, skimmers and other capital equipment used primarily in the operations of nonprofit organizations referred to herein.

(v) Sales or leases of materials and equipment to approved business enterprises as provided under the Growth and Prosperity Act.

(w) From and after July 1, 2001, sales of pollution control equipment to manufacturers or custom processors for industrial use. For the purposes of this exemption, "pollution control equipment" means equipment, devices, machinery or systems used or acquired to prevent, control, monitor or reduce air, water or groundwater pollution, or solid or hazardous waste as required by federal or state law or regulation.

(x) Sales or leases to a manufacturer of motor vehicles or powertrain components operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacture of motor vehicles or motor vehicle parts or used to provide climate control for manufacturing areas.

(y) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi), Section 57-75-5(f)(xxii) or Section 57-75-5(f)(xxviii) and any other sales or leases required to establish or operate such project.

(z) Sales of component materials and equipment to a business enterprise as provided under Section 57-64-33.

(aa) The gross income from the stripping and painting of commercial aircraft engaged in foreign or interstate transportation business.

(bb) [Repealed]



(cc) Sales or leases to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacturing/production operations of the project or used to provide climate control for manufacturing/production areas.

(dd) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) and any other sales or leases required to establish or operate such project.

(ee) Sales of parts used in the repair and servicing of aircraft not registered in Mississippi engaged exclusively in the business of foreign or interstate transportation to businesses engaged in aircraft repair and maintenance.

(ff) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), meeting minimum criteria established by the Mississippi Development Authority. The exemption provided in this paragraph (ff) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(gg) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the facility or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), as certified by the Department of Revenue. For purposes of this paragraph, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(hh) Sales of component materials used in the replacement, reconstruction or repair of a building or facility that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises or companies that were eligible for the exemptions authorized in paragraph (q), (r), (ff) or (gg) of this subsection during initial construction of the building that was destroyed or damaged, which enterprises or companies are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph.

(ii) Sales of software or software services transmitted by the Internet to a destination outside the State of Mississippi where the first use of such software or software services by the purchaser occurs outside the State of Mississippi.

(jj) Gross income of public storage warehouses derived from the temporary storage of raw materials that are to be used in an eligible facility as defined in Section 27-7-22.35.

(kk) Sales of component building materials and equipment for initial construction of facilities or expansion of facilities as authorized under Sections 57-113-1 through 57-113-7 and Sections 57-113-21 through 57-113-27.

(ll) Sales and leases of machinery and equipment acquired in the initial construction to establish facilities as authorized in Sections 57-113-1 through 57-113-7.

(mm) Sales and leases of replacement hardware, software or other necessary technology to operate a data center as authorized under Sections 57-113-21 through 57-113-27.

(nn) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of the construction of the facility, to be used in the facility, to permanent business enterprises operating a facility producing renewable crude oil from biomass harvested or produced, in whole or in part, in Mississippi, which businesses meet minimum criteria established by the Mississippi Development Authority. As used in this paragraph, the term "biomass" shall have the meaning ascribed to such term in Section 57-113-1.

(oo) Sales of supplies, equipment and other personal property to an organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue Code and is the host organization coordinating a professional golf tournament played or to be played in this state and the supplies, equipment or other personal property will be used for purposes related to the golf tournament and related activities.

(pp) Sales of materials used in the construction of a health care industry facility, as defined in Section 57-117-3, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-117-3. This paragraph shall be repealed from and after July 1, 2025.

(qq) Sales or leases to a manufacturer of automotive parts operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxviii) of machinery and equipment; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal, nitrogen and natural gas used directly in the manufacture of automotive parts or used to provide climate control for manufacturing areas.

(rr) Gross collections derived from guided tours on any navigable waters of this state, which include providing accommodations, guide services and/or related equipment operated by or under the direction of the person providing the tour, for the purposes of outdoor tourism. The exemption provided in this paragraph (rr) does not apply to the sale of tangible personal property by a person providing such tours.

(ss) Retail sales of truck-tractors and semitrailers used in interstate commerce and registered under the International Registration Plan (IRP) or any similar reciprocity agreement or compact relating to the proportional registration of commercial vehicles entered into as provided for in Section 27-19-143.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales or leases to an enterprise and its affiliates operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxix) of:

(i) All personal property and fixtures, including without limitation, sales or leases to the enterprise and its affiliates of:

1. Manufacturing machinery and equipment;
2. Special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes;
3. Component building materials, machinery and equipment used in the construction of buildings, and any other additions or improvements to the project site for the project;
4. Nonmanufacturing furniture, fixtures and equipment (inclusive of all communications, computer, server, software and other hardware equipment); and
5. Fuel, supplies (other than nonmanufacturing consumable supplies and water), electricity, nitrogen gas and natural gas used directly in the manufacturing/production operations of such project or used to provide climate control for manufacturing/production areas of such project;

(ii) All replacements of, repair parts for or services to repair items described in subparagraph (i)1, 2 and 3 of this paragraph; and

(iii) All services taxable pursuant to Section 27-65-23 required to establish, support, operate, repair and/or maintain such project.

(vv) Sales or leases to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxx) of:

(i) Purchases required to establish and operate the project, including, but not limited to, sales of component building materials, machinery and equipment required to establish the project facility and any additions or improvements thereon; and

(ii) Machinery, special tools (such as dies, molds, and jigs) or repair parts thereof, or replacements and lease thereof, repair services thereon, fuel, supplies and electricity, coal and natural gas used in the manufacturing process and purchased by the enterprise owning or operating the project for the benefit of the project.

(ww) Sales of component materials used in the construction of a building, or any expansion or improvement thereon, sales of machinery and/or equipment to be used therein, and sales of processing machinery and equipment which is permanently attached to the ground or to a permanent foundation which is not by its nature intended to be housed in a building structure, no later than three (3) months after initial startup, expansion or improvement of a permanent enterprise solely engaged in the conversion of natural sand into proppants used in oil and gas exploration and development with at least ninety-five percent (95%) of such proppants used in the production of oil and/or gas from horizontally drilled wells and/or horizontally drilled recompletion wells as defined in Sections 27-25-501 and 27-25-701.

(xx) (i) Sales or leases to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxxi), for a period ending no later than one (1) year following completion of the construction of the facility or facilities comprising such project of all personal property and fixtures, including without limitation, sales or leases to the enterprise and its affiliates of:

1. Manufacturing machinery and equipment;

2. Special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes;

3. Component building materials, machinery and equipment used in the construction of buildings, and any other additions or improvements to the project site for the project;

4. Nonmanufacturing furniture, fixtures and equipment (inclusive of all communications, computer, server, software and other hardware equipment);

5. Replacements of, repair parts for or services to repair items described in this subparagraph (i)1, 2 and 3; and

6. All services taxable pursuant to Section 27-65-23 required to establish, support, operate, repair and/or maintain such project; and

(ii) Sales or leases to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxxi) of electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel, biomass, nitrogen or other atmospheric or other industrial gases used directly by the enterprise in the manufacturing/production operations of its project or used to provide climate control for manufacturing/production areas (which manufacturing/production areas shall be apportioned based on square footage). As used in this paragraph, the term "biomass" shall have the meaning ascribed to such term in Section 57-113-1.

(2) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter. The exemption provided in this subsection (2) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(3) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses meet minimum criteria established by the Mississippi Development Authority, shall be exempt from one-half (1/2) of the taxes imposed on such transaction under this chapter. The exemption provided in this subsection (3) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(4) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption

granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter. For purposes of this subsection, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(5) (a) For purposes of this subsection:

(i) "Telecommunications enterprises" shall have the meaning ascribed to such term in Section 57-73-21;

(ii) "Tier One areas" mean counties designated as Tier One areas pursuant to Section 57-73-21;

(iii) "Tier Two areas" mean counties designated as Tier Two areas pursuant to Section 57-73-21;

(iv) "Tier Three areas" mean counties designated as Tier Three areas pursuant to Section 57-73-21; and

(v) "Equipment used in the deployment of broadband technologies" means any equipment capable of being used for or in connection with the transmission of information at a rate, prior to taking into account the effects of any signal degradation, that is not less than three hundred eighty-four (384) kilobits per second in at least one (1) direction, including, but not limited to, asynchronous transfer mode switches, digital subscriber line access multiplexers, routers, servers, multiplexers, fiber optics and related equipment.

(b) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier One areas and used in the deployment of broadband technologies shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

(c) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier Two and Tier Three areas and used in the deployment of broadband technologies shall be exempt from the taxes imposed on such transactions under this chapter.

(6) Sales of component materials used in the replacement, reconstruction or repair of a building that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises that were eligible for the partial exemptions provided for in subsections (2), (3) and (4) of this section during initial construction of the building that was destroyed or damaged, which enterprises are certified by the Department of Revenue as being eligible for the partial exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

SECTION 12. Section 27-67-3, Mississippi Code of 1972, is brought forward as follows:

27-67-3. Whenever used in this article, the words, phrases and terms shall have the meaning ascribed to them as follows:

(a) "Tax Commission" or "department" means the Department of Revenue of the State of Mississippi.

(b) "Commissioner" means the Commissioner of Revenue of the Department of Revenue.

(c) "Person" means any individual, firm, partnership, joint venture, association, corporation, estate, trust, receiver, syndicate or any other group or combination acting as a unit and includes the plural as well as the singular in number. "Person" shall also include husband or wife, or both, where joint benefits are derived from the operation of a business taxed hereunder or where joint benefits are derived from the use of property taxed hereunder.

(d) "Taxpayer" means any person liable for the payment of any tax hereunder, or liable for the collection and payment of the tax.

(e) "Sale" or "purchase" means the exchange of properties for money or other consideration, and the barter of properties or products. Every closed transaction by which title to, or possession of, tangible personal property or specified digital products passes shall constitute a taxable event. A transaction whereby the possession of property or products is transferred but the seller retains title as security for payment of the selling price shall be deemed a sale.

(f) "Purchase price" or "sales price" means the total amount for which tangible personal property or specified digital product is purchased or sold, valued in money, including installation and service charges, and freight charges to the point of use within this state, without any deduction for cost of property or products sold, expenses or losses, or taxes of any kind except those exempt by the sales tax law. "Purchase price" or "sales price" shall not include cash discounts allowed and taken or merchandise returned by customers when the total sales price is refunded either in cash or by credit, and shall not include amounts allowed for a trade-in of similar property or products. "Purchase price" or "sales price" does not include finance charges, carrying charges or any other addition to the selling price as a result of deferred payments by the purchaser.

(g) "Lease" or "rent" means any agreement entered into for a consideration that transfers possession or control of tangible personal property or specified digital products to a person for use within this state.

(h) "Value" means the estimated or assessed monetary worth of a thing or property. The value of property or products transferred into this state for sales promotion or advertising shall be an amount not less than the cost paid by the transferor or donor. The value of property or products which have been used in another state shall be determined by its cost less straight line depreciation provided that value shall never be less than twenty percent (20%) of the cost or other method acceptable to the commissioner. On property or products imported by the manufacturer thereof for rental or lease within this state, value shall be the manufactured cost of the property and freight to the place of use in Mississippi.

(i) "Tangible personal property" means personal property perceptible to the human senses or by chemical analysis, as opposed to real property or intangibles. "Tangible personal property" shall include printed, mimeographed, multigraphed matter, or material reproduced in any other manner, and books, catalogs, manuals, publications or similar documents covering the services of collecting, compiling or analyzing information of any kind or nature. However, reports representing the work of persons such as lawyers, accountants, engineers and similar professionals shall not be included. "Tangible personal property" shall also include tangible advertising or sales promotion materials such as, but not limited to, displays, brochures, signs, catalogs, price lists, point of sale advertising materials and technical manuals. Tangible personal property shall also include computer software programs.

(j) "Person doing business in this state," "person maintaining a place of business within this state," or any similar term means any person having within this state

an office, a distribution house, a salesroom or house, a warehouse, or any other place of business, or owning personal property located in this state used by another person, or installing personal property in this state. This definition also includes any person selling or taking orders for any tangible personal property, either personally, by mail or through an employee representative, salesman, commission agent, canvasser, solicitor or independent contractor or by any other means from within the state. "Person doing business in this state" also includes any marketplace facilitator, marketplace seller, or remote seller with sales that exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) in any consecutive twelve-month period. A sale made through a marketplace facilitator is a sale of the marketplace facilitator and not the sale of a marketplace seller for purposes of determining whether a person exceeds Two Hundred Fifty Thousand Dollars (\$250,000.00) in sales.

Any person doing business under the terms of this article by reason of coming under any one or more of the qualifying provisions listed above shall be considered as doing business on all transactions involving sales to persons within this state.

(k) "Use" or "consumption" means the first use or intended use within this state of tangible personal property or specified digital product and shall include rental or loan by owners or use by lessees or other persons receiving benefits from use of the property or product. "Use" or "consumption" shall include the benefit realized or to be realized by persons importing or causing to be imported into this state tangible advertising or sales promotion materials.

(l) "Storage" means keeping tangible personal property or specified digital product in this state for subsequent use or consumption in this state.

(m) "Specified digital products" shall have the meaning ascribed to such term in Section 27-65-26.

(n) "Marketplace facilitator" means any person who facilitates a retail sale by a seller by:

(i) Listing or advertising for sale by the retailer in any forum, tangible personal property, services or digital goods that are subject to tax under this chapter; and

(ii) Either directly or indirectly through agreements or arrangements with third parties collecting payment from the customer and transmitting that payment to the retailer regardless of whether the marketplace provider receives compensation or other consideration in exchange for its service.

(o) "Marketplace seller" means a seller that makes sales through any physical or electronic marketplace owned, operated, or controlled by a marketplace facilitator, even if such seller would not have been required to collect and remit sales tax had the sale not been made through such marketplace.

(p) "Remote seller" means a person, other than a marketplace facilitator, that does not maintain a place of business in this state and that through a forum sells tangible personal property, taxable services or specified digital products, the sale or use of which is subject to the tax imposed by this chapter.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 27-67-5, 27-67-7 AND 27-67-11, MISSISSIPPI CODE OF 1972, TO MAKE MINOR TECHNICAL CHANGES; TO BRING FORWARD SECTIONS 27-65-3, 27-65-7, 27-65-9, 27-65-17, 27-65-19, 27-65-23, 27-65-93, 27-65-101 AND 27-67-3, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 968 was adopted.

YEAS AND NAYS On H. B. No. 968. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Parks, Simmons S. (13th). Total--2.

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Senator Horhn entered a motion to reconsider the vote whereby **H. B. No. 772** passed the Senate.

**H. B. No. 772:** Mississippi Opal; designate as official state gemstone.

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Senator Michel called up the following House Amendment to **S. B. No. 2622** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Prior Authorization Reform Act."

SECTION 2. Legislative Findings. The Mississippi Legislature finds and declares that:

(a) The health care professional-patient relationship is paramount and should not be subject to unreasonable third-party interference;

(b) Prior authorization programs may be subject to member coverage agreements and medical policies, but shall not hinder the independent medical judgment of a physician or other health care provider; and

(c) Prior authorization programs must be transparent to ensure a fair and consistent process for health care providers and their patients.

SECTION 3. Applicability and Scope. This act applies to every health insurance issuer and all health benefit plans, as both terms are defined in Section 83-9-6.3, and all



private review agents and utilization review plans, as both terms are defined in Section 41-83-1, with the exception of employee or employer self-insured health benefit plans under the federal Employee Retirement Income Security Act of 1974, health care provided pursuant to the Workers' Compensation Act or the Mississippi State and School Employees' Life and Health Insurance Plan. This act does not diminish the duties and responsibilities under other federal or state law or rules promulgated under those laws applicable to a health insurer, health insurance issuer, health benefit plan, private review agent or utilization review plan, including, but not limited to, the requirement of a certificate in accordance with Section 41-83-3.

SECTION 4. Definitions. For purposes of this act, unless the context requires otherwise, the following terms shall have the meanings as defined in this section:

(a) "Adverse determination" means a determination by a health insurance issuer that, based upon the information provided, a request for a benefit under the health insurance issuer's health benefit plan upon application of any utilization review technique does not meet the health insurance issuer's requirements for medical necessity, appropriateness, health care setting, level of care, or effectiveness or is determined to be experimental or investigational and the requested benefit is therefore denied, reduced, or terminated or payment is not provided or made, in whole or in part, for the benefit; the denial, reduction, or termination of or failure to provide or make payment, in whole or in part, for a benefit based on a determination by a health insurance issuer that a preexisting condition was present before the effective date of coverage; or a rescission of coverage determination, which does not include a cancellation or discontinuance of coverage that is attributable to a failure to timely pay required premiums or contributions toward the cost of coverage.

(b) "Appeal" means a formal request, either orally or in writing, to reconsider an adverse determination.

(c) "Approval" means a determination by a health insurance issuer that a health care service has been reviewed and, based on the information provided, satisfies the health insurance issuer's requirements for medical necessity and appropriateness.

(d) "Clinical review criteria" means the written screening procedures, decision abstracts, clinical protocols and practice guidelines used by a health insurance issuer to determine the necessity and appropriateness of health care services.

(e) "Department" means the State Department of Health.

(f) "Emergency medical condition" means a medical condition manifesting itself by acute symptoms of sufficient severity, including, but not limited to, severe pain, such that a prudent layperson who possesses an average knowledge of health and medicine could reasonably expect the absence of immediate medical attention to result in:

(i) Placing the health of the individual or, with respect to a pregnant woman, the health of the woman or her unborn child, in serious jeopardy;

(ii) Serious impairment to bodily functions; or

(iii) Serious dysfunction of any bodily organ or part.

(g) "Emergency services" means health care items and services furnished or required to evaluate and treat an emergency medical condition.

(h) "Enrollee" means any person and his or her dependents enrolled in or covered by a health care plan.

(i) "Health care professional" means a physician, a registered professional nurse or other individual appropriately licensed or registered to provide health care services.

(j) "Health care provider" means any physician, hospital, ambulatory surgery center, or other person or facility that is licensed or otherwise authorized to deliver health care services.

(k) "Health care service" means any services or level of services included in the furnishing to an individual of medical care or the hospitalization incident to the furnishing of such care, as well as the furnishing to any person of any other services for the purpose of preventing, alleviating, curing, or

healing human illness or injury, including behavioral health, mental health, home health and pharmaceutical services and products.

(l) "Health insurance issuer" has the meaning given to that term in Section 83-9-6.3. Any provision of this act that applies to a "health insurance issuer" also applies to any person or entity covered under the scope of this act in Section 3 of this act.

(m) "Medically necessary" means a health care professional exercising prudent clinical judgment would provide care to a patient for the purpose of preventing, diagnosing, or treating an illness, injury, disease or its symptoms and that are:

(i) In accordance with generally accepted standards of medical practice; and

(ii) Clinically appropriate in terms of type, frequency, extent, site and duration and are considered effective for the patient's illness, injury or disease; and not primarily for the convenience of the patient, treating physician, other health care professional, caregiver, family member or other interested party, but focused on what is best for the patient's health outcome.

(n) "Physician" means any person with a valid doctor of medicine, doctor of osteopathy or doctor of podiatry degree.

(o) "Prior authorization" means the process by which a health insurance issuer determines the medical necessity and medical appropriateness of an otherwise covered health care service before the rendering of such health care service. "Prior authorization" includes any health insurance issuer's requirement that an enrollee, health care professional or health care provider notify the health insurance issuer before, at the time of, or concurrent to providing a health care service.

(p) "Urgent health care service" means a health care service with respect to which the application of the time periods for making a nonexpedited prior authorization that in the opinion of a treating health care professional or health care provider with knowledge of the enrollee's medical condition:

(i) Could seriously jeopardize the life or health of the enrollee or the ability of the enrollee to regain maximum function; or

(ii) Could subject the enrollee to severe pain that cannot be adequately managed without the care or treatment that is the subject of the utilization review.

(q) "Urgent health care service" does not include emergency services.

(r) "Private review agent" has the meaning given to that term in Section 41-83-1.

SECTION 5. Disclosure and review of prior authorization requirements. (1) A health insurance issuer shall maintain a complete list of services for which prior authorization is required, including for all services where prior authorization is performed by an entity under contract with the health insurance issuer.

(2) A health insurance issuer shall make any current prior authorization requirements and restrictions, including the written clinical review criteria, readily accessible and conspicuously posted on its website to enrollees, health care professionals and health care providers. Content published by a third party and licensed for use by a health insurance issuer may be made available through the health insurance issuer's secure, password-protected website so long as the access requirements of the website do not unreasonably restrict access. Requirements shall be described in detail, written in easily understandable language, and readily available to the health care professional and health care provider at the point of care. The website shall indicate for each service subject to prior authorization:

(a) When prior authorization became required for policies issued or health benefit plan documents delivered in Mississippi, including the effective date or dates and the termination date or dates, if applicable, in Mississippi;

(b) The date the Mississippi-specific requirement was listed on the health insurance issuer's, health benefit plan's, or private review agent's website;

(c) Where applicable, the date that prior authorization was removed for Mississippi; and

(d) Where applicable, access to a standardized electronic prior authorization request transaction process.

(3) The clinical review criteria must:

(a) Be based on nationally recognized, generally accepted standards except where state law provides its own standard;

(b) Be developed in accordance with the current standards of a national medical accreditation entity;

(c) Ensure quality of care and access to needed health care services;

(d) Be evidence-based;

(e) Be sufficiently flexible to allow deviations from norms when justified on a case-by-case basis; and

(f) Be evaluated and updated, if necessary, at least annually.

(4) A health insurance issuer shall not deny a claim for failure to obtain prior authorization if the prior authorization requirement was not in effect on the date of service on the claim.

(5) A health insurance issuer shall not deem as incidental or deny supplies or health care services that are routinely used as part of a health care service when:

(a) An associated health care service has received prior authorization; or

(b) Prior authorization for the health care service is not required.

(6) If a health insurance issuer intends either to implement a new prior authorization requirement or restriction or amend an existing requirement or restriction,

the health insurance issuer shall provide contracted health care professionals and contracted health care providers of enrollees written notice of the new or amended requirement or amendment no less than sixty (60) days before the requirement or restriction is implemented. The written notice may be provided in an electronic format, including email or facsimile, if the health care professional or health care provider has agreed in advance to receive notices electronically. The health insurance issuer shall ensure that the new or amended requirement is not implemented unless the health insurance issuer's website has been updated to reflect the new or amended requirement or restriction.

(7) Health insurers using prior authorization shall make statistics available regarding prior authorization approvals and denials on their website in a readily accessible format. The statistics must be updated annually and include all of the following information:

(a) A list of all health care services, including medications, that are subject to prior authorization;

(b) The total number of prior authorization requests received;

(c) The number of prior authorization requests denied during the previous plan year by the health insurance issuer, health benefit plan, or private review agent with respect to each service described in paragraph (a) of this subsection and the top five (5) reasons for denial;

(d) The number of requests described in paragraph (c) of this subsection that were appealed, the number of the appealed requests that upheld the adverse determination and the number of appealed requests that reversed the adverse determination;

(e) The average time between submission and response; and

(f) Any other information as the department determines appropriate.

SECTION 6. Standardized electronic prior authorizations. (1) If any health insurance issuer requires prior authorization of a health care service, the insurer or its designee utilization review organization shall, by January 1, 2024, make available a standardized electronic prior authorization request transaction process using an Internet webpage, Internet webpage portal, or similar electronic, Internet, and web-based system.

(2) Not later than January 1, 2026, all health care professionals and health care providers shall be required to use the standardized electronic prior authorization request transaction process made available as required by subsection (1) of this section.

SECTION 7. Prior authorizations in nonurgent circumstances. If a health insurance issuer requires prior authorization of a health care service, the health insurance issuer must make an approval or adverse determination and notify the enrollee, the enrollee's health care professional, and the enrollee's health care provider of the approval or adverse determination as required by applicable law, but no later than two (2) working days after obtaining all necessary information to make the approval or adverse determination. As used in this section, "necessary information" includes the results of any face-to-face clinical evaluation, second opinion or other clinical information that is directly applicable to the requested service that may be required.

SECTION 8. Prior authorizations in urgent circumstances. (1) If requested by a treating health care provider or health care professional for an enrollee, a health insurance issuer must render an approval or adverse determination concerning urgent health care services and notify the enrollee, the enrollee's health care professional and the enrollee's health care provider of that approval or adverse determination as required by law, but not

later than twenty-four (24) hours after receiving all information needed to complete the review of the requested health care services.

(2) To facilitate the rendering of a prior authorization determination in conformance with this section, a health insurance issuer must establish a mechanism to ensure health care professionals have access to appropriately trained and licensed clinical personnel who have access to physicians for consultation, designated by the plan to make such determinations for prior authorization concerning urgent care services.

SECTION 9. Personnel qualified to make adverse determinations. (1) A health insurance issuer must ensure that all adverse determinations are made by a physician when the request is by a physician or a representative of a physician. The physician must:

(a) Possess a current and valid nonrestricted license in any United States jurisdiction; and

(b) Have experience treating and managing patients with the medical condition or disease for which the health care service is being requested.

(2) Notwithstanding the foregoing, the health insurance issuer must also comply with Section 41-83-31 requiring concurrence in the adverse determination by a physician certified by the board(s) of the American Board of Medical Specialists or the American Board of Osteopathy within the relevant specialty.

SECTION 10. Notifications for adverse determinations. If a health insurance issuer makes an adverse determination, the health insurance issuer shall include the following in the notification to the enrollee, the enrollee's health care professional, and the enrollee's health care provider:

(a) The reasons for the adverse determination and related evidence-based criteria, including a description of any missing or insufficient documentation;

(b) The right to appeal the adverse determination;

(c) Instructions on how to file the appeal; and

(d) Additional documentation necessary to support the appeal.

SECTION 11. Personnel qualified to review appeals. (1) A health insurance issuer must ensure that all appeals are reviewed by a physician when the request is by a physician or a representative of a physician. The physician must:

(a) Possess a current and valid nonrestricted license to practice medicine in any United States jurisdiction;

(b) Be certified by the board(s) of the American Board of Medical Specialists or the American Board of Osteopathy within the relevant specialty of a physician who typically manages the medical condition or disease;

(c) Be knowledgeable of, and have experience providing, the health care services under appeal;

(d) Not have been directly involved in making the adverse determination;  
and

(e) Consider all known clinical aspects of the health care service under review, including, but not limited to, a review of all pertinent medical records provided to the health insurance issuer by the enrollee's health care professional or health care

provider and any medical literature provided to the health insurance issuer by the health care professional or health care provider.

(2) Notwithstanding the foregoing, a licensed health care professional who satisfies the requirements in this section may review appeal requests submitted by a health care professional licensed in the same profession.

SECTION 12. Insurer review of prior authorization requirements. A health insurance issuer shall periodically review its prior authorization requirements and consider removal of prior authorization requirements:

(a) Where a medication or procedure prescribed is customary and properly indicated or is a treatment for the clinical indication as supported by peer-reviewed medical publications; or

(b) For patients currently managed with an established treatment regimen.

SECTION 13. Revocation of prior authorizations. (1) A health insurance issuer may not revoke or further limit, condition or restrict a previously issued prior authorization approval while it remains valid under this act.

(2) Notwithstanding any other provision of law, if a claim is properly coded and submitted timely to a health insurance issuer, the health insurance issuer shall make payment according to the terms of coverage on claims for health care services for which prior authorization was required and approval received before the rendering of health care services, unless one (1) of the following occurs:

(a) It is timely determined that the enrollee's health care professional or health care provider knowingly and without exercising prudent clinical judgment provided health care services that required prior authorization from the health insurance issuer or its contracted private review agent without first obtaining prior authorization for those health care services;

(b) It is timely determined that the health care services claimed were not performed;

(c) It is timely determined that the health care services rendered were contrary to the instructions of the health insurance issuer or its contracted private review agent or delegated reviewer if contact was made between those parties before the service being rendered;

(d) It is timely determined that the enrollee receiving such health care services was not an enrollee of the health care plan; or

(e) The approval was based upon a material misrepresentation by the enrollee, health care professional, or health care provider; as used in this paragraph, "material" means a fact or situation that is not merely technical in nature and results or could result in a substantial change in the situation.

(3) Nothing in this section shall preclude a private review agent or a health insurance issuer from performing post-service reviews of health care claims for purposes of payment integrity or for the prevention of fraud, waste, or abuse.

SECTION 14. Length of approvals. (1) A prior authorization approval shall be valid for the lesser of six (6) months after the date the health care professional or health care provider receives the prior authorization approval or the length of treatment as determined by the patient's health care professional or the renewal of the policy or plan, and the approval period shall be effective regardless of any changes, including any changes in dosage for a prescription drug prescribed by the health care professional. All

dosage increases must be based on established evidentiary standards, and nothing in this section shall prohibit a health insurance issuer from having safety edits in place. This section shall not apply to the prescription of benzodiazepines or Schedule II narcotic drugs, such as opioids.

(2) Nothing in this section shall require a policy or plan to cover any care, treatment, or services for any health condition that the terms of coverage otherwise completely exclude from the policy's or plan's covered benefits without regard for whether the care, treatment or services are medically necessary.

SECTION 15. Approvals for chronic conditions. (1) If a health insurance issuer requires a prior authorization for a recurring health care service or maintenance medication for the treatment of a chronic or long-term condition, the approval shall remain valid for the lesser of twelve (12) months from the date the health care professional or health care provider receives the prior authorization approval or the length of the treatment as determined by the patient's health care professional. This section shall not apply to the prescription of benzodiazepines or Schedule II narcotic drugs, such as opioids.

(2) Nothing in this section shall require a policy or plan to cover any care, treatment or services for any health condition that the terms of coverage otherwise completely exclude from the policy's or plan's covered benefits without regard for whether the care, treatment, or services are medically necessary.

SECTION 16. Continuity of prior approvals. (1) On receipt of information documenting a prior authorization approval from the enrollee or from the enrollee's health care professional or health care provider, a health insurance issuer shall honor a prior authorization granted to an enrollee from a previous health insurance issuer for at least the initial ninety (90) days of an enrollee's coverage under a new health plan, subject to the terms of the member's coverage agreement.

(2) During the time period described in subsection (1) of this section, a health insurance issuer may perform its own review to grant a prior authorization approval subject to the terms of the member's coverage agreement.

(3) If there is a change in coverage of or approval criteria for a previously authorized health care service, the change in coverage or approval criteria does not affect an enrollee who received prior authorization approval before the effective date of the change for the remainder of the enrollee's plan year.

(4) Except to the extent required by medical exceptions processes for prescription drugs, nothing in this section shall require a policy or plan to cover any care, treatment or services for any health condition that the terms of coverage otherwise completely exclude from the policy's or plan's covered benefits without regard for whether the care, treatment or services are medically necessary.

SECTION 17. Effect of insurer's failure to comply. A failure by a health insurance issuer to comply with the deadlines and other requirements specified in this act shall result in any health care services subject to review to be automatically deemed authorized by the health insurance issuer or its contracted private review agent.

SECTION 18. Enforcement and administration. (1) In addition to the enforcement powers granted to it by law to enforce the provisions of this act, the department is granted specific authority to issue a cease-and-desist order or require a private review agent or health insurance issuer to submit a plan of correction for violations of this act, or both. Subject to regulations promulgated by the department under the provisions of the Mississippi Administrative Procedure Law, the department may impose upon a private review agent, health benefit plan or health insurance issuer an administrative fine not to exceed Ten Thousand Dollars (\$10,000.00) per violation for failure to submit a requested plan of correction, failure to comply with its plan of correction, or repeated violations of

this act. All fines collected by the department under this section shall be deposited into the State General Fund. The department may also exercise all authority granted to it under Section 41-83-13 to deny or revoke a certificate of a private review agent for a violation of this act.

(2) Any person or his or her treating physician who believes that his or her health insurance issuer or health benefit plan is in violation of the provisions of this act may file a complaint with the department. The department shall review all complaints received and investigate all complaints that it deems to state a potential violation. The department shall fairly, efficiently and timely review and investigate complaints. Health insurance issuers, health benefit plans and private review agents found to be in violation of this act shall be penalized in accordance with this section.

(3) The department shall have the authority to promulgate rules and regulations under the Mississippi Administrative Procedures Law to govern the administration of this act.

SECTION 19. Reports to the department. (1) By June 1, 2024, and each June 1 after that date, a health insurance issuer shall report to the department, on a form issued by the department, the following aggregated trend data related to the insurer's practices and experience for the prior plan year for health care services submitted for payment:

- (a) The number of prior authorization requests;
- (b) The number of prior authorization requests denied;
- (c) The number of prior authorization appeals received;
- (d) The number of adverse determinations reversed on appeal;
- (e) Of the total number of prior authorization requests, the number of prior authorization requests that were not submitted electronically;
- (f) The ten (10) health care services that were most frequently denied through prior authorization;
- (g) The ten (10) reasons prior authorization requests were most frequently denied;
- (h) The number of claims for health care services that were examined through a post-service utilization review process;
- (i) The number and percentage of claims for health care services denied through post-service utilization review; and
- (j) The ten (10) health care services that were most frequently denied as a result of post-service utilization reviews.

(2) All reports required by this section shall be considered public records under the Mississippi Public Records Act of 1983 and the department shall make all reports freely available to requestors and post all reports to its public website without redactions.

SECTION 20. False requests for prior authorization. If a health insurance issuer has reason to believe that a health care professional or health care provider has knowingly and willingly submitted false or fraudulent requests for prior authorization to the health insurance issuer, the issuer shall notify and provide that information to the Commissioner of Insurance. After receipt of such notification and information, the commissioner shall have an administrative hearing on the matter to resolve the issue.



SECTION 21. Section 41-83-31, Mississippi Code of 1972, is amended as follows:

41-83-31. Any program of utilization review with regard to hospital, medical or other health care services provided in this state, including, but not limited to, any prior authorization as defined in Section 4 of this act, shall comply with the following:

(a) No determination adverse to a patient or to any affected health care provider shall be made on any question relating to the necessity or justification for any form of hospital, medical or other health care services without prior evaluation and concurrence in the adverse determination by a physician licensed to practice in \* \* \* any United States jurisdiction and certified by the board(s) of the American Board of Medical Specialists or the American Board of Osteopathy within the relevant specialty. The physician who made the adverse determination shall discuss the reasons for any adverse determination with the affected health care provider, if the provider so requests. The physician shall comply with this request within \* \* \* seven (7) calendar days of being notified of a request. Adverse determination by a physician shall not be grounds for any disciplinary action against the physician by the State Board of Medical Licensure.

(b) Any determination regarding hospital, medical or other health care services rendered or to be rendered to a patient which may result in a denial of third-party reimbursement or a denial of precertification for that service shall include the evaluation, findings and concurrence of a physician trained in the relevant specialty or subspecialty and certified by the board(s) of the American Board of Medical Specialists or the American Board of Osteopathy within the relevant specialty, if requested by the patient's physician, to make a final determination that care rendered or to be rendered was, is, or may be medically inappropriate.

(c) The requirement in this section that the physician who makes the evaluation and concurrence in the adverse determination must be licensed to practice in Mississippi shall not apply to the Comprehensive Health Insurance Risk Pool Association or its policyholders and shall not apply to any utilization review company which reviews fewer than ten (10) persons residing in the State of Mississippi.

SECTION 22. Section 83-9-6.3, Mississippi Code of 1972, is amended as follows:

83-9-6.3. (1) As used in this section:

(a) "Health benefit plan" means services consisting of medical care, provided directly, through insurance or reimbursement, or otherwise, and including items and services paid for as medical care under any hospital or medical service policy or certificate, hospital or medical service plan contract, preferred provider organization, or health maintenance organization contract offered by a health insurance issuer. The term "health benefit plan" includes the Medicaid fee-for-service program and any managed care program, coordinated care program, coordinated care organization program or health maintenance organization program implemented by the Division of Medicaid.

(b) "Health insurance issuer" means any entity that offers health insurance coverage through a health benefit plan, policy, or certificate of insurance subject to state law that regulates the business of insurance. "Health insurance issuer" also includes a health maintenance organization, as defined and regulated under Section 83-41-301 et seq., and includes the Division of Medicaid for the services provided by fee-for-service and through any managed care program, coordinated care program, coordinated care organization program or health maintenance organization program implemented by the division.

(c) "Prior authorization" means a utilization management criterion used to seek permission or waiver of a drug to be covered under a health benefit plan that provides prescription drug benefits.

(d) "Prior authorization form" means a standardized, uniform application developed by a health insurance issuer for the purpose of obtaining prior authorization.

(2) Notwithstanding any other provision of law to the contrary, in order to establish uniformity in the submission of prior authorization forms, on or after January 1, 2014, a health insurance issuer shall use only a single, standardized prior authorization form for obtaining any prior authorization for prescription drug benefits. The form shall not exceed two (2) pages in length, excluding any instructions or guiding documentation. The form shall also be made available electronically, and the prescribing provider may submit the completed form electronically to the health benefit plan. Additionally, the health insurance issuer shall submit its prior authorization forms to the Mississippi Department of Insurance to be kept on file on or after January 1, 2014. A copy of any subsequent replacements or modifications of a health insurance issuer's prior authorization form shall be filed with the Mississippi Department of Insurance and the State Department of Health within fifteen (15) days prior to use or implementation of such replacements or modifications.

(3) A health insurance issuer shall respond within two (2) \* \* \* working days upon receipt of a completed prior authorization request from a prescribing provider that was submitted using the standardized prior authorization form required by subsection (2) of this section. A health insurance issuer shall comply with Section 8 of this act for all urgent health care services and in conformity with Section 7 of this act for all other prior authorization requests made by a prescribing provider.

SECTION 23. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ENACT THE MISSISSIPPI PRIOR AUTHORIZATION REFORM ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT; TO PROVIDE THE APPLICABILITY AND SCOPE OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAINTAIN A COMPLETE LIST OF SERVICES FOR WHICH PRIOR AUTHORIZATIONS ARE REQUIRED; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE ANY CURRENT PRIOR AUTHORIZATION REQUIREMENTS AND RESTRICTIONS READILY ACCESSIBLE AND POSTED ON ITS WEBSITE; TO SET REQUIREMENTS FOR THE CLINICAL REVIEW CRITERIA OF HEALTH INSURANCE ISSUERS; TO PROHIBIT HEALTH INSURANCE ISSUERS FROM DENYING A CLAIM FOR FAILURE TO OBTAIN PRIOR AUTHORIZATION IF THE PRIOR AUTHORIZATION REQUIREMENT WAS NOT IN EFFECT ON THE DATE OF SERVICE ON THE CLAIM; TO REQUIRE HEALTH INSURERS TO MAKE CERTAIN PRIOR AUTHORIZATION STATISTICS AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE AVAILABLE A STANDARDIZED ELECTRONIC PRIOR AUTHORIZATION REQUEST TRANSACTION PROCESS BY JANUARY 1, 2024; TO REQUIRE ALL HEALTH CARE PROFESSIONALS AND HEALTH CARE PROVIDERS TO USE THAT PROCESS NOT LATER THAN JANUARY 1, 2026; TO ESTABLISH CERTAIN REQUIREMENTS ON HEALTH INSURANCE ISSUERS FOR PRIOR AUTHORIZATIONS IN NONURGENT CIRCUMSTANCES AND URGENT CIRCUMSTANCES; TO PROVIDE CERTAIN QUALIFICATIONS OF PHYSICIANS QUALIFIED TO MAKE ADVERSE DETERMINATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO GIVE CERTAIN NOTIFICATIONS WHEN MAKING AN ADVERSE DETERMINATION; TO ESTABLISH THE QUALIFICATIONS FOR PERSONNEL WHO REVIEW APPEALS OF PRIOR AUTHORIZATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO PERIODICALLY REVIEW ITS PRIOR AUTHORIZATION REQUIREMENTS AND TO CONSIDER REMOVAL OF THESE REQUIREMENTS IN CERTAIN CASES; TO PROVIDE THAT A HEALTH INSURANCE ISSUER MAY NOT REVOKE OR FURTHER LIMIT, CONDITION OR RESTRICT A PREVIOUSLY ISSUED PRIOR AUTHORIZATION WHILE IT REMAINS VALID UNDER THIS ACT UNLESS CERTAIN EXCLUSIONS ARE APPLICABLE; TO PROVIDE HOW

LONG PRIOR AUTHORIZATION APPROVALS SHALL BE VALID; TO PROVIDE HOW LONG THE PRIOR AUTHORIZATIONS FOR CHRONIC CONDITIONS SHALL BE VALID; TO ESTABLISH THE PROCEDURE FOR THE CONTINUITY OF PRIOR APPROVALS FROM PREVIOUS HEALTH INSURANCE ISSUERS TO CURRENT ISSUERS; TO PROVIDE THAT A FAILURE BY A HEALTH INSURANCE ISSUER TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS SPECIFIED IN THIS ACT SHALL RESULT IN ANY HEALTH CARE SERVICES SUBJECT TO REVIEW TO BE AUTOMATICALLY DEEMED AUTHORIZED BY THE HEALTH INSURANCE ISSUER OR ITS CONTRACTED PRIVATE REVIEW AGENT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ISSUE CEASE AND DESIST ORDERS TO HEALTH INSURANCE ISSUERS OR PRIVATE REVIEW AGENTS; TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO IMPOSE UPON A PRIVATE REVIEW AGENT, HEALTH BENEFIT PLAN OR HEALTH INSURANCE ISSUER AN ADMINISTRATIVE FINE NOT TO EXCEED \$10,000 PER VIOLATION OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO REPORT TO THE DEPARTMENT CERTAIN DATA; TO REQUIRE HEALTH INSURANCE ISSUERS TO NOTIFY THE COMMISSIONER OF INSURANCE OF SUSPECTED SUBMISSIONS OF FALSE REQUESTS FOR PRIOR AUTHORIZATION; TO REQUIRE THE COMMISSIONER TO HAVE AN ADMINISTRATIVE HEARING ON SUCH MATTERS TO RESOLVE THE ISSUE; TO AMEND SECTION 41-83-31, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO SET CERTAIN QUALIFICATIONS AND TIME CONSTRAINTS FOR PHYSICIANS MAKING ADVERSE DETERMINATIONS THROUGH ANY PROGRAM OF UTILIZATION REVIEW; TO AMEND SECTION 83-9-6.3, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2622** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Parks, Simmons S. (13th). Total--2.

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Senator Turner-Ford called up the following House Amendment to **S. B. No. 2723** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Department of Finance and Administration is authorized to purchase certain real property, and any improvements thereon, located within the Capitol Complex in the City of Jackson, Hinds County, Mississippi, known as the former "First Christian Church," and being more particularly described as follows:

(a) Property located at 700 High Street consisting of three (3) parcels and identified as:

Parcels 1 & 2

A part of Lots 1 and 2 of Greens Subdivision of 2 Acre Lots 1 & 2 North in the City of Jackson, Mississippi, and being more particularly described as follows:

Commence at a 5/8" iron pin set which marks the northeast corner of the said Lot 2 of Greens Subdivision of 2 Acres Lots 1 & 2 North Jackson, and also marks the Point of Beginning for the parcel herein described; thence South 08°56'21" West for a distance of 155.0 feet along the western right-of-way line of North Street to a 5/8" iron pin set at the present northern right-of-way line of High Street; thence North 80°28'36" West for a distance of 320.26 feet along the said northern

right-of-way line of North Street to a 5/8" iron pin set at the eastern right-of-way line of North State Street; thence North 08°56'34" East for a distance of 77.50 feet along the said Street and run South 80°28'36" East for a distance of 187.47 feet to a "PK" nail set; thence North 07°15'41" East for a distance of 77.56 feet along the western edge of a concrete wall to a 5/8" iron pin set at the northern line of said Lot 2 of Greens Subdivision of 2 Acre Lots 1 & 2 North Jackson; thence South 80°28'36" East for a distance of 135.06 feet along the said northern line of Greens Subdivision of Acre Lots 1 & 2 North Jackson to the Point of Beginning containing 0.8080 acres more or less.

Parcel 3

A part of the West 1/2 of 2 Acre Lot 10 North in the City of Jackson, Mississippi and being more particularly described as follows:

Commence at a 5/8" iron pin set at the intersection of the eastern right-of-way line of North Street with the northern right-of-way line of High Street as both streets are now in use, said intersection being the Point of Beginning for the parcel herein described; run thence North 08°54'12" East along the said eastern right-of-way line of North Street and run South 81°14'13" East parallel with the aforesaid northern right-of-way line of High Street for a distance of 129.69 feet to a "PK" nail found; thence North 08°54'12" East parallel with the aforesaid eastern right-of-way line of North Street for a distance of 25.00 feet to a "PK" nail found; thence South 81°14'13" East parallel with the said northern right-of-way line of High Street for a distance of 29.48 feet to a 1/2" iron pin found which marks the mid-line of the said 2 Acre Lot 10 North, also marks the northeast corner of the parcel herein describe; thence South 08°16'03" West along the said mid-line of 2 Acre Lot 10 North for a distance of 92.86 feet to a 5/8" iron pin set at the aforesaid northern right-of-way line of High Street; thence run North 81°14'13" West along the said northern

right-of-way line of High Street for a distance of 160.20 feet to the Point of the Beginning, containing 0.2660 acres more or less.

(b) Property located at 610 North Street and identified as:

Parcel of land situated in the West 1/2 of 2 Acre Lot 10 North in the City of Jackson, Mississippi and being more particularly described as follows:

Beginning at a point on the East line of North Street which point is 139.2 feet measured northerly along the East line of North Street from the intersection of the East line of North Street with the North line of High Street; run thence southerly along the East line of North Street 68.5 feet; thence easterly parallel with High Street 130 feet; thence northerly parallel with North Street 25 feet; thence easterly parallel with High Street 29.48 feet to the line between the East 1/2 and the West 1/2 of 2 Acre Lot 10; thence northerly parallel with North Street 40.3 feet; thence westerly 159.5 feet measured along the South line of that property described in Deed Book 2380 at Page 154 to the Point of Beginning containing 0.28 acres more or less.

(2) The real property and improvements described in subsection (1) of this section shall not be purchased for an amount greater than the current fair market value as determined by the average of two (2) appraisals by qualified appraisers, at least one (1) of whom shall be selected by the Department of Finance and Administration, and both of whom shall be certified and licensed by the Mississippi Real Estate Appraiser Licensing and Certification Board.

(3) The Department of Finance and Administration is authorized to negotiate any and all closing costs related to the acquisition of these properties.

(4) The Department of Finance and Administration may correct any discrepancies in the legal descriptions of the property provided in this section.

(5) The real property and improvements acquired under this section shall be used exclusively for state office space and parking purposes.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PURCHASE CERTAIN REAL PROPERTY, AND ANY IMPROVEMENTS THEREON, LOCATED WITHIN THE CAPITOL COMPLEX IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI, KNOWN AS THE FORMER "FIRST CHRISTIAN CHURCH"; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2723** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--44.  
Nays--Blount, Frazier, Horhn, Norwood. Total--4.  
Absent and those not voting--Parks, Simmons S. (13th). Total--2.  
Voting Present--Butler A. (36th), Simmons D. T. (12th). Total--2.

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Senator Michel called up the following House Amendment to **S. B. No. 2615** and moved that the Senate do concur in the Amendment:

## AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-15-3, Mississippi Code of 1972, is amended as follows:

25-15-3. For the purposes of this article, the words and phrases used herein shall have the following meanings:

(a) "Employee" means a person who works full time for the State of Mississippi and receives his compensation in a direct payment from a department, agency or institution of the state government and any person who works full time for any school district, community/junior college, public library or university-based program authorized under Section 37-23-31 for deaf, aphasic and emotionally disturbed children or any regular nonstudent bus driver. This shall include legislators, employees of the legislative branch and the judicial branch of the state and "employees" shall include full-time salaried judges and full-time district attorneys and their staff and full-time compulsory school attendance officers. For the purposes of this article, any "employee" making contributions to the State of Mississippi retirement plan shall be considered a full-time employee. For purposes of this article, "employee" shall not mean contract personnel.

(b) "Department" means the Department of Finance and Administration.

(c) "Plan" means the State and School Employees Life and Health Insurance Plan created under this article.

(d) "Fund" means the State and School Employees Insurance Fund set up under this article.

(e) "Retiree" means any employee retired under the Mississippi retirement plan.

(f) "Board" means the State and School Employees Health Insurance Management Board created under Section 25-15-303.

SECTION 2. Section 25-9-120, Mississippi Code of 1972, is amended as follows:

25-9-120. (1) (a) Contract personnel, whether classified as contract workers or independent contractors shall not be deemed state service or nonstate service employees of the State of Mississippi, and shall not be eligible to participate in the Public Employees' Retirement System, \* \* \* nor be allowed credit for personal and sick leave and other leave benefits as employees of the State of Mississippi, notwithstanding Sections 25-3-91 through 25-3-101; 25-9-101 through 25-9-151; 25-11-1 through 25-11-126; 25-11-128 through 25-11-131; 25-15-1 through 25-15-23 and for the purpose set forth herein. Contract workers, i.e., contract personnel who do not meet the criteria of independent contractors, shall be subject to the provisions of Section 25-11-127.

(b) Contract workers for any department, agency or institution of the state government, any school district, community/junior college, public library or university-based program, whether classified as contract workers or independent contractors, may purchase the base plan of the State and School Employees' Health Insurance Plan provided that such person pays the full price of such plan without contribution from their employer. Such government entities shall offer the base plan to any such personnel who work at least one hundred thirty (130) hours per month. The provisions of this paragraph (b) shall not apply to independent contractors. The State and School Employees' Health Insurance Management Board shall establish the premiums.

(2) The Personal Service Contract Review Board is abolished. The Public Procurement Review Board shall be the Personal Service Contract Review Board and shall retain all powers and duties granted by law to the Personal Service Contract Review Board. All equipment, inventories, records, personnel, resources and other property, real or personal, tangible or intangible, of the Personal Service Contract Review Board shall be transferred to the Public Procurement Review Board as provided in Section 27-104-7. The transfer of personnel shall be commensurate with the number and classification of positions (PINS) allocated to the Personal Service Contract Review Board on June 30, 2017. Wherever the terms "Personal Service Contract Review Board" or "board," when referring to the Personal Service Contract Review Board, appear in any law, rule, regulation or document the same shall be construed to mean the Public Procurement Review Board.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 25-15-3 AND 25-9-120, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS TO AUTHORIZE CONTRACT WORKERS EMPLOYED BY THE STATE OR OTHER GOVERNMENT ENTITIES TO PURCHASE THE BASE PLAN OF THE STATE AND SCHOOL EMPLOYEES' HEALTH INSURANCE PLAN IF SUCH PERSON PAYS THE FULL PRICE OF SUCH PLAN WITHOUT CONTRIBUTION FROM THEIR EMPLOYER; TO REQUIRE SUCH GOVERNMENT ENTITIES TO OFFER THIS TO ANY CONTRACT PERSONNEL WHO WORK AT LEAST 130 HOURS PER MONTH; AND FOR RELATED PURPOSES.

Senator Michel made a substitute motion that **S. B. No. 2615** retains its place on the calendar for further study, and the motion prevailed.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2652** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Department of Public Safety shall establish and maintain a registry, to be known as the Mississippi Vulnerable Person Abuse Registry, containing the name of any individual who has been convicted of the crime of abuse, neglect, or exploitation of a vulnerable person.

(2) The department shall establish and enforce reasonable rules governing the custody, use, and preservation of the reports and records of abuse, neglect, or exploitation of a vulnerable person used in maintaining the registry.

(3) The crime for which an individual was convicted under this act shall be confidential and shall not be used or disclosed for any purpose other than the following:

(a) A care facility as required by subsection (6) of this section;

(b) A member of the public as allowed by subsection (7) of this section; and

(c) The public for disclosure of the findings and information about a case pursuant to this act that resulted in a fatality.

(4) (a) A court of competent jurisdiction shall notify the department of any criminal conviction that arises out of a violation of this act.

(b) The department shall adopt rules prescribing the process for notifying the department as required by paragraph (a) of this subsection. The rules shall include a requirement that documentation verifying the conviction be submitted to the department.

(5) (a) Upon receiving the notifications described in subsection (4) of this section, the department, in addition to entering the individual's name and address on the Mississippi Vulnerable Person Abuse Registry, shall enter information pertaining to the offense or offenses for which the individual was convicted.

(b) The individual's information, once entered on the registry, shall remain on the registry even if the individual fulfills the obligations of any criminal sentencing against that individual except as provided in paragraph (c) of this subsection.

(c) The department shall adopt rules requiring due process that includes notice by certified mail or by personal service for individuals found to have committed acts of abuse, neglect, or exploitation under this act. The department shall adopt rules providing a process by which an individual's name and information may be removed from the Mississippi Vulnerable Person Abuse Registry.

(6) A care facility shall query the Mississippi Vulnerable Person Abuse Registry with regard to an individual who is an employee or prospective employee of the facility to confirm whether the individual has been convicted of a crime of abuse, neglect, or exploitation under this act.

(7) A member of the public may request permission from the department to query the Mississippi Vulnerable Person Abuse Registry regarding hiring a caretaker or a person who will be in a position of trust or authority to a vulnerable person.

(a) The department shall promulgate rules governing the method of request and access to the Mississippi Vulnerable Person Abuse Registry by a member of the public regarding hiring a caretaker or a person who will be in a position of trust or authority to a vulnerable person. The rules shall require a member of the public requesting access to the registry to declare the purpose for which they are requesting access and to provide their own name and address and the name and address of the vulnerable person in need.

(b) A member of the public requesting access to query the registry shall only be given access for a limited time as determined by the department.

SECTION 2. Section 43-47-7, Mississippi Code of 1972, is amended as follows:

43-47-7. (1) (a) Except as otherwise provided by Section 43-47-37 for vulnerable persons in care facilities and by Section 43-7-65 for the State Ombudsman Program, any person including, but not limited to, the following, who knows or suspects that a vulnerable person has been or is being abused, neglected or exploited shall immediately report such knowledge or suspicion to the Department of Human Services or to the county department of human services where the vulnerable person is located. If the vulnerable person is a minor, then such report may be made to the Department of Child Protection Services:



(i) Attorney, physician, osteopathic physician, medical examiner, chiropractor or nurse engaged in the admission, examination, care or treatment of vulnerable persons;

(ii) Health professional or mental health professional other than one listed in subparagraph (i);

(iii) Practitioner who relies solely on spiritual means for healing;

(iv) Social worker, family protection worker, family protection specialist or other professional care, residential or institutional staff;

(v) State, county or municipal criminal justice employee or law enforcement officer;

(vi) Human rights advocacy committee or long-term care ombudsman council member; or

(vii) Accountant, stockbroker, financial advisor or consultant, insurance agent or consultant, investment advisor or consultant, financial planner, or any officer or employee of a bank, savings and loan, credit union or any other financial service provider.

(b) To the extent possible, a report made pursuant to paragraph (a) must contain, but need not be limited to, the following information:

(i) Name, age, race, sex, physical description and location of each vulnerable person alleged to have been abused, neglected or exploited.

(ii) Names, addresses and telephone numbers of the vulnerable person's family members.

(iii) Name, address and telephone number of each alleged perpetrator.

(iv) Name, address and telephone number of the caregiver of the vulnerable person, if different from the alleged perpetrator.

(v) Description of the neglect, exploitation, physical or psychological injuries sustained.

(vi) Actions taken by the reporter, if any, such as notification of the criminal justice agency.

(vii) Any other information available to the reporting person which may establish the cause of abuse, neglect or exploitation that occurred or is occurring.

In addition to the above, any person or entity holding or required to hold a license as specified in Title 73, Professions and Vocations, Mississippi Code of 1972, shall be required to give his, her or its name, address and telephone number in the report of the alleged abuse, neglect or exploitation.

(c) The department, or its designees, shall report to an appropriate criminal investigative or prosecutive authority any person required by this section to report or who fails to comply with this section. A person who fails to make a report as required under this subsection or who, because of the circumstances, should have known or suspected beyond a reasonable doubt that a vulnerable person suffers from exploitation, abuse, neglect or self-neglect but who knowingly fails to comply with this section shall, upon conviction, be guilty of a misdemeanor and shall be punished by a fine not exceeding Five

Thousand Dollars (\$5,000.00), or by imprisonment in the county jail for not more than six (6) months, or both such fine and imprisonment. However, for purposes of this subsection (1), any recognized legal financial transaction shall not be considered cause to report the knowledge or suspicion of the financial exploitation of a vulnerable person. If a person convicted under this section is a member of a profession or occupation that is licensed, certified or regulated by the state, the court shall notify the appropriate licensing, certifying or regulating entity of the conviction.

(2) Reports received by law enforcement authorities or other agencies shall be forwarded immediately to the Department of Human Services or the county department of human services. The Department of Human Services shall investigate the reported abuse, neglect or exploitation immediately and shall file a preliminary report of its findings with the Office of the Attorney General within forty-eight (48) hours if immediate attention is needed, or seventy-two (72) hours if the vulnerable person is not in immediate danger and shall make additional reports as new information or evidence becomes available. The Department of Human Services, upon request, shall forward a statement to the person making the initial report required by this section as to what action is being taken, if any.

(3) The report may be made orally or in writing, but where made orally, it shall be followed up by a written report. A person who fails to report or to otherwise comply with this section, as provided herein, shall have no civil or criminal liability, other than that expressly provided for in this section, to any person or entity in connection with any failure to report or to otherwise comply with the requirements of this section.

(4) Anyone who makes a report required by this section or who testifies or participates in any judicial proceedings arising from the report or who participates in a required investigation or evaluation shall be presumed to be acting in good faith and in so doing shall be immune from liability, civil or criminal, that might otherwise be incurred or imposed. However, the immunity provided under this subsection shall not apply to any suspect or perpetrator of any abuse, neglect or exploitation.

(5) A person who intentionally makes a false report under the provisions of this section may be found liable in a civil suit for any actual damages suffered by the person or persons so reported and for any punitive damages set by the court or jury.

(6) The Executive Director of the Department of Human Services shall establish a statewide central register of reports made pursuant to this section. The central register shall be capable of receiving reports of vulnerable persons in need of protective services seven (7) days a week, twenty-four (24) hours a day. To effectuate this purpose, the executive director shall establish a single toll-free statewide phone number that all persons may use to report vulnerable persons in need of protective services, and that all persons authorized by subsection (7) of this section may use for determining the existence of prior reports in order to evaluate the condition or circumstances of the vulnerable person before them. Such oral reports and evidence of previous reports shall be transmitted to the appropriate county department of human services. The central register shall include, but not be limited to, the following information: the name and identifying information of the individual reported, the county department of human services responsible for the investigation of each such report, the names, affiliations and purposes of any person requesting or receiving information which the executive director believes might be helpful in the furtherance of the purposes of this chapter, the name, address, birth date, social security number of the perpetrator of abuse, neglect and/or exploitation, and the type of abuse, neglect and/or exploitation of which there was substantial evidence upon investigation of the report. The central register shall inform the person making reports required under this section of his or her right to request statements from the department as to what action is being taken, if any.

Each person, business, organization or other entity, whether public or private, operated for profit, operated for nonprofit or a voluntary unit of government not responsible for law enforcement providing care, supervision or treatment of vulnerable persons shall

conduct criminal history records checks on each new employee of the entity who provides, and/or would provide direct patient care or services to adults or vulnerable persons, as provided in Section 43-11-13.

The department shall not release data that would be harmful or detrimental to the vulnerable person or that would identify or locate a person who, in good faith, made a report or cooperated in a subsequent investigation unless ordered to do so by a court of competent jurisdiction.

(7) Reports made pursuant to this section, reports written or photographs taken concerning such reports in the possession of the Department of Human Services or the county department of human services shall be confidential and shall only be made available to:

(a) A physician who has before him a vulnerable person whom he reasonably suspects may be abused, neglected or exploited, as defined in Section 43-47-5;

(b) A duly authorized agency having the responsibility for the care or supervision of a subject of the report;

(c) A grand jury or a court of competent jurisdiction, upon finding that the information in the record is necessary for the determination of charges before the grand jury;

(d) A district attorney or other law enforcement official \* \* \*;

(e) Federal, state or local governmental entities, social service agencies of another state, or any agent of these entities, having a need for the information in order to carry out their responsibilities under law to protect individuals from abuse, neglect, or exploitation under this chapter; and

(f) A guardian ad litem, guardian or conservator authorized by a court to act as a representative for a vulnerable person in need of protective services who is the subject of a report.

Notwithstanding the provisions of paragraph (b) of this subsection, the department may not disclose a report of the abandonment, exploitation, abuse, neglect or self-neglect of a vulnerable person to the vulnerable person's guardian, attorney-in-fact, surrogate decision maker, or caregiver who is a perpetrator or alleged perpetrator of the abandonment, exploitation, abuse or neglect of the vulnerable person.

Any person given access to the names or other information identifying the subject of the report, except the subject of the report, shall not divulge or make public such identifying information unless he is a district attorney or other law enforcement official and the purpose is to initiate court action. Any person who willfully permits the release of any data or information obtained pursuant to this section to persons or agencies not permitted to such access by this section shall be guilty of a misdemeanor.

(8) Upon reasonable cause to believe that a caretaker or other person has abused, neglected or exploited a vulnerable person, the department shall promptly notify the district attorney of the county in which the vulnerable person is located and the Office of the Attorney General, except as provided in Section 43-47-37(2).

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI VULNERABLE PERSON ABUSE REGISTRY; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH A REGISTRY FOR INDIVIDUALS CONVICTED OF CERTAIN CRIMES AGAINST A VULNERABLE PERSON; TO REQUIRE CERTAIN CARE PROVIDERS TO QUERY THE REGISTRY FOR EMPLOYEES AND PROSPECTIVE EMPLOYEES; TO ALLOW MEMBERS OF THE PUBLIC TO QUERY THE REGISTRY REGARDING HIRING A CARETAKER OR A PERSON WHO WILL BE IN A POSITION OF TRUST OR AUTHORITY TO A VULNERABLE PERSON; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ADOPT RULES; TO AMEND SECTION 43-47-7, MISSISSIPPI CODE OF 1972, TO GRANT CERTAIN GOVERNMENTAL AUTHORITIES AND CERTAIN PERSONS AUTHORIZED BY A COURT, INCLUDING GUARDIAN AD LITEMS, ACCESS TO REPORTS OF ABUSE, NEGLECT OR EXPLOITATION OF VULNERABLE PERSONS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2652** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Parks, Simmons S. (13th). Total--2.

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Senator Harkins called up the following House Amendment to **S. B. No. 2695** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-26-5, Mississippi Code of 1972, is amended as follows:

57-26-5. (1) The MDA shall develop, implement and administer the incentive program authorized in Sections 57-26-1 through 57-26-5 and shall promulgate rules and regulations necessary for the development, implementation and administration of such program.

(2) A person, corporation or other entity desiring to participate in the incentive program authorized in Sections 57-26-1 through 57-26-5 must submit an application and an application fee in the amount of Five Thousand Dollars (\$5,000.00) to the MDA. Such application must contain (a) plans for the proposed tourism project; (b) a detailed description of the proposed tourism project; (c) the method of financing the proposed tourism project and the terms of such financing; (d) an independent study that identifies the number of out-of-state visitors anticipated to visit the project and the ratio of out-of-state visitors to in-state visitors; and (e) any other information required by the MDA. The Executive Director of the MDA shall review the application and determine if it qualifies as a tourism project under this section and under the rules and regulations promulgated pursuant to this section. If the executive director determines the proposed tourism project

qualifies as a tourism project under this section and under the rules and regulations promulgated pursuant to this section, he shall issue a certificate to the person, corporation or other entity designating such person, corporation or other entity as an approved participant and authorizing the approved participant to participate in the incentive program provided for in Sections 57-26-1 through 57-26-5. No certificate designating an entity as an approved participant and authorizing the approved participant to participate in the incentive program shall be issued from and after July 1, 2014, for tourism projects that are cultural retail attractions, or from and after July 1, \* \* \* 2027, for other tourism projects. For tourism projects that are cultural retail attractions, no such issued certificate shall be altered or extended after the date last approved as of July 1, 2020.

(3) The MDA shall cause a cost-benefit analysis of the tourism project to be performed by a state institution of higher learning, the university research center or some other entity approved by the MDA.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 57-26-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DEADLINE FOR THE MISSISSIPPI DEVELOPMENT AUTHORITY TO ISSUE CERTIFICATES APPROVING PARTICIPANTS IN THE TOURISM PROJECT INCENTIVE PROGRAM; AND FOR RELATED PURPOSES.

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Senator Harkins called up the following House Amendment to **S. B. No. 2703** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND on lines 78 and 79 by deleting ", intermediate license,"

AMEND Further the title on line 3 by deleting ", INTERMEDIATE LICENSE".

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2703** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Parks, Simmons S. (13th). Total--2.

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Senator Harkins called up the following House Amendment to **S. B. No. 2842** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

## AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-67-35, Mississippi Code of 1972, is amended as follows:

27-67-35. (1) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(e) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the Department of Revenue to provide funds to assist municipalities in this state in paying costs associated with (i) repair, maintenance and/or reconstruction of roads, streets and bridges in municipalities, (ii) repair, maintenance and/or other improvements to water infrastructure and sewer infrastructure and/or (iii) as a pledge to pay all or a portion of debt service on debt issued by a municipality for such purposes. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to municipalities under this subsection (1) shall be allocated and distributed to municipalities as follows:

1. Three Million Dollars (\$3,000,000.00) shall be allocated to all municipalities in equal shares, and

2. The remainder of the funds allocated as follows:

a. One-half (1/2) shall be allocated to municipalities based on the proportion that the population of a municipality according to the most recent federal decennial census bears to the total population of all municipalities in the state according to the most recent federal decennial census, and

b. One-half (1/2) shall be allocated to municipalities based on the proportion that the amount of sales tax revenue distributed to a municipality during the preceding fiscal year under Section 27-65-75(1)(a) bears to the total amount of sales tax revenue distributed to all municipalities during the preceding fiscal year under Section 27-65-75(1)(a). The Department of Revenue shall distribute funds under this subsection (1) on a semiannual basis with distributions being made in the months of January and July.

(ii) \* \* \* From and after July 1, 2023, of the funds allocated for distribution to a municipality during a year under this subsection (1), the maximum amount of such funds that may be distributed to the municipality during that year shall not exceed the amount of municipal funds expended by the municipality during the previous municipal fiscal year for purposes described in paragraph (a) of this subsection (1). Expenditure of the proceeds of bonds issued by a municipality to pay costs associated with the repair, maintenance and/or reconstruction of roads, streets and bridges shall not be considered when determining the amount of municipal funds expended by the municipality during the previous municipal fiscal year.

(c) The Department of Revenue and the Department of Audit shall have all powers necessary to ensure the proper implementation of this subsection (1).

(2) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and

apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(f) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the Department of Revenue to provide funds to assist counties in this state in paying costs associated with the repair, maintenance and/or reconstruction of roads, streets and bridges in counties and/or as a pledge to pay all or a portion of debt service on debt issued by a county for such purposes. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to counties under this subsection (2) shall be allocated and distributed to counties in the following proportions:

1. One-third ( $1/3$ ) shall be allocated to all counties in equal shares,

2. One-third ( $1/3$ ) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state, and

3. One-third ( $1/3$ ) shall be allocated to counties based on the proportion that the rural population of a county bears to the total rural population in all counties of the state, according to the latest federal decennial census. The Department of Revenue shall distribute funds under this subsection (2) on a semiannual basis with distributions being made in the months of January and July. Rural road miles and rural road population in the counties shall be determined in the same manner as they are determined for the purposes of the distribution formula in Section 65-9-3.

(ii) From and after July 1, 2020, of the funds allocated for distribution to a county during a year under this subsection (2), the maximum amount of such funds that may be distributed to the county during that year shall not exceed the amount of county funds expended by the county during the previous county fiscal year for purposes described in paragraph (a) of this subsection (2). Expenditure of the proceeds of bonds issued by a county to pay costs associated with the repair, maintenance and/or reconstruction of roads, streets and bridges shall not be considered when determining the amount of county funds expended by the county during the previous county fiscal year.

(c) The Department of Revenue and the Department of Audit shall have all powers necessary to ensure the proper implementation of this subsection (2).

SECTION 2. This act shall take effect and be in force from and after July 2, 2023, and shall stand repealed on July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, WHICH CREATES A SPECIAL FUND IN THE STATE TREASURY TO BE USED TO PROVIDE FUNDS TO ASSIST MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS AND WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS, TO REMOVE CALCULATIONS OF CERTAIN AVERAGE ANNUAL EXPENDITURES THAT A MUNICIPALITY MUST EXPEND IN ORDER TO BE ELIGIBLE FOR MONIES FROM THE SPECIAL FUND; TO PLACE MUNICIPALITIES UNDER THE SAME DISTRIBUTION RESTRICTIONS AS COUNTIES; AND FOR RELATED PURPOSES.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 246:** Real property; right of first refusal expires on grantee's death unless specifically stated otherwise.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. A right of first refusal in real property granted through a contractual agreement or any other written instrument of conveyance is extinguished upon the death of the grantee right-holder unless the contractual agreement or instrument of conveyance, or a memorandum of the contractual agreement or instrument of conveyance, or the probated last will and testament of the grantee is filed for recording in the land records of the county in which the real property lies and unambiguously states that upon the death of the grantee right-holder, the right of first refusal shall be binding upon and inure to the benefit of the heirs and assigns of the grantee right-holder.

SECTION 2. Section 1 of this act shall be codified as a new section in Chapter 1, Title 89, Mississippi Code of 1972.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT A RIGHT OF FIRST REFUSAL IN REAL PROPERTY IS EXTINGUISHED UPON THE DEATH OF THE GRANTEE UNLESS THE INSTRUMENT GRANTING THE RIGHT OR A MEMORANDUM OF THE CONTRACTUAL AGREEMENT OR INSTRUMENT CLEARLY STATES THAT UPON THE GRANTEE'S DEATH, IT SHALL INURE TO THE BENEFIT OF THE GRANTEE'S HEIRS AND ASSIGNS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 246 was adopted.

YEAS AND NAYS On H. B. No. 246. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it failed to pass as amended, title standing as stated, by the following vote:

Yeas--Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, DeLano, Fillingane, Hopson, McCaughn, Michel, Moran, Polk, Suber, Tate, Wiggins. Total--16.

Nays--Barnett, Barrett, Blackmon, Blackwell, Blount, Butler A. (36th), Butler K. (38th), Chism, DeBar, England, Frazier, Harkins, Hickman, Hill, Horhn, Jackson, Johnson, Jordan, Kirby, McDaniel, McLendon, McMahan, Norwood, Parker, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Thomas, Thompson, Turner-Ford, Whaley, Williams, Younger. Total--34.

Absent and those not voting--Parks, Simmons S. (13th). Total--2.

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Senator Wiggins entered a motion to reconsider the vote whereby **H. B. No. 246** failed to pass the Senate.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 685:** Deeds to married couples; create a rebuttable presumption of joint tenancy with rights of survivorship.

Senators Hopson and Wiggins offered the following AMENDMENT NO. 1.

AMEND on line 40 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to H. B. No. 685 was adopted.

YEAS AND NAYS On H. B. No. 685. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Turner-Ford. Total--1.

Absent and those not voting--Parks, Simmons S. (13th). Total--2.

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Senator Sparks entered a motion to reconsider the vote whereby **H. B. No. 4** passed the Senate as amended.

**H. B. No. 4:** Tianeptide; include in Schedule I controlled substance list.

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Senators Jackson, Simmons D. T. (12th) and Simmons S. (13th) (in her absence) moved that when the Senate adjourns, it adjourn in memory of former Representative Leonard Henderson of Clarksdale, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Nellidine Mary Reaux Fountain and Sammie Orr of D'Iberville, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of John D. Silkwood, Sr. and Dorothy Mae Saucier of Gulfport, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Barbara Carol Watson of Wade Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Paul Edward Craven, Jr. of Biloxi, MS.

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Senators Blount, Horhn, Frazier, Norwood, Butler A. (36th), Simmons D. T. (12th) and Hickman moved that when the Senate adjourns, it adjourn in memory of Morris Bozeman of Terry, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Katherine B. Helton of Vancleave, MS.

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Senators Horhn and Jackson moved that when the Senate adjourns, it adjourn in memory of Mr. Mayo Wilson of Clinton, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Wesley A. Thompson, Jr. of Blowing Rock, NC.

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Senators Blackwell, McLendon, Parker and Whaley moved that when the Senate adjourns, it adjourn in memory of Josephine Doddridge of Olive Branch, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Dr. Lawrence E. Mehr of Southaven, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Franklin Hartman of Hernando, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Lavern "Goose" Green, Jerry Reynolds Greene, Nellie L. Catlett, Richard Allen Prescott and James "Bill" Ready of Meridian, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Eula Kathleen Rollins of Bonita, MS

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Joyce Lawson Rich, Karen Deanna Maxey Bryant and Jane Hutcheson Chism of New Albany, MS.

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Senator Polk moved that the Senate stand in recess until the last Committee Report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 7, 2023.

The motion prevailed, and at 5:17 PM, the Senate stood in recess.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2011:** AN ACT TO AMEND SECTION 27-65-201, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION TRANSFERS OF MOTOR VEHICLE TITLES BETWEEN A TRUSTEE AND A BENEFICIARY OF A TRUST, BETWEEN A CORPORATION AND ONE OF ITS SHAREHOLDERS IN A TRANSACTION QUALIFYING FOR NONRECOGNITION OF GAIN OR LOSS PURSUANT TO SECTION 351 OF THE INTERNAL REVENUE CODE, AND BETWEEN A PARTNERSHIP OR LIMITED LIABILITY COMPANY AND ONE OF ITS PARTNERS OR OWNERS; TO REQUIRE THAT SUCH TRANSFERS BE EVIDENCED BY AN AFFIDAVIT PREPARED BY THE DEPARTMENT OF REVENUE AND SIGNED BY THE TRANSFEROR; AND FOR RELATED PURPOSES.

**S. B. No. 2018:** AN ACT TO AMEND SECTION 27-65-17, MISSISSIPPI CODE OF 1972, TO REMOVE THE TAX ON WHOLESALE SALES OF BEER; AND FOR RELATED PURPOSES.

**S. B. No. 2151:** AN ACT TO AMEND CHAPTER 911, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE REPEAL DATE FROM JULY 1, 2023, TO JULY 1, 2027 ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE TOWN OF NORTH CARROLLTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM, PARKS AND RECREATION, AND ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

**S. B. No. 2215:** AN ACT TO AMEND SECTION 27-105-5, MISSISSIPPI CODE OF 1972, TO PROVIDE NECESSARY UPDATES AND TO ALIGN CAPITAL DEFINITIONS WITH FEDERAL REGULATORY STANDARDS; AND FOR RELATED PURPOSES.

**S. B. No. 2282:** AN ACT TO AMEND SECTION 73-21-124, MISSISSIPPI CODE OF 1972, TO DELETE THE AUTOMATIC REPEALER ON THE PROVISION OF LAW THAT AUTHORIZES A PHARMACY TO SELL OR DISTRIBUTE CERTAIN AMOUNTS OF PSEUDOEPHEDRINE WITHOUT A PRESCRIPTION; AND FOR RELATED PURPOSES.

**S. B. No. 2518:** AN ACT TO AMEND CHAPTER 824, LOCAL AND PRIVATE LAWS OF 1992, AS LAST AMENDED BY CHAPTER 942, LOCAL AND PRIVATE LAWS OF 2016, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2027, ON THE PROVISIONS OF LAW THAT AUTHORIZE THE LEVY OF THE TOURISM AND INDUSTRY PROMOTION TAX UPON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS AND RESTAURANT SALES IN THE CITY AND CREATE THE CITY OF BATESVILLE, MISSISSIPPI, AND SOUTH PANOLA AREA CHAMBER OF COMMERCE TOURISM AND INDUSTRIAL DEVELOPMENT COMMITTEE; AND FOR RELATED PURPOSES.

**S. B. No. 2521:** AN ACT TO AMEND CHAPTER 906, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE TOWN OF CARROLLTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

**S. B. No. 2525:** AN ACT TO CREATE THE MISSISSIPPI FORESTRY FACILITY GRANT FUND AND PROGRAM TO BE USED FOR UTILITY, INFRASTRUCTURE AND TRANSPORTATION PROJECTS WITH A \$10,000,000.00 INVESTMENT; TO PROVIDE THAT SUCH FUNDS SHALL BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO PRESCRIBE CERTAIN CONDITIONS ON ALLOCATIONS FROM THE FUND; TO PRESCRIBE ELIGIBLE COSTS FROM WHICH MONIES FROM THE FUND MAY BE ALLOCATED; TO AUTHORIZE COOPERATIVE AGREEMENTS FOR THE IMPLEMENTATION OF SUCH GRANTS; TO AMEND

SECTION 57-1-55, MISSISSIPPI CODE OF 1972, IN CONFORMITY WITH THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

**S. B. No. 2548:** AN ACT TO AMEND SECTION 63-5-19, MISSISSIPPI CODE OF 1972, TO CLARIFY PROVISIONS THAT LENGTH RESTRICTIONS ARE THE SAME FOR DAYLIGHT AND NIGHTTIME OPERATION; AND FOR RELATED PURPOSES.

**S. B. No. 2623:** AN ACT TO CREATE NEW SECTION 25-15-22, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN TASK FORCE TO STUDY, REPORT AND MAKE RECOMMENDATIONS REGARDING SUCH INSURANCE PLANS; TO PROVIDE CERTAIN ITEMS FOR THE TASK FORCE TO STUDY, REPORT AND MAKE RECOMMENDATIONS ON; TO PROVIDE FOR THE MEMBERSHIP AND MEETING PROCEDURE OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO MAKE A REPORT OF ITS FINDINGS AND RECOMMENDATIONS, INCLUDING ANY RECOMMENDED LEGISLATION, TO THE LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE OF REPRESENTATIVES AND THE CHAIRS OF THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND SENATE ON OR BEFORE NOVEMBER 1, 2023, AT WHICH TIME THE TASK FORCE WILL BE DISSOLVED; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2227:** AN ACT TO AMEND SECTION 83-24-7, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "FEDERAL HOME LOAN BANK"; TO AMEND SECTIONS 83-24-11 AND 83-24-29, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A FEDERAL HOME LOAN BANK SHALL NOT BE STAYED, ENJOINED, OR PROHIBITED FROM EXERCISING OR ENFORCING ANY RIGHT OR CAUSE OF ACTION REGARDING COLLATERAL PLEDGED UNDER A SECURITY AGREEMENT OR UNDER ANY PLEDGE AGREEMENT, SECURITY AGREEMENT, COLLATERAL AGREEMENT OR OTHER SIMILAR ARRANGEMENT OR CREDIT ENHANCEMENT RELATING TO A SECURITY AGREEMENT TO WHICH THE FEDERAL HOME LOAN BANK IS A PARTY; TO AMEND SECTION 83-24-41, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO LIQUIDATOR SHALL HAVE THE POWER TO DISAVOW, REJECT OR REPUDIATE ANY PLEDGE AGREEMENT, SECURITY AGREEMENT, COLLATERAL AGREEMENT OR OTHER SIMILAR AGREEMENT OR CREDIT ENHANCEMENT RELATING TO A SECURITY AGREEMENT TO WHICH A FEDERAL HOME LOAN BANK IS A PARTY; TO AMEND SECTION 83-24-51, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, EXCEPT FOR IN LIMITED CIRCUMSTANCES, A RECEIVER SHALL NOT AVOID ANY TRANSFER OF, OR ANY OBLIGATION TO TRANSFER, MONEY OR ANY OTHER PROPERTY ARISING UNDER OR IN CONNECTION WITH A FEDERAL HOME LOAN BANK SECURITY AGREEMENT OR ANY PLEDGE AGREEMENT, SECURITY AGREEMENT, COLLATERAL AGREEMENT, GUARANTEE AGREEMENT, OR OTHER SIMILAR ARRANGEMENT OR CREDIT ENHANCEMENT RELATING TO A SECURITY AGREEMENT TO WHICH A FEDERAL HOME LOAN BANK IS A PARTY; TO AMEND SECTION 83-24-55, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A LIQUIDATOR OR REHABILITATOR SHALL NOT AVOID ANY PREFERENCE ARISING UNDER OR IN CONNECTION WITH A FEDERAL HOME LOAN BANK SECURITY AGREEMENT OR ANY PLEDGE AGREEMENT, SECURITY AGREEMENT, COLLATERAL AGREEMENT, GUARANTEE AGREEMENT, OR OTHER SIMILAR ARRANGEMENT OR CREDIT ENHANCEMENT RELATING TO A SECURITY AGREEMENT TO WHICH A FEDERAL HOME LOAN BANK IS A PARTY; TO CREATE NEW SECTION 83-24-119, MISSISSIPPI CODE OF 1972, TO PROVIDE

CERTAIN REQUIREMENTS AND PROCEDURES OF FEDERAL HOME LOAN BANKS IF THE BANK EXERCISES CERTAIN RIGHTS; AND FOR RELATED PURPOSES.

**S. B. No. 2228:** AN ACT TO PROVIDE FOR THE SALE, ISSUANCE AND RENEWAL OF PET INSURANCE POLICIES; TO PROVIDE FOR THE PURPOSE OF THE ACT; TO PROVIDE RELEVANT DEFINITIONS; TO REQUIRE PET INSURANCE PROVIDERS TO DISCLOSE CERTAIN POLICY EXCLUSIONS AND LIMITATIONS TO CONSUMERS; TO ALLOW ANY PERSON AUTHORIZED IN A MAJOR LINE OF AUTHORITY AND APPOINTED BY A PET INSURER TO SELL, SOLICIT OR NEGOTIATE A PET INSURANCE PRODUCT; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE MAY ESTABLISH TRAINING REQUIREMENTS FOR INSURANCE PROVIDERS SELLING PET INSURANCE; TO PROVIDE THAT THE COMMISSIONER MAY ISSUE RULES AND REGULATIONS TO IMPLEMENT AND ADMINISTER THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**S. B. No. 2550:** AN ACT TO AMEND SECTION 49-15-86, MISSISSIPPI CODE OF 1972, TO REQUIRE LICENSES FOR THE COMMERCIAL TAKING OF SALTWATER CRABS TO APPLY TO THE VESSELS USED RATHER THAN EACH CREW MEMBER; AND FOR RELATED PURPOSES.

**S. B. No. 2797:** AN ACT TO CREATE NEW SECTION 41-21-110, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI STATE ASYLUM RECORDS IN THE POSSESSION OF THE MISSISSIPPI STATE HOSPITAL SHALL BE PERMANENTLY TRANSFERRED TO THE ROWLAND MEDICAL LIBRARY AT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER; TO PROVIDE THAT THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER SHALL ESTABLISH THE ASYLUM HILL OVERSIGHT COMMITTEE TO GOVERN THE ACCESS, USE AND DISCLOSURE OF THE MISSISSIPPI STATE ASYLUM RECORDS; TO REQUIRE THE OVERSIGHT COMMITTEE TO MAKE REASONABLE EFFORTS TO IDENTIFY AND NOTIFY ALL DESCENDANTS OF PATIENTS TREATED AT THE ASYLUM; TO REQUIRE THE OVERSIGHT COMMITTEE TO ESTABLISH PROCEDURES BY WHICH A DESCENDANT OF A PATIENT TREATED AT THE ASYLUM MAY OPT OUT OF THE DISCLOSURE OF ANY RELATED RECORDS; TO REQUIRE ALL INFORMATION, DATA AND RESEARCH REGARDING PATIENTS TO BE ANONYMIZED; TO AMEND SECTION 41-9-61, MISSISSIPPI CODE OF 1972, TO EXEMPT THE MISSISSIPPI STATE ASYLUM RECORDS FROM BEING CONSIDERED HOSPITAL RECORDS FOR PURPOSES OF THE CHAPTER; TO AMEND SECTION 41-21-97, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI STATE ASYLUM RECORDS SHALL NOT BE CONSIDERED CONFIDENTIAL FOR PURPOSES OF THE SECTION, PROVIDED THAT ANY MISSISSIPPI STATE ASYLUM RECORD RELATING TO ANY PERSON WHO HAS NOT BEEN DECEASED FOR AT LEAST 50 YEARS SHALL STILL BE CONSIDERED CONFIDENTIAL; TO AMEND SECTION 41-10-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI STATE ASYLUM RECORDS SHALL NOT BE CONSIDERED MEDICAL RECORDS FOR PURPOSES OF THE SECTION; TO CONFORM TO THE PROVISIONS OF THE ACT; TO AMEND SECTION 41-30-33, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI STATE ASYLUM RECORDS SHALL BE EXEMPT FROM CERTAIN DISCLOSURE PROHIBITIONS, PROVIDED THAT SUCH RECORDS RELATING TO ANY PERSON WHO HAS NOT BEEN DECEASED FOR AT LEAST 50 YEARS SHALL NOT BE EXEMPT; TO AMEND SECTION 13-1-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MISSISSIPPI STATE ASYLUM RECORDS SHALL BE EXEMPT FROM CERTAIN MEDICAL PRIVILEGE REQUIREMENTS, PROVIDED THAT SUCH RECORDS RELATING TO ANY PERSON WHO HAS NOT BEEN DECEASED FOR AT LEAST 50 YEARS SHALL NOT BE EXEMPT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2681:** AN ACT TO AMEND SECTION 57-80-9, MISSISSIPPI CODE OF 1972, TO SPECIFY THAT IF THE ANNUALIZED UNEMPLOYMENT RATE IN A GROWTH AND PROSPERITY COUNTY FALLS BELOW 150% OF THE STATE'S ANNUALIZED UNEMPLOYMENT RATE FOR THREE CONSECUTIVE CALENDAR YEARS AND LESS THAN 30% OF THE POPULATION OF THE COUNTY IS AT OR BELOW THE FEDERAL POVERTY LEVEL FOR THREE CONSECUTIVE YEARS ACCORDING TO THE MOST RECENT OFFICIAL DATA COMPILED BY THE UNITED STATES CENSUS BUREAU, THE TAX EXEMPTIONS AUTHORIZED UNDER THE GROWTH AND PROSPERITY ACT MAY NOT BE GRANTED TO ADDITIONAL BUSINESS ENTERPRISES; AND FOR RELATED PURPOSES.

**S. B. No. 2700:** AN ACT TO AMEND SECTION 27-33-75, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A QUALIFIED HOMEOWNER WHO IS THE UNREMARIED SURVIVING SPOUSE OF A MEMBER OF THE UNITED STATES ARMED FORCES WHO WAS KILLED OR DIED ON ACTIVE DUTY, OR OF A MEMBER OF A RESERVE COMPONENT OF THE UNITED STATES ARMED FORCES OR OF THE NATIONAL GUARD WHO WAS KILLED OR DIED ON ACTIVE DUTY FOR TRAINING, SHALL BE ALLOWED AN EXEMPTION FROM ALL AD VALOREM TAXES ON THE ASSESSED VALUE OF THE HOMESTEAD PROPERTY; TO AMEND SECTION 27-33-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUCH A HOMEOWNER, AS WELL AS A HOMEOWNER ALLOWED AN EXEMPTION FROM ALL AD VALOREM TAXES ON THE ASSESSED VALUE OF HOMESTEAD PROPERTY DUE TO A SERVICE-CONNECTED, TOTAL DISABILITY AS AN AMERICAN VETERAN WHO HAS BEEN HONORABLY DISCHARGED FROM MILITARY SERVICE, OR THE UNREMARIED SURVIVING SPOUSE OF SUCH A HOMEOWNER, SHALL BE PERMITTED TO APPLY FOR THE EXEMPTION WITHIN 30 CALENDAR DAYS OF THE CLOSING DATE FOR THE HOMESTEAD PURCHASE, BUT NOT LATER THAN DECEMBER 31 OF THE YEAR OF PURCHASE; TO PROVIDE THAT IF, AT THE TIME OF APPLICATION, THE APPLICANT HAS HOMESTEAD EXEMPTION ON ANOTHER PROPERTY, THE EFFECT OF THE NEW APPLICATION ON THE OLD HOMESTEAD PROPERTY SHALL BE THE SAME AS IF THE NEW APPLICATION WERE FILED ON OR BEFORE APRIL 1; TO REPEAL SECTIONS 27-33-69, 27-33-71 AND 27-33-73, MISSISSIPPI CODE OF 1972, WHICH PROVIDE TABLES FOR AD VALOREM TAX EXEMPTIONS CLAIMED AND FOR WHICH REIMBURSEMENT WAS MADE IN PREVIOUS YEARS; TO AMEND SECTION 27-33-67, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE REPEAL OF THE ABOVE SECTIONS; TO BRING FORWARD SECTION 27-33-33, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**S. B. No. 2724:** AN ACT TO EXEMPT THE DEPARTMENT OF PUBLIC SAFETY BUILDING PROJECT AND CONTRACT FROM CERTAIN PUBLIC PURCHASING REQUIREMENTS; AND FOR RELATED PURPOSES.

**S. B. No. 2851:** AN ACT TO AMEND SECTIONS 57-103-1, 57-103-3 AND 57-103-7, MISSISSIPPI CODE OF 1972, TO CHANGE THE ADMINISTERING ENTITY OF CERTAIN TECHNOLOGY-BASED CAPITAL ASSISTANCE PROGRAMS FROM THE MISSISSIPPI TECHNOLOGY ALLIANCE TO INNOVATE MISSISSIPPI; TO INCREASE THE AMOUNT OF ASSISTANCE A BUSINESS MAY RECEIVE UNDER THE RESEARCH AND DEVELOPMENT PROGRAM; TO CHANGE THE MISSISSIPPI NEW TECHNOLOGY BUSINESS PROGRAM-LEVEL 1 TO THE PROOF OF CONCEPT LOAN PROGRAM; TO INCREASE THE AMOUNT OF ASSISTANCE A BUSINESS MAY RECEIVE UNDER THIS PROGRAM; TO CHANGE THE RURAL INNOVATION PROGRAM-LEVEL 1 TO THE PROOF OF CONCEPT GRANT PROGRAM; TO REVISE THE CONDITIONS UNDER WHICH A BUSINESS RECEIVING ASSISTANCE UNDER THIS PROGRAM SHALL BE REQUIRED TO REPAY THE ASSISTANCE; TO REVISE THE PURPOSES FOR WHICH THE MISSISSIPPI DEVELOPMENT AUTHORITY MAY PROVIDE FUNDS TO INNOVATE MISSISSIPPI UNDER THESE PROGRAMS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. B. No. 1613:** Appropriation; Education, Department of. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 6:00 PM in memory of Nelldine Mary Reaux Fountain, Sammie Orr, Wesley A. Thompson, Jr., Josephine Doddridge, Dr. Lawrence E. Mehr, Franklin Hartman, Lavern "Goose" Green, Jerry Reynolds Greene, Nellie L. Catlett, Richard Allen Prescott, James "Bill" Ready, Eula Kathleen Rollins, John D. Silkwood, Sr., Dorothy Mae Saucier, Barbara Carol Watson, Paul Edward Craven, Jr., Morris Bozeman, Katherine B. Helton, Mr. Mayo Wilson, Joyce Lawson Rich, Karen Deanna Maxey Bryant, Jane Hutcheson Chism and Representative Leonard Henderson.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR MONDAY, MARCH 6, 2023

**S. R. No. 60:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE "LADY RANGERS" VOLLEYBALL TEAM AND HEAD COACH ALLISON BURCHYETT FOR WINNING ITS FIRST EVER REGION 23 CHAMPIONSHIP AND MACCC "ACADEMIC TEAM OF THE YEAR".  
By Senator(s) Boyd

**S. R. No. 61:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE "RANGERS" SOFTBALL TEAM AND HEAD COACH CHELSEA BRAMLETT FOR WINNING THEIR FIRST REGION 23 TITLE AND THEIR FIRST MACCC "ACADEMIC TEAM OF THE YEAR" AWARD.  
By Senator(s) Boyd

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SIXTY-FOURTH DAY, TUESDAY, MARCH 7, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,

Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Jim Genesse, Senior Pastor, First United Methodist Church, Starkville, MS.

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Senator Williams led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator DeBar moved that the rules be suspended to move to calendar item 124, **H. B. No. 1369**, and the motion prevailed.

Senator DeBar called up the following entitled bill:

**H. B. No. 1369:** MAEP; determine cost of using Average Daily Membership (ADM) in lieu of ADA with 90% threshold attendance trigger.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-151-5, Mississippi Code of 1972, is brought forward as follows:

37-151-5. As used in Sections 37-151-5 and 37-151-7:

(a) "Adequate program" or "adequate education program" or "Mississippi Adequate Education Program (MAEP)" shall mean the program to establish adequate current operation funding levels necessary for the programs of such school district to meet at least a successful Level III rating of the accreditation system as established by the State Board of Education using current statistically relevant state assessment data.

(b) "Educational programs or elements of programs not included in the adequate education program calculations, but which may be included in appropriations and transfers to school districts" shall mean:

(i) "Capital outlay" shall mean those funds used for the constructing, improving, equipping, renovating or major repairing of school buildings or other school facilities, or the cost of acquisition of land whereon to construct or establish such school facilities.



(ii) "Pilot programs" shall mean programs of a pilot or experimental nature usually designed for special purposes and for a specified period of time other than those included in the adequate education program.

(iii) "Adult education" shall mean public education dealing primarily with students above eighteen (18) years of age not enrolled as full-time public school students and not classified as students of technical schools, colleges or universities of the state.

(iv) "Food service programs" shall mean those programs dealing directly with the nutritional welfare of the student, such as the school lunch and school breakfast programs.

(c) "Base student" shall mean that student classification that represents the most economically educated pupil in a school system meeting the definition of successful, as determined by the State Board of Education.

(d) "Base student cost" shall mean the funding level necessary for providing an adequate education program for one (1) base student, subject to any minimum amounts prescribed in Section 37-151-7(1).

(e) "Add-on program costs" shall mean those items which are included in the adequate education program appropriations and are outside of the program calculations:

(i) "Transportation" shall mean transportation to and from public schools for the students of Mississippi's public schools provided for under law and funded from state funds.

(ii) "Vocational or technical education program" shall mean a secondary vocational or technical program approved by the State Department of Education and provided for from state funds.

(iii) "Special education program" shall mean a program for exceptional children as defined and authorized by Sections 37-23-1 through 37-23-9, and approved by the State Department of Education and provided from state funds.

(iv) "Gifted education program" shall mean those programs for the instruction of intellectually or academically gifted children as defined and provided for in Section 37-23-175 et seq.

(v) "Alternative school program" shall mean those programs for certain compulsory-school-age students as defined and provided for in Sections 37-13-92 and 37-19-22.

(vi) "Extended school year programs" shall mean those programs authorized by law which extend beyond the normal school year.

(vii) "University-based programs" shall mean those university-based programs for handicapped children as defined and provided for in Section 37-23-131 et seq.

(viii) "Bus driver training" programs shall mean those driver training programs as provided for in Section 37-41-1.

(f) "Teacher" shall include any employee of a local school who is required by law to obtain a teacher's license from the State Board of Education and who is assigned to an instructional area of work as defined by the State Department of Education.

(g) "Principal" shall mean the head of an attendance center or division thereof.

(h) "Superintendent" shall mean the head of a school district.

(i) "School district" shall mean any type of school district in the State of Mississippi, and shall include agricultural high schools.

(j) "Minimum school term" shall mean a term of at least one hundred eighty (180) days of school in which both teachers and pupils are in regular attendance for scheduled classroom instruction for not less than sixty-three percent (63%) of the instructional day, as fixed by the local school board for each school in the school district. It is the intent of the Legislature that any tax levies generated to produce additional local funds required by any school district to operate school terms in excess of one hundred seventy-five (175) days shall not be construed to constitute a new program for the purposes of exemption from the limitation on tax revenues as allowed under Sections 27-39-321 and 37-57-107 for new programs mandated by the Legislature.

(k) The term "transportation density" shall mean the number of transported children in average daily attendance per square mile of area served in a school district, as determined by the State Department of Education.

(l) The term "transported children" shall mean children being transported to school who live within legal limits for transportation and who are otherwise qualified for being transported to school at public expense as fixed by Mississippi state law.

(m) The term "year of teaching experience" shall mean nine (9) months of actual teaching in the public or private elementary and secondary schools and shall also include nine (9) months of actual teaching at postsecondary institutions accredited by the Southern Association of Colleges and Schools (SACS) or equivalent regional accrediting body for degree-granting postsecondary institutions. In no case shall more than one (1) year of teaching experience be given for all services in one (1) calendar or school year. In determining a teacher's experience, no deduction shall be made because of the temporary absence of the teacher because of illness or other good cause, and the teacher shall be given credit therefor. Beginning with the 2003-2004 school year, the State Board of Education shall fix a number of days, not to exceed forty-five (45) consecutive school days, during which a teacher may not be under contract of employment during any school year and still be considered to have been in full-time employment for a regular scholastic term. If a teacher exceeds the number of days established by the State Board of Education that a teacher may not be under contract but may still be employed, that teacher shall not be credited with a year of teaching experience. In determining the experience of school librarians, each complete year of continuous, full-time employment as a professional librarian in a public library in this or some other state shall be considered a year of teaching experience. If a full-time school administrator returns to actual teaching in the public schools, the term "year of teaching experience" shall include the period of time he or she served as a school administrator. In determining the salaries of teachers who have experience in any branch of the military, the term "year of teaching experience" shall include each complete year of actual classroom instruction while serving in the military. In determining the experience of speech-language pathologists and audiologists, each complete year of continuous full-time post master's degree employment in an educational setting in this or some other state shall be considered a year of teaching experience. Provided, however, that school districts are authorized, in their discretion, to negotiate the salary levels applicable to certificated employees employed after July 1, 2009, who are receiving retirement benefits from the retirement system of another state, and the annual experience increment provided in Section 37-19-7 shall not be applicable to any such retired certificated employee.

(n) (i) The term "average daily attendance" shall be the figure which results when the total aggregate full-day attendance during the period or months counted is

divided by the number of days during the period or months counted upon which both teachers and pupils are in regular attendance for scheduled classroom instruction, \* \* \* less the average daily attendance for self-contained special education classes. For purposes of determining and reporting attendance, a pupil must be present for at least sixty-three percent (63%) of the instructional day, as fixed by the local school board for each school in the school district, in order to be considered in full-day attendance. Prior to full implementation of the adequate education program the department shall deduct the average daily attendance for the alternative school program provided for in Section 37-19-22.

(ii) [Repealed]

(o) The term "local supplement" shall mean the amount paid to an individual teacher over and above the adequate education program salary schedule for regular teaching duties.

(p) The term "aggregate amount of support from ad valorem taxation" shall mean the amounts produced by the district's total tax levies for operations.

(q) The term "adequate education program funds" shall mean all funds, both state and local, constituting the requirements for meeting the cost of the adequate program as provided for in Section 37-151-7.

(r) "Department" shall mean the State Department of Education.

(s) "Commission" shall mean the Mississippi Commission on School Accreditation created under Section 37-17-3.

(t) The term "successful school district" shall mean a Level III school district as designated by the State Board of Education using current statistically relevant state assessment data.

(u) "Dual enrollment-dual credit programs" shall mean programs for potential or recent high school student dropouts to dually enroll in their home high school and a local community college in a dual credit program consisting of high school completion coursework and a credential, certificate or degree program at the community college, as provided in Section 37-15-38(19).

(v) "Charter school" means a public school that is established and operating under the terms of a charter contract between the school's governing board and the Mississippi Charter School Authorizer Board.

SECTION 2. Section 37-151-7, Mississippi Code of 1972, is brought forward as follows:

37-151-7. The annual allocation to each school district for the operation of the adequate education program shall be determined as follows:

(1) Computation of the basic amount to be included for current operation in the adequate education program. The following procedure shall be followed in determining the annual allocation to each school district:

(a) Determination of average daily attendance. Effective with fiscal year 2011, the State Department of Education shall determine the percentage change from the prior year of each year of each school district's average of months two (2) and three (3) average daily attendance (ADA) for the three (3) immediately preceding school years of the year for which funds are being appropriated. For any school district that experiences a positive growth in the average of months two (2) and three (3) ADA each year of the three (3) years, the average percentage growth over the three-year period shall be

multiplied times the school district's average of months two (2) and three (3) ADA for the year immediately preceding the year for which MAEP funds are being appropriated. The resulting amount shall be added to the school district's average of months two (2) and three (3) ADA for the year immediately preceding the year for which MAEP funds are being appropriated to arrive at the ADA to be used in determining a school district's MAEP allocation. Otherwise, months two (2) and three (3) ADA for the year immediately preceding the year for which MAEP funds are being appropriated will be used in determining a school district's MAEP allocation. In any fiscal year prior to 2010 in which the MAEP formula is not fully funded, for those districts that do not demonstrate a three-year positive growth in months two (2) and three (3) ADA, months one (1) through nine (9) ADA of the second preceding year for which funds are being appropriated or months two (2) and three (3) ADA of the preceding year for which funds are being appropriated, whichever is greater, shall be used to calculate the district's MAEP allocation. The district's average daily attendance shall be computed and currently maintained in accordance with regulations promulgated by the State Board of Education. The district's average daily attendance shall include any student enrolled in a Dual Enrollment-Dual Credit Program as defined and provided in Section 37-15-38(19). The State Department of Education shall make payments for Dual Enrollment-Dual Credit Programs to the home school in which the student is enrolled, in accordance with regulations promulgated by the State Board of Education. The community college providing services to students in a Dual Enrollment-Dual Credit Program shall require payment from the home school district for services provided to such students at a rate of one hundred percent (100%) of ADA. All MAEP/state funding shall cease upon completion of high school graduation requirements.

(b) Determination of base student cost. Effective with fiscal year 2011 and every fourth fiscal year thereafter, the State Board of Education, on or before August 1, with adjusted estimate no later than January 2, shall submit to the Legislative Budget Office and the Governor a proposed base student cost adequate to provide the following cost components of educating a pupil in a successful school district: (i) instructional cost; (ii) administrative cost; (iii) operation and maintenance of plant; and (iv) ancillary support cost. For purposes of these calculations, the Department of Education shall utilize financial data from the second preceding year of the year for which funds are being appropriated.

For the instructional cost component, the Department of Education shall select districts that have been identified as instructionally successful and have a ratio of a number of teachers per one thousand (1,000) students that is between one (1) standard deviation above the mean and two (2) standard deviations below the mean of the statewide average of teachers per one thousand (1,000) students. The instructional cost component shall be calculated by dividing the latest available months one (1) through nine (9) ADA into the instructional expenditures of these selected districts. For the purpose of this calculation, the Department of Education shall use the following funds, functions and objects:

Fund 1120 Functions 1110-1199 Objects 100-999, Functions

1210, 1220, 2150-2159 Objects 210 and 215;

Fund 1130 All Functions, Object Code 210 and 215;

Fund 2001 Functions 1110-1199 Objects 100-999;

Fund 2070 Functions 1110-1199 Objects 100-999;

Fund 2420 Functions 1110-1199 Objects 100-999;

Fund 2711 All Functions, Object Code 210 and 215.

Prior to the calculation of the instructional cost component, there shall be subtracted from the above expenditures any revenue received for Chickasaw Cession payments, Master Teacher Certification payments and the district's portion of state revenue received from the MAEP at-risk allocation.

For the administrative cost component, the Department of Education shall select districts that have been identified as instructionally successful and have a ratio of an administrative staff to nonadministrative staff between one (1) standard deviation above the mean and two (2) standard deviations below the mean of the statewide average administrative staff to nonadministrative staff. The administrative cost component shall be calculated by dividing the latest available months one (1) through nine (9) ADA of the selected districts into the administrative expenditures of these selected districts. For the purpose of this calculation, the Department of Education shall use the following funds, functions and objects:

Fund 1120 Functions 2300-2599, Functions 2800-2899,

Objects 100-999;

Fund 2711 Functions 2300-2599, Functions 2800-2899,

Objects 100-999.

For the plant and maintenance cost component, the Department of Education shall select districts that have been identified as instructionally successful and have a ratio of plant and maintenance expenditures per one hundred thousand (100,000) square feet of building space and a ratio of maintenance workers per one hundred thousand (100,000) square feet of building space that are both between one (1) standard deviation above the mean and two (2) standard deviations below the mean of the statewide average. The plant and maintenance cost component shall be calculated by dividing the latest available months one (1) through nine (9) ADA of the selected districts into the plant and maintenance expenditures of these selected districts. For the purpose of this calculation, the Department of Education shall use the following funds, functions and objects:

Fund 1120 Functions 2600-2699, Objects 100-699

and Objects 800-999;

Fund 2711 Functions 2600-2699, Objects 100-699

and Objects 800-999;

Fund 2430 Functions 2600-2699, Objects 100-699

and Objects 800-999.

For the ancillary support cost component, the Department of Education shall select districts that have been identified as instructionally successful and have a ratio of a number of librarians, media specialists, guidance counselors and psychologists per one thousand (1,000) students that is between one (1) standard deviation above the mean and two (2) standard deviations below the mean of the statewide average of librarians, media specialists, guidance counselors and psychologists per one thousand (1,000) students. The ancillary cost component shall be calculated by dividing the latest available months one (1) through nine (9) ADA into the ancillary expenditures instructional expenditures of these selected districts. For the purpose of this calculation, the Department of Education shall use the following funds, functions and objects:

Fund 1120 Functions 2110-2129, Objects 100-999;

Fund 1120 Functions 2140-2149, Objects 100-999;

Fund 1120 Functions 2220-2229, Objects 100-999;

Fund 2001 Functions 2100-2129, Objects 100-999;

Fund 2001 Functions 2140-2149, Objects 100-999;

Fund 2001 Functions 2220-2229, Objects 100-999.

The total base cost for each year shall be the sum of the instructional cost component, administrative cost component, plant and maintenance cost component and ancillary support cost component, and any estimated adjustments for additional state requirements as determined by the State Board of Education. Provided, however, that the base student cost in fiscal year 1998 shall be Two Thousand Six Hundred Sixty-four Dollars (\$2,664.00).

For each of the fiscal years between the recalculation of the base student cost under the provisions of this paragraph (b), the base student cost shall be increased by an amount equal to forty percent (40%) of the base student cost for the previous fiscal year, multiplied by the latest annual rate of inflation for the State of Mississippi as determined by the State Economist, plus any adjustments for additional state requirements such as, but not limited to, teacher pay raises and health insurance premium increases.

(c) Determination of the basic adequate education program cost. The basic amount for current operation to be included in the Mississippi Adequate Education Program for each school district shall be computed as follows:

Multiply the average daily attendance of the district by the base student cost as established by the Legislature, which yields the total base program cost for each school district.

(d) Adjustment to the base student cost for at-risk pupils. The amount to be included for at-risk pupil programs for each school district shall be computed as follows: Multiply the base student cost for the appropriate fiscal year as determined under paragraph (b) by five percent (5%), and multiply that product by the number of pupils participating in the federal free school lunch program in such school district, which yields the total adjustment for at-risk pupil programs for such school district.

(e) Add-on program cost. The amount to be allocated to school districts in addition to the adequate education program cost for add-on programs for each school district shall be computed as follows:

(i) Transportation cost shall be the amount allocated to such school district for the operational support of the district transportation system from state funds.

(ii) Vocational or technical education program cost shall be the amount allocated to such school district from state funds for the operational support of such programs.

(iii) Special education program cost shall be the amount allocated to such school district from state funds for the operational support of such programs.

(iv) Gifted education program cost shall be the amount allocated to such school district from state funds for the operational support of such programs.

(v) Alternative school program cost shall be the amount allocated to such school district from state funds for the operational support of such programs.

(vi) Extended school year programs shall be the amount allocated to school districts for those programs authorized by law which extend beyond the normal school year.

(vii) University-based programs shall be the amount allocated to school districts for those university-based programs for handicapped children as defined and provided for in Section 37-23-131 et seq., Mississippi Code of 1972.

(viii) Bus driver training programs shall be the amount provided for those driver training programs as provided for in Section 37-41-1, Mississippi Code of 1972.

The sum of the items listed above (i) transportation, (ii) vocational or technical education, (iii) special education, (iv) gifted education, (v) alternative school, (vi) extended school year, (vii) university-based, and (viii) bus driver training shall yield the add-on cost for each school district.

(f) Total projected adequate education program cost. The total Mississippi Adequate Education Program cost shall be the sum of the total basic adequate education program cost (paragraph (c)), and the adjustment to the base student cost for at-risk pupils (paragraph (d)) for each school district. In any year in which the MAEP is not fully funded, the Legislature shall direct the Department of Education in the K-12 appropriation bill as to how to allocate MAEP funds to school districts for that year.

(g) The State Auditor shall annually verify the State Board of Education's estimated calculations for the Mississippi Adequate Education Program that are submitted each year to the Legislative Budget Office on August 1 and the final calculation that is submitted on January 2.

(2) Computation of the required local revenue in support of the adequate education program. The amount that each district shall provide toward the cost of the adequate education program shall be calculated as follows:

(a) The State Department of Education shall certify to each school district that twenty-eight (28) mills, less the estimated amount of the yield of the School Ad Valorem Tax Reduction Fund grants as determined by the State Department of Education, is the millage rate required to provide the district required local effort for that year, or twenty-seven percent (27%) of the basic adequate education program cost for such school district as determined under paragraph (c), whichever is a lesser amount. In the case of an agricultural high school, the millage requirement shall be set at a level which generates an equitable amount per pupil to be determined by the State Board of Education. The local contribution amount for school districts in which there is located one or more charter schools will be calculated using the following methodology: using the adequate education program twenty-eight (28) mill value, or the twenty-seven percent (27%) cap amount (whichever is less) for each school district in which a charter school is located, an average per pupil amount will be calculated. This average per pupil amount will be multiplied times the number of students attending the charter school in that school district. The sum becomes the charter school's local contribution to the adequate education program.

(b) The State Department of Education shall determine the following from the annual assessment information submitted to the department by the tax assessors of the various counties: (i) the total assessed valuation of nonexempt property for school purposes in each school district; (ii) assessed value of exempt property owned by homeowners aged sixty-five (65) or older or disabled as defined in Section 27-33-67(2), Mississippi Code of 1972; (iii) the school district's tax loss from exemptions provided to applicants under the age of sixty-five (65) and not disabled as defined in Section 27-33-67(1), Mississippi Code of 1972; and (iv) the school district's homestead reimbursement revenues.

(c) The amount of the total adequate education program funding which shall be contributed by each school district shall be the sum of the ad valorem receipts generated by the millage required under this subsection plus the following local revenue sources for the appropriate fiscal year which are or may be available for current expenditure by the school district:

One hundred percent (100%) of Grand Gulf income as prescribed in Section 27-35-309.

One hundred percent (100%) of any fees in lieu of taxes as prescribed in Section 27-31-104.

(3) Computation of the required state effort in support of the adequate education program.

(a) The required state effort in support of the adequate education program shall be determined by subtracting the sum of the required local tax effort as set forth in subsection (2)(a) of this section and the other local revenue sources as set forth in subsection (2)(c) of this section in an amount not to exceed twenty-seven percent (27%) of the total projected adequate education program cost as set forth in subsection (1)(f) of this section from the total projected adequate education program cost as set forth in subsection (1)(f) of this section.

(b) Provided, however, that in fiscal year 2015, any increase in the said state contribution to any district calculated under this section shall be not less than six percent (6%) in excess of the amount received by said district from state funds for fiscal year 2002; in fiscal year 2016, any increase in the said state contribution to any district calculated under this section shall be not less than four percent (4%) in excess of the amount received by said district from state funds for fiscal year 2002; in fiscal year 2017, any increase in the said state contribution to any district calculated under this section shall be not less than two percent (2%) in excess of the amount received by said district from state funds for fiscal year 2002; and in fiscal year 2018 and thereafter, any increase in the said state contribution to any district calculated under this section shall be zero percent (0%). For purposes of this paragraph (b), state funds shall include minimum program funds less the add-on programs, State Uniform Millage Assistance Grant Funds, Education Enhancement Funds appropriated for Uniform Millage Assistance Grants and state textbook allocations, and State General Funds allocated for textbooks.

(c) If the school board of any school district shall determine that it is not economically feasible or practicable to operate any school within the district for the full one hundred eighty (180) days required for a school term of a scholastic year as required in Section 37-13-63, Mississippi Code of 1972, due to an enemy attack, a man-made, technological or natural disaster in which the Governor has declared a disaster emergency under the laws of this state or the President of the United States has declared an emergency or major disaster to exist in this state, said school board may notify the State Department of Education of such disaster and submit a plan for altering the school term. If the State Board of Education finds such disaster to be the cause of the school not operating for the contemplated school term and that such school was in a school district covered by the Governor's or President's disaster declaration, it may permit said school board to operate the schools in its district for less than one hundred eighty (180) days and, in such case, the State Department of Education shall not reduce the state contributions to the adequate education program allotment for such district, because of the failure to operate said schools for one hundred eighty (180) days.

(4) The Interim School District Capital Expenditure Fund is hereby established in the State Treasury which shall be used to distribute any funds specifically appropriated by the Legislature to such fund to school districts entitled to increased allocations of state funds under the adequate education program funding formula prescribed in Sections



37-151-3 through 37-151-7, Mississippi Code of 1972, until such time as the said adequate education program is fully funded by the Legislature. The following percentages of the total state cost of increased allocations of funds under the adequate education program funding formula shall be appropriated by the Legislature into the Interim School District Capital Expenditure Fund to be distributed to all school districts under the formula: Nine and two-tenths percent (9.2%) shall be appropriated in fiscal year 1998, twenty percent (20%) shall be appropriated in fiscal year 1999, forty percent (40%) shall be appropriated in fiscal year 2000, sixty percent (60%) shall be appropriated in fiscal year 2001, eighty percent (80%) shall be appropriated in fiscal year 2002, and one hundred percent (100%) shall be appropriated in fiscal year 2003 into the State Adequate Education Program Fund. Until July 1, 2002, such money shall be used by school districts for the following purposes:

(a) Purchasing, erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including gymnasiums, auditoriums, lunchrooms, vocational training buildings, libraries, school barns and garages for transportation vehicles, school athletic fields and necessary facilities connected therewith, and purchasing land therefor. Any such capital improvement project by a school district shall be approved by the State Board of Education, and based on an approved long-range plan. The State Board of Education shall promulgate minimum requirements for the approval of school district capital expenditure plans.

(b) Providing necessary water, light, heating, air-conditioning, and sewerage facilities for school buildings, and purchasing land therefor.

(c) Paying debt service on existing capital improvement debt of the district or refinancing outstanding debt of a district if such refinancing will result in an interest cost savings to the district.

(d) From and after October 1, 1997, through June 30, 1998, pursuant to a school district capital expenditure plan approved by the State Department of Education, a school district may pledge such funds until July 1, 2002, plus funds provided for in paragraph (e) of this subsection (4) that are not otherwise permanently pledged under such paragraph (e) to pay all or a portion of the debt service on debt issued by the school district under Sections 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302 and 37-41-81, Mississippi Code of 1972, or debt issued by boards of supervisors for agricultural high schools pursuant to Section 37-27-65, Mississippi Code of 1972, or lease-purchase contracts entered into pursuant to Section 31-7-13, Mississippi Code of 1972, or to retire or refinance outstanding debt of a district, if such pledge is accomplished pursuant to a written contract or resolution approved and spread upon the minutes of an official meeting of the district's school board or board of supervisors. It is the intent of this provision to allow school districts to irrevocably pledge their Interim School District Capital Expenditure Fund allotments as a constant stream of revenue to secure a debt issued under the foregoing code sections. To allow school districts to make such an irrevocable pledge, the state shall take all action necessary to ensure that the amount of a district's Interim School District Capital Expenditure Fund allotments shall not be reduced below the amount certified by the department or the district's total allotment under the Interim Capital Expenditure Fund if fully funded, so long as such debt remains outstanding.

(e) [Repealed]

(f) [Repealed]

(g) The State Board of Education may authorize the school district to expend not more than twenty percent (20%) of its annual allotment of such funds or Twenty Thousand Dollars (\$20,000.00), whichever is greater, for technology needs of the school district, including computers, software, telecommunications, cable television, interactive video, film, low-power television, satellite communications, microwave

communications, technology-based equipment installation and maintenance, and the training of staff in the use of such technology-based instruction. Any such technology expenditure shall be reflected in the local district technology plan approved by the State Board of Education under Section 37-151-17, Mississippi Code of 1972.

(h) To the extent a school district has not utilized twenty percent (20%) of its annual allotment for technology purposes under paragraph (g), a school district may expend not more than twenty percent (20%) of its annual allotment or Twenty Thousand Dollars (\$20,000.00), whichever is greater, for instructional purposes. The State Board of Education may authorize a school district to expend more than said twenty percent (20%) of its annual allotment for instructional purposes if it determines that such expenditures are needed for accreditation purposes.

(i) The State Department of Education or the State Board of Education may require that any project commenced under this section with an estimated project cost of not less than Five Million Dollars (\$5,000,000.00) shall be done only pursuant to program management of the process with respect to design and construction. Any individuals, partnerships, companies or other entities acting as a program manager on behalf of a local school district and performing program management services for projects covered under this subsection shall be approved by the State Department of Education.

Any interest accruing on any unexpended balance in the Interim School District Capital Expenditure Fund shall be invested by the State Treasurer and placed to the credit of each school district participating in such fund in its proportionate share.

The provisions of this subsection (4) shall be cumulative and supplemental to any existing funding programs or other authority conferred upon school districts or school boards.

(5) The State Department of Education shall make payments to charter schools for each student in average daily attendance at the charter school equal to the state share of the adequate education program payments for each student in average daily attendance at the school district in which the public charter school is located. In calculating the local contribution for purposes of determining the state share of the adequate education program payments, the department shall deduct the pro rata local contribution of the school district in which the student resides as determined in subsection (2)(a) of this section.

SECTION 3. Section 37-151-85, Mississippi Code of 1972, is brought forward as follows:

37-151-85. (1) The amount to be allotted by the State Board of Education for transportation shall be determined as follows:

The State Department of Education shall calculate the cost of transportation in school districts by ascertaining the average cost per pupil in average daily attendance of transported pupils in school districts classified in different density groups as determined by the State Department of Education. Based on these calculations, the State Department of Education shall develop a scale for determining the allowable cost per pupil in different density groups, which scale shall provide greatest allowance per pupil transported in school districts with lowest densities and smallest allowance per pupil in school districts with highest densities. The total allowance in the adequate education program for transported children for any school district for the current year shall be the average daily attendance of the transported children for the nine (9) months of the prior year, multiplied by the allowance per transported pupil as provided herein. However, the State Department of Education is hereby authorized and empowered to make proper adjustments in allotments, under rules and regulations of the State Board of Education, in cases where major changes in the number of children in average daily attendance transported occur from one (1) year to another as a result of changes or alterations in the

boundaries of school districts, a change in or relocation of attendance centers, or for other reasons which would result in major decrease or increase in the number of children in average daily attendance transported during the current school year as compared with the preceding year. Moreover, the State Board of Education is hereby authorized and empowered to make such payments to all districts and/or university-based programs as deemed necessary in connection with transporting exceptional children as defined in Section 37-23-3. The State Board of Education shall establish and implement all necessary rules and regulations to allot transportation payments to university-based programs. In developing density classifications under the provisions hereof, the State Department of Education may give consideration to the length of the route, the sparsity of the population, the lack of adequate roads, highways and bridges, and the presence of large streams or other geographic obstacles. In addition to funds allotted under the above provisions, funds shall be allotted to each school district that transports students from their assigned school or attendance center to classes in an approved vocational-technical center at a rate per mile not to exceed the average statewide cost per mile of school bus transportation during the preceding year exclusive of bus replacement. All such transportation must have prior approval by the State Department of Education.

(2) The average daily attendance of transported children shall be reported by the school district in which such children attend school. If children living in a school district are transported at the expense of such school district to another school district, the average daily attendance of such transported children shall be deducted by the State Department of Education from the aggregate average daily attendance of transported children in the school district in which they attend school and shall be added to the aggregate average daily attendance of transported children of the school district from which they come for the purpose of calculating transportation allotments. However, such deduction shall not be made for the purpose of calculating adequate education program pupil-based funding.

(3) The State Department of Education shall include in the allowance for transportation for each school district an amount for the replacement of school buses or the purchase of new buses, which amount shall be calculated upon the estimated useful life of all school buses being used for the transportation of children in such school district, whether such buses be publicly or privately owned.

(4) The school boards of all districts operating school bus transportation are authorized and directed to establish a salary schedule for school bus drivers. No school district shall be entitled to receive the funds herein allotted for transportation unless it pays each of its nonstudent adult school bus drivers paid from such transportation allotments a minimum of One Hundred Ninety Dollars (\$190.00) per month. In addition, local school boards may compensate school bus drivers, to include temporary or substitute bus drivers, for actual expenses incurred when acquiring an initial commercial license or any renewal of a commercial license in order to drive a school bus. In addition, local school boards may compensate school bus drivers, to include temporary or substitute bus drivers, for expenses, not to exceed One Hundred Dollars (\$100.00), when acquiring an initial medical exam or any renewal of a medical exam, in order to qualify for a commercial driver's license.

(5) The State Board of Education shall be authorized and empowered to use such part of the funds appropriated for transportation in the adequate education fund as may be necessary to finance driver training courses as provided for in Section 37-41-1, Mississippi Code of 1972.

(6) The State Board of Education, acting through the Department of Education, may compensate school bus drivers, to include temporary or substitute bus drivers, who are providing driving services to the various state operated schools, such as the Mississippi School for the Deaf, the Mississippi School for the Blind, the Mississippi School of the Arts, the Mississippi School for Math and Science and any other similar state operated schools, for actual expenses incurred when acquiring an initial commercial

license or any renewal of a commercial license in order to drive a school bus, to include the expense, not to exceed One Hundred Dollars (\$100.00), of acquiring an initial medical exam or any renewal of a medical exam in order to qualify for a commercial driver's license.

SECTION 4. Section 37-151-97, Mississippi Code of 1972, is brought forward as follows:

37-151-97. The State Department of Education shall develop an annual reporting process to inform the Legislature, local district personnel and the general public as to the ongoing and future plans for the state's educational programs. The annual reporting process will include those vital statistics that are commonly reported by schools and districts and that can provide clear demographic, strategic and educational information to constituencies such as, but not limited to, the following information:

- (a) Student enrollment, attendance, drop-out and graduation;
- (b) Overall student and district achievement;
- (c) Budget, administrative costs and other pertinent fiscal information,

including:

(i) The receipts and disbursements of all school funds handled by the board;

(ii) Reports of expenditures for public schools, which, upon request must be made available on an individual district basis by the State Department of Education;

1. Total Student Expenditures:

- a. Instruction (1000s);
- b. Other Student Instructional Expenditures (2100s,

2200s);

2. General Administration (2300s and 2500s);

3. School Administration (2400s);

4. Other Expenditures (2600s, 2700s, 2800s, 3100s, 3200s);

and

5. Nonoperational Expenditures (4000s, 5000s, 6000s);

(iii) The number of school districts, schoolteachers employed, school administrators employed, pupils taught and the attendance record of pupils therein;

(iv) County and district levies for each school district and agricultural high school;

(v) The condition of vocational education, a list of schools to which federal and state aid has been given, and a detailed statement of the expenditures of federal funds and the state funds that may be provided, and the ranking of subjects taught as compared with the state's needs.

- (d) Other as directed by the State Board of Education.

Further, the reporting process will include an annual report developed specifically to relate the mission and goals of the State Board of Education, state superintendent and departments. This document will become the method through which the strategic planning and management process of the department is articulated to the public. It will explain and inform the public of the major initiatives of the department and clearly identify rationale for program development and/or elimination. The report will establish benchmarks, future plans and discuss the effectiveness of educational programs.

In addition to the information specified herein, the State Board of Education shall have full and plenary authority and power to require the furnishing of such further, additional and supplementary information as it may deem necessary for the purpose of determining the cost of the adequate education program in such school district for the succeeding fiscal year, the amount of the adequate education program funds to be allotted to each school district for the succeeding fiscal year, and for any other purpose authorized by law or deemed necessary by said State Board of Education.

It shall be the duty of the State Department of Education to prescribe the forms for the reports provided for in this section.

SECTION 5. Section 37-151-103, Mississippi Code of 1972, is brought forward as follows:

37-151-103. (1) Funds due each school district and charter school under the terms of this chapter from the Adequate Education Program Fund shall be paid in the following manner: Two (2) business days prior to the last working day of each month there shall be paid to each school district and charter school, by electronic funds transfer, one-twelfth (1/12) of the funds to which the district or charter school is entitled from funds appropriated for the Adequate Education Program Fund. However, in December those payments shall be made on December 15th or the next business day after that date. All school districts shall process a single monthly or a bimonthly payroll for employees, in the discretion of the local school board, with electronic settlement of payroll checks secured through direct deposit of net pay for all school district employees. In addition, the State Department of Education may pay school districts and charter schools from the common school fund and the Adequate Education Program Fund on a date earlier than provided for by this section if it is determined that it is in the best interest of school districts and charter schools to do so.

Provided, however, that if the cash balance in the State General Fund is not adequate on the due date to pay the amounts due to all school districts and charter schools in the state as determined by the State Superintendent of Education, the State Fiscal Officer shall not transfer said funds payable to any school district or districts or charter schools until money is available to pay the amount due to all districts and charter schools.

(2) Notwithstanding any provision of this chapter or any other law requiring the number of children in average daily attendance or the average daily attendance of transported children to be determined on the basis of the preceding year, the State Board of Education is hereby authorized and empowered to make proper adjustments in allotments in cases where major changes in the number of children in average daily attendance or the average daily attendance of transported children occurs from one year to another as a result of changes or alterations in the boundaries of school districts, the sending of children from one county or district to another upon a contract basis, the termination or discontinuance of a contract for the sending of children from one county or district to another, a change in or relocation of attendance centers, or for any other reason which would result in a major decrease or increase in the number of children in average daily attendance or the average daily attendance of transported children during the current school year as compared with the preceding year.

(3) In the event of an inordinately large number of absentees in any school district or charter school as a result of epidemic, natural disaster, or any concerted activity discouraging school attendance, then in such event school attendance for the purposes of determining average daily attendance under the adequate education program shall be based upon the average daily attendance for the preceding school year for such school district or charter school.

(4) The State Department of Education shall hold school districts harmless for each school district's average daily attendance calculation for the 2020-2021 scholastic year. For purposes of determining average daily attendance for the 2020-2021 scholastic year, the State Department of Education shall use each school district's average daily attendance for the 2019-2020 scholastic year if it is greater than the school's average daily attendance for the 2020-2021 scholastic year.

SECTION 6. Section 37-13-91, Mississippi Code of 1972, is brought forward as follows:

37-13-91. (1) This section shall be referred to as the "Mississippi Compulsory School Attendance Law."

(2) The following terms as used in this section are defined as follows:

(a) "Parent" means the father or mother to whom a child has been born, or the father or mother by whom a child has been legally adopted.

(b) "Guardian" means a guardian of the person of a child, other than a parent, who is legally appointed by a court of competent jurisdiction.

(c) "Custodian" means any person having the present care or custody of a child, other than a parent or guardian of the child.

(d) "School day" means not less than five and one-half (5-1/2) and not more than eight (8) hours of actual teaching in which both teachers and pupils are in regular attendance for scheduled schoolwork.

(e) "School" means any public school, including a charter school, in this state or any nonpublic school in this state which is in session each school year for at least one hundred eighty (180) school days, except that the "nonpublic" school term shall be the number of days that each school shall require for promotion from grade to grade.

(f) "Compulsory-school-age child" means a child who has attained or will attain the age of six (6) years on or before September 1 of the calendar year and who has not attained the age of seventeen (17) years on or before September 1 of the calendar year; and shall include any child who has attained or will attain the age of five (5) years on or before September 1 and has enrolled in a full-day public school kindergarten program.

(g) "School attendance officer" means a person employed by the State Department of Education pursuant to Section 37-13-89.

(h) "Appropriate school official" means the superintendent of the school district, or his designee, or, in the case of a nonpublic school, the principal or the headmaster.

(i) "Nonpublic school" means an institution for the teaching of children, consisting of a physical plant, whether owned or leased, including a home, instructional staff members and students, and which is in session each school year. This definition shall include, but not be limited to, private, church, parochial and home instruction programs.

(3) A parent, guardian or custodian of a compulsory-school-age child in this state shall cause the child to enroll in and attend a public school or legitimate nonpublic school for the period of time that the child is of compulsory school age, except under the following circumstances:

(a) When a compulsory-school-age child is physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation.

(b) When a compulsory-school-age child is enrolled in and pursuing a course of special education, remedial education or education for handicapped or physically or mentally disadvantaged children.

(c) When a compulsory-school-age child is being educated in a legitimate home instruction program.

The parent, guardian or custodian of a compulsory-school-age child described in this subsection, or the parent, guardian or custodian of a compulsory-school-age child attending any charter school or nonpublic school, or the appropriate school official for any or all children attending a charter school or nonpublic school shall complete a "certificate of enrollment" in order to facilitate the administration of this section.

The form of the certificate of enrollment shall be prepared by the Office of Compulsory School Attendance Enforcement of the State Department of Education and shall be designed to obtain the following information only:

(i) The name, address, telephone number and date of birth of the compulsory-school-age child;

(ii) The name, address and telephone number of the parent, guardian or custodian of the compulsory-school-age child;

(iii) A simple description of the type of education the compulsory-school-age child is receiving and, if the child is enrolled in a nonpublic school, the name and address of the school; and

(iv) The signature of the parent, guardian or custodian of the compulsory-school-age child or, for any or all compulsory-school-age child or children attending a charter school or nonpublic school, the signature of the appropriate school official and the date signed.

The certificate of enrollment shall be returned to the school attendance officer where the child resides on or before September 15 of each year. Any parent, guardian or custodian found by the school attendance officer to be in noncompliance with this section shall comply, after written notice of the noncompliance by the school attendance officer, with this subsection within ten (10) days after the notice or be in violation of this section. However, in the event the child has been enrolled in a public school within fifteen (15) calendar days after the first day of the school year as required in subsection (6), the parent or custodian may, at a later date, enroll the child in a legitimate nonpublic school or legitimate home instruction program and send the certificate of enrollment to the school attendance officer and be in compliance with this subsection.

For the purposes of this subsection, a legitimate nonpublic school or legitimate home instruction program shall be those not operated or instituted for the purpose of avoiding or circumventing the compulsory attendance law.

(4) An "unlawful absence" is an absence for an entire school day or during part of a school day by a compulsory-school-age child, which absence is not due to a valid

excuse for temporary nonattendance. For purposes of reporting absenteeism under subsection (6) of this section, if a compulsory-school-age child has an absence that is more than thirty-seven percent (37%) of the instructional day, as fixed by the school board for the school at which the compulsory-school-age child is enrolled, the child must be considered absent the entire school day. Days missed from school due to disciplinary suspension shall not be considered an "excused" absence under this section. This subsection shall not apply to children enrolled in a nonpublic school.

Each of the following shall constitute a valid excuse for temporary nonattendance of a compulsory-school-age child enrolled in a noncharter public school, provided satisfactory evidence of the excuse is provided to the superintendent of the school district, or his designee:

(a) An absence is excused when the absence results from the compulsory-school-age child's attendance at an authorized school activity with the prior approval of the superintendent of the school district, or his designee. These activities may include field trips, athletic contests, student conventions, musical festivals and any similar activity.

(b) An absence is excused when the absence results from illness or injury which prevents the compulsory-school-age child from being physically able to attend school.

(c) An absence is excused when isolation of a compulsory-school-age child is ordered by the county health officer, by the State Board of Health or appropriate school official.

(d) An absence is excused when it results from the death or serious illness of a member of the immediate family of a compulsory-school-age child. The immediate family members of a compulsory-school-age child shall include children, spouse, grandparents, parents, brothers and sisters, including stepbrothers and stepsisters.

(e) An absence is excused when it results from a medical or dental appointment of a compulsory-school-age child.

(f) An absence is excused when it results from the attendance of a compulsory-school-age child at the proceedings of a court or an administrative tribunal if the child is a party to the action or under subpoena as a witness.

(g) An absence may be excused if the religion to which the compulsory-school-age child or the child's parents adheres, requires or suggests the observance of a religious event. The approval of the absence is within the discretion of the superintendent of the school district, or his designee, but approval should be granted unless the religion's observance is of such duration as to interfere with the education of the child.

(h) An absence may be excused when it is demonstrated to the satisfaction of the superintendent of the school district, or his designee, that the purpose of the absence is to take advantage of a valid educational opportunity such as travel, including vacations or other family travel. Approval of the absence must be gained from the superintendent of the school district, or his designee, before the absence, but the approval shall not be unreasonably withheld.

(i) An absence may be excused when it is demonstrated to the satisfaction of the superintendent of the school district, or his designee, that conditions are sufficient to warrant the compulsory-school-age child's nonattendance. However, no absences shall be excused by the school district superintendent, or his designee, when any student suspensions or expulsions circumvent the intent and spirit of the compulsory attendance law.



(j) An absence is excused when it results from the attendance of a compulsory-school-age child participating in official organized events sponsored by the 4-H or Future Farmers of America (FFA). The excuse for the 4-H or FFA event must be provided in writing to the appropriate school superintendent by the Extension Agent or High School Agricultural Instructor/FFA Advisor.

(k) An absence is excused when it results from the compulsory-school-age child officially being employed to serve as a page at the State Capitol for the Mississippi House of Representatives or Senate.

(5) Any parent, guardian or custodian of a compulsory-school-age child subject to this section who refuses or willfully fails to perform any of the duties imposed upon him or her under this section or who intentionally falsifies any information required to be contained in a certificate of enrollment, shall be guilty of contributing to the neglect of a child and, upon conviction, shall be punished in accordance with Section 97-5-39.

Upon prosecution of a parent, guardian or custodian of a compulsory-school-age child for violation of this section, the presentation of evidence by the prosecutor that shows that the child has not been enrolled in school within eighteen (18) calendar days after the first day of the school year of the public school which the child is eligible to attend, or that the child has accumulated twelve (12) unlawful absences during the school year at the public school in which the child has been enrolled, shall establish a prima facie case that the child's parent, guardian or custodian is responsible for the absences and has refused or willfully failed to perform the duties imposed upon him or her under this section. However, no proceedings under this section shall be brought against a parent, guardian or custodian of a compulsory-school-age child unless the school attendance officer has contacted promptly the home of the child and has provided written notice to the parent, guardian or custodian of the requirement for the child's enrollment or attendance.

(6) If a compulsory-school-age child has not been enrolled in a school within fifteen (15) calendar days after the first day of the school year of the school which the child is eligible to attend or the child has accumulated five (5) unlawful absences during the school year of the public school in which the child is enrolled, the school district superintendent, or his designee, shall report, within two (2) school days or within five (5) calendar days, whichever is less, the absences to the school attendance officer. The State Department of Education shall prescribe a uniform method for schools to utilize in reporting the unlawful absences to the school attendance officer. The superintendent, or his designee, also shall report any student suspensions or student expulsions to the school attendance officer when they occur.

(7) When a school attendance officer has made all attempts to secure enrollment and/or attendance of a compulsory-school-age child and is unable to effect the enrollment and/or attendance, the attendance officer shall file a petition with the youth court under Section 43-21-451 or shall file a petition in a court of competent jurisdiction as it pertains to parent or child. Sheriffs, deputy sheriffs and municipal law enforcement officers shall be fully authorized to investigate all cases of nonattendance and unlawful absences by compulsory-school-age children, and shall be authorized to file a petition with the youth court under Section 43-21-451 or file a petition or information in the court of competent jurisdiction as it pertains to parent or child for violation of this section. The youth court shall expedite a hearing to make an appropriate adjudication and a disposition to ensure compliance with the Compulsory School Attendance Law, and may order the child to enroll or re-enroll in school. The superintendent of the school district to which the child is ordered may assign, in his discretion, the child to the alternative school program of the school established pursuant to Section 37-13-92.

(8) The State Board of Education shall adopt rules and regulations for the purpose of reprimanding any school superintendents who fail to timely report unexcused absences under the provisions of this section.

(9) Notwithstanding any provision or implication herein to the contrary, it is not the intention of this section to impair the primary right and the obligation of the parent or parents, or person or persons in loco parentis to a child, to choose the proper education and training for such child, and nothing in this section shall ever be construed to grant, by implication or otherwise, to the State of Mississippi, any of its officers, agencies or subdivisions any right or authority to control, manage, supervise or make any suggestion as to the control, management or supervision of any private or parochial school or institution for the education or training of children, of any kind whatsoever that is not a public school according to the laws of this state; and this section shall never be construed so as to grant, by implication or otherwise, any right or authority to any state agency or other entity to control, manage, supervise, provide for or affect the operation, management, program, curriculum, admissions policy or discipline of any such school or home instruction program.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTIONS 37-151-5, 37-151-7, 37-151-85, 37-151-97, 37-151-103 AND 37-13-91, MISSISSIPPI CODE OF 1972, WHICH ARE CERTAIN PROVISIONS RELATED TO THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Senator DeBar offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-151-7, Mississippi Code of 1972, is amended as follows:

37-151-7. The annual allocation to each school district for the operation of the adequate education program shall be determined as follows:

(1) Computation of the basic amount to be included for current operation in the adequate education program. The following procedure shall be followed in determining the annual allocation to each school district:

(a) Determination of average daily attendance. Effective with fiscal year 2011, the State Department of Education shall determine the percentage change from the prior year of each year of each school district's average of months two (2) and three (3) average daily attendance (ADA) for the three (3) immediately preceding school years of the year for which funds are being appropriated. For any school district that experiences a positive growth in the average of months two (2) and three (3) ADA each year of the three (3) years, the average percentage growth over the three-year period shall be multiplied times the school district's average of months two (2) and three (3) ADA for the year immediately preceding the year for which MAEP funds are being appropriated. The resulting amount shall be added to the school district's average of months two (2) and three (3) ADA for the year immediately preceding the year for which MAEP funds are being appropriated to arrive at the ADA to be used in determining a school district's MAEP allocation. Otherwise, months two (2) and three (3) ADA for the year immediately

preceding the year for which MAEP funds are being appropriated will be used in determining a school district's MAEP allocation. In any fiscal year prior to 2010 in which the MAEP formula is not fully funded, for those districts that do not demonstrate a three-year positive growth in months two (2) and three (3) ADA, months one (1) through nine (9) ADA of the second preceding year for which funds are being appropriated or months two (2) and three (3) ADA of the preceding year for which funds are being appropriated, whichever is greater, shall be used to calculate the district's MAEP allocation. The district's average daily attendance shall be computed and currently maintained in accordance with regulations promulgated by the State Board of Education. The district's average daily attendance shall include any student enrolled in a Dual Enrollment-Dual Credit Program as defined and provided in Section 37-15-38(19). The State Department of Education shall make payments for Dual Enrollment-Dual Credit Programs to the home school in which the student is enrolled, in accordance with regulations promulgated by the State Board of Education. The community college providing services to students in a Dual Enrollment-Dual Credit Program shall require payment from the home school district for services provided to such students at a rate of one hundred percent (100%) of ADA. All MAEP/state funding shall cease upon completion of high school graduation requirements.

(b) Determination of base student cost. Effective with fiscal year 2011 and every fourth fiscal year thereafter, the State Board of Education, on or before August 1, with adjusted estimate no later than January 2, shall submit to the Legislative Budget Office and the Governor a proposed base student cost adequate to provide the following cost components of educating a pupil in a successful school district: (i) instructional cost; (ii) administrative cost; (iii) operation and maintenance of plant; and (iv) ancillary support cost. For purposes of these calculations, the Department of Education shall utilize financial data from the second preceding year of the year for which funds are being appropriated.

For the instructional cost component, the Department of Education shall select districts that have been identified as instructionally successful and have a ratio of a number of teachers per one thousand (1,000) students that is between one (1) standard deviation above the mean and two (2) standard deviations below the mean of the statewide average of teachers per one thousand (1,000) students. The instructional cost component shall be calculated by dividing the latest available months one (1) through nine (9) ADA into the instructional expenditures of these selected districts. For the purpose of this calculation, the Department of Education shall use the following funds, functions and objects:

Fund 1120 Functions 1110-1199 Objects 100-999, Functions

1210, 1220, 2150-2159 Objects 210 and 215;

Fund 1130 All Functions, Object Code 210 and 215;

Fund 2001 Functions 1110-1199 Objects 100-999;

Fund 2070 Functions 1110-1199 Objects 100-999;

Fund 2420 Functions 1110-1199 Objects 100-999;

Fund 2711 All Functions, Object Code 210 and 215.

Prior to the calculation of the instructional cost component, there shall be subtracted from the above expenditures any revenue received for Chickasaw Cession payments, Master Teacher Certification payments and the district's portion of state revenue received from the MAEP at-risk allocation.

For the administrative cost component, the Department of Education shall select districts that have been identified as instructionally successful and have a ratio of an administrative staff to nonadministrative staff between one (1) standard deviation above the mean and two (2) standard deviations below the mean of the statewide average administrative staff to nonadministrative staff. The administrative cost component shall be calculated by dividing the latest available months one (1) through nine (9) ADA of the selected districts into the administrative expenditures of these selected districts. For the purpose of this calculation, the Department of Education shall use the following funds, functions and objects:

Fund 1120 Functions 2300-2599, Functions 2800-2899,

Objects 100-999;

Fund 2711 Functions 2300-2599, Functions 2800-2899,

Objects 100-999.

For the plant and maintenance cost component, the Department of Education shall select districts that have been identified as instructionally successful and have a ratio of plant and maintenance expenditures per one hundred thousand (100,000) square feet of building space and a ratio of maintenance workers per one hundred thousand (100,000) square feet of building space that are both between one (1) standard deviation above the mean and two (2) standard deviations below the mean of the statewide average. The plant and maintenance cost component shall be calculated by dividing the latest available months one (1) through nine (9) ADA of the selected districts into the plant and maintenance expenditures of these selected districts. For the purpose of this calculation, the Department of Education shall use the following funds, functions and objects:

Fund 1120 Functions 2600-2699, Objects 100-699

and Objects 800-999;

Fund 2711 Functions 2600-2699, Objects 100-699

and Objects 800-999;

Fund 2430 Functions 2600-2699, Objects 100-699

and Objects 800-999.

For the ancillary support cost component, the Department of Education shall select districts that have been identified as instructionally successful and have a ratio of a number of librarians, media specialists, guidance counselors and psychologists per one thousand (1,000) students that is between one (1) standard deviation above the mean and two (2) standard deviations below the mean of the statewide average of librarians, media specialists, guidance counselors and psychologists per one thousand (1,000) students. The ancillary cost component shall be calculated by dividing the latest available months one (1) through nine (9) ADA into the ancillary expenditures instructional expenditures of these selected districts. For the purpose of this calculation, the Department of Education shall use the following funds, functions and objects:

Fund 1120 Functions 2110-2129, Objects 100-999;

Fund 1120 Functions 2140-2149, Objects 100-999;

Fund 1120 Functions 2220-2229, Objects 100-999;

Fund 2001 Functions 2100-2129, Objects 100-999;

Fund 2001 Functions 2140-2149, Objects 100-999;

Fund 2001 Functions 2220-2229, Objects 100-999.

The total base cost for each year shall be the sum of the instructional cost component, administrative cost component, plant and maintenance cost component and ancillary support cost component, and any estimated adjustments for additional state requirements as determined by the State Board of Education. Provided, however, that the base student cost in fiscal year 1998 shall be Two Thousand Six Hundred Sixty-four Dollars (\$2,664.00).

For each of the fiscal years between the recalculation of the base student cost under the provisions of this paragraph (b), the base student cost shall be increased by an amount equal to \* \* \* twenty-five percent (25%) of the base student cost for the previous fiscal year, multiplied by the \* \* \* twenty-year average annual rate of inflation rounded up to the nearest tenth of a percent for the State of Mississippi as determined by the State Economist, plus any adjustments for additional state requirements such as, but not limited to, teacher pay raises and health insurance premium increases.

(c) Determination of the basic adequate education program cost. The basic amount for current operation to be included in the Mississippi Adequate Education Program for each school district shall be computed as follows:

Multiply the average daily attendance of the district by the base student cost as established by the Legislature, which yields the total base program cost for each school district.

(d) Adjustment to the base student cost for at-risk pupils. The amount to be included for at-risk pupil programs for each school district shall be computed as follows: Multiply the base student cost for the appropriate fiscal year as determined under paragraph (b) by five percent (5%), and multiply that product by the number of pupils participating in the federal free school lunch program in such school district, which yields the total adjustment for at-risk pupil programs for such school district.

(e) Add-on program cost. The amount to be allocated to school districts in addition to the adequate education program cost for add-on programs for each school district shall be computed as follows:

(i) Transportation cost shall be the amount allocated to such school district for the operational support of the district transportation system from state funds.

(ii) Vocational or technical education program cost shall be the amount allocated to such school district from state funds for the operational support of such programs.

(iii) Special education program cost shall be the amount allocated to such school district from state funds for the operational support of such programs.

(iv) Gifted education program cost shall be the amount allocated to such school district from state funds for the operational support of such programs.

(v) Alternative school program cost shall be the amount allocated to such school district from state funds for the operational support of such programs.

(vi) Extended school year programs shall be the amount allocated to school districts for those programs authorized by law which extend beyond the normal school year.

(vii) University-based programs shall be the amount allocated to school districts for those university-based programs for handicapped children as defined and provided for in Section 37-23-131 et seq., Mississippi Code of 1972.

(viii) Bus driver training programs shall be the amount provided for those driver training programs as provided for in Section 37-41-1, Mississippi Code of 1972.

The sum of the items listed above (i) transportation, (ii) vocational or technical education, (iii) special education, (iv) gifted education, (v) alternative school, (vi) extended school year, (vii) university-based, and (viii) bus driver training shall yield the add-on cost for each school district.

(f) Total projected adequate education program cost. The total Mississippi Adequate Education Program cost shall be the sum of the total basic adequate education program cost (paragraph (c)), and the adjustment to the base student cost for at-risk pupils (paragraph (d)) for each school district. In any year in which the MAEP is not fully funded, the Legislature shall direct the Department of Education in the K-12 appropriation bill as to how to allocate MAEP funds to school districts for that year.

(g) The State Auditor shall annually verify the State Board of Education's estimated calculations for the Mississippi Adequate Education Program that are submitted each year to the Legislative Budget Office on August 1 and the final calculation that is submitted on January 2.

(2) Computation of the required local revenue in support of the adequate education program. The amount that each district shall provide toward the cost of the adequate education program shall be calculated as follows:

(a) The State Department of Education shall certify to each school district that twenty-eight (28) mills, less the estimated amount of the yield of the School Ad Valorem Tax Reduction Fund grants as determined by the State Department of Education, is the millage rate required to provide the district required local effort for that year, or \* \* \* twenty-nine and one-half percent (29.5%) of the basic adequate education program cost for such school district as determined under paragraph (c), whichever is a lesser amount. In the case of an agricultural high school, the millage requirement shall be set at a level which generates an equitable amount per pupil to be determined by the State Board of Education. The local contribution amount for school districts in which there is located one or more charter schools will be calculated using the following methodology: using the adequate education program twenty-eight (28) mill value, or the \* \* \* twenty-nine and one-half percent (29.5%) cap amount (whichever is less) for each school district in which a charter school is located, an average per pupil amount will be calculated. This average per pupil amount will be multiplied times the number of students attending the charter school in that school district. The sum becomes the charter school's local contribution to the adequate education program.

(b) The State Department of Education shall determine the following from the annual assessment information submitted to the department by the tax assessors of the various counties: (i) the total assessed valuation of nonexempt property for school purposes in each school district; (ii) assessed value of exempt property owned by homeowners aged sixty-five (65) or older or disabled as defined in Section 27-33-67(2), Mississippi Code of 1972; (iii) the school district's tax loss from exemptions provided to applicants under the age of sixty-five (65) and not disabled as defined in Section 27-33-67(1), Mississippi Code of 1972; and (iv) the school district's homestead reimbursement revenues.

(c) The amount of the total adequate education program funding which shall be contributed by each school district shall be the sum of the ad valorem receipts generated by the millage required under this subsection plus the following local revenue

sources for the appropriate fiscal year which are or may be available for current expenditure by the school district:

One hundred percent (100%) of Grand Gulf income as prescribed in Section 27-35-309.

One hundred percent (100%) of any fees in lieu of taxes as prescribed in Section 27-31-104.

(3) Computation of the required state effort in support of the adequate education program.

(a) The required state effort in support of the adequate education program shall be determined by subtracting the sum of the required local tax effort as set forth in subsection (2)(a) of this section and the other local revenue sources as set forth in subsection (2)(c) of this section in an amount not to exceed \* \* \* twenty-nine and one-half percent (29.5%) of the total projected adequate education program cost as set forth in subsection (1)(f) of this section from the total projected adequate education program cost as set forth in subsection (1)(f) of this section.

(b) Provided, however, that in fiscal year 2015, any increase in the said state contribution to any district calculated under this section shall be not less than six percent (6%) in excess of the amount received by said district from state funds for fiscal year 2002; in fiscal year 2016, any increase in the said state contribution to any district calculated under this section shall be not less than four percent (4%) in excess of the amount received by said district from state funds for fiscal year 2002; in fiscal year 2017, any increase in the said state contribution to any district calculated under this section shall be not less than two percent (2%) in excess of the amount received by said district from state funds for fiscal year 2002; and in fiscal year 2018 and thereafter, any increase in the said state contribution to any district calculated under this section shall be zero percent (0%). For purposes of this paragraph (b), state funds shall include minimum program funds less the add-on programs, State Uniform Millage Assistance Grant Funds, Education Enhancement Funds appropriated for Uniform Millage Assistance Grants and state textbook allocations, and State General Funds allocated for textbooks.

(c) If the school board of any school district shall determine that it is not economically feasible or practicable to operate any school within the district for the full one hundred eighty (180) days required for a school term of a scholastic year as required in Section 37-13-63, Mississippi Code of 1972, due to an enemy attack, a man-made, technological or natural disaster in which the Governor has declared a disaster emergency under the laws of this state or the President of the United States has declared an emergency or major disaster to exist in this state, said school board may notify the State Department of Education of such disaster and submit a plan for altering the school term. If the State Board of Education finds such disaster to be the cause of the school not operating for the contemplated school term and that such school was in a school district covered by the Governor's or President's disaster declaration, it may permit said school board to operate the schools in its district for less than one hundred eighty (180) days and, in such case, the State Department of Education shall not reduce the state contributions to the adequate education program allotment for such district, because of the failure to operate said schools for one hundred eighty (180) days.

(d) Provided, however, that in fiscal year 2024, subject to appropriations, no school district shall receive less than a district received in fiscal year 2023 in said state contribution, including the amount provided for the fiscal year 2023 teacher and assistant teacher pay raise separate from the adequate education program.

(4) The Interim School District Capital Expenditure Fund is hereby established in the State Treasury which shall be used to distribute any funds specifically appropriated by the Legislature to such fund to school districts entitled to increased allocations of state

funds under the adequate education program funding formula prescribed in Sections 37-151-3 through 37-151-7, Mississippi Code of 1972, until such time as the said adequate education program is fully funded by the Legislature. The following percentages of the total state cost of increased allocations of funds under the adequate education program funding formula shall be appropriated by the Legislature into the Interim School District Capital Expenditure Fund to be distributed to all school districts under the formula: Nine and two-tenths percent (9.2%) shall be appropriated in fiscal year 1998, twenty percent (20%) shall be appropriated in fiscal year 1999, forty percent (40%) shall be appropriated in fiscal year 2000, sixty percent (60%) shall be appropriated in fiscal year 2001, eighty percent (80%) shall be appropriated in fiscal year 2002, and one hundred percent (100%) shall be appropriated in fiscal year 2003 into the State Adequate Education Program Fund. Until July 1, 2002, such money shall be used by school districts for the following purposes:

(a) Purchasing, erecting, repairing, equipping, remodeling and enlarging school buildings and related facilities, including gymnasiums, auditoriums, lunchrooms, vocational training buildings, libraries, school barns and garages for transportation vehicles, school athletic fields and necessary facilities connected therewith, and purchasing land therefor. Any such capital improvement project by a school district shall be approved by the State Board of Education, and based on an approved long-range plan. The State Board of Education shall promulgate minimum requirements for the approval of school district capital expenditure plans.

(b) Providing necessary water, light, heating, air-conditioning, and sewerage facilities for school buildings, and purchasing land therefor.

(c) Paying debt service on existing capital improvement debt of the district or refinancing outstanding debt of a district if such refinancing will result in an interest cost savings to the district.

(d) From and after October 1, 1997, through June 30, 1998, pursuant to a school district capital expenditure plan approved by the State Department of Education, a school district may pledge such funds until July 1, 2002, plus funds provided for in paragraph (e) of this subsection (4) that are not otherwise permanently pledged under such paragraph (e) to pay all or a portion of the debt service on debt issued by the school district under Sections 37-59-1 through 37-59-45, 37-59-101 through 37-59-115, 37-7-351 through 37-7-359, 37-41-89 through 37-41-99, 37-7-301, 37-7-302 and 37-41-81, Mississippi Code of 1972, or debt issued by boards of supervisors for agricultural high schools pursuant to Section 37-27-65, Mississippi Code of 1972, or lease-purchase contracts entered into pursuant to Section 31-7-13, Mississippi Code of 1972, or to retire or refinance outstanding debt of a district, if such pledge is accomplished pursuant to a written contract or resolution approved and spread upon the minutes of an official meeting of the district's school board or board of supervisors. It is the intent of this provision to allow school districts to irrevocably pledge their Interim School District Capital Expenditure Fund allotments as a constant stream of revenue to secure a debt issued under the foregoing code sections. To allow school districts to make such an irrevocable pledge, the state shall take all action necessary to ensure that the amount of a district's Interim School District Capital Expenditure Fund allotments shall not be reduced below the amount certified by the department or the district's total allotment under the Interim Capital Expenditure Fund if fully funded, so long as such debt remains outstanding.

(e) [Repealed]

(f) [Repealed]

(g) The State Board of Education may authorize the school district to expend not more than twenty percent (20%) of its annual allotment of such funds or Twenty Thousand Dollars (\$20,000.00), whichever is greater, for technology needs of the school district, including computers, software, telecommunications, cable television,



interactive video, film, low-power television, satellite communications, microwave communications, technology-based equipment installation and maintenance, and the training of staff in the use of such technology-based instruction. Any such technology expenditure shall be reflected in the local district technology plan approved by the State Board of Education under Section 37-151-17, Mississippi Code of 1972.

(h) To the extent a school district has not utilized twenty percent (20%) of its annual allotment for technology purposes under paragraph (g), a school district may expend not more than twenty percent (20%) of its annual allotment or Twenty Thousand Dollars (\$20,000.00), whichever is greater, for instructional purposes. The State Board of Education may authorize a school district to expend more than said twenty percent (20%) of its annual allotment for instructional purposes if it determines that such expenditures are needed for accreditation purposes.

(i) The State Department of Education or the State Board of Education may require that any project commenced under this section with an estimated project cost of not less than Five Million Dollars (\$5,000,000.00) shall be done only pursuant to program management of the process with respect to design and construction. Any individuals, partnerships, companies or other entities acting as a program manager on behalf of a local school district and performing program management services for projects covered under this subsection shall be approved by the State Department of Education.

Any interest accruing on any unexpended balance in the Interim School District Capital Expenditure Fund shall be invested by the State Treasurer and placed to the credit of each school district participating in such fund in its proportionate share.

The provisions of this subsection (4) shall be cumulative and supplemental to any existing funding programs or other authority conferred upon school districts or school boards.

(5) The State Department of Education shall make payments to charter schools for each student in average daily attendance at the charter school equal to the state share of the adequate education program payments for each student in average daily attendance at the school district in which the public charter school is located. In calculating the local contribution for purposes of determining the state share of the adequate education program payments, the department shall deduct the pro rata local contribution of the school district in which the student resides as determined in subsection (2)(a) of this section.

SECTION 2. Section 37-57-1, Mississippi Code of 1972, is amended as follows:

37-57-1. (1) (a) The boards of supervisors of the counties shall levy and collect all taxes for and on behalf of all school districts which were within the county school system or designated as special municipal separate school districts prior to July 1, 1986. Such taxes shall be collected by the county tax collector at the same time and in the same manner as county taxes are collected by him, and the same penalties for delinquency shall be applicable.

The governing authorities of the municipalities shall levy and collect all taxes for and on behalf of all school districts which were designated as municipal separate school districts prior to July 1, 1986. Such taxes shall be collected by the municipal tax collector at the same time and in the same manner as municipal taxes are collected by him, and the same penalties for delinquency shall be applicable.

Except as otherwise provided in Section 19-9-171, the county or municipal tax collector, as the case may be, shall pay such tax collections, except for taxes collected for the payment of the principal of and interest on school bonds or notes and except for taxes collected to defray collection costs, into the school depository and report to the

school board of the appropriate school district at the same time and in the same manner as the tax collector makes his payments and reports of other taxes collected by him.

Provided, however, the State Board of Education shall determine the appropriate levying authority for any school district created or reorganized after July 1, 1987.

(b) For the purposes of this chapter and any other laws pertaining to taxes levied or bonds or notes issued for and on behalf of school districts, the term "levying authority" means the board of supervisors of the county or the governing authorities of the municipality, whichever levies taxes for and on behalf of the particular school district as provided in paragraphs (a) and (b) of this subsection.

(2) The levying authority for the school district shall, at the same time and in the same manner as other taxes are levied by the levying authority, levy a tax of not less than twenty-eight (28) mills for the then current fiscal year, less the estimated amount of the yield of the School Ad Valorem Tax Reduction Fund grant to the school district as determined by the State Department of Education or \* \* \* twenty-nine and one-half percent (29.5%) of the basic adequate education program cost for such school district, whichever is a lesser amount, upon all of the taxable property of the school district, as required under Section 37-151-7(2)(a). However, in no case shall the minimum local ad valorem tax effort for any school district be equal to an amount that would require a millage rate exceeding fifty-five (55) mills in that school district. Provided, however, that if a levying authority is levying in excess of fifty-five (55) mills on July 1, 1997, the levying authority may levy an additional amount not exceeding three (3) mills in the aggregate for the period beginning July 1, 1997, and ending June 30, 2003, subject to the limitation on increased receipts from ad valorem taxes prescribed in Sections 37-57-105 and 37-57-107. Nothing in this subsection shall be construed to require any school district that is levying more than fifty-five (55) mills pursuant to Sections 37-57-1 and 37-57-105 to decrease its millage rate to fifty-five (55) mills or less. In making such levy, the levying authority shall levy an additional amount sufficient to cover anticipated delinquencies and costs of collection so that the net amount of money to be produced by such levy shall be equal to the amount which the school district is required to contribute as its said minimum local ad valorem tax effort. The tax so levied shall be collected by the tax collector at the same time and in the same manner as other ad valorem taxes are collected by him. The amount of taxes so collected as a result of such levy shall be paid into the district maintenance fund of the school district by the tax collector at the same time and in the same manner as reports and payments of other ad valorem taxes are made by said tax collector, except that the amount collected to defray costs of collection may be paid into the county general fund. The levying authority shall have the power and authority to direct and cause warrants to be issued against such fund for the purpose of refunding any amount of taxes erroneously or illegally paid into such fund where such refund has been approved in the manner provided by law.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-151-7, MISSISSIPPI CODE OF 1972, TO REVISE THE MISSISSIPPI ADEQUATE EDUCATION PROGRAM FUNDING FORMULA TO PROVIDE THAT FOR EACH FISCAL YEAR BETWEEN THE RECALCULATION OF THE BASE STUDENT COST, THE BASE STUDENT COST SHALL BE INCREASED BY AN AMOUNT EQUAL TO 25% OF THE BASE STUDENT COST FOR THE PREVIOUS FISCAL YEAR, MULTIPLIED BY THE 20-YEAR AVERAGE ANNUAL RATE OF INFLATION ROUNDED UP TO THE NEAREST TENTH OF A PERCENT FOR THE STATE OF MISSISSIPPI AS DETERMINED BY THE STATE ECONOMIST, PLUS ANY ADJUSTMENTS FOR ADDITIONAL STATE REQUIREMENTS SUCH AS, BUT NOT

LIMITED TO, TEACHER PAY RAISES AND HEALTH INSURANCE PREMIUM INCREASES; TO PROVIDE THAT THE STATE DEPARTMENT OF EDUCATION SHALL CERTIFY TO EACH SCHOOL DISTRICT THAT 28 MILLS, LESS THE ESTIMATED AMOUNT OF THE YIELD OF THE SCHOOL AD VALOREM TAX REDUCTION FUND GRANTS AS DETERMINED BY THE STATE DEPARTMENT OF EDUCATION, SHALL BE THE MILLAGE RATE REQUIRED TO PROVIDE THE DISTRICT REQUIRED LOCAL EFFORT FOR THAT YEAR, OR 29.5% OF THE BASIC ADEQUATE EDUCATION PROGRAM COST FOR SUCH SCHOOL DISTRICT, WHICHEVER IS A LESSER AMOUNT; TO PROVIDE THE METHODOLOGY FOR LOCAL CONTRIBUTION AMOUNTS FOR SCHOOL DISTRICTS IN WHICH THERE IS LOCATED ONE OR MORE CHARTER SCHOOLS; TO PROVIDE THAT THE METHODOLOGY FOR THE REQUIRED STATE EFFORT IN SUPPORT OF THE ADEQUATE EDUCATION PROGRAM SHALL BE DETERMINED BY SUBTRACTING THE SUM OF THE REQUIRED LOCAL TAX EFFORT AND THE OTHER LOCAL REVENUE SOURCES IN AN AMOUNT NOT TO EXCEED 29.5% OF THE TOTAL PROJECTED ADEQUATE EDUCATION PROGRAM COST FROM THE TOTAL PROJECTED ADEQUATE EDUCATION PROGRAM COST; TO PROVIDE THAT IN FISCAL YEAR 2024, SUBJECT TO APPROPRIATIONS, NO SCHOOL DISTRICT SHALL RECEIVE LESS THAN A DISTRICT RECEIVED IN FISCAL YEAR 2023 IN SAID STATE CONTRIBUTION, INCLUDING THE AMOUNT PROVIDED FOR THE FISCAL YEAR 2023 TEACHER AND ASSISTANT TEACHER PAY RAISE SEPARATE FROM THE ADEQUATE EDUCATION PROGRAM; TO AMEND SECTION 37-57-1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1369 was adopted.

YEAS AND NAYS On H. B. No. 1369. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

\_\_\_\_\_  
Senator Hopson called up the following entitled bill:

**H. B. No. 273:** Health Care Impact Grant Program; establish to provide grants to hospitals and nursing facilities.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is hereby established the Mississippi Hospital Sustainability Grant Program.

(2) In order to measure, improve and preserve access to Mississippi hospital care for all Mississippians and in recognition of the challenges incurred by Mississippi hospitals as a result of the COVID-19 pandemic, funds from the Mississippi Hospital Sustainability Grant Program shall be distributed to each hospital licensed by the State of Mississippi except for hospitals operated by the United States Department of Veterans Affairs and state-operated facilities that provide only inpatient and outpatient psychiatric services.

(3) Grant funds shall be distributed based upon the following formula:

(a) Each Mississippi-licensed rural hospital that has less than one hundred (100) licensed beds and that is not classified as a critical access hospital that operates an emergency department shall receive Five Hundred Thousand Dollars (\$500,000.00) to defray the costs of providing emergency department services.

(b) Each Mississippi-licensed rural hospital that has less than one hundred (100) licensed beds and that is classified as a critical access hospital that operates an emergency department shall receive Three Hundred Fifty Thousand Dollars (\$350,000.00) to defray the costs of providing emergency department services.

(c) Each Mississippi-licensed hospital that operates an emergency department and that has greater than one hundred (100) licensed beds shall receive One Million Dollars (\$1,000,000.00).

(d) Each Mississippi-licensed hospital with less than one hundred (100) licensed beds with the majority of such beds being dedicated to providing freestanding long-term acute care, freestanding rehabilitation or freestanding psychiatric services shall receive Five Hundred Thousand Dollars (\$500,000.00).

(4) In addition to the funds distributed above, any remaining funds appropriated for the purposes of this grant program shall be distributed on a pro-rata amount by dividing the remaining funds by the number of licensed beds attributable to all Mississippi-licensed hospital eligible to receive funds under this program and determining a dollar amount for each bed and then multiplying that dollar amount by the licensed bed count for each hospital and distributing that amount to each respective hospital. In addition to the above, in order to receive a grant payment under this section, each hospital must submit a report describing its overall patient census, its number of licensed beds and the medical services offered to its community (e.g., labor and delivery, intensive care units, emergency department, psychiatric, chemical dependency, surgery, neurology, and orthopedic, etc.).

(5) The grant program described herein shall be administered by the Mississippi Department of Health. In promulgating rules for this grant, the department shall not place additional qualification requirements on hospitals other than the minimum requirements required under this act. The department shall compile the reports provided by the hospitals receiving funds under this program and submit the report to the Lieutenant Governor and the Speaker of the House by December 1, 2023.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM FOR THE PURPOSE OF IMPROVING AND PRESERVING ACCESS TO HOSPITAL CARE FOR ALL MISSISSIPPIANS AND IN RECOGNITION OF THE CHALLENGES INCURRED BY HOSPITALS AS A RESULT OF THE COVID-19 PANDEMIC; TO REQUIRE THE DEPARTMENT OF HEALTH TO ADMINISTER THE PROGRAM; TO PROVIDE THAT THE FUNDS SHALL BE DISTRIBUTED TO EACH

HOSPITAL LICENSED BY THE STATE OF MISSISSIPPI EXCEPT FOR HOSPITALS OPERATED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND STATE-OPERATED FACILITIES THAT PROVIDE ONLY INPATIENT AND OUTPATIENT PSYCHIATRIC SERVICES; TO PROVIDE FOR THE ELIGIBILITY FOR SPECIFIC HOSPITALS AND THEIR CORRESPONDING GRANT PAYMENT AMOUNTS; TO SET THE FUND DISTRIBUTION FORMULA THE DEPARTMENT OF HEALTH SHALL USE FOR ALLOCATING REMAINING FUNDS APPROPRIATED FOR THE GRANT PROGRAM; TO SET CERTAIN REQUIREMENTS FOR RECEIVING A GRANT PAYMENT UNDER THE ACT; TO REQUIRE EACH HOSPITAL RECEIVING FUNDS FROM THE GRANT PROGRAM TO SUBMIT A REPORT DESCRIBING ITS OVERALL PATIENT CENSUS; TO REQUIRE THE DEPARTMENT OF HEALTH TO COMPILE SUCH REPORTS AND SUBMIT THE REPORTS TO THE LIEUTENANT GOVERNOR AND THE SPEAKER OF THE HOUSE BY DECEMBER 1, 2023; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 273 was adopted.

YEAS AND NAYS On H. B. No. 273. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 834:** Assistant District Attorneys and criminal investigators; increase authorized number of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-31-5, Mississippi Code of 1972, is amended as follows:

25-31-5. (1) The following number of full-time legal assistants are authorized in the following circuit court districts:

- (a) First Circuit Court District..... \* \* \* eleven (11) legal assistants.
- (b) Second Circuit Court District..... \* \* \* twelve (12) legal assistants.
- (c) Third Circuit Court District..... \* \* \* seven (7) legal assistants.
- (d) Fourth Circuit Court District..... \* \* \* eight (8) legal assistants.

- (e) Fifth Circuit Court District..... \* \* \* seven (7) legal assistants.
- (f) Sixth Circuit Court District..... \* \* \* three (3) legal assistants.
- (g) Seventh Circuit Court District..... \* \* \* fourteen (14) legal assistants.
- (h) Eighth Circuit Court District..... \* \* \* four (4) legal assistants.
- (i) Ninth Circuit Court District..... \* \* \* four (4) legal assistants.
- (j) Tenth Circuit Court District..... \* \* \* six (6) legal assistants.
- (k) Eleventh Circuit Court District..... \* \* \* seven (7) legal assistants.
- (l) Twelfth Circuit Court District..... \* \* \* seven (7) legal assistants.
- (m) Thirteenth Circuit Court District.....four (4) legal assistants.
- (n) Fourteenth Circuit Court District..... \* \* \* seven (7) legal assistants.
- (o) Fifteenth Circuit Court District..... \* \* \* eight (8) legal assistants.
- (p) Sixteenth Circuit Court District..... \* \* \* seven (7) legal assistants.
- (q) Seventeenth Circuit Court District..... \* \* \* four (4) legal assistants.
- (r) Eighteenth Circuit Court District..... \* \* \* three (3) legal assistants.
- (s) Nineteenth Circuit Court District..... \* \* \* eight (8) legal assistants.
- (t) Twentieth Circuit Court District..... \* \* \* twelve (12) legal assistants.
- (u) Twenty-first Circuit Court District..... \* \* \* four (4) legal assistants.
- (v) Twenty-second Circuit Court District..... \* \* \* four (4) legal assistants.
- (w) Twenty-third Circuit Court District..... \* \* \* eight (8) legal assistants.

(2) In addition to any legal assistants authorized pursuant to subsection (1) of this section, the following number of full-time legal assistants are authorized (i) in the following circuit court districts if funds are appropriated by the Legislature to adequately fund the salaries, expenses and fringe benefits of such legal assistants, or (ii) in any of the following circuit court districts in which the board of supervisors of one or more of the counties in a circuit court district adopts a resolution to pay all of the salaries, supplemental pay, expenses and fringe benefits of legal assistants authorized in such district pursuant to this subsection:

- (a) First Circuit Court District.....two (2) legal assistants.
- (b) Second Circuit Court District.....two (2) legal assistants.
- (c) Third Circuit Court District.....two (2) legal assistants.
- (d) Fourth Circuit Court District.....two (2) legal assistants.
- (e) Fifth Circuit Court District.....two (2) legal assistants.
- (f) Sixth Circuit Court District.....two (2) legal assistants.
- (g) Seventh Circuit Court District.....two (2) legal assistants.
- (h) Eighth Circuit Court District.....two (2) legal assistants.
- (i) Ninth Circuit Court District.....two (2) legal assistants.
- (j) Tenth Circuit Court District.....two (2) legal assistants.

- (k) Eleventh Circuit Court District.....two (2) legal assistants.
- (l) Twelfth Circuit Court District.....two (2) legal assistants.
- (m) Thirteenth Circuit Court District.....two (2) legal assistants.
- (n) Fourteenth Circuit Court District.....two (2) legal assistants.
- (o) Fifteenth Circuit Court District.....two (2) legal assistants.
- (p) Sixteenth Circuit Court District.....two (2) legal assistants.
- (q) Seventeenth Circuit Court District.....two (2) legal assistants.
- (r) Eighteenth Circuit Court District.....two (2) legal assistants.
- (s) Nineteenth Circuit Court District.....two (2) legal assistants.
- (t) Twentieth Circuit Court District.....two (2) legal assistants.
- (u) Twenty-first Circuit Court District.....two (2) legal assistants.
- (v) Twenty-second Circuit Court District.....two (2) legal assistants.
- (w) Twenty-third Circuit Court District.....two (2) legal assistants.

(3) The board of supervisors of any county may pay all or a part of the salary, supplemental pay, expenses and fringe benefits of any district attorney or legal assistant authorized in the circuit court district to which such county belongs pursuant to this section.

(4) The district attorney of any circuit court district may employ additional legal assistants or criminal investigators, or both, without regard to any limitation on the number of legal assistants authorized in this section or criminal investigators authorized by other provisions of law to the extent that the district attorney's office receives funds from any source. Any source shall include, but is not limited to, office generated funds, funds from a county, a combination of counties, a municipality, a combination of municipalities, federal funds, private grants or foundations, or by means of an Interlocal Cooperative Agreement authorized by Section 17-13-1 which may be expended for those positions in an amount sufficient to pay all of the salary, supplemental pay, expenses and fringe benefits of the positions. Such funds may either be paid out of district attorney accounts, transferred by the district attorney to the Department of Finance and Administration or to one or more of the separate counties comprising the circuit court district, and the funds shall be disbursed to such employees in the same manner as state-funded criminal investigators and full-time legal assistants. The district attorney shall report to the board of supervisors of each county comprising the circuit court district the amount and source of the supplemental salary, expenses and fringe benefits, and the board in each county shall spread the same on its minutes. The district attorney shall also report such information to the Department of Finance and Administration which shall make such information available to the Legislative Budget Office.

(5) The district attorney shall be authorized to assign the duties of a legal assistant regardless of the source of funding for such legal assistants.

SECTION 2. Section 25-31-10, Mississippi Code of 1972, is amended as follows:

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the \* \* \* Fifth, Sixth, Ninth, Tenth, Eleventh, Twelfth, \* \* \* Fourteenth, Fifteenth, Sixteenth, Seventeenth, Eighteenth, Twentieth, Twenty-first, Twenty-second and Twenty-third Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, \* \* \* Third, Thirteenth and Nineteenth Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) The district attorneys of the Fourth and Seventh Circuit Court Districts may appoint three (3) additional full-time criminal investigators for a total of four (4) full-time criminal investigators.

( \* \* \*5) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

( \* \* \*6) The full and complete compensation for all public duties rendered by the criminal investigators shall be not more than Sixty-three Thousand Dollars (\$63,000.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the

maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

( \*\* \*7) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

( \*\* \*8) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

SECTION 3. This act shall take effect and be in force from and after January 1, 2024, and shall stand repealed from and after December 31, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS IN CERTAIN CIRCUIT COURT DISTRICTS; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF CRIMINAL INVESTIGATORS AUTHORIZED TO BE APPOINTED IN CERTAIN CIRCUIT COURT DISTRICTS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 834 was adopted.

YEAS AND NAYS On H. B. No. 834. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Bryan, Chism. Total--2.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1613:** Appropriation; Education, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:



(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division..... \$ 103,263,196.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....  
\$ 83,136,063.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they lost through sale by the state, as provided in Sections 29-3-137 through 29-3-141, Mississippi Code of 1972..... \$ 16,945,631.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Adequate Education Program.....  
\$ 2,576,380,577.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED  
BY THIS SECTION BEING.....\$ 2,779,725,467.00.

SECTION 2. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the following paragraphs for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division .....\$ 2,011,243,560.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....  
\$ 22,695,567.00.

(c) To the State Board of Education for the purpose of defraying the expenses of the Mississippi Adequate Education Program .....\$ 245,112,197.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED  
BY THIS SECTION BEING .....\$ 2,279,051,324.00.

SECTION 3. Of the funds appropriated in Section 2, One Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars (\$126,472.00), or so much of that sum as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund to the State Department of Education for the purpose of defraying the expenses of the department for the Mississippi Eye Screening Program for providing vision safety services.

SECTION 4. Of the funds appropriated in Section 2, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) To the State Department of Education, excluding the expenses of the Vocational and Technical Education Division, for the following purposes:

Literacy Initiative and Assessment.....	\$ 6,805,774.00
Educable Child .....	\$ 7,000,000.00
Grants to school districts for capital facilities and buses .....	\$ 16,000,000.00
Instructional materials.....	\$ 25,000,000.00
Students with Special Needs .....	\$ 1,800,000.00
Implementing Performance-Based Data Collection and Accreditation Model.....	\$ 274,937.00
Testing \$ 6,125,670.00	
Mississippi School for Math and Science.....	\$ 275,000.00
Mississippi School for Fine Arts. ....	\$ 475,000.00
Early Learning Collaboratives .....	\$ 16,210,526.00
Other Early Learning Programs .....	\$ 20,000,000.00

SENATE JOURNAL  
TUESDAY, MARCH 7, 2023

Early Learning Coaches .....	\$ 3,251,533.00
Math Coaches .....	\$ 5,000,000.00
WorkKeys .....	\$ 1,000,000.00
Advanced Placement, Dual Credits, International Baccalaureate, Cambridge Diploma Endorsements .....	\$ 300,000.00
Vocational Technical Grants .....	\$ 1,000,000.00
Mississippi School for the Deaf and Blind .....	\$ 1,357,037.00
<b>TOTAL</b>	<b>\$ 111,875,477.00</b>

(b) To the State Department of Education to defray the expenses of the Vocational and Technical Education Division.....  
\$ 6,637,258.00.

(c) To the State Department of Education to provide funding for the Mississippi Adequate Education Program.....  
\$ 245,112,197.00.

SECTION 5. Of the funds appropriated in this act, the following positions are authorized for the State Department of Education, excluding the expenses of the Vocational and Technical Education Division:

AUTHORIZED HEADCOUNT:

Permanent:	300
Time-Limited:	143

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided in this act shall be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Special Education	
Number of Special Education Teachers (FTE)	5,963
Number of Gifted Education Teachers	805
Percent Increase of Children with Disabilities in General Education Early Childhood Programs while Decreasing the Percent in Self-Contained Special Education Early Childhood Classrooms	76.00
General Administration	
Total Dollars Spent on General Administration	14,807,862.00
Percent of Total Budget Spent on General Administration	15.70
Create a Public-Facing Data System for All Stakeholders	100.00
Create a User-Friendly Website for the Public and School Districts to Access Data to Make Decisions	100.00
Create a Roadmap to Improve the Mississippi Student Information System	100.00
Number of Research Results Published to Support Improved Student Outcomes and Teacher Effectiveness	9
Graduation & Career Readiness	
Percent Increase of Students Graduating from High School Ready for College or Career in Each Subgroup	88.50
Early Childhood Education	
Percent Increase of Kindergarten Students Achieving End-Of-Year Target Score on Kindergarten Readiness Post-Test	69.05
Percent Increase of Early Learning Collaborative Sites Meeting Required Rate of Readiness	95.00
Number of Students Enrolled in Title I or Locally Funded Pre-K Classes	8,691
Teacher Tng & Professional Dev	
Reduce the Proportion of Inexperienced and Non-Certified Teachers in Schools That Are High Poverty	31.00
Reduce the Proportion of Inexperienced and Non-Certified Teachers in Schools That Are High Minority	35.00
Percent Increase of Districts Reporting Professional Growth System (PGS) Ratings for Teachers and Leaders	93.00
Percent Increase of Teacher Candidates Passing Licensure Exams on the First Attempt	35.00
Increase the Number of Licensed, Diverse Teachers and Leaders	35.00
Elementary Education	
Percent Increase of Students who Pass the 3rd Grade Reading Assessment at the First Administration in Each Subgroup	80.00
Secondary Education	

Increase the Number of Students Participating in and Passing Advanced Placement (AP), International Baccalaureate (IB) and Cambridge Exams in Each Subgroup	37.00
Percent Increase of Students Ready for College as Measured by Meeting ACT Benchmarks in Each Content Area (Public School Class Data, Grade 11)	11.00
Assessment & Development	
Increase the Percent of Students Proficient (Levels 4-5) on Statewide Assessments (Grades 3-8 & High School Composite) in Each Subgroup	52.00
Decrease the Percent of Students Scoring Levels 1-3 on Statewide Assessments in Each Subgroup	57.00
Increase Percent of Pre-Kindergarten Students in Public Schools Attaining Kindergarten Readiness on the Pre-K End-Of-Year Assessment	72.00
School Performance	
Percent of Schools Rated "C" or Higher	80.00
Percent of Districts Rated "C" or Higher	80.00
Percent of Students Demonstrating Growth on Statewide ELA Assessments in Each Subgroup	66.00
Percent of Students Demonstrating Growth on Statewide Math Assessments in Each Subgroup	68.00
Percent of Students Participating in Dual Credit in Each Subgroup	50.00
Percent of Students Passing Dual Credit in Each Subgroup	98.00
Increase the Growth of D and F Districts Demonstrating Growth, by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	76.00
Increase the Growth of D and F Schools by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	70.00
Increase the Growth of Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Increase the Growth of Schools Under Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Decrease the Number of High Schools Rated D or F	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 7. No school district shall expend any funds, received under the School Ad Valorem Reduction Grant, unless such school district has specifically identified the amount of the grant within the published budget as required by Section 37-61-9, Mississippi Code of 1972. The published budget shall include the following

statement: "Ad Valorem taxes will be \$ \_\_\_\_\_ less as a result of the Ad Valorem Reduction Grants enacted by the Mississippi Legislature in 1992."

SECTION 8. Of the funds appropriated in Section 2, funds in the amount of One Million Dollars (\$1,000,000.00) shall come from income derived from the principal of the Education Improvement Trust Fund created by Section 206A, Mississippi Constitution of 1890, and One Million Dollars (\$1,000,000.00) shall be used for the School for Math and Science.

SECTION 9. Of the funds appropriated under the provisions of this act, the following positions are authorized for the Vocational and Technical Education Division of the State Department of Education:

AUTHORIZED HEADCOUNT:

Permanent:	48
Time-Limited:	5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 10. Of the funds appropriated in this act, an amount not to exceed Two Hundred Twenty-nine Thousand Six Hundred Eighty-four Dollars (\$229,684.00) is authorized for the support of vocational and technical education programs as authorized in Section 37-31-13, Mississippi Code of 1972, for a period in excess of ten (10) months in a calendar year.

SECTION 11. It is the intention of the Legislature that the Vocational and Technical Education Division of the State Department of Education shall, with the funds appropriated in Section 1, transfer no more than Seventy-five Thousand Dollars (\$75,000.00) to the Mississippi Soil and Water Conservation Commission for the purpose of providing matching funds to purchase soil conservation equipment.

SECTION 12. Of the funds appropriated in this act, no more than One Hundred Seventy-five Thousand Dollars (\$175,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

SECTION 13. The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the

expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following:

Detention Centers .....	\$ 1,275,000.00.
Dubard School .....	\$ 650,000.00.
Dyslexia Program .....	\$ 225,000.00.
Jobs for MS Graduates, Inc. ....	\$ 600,000.00.
Amplify Data Coaching .....	\$ 1,100,000.00.
Magnolia Speech School .....	\$ 1,000,000.00.
Principal Corp.....	\$ 200,000.00.
Sight Savers.....	\$ 375,000.00.
Teach for America .....	\$ 1,250,000.00.
Teacher Corp .....	\$ 200,000.00.
Children's Center for Comm & Develop .....	\$ 750,000.00.
Vision Screening Research .....	\$ 225,000.00.
Algebra Nation .....	\$ 1,100,000.00.
Save the Children.....	\$ 75,000.00.
Mississippi Construction Education Program .....	\$ 212,500.00.
T. K. Martin Center.....	\$ 75,000.00.
JumpStart Act.....	\$ 250,000.00.
Mastery Prep.....	\$ 200,000.00.
Arts for All Mississippi.....	\$ 40,000.00.
Total \$	9,802,500.00.

SECTION 14. It is the intention of the Legislature that of the funds provided for Other Early Learning Programs in Section 4(a), Twenty Million Dollars (\$20,000,000.00) is included for the Mississippi Department of Education to provide grant opportunities for Other Early Learning Programs through public schools including other public school preschool programs not participating in Early Learning Collaboratives.

SECTION 15. Of the funds appropriated in this act, an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) shall be used for technological methods for agricultural programs, computer science, engineering or robotic engineering programs and equipment upgrades and Mississippi Elementary (ME) STEM and STEAM programs from the Career and Technical Education Division of the State Department of Education. All programs must meet Mississippi Science Standards and/or College and Career Standards.

Of the funds appropriated in this section, an amount not to exceed One Million Dollars (\$1,000,000.00) shall be distributed to the Mississippi State University Center for Cyber Education and used for computer science programs development and teacher training for elementary schools, middle schools, and high schools for the purpose of developing K-12 computer science curricula, including both academic and career and technical education programs, developing and delivering teacher training, and working with the State Board of Education and Institutions of Higher Learning in the state to develop teacher preparation programs for computer science endorsements. All programs must meet the 2018 Mississippi Computer Science Standards and/or Mississippi College and Career Standards.

SECTION 16. It is the intention of the Legislature that computer science courses may be taught by certified teacher or for elementary level classes, computer science courses may be taught by teachers who are trained by the district in computer science instruction.

SECTION 17. Of the funds appropriated in Section 1, the sum of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate sum that the school districts in the Chickasaw Cession receive annually from interest payments from the Chickasaw School Fund under Section 212, Mississippi Constitution of 1890, shall be deducted from the allocations to the school districts as provided in Section 29-3-137, Mississippi Code of 1972, and shall be distributed among the school districts in the Chickasaw Cession by the State Department of Education in the manner that those interest payments were distributed during Fiscal Year 1985.

SECTION 18. Of the funds provided in this act for the purpose of funding the Mississippi Adequate Education Program as determined under Section 37-151-7,

Mississippi Code of 1972, the base student cost in Fiscal Year 2024 shall be Seven Thousand One Hundred Twenty-four Dollars and Fifty-one Cents (\$7,124.51).

SECTION 19. With the funds provided in this act, it is the intention of the Legislature that School Attendance Officers and academic teachers at the Mississippi School for the Deaf and the Mississippi School for the Blind shall receive their annual increment.

SECTION 20. It is the intention of the Legislature that the State Board of Education shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget requests for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 21. Of the funds appropriated in Section 1(a) to the State Board of Education, not less than Twenty-three Million Eighty Thousand Dollars (\$23,080,000.00) shall be used for National Board Certification. Of this amount, Seven Hundred Thousand Dollars (\$700,000.00) shall be used for the World Class Teacher Program providing instruction and assistance to teachers seeking National Board Certification.

SECTION 22. Of the funds appropriated in Section 1 and Section 4(a) not less than Fifteen Million Fifty-eight Thousand Dollars (\$15,058,000.00) shall be used for the Educable Child Program. It is the intention of the Legislature that the State Board of Education shall allocate funding for the Educable Child Program based upon a recalculated formula in a manner to include only those billable days funded through appropriation of state funds and not District funds. It is the intent of the Legislature that the Educable Child funds shall be exempt from budget cuts made to the Department of Education by the Legislature and/or the Office of the Governor.

SECTION 23. Of the funds appropriated in Section 1(a) and Section 4(a), not less than Three Million Dollars (\$3,000,000.00) shall be used for the Education Scholarship Account (ESA) Program. It is the intent of the Legislature that the Education Scholarship Account (ESA) funds shall not be reduced by the State Department of Education and/or the Office of the Governor.

SECTION 24. The public school districts of the state are authorized at their discretion to pay with local funds one hundred percent (100%) of the cost of the health insurance premiums of the State and School Employees Health Insurance Plan for all retired members of the Public Employees' Retirement System who are employed as school bus drivers by the school districts. It is the intention of the Legislature that no state funds shall be used for this purpose.

SECTION 25. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in those received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 26. Of the funds appropriated in Section 1, not less than Six Million Three Hundred Twenty-one Thousand Nine Hundred Twenty-seven Dollars (\$6,321,927.00) shall be used for the Compulsory School Attendance Office and School Attendance Officers.

SECTION 27. Of the funds appropriated in this act, it is the intention of the Legislature that Three Million Sixty Thousand Dollars (\$3,060,000.00) shall be used for the Mary Kirkpatrick-Mary Sprayberry Public School Nurse Program. The amount of Three Million Sixty Thousand Dollars (\$3,060,000.00) is provided from the Department of Health.

SECTION 28. The State Department of Education shall contract with a Certified Public Accountant to calculate components of the Mississippi Adequate Education Program to include the base student cost, school district allocations, total program cost, add-on programs, and any other required components of Section 37-151-7, Mississippi Code of 1972. The contractor shall be responsible for calculating the estimates of these

components due to the Legislative Budget Office and the Governor by August 1 and the final estimates due to the Legislative Budget Office and the Governor no later than January 2. A report detailing the funding of this contract shall be submitted by the State Department of Education to the Legislature no later than January 30, 2024.

SECTION 29. It is the intention of the Legislature that the State Board of Education shall charge a fee for room and board for students who enroll in the Mississippi School for Mathematics and Science and the Mississippi School of Arts. Such fees will be waived for any student enrolled in the State Children's Health Insurance Program. The amount of such fees shall be Five Hundred Dollars (\$500.00) for each semester.

SECTION 30. It is the intent of the Legislature that each eligible employee who meets the National Board requirements under Section 37-19-7(2), Mississippi Code of 1972, shall be paid the full supplement and that such supplement shall be included on a prorated basis in the employee's monthly paycheck.

SECTION 31. It is the intention of the Legislature that the Mississippi Department of Education may loan any general or special source fund amount, not to exceed Five Million Dollars (\$5,000,000.00), to any school district for the purpose of providing funds to school districts through the Emergency Assistance Fund as outlined in Section 37-17-6, Mississippi Code of 1972, during the period beginning July 1, 2023, and ending June 30, 2024. The school districts receiving these loans shall repay the Mississippi Department of Education the amount of the loan on or before June 30, 2024.

SECTION 32. Of the funds appropriated in Section 1(a), Seven Hundred Thousand Dollars (\$700,000.00) shall be transferred to the Board of Health no later than December 31, 2023.

SECTION 33. Any school district receiving funds through Save the Children may provide a ten percent (10%) match from local funds for implementation of the program.

SECTION 34. Of the funds appropriated in Section 1(a), Two Million Dollars (\$2,000,000.00) is provided for the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program. A portion of these funds not to exceed one percent (1%) may be used for training and administrative costs related to oversight and auditing of the program.

SECTION 35. Of the funds appropriated in Section 1(a) and Section 2(a), Twenty-four Million Dollars (\$24,000,000.00) is provided for an Early Childhood Education Initiative program. The funding shall be provided to early learning collaboratives in Fiscal Year 2024 as follows: no less than Two Thousand Five Hundred Dollars (\$2,500.00) per student in a full-day program and no less than One Thousand Two Hundred Fifty Dollars (\$1,250.00) per student in a half-day program. Funds must be matched as provided by Section 37-21-51, Mississippi Code of 1972.

SECTION 36. Of the funds appropriated in Section 1(a) and Section 4(a), Fifteen Million Ninety-four Thousand Five Hundred Dollars (\$15,094,500.00) shall be used for the Literacy Initiative and Assessment.

SECTION 37. Of the funds appropriated herein, funding is provided for the ACT test, which is the college readiness portion of the state accountability model.

SECTION 38. Of the funds appropriated in Section 1(a), Two Million Seven Hundred One Thousand Seventy-five Dollars (\$2,701,075.00) shall be used for the Mississippi School of the Arts and Three Million Nine Hundred Fifty-seven Thousand Five Hundred Seventy-five Dollars (\$3,957,575.00) shall be used for the Mississippi School for Mathematics and Science. It is the intention of the Legislature that of the funds appropriated in Section 1(a) for the Mississippi School of the Arts, One Million Three Hundred Fifty Thousand Five Hundred Thirty-seven Dollars (\$1,350,537.00) shall be paid to the school no later than July 10, 2023, and One Million Three Hundred Fifty Thousand Five Hundred Thirty-eight Dollars (\$1,350,538.00) shall be paid no later than January 10, 2024. All funds appropriated from Section 4(a) for the Mississippi School of the Arts shall be paid to the school each month within ten (10) working days after such amount was received by the Department of Education. It is the intention of the Legislature that the State Board of Education shall not reduce the appropriated amounts provided in this act for the Mississippi School of the Arts and the Mississippi School for Mathematics and Science.



SECTION 39. Of the funds appropriated in Section 1(b) and Section 2(b), Five Hundred Thousand Dollars (\$500,000.00) is provided for career and technical grants to schools for qualified students as authorized by Section 37-153-15, Mississippi Code of 1972.

SECTION 40. Of the funds appropriated in this act, the following amounts shall be available to the Schools for the Blind and Deaf: Ten Million Sixty-two Thousand Nine Hundred Fifty-three Dollars (\$10,062,953.00) from Section 1(a), One Million Three Hundred Fifty-seven Thousand Thirty-seven Dollars (\$1,357,037.00) from Section 4(a), and Two Million Three Hundred Nine Thousand Seven Hundred Twenty-five Dollars (\$2,309,725.00) from Section 2(a).

SECTION 41. Of the funds appropriated in this act, an amount not to exceed Four Million One Hundred Seventy-one Thousand Three Hundred One Dollars (\$4,171,301.00) is authorized to fully fund the contract between the Department of Education and the Research & Curriculum Unit at Mississippi State University to fund career and technical curricula, services to secondary schools and career and technical assessments.

SECTION 42. Of the funds appropriated in Section 2 (a) to the State Board of Education, Twenty Million Dollars (\$20,000,000.00) is provided for the expenditure of funds from the Educational Facilities Revolving Loan Fund, which was created in Section 37-47-24, Mississippi Code of 1972. These funds are provided for the purpose of improving educational facilities in the State of Mississippi by assisting public schools in procuring funds for making certain capital improvements.

SECTION 43. Of the funds appropriated in Section 1 (b) to the State Board of Education, Five Hundred Sixty-two Thousand Nine Hundred Ninety-nine Dollars (\$562,999.00) is provided for secondary career and technical education instructors teaching at post-secondary institutions.

SECTION 44. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated for the Department of Education for the purpose of reauthorizing the expenditure of Education Enhancement Fund, as authorized in House Bill 1600, 2022 Regular Session to provide upgrades for the Mississippi Student Information System for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 3,200,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 45. With the funds appropriated herein, the Mississippi Department of Education is authorized to make payment for expenses incurred during Fiscal Year 2019 to Canon Solutions America in an amount not to exceed Thirty-five Thousand Eight Hundred and Forty-eight Dollars (\$35,848.00).

SECTION 46. It is the intent of the Legislature that each eligible professional school counselor employee who meets the year of teaching experience requirements under Section 37-151-5(m), Mississippi Code of 1972, shall be considered having a year of experience for purposes of the annual experience salary increment.

SECTION 47. The money appropriated in this act shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 48. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1613 was adopted.

YEAS AND NAYS On H. B. No. 1613. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

**H. B. No. 1140:** Beer, light wine and light spirit products; revise manufacturers prohibited from having interest in wholesalers or distributors.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-3-46, Mississippi Code of 1972, is amended as follows:

67-3-46. (1) The provisions of subsection (2) of this section apply to the following entities:

(a) Any person engaged in the business of brewing or manufacturing beer or in the business of manufacturing or producing light wines or light spirit products;

(b) An officer, director, agent or employee of an entity described in paragraph (a) of this subsection;

(c) An affiliate of an entity described in paragraph (a) of this subsection, regardless of whether the affiliation is corporate or by management, direction or control \* \* \*;

(d) An entity that is the manufacturer of a product or substance that is infused into or becomes part of any beer, light wine or light spirit products regardless or not if they manufacture the final product. This shall apply to all related companies, wholly-owned subsidiaries, joint ventures or any similar type of arrangement.

(2) No entity named in subsection (1) of this section may have any interest in the license, business, assets or corporate stock of a wholesaler or distributor to whom this chapter applies, except a security interest granted to the entity of the type provided for the Uniform Commercial Code in products sold to a wholesaler or distributor until the full purchase price has been paid therefor.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-3-46, MISSISSIPPI CODE OF 1972, TO REVISE THE LIST OF ENTITIES THAT MAY NOT HAVE INTEREST IN THE LICENSE, BUSINESS, ASSETS OR CORPORATE STOCK OF A WHOLESALER OR DISTRIBUTOR; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1140 was adopted.

YEAS AND NAYS On H. B. No. 1140. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**H. B. No. 395:** MS Major Economic Impact Act; extend deadline for issuance of bonds for certain automotive parts manufacturing plant projects.

YEAS AND NAYS On H. B. No. 395. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1168:** Municipal special sales tax; revise use of revenue for certain.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-65-241, Mississippi Code of 1972, is amended as follows:

27-65-241. (1) As used in this section, the following terms shall have the meanings ascribed to them in this section unless otherwise clearly indicated by the context in which they are used:

(a) "Hotel" or "motel" means and includes a place of lodging that at any one time will accommodate transient guests on a daily or weekly basis and that is known to the trade as such. Such terms shall not include a place of lodging with ten (10) or less rental units.

(b) "Municipality" means any municipality in the State of Mississippi with a population of one hundred fifty thousand (150,000) or more according to the most recent federal decennial census.

(c) "Restaurant" means and includes all places where prepared food is sold and whose annual gross proceeds of sales or gross income for the preceding calendar year equals or exceeds One Hundred Thousand Dollars (\$100,000.00). The term "restaurant" shall not include any nonprofit organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code. For the purpose of calculating gross proceeds of sales or gross income, the sales or income of all establishments owned, operated or controlled by the same person, persons or corporation shall be aggregated.

(2) (a) Subject to the provisions of this section, the governing authorities of a municipality may impose upon all persons as a privilege for engaging or continuing in business or doing business within such municipality, a special sales tax at the rate of not more than one percent (1%) of the gross proceeds of sales or gross income of the business, as the case may be, derived from any of the activities taxed at the rate of seven percent (7%) or more under the Mississippi Sales Tax Law, Section 27-65-1 et seq.

(b) The tax levied under this section shall apply to every person making sales of tangible personal property or services within the municipality but shall not apply to:

(i) Sales exempted by Sections 27-65-19, 27-65-101, 27-65-103, 27-65-105, 27-65-107, 27-65-109 and 27-65-111 of the Mississippi Sales Tax Law;

(ii) Gross proceeds of sales or gross income of restaurants derived from the sale of food and beverages;

(iii) Gross proceeds of sales or gross income of hotels and motels derived from the sale of hotel rooms and motel rooms for lodging purposes;

(iv) Retail sales of food for human consumption not purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, but which would be exempt under Section 27-65-111(o) from the taxes imposed by this chapter if the food items were purchased with food stamps;

(v) Gross income of businesses engaging or continuing in the business of TV cable systems, subscription TV services, and other similar activities, including, but not limited to, cable Internet services;

(vi) Wholesale sales of food and drink for human consumption sold to full service vending machine operators; and

(vii) Wholesale sales of light wine, light spirit product, beer and alcoholic beverages.

(3) (a) Before any tax authorized under this section may be imposed, the governing authorities of the municipality shall adopt a resolution declaring its intention to levy the tax, setting forth the amount of the tax to be imposed, the purposes for which the revenue collected pursuant to the tax levy may be used and expended, the date upon which the tax shall become effective, the date upon which the tax shall be repealed, and calling for an election to be held on the question. The date of the election shall be set in the resolution. Notice of the election shall be published once each week for at least three (3) consecutive weeks in a newspaper published or having a general circulation in the municipality, with the first publication of the notice to be made not less than twenty-one (21) days before the date fixed in the resolution for the election and the last publication to be made not more than seven (7) days before the election. At the election, all qualified electors of the municipality may vote. The ballots used at the election shall have printed thereon a brief description of the sales tax, the amount of the sales tax levy, a description of the purposes for which the tax revenue may be used and expended and the words "FOR THE LOCAL SALES TAX" and "AGAINST THE LOCAL SALES TAX" and the voter shall vote by placing a cross (X) or check mark (✓) opposite his choice on the proposition. When the results of the election have been canvassed by the election commissioners of the municipality and certified by them to the governing authorities, it shall be the duty of such governing authorities to determine and adjudicate whether at least three-fifths (3/5) of the qualified electors who voted in the election voted in favor of the tax. If at least three-fifths (3/5) of the qualified electors who voted in the election voted in favor of the tax, the governing authorities shall adopt a resolution declaring the levy and collection of the tax provided in this section and shall set the first day of the second month following the date of such adoption as the effective date of the tax levy. A certified copy of this resolution, together with the result of the election, shall be furnished to the Department of Revenue not less than thirty (30) days before the effective date of the levy.

(b) A municipality shall not hold more than two (2) elections under this subsection.

(4) The revenue collected pursuant to the tax levy imposed under this section may be expended to pay the cost of road and street repair, reconstruction and resurfacing projects based on traffic patterns, need and usage, and to pay the costs of water, sewer and drainage projects in accordance with a master plan adopted by the \* \* \* commission established pursuant to subsection (7).

(5) (a) The special sales tax authorized by this section shall be collected by the Department of Revenue, shall be accounted for separately from the amount of sales tax collected for the state in the municipality and shall be paid to the municipality. The Department of Revenue may retain one percent (1%) of the proceeds of such tax for the purpose of defraying the costs incurred by the department in the collection of the tax. Payments to the municipality shall be made by the Department of Revenue on or before the fifteenth day of the month following the month in which the tax was collected. However, if a municipality fails to comply with the audit, reporting and/or report filing requirements of paragraph (b) of this subsection and does not remedy such noncompliance within thirty (30) days after receiving written notice of noncompliance, the Department of Revenue shall withhold payments otherwise payable to the municipality under this paragraph (a) until the department receives written notice that the municipality has complied with such requirements.

(b) The proceeds of the special sales tax shall be placed into a special municipal fund apart from the municipal general fund and any other funds of the municipality, and shall be expended by the municipality solely for the purposes authorized in subsection (4) of this section. The records reflecting the receipts and expenditures of the revenue from the special sales tax shall be provided in detail to the members of the commission monthly, to include the name of the vendor and the project, and the dates and amounts received and paid, and shall also be audited annually by an independent certified public accountant. The accountant shall make a report of his findings to the

governing authorities of the municipality and file a copy of his report with the Secretary of the Senate and the Clerk of the House of Representatives and the commission members. The audit shall be made and completed as soon as practical after the close of the fiscal year of the municipality, and expenses of the audit shall be paid from the funds derived by the municipality pursuant to this section.

(c) Any expenditure from the special municipal fund defined in paragraph (b) above that was not for a project approved by the commission, or was in excess of the amount approved by the commission, shall be reimbursed by the city to the special fund.

( \* \* \* d) All provisions of the Mississippi Sales Tax Law applicable to filing of returns, discounts to the taxpayer, remittances to the Department of Revenue, enforced collection, rights of taxpayers, recovery of improper taxes, refunds of overpaid taxes or other provisions of law providing for imposition and collection of the state sales tax shall apply to the special sales tax authorized by this section, except where there is a conflict, in which case the provisions of this section shall control. Any damages, penalties or interest collected for the nonpayment of taxes imposed under this section, or for noncompliance with the provisions of this section, shall be paid to the municipality on the same basis and in the same manner as the tax proceeds. Any overpayment of tax for any reason that has been disbursed to a municipality or any payment of the tax to a municipality in error may be adjusted by the Department of Revenue on any subsequent payment to the municipality pursuant to the provisions of the Mississippi Sales Tax Law. The Department of Revenue may, from time to time, make such rules and regulations not inconsistent with this section as may be deemed necessary to carry out the provisions of this section, and such rules and regulations shall have the full force and effect of law.

(6) If a municipality expands its corporate boundaries, the governing authorities of the municipality may not impose the special sales tax in the annexed area unless the tax is approved at an election conducted, as far as is practicable, in the manner provided in subsection (3) of this section, except that only qualified electors in the annexed area may vote in the election.

(7) (a) Any municipality that levies the special sales tax authorized under this section shall establish a commission as provided for in this section. Expenditures of revenue from the special sales tax authorized by this section shall be in accordance with a master plan adopted by the commission pursuant to this subsection.

(b) The commission shall be composed of ten (10) voting members who shall be known as commissioners appointed as follows:

(i) Four (4) members representing the business community in the municipality appointed by the local chamber of commerce for initial terms of one (1), two (2), four (4) and five (5) years respectively. The members appointed pursuant to this paragraph shall be persons who represent businesses located within the city limits of the municipality.

(ii) Three (3) members shall be appointed at large by the mayor of the municipality, with the advice and consent of the legislative body of the municipality, for initial terms of two (2), three (3) and four (4) years respectively. All appointments made by the mayor pursuant to this paragraph shall be residents of the municipality.

(iii) One (1) member shall be appointed at large by the Governor for an initial term of four (4) years. All appointments made by the Governor pursuant to this paragraph shall be residents of the municipality.

(iv) One (1) member shall be appointed at large by the Lieutenant Governor for an initial term of four (4) years. All appointments made by the Lieutenant Governor pursuant to this paragraph shall be residents of the municipality.

(v) One (1) member shall be appointed at large by the Speaker of the House of Representatives for a term of four (4) years. All appointments made by the Speaker of the House of Representatives pursuant to this paragraph shall be residents of the municipality.

(c) The terms of all appointments made subsequent to the initial appointment shall be made for five (5) years. Any vacancy which may occur shall be filled in the same manner as the original appointment and shall be made for the unexpired term. \* \* \*

(d) The mayor of the municipality shall designate a chairman of the commission from among the membership of the commission. The vice chairman and secretary shall be elected by the commission from among the membership of the commission for a term of two (2) years. The vice chairman and secretary may be reelected, and the chairman may be reappointed.

(e) The commissioners shall serve without compensation.

(f) Any commissioner shall be disqualified and shall be removed from office for either of the following reasons:

(i) Conviction of a felony in any state court or in federal court; or

(ii) Failure to attend three (3) consecutive meetings without just cause.

If a commissioner is removed for any of the above reasons, the vacancy shall be filled in the manner prescribed in this section and shall be made for the unexpired term.

(g) A quorum shall consist of six (6) voting members of the commission. The commission shall adopt such rules and regulations as may govern the time and place for holding meetings, regular and special.

(h) The commission shall, with input from the municipality, establish a master plan for road and street repair, reconstruction and resurfacing projects based on traffic patterns, need and usage, and for water, sewer and drainage projects. Expenditures of the revenue from the tax authorized to be imposed pursuant to this section shall be made at the discretion of the governing authorities of the municipality if the expenditures comply with the master plan. The commission shall monitor the compliance of the municipality with the master plan.

(8) The governing authorities of any municipality that levies the special sales tax authorized under this section are authorized to incur debt, including bonds, notes or other evidences of indebtedness, for the purpose of paying the costs of road and street repair, reconstruction and resurfacing projects based on traffic patterns, need and usage, and to pay the costs of water, sewer and drainage projects in accordance with a master plan adopted by the commission established pursuant to subsection (7) of this section. Any bonds or notes issued to pay such costs may be secured by the proceeds of the special sales tax levied pursuant to this section or may be general obligations of the municipality and shall satisfy the requirements for the issuance of debt provided by Sections 21-33-313 through 21-33-323.

(9) This section shall stand repealed from and after July 1, 2035.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-65-241, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE LEVY OF A MUNICIPAL SPECIAL SALES TAX IN CERTAIN MUNICIPALITIES, TO PROVIDE THAT IF A MUNICIPALITY LEVYING A TAX UNDER THIS SECTION FAILS TO COMPLY WITH CERTAIN AUDIT OR REPORTING REQUIREMENTS AND DOES NOT REMEDY THE NONCOMPLIANCE WITHIN THIRTY DAYS AFTER RECEIVING WRITTEN NOTICE OF NONCOMPLIANCE, THE DEPARTMENT OF REVENUE SHALL WITHHOLD PAYMENTS OTHERWISE PAYABLE TO THE MUNICIPALITY UNDER THIS SECTION UNTIL THE DEPARTMENT RECEIVES WRITTEN NOTICE THAT THE MUNICIPALITY HAS COMPLIED WITH SUCH REQUIREMENTS; TO PROVIDE A MONTHLY REPORTING REQUIREMENT TO THE MEMBERS OF THE COMMISSION; TO REQUIRE CERTAIN EXPENDITURES FROM THE SPECIAL MUNICIPAL FUND TO BE REIMBURSED TO SUCH FUND; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1168 was adopted.

YEAS AND NAYS On H. B. No. 1168. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting---None.

Voting Present--Blount, Frazier, Horhn, Norwood. Total--4.

Senator Michel called up the following House Amendment to **S. B. No. 2224** and moved that the Senate do concur in the Amendment:

#### AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Commissioner of Insurance may adopt rules and regulations to examine and address any inequalities or irregularities regarding provider reimbursement rates paid by an insurer, subcontractor, third-party administrator or other payor regarding covered services received by covered persons in this state. Such rules and regulations shall allow an insurer to show evidence as to why any inequality or irregularity may be justified. Failure to comply with rules and regulations adopted by the Commissioner under this section may result in a fine not to exceed Ten Thousand Dollars (\$10,000.00) per violation. This section shall stand repealed on July 1, 2027.

SECTION 2. Section 83-9-5, Mississippi Code of 1972, is amended as follows:

83-9-5. (1) Required provisions. Except as provided in subsection (3) of this section, each such policy delivered or issued for delivery to any person in this state shall contain the provisions specified in this subsection in the words in which the same appear in this section. However, the insurer may, at its option, substitute for one or more of such



provisions, corresponding provisions of different wording approved by the commissioner which are in each instance not less favorable in any respect to the insured or the beneficiary. Such provisions shall be preceded individually by the caption appearing in this subsection or, at the option of the insurer, by such appropriate individual or group captions or subcaptions as the commissioner may approve.

As used in this section, the term "insurer" means a health maintenance organization, an insurance company or any other entity responsible for the payment of benefits under a policy or contract of accident and sickness insurance; however, the term "insurer" shall not mean a liquidator, rehabilitator, conservator or receiver or third-party administrator of any health maintenance organization, insurance company or other entity responsible for the payment of benefits which is in liquidation, rehabilitation or conservation proceedings, nor shall it mean any responsible guaranty association. Further, no cause of action shall accrue against a liquidator, rehabilitator, conservator or receiver or third-party administrator of any health maintenance organization, insurance company or other entity responsible for the payment of benefits which is in liquidation, rehabilitation or conservation proceedings or any responsible guaranty association under paragraph (h)3 of this subsection or any policy provision in accordance therewith.

(a) A provision as follows:

Entire contract; changes: This policy, including the endorsements and the attached papers, if any, constitutes the entire contract of insurance. No change in this policy shall be valid until approved by an executive officer of the insurer and unless such approval be endorsed hereon or attached hereto. No agent has authority to change this policy or to waive any of its provisions.

(b) A provision as follows:

Time limit on certain defenses:

1. After two (2) years from the date of issue of this policy, no misstatements, except fraudulent misstatements, made by the applicant in the application for such policy shall be used to void the policy or to deny a claim for loss incurred or disability (as defined in the policy) commencing after the expiration of such two-year period.

(The foregoing policy provision shall not be so construed as to effect any legal requirement for avoidance of a policy or denial of a claim during such initial two-year period, nor to limit the application of subsection (2)(a) and (2)(b) of this section in the event of misstatement with respect to age or occupation.)

(A policy which the insured has the right to continue in force subject to its terms by the timely payment of premium (1) until at least age fifty (50) or, (2) in the case of a policy issued after age forty-four (44), for at least five (5) years from its date of issue, may contain in lieu of the foregoing the following provision (from which the clause in parentheses may be omitted at the insurer's option) under the caption "INCONTESTABLE":

After this policy has been in force for a period of two (2) years during the lifetime of the insured (excluding any period during which the insured is disabled), it shall become incontestable as to the statements in the application.)

2. No claim for loss incurred or disability (as defined in the policy) commencing after two (2) years from the date of issue of this policy shall be reduced or denied on the ground that a disease or physical condition not excluded from coverage by name or specific description effective on the date of loss had existed prior to the effective date of coverage of this policy.

(c) A provision as follows:

Grace period:

A grace period of seven (7) days for weekly premium policies, ten (10) days for monthly premium policies and thirty-one (31) days for all other policies will be granted for the payment of each premium falling due after the first premium, during which grace period the policy shall continue in force.

(A policy which contains a cancellation provision may add, at the end of the above provision, "subject to the right of the insurer to cancel in accordance with the cancellation provision hereof.")

A policy in which the insurer reserves the right to refuse any renewal shall have, at the beginning of the above provision, "unless not less than five (5) days prior to the premium due date the insurer has delivered to the insured or has mailed to his last address as shown by the records of the insurer written notice of its intention not to renew this policy beyond the period for which the premium has been accepted.")

(d) A provision as follows:

Reinstatement:

If any renewal premium be not paid within the time granted the insured for payment, a subsequent acceptance of premium by the insurer or by any agent duly authorized by the insurer to accept such premium, without requiring in connection therewith an application for reinstatement, shall reinstate the policy. However, if the insurer or such agent requires an application for reinstatement and issues a conditional receipt for the premium tendered, the policy will be reinstated upon approval of such application by the insurer or, lacking such approval, upon the forty-fifth day following the date of such conditional receipt unless the insurer has previously notified the insured in writing of its disapproval of such application. The reinstated policy shall cover only loss resulting from such accidental injury as may be sustained after the date of reinstatement and loss due to such sickness as may begin more than ten (10) days after such date. In all other respects the insured and insurer shall have the same rights thereunder as they had under the policy immediately before the due date of the defaulted premium, subject to any provisions endorsed hereon or attached hereto in connection with the reinstatement. Any premium accepted in connection with a reinstatement shall be applied to a period for which premium has not been previously paid, but not to any period more than sixty (60) days prior to the date of reinstatement. (The last sentence of the above provision may be omitted from any policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age fifty (50) or, (2) in the case of a policy issued after age forty-four (44), for at least five (5) years from its date of issue.)

(e) A provision as follows:

Notice of claim:

Written notice of claim must be given to the insurer within thirty (30) days after the occurrence or commencement of any loss covered by the policy, or as soon thereafter as is reasonably possible. Notice given by or on behalf of the insured or the beneficiary to the insurer at \_\_\_\_\_ (insert the location of such office as the insurer may designate for the purpose), or to any authorized agent of the insurer, with information sufficient to identify the insured, shall be deemed notice to the insurer.

(In a policy providing a loss of time benefit which may be payable for at least two (2) years, an insurer may, at its option, insert the following between the first and second sentences of the above provision: "Subject to the qualifications set forth below, if the insured suffers loss of time on account of disability for which indemnity may be payable for at least two (2) years, he shall, at least once in every six (6) months after having given

notice of claim, give to the insurer notice of continuance of said disability, except in the event of legal incapacity. The period of six (6) months following any filing of proof by the insured or any payment by the insurer on account of such claim or any denial of liability, in whole or in part, by the insurer shall be excluded in applying this provision. Delay in the giving of such notice shall not impair the insured's right to any indemnity which would otherwise have accrued during the period of six (6) months preceding the date on which such notice is actually given.")

(f) A provision as follows:

Claim forms:

The insurer, upon receipt of a notice of claim, will furnish to the claimant such forms as are usually furnished by it for filing proofs of loss. If such forms are not furnished within fifteen (15) days after the giving of such notice, the claimant shall be deemed to have complied with the requirements of this policy as to proof of loss upon submitting, within the time fixed in the policy for filing proofs of loss, written proof covering the occurrence, the character and the extent of the loss for which claim is made.

(g) A provision as follows:

Proofs of loss:

Written proof of loss must be furnished to the insurer at its said office, in case of claim for loss for which this policy provides any periodic payment contingent upon continuing loss, within ninety (90) days after the termination of the period for which the insurer is liable, and in case of claim for any other loss, within ninety (90) days after the date of such loss. Failure to furnish such proof within the time required shall not invalidate or reduce any claim if it was not reasonably possible to give proof within such time, provided such proof is furnished as soon as reasonably possible and in no event, except in the absence of legal capacity, later than one (1) year from the time proof is otherwise required.

(h) A provision as follows:

Time of payment of claims:

1. All benefits payable under this policy for any loss, other than loss for which this policy provides any periodic payment, will be paid within twenty-five (25) days after receipt of due written proof of such loss in the form of a clean claim where claims are submitted electronically, and will be paid within thirty-five (35) days after receipt of due written proof of such loss in the form of clean claim where claims are submitted in paper format. Benefits due under the policies and claims are overdue if not paid within twenty-five (25) days or thirty-five (35) days, whichever is applicable, after the insurer receives a clean claim containing necessary medical information and other information essential for the insurer to administer preexisting condition, coordination of benefits and subrogation provisions. A "clean claim" means a claim received by an insurer for adjudication and which requires no further information, adjustment or alteration by the provider of the services or the insured in order to be processed and paid by the insurer. A claim is clean if it has no defect or impropriety, including any lack of substantiating documentation, or particular circumstance requiring special treatment that prevents timely payment from being made on the claim under this provision. A clean claim includes resubmitted claims with previously identified deficiencies corrected. Upon request, the insurer shall provide to the insured or the provider submitting a claim a written list of the information required and the documentation required for the insurer to deem a claim to be clean, and the insurer shall then be bound to such list. Errors, such as system errors, attributable to the insurer, do not change the clean claim status.

A clean claim does not include any of the following:

- a. A duplicate claim, which means an original claim and its duplicate when the duplicate is filed within thirty (30) days of the original claim;
- b. Claims which are submitted fraudulently or that are based upon material misrepresentations;
- c. Claims that require information essential for the insurer to administer preexisting condition, coordination of benefits or subrogation provisions; or
- d. Claims submitted by a provider more than thirty (30) days after the date of completion of service; if the provider does not submit the claim on behalf of the insured, then a claim is not clean when submitted more than thirty (30) days after the date of billing by the provider to the insured.

Not later than twenty-five (25) days after the date the insurer actually receives an electronic claim, the insurer shall pay the appropriate benefit in full, or any portion of the claim that is clean, and notify the provider (where the claim is owed to the provider) or the insured (where the claim is owed to the insured) of the reasons why the claim or portion thereof is not clean and will not be paid and what substantiating documentation and information is required to adjudicate the claim as clean. Not later than thirty-five (35) days after the date the insurer actually receives a paper claim, the insurer shall pay the appropriate benefit in full, or any portion of the claim that is clean, and notify the provider (where the claim is owed to the provider) or the insured (where the claim is owed to the insured) of the reasons why the claim or portion thereof is not clean and will not be paid and what substantiating documentation and information is required to adjudicate the claim as clean. Any claim or portion thereof resubmitted with the supporting documentation and information requested by the insurer shall be paid within twenty (20) days after receipt.

For purposes of this provision, the term "pay" means that the insurer shall either send cash or a cash equivalent by United States mail, or send cash or a cash equivalent by other means such as electronic transfer, in full satisfaction of the appropriate benefit due the provider (where the claim is owed to the provider) or the insured (where the claim is owed to the insured). To calculate the extent to which any benefits are overdue, payment shall be treated as made on the date a draft or other valid instrument was placed in the United States mail to the last known address of the provider (where the claim is owed to the provider) or the insured (where the claim is owed to the insured) in a properly addressed, postpaid envelope, or, if not so posted, or not sent by United States mail, on the date of delivery of payment to the provider or insured.

2. Subject to due written proof of loss, all accrued benefits for loss for which this policy provides periodic payment will be paid \_\_\_\_\_ (insert period for payment which must not be less frequently than monthly), and any balance remaining unpaid upon the termination of liability will be paid within thirty (30) days after receipt of due written proof.

3. If the claim is not denied for valid and proper reasons by the end of the applicable time period prescribed in this provision, the insurer must pay the provider (where the claim is owed to the provider) or the insured (where the claim is owed to the insured) interest on accrued benefits at the rate of three percent (3%) per month accruing from the day after payment was due on the amount of the benefits that remain unpaid until the claim is finally settled or adjudicated. Whenever interest due pursuant to this provision is less than One Dollar (\$1.00), such amount shall be credited to the account of the person or entity to whom such amount is owed. The provisions of this subparagraph 3 shall not apply to any claims or benefits owed under Medicare Advantage plans or Medicare Advantage Prescription Drug plans.

4. In the event the insurer fails to pay benefits when due, the person entitled to such benefits may bring action to recover such benefits, any interest which may

accrue as provided in subparagraph 3 of this paragraph (h) and any other damages as may be allowable by law. If it is determined in such action that the insurer acted in bad faith as evidenced by a repeated or deliberate pattern of failing to pay benefits and/or claims when due, the person entitled to such benefits (health care provider or insured) shall be entitled to recover damages in an amount up to three (3) times the amount of the benefits that remain unpaid until the claim is finally settled or adjudicated.

(i) A provision as follows:

Payment of claims:

Indemnity for loss of life will be payable in accordance with the beneficiary designation and the provisions respecting such payment which may be prescribed herein and effective at the time of payment. If no such designation or provision is then effective, such indemnity shall be payable to the estate of the insured. Any other accrued indemnities unpaid at the insured's death may, at the option of the insurer, be paid either to such beneficiary or to such estate. All other indemnities will be payable to the insured. When payments of benefits are made to an insured directly for medical care or services rendered by a health care provider, the health care provider shall be notified of such payment. The notification requirement shall not apply to a fixed-indemnity policy, a limited benefit health insurance policy, medical payment coverage or personal injury protection coverage in a motor vehicle policy, coverage issued as a supplement to liability insurance or workers' compensation. If the insured provides the insurer with written direction that all or a portion of any indemnities or benefits provided by the policy be paid to a licensed health care provider rendering hospital, nursing, medical or surgical services, then the insurer shall pay directly the licensed health care provider rendering such services. That payment shall be considered payment in full to the provider, who may not bill or collect from the insured any amount above that payment, other than the deductible, coinsurance, copayment or other charges for equipment or services requested by the insured that are noncovered benefits. Any dispute between a provider and the insured arising under these provisions regarding assignment of benefits and billing may be resolved by the Commissioner of Insurance. The Commissioner of Insurance shall adopt any rules and regulations necessary to enforce these provisions regarding assignment of benefits and billing.

(The following provision may be included with the foregoing provision at the option of the insurer: "If any indemnity of this policy shall be payable to the estate of the insured, or to an insured or beneficiary who is a minor or otherwise not competent to give a valid release, the insurer may pay such indemnity, up to an amount not exceeding \$\_\_\_\_\_ (insert an amount which must not exceed One Thousand Dollars (\$1,000.00)), to any relative by blood or connection by marriage of the insured or beneficiary who is deemed by the insurer to be equitably entitled thereto. Any payment made by the insurer in good faith pursuant to this provision shall fully discharge the insurer to the extent of such payment.")

(j) A provision as follows:

Physical examinations:

The insurer at his own expense shall have the right and opportunity to examine the person of the insured when and as often as it may reasonably require during the pendency of a claim hereunder.

(k) A provision as follows:

Legal actions:

No action at law or in equity shall be brought to recover on this policy prior to the expiration of sixty (60) days after written proof of loss has been furnished in accordance

with the requirements of this policy. No such action shall be brought after the expiration of three (3) years after the time written proof of loss is required to be furnished.

(l) A provision as follows:

Change of beneficiary:

Unless the insured makes an irrevocable designation of beneficiary, the right to change the beneficiary is reserved to the insured, and the consent of the beneficiary or beneficiaries shall not be requisite to surrender or assignment of this policy, or to any change of beneficiary or beneficiaries, or to any other changes in this policy.

(The first clause of this provision, relating to the irrevocable designation of beneficiary, may be omitted at the insurer's option.)

(2) Other provisions. Except as provided in subsection (3) of this section, no such policy delivered or issued for delivery to any person in this state shall contain provisions respecting the matters set forth below unless such provisions are in the words in which the same appear in this section. However, the insurer may, at its option, use in lieu of any such provision a corresponding provision of different wording approved by the commissioner which is not less favorable in any respect to the insured or the beneficiary. Any such provision contained in the policy shall be preceded individually by the appropriate caption appearing in this subsection or, at the option of the insurer, by such appropriate individual or group captions or subcaptions as the commissioner may approve.

(a) A provision as follows:

Change of occupation:

If the insured be injured or contract sickness after having changed his occupation to one classified by the insurer as more hazardous than that stated in this policy or while doing for compensation anything pertaining to an occupation so classified, the insurer will pay only such portion of the indemnities provided in this policy as the premium paid would have purchased at the rates and within the limits fixed by the insurer for such more hazardous occupation. If the insured changes his occupation to one classified by the insurer as less hazardous than that stated in this policy, the insurer, upon receipt of proof of such change of occupation, will reduce the premium rate accordingly, and will return the excess pro rata unearned premium from the date of change of occupation or from the policy anniversary date immediately preceding receipt of such proof, whichever is the most recent. In applying this provision, the classification of occupational risk and the premium rates shall be such as have been last filed by the insurer prior to the occurrence of the loss for which the insurer is liable, or prior to date of proof of change in occupation, with the state official having supervision of insurance in the state where the insured resided at the time this policy was issued; but if such filing was not required, then the classification of occupational risk and the premium rates shall be those last made effective by the insurer in such state prior to the occurrence of the loss or prior to the date of proof of change in occupation.

(b) A provision as follows:

Misstatement of age:

If the age of the insured has been misstated, all amounts payable under this policy shall be such as the premium paid would have purchased at the correct age.

(c) A provision as follows:

Relation of earnings to issuance:

If the total monthly amount of loss of time benefits promised for the same loss under all valid loss of time coverage upon the insured, whether payable on a weekly or monthly basis, shall exceed the monthly earnings of the insured at the time disability commenced or his average monthly earnings for the period of two (2) years immediately preceding a disability for which claim is made, whichever is the greater, the insurer will be liable only for such proportionate amount of such benefits under this policy as the amount of such monthly earnings or such average monthly earnings of the insured bears to the total amount of monthly benefits for the same loss under all such coverage upon the insured at the time such disability commences and for the return of such part of the premiums paid during such two (2) years as shall exceed the pro rata amount of the premiums for the benefits actually paid hereunder; but this shall not operate to reduce the total monthly amount of benefits payable under all such coverage upon the insured below the sum of Two Hundred Dollars (\$200.00) or the sum of the monthly benefits specified in such coverages, whichever is the lesser, nor shall it operate to reduce benefits other than those payable for loss of time.

(The foregoing policy provision may be inserted only in a policy which the insured has the right to continue in force subject to its terms by the timely payment of premiums (1) until at least age fifty (50) or, (2) in the case of a policy issued after age forty-four (44), for at least five (5) years from its date of issue. The insurer may, at its option, include in this provision a definition of "valid loss of time coverage," approved as to form by the commissioner, which definition shall be limited in subject matter to coverage provided by governmental agencies or by organizations subject to regulations by insurance law or by insurance authorities of this or any other state of the United States or any province of Canada, or to any other coverage the inclusion of which may be approved by the commissioner, or any combination of such coverages. In the absence of such definition, such term shall not include any coverage provided for such insured pursuant to any compulsory benefit statute (including any workers' compensation or employer's liability statute), or benefits provided by union welfare plans or by employer or employee benefit organizations.)

(d) A provision as follows:

Unpaid premium:

Upon the payment of a claim under this policy, any premium then due and unpaid or covered by any note or written order may be deducted therefrom.

(e) A provision as follows:

Cancellation:

The insurer may cancel this policy at any time by written notice delivered to the insured, or mailed to his last address as shown by the records of the insurer, stating when, not less than five (5) days thereafter, such cancellation shall be effective; and after the policy has been continued beyond its original term, the insured may cancel this policy at any time by written notice delivered or mailed to the insurer, effective upon receipt or on such later date as may be specified in such notice. In the event of cancellation, the insurer will return promptly the unearned portion of any premium paid. If the insured cancels, the earned premium shall be computed by the use of the short-rate table last filed with the state official having supervision of insurance in the state where the insured resided when the policy was issued. If the insurer cancels, the earned premium shall be computed pro rata. Cancellation shall be without prejudice to any claim originating prior to the effective date of cancellation.

(f) A provision as follows:

Conformity with state statutes:

Any provision of this policy which, on its effective date, is in conflict with the statutes of the state in which the insured resides on such date is hereby amended to conform to the minimum requirements of such statutes.

(g) A provision as follows:

Illegal occupation:

The insurer shall not be liable for any loss to which a contributing cause was the insured's commission of or attempt to commit a felony or to which a contributing cause was the insured's being engaged in an illegal occupation.

(h) A provision as follows:

Intoxicants and narcotics:

The insurer shall not be liable for any loss sustained or contracted in consequence of the insured's being intoxicated or under the influence of any narcotic unless administered on the advice of a physician.

(3) Inapplicable or inconsistent provisions. If any provision of this section is, in whole or in part, inapplicable to or inconsistent with the coverage provided by a particular form of policy, the insurer, with the approval of the commissioner, shall omit from such policy any inapplicable provision or part of a provision, and shall modify any inconsistent provision or part of the provision in such manner as to make the provision as contained in the policy consistent with the coverage provided by the policy.

(4) Order of certain policy provisions. The provisions which are the subject of subsections (1) and (2) of this section, or any corresponding provisions which are used in lieu thereof in accordance with such subsections, shall be printed in the consecutive order of the provisions in such subsections or, at the option of the insurer, any such provision may appear as a unit in any part of the policy, with other provisions to which it may be logically related, provided the resulting policy shall not be, in whole or in part, unintelligible, uncertain, ambiguous, abstruse or likely to mislead a person to whom the policy is offered, delivered or issued.

(5) Third-party ownership. The word "insured," as used in Sections 83-9-1 through 83-9-21, Mississippi Code of 1972, shall not be construed as preventing a person other than the insured with a proper insurable interest from making application for and owning a policy covering the insured, or from being entitled under such a policy to any indemnities, benefits and rights provided therein.

(6) Requirements of other jurisdictions.

(a) Any policy of a foreign or alien insurer, when delivered or issued for delivery to any person in this state, may contain any provision which is not less favorable to the insured or the beneficiary than the provisions of Sections 83-9-1 through 83-9-21, Mississippi Code of 1972, and which is prescribed or required by the law of the state under which the insurer is organized.

(b) Any policy of a domestic insurer may, when issued for delivery in any other state or country, contain any provision permitted or required by the laws of such other state or country.

(7) Filing procedure. The commissioner may make such reasonable rules and regulations concerning the procedure for the filing or submission of policies subject to the cited sections as are necessary, proper or advisable to the administration of said sections. This provision shall not abridge any other authority granted the commissioner by law.



(8) Administrative penalties.

(a) If the commissioner finds that an insurer, during any calendar year, has paid at least eighty-five percent (85%), but less than ninety-five percent (95%), of all clean claims received from all providers during that year in accordance with the provisions of subsection (1)(h) of this section, the commissioner may levy an aggregate penalty in an amount not to exceed Ten Thousand Dollars (\$10,000.00). If the commissioner finds that an insurer, during any calendar year, has paid at least fifty percent (50%), but less than eighty-five percent (85%), of all clean claims received from all providers during that year in accordance with the provisions of subsection (1)(h) of this section, the commissioner may levy an aggregate penalty in an amount of not less than Ten Thousand Dollars (\$10,000.00) nor more than One Hundred Thousand Dollars (\$100,000.00). If the commissioner finds that an insurer, during any calendar year, has paid less than fifty percent (50%) of all clean claims received from all providers during that year in accordance with the provisions of subsection (1)(h) of this section, the commissioner may levy an aggregate penalty in an amount not less than One Hundred Thousand Dollars (\$100,000.00) nor more than Two Hundred Thousand Dollars (\$200,000.00). In determining the amount of any fine, the commissioner shall take into account whether the failure to achieve the standards in subsection (1)(h) of this section were due to circumstances beyond the control of the insurer. The insurer may request an administrative hearing to contest the assessment of any administrative penalty imposed by the commissioner pursuant to this subsection within thirty (30) days after receipt of the notice of assessment.

(b) Examinations to determine compliance with subsection (1)(h) of this section may be conducted by the commissioner or any of his examiners. The commissioner may contract with qualified impartial outside sources to assist in examinations to determine compliance. The expenses of any such examinations shall be paid by the insurer examined.

(c) Nothing in the provisions of subsection (1)(h) of this section shall require an insurer to pay claims that are not covered under the terms of a contract or policy of accident and sickness insurance.

(d) An insurer and a provider may enter into an express written agreement containing timely claim payment provisions which differ from, but are at least as stringent as, the provisions set forth under subsection (1)(h) of this section, and in such case, the provisions of the written agreement shall govern the timely payment of claims by the insurer to the provider. If the express written agreement is silent as to any interest penalty where claims are not paid in accordance with the agreement, the interest penalty provision of subsection (1)(h)3 of this section shall apply.

(e) The commissioner may adopt rules and regulations necessary to ensure compliance with this \* \* \* section.

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES AND REGULATIONS TO EXAMINE AND ADDRESS ANY INEQUALITIES REGARDING PROVIDER REIMBURSEMENT RATES PAID BY AN INSURER, SUBCONTRACTOR, OTHER PAYOR OR BY THIRD-PARTY ADMINISTRATORS; TO PROVIDE THAT FAILURE TO COMPLY WITH RULES AND REGULATIONS ADOPTED BY THE COMMISSIONER MAY RESULT IN A FINE NOT TO EXCEED \$10,000.00 PER VIOLATION; TO ADD A FOUR-YEAR REPEALER TO THE SECTION; TO AMEND

SECTION 83-9-5, MISSISSIPPI CODE OF 1972, TO CLARIFY REQUIREMENTS FOR A CLEAN CLAIM; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE MAY ADOPT RULES AND REGULATIONS NECESSARY TO ENSURE COMPLIANCE WITH THE SECTION; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2224** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Harkins called up the following House Amendment to **S. B. No. 2698** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-31-46.1, Mississippi Code of 1972, is amended as follows:

27-31-46.1. A project that is eligible for an ad valorem tax exemption under Section 27-31-46, and for which initial construction begins on or after July 1, 2022, but not later than December 31, \* \* \* 2027, may be allowed an exemption from ad valorem taxation as provided in this section. For such a project, one-half (1/2) of the true value of property of the project that is subject to a fee-in-lieu of ad valorem taxes pursuant to an agreement under Section 27-31-104 may be exempted by a county board of supervisors and/or municipal governing authorities from ad valorem taxation for a period of ten (10) years from and after the date of the expiration of such fee-in-lieu of ad valorem taxes. Any exemption from ad valorem taxation allowed under this section must be authorized by a county board of supervisors and/or municipal governing authorities before July 1, \* \* \* 2026.

SECTION 2. Section 27-31-104, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2025, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects by a qualified business (as such term is defined in Section 57-117-3) meeting minimum criteria established by the Mississippi Development Authority;

(iv) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iv), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(v) A private company (as such term is defined in Section 57-61-5) or entity defined in Section 77-3-3(d)(i) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3), or one-tenth (1/10) if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, \*\*\* 2026, of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing

authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third (1/3) of that amount or one-tenth (1/10) of that amount if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, \* \* \* 2026. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or (a) one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu or (b) if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, \* \* \* 2026, one-tenth (1/10) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

[From and after July 1, 2025, this section shall read as follows:]

27-31-104. (1) (a) County boards of supervisors and municipal authorities are each hereby authorized and empowered to enter into an agreement with an enterprise granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes, including ad valorem taxes levied for school purposes, for the following:

(i) Projects totaling over Sixty Million Dollars (\$60,000,000.00) by any new enterprises enumerated in Section 27-31-101;

(ii) Projects by a private company (as such term is defined in Section 57-61-5, Mississippi Code of 1972) having a minimum capital investment of Sixty Million Dollars (\$60,000,000.00);

(iii) Projects, in addition to those projects referenced in Section 27-31-105, totaling over Sixty Million Dollars (\$60,000,000.00) by an existing enterprise that has been doing business in the county or municipality for twenty-four (24) months. For purposes of this subparagraph (iii), the term "existing enterprise" includes those enterprises enumerated in Section 27-31-101; or

(iv) A private company (as such term is defined in Section 57-61-5) or entity defined in Section 77-3-3(d)(i) having a minimum capital investment of One Hundred Million Dollars (\$100,000,000.00) from any source or combination of sources, provided that a majority of the capital investment is from private sources, when such project is located within a geographic area for which a Presidential Disaster Declaration was issued on or after January 1, 2014.

County boards of supervisors and municipal authorities may not enter into an agreement with an enterprise that is a medical cannabis establishment, as defined in the Mississippi Medical Cannabis Act, granting, and pursuant to such agreement grant a fee-in-lieu of ad valorem taxes.

(b) A fee-in-lieu of ad valorem taxes granted in accordance with this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of any enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, private company or business, as applicable, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If a fee-in-lieu of ad valorem taxes is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise, private company or business described in paragraph (a) of this subsection (1), as applicable, the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt and subject to the fee-in-lieu granted in accordance herewith without any action being required to be taken by such owner, lessor or sublessor.

(2) A county board of supervisors may enter into a fee-in-lieu agreement on behalf of the county and any county school district, and a municipality may enter into such a fee-in-lieu agreement on behalf of the municipality and any municipal school district located in the municipality; however, if the project is located outside the limits of a municipality but within the boundaries of the municipal school district, then the county board of supervisors may enter into such a fee-in-lieu agreement on behalf of the school district granting a fee-in-lieu of ad valorem taxes for school district purposes.

(3) Any grant of a fee-in-lieu of ad valorem taxes shall be evidenced by a written agreement negotiated by the enterprise and the county board of supervisors and/or municipal authority, as the case may be, and given final approval by the Mississippi Development Authority as satisfying the requirements of this section.

(4) The minimum sum allowable as a fee-in-lieu shall not be less than one-third (1/3), or one-tenth (1/10) if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, \* \* \* 2026, of the ad valorem levy, including ad valorem taxes for school district purposes, and except as otherwise provided, the sum allowed shall be apportioned between the county or municipality, as appropriate, and the school districts in such amounts as may be determined by the county board of supervisors or municipal governing authority, as the case may be, however, except as otherwise provided in this section, from the sum allowed the apportionment to school districts shall not be less than the school districts' pro rata share based upon the proportion that the millage imposed for the school districts by the appropriate levying authority bears to the millage imposed by such levying authority for all other county or municipal purposes. Any fee-in-lieu agreement entered into under this section shall become a binding obligation of the parties to the agreement, be effective upon its execution by the parties and approval by the Mississippi Development Authority and, except as otherwise provided in Section 17-25-23 or Section 57-75-33, or any other provision of law, continue in effect for a period not to exceed thirty (30) years commencing on the date that the fee-in-lieu granted thereunder begins in accordance with the agreement; however, no particular parcel of land, real property improvement or item of personal property shall be subject to a fee-in-lieu for a duration of more than ten (10) years. Any such agreement shall be binding, according to its terms, on future boards of supervisors of the county and/or governing authorities of a municipality, as the case may be, for the duration of the agreement.

(5) The fee-in-lieu may be a stated fraction or percentage of the ad valorem taxes otherwise payable or a stated dollar amount. If the fee is a fraction or percentage of the ad valorem tax levy, it shall be annually computed on all ad valorem taxes otherwise payable, including school taxes, as the same may vary from year to year based upon changes in the millage rate or assessed value and shall not be less than one-third (1/3) of that amount or one-tenth (1/10) of that amount if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, \* \* \* 2026. If the fee is a stated dollar amount, said amount shall be the higher of the sum provided for fixed payment or (a) one-third (1/3) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu or (b) if the project is also a project eligible for an ad valorem tax exemption under Section 27-31-46 and a fee-in-lieu agreement is entered into before July 1, \* \* \* 2026, one-tenth (1/10) of the total of all ad valorem taxes otherwise payable as annually determined during each year of the fee-in-lieu.

(6) Notwithstanding Section 27-31-111, the parties to a fee-in-lieu may agree on terms and conditions providing for the reduction, suspension, termination or reinstatement of a fee-in-lieu agreement or any fee-in-lieu period granted thereunder upon the cessation of operations by project for twelve (12) or more consecutive months or due to other conditions set forth in the agreement.

(7) For a project as defined in Section 57-75-5(f)(xxi) and located in a county that is a member of a regional economic development alliance created under Section 57-64-1 et seq., the members of the regional economic development alliance may divide the sum allowed as a fee-in-lieu in a manner as determined by the alliance agreement, and the boards of supervisors of the member counties may then apportion the sum allowed between school district purposes and all other county purposes.

(8) For a project as defined in Section 57-75-5(f)(xxvi), the board of supervisors of the county in which the project is located may negotiate with the school district in which the project is located and apportion to the school district an amount of the fee-in-lieu that is agreed upon in the negotiations different than the amount provided for in subsection (3) of this section.

(9) For a project as defined in Section 57-75-5(f)(xxviii), the annual amount of the fee-in-lieu apportioned to the county shall not be less than the amount necessary to pay the annual debt service on bonds issued by the county pursuant to Section 57-75-37(3)(c).

(10) Any fee-in-lieu of ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-31-46.1, MISSISSIPPI CODE OF 1972, TO EXTEND THE PERIOD IN WHICH CERTAIN RENEWABLE ENERGY PROJECTS MAY BEGIN CONSTRUCTION IN ORDER TO BE ELIGIBLE FOR A PARTIAL AD VALOREM TAX EXEMPTION; TO EXTEND THE TIME PERIOD WITHIN WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES MAY AUTHORIZE A PARTIAL AD VALOREM TAX EXEMPTION FOR CERTAIN RENEWABLE ENERGY PROJECTS; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO ENTER INTO AGREEMENTS WITH CERTAIN ENTERPRISES GRANTING A FEE-IN-LIEU OF AD VALOREM TAXES, TO REVISE THE ENTERPRISES WITH WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES ARE AUTHORIZED TO ENTER INTO SUCH AGREEMENTS; TO EXTEND THE TIME PERIOD WITHIN WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES MAY ENTER INTO SUCH AGREEMENTS WITH CERTAIN RENEWABLE ENERGY PROJECTS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2698** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

Senator Parker moved that the rules be suspended to move to calendar item 65, **S. B. No. 2335**, and the motion prevailed.

Senator Parker called up the following House Amendment to **S. B. No. 2335** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AN ACT TO AMEND SECTION 57-73-23, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR EMPLOYERS PROVIDING DEPENDENT CARE FOR EMPLOYEES DURING WORK HOURS, TO INCREASE THE AMOUNT OF THE TAX CREDIT; TO AUTHORIZE AN INCOME TAX CREDIT FOR

EMPLOYERS WHO PROVIDE A CHILD CARE STIPEND TO BE USED FOR CHILD CARE DURING EMPLOYEES' WORK HOURS; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. Section 57-73-23, Mississippi Code of 1972, is amended as follows:

57-73-23. (1) A \* \* \* seventy-five percent (75%) income tax credit shall be granted to any employer providing dependent care for employees during the employee's work hours, and to any employer who provides a child care stipend of at least six thousand dollars (\$6,000.00) to only be used for child care during the employee's work hours.

(2) In order for an employer who provides a child care stipend under this section to be eligible for the tax credit, the employer shall certify to the Mississippi Department of Revenue:

(a) The names of the employees receiving the stipend; and

(b) The amount of the stipend received by each of those employees; and

(c) The names, addresses, and taxpayer identification numbers or social security numbers of the child care providers paid by the employees with the child care stipend; and

(d) Such other information as may be required by the Department of Revenue to ensure that credits under this section are granted only to employers who provide stipends that are used by the employees only for child care.

(3) For an employer providing dependent care itself and for an employer contracting for dependent care for its employees during the employee's work hours, the credit is applied to the net cost of any contract executed by the employer for another entity to provide dependent care; or, if the employer elects to provide dependent care itself, to expenses of dependent care staff, learning and recreational materials and equipment, and the construction and maintenance of a facility; or if the employer elects to provide a child care stipend, the credit is applied to the amount of the stipend provided. Additional eligible expenses include net costs assumed by the employer which increase the quality, availability and affordability of dependent care in the community used by employees during the employee's work hours. This cost is net of any reimbursement. A deduction shall not be allowed for any expenses which serve as the basis for an income tax credit. The credits allowed under this section shall not be used by any business enterprise or corporation other than the business enterprise actually qualifying for the credits.

Credit may be carried forward for the five (5) successive years if the amount allowable as credit exceeds income tax liability in a tax year; however, thereafter, if the amount allowable as a credit exceeds the tax liability, the amount of excess shall not be refundable or carried forward to any other taxable year.

The facility must have an average daily enrollment for the taxable year of no less than six (6) children who are twelve (12) years of age or less and be licensed according to the regulations governing licensure of child care facilities in Mississippi; or must serve five (5) or fewer children and/or elderly adults in a family child care/elder care home approved by the Department of Health for participation in the United States Department of Agriculture child and adult nutrition program; or must serve children over twelve (12) years of age but less than eighteen (18) years of age in either a community-based facility or a facility at the employment site; or must serve adult relatives of employees in either a community-based elder care facility or a facility at the employment site; or must serve children or adult dependents having physical, emotional or mental disabilities in either a community-based facility or a facility at the employment site.



Employers will be certified as eligible for the tax credit by the \* \* \* State Department of Health for programs serving children twelve (12) years of age or younger and for programs serving elderly adults and by the \* \* \* Department of Revenue for programs serving other dependents older than twelve (12) years of age.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

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Senator Parker called up the following entitled bill:

**H. B. No. 588:** MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming code sections.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-153-1, Mississippi Code of 1972, is reenacted as follows:

37-153-1. This article shall be known and may be cited as the "Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004."

SECTION 2. Section 37-153-3, Mississippi Code of 1972, is reenacted as follows:

37-153-3. It is the intent of the Legislature by the passage of Chapter 572, Laws of 2004, to establish one (1) comprehensive workforce development system in the State of Mississippi that is focused on achieving results, using resources efficiently and ensuring that workers and employers can easily access needed services. This system shall reflect a consolidation of the Mississippi Workforce Development Advisory Council and the Mississippi State Workforce Investment Act Board. The purpose of Chapter 572, Laws of 2004, is to provide workforce activities, through a statewide system that maximizes cooperation among state agencies, that increase the employment, retention and earnings of participants, and increase occupational skill attainment by participants and as a result, improve the quality of the workforce, reduce welfare dependency and enhance the productivity and competitiveness of the State of Mississippi.

SECTION 3. Section 37-153-5, Mississippi Code of 1972, is reenacted as follows:

37-153-5. For purposes of this article, the following words and phrases shall have the meanings respectively ascribed in this section unless the context clearly indicates otherwise:

(a) "State board" or "board" means the Mississippi State Workforce Investment Board.

(b) "District councils" means the Local Workforce Development Councils.

(c) "Local workforce investment board" means the board that oversees the workforce development activities of local workforce areas under the federal Workforce Investment Act.

(d) "Office" means the Mississippi Office of Workforce Development, housed at the Department of Finance and Administration.

SECTION 4. Section 37-153-7, Mississippi Code of 1972, is reenacted as follows:

37-153-7. (1) There is created the Mississippi Office of Workforce Development and the Mississippi State Workforce Investment Board, which shall serve as the advisory board for the office. The Mississippi State Workforce Investment Board shall be composed of thirty-one (31) voting members, of which a majority shall be representatives of business and industry in accordance with the federal Workforce Innovation and Opportunity Act, or any successive acts.

(2) The members of the State Workforce Investment Board shall include:

(a) The Governor, or his designee;

(b) Nineteen (19) members, appointed by the Governor, of whom:

(i) A majority shall be representatives of businesses in the state, who:

1. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local board described in Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and Opportunity Act. At least two (2) of the members appointed under this item 1. shall be small business owners, chief executives or operating officers of businesses with less than fifty (50) employees;

2. Represent businesses, including small businesses, or organizations representing businesses, which provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in high-demand industry sectors or occupations in the state; and

3. Are appointed from among individuals nominated by state business organizations and business trade associations;

(ii) Not less than twenty percent (20%) shall consist of representatives of the workforce within the state, which:

1. Includes labor organization representatives who have been nominated by state labor federations;

2. Includes a labor organization member or training director from an apprenticeship program in the state, which shall be a joint labor-management apprenticeship program if such a program exists in the state;

3. May include representatives of community-based organizations, including organizations serving veterans or providing or supporting competitive, integrated employment for individuals with disabilities, who have demonstrated experience and expertise in addressing employment, training or education needs of individuals with barriers to employment; and

4. May include representatives of organizations, including organizations serving out-of-school youth, who have demonstrated experience or expertise in addressing the employment, training or education needs of eligible youth;

(iii) The balance shall include government representatives, including the lead state officials with primary responsibility for core programs, and chief elected officials (collectively representing both cities and counties, where appropriate);

(c) Two (2) representatives of businesses in the state appointed by the Lieutenant Governor;

(d) Two (2) representatives of businesses in the state appointed by the Governor from a list of three (3) recommendations from the Speaker of the House; and

(e) The following state officials:

(i) The Executive Director of the Mississippi Department of Employment Security;

(ii) The Executive Director of the Department of Rehabilitation Services;

(iii) The State Superintendent of Public Education;

(iv) The Executive Director of the Mississippi Development Authority;

(v) The Executive Director of the Mississippi Community College Board;

(vi) The President of the Community College Association; and

(vii) The Commissioner of the Institutions of Higher Learning.

(f) One (1) senator, appointed by the Lieutenant Governor, and one (1) representative, appointed by the Speaker of the House, shall serve on the state board in a nonvoting capacity.

(g) The Governor may appoint additional members if required by the federal Workforce Innovation and Opportunity Act, or any successive acts.

(h) Members of the board shall serve a term of four (4) years, and shall not serve more than three (3) consecutive terms.

(i) The membership of the board shall reflect the diversity of the State of Mississippi.

(j) The Governor shall designate the Chairman of the Mississippi State Workforce Investment Board from among the business and industry voting members of the board, and a quorum of the board shall consist of a majority of the voting members of the board.

(k) The voting members of the board who are not state employees shall be entitled to reimbursement of their reasonable expenses in the manner and amount specified in Section 25-3-41 and shall be entitled to receive per diem compensation as authorized in Section 25-3-69.

(3) Members of the state board may be recalled by their appointing authority for cause, including a felony conviction, fraudulent or dishonest acts or gross abuse of discretion, failure to meet board member qualifications, or chronic failure to attend board meetings.

(4) The Mississippi Department of Employment Security shall establish limits on administrative costs for each portion of Mississippi's workforce development system consistent with the federal Workforce Investment Act or any future federal workforce legislation.

(5) The Mississippi State Workforce Investment Board shall have the following duties. These duties are intended to be consistent with the scope of duties provided in the federal Workforce Innovation and Opportunity Act, amendments and successor legislation to this act, and other relevant federal law:

(a) Through the office, develop and submit to the Governor, Lieutenant Governor and Speaker of the House a strategic plan for an integrated state workforce development system that aligns resources and structures the system to more effectively and efficiently meet the demands of Mississippi's employers and job seekers. This plan will comply with the federal Workforce Investment Act of 1998, as amended, the federal Workforce Innovation and Opportunity Act of 2014 and amendments and successor legislation to these acts;

(b) Assist the Governor, Lieutenant Governor and Speaker of the House in the development and continuous improvement of the statewide workforce investment system that shall include:

(i) Development of linkages in order to assure coordination and nonduplication among programs and activities; and

(ii) Review local workforce development plans that reflect the use of funds from the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser Act and the amendment or successor legislation to the acts, and the Mississippi Comprehensive Workforce Training and Education Consolidation Act;

(c) Recommend to the office the designation of local workforce investment areas as required in Section 116 of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014. There shall be four (4) workforce investment areas that are generally aligned with the planning and development district structure in Mississippi. Planning and development districts will serve as the fiscal agents to manage Workforce Investment Act funds, oversee and support the local workforce investment boards aligned with the area and the local programs and activities as delivered by the one-stop employment and training system. The planning and development districts will perform this function through the provisions of the county cooperative service districts created under Sections 19-3-101 through 19-3-115; however, planning and development districts currently performing this function under the Interlocal Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may continue to do so;

(d) Assist the Governor in the development of an allocation formula for the distribution of funds for adult employment and training activities and youth activities to local workforce investment areas;

(e) Recommend comprehensive, results-oriented measures that shall be applied to all of Mississippi's workforce development system programs;

(f) Assist the Governor in the establishment and management of a one-stop employment and training system conforming to the requirements of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, as amended, recommending policy for implementing the Governor's approved plan for employment and training activities and services within the state. In developing this one-stop career operating system, the Mississippi State Workforce Investment Board, in conjunction with local workforce investment boards, shall:

(i) Design broad guidelines for the delivery of workforce development programs;

(ii) Identify all existing delivery agencies and other resources;

(iii) Define appropriate roles of the various agencies to include an analysis of service providers' strengths and weaknesses;

(iv) Determine the best way to utilize the various agencies to deliver services to recipients; and

(v) Develop a financial plan to support the delivery system that shall, at a minimum, include an accountability system;

(g) To provide authority, in accordance with any executive order of the Governor, for developing the necessary collaboration among state agencies at the highest level for accomplishing the purposes of this article;

(h) To monitor the effectiveness of the workforce development centers and WIN job centers;

(i) To advise the Governor, public schools, community/junior colleges and institutions of higher learning on effective school-to-work transition policies and programs that link students moving from high school to higher education and students moving between community colleges and four-year institutions in pursuit of academic and technical skills training;

(j) To work with industry to identify barriers that inhibit the delivery of quality workforce education and the responsiveness of educational institutions to the needs of industry;

(k) To provide periodic assessments on effectiveness and results of the overall Mississippi comprehensive workforce development system and district councils;

(l) Develop broad statewide development goals, including a goal to raise the state's labor force participation rate;

(m) Perform a comprehensive review of Mississippi's workforce development efforts, including the amount spent and effectiveness of programs supported by state or federal money; and

(n) To assist the Governor in carrying out any other responsibility required by the federal Workforce Investment Act of 1998, as amended and the Workforce Innovation and Opportunity Act, successor legislation and amendments.

(6) The Mississippi State Workforce Investment Board shall coordinate all training programs and funds within its purview, consistent with the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, amendments and successor legislation to these acts, and other relevant federal law.

Each state agency director responsible for workforce training activities shall advise the Mississippi Office of Workforce Development and the State Workforce Investment Board of appropriate federal and state requirements. Each state agency, department and institution shall report any monies received for workforce training activities or career and technical education and a detailed itemization of how those monies were spent to the state board. The board shall compile the data and provide a report of the monies and expenditures to the Chairs of the House and Senate Appropriations Committee, the Chair of the House Workforce Development Committee and the Chair of the Senate Economic and Workforce Development Committee by October 1 of each year. Each such state agency director shall remain responsible for the actions of his agency; however, each state agency and director shall work cooperatively to fulfill the state's goals.

(7) The State Workforce Investment Board shall establish an executive committee, which shall consist of the following State Workforce Investment Board members:

- (a) The Chair of the State Workforce Investment Board;
  - (b) Two (2) business representatives currently serving on the state board selected by the Governor;
  - (c) The two (2) business representatives currently serving on the state board appointed by the Lieutenant Governor;
  - (d) The two (2) business representatives currently serving on the state board appointed by the Governor from a list of three (3) recommendations from the Speaker of the House;
  - (e) The two (2) legislators, who shall serve in a nonvoting capacity, one (1) of whom shall be appointed by the Lieutenant Governor from the membership of the Mississippi Senate and one (1) of whom shall be appointed by the Speaker of the House of Representatives from the membership of the Mississippi House of Representatives.
- (8) The executive committee shall select an executive director of the Office of Workforce Development, with the advice and consent of a majority of the State Workforce Investment Board. The executive committee shall seek input from economic development organizations across the state when selecting the executive director. The executive director shall:
- (a) Be a person with extensive experience in development of economic, human and physical resources, and promotion of industrial and commercial development. The executive director shall have a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce or economic development;
  - (b) Perform the functions necessary for the daily operation and administration of the office, with oversight from the executive committee and the State Workforce Investment Board, to fulfill the duties of the state board as described in Chapter 476, Laws of 2020;
  - (c) Hire staff needed for the performance of his or her duties under Chapter 476, Laws of 2020. The executive director, with approval from the executive committee, shall set the compensation of any hired employees from any funds made available for that purpose;
  - (d) Enter any part of the Mississippi Community College Board, individual community and junior colleges, or other workforce training facilities operated by the state or its subdivisions;
  - (e) Serve at the will and pleasure of the executive committee;
  - (f) Promulgate rules and regulations, subject to oversight by the executive committee, not inconsistent with this article, as may be necessary to enforce the provisions in Chapter 476, Laws of 2020; and
  - (g) Perform any other actions he or she, in consultation with the executive committee, deems necessary to fulfill the duties under Chapter 476, Laws of 2020.
- (9) The Office of Workforce Development and Mississippi Community College Board shall collaborate in the administration and oversight of the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, as described in Section 71-5-353. The executive director shall maintain complete and exclusive operational control of the office's functions.

(10) The office shall file an annual report with the Governor, Secretary of State, President of the Senate, Secretary of the Senate, Speaker of the House, and Clerk of the House not later than October 1 of each year regarding all funds approved by the office to be expended on workforce training during the prior calendar year. The report shall include:

(a) Information on the performance of the Mississippi Workforce Enhancement Training Fund and the Mississippi Works Fund, in terms of adding value to the local and state economy, the contribution to future growth of the state economy, and movement toward state goals, including increasing the labor force participation rate; and

(b) With respect to specific workforce training projects:

(i) The location of the training;

(ii) The amount allocated to the project;

(iii) The purpose of the project;

(iv) The specific business entity that is the beneficiary of the project;

and

(v) The number of employees intended to be trained and actually trained, if applicable, in the course of the project.

(c) All information concerning a proposed project which is provided to the executive director shall be kept confidential. Such confidentiality shall not limit disclosure under the Mississippi Public Records Act of 1983 of records describing the nature, quantity, cost or other pertinent information related to the activities of, or services performed using, the Mississippi Workforce Enhancement Training Fund or the Mississippi Works Fund.

(11) Nothing in Chapter 476, Laws of 2020 [Senate Bill No. 2564] shall void or otherwise interrupt any contract, lease, grant or other agreement previously entered into by the State Workforce Investment Board, Mississippi Community College Board, individual community or junior colleges, or other entities.

SECTION 5. Section 37-153-9, Mississippi Code of 1972, is reenacted as follows:

37-153-9. (1) In accordance with the federal Workforce Investment Act of 1998, there shall be established, for each of the four (4) state workforce areas prescribed in Section 37-153-3 (2)(c), a local workforce investment board to set policy for the portion of the state workforce investment system within the local area and carry out the provisions of the Workforce Investment Act.

(2) Each community college district shall have an affiliated District Workforce Development Council. The district council shall be composed of a diverse group of fifteen (15) persons appointed by the board of trustees of the affiliated public community or junior college. The members of each district council shall be selected from persons recommended by the chambers of commerce, employee groups, industrial foundations, community organizations and local governments located in the community college district of the affiliated community college with one (1) appointee being involved in basic literacy training. However, at least eight (8) members of each district council shall be chief executive officers, plant managers that are representatives of employers in that district or service sector executives. The District Workforce Development Council affiliated with each respective community or junior college shall advise the president of the community or junior college on the operation of its workforce development center/one-stop center.

The Workforce Development Council shall have the following advisory duties:

(a) To develop an integrated and coordinated district workforce investment strategic plan that:

(i) Identifies workforce investment needs through job and employee assessments of local business and industry;

(ii) Sets short-term and long-term goals for industry-specific training and upgrading and for general development of the workforce; and

(iii) Provides for coordination of all training programs, including ABE/High School Equivalency Diploma, Skills Enhancement and Industrial Services, and shall work collaboratively with the State Literacy Resource Center;

(b) To coordinate and integrate delivery of training as provided by the workforce development plan;

(c) To assist business and industry management in the transition to a high-powered, quality organization;

(d) To encourage continuous improvement through evaluation and assessment; and

(e) To oversee development of an extensive marketing plan to the employer community.

SECTION 6. Section 37-153-11, Mississippi Code of 1972, is reenacted as follows:

37-153-11. (1) There are created workforce development centers to provide assessment, training and placement services to individuals needing retraining, training and upgrading for small business and local industry. Each workforce development center shall be affiliated with a separate public community or junior college district and shall coordinate with the Office of Workforce Development.

(2) Each workforce development center shall be staffed and organized locally by the affiliated community college. The workforce development center shall serve as staff to the affiliated district council.

(3) Each workforce development center, working in concert with its affiliated district council, shall offer and arrange services to accomplish the purposes of this article, including, but not limited to, the following:

(a) For individuals needing training and retraining:

(i) Recruiting, assessing, counseling and referring to training or jobs;

(ii) Preemployment training for those with no experience in the private enterprise system;

(iii) Basic literacy skills training and high school equivalency education;

(iv) Vocational and technical training, full-time or part-time; and

(v) Short-term skills training for educationally and economically disadvantaged adults in cooperation with federally established employment and training programs;

(b) For specific small businesses, industries or firms within the district:



- (i) Job analysis, testing and curriculum development;
  - (ii) Development of specific long-range training plans;
  - (iii) Industry or firm-related preemployment training;
  - (iv) Workplace basic skills and literacy training;
  - (v) Customized skills training;
  - (vi) Assistance in developing the capacity for total quality management training;
  - (vii) Technology transfer information and referral services to business of local applications of new research in cooperation with the University Research Center, the state's universities and other laboratories; and
  - (viii) Development of business plans;
- (c) For public schools within the district technical assistance to secondary schools in curriculum coordination, development of tech prep programs, instructional development and resource coordination; and
- (d) For economic development, a local forum and resource center for all local industrial development groups to meet and promote regional economic development.

(4) Each workforce development center shall compile and make accessible to the Office of Workforce Development and Mississippi State Workforce Investment Board necessary information for use in evaluating outcomes of its efforts and in improving the quality of programs at each community college, and shall include information on literacy initiatives. Each workforce development center shall, through an interagency management information system, maintain records on new small businesses, placement, length of time on the job after placement and wage rates of those placed in a form containing such information as established by the state council.

(5) The Mississippi Community College Board is authorized to designate one or more workforce development centers at the request of affiliated community or junior colleges to provide skills training to individuals to enhance their ability to be employed in the motion picture industry in this state.

SECTION 7. Section 37-153-13, Mississippi Code of 1972, is reenacted as follows:

37-153-13. The Mississippi Community College Board, in collaboration with the Office of Workforce Development, is designated as the primary support agency to the workforce development centers. The Mississippi Community College Board, in collaboration with the Office of Workforce Development, may exercise the following powers:

- (a) To provide the workforce development centers the assistance necessary to accomplish the purposes of this article;
- (b) To provide the workforce development centers consistent standards and benchmarks to guide development of the local workforce development system and to provide a means by which the outcomes of local services can be measured;

(c) To develop the staff capacity to provide, broker or contract for the provision of technical assistance to the workforce development centers, including, but not limited to:

(i) Training local staff in methods of recruiting, assessment and career counseling;

(ii) Establishing rigorous and comprehensive local preemployment training programs;

(iii) Developing local institutional capacity to deliver total quality management training;

(iv) Developing local institutional capacity to transfer new technologists into the marketplace;

(v) Expanding the Skills Enhancement Program and improving the quality of adult literacy programs; and

(vi) Developing data for strategic planning;

(d) To collaborate with the Mississippi Development Authority, Office of Workforce Development, individual community and junior colleges, and other economic development and educational organizations and political subdivisions to increase the economic development potential and the state's labor force participation rate;

(e) To administer presented and approved certification programs by the community colleges for tax credits and partnership funding for corporate training;

(f) To create and maintain an evaluation team that examines which kinds of curricula and programs and what forms of quality control of training are most productive so that the knowledge developed at one (1) institution of education can be transferred to others;

(g) To develop internal capacity to provide services and to contract for services from universities and other providers directly to local institutions;

(h) To develop and administer an incentive certification program;

(i) To develop and hire staff and purchase equipment necessary to accomplish the goals set forth in this section; and

(j) To collaborate, partner and contract for services with community-based organizations and disadvantaged businesses in the delivery of workforce training and career information especially to youth, as defined by the federal Workforce Investment Act, and to those adults who are in low income jobs or whose individual skill levels are so low as to be unable initially to be aided by a workforce development center. Community-based organizations and disadvantaged businesses must meet performance-based certification requirements set by the Mississippi Community College Board, in collaboration with the Office of Workforce Development.

SECTION 8. Section 37-153-15, Mississippi Code of 1972, is reenacted as follows:

37-153-15. (1) As used in this article:

(a) The words "industry certification" mean a process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills and competencies, resulting in the award of a credential that is nationally recognized and must be at least one (1) of the following:

(i) Within an industry that addresses a critical local, regional or statewide economic need;

(ii) Linked to an occupation that is included in the State Department of Employment Security's occupations in high-demand list; or

(iii) Linked to an occupation that is identified as emerging.

(b) The words "qualifying industry certification" mean an industry certification that is linked to an occupation with wages of at least seventy percent (70%) of the median state income unless the industry certification is stackable to another postsecondary or professional credential which is linked to an occupation which meets the wage criterion.

(2) The State Workforce Investment Board shall provide the State Board of Education annually with a list of qualifying industry certifications. If the occupations identified in the list are not substantially the same as those occupations identified in the prior year, the State Board of Education shall provide reasonable notice of the changes to school districts.

(3) Beginning in fiscal year 2019-2020 and subject to available funding, the Department of Education shall pay a career and technical education incentive grant to the public school for each student enrolled in the public school who earns a qualifying industry certification. The amount per student for the career and technical education incentive grant shall be Six Hundred Dollars (\$600.00). If the statewide sum of the career and technical education incentive grants awarded pursuant to this section exceeds the amount of available funds appropriated for the grants, the grants per student shall be reduced proportionately to cover all eligible grants under this section. Any costs accrued during one (1) fiscal year may be claimed and reimbursed in the following fiscal year.

(4) The grants may be used for qualifying industry certification examination fees, professional development for teachers in career and technical education programs under this section, student instructional support for programs that lead to qualifying industry certifications, or to increase access to qualifying industry certifications. Any grants awarded under this section may not be used to supplant funds provided for the basic operation of the career and technical education programs.

(5) On or before October 1 of each year, the Department of Education, working in collaboration with the Office of Workforce Development and any other entities as necessary, shall submit a report to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairmen of the House and Senate Education Committees, the Chairman of the House Workforce Development Committee and the Chairman of the Senate Economic and Workforce Development Committee on the following:

(a) The number of students who enrolled in a career and technical education course or program that leads to a qualifying industry certification.

(b) The number of students who earned a qualifying industry certification by certification.

(c) The amount of career and technical education incentive grants awarded by the school.

(d) The amount of career and technical education incentive grants awarded per student.

(e) Aggregated demographic data on the students who earned a qualifying industry certification, including the qualifying industry certifications earned by rural and urban students.

SECTION 9. Section 37-153-17, Mississippi Code of 1972, is reenacted and amended as follows:

37-153-17. Sections 37-153-1, 37-153-3, 37-153-5, 37-153-7, 37-153-9, 37-153-11, 37-153-13 and 37-153-15 shall stand repealed on July 1, \* \* \* 2031.

SECTION 10. Section 71-5-5, Mississippi Code of 1972, is reenacted as follows:

71-5-5. The Legislature finds and declares that the existence and continued operation of a federal tax upon employers, against which some portion of the contributions required under this chapter may be credited, will protect Mississippi employers from undue disadvantages in their competition with employers in other states. If at any time, upon a formal complaint to the Governor, he shall find that Title IX of the Social Security Act has been amended or repealed by Congress or has been held unconstitutional by the Supreme Court of the United States, and that, as a result thereof, the provisions of this chapter requiring Mississippi employers to pay contributions will subject them to a serious competitive disadvantage in relation to employers in other states, he shall publish such findings and proclaim that the operation of the provisions of this chapter requiring the payment of contributions and benefits shall be suspended for a period of not more than six (6) months. The Department of Employment Security shall thereupon requisition from the Unemployment Trust Fund all monies therein standing to its credit, and shall deposit such monies, together with any other monies in the Unemployment Compensation Fund, as a special fund in any banks or public depositories in this state in which general funds of the state may be deposited.

In all other cases, and unless the Governor shall issue such proclamation, this chapter shall remain in full force and effect.

If within the aforesaid six-month period the Governor shall find that other federal legislation has been enacted which avoids the competitive disadvantage herein described, he shall forthwith publicly so proclaim, and upon the date of such proclamation, the provisions of this chapter requiring the payment of contributions and benefits shall again become fully operative as of the date of such suspension with the same effect as if such suspension had not occurred. If within such six-month period no such other federal legislation is enacted or the Legislature of this state has not otherwise prescribed, the Department of Employment Security shall, under regulations prescribed by it, refund, without interest, to each employer by whom contributions have been paid his pro rata share of the total contributions paid under this chapter. Any interest or earnings of the fund shall be available to the Department of Employment Security to pay for the costs of making such refunds. When the Department of Employment Security shall have executed the duties herein prescribed and performed such other acts as are incidental to the termination of its duties under this chapter, the Governor shall, by public proclamation, declare that the provisions of this chapter, in their entirety, shall cease to be operative.

SECTION 11. Section 71-5-11, Mississippi Code of 1972, is reenacted as follows:

71-5-11. As used in this chapter, unless the context clearly requires otherwise:

A. "Base period" means the first four (4) of the last five (5) completed calendar quarters immediately preceding the first day of an individual's benefit year.

B. "Benefit year" with respect to any individual means the period beginning with the first day of the first week with respect to which he or she first files a valid claim for benefits, and ending with the day preceding the same day of the same month in the next calendar year; and, thereafter, the period beginning with the first day of the first week with

respect to which he or she next files his or her valid claim for benefits, and ending with the day preceding the same day of the same month in the next calendar year. Any claim for benefits made in accordance with Section 71-5-515 shall be deemed to be a "valid claim" for purposes of this subsection if the individual has been paid the wages for insured work required under Section 71-5-511(e).

C. "Contributions" means the money payments to the State Unemployment Compensation Fund required by this chapter.

D. "Calendar quarter" means the period of three (3) consecutive calendar months ending on March 31, June 30, September 30, or December 31.

E. "Department" or "commission" means the Mississippi Department of Employment Security, Office of the Governor.

F. "Executive director" means the Executive Director of the Mississippi Department of Employment Security, Office of the Governor, appointed under Section 71-5-107.

G. "Employing unit" means this state or another state or any instrumentalities or any political subdivisions thereof or any of their instrumentalities or any instrumentality of more than one (1) of the foregoing or any instrumentality of any of the foregoing and one or more other states or political subdivisions, any Indian tribe as defined in Section 3306(u) of the Federal Unemployment Tax Act (FUTA), which includes any subdivision, subsidiary or business enterprise wholly owned by such Indian tribe, any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company, or corporation, whether domestic or foreign, or the receiver, trustee in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or had in its employ one or more individuals performing services for it within this state. All individuals performing services within this state for any employing unit which maintains two (2) or more separate establishments within this state shall be deemed to be employed by a single employing unit for all the purposes of this chapter. Each individual employed to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all purposes of this chapter, whether such individual was hired or paid directly by such employing unit or by such agent or employee, provided the employing unit had actual or constructive knowledge of the work. All individuals performing services in the employ of an elected fee-paid county official, other than those related by blood or marriage within the third degree computed by the rule of the civil law to such fee-paid county official, shall be deemed to be employed by such county as the employing unit for all the purposes of this chapter. For purposes of defining an "employing unit" which shall pay contributions on remuneration paid to individuals, if two (2) or more related corporations concurrently employ the same individual and compensate such individual through a common paymaster which is one (1) of such corporations, then each such corporation shall be considered to have paid as remuneration to such individual only the amounts actually disbursed by it to such individual and shall not be considered to have paid as remuneration to such individual such amounts actually disbursed to such individual by another of such corporations.

H. "Employer" means:

(1) Any employing unit which,

(a) In any calendar quarter in either the current or preceding calendar year paid for service in employment wages of One Thousand Five Hundred Dollars (\$1,500.00) or more, except as provided in paragraph (9) of this subsection, or

(b) For some portion of a day in each of twenty (20) different calendar weeks, whether or not such weeks were consecutive, in either the current or the preceding calendar year had in employment at least one (1) individual (irrespective of whether the

same individual was in employment in each such day), except as provided in paragraph (9) of this subsection;

(2) Any employing unit for which service in employment, as defined in subsection I(3) of this section, is performed;

(3) Any employing unit for which service in employment, as defined in subsection I(4) of this section, is performed;

(4) (a) Any employing unit for which agricultural labor, as defined in subsection I(6) of this section, is performed;

(b) Any employing unit for which domestic service in employment, as defined in subsection I(7) of this section, is performed;

(5) Any individual or employing unit which acquired the organization, trade, business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter;

(6) Any individual or employing unit which acquired its organization, trade, business, or substantially all the assets thereof, from another employing unit, if the employment record of the acquiring individual or employing unit subsequent to such acquisition, together with the employment record of the acquired organization, trade, or business prior to such acquisition, both within the same calendar year, would be sufficient to constitute an employing unit as an employer subject to this chapter under paragraph (1) or (3) of this subsection;

(7) Any employing unit which, having become an employer under paragraph (1), (3), (5) or (6) of this subsection or under any other provisions of this chapter, has not, under Section 71-5-361, ceased to be an employer subject to this chapter;

(8) For the effective period of its election pursuant to Section 71-5-361(3), any other employing unit which has elected to become subject to this chapter;

(9) (a) In determining whether or not an employing unit for which service other than domestic service is also performed is an employer under paragraph (1) or (4)(a) of this subsection, the wages earned or the employment of an employee performing domestic service, shall not be taken into account;

(b) In determining whether or not an employing unit for which service other than agricultural labor is also performed is an employer under paragraph (1) or (4)(b) of this subsection, the wages earned or the employment of an employee performing services in agricultural labor, shall not be taken into account. If an employing unit is determined an employer of agricultural labor, such employing unit shall be determined an employer for purposes of paragraph (1) of this subsection;

(10) All entities utilizing the services of any employee leasing firm shall be considered the employer of the individuals leased from the employee leasing firm. Temporary help firms shall be considered the employer of the individuals they provide to perform services for other individuals or organizations.

I. "Employment" means and includes:

(1) Any service performed, which was employment as defined in this section and, subject to the other provisions of this subsection, including service in interstate commerce, performed for wages or under any contract of hire, written or oral, express or implied.

(2) Services performed for remuneration for a principal:

(a) As an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages (other than milk), or laundry or dry-cleaning services;

(b) As a traveling or city salesman, other than as an agent-driver or commission-driver, engaged upon a full-time basis in the solicitation on behalf of, and the transmission to, a principal (except for sideline sales activities on behalf of some other person) of orders from wholesalers, retailers, contractors, or operator of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in their business operations.

However, for purposes of this subsection, the term "employment" shall include services described in paragraphs (2)(a) and (b) of this subsection, only if:

(i) The contract of service contemplates that substantially all of the services are to be performed personally by such individual;

(ii) The individual does not have a substantial investment in facilities used in connection with the performance of the services (other than in facilities for transportation); and

(iii) The services are not in the nature of a single transaction that is not part of a continuing relationship with the person for whom the services are performed.

(3) Service performed in the employ of this state or any of its instrumentalities or any political subdivision thereof or any of its instrumentalities or any instrumentality of more than one (1) of the foregoing or any instrumentality of any of the foregoing and one or more other states or political subdivisions or any Indian tribe as defined in Section 3306(u) of the Federal Unemployment Tax Act (FUTA), which includes any subdivision, subsidiary or business enterprise wholly owned by such Indian tribe; however, such service is excluded from "employment" as defined in the Federal Unemployment Tax Act by Section 3306(c)(7) of that act and is not excluded from "employment" under paragraph (5) of this subsection.

(4) (a) Services performed in the employ of a religious, charitable, educational, or other organization, but only if the service is excluded from "employment" as defined in the Federal Unemployment Tax Act, 26 USCS Section 3306(c)(8), and

(b) The organization had four (4) or more individuals in employment for some portion of a day in each of twenty (20) different weeks, whether or not such weeks were consecutive, within the current or preceding calendar year, regardless of whether they were employed at the same moment of time.

(5) For the purposes of paragraphs (3) and (4) of this subsection, the term "employment" does not apply to service performed:

(a) In the employ of:

(i) A church or convention or association of churches; or

(ii) An organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches; or

(b) By a duly ordained, commissioned, or licensed minister of a church in the exercise of his or her ministry, or by a member of a religious order in the exercise of duties required by such order; or

(c) In the employ of a governmental entity referred to in paragraph (3) of this subsection, if such service is performed by an individual in the exercise of duties:

(i) As an elected official;

(ii) As a member of a legislative body, or a member of the judiciary, of a state or political subdivision or a member of an Indian tribal council;

(iii) As a member of the State National Guard or Air National Guard;

(iv) As an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood or similar emergency;

(v) In a position which, under or pursuant to the laws of this state or laws of an Indian tribe, is designated as:

1. A major nontenured policy-making or advisory position, or

2. A policy-making or advisory position the performance of the duties of which ordinarily does not require more than eight (8) hours per week; or

(d) In a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, or providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market, by an individual receiving such rehabilitation or remunerative work; or

(e) By an inmate of a custodial or penal institution; or

(f) As part of an unemployment work-relief or work-training program assisted or financed, in whole or in part, by any federal agency or agency of a state or political subdivision thereof or of an Indian tribe, by an individual receiving such work relief or work training, unless coverage of such service is required by federal law or regulation.

(6) Service performed by an individual in agricultural labor as defined in paragraph (15)(a) of this subsection when:

(a) Such service is performed for a person who:

(i) During any calendar quarter in either the current or the preceding calendar year paid remuneration in cash of Twenty Thousand Dollars (\$20,000.00) or more to individuals employed in agricultural labor, or

(ii) For some portion of a day in each of twenty (20) different calendar weeks, whether or not such weeks were consecutive, in either the current or the preceding calendar year, employed in agricultural labor ten (10) or more individuals, regardless of whether they were employed at the same moment of time.

(b) For the purposes of this paragraph (6) any individual who is a member of a crew furnished by a crew leader to perform service in agricultural labor for any other person shall be treated as an employee of such crew leader:

(i) If such crew leader holds a valid certificate of registration under the Farm Labor Contractor Registration Act of 1963; or substantially all the members of such crew operate or maintain tractors, mechanized harvesting or crop



dusting equipment, or any other mechanized equipment, which is provided by such crew leader; and

(ii) If such individual is not an employee of such other person within the meaning of paragraph (1) of this subsection.

(c) For the purpose of subsection l(6), in the case of any individual who is furnished by a crew leader to perform service in agricultural labor for any other person and who is not treated as an employee of such crew leader under paragraph (6)(b) of this subsection:

(i) Such other person and not the crew leader shall be treated as the employer of such individual; and

(ii) Such other person shall be treated as having paid cash remuneration to such individual in an amount equal to the amount of cash remuneration paid to such individual by the crew leader (either on his or her own behalf or on behalf of such other person) for the service in agricultural labor performed for such other person.

(d) For the purposes of this paragraph (6) the term "crew leader" means an individual who:

(i) Furnishes individuals to perform service in agricultural labor for any other person;

(ii) Pays (either on his or her own behalf or on behalf of such other person) the individuals so furnished by him or her for the service in agricultural labor performed by them; and

(iii) Has not entered into a written agreement with such other person under which such individual is designated as an employee of such other person.

(7) The term "employment" shall include domestic service in a private home, local college club or local chapter of a college fraternity or sorority performed for an employing unit which paid cash remuneration of One Thousand Dollars (\$1,000.00) or more in any calendar quarter in the current or the preceding calendar year to individuals employed in such domestic service. For the purpose of this subsection, the term "employment" does not apply to service performed as a "sitter" at a hospital in the employ of an individual.

(8) An individual's entire service, performed within or both within and without this state, if:

(a) The service is localized in this state; or

(b) The service is not localized in any state but some of the service is performed in this state; and

(i) The base of operations or, if there is no base of operations, the place from which such service is directed or controlled is in this state; or

(ii) The base of operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this state.

(9) Services not covered under paragraph (8) of this subsection and performed entirely without this state, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other state or of the federal government, shall be deemed to be employment subject to this chapter if the

individual performing such services is a resident of this state and the department approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter.

(10) Service shall be deemed to be localized within a state if:

(a) The service is performed entirely within such state; or

(b) The service is performed both within and without such state, but the service performed without such state is incidental to the individual's service within the state; for example, is temporary or transitory in nature or consists of isolated transactions.

(11) The services of an individual who is a citizen of the United States, performed outside the United States (except in Canada), in the employ of an American employer (other than service which is deemed "employment" under the provisions of paragraph (8), (9) or (10) of this subsection or the parallel provisions of another state's law), if:

(a) The employer's principal place of business in the United States is located in this state; or

(b) The employer has no place of business in the United States; but

(i) The employer is an individual who is a resident of this state;  
or

(ii) The employer is a corporation which is organized under the laws of this state; or

(iii) The employer is a partnership or a trust and the number of the partners or trustees who are residents of this state is greater than the number who are residents of any one (1) other state; or

(c) None of the criteria of subparagraphs (a) and (b) of this paragraph are met but the employer has elected coverage in this state or, the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on such service, under the law of this state; or

(d) An "American employer," for purposes of this paragraph, means a person who is:

(i) An individual who is a resident of the United States; or

(ii) A partnership if two-thirds (2/3) or more of the partners are residents of the United States; or

(iii) A trust if all of the trustees are residents of the United States; or

(iv) A corporation organized under the laws of the United States or of any state.

(12) All services performed by an officer or member of the crew of an American vessel on or in connection with such vessel, if the operating office from which the operations of such vessel operating on navigable waters within, or within and without, the United States are ordinarily and regularly supervised, managed, directed and controlled, is within this state, notwithstanding the provisions of paragraph (8) of this subsection.

(13) Service with respect to which a tax is required to be paid under any federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund, or which as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act, 26 USCS Section 3301 et seq., is required to be covered under this chapter, notwithstanding any other provisions of this subsection.

(14) Services performed by an individual for wages shall be deemed to be employment subject to this chapter unless and until it is shown to the satisfaction of the department that such individual has been and will continue to be free from control and direction over the performance of such services both under his or her contract of service and in fact; and the relationship of employer and employee shall be determined in accordance with the principles of the common law governing the relation of master and servant.

(15) The term "employment" shall not include:

(a) Agricultural labor, except as provided in paragraph (6) of this subsection. The term "agricultural labor" includes all services performed:

(i) On a farm or in a forest in the employ of any employing unit in connection with cultivating the soil, in connection with cutting, planting, deadening, marking or otherwise improving timber, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, fur-bearing animals and wildlife;

(ii) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm;

(iii) In connection with the production or harvesting of naval stores products or any commodity defined in the Federal Agricultural Marketing Act, 12 USCS Section 1141j(f), or in connection with the raising or harvesting of mushrooms, or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways not owned or operated for profit, used exclusively for supplying and storing water for farming purposes;

(iv) (A) In the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity; but only if such operator produced more than one-half (1/2) of the commodity with respect to which such service is performed;

(B) In the employ of a group of operators of farms (or a cooperative organization of which such operators are members) in the performance of service described in subitem (A), but only if such operators produced more than one-half (1/2) of the commodity with respect to which such service is performed;

(C) The provisions of subitems (A) and (B) shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption;

(v) On a farm operated for profit if such service is not in the course of the employer's trade or business;

(vi) As used in paragraph (15)(a) of this subsection, the term "farm" includes stock, dairy, poultry, fruit, fur-bearing animals, and truck farms, plantations, ranches, nurseries, ranges, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards.

(b) Domestic service in a private home, local college club, or local chapter of a college fraternity or sorority, except as provided in paragraph (7) of this subsection, or service performed as a "sitter" at a hospital in the employ of an individual.

(c) Casual labor not in the usual course of the employing unit's trade or business.

(d) Service performed by an individual in the employ of his or her son, daughter, or spouse, and service performed by a child under the age of twenty-one (21) in the employ of his or her father or mother.

(e) Service performed in the employ of the United States government or of an instrumentality wholly owned by the United States; except that if the Congress of the United States shall permit states to require any instrumentalities of the United States to make payments into an unemployment fund under a state unemployment compensation act, then to the extent permitted by Congress and from and after the date as of which such permission becomes effective, all of the provisions of this chapter shall be applicable to such instrumentalities and to services performed by employees for such instrumentalities in the same manner, to the same extent, and on the same terms as to all other employers and employing units. If this state should not be certified under the Federal Unemployment Tax Act, 26 USCS Section 3304(c), for any year, then the payment required by such instrumentality with respect to such year shall be deemed to have been erroneously collected and shall be refunded by the department from the fund in accordance with the provisions of Section 71-5-383.

(f) Service performed in the employ of an "employer" as defined by the Railroad Unemployment Insurance Act, 45 USCS Section 351(a), or as an "employee representative" as defined by the Railroad Unemployment Insurance Act, 45 USCS Section 351(f), and service with respect to which unemployment compensation is payable under an unemployment compensation system for maritime employees, or under any other unemployment compensation system established by an act of Congress; however, the department is authorized and directed to enter into agreements with the proper agencies under such act or acts of Congress, which agreements shall become effective ten (10) days after publication thereof in the manner provided in Section 71-5-117 for general rules, to provide reciprocal treatment to individuals who have, after acquiring potential rights to benefits under this chapter, acquired rights to unemployment compensation under such act or acts of Congress or who have, after acquiring potential rights to unemployment compensation under such act or acts of Congress, acquired rights to benefits under this chapter.

(g) Service performed in any calendar quarter in the employ of any organization exempt from income tax under the Internal Revenue Code, 26 USCS Section 501(a) (other than an organization described in 26 USCS Section 401(a)), or exempt from income tax under 26 USCS Section 521 if the remuneration for such service is less than Fifty Dollars (\$50.00).

(h) Service performed in the employ of a school, college, or university if such service is performed:

(i) By a student who is enrolled and is regularly attending classes at such school, college or university, or

(ii) By the spouse of such a student if such spouse is advised, at the time such spouse commences to perform such service, that

(A) The employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college, or university, and

(B) Such employment will not be covered by any program of unemployment insurance.

(i) Service performed by an individual under the age of twenty-two (22) who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program and such institution has so certified to the employer, except that this subparagraph shall not apply to service performed in a program established for or on behalf of an employer or group of employers.

(j) Service performed in the employ of a hospital, if such service is performed by a patient of the hospital, as defined in subsection M of this section.

(k) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to state law; and services performed as an intern in the employ of a hospital by an individual who has completed a four-year course in a medical school chartered or approved pursuant to state law.

(l) Service performed by an individual as an insurance agent or as an insurance solicitor, if all such service performed by such individual is performed for remuneration solely by way of commission.

(m) Service performed by an individual in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution, except those employed by political subdivisions, state and local governments, nonprofit organizations and Indian tribes, as defined by this chapter, or any other entities for which coverage is required by federal statute and regulation.

(n) If the services performed during one-half (1/2) or more of any pay period by an employee for the employing unit employing him or her constitute employment, all the services of such employee for such period shall be deemed to be employment; but if the services performed during more than one-half (1/2) of any such pay period by an employee for the employing unit employing him or her do not constitute employment, then none of the services of such employee for such period shall be deemed to be employment. As used in this subsection, the term "pay period" means a period (of not more than thirty-one (31) consecutive days) for which a payment of remuneration is ordinarily made to the employee by the employing unit employing him or her.

(o) Service performed by a barber or beautician whose work station is leased to him or her by the owner of the shop in which he or she works and who is compensated directly by the patrons he or she serves and who is free from direction and control by the lessor.

(p) Service performed by a "direct seller" if:

(i) Such person is engaged in the trade or business of selling (or soliciting the sale of) consumer products to any buyer on a buy-sell basis, a deposit-commission basis, or any similar basis which the department prescribes by

regulations, for resale (by the buyer or any other person) in the home or otherwise than in a permanent retail establishment; or such person is engaged in the trade or business of selling (or soliciting the sale of) consumer products in the home or otherwise than in a permanent retail establishment;

(ii) Substantially all the remuneration (whether or not paid in cash) for the performance of the services described in item (i) of this subparagraph is directly related to sales or other output (including the performance of services) rather than to the number of hours worked; and

(iii) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such services for federal tax purposes.

J. "Employment office" means a free public employment office or branch thereof, operated by this state or maintained as a part of the state controlled system of public employment offices.

K. "Public employment service" means the operation of a program that offers free placement and referral services to applicants and employers, including job development.

L. "Fund" means the Unemployment Compensation Fund established by this chapter, to which all contributions required and from which all benefits provided under this chapter shall be paid.

M. "Hospital" means an institution which has been licensed, certified, or approved by the State Department of Health as a hospital.

N. "Institution of higher learning," for the purposes of this section, means an educational institution which:

(1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) Is legally authorized in this state to provide a program of education beyond high school;

(3) Provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is acceptable for full credit toward such a degree, a program of postgraduate or postdoctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation;

(4) Is a public or other nonprofit institution;

(5) Notwithstanding any of the foregoing provisions of this subsection, all colleges and universities in this state are institutions of higher learning for purposes of this section.

O. "Re-employment assistance" means money payments payable to an individual as provided in this chapter and in accordance with Section 3304(a)(4) and 3306(h) of the Federal Unemployment Tax Act and Section 303(a)(5) of the Social Security Act, with respect to his or her unemployment through no fault of his or her own. Wherever the terms "benefits" or "unemployment benefits" appear in this chapter, they shall mean re-employment assistance.

P. (1) "State" includes, in addition to the states of the United States of America, the District of Columbia, Commonwealth of Puerto Rico and the Virgin Islands.

(2) The term "United States" when used in a geographical sense includes the states, the District of Columbia, Commonwealth of Puerto Rico and the Virgin Islands.

(3) The provisions of paragraphs (1) and (2) of this subsection P, as including the Virgin Islands, shall become effective on the day after the day on which the United States Secretary of Labor approves for the first time under Section 3304(a) of the Internal Revenue Code of 1954 an unemployment compensation law submitted to the secretary by the Virgin Islands for such approval.

Q. "Unemployment."

(1) An individual shall be deemed "unemployed" in any week during which he or she performs no services and with respect to which no wages are payable to him or her, or in any week of less than full-time work if the wages payable to him or her with respect to such week are less than his or her weekly benefit amount as computed and adjusted in Section 71-5-505. This definition shall exclude individuals receiving voluntary payments from employers, from any source, that are in lieu of the worker's regular wages. However, individuals receiving voluntary payments of less than their set full weekly wage, as well as individuals who do not work a specified number of hours each week resulting in inconsistent weekly wages, and who are receiving voluntary payments for partial wage substitution, may be considered "unemployed," but would be required to report the gross amount of the voluntary payments to be treated as wages so the appropriate deductions to the weekly benefit amount can be made. The department shall prescribe regulations applicable to unemployed individuals, making such distinctions in the procedure as to total unemployment, part-total unemployment, partial unemployment of individuals attached to their regular jobs, and other forms of short-time work, as the department deems necessary.

(2) An individual's week of total unemployment shall be deemed to commence only after his registration with an employment office, except as the department may by regulation otherwise prescribe.

(3) Unemployment shall not include administrative leave for any week with respect to which:

(a) An employer has designated their employee as being on official administrative leave;

(b) The administrative leave is for a specified period of time;

(c) There is no apparent permanent job separation; and

(d) The employee has received compensation equal to his or her standard compensation.

(4) If the individual on official administrative leave, as designated by the employer, does not receive full compensation in line with his or her standard hours or salary, the individual may be eligible for unemployment insurance benefits as partially unemployed for the wages they are missing.

(5) Any individual on official administrative leave is required to report all compensation received.

R. (1) "Wages" means all remuneration for personal services, including commissions and bonuses and the cash value of all remuneration in any medium other than cash, except that "wages," for purposes of determining employer's coverage and payment of contributions for agricultural and domestic service means cash remuneration only. Wages shall include payments from employers, from any source, and for any reason, that are in lieu of the employee's regular wages. The reasonable cash value of

remuneration in any medium other than cash shall be estimated and determined in accordance with rules prescribed by the department; however, that the term "wages" shall not include:

(a) The amount of any payment made to, or on behalf of, an employee under a plan or system established by an employer which makes provision for his or her employees generally or for a class or classes of his or her employees (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment), on account of:

(i) Retirement, or

(ii) Sickness or accident disability, or

(iii) Medical or hospitalization expenses in connection with sickness or actual disability, or

(iv) Death, provided the employee:

(A) Has not the option to receive, instead of provision for such death benefit, any part of such payment or, if such death benefit is insured, any part of the premiums (or contributions to premiums) paid by his or her employer, and

(B) Has not the right, under the provisions of the plan or system or policy of insurance providing for such death benefit, to assign such benefit or to receive a cash consideration in lieu of such benefit, either upon his or her withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his or her employment with such employer;

(b) Dismissal payments which the employer is not legally required to make;

(c) Payment by an employer (without deduction from the remuneration of an employee) of the tax imposed by the Internal Revenue Code, 26 USCS Section 3101;

(d) From and after January 1, 1992, the amount of any payment made to or on behalf of an employee for a "cafeteria" plan, which meets the following requirements:

(i) Qualifies under Section 125 of the Internal Revenue Code;

(ii) Covers only employees;

(iii) Covers only noncash benefits;

(iv) Does not include deferred compensation plans.

(2) [Not enacted].

S. "Week" means calendar week or such period of seven (7) consecutive days as the department may by regulation prescribe. The department may by regulation prescribe that a week shall be deemed to be in, within, or during any benefit year which includes any part of such week.

T. "Insured work" means "employment" for "employers."



U. The term "includes" and "including," when used in a definition contained in this chapter, shall not be deemed to exclude other things otherwise within the meaning of the term defined.

V. "Employee leasing arrangement" means any agreement between an employee leasing firm and a client, whereby specified client responsibilities such as payment of wages, reporting of wages for unemployment insurance purposes, payment of unemployment insurance contributions and other such administrative duties are to be performed by an employee leasing firm, on an ongoing basis.

W. "Employee leasing firm" means any entity which provides specified duties for a client company such as payment of wages, reporting of wages for unemployment insurance purposes, payment of unemployment insurance contributions and other administrative duties, in connection with the client's employees, that are directed and controlled by the client and that are providing ongoing services for the client.

X. (1) "Temporary help firm" means an entity which hires its own employees and provides those employees to other individuals or organizations to perform some service, to support or supplement the existing workforce in special situations such as employee absences, temporary skill shortages, seasonal workloads and special assignments and projects, with the expectation that the worker's position will be terminated upon the completion of the specified task or function.

(2) "Temporary employee" means an employee assigned to work for the clients of a temporary help firm.

Y. For the purposes of this chapter, the term "notice" shall include any official communication, statement or other correspondence required under the administration of this chapter, and sent by the department through the United States Postal Service or electronic or digital transfer, via modem or the Internet.

SECTION 12. Section 71-5-19, Mississippi Code of 1972, is reenacted as follows:

71-5-19. (1) Whoever makes a false statement or representation knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase any benefit or other payment under this chapter or under an employment security law of any other state, of the federal government or of a foreign government, either for himself or for any other person, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment for not longer than thirty (30) days, or by both such fine and imprisonment; and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

(2) Any employing unit, any officer or agent of an employing unit or any other person who makes a false statement or representation knowing it to be false, or who knowingly fails to disclose a material fact, to prevent or reduce the payment of benefits to any individual entitled thereto, or to avoid becoming or remaining subject hereto, or to avoid or reduce any contribution or other payment required from any employing unit under this chapter, or who willfully fails or refuses to make any such contribution or other payment, or to furnish any reports required hereunder or to produce or permit the inspection or copying of records as required hereunder, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for not longer than sixty (60) days, or by both such fine and imprisonment; and each such false statement, or representation, or failure to disclose a material fact, and each day of such failure or refusal shall constitute a separate offense. In lieu of such fine and imprisonment, the employing unit or representative, or both employing unit and representative, if such representative is an employing unit in this state and is found to be a party to such violation, shall not be eligible for a contributions rate of less than five and four-tenths percent (5.4%) for the tax year in which such violation is discovered by the department and for the next two (2) succeeding tax years.

(3) Any person who shall willfully violate any provision of this chapter or any other rule or regulation thereunder, the violation of which is made unlawful or the observance of which is required under the terms of this chapter and for which a penalty is neither prescribed herein nor provided by any other applicable statute, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for not longer than sixty (60) days, or by both such fine and imprisonment; and each day such violation continues shall be deemed to be a separate offense. In lieu of such fine and imprisonment, the employing unit or representative, or both employing unit and representative, if such representative is an employing unit in this state and is found to be a party to such violation, shall not be eligible for a contributions rate of less than five and four-tenths percent (5.4%) for the tax year in which the violation is discovered by the department and for the next two (2) succeeding tax years.

(4) (a) An overpayment of benefits occurs when a person receives benefits under this chapter:

(i) While any conditions for the receipt of benefits imposed by this chapter were not fulfilled in his case;

(ii) While he was disqualified from receiving benefits; or

(iii) When such person receives benefits and is later found to be disqualified or ineligible for any reason, including, but not limited to, a redetermination or reversal by the department or the courts of a previous decision to award such person benefits.

(b) Any person receiving an overpayment shall, in the discretion of the department, be liable to have such sum deducted from any future benefits payable to him under this chapter and shall be liable to repay to the department for the Unemployment Compensation Fund a sum equal to the overpayment amount so received by him; and such sum shall be collectible in the manner provided in Sections 71-5-363 through 71-5-383 for the collection of past-due contributions. In addition to Sections 71-5-363 through 71-5-383, the following shall apply to cases involving damages for overpaid unemployment benefits which have been obtained and/or received through fraud as defined by department regulations and laws governing the department. By definition, fraud can include failure to report earnings while filing for unemployment benefits. In the event of fraud, a penalty of twenty percent (20%) of the amount of the overpayment shall be assessed. Three-fourths (3/4) of that twenty percent (20%) penalty shall be deposited into the unemployment trust fund and shall be used only for the purpose of payment of unemployment benefits. The remainder of that twenty percent (20%) penalty shall be deposited into the Special Employment Security Administrative Fund. Interest on the overpayment balance shall accrue at a rate of one percent (1%) per month on the unpaid balance until repaid and shall be deposited into the Special Employment Security Administration Fund. All interest, penalties and damages deposited into the Special Employment Security Administration Fund shall be used by the department for administration of the Mississippi Department of Employment Security.

(c) Any such judgment against such person for collection of such overpayment shall be in the form of a seven-year renewable lien. Unless action be brought thereon prior to expiration of the lien, the department must refile the notice of the lien prior to its expiration at the end of seven (7) years. There shall be no limit upon the number of times the department may refile notices of liens for collection of overpayments.

(d) All warrants issued by the department for the collection of any unemployment tax or for an overpayment of benefits imposed by statute and collected by the department shall be used to levy on salaries, compensation or other monies due the delinquent employer or claimant. No such warrant shall be issued until after the

delinquent employer or claimant has exhausted all appeal rights associated with the debt. The warrants shall be served by mail or by delivery by an agent of the department on the person or entity responsible or liable for the payment of the monies due the delinquent employer or claimant. Once served, the employer or other person owing compensation due the delinquent employer or claimant shall pay the monies over to the department in complete or partial satisfaction of the liability. An answer shall be made within thirty (30) days after service of the warrant in the form and manner determined satisfactory by the department. Failure to pay the money over to the department as required by this section shall result in the served party being personally liable for the full amount of the monies owed and the levy and collection process may be issued against the party in the same manner as other debts owed to the department. Except as otherwise provided by this section, the answer, the amount payable under the warrant and the obligation of the payor to continue payment shall be governed by the garnishment laws of this state but shall be payable to the department.

(5) The department, by agreement with another state or the United States, as provided under Section 303(g) of the Social Security Act, may recover any overpayment of benefits paid to any individual under the laws of this state or of another state or under an unemployment benefit program of the United States. Any overpayments subject to this subsection may be deducted from any future benefits payable to the individual under the laws of this state or of another state or under an unemployment program of the United States.

SECTION 13. Section 71-5-101, Mississippi Code of 1972, is reenacted as follows:

71-5-101. There is established the Mississippi Department of Employment Security, Office of the Governor. The Department of Employment Security shall be the Mississippi Employment Security Commission and shall retain all powers and duties as granted to the Mississippi Employment Security Commission. Wherever the term "Employment Security Commission" appears in any law, the same shall mean the Mississippi Department of Employment Security, Office of the Governor. The Executive Director of the Department of Employment Security may assign to the appropriate offices such powers and duties deemed appropriate to carry out the lawful functions of the department.

SECTION 14. Section 71-5-107, Mississippi Code of 1972, is reenacted as follows:

71-5-107. The department shall administer this chapter through a full-time salaried executive director, to be appointed by the Governor, with the advice and consent of the Senate. He shall be responsible for the administration of this chapter under authority delegated to him by the Governor.

SECTION 15. Section 71-5-109, Mississippi Code of 1972, is reenacted as follows:

71-5-109. There is created a Board of Review consisting of three (3) members to be appointed by the executive director. The executive director shall designate one (1) member of the Board of Review as chairman. Each member shall be paid a salary or per diem at a rate to be determined by the executive director, and such expenses as may be allowed by the executive director. All salaries, per diem and expenses of the Board of Review shall be paid from the Employment Security Administration Fund.

SECTION 16. Section 71-5-111, Mississippi Code of 1972, is reenacted as follows:

71-5-111. There is created in the State Treasury a special fund to be known as the Employment Security Administration Fund. All monies which are deposited or paid into this fund are appropriated and made available to the department. All monies in this fund shall be expended solely for the purpose of defraying the cost of administration of this chapter, and for no other purpose whatsoever. The fund shall consist of all monies appropriated by this state and all monies received from the United States of America, or

any agency thereof, or from any other source for such purpose. Notwithstanding any provision of this section, all monies requisitioned and deposited in this fund pursuant to Section 71-5-457 shall remain part of the Employment Security Administration Fund and shall be used only in accordance with the conditions specified in that section. All monies in this fund shall be deposited, administered and disbursed in the same manner and under the same conditions and requirements as is provided by law for other special funds in the State Treasury. The State Treasurer shall be liable on his official bond for the faithful performance of his duties in connection with the Employment Security Administration Fund under this chapter.

SECTION 17. Section 71-5-112, Mississippi Code of 1972, is reenacted as follows:

71-5-112. All funds received by the Mississippi Department of Employment Security shall clear through the State Treasury as provided and required by Sections 71-5-111 and 71-5-453. All expenditures from the administration fund of the department authorized by Section 71-5-111 shall be expended only pursuant to appropriation approved by the Legislature and as provided by law.

SECTION 18. Section 71-5-113, Mississippi Code of 1972, is reenacted as follows:

71-5-113. All monies received from the Social Security Board or its successors for the administration of this chapter shall be expended solely for the purposes and in the amounts found necessary by the Social Security Board or its successors for the proper and efficient administration of this chapter.

It shall be the duty of the department to take appropriate action with respect to the replacement, within a reasonable time, of any monies received from the Social Security Board, or its successors, for the administration of this chapter, and monies used to match grants pursuant to the provisions of the Wagner-Peyser Act, which the board, or its successors, find, because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of those found necessary by the Social Security Board, or its successors, for the proper administration of this chapter. Funds which have been expended by the department or its agents in accordance with the budget approved by the Social Security Board, or its successors, or in accordance with the general standards and limitations promulgated by the Social Security Board, or its successors, prior to such expenditure (where proposed expenditures have not been specifically disapproved by the Social Security Board, or its successors), shall not be deemed to require replacement. To effectuate the purposes of this paragraph, it shall be the duty of the department to take such action to safeguard the expenditure of the funds referred to herein as it deems necessary. In the event of a loss of such funds or an improper expenditure thereof as herein defined, it shall be the duty of the department to notify the Governor of any such loss or improper expenditure and submit to him a request for an appropriation in the amount thereof. The Governor shall transmit to the next regular session of the Legislature following such notification, the department's request for an appropriation in an amount necessary to replace funds which have been lost or improperly expended as defined above. Such request of the department for an appropriation shall not be subject to the provisions of Sections 27-103-101 through 27-103-139. The Legislature recognizes its obligation to replace such funds as may be necessary and shall make necessary appropriations in accordance with such requests.

SECTION 19. Section 71-5-114, Mississippi Code of 1972, is reenacted as follows:

71-5-114. There is created in the State Treasury a special fund, to be known as the "Special Employment Security Administration Fund," into which shall be deposited or transferred all interest, penalties and damages collected on and after July 1, 1982, pursuant to Sections 71-5-363 through 71-5-379 and all interest and penalties required to be deposited into the fund pursuant to Section 71-5-19(4)(b). Interest, penalties and damages collected on delinquent payments deposited during any calendar quarter in the clearing account in the Unemployment Trust Fund shall, as soon as practicable after the

close of such calendar quarter, be transferred to the Special Employment Security Administration Fund. All monies in this fund shall be deposited, administered and disbursed in the same manner and under the same conditions and requirements as is provided by law for other special funds in the State Treasury. The State Treasurer shall be liable on his official bond for the faithful performance of his duties in connection with the Special Employment Security Administration Fund under this chapter. Those monies may be expended for any programs for which the department has administrative responsibility but shall not be expended or made available for expenditure in any manner which would permit their substitution for (or permit a corresponding reduction in) federal funds which would, in the absence of those monies, be available to finance expenditures for the administration of the state unemployment compensation and employment service laws or any other laws directing the administration of any programs for which the department has the administrative responsibility. Nothing in this section shall prevent those monies in this fund from being used as a revolving fund to cover expenditures necessary and proper under the law for which federal funds have been duly requested but not yet received, subject to the charging of such expenditures against such funds when necessary. The monies in this fund may be used by the department for the payment of costs of administration of the employment security laws of this state which are found not to be or not to have been properly and validly chargeable against funds obtained from federal sources. All monies in this Special Employment Security Administration Fund shall be continuously available to the department for expenditure in accordance with the provisions of this chapter, and shall not lapse at any time. The monies in this fund are specifically made available to replace, as contemplated by Section 71-5-113, expenditures from the Employment Security Administration Fund established by Section 71-5-111, which have been found, because of any action or contingency, to have been lost or improperly expended.

The department, whenever it is of the opinion that the money in the Special Employment Security Administration Fund is more than ample to pay for all foreseeable needs for which such special fund is set up, may, by written order, order the transfer therefrom to the Unemployment Compensation Fund of such amount of money in the Special Employment Security Administration Fund as it deems proper, and the same shall thereupon be immediately transferred to the Unemployment Compensation Fund.

SECTION 20. Section 71-5-115, Mississippi Code of 1972, is reenacted as follows:

71-5-115. It shall be the duty of the executive director to administer this chapter; and the executive director shall have the power and authority to adopt, amend or rescind such rules and regulations, to employ such persons, make such expenditures, require such reports, make such investigations, and take such other action as he deems necessary or suitable to that end. Such rules and regulations shall be effective upon publication in the manner, not inconsistent with the provisions of this chapter, which the executive director shall prescribe. The executive director shall determine the department's own organization and methods of procedure in accordance with the provisions of this chapter, and shall have an official seal which shall be judicially noticed. Not later than the first day of February in each year, the executive director shall submit to the Governor a report covering the administration and operation of this chapter during the preceding fiscal year and shall make such recommendations for amendments to this chapter as the executive director deems proper. Whenever the executive director believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, he shall promptly so inform the Governor and the Legislature, and make recommendations with respect thereto.

SECTION 21. Section 71-5-117, Mississippi Code of 1972, is reenacted as follows:

71-5-117. General rules may be adopted, amended or rescinded by the executive director only after public hearing or opportunity to be heard thereon, of which proper notice has been given. General rules shall become effective ten (10) days after filing with the Secretary of State and publication in one or more newspapers of general circulation in

this state. Regulations may be adopted, amended or rescinded by the executive director and shall become effective in the manner and at the time prescribed by the executive director.

SECTION 22. Section 71-5-119, Mississippi Code of 1972, is reenacted as follows:

71-5-119. The department shall cause to be available for distribution to the public the text of this chapter, its regulations and general rules, its reports to the Governor, and any other material it deems relevant and suitable, and shall furnish the same to any person upon application therefor.

SECTION 23. Section 71-5-121, Mississippi Code of 1972, is reenacted as follows:

71-5-121. Subject to other provisions of this chapter, the executive director is authorized to appoint, fix the compensation, and prescribe the duties and powers of such officers, accountants, attorneys, experts and other persons as may be necessary in the performance of department duties; however, all personnel who were former members of the Armed Forces of the United States of America shall be given credit regardless of rate, rank or commission. All positions shall be filled by persons selected and appointed on a nonpartisan merit basis, in accordance with Section 25-9-101 et seq., that provides for a state service personnel system. The executive director shall not employ any person who is an officer or committee member of any political party organization. The executive director may delegate to any such person so appointed such power and authority as he deems reasonable and proper for the effective administration of this chapter, and may in his discretion bond any person handling monies or signing checks hereunder. The veteran status of an individual shall be considered and preference given in accordance with the provisions of the State Personnel Board.

The department and its employees are exempt from Sections 25-15-101 and 25-15-103.

The department may use federal granted funds to provide such group health, life, accident and hospitalization insurance for its employees as may be agreed upon by the department and the federal granting authorities.

The department shall adopt a "layoff formula" to be used wherever it is determined that, because of reduced workload, budget reductions or in order to effect a more economical operation, a reduction in force shall occur in any group.

In establishing this formula, the department shall give effect to the principle of seniority and shall provide that seniority points may be added for disabled veterans and veterans, with due regard to the efficiency of the service. Any such layoff formula shall be implemented according to the policies, rules and regulations of the State Personnel Board.

SECTION 24. Section 71-5-123, Mississippi Code of 1972, is reenacted as follows:

71-5-123. The executive director shall retain all powers and duties as granted to the state advisory council appointed by the former Employment Security Commission. The executive director may appoint local advisory councils, composed in each case of an equal number of employer representatives and employee representatives who may fairly be regarded as representative because of their vocation, employment or affiliations, and of such members representing the general public as the executive director may designate. Such councils shall aid the department in formulating policies and discussing problems related to the administration of this chapter and in assuring impartiality and freedom from political influence in the solution of such problems. Members of the advisory councils shall receive a per diem in accordance with Section 25-3-69 for attendance upon meetings of the council, and shall be reimbursed for actual and necessary traveling expenses. The

per diem and expenses herein authorized shall be paid from the Employment Security Administration Fund.

SECTION 25. Section 71-5-125, Mississippi Code of 1972, is reenacted as follows:

71-5-125. The department shall take all appropriate steps to reduce and prevent unemployment; to encourage and assist in the adoption of practical methods of vocational training, retraining and vocational guidance; to investigate, recommend, advise and assist in the establishment and operation, by municipalities, counties, school districts and the state, of reserves for public works to be used in times of business depression and unemployment; to promote the reemployment of unemployed workers throughout the state in every other way that may be feasible; and to these ends to carry on and publish the results of investigation and research studies.

SECTION 26. Section 71-5-127, Mississippi Code of 1972, is reenacted as follows:

71-5-127. (1) Any information or records concerning an individual or employing unit obtained by the department pursuant to the administration of this chapter or any other federally funded programs for which the department has responsibility shall be private and confidential, except as otherwise provided in this article or by regulation. Information or records may be released by the department when the release is required by the federal government in connection with, or as a condition of funding for, a program being administered by the department.

(2) Each employing unit shall keep true and accurate work records, containing such information as the department may prescribe. Such records shall be open to inspection and be subject to being copied by the department or its authorized representatives at any reasonable time and as often as may be necessary. The department, Board of Review and any referee may require from any employing unit any sworn or unsworn reports with respect to persons employed by it which they or any of them deem necessary for the effective administration of this chapter. Information, statements, transcriptions of proceedings, transcriptions of recordings, electronic recordings, letters, memoranda, and other documents and reports thus obtained or obtained from any individual pursuant to the administration of this chapter shall, except to the extent necessary for the proper administration of this chapter, be held confidential and shall not be published or be opened to public inspection (other than to public employees in the performance of their public duties) in any manner revealing the individual's or employing unit's identity.

(3) Any claimant or his legal representative at a hearing before an appeal tribunal or the Board of Review shall be supplied with information from such records to the extent necessary for the proper presentation of his claim in any proceeding pursuant to this chapter.

(4) Any employee or member of the Board of Review or any employee of the department who violates any provisions of this section shall be fined not less than Twenty Dollars (\$20.00) nor more than Two Hundred Dollars (\$200.00), or imprisoned for not longer than ninety (90) days, or both.

(5) The department may make the state's records relating to the administration of this chapter available to the Railroad Retirement Board, and may furnish the Railroad Retirement Board, at the expense of such board, such copies thereof as the Railroad Retirement Board deems necessary for its purposes. The department may afford reasonable cooperation with every agency of the United States charged with the administration of any unemployment insurance law.

SECTION 27. Section 71-5-129, Mississippi Code of 1972, is reenacted as follows:

71-5-129. Records hereinafter designated, which are found by the department to be useless, may be disposed of in accordance with approved records control schedules.

(a) Records which have been preserved by it for not less than three (3) years:

- (1) Initial claims for benefits,
- (2) Continued claims for benefits,
- (3) Correspondence and master index cards in connection with such claims for benefits, and
- (4) Individual wage slips filed by employers subject to the provisions of the Unemployment Compensation Law.

(b) Records which have been preserved by it for not less than six (6) months after becoming inactive:

- (1) Work applications,
- (2) Cross-index cards for work applications,
- (3) Test records,
- (4) Employer records,
- (5) Work orders,
- (6) Clearance records,
- (7) Counseling records,
- (8) Farm placement records, and
- (9) Correspondence relating to all such records.

Nothing herein contained shall be construed as authorizing the destruction or disposal of basic fiscal records reflecting the financial operations of the department and no records may be destroyed without the approval of the Director of the Department of Archives and History.

SECTION 28. Section 71-5-131, Mississippi Code of 1972, is reenacted as follows:

71-5-131. All letters, reports, communications, or any other matters, either oral or written, from the employer or employee to each other or to the department or any of its agents, representatives or employees, which shall have been written, sent, delivered or made in connection with the requirements and administration of this chapter shall be absolutely privileged and shall not be made the subject matter or basis of any suit for slander or libel in any court of the State of Mississippi unless the same be false in fact and maliciously written, sent, delivered or made for the purpose of causing a denial of benefits under this chapter.

SECTION 29. Section 71-5-133, Mississippi Code of 1972, is reenacted as follows:

71-5-133. In any case where an employing unit or any officer, member or agent thereof, or any other person having possession of the records thereof, shall fail or refuse upon demand by the department or its duly appointed agents to produce or permit the examination or copying of any book, paper, account, record or other data pertaining to



payrolls or employment or ownership of interests or stock in any employing unit, or bearing upon the correctness of any report, or for the purpose of making a report as required by this chapter where none has been made, then and in that event the department or its duly authorized agents may, by the issuance of a subpoena, require the attendance of such employing unit or any officer, member or agent thereof, or any other person having possession of the records thereof, and take testimony with respect to any such matter and may require any such person to produce any books or records specified in such subpoena. The department or its authorized agents at any such hearing shall have power to administer oaths to any such person or persons. When any person called as a witness by a subpoena signed by the department or its agents and served upon him by the sheriff of a county of which such person is a resident, or wherein is located the principal office of such employing unit or wherein such records are located or kept, shall fail to obey such subpoena to appear before the department or its authorized agent, or shall refuse to testify or to answer any questions or to produce any book, record, paper or other data when required to do so, such failure or refusal shall be reported to the Attorney General, who shall thereupon institute proceedings by the filing of a petition in the name of the State of Mississippi, on the relation of the department, in the circuit court or other court of competent jurisdiction of the county where such witness resides, or wherein such records are located or kept, to compel the obedience of such witness. Such petition shall set forth the facts and circumstances of the demand for and refusal or failure to permit the examination or copying of such records, or the failure or refusal of such witness to testify in answer to such subpoena or to produce the records so required by such subpoena. Such court, upon the filing and docketing of such petition, shall thereupon promptly issue an order to the defendants named in the petition to produce forthwith in such court, or at a place in such county designated in such order for the examination or copying by the department or its duly appointed agents, the records, books or documents so described, and to testify concerning matters described in such petition. Unless such defendants to such petition shall appear in the court upon a day specified in such order, which day shall be not more than ten (10) days after the date of issuance of such order, and offer, under oath, good and sufficient reasons why such examination or copying should not be permitted, or why such subpoena should not be obeyed, such court shall thereupon deliver to the department or its agents, for examination or copying, the records, books and documents so described in the petition and so produced in such court, and shall order the defendants to appear in answer to the subpoena of the department or its agents, and to testify concerning matters inquired about by the department. Any employing unit or any officer, member or agent thereof, or any other person having possession of the records thereof, who shall willfully disobey such order of the court after the same shall have been served upon him shall be guilty of indirect contempt of such court from which such order shall have issued, and may be adjudged in contempt of the court and punished therefor as provided by law.

SECTION 30. Section 71-5-135, Mississippi Code of 1972, is reenacted as follows:

71-5-135. If any employing unit fails to make any report required by this chapter, the department or its authorized agents shall give notice to such employing unit to make and file such report within fifteen (15) days from the date of such notice. If such employing unit, by its proper members, officers or agents, shall fail or refuse to make and file such reports within such time, then and in that event such report shall be made by the department or its authorized agents from the best information available, and the amount of contributions due shall be computed thereon; and such report shall be prima facie correct for the purposes of this chapter.

SECTION 31. Section 71-5-137, Mississippi Code of 1972, is reenacted as follows:

71-5-137. In the discharge of the duties imposed by this chapter, the department, any referee, the members of the Board of Review, and any duly authorized representative of any of them shall have power to administer oaths and affirmations, to take depositions, certify to official acts, and issue subpoenas to compel the attendance of witnesses and the production of books, papers, correspondence, memoranda and other records deemed

necessary as evidence in connection with a disputed claim or the administration of this chapter.

SECTION 32. Section 71-5-139, Mississippi Code of 1972, is reenacted as follows:

71-5-139. In case of contumacy or refusal to obey a subpoena issued to any person, any court in this state within the jurisdiction of which the inquiry is carried on, or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the department, the Board of Review, any referee, or any duly authorized representative of any of them, shall have jurisdiction to issue to such person an order requiring such person to appear before the department, the Board of Review, any referee, or any duly authorized representative of any of them, there to produce evidence if so ordered or there to give testimony touching the matter under investigation or in question. Any failure to obey such order of the court may be punished by the court as a contempt thereof. Any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda and other records if it is in his power so to do, in obedience to a subpoena of the department, the Board of Review, any referee, or any duly authorized representative of any of them, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00), or by imprisonment for not longer than sixty (60) days, or by both such fine and imprisonment; and each day such violation continues shall be deemed to be a separate offense.

SECTION 33. Section 71-5-141, Mississippi Code of 1972, is reenacted as follows:

71-5-141. No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda and other records before the department, the Board of Review, any referee, or any duly authorized representative of any of them, or in obedience to the subpoena of any of them in any cause or proceeding before the department, the Board of Review or an appeal tribunal, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

SECTION 34. Section 71-5-143, Mississippi Code of 1972, is reenacted as follows:

71-5-143. In the administration of this chapter, the department shall cooperate, to the fullest extent consistent with the provisions of this chapter, with the Social Security Board created by the Social Security Act, approved August 14, 1935, as amended; shall make such reports in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports; and shall comply with the reasonable, valid and lawful regulations prescribed by the Social Security Board pursuant to and under the authority of the Social Security Act, governing the expenditures of such sums as may be allotted and paid to this state under Title III of the Social Security Act, as amended, for the purpose of assisting in the administration of this chapter.

Upon request therefor, the department shall furnish to any agency of the United States charged with the administration of public works, or assistance through public employment, the name, address, ordinary occupation and employment status of each recipient of benefits, and such recipient's rights to further benefits under this chapter.

SECTION 35. Section 71-5-201, Mississippi Code of 1972, is reenacted as follows:

71-5-201. The Mississippi State Employment Service is established in the Mississippi Department of Employment Security, Office of the Governor. The department, in the conduct of such service, shall establish and maintain free public employment offices in such number and in such places as may be necessary for the proper administration of this article and for the purpose of performing such functions as are within the purview of the act of Congress entitled "An act to provide for the establishment of a national employment system and for cooperation with the states in the promotion of such system, and for other purposes" (29 USCS Section 49 et seq.). Any existing free public employment offices maintained by the state but not heretofore under the jurisdiction of the department shall be transferred to the jurisdiction of the department, and upon such transfer all duties and powers conferred upon any other department, agency or officers of this state relating to the establishment, maintenance and operation of free public employment offices shall be vested in the department. The Mississippi State Employment Service shall be administered by the department, which is charged with the duty to cooperate with any official or agency of the United States having powers or duties under the provisions of the act of Congress, as amended, and to do and perform all things necessary to secure to this state the benefits of that act of Congress, as amended, in the promotion and maintenance of a system of public employment offices. The provisions of that act of Congress, as amended, are accepted by this state, in conformity with 29 USCS Section 49c, and this state will observe and comply with the requirements thereof. The department is designated and constituted the agency of this state for the purposes of that act. The department may cooperate with or enter into agreements with the Railroad Retirement Board or veteran's organization with respect to the establishment, maintenance and use of free employment service facilities.

SECTION 36. Section 71-5-357, Mississippi Code of 1972, is reenacted as follows:

71-5-357. Benefits paid to employees of nonprofit organizations shall be financed in accordance with the provisions of this section. For the purpose of this section, a nonprofit organization is an organization (or group of organizations) described in Section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from income tax under Section 501(a) of such code (26 USCS Section 501).

(a) Any nonprofit organization which, under Section 71-5-11, subsection H(3), is or becomes subject to this chapter shall pay contributions under the provisions of Sections 71-5-351 through 71-5-355 unless it elects, in accordance with this paragraph, to pay to the department for the unemployment fund an amount equal to the amount of regular benefits and one-half (1/2) of the extended benefits paid, that is attributable to service in the employ of such nonprofit organization, to individuals for weeks of unemployment which begin during the effective period of such election.

(i) Any nonprofit organization which becomes subject to this chapter may elect to become liable for payments in lieu of contributions for a period of not less than twelve (12) months, beginning with the date on which such subjectivity begins, by filing a written notice of its election with the department not later than thirty (30) days immediately following the date of the determination of such subjectivity.

(ii) Any nonprofit organization which makes an election in accordance with subparagraph (i) of this paragraph will continue to be liable for payments in lieu of contributions unless it files with the department a written termination notice not later than thirty (30) days prior to the beginning of the tax year for which such termination shall first be effective.

(iii) Any nonprofit organization which has been paying contributions under this chapter may change to a reimbursable basis by filing with the department, not later than thirty (30) days prior to the beginning of any tax year, a written notice of election to become liable for payments in lieu of contributions. Such election shall not be terminable by the organization for that and the next tax year.

(iv) The department may for good cause extend the period within which a notice of election or a notice of termination must be filed, and may permit an election to be retroactive.

(v) The department, in accordance with such regulations as it may prescribe, shall notify each nonprofit organization of any determination which it may make of its status as an employer, of the effective date of any election which it makes and of any termination of such election. Such determinations shall be subject to reconsideration, appeal and review in accordance with the provisions of Sections 71-5-351 through 71-5-355.

(b) Payments in lieu of contributions shall be made in accordance with the provisions of subparagraph (i) of this paragraph.

(i) At the end of each calendar quarter, or at the end of any other period as determined by the department, the department shall bill each nonprofit organization (or group of such organizations) which has elected to make payments in lieu of contributions, for an amount equal to the full amount of regular benefits plus one-half (1/2) of the amount of extended benefits paid during such quarter or other prescribed period that is attributable to service in the employ of such organization.

(ii) Payment of any bill rendered under subparagraph (i) of this paragraph shall be made not later than forty-five (45) days after such bill was delivered to the nonprofit organization, unless there has been an application for review and redetermination in accordance with subparagraph (v) of this paragraph.

1. All of the enforcement procedures for the collection of delinquent contributions contained in Sections 71-5-363 through 71-5-383 shall be applicable in all respects for the collection of delinquent payments due by nonprofit organizations who have elected to become liable for payments in lieu of contributions.

2. If any nonprofit organization is delinquent in making payments in lieu of contributions, the department may terminate such organization's election to make payments in lieu of contributions as of the beginning of the next tax year, and such termination shall be effective for the balance of such tax year.

(iii) Payments made by any nonprofit organization under the provisions of this paragraph shall not be deducted or deductible, in whole or in part, from the remuneration of individuals in the employ of the organization.

(iv) Payments due by employers who elect to reimburse the fund in lieu of contributions as provided in this paragraph may not be noncharged under any condition. The reimbursement must be on a dollar-for-dollar basis (One Dollar (\$1.00) reimbursement for each dollar paid in benefits) in every case, so that the trust fund shall be reimbursed in full, such reimbursement to include, but not be limited to, benefits or payments erroneously or incorrectly paid, or paid as a result of a determination of eligibility which is subsequently reversed, or paid as a result of claimant fraud. However, political subdivisions who are reimbursing employers may elect to pay to the fund an amount equal to five-tenths percent (.5%) through December 31, 2010, and shall pay twenty-five one-hundredths percent (.25%) thereafter of the taxable wages paid during the calendar year with respect to employment, and those employers who so elect shall be relieved of liability for reimbursement of benefits paid under the same conditions that benefits are not charged to the experience-rating record of a contributing employer as provided in Section 71-5-355(2)(b)(ii) other than Clause 5 thereof. Benefits paid in such circumstances for which reimbursing employers are relieved of liability for reimbursement shall not be considered attributable to service in the employment of such reimbursing employer.

(v) The amount due specified in any bill from the department shall be conclusive on the organization unless, not later than fifteen (15) days after the bill was

delivered to it, the organization files an application for redetermination by the department, setting forth the grounds for such application or appeal. The department shall promptly review and reconsider the amount due specified in the bill and shall thereafter issue a redetermination in any case in which such application for redetermination has been filed. Any such redetermination shall be conclusive on the organization unless, not later than fifteen (15) days after the redetermination was delivered to it, the organization files an appeal to the Circuit Court of the First Judicial District of Hinds County, Mississippi, in accordance with the provisions of law with respect to review of civil causes by certiorari.

(vi) Past-due payments of amounts in lieu of contributions shall be subject to the same interest and penalties that, pursuant to Section 71-5-363, apply to past-due contributions.

(c) Each employer that is liable for payments in lieu of contributions shall pay to the department for the fund the amount of regular benefits plus the amount of one-half (1/2) of extended benefits paid are attributable to service in the employ of such employer. If benefits paid to an individual are based on wages paid by more than one (1) employer and one or more of such employers are liable for payments in lieu of contributions, the amount payable to the fund by each employer that is liable for such payments shall be determined in accordance with the provisions of subparagraph (i) or subparagraph (ii) of this paragraph.

(i) If benefits paid to an individual are based on wages paid by one or more employers that are liable for payment in lieu of contributions and on wages paid by one or more employers who are liable for contributions, the amount of benefits payable by each employer that is liable for payments in lieu of contributions shall be an amount which bears the same ratio to the total benefits paid to the individual as the total base period wages paid to the individual by such employer bear to the total base period wages paid to the individual by all of his base period employers.

(ii) If benefits paid to an individual are based on wages paid by two (2) or more employers that are liable for payments in lieu of contributions, the amount of benefits payable by each such employer shall be an amount which bears the same ratio to the total benefits paid to the individual as the total base period wages paid to the individual by such employer bear to the total base period wages paid to the individual by all of his base period employers.

(d) In the discretion of the department, any nonprofit organization that elects to become liable for payments in lieu of contributions shall be required to execute and file with the department a surety bond approved by the department, or it may elect instead to deposit with the department money or securities. The amount of such bond or deposit shall be determined in accordance with the provisions of this paragraph.

(i) The amount of the bond or deposit required by paragraph (d) shall be equal to two and seven-tenths percent (2.7%) thereafter to December 31, 2010, and one and thirty-five one-hundredths percent (1.35%) thereafter, of the organization's taxable wages paid for employment as defined in Section 71-5-11, subsection I(4), for the four (4) calendar quarters immediately preceding the effective date of the election, the renewal date in the case of a bond, or the biennial anniversary of the effective date of election in the case of a deposit of money or securities, whichever date shall be most recent and applicable. If the nonprofit organization did not pay wages in each of such four (4) calendar quarters, the amount of the bond or deposit shall be as determined by the department.

(ii) Any bond deposited under paragraph (d) shall be in force for a period of not less than two (2) tax years and shall be renewed with the approval of the department at such times as the department may prescribe, but not less frequently than at intervals of two (2) years as long as the organization continues to be liable for payments in lieu of contributions. The department shall require adjustments to be made in a

previously filed bond as it deems appropriate. If the bond is to be increased, the adjusted bond shall be filed by the organization within thirty (30) days of the date notice of the required adjustment was delivered to it. Failure by any organization covered by such bond to pay the full amount of payments in lieu of contributions when due, together with any applicable interest and penalties provided in paragraph (b)(v) of this section, shall render the surety liable on the bond to the extent of the bond, as though the surety was such organization.

(iii) Any deposit of money or securities in accordance with paragraph (d) shall be retained by the department in an escrow account until liability under the election is terminated, at which time it shall be returned to the organization, less any deductions as hereinafter provided. The department may deduct from the money deposited under paragraph (d) by a nonprofit organization, or sell the securities it has so deposited, to the extent necessary to satisfy any due and unpaid payments in lieu of contributions and any applicable interest and penalties provided for in paragraph (b)(v) of this section. The department shall require the organization, within thirty (30) days following any deduction from a money deposit or sale of deposited securities under the provisions hereof, to deposit sufficient additional money or securities to make whole the organization's deposit at the prior level. Any cash remaining from the sale of such securities shall be a part of the organization's escrow account. The department may, at any time, review the adequacy of the deposit made by any organization. If, as a result of such review, it determines that an adjustment is necessary, it shall require the organization to make additional deposit within thirty (30) days of notice of its determination or shall return to it such portion of the deposit as it no longer considers necessary, whichever action is appropriate. Disposition of income from securities held in escrow shall be governed by the applicable provisions of the state law.

(iv) If any nonprofit organization fails to file a bond or make a deposit, or to file a bond in an increased amount, or to increase or make whole the amount of a previously made deposit as provided under this subparagraph, the department may terminate such organization's election to make payments in lieu of contributions, and such termination shall continue for not less than the four (4) consecutive calendar-quarter periods beginning with the quarter in which such termination becomes effective; however, the department may extend for good cause the applicable filing, deposit or adjustment period by not more than thirty (30) days.

(v) Group account shall be established according to regulations prescribed by the department.

(e) Any employer which elects to make payments in lieu of contributions into the Unemployment Compensation Fund as provided in this paragraph shall not be liable to make such payments with respect to the benefits paid to any individual whose base period wages include wages for previously uncovered services as defined in Section 71-5-511(e) to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566.

SECTION 37. Section 71-5-359, Mississippi Code of 1972, is reenacted and amended as follows:

71-5-359. (1) The Department of Finance and Administration shall, in the manner provided in subsection ( \* \* \*2) of this section, pay, upon notice issued by the department, to the department for the Unemployment Compensation Fund an amount equal to the regular benefits and one-half (1/2) of the extended benefits paid that are attributable to service in the employ of a state agency. The amount required to be reimbursed by a certain agency shall be billed to the Department of Finance and Administration and shall be paid from the Employment Compensation Revolving Fund pursuant to subsection ( \* \* \*2) of this section not later than thirty (30) days after such bill was sent, unless there has been an application for review and redetermination in accordance with Section 71-5-357(b)(v).

\* \* \*

( \*\* \*2) Each agency of state government shall deposit monthly for a period of twenty-four (24) months an amount equal to one-twelfth of one percent (1/12 of 1%) of the first Six Thousand Dollars (\$6,000.00) paid to each employee thereof during the next preceding year into the Employment Compensation Revolving Fund that is created in the State Treasury. The Department of Finance and Administration shall determine the percentage to be applied to the amount of covered wages paid in order to maintain a balance in the revolving fund of not less than the amount determined by an actuary through an annual actuarial evaluation. The State Treasurer shall invest all funds in the Employment Compensation Revolving Fund and all interest earned shall be credited to the Employment Compensation Revolving Fund.

The reimbursement of benefits paid by the Mississippi Department of Employment Security shall be paid by the Department of Finance and Administration from the Employment Compensation Revolving Fund upon notice from the department; and the Department of Finance and Administration shall issue warrants or may contract for the performance of the duties prescribed by \* \* \* subsection (2) of this section, and other duties necessarily related thereto.

( \*\* \*3) Any political subdivision of this state shall pay to the department for the unemployment compensation fund an amount equal to the regular benefits and the extended benefits paid that are attributable to service in the employ of such political subdivision unless it elects to make contributions to the unemployment fund as provided in subsection ( \*\* \*8) of this section. The amount required to be reimbursed shall be billed and shall be paid as provided in Section 71-5-357, with respect to similar payments for nonprofit organizations.

( \*\* \*4) Each political subdivision, unless it elects to make contributions to the unemployment compensation fund as provided in subsection ( \*\* \*8) of this section, shall establish a revolving fund and deposit an amount equal to two percent (2%) of the first Six Thousand Dollars (\$6,000.00) paid to each employee thereof during the next preceding year. However, the department shall by regulation establish a procedure to allow reimbursing political subdivisions to elect to maintain the balance in the revolving fund as required under this subsection or to annually execute a surety bond to be approved by the department in an amount not less than two percent (2%) of the covered wages paid during the next preceding year.

( \*\* \*5) In the event any political subdivision becomes delinquent in payments due under this chapter, upon due notice, and upon certification of the delinquency by the department to the Department of Finance and Administration, the Department of Revenue, the Department of Environmental Quality and the Department of Insurance, or any of them, or any other agencies of the State of Mississippi that may be indebted to such delinquent political subdivision, such agencies shall direct the issuance of warrants which in the aggregate shall be the amount of such delinquency payable to the department and drawn upon any funds in the State Treasury which may be available to such political subdivision in satisfaction of any such delinquency. This remedy shall be in addition to any other collection remedies in this chapter or otherwise provided by law.

( \*\* \*6) Payments made by any political subdivision under the provisions of this section shall not be deducted or deductible, in whole or in part, from the remuneration of individuals in the employ of the organization.

( \*\* \*7) Any governmental entity shall not be liable to make payments to the unemployment fund with respect to the benefits paid to any individual whose base period wages include wages for previously uncovered services as defined in Section 71-5-511, subsection (e), to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566.

( \*\*8) Any political subdivision of this state may elect to make contributions to the unemployment fund instead of making reimbursement for benefits paid as provided in subsections ( \*\*3) and ( \*\*4) of this section. A political subdivision which makes this election shall so notify the department, not later than three (3) months after it is officially organized or is otherwise established, and shall be subject to the provisions of Section 71-5-351, with regard to the payment of contributions. A political subdivision which makes this election shall pay contributions equal to two percent (2%) of taxable wages through calendar year 2010, and one percent (1%) of taxable wages thereafter paid by it during each calendar quarter it is subject to this chapter. The department shall by regulation establish a procedure to allow political subdivisions the option periodically to elect either the reimbursement or the contribution method of financing unemployment compensation coverage.

SECTION 38. Section 71-5-451, Mississippi Code of 1972, is reenacted as follows:

71-5-451. There is established as a special fund, separate and apart from all public monies or funds of this state, an Unemployment Compensation Fund, which shall be administered by the department exclusively for:

- (a) All contributions collected under this chapter;
- (b) Interest earned upon any monies in the fund;
- (c) Any property or securities acquired through the use of monies belonging to the fund;
- (d) All earnings of such property or securities;
- (e) All monies credited to this state's account in the Unemployment Trust Fund pursuant to the Social Security Act, 42 USCS, Section 1104; and
- (f) By way of reimbursement in accordance with Section 204 of the Federal-State Extended Unemployment Compensation Act of 1970 (84 Stat. 711). All monies in the fund shall be mingled and undivided.

SECTION 39. Section 71-5-457, Mississippi Code of 1972, is reenacted as follows:

71-5-457. (1) Except as otherwise provided in subsection (5), money credited to the account of this state in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to the Social Security Act, 42 USCS Section 1103, may be requisitioned and used for the payment of expenses incurred for the administration of this law pursuant to a specific appropriation by the Legislature, provided that the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which:

- (a) Specifies the purposes for which such money is appropriated and the amounts appropriated therefor;
- (b) Limits the period within which such money may be obligated to a period ending not more than two (2) years after the date of the enactment of the appropriation law; and
- (c) Limits the amount which may be obligated during a twelve-month period beginning on July 1 and ending on the next June 30 to an amount which does not exceed the amount by which:



(i) The aggregate of the amounts credited to the account of this state pursuant to the Social Security Act, 42 USCS Section 1103, during the same twelve-month period and the thirty-four (34) preceding twelve-month periods exceeds.

(ii) The aggregate of the amounts obligated pursuant to this section and charged against the amounts credited to the account of this state during such thirty-five (35) twelve-month periods.

For the purposes of this section, amounts obligated during any such twelve-month period shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated for administration during any such twelve-month period may be charged against any amount credited during such a twelve-month period earlier than the thirty-fourth preceding such period.

(2) Money credited to the account of this state pursuant to the Social Security Act, 42 USCS Section 1103, may not be withdrawn or used except for the payment of benefits and for the payment of expenses for the administration of this law and of public employment offices pursuant to this section.

(3) Money appropriated as provided herein for the payment of expenses of administration shall be requisitioned as needed for the payment of obligations incurred under such appropriation and, upon requisition, shall be deposited in the Employment Security Administration Fund, from which such payments shall be made. Money so deposited shall, until expended, remain a part of the Unemployment Compensation Fund and, if it will not be expended, shall be returned promptly to the account of this state in the Unemployment Trust Fund.

(4) The thirty-five-year limitation provided in this section is no longer in force, effective October 1, 1991.

(5) Notwithstanding subsection (1), monies credited with respect to federal fiscal years 1999, 2000 and 2001 shall be used by the department solely for the administration of the unemployment compensation program.

SECTION 40. Section 71-5-511, Mississippi Code of 1972, is reenacted as follows:

71-5-511. An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

(a) (i) He has registered for work at and thereafter has continued to report to the department in accordance with such regulations as the department may prescribe; except that the department may, by regulation, waive or alter either or both of the requirements of this subparagraph as to such types of cases or situations with respect to which it finds that compliance with such requirements would be oppressive or would be inconsistent with the purposes of this chapter; and

(ii) He participates in reemployment services, such as job search assistance services, if, in accordance with a profiling system established by the department, it has been determined that he is likely to exhaust regular benefits and needs reemployment services, unless the department determines that:

1. The individual has completed such services; or

2. There is justifiable cause for the claimant's failure to participate in such services.

(b) He has made a claim for benefits in accordance with the provisions of Section 71-5-515 and in accordance with such regulations as the department may prescribe thereunder.

(c) He is able to work, available for work and actively seeking work.

(d) He has been unemployed for a waiting period of one (1) week. No week shall be counted as a week of unemployment for the purposes of this paragraph:

(i) Unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits;

(ii) If benefits have been paid with respect thereto;

(iii) Unless the individual was eligible for benefits with respect thereto, as provided in Sections 71-5-511 and 71-5-513, except for the requirements of this paragraph.

(e) For weeks beginning on or before July 1, 1982, he has, during his base period, been paid wages for insured work equal to not less than thirty-six (36) times his weekly benefit amount; he has been paid wages for insured work during at least two (2) quarters of his base period; and he has, during that quarter of his base period in which his total wages were highest, been paid wages for insured work equal to not less than sixteen (16) times the minimum weekly benefit amount. For benefit years beginning after July 1, 1982, he has, during his base period, been paid wages for insured work equal to not less than forty (40) times his weekly benefit amount; he has been paid wages for insured work during at least two (2) quarters of his base period, and he has, during that quarter of his base period in which his total wages were highest, been paid wages for insured work equal to not less than twenty-six (26) times the minimum weekly benefit amount. For purposes of this paragraph, wages shall be counted as "wages for insured work" for benefit purposes with respect to any benefit year only if such benefit year begins subsequent to the date on which the employing unit by which such wages were paid has satisfied the conditions of Section 71-5-11, subsection H, or Section 71-5-361, subsection (3), with respect to becoming an employer.

(f) No individual may receive benefits in a benefit year unless, subsequent to the beginning of the next preceding benefit year during which he received benefits, he performed service in "employment" as defined in Section 71-5-11, subsection I, and earned remuneration for such service in an amount equal to not less than eight (8) times his weekly benefit amount applicable to his next preceding benefit year.

(g) Benefits based on service in employment defined in Section 71-5-11, subsection I(3) and I(4), and Section 71-5-361, subsection (4) shall be payable in the same amount, on the same terms, and subject to the same conditions as compensation payable on the basis of other service subject to this chapter, except that benefits based on service in an instructional, research or principal administrative capacity in an institution of higher learning (as defined in Section 71-5-11, subsection N) with respect to service performed prior to January 1, 1978, shall not be paid to an individual for any week of unemployment which begins during the period between two (2) successive academic years, or during a similar period between two (2) regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual has a contract or contracts to perform services in any such capacity for any institution or institutions of higher learning for both such academic years or both such terms.

(h) Benefits based on service in employment defined in Section 71-5-11, subsection I(3) and I(4), shall be payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this chapter, except that:

(i) With respect to service performed in an instructional, research or principal administrative capacity for an educational institution, benefits shall not be paid

based on such services for any week of unemployment commencing during the period between two (2) successive academic years, or during a similar period between two (2) regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual, if such individual performs such services in the first of such academic years or terms and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms, and provided that paragraph (g) of this section shall apply with respect to such services prior to January 1, 1978. In no event shall benefits be paid unless the individual employee was terminated by the employer.

(ii) With respect to services performed in any other capacity for an educational institution, benefits shall not be paid on the basis of such services to any individual for any week which commences during a period between two (2) successive academic years or terms, if such individual performs such services in the first of such academic years or terms and there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms, except that if compensation is denied to any individual under this subparagraph and such individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of compensation for each week for which the individual filed a timely claim for compensation and for which compensation was denied solely by reason of this clause. In no event shall benefits be paid unless the individual employee was terminated by the employer.

(iii) With respect to services described in subparagraphs (i) and (ii) of this paragraph (h), benefits shall not be payable on the basis of services in any such capacities to any individual for any week which commences during an established and customary vacation period or holiday recess if such individual performs such services in the first of such academic years or terms, or in the period immediately before such vacation period or holiday recess, and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(iv) With respect to any services described in subparagraphs (i) and (ii) of this paragraph (h), benefits shall not be payable on the basis of services in any such capacities as specified in subparagraphs (i), (ii) and (iii) of this paragraph (h) to any individual who performed such services in an educational institution while in the employ of an educational service agency. For purposes of this paragraph, the term "educational service agency" means a governmental agency or governmental entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(v) With respect to services to which Sections 71-5-357 and 71-5-359 apply, if such services are provided to or on behalf of an educational institution, benefits shall not be payable under the same circumstances and subject to the same terms and conditions as described in subparagraphs (i), (ii), (iii) and (iv) of this paragraph (h).

(i) Subsequent to December 31, 1977, benefits shall not be paid to any individual on the basis of any services substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, for any week which commences during the period between two (2) successive sports seasons (or similar periods) if such individual performs such services in the first of such seasons (or similar periods) and there is a reasonable assurance that such individual will perform such services in the later of such seasons (or similar periods).

(j) (i) Subsequent to December 31, 1977, benefits shall not be payable on the basis of services performed by an alien, unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was

lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed (including an alien who was lawfully present in the United States as a result of the application of the provisions of Section 203(a)(7) or Section 212(d)(5) of the Immigration and Nationality Act).

(ii) Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits.

(iii) In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of his alien status shall be made, except upon a preponderance of the evidence.

(k) An individual shall be deemed prima facie unavailable for work, and therefore ineligible to receive benefits, during any period which, with respect to his employment status, is found by the department to be a holiday or vacation period.

(l) A temporary employee of a temporary help firm is considered to have left the employee's last work voluntarily without good cause connected with the work if the temporary employee does not contact the temporary help firm for reassignment on completion of an assignment. A temporary employee is not considered to have left work voluntarily without good cause connected with the work under this paragraph unless the temporary employee has been advised in writing:

(i) That the temporary employee is obligated to contact the temporary help firm on completion of assignments; and

(ii) That unemployment benefits may be denied if the temporary employee fails to do so.

SECTION 41. Section 71-5-513, Mississippi Code of 1972, is reenacted as follows:

71-5-513. A. An individual shall be disqualified for benefits:

(1) (a) For the week, or fraction thereof, which immediately follows the day on which he left work voluntarily without good cause, if so found by the department, and for each week thereafter until he has earned remuneration for personal services performed for an employer, as in this chapter defined, equal to not less than eight (8) times his weekly benefit amount, as determined in each case; however, marital, filial and domestic circumstances and obligations shall not be deemed good cause within the meaning of this subsection. Pregnancy shall not be deemed to be a marital, filial or domestic circumstance for the purpose of this subsection.

(b) For the week, or fraction thereof, which immediately follows the day on which he was discharged for misconduct connected with his work, if so found by the department, and for each week thereafter until he has earned remuneration for personal services performed for an employer, as in this chapter defined, equal to not less than eight (8) times his weekly benefit amount, as determined in each case.

(c) The burden of proof of good cause for leaving work shall be on the claimant, and the burden of proof of misconduct shall be on the employer.

(2) For the week, or fraction thereof, with respect to which he willfully makes a false statement, a false representation of fact, or willfully fails to disclose a material fact for the purpose of obtaining or increasing benefits under the provisions of this law, if so found by the department, and such individual's maximum benefit allowance shall be reduced by the amount of benefits so paid to him during any such week of disqualification; and additional disqualification shall be imposed for a period not exceeding fifty-two (52)

weeks, the length of such period of disqualification and the time when such period begins to be determined by the department, in its discretion, according to the circumstances in each case.

(3) If the department finds that he has failed, without good cause, either to apply for available suitable work when so directed by the employment office or the department, to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the department, such disqualification shall continue for the week in which such failure occurred and for not more than the twelve (12) weeks which immediately follow such week, as determined by the department according to the circumstances in each case.

(a) In determining whether or not any work is suitable for an individual, the department shall consider among other factors the degree of risk involved to his health, safety and morals, his physical fitness and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence; however, offered employment paying the minimum wage or higher, if such minimum or higher wage is that prevailing for his customary occupation or similar work in the locality, shall be deemed to be suitable employment after benefits have been paid to the individual for a period of eight (8) weeks.

(b) Notwithstanding any other provisions of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any otherwise eligible individual for refusing to accept new work under any of the following conditions:

(i) If the position offered is vacant due directly to a strike, lockout or other labor dispute;

(ii) If the wages, hours or other conditions of the work offered are substantially unfavorable or unreasonable to the individual's work. The department shall have the sole discretion to determine whether or not there has been an unfavorable or unreasonable condition placed on the individual's work. Moreover, the department may consider, but shall not be limited to a consideration of, whether or not the unfavorable condition was applied by the employer to all workers in the same or similar class or merely to this individual;

(iii) If as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization;

(iv) If unsatisfactory or hazardous working conditions exist that could result in a danger to the physical or mental well-being of the worker. In any such determination the department shall consider, but shall not be limited to a consideration of, the following: the safety measures used or the lack thereof and the condition of equipment or lack of proper equipment. No work shall be considered hazardous if the working conditions surrounding a worker's employment are the same or substantially the same as the working conditions generally prevailing among workers performing the same or similar work for other employers engaged in the same or similar type of activity.

(c) Pursuant to Section 303(1) of the Social Security Act (42 USCS 503), the department may conduct drug tests of applicants for unemployment compensation for the unlawful use of controlled substances as a condition for receiving such compensation, if such applicant:

(i) Was terminated from employment with the claimant's most recent employer, as defined by Mississippi law, because of the unlawful use of controlled substances; or

(ii) Is an individual for whom suitable work, as defined by Mississippi law, is only available in an occupation (as determined under regulations issued by the U.S. Secretary of Labor) that requires drug testing.

The department may deny unemployment compensation to any applicant based on the result of a drug test conducted by the department in accordance with this subsection. A positive drug test result shall be deemed by the department to be a failure to accept suitable work, and shall subject the applicant to the disqualification provisions set forth in this subsection A(3). During the disqualification period imposed by the department under this subsection, the individual may provide information to end the disqualification period early by submitting acceptable proof to the department of a negative test result from a testing facility approved by the department.

(iii) Pursuant to the provisions set forth in this subsection A(3)(c), the department shall have the authority to institute a random drug testing program for all individuals who meet the requirements set forth in this section. Moreover, the department shall have the authority to create the necessary regulations, policies rules, guidelines and procedures to implement such a program.

Any term or provision set forth in this subsection A(3)(c) that otherwise conflicts with federal or state law shall be disregarded but shall not, in any way, affect the remaining provisions.

(4) For any week with respect to which the department finds that his total unemployment is due to a stoppage of work which exists because of a labor dispute at a factory, establishment or other premises at which he is or was last employed; however, this subsection shall not apply if it is shown to the satisfaction of the department:

(a) He is unemployed due to a stoppage of work occasioned by an unjustified lockout, if such lockout was not occasioned or brought about by such individual acting alone or with other workers in concert; or

(b) He is not participating in or directly interested in the labor dispute which caused the stoppage of work; and

(c) He does not belong to a grade or class of workers of which, immediately before the commencement of stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or directly interested in the dispute.

If in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purposes of this subsection, be deemed to be a separate factory, establishment or other premises.

(5) For any week with respect to which he has received or is seeking unemployment compensation under an unemployment compensation law of another state or of the United States. However, if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment compensation benefits, this disqualification shall not apply. Nothing in this subsection contained shall be construed to include within its terms any law of the United States providing unemployment compensation or allowances for honorably discharged members of the Armed Forces.

(6) For any week with respect to which he is receiving or has received remuneration in the form of payments under any governmental or private retirement or pension plan, system or policy which a base-period employer is maintaining or contributing to or has maintained or contributed to on behalf of the individual; however, if

the amount payable with respect to any week is less than the benefits which would otherwise be due under Section 71-5-501, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration. However, on or after the first Sunday immediately following July 1, 2001, no social security payments, to which the employee has made contributions, shall be deducted from unemployment benefits paid for any period of unemployment beginning on or after the first Sunday following July 1, 2001. This one hundred percent (100%) exclusion shall not apply to any other governmental or private retirement or pension plan, system or policy. If benefits payable under this section, after being reduced by the amount of such remuneration, are not a multiple of One Dollar (\$1.00), they shall be adjusted to the next lower multiple of One Dollar (\$1.00).

(7) For any week with respect to which he is receiving or has received remuneration in the form of a back pay award, or other compensation allocable to any week, whether by settlement or otherwise. Any benefits previously paid for weeks of unemployment with respect to which back pay awards, or other such compensation, are made shall constitute an overpayment and such amounts shall be deducted from the award by the employer prior to payment to the employee, and shall be transmitted promptly to the department by the employer for application against the overpayment and credit to the claimant's maximum benefit amount and prompt deposit into the fund; however, the removal of any charges made against the employer as a result of such previously paid benefits shall be applied to the calendar year and the calendar quarter in which the overpayment is transmitted to the department, and no attempt shall be made to relate such a credit to the period to which the award applies. Any amount of overpayment so deducted by the employer and not transmitted to the department shall be subject to the same procedures for collection as is provided for contributions by Sections 71-5-363 through 71-5-381. Any amount of overpayment not deducted by the employer shall be established as an overpayment against the claimant and collected as provided above. It is the purpose of this paragraph to assure equity in the situations to which it applies, and it shall be construed accordingly.

B. Notwithstanding any other provision in this chapter, no otherwise eligible individual shall be denied benefits for any week because he is in training with the approval of the department; nor shall such individual be denied benefits with respect to any week in which he is in training with the approval of the department by reason of the application of provisions in Section 71-5-511, subsection (c), relating to availability for work, or the provisions of subsection A(3) of this section, relating to failure to apply for, or a refusal to accept, suitable work.

C. Notwithstanding any other provisions of this chapter, no otherwise eligible individual shall be denied benefits for any week because he or she is in training approved under Section 236(a)(1) of the Trade Act of 1974, nor shall such individual be denied benefits by reason of leaving work to enter such training, provided the work left is not suitable employment, or because of the application to any such week in training of provisions in this law (or any applicable federal unemployment compensation law), relating to availability for work, active search for work or refusal to accept work.

For purposes of this section, the term "suitable employment" means with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment (as defined for purposes of the Trade Act of 1974), and wages for such work at not less than eighty percent (80%) of the individual's average weekly wage as determined for the purposes of the Trade Act of 1974.

D. Notwithstanding any other provisions of this chapter, no otherwise eligible individual shall be denied benefits for any week in which they are engaged in the Self-Employment Assistance Program established in Section 71-5-545 by reason of the application of Section 71-5-511(c), relating to availability for work, or the provisions of subsection A(3) of this section, relating to failure to apply for, or a refusal to accept, suitable work.

E. Any individual who is receiving benefits may participate in an approved training program under the Mississippi Employment Security Law to gain skills that may lead to employment while continuing to receive benefits. Authorization for participation of a recipient of unemployment benefits in such a program must be granted by the department and continuation of participation must be certified weekly by the participant recipient. While participating in such program approved by the department, availability and work search requirements will be waived. No individual will be allowed to participate in this program for more than twelve (12) weeks in any benefit year. Such participation shall not be considered employment for any purposes and shall not accrue benefits or wage credits. Participation in this training program shall meet the definition set forth in the U.S. Fair Labor Standards Act.

SECTION 42. Section 71-5-517, Mississippi Code of 1972, is reenacted as follows:

71-5-517. Upon the taking of a claim by the department, an initial determination thereon shall be made promptly and shall include a determination with respect to whether or not benefits are payable, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration of benefits. In any case in which the payment or denial of benefits will be determined by the provisions of subsection A(4) of Section 71-5-513, the examiner shall promptly transmit all the evidence with respect to that subsection to the department, which, on the basis of evidence so submitted and such additional evidence as it may require, shall make an initial determination with respect thereto. An initial determination may for good cause be reconsidered. The claimant, his most recent employing unit and all employers whose experience-rating record would be charged with benefits pursuant to such determination shall be promptly notified of such initial determination or any amended initial determination and the reason therefor. Benefits shall be denied or, if the claimant is otherwise eligible, promptly paid in accordance with the initial determination or amended initial determination. The jurisdiction of the department over benefit claims which have not been appealed shall be continuous. The claimant or any party to the initial determination or amended initial determination may file an appeal from such initial determination or amended initial determination within fourteen (14) days after notification thereof, or after the date such notification was sent to his last known address.

Notwithstanding any other provision of this section, benefits shall be paid promptly in accordance with a determination or redetermination, or the decision of an appeal tribunal, the Board of Review or a reviewing court upon the issuance of such determination, redetermination or decision in favor of the claimant (regardless of the pendency of the period to apply for reconsideration, file an appeal, or petition for judicial review, as the case may be, or the pendency of any such application, filing or petition), unless and until such determination, redetermination or decision has been modified or reversed by a subsequent redetermination or decision, in which event benefits shall be paid or denied in accordance with such modifying or reversing redetermination or decision. Any benefits finally determined to have been erroneously paid may be set up as an overpayment to the claimant and must be liquidated before any future benefits can be paid to the claimant. If, subsequent to such initial determination or amended initial determination, benefits with respect to any week for which a claim has been filed are denied for reasons other than matters included in the initial determination or amended initial determination, the claimant shall be promptly notified of the denial and the reason therefor and may appeal therefrom in accordance with the procedure herein described for appeals from initial determination or amended initial determination.

SECTION 43. Section 71-5-519, Mississippi Code of 1972, is reenacted as follows:

71-5-519. Unless such appeal is withdrawn, an appeal tribunal appointed by the executive director, after affording the parties reasonable opportunity for fair hearing, shall affirm, modify or reverse the findings of fact and initial determination or amended initial determination. The parties shall be duly notified of such tribunal's decision, together with



its reasons therefor, which shall be deemed to be the final decision of the executive director unless, within fourteen (14) days after the date of notification of such decision, further appeal is initiated pursuant to Section 71-5-523.

SECTION 44. Section 71-5-523, Mississippi Code of 1972, is reenacted as follows:

71-5-523. The Board of Review may on its own motion affirm, modify, or set aside any decision of an appeal tribunal on the basis of the evidence previously submitted in such case, or direct the taking of additional evidence, or may permit any of the parties to such decision to initiate further appeals before it. The Board of Review shall permit such further appeal by any of the parties to a decision of an appeal tribunal which is not unanimous, and by the examiner whose decision has been overruled or modified by an appeal tribunal. The Board of Review may remove to itself or transfer to another appeal tribunal the proceedings on any claim pending before an appeal tribunal. Any proceedings so removed to the Board of Review shall be heard by a quorum thereof in accordance with the requirements of Section 71-5-519 and within fifteen (15) days after notice of appeal has been received by the executive director. No notice of appeal shall be deemed to be received by the executive director, within the meaning of this section, until all prior appeals pending before the Board of Review have been heard. The Board of Review shall, within four (4) days after its decision, so notify the parties to any proceeding of its findings and decision.

SECTION 45. Section 71-5-525, Mississippi Code of 1972, is reenacted as follows:

71-5-525. The manner in which appealed claims shall be presented and the conduct of hearings and appeals shall be in accordance with regulations prescribed by the Board of Review for determining the rights of the parties, whether or not such regulations conform to common law or statutory rules of evidence and other technical rules of procedure. A full and complete record shall be kept of all proceedings in connection with an appealed claim. The department's entire file relative to the appealed claim shall be a part of such record and shall be considered as evidence. All testimony at any hearing upon an appealed claim shall be recorded, but need not be transcribed unless the claim is further appealed.

SECTION 46. Section 71-5-529, Mississippi Code of 1972, is reenacted as follows:

71-5-529. Any decision of the Board of Review, in the absence of an appeal therefrom as herein provided, shall become final ten (10) days after the date of notification; and judicial review thereof shall be permitted only after any party claiming to be aggrieved thereby has exhausted his administrative remedies as provided by this chapter. The department shall be deemed to be a party to any judicial action involving any such decision, and may be represented in any such judicial action by any qualified attorney employed by the department and designated by it for that purpose or, at the department's request, by the Attorney General.

SECTION 47. Section 71-5-531, Mississippi Code of 1972, is reenacted as follows:

71-5-531. Within ten (10) days after the decision of the Board of Review has become final, any party aggrieved thereby may secure judicial review thereof by commencing an action, in the circuit court of the county in which the plaintiff resides, against the department for the review of such decision, in which action any other party to the proceeding before the Board of Review shall be made a defendant. In cases wherein the plaintiff is not a resident of the State of Mississippi, such action may be filed in the circuit court of the county in which the employer resides, the county in which the cause of action arose, or in the county of employment. In such action, a petition which need not be verified, but which shall state the grounds upon which a review is sought, shall be served upon the department or upon such person as the department may designate, and such service shall be deemed completed service on all parties; but there shall be left with the party so served as many copies of the petition as there are defendants, and the

department shall forthwith mail one (1) such copy to each such defendant. With its answer, the department shall certify and file with said court all documents and papers and a transcript of all testimony taken in the matter, together with the Board of Review's findings of fact and decision therein. The department may also, in its discretion, certify to such court questions of law involved in any decision. In any judicial proceedings under this section, the findings of the Board of Review as to the facts, if supported by evidence and in the absence of fraud, shall be conclusive, and the jurisdiction of the court shall be confined to questions of law. Such actions, and the questions so certified, shall be heard in a summary manner and shall be given precedence over all other civil cases. An appeal may be taken from the decision of the circuit court of the county in which the plaintiff resides to the Supreme Court of Mississippi, in the same manner, but not inconsistent with the provisions of this chapter, as is provided in civil cases. It shall not be necessary, in any judicial proceeding under this section, to enter exceptions to the rulings of the Board of Review, and no bond shall be required for entering such appeal. Upon the final determination of such judicial proceeding, the Board of Review shall enter an order in accordance with such determination. A petition for judicial review shall not act as a supersedeas or stay unless the Board of Review shall so order.

SECTION 48. Section 71-5-541, Mississippi Code of 1972, is reenacted as follows:

71-5-541. A. (1) In the administration of this chapter, the department shall cooperate with the Department of Labor to the fullest extent consistent with the provisions of this chapter and shall take such action, through the adoption of appropriate rules, regulations, administrative methods and standards, as may be necessary to secure to this state and its citizens all advantages available under the provisions of the Social Security Act that relate to unemployment compensation, the Federal Unemployment Tax Act, the Wagner-Peyser Act and the Federal-State Extended Unemployment Compensation Act of 1970, all as amended.

(2) In the administration of the provisions of this section, which are enacted to conform with the requirements of the Federal-State Extended Unemployment Compensation Act of 1970, as amended, the department shall take such actions as may be necessary:

(a) To ensure that the provisions are so interpreted and applied as to meet the requirements of such federal act as interpreted by the United States Department of Labor; and

(b) To secure to this state the full reimbursement of the federal share of extended benefits paid under this chapter that are reimbursable under the federal act; and also

(c) To limit the amount of extended benefits paid as may be necessary so that the reimbursement of the federal share of extended benefits paid shall remain at one-half (1/2) of the total extended benefits paid.

B. As used in this section, unless the context clearly requires otherwise:

(1) "Extended benefit period" means a period which:

(a) Begins with the third week after a week for which there is a state "on" indicator; and

(b) Ends with either of the following weeks, whichever occurs later:

(i) The third week after the first week for which there is a state "off" indicator; or

(ii) The thirteenth consecutive week of such period.

No extended benefit period may begin by reason of a state "on" indicator before the fourteenth week following the end of a prior extended benefit period which was in effect with respect to this state.

(2) For weeks beginning after September 25, 1982, there is a "state 'on' indicator" for a week if the rate of insured unemployment under this chapter for the period consisting of such week and the immediately preceding twelve (12) weeks:

(a) Equaled or exceeded one hundred twenty percent (120%) of the average of such rates for the corresponding period of thirteen (13) weeks ending in each of the preceding two (2) calendar years; and

(b) Equaled or exceeded five percent (5%).

The determination of whether there has been a state "on" or "off" indicator beginning or ending any extended benefit period shall be made under this subsection as if (i) paragraph (2) did not contain subparagraph (a) thereof, and (ii) the figure "5" contained in subparagraph (b) thereof were "6"; except that, notwithstanding any such provision of this subsection, any week for which there would otherwise be a "state 'on' indicator" shall continue to be such week and shall not be determined to be a week for which there is a "state 'off' indicator."

(3) There is a "state 'off' indicator" for a week if, for the period consisting of such week and the immediately preceding twelve (12) weeks, either subparagraph (a) or (b) of paragraph (2) was not satisfied.

(4) "Rate of insured unemployment," for purposes of paragraphs (2) and (3) of this subsection, means the percentage derived by dividing:

(a) The average number of continued weeks claimed for regular state compensation in this state for weeks of unemployment with respect to the most recent period of thirteen (13) consecutive weeks, as determined by the department on the basis of its reports to the United States Secretary of Labor; by

(b) The average monthly employment covered under this chapter for the first four (4) of the most recent six (6) completed calendar quarters ending before the end of such period of thirteen (13) weeks.

(5) "Regular benefits" means benefits payable to an individual under this chapter or under any other state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 USCS Section 8501-8525) other than extended benefits.

(6) "Extended benefits" means benefits (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 USCS Section 8501-8525) payable to an individual under the provisions of this section for weeks of unemployment in his eligibility period.

(7) "Eligibility period" of an individual means the period consisting of the weeks in his benefit year which begin in an extended benefit period and, if his benefit year ends within such extended benefit period, any weeks thereafter which begin in such period.

(8) "Exhaustee" means an individual who, with respect to any week of unemployment in his eligibility period:

(a) Has received, prior to such week, all of the regular benefits that were available to him under this chapter or any other state law (including dependents'

allowances and benefits payable to federal civilian employees and ex-servicemen under 5 USCS Section 8501-8525) in his current benefit year that includes such week.

For the purposes of this subparagraph, an individual shall be deemed to have received all of the regular benefits that were available to him although, as a result of a pending appeal with respect to wages that were not considered in the original monetary determination in his benefit year, he may subsequently be determined to be entitled to added regular benefits; or

(b) Has no, or insufficient, wages on the basis of which he could establish a new benefit year that would include such week, his benefit year having expired prior to such week; and

(c) (i) Has no right to unemployment benefits or allowances, as the case may be, under the Railroad Unemployment Insurance Act, the Trade Expansion Act of 1962, the Automotive Products Trade Act of 1965, and such other federal laws as are specified in regulations issued by the United States Secretary of Labor; and

(ii) Has not received and is not seeking unemployment benefits under the Unemployment Compensation Law of the Virgin Islands or of Canada; but if he is seeking such benefits and the appropriate agency finally determines that he is not entitled to benefits under such law, he is considered an exhaustee; however, the reference in this subsection to the Virgin Islands shall be inapplicable effective on the day on which the United States Secretary of Labor approves under Section 3304(a) of the Internal Revenue Code of 1954, an unemployment compensation law submitted to the Secretary by the Virgin Islands for approval.

(9) "State law" means the unemployment insurance law of any state, approved by the United States Secretary of Labor under Section 3304 of the Internal Revenue Code of 1954 (26 USCS Section 3304).

C. Except when the result would be inconsistent with the other provisions of this section, as provided in the regulations of the department, the provisions of this chapter which apply to claims for, or the payment of, regular benefits shall apply to claims for, and the payment of, extended benefits.

D. An individual shall be eligible to receive extended benefits with respect to any week of unemployment in his eligibility period only if the department finds that with respect to such week:

(1) He is an "exhaustee" as defined in subsection B(8) of this section.

(2) He has satisfied the requirements of this chapter for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits.

(3) For a week beginning after September 25, 1982, he has, during his base period, been paid wages for insured work equal to not less than forty (40) times his weekly benefit amount; he has been paid wages for insured work during at least two (2) quarters of his base period, and he has, during that quarter of his base period in which his total wages were highest, been paid wages for insured work equal to not less than twenty-six (26) times the minimum weekly benefit amount.

E. The weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be an amount equal to the weekly benefit amount payable to him during his applicable benefit year; however, benefits paid to individuals during eligibility periods beginning before October 1, 1983, shall be computed to the next higher multiple of One Dollar (\$1.00), if not a multiple of One Dollar (\$1.00); and benefits paid to individuals during eligibility periods beginning on or after October 1,

1983, shall be computed to the next lower multiple of One Dollar (\$1.00), if not a multiple of One Dollar (\$1.00). In no event shall the weekly extended benefit amount payable to an individual be more than two (2) times the amount of the reimbursement of the federal share of extended benefits paid.

F. (1) The total extended benefit amount payable to any eligible individual with respect to his applicable benefit year shall be the least of the following amounts:

(a) Fifty percent (50%) of the total amount of regular benefits which were payable to him under this chapter in his applicable benefit year; however, benefits paid to individuals during eligibility periods beginning before October 1, 1983, shall be computed to the next higher multiple of One Dollar (\$1.00), if not a multiple of One Dollar (\$1.00), and benefits paid to individuals during eligibility periods beginning on or after October 1, 1983, shall be computed to the next lower multiple of One Dollar (\$1.00), if not a multiple of One Dollar (\$1.00); or

(b) Thirteen (13) times his weekly benefit amount which was payable to him under this chapter for a week of total unemployment in the applicable benefit year.

(2) The total extended benefits otherwise payable to an individual who is filing an interstate claim under the interstate benefit payment plan shall not exceed two (2) weeks whenever an extended benefit period is not in effect for such week in the state where the claim is filed.

(3) In no event shall the total extended benefit amount payable to any eligible individual with respect to his applicable benefit year be more than two (2) times the amount of the reimbursement of the federal share of extended benefits paid.

G. (1) Whenever an extended benefit period is to become effective in this state as a result of a state "on" indicator, or an extended benefit period is to be terminated in this state as a result of state "off" indicators, the department shall make an appropriate public announcement.

(2) Computations required by the provisions of subsection B(4) shall be made by the department, in accordance with regulations prescribed by the United States Secretary of Labor.

H. Extended benefits paid under the provisions of this section which are not reimbursable from federal funds shall be charged to the experience-rating record of base period employers.

I. (1) Notwithstanding the provisions of subsections C and D of this section, an individual shall be disqualified for receipt of extended benefits if the department finds that during any week of his eligibility period:

(a) He has failed either to apply for or to accept an offer of suitable work (as defined under paragraph (3)) to which he was referred by the department; or

(b) He has failed to furnish tangible evidence that he has actively engaged in a systematic and sustained effort to find work, unless such individual is not actively engaged in seeking work because such individual is:

(i) Before any court of the United States or any state pursuant to a lawfully issued summons to appear for jury duty;

(ii) Hospitalized for treatment of an emergency or a life-threatening condition.

The entitlement to benefits of any individual who is determined not to be actively engaged in seeking work in any week for the foregoing reasons shall be decided pursuant to the able and available requirements in Section 71-5-511 without regard to the disqualification provisions otherwise applicable under Section 71-5-541. The conditions prescribed in clauses (i) and (ii) of this subparagraph (b) must be applied in the same manner to individuals filing claims for regular benefits.

(2) Such disqualification shall begin with the week in which such failure occurred and shall continue until he has been employed in each of eight (8) subsequent weeks (whether or not consecutive) and has earned remuneration for personal services performed for an employer, as in this chapter defined, equal to not less than eight (8) times his weekly extended benefit amount.

(3) For the purpose of subparagraph (a) of paragraph (1) the term "suitable work" means any work which is within the individual's capabilities to perform, if:

(a) The gross average weekly remuneration payable for the work exceeds the sum of the individual's weekly extended benefit amount plus the amount, if any, of supplemental unemployment benefits (as defined in Section 501(c)(17)(D) of the Internal Revenue Code of 1954) payable to such individual for such week;

(b) The wages payable for the work equal the higher of the minimum wages provided by Section 6(a)(1) of the Fair Labor Standards Act of 1938 (without regard to any exemption), or the state or local minimum wage; and

(c) The position was offered to the individual in writing or was listed with the state employment service; and

(d) Such work otherwise meets the definition of "suitable work" for regular benefits contained in Section 71-5-513A(4) to the extent that such criteria of suitability are not inconsistent with the provisions of this paragraph (3); and

(e) The individual cannot furnish satisfactory evidence to the department that his prospects for obtaining work in his customary occupation within a reasonably short period are good. If such evidence is deemed satisfactory for this purpose, the determination of whether any work is suitable with respect to such individual shall be made in accordance with the definition of suitable work contained in Section 71-5-513A(4) without regard to the definition specified by this paragraph (3).

(4) Notwithstanding any provisions of subsection I to the contrary, no work shall be deemed to be suitable work for an individual which does not accord with the labor standard provisions set forth herein under Section 71-5-513A(4).

(5) The employment service shall refer any claimant entitled to extended benefits under this section to any suitable work which meets the criteria prescribed in paragraph (3).

(6) An individual shall be disqualified for extended benefits for the week, or fraction thereof, which immediately follows the day on which he left work voluntarily without good cause (as defined in Section 71-5-513A(1)), was discharged for misconduct connected with his work, or refused suitable work (except as provided in subsection I of this section), and for each week thereafter until he has earned remuneration for personal services performed for an employer, as in this chapter defined, equal to not less than eight (8) times his weekly benefit amount, as determined in each case.

(7) The provisions of paragraphs I(1) through (6) of this section shall not apply to claims for weeks of unemployment beginning after March 6, 1993, and before January 1, 1995, and during that period the provisions of this chapter applicable to claims for regular compensation shall apply.

J. Notwithstanding any other provisions of this chapter, if the benefit year of any individual ends within an extended benefit period, the remaining balance of extended benefits that such individual would, but for this section, be entitled to receive in that extended benefit period, with respect to weeks of unemployment beginning after the end of the benefit year, shall be reduced (but not below zero) by the product of the number of weeks for which the individual received any amounts as trade readjustment allowances within that benefit year, multiplied by the individual's weekly benefit amount for extended benefits.

SECTION 49. Section 73-30-25, Mississippi Code of 1972, is reenacted as follows:

73-30-25. It is not the intent of this article to regulate against members of other duly regulated professions in this state who do counseling in the normal course of the practice of their own profession. This article does not apply to:

(a) Any person registered, certified or licensed by the state to practice any other occupation or profession while rendering counseling services in the performance of the occupation or profession for which he or she is registered, certified or licensed;

(b) Certified school counselors when they are practicing counseling within the scope of their employment;

(c) Certified vocational counselors when they are practicing vocational counseling within the scope of their employment;

(d) [Deleted]

(e) Student interns or trainees in counseling pursuing a course of study in counseling in a regionally or nationally accredited institution of higher learning or training institution if activities and services constitute a part of the supervised course of study, provided that such persons be designated a counselor intern;

(f) [Deleted]

(g) [Deleted]

(h) Duly ordained ministers or clergy while functioning in their ministerial capacity and duly accredited Christian Science practitioners;

(i) Professional employees of regional mental health centers, state mental hospitals, vocational rehabilitation institutions, youth court counselors and employees of the Mississippi Department of Employment Security or other governmental agency so long as they practice within the scope of their employment;

(j) Professional employees of alcohol or drug abuse centers or treatment facilities, whether privately or publicly funded, so long as they practice within the scope of their employment;

(k) Private employment counselors;

(l) Any nonresident temporarily employed in this state to render counseling services for not more than thirty (30) days in any year, if in the opinion of the board the person would qualify for a license under this article and if the person holds any license required for counselors in his or her home state or country; and

(m) [Deleted]

SECTION 50. Section 43-1-30, Mississippi Code of 1972, is reenacted as follows:

43-1-30. (1) There is created the Mississippi TANF Implementation Council. It shall serve as the independent, single state advisory and review council for assuring Mississippi's compliance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), as amended. The council shall further cooperation between government, education and the private sector in meeting the needs of the TANF program. It shall also further cooperation between the business and labor communities, education and training delivery systems, and between businesses in developing highly skilled workers for high skill, high paying jobs in Mississippi.

(2) The council shall be comprised of thirteen (13) public members and certain ex officio nonvoting members. All public members of the council shall be appointed as follows by the Governor:

Ten (10) members shall be representatives from business and industry, provided that no fewer than five (5) members are from the manufacturing and industry sector who are also serving as members of private industry councils established within the state, and one (1) member may be a representative of a nonprofit organization. Three (3) members shall be recipients or former recipients of TANF assistance appointed from the state at large.

The ex officio nonvoting members of the council shall consist of the following, or their designees:

- (a) The Executive Director of the Mississippi Department of Human Services;
- (b) The Executive Director of the Mississippi Department of Employment Security;
- (c) The Executive Director of the Mississippi Development Authority;
- (d) The State Superintendent of Public Education;
- (e) The Director of the Mississippi Community College Board;
- (f) The Executive Director of the Division of Medicaid;
- (g) The Commissioner of the Mississippi Department of Corrections; and
- (h) The Director of the Mississippi Cooperative Extension Service.

(3) The Governor shall designate one (1) public member to serve as chairman of the council for a term of two (2) years and until a successor as chairman is appointed and qualified.

(4) The term of office for public members appointed by the Governor shall be four (4) years and until their successors are appointed and qualified.

(5) Any vacancy shall be filled for the unexpired term by the Governor in the manner of the original appointment, unless otherwise specified in this section.

(6) Public members shall receive a per diem as authorized in Section 25-3-69, for each day actually engaged in meetings of the council, and shall be reimbursed for mileage and necessary expenses incurred in the performance of their duties, as provided in Section 25-3-41.

(7) The council shall:



(a) Annually review and recommend policies and programs to the Governor and the Legislature that will implement and meet federal requirements under the TANF program.

(b) Annually review and recommend policies and programs to the Governor and to the Legislature that will enable citizens of Mississippi to acquire the skills necessary to maximize their economic self-sufficiency.

(c) Review the provision of services and the use of funds and resources under the TANF program, and under all state-financed job training and job retraining programs, and advise the Governor and the Legislature on methods of coordinating such provision of services and use of funds and resources consistent with the laws and regulations governing such programs.

(d) Assist in developing outcome and output measures to measure the success of the Department of Human Services' efforts in implementing the TANF program. These recommendations shall be made to the Department of Human Services at such times as required in the event that the department implements new programs to comply with the TANF program requirements.

(e) Collaborate with the Mississippi Development Authority, local planning and development districts and local industrial development boards, and shall develop an economic development plan for the creation of manufacturing jobs in each of the counties in the state that has an unemployment rate of ten percent (10%) or more, which shall include, but not be limited to, procedures for business development, entrepreneurship and financial and technical assistance.

(8) A majority of the members of the council shall constitute a quorum for the conduct of meetings and all actions of the council shall be by a majority of the members present at a meeting.

(9) The council shall adopt rules and regulations as it deems necessary to carry out its responsibilities under this section and under applicable federal human resources programs.

(10) The council may make and enter into contracts and interagency agreements as may be necessary and proper.

(11) The council is authorized to commit and expend monies appropriated to it by the Legislature for its authorized purposes. The council is authorized to solicit, accept and expend public and private gifts, grants, awards and contributions related to furtherance of its statutory duties.

(12) Funds for the operations of the council shall be derived from federal funds for the operation of state councils pursuant to applicable federal human resources programs and from such other monies appropriated to it by the Legislature.

SECTION 51. Section 43-17-5, Mississippi Code of 1972, is reenacted as follows:

43-17-5. (1) The amount of Temporary Assistance for Needy Families (TANF) benefits which may be granted for any dependent child and a needy caretaker relative shall be determined by the county department with due regard to the resources and necessary expenditures of the family and the conditions existing in each case, and in accordance with the rules and regulations made by the Department of Human Services which shall not be less than the Standard of Need in effect for 1988, and shall be sufficient when added to all other income (except that any income specified in the federal Social Security Act, as amended, may be disregarded) and support available to the child to provide such child with a reasonable subsistence compatible with decency and health. The first family member in the dependent child's budget may receive an amount not to

exceed Two Hundred Dollars (\$200.00) per month; the second family member in the dependent child's budget may receive an amount not to exceed Thirty-six Dollars (\$36.00) per month; and each additional family member in the dependent child's budget an amount not to exceed Twenty-four Dollars (\$24.00) per month. The maximum for any individual family member in the dependent child's budget may be exceeded for foster or medical care or in cases of children with an intellectual disability or a physical disability. TANF benefits granted shall be specifically limited only (a) to children existing or conceived at the time the caretaker relative initially applies and qualifies for such assistance, unless this limitation is specifically waived by the department, or (b) to a child born following a twelve-consecutive-month period of discontinued benefits by the caretaker relative.

(2) TANF benefits in Mississippi shall be provided to the recipient family by an online electronic benefits transfer system.

(3) The Department of Human Services shall deny TANF benefits to the following categories of individuals, except for individuals and families specifically exempt or excluded for good cause as allowed by federal statute or regulation:

(a) Families without a minor child residing with the custodial parent or other adult caretaker relative of the child;

(b) Families which include an adult who has received TANF assistance for sixty (60) months after the commencement of the Mississippi TANF program, whether or not such period of time is consecutive;

(c) Families not assigning to the state any rights a family member may have, on behalf of the family member or of any other person for whom the family member has applied for or is receiving such assistance, to support from any other person, as required by law;

(d) Families who fail to cooperate in establishing paternity or obtaining child support, as required by law;

(e) Any individual who has not attained eighteen (18) years of age, is not married to the head of household, has a minor child at least twelve (12) weeks of age in his or her care, and has not successfully completed a high school education or its equivalent, if such individual does not participate in educational activities directed toward the attainment of a high school diploma or its equivalent, or an alternative educational or training program approved by the department;

(f) Any individual who has not attained eighteen (18) years of age, is not married, has a minor child in his or her care, and does not reside in a place or residence maintained by a parent, legal guardian or other adult relative or the individual as such parent's, guardian's or adult relative's own home;

(g) Any minor child who has been, or is expected by a parent or other caretaker relative of the child to be, absent from the home for a period of more than thirty (30) days;

(h) Any individual who is a parent or other caretaker relative of a minor child who fails to notify the department of the absence of the minor child from the home for the thirty-day period specified in paragraph (g), by the end of the five-day period that begins with the date that it becomes clear to the individual that the minor child will be absent for the thirty-day period;

(i) Any individual who fails to comply with the provisions of the Employability Development Plan signed by the individual which prescribe those activities designed to help the individual become and remain employed, or to participate satisfactorily in the assigned work activity, as authorized under subsection (6)(c) and (d), or who does not

engage in applicant job search activities within the thirty-day period for TANF application approval after receiving the advice and consultation of eligibility workers and/or caseworkers of the department providing a detailed description of available job search venues in the individual's county of residence or the surrounding counties;

(j) A parent or caretaker relative who has not engaged in an allowable work activity once the department determines the parent or caretaker relative is ready to engage in work, or once the parent or caretaker relative has received TANF assistance under the program for twenty-four (24) months, whether or not consecutive, whichever is earlier;

(k) Any individual who is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the jurisdiction from which the individual flees, for a crime, or an attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or who is violating a condition of probation or parole imposed under federal or state law;

(l) Aliens who are not qualified under federal law;

(m) For a period of ten (10) years following conviction, individuals convicted in federal or state court of having made a fraudulent statement or representation with respect to the individual's place of residence in order to receive TANF, food stamps or Supplemental Security Income (SSI) assistance under Title XVI or Title XIX simultaneously from two (2) or more states;

(n) Individuals who are recipients of federal Supplemental Security Income (SSI) assistance; and

(o) Individuals who are eighteen (18) years of age or older who are not in compliance with the drug testing and substance use disorder treatment requirements of Section 43-17-6.

(4) (a) Any person who is otherwise eligible for TANF benefits, including custodial and noncustodial parents, shall be required to attend school and meet the monthly attendance requirement as provided in this subsection if all of the following apply:

(i) The person is under age twenty (20);

(ii) The person has not graduated from a public or private high school or obtained a High School Equivalency Diploma equivalent;

(iii) The person is physically able to attend school and is not excused from attending school; and

(iv) If the person is a parent or caretaker relative with whom a dependent child is living, child care is available for the child.

The monthly attendance requirement under this subsection shall be attendance at the school in which the person is enrolled for each day during a month that the school conducts classes in which the person is enrolled, with not more than two (2) absences during the month for reasons other than the reasons listed in paragraph (e)(iv) of this subsection. Persons who fail to meet participation requirements in this subsection shall be subject to sanctions as provided in paragraph (f) of this subsection.

(b) As used in this subsection, "school" means any one (1) of the following:

(i) A school as defined in Section 37-13-91(2);

(ii) A vocational, technical and adult education program; or

(iii) A course of study meeting the standards established by the State Department of Education for the granting of a declaration of equivalency of high school graduation.

(c) If any compulsory-school-age child, as defined in Section 37-13-91(2), to which TANF eligibility requirements apply is not in compliance with the compulsory school attendance requirements of Section 37-13-91(6), the superintendent of schools of the school district in which the child is enrolled or eligible to attend shall notify the county department of human services of the child's noncompliance. The Department of Human Services shall review school attendance information as provided under this paragraph at all initial eligibility determinations and upon subsequent report of unsatisfactory attendance.

(d) The signature of a person on an application for TANF benefits constitutes permission for the release of school attendance records for that person or for any child residing with that person. The department shall request information from the child's school district about the child's attendance in the school district's most recently completed semester of attendance. If information about the child's previous school attendance is not available or cannot be verified, the department shall require the child to meet the monthly attendance requirement for one (1) semester or until the information is obtained. The department shall use the attendance information provided by a school district to verify attendance for a child. The department shall review with the parent or caretaker relative a child's claim that he or she has a good cause for not attending school.

A school district shall provide information to the department about the attendance of a child who is enrolled in a public school in the district within five (5) working days of the receipt of a written request for that information from the department. The school district shall define how many hours of attendance count as a full day and shall provide that information, upon request, to the department. In reporting attendance, the school district may add partial days' absence together to constitute a full day's absence.

If a school district fails to provide to the department the information about the school attendance of any child within fifteen (15) working days after a written request, the department shall notify the Department of Audit within three (3) working days of the school district's failure to comply with that requirement. The Department of Audit shall begin audit proceedings within five (5) working days of notification by the Department of Human Services to determine the school district's compliance with the requirements of this subsection (4). If the Department of Audit finds that the school district is not in compliance with the requirements of this subsection, the school district shall be penalized as follows: The Department of Audit shall notify the State Department of Education of the school district's noncompliance, and the Department of Education shall reduce the calculation of the school district's average daily attendance (ADA) that is used to determine the allocation of Mississippi Adequate Education Program funds by the number of children for which the district has failed to provide to the Department of Human Services the required information about the school attendance of those children. The reduction in the calculation of the school district's ADA under this paragraph shall be effective for a period of one (1) year.

(e) A child who is required to attend school to meet the requirements under this subsection shall comply except when there is good cause, which shall be demonstrated by any of the following circumstances:

(i) The minor parent is the caretaker of a child less than twelve (12) weeks old; or

(ii) The department determines that child care services are necessary for the minor parent to attend school and there is no child care available; or

(iii) The child is prohibited by the school district from attending school and an expulsion is pending. This exemption no longer applies once the teenager has been expelled; however, a teenager who has been expelled and is making satisfactory progress towards obtaining a High School Equivalency Diploma equivalent shall be eligible for TANF benefits; or

(iv) The child failed to attend school for one or more of the following reasons:

1. Illness, injury or incapacity of the child or the minor parent's child;
2. Court-required appearances or temporary incarceration;
3. Medical or dental appointments for the child or minor parent's child;
4. Death of a close relative;
5. Observance of a religious holiday;
6. Family emergency;
7. Breakdown in transportation;
8. Suspension; or
9. Any other circumstance beyond the control of the child, as defined in regulations of the department.

(f) Upon determination that a child has failed without good cause to attend school as required, the department shall provide written notice to the parent or caretaker relative (whoever is the primary recipient of the TANF benefits) that specifies:

(i) That the family will be sanctioned in the next possible payment month because the child who is required to attend school has failed to meet the attendance requirement of this subsection;

(ii) The beginning date of the sanction, and the child to whom the sanction applies;

(iii) The right of the child's parents or caretaker relative (whoever is the primary recipient of the TANF benefits) to request a fair hearing under this subsection.

The child's parent or caretaker relative (whoever is the primary recipient of the TANF benefits) may request a fair hearing on the department's determination that the child has not been attending school. If the child's parents or caretaker relative does not request a fair hearing under this subsection, or if, after a fair hearing has been held, the hearing officer finds that the child without good cause has failed to meet the monthly attendance requirement, the department shall discontinue or deny TANF benefits to the child thirteen (13) years old, or older, in the next possible payment month. The department shall discontinue or deny twenty-five percent (25%) of the family grant when a child six (6) through twelve (12) years of age without good cause has failed to meet the monthly attendance requirement. Both the child and family sanction may apply when children in both age groups fail to meet the attendance requirement without good cause. A sanction applied under this subsection shall be effective for one (1) month for each month that the child failed to meet the monthly attendance requirement. In the case of a dropout, the sanction shall remain in force until the parent or caretaker relative provides written proof from the school district that the child has reenrolled and met the monthly attendance

requirement for one (1) calendar month. Any month in which school is in session for at least ten (10) days during the month may be used to meet the attendance requirement under this subsection. This includes attendance at summer school. The sanction shall be removed the next possible payment month.

(5) All parents or caretaker relatives shall have their dependent children receive vaccinations and booster vaccinations against those diseases specified by the State Health Officer under Section 41-23-37 in accordance with the vaccination and booster vaccination schedule prescribed by the State Health Officer for children of that age, in order for the parents or caretaker relatives to be eligible or remain eligible to receive TANF benefits. Proof of having received such vaccinations and booster vaccinations shall be given by presenting the certificates of vaccination issued by any health care provider licensed to administer vaccinations, and submitted on forms specified by the State Board of Health. If the parents without good cause do not have their dependent children receive the vaccinations and booster vaccinations as required by this subsection and they fail to comply after thirty (30) days' notice, the department shall sanction the family's TANF benefits by twenty-five percent (25%) for the next payment month and each subsequent payment month until the requirements of this subsection are met.

(6) (a) If the parent or caretaker relative applying for TANF assistance is work eligible, as determined by the Department of Human Services, the person shall be required to engage in an allowable work activity once the department determines the parent or caretaker relative is determined work eligible, or once the parent or caretaker relative has received TANF assistance under the program for twenty-four (24) months, whether or not consecutive, whichever is earlier. No TANF benefits shall be given to any person to whom this section applies who fails without good cause to comply with the Employability Development Plan prepared by the department for the person, or who has refused to accept a referral or offer of employment, training or education in which he or she is able to engage, subject to the penalties prescribed in paragraph (e) of this subsection. A person shall be deemed to have refused to accept a referral or offer of employment, training or education if he or she:

(i) Willfully fails to report for an interview with respect to employment when requested to do so by the department; or

(ii) Willfully fails to report to the department the result of a referral to employment; or

(iii) Willfully fails to report for allowable work activities as prescribed in paragraphs (c) and (d) of this subsection.

(b) The Department of Human Services shall operate a statewide work program for TANF recipients to provide work activities and supportive services to enable families to become self-sufficient and improve their competitive position in the workforce in accordance with the requirements of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), as amended, and the regulations promulgated thereunder, and the Deficit Reduction Act of 2005 (Public Law 109-171), as amended. Within sixty (60) days after the initial application for TANF benefits, the TANF recipient must participate in a job search skills training workshop or a job readiness program, which shall include resume writing, job search skills, employability skills and, if available at no charge, the General Aptitude Test Battery or its equivalent. All adults who are not specifically exempt shall be referred by the department for allowable work activities. An adult may be exempt from the mandatory work activity requirement for the following reasons:

(i) Incapacity;

(ii) Temporary illness or injury, verified by physician's certificate;

(iii) Is in the third trimester of pregnancy, and there are complications verified by the certificate of a physician, nurse practitioner, physician assistant, or any other licensed health care professional practicing under a protocol with a licensed physician;

(iv) Caretaker of a child under twelve (12) months, for not more than twelve (12) months of the sixty-month maximum benefit period;

(v) Caretaker of an ill or incapacitated person, as verified by physician's certificate;

(vi) Age, if over sixty (60) or under eighteen (18) years of age;

(vii) Receiving treatment for substance abuse, if the person is in compliance with the substance abuse treatment plan;

(viii) In a two-parent family, the caretaker of a severely disabled child, as verified by a physician's certificate; or

(ix) History of having been a victim of domestic violence, which has been reported as required by state law and is substantiated by police reports or court records, and being at risk of further domestic violence, shall be exempt for a period as deemed necessary by the department but not to exceed a total of twelve (12) months, which need not be consecutive, in the sixty-month maximum benefit period. For the purposes of this subparagraph (ix), "domestic violence" means that an individual has been subjected to:

1. Physical acts that resulted in, or threatened to result in, physical injury to the individual;

2. Sexual abuse;

3. Sexual activity involving a dependent child;

4. Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;

5. Threats of, or attempts at, physical or sexual abuse;

6. Mental abuse; or

7. Neglect or deprivation of medical care.

(c) For all families, all adults who are not specifically exempt shall be required to participate in work activities for at least the minimum average number of hours per week specified by federal law or regulation, not fewer than twenty (20) hours per week (thirty-five (35) hours per week for two-parent families) of which are attributable to the following allowable work activities:

(i) Unsubsidized employment;

(ii) Subsidized private employment;

(iii) Subsidized public employment;

(iv) Work experience (including work associated with the refurbishing of publicly assisted housing), if sufficient private employment is not available;

(v) On-the-job training;

(vi) Job search and job readiness assistance consistent with federal TANF regulations;

(vii) Community service programs;

(viii) Vocational educational training (not to exceed twelve (12) months with respect to any individual);

(ix) The provision of child care services to an individual who is participating in a community service program;

(x) Satisfactory attendance at high school or in a course of study leading to a high school equivalency certificate, for heads of household under age twenty (20) who have not completed high school or received such certificate;

(xi) Education directly related to employment, for heads of household under age twenty (20) who have not completed high school or received such equivalency certificate.

(d) The following are allowable work activities which may be attributable to hours in excess of the minimum specified in paragraph (c) of this subsection:

(i) Job skills training directly related to employment;

(ii) Education directly related to employment for individuals who have not completed high school or received a high school equivalency certificate;

(iii) Satisfactory attendance at high school or in a course of study leading to a high school equivalency, for individuals who have not completed high school or received such equivalency certificate;

(iv) Job search and job readiness assistance consistent with federal TANF regulations.

(e) If any adult or caretaker relative refuses to participate in allowable work activity as required under this subsection (6), the following full family TANF benefit penalty will apply, subject to due process to include notification, conciliation and a hearing if requested by the recipient:

(i) For the first violation, the department shall terminate the TANF assistance otherwise payable to the family for a two-month period or until the person has complied with the required work activity, whichever is longer;

(ii) For the second violation, the department shall terminate the TANF assistance otherwise payable to the family for a six-month period or until the person has complied with the required work activity, whichever is longer;

(iii) For the third violation, the department shall terminate the TANF assistance otherwise payable to the family for a twelve-month period or until the person has complied with the required work activity, whichever is longer;

(iv) For the fourth violation, the person shall be permanently disqualified.

For a two-parent family, unless prohibited by state or federal law, Medicaid assistance shall be terminated only for the person whose failure to participate in allowable work activity caused the family's TANF assistance to be sanctioned under this paragraph (e), unless an individual is pregnant, but shall not be terminated for any other person in



the family who is meeting that person's applicable work requirement or who is not required to work. Minor children shall continue to be eligible for Medicaid benefits regardless of the disqualification of their parent or caretaker relative for TANF assistance under this subsection (6), unless prohibited by state or federal law.

(f) Any person enrolled in a two-year or four-year college program who meets the eligibility requirements to receive TANF benefits, and who is meeting the applicable work requirements and all other applicable requirements of the TANF program, shall continue to be eligible for TANF benefits while enrolled in the college program for as long as the person meets the requirements of the TANF program, unless prohibited by federal law.

(g) No adult in a work activity required under this subsection (6) shall be employed or assigned (i) when any other individual is on layoff from the same or any substantially equivalent job within six (6) months before the date of the TANF recipient's employment or assignment; or (ii) if the employer has terminated the employment of any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy so created with an adult receiving TANF assistance. The Mississippi Department of Employment Security, established under Section 71-5-101, shall appoint one or more impartial hearing officers to hear and decide claims by employees of violations of this paragraph (g). The hearing officer shall hear all the evidence with respect to any claim made hereunder and such additional evidence as he may require and shall make a determination and the reason therefor. The claimant shall be promptly notified of the decision of the hearing officer and the reason therefor. Within ten (10) days after the decision of the hearing officer has become final, any party aggrieved thereby may secure judicial review thereof by commencing an action, in the circuit court of the county in which the claimant resides, against the department for the review of such decision, in which action any other party to the proceeding before the hearing officer shall be made a defendant. Any such appeal shall be on the record which shall be certified to the court by the department in the manner provided in Section 71-5-531, and the jurisdiction of the court shall be confined to questions of law which shall render its decision as provided in that section.

(7) The Department of Human Services may provide child care for eligible participants who require such care so that they may accept employment or remain employed. The department may also provide child care for those participating in the TANF program when it is determined that they are satisfactorily involved in education, training or other allowable work activities. The department may contract with Head Start agencies to provide child care services to TANF recipients. The department may also arrange for child care by use of contract or vouchers, provide vouchers in advance to a caretaker relative, reimburse a child care provider, or use any other arrangement deemed appropriate by the department, and may establish different reimbursement rates for child care services depending on the category of the facility or home. Any center-based or group home child care facility under this subsection shall be licensed by the State Department of Health pursuant to law. When child care is being provided in the child's own home, in the home of a relative of the child, or in any other unlicensed setting, the provision of such child care may be monitored on a random basis by the Department of Human Services or the State Department of Health. Transitional child care assistance may be continued if it is necessary for parents to maintain employment once support has ended, unless prohibited under state or federal law. Transitional child care assistance may be provided for up to twenty-four (24) months after the last month during which the family was eligible for TANF assistance, if federal funds are available for such child care assistance.

(8) The Department of Human Services may provide transportation or provide reasonable reimbursement for transportation expenses that are necessary for individuals to be able to participate in allowable work activity under the TANF program.

(9) Medicaid assistance shall be provided to a family of TANF program participants for up to twenty-four (24) consecutive calendar months following the month in which the participating family would be ineligible for TANF benefits because of increased income, expiration of earned income disregards, or increased hours of employment of the caretaker relative; however, Medicaid assistance for more than twelve (12) months may be provided only if a federal waiver is obtained to provide such assistance for more than twelve (12) months and federal and state funds are available to provide such assistance.

(10) The department shall require applicants for and recipients of public assistance from the department to sign a personal responsibility contract that will require the applicant or recipient to acknowledge his or her responsibilities to the state.

(11) The department shall enter into an agreement with the State Personnel Board and other state agencies that will allow those TANF participants who qualify for vacant jobs within state agencies to be placed in state jobs. State agencies participating in the TANF work program shall receive any and all benefits received by employers in the private sector for hiring TANF recipients. This subsection (11) shall be effective only if the state obtains any necessary federal waiver or approval and if federal funds are available therefor. Not later than September 1, 2021, the department shall prepare a report, which shall be provided to the Chairmen of the House and Senate Public Health Committees and to any other member of the Legislature upon request, on the history, status, outcomes and effectiveness of the agreements required under this subsection.

(12) Any unspent TANF funds remaining from the prior fiscal year may be expended for any TANF allowable activities.

(13) The Mississippi Department of Human Services shall provide TANF applicants information and referral to programs that provide information about birth control, prenatal health care, abstinence education, marriage education, family preservation and fatherhood. Not later than September 1, 2021, the department shall prepare a report, which shall be provided to the Chairmen of the House and Senate Public Health Committees and to any other member of the Legislature upon request, on the history, status, outcomes and effectiveness of the information and referral requirements under this subsection.

(14) No new TANF program requirement or restriction affecting a person's eligibility for TANF assistance, or allowable work activity, which is not mandated by federal law or regulation may be implemented by the Department of Human Services after July 1, 2004, unless such is specifically authorized by an amendment to this section by the Legislature.

SECTION 52. Section 43-19-45, Mississippi Code of 1972, is reenacted as follows:

43-19-45. (1) The Child Support Unit shall establish a state parent locator service for the purpose of locating absent and nonsupporting parents and alleged parents, which will utilize all appropriate public and private locator sources. In order to carry out the responsibilities imposed under Sections 43-19-31 through 43-19-53, the Child Support Unit may secure, by administrative subpoena from the customer records of public utilities and cable television companies, the names and addresses of individuals and the names and addresses of employers of such individuals that would enable the location of parents or alleged parents who have a duty to provide support and maintenance for their children. The Child Support Unit may also administratively subpoena any and all financial information, including account numbers, names and social security numbers of record for assets, accounts, and account balances from any individual, financial institution, business or other entity, public or private, needed to establish, modify or enforce a support order. No entity complying with an administrative subpoena to supply the requested information of whatever nature shall be liable in any civil action or proceeding on account of such compliance. Full faith and credit shall be given to all uniform administrative subpoenas issued by other state child support units. The recipient of an administrative subpoena shall supply the Child Support Unit, other state and federal IV-D agencies, its attorneys,

investigators, probation officers, county or district attorneys in this state, all information relative to the location, employment, employment-related benefits including, but not limited to, availability of medical insurance, income and property of such parents and alleged parents and with all information on hand relative to the location and prosecution of any person who has, by means of a false statement or misrepresentation or by impersonation or other fraudulent device, obtained Temporary Assistance for Needy Families (TANF) to which he or she was not entitled, notwithstanding any provision of law making such information confidential. The Mississippi Department of Information Technology Services and any other agency in this state using the facilities of the Mississippi Department of Information Technology Services are directed to permit the Child Support Unit access to their files, inclusive of those maintained for other state agencies, for the purpose of locating absent and nonsupporting parents and alleged parents, except to the extent that any such access would violate any valid federal statute or regulation issued pursuant thereto. The Child Support Unit, other state and federal IV-D agencies, its attorneys, investigators, probation officers, or county or district attorneys, shall use such information only for the purpose of investigating or enforcing the support liability of such absent parents or alleged parents or for the prosecution of other persons mentioned herein. Neither the Child Support Unit nor those authorities shall use the information, or disclose it, for any other purpose. All records maintained pursuant to the provisions of Sections 43-19-31 through 43-19-53 shall be confidential and shall be available only to the Child Support Unit, other state and federal IV-D agencies, the attorneys, investigators and other staff employed or under contract under Sections 43-19-31 through 43-19-53, district or county attorneys, probation departments, child support units in other states, and courts having jurisdiction in paternity, support or abandonment proceedings. The Child Support Unit may release to the public the name, photo, last-known address, arrearage amount and other necessary information of a parent who has a judgment against him for child support and is currently in arrears in the payment of this support. Such release may be included in a "Most Wanted List" or other media in order to solicit assistance.

(2) The Child Support Unit shall have the authority to secure information from the records of the Mississippi Department of Employment Security that may be necessary to locate absent and nonsupporting parents and alleged parents under the provisions of Sections 43-19-31 through 43-19-53. Upon request of the Child Support Unit, all departments, boards, bureaus and agencies of the state shall provide to the Child Support Unit verification of employment or payment and the address and social security number of any person designated as an absent or nonsupporting parent or alleged parent. In addition, upon request of the Child Support Unit, the Mississippi Department of Employment Security, or any private employer or payor of any income to a person designated as an absent or nonsupporting parent or alleged parent, shall provide to the Child Support Unit verification of employment or payment and the address and social security number of the person so designated. Full faith and credit shall be given to such notices issued by child support units in other states. All such records and information shall be confidential and shall not be used for any purposes other than those specified by Sections 43-19-31 through 43-19-53. The violation of the provisions of this subsection shall be unlawful and any person convicted of violating the provisions of this subsection shall be guilty of a misdemeanor and shall pay a fine of not more than Two Hundred Dollars (\$200.00).

(3) Federal and state IV-D agencies shall have access to the state parent locator service and any system used by the Child Support Unit to locate an individual for purposes relating to motor vehicles or law enforcement. No employer or other source of income who complies with this section shall be liable in any civil action or proceeding brought by the obligor or obligee on account of such compliance.

SECTION 53. Section 43-19-46, Mississippi Code of 1972, is reenacted as follows:

43-19-46. (1) Each employer paying wages, salary or commission and doing business in Mississippi shall report to the Directory of New Hires within the Mississippi Department of Human Services:

(a) The hiring of any person who resides or works in this state to whom the employer anticipates paying wages, salary or commission; and

(b) The hiring or return to work of any employee who was laid off, furloughed, separated, granted leave without pay or was terminated from employment.

(2) Employers shall report, by mailing or by other means authorized by the Department of Human Services, a copy of the employee's W-4 form or its equivalent that will result in timely reporting. Each employer shall submit reports within fifteen (15) days of the hiring, rehiring or return to work of the employee. The report shall contain:

(a) The employee's name, address, social security number and the date of birth;

(b) The employer's name, address, and federal and state withholding tax identification numbers; and

(c) The date upon which the employee began or resumed employment, or is scheduled to begin or otherwise resume employment.

(3) The department shall retain the information, which shall be forwarded to the federal registry of new hires.

(4) The Department of Human Services may operate the program, may enter into a mutual agreement with the Mississippi Department of Employment Security or the Department of Revenue, or both, for the operation of the Directory of New Hires Program, or the Department of Human Services may contract for that service, in which case the department shall maintain administrative control of the program.

(5) In cases in which an employer fails to report information, as required by this section, an administratively levied civil penalty in an amount not to exceed Five Hundred Dollars (\$500.00) shall apply if the failure is the result of a conspiracy between the employer and employee to not supply the required report or to supply a false or incomplete report. The penalty shall otherwise not exceed Twenty-five Dollars (\$25.00). Appeal shall be as provided in Section 43-19-58.

SECTION 54. Section 57-62-5, Mississippi Code of 1972, is reenacted as follows:

[For businesses or industries that received or applied for incentive payments prior to July 1, 2005, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan

to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business;

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment;

(c) "Full-time job" means a job of at least thirty-five (35) hours per week;

(d) "Estimated direct state benefits" means the tax revenues projected by the MDA to accrue to the state as a result of the qualified business or industry;

(e) "Estimated direct state costs" means the costs projected by the MDA to accrue to the state as a result of the qualified business or industry;

(f) "Estimated net direct state benefits" means the estimated direct state benefits less the estimated direct state costs;

(g) "Net benefit rate" means the estimated net direct state benefits computed as a percentage of gross payroll, provided that:

(i) Except as otherwise provided in this paragraph (g), the net benefit rate may be variable and shall not exceed four percent (4%) of the gross payroll; and shall be set in the sole discretion of the MDA;

(ii) In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits;

(h) "Gross payroll" means wages for new direct jobs of the qualified business or industry; and

(i) "MDA" means the Mississippi Development Authority.

[For businesses or industries that received or applied for incentive payments from and after July 1, 2005, but prior to July 1, 2010, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which:

(i) Is a data/information processing enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred percent (100%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than two hundred (200) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than one hundred (100) new jobs if the

enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21);

(ii) Is a manufacturing or distribution enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, invests not less than Twenty Million Dollars (\$20,000,000.00) in land, buildings and equipment, and creates not less than fifty (50) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than twenty (20) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21);

(iii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than twenty-five (25) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than ten (10) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21). An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business; or

(iv) Is a research and development or a technology intensive enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than ten (10) new direct jobs.

An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business.

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment.

(c) "Full-time job" or "full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Estimated direct state benefits" means the tax revenues projected by the MDA to accrue to the state as a result of the qualified business or industry.

(e) "Estimated direct state costs" means the costs projected by the MDA to accrue to the state as a result of the qualified business or industry.

(f) "Estimated net direct state benefits" means the estimated direct state benefits less the estimated direct state costs.

(g) "Net benefit rate" means the estimated net direct state benefits computed as a percentage of gross payroll, provided that:

(i) Except as otherwise provided in this paragraph (g), the net benefit rate may be variable and shall not exceed four percent (4%) of the gross payroll; and shall be set in the sole discretion of the MDA;

(ii) In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits.

(h) "Gross payroll" means wages for new direct jobs of the qualified business or industry.

(i) "MDA" means the Mississippi Development Authority.

[For businesses or industries that apply for incentive payments from and after July 1, 2010, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which:

(i) Is a data/information processing enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred percent (100%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than two hundred (200) new direct jobs;

(ii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than twenty-five (25) new direct jobs; or

(iii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which is a manufacturer that:

1. Provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser;

2. Has a minimum of five thousand (5,000) existing employees as of the last day of the previous calendar year; and

3. MDA determines will create not less than three thousand (3,000) new direct jobs within forty-eight (48) months of the date the MDA determines that the applicant is qualified to receive incentive payments.

An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business, or any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state:

(i) Before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter.; or

(ii) Solely with respect to any farm equipment manufacturer that locates its North American headquarters to Mississippi between January 1, 2018, and December 31, 2020, before a specific date determined by the MDA that falls on or after the date that the MDA first issues to such farm equipment manufacturer one or more written commitments or offers of any incentives in connection with the new headquarters project and related facilities expected to result in the creation of such new job.

"New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment.

(c) "Full-time job" or "full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Gross payroll" means wages for new direct jobs of the qualified business or industry.

(e) "MDA" means the Mississippi Development Authority.

SECTION 55. Section 57-62-9, Mississippi Code of 1972, is reenacted as follows:

[For businesses or industries that received or applied for incentive payments prior to July 1, 2005, this section shall read as follows:]

57-62-9. (1) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of



Revenue pursuant to the provisions of this chapter in an amount which shall be equal to the net benefit rate multiplied by the actual gross payroll of new direct jobs for a calendar quarter as verified by the Mississippi Department of Employment Security, but not to exceed the amount of money previously paid into the fund by the employer. A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) In order to qualify to receive such payments, the establishment applying shall be required to:

(a) Be engaged in a qualified business or industry;

(b) Provide an average salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for this requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) The business or industry must create and maintain a minimum of ten (10) full-time jobs in counties that have an average unemployment rate over the previous twelve-month period which is at least one hundred fifty percent (150%) of the most recently published state unemployment rate, as determined by the Mississippi Department of Employment Security or in Tier Three counties as determined under Section 57-73-21. In all other counties, the business or industry must create and maintain a minimum of twenty-five (25) full-time jobs. The criteria for this requirement shall be based on the designation of the county at the time of the application. The threshold established upon the application will remain constant for the duration of the project. The business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) The MDA shall determine if the applicant is qualified to receive incentive payments. If the applicant is determined to be qualified by the MDA, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for a period not to exceed ten (10) years and to estimate the amount of gross payroll for the period. If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for the appropriate additional period and to estimate the amount of gross payroll for the additional period. In conducting such cost/benefit analysis, the MDA shall consider quantitative factors, such as the anticipated level of new tax revenues to the state along with the cost to the state of the qualified business or industry, and such other criteria as deemed appropriate by the MDA, including the adequacy of retirement benefits that the business or industry provides to individuals it employs in new direct jobs in this state. In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the estimated net direct state benefits. The Department of Revenue may require the qualified business

or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax rates in Section 27-7-5 that were in effect before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment," as such term is used in this chapter, shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

[For businesses or industries that received or applied for incentive payments from and after July 1, 2005, but prior to July 1, 2010, this section shall read as follows:]

57-62-9. (1) (a) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to the net benefit rate multiplied by the actual gross payroll of new direct jobs for a calendar quarter as verified by the Mississippi Department of Employment Security, but not to exceed:

(i) Ninety percent (90%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred seventy-five percent (175%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser;

(ii) Eighty percent (80%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) but less than one hundred seventy-five percent (175%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located

as determined by the Mississippi Department of Employment Security, whichever is the lesser; or

(iii) Seventy percent (70%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of less than one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be

based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) (a) In order to qualify to receive such payments, the establishment applying shall be required to meet the definition of the term "qualified business or industry";

(b) The criteria for the average annual salary requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) The business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) (a) The MDA shall determine if the applicant is qualified to receive incentive payments.

(b) If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for the appropriate additional period and to estimate the amount of gross payroll for the additional period. In conducting such cost/benefit analysis, the MDA shall consider quantitative factors, such as the anticipated level of new tax revenues to the state along with the cost to the state of the qualified business or industry, and such other criteria as deemed appropriate by the MDA, including the adequacy of retirement benefits that the business or industry provides to individuals it employs in new direct jobs in this state. In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the estimated net direct state benefits. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax rates in Section 27-7-5 that were in effect before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment," as such term is used in this chapter, shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

[For businesses or industries that apply for incentive payments from and after July 1, 2010, this section shall read as follows:]

57-62-9. (1) (a) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to ninety percent (90%) of the amount of actual income tax withheld for employees with new direct jobs, but in no event more than four percent (4%) of the total annual salary paid for new direct jobs during such period, excluding benefits which are not subject to Mississippi income taxes.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(c) A qualified business or industry as defined in Section 57-62-5(a)(iii) may elect the date upon which the ten-year period will begin and may elect to begin receiving incentive payments as early as the second quarter after that date. Incentive payments will be calculated on all jobs above the existing number of jobs as of the date the MDA determines that the applicant is qualified to receive incentive payments. In the event that the qualified business or industry falls below the number of existing jobs at the time of determination that the applicant is qualified to receive the incentive payment, the incentive payment shall cease until the qualified business or industry once again exceeds that number. If after forty-eight (48) months, the qualified business or industry has failed to create at least three thousand (3,000) new direct jobs, incentive payments shall cease and the qualified business or industry shall not be qualified to receive further incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)<sup>1</sup> and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) (a) In order to qualify to receive such payments, the establishment applying shall be required to meet the definition of the term "qualified business or industry";

(b) The criteria for the average annual salary requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) Except as otherwise provided for a qualified business or industry as defined in Section 57-62-5(a)(iii), the business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) (a) The MDA shall determine if the applicant is qualified to receive incentive payments.

(b) If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct an analysis to estimate the amount of gross payroll for the appropriate additional period. Incentive payments, cumulatively, shall not exceed ninety percent (90%) of the amount of actual income tax withheld for employees with new direct jobs, but in no event more than four percent (4%) of the total annual salary paid for new direct jobs during the additional period, excluding benefits which are not subject to Mississippi income taxes. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the minimum job and salary requirements. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax rates in Section 27-7-5 that were in effect before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment," as such term is used in this chapter, shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.



SECTION 56. Section 57-75-5, Mississippi Code of 1972, is reenacted as follows:

57-75-5. Words and phrases used in this chapter shall have meanings as follows, unless the context clearly indicates a different meaning:

(a) "Act" means the Mississippi Major Economic Impact Act as originally enacted or as hereafter amended.

(b) "Authority" means the Mississippi Major Economic Impact Authority created pursuant to the act.

(c) "Bonds" means general obligation bonds, interim notes and other evidences of debt of the State of Mississippi issued pursuant to this chapter.

(d) "Facility related to the project" means and includes any of the following, as the same may pertain to the project within the project area: (i) facilities to provide potable and industrial water supply systems, sewage and waste disposal systems and water, natural gas and electric transmission systems to the site of the project; (ii) airports, airfields and air terminals; (iii) rail lines; (iv) port facilities; (v) highways, streets and other roadways; (vi) public school buildings, classrooms and instructional facilities, training facilities and equipment, including any functionally related facilities; (vii) parks, outdoor recreation facilities and athletic facilities; (viii) auditoriums, pavilions, campgrounds, art centers, cultural centers, folklore centers and other public facilities; (ix) health care facilities, public or private; and (x) fire protection facilities, equipment and elevated water tanks.

(e) "Person" means any natural person, corporation, association, partnership, limited liability company, receiver, trustee, guardian, executor, administrator, fiduciary, governmental unit, public agency, political subdivision, or any other group acting as a unit, and the plural as well as the singular.

(f) "Project" means:

(i) Any industrial, commercial, research and development, warehousing, distribution, transportation, processing, mining, United States government or tourism enterprise together with all real property required for construction, maintenance and operation of the enterprise with an initial capital investment of not less than Three Hundred Million Dollars (\$300,000,000.00) from private or United States government sources together with all buildings, and other supporting land and facilities, structures or improvements of whatever kind required or useful for construction, maintenance and operation of the enterprise; or with an initial capital investment of not less than One Hundred Fifty Million Dollars (\$150,000,000.00) from private or United States government sources together with all buildings and other supporting land and facilities, structures or improvements of whatever kind required or useful for construction, maintenance and operation of the enterprise and which creates at least one thousand (1,000) net new full-time jobs; or which creates at least one thousand (1,000) net new full-time jobs which provides an average salary, excluding benefits which are not subject to Mississippi income taxation, of at least one hundred twenty-five percent (125%) of the most recently published average annual wage of the state as determined by the Mississippi Department of Employment Security. "Project" shall include any addition to or expansion of an existing enterprise if such addition or expansion has an initial capital investment of not less than Three Hundred Million Dollars (\$300,000,000.00) from private or United States government sources, or has an initial capital investment of not less than One Hundred Fifty Million Dollars (\$150,000,000.00) from private or United States government sources together with all buildings and other supporting land and facilities, structures or improvements of whatever kind required or useful for construction, maintenance and operation of the enterprise and which creates at least one thousand (1,000) net new full-time jobs; or which creates at least one thousand (1,000) net new full-time jobs which

provides an average salary, excluding benefits which are not subject to Mississippi income taxation, of at least one hundred twenty-five percent (125%) of the most recently published average annual wage of the state as determined by the Mississippi Department of Employment Security. "Project" shall also include any ancillary development or business resulting from the enterprise, of which the authority is notified, within three (3) years from the date that the enterprise entered into commercial production, that the project area has been selected as the site for the ancillary development or business.

(ii) 1. Any major capital project designed to improve, expand or otherwise enhance any active duty or reserve United States armed services bases and facilities or any major Mississippi National Guard training installations, their support areas or their military operations, upon designation by the authority that any such base was or is at risk to be recommended for closure or realignment pursuant to the Defense Base Closure and Realignment Act of 1990, as amended, or other applicable federal law; or any major development project determined by the authority to be necessary to acquire or improve base properties and to provide employment opportunities through construction of projects as defined in Section 57-3-5, which shall be located on or provide direct support service or access to such military installation property in the event of closure or reduction of military operations at the installation.

2. Any major study or investigation related to such a facility, installation or base, upon a determination by the authority that the study or investigation is critical to the expansion, retention or reuse of the facility, installation or base.

3. Any project as defined in Section 57-3-5, any business or enterprise determined to be in the furtherance of the public purposes of this act as determined by the authority or any facility related to such project each of which shall be, directly or indirectly, related to any military base or other military-related facility no longer operated by the United States armed services or the Mississippi National Guard.

(iii) Any enterprise to be maintained, improved or constructed in Tishomingo County by or for a National Aeronautics and Space Administration facility in such county.

(iv) 1. Any major capital project with an initial capital investment from private sources of not less than Seven Hundred Fifty Million Dollars (\$750,000,000.00) which will create at least three thousand (3,000) jobs meeting criteria established by the Mississippi Development Authority.

2. "Project" shall also include any ancillary development or business resulting from an enterprise operating a project as defined in item 1 of this paragraph (f)(iv), of which the authority is notified, within three (3) years from the date that the enterprise entered into commercial production, that the state has been selected as the site for the ancillary development or business.

(v) Any manufacturing, processing or industrial project determined by the authority, in its sole discretion, to contribute uniquely and significantly to the economic growth and development of the state, and which meets the following criteria:

1. The project shall create at least two thousand (2,000) net new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law.

2. The project and any facility related to the project shall include a total investment from private sources of not less than Sixty Million Dollars (\$60,000,000.00), or from any combination of sources of not less than Eighty Million Dollars (\$80,000,000.00).

(vi) Any real property owned or controlled by the National Aeronautics and Space Administration, the United States government, or any agency thereof, which is legally conveyed to the State of Mississippi or to the State of Mississippi for the benefit of the Mississippi Major Economic Impact Authority, its successors and assigns pursuant to Section 212 of Public Law 104-99, enacted January 26, 1996 (110 Stat. 26 at 38).

(vii) Any major capital project related to the establishment, improvement, expansion and/or other enhancement of any active duty military installation and having a minimum capital investment from any source or combination of sources other than the State of Mississippi of at least Forty Million Dollars (\$40,000,000.00), and which will create at least four hundred (400) military installation related full-time jobs, which jobs may be military jobs, civilian jobs or a combination of military and civilian jobs. The authority shall require that binding commitments be entered into requiring that the minimum requirements for the project provided for in this subparagraph shall be met not later than July 1, 2008.

(viii) Any major capital project with an initial capital investment from any source or combination of sources of not less than Ten Million Dollars (\$10,000,000.00) which will create at least eighty (80) full-time jobs which provide an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred thirty-five percent (135%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(ix) Any regional retail shopping mall with an initial capital investment from private sources in excess of One Hundred Fifty Million Dollars (\$150,000,000.00), with a square footage in excess of eight hundred thousand (800,000) square feet, which will create at least seven hundred (700) full-time jobs with an average hourly wage of Eleven Dollars (\$11.00) per hour. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(x) Any major capital project with an initial capital investment from any source or combination of sources of not less than Seventy-five Million Dollars (\$75,000,000.00) which will create at least one hundred twenty-five (125) full-time jobs which provide an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred thirty-five percent (135%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located as determined by the Mississippi Department of Employment Security, whichever is the greater. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xi) Any potential major capital project that the authority has determined is feasible to recruit.

(xii) Any project built according to the specifications and federal provisions set forth by the National Aeronautics and Space Administration Center Operations Directorate at Stennis Space Center for the purpose of consolidating common services from National Aeronautics and Space Administration centers in human resources, procurement, financial management and information technology located on land owned or controlled by the National Aeronautics and Space Administration, which will create at least four hundred seventy (470) full-time jobs.

(xiii) Any major capital project with an initial capital investment from any source or combination of sources of not less than Ten Million Dollars (\$10,000,000.00) which will create at least two hundred fifty (250) full-time jobs. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xiv) Any major pharmaceutical facility with a capital investment of not less than Fifty Million Dollars (\$50,000,000.00) made after July 1, 2002, through four (4) years after the initial date of any loan or grant made by the authority for such project, which will maintain at least seven hundred fifty (750) full-time employees. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xv) Any pharmaceutical manufacturing, packaging and distribution facility with an initial capital investment from any local or federal sources of not less than Five Hundred Thousand Dollars (\$500,000.00) which will create at least ninety (90) full-time jobs. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xvi) Any major industrial wood processing facility with an initial capital investment of not less than One Hundred Million Dollars (\$100,000,000.00) which will create at least one hundred twenty-five (125) full-time jobs which provide an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least Thirty Thousand Dollars (\$30,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xvii) Any technical, engineering, manufacturing-logistic service provider with an initial capital investment of not less than One Million Dollars (\$1,000,000.00) which will create at least ninety (90) full-time jobs. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xviii) Any major capital project with an initial capital investment from any source or combination of sources other than the State of Mississippi of not less than Six Hundred Million Dollars (\$600,000,000.00) which will create at least four hundred fifty (450) full-time jobs with an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least Seventy Thousand Dollars (\$70,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xix) Any major coal and/or petroleum coke gasification project with an initial capital investment from any source or combination of sources other than the State of Mississippi of not less than Eight Hundred Million Dollars (\$800,000,000.00), which will create at least two hundred (200) full-time jobs with an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least Forty-five Thousand Dollars (\$45,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xx) Any planned mixed use development located on not less than four thousand (4,000) acres of land that will consist of commercial, recreational, resort, tourism and residential development with a capital investment from private sources of not less than Four Hundred Seventy-five Million Dollars (\$475,000,000.00) in the aggregate in any one (1) or any combination of tourism projects that will create at least three thousand five hundred (3,500) jobs in the aggregate. For the purposes of this paragraph (f)(xx), the term "tourism project" means and has the same definition as that term has in Section 57-28-1. In order to meet the minimum capital investment required under this paragraph (f)(xx), at least Two Hundred Thirty-seven Million Five Hundred Thousand Dollars (\$237,500,000.00) of such investment must be made not later than June 1, 2015, and the remainder of the minimum capital investment must be made not later than June 1, 2017. In order to meet the minimum number of jobs required to be created under this paragraph (f)(xx), at least one thousand seven hundred fifty (1,750) of such jobs must be created not later than June 1, 2015, and the remainder of the jobs must be created not later than June 1, 2017. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxi) Any enterprise owning or operating an automotive manufacturing and assembly plant and its affiliates for which construction begins after March 2, 2007, and not later than December 1, 2007, with an initial capital investment from private sources of not less than Five Hundred Million Dollars (\$500,000,000.00) which will create at least one thousand five hundred (1,500) jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxii) Any enterprise owning or operating a major powertrain component manufacturing and assembly plant for which construction begins after May 11, 2007, and not later than December 1, 2007, with an initial capital investment from private sources of not less than Three Hundred Million Dollars (\$300,000,000.00) which will create at least five hundred (500) new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law, and the requirement that the average annual wages and taxable benefits of such jobs shall be at least one hundred twenty-five percent (125%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxiii) Any biological and agricultural defense project operated by an agency of the government of the United States with an initial capital investment of not less than Four Hundred Fifty Million Dollars (\$450,000,000.00) from any source other than the State of Mississippi and its subdivisions, which will create at least two hundred fifty (250) new full-time jobs. All jobs created by the project must be held by persons eligible for employment in the United States under applicable state and federal law.

(xxiv) Any enterprise owning or operating an existing tire manufacturing plant which adds to such plant capital assets of not less than Twenty-five Million Dollars (\$25,000,000.00) after January 1, 2009, and that maintains at least one thousand two hundred (1,200) full-time jobs in this state at one (1) location with an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least Forty-five Thousand Dollars (\$45,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxv) Any enterprise owning or operating a facility for the manufacture of composite components for the aerospace industry which will have an investment from private sources of not less than One Hundred Seventy-five Million Dollars (\$175,000,000.00) by not later than December 31, 2015, and which will result in the full-time employment at the project site of not less than two hundred seventy-five (275) persons by December 31, 2011, and not less than four hundred twenty-five (425) persons by December 31, 2013, and not less than eight hundred (800) persons by December 31, 2017, all with an average annual compensation, excluding benefits which are not subject to Mississippi income taxes, of at least Fifty-three Thousand Dollars (\$53,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxvi) Any enterprise owning or operating a facility for the manufacture of pipe which will have an investment from any source other than the State of Mississippi and its subdivisions of not less than Three Hundred Million Dollars (\$300,000,000.00) by not later than December 31, 2015, and which will create at least five hundred (500) new full-time jobs within five (5) years after the start of commercial production and maintain such jobs for at least ten (10) years, all with an average annual compensation, excluding benefits which are not subject to Mississippi income taxes, of at least Thirty-two Thousand Dollars (\$32,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxvii) Any enterprise owning or operating a facility for the manufacture of solar panels which will have an investment from any source other than the State of Mississippi and its subdivisions of not less than One Hundred Thirty-two Million Dollars (\$132,000,000.00) by not later than December 31, 2015, and which will create at least five hundred (500) new full-time jobs within five (5) years after the start of commercial production and maintain such jobs for at least ten (10) years, all with an average annual compensation, excluding benefits which are not subject to Mississippi income taxes, of at least Thirty-four Thousand Dollars (\$34,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxviii) 1. Any enterprise owning or operating an automotive parts manufacturing plant and its affiliates for which construction begins after June 1, 2013, and not later than June 30, 2014, with an initial capital investment of not less than Three Hundred Million Dollars (\$300,000,000.00) which will create at least five hundred (500) new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for

employment in the United States under applicable state and federal law, and the requirement that the average annual wages and taxable benefits of such jobs shall be at least one hundred ten percent (110%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The authority shall require that binding commitments be entered into requiring that:

a. The minimum requirements for the project provided for in this subparagraph shall be met; and

b. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

2. It is anticipated that the project defined in this subparagraph (xxviii) will expand in three (3) additional phases, will create an additional five hundred (500) full-time jobs meeting the above criteria in each phase, and will invest an additional Three Hundred Million Dollars (\$300,000,000.00) per phase.

(xxix) Any enterprise engaged in the manufacture of tires or other related rubber or automotive products for which construction of a plant begins after January 1, 2016, and is substantially completed no later than December 31, 2022, and for which such enterprise commits to an aggregate capital investment by such enterprise and its affiliates of not less than One Billion Four Hundred Fifty Million Dollars (\$1,450,000,000.00) and the creation thereby of at least two thousand five hundred (2,500) new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law, and the requirement that the average annual salary or wage, excluding the value of any benefits which are not subject to Mississippi income tax, of such jobs shall be at least Forty Thousand Dollars (\$40,000.00). The authority shall require that binding commitments be entered into requiring that:

1. Minimum requirements for investment and jobs for the project shall be met; and

2. If such requirements are not met, all or a portion of the funds provided by the state for the project may, as determined by the authority, be subject to repayment by such enterprise and/or its affiliates, together with any penalties or damages required by the authority in connection therewith.

(xxx) Any enterprise owning or operating a maritime fabrication and assembly facility for which construction begins after February 1, 2016, and concludes not later than December 31, 2018, with an initial capital investment in land, buildings and equipment not less than Sixty-eight Million Dollars (\$68,000,000.00) and will create not less than one thousand (1,000) new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law, and the requirement that the average annual compensation, excluding benefits which are not subject to Mississippi income taxes, of at least Forty Thousand Dollars (\$40,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. If such commitments are not met, all or a portion of the funds provided by the state for the project may, as determined by the authority, be subject



to repayment by such enterprise, together with any penalties or damages required by the authority in connection therewith.

(xxxi) Each of the projects defined in this paragraph (f)(xxxi)1 and 2 that are undertaken by affiliated enterprises, together with any or all of the projects defined in this paragraph (f)(xxxi)3 and/or 4 if they are undertaken by the same or other enterprises affiliated with those enterprises that undertake projects defined in this paragraph (f)(xxxi)1 and 2:

1. An enterprise engaged in the manufacturing and production of recycled flat-rolled aluminum or related products for which construction of recycled aluminum flat-rolled mill begins after January 1, 2023, and is substantially completed no later than December 31, 2026; and

2. An enterprise engaged in the manufacturing and production of biocarbon from biomass for which construction of the biocarbon manufacturing facility begins after December 1, 2022, and is substantially completed no later than December 31, 2026; provided that such series of projects may additionally, but shall not be required to, include:

3. Any other affiliated enterprise that undertakes the development and operation of a new industrial or commercial facility in the state, excluding any area or areas designated by the authority in a written agreement between such enterprise or any affiliate thereof, for which the construction of any such facility begins after January 1, 2023, and is substantially completed no later than December 31, 2029; and/or

4. An enterprise engaged in the development and operation of port activities (e.g., the loading and unloading of barges, rail cars and trucks, the storage and handling of materials, and other port-related operations) in support of all or any of the enterprises enumerated in this paragraph (f)(xxxi)1, 2 and 3, or otherwise in support of an existing electric arc furnace steel mill producing flat-rolled steel and related products; and for which the parent enterprise of such affiliated enterprises enumerated in this paragraph (f)(xxxi)1, 2, 3 and/or 4 commits to an aggregate, collective capital investment by one or more or any combination of such enterprises and their affiliates, as well as by any co-located customers, of not less than Two Billion Five Hundred Million Dollars (\$2,500,000,000.00) and the creation thereby of at least one thousand (1,000) new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law, and the requirement that the average annual salary or wage, excluding the value of any benefits which are not subject to Mississippi income tax, of such jobs shall be at least Ninety-three Thousand Dollars (\$93,000.00). The authority shall require that binding commitments be entered into requiring that:

a. Minimum requirements for investment and jobs for such affiliated projects shall be met; and

b. If such requirements are not collectively met, all or a portion of the funds provided by the state for such affiliated projects may, as determined by the authority, be subject to repayment by such enterprises and/or their affiliates, together with any penalties or damages required by the authority in connection therewith.

For purposes of this paragraph (f)(xxxi), A. a co-located customer shall mean a person who locates and operates any new manufacturing, processing, warehousing and/or distribution facility within the project area for the project defined in this paragraph (f)(xxxi)1 and utilizes, directly or indirectly, in its operations any aluminum or related products produced by such project, and B. an affiliated enterprise or an affiliate means a related business entity which shares a common direct or indirect ownership with the

enterprise owning or operating a project as defined in this paragraph (f)(xxxi)1, 2, 3 or 4. References in the act to a project, as defined by this paragraph (f)(xxxi) shall mean any one of, any combination or all of the projects as defined in this paragraph (f)(xxxi)1, 2, 3 or 4.

(g) (i) "Project area" means the project site, together with any area or territory within the state lying within sixty-five (65) miles of any portion of the project site whether or not such area or territory be contiguous; however, for the project defined in paragraph (f)(iv) of this section the term "project area" means any area or territory within the state. The project area shall also include all territory within a county if any portion of such county lies within sixty-five (65) miles of any portion of the project site. "Project site" means the real property on which the principal facilities of the enterprise will operate. The provisions of this subparagraph (i) shall not apply to a project as defined in paragraph (f)(xxi) of this section.

(ii) For the purposes of a project as defined in paragraph (f)(xxi) of this section, the term "project area" means the acreage authorized in the certificate of convenience and necessity issued by the Mississippi Development Authority to a regional economic development alliance under Section 57-64-1 et seq.

(iii) For the purposes of a project as defined in paragraph (f)(xxxi)1 of this section, the term "project area" means the acreage specified by the authority in written agreement with the enterprise undertaking such project and/or an affiliate thereof.

(h) "Public agency" means:

(i) Any department, board, commission, institution or other agency or instrumentality of the state;

(ii) Any city, town, county, political subdivision, school district or other district created or existing under the laws of the state or any public agency of any such city, town, county, political subdivision or district or any other public entity created or existing under local and private legislation;

(iii) Any department, commission, agency or instrumentality of the United States of America; and

(iv) Any other state of the United States of America which may be cooperating with respect to location of the project within the state, or any agency thereof.

(i) "State" means State of Mississippi.

(j) "Fee-in-lieu" means a negotiated fee to be paid by the project in lieu of any franchise taxes imposed on the project by Chapter 13, Title 27, Mississippi Code of 1972. The fee-in-lieu shall not be less than Twenty-five Thousand Dollars (\$25,000.00) annually. A fee-in-lieu may be negotiated with an enterprise operating an existing project defined in paragraph (f)(iv)1 of this section; however, a fee-in-lieu shall not be negotiated for other existing enterprises that fall within the definition of the term "project."

(k) (i) "Affiliate" means a subsidiary or related business entity which shares a common direct or indirect ownership with the enterprise owning or operating a project as defined in paragraph (f)(xxi), paragraph (f)(xxviii) or paragraph (f)(xxix) of this section. The subsidiary or related business must provide services directly related to the core activities of the project.

(ii) For the purposes of a project as defined in paragraph (f)(xxxi) of this section, an "affiliated enterprise" or an "affiliate" means a related business entity which shares a common direct or indirect ownership with the enterprise owning or operating a project as defined in paragraph (f)(xxxi)1, 2, 3 or 4 of this section.

(l) "Tier One supplier" means a supplier of a project as defined in paragraph (f)(xxi) of this section that is certified by the enterprise owning the project and creates a minimum of fifty (50) new full-time jobs.

SECTION 57. Section 57-80-7, Mississippi Code of 1972, is reenacted as follows:

57-80-7. (1) From and after December 31, 2000, the following counties may apply to the MDA for the issuance of a certificate of public convenience and necessity:

(a) Any county of this state which has an annualized unemployment rate that is at least two hundred percent (200%) of the state's unemployment rate as of December 31 of any year after December 31, 2000, as determined by the Mississippi Department of Employment Security's most recently published data;

(b) Any county of this state in which thirty percent (30%) or more of the population of the county is at or below the federal poverty level according to the official data compiled by the United States Census Bureau as of August 30, 2000, for counties that apply before December 31, 2002, or the most recent official data compiled by the United States Census Bureau for counties that apply from and after December 31, 2002; or

(c) Any county of this state having an eligible supervisors district.

(2) The application, at a minimum, must contain (a) the Mississippi Department of Employment Security's most recently published figures that reflect the annualized unemployment rate of the applying county as of December 31 or the most recent official data by the United States Census Bureau required by subsection (1) of this section, as the case may be, and (b) an order or resolution of the county consenting to the designation of the county as a growth and prosperity county.

(3) Any municipality of a designated growth and prosperity county or within an eligible supervisors district and not more than eight (8) miles from the boundary of the county that meets the criteria of subsection (1)(b) of this section may by order or resolution of the municipality consent to participation in the Growth and Prosperity Program.

(4) No incentive or tax exemption shall be given under this chapter without the consent of the affected county or municipality.

SECTION 58. Section 69-2-5, Mississippi Code of 1972, is reenacted as follows:

69-2-5. (1) The Mississippi Cooperative Extension Service shall act as a clearinghouse for the dissemination of information regarding programs and services which may be available to help those persons and businesses which have been adversely affected by the present emergency in the agricultural community. The Cooperative Extension Service shall develop a plan of assistance which shall identify all programs and services available within the state which can be of assistance to those affected by the present emergency. The Department of Agriculture and Commerce, Department of Finance and Administration, Department of Human Services, Department of Mental Health, State Department of Health, Board of Trustees of State Institutions of Higher Learning, Mississippi Community College Board, Research and Development Center, Mississippi Development Authority, Department of Employment Security, Office of the Governor, Board of Vocational and Technical Education, Mississippi Authority for Educational Television, and other agencies of the state which have programs and services that can be of assistance to those affected by the present emergency, shall provide information regarding their programs and services to the Cooperative Extension Service for use in the clearinghouse. The types of programs and services shall include, but not be limited to, financial counseling, farm and small business management, employment services, labor market information, job retraining, vocational and technical training, food

stamp programs, personal counseling, health services, and free or low cost legal services. The clearinghouse shall provide a single contact point to provide program information and referral services to individuals interested or needing services from state-funded assistance programs affecting agriculture, horticulture, aquaculture and other agribusinesses or related industries. Such assistance information shall identify all monies available under the Small Business Financing Act, the Business Investment Act, the Emerging Crops Fund legislation and any other sources which may be used singularly or combined, to provide a comprehensive financing package. The provisions of this section in establishing a single contact point for information and referral services shall not be construed to authorize the hiring of additional personnel.

(2) The Cooperative Extension Service may accept monetary or in-kind contributions, gifts and grants for the establishment or operation of the clearinghouse.

(3) The Cooperative Extension Service shall establish a method for the dissemination of information to those who can be benefited by the existing programs and services of the state.

(4) The Cooperative Extension Service shall file an annual report with the Governor, Lieutenant Governor and Speaker of the House of Representatives regarding the efforts which have been made in the clearinghouse operation. The report shall also recommend any additional measures, including legislation, which may be needed or desired in providing programs and benefits to those affected by the agricultural emergency.

SECTION 59. Section 7-1-355, Mississippi Code of 1972, is reenacted as follows:

7-1-355. (1) The Mississippi Department of Employment Security, Office of the Governor, is designated as the sole administrator of all programs for which the state is the prime sponsor under Title 1(B) of Public Law 105-220, Workforce Investment Act of 1998, and the regulations promulgated thereunder, and may take all necessary action to secure to this state the benefits of that legislation. The Mississippi Department of Employment Security, Office of the Governor, may receive and disburse funds for those programs that become available to it from any source.

(2) The Mississippi Department of Employment Security, Office of the Governor, shall establish guidelines on the amount and/or percentage of indirect and/or administrative expenses by the local fiscal agent or the Workforce Development Center operator. The Mississippi Department of Employment Security, Office of the Governor, shall develop an accountability system and make an annual report to the Legislature before December 31 of each year on Workforce Investment Act activities. The report shall include, but is not limited to, the following:

(a) The total number of individuals served through the Workforce Development Centers and the percentage and number of individuals for which a quarterly follow-up is provided;

(b) The number of individuals who receive core services by each center;

(c) The number of individuals who receive intensive services by each center;

(d) The number of Workforce Investment Act vouchers issued by the Workforce Development Centers including:

(i) A list of schools and colleges to which these vouchers were issued and the average cost per school of the vouchers; and

(ii) A list of the types of programs for which these vouchers were issued;

(e) The number of individuals placed in a job through Workforce Development Centers;

(f) The monies and the amount retained for administrative and other costs received from Workforce Investment Act funds for each agency or organization that Workforce Investment Act funds flow through as a percentage and actual dollar amount of all Workforce Investment Act funds received.

SECTION 60. Section 60, Chapter 572, Laws of 2004, as amended by Section 58, Chapter 30, Laws of the First Extraordinary Session of 2008, as amended by Section 58, Chapter 559, Laws of 2010 Regular Session, as amended by Section 59, Chapter 471, Laws of 2011, as amended by Section 58, Chapter 515, Laws of 2012, as amended by Section 58, Chapter 451, Laws of 2019, as amended by Section 7, Chapter 476, Laws of 2020, is amended as follows:

Section 60. Sections 8 through 59 of this act shall stand repealed on July 1, \* \* \* 2028.

SECTION 61. Section 25-1-98, Mississippi Code of 1972, is amended as follows:

25-1-98. (1) (a) In addition to any other times required by statute, all state offices shall be open and staffed for the normal conduct of business from 8:00 a.m. until 5:00 p.m., Monday through Friday, except on legal holidays as set forth in Section 3-3-7. The Governor may designate certain state offices and institutions as providers of essential services and require that they be open and staffed on legal holidays. The Board of Directors of the Mississippi Industries for the Blind may, in its discretion, require that its offices and operations be open and staffed on legal holidays. Employees required to work on legal holidays shall earn compensatory leave under the provisions of Section 25-3-92. No employee shall receive additional vacation or sick leave benefits for working on a legal holiday, nor shall this section be construed to authorize any additional compensation as an alternative to the accrual of compensatory leave except as specifically provided for in a legislative appropriation. The provisions of this section shall not be construed to limit the hours of operation of any agency or to abrogate any action taken during hours other than those stated, nor shall these provisions apply to any offices that do not customarily stay open five (5) days a week. The provisions of this section shall not apply to the military department of the State of Mississippi or to the armories, field training sites, air bases or other installations of the Mississippi National Guard.

(b) A workday for a state employee in a full-time employment position shall be eight (8) hours in duration at a minimum exclusive of time off for meals. The appointing authority shall develop work schedules which ensure that each full-time employee works a full workday and shall provide the State Auditor with a copy of the regular work schedule of the appointing authority.

(2) An appointing authority of any state service agency within the meaning of Section 25-9-107 may authorize telework for one or more of its employees in accordance with a telework policy, approved by the State Personnel Board, as provided in subsection (3) of this section.

(3) In order to implement a telework policy for one or more of its employees, an appointing authority shall:

(a) Determine whether or not telework is in the best interest of the agency. In doing so, the appointing authority shall seek guidance from the State Personnel Board in determining what forms of work activities can be effectively and efficiently managed through a telework arrangement;

(b) Establish procedures to protect any information that is privileged or confidential under state or federal law;

(c) Require all teleworking employees to sign a telework agreement that includes their work schedule, provides for supervisory oversight through the review of work product and deliverables on a regular basis, requires the protection of privileged or confidential information that is managed remotely on an agency computer or other devices, establishes protocols for accessibility to coworkers and clients, workplace safety, and any other matters deemed appropriate by the appointing authority; and

(d) Establish work schedules that ensure that some personnel are at the appointing authority's offices to provide direct contact with the public.

(4) For purposes of subsections (2) and (3) of this section, the term "telework" shall mean a work flexibility arrangement under which an employee performs duties, responsibilities, or other authorized activities from an approved worksite other than the location from which the employee would otherwise work.

(5) All agencies that allow employees to telework shall report to the State Personnel Board the names of the employees, their job titles, office schedule and telework schedule, who are performing telework for their agencies. On or before December 31 of each year, the State Personnel Board shall make a report related to the utilization of telework policies to the Chairmen of the House and Senate Appropriations Committees, the Accountability, Efficiency and Transparency Committees, and the Joint Legislative Committee on Performance Evaluation and Expenditure Review.

(6) The State Personnel Board may promulgate rules for the administration of this section which shall be binding upon state service agencies within the meaning of Section 25-9-107.

(7) Subsections (2) through (6) of this section shall stand repealed on July 1, \* \* \* 2025.

SECTION 62. Section 71-5-355, Mississippi Code of 1972, is amended as follows:

71-5-355. (1) As used in this section, the following words and phrases shall have the following meanings, unless the context clearly requires otherwise:

(a) "Tax year" means any period beginning on January 1 and ending on December 31 of a year.

(b) "Computation date" means June 30 of any calendar year immediately preceding the tax year during which the particular contribution rates are effective.

(c) "Effective date" means January 1 of the tax year.

(d) Except as hereinafter provided, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H, plus the total of all remuneration paid by such employer excluded from the definition of wages by Section 71-5-351. For the computation of modified rates, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H.

(e) For the computation of modified rates, "eligible employer" means an employer whose experience-rating record has been chargeable with benefits throughout the thirty-six (36) consecutive calendar-month period ending on the computation date, except that any employer who has not been subject to the Mississippi Employment Security Law for a period of time sufficient to meet the thirty-six (36) consecutive

calendar-month requirement shall be an eligible employer if his or her experience-rating record has been chargeable throughout not less than the twelve (12) consecutive calendar-month period ending on the computation date. No employer shall be considered eligible for a contribution rate less than five and four-tenths percent (5.4%) with respect to any tax year, who has failed to file any two (2) quarterly reports within the qualifying period by September 30 following the computation date. No employer or employing unit shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which the employing unit is found by the department to be in violation of Section 71-5-19(2) or (3) and for the next two (2) succeeding tax years. No representative of such employing unit who was a party to a violation as described in Section 71-5-19(2) or (3), if such representative was or is an employing unit in this state, shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which such violation was detected by the department and for the next two (2) succeeding tax years.

(f) With respect to any tax year, "reserve ratio" means the ratio which the total amount available for the payment of benefits in the Unemployment Compensation Fund, excluding any amount which has been credited to the account of this state under Section 903 of the Social Security Act, as amended, and which has been appropriated for the expenses of administration pursuant to Section 71-5-457 whether or not withdrawn from such account, on October 31 (close of business) of each calendar year bears to the aggregate of the taxable payrolls of all employers for the twelve (12) calendar months ending on June 30 next preceding.

(g) "Modified rates" means the rates of employer unemployment insurance contributions determined under the provisions of this chapter and the rates of newly subject employers, as provided in Section 71-5-353.

(h) For the computation of modified rates, "qualifying period" means a period of not less than the thirty-six (36) consecutive calendar months ending on the computation date throughout which an employer's experience-rating record has been chargeable with benefits; except that with respect to any eligible employer who has not been subject to this article for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement, "qualifying period" means the period ending on the computation date throughout which his or her experience-rating record has been chargeable with benefits, but in no event less than the twelve (12) consecutive calendar-month period ending on the computation date throughout which his or her experience-rating record has been so chargeable.

(i) The "exposure criterion" (EC) is defined as the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits as of November 16 of each calendar year or the next working day if November 16 falls on a holiday or a weekend, divided by the total wages, exclusive of wages paid by all state agencies, all political subdivisions, reimbursable nonprofit corporations, and tax-exempt public service employment, for the twelve-month period ending June 30 immediately preceding such date. The EC shall be computed to four (4) decimal places and rounded up if any fraction remains. Notwithstanding any other provision contained herein, the date for determining the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits for the calendar years 2020 and 2021 shall be December 31.

(j) The "cost rate criterion" (CRC) is defined as follows: Beginning with January 1974, the benefits paid for the twelve-month period ending December 1974 are summed and divided by the total wages for the twelve-month period ending on June 30, 1975. Similar ratios are computed by subtracting the earliest month's benefit payments and adding the benefits of the next month in the sequence and dividing each sum of twelve (12) months' benefits by the total wages for the twelve-month period ending on the June 30 which is nearest to the final month of the period used to compute the numerator. If December is the final month of the period used to compute the numerator, then the

twelve-month period ending the following June 30 will be used for the denominator. Benefits and total wages used in the computation of the cost rate criterion shall exclude all benefits and total wages applicable to state agencies, political subdivisions, reimbursable nonprofit corporations, and tax-exempt PSE employment.

The CRC shall be computed as the average for the highest monthly value of the cost rate criterion computations during each of the economic cycles since the calendar year 1974 as defined by the National Bureau of Economic Research. The CRC shall be computed to four (4) decimal places and any remainder shall be rounded up.

The CRC shall be adjusted only through annual computations and additions of future economic cycles.

(k) "Size of fund index" (SOFI) is defined as the ratio of the exposure criterion (EC) to the cost rate criterion (CRC). The target size of fund index will be fixed at 1.0. If the insured unemployment rate (IUR) exceeds a four and five-tenths percent (4.5%) average for the most recent completed July to June period, the target SOFI will be .8 and will remain at that level until the computed SOFI (the average exposure criterion of the current year and the preceding year divided by the average cost rate criterion) equals 1.0 or the average IUR falls to four and five-tenths percent (4.5%) or less for any period July to June. However, if the IUR falls below two and five-tenths percent (2.5%) for any period July to June the target SOFI shall be 1.2 until such time as the computed SOFI is equal to or greater than 1.0 or the IUR is equal to or greater than two and five-tenths percent (2.5%), at which point the target SOFI shall return to 1.0.

(l) No employer's unemployment contribution general experience rate plus individual unemployment experience rate shall exceed five and four-tenths percent (5.4%). Accrual rules shall apply for purposes of computing contribution rates including associated functions.

(m) The term "general experience rate" has the same meaning as the minimum tax rate.

(2) Modified rates:

(a) For any tax year, when the reserve ratio on the preceding November 16, in the case of any tax year, equals or exceeds three percent (3%), the modified rates, as hereinafter prescribed, shall be in effect. In computation of this reserve ratio, any remainder shall be rounded down.

(b) Modified rates shall be determined for the tax year for each eligible employer on the basis of his or her experience-rating record in the following manner:

(i) The department shall maintain an experience-rating record for each employer. Nothing in this chapter shall be construed to grant any employer or individuals performing services for him or her any prior claim or rights to the amounts paid by the employer into the fund.

(ii) Benefits paid to an eligible individual shall be charged against the experience-rating record of his or her base period employers in the proportion to which the wages paid by each base period employer bears to the total wages paid to the individual by all the base period employers, provided that benefits shall not be charged to an employer's experience-rating record if the department finds that the individual:

1. Voluntarily left the employ of such employer without good cause attributable to the employer or to accept other work;
2. Was discharged by such employer for misconduct connected with his or her work;



3. Refused an offer of suitable work by such employer without good cause, and the department further finds that such benefits are based on wages for employment for such employer prior to such voluntary leaving, discharge or refusal of suitable work, as the case may be;

4. Had base period wages which included wages for previously uncovered services as defined in Section 71-5-511(e) to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566;

5. Extended benefits paid under the provisions of Section 71-5-541 which are not reimbursable from federal funds shall be charged to the experience-rating record of base period employers;

6. Is still working for such employer on a regular part-time basis under the same employment conditions as hired. Provided, however, that benefits shall be charged against an employer if an eligible individual is paid benefits who is still working for such employer on a part-time "as-needed" basis;

7. Was hired to replace a United States serviceman or servicewoman called into active duty and was laid off upon the return to work by that serviceman or servicewoman, unless such employer is a state agency or other political subdivision or instrumentality of the state;

8. Was paid benefits during any week while in training with the approval of the department, under the provisions of Section 71-5-513B, or for any week while in training approved under Section 236(a)(1) of the Trade Act of 1974, under the provisions of Section 71-5-513C;

9. Is not required to serve the one-week waiting period as described in Section 71-5-505(2). In that event, only the benefits paid in lieu of the waiting period week may be noncharged; or

10. Was paid benefits as a result of a fraudulent claim, provided notification was made to the Mississippi Department of Employment Security in writing or by email by the employer, within ten (10) days of the mailing of the notice of claim filed to the employer's last-known address.

(iii) Notwithstanding any other provision contained herein, an employer shall not be noncharged when the department finds that the employer or the employer's agent of record was at fault for failing to respond timely or adequately to the request of the department for information relating to an unemployment claim that was subsequently determined to be improperly paid, unless the employer or the employer's agent of record shows good cause for having failed to respond timely or adequately to the request of the department for information. For purposes of this subparagraph "good cause" means an event that prevents the employer or employer's agent of record from timely responding, and includes a natural disaster, emergency or similar event, or an illness on the part of the employer, the employer's agent of record, or their staff charged with responding to such inquiries when there is no other individual who has the knowledge or ability to respond. Any agency error that resulted in a delay in, or the failure to deliver notice to, the employer or the employer's agent of record shall also be considered good cause for purposes of this subparagraph.

(iv) The department shall compute a benefit ratio for each eligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record during the period his or her experience-rating record has been chargeable, but not less than the twelve (12) consecutive calendar-month period nor more than the thirty-six (36) consecutive calendar-month period ending on the

computation date, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date. Such benefit ratio shall be computed to the tenth of a percent (.1%), rounding any remainder to the next higher tenth.

(v) 1. The unemployment insurance contribution rate for each eligible employer shall be the sum of two (2) rates: his or her individual experience rate in the range from zero percent (0%) to five and four-tenths percent (5.4%), plus a general experience rate. In no event shall the resulting unemployment insurance rate be in excess of five and four-tenths percent (5.4%), however, it is the intent of this section to provide the ability for employers to have a tax rate, the general experience rate plus the individual experience rate, of up to five and four-tenths percent (5.4%).

2. The employer's individual experience rate shall be equal to his or her benefit ratio as computed under paragraph (b)(iv) of this subsection (2).

3. The general experience rate shall be determined in the following manner: The department shall determine annually, for the thirty-six (36) consecutive calendar-month period ending on the computation date, the amount of benefits which were not charged to the record of any employer and of benefits which were ineffectively charged to the employer's experience-rating record. For the purposes of this item 3, the term "ineffectively charged benefits" shall include:

a. The total of the amounts of benefits charged to the experience-rating records of all eligible employers which caused their benefit ratios to exceed five and four-tenths percent (5.4%);

b. The total of the amounts of benefits charged to the experience-rating records of all ineligible employers which would cause their benefit ratios to exceed five and four-tenths percent (5.4%) if they were eligible employers; and

c. The total of the amounts of benefits charged or chargeable to the experience-rating record of any employer who has discontinued his or her business or whose coverage has been terminated within such period; provided, that solely for the purposes of determining the amounts of ineffectively charged benefits as herein defined, a "benefit ratio" shall be computed for each ineligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record throughout the period ending on the computation date, during which his or her experience-rating record has been chargeable with benefits, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date; and provided further, that such benefit ratio shall be computed to the tenth of one percent (.1%) and any remainder shall be rounded to the next higher tenth.

The ratio of the sum of these amounts (subsection (2)(b)(v)3a, b and c) to the taxable wages paid during the same period divided by all eligible employers whose benefit ratio did not exceed five and four-tenths percent (5.4%), computed to the next higher tenth of one percent (.1%), shall be the general experience rate; however, the general experience rate for rate year 2014 shall be two tenths of one percent (.2%) and to that will be added the employer's individual experience rate for the total unemployment insurance rate.

4. a. Except as otherwise provided in this item 4, the general experience rate shall be adjusted by use of the size of fund index factor. This factor may be positive or negative, and shall be determined as follows: From the target SOFI, as defined in subsection (1)(k) of this section, subtract the simple average of the current and preceding years' exposure criteria divided by the cost rate criterion, as defined in subsection (1)(j) of this section. The result is then multiplied by the product of the CRC,

as defined in subsection (1)(j) of this section, and total wages for the twelve-month period ending June 30 divided by the taxable wages for the twelve-month period ending June 30. This is the percentage positive or negative added to the general experience rate. The sum of the general experience rate and the trust fund adjustment factor shall be multiplied by fifty percent (50%) and this product shall be computed to one (1) decimal place, and rounded to the next higher tenth.

b. Notwithstanding the minimum rate provisions as set forth in subsection (1)(l) of this section, the general experience rate of all employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only.

5. The general experience rate shall be zero percent (0%) unless the general experience ratio for any tax year as computed and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%) is an amount equal to or greater than two-tenths of one percent (.2%), then the general experience rate shall be the computed general experience ratio and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%); however, in no case shall the sum of the general experience plus the individual experience unemployment insurance rate exceed five and four-tenths percent (5.4%). For rate years subsequent to 2014, Mississippi Workforce Enhancement Training contribution rate, and/or State Workforce Investment contribution rate, and/or Mississippi Works contribution rate, when in effect, shall be added to the unemployment contribution rate, regardless of whether the addition of this contribution rate causes the total contribution rate for the employer to exceed five and four-tenths percent (5.4%).

6. The department shall include in its annual rate notice to employers a brief explanation of the elements of the general experience rate, and shall include in its regular publications an annual analysis of benefits not charged to the record of any employer, and of the benefit experience of employers by industry group whose benefit ratio exceeds four percent (4%), and of any other factors which may affect the size of the general experience rate.

7. Notwithstanding any other provision contained herein, the general experience rate for calendar year 2021 shall be zero percent (0%). Charges attributed to each employer's individual experience rate for the period March 8, 2020, through June 30, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2021 and the two (2) subsequent tax rate years. Moreover, charges attributed to each employer's individual experience rate for the period July 1, 2020, through December 31, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2022 and the two (2) subsequent tax rate years. Furthermore, noncharges as defined hereinabove caused by the COVID-19 pandemic will not be used for the purposes of calculating the general experience rate.

(vi) When any employing unit in any manner succeeds to or acquires the organization, trade, business or substantially all the assets thereof of an employer, excepting any assets retained by such employer incident to the liquidation of his or her obligations, whether or not such acquiring employing unit was an employer within the meaning of Section 71-5-11, subsection H, prior to such acquisition, and continues such organization, trade or business, the experience-rating and payroll records of the predecessor employer shall be transferred as of the date of acquisition to the successor employer for the purpose of rate determination.

(vii) When any employing unit succeeds to or acquires a distinct and severable portion of an organization, trade or business, the experience-rating and payroll records of such portion, if separately identifiable, shall be transferred to the successor upon:

1. The mutual consent of the predecessor and the successor;
2. Approval of the department;
3. Continued operation of the transferred portion by the successor after transfer; and
4. The execution and the filing with the department by the predecessor employer of a waiver relinquishing all rights to have the experience-rating and payroll records of the transferred portion used for the purpose of determining modified rates of contribution for such predecessor.

(viii) If the successor was an employer subject to this chapter prior to the date of acquisition, it shall continue to pay unemployment insurance contributions at the rate applicable to it from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date of acquisition, it shall pay unemployment insurance contributions at the rate applicable to the predecessor or, if more than one (1) predecessor and the same rate is applicable to both, the rate applicable to the predecessor or predecessors, from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date the acquisition occurred and simultaneously acquires the businesses of two (2) or more employers to whom different rates of unemployment insurance contributions are applicable, it shall pay unemployment insurance contributions from the date of the acquisition until the end of the current tax year at a rate computed on the basis of the combined experience-rating and payroll records of the predecessors as of the computation date for such tax year. In all cases the rate of unemployment insurance contributions applicable to such successor for each succeeding tax year shall be computed on the basis of the combined experience-rating and payroll records of the successor and the predecessor or predecessors.

(ix) The department shall notify each employer quarterly of the benefits paid and charged to his or her experience-rating record; and such notification, in the absence of an application for redetermination filed within thirty (30) days after the date of such notice, shall be final, conclusive and binding upon the employer for all purposes. A redetermination, made after notice and opportunity for a fair hearing, by a hearing officer designated by the department who shall consider and decide these and related applications and protests; and the finding of fact in connection therewith may be introduced into any subsequent administrative or judicial proceedings involving the determination of the rate of unemployment insurance contributions of any employer for any tax year, and shall be entitled to the same finality as is provided in this subsection with respect to the findings of fact in proceedings to redetermine the contribution rate of an employer.

(x) The department shall notify each employer of his or her rate of contribution as determined for any tax year as soon as reasonably possible after September 1 of the preceding year. Such determination shall be final, conclusive and binding upon such employer unless, within thirty (30) days after the date of such notice to his or her last-known address, the employer files with the department an application for review and redetermination of his or her contribution rate, setting forth his or her reasons therefor. If the department grants such review, the employer shall be promptly notified thereof and shall be afforded an opportunity for a fair hearing by a hearing officer designated by the department who shall consider and decide these and related applications and protests; but no employer shall be allowed, in any proceeding involving his or her rate of unemployment insurance contributions or contribution liability, to contest the chargeability to his or her account of any benefits paid in accordance with a determination, redetermination or decision pursuant to Sections 71-5-515 through 71-5-533 except upon the ground that the services on the basis of which such benefits were found to be chargeable did not constitute services performed in employment for him or her, and then only in the event that he or she was not a party to such determination,

redetermination, decision or to any other proceedings provided in this chapter in which the character of such services was determined. The employer shall be promptly notified of the denial of this application or of the redetermination, both of which shall become final unless, within ten (10) days after the date of notice thereof, there shall be an appeal to the department itself. Any such appeal shall be on the record before said designated hearing officer, and the decision of said department shall become final unless, within thirty (30) days after the date of notice thereof to the employer's last-known address, there shall be an appeal to the Circuit Court of the First Judicial District of Hinds County, Mississippi, in accordance with the provisions of law with respect to review of civil causes by certiorari.

(3) Notwithstanding any other provision of law, the following shall apply regarding assignment of rates and transfers of experience:

(a) (i) If an employer transfers its trade or business, or a portion thereof, to another employer and, at the time of the transfer, there is substantially common ownership, management or control of the two (2) employers, then the unemployment experience attributable to the transferred trade or business shall be transferred to the employer to whom such business is so transferred. The rates of both employers shall be recalculated and made effective on January 1 of the year following the year the transfer occurred.

(ii) If, following a transfer of experience under subparagraph (i) of this paragraph (a), the department determines that a substantial purpose of the transfer of trade or business was to obtain a reduced liability of unemployment insurance contributions, then the experience-rating accounts of the employers involved shall be combined into a single account and a single rate assigned to such account.

(b) Whenever a person who is not an employer or an employing unit under this chapter at the time it acquires the trade or business of an employer, the unemployment experience of the acquired business shall not be transferred to such person if the department finds that such person acquired the business solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions. Instead, such person shall be assigned the new employer rate under Section 71-5-353, unless assignment of the new employer rate results in an increase of less than two percent (2%), in which case such person would be assigned the new employer rate plus an additional two percent (2%) penalty for the rate year. In determining whether the business was acquired solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions, the department shall use objective factors which may include the cost of acquiring the business, whether the person continued the business enterprise of the acquired business, how long such business enterprise was continued, or whether a substantial number of new employees were hired for performance of duties unrelated to the business activity conducted prior to acquisition.

(c) (i) If a person knowingly violates or attempts to violate paragraph (a) or (b) of this subsection or any other provision of this chapter related to determining the assignment of a contribution rate, or if a person knowingly advises another person in a way that results in a violation of such provision, the person shall be subject to the following penalties:

1. If the person is an employer, then such employer shall be assigned the highest rate assignable under this chapter for the rate year during which such violation or attempted violation occurred and the three (3) rate years immediately following this rate year. However, if the person's business is already at such highest rate for any year, or if the amount of increase in the person's rate would be less than two percent (2%) for such year, then the person's tax rate shall be increased by two percent (2%) for such year. The penalty rate will apply to the successor business as well as the related entity from which the employees were transferred in an effort to obtain a lower rate of unemployment insurance contributions.

2. If the person is not an employer, such person shall be subject to a civil money penalty of not more than Five Thousand Dollars (\$5,000.00). Each such transaction for which advice was given and each occurrence or reoccurrence after notification being given by the department shall be a separate offense and punishable by a separate penalty. Any such fine shall be deposited in the penalty and interest account established under Section 71-5-114.

(ii) For purposes of this paragraph (c), the term "knowingly" means having actual knowledge of or acting with deliberate ignorance or reckless disregard for the prohibition involved.

(iii) For purposes of this paragraph (c), the term "violates or attempts to violate" includes, but is not limited to, intent to evade, misrepresentation or willful nondisclosure.

(iv) In addition to the penalty imposed by subparagraph (i) of this paragraph (c), any violation of this subsection may be punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment. This subsection shall prohibit prosecution under any other criminal statute of this state.

(d) The department shall establish procedures to identify the transfer or acquisition of a business for purposes of this subsection.

(e) For purposes of this subsection:

(i) "Person" has the meaning given such term by Section 7701(a)(1) of the Internal Revenue Code of 1986; and

(ii) "Employing unit" has the meaning as set forth in Section 71-5-11.

(f) This subsection shall be interpreted and applied in such a manner as to meet the minimum requirements contained in any guidance or regulations issued by the United States Department of Labor.

SECTION 63. The following shall be codified as Section 71-5-146, Mississippi Code of 1972:

71-5-146. (1) In order to increase fraud prevention and data integrity, the department shall have the authority to fingerprint and conduct a background investigation on every employee, contractor and subcontractor who:

(a) Has access to Federal Tax Information (FTI); or

(b) Is otherwise required by state or federal law or regulations to undergo a background investigation.

(2) The department shall have the authority to enact policies and procedures that allow designated department employees:

(a) To access and review state and federal criminal history records;

(b) To fingerprint individuals identified in subsection (1) of this section;

(c) To forward the fingerprints to the Federal Bureau of Investigation for a fingerprint-based national criminal history record check for the purpose of establishing and ensuring that background investigation requirements for all agency employees, contractors and subcontractors that have access to FTI are consistent with the Internal

Revenue Service's background investigation requirements for access to FTI, including, but not limited to, IRS Publication 1075; and

(d) To develop additional background policies and procedures as required by state or federal law or regulations.

SECTION 64. Section 61 of this act shall take effect and be in force from and after January 1, 2023, and the remainder of this act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 37-153-1, 37-153-3, 37-153-5, 37-153-7, 37-153-9, 37-153-11, 37-153-13, 37-153-15 AND 37-153-17 MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; TO AMEND REENACTED SECTION 37-153-17, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE MISSISSIPPI COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; TO REENACT SECTIONS 71-5-5, 71-5-11 AND 71-5-19, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI EMPLOYMENT SECURITY LAW; TO REENACT SECTIONS 71-5-101 THROUGH 71-5-143, MISSISSIPPI CODE OF 1972, WHICH TRANSFER THE POWERS AND RESPONSIBILITIES OF THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION TO THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY IN THE OFFICE OF THE GOVERNOR AND PRESCRIBE THE DEPARTMENT'S POWERS AND DUTIES; TO REENACT SECTION 71-5-201, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE MISSISSIPPI STATE EMPLOYMENT SERVICE WITHIN THE DEPARTMENT OF EMPLOYMENT SECURITY; TO REENACT SECTIONS 71-5-357 AND 71-5-359, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBE REGULATIONS GOVERNING NONPROFIT ORGANIZATIONS, STATE AGENCIES AND POLITICAL SUBDIVISIONS UNDER THE EMPLOYMENT SECURITY LAW; TO AMEND REENACTED SECTION 71-5-359, MISSISSIPPI CODE OF 1972, TO REMOVE DUPLICATIVE LANGUAGE; TO REENACT SECTIONS 71-5-451 AND 71-5-457, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE UNEMPLOYMENT COMPENSATION FUND AND THE UNEMPLOYMENT TRUST FUND; TO REENACT SECTIONS 71-5-511, 71-5-513, 71-5-517, 71-5-519, 71-5-523, 71-5-525, 71-5-529, 71-5-531 AND 71-5-541, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PAYMENT OF UNEMPLOYMENT COMPENSATION BENEFITS; TO REENACT SECTION 73-30-25, MISSISSIPPI CODE OF 1972, WHICH EXCLUDES CERTAIN PROFESSIONALS FROM REGULATION UNDER THE LAWS GOVERNING LICENSED PROFESSIONAL COUNSELORS; TO REENACT SECTION 43-1-30, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TANF IMPLEMENTATION COUNCIL AND PRESCRIBES ITS POWERS AND DUTIES; TO REENACT SECTION 43-17-5, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES THE AMOUNT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BENEFITS WHICH MAY BE GRANTED TO RECIPIENTS; TO REENACT SECTION 43-19-45, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE CHILD SUPPORT UNIT ESTABLISHED BY THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A STATE PARENT LOCATOR SERVICE; TO REENACT SECTION 43-19-46, MISSISSIPPI CODE OF 1972, WHICH REQUIRES EMPLOYERS TO SUBMIT CERTAIN INFORMATION RELATING TO NEWLY HIRED EMPLOYEES TO THE DIRECTORY OF NEW HIRES WITHIN THE DEPARTMENT OF HUMAN SERVICES; TO REENACT SECTIONS 57-62-5 AND 57-62-9, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI ADVANTAGE JOBS ACT; TO REENACT SECTION 57-75-5, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS USED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO REENACT SECTION 57-80-7, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE GROWTH AND PROSPERITY ACT; TO REENACT

SECTION 69-2-5, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES CERTAIN DUTIES OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE RELATING TO THE DISSEMINATION OF INFORMATION TO THE AGRICULTURAL COMMUNITY; TO REENACT SECTION 7-1-355, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF EMPLOYMENT SECURITY, OFFICE OF THE GOVERNOR, TO MAKE AN ANNUAL REPORT TO THE LEGISLATURE ON WORKFORCE INVESTMENT ACTIVITIES; TO AMEND SECTION 60, CHAPTER 572, LAWS OF 2004, AS LAST AMENDED BY SECTION 7, CHAPTER 476, LAWS OF 2020, TO EXTEND THE DATE OF REPEAL ON THOSE STATUTES REENACTED BY THIS ACT; TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE AUTHORITY OF STATE SERVICE AGENCIES TO ALLOW TELEWORK IN ACCORDANCE WITH A POLICY APPROVED BY THE STATE PERSONNEL BOARD; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE NONCHARGES CAUSED BY THE COVID-19 PANDEMIC WILL NOT BE USED FOR THE PURPOSES OF CALCULATING THE GENERAL EXPERIENCE RATE; TO CREATE NEW SECTION 71-5-146, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO FINGERPRINT AND CONDUCT BACKGROUND INVESTIGATIONS ON CERTAIN EMPLOYEES, CONTRACTORS AND SUBCONTRACTORS, AND TO ENACT POLICIES AND PROCEDURES REGARDING THE SAME; AND FOR RELATED PURPOSES.

Senator Parker offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 107 by inserting "and amended" after "reenacted".

FURTHER, AMEND by inserting the following below line 314:

(o) To implement and oversee career coaching programs, as described in Section 37-73-3, to support middle schools and high schools by exposing, preparing and connecting students to career avenues within and beyond the classroom setting. The program may include providing career coaches with access to technology to develop customized career pathways and connect students with post-secondary and employment opportunities matching their skills and interests;

(p) To implement and oversee programs providing support to community and junior colleges for training needs that may arise when new businesses locate in Mississippi, to include providing support to existing industries that may lose employees as a result of the new business; and

(q) To implement and oversee the Mississippi K-12 Workforce Development Grant Program created in Section 2 of Senate Bill No. 2810, 2023 Regular Session, to provide equipment and other resources to career and technical or other workforce programs in public schools.

FURTHER, AMEND by striking lines 393-420 and inserting in lieu thereof the following:

(10) The office shall file an annual and a quarterly report with the Governor, Secretary of State, President of the Senate, \* \* \* Speaker of the House, \* \* \* Chairman of the House Workforce Development Committee and Chairman of the Senate Economic and Workforce Committee. The annual report shall be filed not later than October 1 of each year regarding all funds approved by the office to be expended on workforce training during the prior calendar year. The quarterly and annual reports shall include:

(a) Information on the performance of the Mississippi Workforce Enhancement Training Fund and the Mississippi Works Fund, in terms of adding value to



the local and state economy, the contribution to future growth of the state economy, and movement toward state goals, including increasing the labor force participation rate; and

(b) With respect to specific workforce training projects:

- (i) The location of the training;
- (ii) The amount allocated to the project;
- (iii) The purpose of the project;
- (iv) The specific business entity that is the beneficiary of the project; \* \* \*
- (v) The number of employees intended to be trained and actually trained, if applicable, in the course of the project \* \* \*; and
- (vi) The types of funds used for the project.

(c) With respect to the grants that have been awarded under the Mississippi K-12 Workforce Development Grant Program:

- (i) The entity that was awarded the grant;
- (ii) The amount allocated to the grant;
- (iii) The purpose of the grant; and
- (iv) How the grant has been used since it was awarded.

(d) With respect to the office's authority to select tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office:

- (i) The policies that the office has adopted or amended on the process for the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office;
- (ii) The eligible entities that the office determined may provide services, such as companies, nonprofit organizations, or other similar groups;
- (iii) Any tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, that have been selected by the office; and
- (iv) What entity received the benefit of the tools and resources that were selected.

( \* \* \*e) All information concerning a proposed project which is provided to the executive director shall be kept confidential. Such confidentiality shall not limit disclosure under the Mississippi Public Records Act of 1983 of records describing the nature, quantity, cost or other pertinent information related to the activities of, or services performed using, the Mississippi Workforce Enhancement Training Fund or the Mississippi Works Fund.

FURTHER, AMEND on line 6494 by striking "61" and inserting in lieu thereof "62".

FURTHER, AMEND the title to conform by inserting the following on line 5 after the semicolon:

TO AMEND REENACTED SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO GIVE THE STATE WORKFORCE INVESTMENT BOARD THE DUTIES OF IMPLEMENTING AND OVERSEEING CAREER COACHING PROGRAMS IN MIDDLE SCHOOLS AND HIGH SCHOOLS, PROGRAMS PROVIDING SUPPORT TO COMMUNITY AND JUNIOR COLLEGES FOR TRAINING NEEDS ARISING WHEN NEW BUSINESSES LOCATE IN MISSISSIPPI, AND A MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM TO PROVIDE EQUIPMENT AND OTHER RESOURCES TO CAREER AND TECHNICAL OR OTHER WORKFORCE PROGRAMS IN PUBLIC SCHOOLS; TO REVISE CERTAIN REPORTING REQUIREMENTS OF THE OFFICE OF WORKFORCE DEVELOPMENT;

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 588 was adopted.

Senator Parker offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 6496 by inserting the following before the period:

, and shall stand repealed one (1) day before its passage

Amendment No. 2 to Committee Amendment No. 1 to H. B. No. 588 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 588 was adopted.

YEAS AND NAYS On H. B. No. 588. On motion of Senator Parker, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

**H. B. No. 922:** Alcorn State University; update references to in code to reflect current name designation.

YEAS AND NAYS On H. B. No. 922. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There shall be three (3) temporary special circuit judges for the Seventh Circuit Court District with no limitation whatsoever upon the powers and duties of the said judges other than as cast upon them by the Constitution and laws of this state.

(2) There shall be two (2) temporary special circuit judges for the Seventh Circuit Court District with the limitation upon the powers and duties of the judges authorized under this subsection that the judges shall hear only criminal matters, as well as those limitations cast upon them by the Constitution and laws of this state.

(3) No later than fifteen (15) days after the passage of this act, the Chief Justice of the Supreme Court shall appoint the judges authorized under this section. The Chief Justice of the Supreme Court may elect to reappoint circuit judges currently serving on a temporary basis in the Seventh Circuit Court District.

(4) This section shall stand repealed on December 1, 2026.

SECTION 2. Three (3) full-time legal assistants are authorized in the Seventh Circuit Court District in addition to the full-time legal assistants authorized by Section 25-31-5(1)(g).

SECTION 3. The public defender of the Seventh Circuit Court District may appoint three (3) full-time assistant public defenders in addition to those authorized by Section 25-32-3. The full-time assistant public defenders shall receive the same compensation as provided by law for full-time assistant public defenders to be paid from funds specifically appropriated therefor by the Legislature.

SECTION 4. Section 19-23-21, Mississippi Code of 1972, is amended as follows:

19-23-21. (1) The county attorney of any county bordering on the Gulf of Mexico and having two (2) judicial districts may appoint an assistant county attorney from the judicial district in which the county attorney does not reside, to serve for a term commensurate with the county attorney; the assistant county attorney shall receive the same salary, mileage expense account and secretarial assistance as provided by law for the county attorney and shall have the same duties and powers as the county attorney, subject to the direction of the county attorney.

(2) (a) The county attorney of any county housing the seat of state government, wherein U.S. Highways 80 and 49 intersect, and having two (2) judicial districts, may appoint two (2) temporary assistant county attorneys; the temporary assistant county attorneys shall receive the same salary, mileage expense account and secretarial assistance as provided by law for the county attorney to be paid from funds specifically

appropriated therefor by the Legislature; the temporary assistant county attorneys shall have the same duties and powers as the county attorney, subject to the direction of the county attorney.

(b) This subsection shall stand repealed on December 1, 2026.

SECTION 5. Section 9-7-25, Mississippi Code of 1972, is amended as follows:

9-7-25. (1) There shall be four (4) circuit judges for the Seventh Circuit Court District. One (1) judge shall be elected from each subdistrict as provided by Section 9-7-23(2)(a) through (d).

(2) While there shall be no limitation whatsoever upon the powers and duties of the said judges other than as cast upon them by the Constitution and laws of this state, the court in the First Judicial District of Hinds County, in the discretion of the senior circuit judge, may be divided into civil and criminal divisions as a matter of convenience, by the entry of an order upon the minutes of the court.

(3) On January 1, 2026, there shall be one (1) circuit judge for the Seventh Circuit Court District in addition to the judges authorized in subsection (1) of this section. The judge authorized under this subsection shall be elected from the subdistrict as provided by Section 9-7-23(2)(e).

SECTION 6. Section 9-7-23, Mississippi Code of 1972, is amended as follows:

9-7-23. (1) The Seventh Circuit Court District shall be Hinds County.

(2) The Seventh Circuit Court District shall be divided into four (4) subdistricts in Hinds County as follows:

(a) Subdistrict 7-1 shall consist of the following precincts in Hinds County: 1, 2, 4, 5, 6, 8, 9, 10, 32, 33, 34, 35, 36, 44, 45, 46, 47, 72, 73, 74, 75, 76, 77, 78, 79, 92, 93, 96 and 97.

(b) Subdistrict 7-2 shall consist of the following precincts in Hinds County: 11, 12, 13, 14, 15, 16, 17, 23, 27, 28, 29, 30, 37, 38, 39, 40, 41, 42, 43, 80, 81, 82, 83, 84, 85, Brownsville, Cynthia, Pocahontas and Tinnin.

(c) Subdistrict 7-3 shall consist of the following precincts in Hinds County: 18, 19, 20, 21, 22, 24, 25, 26, 31, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 66, 67, 68, 69, 70, 71, 86, 89, and Jackson State.

(d) Subdistrict 7-4 shall consist of the following precincts in Hinds County: 87, 88, 90, 91, 94, 95, Bolton, Byram 1, Byram 2, Cayuga, Chapel Hill, Clinton 1, Clinton 2, Clinton 3, Clinton 4, Clinton 5, Clinton 6, Dry Grove, Edwards, Learned, Old Byram, Pinehaven, Raymond 1, Raymond 2, Spring Ridge, St. Thomas, Terry, Utica 1 and Utica 2.

(e) Subdistrict 7-5 shall consist of the precincts in Hinds County to be determined by the Legislature before January 1, 2026.

SECTION 7. The Department of Public Safety shall issue all patrol police officers within the Office of Capitol Police body-worn cameras that shall be worn on the uniforms of the patrol officers. As used in this section, "body-worn cameras" means devices that are worn by police officers which electronically record audio and video of the activities of the officers.

SECTION 8. Section 45-1-19, Mississippi Code of 1972, is amended as follows:

45-1-19. (1) The Department of Public Safety, through the Office of Capitol Police, shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb, including adjoining streets, sidewalks and leased parking lots within the Capitol Complex, set forth in Section 29-5-2, the Governor's Mansion, the Court of Appeals Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the Department of Public Safety would be responsible for such. The Department of Public Safety shall, through any person or persons appointed by the commissioner, make arrests for any violation of any law of the State of Mississippi on the grounds of or within those properties. The Department of Public Safety shall, in addition, enforce the provisions of this section and Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor. The powers and duties related to the administration of Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain with the Department of Finance and Administration.

(2) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Public Safety shall be authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(3) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmers Market Building located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Public Safety will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(4) The Department of Public Safety and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Mississippi Fair Commission known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property. The Department of Public Safety and the Mississippi Fair Commission are authorized to enter into a contract for the Department of Public Safety to supply the security personnel to the Mississippi Fair Commission with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property.

(5) The Department of Public Safety and the Department of Revenue are authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the Department of Revenue main office.

(6) The Department of Public Safety shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203 and within the boundaries of the City of Jackson, Mississippi. The Department of Public Safety shall, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi which occurs within the boundaries of the district and the City of Jackson. The jurisdiction of the Department of Public Safety granted under this subsection (6) shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi. The Commissioner of the Department of Public Safety and City of Jackson shall enter into a Memorandum of

Understanding by July 1, 2023, which shall be mutually beneficial to both parties detailing the expectations of both parties. The execution of or failure to execute such a memorandum shall not affect any grant of jurisdiction under this subsection. In the event the memorandum is not executed any dispute related to the law enforcement functions of the Office of Capitol Police within the boundaries of the City of Jackson, Mississippi, shall be resolved in favor of the Commissioner of the Department of Public Safety. At any time and/or during any event necessitating the coordination of and/or utilization at multiple jurisdictions, as determined by the Chief of Capitol Police or the Commissioner, the Department of Public Safety shall be the lead agency when the event occurs on property as defined herein that is owned or leased by the state as provided in subsection (1) of this section. Written authorization of the Chief of the Capitol Police or the Commissioner shall be required prior to the approval of any event which is to take place on any street or sidewalk immediately adjacent to any building or property owned or occupied by any official, agency, board, commission, office or other entity of the State of Mississippi, or which can reasonably be expected to block, impede or otherwise hinder ingress thereto and/or egress therefrom. The jurisdiction and authority of the Department of Public Safety under this subsection (6) shall be in addition to any other jurisdiction and authority provided to the department under this section or any other law.

(7) The Department of Public Safety is authorized to enter into a contract with any county for the county to take custody of the misdemeanor offenders arrested under the authority granted under this section.

(8) All accrued personal leave earned pursuant to Section 25-3-93, accrued major medical leave earned pursuant to Section 25-3-95, accrued state compensatory leave earned pursuant to Section 25-3-92, and compensatory leave earned pursuant to the Fair Labor Standards Act (FLSA) shall transfer from the Department of Finance and Administration to the Department of Public Safety for all employees transferred under this section.

SECTION 9. Candidates for the judgeship authorized in Section 9-7-25(2) shall qualify as provided by Section 23-15-977 and shall run for office and be elected as provided in Sections 23-15-974 through 23-15-985 (Nonpartisan Judicial Election Act). The term of the office of the circuit court judgeship authorized in Section 9-7-25(2) shall begin on January 1, 2027, and their terms shall continue for four (4) years as is otherwise provided by law.

SECTION 10. Except for Section 8 of this act, this act shall take effect and be in force from and after July 1, 2023. Section 8 of this act shall take effect and be in force from and after October 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE FIVE TEMPORARY CIRCUIT JUDGES FOR THE FIRST JUDICIAL DISTRICT OF THE SEVENTH CIRCUIT COURT DISTRICT UNTIL DECEMBER 1, 2026; TO PROVIDE THAT TWO OF THE TEMPORARY CIRCUIT JUDGES OF THE FIVE AUTHORIZED IN THIS ACT BE LIMITED TO HEAR ONLY CRIMINAL MATTERS; TO AUTHORIZE THREE FULL-TIME LEGAL ASSISTANTS IN THE SEVENTH CIRCUIT COURT DISTRICT IN ADDITION TO THE FULL-TIME LEGAL ASSISTANTS AUTHORIZED BY SECTION 25-31-5(1)(G); TO AUTHORIZE THREE FULL-TIME ASSISTANT PUBLIC DEFENDERS IN THE SEVENTH CIRCUIT COURT DISTRICT IN ADDITION TO THE FULL-TIME ASSISTANT PUBLIC DEFENDERS AUTHORIZED BY SECTION 25-32-3; TO AMEND SECTION 19-23-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COUNTY PROSECUTING ATTORNEY OF HINDS COUNTY TO APPOINT TWO TEMPORARY ASSISTANT COUNTY ATTORNEYS; TO AMEND SECTION 9-7-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ADDITIONAL CIRCUIT JUDGE TO BE ELECTED IN THE 2026

GENERAL ELECTION SHALL BE ELECTED FROM A SUBDISTRICT TO BE DETERMINED BY THE LEGISLATURE; TO AMEND SECTION 9-7-23, MISSISSIPPI CODE OF 1972, TO PROVIDE ONE ADDITIONAL CIRCUIT JUDGE TO BE ELECTED FROM THE SEVENTH CIRCUIT COURT DISTRICT IN THE 2026 GENERAL ELECTION; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ISSUE ALL CAPITOL POLICE PATROL OFFICERS BODY-WORN CAMERAS; TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO INCLUDE THE GOVERNOR'S MANSION WITHIN THE LIST OF STATE-OWNED BUILDINGS OVER WHICH THE OFFICE OF CAPITOL POLICE HAS JURISDICTION; TO PROVIDE THAT THE DEPARTMENT OF PUBLIC SAFETY SHALL HAVE JURISDICTION RELATIVE TO THE ENFORCEMENT OF ALL LAWS OF THE STATE OF MISSISSIPPI WITHIN THE BOUNDARIES OF THE CITY OF JACKSON, MISSISSIPPI; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY AND THE CITY OF JACKSON TO ENTER INTO A MEMORANDUM OF UNDERSTANDING BY A CERTAIN DATE; TO REQUIRE THE WRITTEN AUTHORIZATION OF THE CHIEF OF THE CAPITOL POLICE OR THE COMMISSIONER PRIOR TO THE APPROVAL OF ANY EVENT WHICH IS TO TAKE PLACE ON ANY STREET OR SIDEWALK IMMEDIATELY ADJACENT TO ANY BUILDING OR PROPERTY OWNED OR OCCUPIED BY ANY OFFICIAL, AGENCY, BOARD, COMMISSION, OFFICE OR OTHER ENTITY OF THE STATE OF MISSISSIPPI; AND FOR RELATED PURPOSES.

Senator Wiggins offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by deleting SECTION 3 in its entirety and insert in lieu thereof the following:

SECTION 3. The public defender of the Seventh Circuit Court District may appoint three (3) full-time assistant public defenders in addition to those appointed under Section 25-32-3. Said full-time assistant public defenders shall receive compensation in an amount equal to full-time assistant public defenders in the Seventh Circuit Court District subject to available funds specifically appropriated therefor by the Legislature.

AMEND on lines 102-106 by deleting the new language and inserting the following:

(3) By October 1, 2023, the clerk of the Seventh Circuit Court District in conjunction with the Administrative Office of Courts shall provide case disposition and caseload data in the district from January 1, 2017, to September 15, 2023, to the Chairs of the Senate Judiciary, Division A and the House Judiciary A Committees and the Chairs of the Senate and House Appropriations Committees for the purpose of assisting the Legislature in its consideration to authorize one (1) circuit judge for the Seventh Circuit Court District in addition to the judges authorized in subsection (1) of this section. Any judge to be authorized under this subsection shall be elected from the subdistrict as provided by Section 9-7-23(2)(e).

AMEND on lines 134-139 by deleting SECTION 7 in its entirety and inserting in lieu thereof the following:

SECTION 7. (1) Subject to the availability of funds specifically appropriated therefor, the Department of Public Safety shall:

(a) Issue all patrol law enforcement officers within the Office of Capitol Police body-worn cameras which shall be worn on the uniforms of the patrol officers; and

(b) Equip all patrol vehicles used by law enforcement officers within the Office of Capitol Police with vehicle cameras.

(2) Body-worn cameras and vehicle cameras required under this section shall be kept in good working condition and shall be operational while an officer or vehicle is on patrol.

(3) As used in this section the following words have the meaning herein ascribed unless the context clearly requires otherwise:

(a) "Body-worn camera" means a device that is worn by a law enforcement officer which has the capability of electronically recording audio and video of the activities of the officer.

(b) "Vehicle camera" means a device that is equipped to a law enforcement vehicle which has the capability of electronically recording audio and video of the activities of the vehicle's surroundings.

AMEND by striking the new language on lines 215-224.

AMEND on line 226 by adding the following before the comma:

within the Capitol Complex Improvement District

AMEND by inserting the following new section after line 252 and renumber subsequent section(s) accordingly:

SECTION (\*). (1) The Commissioner of the Department of Public Safety, the City of Jackson and the Sheriff of Hinds County may enter into a Memorandum of Understanding detailing the expectations of the parties concerning the enforcement of all laws of the State of Mississippi within the boundaries of the City of Jackson, Mississippi.

(2) A copy of any said executed memorandum shall be provided to the Department of Finance and Administration, and the Chairs of the Senate and House Appropriations Committees.

(3) The execution of or failure to execute such a memorandum shall not affect any grant of jurisdiction under Section 45-1-19.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1020 was adopted.

Senator Wiggins offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND by striking SECTION 2 in its entirety and renumbering subsequent sections accordingly.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 2 to Committee Amendment No. 1 to H. B. No. 1020 was adopted by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Hill, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams. Total--32.



Nays--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), DeLano, Frazier, Hickman, Hopson, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--17.

Absent and those not voting--Bryan, Harkins, Younger. Total--3.

Senators Blackmon, Simmons D. T. (12th), Blount, Norwood, Horhn, Frazier, Hickman, Turner-Ford and Simmons S. (13th) offered the following AMENDMENT NO. 3 TO COMMITTEE AMENDMENT NO. 1.

AMEND by striking SECTION 1 in its entirety and renumbering subsequent sections accordingly.

FURTHER, AMEND on line 91 by changing "four (4)" to "six (6)"

FURTHER, AMEND on line 94 by changing "(d)" to "(f)"

FURTHER, AMEND by striking lines 102 through 106.

FURTHER, AMEND on lines 132-133 by deleting "January 1, 2026" and insert "April 2, 2024"

FURTHER, AMEND by inserting the following after line 133:

(f) Subdistrict 7-6 shall consist of the precincts in Hinds County to be determined by the Legislature before April 2, 2024.

FURTHER, AMEND on lines 253 through 260 by deleting SECTION 9 and insert in lieu thereof the following:

SECTION 9. (1) Candidates for the judgeships to be elected from subdistricts 7-5 and 7-6 as defined by Section 9-7-23 shall qualify as provided by Section 23-15-977 and shall run for office and be elected as provided in Sections 23-15-974 through 23-15-985 (Nonpartisan Judicial Election Act). The term of the office of the circuit court judgeships to be elected from subdistricts 7-5 and 7-6 as defined by Section 9-7-23 shall begin on January 1, 2027 which shall continue for four (4) years as is otherwise provided by law.

(2) The vacancies under subdistricts 7-5 and 7-6 shall be appointed on January 1, 2025, to a two-year appointment by the Senior Circuit Judge of the Seventh Circuit Court District.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 3 to Committee Amendment No. 1 to H. B. No. 1020 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams. Total--34.

Absent and those not voting--Bryan, Hopson, Younger. Total--3.

Senators Simmons D. T. (12th), Blackmon, Norwood, Blount, Frazier, Hickman, Horhn, Simmons (13th) and Turner-Ford offered the following AMENDMENT NO. 4 TO COMMITTEE AMENDMENT NO. 1.

AMEND by striking SECTION 1 in its entirety and renumber subsequent sections accordingly.

FURTHER, AMEND by striking lines 102 through 106 and inserting the following in lieu thereof:

(3) On January 1, 2026, there shall be two (2) circuit judges for the Seventh Circuit Court District in addition to the judges authorized in subsection (1) of this section. The judges authorized under this subsection shall be elected from the subdistricts as provided by Section 9-7-23(2)(e) through (f).

FURTHER, AMEND on lines 132 and 133 by striking "January 1, 2026" and inserting "March 31, 2023" in lieu thereof.

FURTHER, AMEND by inserting the following language below line 133:

(f) Subdistrict 7-6 shall consist of the precincts in Hinds County to be determined by the Legislature before March 31, 2023.

FURTHER, AMEND by striking the language on lines 257 through 260 and inserting the following language in lieu thereof:

The terms of the office of the circuit court judgeships authorized in Section 9-7-25(2) shall begin on January 1, 2024, and their initial terms shall continue for three (3) years with a full four-year term to begin on January 1, 2027, as is otherwise provided by law.

FURTHER, AMEND by striking SECTION 10 in its entirety and inserting the following language in lieu thereof:

SECTION 10. Sections 6, 7 and 9 shall take effect and be in force from and after its passage. Section 8 of this act shall take effect and be in force from and after October 1, 2023. The remainder of this act shall take effect and be in force from and after July 1, 2023.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 4 to Committee Amendment No. 1 to H. B. No. 1020 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams. Total--34.

Absent and those not voting--Bryan, Hopson, Younger. Total--3.

Senators Norwood, Horhn, Blount, Frazier, Blackmon, Simmons D. T. (12th), Simmons S. (13th), Hickman and Turner-Ford offered the following AMENDMENT NO. 5 TO COMMITTEE AMENDMENT NO. 1.

AMEND on lines 230-237 by striking the following language:

Written authorization of the Chief of the Capitol Police or the Commissioner shall be required prior to the approval of any event which is to take place on any street or sidewalk immediately adjacent to any building or property owned or occupied by any official, agency, board, commission, office or other entity of the State of Mississippi, or which can reasonably be expected to block, impede or otherwise hinder ingress thereto and/or egress therefrom.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 5 to Committee Amendment No. 1 to H. B. No. 1020 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Sparks, Tate, Thomas, Thompson, Turner-Ford. Total--18.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Suber, Whaley, Wiggins, Williams. Total--31.

Absent and those not voting--Bryan, Hopson, Younger. Total--3.

Senator Sojourner moved the previous question.

According to Senate Rule 97.2, taking precedence over the previous question motion, Senator Simmons D. T. (12th) moved that H. B. No. 1020 be tabled, and the motion failed.

Senator Sojourner requested unanimous consent to withdraw her motion to move the previous question.

Senators Simmons D. T. (12th), Blount, Blackmon, Norwood, Horhn, Simmons S. (13th), Hickman and Turner-Ford offered the following AMENDMENT NO. 6 TO COMMITTEE AMENDMENT NO. 1.

AMEND by striking SECTION 8 and the new section added by Amendment No. \_\_\_\_ after line 252 in their entirety and renumbering subsequent sections accordingly.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 6 to Committee Amendment No. 1 to H. B. No. 1020 failed by the following vote:

Yeas--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Nays--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams. Total--35.

Absent and those not voting--Bryan, Younger. Total--2.

## PARLIAMENTARY INQUIRY

Senator Blackwell raised a point of inquiry whether, since the sales tax provision had been removed from the bill, the vote should be changed from 3/5 to simple majority.

## RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of inquiry well-taken.

Senators Blount, Frazier, Horhn, Blackmon, Norwood, Simmons D. T. (12th), Simmons S. (13th), Hickman and Turner-Ford offered the following AMENDMENT NO. 7 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 241 by inserting the following language after "law.":

Notwithstanding Section 45-1-6, the Attorney General shall designate a law enforcement agency or task force, other than the Mississippi Bureau of Investigation, to investigate any incident of a shooting involving one or more members of any office of the Department of Public Safety resulting in injury or death occurring in the state.

FURTHER, AMEND the title to conform.

## POINT OF ORDER

A point of order was raised by Senator Wiggins that Amendment No. 7 to Committee Amendment No. 1 to H. B. No. 1020 is not germane.

## RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken.

Senator Hopson offered the following AMENDMENT NO. 8 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 262 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

FURTHER, AMEND on line 264 by inserting before the period the following:

, and shall stand repealed on September 30, 2023

Amendment No. 8 to Committee Amendment No. 1 to H. B. No. 1020 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1020 was adopted.

YEAS AND NAYS On H. B. No. 1020. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams. Total--34.

Nays--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Absent and those not voting--Bryan, Younger. Total--2.

Voting Present--Barrett. Total--1.

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Senator Polk moved that the Senate stand in recess until 3:00 PM.

The motion prevailed, and at 2:03 PM, the Senate stood in recess.

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The Senate resumed business at 3:00 PM, pursuant to recess, with President Hosemann presiding.

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Senator Blount called up the following entitled bill:

**H. B. No. 606:** The Mobile/Online Betting Task Force; authorize.

Senator Blount offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is hereby created the Mobile-Online Sports Betting Task Force to undertake a comprehensive analysis of all matters related to online sports betting within this state. The task force shall be co-chaired by the House Gaming Committee Chair and the Senate Gaming Committee Chair and shall be composed of a total of thirteen (13) members, with eleven (11) members to be appointed as follows:

(a) The Executive Director of the Mississippi Gaming Commission or a designee;

(b) The Commissioner of the Department of Revenue or a designee;

(c) The Chairman of the Mississippi Gaming and Hospitality Association or his/her designee;

(d) Three (3) members appointed by the Chair of the Senate Gaming Committee, at least one (1) of whom must be a licensed casino operator in the state;

(e) Three (3) members appointed by the Chair of the House Gaming Committee, at least one (1) of whom must be a licensed casino operator in the state;

(f) A member of the House Gaming Committee appointed by the Chair of the House Gaming Committee; and

(g) A member of the Senate Gaming Committee appointed by the Chair of the Senate Gaming Committee.

(2) The members of the task force shall be appointed within thirty (30) days of the effective date of this act. Any vacancy in the task force shall not affect its powers, but shall be filled as prescribed in subsection (1) of this section. The task force shall hold its first meeting within sixty (60) days of the effective date of this act, on a joint call of the chairmen of the task force. A majority of the membership of the task force shall constitute a quorum, and shall meet at the call of the chairmen. All members must be notified in writing of all meetings at least five (5) days before the date on which a meeting of the task force is scheduled.

(3) The members of the task force shall serve without compensation.

(4) The PEER Committee shall prepare and submit a final report that contains a detailed statement of findings, conclusions and recommendations of the task force as jointly approved by the co-chairmen to the Legislature by December 15, 2023. The report shall be made available to the public.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MOBILE-ONLINE SPORTS BETTING TASK FORCE; TO PROVIDE THE PURPOSES OF THE TASK FORCE; TO DESIGNATE THE CO-CHAIRS OF THE TASK FORCE; TO PROVIDE FOR THE APPOINTED MEMBERS TO THE TASK FORCE; TO PROVIDE FOR A REPORT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 606 was adopted.

YEAS AND NAYS On H. B. No. 606. On motion of Senator Blount, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Frazier. Total--1.

Absent and those not voting---None.

Voting Present--Carter, Hill. Total--2.

Senator Tate called up the following entitled bill:

**H. B. No. 1306:** Elections; revise certain provisions about names of candidates appearing on the ballot, judicial candidate's annual report and fraudulent absentee voter applications.

Senator Tate offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-211, Mississippi Code of 1972, is amended as follows:

23-15-211. (1) There shall be a State Board of Election Commissioners to consist of the following members:

(a) The Governor, who shall serve as chair;

(b) The Secretary of State, who shall serve as secretary, maintain minutes of all meetings and accept service of process on behalf of the board; and

(c) The Attorney General.

Any two (2) of the members of the State Board of Election Commissioners may perform the duties required of the board.

(2) The duties of the board shall include, but not be limited to, the following:

(a) Ruling on a candidate's qualifications to run for statewide, Supreme Court, Court of Appeals, congressional district, circuit and chancery court district, and other state district offices;

(b) Approving the state ballot for the offices stated in paragraph (a) of this subsection (2); and

\* \* \*

( \* \* \*c) Adopting any administrative rules and regulations as are necessary to carry out the statutory duties of the board.

(3) The board of supervisors of each county shall pay members of the county election commission for attending training events a per diem in the amount provided in Section 23-15-153; however, except as otherwise provided in this section, the per diem shall not be paid to an election commissioner for more than twelve (12) days of training per year and shall only be paid to election commissioners who actually attend and complete a training event and obtain a training certificate.

(4) Included in this twelve (12) days shall be an elections seminar, conducted and sponsored by the Secretary of State. Election commissioners and chairpersons of each political party executive committee, or their designee, shall be required to attend. An election commissioner shall be certified by the Secretary of State only after attending the annual elections seminar and satisfactorily completing the skills assessment provided for in Section 23-15-213. Such skills assessment shall only be required once every four (4) years.

(5) Each participant shall receive a certificate from the Secretary of State indicating that the named participant has received the elections training seminar instruction and satisfactorily completed the skills assessment provided for in Section 23-15-213. Election commissioners shall annually file the certificate with the chancery clerk. If any election commissioner shall fail to file the certificate by April 30 of each year, his or her office shall be vacated, absent exigent circumstances as determined by the board of supervisors and consistent with the facts. The vacancy shall be declared by the board of supervisors and the vacancy shall be filled in the manner described by law. Before declaring the office vacant, the board of supervisors shall give the election commissioner notice and the opportunity for a hearing.

(6) The Secretary of State, upon approval of the board of supervisors, may authorize not more than eight (8) additional training days per year for election commissioners in one or more counties. The board of supervisors of each county shall pay members of the county election commission for attending training on these days a per diem in the amount provided in Section 23-15-153.

SECTION 2. Section 23-15-811, Mississippi Code of 1972, is amended as follows:

23-15-811. (a) Any candidate or any other person who willfully violates the provisions and prohibitions of this article shall be guilty of a misdemeanor and upon conviction shall be punished by a fine in a sum not to exceed Three Thousand Dollars (\$3,000.00) or imprisoned for not longer than six (6) months or by both fine and imprisonment.

(b) In addition to the penalties provided in subsection (a) of this section and Chapter 13, Title 97, Mississippi Code of 1972, any candidate or political committee which is required to file a statement or report and fails to file the statement or report on the date it is due may be compelled to file the statement or report by an action in the nature of a mandamus brought by the Mississippi Ethics Commission.

(c) No candidate shall be certified as nominated for election or as elected to office until he or she files all reports required by this article that are due as of the date of certification.

(d) No person shall be qualified to appear on the ballot if, by the time the candidate is approved to appear on the ballot for the office sought, he or she has failed to file all reports required to be filed within the last three (3) years.

( \*\* \*e) No candidate who is elected to office shall receive any salary or other remuneration for the office until he or she files all reports required by this article that are due as of the date the salary or remuneration is payable.

( \*\* \*f) In the event that a candidate fails to timely file any report required pursuant to this article but subsequently files a report or reports containing all of the information required to be reported, the candidate shall not be subject to the sanctions of subsections (c) and (d) of this section.

SECTION 3. Section 23-15-807, Mississippi Code of 1972, is amended as follows:

23-15-807. (a) Each candidate or political committee shall file reports of contributions and disbursements in accordance with the provisions of this section. All candidates or political committees required to report such contributions and disbursements may terminate the obligation to report only upon submitting a final report that contributions will no longer be received or disbursements made and that the candidate or committee has no outstanding debts or obligations. The candidate, treasurer or chief executive officer shall sign the report.

(b) Candidates seeking election, or nomination for election, and political committees making expenditures to influence or attempt to influence voters for or against the nomination for election of one or more candidates or balloted measures at such election, shall file the following reports:

(i) In any calendar year during which there is a regularly scheduled election, a pre-election report shall be filed no later than the seventh day before any election in which the candidate or political committee has accepted contributions or made expenditures and shall be completed as of the tenth day before the election;



(ii) In 1987 and every fourth year thereafter, periodic reports shall be filed no later than the tenth day after April 30, May 31, June 30, September 30 and December 31, and shall be completed as of the last day of each period;

(iii) In any calendar years except 1987 and except every fourth year thereafter, a report covering the calendar year shall be filed no later than January 31 of the following calendar year; and

(iv) Except as otherwise provided in the requirements of paragraph (i) of this subsection (b), unopposed candidates are not required to file pre-election reports but must file all other reports required by paragraphs (ii) and (iii) of this subsection (b).

(c) All candidates for judicial office as defined in Section 23-15-975, or their political committees, shall file periodic reports in the year in which they are to be elected no later than the tenth day after April 30, May 31, June 30, September 30 and December 31. Candidates for judicial office shall not be required to file an annual report during an election year, but shall file an annual report in all other years.

(d) Each report under this article shall disclose:

(i) For the reporting period and the calendar year, the total amount of all contributions and the total amount of all expenditures of the candidate or reporting committee, including those required to be identified pursuant to paragraph (ii) of this subsection (d) as well as the total of all other contributions and expenditures during the calendar year. The reports shall be cumulative during the calendar year to which they relate;

(ii) The identification of:

1. Each person or political committee who makes a contribution to the reporting candidate or political committee during the reporting period, whose contribution or contributions within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars (\$200.00) together with the date and amount of any such contribution;

2. Each person or organization, candidate or political committee who receives an expenditure, payment or other transfer from the reporting candidate, political committee or its agent, employee, designee, contractor, consultant or other person or persons acting in its behalf during the reporting period when the expenditure, payment or other transfer to the person, organization, candidate or political committee within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars (\$200.00) together with the date and amount of the expenditure;

(iii) The total amount of cash on hand of each reporting candidate and reporting political committee;

(iv) In addition to the contents of reports specified in paragraphs (i), (ii) and (iii) of this subsection (d), each political party shall disclose:

1. Each person or political committee who makes a contribution to a political party during the reporting period and whose contribution or contributions to a political party within the calendar year have an aggregate amount or value in excess of Two Hundred Dollars (\$200.00), together with the date and amount of the contribution;

2. Each person or organization who receives an expenditure or expenditures by a political party during the reporting period when the expenditure or expenditures to the person or organization within the calendar year have an aggregate value or amount in excess of Two Hundred Dollars (\$200.00), together with the date and amount of the expenditure;

(v) Disclosure required under this section of an expenditure to a credit card issuer, financial institution or business allowing payments and money transfers to be made over the Internet must include, by way of detail or separate entry, the amount of funds passing to each person, business entity or organization receiving funds from the expenditure.

(e) The appropriate office specified in Section 23-15-805 must be in actual receipt of the reports specified in this article by 5:00 p.m. on the dates specified in subsection (b) of this section. If the date specified in subsection (b) of this section shall fall on a weekend or legal holiday then the report shall be due in the appropriate office at 5:00 p.m. on the first working day before the date specified in subsection (b) of this section. The reporting candidate or reporting political committee shall ensure that the reports are delivered to the appropriate office by the filing deadline. The Secretary of State may approve specific means of electronic transmission of completed campaign finance disclosure reports, which may include, but not be limited to, transmission by electronic facsimile (FAX) devices.

(f) (i) If any contribution of more than Two Hundred Dollars (\$200.00) is received by a candidate or candidate's political committee after the tenth day, but more than forty-eight (48) hours before 12:01 a.m. of the day of the election, the candidate or political committee shall notify the appropriate office designated in Section 23-15-805, within forty-eight (48) hours of receipt of the contribution. The notification shall include:

1. The name of the receiving candidate;
2. The name of the receiving candidate's political committee, if any;
3. The office sought by the candidate;
4. The identification of the contributor;
5. The date of receipt;
6. The amount of the contribution;
7. If the contribution is in-kind, a description of the in-kind contribution; and
8. The signature of the candidate or the treasurer or chair of the candidate's political organization.

(ii) The notification shall be in writing, and may be transmitted by overnight mail, courier service, or other reliable means, including electronic facsimile (FAX), but the candidate or candidate's committee shall ensure that the notification shall in fact be received in the appropriate office designated in Section 23-15-805 within forty-eight (48) hours of the contribution.

SECTION 4. Section 23-15-753, Mississippi Code of 1972, is amended as follows:

23-15-753. (1) Any person who willfully, unlawfully and feloniously procures, seeks to procure, or seeks to influence the vote of any person voting by absentee ballot, by the payment of money, the promise of payment of money, or by the delivery of any other item of value or promise to give the voter any item of value, or by promising or giving the voter any favor or reward in an effort to influence his vote, or any person who aids, abets, assists, encourages, helps, or causes any person voting an absentee ballot to violate any provision of law pertaining to absentee voting, or any person who sells his vote for money, favor, or reward, has been paid or promised money, a reward, a favor or favors, or any other item of value, or any person who fraudulently requests or submits an

absentee ballot application for any voter, or any person who shall willfully swear falsely to any affidavit provided for in Sections 23-15-621 through 23-15-735, shall be guilty of the crime of "vote fraud" and, upon conviction, shall be sentenced to pay a fine of not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00), or by imprisonment in the county jail for no more than one (1) year, or by both fine and imprisonment, or by being sentenced to the State Penitentiary for not less than one (1) year nor more than five (5) years.

(2) It shall be unlawful for any person who pays or compensates another person for assisting voters in marking their absentee ballots to base the pay or compensation on the number of absentee voters assisted or the number of absentee ballots cast by persons who have received the assistance. Any person who violates this section, upon conviction, shall \* \* \* be fined not less than One Thousand Dollars (\$1,000.00) nor more than Five Thousand Dollars (\$5,000.00), or imprisoned in the Penitentiary not less than one (1) year nor more than five (5) years, or both.

SECTION 5. This act shall take effect and be in force from and after January 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 23-15-211, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE STATE BOARD OF ELECTION COMMISSIONERS TO REMOVE THE DUTY OF THE BOARD TO REMOVE THE NAMES OF CANDIDATES FROM THE BALLOT FOR FAILURE TO COMPLY WITH CAMPAIGN FINANCE FILING REQUIREMENTS; TO AMEND SECTION 23-15-811, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON SHALL BE QUALIFIED TO APPEAR ON THE BALLOT IF, BY THE TIME THE CANDIDATE IS APPROVED TO APPEAR ON THE BALLOT FOR THE OFFICE SOUGHT, HE OR SHE HAS FAILED TO FILE ALL REPORTS REQUIRED TO BE FILED WITHIN THE LAST THREE YEARS; TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CANDIDATES FOR JUDICIAL OFFICE SHALL NOT BE REQUIRED TO FILE AN ANNUAL REPORT IN AN ELECTION YEAR BUT SHALL FILE ONE IN OTHER YEARS; TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO PROVIDE A PENALTY FOR ANY PERSON WHO FRAUDULENTLY REQUESTS OR SUBMITS AN ABSENTEE BALLOT APPLICATION FOR ANY VOTER; AND FOR RELATED PURPOSES.

Senator Tate offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 101, strike "three (3)" and insert "five (5)"

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1306 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1306 was adopted.

YEAS AND NAYS On H. B. No. 1306. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Tate called up the following entitled bill:

**H. B. No. 1276:** State officers; provide for a runoff election for.

YEAS AND NAYS On H. B. No. 1276. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Turner-Ford. Total--1.

Absent and those not voting----None.

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Senator Caughman called up the following entitled bill:

**H. B. No. 1110:** Second Amendment Financial Privacy Act; create.

Senator Caughman offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Second Amendment Financial Privacy Act."

SECTION 2. The Legislature finds that:

(a) The Second Amendment to the United States Constitution guarantees the people the right to keep and bear arms;

(b) Article III, Section 12, Mississippi Constitution of 1890, provides that "The right of every citizen to keep and bear arms in defense of his home, person, or property, or in aid of the civil power when thereto legally summoned, shall not be called in question, but the Legislature may regulate or forbid carrying concealed weapons";

(c) In September 2022, the International Organization for Standardization (ISO), based in Switzerland, approved a new merchant category code for firearm and ammunition merchants;

(d) In the letter to payment card networks, federal lawmakers stated that the new Merchant Category Code for firearms retailers would be ". . .the first step towards facilitating the collection of valuable financial data that could help law enforcement in

countering the financing of terrorism efforts", expressing a clear government expectation that networks will utilize the new Merchant Category Code to conduct mass surveillance of constitutionally protected firearms and ammunition purchases in cooperation with law enforcement;

(e) This potential for cooperative surveillance and tracking of lawful firearms and ammunition purchases will have a significant chilling effect on citizens wishing to exercise their federal and state constitutional rights to keep and bear arms in Mississippi;

(f) While federal law requires some financial institutions to report transactions that are highly indicative of money laundering or other unlawful activities, there is no federal or state law authorizing financial institutions to surveil and track lawful activities by customers in cooperation with law enforcement;

(g) The creation or maintenance of records of purchases of firearms or ammunition or the tracking of sales made by a retailer of firearms or ammunition by a nongovernmental entity, including a financial institution, without a substantial and historical business need or a requirement imposed by law, may frustrate the right to keep and bear arms and violate the reasonable privacy rights of lawful purchasers of firearms or ammunition; and

(h) Based on the above stated findings, it is the intent of the Legislature to prohibit the misuse of payment card processing systems to surveil, report, or otherwise discourage constitutionally protected firearm and ammunition purchases within the State of Mississippi.

SECTION 3. As used in this act, the following words shall have the meanings as defined in this section, unless the context clearly indicates otherwise:

(a) "Customer" means any resident of Mississippi engaged in a payment card transaction that a financial institution facilitates or processes.

(b) "Disclosure" or "disclose" means the transfer, publication, or distribution of protected financial information to another person or entity for any purpose other than: (i) to process or facilitate a payment card transaction; or (ii) to take any actions related to dispute processing, fraud management, or protecting transaction integrity from concerns related to illegal activities, breach or cyber risks.

(c) "Financial institution" means an entity involved in facilitating or processing a payment card transaction, including, but not limited to, a bank, an acquirer, payment card network, or payment card issuer.

(d) "Financial record" means a record held by a financial institution related to a payment card transaction that the financial institution has processed or facilitated.

(e) "Firearms retailer" means any person or entity physically located in the State of Mississippi engaged in the lawful business of selling or trading firearms or ammunition to be used in firearms.

(f) "Firearms code" means the Merchant Category Code 5723 approved in September 2022 by the International Organization for Standardization for firearms retailers.

(g) "Government entity" means any county or municipality, or state board, commission, agency, bureau, department, or any other political subdivision of the state.

(h) "Protected financial information" means any record of a sale, purchase, return, or refund involving a payment card that is retrieved, characterized, generated, labeled, sorted, or grouped based on the assignment of a firearms code.

SECTION 4. (1) Except for those records kept during the regular course of a criminal investigation and prosecution or as otherwise required by law, a state governmental agency or local government, special district, or other political subdivision or official, agent, or employee of the state or other governmental entity or any other person, public or private, other than the owner or owner's representative, may not knowingly and willfully keep or cause to be kept any list, record, or registry of privately owned firearms or any list, record, or registry of the owners of those firearms.

(2) A financial institution or its agent may not require the usage of the firearms code in a way that distinguishes a firearms retailer physically located in the State of Mississippi from general merchandise retailers or sporting goods retailers.

(3) A financial institution may not discriminate against a firearms retailer by declining a lawful payment card transaction based solely on the assignment or nonassignment of a firearms code; provided that a financial entity may decline or otherwise refuse to process the transaction on the basis of the firearms code only if necessary to comply with this section or if requested by the customer due to card security controls, fraud controls, or merchant category exclusions offered by a financial entity for the purpose of expenditure control or corporate card control.

(4) Except as otherwise required by law or regulation, a financial institution may not disclose a financial record, including a firearms code that was collected in violation of this act, unless the disclosure of such financial record or firearms code was based on a good-faith conclusion that the entity's action was required by applicable law or regulation.

(5) Nothing in this section shall limit the ability of a financial institution to negotiate with responsible parties or otherwise impair the financial institution's actions related to dispute processing, fraud management, protecting transaction integrity from concerns related to illegal activities, breach or cyber risks.

SECTION 5. (1) The Attorney General may investigate alleged violations of this act and, upon finding a violation, shall provide written notice to any individual or entity, public or private, believed to be in violation of this act. Written notice to any commercial entity shall be made to the entity's registered agent pursuant to Section 79-35-13. Upon receipt of such written notice from the Attorney General, the entity shall have thirty (30) calendar days to cease any violation of this act.

(2) Either a firearms retailer physically located in Mississippi whose business was the subject of an alleged violation of this act or a customer who transacted at a firearms retailer physically located in Mississippi whose business was the subject of an alleged violation of this act, may petition the Attorney General to investigate the alleged violation in accordance with subsection (1) of this section.

(3) (a) If an individual or entity is found to be in violation of this act and fails to cease the violating activity after the expiration of thirty (30) calendar days from the receipt of written notice by the Attorney General's office, the Attorney General may pursue an injunction against any individual or entity, public or private, alleged to be in violation of this act. The Attorney General may pursue an injunction pursuant to this subsection in chancery court in the judicial district where the alleged violation occurred against the individual or entity in alleged violation of this act.

(b) If a court finds that an individual or entity continues to be in violation of this act after thirty (30) calendar days from receiving written notice from the Attorney General in accordance with subsection (1) of this section, then the court shall enjoin the individual or entity from continuing the activity found to be in violation of this act.

(c) If an individual or entity knowingly and willfully fails to comply with an injunction as provided in paragraph (b) of this subsection within thirty (30) days after being

served with the injunction, then the Attorney General, upon petition to the court, may recover on behalf of the state a civil penalty in a sum not to exceed Ten Thousand Dollars (\$10,000.00) per violation of an injunction issued pursuant to paragraph (b) of this subsection, committed after the expiration of the period of thirty (30) days after the entity was served with the injunction. In assessing such a penalty, the court shall consider factors, including the financial resources of the violator and the harm or risk of harm to the Second Amendment rights resulting from the violation. The Attorney General may also recover, in addition to the civil penalty pursuant to this subsection, investigative costs and a reasonable attorney's fee. Any order assessing a penalty for violation of this act pursuant to this paragraph shall be stayed pending appeal of the order.

(d) The remedies set forth in this act shall be the exclusive remedies for violation of this act.

(e) It shall be a defense to a proceeding initiated pursuant to this act that such firearms code was required to be used based on a good-faith conclusion that the entity's disclosure or action was required by applicable law or regulation.

SECTION 6. This act shall take effect and be in force from and after January 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "SECOND AMENDMENT FINANCIAL PRIVACY ACT"; TO PROVIDE LEGISLATIVE FINDINGS; TO DEFINE CERTAIN TERMS RELATING TO THE ACT; TO PROHIBIT A STATE AGENCY OR OTHER POLITICAL SUBDIVISION OF THE STATE, OR ANY OTHER PERSON, PUBLIC OR PRIVATE, FROM KEEPING ANY RECORD OF PRIVATELY OWNED FIREARMS, OR REGISTRY OF THE OWNER OF THOSE FIREARMS; TO PROHIBIT A FINANCIAL INSTITUTION FROM USING A FIREARMS CODE TO ENGAGE IN CERTAIN DISCRIMINATORY CONDUCT IN THE STATE; TO AUTHORIZE THE ATTORNEY GENERAL TO INVESTIGATE ALLEGED VIOLATIONS OF THIS ACT; TO AUTHORIZE THE ATTORNEY GENERAL TO PURSUE AN INJUNCTION AGAINST ANY ENTITY OR INDIVIDUAL IN VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

Senator Johnson offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 116 by deleting "card security controls," and inserting "or" after "customer"

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1110 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1110 was adopted.

YEAS AND NAYS On H. B. No. 1110. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel,

Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackmon, Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--12.

Absent and those not voting----None.

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Senator McCaughn called up the following entitled nomination:

**S. N. No. 59:** Dr. Robert Allen (Bob) Filgo, Jr., Madison, Mississippi, State Board of Veterinary Medicine, five year term effective June 28, 2022 and ending May 22, 2027, vice Dr. Gail S. Anderson.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 59 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McCaughn called up the following entitled bill:

**H. B. No. 232:** Dairy show; relocate the show held in Lee County, MS, to Pontotoc County, MS.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 69-5-107, Mississippi Code of 1972, is amended as follows:

69-5-107. Dairy shows shall be held, in addition to the livestock shows, each fall at \* \* \* Pontotoc in Pontotoc County, at Newton in Newton County, at Tylertown in Walthall County, and at Purvis in Lamar County, and each summer at the Neshoba County Fair in Neshoba County, and any person in the state is entitled to participate in any of the dairy shows. The dairy shows shall be supervised and handled in the same manner as provided for livestock shows in Section 69-5-105, and each of the five (5) dairy shows herein provided for shall receive such part of the monies appropriated for the Mississippi Livestock Show as shall be specified in the act making such appropriation.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:



AN ACT TO AMEND SECTION 69-5-107, MISSISSIPPI CODE OF 1972, TO CANCEL THE DAIRY SHOW HELD AT VERONA IN LEE COUNTY, MISSISSIPPI, AND RELOCATE THE SHOW TO PONTOTOC IN PONTOTOC COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 232 failed.

YEAS AND NAYS On H. B. No. 232. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--McMahan. Total--1.  
Absent and those not voting----None.

Senator McCaughn called up the following entitled bill:

**H. B. No. 256:** Mississippi Boll Weevil Management Corporation; extend repealer on requirement that audits be submitted by November 15.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 69-37-17, Mississippi Code of 1972, is amended as follows:

69-37-17. (1) At the request of the corporation, the bureau shall authorize a statewide referendum among all Mississippi cotton growers on the question of whether an assessment, not to exceed One Dollar (\$1.00) per acre, shall be levied upon all cotton producers to offset, in whole or in part, the cost of maintaining the corporation, conducting referenda, and/or conducting a program to collect data and information on boll weevil populations and control costs. Any assessments levied for data-collecting programs as a result of the referendum shall be in addition to assessments being collected to support any other boll weevil management programs in the state.

(2) At the request of the corporation, the bureau shall authorize a statewide referendum among all Mississippi cotton growers on the question of whether an assessment, not to exceed Twelve Dollars (\$12.00) per acre, shall be levied upon all cotton growers to offset, in whole or in part, the cost of managing boll weevil suppression, pre-eradication, eradication, or post-eradication programs authorized by this chapter or by any other law of this state. The programs shall be designed on a statewide basis.

(3) The assessment levied under this chapter shall be based upon the level of boll weevil infestation and the anticipated cost of conducting the proposed program, as determined by available scientific data, and the number of acres of cotton planted in the specified management zone. The maximum amount of the assessment, the period of time for which it shall be levied, how it shall be levied, and when it shall be paid shall be determined by the bureau and the board and established by regulations according to this

section. The maximum amount of the assessment, the period of time for which it will be levied, and when the payment is due shall appear on all ballots for the referenda authorized by subsections (1) and (2) of this section.

(4) All cotton growers having membership in a local cotton growers association shall be entitled to vote in any referendum authorized by subsections (1) and (2) of this section, and the bureau, after consultation with the corporation, shall determine any questions of eligibility to vote. A cotton grower must be growing cotton within this state and be a member of a local cotton growers association in order to be eligible to vote in elections and referenda concerning boll weevil management practices.

(5) Each eligible cotton grower shall be mailed a ballot upon which to cast a vote for or against the boll weevil suppression, pre-eradication, eradication or post-eradication program.

(6) Passage of a referendum under subsection (1) or (2) of this section shall require that at least twenty percent (20%) of the registered cotton growers vote in the referendum and that a majority of those voting statewide approve the referendum.

(7) (a) The assessments collected by the department under this chapter shall be promptly remitted to the State Treasury on behalf of the corporation in the special fund established in paragraph (b) of this subsection to be held in trust for the use and benefit of the corporation in administering the designated boll weevil management program through the suppression, pre-eradication, eradication or post-eradication of boll weevils.

(b) There is created within the State Treasury a special fund to be designated the "Mississippi Boll Weevil Management Corporation Trust Fund" into which shall be deposited all the revenues collected by the department for assessments levied under the provisions of this section. Monies in the fund shall be disbursed upon warrants issued by the State Fiscal Officer upon requisitions signed by the corporation's board. Monies in the fund shall remain inviolate and any unexpended amounts remaining in the fund at the end of the fiscal year, and any interest earned thereon, shall be divested to the corporation.

(8) (a) The corporation shall provide to the department an annual audit of its accounts performed by a certified public accountant.

(b) \* \* \* The corporation shall provide the annual audit no later than November 15 for the preceding calendar year.

\* \* \*

(9) The assessments collected by the department under this chapter shall not be considered as "state" funds.

(10) Upon completion or termination of a program, any unused funds shall be transferred to and deposited in the Boll Weevil Management Fund created under Section 69-37-39, for the purpose of being used if there is a future occurrence of a boll weevil outbreak in the state.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 69-37-17, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE PROVISION OF LAW THAT REQUIRES THE MISSISSIPPI BOLL WEEVIL MANAGEMENT CORPORATION TO SUBMIT THE

ANNUAL AUDIT OF ITS ACCOUNTS TO THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE NO LATER THAN NOVEMBER 15; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 256 was adopted.

YEAS AND NAYS On H. B. No. 256. On motion of Senator Suber, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator McCaughn called up the following entitled bill:

**H. B. No. 484:** Petroleum Products Inspection Law; delete repealer on definitions and penalties under.

Senator McCaughn offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 75-55-5, Mississippi Code of 1972, is amended as follows:

75-55-5. \* \* \* The words, terms and phrases as used in this chapter shall have the following meanings, unless the context requires otherwise:

(a) The term "commissioner" means the Commissioner of the Mississippi Department of Agriculture and Commerce, or his agents and employees.

(b) The term "State Chemist" means the Director of the Mississippi State Chemical Laboratory, or his agents and employees.

(c) The term "ASTM" means an international voluntary consensus standards organization formed for the development of standards on characteristics and performance of materials, products, systems, and services, and the promotion of related knowledge.

(d) The term "person" shall include any individual, firm, copartnership, joint venture, association, corporation, estate, trust or any other group or combination acting as a unit, and the plural as well as the singular number, unless the intention to give a more limited meaning is disclosed by the context.

(e) The term "illuminating oil" shall include coal oil, kerosene or other petroleum products used for illuminating purposes.

(f) The term "lubricating oil" means all petroleum-based oils or synthetic lubricants intended for use in the crankcase of an internal combustion engine, either spark ignition or diesel type. The purpose of the lubricating oil is to reduce friction between two (2) solid surfaces moving relative to one another.

(g) The term "gasoline pump" shall include pumps, meters and all measuring devices used for measuring gasoline and all oxygenated blended fuels; the term "diesel fuel pump" shall include pumps, meters and all measuring devices used for measuring diesel fuel; the term "kerosene pump" shall include pumps, meters and all measuring devices used for measuring kerosene; the term "liquefied compressed gas pump" shall include pumps, meters and all measuring devices used for measuring liquefied compressed gas.

(h) The term "gasoline" shall include (i) all products commonly or commercially known or sold as gasoline (excluding casing head and absorption or natural gasoline) regardless of their classification or uses; and (ii) a volatile mixture of liquid hydrocarbons, generally containing small amounts of additives, suitable for use as a fuel in spark ignition, internal combustion engines.

(i) The term "commercial gasoline" shall mean a liquid suitable for use as a fuel in spark ignition combustion engines, and shall be free of undissolved water, suspended matter and of any harmful ingredient or component and which, in addition, meets the following test requirements as set out in ASTM D4814, and it shall be the intent of this chapter that the state specifications may be kept current with ASTM D4814 as illustrated below:

(i) Corrosion ASTM D130. A clean copper strip shall not show more than extremely slight discoloration equivalent to ASTM Strip No. 1, when submerged in the gasoline for three (3) hours at one hundred twenty-two degrees (122°) Fahrenheit, as determined by ASTM D130.

(ii) Distillation range. For each month the distillation range shall be that specified by the vapor pressure class requirement for that month. Distillation temperature limits shall be consistent with the corresponding vapor pressure class during the months affected by federal or state regulation which restrict vapor pressure. If the vapor pressure limit is between two (2) classes, the distillation temperature limits of the least restrictive class shall be acceptable. The method of test shall be ASTM D86.

(iii) Residue. The residue, after evaporation, shall not exceed two percent (2%), as determined by ASTM D86.

(iv) Gum test. The gum shall not exceed five (5) milligrams per one hundred (100) milliliters, after the extraction of the residue with n-heptane, as determined by ASTM D381.

(v) Sulphur. The sulphur content shall not exceed ten one-hundredths percent (0.10%) for unleaded gasoline or fifteen one-hundredths percent (0.15%) for leaded gasoline, as determined by ASTM D2622 or D4045.

(vi) Vapor pressure. The vapor pressure during the months of July and August shall not exceed ten (10) pounds per square inch at one hundred degrees (100°) Fahrenheit, and during the months of November, December, January, February and March shall not exceed thirteen and one-half (13-1/2) pounds per square inch at one hundred degrees (100°) Fahrenheit.

The vapor pressure during the remaining months of the year shall not exceed eleven and five-tenths (11.5) pounds per square inch at one hundred degrees (100°) Fahrenheit. The method of determination shall be ASTM D4953. Federal or state

regulation restricting vapor pressure to lower levels shall preempt these standards during the applicable months.

(vii) Vapor liquid equilibrium. A maximum value of twenty (20) for the vapor liquid equilibrium test during the months July and August shall be obtained at a temperature of one hundred thirty-three degrees (133°) Fahrenheit; for the months of November, December, January, February and March it shall be obtained at a temperature of one hundred sixteen degrees (116°) Fahrenheit; for the other months of the year it shall be obtained at one hundred twenty-four degrees (124°) Fahrenheit. The method of determination shall be ASTM D2533 or ASTM D4814, appendix X2.

(viii) Lead specifications. The unleaded gasoline shall contain less than five hundredths (0.05) gram of lead per gallon, and the leaded gasoline shall contain a minimum of five hundredths (0.05) gram of lead and less than four and two-tenths (4.2) grams of lead per gallon. The method of analysis should be ASTM D3237, (Atomic Absorption Spectrometry), ASTM D2599 (X-ray Spectrometry) or ASTM D2547 (Volumetric Chromate).

(ix) Classification.

1. "Leaded premium grade gasoline" shall have an  $(R + M)/2$  octane antiknock index of at least ninety-three (93). The research octane number shall be at least ninety-six (96).

2. "Unleaded premium grade gasoline" shall have an  $(R + M)/2$  octane antiknock index of at least ninety-one (91). The research octane number shall be at least ninety-four (94).

3. "Mid-grade unleaded gasoline" shall have an  $(R + M)/2$  octane antiknock index of at least eighty-nine (89). The research octane number shall be at least ninety-two (92).

4. "Leaded regular grade gasoline" shall have an  $(R + M)/2$  octane antiknock index of at least eighty-nine (89). The research octane number shall be at least ninety (90).

5. "Unleaded regular grade gasoline" shall have an  $(R + M)/2$  octane antiknock index of at least eighty-seven (87). The research octane number shall be at least ninety (90), and the motor octane number shall be at least eighty-two (82).

6. "Third-grade gasoline" shall have an  $(R + M)/2$  octane antiknock of not more than eighty-seven (87).

The methods of octane determination shall be ASTM D2699 for the research octane number (R) and ASTM D2700 for the motor octane number (M), or ASTM D2885 for both the research octane number and the motor octane number. The  $(R + M)/2$  octane antiknock index shall be the average of the research and motor octane numbers. All retail pumps or delivery devices shall be labeled with the appropriate  $(R + M)/2$  octane antiknock index in accordance with the Federal Trade Commission Octane Posting and Certification Regulation 306. No commercial gasoline shall be colored mahogany.

(j) The term "oxygenated fuel" means a liquid fuel which is a homogeneous blend of hydrocarbons and oxygenates. The term "oxygenate" means an oxygen containing ashless organic compound which may be used as a fuel supplement or additive and includes alcohols and ethers. "Gasoline-oxygenate blend" means a blend consisting primarily of gasoline and a substantial amount of one or more oxygenates. This definition includes, but is not limited to, the following designations:

(i) "Gasohol" meaning any motor fuel containing a nominal ten (10) volume percent anhydrous denatured alcohol and ninety (90) volume percent unleaded gasoline, regardless of other name, label or designation.

(ii) "Leaded gasohol" meaning any motor fuel containing a nominal ten (10) volume percent anhydrous, denatured ethanol and ninety (90) volume percent unleaded gasoline, regardless of other name, label or designation.

(iii) Any gasoline-oxygenate blend which meets the United States Environmental Protection Agency's "substantially similar" rule, Section 211(f)(1) of the Clean Air Act, 42 USCS 7545(f)(1).

(iv) Any gasoline-oxygenate blend for which there is an existing Clean Air Act waiver issued by the United States Environmental Protection Agency.

(k) "Alcohol blended fuel" means gasohol or leaded gasohol.

(l) "Anhydrous, denatured ethyl alcohol (ethanol)" means normal two hundred (200) proof ethanol to which has been added a maximum of five (5) volumes of approved denaturant(s) to one hundred (100) volumes of ethanol and containing not more than one and twenty-five hundredths percent (1.25%) water by weight as determined by ASTM E203.

(m) "Approved denaturant(s)" means materials used for denaturing ethyl alcohol for use as a motor fuel which have been approved by the United States Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, and both the State Chemist and the Commissioner of Agriculture and Commerce. Gasoline-oxygenate blends shall meet the specifications set forth in the most recent edition of the Annual Book of ASTM standards and supplements thereto, and revisions thereof, except where amended or modified by the Commissioner and State Chemist.

(n) The term "oil" as used in this chapter shall include diesel fuel, kerosene, fuel oil, distillate, gas oil, tractor fuel or any other product other than gasoline, as defined in this chapter, which is usable as fuel in an internal combustion engine, and any product which, on distillation in accordance with the method of test of the American Society for Testing and Materials shows not more than ten percent (10%) recovered when the thermometer shows two hundred sixty-one degrees (261°) Fahrenheit; and not more than ninety-five percent (95%) recovered when the thermometer shows four hundred sixty-five degrees (465°) Fahrenheit or more; provided that nothing in this paragraph shall be construed to include oils received or sold as lubricants when such oils cannot be used as a fuel in internal combustion engines.

(o) "Diesel fuel" is any petroleum product intended for use or offered for sale as a fuel for engines in which the fuel is injected into the combustion chamber and ignited by pressure without the presence of an electric spark.

Specifications: The fuel oils herein specified shall be hydrocarbon oils free from acids, grit and fibrous or other foreign material. Three (3) grades of such oils are specified and these shall conform to the detailed requirements in the current American Society for Testing and Materials Specifications for Diesel Fuel Oils (ASTM D975), except for the sulphur content of Grade 2-D. All tests shall be in accordance with the applicable American Society for Testing and Materials method as set forth in the current ASTM Designation D975. Diesel fuel requirements are listed below:

		Grade 1-D	Grade 2-D	Grade 4-D	Flash point,
degrees F. D93	Min. 100	Min. 125	Min. 130		
Water & sediment,					

% by volume, D1796	Max. 0.05	Max. 0.05	Max. 0.5
Carbon residue on 10%			
residium, % D524	Max. 0.15	Max. 0.35	_____
Ash, % by weight, D482	Max. 0.01	Max. 0.01	Max. 0.1
Distillation, 90% point,			
degrees F., D86	_____	Min. 540	_____
		Max. 550	Max. 640 _____
Viscosity @ 100 degrees F.			
kinematic-centistokes			
D445		Min. 1.3	Min. 2.0 Min. 5.5
or	Max. 2.4	Max. 4.1	Max. 24.0
Viscosity @ 100 degrees F.			
Saybolt Universal Sec.	_____	Min. 32.6	Min. 45
		Max. 34.4	Max. 40.1 Max. 125
Sulphur, % by weight, D129	Max. 0.5	Max. 1.0	Max. 2.0
Copper strip corrosion, D130	Max. No. 3	Max. No. 3	_____
Cetane number, D613 or D976	Min. 40	Min. 40	Min. 30

(p) The word "kerosene" shall include lamp oil, illuminating oil and coal oil which shall conform to the detailed requirements set forth in the current American Society for Testing and Materials Specification for Kerosene (ASTM D3699). All tests shall be in accordance with the applicable American Society for Testing and Material Methods as set forth in ASTM D3699. The detailed requirements are listed below:

- (i) The oil shall be free of water and suspended matter.
- (ii) The color shall not be darker than number plus sixteen (16) on the Saybolt scale, as determined by ASTM D156.
- (iii) The flash point shall, by ASTM D56, not be lower than one hundred degrees (100°) Fahrenheit when determined in Tagliabue closed type tester, as determined by ASTM D56.
- (iv) The sulphur content shall not exceed four one-hundredths percent (0.04%) for No. 1-K kerosene and thirty one-hundredths percent (0.30%) for No. 2-K kerosene. The method of determination shall be ASTM D1266. No. 1-K kerosene is a special low-sulphur grade kerosene suitable for use in nonflue-connected kerosene burner appliances and in wick-fed illuminating lamps. No. 2-K kerosene is suitable for use in flue-connected burner appliances and in wick-fed illuminating lamps.
- (v) The distillation ten percent (10%) point shall not be higher than four hundred one degrees (401°) Fahrenheit, as determined by ASTM D86.

(vi) The distillation end point shall not be higher than five hundred seventy-two degrees (572°) Fahrenheit, as determined by ASTM D86.

(vii) The oil shall not show a cloud point at five degrees (5°) Fahrenheit, as determined by ASTM D2500.

(viii) The oil shall burn freely and steadily for sixteen (16) hours, as determined by ASTM D187.

(ix) The gravity shall not be less than degrees API 41, as determined by ASTM D1298.

(x) The corrosion test results shall be No. 1 Maximum in a three-hour at two hundred twelve degrees (212°) Fahrenheit test, as determined by ASTM D130.

(q) Racing gasoline means any gasoline which is sold for racing purposes. Racing gasoline may be sold from retail dispensing equipment under the following conditions:

(i) The product brand name and octane number shall be registered with the Commissioner of Agriculture and Commerce and the State Chemist.

(ii) The manufacturer shall forward a list of marketers selling these product(s) and the product(s) being sold by each marketer.

(iii) Marketers shall register their retail outlets by location and provide a list of the product(s) sold for each retail outlet.

(iv) The dispensing equipment shall contain a conspicuous sign stating that the fuel is racing gasoline. The dispensing equipment shall not contain any kind of representation indicating that the product is suitable for vehicles other than for racing.

(v) The dispensing equipment shall be dedicated to and isolated from any other motor fuel dispensing equipment in a manner that a vehicle cannot access both the commercial gasoline and the racing gasoline at the same time.

(vi) Any violation shall result in revocation of the approval to market and/or confiscation of the product.

(vii) The Commissioner of Agriculture and Commerce (the "commissioner") and the State Chemist are hereby given authority to change the specifications set forth in this section to comply with the currently recommended ASTM or federally required specifications.

\* \* \*

SECTION 2. Section 75-55-37, Mississippi Code of 1972, is amended as follows:

75-55-37. (1) The commissioner or his duly appointed representatives shall have the right to request an inspection of any pump, truck, or other equipment, and if upon such inspection any such pump, truck, or other equipment is found to be inaccurate to the extent that a test thereof shows a deficiency of more than twenty-five (25) cubic inches on a five (5) gallon measurement, or if the right to inspect any such pump, truck, or other equipment is refused or denied the commissioner, or his duly authorized representatives, he or they shall have the right to immediately close and lock said pump and other equipment or to seal same with the commissioner's seal. If such pump, truck, or other equipment is found to be inaccurate but the deficiency is twenty-five (25) cubic inches or less on a five (5) gallon measurement, then the commissioner or his representative shall give the owner or



operator thereof forty-eight (48) hours within which to correct such inaccuracy and if such person fails or refuses to correct same within said period then the commissioner or his representative shall have the right to lock and seal such pump or other equipment in the same manner as provided above.

It shall be prima facie presumed upon any refusal to allow the right to inspect that the pump, truck, or other equipment sought to be inspected is inaccurate to the extent set forth above, or is operating in violation of this chapter. When any such pump or other equipment is locked or sealed, it may not be unlocked or the seal thereon broken except in the presence of a mechanic or other person called for the purpose of repairing the inaccuracy in the machinery of such pump or other equipment, and such inaccuracy shall be immediately thereafter repaired, and the pump or other equipment properly regulated. The commissioner may, in his discretion, require an affidavit from the mechanic repairing such pump or other equipment, or any other proof which he may deem advisable to the effect that said pump was unlocked or the seal thereon broken in the presence of such mechanic, and that the inaccuracies therein were thereupon completely repaired or regulated.

When a state or factory seal is broken on the measuring adjustment device on a retail pump, it shall be the duty of the station operator to notify the commissioner by United States mail, within twenty-four (24) hours, after the breaking of said seal. After the commissioner has received written notice as herein provided and he or his agent has resealed the measuring adjustment device on the pump or pumps at this station, it shall be unlawful for the owner or operator of the station or any of his employees to break a state or factory seal on the measuring adjustment device on any pump at the station during the ensuing ninety (90) days without the prior approval of the commissioner or his agent.

The State of Mississippi shall have a lien on all pumps, trucks, and other equipment used by any distributor, or other person, in the operation of his business for any tax or penalty due the State of Mississippi because of any violation of this chapter. Such lien shall be paramount to any and all private liens and all the provisions set out in Chapter 7, Title 85, Mississippi Code of 1972, shall be applicable herein for the purpose of securing the enforcement of said lien, and particularly the right to secure the issuance of a writ of summons and seizure and proceedings had and done after the issuance of said writ shall be applicable. Provided, however, that the commissioner shall not be required to give any bond in any such case.

Any person or officer, agent or employee thereof who shall violate any provision of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding One Hundred Dollars (\$100.00) for the first offense and not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) for each subsequent offense or imprisonment in the county jail for a period not to exceed ninety (90) days or both.

(2) If a person who, by himself, by his agent, or as the servant or agent of another person commits a violation of this chapter, the commissioner or his designee may impose any, all or a combination of the following penalties:

(a) A stop sale order for any engine fuel, nonengine fuel, automotive lubricant or any other petroleum product not in compliance with this chapter. A remand of the stop sale order may be issued if the engine fuel, nonengine fuel, automotive lubricant or petroleum product is brought into full compliance with this chapter. The stop sale order may be appealed to the commissioner or his designee within twenty (20) days from the receipt of the order.

(b) A warning letter for violations of this chapter.

(c) A civil penalty of not more than Three Thousand Dollars (\$3,000.00) per violation. A person may request an administrative hearing within thirty (30) days of receipt

of the notice of the penalty. The commissioner or his designee shall conduct a hearing after giving reasonable notice to the person. The decision may be appealed to the Circuit Court of the First Judicial District of Hinds County.

(3) If the person has exhausted his administrative appeals, he shall pay the civil penalty within thirty (30) days after the effective date of the final decision. If the person fails to pay the penalty, the commissioner may bring a civil action in any court of competent jurisdiction to recover the penalty.

(4) The commissioner is authorized to suspend, revoke and/or permanently deny a registration under the Petroleum Products Inspection Law of Mississippi to any person, firm, corporation or other organization determined to be guilty of two (2) or more violations per location, per year, of the Petroleum Products Inspection Law of Mississippi and the rules and regulations in force pursuant thereto.

(5) In lieu of, or in addition to, the penalties provided above, the commissioner and the State Chemist shall have the power to institute and maintain in the name of the state any and all proceedings necessary or appropriate to enforce the provisions of the Petroleum Products Inspection Law of Mississippi and the rules and regulations in force pursuant thereto, in the appropriate circuit, chancery, county or justice court in which venue may lie. The commissioner and the State Chemist may obtain mandatory or prohibitory injunctive relief, whether temporary or permanent, and it shall not be necessary for the state to post a bond or prove that no adequate remedy is available at law.

(6) All penalties assessed by the commissioner under this section shall be deposited in the State General Fund.

\* \* \*

SECTION 3. Section 57-43-17, Mississippi Code of 1972, is amended as follows:

57-43-17. The Southern Rail Commission is granted the authority to execute and enter into contracts with parties for the purpose of construction of any related infrastructure and/or operations of intercity passenger rail service subject to the approval of any affected railroad and other interested party. The Southern Rail Commission is granted the authority to prepare grant applications related to the establishment or maintenance of passenger rail service, enter into operating and other contractual agreements with providers of passenger rail service, and enter into agreements with owners or operators of railway tracks in order to provide for upgrades necessary to establish or maintain passenger rail service.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 75-55-5 AND 75-55-37, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THOSE SECTIONS OF LAW WHICH PROVIDE DEFINITIONS AND PENALTIES UNDER THE PETROLEUM PRODUCTS INSPECTION LAW OF MISSISSIPPI; TO AMEND SECTION 57-43-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SOUTHERN RAIL COMMISSION TO PREPARE GRANT APPLICATIONS RELATED TO THE ESTABLISHMENT OR MAINTENANCE OF PASSENGER RAIL SERVICE, ENTER INTO OPERATING AND OTHER CONTRACTUAL AGREEMENTS WITH PROVIDERS OF PASSENGER RAIL SERVICE, AND ENTER INTO AGREEMENTS WITH OWNERS OR OPERATORS OF RAILWAY TRACKS IN ORDER TO PROVIDE FOR UPGRADES NECESSARY TO ESTABLISH OR MAINTAIN PASSENGER RAIL SERVICE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 484 was adopted.

YEAS AND NAYS On H. B. No. 484. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar called up the following entitled bill:

**H. B. No. 1390:** Abstinence education; delete repealer on school board requirement to adopt a policy on abstinence-only or abstinence-plus.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-13-171, Mississippi Code of 1972, is amended as follows:

37-13-171. (1) The local school board of every public school district shall adopt a policy to implement abstinence-only or abstinence-plus education or sexual risk avoidance education into its curriculum \* \* \*, which instruction in those subjects shall be implemented not later than the start of the \* \* \* 2023-2024 school year or the local school board shall adopt the program which has been developed by the Mississippi Department of Human Services and the Mississippi Department of Health. The State Department of Education shall approve each district's curriculum for sex-related education and shall establish a protocol to be used by districts to provide continuity in teaching the approved curriculum in a manner that is age, grade and developmentally appropriate.

(2) Abstinence-only education shall remain the state standard for any sex-related education taught in the public schools. For purposes of this section, abstinence-only education includes any type of instruction or program which, at an appropriate age and grade:

(a) Teaches the social, psychological and health gains to be realized by abstaining from sexual activity, and the likely negative psychological and physical effects of not abstaining;

(b) Teaches the harmful consequences to the child, the child's parents and society that bearing children out of \* \* \* marriage is likely to produce, including the health, educational, financial and other difficulties the child and his or her parents are likely to face, as well as the inappropriateness of the social and economic burden placed on others;

(c) Teaches that unwanted sexual advances are irresponsible and teaches how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances;

(d) Teaches that abstinence from sexual activity before marriage, and fidelity within marriage, is the only certain way to avoid out-of-\*\*\*marriage pregnancy, sexually transmitted diseases and related health problems. The instruction or program may include a discussion on condoms or contraceptives, but only if that discussion includes a factual presentation of the risks and failure rates of those contraceptives. In no case shall the instruction or program include any demonstration of how condoms or other contraceptives are applied;

(e) Teaches the current state law related to sexual conduct, including forcible rape, statutory rape, paternity establishment, child support and homosexual activity; and

(f) Teaches that a mutually faithful, monogamous relationship in the context of marriage is the only appropriate setting for sexual intercourse.

(3) A program or instruction on sex-related education need not include every component listed in subsection (2) of this section for abstinence-only education. However, no program or instruction under an abstinence-only curriculum may include anything that contradicts the excluded components. For purposes of this section, abstinence-plus education includes every component listed under subsection (2) of this section that is age and grade appropriate, in addition to any other programmatic or instructional component approved by the department, which shall not include instruction and demonstrations on the application and use of condoms. Abstinence-plus education may discuss other contraceptives, the nature, causes and effects of sexually transmitted diseases, or the prevention of sexually transmitted diseases, including HIV/AIDS, along with a factual presentation of the risks and failure rates.

(4) Any course containing sex-related education offered in the public schools shall include instruction in either abstinence-only or abstinence-plus education.

(5) Local school districts, in their discretion, may host programs designed to teach parents how to discuss abstinence with their children.

(6) There shall be no effort in either an abstinence-only or an abstinence-plus curriculum to teach that abortion can be used to prevent the birth of a baby.

(7) At all times when sex-related education is discussed or taught, boys and girls shall be separated according to gender into different classrooms, sex-related education instruction may not be conducted when boys and girls are in the company of any students of the opposite gender.

(8) This section shall stand repealed on July 1, \*\*\* 2026.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-13-171, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE REQUIREMENT FOR SCHOOL BOARDS TO ADOPT A POLICY ON THE IMPLEMENTATION OF ABSTINENCE-ONLY OR ABSTINENCE-PLUS EDUCATION INTO THE CURRICULUM; TO INCLUDE SEXUAL RISK AVOIDANCE EDUCATION AS AN ADDITIONAL POLICY FOR THE

CURRICULUM REQUIREMENTS; TO MAKE NONSUBSTANTIVE CHANGES TO UPDATE ANTIQUATED LANGUAGE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1390 was adopted.

YEAS AND NAYS On H. B. No. 1390. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Blackmon, Horhn, Norwood, Simmons D. T. (12th). Total--4.

Absent and those not voting---None.

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Senator Kirby moved that the rules be suspended to move to calendar item 9, **S. C. R. No. 560**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**S. C. R. No. 560:** Suspend rules; introduction of bill to require Public Service Commission to change boundaries of certain utility district.

YEAS AND NAYS On S. C. R. No. 560. On motion of Senator Whaley, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackmon, Butler A. (36th), Butler K. (38th), Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--11.

Absent and those not voting---None.

Voting Present--Hickman. Total--1.

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Unanimous consent was granted to add Senator Parker as co-author of **S. C. R. No. 560**.

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On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. C. R. No. 560.

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Senator Parker called up the following entitled bill:

**H. B. No. 770:** Mississippi Office of Space and Technology; create to be administered by MDA, which shall staff.

Senators Parker and DeLano offered the following AMENDMENT NO. 1.

AMEND on line 119 by inserting the following before the period:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to H. B. No. 770 was adopted.

YEAS AND NAYS On H. B. No. 770. On motion of Senator DeLano, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--McDaniel, Sojourner. Total--2.

Senator Jordan moved that the rules be suspended to move to calendar item 56, **S. B. No. 2336**, and the motion prevailed.

Senator Jordan called up the following House Amendment to **S. B. No. 2336** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-319, Mississippi Code of 1972, is amended as follows:

41-29-319. (1) This section shall be known as the "Emergency Response and Overdose Prevention Act."

(2) As used in this section, the following terms shall be defined as provided in this subsection:

(a) "Administer" means the direct application of a drug to the body of an individual by injection, inhalation, ingestion or any other means.

(b) "Distribute" means to deliver an opioid antagonist drug or opioid antagonist device by means other than by administering.

(c) "Education employee" means an employee of any school district, public charter school, private school, public or private university, community college or junior college.

(d) "Possess" means to have physical control or custody of an opioid antagonist.

( \*\* \*e) "Practitioner" means a physician licensed to practice medicine in this state or any licensed health care provider who is authorized to prescribe an opioid antagonist.

( \*\* \*f) "Opioid antagonist" means any drug that binds to opioid receptors and blocks or inhibits the effects of opioids acting on those receptors and that is approved by the federal Food and Drug Administration for the treatment of an opioid-related overdose.

( \*\* \*g) "Opioid-related overdose" means an acute condition, including, but not limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, mania or death, resulting from the consumption or use of an opioid or another substance with which an opioid was combined or that a layperson would reasonably believe to be resulting from the consumption or use of an opioid or another substance with which an opioid was combined for which medical assistance is required.

( \*\* \*h) "Emergency medical technician" means an individual who possesses a valid emergency medical technician's certificate issued under Section 41-59-33.

(i) "Storage" means possession of an opioid antagonist with the intent to distribute or administer the opioid antagonist.

(3) (a) A practitioner acting in good faith and in compliance with the standard of care applicable to that practitioner may directly or by standing order prescribe an opioid antagonist to a person at risk of experiencing an opioid-related overdose or to a registered pain management clinic, family member, friend or other person in a position to assist such person at risk of experiencing an opioid-related overdose.

(b) A practitioner acting in good faith and in compliance with the standard of care applicable to that practitioner may issue a standing order to one or more individual pharmacies that authorizes the pharmacy to dispense an opioid antagonist to a person at risk of experiencing an opioid-related overdose or to a family member, friend or other person in a position to assist such person at risk of experiencing an opioid-related overdose, without the person to whom the opioid antagonist is dispensed needing to have an individual prescription.

(4) A pharmacist acting in good faith and in compliance with the standard of care applicable to pharmacists may dispense opioid antagonists under a prescription or a standing order issued in accordance with subsection (3) of this section. However, before a pharmacist may dispense an opioid antagonist under the authority of subsection (3)(b) of this section, the pharmacist must complete a training program approved by the State Board of Pharmacy on opioid antagonists.

(5) (a) A person acting in good faith and with reasonable care to another person whom he or she believes to be experiencing an opioid-related overdose may administer an opioid antagonist that was prescribed or authorized by a standing order in accordance with subsection (3) of this section.

(b) A person acting in good faith and with reasonable care to another person whom he or she believes to be experiencing an opioid-related overdose may administer an opioid antagonist that was distributed by an education employee.

(6) Emergency medical technicians, firefighters and law enforcement officers acting in good faith shall be authorized and permitted to administer an opioid antagonist as clinically indicated. Failure of an emergency medical technician, firefighter or law enforcement officer to act shall not expose such person to any criminal or civil liability.

(7) (a) An education employee may store or distribute an opioid antagonist.

(b) An education employee may administer an opioid antagonist to another person if the education employee:

(i) In good faith, believes the other person is experiencing a drug overdose; and

(ii) Acts with reasonable care in administering the opioid antagonist to the other person.

(c) The Department of Health may distribute an opioid antagonist to any education employee upon a request made in writing by the education employee.

(d) A person may store an opioid antagonist that is distributed by an education employee.

( \*\* \*8) The following individuals are immune from any civil or criminal liability or professional licensing sanctions for the following actions authorized by this section:

(a) Any practitioner who prescribes or issues a standing order for an opioid antagonist in accordance with subsection (3) of this section;

(b) Any practitioner or pharmacist acting in good faith and in compliance with the standard of care applicable to that practitioner or pharmacist who dispenses an opioid antagonist under a prescription or standing order issued in accordance with subsection (3) of this section;

(c) (i) Any person other than a practitioner who administers an opioid antagonist in accordance with subsection (5) of this section; and

(ii) Any person other than a practitioner who stores an opioid antagonist distributed by an education employee;

(d) Any emergency medical technician, firefighters and law enforcement officers who administers an opioid antagonist in accordance with subsection (6) of this section.

(e) Any education employee who stores, distributes or administers an opioid antagonist under subsection (7) of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-29-319, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "ADMINISTER," "DISTRIBUTE," "EDUCATION EMPLOYEE," "POSSESS" AND "STORAGE"; TO AUTHORIZE A PERSON TO ADMINISTER AN OPIOID ANTAGONIST THAT WAS DISTRIBUTED BY AN EDUCATION EMPLOYEE; TO AUTHORIZE AN EDUCATION EMPLOYEE TO STORE, DISTRIBUTE AND ADMINISTER OPIOID ANTAGONISTS; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO DISTRIBUTE OPIOID ANTAGONISTS TO EDUCATION EMPLOYEES UPON A REQUEST MADE IN WRITING; TO AUTHORIZE A PERSON TO STORE AN OPIOID ANTAGONIST THAT IS DISTRIBUTED BY AN EDUCATION EMPLOYEE; TO PROVIDE THAT AN EDUCATION EMPLOYEE SHALL BE IMMUNE FROM CRIMINAL AND CIVIL LIABILITY FOR ACTIONS AUTHORIZED BY THIS ACT; TO PROVIDE THAT A PERSON SHALL BE IMMUNE FROM CRIMINAL AND CIVIL LIABILITY FOR ACTIONS AUTHORIZED BY THIS ACT; AND FOR RELATED PURPOSES.



YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2336** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Jordan moved that the rules be suspended to move to calendar item 102, **H. B. No. 1071**, and the motion prevailed.

Senator Jordan called up the following entitled bill:

**H. B. No. 1071:** Uniform Controlled Substances Act; revise schedules.

Senator Jordan offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-113, Mississippi Code of 1972, is amended as follows:

41-29-113.

#### SCHEDULE I

(a) Schedule I consists of the drugs and other substances, by whatever official name, common or usual name, chemical name, or brand name designated, that is listed in this section.

(b) Opiates. Unless specifically excepted or unless listed in another schedule, any of the following opiates, including their isomers, esters, ethers, salts and salts of isomers, esters and ethers, whenever the existence of these isomers, esters, ethers and salts is possible within the specific chemical designation:

(1) Acetyl-alpha-methylfentanyl  
(N-[1-(1-methyl-2-phenethyl)-4-piperidinyl]-N-phenylacetamide);

(2) Acetylmethadol;

(3) Acetyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

(4) Acryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylacrylamide), also known as acryloylfentanyl;

(5) AH-7921 (3,4-dichloro-N-[(1-dimethylamino) cyclohexylmethyl]benzamide);

- (6) Allylprodine;
- (7) Alphacetylmethadol, except levo-alphacetylmethadol  
(levo-alpha-acetylmethadol, levomethadyl acetate, or LAAM);
- (8) Alphameprodine;
- (9) Alphamethadol;
- (10) Alpha-Methylfentanyl  
(N-[1-alpha-methyl-beta-phenyl]ethyl-4-piperidyl]propionanilide;  
1-(1-methyl-2-phenylethyl)-4-(N-propanilido)piperidine);
- (11) Alpha-Methylthiofentanyl  
(N-[1-methyl-2-(2-thienyl)ethyl-4-piperidyl]-N-phenylpropanamide);
- (12) Benzethidine;
- (13) Betacetylmethadol;
- (14) Beta-Hydroxyfentanyl  
(N-[1-(2-hydroxy-2-phenethyl)-4-piperidyl]-N-phenylpropanamide);
- (15) Beta-Hydroxy-3-methylfentanyl  
(N-[1-(2-hydroxy-2-phenylethyl)-3-methyl-4-piperidyl]-N-phenylpropanamide);
- (16) Beta-Hydroxythiofentanyl  
(N-[1-[2-hydroxy-2-(thiophen-2-yl)ethyl]piperidin-4-yl]-N-phenylpropionamide);
- (17) Betameprodine;
- (18) Betamethadol;
- (19) Beta-Methyl fentanyl  
(N-phenyl-N-(1-(2-phenylpropyl)piperidin-4-yl)propionamide), also known as  $\beta$ -methyl  
fentanyl;
- (20) Beta'-Phenyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N,3-diphenylpropanamide), also known as  $\beta'$ -phenyl  
fentanyl or 3-phenylpropanoyl fentanyl;
- (21) Betaprodine;
- (22) Butyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbutyramide);
- (23) Clonitazene;
- (24) Crotonyl fentanyl  
(E)-N-(1-phenethylpiperidin-4-yl)-N-phenylbut-2-enamide);
- (25) Cyclopentyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopentanecarboxamide);
- (26) Cyclopropyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylcyclopropanecarboxamide);
- (27) Dextromoramide;
- (28) Diampromide;

(29) Diethylthiambutene;

(30) Difenoazin;

(31) Dimenoxadol;

(32) Dimepheptanol;

(33) Dimethylthiambutene;

(34) Dioxaphetyl butyrate;

(35) Dipipanone;

(36) Ethylmethylthiambutene;

(37) Etonitazene;

(38) Etozeridine;

(39) Fentanyl carbamate  
(ethyl(1-phenethylpiperidin-4-yl)(phenyl)carbamate);

(40) Fentanyl-related substances, meaning any substance not otherwise listed under another schedule and for which no exemption or approval is in effect under Section 505 of the Federal Food, Drug, and Cosmetic Act [21 USC 355] that is structurally related to fentanyl by one or more of the following modifications:

(A) Replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle;

(B) Substitution in or on the phenethyl group with alkyl, alkenyl, alkoxyl, hydroxyl, halo, haloalkyl, amino or nitro groups;

(C) Substitution in or on the piperidine ring with alkyl, alkenyl, alkoxyl, ester, ether, hydroxyl, halo, haloalkyl, amino or nitro groups;

(D) Replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle; and/or

(E) Replacement of the N-propionyl group by another acyl group.

(41) 4-Fluoroisobutyryl fentanyl  
(N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide), also known as para-fluoroisobutyryl fentanyl);

(42) 2'-Fluoro ortho-fluorofentanyl  
(N-(1-(2-fluorophenethyl)piperidin-4-yl)-N-(2-fluorophenyl) propionamide), also known as 2'-fluoro 2-fluorofentanyl;

(43) Furanyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylfuran-2-carboxamide);

(44) Furethidine;

(45) Hydroxypethidine;

(46) Isobutyryl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylisobutyramide);

(47) Isotonitazene (N,N-diethyl-2-(2-(4  
isopropoxybenzyl)-5-nitro-1H-benzimidazol-1-yl)ethan-1-amine);

(48) Ketobemidone (including the optical and geometric isomers);

(49) Levomoramide;

(50) Levophenacymorphan;

(51) Methoxyacetyl fentanyl  
(2-methoxy-N-(1-phenethylpiperidin-4-yl)-N-phenylacetamide);

(52) 4'-Methyl acetyl fentanyl  
(N-(1-(4-methylphenethyl)piperidin-4-yl)-N-phenylacetamide);

(53) 3-Methylfentanyl  
(N-[3-methyl-1-(2-phenylethyl)-4-piperidyl]-N-phenylpropanamide);

(54) 3-Methylthiofentanyl (N-[3-methyl-1-  
(2-thienylethyl)-4-piperidyl]-N-phenylpropanamide);

(55) Morpheridine;

(56) MPPP (1-methyl-4-phenyl-4-propionoxypiperidine);

(57) MT-45 (1-cyclohexyl-4-(1,2-diphenylethyl)piperazine);

(58) Noracymethadol;

(59) Norlevorphanol;

(60) Normethadone;

(61) Norpipanone;

(62) Ocfentanil (N-(2-fluorophenyl)-2-methoxy-N-  
(1-phenethylpiperidin-4-yl)acetamide);

(63) Ortho-Fluoroacryl fentanyl  
(N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)acrylamide);

(64) Ortho-Fluorobutyryl fentanyl  
(N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide), also known as  
2-fluorobutyryl fentanyl;

(65) Ortho-Fluorofentanyl  
(N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)propionamide), also known as  
2-fluorofentanyl;

(66) Ortho-Fluoroisobutyryl fentanyl  
(N-(2-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);

(67) Ortho-Methyl acetylfentanyl  
(N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)acetamide), also known as 2-methyl  
acetylfentanyl;

(68) Ortho-Methyl methoxyacetyl fentanyl  
(2-methoxy-N-(2-methylphenyl)-N-(1-phenethylpiperidin-4-yl)  
acetamide), also known as 2-methyl methoxyacetyl fentanyl;

(69) Para-Chloroisobutyryl fentanyl  
(N-(4-chlorophenyl)-N-(1-phenethylpiperidin-4-yl)isobutyramide);

(70) Para-Fluorobutyryl fentanyl  
(N-(4-fluorophenyl)-N-(1-phenethylpiperidin-4-yl)butyramide);

(71) Para-Fluorofentanyl (N-(4-fluorophenyl)  
-N-[1-(2-phenylethyl)-4-piperidinyl]propanamide);

(72) Para-Fluoro furanyl fentanyl N-(4-fluorophenyl)-N-  
(1-phenethylpiperidin-4-yl)furan-2-carboxamide);

(73) Para-Methoxybutyryl fentanyl  
(N-(4-methoxyphenyl)-N-(1-phenethylpiperidin-4-yl)butyramide);

(74) Para-Methylfentanyl  
(N-(4-methylphenyl)-N-(1-phenethylpiperidin-4-yl)propionamide), also known as  
4-methylfentanyl);

(75) PEPAP (1-(2-phenethyl)-4-phenyl-4-acetoxypiperidine);

(76) Phenadoxone;

(77) Phenampromide;

(78) Phenomorphan;

(79) Phenoperidine;

(80) Phenyl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylbenzamide),  
also known as benzoyl fentanyl;

(81) Piritramide;

(82) Proheptazine;

(83) Properidine;

(84) Propiram;

(85) Racemoramide;

(86) Tetrahydrofuranyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenyltetrahydrofuran-2-  
carboxamide);

(87) Thiofentanyl  
(N-phenyl-N-[1-(2-thienyl)ethyl-4-piperidinyl]propanamide);

(88) Thiofuranyl fentanyl  
(N-(1-phenethylpiperidin-4-yl)-N-phenylthiophene-2-carboxamide), also known as  
2-thiofuranyl fentanyl or thiophene fentanyl;

(89) Tilidine;

(90) Trimeperidine;

(91) U-47700, (3,4-dichloro-N-  
[2-(dimethylamino)cyclohexyl]-N-methylbenzamide);  
(92) Valeryl fentanyl (N-(1-phenethylpiperidin-4-yl)-N-phenylpentanamide).

(c) Opium derivatives. Unless specifically excepted or unless listed in another schedule, any of the following opium derivatives, their salts, isomers and salts of isomers, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Acetorphine;
- (2) Acetyldihydrocodeine;
- (3) Benzylmorphine;
- (4) Codeine methylbromide;
- (5) Codeine-N-Oxide;
- (6) Cyprenorphine;
- (7) Desomorphine;
- (8) Dihydromorphine;
- (9) Drotebanol;
- (10) Etorphine (except hydrochloride salt);
- (11) Heroin;
- (12) Hydromorphenol;
- (13) Methyldesorphine;
- (14) Methyldihydromorphine;
- (15) Monoacetylmorphine;
- (16) Morphine methylbromide;
- (17) Morphine methylsulfonate;
- (18) Morphine-N-Oxide;
- (19) Myrophine;

- (20) Nicocodeine;
- (21) Nicomorphine;
- (22) Normorphine;
- (23) Pholcodine;
- (24) Thebacon.

(d) Hallucinogenic substances. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains any quantity of the following substances, their salts, isomers (whether optical, positional, or geometric) and salts of isomers, whenever the existence of these salts, isomers and salts of isomers is possible within the specific chemical designation:

- (1) Alpha-ethyltryptamine;
- (2) 4-bromo-2,5-dimethoxy-amphetamine;
- (3) 4-bromo-2,5-dimethoxyphenethylamine;
- (4) 2,5-dimethoxyamphetamine;
- (5) 2,5-dimethoxy-4-ethylamphetamine (DOET);
- (6) 2,5-dimethoxy-4-(n)-propylthiophenethylamine (2C-T-7);
- (7) 4-methoxyamphetamine;
- (8) 5-methoxy-3,4-methylenedioxy-amphetamine;
- (9) 4-methyl-2,5-dimethoxy-amphetamine;
- (10) 3,4-methylenedioxy amphetamine;
- (11) 3,4-methylenedioxymethamphetamine (MDMA);
- (12) 3,4-methylenedioxy-N-ethylamphetamine (also known as N-ethyl-alpha-methyl-3,4(methylenedioxy)phenethylamine, N-ethyl MDA, MDE, MDEA);
- (13) N-hydroxy-3,4-methylenedioxyamphetamine (also known as N-hydroxy MDA, N-OHMDA, and N-hydroxy-alpha-methyl-3,4(methylenedioxy)phenethylamine);
- (14) 3,4,5-trimethoxy amphetamine;
- (15) 5-methoxy-N,N-dimethyltryptamine (5-MeO-DMT);
- (16) Alpha-methyltryptamine (also known as AMT);
- (17) Bufotenine;
- (18) Diethyltryptamine;
- (19) Dimethyltryptamine;
- (20) 5-methoxy-N,N-diisopropyltryptamine (5-MeO-DIPT);

(21) Ibogaine;

(22) Lysergic acid diethylamide (LSD);

(23) (A) Marijuana (Hemp as defined and regulated under Sections 69-25-201 through 69-25-221 and Cannabidiol contained in a legend drug product approved by the Federal Food and Drug Administration or obtained under Section 41-29-136 are exempt under Schedule I);

(B) Hashish;

(24) Mescaline;

(25) Parahexyl;

(26) Peyote;

(27) N-ethyl-3-piperidyl benzilate;

(28) N-methyl-3-piperidyl benzilate;

(29) Psilocybin;

(30) Psilocyn;

(31) Tetrahydrocannabinols, meaning tetrahydrocannabinols contained in a plant of the genus Cannabis (cannabis plant), as well as the synthetic equivalents of the substances contained in the cannabis plant, or in the resinous extractives of such plant, and/or synthetic substances, derivatives, and their isomers with similar chemical structure and pharmacological activity to those substances contained in the plant such as the following:

(A) 1 cis or trans tetrahydrocannabinol;

(B) 6 cis or trans tetrahydrocannabinol;

(C) 3,4 cis or trans tetrahydrocannabinol.

(Since nomenclature of these substances is not internationally standardized, compounds of these structures, regardless of atomic positions, are covered.)

("Tetrahydrocannabinols" excludes dronabinol and nabilone.) For purposes of this paragraph, tetrahydrocannabinols do not include hemp or hemp products regulated under Sections 69-25-201 through 69-25-221.

However, the following products are exempted from control:

(i) THC-containing industrial products made from cannabis stalks (e.g., paper, rope and clothing);

(ii) Processed cannabis plant materials used for industrial purposes, such as fiber retted from cannabis stalks for use in manufacturing textiles or rope;

(iii) Animal feed mixtures that contain sterilized cannabis seeds and other ingredients (not derived from the cannabis plant) in a formula designed, marketed and distributed for nonhuman consumption;



(iv) Personal care products that contain oil from sterilized cannabis seeds, such as shampoos, soaps, and body lotions (if the products do not cause THC to enter the human body);

(v) Hemp as regulated under Sections 69-25-201 through 69-25-221; and

(vi) Any product derived from the hemp plant designed for human ingestion and/or consumption that is approved by the United States Food and Drug Administration;

(32) Phencyclidine;

(33) Ethylamine analog of phencyclidine (PCE);

(34) Pyrrolidine analog of phencyclidine (PHP, PCPy);

(35) Thiophene analog of phencyclidine;

(36) 1-[1-(2-thienyl)cyclohexyl] pyrrolidine (TCPy);

(37) 4-methylmethcathinone (mephedrone);

(38) 3,4-methylenedioxypyrovalerone (MDPV);

(39) 2-(2,5-dimethoxy-4-ethylphenyl)ethanamine (2C-E);

(40) 2-(2,5-dimethoxy-4-methylphenyl)ethanamine (2C-D);

(41) 2-(4-chloro-2,5-dimethoxyphenyl)ethanamine (2C-C);

(42) 2-(4-iodo-2,5-dimethoxyphenyl)ethanamine (2C-I); or  
2,5-dimethoxy-4-iodophenethylamine;

(43) 2-[4-(ethylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-2);

(44) 2-[4-(isopropylthio)-2,5-dimethoxyphenyl]ethanamine (2C-T-4);

(45) 2-(2,5-dimethoxyphenyl)ethanamine (2C-H);

(46) 2-(2,5-dimethoxy-4-nitro-phenyl)ethanamine (2C-N);

(47) 2-(2,5-dimethoxy-4-(n)-propylphenyl)ethanamine (2C-P);

(48) 3,4-methylenedioxy-N-methylcathinone(methylone);

(49) 2-(4-bromo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine  
(25B-NBOMe; 2C-B-NBOMe; 25B; Cimbi-36);

(50) 2-(4-chloro-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine  
(25C-NBOMe; 2C-C-NBOMe; 25C; Cimbi-82);

(51) 2-(4-iodo-2,5-dimethoxyphenyl)-N-(2-methoxybenzyl)ethanamine or  
N-[(2-methoxyphenyl)methyl]ethanamine (25I-NBOMe; 2C-I-NBOMe; 25I; Cimbi-5);

(52) 7-bromo-5-(2-chlorophenyl)-1,3-dihydro-2H-1, 4-benzodiazepin-2-one  
(also known as Phenazepam);

(53) 7-(2-chlorophenyl)-4-ethyl-13-methyl-3-thia-1,8,11,12-tetraazatricyclo[8.3.0.0]trideca-2(6),4,7,10,12-pentaene (also known as Etizolam);

(54) *Salvia divinorum*;

(55) Synthetic cannabinoids. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of a synthetic cannabinoid found in any of the following chemical groups, whether or not substituted to any extent, or any of those groups which contain any synthetic cannabinoid salts, isomers, or salts of isomers, whenever the existence of such salts, isomers, or salts of isomers is possible within the specific chemical designation, including all synthetic cannabinoid chemical analogues in such groups:

(A) (6aR,10aR)-9-(hydroxymethyl)-6,6-dimethyl-3-(2-methyloctan-2-yl)-6a,7,10,10a-tetrahydrobenzo[c] chromen-1-ol (also known as HU-210 or 1,1-dimethylheptyl-11-hydroxy-delta8-tetrahydrocannabinol);

(B) Naphthoylindoles and naphthylmethylindoles, being any compound structurally derived from 3-(1-naphthoyl)indole or 1H-indol-3-yl-(1-naphthyl)methane, whether or not substituted in the indole ring to any extent, or in the naphthyl ring to any extent;

(C) Naphthoylpyrroles, being any compound structurally derived from 3-(1-naphthoyl)pyrrole, whether or not substituted in the pyrrole ring to any extent, or in the naphthyl ring to any extent;

(D) Naphthylmethylindenenes, being any compound structurally derived from 1-(1-naphthylmethyl)indene, whether or not substituted in the indene ring to any extent or in the naphthyl ring to any extent;

(E) Phenylacetylindoles, being any compound structurally derived from 3-phenylacetylindole, whether or not substituted in the indole ring to any extent or in the phenyl ring to any extent;

(F) Cyclohexylphenols, being any compound structurally derived from 2-(3-hydroxycyclohexyl)phenol, whether or not substituted in the cyclohexyl ring to any extent or in the phenolic ring to any extent;

(G) Benzoylindoles, whether or not substituted in the indole ring to any extent or in the phenyl ring to any extent;

(H) Adamantoylindoles, whether or not substituted in the indole ring to any extent or in the adamantoyl ring system to any extent;

(I) Tetrahydro derivatives of cannabinol and 3-alkyl homologues of cannabinol or of its tetrahydro derivatives, except where contained in cannabis or cannabis resin;

(J) 3-Cyclopropylmethanone indole or 3-Cyclobutylmethanone indole or 3-Cyclopentylmethanone indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the cyclopropyl, cyclobutyl or cyclopentyl rings to any extent;

(K) Quinoliny ester indoles, being any compound structurally derived from 1H-indole-3-carboxylic acid-8-quinoliny ester, whether or not substituted in the indole ring to any extent or the quinolone ring to any extent;

(L) 3-carboxamide-1H-indazoles, whether or not substituted in the indazole ring to any extent and substituted to any degree on the carboxamide nitrogen

and 3-carboxamide-1H-indoles, whether or not substituted in the indole ring to any extent and substituted to any degree on the carboxamide nitrogen;

(M) Cycloalkanemethanone Indoles, whether or not substituted at the nitrogen atom on the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the cycloalkane ring to any extent;

(56) Naphthalen-1-yl 1-(5-fluoropentyl)-1H-indole-3-carboxylate, also known as NM2201 or CBL2201;

(57) 1-(5-fluoropentyl)-N-(2-phenylpropan-2-yl)-1H-pyrrolo[2,3-b]pyridine-3-carboxamide, also known as 5F-CUMYL-P7AICA or SGT-25;

(58) methyl 2-(1-(4-fluorobutyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, also known as 4F-MDMB-BINACA or 4F-MDMB-BUTINACA)

( \*\* 59) 1-(4-methoxyphenyl)-N-methylpropan-2-amine, also known as para-methoxymethamphetamine or PMMA

(60) ethyl 2-(1-(5-fluoropentyl)-1H-indazole-3-carboxamido)-3,3-dimethylbutanoate, also known as 5F-EDMB-PINACA;

(61) methyl 2-(1-(5-fluoropentyl)-1H-indole-3-carboxamido)-3,3-dimethylbutanoate, also known as 5F-MDMB-PICA or 5F-MDMB-2201;

(62) N-(adamantan-1-yl)-1-(4-fluorobenzyl)-1H-indazole-3-carboxamide, also known as FUB-AKB48 or FUB-APINACA or AKB48 N-(4-fluorobenzyl);

(63) (1-(4-fluorobenzyl)-1H-indol-3-yl)(2,2,3,3-tetramethylcyclopropyl)methanone, also known as FUB-144;

(64) N-ethylhexedrone, also known as  $\alpha$ -ethylaminohexanophenone or 2-(ethylamino)-1-phenylhexan-1-one;

(65)  $\alpha$ -pyrrolidinohexanophenone, also known as  $\alpha$ -PHP or  $\alpha$ -pyrrolidinohexanophenone or 1-phenyl-2-(pyrrolidin-1-yl)hexan-1-one);

(66) 4-methyl- $\alpha$ -ethylaminopentiophenone, also known as 4-MEAP or 2-(ethylamino)-1-(4-methylphenyl)pentan-1-one);

(67) 4'-methyl- $\alpha$ -pyrrolidinohexiophenone, also known as MPHP or 4'-methyl- $\alpha$ -pyrrolidinohexanophenone or 1-(4-methylphenyl)-2-(pyrrolidin-1-yl)hexan-1-one);

(68)  $\alpha$ -pyrrolidinoheptaphenone (also known as PV8; 1-phenyl-2-(pyrrolidin-1-yl)heptan-1-one);

(69) 4'-chloro- $\alpha$ -pyrrolidinovalerophenone, also known as 4-chloro- $\alpha$ -PVP or 4'-chloro- $\alpha$ -pyrrolidinopentiophenone or 1-(4-chlorophenyl)-2-(pyrrolidin-1-yl)pentan-1-one);

(70) 2-(ethylamino)-2-(3-methoxyphenyl)cyclohexan-1-one, also known as methoxetamine or MXE.

(e) Depressants. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances having a depressant effect on the central nervous system, including their salts, isomers, and salts of isomers, whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation:

(1) Clonazepam,

6-(2-chlorophenyl)-1-methyl-8-nitro-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine;

(2) Flualprazolam,

8-chloro-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine;

(3) Flubromazepam,

7-bromo-5-(2-fluorophenyl)-1,3-dihydro-2H-1,4-benzodiazepin-2-one;

(4) Flubromazolam,

8-bromo-6-(2-fluorophenyl)-1-methyl-4H-[1,2,4]triazolo[4,3-a][1,4]benzodiazepine;

(5) Gamma-hydroxybutyric acid (other names include: GHB, gamma-hydroxybutyrate; 4-hydroxybutyrate; 4-hydroxybutanoic acid; sodium oxybate; sodium oxybutyrate);

(6) Mecloqualone;

(7) Methaqualone.

(f) Stimulants. Any material, compound, mixture or preparation which contains any quantity of the following central nervous system stimulants including optical salts, isomers and salts of isomers unless specifically excepted or unless listed in another schedule:

(1) Aminorex;

(2) N-benzylpiperazine (also known as BZP and 1-benzylpiperazine);

(3) Cathinone;

(4) 4,4'-Dimethylaminorex, also known as 4,4'-DMAR or 4,5-dihydro-4-methyl-5-(4-methylphenyl)-2-oxazolamine; 4-methyl-5-(4-methylphenyl)-4,5-dihydro-1,3-oxazol-2-amine);

( \*\*5) Fenethylamine;

( \*\*6) Methcathinone;

( \*\*7) 4-methylaminorex (also known as 2-amino-4-methyl-5-phenyl-2-oxazoline);

( \*\*8) N-ethylamphetamine;

( \*\*9) Any material, compound, mixture or preparation which contains any quantity of N,N-dimethylamphetamine. (Other names include: N,N,-alpha-trimethyl-benzeneethanamine and N,N-alpha-trimethylphenethylamine);

( \* \* \*10) Synthetic cathinones. (A) Unless listed in another schedule, any compound other than bupropion that is structurally derived from 2-Amino-1-phenyl-1-propanone by modification in any of the following ways:

(i) By substitution in the phenyl ring to any extent with alkyl, alkoxy, alkylendioxy, haloalkyl or halide substituents, whether or not further substituted in the phenyl ring by one or more other univalent substituents;

(ii) By substitution at the 3-position with an alkyl substituent;

(iii) By substitution at the nitrogen atom with alkyl or dialkyl groups, or by inclusion of the nitrogen atom in a cyclic structure.

(B) The compounds covered in this paragraph ( \* \* \*10) include, but are not limited to, any material, compound, mixture or preparation which contains any quantity of a synthetic cathinone found in any of the following compounds, whether or not substituted to any extent, or any of these compounds which contain any synthetic cathinone, or salts, isomers, or salts of isomers, whenever the existence of such salts, isomers or salts of isomers is possible, unless specifically excepted or listed in another schedule:

(i) 4-methyl-N-ethylcathinone ("4-MEC");

(ii) 4-methyl- $\alpha$ -pyrrolidinopropiophenone ("4-MePPP");

(iii)  $\alpha$ -pyrrolidinopentiophenone (" $\alpha$ -PVP");

(iv) 1-(1,3-benzodioxol-5-yl)-2- (methylamino)butan-1-one  
("butylone");

(v) 2-(methylamino)-1-phenylpentan-1-one ("pentedrone");

(vi) 1-(1,3-benzodioxol-5-yl)-2- (methylamino)pentan-1-one  
("pentylone");

(vii) 4-fluoro-N-methylcathinone ("4-FMC");

(viii) 3-fluoro-N-methylcathinone ("3-FMC");

(ix) 1-(naphthalen-2-yl)-2- (pyrrolidin-1-yl) pentan-1-one  
("naphyrone");

(x)  $\alpha$ -pyrrolidinobutiophenone (" $\alpha$ -PBP"); and

(xi) 1-(1,3-benzodioxol-5-yl)-2-(ethylamino) -pentan-1-one  
(N-ethylpentylone, ephylone).

SECTION 2. Section 41-29-119, Mississippi Code of 1972, is amended as follows:

41-29-119. (A) The controlled substances listed in this section are included in Schedule IV.

#### SCHEDULE IV

(a) Narcotic drugs. Unless specifically excepted or unless listed in another schedule, any material, compound, mixture or preparation which contains limited quantities of the following narcotic drugs, or any salts thereof:

(1) Not more than one (1) milligram of difenoxin and not less than twenty-five (25) micrograms of atropine sulfate per dosage unit;

(2) Dextropropoxyphene, including its salts (Darvon, Darvon-N; also found in Darvon compound and Darvocet-N, etc.);

(3) 2-[(dimethylamino)methyl]-1-(3-methoxyphenyl)cyclohexanol, its salts, optical and geometric isomers and salts of these isomers (including tramadol).

(b) Depressants. Any material, compound, mixture or preparation which contains any quantity of the following substances:

(1) Alfaxalone;

(2) Alprazolam;

(3) Barbitol;

(4) Brexanolone;

(5) Bromazepam;

(6) Camazepam;

(7) Carisoprodol;

(8) Chloral betaine;

(9) Chloral hydrate;

(10) Chlordiazepoxide and its salts, but does not include chlordiazepoxide hydrochloride and clidinium bromide or chlordiazepoxide and esterified estrogens;

(11) Clobazam;

(12) Clonazepam;

(13) Clorazepate;

(14) Clotiazepam;

(15) Cloxazolam;

(16) Delorazepam;

(17) Diazepam;

(18) Dichloralphenazone;

(19) Estazolam;

(20) Ethchlorvynol;

(21) Ethinamate;

(22) Ethyl loflazepate;

(23) Fludiazepam;

- (24) Flunitrazepam;
- (25) Flurazepam;
- (26) Fospropofol;
- (27) Halazepam;
- (28) Haloxazolam;
- (29) Ketazolam;
- (30) Lemborexant;
- (31) Loprazolam;
- (32) Lorazepam;
- (33) Lormetazepam;
- (34) Mebutamate;
- (35) Medazepam;
- (36) Meprobamate;
- (37) Methohexital;
- (38) Methylphenobarbital;
- (39) Midazolam;
- (40) Nimetazepam;
- (41) Nitrazepam;
- (42) Nordiazepam;
- (43) Oxazepam;
- (44) Oxazolam;
- (45) Paraldehyde;
- (46) Petrichloral;
- (47) Phenobarbital;
- (48) Pinazepam;
- (49) Prazepam;
- (50) Quazepam;
- (51) Remimazolam;
- (52) Suvorexant;

(53) Temazepam;

(54) Tetrazepam;

(55) Triazolam;

(56) Zaleplon;

(57) Zolpidem;

(58) Zopiclone.

(c) Fenfluramine.

(d) Lorcaserin. Any material, compound, mixture, or preparation which contains any quantity of Lorcaserin, including its salts, isomers, and salts of such isomers, whenever the existence of such salts, isomers, and salts of isomers is possible.

(e) Stimulants. Any material, compound, mixture or preparation which contains any quantity of the following substances:

(1) Cathine ((+/-) Norpseudoephedrine);

(2) Diethylpropion;

(3) Fencamfamin;

(4) Fenproporex;

(5) Mazindol;

(6) Mefenorex;

(7) Modafinil;

thereof); (8) Pemoline (including any organometallic complexes and chelates

(9) Phentermine;

(10) Pipradrol;

(11) Serdexmethylphenidate;

( \*\* \*12) Sibutramine;

( \*\* \*13) Solriamfetol;

( \*\* \*14) SPA ((-)-1-dimethylamino-1,2-diphenylethane).

(f) Other substances.

(1) Pentazocine;

(2) Butorphanol (including its optical isomers);

(3) Eluxadoline  
(5-[[[(2S)-2-amino-3-[4-aminocarbonyl]-2,6-dimethylphenyl]-1-oxopropyl]](1S)-1-(4-phen



yl-1H-imidazol-2-yl)ethyl]amino]methyl]-2-methoxybenzoic acid); (including its optical isomers) and its salts, isomers, and salts of isomers.

(B) Any material, compound, mixture or preparation which contains any quantity of a Schedule IV controlled substance and is listed as an exempt substance in 21 CFR, Section 1308.22, 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE THIRTEEN SUBSTANCES AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE SERDEXMETHYLPHENIDATE AS A SCHEDULE IV CONTROLLED SUBSTANCE BECAUSE THE DRUG HAS A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 1071 was adopted.

YEAS AND NAYS On H. B. No. 1071. On motion of Senator Jordan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

**H. B. No. 518:** Local Provider Innovation Grant Program; revise certain provisions of.

YEAS AND NAYS On H. B. No. 518. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled bill:

**H. B. No. 584:** Qualified Health Center Grant Program; clarify that amount specified for grants under is minimum amount to be issued.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-99-5, Mississippi Code of 1972, is amended as follows:

41-99-5. (1) Any Mississippi qualified health center desiring to participate in the program shall make application for a service grant to the department in a form satisfactory to the department. The department shall receive service grant proposals from Mississippi qualified health centers. All proposals shall be submitted in accordance with the provisions of grant procedures, criteria and standards developed and made public by the department.

(2) The department shall use the funds provided by subsection (6)(a) of this section to make care grants until July 1, 2024, to Mississippi qualified health centers upon proposals made under subsection (1) of this section. Care grants that are awarded to Mississippi qualified health centers shall only be used by those centers to:

(a) Increase access to preventative and primary care services by uninsured or medically indigent patients that are served by those centers; and

(b) Create new services or augment existing services provided to uninsured or medically indigent patients, including, but not limited to, primary care medical and preventive services, dental services, optometric services, in-house laboratory services, diagnostic services, pharmacy services, nutritional services and social services.

(3) The department shall use the funds provided by subsection (6)(b) of this section to make physician grants until July 1, 2024, to Mississippi qualified health centers upon proposals made under subsection (1) of this section. A physician grant awarded to a Mississippi qualified health center shall only be used by that center to provide a one-time salary supplement to a primary care physician being recruited under the program.

(4) Service grants received by Mississippi qualified health centers under this chapter shall not be used:

(a) To supplant federal funds traditionally received by those centers, but shall be used to supplement them;

(b) For land or real estate investments;

(c) To finance or satisfy any existing debt; or

(d) Unless the health center specifically complies with the definition of a Mississippi qualified health center contained in Section 41-99-1.

(5) The department shall develop regulations, procedures and application forms to govern how service grants will be awarded, shall develop a plan to ensure that care grants are equitably distributed among all Mississippi qualified health centers and that physician grants are distributed to the Mississippi qualified health centers where there is the most need, and shall develop an audit process to assure that grant monies are used to provide and expend care to the uninsured and medically indigent.

(6) The department shall establish a fund for the purpose of providing service grants to Mississippi qualified health centers in accordance with this chapter and the following terms and conditions:

(a) The \* \* \* amount of care grants issued under this chapter shall be not less than Four Million Dollars (\$4,000,000.00) per state fiscal year, awarded as follows:

(i) No Mississippi qualified health center shall receive care grants under this program in excess of \* \* \* ten percent (10%) of available funds per calendar year; and

(ii) Each Mississippi qualified health center receiving a care grant shall provide an annual report to the department that details the number of additional uninsured and medically indigent patients that are cared for and the types of services that are provided;

(b) The total amount of physician grants issued under this chapter during any fiscal year shall not be more than the amount appropriated to the department for that purpose, awarded as follows:

(i) Per fiscal year, a Mississippi qualified health center shall receive only one (1) physician grant under the program, which shall not exceed the amount specified in the appropriation bill for the department;

(ii) For the Mississippi qualified health center to be eligible for a physician grant, a primary care physician shall agree to work, full time, for the Mississippi qualified health center for at least three (3) consecutive years from the date of an executed employment contract;

(iii) A Mississippi qualified health center shall use a physician grant to supplement a physician's salary within the first one hundred twenty (120) days of employment;

(iv) If a physician grant is disbursed to a Mississippi qualified health center and the hiring of the primary care physician does not materialize, the Mississippi qualified health center shall repay the entire physician grant award to the department;

(v) If a primary care physician abandons his or her employment at the Mississippi qualified health center before he or she has worked there for three (3) years, the primary care physician shall repay to the department a pro rata share of the physician grant based on the number of unserved months during the three-year period. Under this subparagraph (v), the department shall have a cause of action against the primary care physician to recover grant monies; and

(vi) Each Mississippi qualified health center receiving a physician care grant shall provide an annual report to the department that details the following:

1. The number of patients treated by the new primary care physician; and

2. The general types of medical services rendered by the new primary care physician; and

(c) On or before January 15 of each year, the department shall provide the reports required by this subsection to the Chair and Vice Chair of the Senate Public Health and Welfare Committee, to the Chair and Vice Chair of the House Public Health and Human Services Committee, to the Lieutenant Governor and to the Speaker of the House.

(7) The department shall establish an advisory council to review and make recommendations to the department on the awarding of any grants to Mississippi qualified health centers. Those recommendations by the advisory council shall not be binding upon the department, but when a recommendation by the advisory council is not followed by the department, the department shall place in its minutes reasons for not accepting the advisory council's recommendation, and provide for an appeals process. All approved service grants shall be awarded within thirty (30) days of approval by the department.

(8) The composition of the advisory council shall be the following:

(a) Two (2) employees of the department, one (1) of whom must have experience in reviewing and writing grant proposals;

(b) Two (2) executive employees of Mississippi qualified health centers, one (1) of whom must be a chief financial officer;

(c) Two (2) health care providers who are affiliated with a Mississippi qualified health center, one (1) of whom must be a physician; and

(d) One (1) health care provider who is not affiliated with a Mississippi qualified health center or the department but has training and experience in primary care.

(9) The department may use a portion of any grant monies received under this chapter to administer the program and to pay reasonable expenses incurred by the advisory council; however, in no case shall more than one and one-half percent (1-1/2%) or Sixty Thousand Dollars (\$60,000.00) annually, whichever is greater, be used for program expenses.

(10) No assistance shall be provided to a Mississippi qualified health center under this chapter unless the Mississippi qualified health center certifies to the department that it will not discriminate against any employee or against any applicant for employment because of race, religion, color, national origin, sex or age.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE AMOUNT SPECIFIED FOR CARE GRANTS UNDER THE MISSISSIPPI QUALIFIED HEALTH CENTER GRANT PROGRAM IS THE MINIMUM AMOUNT OF GRANTS TO BE ISSUED; TO PROVIDE THAT NO QUALIFIED HEALTH CENTER SHALL RECEIVE CARE GRANTS UNDER THIS PROGRAM IN EXCESS OF 10% OF AVAILABLE FUNDS PER CALENDAR YEAR; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 584 was adopted.

YEAS AND NAYS On H. B. No. 584. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins called up the following entitled bill:

**H. B. No. 1318:** Baby drop-off and safe haven; revise provisions that regulate.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 43-15-200, Mississippi Code of 1972:

43-15-200. The purpose of this article is to provide a mechanism whereby any parent may relinquish the care of an infant to the state in safety, anonymity, and without fear of prosecution. This article shall be known as and may be cited as the "Mississippi Safe Haven Law".

SECTION 2. The following shall be codified as Section 43-15-200.1, Mississippi Code of 1972:

43-15-200.1. As used in this article, the following terms have the meaning herein ascribed unless the context clearly requires otherwise:

(a) "Department" means the Department of Child Protection Services.

(b) "Emergency medical services provider" shall mean a licensed hospital, as defined in Section 41-9-3, which operates an emergency department or fire station or mobile ambulance staffed with full-time firefighters or emergency medical technicians or paramedics. "Emergency medical services provider" does not include the offices, clinics, surgeries or treatment facilities of private physicians or dentists. "Emergency medical services provider" does not include any individual licensed healthcare provider, including physicians, dentists, nurses, physician assistants or other health professionals under this article unless such individual voluntarily assumes responsibility for the custody of the child.

(c) "Infant" means a child not previously subjected to abuse or neglect, who is not more than thirty (30) days old as determined within a reasonable degree of medical certainty by an examining physician.

(d) "Newborn safety device" means a device:

(i) Designed to permit a parent to anonymously place an infant in the device with the intent to leave the infant for an emergency medical services provider to remove the infant from the device and take custody of the infant;

(ii) Installed in a conspicuous location with an adequate dual alarm system connected to the physical location where the device is installed. The dual alarm system must be:

1. Tested at least once per week to ensure the alarm system is in working order; and

2. Visually checked at least twice per day to ensure the alarm system is in working order; and

(iii) Approved by and located inside a participating emergency medical services provider that is:

1. Licensed or otherwise legally operating in this state; and

2. Staffed continuously on a twenty-four-hour basis, seven (7) days a week and three hundred sixty-five (365) days a year.

(e) "Relinquish" or "relinquishment" means the action of a parent in leaving an infant on the premises of an emergency medical services provider, with a facility employee or member of the professional medical community at the facility, or in a newborn safety device, without expressing an intention to return for the infant.

SECTION 3. Section 43-15-201, Mississippi Code of 1972, is amended as follows:

43-15-201. (1) (a) An emergency medical services provider, without a court order, shall take possession of a child who is \* \* \* thirty (30) days old or younger if the child is voluntarily delivered to the provider by the child's parent and the parent did not express an intent to return for the child.

(b) If an infant's parent is unable to give up custody of the infant as otherwise described in this article due to extenuating circumstances, the infant's parent may request that an emergency medical services provider take custody of the infant by:

(i) Dialing the 911 emergency call number; and

(ii) Staying with the infant until an emergency medical services provider arrives to take custody of the infant.

(c) The emergency medical dispatch agency or the emergency medical services provider shall inform the infant's parent of the ability to remain anonymous as described in this section.

(2) The parent who surrenders the baby shall not be required to provide any information pertaining to his or her identity, nor shall the emergency medical services provider inquire as to same. If the identity of the parent is known to the emergency medical services provider, the emergency medical services provider shall keep the identity confidential.

(3) The emergency medical services provider must ask the parent relinquishing the infant to identify any other parent of the infant other than the parent leaving the infant with the emergency medical services provider. The emergency medical services provider also must attempt to obtain from the parent information concerning the infant's background and medical history as specified on a form provided by the department. This information must include, but is not limited to, information concerning the use of a

controlled substance by the infant's mother during the pregnancy or since the birth of the child, provided that information regarding the use of a controlled substance by the infant's mother is not admissible as evidence of the unlawful use of a controlled substance in any criminal court proceeding. The emergency medical services provider must give the parent a copy of the form and a prepaid envelope for mailing the form to the department if the parent does not wish to provide the information to the provider.

(4) An emergency medical services provider who takes possession of an infant under this section shall perform any act necessary to protect the physical health or safety of the infant. A physician shall promptly conduct a comprehensive medical screening to determine:

- (a) If the infant suffered fetal exposure to alcohol or drugs;
- (b) If the infant appears to have been abused or neglected; and
- (c) The infant's estimated date of birth, if not previously known.

(5) If an infant is relinquished to an emergency medical services provider other than a hospital, the staff of the facility shall immediately transfer the infant to a hospital.

( \*\* \*6) A \*\* \* mother presenting herself to a hospital through the emergency room or otherwise, who is subsequently admitted for purposes of labor and delivery, does not give up the legal protections or anonymity guaranteed under this section. If the mother clearly expresses a desire to voluntarily surrender custody of the newborn after birth, the emergency medical services provider can take possession of the child, without further action by the mother, as if the child had been presented to the emergency medical services provider in the same manner outlined above in subsection (1) of this section.

(a) If the mother expresses a desire to remain anonymous, identifying information may be obtained for purposes of securing payment of labor and delivery costs only. If the birth mother is a minor, the hospital may use the identifying information to secure payment through Medicaid, but shall not notify the minor's parent or guardian without the minor's consent.

(b) The identity of the birth mother shall not be placed on the birth certificate or disclosed to the Department of Human Services.

( \*\* \*7) There is a presumption that by relinquishing a child in accordance with this section, the parent consents to the termination of his or her parental rights with respect to the child. \*\* \*.

\*\* \*

SECTION 4. Section 43-15-203, Mississippi Code of 1972, is amended as follows:

43-15-203. (1) \*\* \* When an emergency medical services provider takes possession of a child pursuant to Section 43-15-201, the provider shall immediately notify the department \*\* \* that the provider has taken possession of the child.

(2) The department shall \*\* \* take legal custody of the \*\* \* infant immediately on receipt of notice pursuant to subsection (1). The department shall take physical custody of the infant as soon as practicable but not later than twenty-four (24) hours after receiving notice that the infant is ready to be discharged from the hospital.

(3) The department shall be responsible for all medical and other costs associated with the child and shall reimburse the hospital for any costs incurred \*\* \*.

(4) Immediately after assuming legal custody of the infant, the department shall report the child to appropriate state and local law enforcement agencies as a potential missing child.

(5) A law enforcement agency that receives a report under this section shall investigate whether the child is reported as missing.

(6) Within forty eight (48) hours after taking legal custody of the infant, the department shall publish notice, in a newspaper of general circulation in the area where the emergency medical services provider that initially took the infant is located, and send a news release to broadcast and print media in the area. The notice and the news release must state the circumstances under which the infant was left at the provider, a description of the infant, and the date, time, and place of the hearing to be held. The notice and the news release must also state that any person wishing to assert parental rights in regard to the infant must do so at the hearing. If the parent who relinquished the infant identified anyone else as being a parent of the infant, the notice must be sent by certified mail to the last known address of the person identified as a parent at least two (2) weeks prior to the hearing date.

SECTION 5. The following shall be codified as Section 43-15-204, Mississippi Code of 1972:

43-15-204. When an infant is relinquished under this article, there is a rebuttable presumption that the youth court case shall proceed under Section 43-21-603(7).

SECTION 6. Section 43-21-201, Mississippi Code of 1972, is amended as follows:

43-21-201. (1) (a) Each party shall have the right to be represented by counsel at all stages of the proceedings, including, but not limited to, detention, shelter, adjudicatory and disposition hearings and parole or probation revocation proceedings.

(b) In delinquency matters the court shall appoint legal defense counsel who is not also a guardian ad litem for the same child. If the party is a child, the child shall be represented by counsel at all critical stages: detention, adjudicatory and disposition hearings; parole or probation revocation proceedings; and post-disposition matters. If indigent, the child shall have the right to have counsel appointed for him by the youth court.

(c) A child who is alleged to have been abused or neglected shall be deemed to be a party to the proceedings under this chapter. The child shall be represented by an attorney at all stages of any proceedings held pursuant to this chapter. The court shall appoint an attorney for any child who is unrepresented. The guardian ad litem may serve a dual role as long as no conflict of interest is present. If a conflict of interest arises, the guardian ad litem shall inform the Youth Court of the conflict and the Youth Court shall retain the guardian ad litem to represent the best interest of the child and appoint an attorney to represent the child's preferences as required by Uniform Rule of Youth Court Practice 13(f).

(2) When a party first appears before the youth court, the judge shall ascertain whether he is represented by counsel and, if not, inform him of his rights, including his right to counsel. If the court determines that a parent or guardian who is a party in an abuse, neglect or termination of parental rights proceeding is indigent, the youth court judge may appoint counsel to represent the indigent parent or guardian in the proceeding.

(3) An attorney appointed to represent a \* \* \* child shall be required to complete annual juvenile justice training that is approved by the Mississippi Office of State Public Defender and the Mississippi Commission on Continuing Legal Education. An attorney appointed to represent a parent or guardian in an abuse, neglect or termination of parental rights proceeding shall be required to complete annual training that is approved by the



Office of State Public Defender and the Mississippi Commission on Continuing Legal Education. The Mississippi Office of State Public Defender and the Mississippi Commission on Continuing Legal Education shall determine the amount of juvenile justice training and continuing education required to fulfill the requirements of this subsection. The State Public Defender shall maintain a roll of attorneys who have complied with the training requirements and shall enforce the provisions of this subsection. Should an attorney fail to complete the annual training requirement or fail to attend the required training within six (6) months of being appointed to a youth court case, the attorney shall be disqualified to serve and the youth court shall immediately terminate the representation and appoint another attorney. Attorneys appointed by a youth court to five (5) or fewer cases a year are exempt from the requirements of this subsection.

(4) The child's attorney shall owe the same duties of undivided loyalty, confidentiality and competent representation to the child or minor as is due an adult client pursuant to the Mississippi Rules of Professional Conduct.

(5) An attorney shall enter his appearance on behalf of a party in the proceeding by filing a written notice of appearance with the youth court, by filing a pleading, notice or motion signed by counsel or by appearing in open court and advising the youth court that he is representing a party. After counsel has entered his appearance, he shall be served with copies of all subsequent pleadings, motions and notices required to be served on the party he represents. An attorney who has entered his appearance shall not be permitted to withdraw from the case until a timely appeal, if any, has been decided, except by leave of the court then exercising jurisdiction of the cause after notice of his intended withdrawal is served by him on the party he represents.

(6) Each designee appointed by a youth court judge shall be subject to the Code of Judicial Conduct and shall govern himself or herself accordingly.

(7) The Department of Child Protection Services shall be a necessary party at all stages of the proceedings involving a child for whom the department has custody, including, but not limited to, shelter, adjudicatory, disposition, permanency and termination-of-parental-rights hearings.

SECTION 7. Section 43-21-501, Mississippi Code of 1972, is amended as follows:

43-21-501. When a petition has been filed and the date of hearing has been set by the youth court, the judge or his designee shall order the clerk of the youth court to issue a summons to the following to appear personally at such hearing:

- (a) The child named in the petition;
- (b) The person or persons who have custody or control of the child;
- (c) The parent or guardian of the child if such parent or guardian does not have custody of the child; \* \* \*
- (d) The Department of Child Protection Services; and
- ( \* \* \*e) Any other person whom the court deems necessary.

SECTION 8. Section 43-21-701, Mississippi Code of 1972, is amended as follows:

43-21-701. (1) There is hereby established the Mississippi Commission on a Uniform Youth Court System and Procedures. The commission shall consist of the following \* \* \* twenty-one (21) members:

- (a) One (1) circuit court judge appointed by the Chief Justice of the Mississippi Supreme Court;

(b) One (1) chancery court judge, appointed by the Chief Justice of the Mississippi Supreme Court;

(c) The President of the Mississippi Council of Youth Court Judges, or his designee;

(d) Two (2) who may be either family court judges or county court judges, appointed by the President of the Mississippi Council of Youth Court Judges;

(e) Two (2) youth court referees, appointed by the President of the Mississippi Council of Youth Court Judges;

(f) One (1) member of the Mississippi House of Representatives to be appointed by the Speaker of the House;

(g) One (1) member of the Mississippi Senate to be appointed by the Lieutenant Governor;

(h) The directors of the following state agencies or their designated representatives: the Mississippi Department of \* \* \* Human Services and the Mississippi Department of \* \* \* Child Protection Services;

(i) The director, or his designated representative, of the Governor's Office of Federal-State Programs;

(j) \* \* \* Two (2) employees, other than the director, of the Department of \* \* \* Child Protection Services who \* \* \* are supervisors of social workers primarily assigned to youth cases, appointed by the Governor;

(k) One (1) employee, other than the director, of the Department of Child Protection Services who is experienced with the legal process of youth court cases, appointed by the Governor;

( \* \* \*l) One (1) municipal police chief, appointed by the Governor;

( \* \* \*m) One (1) county sheriff, appointed by the Governor;

( \* \* \*n) Two (2) lawyers experienced in youth court work, appointed by the Governor; and

( \* \* \*o) Two (2) prosecuting attorneys who prosecute cases in youth court, appointed by the Governor.

(2) The members shall be appointed to the commission within fifteen (15) days of \* \* \* July 1, 2023, and shall serve until the end of their respective terms of office, if applicable, or until October 1, \* \* \* 2024, whichever occurs first. Vacancies on the commission shall be filled in the manner of the original appointment. Members shall be eligible for reappointment provided that upon such reappointment they meet the qualifications required of a new appointee.

(3) The commission may elect any officers from among its membership as it deems necessary for the efficient discharge of the commission's duties.

(4) The commission shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business. \* \* \* Twelve (12) or more members shall constitute a quorum for the purpose of conducting any business of the commission; provided, however, a vote of not less than \* \* \* fourteen (14) members shall be required for any recommendations to the Legislature.

(5) Members of the commission shall serve without compensation, except that state and county employees and officers shall receive any per diem as authorized by law from appropriations available to their respective agencies or political subdivisions. All commission members shall be entitled to receive reimbursement for any actual and reasonable expenses incurred as a necessary incident to service on the commission, including mileage as provided by law.

(6) The commission may select and employ a research director who shall perform the duties which the commission directs, which duties shall include the hiring of such other employees for the commission as the commission may approve. The research director and all other employees of the commission shall be in the state service and their salaries shall be established by the commission subject to approval by the State Personnel Board. Employees of the commission shall be reimbursed for the expenses necessarily incurred in the performance of their official duties in the same manner as other state employees. The commission may also employ any consultants it deems necessary, including consultants to compile any demographic data needed to accomplish the duties of the commission.

(7) The Governor's Office of Federal-State Programs shall support the Commission on a Uniform Youth Court System and shall act as agent for any funds made available to the commission for its use. In order to expedite the implementation of the Commission on a Uniform Youth Court System, any funds available to the Governor's Office of Federal-State Programs for the \* \* \* 2023-2024 fiscal year may be expended for the purpose of defraying the expenses of the commission created herein.

(8) The commission may contract for suitable office space in accordance with the provisions of Section 29-5-2, Mississippi Code of 1972. In addition, the commission may utilize, with their consent, the services, equipment, personnel, information and resources of other state agencies; and may accept voluntary and uncompensated services, contract with individuals, public and private agencies, and request information, reports and data from any agency of the state, or any of its political subdivisions, to the extent authorized by law.

(9) In order to conduct and carry out its purposes, duties and related activities as provided for in this section and Section 43-21-703, the commission is authorized to apply for and accept gifts, grants, subsidies and other funds from persons, corporations, foundations, the United States government or other entities, provided that the receipt of such gifts, grants, subsidies and funds shall be reported and otherwise accounted for in the manner provided by law.

SECTION 9. Section 43-21-703, Mississippi Code of 1972, is amended as follows:

43-21-703. (1) The commission shall study the youth court system in Mississippi, and prepare a report including any proposed changes in the youth court system and/or its procedures. It shall submit the report to the Legislature, on or before October 1, \* \* \* 2024, along with a report detailing any legislation which may be needed to implement the plan. In preparing the report, the commission shall evaluate the existing juvenile services in the state and may recommend changes in the organizational concepts, institutions, laws and resources.

(2) In formulating its report, the commission shall take into consideration the following:

(a) Whether a uniform statewide youth court system would be desirable;

(b) How best the service needs of the state could be met in relation to the taxing and resource capacity of various multi-county districts now existing or proposed;

(c) Whether counties in a given service area or district may develop district shelters, detention centers and diagnostic centers to serve a multi-county area; and

(d) What proposals or alternatives would update or modernize the system to provide staffing for all counties and citizens.

(3) The commission, in addition to recommending the plan described in this section, shall serve as a clearinghouse and information center for the collection, preparation, analysis and dissemination of information on the youth court system in Mississippi and shall conduct ongoing research relating to the improvement of the youth court system. Pursuant to its duties under this subsection, the commission may request the regular submission to it of such reports, information and statistics by the courts, judges, prosecuting attorneys and agencies of this state which the commission deems necessary for the development of its reports.

SECTION 10. Section 93-15-107, Mississippi Code of 1972, is amended as follows:

93-15-107. (1) (a) Involuntary termination of parental rights proceedings are commenced upon the filing of a petition under this chapter. The petition may be filed by any interested person, or any agency, institution or person holding custody of the child. The simultaneous filing of a petition for adoption is not a prerequisite for filing a petition under this chapter.

(b) The proceeding shall be triable, either in term time or vacation, thirty (30) days after personal service of process to any necessary party or, for a necessary party whose address is unknown after diligent search, thirty (30) days after the date of the first publication of service of process by publication that complies with the Mississippi Rules of Civil Procedure.

(c) Necessary parties to a termination of parental rights action shall include the mother of the child, the legal father of the child, the putative father of the child when known, and any agency, institution or person holding custody of the child. The absence of a necessary party who has been properly served does not preclude the court from conducting the hearing or rendering a final judgment.

(d) A guardian ad litem shall be appointed to protect the best interest of the child, except that the court, in its discretion, may waive this requirement when a parent executes a written voluntary release to terminate parental rights. The guardian ad litem fees shall be determined and assessed in the discretion of the court.

(2) Voluntary termination of parental rights by written voluntary release is governed by Section 93-15-111.

(3) In all cases involving termination of parental rights, a minor parent shall be served with process as an adult.

(4) The court may waive service of process if an adoptive child was born in a foreign country, put up for adoption in the birth country, and has been legally admitted into this country.

(5) The clerk shall docket cases seeking relief under this chapter as priority cases. The assigned judge shall be immediately notified by the clerk when a case is filed in order to provide for expedited proceedings.

SECTION 11. Section 93-17-3, Mississippi Code of 1972, is amended as follows:

93-17-3. (1) Except as otherwise provided in this section, a court of this state has jurisdiction over a proceeding for the adoption or readoption of a minor commenced under this chapter if:

(a) Immediately before commencement of the proceeding, the minor lived in this state with a parent, a guardian, a prospective adoptive parent or another person acting as parent, for at least six (6) consecutive months, excluding periods of temporary absence, or, in the case of a minor under six (6) months of age, lived in this state from soon after birth with any of those individuals and there is available in this state substantial evidence concerning the minor's present or future care;

(b) Immediately before commencement of the proceeding, the prospective adoptive parent lived in this state for at least six (6) consecutive months, excluding periods of temporary absence, and there is available in this state substantial evidence concerning the minor's present or future care;

(c) The agency that placed the minor for adoption is licensed in this state and it is in the best interest of the minor that a court of this state assume jurisdiction because:

(i) The minor and the minor's parents, or the minor and the prospective adoptive parent, have a significant connection with this state; and

(ii) There is available in this state substantial evidence concerning the minor's present or future care;

(d) The minor and the prospective adoptive parent or parents are physically present in this state and the minor has been abandoned or it is necessary in an emergency to protect the minor because the minor has been subjected to or threatened with mistreatment or abuse or is otherwise neglected, and the prospective adoptive parent or parents, if not residing in Mississippi, have completed and provided the court with a satisfactory Interstate Compact for Placement of Children (ICPC) home study and accompanying forms, unless the court determines that the home study is not necessary in the case of an adoption by a stepparent or a relative or in the case of an adoption in a foster-to-adopt placement;

(e) It appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraphs (a) through (d), or another state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum to hear a petition for adoption of the minor, and it is in the best interest of the minor that a court of this state assume jurisdiction; or

(f) The child has been adopted in a foreign country, the agency that placed the minor for adoption is licensed in this state, and it is in the best interest of the child to be readopted in a court of this state having jurisdiction.

(2) A court of this state may not exercise jurisdiction over a proceeding for adoption of a minor if, at the time the petition for adoption is filed, a proceeding concerning the custody or adoption of the minor is pending in a court of another state exercising jurisdiction substantially in conformity with the Uniform Child Custody Jurisdiction Act or this section unless the proceeding is stayed by the court of the other state.

(3) If a court of another state has issued a decree or order concerning the custody of a minor who may be the subject of a proceeding for adoption in this state, a court of this state may not exercise jurisdiction over a proceeding for adoption of the minor unless:

(a) The court of this state finds that the court of the state which issued the decree or order:

(i) Does not have continuing jurisdiction to modify the decree or order under jurisdictional prerequisites substantially in accordance with the Uniform Child Custody Jurisdiction Act or has declined to assume jurisdiction to modify the decree or order; or

(ii) Does not have jurisdiction over a proceeding for adoption substantially in conformity with subsection (1)(a) through (d) or has declined to assume jurisdiction over a proceeding for adoption; and

(b) The court of this state has jurisdiction over the proceeding.

(4) Any person may be adopted in accordance with the provisions of this chapter in term time or in vacation by an unmarried adult, by a married person whose spouse joins in the petition, by a married person whose spouse does not join in the petition because such spouse does not cohabit or reside with the petitioning spouse, and in any circumstances determined by the court that the adoption is in the best interest of the child. Only the consenting adult will be a legal parent of the child. In those adoption proceedings where the chancery court has jurisdiction, the adoption shall be by sworn petition filed in the chancery court of the county in which the adopting petitioner or petitioners reside or in which the child to be adopted resides or was born, or was found when it was abandoned or deserted, or in which the home is located to which the child has been surrendered by a person authorized to so do. In those adoption proceedings where the county court sitting as a youth court has jurisdiction, the adoption shall be by sworn petition filed in that youth court of the county court under seal. If the youth court finds that the best interest of the child would be served by a different venue, the youth court may transfer any contested adoption proceeding to the appropriate chancery court. The petition shall be accompanied by a doctor's or nurse practitioner's certificate showing the physical and mental condition of the child to be adopted and a sworn statement of all property, if any, owned by the child. In addition, the petition shall be accompanied by affidavits of the petitioner or petitioners stating the amount of the service fees charged by any adoption agencies or adoption facilitators used by the petitioner or petitioners and any other expenses paid by the petitioner or petitioners in the adoption process as of the time of filing the petition. If the doctor's or nurse practitioner's certificate indicates any abnormal mental or physical condition or defect, the condition or defect shall not, in the discretion of the chancellor or county court sitting as a youth court, bar the adoption of the child if the adopting parent or parents file an affidavit stating full and complete knowledge of the condition or defect and stating a desire to adopt the child, notwithstanding the condition or defect. The court shall have the power to change the name of the child as a part of the adoption proceedings. The word "child" in this section shall be construed to refer to the person to be adopted, though an adult.

(5) No person may be placed in the home of or adopted by the prospective adopting parties before a court-ordered or voluntary home study is satisfactorily completed by a licensed adoption agency, a licensed, experienced social worker approved by the chancery court, a court-appointed guardian ad litem that has knowledge or training in conducting home studies if so directed by the court, or by the Department of \* \* \* Child Protection Services on the prospective adoptive parties if required by Section 93-17-11, unless the court determines that the home study is not necessary in the case of an adoption by a stepparent or a relative or in the case of an adoption in a foster-to-adopt placement.

(6) No person may be adopted by a person or persons who reside outside the State of Mississippi unless the provisions of the Interstate Compact for Placement of Children (Section 43-18-1 et seq.) have been complied with. In such cases Forms 100A, 100B (if applicable) and evidence of Interstate Compact for Placement of Children approval shall be added to the permanent adoption record file within one (1) month of the placement, and a minimum of two (2) post-placement reports conducted by a licensed child-placing agency shall be provided to the Mississippi Department of Child Protection Services Interstate Compact for Placement of Children office.

(7) No person may be adopted unless the provisions of the Indian Child Welfare Act (ICWA) have been complied with, if applicable. When applicable, proof of compliance shall be included in the court adoption file prior to finalization of the adoption. If not applicable, a written statement or paragraph in the petition for adoption shall be included in the adoption petition stating that the provisions of ICWA do not apply before finalization.

(8) The readoption of a child who has automatically acquired United States citizenship following an adoption in a foreign country and who possesses a Certificate of Citizenship in accordance with the Child Citizenship Act, CAA, Public Law 106-395, may be given full force and effect in a readoption proceeding conducted by a court of competent jurisdiction in this state by compliance with the Mississippi Registration of Foreign Adoptions Act, Article 9 of this chapter.

(9) For adult adoptees who consent to the adoption, a chancellor may waive any of the petition requirements and procedural requirements within subsections (4), (5), (6) and (7) of this section.

(10) For proceedings filed under this chapter, the chancery court has original exclusive jurisdiction over all adoption proceedings except when a county court sitting as a youth court has acquired jurisdiction of a child in an abuse or neglect proceeding. In such case, the county court shall have original exclusive jurisdiction to hear a petition for adoption of that child pursuant to the procedures of this chapter. If the youth court finds that the best interest of the child would be served by a different venue, the youth court may transfer any contested adoption proceeding to the appropriate chancery court.

(11) The clerk shall docket cases seeking relief under this chapter as priority cases. The assigned judge shall be immediately notified by the clerk when a case is filed in order to provide for expedited proceedings.

SECTION 12. Section 93-17-11, Mississippi Code of 1972, is amended as follows:

93-17-11. (1) At any time after the filing of the petition for adoption and completion of process thereon, and before the entering of a final decree, the court may, in its discretion, of its own motion or on motion of any party to the proceeding, require an investigation and report to the court to be made by any person, officer or home as the court may designate and direct concerning the child, and shall require in adoptions except as provided in subsection (4) of this section, other than those in which the petitioner or petitioners are a relative or stepparent of the child, that a home study be performed of the petitioner or petitioners by a licensed adoption agency or by the Department of Human Services, at the petitioner's or petitioners' sole expense and at no cost to the state or county. The investigation and report shall give the material facts upon which the court may determine whether the child is a proper subject for adoption, whether the petitioner or petitioners are suitable parents for the child, whether the adoption is to its best interest, and any other facts or circumstances that may be material to the proposed adoption. The home study shall be considered by the court in determining whether the petitioner or petitioners are suitable parents for the child. The court, when an investigation and report are required by the court or by this section, shall stay the proceedings in the cause for such reasonable time as may be necessary or required in the opinion of the court for the completion of the investigation and report by the person, officer or home designated and authorized to make the same.

(2) Upon the filing of that consent or the completion of the process and the filing of the investigation and report, if required by the court or by this section, and the presentation of such other evidence as may be desired by the court, if the court determines that it is to the best interests of the child that an interlocutory decree of adoption be entered, the court may thereupon enter an interlocutory decree upon such terms and conditions as may be determined by the court, in its discretion, but including therein that the complete care, custody and control of the child shall be vested in the

petitioner or petitioners until further orders of the court and that during such time the child shall be and remain a ward of the court. If the court determines by decree at any time during the pendency of the proceeding that it is not to the best interests of the child that the adoption proceed, the petitioners shall be entitled to at least five (5) days' notice upon their attorneys of record and a hearing with the right of appeal as provided by law from a dismissal of the petition; however, the bond perfecting the appeal shall be filed within ten (10) days from the entry of the decree of dismissal and the bond shall be in such amount as the chancellor may determine and supersedeas may be granted by the chancellor or as otherwise provided by law for appeal from final decrees.

(3) After the entry of the interlocutory decree and before entry of the final decree, the court may require such further and additional investigation and reports as it may deem proper. The rights of the parties filing the consent or served with process shall be subject to the decree but shall not be divested until entry of the final decree.

(4) The court may determine that a home study in an adoption is not necessary in the case of an adoption by a stepparent or a relative or in the case of an adoption in a foster-to-adopt placement.

SECTION 13. Section 93-17-25, Mississippi Code of 1972, is amended as follows:

93-17-25. All proceedings under this chapter shall be confidential and shall be held in closed court without admittance of any person other than the interested parties, except upon order of the court. All pleadings, reports, files, testimony, exhibits and records pertaining to \* \* \* adoption proceedings shall be confidential and shall not be public records and shall be withheld from inspection or examination by any person, and shall not be disclosed by any person except upon order of the court in which the proceeding was had on good cause shown.

Upon motion of any interested person, the files of adoption proceedings, heretofore had may be placed in the confidential files upon order of the court or chancellor and shall be subject to the provisions of this chapter.

Provided, however, that notwithstanding the confidential nature of said proceedings, said record shall be available for use in any court or administrative proceedings under a subpoena duces tecum addressed to the custodian of said records and portions of such record may be released pursuant to Sections 93-17-201 through 93-17-223.

SECTION 14. The appropriate court, through its clerk, shall notify the Office of the Attorney General within seven (7) business days whenever a permanency plan changes to termination of parental rights or an adoption.

SECTION 15. Once the petition for termination of parental rights is filed with the court of competent jurisdiction, the court shall hold a hearing on the petition within one hundred twenty (120) calendar days of the date of the petition is filed. For purposes of this section, the one hundred twenty (120) calendar day time period will commence when perfected service is made on the parents.

SECTION 16. Section 43-15-207, Mississippi Code of 1972, which defined the term "emergency medical services provider" for the purposes of the Baby Drop-Off Law, is repealed.

SECTION 17. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:



AN ACT TO ENACT THE MISSISSIPPI SAFE HAVEN LAW AND PROVIDE A CLEAR PATH TO PERMANENCY FOR CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO CREATE NEW SECTION 43-15-200, MISSISSIPPI CODE OF 1972, TO STATE THE PURPOSE OF THE ARTICLE; TO CREATE NEW SECTION 43-15-200.1, MISSISSIPPI CODE OF 1972, TO DEFINE TERMS; TO AMEND SECTION 43-15-201, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INFANT'S PARENT TO GIVE UP CUSTODY OF AN INFANT TO AN EMERGENCY MEDICAL SERVICES PROVIDER DUE TO EXTENUATING CIRCUMSTANCES BY DIALING THE 911 EMERGENCY CALL NUMBER AND STAYING WITH THE INFANT UNTIL AN EMERGENCY MEDICAL SERVICES PROVIDER ARRIVES TO TAKE CUSTODY OF THE INFANT; TO REQUIRE THE EMERGENCY MEDICAL SERVICES PROVIDER TO ATTEMPT TO OBTAIN CERTAIN INFORMATION CONCERNING THE INFANT FROM THE PARENT RELINQUISHING THE INFANT; TO REQUIRE AN INFANT TO BE TRANSFERRED TO A HOSPITAL IMMEDIATELY; TO REQUIRE A MEDICAL SCREENING OF THE INFANT; TO AMEND SECTION 43-15-203, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL HAVE LEGAL CUSTODY AS SOON AS THE DEPARTMENT RECEIVES NOTICE OF A RELINQUISHMENT; TO PROVIDE THAT THE DEPARTMENT SHALL ASSUME PHYSICAL CUSTODY AS SOON AS POSSIBLE; TO REQUIRE THE DEPARTMENT, AFTER ASSUMING LEGAL CUSTODY, TO IMMEDIATELY NOTIFY LAW ENFORCEMENT OF A POTENTIAL MISSING CHILD; TO REQUIRE A LAW ENFORCEMENT AGENCY WHO RECEIVES NOTICE UNDER THIS SECTION TO INVESTIGATE WHETHER THE RELINQUISHED INFANT IS A MISSING CHILD; TO REQUIRE THE DEPARTMENT TO PUBLISH NOTICE OF THE CIRCUMSTANCES OF THE RELINQUISHMENT OF THE INFANT IN A NEWSPAPER OF GENERAL CIRCULATION AND SEND A NEWS RELEASE TO BROADCAST AND PRINT MEDIA; TO PROVIDE THAT THE NEWS RELEASE AND PUBLICATION MUST STATE THAT ANY PERSON WISHING TO ASSERT PARENTAL RIGHTS IN REGARD TO THE INFANT MUST DO SO AT THE HEARING TO BE HELD; TO CREATE NEW SECTION 43-15-204, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT WHEN AN INFANT IS RELINQUISHED UNDER THIS ARTICLE, THERE IS A REBUTTABLE PRESUMPTION THAT THE YOUTH COURT CASE SHALL PROCEED UNDER SECTION 43-21-603(7); TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CHILD ALLEGED TO HAVE BEEN ABUSED OR NEGLECTED SHALL BE A PARTY AND SHALL BE REPRESENTED BY COUNSEL; TO PROVIDE THAT A PARTY'S RIGHT TO REPRESENTATION SHALL EXTEND TO SHELTER HEARINGS; TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A NECESSARY PARTY AT ALL STAGES OF THE PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY, INCLUDING, BUT NOT LIMITED TO, SHELTER, ADJUDICATORY, DISPOSITION, PERMANENCY AND TERMINATION-OF-PARENTAL-RIGHTS HEARINGS; TO AMEND SECTION 43-21-501, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO ISSUE A SUMMONS TO THE DEPARTMENT OF CHILD PROTECTION SERVICES IF A PETITION IS FILED THAT INVOLVES A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO AMEND SECTION 43-21-701, MISSISSIPPI CODE OF 1972, TO ADD ADDITIONAL MEMBERS TO THE MISSISSIPPI COMMISSION ON A UNIFORM YOUTH COURT SYSTEM AND PROCEDURES; TO REVISE THE QUORUM OF THE COMMISSION; TO AMEND SECTION 43-21-703, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSION SHALL FILE A REPORT WITH THE LEGISLATURE ON OR BEFORE A CERTAIN DATE; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CLERK TO DOCKET TERMINATION-OF-PARENTAL-RIGHTS CASES AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT TO DETERMINE IF A HOME STUDY IS NECESSARY IN CERTAIN ADOPTIONS; TO PROVIDE THAT FOR ADOPTION PROCEEDINGS THE CHANCERY COURT HAS ORIGINAL EXCLUSIVE JURISDICTION OVER ALL

ADOPTION PROCEEDINGS EXCEPT WHEN A COUNTY COURT, SITTING AS A YOUTH COURT, HAS ACQUIRED JURISDICTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO PROVIDE THAT THE COUNTY COURT SHALL HAVE ORIGINAL EXCLUSIVE JURISDICTION TO HEAR A PETITION FOR ADOPTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO AUTHORIZE THE YOUTH COURT TO TRANSFER CERTAIN ADOPTION PROCEEDINGS; TO REQUIRE THE CLERK TO DOCKET ADOPTION PROCEEDINGS AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO AMEND SECTION 93-17-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT TO ORDER A HOME STUDY IF NECESSARY IN CERTAIN ADOPTIONS; TO AMEND SECTION 93-17-25, MISSISSIPPI CODE OF 1972, TO PROHIBIT CERTAIN PERSONS FROM DISCLOSING INFORMATION RECEIVED DURING CLOSED ADOPTION HEARINGS OR FROM RECORDS PERTAINING TO ADOPTION PROCEEDINGS; TO REQUIRE THAT THE ATTORNEY GENERAL'S OFFICE BE NOTIFIED BY THE COURT WITHIN SEVEN WORKING DAYS WHEN A PERMANENCY PLAN CHANGES TO TERMINATION OF PARENTAL RIGHTS OR AN ADOPTION; TO PROVIDE FOR THE TIME PERIOD IN WHICH A PETITION FOR THE TERMINATION OF PARENTAL RIGHTS SHALL BE HELD; TO REPEAL SECTION 43-15-207, MISSISSIPPI CODE OF 1972, WHICH DEFINED THE TERM "EMERGENCY MEDICAL SERVICES PROVIDER" FOR PURPOSES OF THE BABY DROP-OFF LAW; AND FOR RELATED PURPOSES.

Senator Boyd offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on lines 245-252 by deleting the new language after "infant," and inserting in lieu thereof the following:

and the contact information for the appropriate office of the department.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1318 was adopted.

Senators Blackmon and Hill offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 255 by inserting "(1)" before "When"

FURTHER, AMEND by inserting the following subsection below line 257 and inserting:

(2) Before a termination-of-parental-rights hearing for an infant relinquished under this article, the department shall:

(a) Compare the infant's DNA profile to publicly available databases to identify the infant's relatives within the third degree as computed by the civil law rule; and

(b) Notify the infant's relatives identified under this subsection of the hearing at least seven (7) business days before the hearing.

FURTHER, AMEND by inserting the following language below line 338

(8) An infant's relatives identified under Section 43-15-204(2) shall have the right to appear and be heard at the termination-of-parental-rights hearing of an infant relinquished under Article 5, Chapter 15, Title 43.

FURTHER, AMEND title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 2 to Committee Amendment No. 1 to H. B. No. 1318 failed by the following vote:

Yeas--Barnett, Blackmon, Butler A. (36th), Butler K. (38th), DeBar, Frazier, Hickman, Hill, Horhn, Jackson, Jordan, Norwood, Seymour, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas, Turner-Ford. Total--18.

Nays--Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Parker, Parks, Polk, Sojourner, Sparks, Tate, Thompson, Whaley, Wiggins, Williams. Total--31.

Absent and those not voting--Blount, Michel, Younger. Total--3.

Committee Amendment No. 1 as amended to H. B. No. 1318 was adopted.

YEAS AND NAYS On H. B. No. 1318. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Hill, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--13.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

**H. B. No. 249:** MS Medical Cannabis Act; extend repealers to certain state laws for Departments of Health and Revenue in connection with.

Senator Blackwell offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-9-107, Mississippi Code of 1972, is amended as follows:

25-9-107. The following terms, when used in this chapter, unless a different meaning is plainly required by the context, shall have the following meanings:

(a) "Board" means the State Personnel Board created under the provisions of this chapter.

(b) "State service" means all employees of state departments, agencies and institutions as defined herein, except those officers and employees excluded by this chapter.

(c) "Nonstate service" means the following officers and employees excluded from the state service by this chapter. The following are excluded from the state service:

(i) Members of the State Legislature, their staff and other employees of the legislative branch;

(ii) The Governor and staff members of the immediate Office of the Governor;

(iii) Justices and judges of the judicial branch or members of appeals boards on a per diem basis;

(iv) The Lieutenant Governor, staff members of the immediate Office of the Lieutenant Governor and officers and employees directly appointed by the Lieutenant Governor;

(v) Officers and officials elected by popular vote and persons appointed to fill vacancies in elective offices;

(vi) Members of boards and commissioners appointed by the Governor, Lieutenant Governor or the State Legislature;

(vii) All academic officials, members of the teaching staffs and employees of the state institutions of higher learning, the Mississippi Community College Board, and community and junior colleges;

(viii) Officers and enlisted members of the National Guard of the state;

(ix) Prisoners, inmates, student or patient help working in or about institutions;

(x) Contract personnel; provided that any agency which employs state service employees may enter into contracts for personal and professional services only if such contracts are approved in compliance with the rules and regulations promulgated by the Public Procurement Review Board under Section 27-104-7. Before paying any warrant for such contractual services in excess of Seventy-five Thousand Dollars (\$75,000.00), the Auditor of Public Accounts, or the successor to those duties, shall determine whether the contract involved was for personal or professional services, and, if so, was approved by the Public Procurement Review Board as required by law;

(xi) Part-time employees; \* \* \* however, part-time employees shall only be hired into authorized employment positions classified by the board, shall meet minimum qualifications as set by the board, and shall be paid in accordance with the Variable Compensation Plan as certified by the board;

(xii) Persons appointed on an emergency basis for the duration of the emergency; the effective date of the emergency appointments shall not be earlier than the date approved by the State Personnel Director, and shall be limited to thirty (30) working days. Emergency appointments may be extended to sixty (60) working days by the State Personnel Board;

(xiii) Physicians, dentists, veterinarians, nurse practitioners and attorneys, while serving in their professional capacities in authorized employment positions who are required by statute to be licensed, registered or otherwise certified as

such, provided that the State Personnel Director shall verify that the statutory qualifications are met prior to issuance of a payroll warrant by the Auditor;

(xiv) Personnel who are employed and paid from funds received from a federal grant program which has been approved by the Legislature or the Department of Finance and Administration whose length of employment has been determined to be time-limited in nature. This subparagraph shall apply to personnel employed under the provisions of the Comprehensive Employment and Training Act of 1973, as amended, and other special federal grant programs which are not a part of regular federally funded programs wherein appropriations and employment positions are appropriated by the Legislature. Such employees shall be paid in accordance with the Variable Compensation Plan and shall meet all qualifications required by federal statutes or by the Mississippi Classification Plan;

(xv) The administrative head who is in charge of any state department, agency, institution, board or commission, wherein the statute specifically authorizes the Governor, board, commission or other authority to appoint said administrative head: \* \* \* however, \* \* \* the salary of such administrative head shall be determined by the State Personnel Board in accordance with the Variable Compensation Plan unless otherwise fixed by statute;

(xvi) The State Personnel Board shall exclude top-level positions if the incumbents determine and publicly advocate substantive program policy and report directly to the agency head, or the incumbents are required to maintain a direct confidential working relationship with a key excluded official. \* \* \* Further, a written job classification shall be approved by the board for each such position, and positions so excluded shall be paid in conformity with the Variable Compensation Plan;

(xvii) Employees whose employment is solely in connection with an agency's contract to produce, store or transport goods, and whose compensation is derived therefrom;

(xviii) Repealed;

(xix) The associate director, deputy directors and bureau directors within the Department of Agriculture and Commerce;

(xx) Personnel employed by the Mississippi Industries for the Blind; provided that any agency may enter into contracts for the personal services of MIB employees without the prior approval of the State Personnel Board or the State Personal Service Contract Review Board; however, any agency contracting for the personal services of an MIB employee shall provide the MIB employee with not less than the entry-level compensation and benefits that the agency would provide to a full-time employee of the agency who performs the same services;

(xxi) Personnel employed by the Mississippi Department of Wildlife, Fisheries and Parks and the Mississippi Department of Marine Resources as law enforcement trainees (cadets); such personnel shall be paid in accordance with the Colonel Guy Groff State Variable Compensation Plan;

(xxii) Administrators and instructional employees under contract or employed by the Mississippi School of the Arts (MSA) established in Section 37-140-1 et seq.;

(xxiii) The President of the Mississippi Lottery Corporation and personnel employed by the Mississippi Lottery Corporation;

(xxiv) Employees, excluding administrative employees, of the State Veterans Affairs Board who are employed at a veterans home established by the State Veterans Affairs Board under Section 35-1-19;

(xxv) Personnel employed by the Mississippi Department of Health whose employment is solely in connection with the department's responsibilities in implementing, administering and enforcing provisions of the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, \* \* \* 2026; and

(xxvi) Personnel employed by the Mississippi Department of Revenue whose employment is solely in connection with the department's responsibilities in implementing, administering and enforcing provisions of the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, \* \* \* 2026.

(d) "Agency" means any state board, commission, committee, council, department or unit thereof created by the Constitution or statutes if such board, commission, committee, council, department, unit or the head thereof, is authorized to appoint subordinate staff by the Constitution or statute, except a legislative or judicial board, commission, committee, council, department or unit thereof.

SECTION 2. Section 25-43-1.103, Mississippi Code of 1972, is amended as follows:

25-43-1.103. (1) This chapter applies to all agencies and all proceedings not expressly exempted under this chapter.

(2) This chapter creates only procedural rights and imposes only procedural duties. They are in addition to those created and imposed by other statutes.

(3) Specific statutory provisions which govern agency proceedings and which are in conflict with any of the provisions of this chapter shall continue to be applied to all proceedings of any such agency to the extent of such conflict only.

(4) The provisions of this chapter shall not be construed to amend, repeal or supersede the provisions of any other law; and, to the extent that the provisions of any other law conflict or are inconsistent with the provisions of this chapter, the provisions of such other law shall govern and control.

(5) An agency may grant procedural rights to persons in addition to those conferred by this chapter so long as rights conferred upon other persons by any provision of law are not substantially prejudiced.

(6) For the purposes of implementing, administering and/or enforcing the provisions of rules and regulations promulgated pursuant to the Mississippi Medical Cannabis Act, the Mississippi State Department of Health and the Mississippi Department of Revenue shall be exempted from this chapter from February 2, 2022, through June 30, \* \* \* 2026. This subsection shall stand repealed on June 30, \* \* \* 2026.

SECTION 3. Section 25-53-1, Mississippi Code of 1972, is amended as follows:

25-53-1. The Legislature recognizes that in order for the State of Mississippi to receive the maximum use and benefit from information technology and services now in operation or which will in the future be placed in operation, there should be full cooperation and cohesive planning and effort by and between the several state agencies and that it is the responsibility of the Legislature to provide statutory authority therefor. The Legislature, therefore, declares and determines that for these and other related purposes there is hereby established an agency of state government to be known as the Mississippi Department of Information Technology Services (MDITS). The Legislature further declares that the Mississippi Department of Information Technology Services (MDITS)

shall provide statewide services that facilitate cost-effective information processing and telecommunication solutions. State agencies shall work in full cooperation with the board of MDITS to identify opportunities to minimize duplication, reduce costs and improve the efficiency of providing common technology services across agency boundaries. The provisions of this chapter shall not apply to the Department of Human Services for a period of three (3) years beginning July 1, 2017. The provisions of this chapter shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017. Through June 30, \* \* \* 2024, the provisions of this chapter shall not apply to the Department of Health and the Department of Revenue for the purposes of implementing, administering and enforcing the provisions of the Mississippi Medical Cannabis Act.

SECTION 4. Section 25-53-5, Mississippi Code of 1972, as amended by Senate Bill No. 2728, 2023 Regular Session, is amended as follows:

25-53-5. The authority shall have the following powers, duties, and responsibilities:

(a) (i) The authority shall provide for the development of plans for the efficient acquisition and utilization of computer equipment and services by all agencies of state government, and provide for their implementation. In so doing, the authority may use the MDITS' staff, at the discretion of the executive director of the authority, or the authority may contract for the services of qualified consulting firms in the field of information technology and utilize the service of such consultants as may be necessary for such purposes. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Human Services for a period of three (3) years beginning on July 1, 2017. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017.

(ii) [Repealed]

(b) The authority shall immediately institute procedures for carrying out the purposes of this chapter and supervise the efficient execution of the powers and duties of the office of executive director of the authority. In the execution of its functions under this chapter, the authority shall maintain as a paramount consideration the successful internal organization and operation of the several agencies so that efficiency existing therein shall not be adversely affected or impaired. In executing its functions in relation to the institutions of higher learning and junior colleges in the state, the authority shall take into consideration the special needs of such institutions in relation to the fields of teaching and scientific research.

(c) Title of whatever nature of all computer equipment now vested in any agency of the State of Mississippi is hereby vested in the authority, and no such equipment shall be disposed of in any manner except in accordance with the direction of the authority or under the provisions of such rules and regulations as may hereafter be adopted by the authority in relation thereto.

(d) The authority shall adopt rules, regulations, and procedures governing the acquisition of computer and telecommunications equipment and services which shall, to the fullest extent practicable, insure the maximum of competition between all manufacturers of supplies or equipment or services. In the writing of specifications, in the making of contracts relating to the acquisition of such equipment and services, and in the performance of its other duties the authority shall provide for the maximum compatibility of all information systems hereafter installed or utilized by all state agencies and may require the use of common computer languages where necessary to accomplish the purposes of this chapter. The authority may establish by regulation and charge reasonable fees on a nondiscriminatory basis for the furnishing to bidders of copies of bid specifications and other documents issued by the authority.

(e) The authority shall adopt rules and regulations governing the sharing with, or the sale or lease of information technology services to any nonstate agency or person. Such regulations shall provide that any such sharing, sale or lease shall be restricted in that same shall be accomplished only where such services are not readily available otherwise within the state, and then only at a charge to the user not less than the prevailing rate of charge for similar services by private enterprise within this state.

(f) The authority may, in its discretion, establish a special technical advisory committee or committees to study and make recommendations on technology matters within the competence of the authority as the authority may see fit. Persons serving on the Information Resource Council, its task forces, or any such technical advisory committees shall be entitled to receive their actual and necessary expenses actually incurred in the performance of such duties, together with mileage as provided by law for state employees, provided the same has been authorized by a resolution duly adopted by the authority and entered on its minutes prior to the performance of such duties.

(g) The authority may provide for the development and require the adoption of standardized computer programs and may provide for the dissemination of information to and the establishment of training programs for the personnel of the various information technology centers of state agencies and personnel of the agencies utilizing the services thereof.

(h) The authority shall adopt reasonable rules and regulations requiring the reporting to the authority through the office of executive director of such information as may be required for carrying out the purposes of this chapter and may also establish such reasonable procedures to be followed in the presentation of bills for payment under the terms of all contracts for the acquisition of computer equipment and services now or hereafter in force as may be required by the authority or by the executive director in the execution of their powers and duties.

(i) The authority shall require such adequate documentation of information technology procedures utilized by the various state agencies and may require the establishment of such organizational structures within state agencies relating to information technology operations as may be necessary to effectuate the purposes of this chapter.

(j) The authority may adopt such further reasonable rules and regulations as may be necessary to fully implement the purposes of this chapter. All rules and regulations adopted by the authority shall be published and disseminated in readily accessible form to all affected state agencies, and to all current suppliers of computer equipment and services to the state, and to all prospective suppliers requesting the same. Such rules and regulations shall be kept current, be periodically revised, and copies thereof shall be available at all times for inspection by the public at reasonable hours in the offices of the authority. Whenever possible no rule, regulation or any proposed amendment to such rules and regulations shall be finally adopted or enforced until copies of the proposed rules and regulations have been furnished to all interested parties for their comment and suggestions.

(k) The authority shall establish rules and regulations which shall provide for the submission of all contracts proposed to be executed by the executive director for computer equipment and/or telecommunications or services, including cloud computing, to the authority for approval before final execution, and the authority may provide that such contracts involving the expenditure of less than such specified amount as may be established by the authority may be finally executed by the executive director without first obtaining such approval by the authority.

(l) The authority is authorized to consider new technologies, such as cloud computing, to purchase, lease, or rent computer equipment or services and to operate that equipment and use those services in providing services to one or more state agencies



when in its opinion such operation will provide maximum efficiency and economy in the functions of any such agency or agencies.

(m) Upon the request of the governing body of a political subdivision or instrumentality, the authority shall assist the political subdivision or instrumentality in its development of plans for the efficient acquisition and utilization of computer equipment and services. An appropriate fee shall be charged the political subdivision by the authority for such assistance.

(n) The authority shall adopt rules and regulations governing the protest procedures to be followed by any actual or prospective bidder, offerer or contractor who is aggrieved in connection with the solicitation or award of a contract for the acquisition of computer equipment or services. Such rules and regulations shall prescribe the manner, time and procedure for making protests and may provide that a protest not timely filed shall be summarily denied. The authority may require the protesting party, at the time of filing the protest, to post a bond, payable to the state, in an amount that the authority determines sufficient to cover any expense or loss incurred by the state, the authority or any state agency as a result of the protest if the protest subsequently is determined by a court of competent jurisdiction to have been filed without any substantial basis or reasonable expectation to believe that the protest was meritorious; however, in no event may the amount of the bond required exceed a reasonable estimate of the total project cost. The authority, in its discretion, also may prohibit any prospective bidder, offerer or contractor who is a party to any litigation involving any such contract with the state, the authority or any agency of the state to participate in any other such bid, offer or contract, or to be awarded any such contract, during the pendency of the litigation.

(o) The authority shall make a report in writing to the Legislature each year in the month of January. Such report shall contain a full and detailed account of the work of the authority for the preceding year as specified in Section 25-53-29(3).

All acquisitions of computer equipment and services involving the expenditure of funds in excess of the dollar amount established in Section 31-7-13(c), or rentals or leases in excess of the dollar amount established in Section 31-7-13(c) for the term of the contract, shall be based upon competitive and open specifications, and contracts therefor shall be entered into only after advertisements for bids are published in one or more daily newspapers having a general circulation in the state not less than fourteen (14) days prior to receiving sealed bids therefor. The authority may reserve the right to reject any or all bids, and if all bids are rejected, the authority may negotiate a contract within the limitations of the specifications so long as the terms of any such negotiated contract are equal to or better than the comparable terms submitted by the lowest and best bidder, and so long as the total cost to the State of Mississippi does not exceed the lowest bid. If the authority accepts one (1) of such bids, it shall be that which is the lowest and best. Through June 30, \*\*\* 2024, the provisions of this paragraph shall not apply to acquisitions of information technology equipment and services made by the Mississippi Department of Health and \*\*\* the Mississippi Department of Revenue for the purposes of implementing, administering and \*\*\* enforcing the provisions of the Mississippi Medical Cannabis Act.

(p) When applicable, the authority may procure equipment, systems and related services in accordance with the law or regulations, or both, which govern the Bureau of Purchasing of the Office of General Services or which govern the Mississippi Department of Information Technology Services procurement of telecommunications equipment, software and services.

(q) The authority is authorized to purchase, lease, or rent information technology and services for the purpose of establishing pilot projects to investigate emerging technologies. These acquisitions shall be limited to new technologies and shall be limited to an amount set by annual appropriation of the Legislature. These acquisitions shall be exempt from the advertising and bidding requirement.

(r) To promote the maximum use and benefit from technology and services now in operation or which will in the future be placed in operation and to identify opportunities, minimize duplication, reduce costs and improve the efficiency of providing common technology services the authority is authorized to:

(i) Enter into master agreements for computer or telecommunications equipment or services, including cloud computing, available for shared use by state agencies, institutes of higher learning and governing authorities; and

(ii) Enter into contracts for the acquisition of computer or telecommunications equipment or services, including cloud computing, that have been acquired by other entities, located within or outside of the State of Mississippi, so long as it is determined by the authority to be in the best interest of the state. The acquisitions provided in this paragraph (r) shall be exempt from the advertising and bidding requirements of Section 25-53-1 et seq.

( \*\*s) All fees collected by the Mississippi Department of Information Technology Services shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature.

( \*\*t) The authority shall work closely with the council to bring about effective coordination of policies, standards and procedures relating to procurement of remote sensing and geographic information systems (GIS) resources. In addition, the authority is responsible for development, operation and maintenance of a delivery system infrastructure for geographic information systems data. The authority shall provide a warehouse for Mississippi's geographic information systems data.

( \*\*u) The authority shall manage one or more State Data Centers to provide information technology services on a cost-sharing basis. In determining the appropriate services to be provided through the State Data Center, the authority should consider those services that:

(i) Result in savings to the state as a whole;

(ii) Improve and enhance the security and reliability of the state's information and business systems; and

(iii) Optimize the efficient use of the state's information technology assets, including, but not limited to, promoting partnerships with the state institutions of higher learning and community colleges to capitalize on advanced information technology resources.

( \*\*v) The authority shall increase federal participation in the cost of the State Data Center to the extent provided by law and its shared technology infrastructure through providing such shared services to agencies that receive federal funds. With regard to state institutions of higher learning and community colleges, the authority may provide shared services when mutually agreeable, following a determination by both the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, that the sharing of services is mutually beneficial.

( \*\*w) The authority, in its discretion, may require new or replacement agency business applications to be hosted at the State Data Center. With regard to state institutions of higher learning and community colleges, the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, may agree that institutions of higher learning or community colleges may utilize business applications that are hosted at the State Data Center, following a determination by both the authority and the applicable board that the hosting

of those applications is mutually beneficial. In addition, the authority may establish partnerships to capitalize on the advanced technology resources of the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, following a determination by both the authority and the applicable board that such a partnership is mutually beneficial.

( \*\*x) The authority shall provide a periodic update regarding reform-based information technology initiatives to the Chairmen of the House and Senate Accountability, Efficiency and Transparency Committees.

From and after July 1, 2018, the expenses of this agency shall be defrayed by appropriation from the State General Fund. In addition, in order to receive the maximum use and benefit from information technology and services, expenses for the provision of statewide shared services that facilitate cost-effective information processing and telecommunication solutions shall be defrayed by pass-through funding and shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature. These funds shall only be utilized to pay the actual costs incurred by the Mississippi Department of Information Technology Services for providing these shared services to state agencies. Furthermore, state agencies shall work in full cooperation with the Board of the Mississippi Department of Information Technology Services to identify computer equipment or services to minimize duplication, reduce costs, and improve the efficiency of providing common technology services across agency boundaries.

SECTION 5. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board.

The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) Promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:

(i) Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c) \* \* \*;

(ii) Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services \* \* \*;

(iii) Any personal service contracts entered into by the individual state institutions of higher learning \* \* \*;

(iv) Any personal service contracts entered into by the Mississippi Department of Transportation \* \* \*;

(v) Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department

of Human Services determines would be useful in establishing and operating the Department of Child Protection Services \* \* \*;

(vi) Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019 \* \* \*;

(vii) Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission \* \* \*;

(viii) Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services \* \* \*;

(ix) Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories \* \* \*;

(x) Any personal or professional service contract entered into by the Mississippi Department of Health \* \* \* or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, \* \* \* 2026;

(xi) Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services \* \* \*;

(xii) Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022 \* \* \*;

(xiii) Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026 \* \* \*; and

(xiv) Any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the

proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;
4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and
5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its



action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Notwithstanding the exemption of personal and professional services contracts entered into by the Department of Human Services and personal and professional services contracts entered into by the Department of Child Protection Services from the provisions of this section under subsection (2)(f), before the Department of Human Services or the Department of Child Protection Services may enter into a personal or professional service contract, the department(s) shall give notice of the proposed personal or professional service contract to the Public Procurement Review Board for any

recommendations by the board. Upon receipt of the notice, the board shall post the notice on its website and on the procurement portal website established by Sections 25-53-151 and 27-104-165. If the board does not respond to the department(s) within seven (7) calendar days after receiving the notice, the department(s) may enter the proposed personal or professional service contract. If the board responds to the department(s) within seven (7) calendar days, then the board has seven (7) calendar days from the date of its initial response to provide any additional recommendations. After the end of the second seven-day period, the department(s) may enter the proposed personal or professional service contract. The board is not authorized to disapprove any proposed personal or professional services contracts. This subsection shall stand repealed on July 1, 2022.

SECTION 6. Section 31-7-13, Mississippi Code of 1972, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over \$5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars (\$5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars (\$5,000.00) or less.

(b) Bidding procedure for purchases over \$5,000.00 but not over \$75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars (\$5,000.00) but not more than Seventy-five Thousand Dollars (\$75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars (\$75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars (\$5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over \$75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars (\$75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars (\$75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars (\$25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the

above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a

governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars (\$50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request

For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the

Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars (\$10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.

(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of

the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.



(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other

governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (I)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; \*\*\* however, \*\*\* state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health \* \* \* and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, \* \* \* 2026.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and

products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars (\$75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of

substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars (\$1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-9-107, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW EXCLUDING FROM THE STATE SERVICE THOSE EMPLOYEES OF THE STATE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE WHOSE EMPLOYMENT IS SOLELY RELATED TO THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 25-43-1.103, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE DEPARTMENTS' EXEMPTION FROM THE MISSISSIPPI ADMINISTRATIVE PROCEDURES LAW FOR PURPOSES RELATED TO THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTIONS 25-53-1 AND 25-53-5 (AS AMENDED BY SENATE BILL NO. 2728, 2023 REGULAR SESSION), MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THOSE DEPARTMENTS' EXEMPTION FOR PURPOSES RELATED TO THE MISSISSIPPI MEDICAL CANNABIS ACT FROM THE BID AND CONTRACT REQUIREMENTS OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE EXEMPTION FOR THOSE DEPARTMENTS' PERSONAL AND PROFESSIONAL SERVICE CONTRACTS RELATING TO THE MISSISSIPPI MEDICAL CANNABIS ACT FROM THE REQUIREMENTS OF THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE EXEMPTION FROM STATE BID REQUIREMENTS FOR PURCHASES MADE BY THOSE DEPARTMENTS IN CONNECTION WITH THEIR RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT; TO INCLUDE SERVICES PROVIDED BY THE MISSISSIPPI INDUSTRIES FOR THE BLIND IN THE EXCEPTIONS FROM BIDDING REQUIREMENTS; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 249 was adopted.

YEAS AND NAYS On H. B. No. 249. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Bryan called up the following entitled bill:

**H. B. No. 259:** Medical radiation technologists; delete repealers on registration statutes.

Senator Bryan offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-58-1, Mississippi Code of 1972, is amended as follows:

41-58-1. As used in this chapter:

(a) "Department" means the Mississippi State Department of Health.

(b) "Licensed practitioner" means a person licensed or otherwise authorized by law to practice medicine, dentistry, chiropractic, osteopathy or podiatry, or a licensed nurse practitioner or physician assistant.

(c) "Ionizing radiation" means x-rays and gamma rays, alpha and beta particles, high-speed electrons, neutrons and other nuclear particles.

(d) "X-radiation" means penetrating electromagnetic radiation with wavelengths shorter than ten (10) nanometers produced by bombarding a metallic target with fast electrons in a vacuum.

(e) "Supervision" means responsibility for, and control of, quality radiation safety and protection, and technical aspects of the application of ionizing radiation to human beings for diagnostic and/or therapeutic purposes.

(f) "Medical radiation technology" means the science and art of applying ionizing radiation to human beings for diagnostic and/or therapeutic purposes. The four (4) specialized disciplines of medical radiation technology are diagnostic radiologic technology, nuclear medicine technology, radiation therapy and limited x-ray machine operator.

(g) "Radiologic technologist" means a person other than a licensed practitioner who has passed a national certification examination recognized by the department such as the American Registry of Radiologic Technologists examination or its equivalent, who applies x-radiation or ionizing radiation to any part of the human body for



diagnostic purposes and includes the administration of parenteral and enteral contrast media and administration of other medications or procedures incidental to radiologic examinations.

(h) "Nuclear medicine" means the discipline of performing in vivo imaging and measurement procedures and in vitro nonimaging laboratory studies, preparing radiopharmaceuticals and administering diagnostic/therapeutic doses of radiopharmaceuticals and other medications or procedures incidental for nuclear medicine exams to human beings while under the supervision of a licensed practitioner who is authorized to use radioactive material.

( \*\* i) "Nuclear medicine technologist" means a person other than a licensed practitioner who has passed a national certification examination recognized by the department such as the American Registry of Radiologic Technologists examination \*\* , the Nuclear Medicine Technology Certification Board examination or \*\* their equivalent, \*\* and who has registered with the department to perform nuclear medicine. A \*\* registered nuclear medicine technologist \*\* may perform \*\* computed tomography or magnetic resonance imaging only for the purposes of anatomical location and attenuation correction, provided that this limitation does not apply to persons registered by the department to perform nuclear medicine \*\* who are also certified in radiography, computed tomography or magnetic resonance imaging by the American Registry of Radiologic Technologists, the Nuclear Medicine Technology Certification Board, or \*\* their equivalent. \*\*

( \*\* j) "Radiation therapist" means a person other than a licensed practitioner who has passed a national certification examination recognized by the department such as the American Registry of Radiologic Technologists examination or its equivalent, who applies x-radiation and the ionizing radiation emitted from particle accelerators, cobalt sixty (60) units and sealed sources of radioactive material to human beings for therapeutic purposes while under the supervision of a licensed radiation oncologist or a board-certified radiologist who is licensed to possess and use radioactive material.

( \*\* k) "Limited x-ray machine operator" means a person other than a licensed practitioner or radiologic technologist who is issued a permit by the State Board of Medical Licensure to perform medical radiation technology limited to specific radiographic procedures on certain parts of the human anatomy, specifically the chest, abdomen and skeletal structures, and excluding fluoroscopic, both stationary and mobile (C-arm), and contrast studies, computed tomography, nuclear medicine, radiation therapy studies and mammography.

( \*\* l) "Council" means the Medical Radiation Advisory Council created under Section 41-58-3.

This section shall stand repealed on July 1, \*\* 2028.

SECTION 2. Section 41-58-3, Mississippi Code of 1972, is amended as follows:

41-58-3. (1) The department shall have full authority to adopt such rules and regulations not inconsistent with the laws of this state as may be necessary to effectuate the provisions of this chapter, and may amend or repeal the same as may be necessary for such purposes.

(2) There shall be established a Medical Radiation Advisory Council to be appointed as provided in this section. The council shall consist of ten (10) members as follows:

(a) One (1) radiologist who is an active practitioner and member of the Mississippi Radiological Society;

- (b) One (1) licensed family physician;
- (c) One (1) licensed practitioner;
- (d) Two (2) registered radiologic technologists;
- (e) One (1) nuclear medicine technologist;
- (f) One (1) radiation therapist;
- (g) One (1) radiation physicist;
- (h) One (1) hospital administrator; and

(i) The State Health Officer, or his designee, who shall serve as ex officio chairman with no voting authority.

(3) The department shall, following the recommendations from the appropriate professional state societies and organizations, including the Mississippi Radiological Society, the Mississippi Society of Radiologic Technologists, and the Mississippi State Nuclear Medicine Society, and other nominations that may be received from whatever source, appoint the members of the council as soon as possible after April 13, 1996. Any person serving on the council who is a practitioner of a profession or occupation required to be licensed, credentialed or certified in the state shall be a holder of an appropriate license, credential or certificate issued by the state. All members of the council shall be residents of the State of Mississippi. The council shall promulgate such rules and regulations by which it shall conduct its business. Members of the council shall receive no salary for services performed on the council but may be reimbursed for their reasonable and necessary actual expenses incurred in the performance of the same, from funds provided for such purpose. The council shall assist and advise the department in the development of regulations and standards to effectuate the provisions of this chapter.

(4) A radiologic technologist, nuclear medicine technologist or radiation therapist shall not apply ionizing or x-radiation or administer radiopharmaceuticals to a human being or otherwise engage in the practice of medical radiation technology unless the person possesses a valid registration issued by the department under the provisions of this chapter.

(5) The department may issue a temporary registration to practice a specialty of medical radiation technology to any applicant who has completed an approved program, who has complied with the provisions of this chapter, and is awaiting examination for that specialty. This registration shall convey the same rights as the registration for which the applicant is awaiting examination and shall be valid for one (1) six-month period.

(6) The department may charge a registration fee of not more than Fifty Dollars (\$50.00) biennially to each person to whom it issues a registration under the provisions of this chapter. Any increase in the fee charged by the department under this subsection shall be in accordance with the provisions of Section 41-3-65.

(7) Registration with the department is not required for:

(a) A student enrolled in and participating in an accredited course of study approved by the department for diagnostic radiologic technology, nuclear medicine technology or radiation therapy, who as a part of his clinical course of study applies ionizing radiation to a human being while under the supervision of a licensed practitioner, registered radiologic technologist, registered nuclear medicine technologist or registered radiation therapist;

(b) Laboratory personnel who use radiopharmaceuticals for in vitro studies;

(c) A dental hygienist or a dental assistant who is not a radiologic technologist, nuclear medicine technologist or radiation therapist, who possesses a radiology permit issued by the Board of Dental Examiners and applies ionizing radiation under the specific direction of a licensed dentist;

(d) A chiropractic assistant who is not a radiologic technologist, nuclear medicine technologist or radiation therapist, who possesses a radiology permit issued by the Board of Chiropractic Examiners and applies ionizing radiation under the specific direction of a licensed chiropractor;

(e) An individual who is permitted as a limited x-ray machine operator by the State Board of Medical Licensure and applies ionizing radiation in a physician's office, radiology clinic or a licensed hospital in Mississippi under the specific direction of a licensed practitioner; and

(f) A student enrolled in and participating in an accredited course of study for diagnostic radiologic technology, nuclear medicine technology or radiation therapy and is employed by a physician's office, radiology clinic or a licensed hospital in Mississippi and applies ionizing radiation under the specific direction of a licensed practitioner.

(8) Nothing in this chapter is intended to limit, preclude, or otherwise interfere with the practices of a licensed practitioner who is duly licensed or registered by the appropriate agency of the State of Mississippi, provided that the agency specifically recognizes that the procedures covered by this chapter are within the scope of practice of the licensee or registrant.

(9) (a) If any radiologic technologist, nuclear medicine technologist or radiation therapist violates any provision of this chapter or the regulations adopted by the department, the department shall suspend or revoke the registration and practice privileges of the person or issue other disciplinary actions in accordance with statutory procedures and rules and regulations of the department.

(b) If any person violates any provision of this chapter, the department shall issue a written warning to the licensed practitioner or medical institution that employs the person; and if that person violates any provision of this chapter again within three (3) years after the first violation, the department may suspend or revoke the permit or registration for the x-radiation and ionizing equipment of the licensed practitioner or medical institution that employs the person, in accordance with statutory procedures and rules and regulations of the department regarding suspension and revocation of those permits or registrations.

(10) This section shall stand repealed on July 1, \* \* \* 2028.

SECTION 3. Section 41-58-5, Mississippi Code of 1972, is amended as follows:

41-58-5. (1) Each registered radiologic technologist, registered nuclear medicine technologist and registered radiation therapist shall submit evidence to the department of completing twenty-four (24) hours of continuing education in a two-year period as described in the rules and regulations of the department.

(2) Each limited x-ray machine operator who is first employed to apply ionizing radiation in the State of Mississippi shall complete twelve (12) hours of education in radiologic technology, with six (6) of those hours specifically in radiation protection, not later than twelve (12) months after the date of his or her employment to apply ionizing radiation, and shall thereafter submit evidence to the State Board of Medical Licensure of completing twelve (12) hours of continuing education in a two-year period as described in

the rules and regulations of the State Board of Medical Licensure. Six (6) of the continuing education hours must be in radiation protection.

(3) Each individual who is exempt from registration under paragraph (d) of Section 41-58-3(7) shall complete twelve (12) hours of continuing education in a two-year period as described in the rules and regulations of the department. Six (6) of the continuing education hours must be in radiation protection.

(4) Each individual who is exempt from registration under paragraph (d) of Section 41-58-3(7) and who is first employed to apply ionizing radiation in the State of Mississippi shall complete twelve (12) hours of education in radiologic technology, with six (6) of those hours specifically in radiation protection, not later than twelve (12) months after the date of his or her employment to apply ionizing radiation.

(5) The department shall approve training sessions that will provide the continuing education required under this section in each of the junior/community college districts in the state, with at least one (1) training session being held during each quarter of the year.

(6) The Board of Chiropractic Examiners and the State Board of Medical Licensure may charge a fee of not more than Fifty Dollars (\$50.00) biennially to each individual whom the board certifies as having completed the continuing education requirements of this section.

(7) This section shall stand repealed on July 1, \* \* \* 2028.

SECTION 4. The Occupational Therapy Licensure Compact is enacted into law and entered into by this state with any and all states legally joining in the Compact in accordance with its terms, in the form substantially as follows:

#### OCCUPATIONAL THERAPY LICENSURE COMPACT

##### SECTION 1.

##### PURPOSE

The purpose of this Compact is to facilitate interstate practice of occupational therapy with the goal of improving public access to occupational therapy services. The practice of occupational therapy occurs in the state where the patient/client is located at the time of the patient/client encounter. The Compact preserves the regulatory authority of states to protect public health and safety through the current system of state licensure.

This Compact is designed to achieve the following objectives:

1. Increase public access to occupational therapy services by providing for the mutual recognition of other member state licenses;
2. Enhance the states' ability to protect the public's health and safety;
3. Encourage the cooperation of member states in regulating multi-state occupational therapy practice;
4. Support spouses of relocating military members;
5. Enhance the exchange of licensure, investigative, and disciplinary information between member states;
6. Allow a remote state to hold a provider of services with a compact privilege in that state accountable to that state's practice standards; and

7. Facilitate the use of telehealth technology in order to increase access to occupational therapy services.

## SECTION 2.

### DEFINITIONS

As used in this Compact, and except as otherwise provided, the following definitions shall apply:

1. "Active duty military" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 USC Chapter 1209 and 10 USC Chapter 1211.

2. "Adverse action" means any administrative, civil, equitable, or criminal action permitted by a state's laws which is imposed by a licensing board or other authority against an occupational therapist or occupational therapy assistant, including actions against an individual's license or compact privilege such as censure, revocation, suspension, probation, monitoring of the licensee, or restriction on the licensee's practice.

3. "Alternative program" means a non-disciplinary monitoring process approved by an occupational therapy licensing board.

4. "Compact privilege" means the authorization, which is equivalent to a license, granted by a remote state to allow a licensee from another member state to practice as an occupational therapist or practice as an occupational therapy assistant in the remote state under its laws and rules. The practice of occupational therapy occurs in the member state where the patient/client is located at the time of the patient/client encounter.

5. "Continuing competence/education" means a requirement, as a condition of license renewal, to provide evidence of participation in, and/or completion of, educational and professional activities relevant to practice or area of work.

6. "Current significant investigative information" means investigative information that a licensing board, after an inquiry or investigation that includes notification and an opportunity for the occupational therapist or occupational therapy assistant to respond, if required by state law, has reason to believe is not groundless and, if proved true, would indicate more than a minor infraction.

7. "Data system" means a repository of information about licensees, including, but not limited to, license status, investigative information, compact privileges, and adverse actions.

8. "Encumbered license" means a license in which an adverse action restricts the practice of occupational therapy by the licensee or the adverse action has been reported to the National Practitioners Data Bank (NPDB).

9. "Executive Committee" means a group of directors elected or appointed to act on behalf of, and within the powers granted to them by, the Commission.

10. "Home state" means the member state that is the licensee's primary state of residence.

11. "Impaired practitioner" means individuals whose professional practice is adversely affected by substance abuse, addiction, or other health-related conditions.

12. "Investigative information" means information, records, and/or documents received or generated by an occupational therapy licensing board pursuant to an investigation.

13. "Jurisprudence requirement" means the assessment of an individual's knowledge of the laws and rules governing the practice of occupational therapy in a state.

14. "Licensee" means an individual who currently holds an authorization from the state to practice as an occupational therapist or as an occupational therapy assistant.

15. "Member state" means a state that has enacted the Compact.

16. "Occupational therapist" means an individual who is licensed by a state to practice occupational therapy.

17. "Occupational therapy assistant" means an individual who is licensed by a state to assist in the practice of occupational therapy.

18. "Occupational therapy," "occupational therapy practice," and the "practice of occupational therapy" mean the care and services provided by an occupational therapist or an occupational therapy assistant as set forth in the member state's statutes and regulations.

19. "Occupational Therapy Compact Commission" or "Commission" means the national administrative body whose membership consists of all states that have enacted the Compact.

20. "Occupational therapy licensing board" or "licensing board" means the agency of a state that is authorized to license and regulate occupational therapists and occupational therapy assistants.

21. "Primary state of residence" means the state (also known as the home state) in which an occupational therapist or occupational therapy assistant who is not active duty military declares a primary residence for legal purposes as verified by: driver's license, federal income tax return, lease, deed, mortgage or voter registration or other verifying documentation as further defined by Commission Rules.

22. "Remote state" means a member state other than the home state, where a licensee is exercising or seeking to exercise the compact privilege.

23. "Rule" means a regulation promulgated by the Commission that has the force of law.

24. "State" means any state, commonwealth, district, or territory of the United States of America that regulates the practice of occupational therapy.

25. "Single-state license" means an occupational therapist or occupational therapy assistant license issued by a member state that authorizes practice only within the issuing state and does not include a compact privilege in any other member state.

26. "Telehealth" means the application of telecommunication technology to deliver occupational therapy services for assessment, intervention and/or consultation.

### SECTION 3.

#### STATE PARTICIPATION IN THE COMPACT

A. To participate in the Compact, a member state shall:

1. License occupational therapists and occupational therapy assistants;
2. Participate fully in the Commission's data system, including, but not limited to, using the Commission's unique identifier as defined in rules of the Commission;
3. Have a mechanism in place for receiving and investigating complaints about licensees;
4. Notify the Commission, in compliance with the terms of the Compact and rules, of any adverse action or the availability of investigative information regarding a licensee;
5. Implement or use procedures for considering the criminal history records of applicants for an initial compact privilege. These procedures shall include the submission of fingerprints or other biometric-based information by applicants for the purpose of obtaining an applicant's criminal history record information from the Federal Bureau of Investigation and the agency responsible for retaining that state's criminal records;
  - a. A member state shall, within a time frame established by the Commission, require a criminal background check for a licensee seeking/applying for a compact privilege whose primary state of residence is that member state, by receiving the results of the Federal Bureau of Investigation criminal record search, and shall use the results in making licensure decisions.
  - b. Communication between a member state, the Commission and among member states regarding the verification of eligibility for licensure through the Compact shall not include any information received from the Federal Bureau of Investigation relating to a federal criminal records check performed by a member state under Public Law 92-544.
6. Comply with the rules of the Commission;
7. Use only a recognized national examination as a requirement for licensure pursuant to the rules of the Commission; and
8. Have continuing competence/education requirements as a condition for license renewal.
  - B. A member state shall grant the compact privilege to a licensee holding a valid unencumbered license in another member state in accordance with the terms of the Compact and rules.
  - C. Member states may charge a fee for granting a compact privilege.
  - D. A member state shall provide for the state's delegate to attend all Occupational Therapy Compact Commission meetings.
  - E. Individuals not residing in a member state shall continue to be able to apply for a member state's single-state license as provided under the laws of each member state. However, the single-state license granted to these individuals shall not be recognized as granting the compact privilege in any other member state.
  - F. Nothing in this Compact shall affect the requirements established by a member state for the issuance of a single-state license.

SECTION 4.

## COMPACT PRIVILEGE

A. To exercise the compact privilege under the terms and provisions of the Compact, the licensee shall:

1. Hold a license in the home state;
2. Have a valid United States Social Security Number or National Practitioner Identification number;
3. Have no encumbrance on any state license;
4. Be eligible for a compact privilege in any member state in accordance with subsections D, F, G, and H of this section;
5. Have paid all fines and completed all requirements resulting from any adverse action against any license or compact privilege, and two (2) years have elapsed from the date of such completion;
6. Notify the Commission that the licensee is seeking the compact privilege within a remote state(s);
7. Pay any applicable fees, including any state fee, for the compact privilege;
8. Complete a criminal background check in accordance with subsection A.5 of Section 3 of this Compact;
  - a. The licensee shall be responsible for the payment of any fee associated with the completion of a criminal background check.
9. Meet any jurisprudence requirements established by the remote state(s) in which the licensee is seeking a compact privilege; and
10. Report to the Commission adverse action taken by any non-member state within thirty (30) days from the date the adverse action is taken.

B. The compact privilege is valid until the expiration date of the home state license. The licensee must comply with the requirements of subsection A of this section to maintain the compact privilege in the remote state.

C. A licensee providing occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

D. Occupational therapy assistants practicing in a remote state shall be supervised by an occupational therapist licensed or holding a compact privilege in that remote state.

E. A licensee providing occupational therapy in a remote state is subject to that state's regulatory authority. A remote state may, in accordance with due process and that state's laws, remove a licensee's compact privilege in the remote state for a specific period of time, impose fines, and/or take any other necessary actions to protect the health and safety of its citizens. The licensee may be ineligible for a compact privilege in any state until the specific time for removal has passed and all fines are paid.

F. If a home state license is encumbered, the licensee shall lose the compact privilege in any remote state until the following occur:

1. The home state license is no longer encumbered; and



2. Two (2) years have elapsed from the date on which the home state license is no longer encumbered in accordance with paragraph 1 of this subsection F.

G. Once an encumbered license in the home state is restored to good standing, the licensee must meet the requirements of subsection A of this section to obtain a compact privilege in any remote state.

H. If a licensee's compact privilege in any remote state is removed, the individual may lose the compact privilege in any other remote state until the following occur:

1. The specific period of time for which the compact privilege was removed has ended;

2. All fines have been paid and all conditions have been met;

3. Two (2) years have elapsed from the date of completing requirements for paragraphs 1 and 2 of this subsection H; and

4. The compact privileges are reinstated by the Commission, and the compact data system is updated to reflect reinstatement.

I. If a licensee's compact privilege in any remote state is removed due to an erroneous charge, privileges shall be restored through the compact data system.

J. Once the requirements of subsection H of this section have been met, the licensee must meet the requirements in subsection A of this section to obtain a compact privilege in a remote state.

#### SECTION 5.

#### OBTAINING A NEW HOME STATE LICENSE

#### BY VIRTUE OF COMPACT PRIVILEGE

A. An occupational therapist or occupational therapy assistant may hold a home state license, which allows for compact privileges in member states, in only one (1) member state at a time.

B. If an occupational therapist or occupational therapy assistant changes primary state of residence by moving between two (2) member states:

1. The occupational therapist or occupational therapy assistant shall file an application for obtaining a new home state license by virtue of a compact privilege, pay all applicable fees, and notify the current and new home state in accordance with applicable rules adopted by the Commission.

2. Upon receipt of an application for obtaining a new home state license by virtue of compact privilege, the new home state shall verify that the occupational therapist or occupational therapy assistant meets the pertinent criteria outlined in Section 4 of this Compact via the data system, without need for primary source verification except for:

a. An FBI fingerprint based criminal background check if not previously performed or updated pursuant to applicable rules adopted by the Commission in accordance with Public Law 92-544;

b. Other criminal background check as required by the new home state; and

c. Submission of any requisite Jurisprudence Requirements of the new home state.

3. The former home state shall convert the former home state license into a compact privilege once the new home state has activated the new home state license in accordance with applicable rules adopted by the Commission.

4. Notwithstanding any other provision of this Compact, if the occupational therapist or occupational therapy assistant cannot meet the criteria in Section 4 of this Compact, the new home state shall apply its requirements for issuing a new single-state license.

5. The occupational therapist or the occupational therapy assistant shall pay all applicable fees to the new home state in order to be issued a new home state license.

C. If an occupational therapist or occupational therapy assistant changes primary state of residence by moving from a member state to a non-member state, or from a non-member state to a member state, the state criteria shall apply for issuance of a single-state license in the new state.

D. Nothing in this Compact shall interfere with a licensee's ability to hold a single-state license in multiple states; however, for the purposes of this Compact, a licensee shall have only one home state license.

E. Nothing in this Compact shall affect the requirements established by a member state for the issuance of a single-state license.

#### SECTION 6.

##### ACTIVE DUTY MILITARY PERSONNEL OR THEIR SPOUSES

Active duty military personnel, or their spouses, shall designate a home state where the individual has a current license in good standing. The individual may retain the home state designation during the period the service member is on active duty. Subsequent to designating a home state, the individual shall only change their home state through application for licensure in the new state or through the process described in Section 5 of this Compact.

#### SECTION 7

##### ADVERSE ACTIONS

A. A home state shall have exclusive power to impose adverse action against an occupational therapist's or occupational therapy assistant's license issued by the home state.

B. In addition to the other powers conferred by state law, a remote state shall have the authority, in accordance with existing state due process law, to:

1. Take adverse action against an occupational therapist's or occupational therapy assistant's compact privilege within that member state.

2. Issue subpoenas for both hearings and investigations that require the attendance and testimony of witnesses as well as the production of evidence. Subpoenas issued by a licensing board in a member state for the attendance and testimony of witnesses or the production of evidence from another member state shall be enforced in the latter state by any court of competent jurisdiction, according to the practice and procedure of that court applicable to subpoenas issued in proceedings pending before it.

The issuing authority shall pay any witness fees, travel expenses, mileage and other fees required by the service statutes of the state in which the witnesses or evidence are located.

C. For purposes of taking adverse action, the home state shall give the same priority and effect to reported conduct received from a member state as it would if the conduct had occurred within the home state. In so doing, the home state shall apply its own state laws to determine appropriate action.

D. The home state shall complete any pending investigations of an occupational therapist or occupational therapy assistant who changes primary state of residence during the course of the investigations. The home state, where the investigations were initiated, shall also have the authority to take appropriate action(s) and shall promptly report the conclusions of the investigations to the compact data system. The administrator of the data system shall promptly notify the new home state of any adverse actions.

E. A member state, if otherwise permitted by state law, may recover from the affected occupational therapist or occupational therapy assistant the costs of investigations and disposition of cases resulting from any adverse action taken against that occupational therapist or occupational therapy assistant.

F. A member state may take adverse action based on the factual findings of the remote state, provided that the member state follows its own procedures for taking the adverse action.

G. Joint investigations.

1. In addition to the authority granted to a member state by its respective state occupational therapy laws and regulations or other applicable state law, any member state may participate with other member states in joint investigations of licensees.

2. Member states shall share any investigative, litigation, or compliance materials in furtherance of any joint or individual investigation initiated under the Compact.

H. If an adverse action is taken by the home state against an occupational therapist's or occupational therapy assistant's license, the occupational therapist's or occupational therapy assistant's compact privilege in all other member states shall be deactivated until all encumbrances have been removed from the state license. All home state disciplinary orders that impose adverse action against an occupational therapist's or occupational therapy assistant's license shall include a statement that the occupational therapist's or occupational therapy assistant's compact privilege is deactivated in all member states during the pendency of the order.

I. If a member state takes adverse action, it shall promptly notify the administrator of the data system. The administrator of the data system shall promptly notify the home state of any adverse actions by remote states.

J. Nothing in this Compact shall override a member state's decision that participation in an alternative program may be used in lieu of adverse action.

SECTION 8.

ESTABLISHMENT OF THE OCCUPATIONAL THERAPY

COMPACT COMMISSION.

A. The compact member states hereby create and establish a joint public agency known as the Occupational Therapy Compact Commission:

1. The Commission is an instrumentality of the compact member states.

2. Venue is proper and judicial proceedings by or against the Commission shall be brought solely and exclusively in a court of competent jurisdiction where the principal office of the Commission is located. The Commission may waive venue and jurisdictional defenses to the extent it adopts or consents to participate in alternative dispute resolution proceedings.

3. Nothing in this Compact shall be construed to be a waiver of sovereign immunity.

B. Membership, voting, and meetings.

1. Each member state shall have and be limited to one (1) delegate selected by that member state's licensing board.

2. The delegate shall be either:

a. A current member of the licensing board, who is an occupational therapist, occupational therapy assistant, or public member; or

b. An administrator of the licensing board.

3. Any delegate may be removed or suspended from office as provided by the law of the state from which the delegate is appointed.

4. The member state board shall fill any vacancy occurring in the Commission within ninety (90) days.

5. Each delegate shall be entitled to one (1) vote with regard to the promulgation of rules and creation of bylaws and shall otherwise have an opportunity to participate in the business and affairs of the Commission. A delegate shall vote in person or by such other means as provided in the bylaws. The bylaws may provide for delegates' participation in meetings by telephone or other means of communication.

6. The Commission shall meet at least once during each calendar year. Additional meetings shall be held as set forth in the bylaws.

7. The Commission shall establish by rule a term of office for delegates.

C. The Commission shall have the following powers and duties:

1. Establish a Code of Ethics for the Commission;

2. Establish the fiscal year of the Commission;

3. Establish bylaws;

4. Maintain its financial records in accordance with the bylaws;

5. Meet and take such actions as are consistent with the provisions of this Compact and the bylaws;

6. Promulgate uniform rules to facilitate and coordinate implementation and administration of this Compact. The rules shall have the force and effect of law and shall be binding in all member states;

7. Bring and prosecute legal proceedings or actions in the name of the Commission, provided that the standing of any state occupational therapy licensing board to sue or be sued under applicable law shall not be affected;

8. Purchase and maintain insurance and bonds;

9. Borrow, accept, or contract for services of personnel, including, but not limited to, employees of a member state;

10. Hire employees, elect or appoint officers, fix compensation, define duties, grant such individuals appropriate authority to carry out the purposes of the Compact, and establish the Commission's personnel policies and programs relating to conflicts of interest, qualifications of personnel, and other related personnel matters;

11. Accept any and all appropriate donations and grants of money, equipment, supplies, materials and services, and receive, use and dispose of the same; provided that at all times the Commission shall avoid any appearance of impropriety and/or conflict of interest;

12. Lease, purchase, accept appropriate gifts or donations of, or otherwise own, hold, improve or use, any property, real, personal or mixed; provided that at all times the Commission shall avoid any appearance of impropriety;

13. Sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property real, personal, or mixed;

14. Establish a budget and make expenditures;

15. Borrow money;

16. Appoint committees, including standing committees composed of members, state regulators, state legislators or their representatives, and consumer representatives, and such other interested persons as may be designated in this Compact and the bylaws;

17. Provide and receive information from, and cooperate with, law enforcement agencies;

18. Establish and elect an Executive Committee; and

19. Perform such other functions as may be necessary or appropriate to achieve the purposes of this Compact consistent with the state regulation of occupational therapy licensure and practice.

D. The Executive Committee.

1. The Executive Committee shall have the power to act on behalf of the Commission according to the terms of this Compact.

2. The Executive Committee shall be composed of nine (9) members:

a. Seven (7) voting members who are elected by the Commission from the current membership of the Commission;

b. One (1) ex-officio, nonvoting member from a recognized national occupational therapy professional association; and

c. One (1) ex-officio, nonvoting member from a recognized national occupational therapy certification organization.

3. The ex-officio members will be selected by their respective organizations.
4. The Commission may remove any member of the Executive Committee as provided in bylaws.
5. The Executive Committee shall meet at least annually.
6. The Executive Committee shall have the following duties and responsibilities:
  - a. Recommend to the entire Commission changes to the rules or bylaws, changes to this Compact legislation, fees paid by compact member states such as annual dues, and any Commission Compact fee charged to licensees for the compact privilege;
  - b. Ensure compact administration services are appropriately provided, contractual or otherwise;
  - c. Prepare and recommend the budget;
  - d. Maintain financial records on behalf of the Commission;
  - e. Monitor compact compliance of member states and provide compliance reports to the Commission;
  - f. Establish additional committees as necessary; and
  - g. Perform other duties as provided in rules or bylaws.

E. Meetings of the Commission.

1. All meetings shall be open to the public, and public notice of meetings shall be given in the same manner as required under the rulemaking provisions in Section 10 of this Compact.
2. The Commission or the Executive Committee or other committees of the Commission may convene in a closed, non-public meeting if the Commission or Executive Committee or other committees of the Commission must discuss:
  - a. Non-compliance of a member state with its obligations under the Compact;
  - b. The employment, compensation, discipline or other matters, practices or procedures related to specific employees or other matters related to the Commission's internal personnel practices and procedures;
  - c. Current, threatened, or reasonably anticipated litigation;
  - d. Negotiation of contracts for the purchase, lease, or sale of goods, services, or real estate;
  - e. Accusing any person of a crime or formally censuring any person;
  - f. Disclosure of trade secrets or commercial or financial information that is privileged or confidential;
  - g. Disclosure of information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;

h. Disclosure of investigative records compiled for law enforcement purposes;

i. Disclosure of information related to any investigative reports prepared by or on behalf of or for use of the Commission or other committee charged with responsibility of investigation or determination of compliance issues pursuant to the Compact; or

j. Matters specifically exempted from disclosure by federal or member state statute.

3. If a meeting, or portion of a meeting, is closed pursuant to this provision, the Commission's legal counsel or designee shall certify that the meeting may be closed and shall reference each relevant exempting provision.

4. The Commission shall keep minutes that fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefore, including a description of the views expressed.

All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Commission or order of a court of competent jurisdiction.

#### F. Financing of the Commission.

1. The Commission shall pay, or provide for the payment of, the reasonable expenses of its establishment, organization, and ongoing activities.

2. The Commission may accept any and all appropriate revenue sources, donations, and grants of money, equipment, supplies, materials, and services.

3. The Commission may levy on and collect an annual assessment from each member state or impose fees on other parties to cover the cost of the operations and activities of the Commission and its staff, which must be in a total amount sufficient to cover its annual budget as approved by the Commission each year for which revenue is not provided by other sources. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Commission, which shall promulgate a rule binding upon all member states.

4. The Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same; nor shall the Commission pledge the credit of any of the member states, except by and with the authority of the member state.

5. The Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Commission shall be audited yearly by a certified or licensed public accountant, and the report of the audit shall be included in and become part of the annual report of the Commission.

#### G. Qualified immunity, defense, and indemnification.

1. The members, officers, executive director, employees and representatives of the Commission shall be immune from suit and liability, either personally or in their official capacity, for any claim for damage to or loss of property or personal injury or other civil liability caused by or arising out of any actual or alleged act, error or omission that occurred, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment,

duties or responsibilities; provided that nothing in this paragraph shall be construed to protect any such person from suit and/or liability for any damage, loss, injury, or liability caused by the intentional or willful or wanton misconduct of that person.

2. The Commission shall defend any member, officer, executive director, employee, or representative of the Commission in any civil action seeking to impose liability arising out of any actual or alleged act, error, or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that the person against whom the claim is made had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities; provided that nothing herein shall be construed to prohibit that person from retaining his or her own counsel; and provided further, that the actual or alleged act, error, or omission did not result from that person's intentional or willful or wanton misconduct.

3. The Commission shall indemnify and hold harmless any member, officer, executive director, employee, or representative of the Commission for the amount of any settlement or judgment obtained against that person arising out of any actual or alleged act, error or omission that occurred within the scope of Commission employment, duties, or responsibilities, or that such person had a reasonable basis for believing occurred within the scope of Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from the intentional or willful or wanton misconduct of that person.

#### SECTION 9.

##### DATA SYSTEM

A. The Commission shall provide for the development, maintenance, and utilization of a coordinated database and reporting system containing licensure, adverse action, and investigative information on all licensed individuals in member states.

B. A member state shall submit a uniform data set to the data system on all individuals to whom this Compact is applicable (utilizing a unique identifier) as required by the rules of the Commission, including:

1. Identifying information;
2. Licensure data;
3. Adverse actions against a license or compact privilege;
4. Non-confidential information related to alternative program participation;
5. Any denial of application for licensure, and the reason(s) for such denial;
6. Other information that may facilitate the administration of this Compact, as determined by the rules of the Commission; and
7. Current significant investigative information.

C. Current significant investigative information and other investigative information pertaining to a licensee in any member state will only be available to other member states.

D. The Commission shall promptly notify all member states of any adverse action taken against a licensee or an individual applying for a license. Adverse action information pertaining to a licensee in any member state will be available to any other member state.



E. Member states contributing information to the data system may designate information that may not be shared with the public without the express permission of the contributing state.

F. Any information submitted to the data system that is subsequently required to be expunged by the laws of the member state contributing the information shall be removed from the data system.

#### SECTION 10.

##### RULEMAKING

A. The Commission shall exercise its rulemaking powers pursuant to the criteria set forth in this section and the rules adopted under this section. Rules and amendments shall become binding as of the date specified in each rule or amendment.

B. The Commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of the Compact. Notwithstanding the foregoing, if the Commission exercises its rulemaking authority in a manner that is beyond the scope of the purposes of the Compact, or the powers granted under the Compact, then such an action by the Commission shall be invalid and have no force and effect.

C. If a majority of the legislatures of the member states rejects a rule, by enactment of a statute or resolution in the same manner used to adopt the Compact within four (4) years of the date of adoption of the rule, then such rule shall have no further force and effect in any member state.

D. Rules or amendments to the rules shall be adopted at a regular or special meeting of the Commission.

E. Prior to promulgation and adoption of a final rule or rules by the Commission, and at least thirty (30) days in advance of the meeting at which the rule will be considered and voted upon, the Commission shall file a Notice of Proposed Rulemaking:

1. On the website of the Commission or other publicly accessible platform;  
and
2. On the website of each member state occupational therapy licensing board or other publicly accessible platform or the publication in which each state would otherwise publish proposed rules.

F. The Notice of Proposed Rulemaking shall include:

1. The proposed time, date, and location of the meeting in which the rule will be considered and voted upon;
2. The text of the proposed rule or amendment and the reason for the proposed rule;
3. A request for comments on the proposed rule from any interested person;  
and
4. The manner in which interested persons may submit notice to the Commission of their intention to attend the public hearing and any written comments.

G. Prior to adoption of a proposed rule, the Commission shall allow persons to submit written data, facts, opinions, and arguments, which shall be made available to the public.

H. The Commission shall grant an opportunity for a public hearing before it adopts a rule or amendment if a hearing is requested by:

1. At least twenty-five (25) persons;
2. A state or federal governmental subdivision or agency; or
3. An association or organization having at least twenty-five (25) members.

I. If a hearing is held on the proposed rule or amendment, the Commission shall publish the place, time, and date of the scheduled public hearing. If the hearing is held via electronic means, the Commission shall publish the mechanism for access to the electronic hearing.

1. All persons wishing to be heard at the hearing shall notify the executive director of the Commission or other designated member in writing of their desire to appear and testify at the hearing not less than five (5) business days before the scheduled date of the hearing.

2. Hearings shall be conducted in a manner providing each person who wishes to comment a fair and reasonable opportunity to comment orally or in writing.

3. All hearings will be recorded. A copy of the recording will be made available on request.

4. Nothing in this section shall be construed as requiring a separate hearing on each rule. Rules may be grouped for the convenience of the Commission at hearings required by this section.

J. Following the scheduled hearing date, or by the close of business on the scheduled hearing date if the hearing was not held, the Commission shall consider all written and oral comments received.

K. If no written notice of intent to attend the public hearing by interested parties is received, the Commission may proceed with promulgation of the proposed rule without a public hearing.

L. The Commission shall, by majority vote of all members, take final action on the proposed rule and shall determine the effective date of the rule, if any, based on the rulemaking record and the full text of the rule.

M. Upon determination that an emergency exists, the Commission may consider and adopt an emergency rule without prior notice, opportunity for comment, or hearing, provided that the usual rulemaking procedures provided in the Compact and in this section shall be retroactively applied to the rule as soon as reasonably possible, in no event later than ninety (90) days after the effective date of the rule. For the purposes of this provision, an emergency rule is one that must be adopted immediately in order to:

1. Meet an imminent threat to public health, safety, or welfare;
2. Prevent a loss of commission or member state funds;
3. Meet a deadline for the promulgation of an administrative rule that is established by federal law or rule; or
4. Protect public health and safety.

N. The Commission or an authorized committee of the Commission may direct revisions to a previously adopted rule or amendment for purposes of correcting

typographical errors, errors in format, errors in consistency, or grammatical errors. Public notice of any revisions shall be posted on the website of the Commission. The revision shall be subject to challenge by any person for a period of thirty (30) days after posting. The revision may be challenged only on grounds that the revision results in a material change to a rule. A challenge shall be made in writing and delivered to the chair of the Commission prior to the end of the notice period. If no challenge is made, the revision will take effect without further action. If the revision is challenged, the revision may not take effect without the approval of the Commission.

#### SECTION 11.

##### OVERSIGHT, DISPUTE RESOLUTION, AND ENFORCEMENT

###### A. Oversight.

1. The executive, legislative, and judicial branches of state government in each member state shall enforce this Compact and take all actions necessary and appropriate to effectuate the Compact's purposes and intent. The provisions of this Compact and the rules promulgated under this Compact shall have standing as statutory law.

2. All courts shall take judicial notice of the Compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this Compact which may affect the powers, responsibilities, or actions of the Commission.

3. The Commission shall be entitled to receive service of process in any such proceeding, and shall have standing to intervene in such a proceeding for all purposes. Failure to provide service of process to the Commission shall render a judgment or order void as to the Commission, this Compact, or promulgated rules.

###### B. Default, technical assistance, and termination.

1. If the Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this Compact or the promulgated rules, the Commission shall:

a. Provide written notice to the defaulting state and other member states of the nature of the default, the proposed means of curing the default and/or any other action to be taken by the Commission; and

b. Provide remedial training and specific technical assistance regarding the default.

2. If a state in default fails to cure the default, the defaulting state may be terminated from the Compact upon an affirmative vote of a majority of the member states, and all rights, privileges and benefits conferred by this Compact may be terminated on the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of default.

3. Termination of membership in the Compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Commission to the governor, the majority and minority leaders of the defaulting state's legislature, and each of the member states.

4. A state that has been terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of termination, including obligations that extend beyond the effective date of termination.

5. The Commission shall not bear any costs related to a state that is found to be in default or that has been terminated from the Compact, unless agreed upon in writing between the Commission and the defaulting state.

6. The defaulting state may appeal the action of the Commission by petitioning the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices. The prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

C. Dispute resolution.

1. Upon request by a member state, the Commission shall attempt to resolve disputes related to the Compact that arise among member states and between member and non-member states.

2. The Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

D. Enforcement.

1. The Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this Compact.

2. By majority vote, the Commission may initiate legal action in the United States District Court for the District of Columbia or the federal district where the Commission has its principal offices against a member state in default to enforce compliance with the provisions of the Compact and its promulgated rules and bylaws. The relief sought may include both injunctive relief and damages. If judicial enforcement is necessary, the prevailing member shall be awarded all costs of such litigation, including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the Commission. The Commission may pursue any other remedies available under federal or state law.

SECTION 12.

DATE OF IMPLEMENTATION OF THE INTERSTATE COMMISSION FOR  
OCCUPATIONAL THERAPY PRACTICE AND ASSOCIATED

RULES, WITHDRAWAL, AND AMENDMENT

A. The Compact shall come into effect on the date on which the compact statute is enacted into law in the tenth member state. The provisions, which become effective at that time, shall be limited to the powers granted to the Commission relating to assembly and the promulgation of rules. Thereafter, the Commission shall meet and exercise rulemaking powers necessary to the implementation and administration of the Compact.

B. Any state that joins the Compact subsequent to the Commission's initial adoption of the rules shall be subject to the rules as they exist on the date on which the Compact becomes law in that state. Any rule that has been previously adopted by the Commission shall have the full force and effect of law on the day the Compact becomes law in that state.

C. Any member state may withdraw from this Compact by enacting a statute repealing the same.

1. A member state's withdrawal shall not take effect until six (6) months after enactment of the repealing statute.

2. Withdrawal shall not affect the continuing requirement of the withdrawing state's occupational therapy licensing board to comply with the investigative and adverse action reporting requirements of this act prior to the effective date of withdrawal.

D. Nothing contained in this Compact shall be construed to invalidate or prevent any occupational therapy licensure agreement or other cooperative arrangement between a member state and a non-member state that does not conflict with the provisions of this Compact.

E. This Compact may be amended by the member states. No amendment to this Compact shall become effective and binding upon any member state until it is enacted into the laws of all member states.

#### SECTION 13.

#### CONSTRUCTION AND SEVERABILITY

This Compact shall be liberally construed so as to effectuate the purposes thereof. The provisions of this Compact shall be severable and if any phrase, clause, sentence or provision of this Compact is declared to be contrary to the constitution of any member state or of the United States or the applicability thereof to any government, agency, person, or circumstance is held invalid, the validity of the remainder of this Compact and the applicability thereof to any government, agency, person, or circumstance shall not be affected thereby. If this Compact shall be held contrary to the constitution of any member state, the Compact shall remain in full force and effect as to the remaining member states and in full force and effect as to the member state affected as to all severable matters.

#### SECTION 14.

#### BINDING EFFECT OF COMPACT AND OTHER LAWS

A. A licensee providing occupational therapy in a remote state under the compact privilege shall function within the laws and regulations of the remote state.

B. Nothing in this Compact prevents the enforcement of any other law of a member state that is not inconsistent with the Compact.

C. Any laws in a member state in conflict with the Compact are superseded to the extent of the conflict.

D. Any lawful actions of the Commission, including all rules and bylaws promulgated by the Commission, are binding upon the member states.

E. All agreements between the Commission and the member states are binding in accordance with their terms.

F. If any provision of the Compact exceeds the constitutional limits imposed on the legislature of any member state, the provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

SECTION 5. Section 73-24-3, Mississippi Code of 1972, is amended as follows:

73-24-3. The following words and phrases shall have the following meanings, unless the context requires otherwise:

(a) "Association" shall mean the Mississippi Occupational Therapy Association.

(b) "Board" shall mean the Mississippi State Board of Health.

(c) "Occupational therapy" means the therapeutic use of purposeful and meaningful (goal-directed) activities and/or exercises to evaluate and treat an individual who has, or is at risk for, a disease or disorder, impairment, activity limitation or participation restriction which interferes with his or her ability to function independently in daily life roles and to promote health and wellness across his or her lifespan.

(d) "Occupational therapy intervention" includes:

(i) Remediation or restoration of performance abilities that are limited due to impairment in biological, physiological, psychological or neurological processes;

(ii) Adaptation of task, process or the environment, or the teaching of compensatory techniques in order to enhance functional performance;

(iii) Disability prevention methods and techniques which facilitate the development or safe application of functional performance skills; or

(iv) Health promotion strategies and practices which enhance functional performance abilities.

(e) "Occupational therapy service" includes, but is not limited to:

(i) Evaluating, developing, improving, sustaining or restoring skill in activities of daily living (ADLS), work or productive activities, including instrumental activities of daily living (IADLS), play and leisure activities;

(ii) Evaluating, developing, remediating or restoring physical, sensorimotor, cognitive or psychosocial components of performance;

(iii) Designing, fabricating, applying or training in the use of assistive technology or orthotic devices, and training in the use of prosthetic devices;

(iv) Adaptation of environments and processes, including the application of ergonomic principles, to enhance functional performance and safety in daily life roles;

(v) Application of physical agent modalities as an adjunct to or in preparation for engagement in an occupation or functional activity;

(vi) Evaluating and providing intervention in collaboration with the client, family, caregiver or other person responsible for the client;

(vii) Educating the client, family, caregiver or others in carrying out appropriate nonskilled interventions;

(viii) Consulting with groups, programs, organizations or communities to provide population-based services; or

(ix) Participation in administration, education and research, including both clinical and academic environments.

(f) "Occupational therapist" means a person who is licensed or holds a compact privilege to practice occupational therapy as defined in this chapter, and whose license or compact privilege is in good standing.

(g) "Occupational therapy assistant" means a person who is licensed or holds a compact privilege to assist in the practice of occupational therapy under the

supervision of or with the consultation of the licensed occupational therapist or occupational therapist who holds a compact privilege, and whose license or compact privilege is in good standing.

(h) "Occupational therapy aide" means a person not licensed in the field of occupational therapy who assists occupational therapists and occupational therapy assistants in the practice of occupational therapy, is under the direct supervision of the licensed occupational therapist or licensed occupational therapy assistant or occupational therapist or occupational therapy assistant who holds a compact privilege, and whose activities require an understanding of occupational therapy.

(i) "Person" means any individual, partnership, unincorporated organization or corporate body, except that only an individual may be licensed or hold a compact privilege under this chapter.

(j) "Council" means the Mississippi Advisory Council in Occupational Therapy.

(k) "Compact privilege" means the authorization to practice as an occupational therapist or occupational therapy assistant under the Occupational Therapy Licensure Compact provided for in Section 1 of this act.

(l) "Licensee" means a person who has been issued a license to practice as an occupational therapist or occupational therapy assistant in this state, or a person who holds a compact privilege to practice as an occupational therapist or occupational therapy assistant in this state.

SECTION 6. Section 73-24-7, Mississippi Code of 1972, is amended as follows:

73-24-7. (1) It is unlawful for any person who is not licensed or does not hold a compact privilege under this chapter as an occupational therapist or as an occupational therapy assistant, or whose license or compact privilege has been suspended or revoked, to:

(a) In any manner represent himself or herself as someone who provides occupational therapy services, or use in connection with his or her name or place of business the words "occupational therapist," "licensed occupational therapy assistant" or the letters "O.T.," "L.O.T.," "O.T.L.," "O.T.A." or "O.T.A.L." or any other words, letters, abbreviations or insignia indicating or implying that he or she is an occupational therapist or an occupational therapy assistant or that he or she provides occupational therapy services; or

(b) To show in any way, orally, in writing, in print or by sign, directly or by implication, or to represent himself or herself as an occupational therapist or an occupational therapy assistant or someone who provides occupational therapy services.

(2) Any person who violates any provision of this section, upon conviction, shall be guilty of a misdemeanor and shall be fined not more than One Thousand Dollars (\$1,000.00) for each violation.

(3) Any person who knowingly shall make a material false statement in his or her application for a license or compact privilege under this chapter or in response to any inquiry by the department or the board shall be fined not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00) or imprisoned for not less than ten (10) days nor more than sixty (60) days, or both such fine and imprisonment.

SECTION 7. Section 73-24-9, Mississippi Code of 1972, is amended as follows:

73-24-9. Nothing in this chapter shall be construed as preventing or restricting the practice, services or activities of:

(a) Any person, licensed in this state by any other law, from engaging in the profession or occupation for which he or she is licensed;

(b) Any person who is employed as an occupational therapist or occupational therapy assistant by the United States Armed Services, the United States Public Health Service, the Veteran's Administration or other federal agencies, if such person provides occupational therapy solely under the direction or control of the organization by which he or she is employed;

(c) Any person pursuing a course of study leading to a degree or certificate in occupational therapy in an accredited, recognized or approved educational program, or advanced training in a specialty area, if such activities and services constitute a part of the supervised course of study, and if such person is designated by a title which clearly indicates his or her status as a trainee or student;

(d) Any person fulfilling the supervised fieldwork experience requirements of Section 73-24-19, if such activities and services constitute a part of the experience necessary to meet the requirements of that section;

(e) Any person employed as an occupational therapy aide or who works under the supervision of a licensed occupational therapist or occupational therapist who holds a compact privilege;

(f) Any person performing occupational therapy services in the state, if these services are performed for no more than thirty (30) days in a calendar year under the supervision of an occupational therapist who is licensed or holds a compact privilege under this chapter, if:

(i) The person is licensed under the law of another state which has licensure requirements at least as stringent as the requirements of this chapter, or

(ii) The person is certified as an Occupational Therapist Registered (OTR) or a Certified Occupational Therapy Assistant (COTA), established by the National Board for Certification in Occupational Therapy, Inc. (NBCOT), or its successor organization; or

(g) Any person certified by the American Board of Certification in Orthotics and Prosthetics as a Certified Orthotist, C.O., Certified Prosthetist, C.P., Certified Prosthetist/Orthotist, C.P.O., or anyone working under their direct supervision.

SECTION 8. Section 73-24-15, Mississippi Code of 1972, is amended as follows:

73-24-15. (1) The administration of the provisions of this chapter shall be financed from income accruing from fees, licenses, compact privileges and charges assessed and collected by the board and from such other funds available to the board. In addition, the board shall receive and account for all funds received and shall keep such funds in a separate fund which is hereby created within the State Treasury. Funds collected under the provisions of this chapter shall be used solely for the expenses incurred in the administration of the provisions of this chapter, which may include full or partial financing of continuing professional education programs promulgated by the council under Section 73-24-29. Such funds shall be subject to audit by the State Auditor.

(2) Members of the council shall receive no compensation for their services, but shall be reimbursed for their expenses actually incurred in the execution of their powers and duties, including mileage, as provided in Section 25-3-41 \* \* \*.



SECTION 9. Section 73-24-17, Mississippi Code of 1972, is amended as follows:

73-24-17. (1) The board shall issue licenses and compact privileges and notices of renewal, revocation, suspension or reinstatement, and shall publish annually the names of persons who are licensed or hold a compact privilege under this chapter and the names of the persons whose licenses or compact privileges have been subjected to disciplinary action under this chapter.

(2) The board shall publish and disseminate to all licensees, in an appropriate manner, the license standards prescribed by this chapter, any amendments thereto, and such rules and regulations as the board may adopt under the authority of Section 73-24-13 within sixty (60) days of their adoption.

(3) The board shall administer the compact privilege in accordance with the Occupational Therapy Licensure Compact provided for in Section 1 of this act.

SECTION 10. Section 73-24-19, Mississippi Code of 1972, is amended as follows:

73-24-19. (1) An applicant applying for a license as an occupational therapist or as an occupational therapy assistant shall file a written application on forms provided by the board, showing to the satisfaction of the board that he or she meets the following requirements:

(a) Is of good moral character;

(b) Has been awarded a degree from an education program in occupational therapy recognized by the board, with a concentration of instruction in basic human sciences, the human development process, occupational tasks and activities, the health-illness-health continuum, and occupational therapy theory and practice:

(i) For an occupational therapist, such program shall be accredited by the Accreditation Council for Occupational Therapy Education of the American Occupational Therapy Association or the board-recognized accrediting body;

(ii) For an occupational therapy assistant, such a program shall be accredited by the Accreditation Council for Occupational Therapy Education of the American Occupational Therapy Association or the board-recognized accrediting body;

(c) Has successfully completed a period of supervised fieldwork experience at a recognized educational institution or a training program approved by the educational institution where he or she met the academic requirements:

(i) For an occupational therapist, the required supervised fieldwork experience shall meet current national standards that are published annually by the board;

(ii) For an occupational therapy assistant, the required supervised fieldwork experience shall meet national standards that are published annually by the board.

(2) The board shall approve an examination for occupational therapists and an examination for occupational therapy assistants that will be used as the examination for licensure.

(3) Any person applying for licensure shall, in addition to demonstrating his or her eligibility in accordance with the requirements of this section, make application to the board for review of proof of his or her eligibility for certification by the National Board for Certification in Occupational Therapy, Inc. (NBCOT), or its successor organization, on a form and in such a manner as the board shall prescribe. The application shall be accompanied by the fee fixed in accordance with the provisions of Section 73-24-29. The

board shall establish standards for acceptable performance on the examination. A person who fails an examination may apply for reexamination upon payment of the prescribed fee.

(4) Applicants for licensure shall be examined at a time and place and under such supervision as the board may require. The board shall give reasonable public notice of these examinations in accordance with its rules and regulations.

(5) An applicant may be licensed as an occupational therapist if he or she: (a) has practiced as an occupational therapy assistant for four (4) years, (b) has completed the requirements of a period of six (6) months of supervised fieldwork experience at a recognized educational institution or a training program approved by a recognized accredited educational institution before January 1, 1988, and (c) has passed the examination for occupational therapists.

(6) An applicant applying for a compact privilege to practice as an occupational therapist or as an occupational therapy assistant must meet the requirements set out in the Occupational Therapy Licensure Compact provided for in Section 1 of this act.

( \*\* \*7) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64 \*\* \*.

SECTION 11. Section 73-24-23, Mississippi Code of 1972, is amended as follows:

73-24-23. (1) The board shall issue a license or a compact privilege to any person who meets the requirements of this chapter and upon payment of the license fee.

(2) The board shall issue a limited permit to persons who have completed the education and experience requirements of this chapter upon payment of the limited permit fee. This permit shall allow the person to practice occupational therapy or assist in the practice of occupational therapy, as the case may be, under the supervision of an occupational therapist who holds a current license in this state and shall be valid until the date on which the results of the next qualifying examination have been made public. The limited permit can be renewed one (1) time if the applicant has failed the examination.

(3) Any person who is issued a license as an occupational therapist under this chapter may use the words "licensed occupational therapist," "occupational therapist licensed," "occupational therapist," or he or she may use the letters "L.O.T.," "O.T.L." or "O.T." in connection with his or her name or place of business to denote licensure under this chapter.

(4) Any person who is issued a license as an occupational therapy assistant under this chapter may use the words "occupational therapy assistant," "licensed occupational therapy assistant" or "occupational therapy assistant licensed," or may use the letters "O.T.A.," "L.O.T.A." or "O.T.A.L.," in connection with his or her name or place of business to denote licensure under this chapter.

SECTION 12. Section 73-24-24, Mississippi Code of 1972, is amended as follows:

73-24-24. (1) Licensees subject to this chapter shall conduct their activities, services and practice in accordance with this chapter and any rules promulgated pursuant hereto. Licenses and compact privileges may be subject to the exercise of the disciplinary sanction enumerated in Section 73-24-25 if the board finds that a licensee is guilty of any of the following:

(a) Negligence in the practice or performance of professional services or activities;

(b) Engaging in dishonorable, unethical or unprofessional conduct of a character likely to deceive, defraud or harm the public in the course of professional services or activities;

(c) Perpetrating or cooperating in fraud or material deception in obtaining or renewing a license or compact privilege or attempting the same;

(d) Being convicted of any crime which has a substantial relationship to the licensee's activities and services or an essential element of which is misstatement, fraud or dishonesty;

(e) Being convicted of any crime which is a felony under the laws of this state or the United States;

(f) Engaging in or permitting the performance of unacceptable services personally or by others working under the licensee's supervision due to the licensee's deliberate or negligent act or acts or failure to act, regardless of whether actual damage or damages to the public is established;

(g) Continued practice although the licensee has become unfit to practice as an occupational therapist or occupational therapist assistant due to: (i) failure to keep abreast of current professional theory or practice; or (ii) physical or mental disability; the entry of an order or judgment by a court of competent jurisdiction that a licensee is in need of mental treatment or is incompetent shall constitute mental disability; or (iii) addiction or severe dependency upon alcohol or other drugs which may endanger the public by impairing the licensee's ability to practice;

(h) Having disciplinary action taken against the licensee's license or compact privilege in another state;

(i) Making differential, detrimental treatment against any person because of race, color, creed, sex, religion or national origin;

(j) Engaging in lewd conduct in connection with professional services or activities;

(k) Engaging in false or misleading advertising;

(l) Contracting, assisting or permitting unlicensed persons to perform services for which a license or compact privilege is required under this chapter;

(m) Violation of any probation requirements placed on a license or compact privilege by the board;

(n) Revealing confidential information except as may be required by law;

(o) Failing to inform clients of the fact that the client no longer needs the services or professional assistance of the licensee;

(p) Charging excessive or unreasonable fees or engaging in unreasonable collection practices;

(q) For treating or attempting to treat ailments or other health conditions of human beings other than by occupational therapy as authorized by this chapter;

(r) For practice or activities considered to be unprofessional conduct as defined by the rules and regulations;

(s) Violations of the current codes of conduct for occupational therapists and occupational therapy assistants adopted by the American Occupational Therapy Association;

(t) Violations of any rules or regulations promulgated pursuant to this chapter.

(2) The board may order a licensee to submit to a reasonable physical or mental examination if the licensee's physical or mental capacity to practice safely is at issue in a disciplinary proceeding.

(3) Failure to comply with a board order to submit to a physical or mental examination shall render a licensee subject to the summary suspension procedures described in Section 73-24-25.

SECTION 13. Section 73-24-25, Mississippi Code of 1972, is amended as follows:

73-24-25. (1) Any person whose application for a license or compact privilege is denied shall be entitled to a hearing before the board if he or she submits a written request to the board. Such hearing shall be conducted at the earliest possible date. A subcommittee of the council shall attend and may offer relevant evidence at any such hearing. The board shall fix a time and place for the hearing and shall cause a written copy of the reason for denial of the license or compact privilege, together with a notice of the time and place fixed for the hearing, to be served on the applicant requesting the hearing and shall serve notice of such hearing on the council. Service of and notice of the hearing may be given by United States certified mail, return receipt requested, to the last known address of the licensee or applicant. For purposes of the hearing, the board, acting by and through the Executive Director of the State Board of Health, shall have the power to subpoena persons and compel the production of records, papers and other documents.

(2) (a) All complaints concerning a licensee's business or professional practice shall be received by the board. Each complaint received shall be registered, recording at a minimum the following information: (i) licensee's name; (ii) name of the complaining party, if known; (iii) date of complaint; (iv) brief statement of complaint; and (v) disposition.

(b) Following the investigative process, the board may file formal charges against the licensee. Such formal complaint, at a minimum, shall inform the licensee of the facts which are the basis of the charge and which are specific enough to enable the licensee to defend against the charges.

(c) Each licensee whose conduct is the subject of a formal charge which seeks to impose disciplinary action against the licensee shall be served notice of the formal charge at least thirty (30) days before the date of the hearing, which hearing shall be presided over by the board or the board's designee. Service shall be considered to have been given if the notice was personally received by the licensee or if the notice was sent by United States certified mail, return receipt requested, to the licensee at the licensee's last known address as listed with the state agency.

(d) The notice of the formal charge shall consist, at a minimum, of the following information:

(i) The time, place and date of the hearing;

(ii) Notification that the licensee shall appear personally at the hearing and may be represented by counsel;

(iii) Notification that the licensee shall have the right to produce witnesses and evidence in his or her behalf and shall have the right to cross-examine adverse witnesses and evidence;

(iv) Notification that the hearing could result in disciplinary action being taken against the licensee;

(v) Notification that rules for the conduct of the hearing exist, and it may be in the licensee's best interest to obtain a copy;

(vi) Notification that the board or its designee shall preside at the hearing, and following the conclusion of the hearing, shall make findings of facts, conclusions of law and recommendations, separately stated, to the board as to what disciplinary action, if any, should be imposed on the licensee;

(vii) The board or its designee shall hear evidence produced in support of the formal charges and contrary evidence produced by the licensee. At the conclusion of the hearing, the board shall issue an order; and

(viii) All proceedings under this section are matters of public record and shall be preserved in accordance with state law.

(3) In addition to other remedies provided by law or in equity, any applicant or licensee aggrieved by any action of the board may appeal the action of the board to the chancery court of the county of his or her residence if he or she be a resident of this state, or to the Chancery Court of the First Judicial District of Hinds County, Mississippi, if he or she be a nonresident of this state. An appeal shall be filed within thirty (30) days immediately following the mailing or delivery to the applicant or licensee of a copy of the order of judgment of the board, unless the court, for good cause shown, extends the time. The court after a hearing may modify, affirm or reverse the judgment of the board or may remand the case to the board for further proceedings. An appeal from the chancery court may be had to the Supreme Court of the State of Mississippi as provided by law for any final judgment of the chancery court. If the board appeals a judgment of the chancery court, no bond shall be required of it in order to perfect its appeal.

(4) The board may impose any of the following sanctions, singly or in combination, when it finds that a licensee is guilty of any such offense:

(a) Revoke the license or compact privilege;

(b) Suspend the license or compact privilege, for any period of time;

(c) Censure the licensee;

(d) Impose a monetary penalty of not more than Two Hundred Dollars (\$200.00);

(e) Place a licensee on probationary status and requiring the licensee to submit to any of the following: (i) report regularly to the board, or its designee, upon matters which are the basis of probation; (ii) continue to renew professional education until a satisfactory degree of skill has been attained in those areas which are the basis of probation; or (iii) such other reasonable requirement or restrictions as the board deems proper;

(f) Refuse to renew a license or compact privilege; or

(g) Revoke probation which has been granted and impose any other disciplinary action under this subsection when the requirements of probation have not been fulfilled or have been violated.

(5) The board summarily may suspend a license or compact privilege under this chapter without the filing of a formal complaint, notice or a hearing, if the board finds that the continued practice in the profession by the licensee would constitute an immediate danger to the public. If the board summarily suspends a license or compact privilege under the provisions of this subsection a hearing must be held within twenty (20) days after suspension begins, unless the hearing date is continued at the request of the licensee.

(6) Disposition of any formal complaint may be made by consent order or stipulation between the board and the licensee.

(7) The board may reinstate any licensee to good standing under this chapter if, after hearing, the board is satisfied that the applicant's renewed practice is in the public interest.

(8) The board may seek the counsel of the Occupational Therapy Advisory Council regarding disciplinary actions.

(9) The board shall seek to achieve consistency in the application of the foregoing sanctions, and significant departure from prior decisions involving similar conduct shall be explained by the board.

(10) In addition, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 14. Section 73-24-27, Mississippi Code of 1972, is amended as follows:

73-24-27. (1) Except as provided in Section 33-1-39, any license issued under this chapter shall be subject to renewal and shall expire unless renewed in the manner prescribed by the rules and regulations of the board, upon the payment of a renewal fee and demonstration of completion of continuing professional education. A person's compact privilege in this state shall be valid until the expiration date of that person's home state license. The board may provide for the late renewal of a license or compact privilege upon the payment of a late fee in accordance with its rules and regulations, but no late renewal of a license or compact privilege may be granted more than two (2) years after its expiration.

(2) Upon request and payment of the license fee required, the board shall grant inactive status to a licensee who: (a) does not practice as an occupational therapist or an occupational therapy assistant, (b) does not hold himself or herself out as an occupational therapist or an occupational therapy assistant, and (c) does not maintain any continuing education requirements.

(3) A suspended license is subject to expiration and may be renewed as provided in this section, but such renewal shall not entitle the suspended licensee to engage in the licensed activity or in any other conduct or activity in violation of the order of judgment by which the license or compact privilege was suspended. If a license or compact privilege revoked on disciplinary grounds is reinstated, the licensee, as a condition of reinstatement, shall pay the renewal fee and any late fee that may be applicable. The procedure for the reinstatement of a license that is suspended for being out of compliance

with an order for support, as defined in Section 93-11-153, shall be governed by Section 93-11-157 or 93-11-163, as the case may be.

SECTION 15. Section 73-24-29, Mississippi Code of 1972, is amended as follows:

73-24-29. (1) The board is empowered to prescribe and publish reasonable fees for the following purposes:

- (a) Application fee which is nonrefundable;
- (b) Initial license or compact privilege fee;
- (c) Renewal of license or compact privilege fee;
- (d) Late renewal fee;
- (e) Limited permit fee;
- (f) Reinstatement of license or compact privilege fee;
- (g) Inactive license fee.

(2) Such fees shall be commensurate to the extent feasible with the cost of fulfilling the duties of the board and council as defined by this chapter; however, no individual fee shall exceed One Hundred Fifty Dollars (\$150.00).

(3) Any increase in the fees charged by the board under this section shall be in accordance with the provisions of Section 41-3-65.

SECTION 16. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-58-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THE DEFINITION OF NUCLEAR MEDICINE; TO REVISE THE DEFINITION OF NUCLEAR MEDICINE TECHNOLOGIST; TO EXTEND THE DATE OF REPEAL ON THE SECTION; TO AMEND SECTION 41-58-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE SECTION; TO AMEND SECTION 41-58-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE SECTION; TO ENACT INTO LAW THE OCCUPATIONAL THERAPY LICENSURE COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-24-3, 73-24-7, 73-24-9, 73-24-15, 73-24-17, 73-24-19, 73-24-23, 73-24-24, 73-24-25, 73-24-27 AND 73-24-29, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 259 was adopted.

YEAS AND NAYS On H. B. No. 259. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,

Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Michel called up the following entitled bill:

**H. B. No. 521:** Length of Service Award Program; authorize for the recruitment and retention of volunteer firefighters.

Senator Michel offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Mississippi Insurance Department shall establish the Mississippi Length-of-Service Award Program (LOSAP) for the recruitment and the retention of volunteer firefighters. Such program shall provide paid Length-of-Service Awards to eligible volunteer firefighters and shall be open to all Mississippi volunteer fire department members.

(2) The following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "Length-of-Service Award Program" means a program to provide paid length-of-service awards to eligible volunteer firefighters.

(b) "Eligible volunteer firefighter" means a bona fide volunteer firefighter who is registered with the State of Mississippi or a political subdivision thereof and is an active part-time or on-call member of a volunteer fire department or a volunteer firefighter. Eligible volunteer firefighter shall not include full-time firefighters or career firefighters unless such firefighters are also active eligible volunteer firefighters when they are not acting as full-time or career firefighters and meet all other required qualifications as provided by the Mississippi Length-of-Service Award Program Board of Trustees in collaboration with the Mississippi Insurance Department.

(c) "Defined contribution" means the predefined contribution that the Mississippi Length-of-Service Award Program Board of Trustees in collaboration with the Mississippi Insurance Department establishes as a yearly contribution to an eligible volunteer firefighter's LOSAP account.

(3) (a) The LOSAP shall be administered by the Mississippi Length-of-Service Award Program Board of Trustees, which shall be comprised of the following members:

(i) The Commissioner of Insurance, or his or her designee;

(ii) The State Fire Coordinator, or his or her designee;

(iii) The State Treasurer, or his or her designee;

(iv) One (1) member from the state at large appointed by the Governor; and



(v) One (1) member from the state at large appointed by the Lieutenant Governor.

(b) The LOSAP Board of Trustees, in collaboration with the Mississippi Insurance Department, shall have the following powers and duties:

(i) Establish a points system to be awarded to volunteer firefighters for their performance of certain activities as determined by the board and award LOSAP service credit based upon that points system;

(ii) Create a list of the activities that points will be awarded for. Such list shall include, at a minimum, the number of emergency and nonemergency calls responded to by the volunteer member; the activities and training of each member as determined on an annual basis; and the volunteer fire department members eligible time to be considered as an active member of the department before the establishment of the LOSAP on July 1, 2023;

(iii) Determine the annual contribution to each volunteer's LOSAP account; and

(iv) Promulgate any rules and regulations as necessary to implement the provisions of this section. All such rules and regulations shall be in compliance with Sections 83-1-37 and 83-1-39 and Section 457(e)(11) of the United States Internal Revenue Code.

(4) There is hereby created in the State Treasury a special fund to be known as the "Mississippi Volunteer Firefighter Length-of-Service Awards Program Fund" (LOSAP Fund) to be maintained by the State Treasurer. The Treasurer of the State of Mississippi may invest the monies deposited in the special fund. The amounts to be invested shall be determined by the Treasurer and shall be in the approximate amount of the total monies deposited in said special fund less the anticipated withdrawals and disbursements from the Mississippi Length-of-Service Award Program to be made within the following ninety-day period. Such funds shall be invested by said Treasurer in short-term bonds, Treasury Bills, or other direct obligations of the United States of America, or any national or state banks in the State of Mississippi. Monies may be deposited into the fund by the State Insurance Commissioner as authorized from collections as set forth under the Municipal Fire Protection Fund in Section 83-1-37 and the County Volunteer Fire Fund in Section 83-1-39. Monies may also be deposited into the fund by the State Insurance Commissioner from any state source funds or special funds appropriated by the Legislature, including the Annual Fire Fund. Monies in the fund shall first be used for the purpose of providing retirement benefits as a defined contribution to volunteer firefighters for the purpose of recruiting and retaining volunteer firefighters as provided in this section. After the LOSAP has been funded, the remaining amounts shall be deposited into the Fire Insurance Rebate Fund for distribution to municipal and county fire departments. Any other unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

(5) The Mississippi Insurance Department shall notify the Mississippi Length-of-Service Award Program Board of Trustees and the State Fire Marshal of any volunteer fire department member that is ineligible to receive LOSAP funds due to the member or department's failure to file required documentation or financial reports or failure to comply with an audit or review by the Mississippi Insurance Department. A volunteer fire department member or department reported by the Mississippi Insurance Department shall be ineligible to receive funds under this section until the Mississippi Insurance Department notifies the Mississippi Length-of-Service Award Program Board of Trustees and the State Fire Marshal that the volunteer member or department has come into compliance.

(6) A member of the Mississippi Length-of-Service Award Program may receive the funds allocated on their behalf to the program upon their withdrawal from the program.

(7) The Mississippi Length-of-Service Award Program may allocate a maximum of Five Hundred Dollars (\$500.00) in yearly defined contributions to each member's LOSAP account.

SECTION 2. Section 83-1-37, Mississippi Code of 1972, is amended as follows:

83-1-37. (1) The Department of Revenue shall pay for credit to a fund known as the "Municipal Fire Protection Fund," the sum of Four Million Eight Hundred Fifty Thousand Dollars (\$4,850,000.00) annually out of the insurance premium tax collected annually from the taxes levied on the gross premiums on fire insurance policies written on properties in this state, under Sections 27-15-103 through 27-15-127. The State Treasurer shall credit this amount to the Municipal Fire Protection Fund. This fund shall be set aside and earmarked for payment to municipalities in this state, as hereinafter provided.

(2) Using 1990 as a base year, the Department of Revenue shall pay over annually to the State Treasurer, for credit to the "Municipal Fire Protection Fund," an amount representing one-half of ten percent (1/2 of 10%) of any growth after 1990 of the insurance premium tax collected annually from the taxes levied on the gross premium on fire insurance policies written on properties in this state, under Sections 27-15-103 through 27-15-127.

(3) The fund hereby created and denominated "Municipal Fire Protection Fund" shall be apportioned and paid over by the Department of Insurance to the incorporated municipalities certified as eligible to participate in the fund by the Commissioner of Insurance, and shall be distributed in the following manner annually: each municipality shall be paid Six Thousand Dollars (\$6,000.00), with the remainder of the monies to be paid on a population basis, to be determined by the most recent federal census. Municipalities receiving these funds shall earmark such monies for fire protection services.

(4) The amount paid under subsections (1) and (2) of this section to a municipality shall be used and expended in accordance with the guidelines established by the Commissioner of Insurance authorized by Section 45-11-7, for the training of municipal personnel as needed for the adoption of and compliance with the minimum building codes as established and promulgated by the Mississippi Building Codes Council, for windstorm mitigation programs as approved by the Commissioner of Insurance, \* \* \* for emergency medical service training and equipment as provided by municipal fire protection services, and for the Mississippi Length-of-Service Awards Program as provided in Section 1 of this act. A municipality may provide reasonable remuneration to municipal volunteer firefighters in accordance with the guidelines established by the Commissioner of Insurance authorized by Section 45-11-7.

(5) Each municipality shall levy a tax of not less than one-fourth (1/4) mill on all property of the municipality or appropriate the avails of not less than one-fourth (1/4) mill from the municipality's general fund for fire protection purposes. Municipalities may allow such millage to be collected by the county. Each municipality shall annually provide the Commissioner of Insurance and the State Fire Coordinator on a form provided by the State Fire Coordinator a report stating whether the municipality is levied the one-fourth (1/4) mill hereby required or in lieu thereof is allowing such millage to be collected by the county.

(6) The Commissioner of Insurance may promulgate rules and regulations to establish guidelines for the use of fire rebate funds.

SECTION 3. Section 83-1-39, Mississippi Code of 1972, is amended as follows:

83-1-39. (1) The Department of Revenue shall pay over to the State Treasurer, to be credited to a fund entitled "County Volunteer Fire Department Fund," the sum of Four Million Eight Hundred Fifty Thousand Dollars (\$4,850,000.00) annually out of the insurance premium tax in addition to the amount collected by it under the provisions of Section 27-15-103 et seq. Such funds, hereinafter referred to as insurance rebate monies, are hereby earmarked for payment to the various counties of the state and shall be paid over to the counties by the Department of Insurance in the following manner: each county shall be paid Thirty Thousand Dollars (\$30,000.00), with the remainder of the monies to be paid on the basis of the population of each county as it compares to the population of participating counties, not counting residents of any municipality. Such insurance rebate monies shall only be distributed to those counties which are in compliance with subsections (5) and (6) of this section.

(2) Using 1990 as a base year, the Department of Revenue shall pay to the State Treasurer, to be credited to the "County Volunteer Fire Department Fund," an amount representing one-half of ten percent (1/2 of 10%) of any growth after 1990 of the insurance premium tax collected annually from the taxes levied on the gross premium on fire insurance policies written on properties in this state, in addition to the amount collected by it under Section 27-15-103 et seq.

(3) Insurance rebate monies shall be expended by the board of supervisors for fire protection purposes of each county for the following categories:

- (a) For training expenses, including emergency medical services training;
- (b) Purchase of equipment, purchase of fire trucks, repair and refurbishing of fire trucks and firefighting equipment, for emergency medical services equipment, and capital construction anywhere in the county or pledging as security for a period of not more than ten (10) years for such purchases;
- (c) Purchase of insurance on county-owned firefighting or emergency medical services equipment;
- (d) Fire protection service contracts, including, but not limited to, municipalities, legal fire protection districts, and nonprofit corporations providing or coordinating fire service or emergency medical services in or out of the county;
- (e) Appropriations to legal fire protection districts located in counties subject to all restrictions applicable to the use of insurance rebate monies;
- (f) Training of any county personnel as needed for the adoption of and compliance with the codes established and promulgated by the Mississippi Building Codes Council or for windstorm mitigation programs as approved by the Commissioner of Insurance;
- (g) Any county-owned equipment or other property, at the option of the board of supervisors, may be used by any legally created fire department;
- (h) At the option of the board of supervisors, a county may provide reasonable remuneration to volunteer firefighters in accordance with the guidelines established by the Commissioner of Insurance authorized by Section 45-11-7; \* \* \*
- (i) For the Mississippi Length-of-Service Awards Program as provided in Section 1 of this act; or
- ( \* \* \*j) For any use allowed in accordance with the guidelines as established by the Commissioner of Insurance.

(4) Insurance rebate monies not expended in a given fiscal year for fire protection purposes shall be placed in a special fund with a written plan approved by the Commissioner of Insurance for disposition and expenditure of such monies. After the contracts for fire protection services have been approved and accepted by the board of supervisors, the monies shall be released to be expended in such manner as provided by this section.

(5) No county shall receive payments pursuant to this section after July 1, 1988, unless such county:

(a) Designates a county fire service coordinator who is responsible for seeing that standard guidelines established by the Commissioner of Insurance pursuant to Section 45-11-7(9), Mississippi Code of 1972, are followed. The county fire coordinator must demonstrate that he possesses fire-related knowledge and experience;

(b) Designates one (1) member of the sheriff's department to be the county fire investigator and, from and after July 1, 2008, requires the designated member of the sheriff's department to attend the State Fire Academy to be trained in arson investigation; however, in the event of a loss of the county fire investigator due to illness, death, resignation, discharge or other legitimate cause, notice shall be immediately given to the Commissioner of Insurance and the county may continue to receive payments on an interim basis for a period not to exceed one (1) year;

(c) Adheres to the standard guidelines established by the Commissioner of Insurance pursuant to Section 45-11-7(9); and

(d) Counties shall levy a tax of not less than one-fourth (1/4) mill on all property of the county or appropriate avails of not less than one-fourth (1/4) mill from the county's general fund for fire protection purposes. Municipalities making a written declaration to the county that they fund and provide their own fire services shall be exempted from this levy. This levy shall be used for fire protection purposes which include, but are not limited to, contracting with any provider of fire protection services.

(6) (a) No funds shall be paid by the county to any provider of fire protection services except in accordance with a written contract entered into in accordance with guidelines established by the Commissioner of Insurance and properly approved by the board of supervisors and Commissioner of Insurance. No county shall distribute funds to any fire service provider which has not met the reporting requirements required by the Commissioner of Insurance. At such time that a fire protection services provider, particularly a county volunteer fire department, a municipality or a fire protection district, has fulfilled the obligations of the written contract and has met the reporting requirements provided for in this subsection and the board of supervisors has received the insurance rebate monies, the board of supervisors shall disburse the appropriate amount to the fire protection services provider within a reasonable time, not to exceed six (6) weeks, from the time such requirements are met. Insurance rebate monies used for the purposes of contracting shall be expended by the fire service provider for capital construction, training expenses, purchase of firefighting equipment, including payments on any loans made for the purpose of purchasing firefighting equipment, purchase of insurance for any fire equipment owned or operated by the provider, and for training and equipment of emergency medical services as provided by fire protection services.

(b) If the Commissioner of Insurance believes that a county is using the funds in a manner not consistent with subsections (5) and (6) of this section, the commissioner shall request the State Auditor to conduct an investigation pursuant to Section 7-7-211(e).

(7) The board of supervisors of any county may contribute funds directly to any provider of fire protection services serving such county. Such contributions must be used

for fire protection purposes as may be reasonably established by the Commissioner of Insurance.

(8) Any municipal, county or local water association or other utility district supplying water may, upon adoption of a resolution authorizing such action, contribute free of charge to a volunteer fire department or fire protection district serving such local government, political subdivision or utility district such water as is necessary for firefighting or training activities of such volunteer fire department or fire protection district.

(9) The board of supervisors of any county may, in its discretion, grade, gravel, shell and/or maintain real property of a county volunteer fire department, including roads or driveways thereof, as necessary for the effective and safe operation of such county volunteer fire department. Any action taken by the board of supervisors under the authority of this subsection shall be spread upon the minutes of the board of supervisors when the work is authorized.

(10) For the purpose of this section, "fire protection district" means a district organized under Section 19-5-151 et seq., or pursuant to any other code section or by any local and private act authorizing the establishment of a fire protection district, unless the context clearly requires otherwise.

(11) The Commissioner of Insurance may promulgate rules and regulations to establish guidelines for the use of fire rebate funds.

SECTION 4. Section 17-23-21, Mississippi Code of 1972, is amended as follows:

17-23-21. There is created in the State Treasury a special fund to be designated as the "Annual Fire Fund" to be administered by the Commissioner of Insurance. Monies in the fund, upon appropriation by the Legislature, may be used by the commissioner only for the purpose of his or her discretion in requesting the State Fiscal Officer, and notifying the Legislative Budget Office of such, to transfer funds from this fund to the Mississippi Volunteer Firefighter Length-of-Service Awards Program Fund, Rural Fire Truck Fund, the Supplementary Rural Fire Truck Fund, the Municipal Fire Protection Fund and/or the County Volunteer Fire Department Fund; however, the commissioner shall request the State Fiscal Officer to transfer at least One Million Five Hundred Thousand Dollars (\$1,500,000.00) annually to the Rural and Supplementary Rural Fire Truck Funds. This fund shall consist of monies provided to it through the provisions of Section 83-34-4(6), and any monies which may be appropriated to it by the Legislature. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE MISSISSIPPI INSURANCE DEPARTMENT TO CREATE THE MISSISSIPPI LENGTH-OF-SERVICE AWARD PROGRAM (LOSAP) FOR THE RECRUITMENT AND RETENTION OF VOLUNTEER FIREFIGHTERS; TO PROVIDE THAT THE PROGRAM WILL PROVIDE PAID LENGTH-OF-SERVICE AWARDS TO ELIGIBLE VOLUNTEER FIREFIGHTERS; TO PROVIDE DEFINITIONS; TO PROVIDE THAT THE LOSAP SHALL BE ADMINISTERED BY THE MISSISSIPPI LENGTH-OF-SERVICE AWARD PROGRAM BOARD OF TRUSTEES AND TO PROVIDE THE MEMBERS WHO WILL SERVE ON THE BOARD; TO PROVIDE THE POWERS AND DUTIES OF THE LOSAP BOARD OF TRUSTEES; TO CREATE THE "MISSISSIPPI VOLUNTEER FIREFIGHTER LENGTH-OF-SERVICE AWARDS

PROGRAM FUND" (LOSAP FUND) MAINTAINED BY THE STATE TREASURER AND TO PROVIDE WHAT MONIES IN THE FUND MAY BE USED FOR; TO PROVIDE THAT THE MISSISSIPPI INSURANCE DEPARTMENT SHALL NOTIFY THE STATE FIRE MARSHAL AND THE LOSAP BOARD OF TRUSTEES OF ANY VOLUNTEER FIRE DEPARTMENT MEMBER WHO IS INELIGIBLE TO RECEIVE THE LOSAP FUNDS; TO AMEND SECTIONS 83-1-37 AND 83-1-39, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE FUNDING MECHANISM OF THE PROGRAM AND TO CONFORM; TO AMEND SECTION 17-23-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSIONER MAY TRANSFER FUNDS FROM THE ANNUAL FIRE FUND TO THE LOSAP FUND; AND FOR RELATED PURPOSES.

Senators McLendon and Michel offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on lines 106 - 109 by striking the following language:

After the LOSAP has been funded, the remaining amounts shall be deposited into the Fire Insurance Rebate Fund for distribution to municipal and county fire departments.

FURTHER, AMEND on line 353 before the comma by inserting the following language:

if any additional amounts are required above Three Million Dollars (\$3,000,000.00)

FURTHER, AMEND the title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 521 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 521 was adopted.

YEAS AND NAYS On H. B. No. 521. On motion of Senator McLendon, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Polk called up the following entitled bill:

**H. B. No. 809:** Executive Director of Public Utilities Staff; remove Public Service Commission from the process of appointing.

YEAS AND NAYS On H. B. No. 809. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Tate called up the following entitled bill:

**H. B. No. 1310:** Elections; revise provisions related to the integrity of.

Senator Tate offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 23-15-615, Mississippi Code of 1972:

23-15-615. The Secretary of State is authorized to audit election procedures of the 2023 and 2024 General Elections in the counties of this state. The conduct of an audit shall not create excessive interference with the general duties and responsibilities of the Secretary of State, county registrar, and county election commission.

(a) The Secretary of State shall randomly select four (4) counties from each of the congressional districts, and randomly selected no more than twenty-five percent (25%) of the total precincts or no more than five (5) precincts, whichever is less. No county or precinct shall be selected for audit on the basis of race, geographical location or voting trends.

(i) If the Secretary of State finds any issues that could affect the outcome of an election or cause voters to be disenfranchised, then the Secretary of State, in partnership with the local county election officials, shall develop a plan to correct those issues, which shall include additional training.

(ii) The Secretary of State will have the discretion to randomly select the counties and precincts that will be audited, but must do so at least ninety (90) days before the election to be audited. No audit shall occur if the election is challenged as provided in Section 23-15-927, 23-15-951 or 23-15-955. No audit shall occur until after a ballot box examination has occurred and the period to contest an election has expired, or if a runoff election occurs, the audit shall occur after the runoff election.

(b) In conducting a procedural audit, the Secretary of State shall audit the following:

(i) Procedures for testing of OMR equipment before counting ballots, including the ballots used for testing of OMR equipment, as required by Section 23-15-521;

(ii) Ballot accounting reports, seal logs, poll books, and receipt books as required to be kept by Section 23-15-519;

(iii) Absentee ballots, absentee ballot applications, and absentee ballot envelopes, along with the list provided to the Resolution Board, to ensure appropriate processing and counting of absentee ballots as required by Section 23-15-631 et seq; and

(iv) Affidavit ballots and affidavit ballot envelopes, including affidavit ballot receipt book to ensure compliance with appropriate processing and counting of affidavit ballots as required by Section 23-15-573.

(c) The Secretary of State shall develop a post-election audit manual which shall detail the policies and procedures for conducting post-election audits. The post-election audit manual shall not be altered less than ninety (90) days before an election in which the post-election audit manual shall be utilized in conducting a post-election audit.

(d) No later than one hundred twenty (120) days after the election that the Secretary of State is auditing, the Secretary of State shall compile a report of the procedural audits conducted and shall submit the report to the Governor, Lieutenant Governor, Speaker of the House of Representatives and Chairmen of the Senate and House Election Committees. Prior to submitting the report, the Secretary of State shall allow the local county election officials to review the report and provide comments that will be submitted along with the report.

SECTION 2. Section 23-15-613, Mississippi Code of 1972, which provides that election commissions and county and municipal executive committees shall report residual vote information to the Secretary of State, is repealed.

SECTION 3. Section 23-15-153, Mississippi Code of 1972, is amended as follows:

23-15-153. (1) At least during the following times, the election commissioners shall meet at the office of the registrar or the office of the election commissioners to carefully revise the county voter roll as electronically maintained by the Statewide Elections Management System and remove from the roll the names of all voters who have requested to be purged from the voter roll, died, received an adjudication of non compos mentis, been convicted of a disenfranchising crime, failed to comply with the provisions of Section 23-15-152, or otherwise become disqualified as electors for any cause, and shall register the names of all persons who have duly applied to be registered but have been illegally denied registration:

(a) On the Tuesday after the second Monday in January 1987 and every following year;

(b) On the first Tuesday in the month immediately preceding the first primary election for members of Congress in the years when members of Congress are elected;

(c) On the first Monday in the month immediately preceding the first primary election for state, state district legislative, county and county district offices in the years in which those offices are elected; and

(d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted.

Except for the names of those voters who are duly qualified to vote in the election, no name shall be permitted to remain in the Statewide Elections Management System; however, no name shall be purged from the Statewide Elections Management System based on a change in the residence of an elector except in accordance with procedures provided for by the National Voter Registration Act of 1993 and as provided in Section 23-15-152. Except as otherwise provided by Section 23-15-573, no person shall vote at



any election whose name is not in the county voter roll electronically maintained by the Statewide Elections Management System.

(2) Except as provided in this section, and subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than fifty (50) days per year, with no more than fifteen (15) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than seventy-five (75) days per year, with no more than twenty-five (25) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than one hundred (100) days per year, with no more than thirty-five (35) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than one hundred twenty-five (125) days per year, with no more than forty-five (45) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than one hundred fifty (150) days per year, with no more than fifty-five (55) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than one hundred ninety (190) days per year, with no more than seventy-five (75) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(h) In counties having two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census but less than two hundred fifty thousand (250,000) residents according to the latest federal decennial census, not more than two hundred fifteen (215) days per year, with no more than eighty-five (85) additional

days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(i) In counties having two hundred fifty thousand (250,000) residents according to the latest federal decennial census but less than two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census, not more than two hundred thirty (230) days per year, with no more than ninety-five (95) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(j) In counties having two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census or more, not more than two hundred forty (240) days per year, with no more than one hundred five (105) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year.

(3) In addition to the number of days authorized in subsection (2) of this section, the board of supervisors of a county may authorize, in its discretion, the election commissioners to receive a per diem in the amount provided for in subsection (2) of this section, to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section, not to exceed five (5) days.

(4) (a) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, not to exceed ten (10) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System before any special election. For purposes of this paragraph, the regular special election day shall not be considered a special election. The annual limitations set forth in subsection (2) of this section shall not apply to this paragraph.

(b) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Sixty-five Dollars (\$165.00), to be paid from the county general fund, for the performance of their duties on the day of any primary, runoff, general or special election. The annual limitations set forth in subsection (2) of this section shall apply to this paragraph.

\* \* \*

(5) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, not to exceed fourteen (14) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System and in the conduct of a runoff election following either a general or special election.

(6) The election commissioners shall be entitled to receive only one (1) per diem payment for those days when the election commissioners discharge more than one (1) duty or responsibility on the same day.

(7) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, not to exceed five (5) days for every day or period of no less than five (5) hours

accumulated over two (2) or more days for those days when the election commissioners shall be required to conduct an audit of an election as provided in Section 23-15-615.

( \*\* \*8) In preparation for a municipal primary, runoff, general or special election, the county registrar shall generate and distribute the master voter roll and pollbooks from the Statewide Elections Management System for the municipality located within the county. The municipality shall pay the county registrar for the actual cost of preparing and printing the municipal master voter roll pollbooks. A municipality may secure "read only" access to the Statewide Elections Management System and print its own pollbooks using this information.

( \*\* \*9) County election commissioners who perform the duties of an executive committee with regard to the conduct of a primary election under a written agreement authorized by law to be entered into with an executive committee shall receive per diem as provided for in subsection (2) of this section. The days that county election commissioners are employed in the conduct of a primary election shall be treated the same as days county election commissioners are employed in the conduct of other elections.

( \*\* \*10) In addition to any per diem authorized by this section, any election commissioner shall be entitled to the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel on election day.

( \*\* \*11) Every election commissioner shall sign personally a certification setting forth the number of hours actually worked in the performance of the commissioner's official duties and for which the commissioner seeks compensation. The certification must be on a form as prescribed in this subsection. The commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

The certification form shall be as follows:

COUNTY ELECTION COMMISSIONER

PER DIEM CLAIM FORM

NAME: \_\_\_\_\_ COUNTY: \_\_\_\_\_  
ADDRESS: \_\_\_\_\_ DISTRICT: \_\_\_\_\_  
CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

PURPOSE APPLICABLE ACTUAL PER DIEM

DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	_____	_____	_____

TOTAL NUMBER OF PER DIEM DAYS EARNED

EXCLUDING ELECTION DAYS \_\_\_\_\_

PER DIEM RATE PER DAY EARNED X \$110.00

TOTAL NUMBER PER DIEM DAYS EARNED

FOR ELECTION DAYS \_\_\_\_\_

PER DIEM RATE PER DAY EARNED X \$165.00

TOTAL AMOUNT OF PER DIEM CLAIMED \$ \_\_\_\_\_

I understand that I am signing this document under my oath as an election commissioner and under penalties of perjury.

I understand that I am requesting payment from taxpayer funds and that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Commissioner's Signature

When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chair of the commission, any member of the board of supervisors or the clerk of the board of supervisors of the contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be perfected within thirty (30) days from a final decision of the commission, the clerk of the board of supervisors or the board of supervisors, as the case may be.

Any contestor who successfully contests any certification will be awarded all expenses incident to his or her contest, together with reasonable attorney's fees, which will be awarded upon petition to the chancery court of the involved county upon final disposition of the contest before the election commission, board of supervisors, clerk of the board of supervisors, or, in case of an appeal, final disposition by the court. The commissioner against whom the contest is decided shall be liable for the payment of the expenses and attorney's fees, and the county shall be jointly and severally liable for same.

( \*\* \*12) Any election commissioner who has not received a certificate issued by the Secretary of State pursuant to Section 23-15-211 indicating that the election commissioner has received the required elections seminar instruction and that the election commissioner is fully qualified to conduct an election, shall not receive any compensation authorized by this section or Section 23-15-239.

SECTION 4. Section 23-15-5, Mississippi Code of 1972, is brought forward as follows:

23-15-5. (1) There is created in the State Treasury a special fund to be known as the Elections Support Fund. Monies derived from annual report fees imposed upon limited liability companies under Section 79-29-1203 shall be deposited into the Elections Support Fund. Unexpended amounts remaining in the fund at the end of the fiscal year

shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be disbursed as provided in subsection (2) of this section. The expenditure of monies in the fund shall be under the direction of the Secretary of State as provided by subsection (2) of this section, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration.

(2) (a) Monies in the fund shall be used as follows:

(i) Seventy percent (70%) of the monies in the special fund shall be distributed annually to the counties, upon appropriation of the Legislature, based on the proportion that the population of a county bears to the total population in all counties of the state population according to the most recent information from the United States Census Bureau, and held in a separate fund solely for the purpose of acquiring, upgrading, maintaining or repairing voting equipment, systems and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems, employing such personnel to conduct an election, and training election officials; and

(ii) The remaining thirty percent (30%) of the monies in the special fund shall be deposited in the State General Fund.

(b) The Secretary of State shall create standard training guidelines to assist counties in training election officials with the funds authorized under subsection (2)(a)(ii) of this section. Any criteria established by the Secretary of State for the purposes of this section shall be used in addition to any other training or coursework prescribed by the Secretary of State to train circuit clerks, poll managers and any other election officials participating in county elections.

(c) Notwithstanding any other provision of law, no monies from the Elections Support Fund shall be used by the Secretary of State or any person associated with the Office of the Secretary of State to provide or otherwise support expert testimony in any manner for any hearing, trial or election contest.

(3) From and after July 1, 2017, none of the monies deposited in the Elections Support Fund may be used to reimburse or otherwise defray any costs that the Office of the Secretary of State may incur in administering the fund.

(4) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 5. The following shall be codified as Section 23-15-152, Mississippi Code of 1972:

23-15-152. (1) For the purposes of this section, "confirmation notice" means a notice sent by the election commissioners, by forwardable mail, with return postage prepaid, on a form prescribed by the Secretary of State, to a registered voter to confirm the registered voter's current address. The notice shall comply with all applicable requirements of the National Voter Registration Act of 1993.

(2) The election commissioners shall send a confirmation notice to the following:

(a) A registered voter if it appears from the United States Postal Service change-of-address information that the registered voter has moved to a different residence;

(b) A registered voter if a county election commissioner or county registrar has received notice from another state, or political subdivision of another state, that the registered voter has registered to vote in another state;

(c) A registered voter who has failed to vote at least once in the previous two (2) years which must include two (2) general federal elections; and

(d) A registered voter if the registrar or election commissioners have received reliable information that he or she has moved within or outside of the state. Reliable information includes, but is not limited to: official mail returned as undeliverable by the county election commission, registrar or other county or municipal office, Secretary of State; application for homestead exemption filed by the voter at an address other than the address of current registration; or any information from another state or county entity indicating the voter no longer resides at the address of voter registration.

No registered voter shall be sent a confirmation notice under paragraph (c) of this subsection if he or she has been sent a confirmation notice for those same reasons within the last six (6) years.

(3) The county election commissioners shall place any registered voter who has been sent a confirmation notice on inactive status in the Statewide Elections Management System. Any registered voter who is placed on inactive status shall be unable to cast a regular ballot on election day but shall be able to cast an affidavit ballot as provided in Section 23-15-573.

(4) A registered voter "fails to respond to the confirmation notice" if the voter, during a period of four (4) consecutive years beginning from the date of the delivery of the confirmation notice, fails to:

(a) Respond to the confirmation notice; or

(b) Update the elector's registration information.

The period of four (4) consecutive years beginning from the date of the delivery of the confirmation notice required in subsection (4) of this section shall include two (2) general federal elections. A registered voter who votes at least once in any election in the registered voter's county or municipality of registration during the period of four (4) consecutive years beginning from the date of the delivery of the confirmation notice or who is active or reserve military or who serves on jury duty or responds to a summons for jury duty shall not be purged from the Statewide Elections Management System.

(5) The county registrar or county election commission shall move those registered voters who fail to respond to the confirmation notice as provided in subsection (4) and who fail to vote as provided in subsection (4) of this section to purged status in the Statewide Elections Management System.

(6) No systematic list maintenance shall occur during the ninety (90) days immediately preceding a federal primary or general election which is limited to moving a voter to inactive status in subsection (2) of this section or purged status in subsection (5) of this section.

(7) The county registrar shall retain purged voter registration records after they are purged for a period that includes at least two (2) federal general elections and shall record the reason for the removal.

SECTION 6. Section 23-15-125, Mississippi Code of 1972, is amended as follows:

23-15-125. The pollbook of each voting precinct shall designate the voting precinct for which it is to be used, and shall be ruled in appropriate columns, with printed or written

headings, as follows: date of registration; voter registration number; name of electors; date of birth; and a number of blank columns for the dates of elections. All qualified applicants who register with the registrar shall be entered in the Statewide Elections Management System. Only the names of those qualified applicants who register within thirty (30) days before an election shall appear on the pollbooks of the election; however, if the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. When county election commissioners determine that any elector is disqualified from voting, by reason of death, conviction of a disenfranchising crime, removal from the jurisdiction, failure to comply with the provisions of Section 23-15-152, or other legal cause, that fact shall be noted in the Statewide Elections Management System and the voter's name shall be purged from the Statewide Elections Management System, the state's voter roll and the county's pollbooks. Nothing in this section shall preclude the use of electronic pollbooks.

SECTION 7. Section 23-15-15, Mississippi Code of 1972, is amended as follows:

23-15-15. (1) By January 1, 2025, the Secretary of State shall compare the entire Statewide Elections Management System to the Department of Public Safety Driver's License Database and follow the procedures outlined in subsections (2) through (9) of this section if a voter is flagged in the database as a potential noncitizen.

(2) Upon receiving a completed voter registration application, the registrar shall enter the applicant into the Statewide Elections Management System.\*\*\* The registration application shall be compared with the Department of Public Safety driver's license and identification information. If such information indicates that a particular applicant is not a citizen of the United States, the Statewide Elections Management System shall notify the registrar, or his or her designee, that the applicant may not be a citizen of the United States.

(\*\*\*) After receiving the notice from the Statewide Elections Management System as provided in subsections (1) and (2) of this section, the registrar, or his or her designee, shall:

(a) Enter the applicant's information into the United States Citizenship and Immigration Service's Systematic Alien Verification for Entitlements (SAVE) or its successor database for further inquiry; and

(b) If both the Department of Public Safety driver's license and identification information and the database in paragraph (a) of this subsection indicate that the applicant is not a citizen, send a notice by first-class mail to the applicant's mailing address provided on the voter registration application inquiring whether the individual is eligible to be registered to vote. The registrar may, in addition to first-class mail, contact the applicant by email or telephone.

(\*\*\*) Any applicant who receives the notice under subsection (\*\*\*) (b) of this section shall, within thirty (30) days of the receipt of such notice, provide proof of citizenship to the registrar or his or her designee.

(\*\*\*) For purposes of this section, proof of citizenship includes, but is not limited to:

(a) The applicant's birth certificate or a legible photocopy of the birth certificate;

(b) A United States passport, or a legible photocopy of the pertinent pages of the passport, identifying the applicant and showing the passport number;

(c) The applicant's United States naturalization documentation, a legible photocopy of the naturalization documentation, or the number of the applicant's Certificate of Naturalization; except that any person who provides the number of the Certificate of Naturalization in lieu of the naturalization documentation shall not be deemed to have provided proof of citizenship until the number is verified with the United States Citizenship and Immigration Services in the Department of Homeland Security or its successor; or

(d) Any document or method of proof of citizenship established by the Federal Immigration Reform and Control Act of 1986, Public Law 99-603, compiled in 8 USC Section 1101 et seq.

( \*\* \*6) If the applicant provides proof of citizenship and meets all other qualifications provided by law, the registrar shall register the applicant to vote.

( \*\* \*7) If the applicant does not reply to the notice or provide proof of citizenship, the registrar of the county, or his or her designee, where the person registered to vote shall mark the applicant as "PENDING" in the Statewide Elections Management System until the next federal general election:

(a) A voter in pending status may cast an affidavit ballot. The affidavit ballot shall be considered if the voter provides the required documentation under subsection (4) of this section to the registrar within five (5) days of casting the affidavit ballot.

(b) If the applicant fails to respond to the notice or cast an affidavit ballot and provide the proof described in subsection (4) of this section by the next federal general election, the registrar shall mark the applicant as "REJECTED" in the Statewide Election Management System.

(8) All documentation provided to show proof of citizenship as well as the Department of Public Safety database or relevant federal and state agency and county records shall be confidential and shall not be subject to inspection, examination, copying or reproduction under the Mississippi Public Records Act of 1983.

SECTION 8. Section 23-15-165, Mississippi Code of 1972, is amended as follows:

23-15-165. (1) The Office of the Secretary of State, in cooperation with the county registrars and election commissioners, shall procure, implement and maintain an electronic information processing system and programs capable of maintaining a centralized database of all registered voters in the state. The system shall encompass software and hardware, at both the state and county level, software development training, conversion and support and maintenance for the system. The Secretary of State shall equip the Statewide Election Management System with appropriate security measures to protect private information of the registered voter and the integrity of Mississippi elections. This system shall be known as the "Statewide Elections Management System" and shall constitute the official record of registered voters in every county of the state.

(2) The Office of the Secretary of State shall develop and implement the Statewide Elections Management System so that the registrar and election commissioners of each county shall:

(a) Verify that an applicant that is registering to vote in that county is not registered to vote in another county;

(b) Be notified automatically that a registered voter in its county has registered to vote in another county;

(c) Receive regular reports of death, changes of address and convictions for disenfranchising crimes that apply to voters registered in the county; \* \* \*



(d) Retain all present functionality related to, but not limited to, the use of voter roll data and to implement such other functionality as the law requires to enhance the maintenance of accurate county voter records and related jury selection and redistricting programs \* \* \*; and

(e) When evidence exists that a registered voter may not be a citizen of the United States as provided in Section 23-15-15, send notification to the registrar of the location where the person is registered to vote.

(3) As a part of the procurement and implementation of the system, the Office of the Secretary of State shall, with the assistance of the advisory committee, procure services necessary to convert current voter registration records in the counties into a standard, industry accepted file format that can be used on the Statewide Elections Management System. Thereafter, all official voter information shall be maintained on the Statewide Elections Management System. The standard industry accepted format of data was reviewed and approved by a majority of the advisory committee created in subsection (5) of this section after consultation with the Circuit Clerks Association and the format may not be changed without consulting the Circuit Clerks Association.

(4) The Secretary of State may, with the assistance of the advisory committee, adopt rules and regulations necessary to administer the Statewide Elections Management System. The rules and regulations shall at least:

(a) Provide for the establishment and maintenance of a centralized database for all voter registration information in the state;

(b) Provide procedures for integrating data into the centralized database;

(c) Provide security to ensure that only the registrar, or his or her designee or other appropriate official, as the law may require, can add information to, delete information from and modify information in the system;

(d) Provide the registrar or his or her designee or other appropriate official, as the law may require, access to the system at all times, including the ability to download copies of the industry standard file, for all purposes related to their official duties, including, but not limited to, exclusive access for the purpose of printing all local pollbooks;

(e) Provide security and protection of all information in the system and monitor the system to ensure that unauthorized access is not allowed;

(f) Provide a procedure that will allow the registrar, or his or her designee or other appropriate official, as the law may require, to identify the precinct to which a voter should be assigned; and

(g) Provide a procedure for phasing in or converting existing manual and computerized voter registration systems in counties to the Statewide Elections Management System.

(5) The Secretary of State established an advisory committee to assist in developing system specifications, procurement, implementation and maintenance of the Statewide Elections Management System. The committee included two (2) representatives from the Circuit Clerks Association, appointed by the association; two (2) representatives from the Election Commissioners Association of Mississippi, appointed by the association; one (1) member of the Mississippi Association of Supervisors, or its staff, appointed by the association; the Director of the Stennis Institute of Government at Mississippi State University, or his or her designee; the Executive Director of the Department of Information Technology Services, or his or her designee; two (2) persons knowledgeable about elections and information technology appointed by the Secretary of State; and the Secretary of State, who shall serve as the chair of the advisory committee.

(6) (a) Social security numbers, telephone numbers, email addresses, and date of birth and age information in statewide, district, county and municipal voter registration files shall be exempt from and shall not be subject to inspection, examination, copying or reproduction under the Mississippi Public Records Act of 1983.

(b) Copies of statewide, district, county or municipal voter registration files, excluding social security numbers, telephone numbers, email addresses, and date of birth and age information, shall be provided to any person in accordance with the Mississippi Public Records Act of 1983 at a cost not to exceed the actual cost of production.

SECTION 9. This act shall take effect and be in force from and after January 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 23-15-615, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO AUDIT ELECTION PROCEDURES IN THE COUNTIES OF THE STATE; TO PROVIDE WHEN AN AUDIT SHALL BE COMPLETED; TO REPEAL SECTION 23-15-613, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ELECTION COMMISSIONS AND COUNTY AND MUNICIPAL EXECUTIVE COMMITTEES SHALL REPORT RESIDUAL VOTE INFORMATION TO THE SECRETARY OF STATE; TO PROVIDE WHEN A MANUAL RECOUNT OF ELECTION RESULTS SHALL BE NECESSARY; TO PROVIDE WHEN AND WHERE THE RESULTS OF A RISK-LIMITING AUDIT SHALL BE AVAILABLE; TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ELECTION COMMISSIONERS TO RECEIVE A PER DIEM OF \$110.00 FOR CONDUCTING AN ELECTION RECOUNT; TO BRING FORWARD SECTION 23-15-5, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE NEW SECTION 23-15-395, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO PROMULGATE RULES AND REGULATIONS FOR THE REVIEW, CERTIFICATION AND DECERTIFICATION AND IMPLEMENTATION OF ALL VOTING SYSTEMS; TO CREATE NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR WHO FAILS TO RESPOND TO A CONFIRMATION NOTICE AND WHO FAILS TO VOTE DURING A CERTAIN PERIOD OF TIME SHALL BE REMOVED FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE DEFINITIONS FOR "CONFIRMATION NOTICE" AND "FAILS TO RESPOND TO THE CONFIRMATION NOTICE"; TO PROVIDE THOSE REGISTERED VOTERS WHO SHALL RECEIVE CONFIRMATION NOTICES; TO PROVIDE THAT A REGISTERED VOTER WHO IS MAILED A CONFIRMATION NOTICE SHALL BE PLACED ON INACTIVE STATUS IN THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM BUT SHALL BE ABLE TO VOTE BY AFFIDAVIT BALLOT; TO PROVIDE THE TIME FOR REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO AMEND SECTION 23-15-125, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF AN ATTEMPTED VOTER DOES NOT PROVIDE PROOF OF CITIZENSHIP WITHIN 30 DAYS OF THE RECEIPT OF NOTIFICATION THAT THE VOTER HAS BEEN FLAGGED AS A POTENTIAL NONCITIZEN, THE REGISTRAR, OR HIS OR HER DESIGNEE, WHERE THE PERSON REGISTERED TO VOTE SHALL PURGE THE VOTER FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE AN APPEAL PROCESS FOR THE VOTER; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO BRING FORWARD SECTION 23-15-603, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE THE VETERANS ENFRANCHISING ACT TO PROVIDE THAT A VETERAN WHO COMMITTED A NONVIOLENT, DISENFRANCHISING CRIME SHALL HAVE HIS RIGHT TO VOTE

AUTOMATICALLY RESTORED ONCE HE HAS SATISFIED ALLOT THE SENTENCING REQUIREMENTS; AND FOR RELATED PURPOSES.

Senator Tate offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 54 after the word "shall" and insert the following language:

audit all eighty-two (82) counties by

FURTHER, AMEND on lines 54 and 55 by deleting the words "select four (4)" and insert in lieu thereof the following language "selecting"

FURTHER, AMEND on line 55, after "districts" insert the following language "during the 2023 and 2024 General Elections"

FURTHER, AMEND on line 56, change "selected" to "selecting"

FURTHER, AMEND on line 58, after the word "less" insert the following "in each county"

FURTHER, AMEND on line 105, after the period, insert the following sentence:

The report shall first list all counties audited alphabetically with any major finding which may affect the outcome of the election and whether any voters were disenfranchised, then list out a detailed report of any major or minor findings, along with recommended changes to both county and Secretary of State practices.

FURTHER, AMEND on line 370 by striking "brought forward" and insert in lieu thereof "amended"

FURTHER, AMEND on lines 384-386 by striking the following language:

shall be used as follows:

- (i) Seventy percent (70%) of the monies in the special fund

FURTHER, AMEND on line 395, insert a period after "officials" and then insert the following sentence thereafter:

The counties shall ensure all computers with access to the Statewide Election Management System are equipped with appropriate security measures to protect private information of the registered voter and the integrity of Mississippi elections, and these funds may be used to purchase such security measures.

FURTHER, AMEND after the above inserted sentence starting on line 395 and ending on line 398, delete the following:

; and

- (ii) The remaining thirty percent (30%) of the monies in the special fund shall be deposited in the State General Fund.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1310 was adopted.

Senator Blount offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND by striking the following language from lines 439 - 441 and re-lettering subsequent paragraphs accordingly:

(c) A registered voter who has failed to vote at least

once in the previous two (2) years which must include two (2) general federal elections; and"

FURTHER, AMEND by striking the following language from lines 452 - 455:

No registered voter shall be sent a confirmation notice under paragraph (c) of this subsection if he or she has been sent a confirmation notice for those same reasons within the last six (6) years.

FURTHER, AMEND the title to conform.

Amendment No. 2 to Committee Amendment No. 1 to H. B. No. 1310 failed.

Senator Parker offered the following AMENDMENT NO. 3 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 707 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 3 to Committee Amendment No. 1 to H. B. No. 1310 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1310 was adopted.

YEAS AND NAYS On H. B. No. 1310. On motion of Senator Tate, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams. Total--32.

Nays--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Thomas, Turner-Ford. Total--15.

Absent and those not voting--Younger. Total--1.

Senator Barrett, who would have voted yea on H. B. No. 1310, announced a pair with Senator Simmons S. (13th), who would have voted nay.

Senator Sojourner, who would have voted nay on H. B. No. 1310, announced a pair with Senator McDaniel, who would have voted yea.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1216:** Circuit judges and chancellors; increase office operating and expense allowances and support staff funding.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9-1-36, Mississippi Code of 1972, is amended as follows:

9-1-36. (1) Each circuit judge and chancellor shall receive an office operating allowance for the expenses of operating the office of the judge, including retaining a law clerk, legal research, stenographic help, stationery, stamps, furniture, office equipment, telephone, office rent and other items and expenditures necessary and incident to maintaining the office of judge. The allowance shall be paid only to the extent of actual expenses incurred by the judge as itemized and certified by the judge to the Supreme Court in the amounts set forth in this subsection; however, the judge may expend sums in excess thereof from the compensation otherwise provided for his office. \* \* \* Part of this expense or allowance \* \* \* may be used to pay an official court reporter for services rendered to \* \* \* the court.

\* \* \*

\* \* \* From and after July 1, \* \* \* 2023, the office operating allowance under this subsection shall be \* \* \* Fifteen Thousand Dollars (\$15,000.00) per annum.

(2) In addition to the amounts provided for in subsection (1), there is \* \* \* created a separate office allowance fund for the purpose of providing support staff to judges. This fund shall be managed by the Administrative Office of Courts.

(3) Each judge who desires to employ support staff after July 1, 1994, shall make application to the Administrative Office of Courts by submitting to the Administrative Office of Courts a proposed personnel plan setting forth what support staff is deemed necessary. The plan may be submitted by a single judge or by any combination of judges desiring to share support staff. In the process of the preparation of the plan, the judges, at their request, may receive advice, suggestions, recommendations and other assistance from the Administrative Office of Courts. The Administrative Office of Courts must approve the positions, job descriptions and salaries before the positions may be filled. The Administrative Office of Courts shall not approve any plan which does not first require the expenditure of the funds in the support staff fund for compensation of any of the support staff before expenditure is authorized of county funds for that purpose. Upon approval by the Administrative Office of Courts, the judge or judges may appoint the employees to the position or positions, and each employee so appointed will work at the will and pleasure of the judge or judges who appointed him but will be employees of the Administrative Office of Courts. Upon approval by the Administrative Office of Courts, the appointment of any support staff shall be evidenced by the entry of an order on the minutes of the court. When support staff is appointed jointly by two (2) or more judges, the order setting forth any appointment shall be entered on the minutes of each participating court.

(4) The Administrative Office of Courts shall develop and promulgate minimum qualifications for the certification of court administrators. Any court administrator appointed on or after October 1, 1996, shall be required to be certified by the Administrative Office of Courts.

(5) Support staff shall receive compensation pursuant to personnel policies established by the Administrative Office of Courts \*\*\* in an amount of \*\*\* One Hundred Thousand Dollars (\$100,000.00) per fiscal year per judge for whom all support staff is approved for the funding of support staff assigned to a judge or judges \*\*\*.

\*\*\*

The Administrative Office of Courts may approve expenditures from the fund for additional equipment for support staff appointed pursuant to this section in any year in which the allocation per judge is sufficient to meet the equipment expense after provision for the compensation of the support staff.

(6) For the purposes of this section, the following terms \*\*\* have the meaning ascribed \*\*\* in this subsection unless the context clearly requires otherwise:

(a) "Judges" means circuit judges and chancellors, or any combination thereof \*\*\*.

(b) "Support staff" means court administrators, law clerks, legal research assistants or secretaries, or any combination thereof, but shall not mean school attendance officers \*\*\*.

(c) "Compensation" means the gross salary plus all amounts paid for benefits or otherwise as a result of employment or as required by employment; \*\*\* however, \*\*\* only salary earned for services rendered shall be reported and credited for Public Employees' Retirement System purposes. Amounts paid for benefits or otherwise, including reimbursement for travel expenses, shall not be reported or credited for retirement purposes \*\*\*.

(d) "Law clerk" means a clerk hired to assist a judge or judges who has a law degree or who is a full-time law student who is making satisfactory progress at an accredited law school.

(7) Title to all tangible property, excepting stamps, stationery and minor expendable office supplies, procured with funds authorized by this section, shall be and forever remain in the State of Mississippi to be used by the circuit judge or chancellor during the term of his office and thereafter by his successors.

(8) Any circuit judge or chancellor who did not have a primary office provided by the county on March 1, 1988, shall be allowed an additional \*\*\* Seven Thousand Dollars (\$7,000.00) per annum to defray the actual expenses incurred by the judge or chancellor in maintaining an office; however, any circuit judge or chancellor who had a primary office provided by the county on March 1, 1988, and who vacated the office space after that date for a legitimate reason, as determined by the Department of Finance and Administration, shall be allowed the additional office expense allowance provided under this subsection. The county in which a circuit judge or chancellor sits is authorized to provide funds from any available source to assist in defraying the actual expenses to maintain an office.

(9) The Supreme Court, through the Administrative Office of Courts, shall submit to the Department of Finance and Administration the itemized and certified expenses for office operating allowances that are directed to the court pursuant to this section.

(10) The Supreme Court, through the Administrative Office of Courts, shall have the power to adopt rules and regulations regarding the administration of the office operating allowance authorized pursuant to this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE OFFICE OPERATING ALLOWANCE, SUPPORT STAFF FUNDING AND THE ADDITIONAL OFFICE EXPENSE ALLOWANCE PAYABLE TO CIRCUIT JUDGES AND CHANCELLORS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1216 was adopted.

YEAS AND NAYS On H. B. No. 1216. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks called up the following entitled bill:

**H. B. No. 771:** HELP Grant and MTAG Programs; revise level of funding provided to eligible students.

Senator Parks offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-106-75, Mississippi Code of 1972, is amended as follows:

37-106-75. (1) The Legislature hereby establishes the Higher Education Legislative Plan Grant Program.

(2) For purposes of this section:

(a) "Institution of higher education" shall mean any state institution of higher learning or public community or junior college, or any regionally accredited, state-approved, nonprofit two-year or four-year college or university located in the State of Mississippi approved by the board.

(b) "Tuition" shall mean the semester or trimester or term charges and all required fees imposed by an institution of higher education as a condition of enrollment by all students. However, for a two-year nonpublic institution of higher education defined in paragraph (a), the tuition payments shall not exceed the average charges and fees required by all of the two-year public institutions of higher education defined in paragraph (a), and for a four-year public and nonpublic institution of higher education defined in paragraph (a), the tuition payments shall not exceed the \* \* \* the lowest amount of

charges and fees required by \* \* \* any four-year public institutions of higher education defined in paragraph (a).

(3) Subject to the availability of funds, the state may pay the tuition of students who enroll at any state institution of higher education to pursue an academic undergraduate degree who apply for the assistance under the program and who meet all of the following qualifications:

(a) Resident of the State of Mississippi. Resident status for the purpose of receiving assistance under this chapter shall be determined in the same manner as resident status for tuition purposes in Sections 37-103-1 through 37-103-29, with the exception of Section 37-103-17;

(b) Graduate from high school within the two (2) years preceding the application with a minimum cumulative grade point average of 2.5 calculated on a 4.0 scale;

(c) Successfully complete, as certified by the high school counselor or other school official, high school coursework which includes the College Preparatory Curriculum (CPC) approved by the Board of Trustees of State Institutions of Higher Learning and required for admission into a state university;

(d) Have a composite score on the American College Test of at least twenty (20) on the 1989 version or an equivalent concordant value on an enhanced version of such test;

(e) Have no criminal record, except for misdemeanor traffic violations; and

(f) Be in financial need.

(4) Subject to the availability of funds, the state may pay the tuition of students who enroll at any state institution of higher education to pursue an academic undergraduate degree or associate degree who apply for assistance under the program and who meet the qualifications in paragraphs (a), (e) and (f) of subsection (3) but who fail to meet one (1) of the particular requirements established by paragraph (b), (c) or (d) of subsection (3) by an amount of ten percent (10%) or less.

(5) To maintain continued state payment of tuition, once enrolled in an institution of higher education, a student shall meet all of the following requirements:

(a) Make steady academic progress toward a degree, earning not less than the minimum number of hours of credit required for full-time standing in each academic period requiring such enrollment;

(b) Maintain continuous enrollment for not less than two (2) semesters or three (3) quarters in each successive academic year, unless granted an exception for cause by the board;

(c) Have a cumulative grade point average of at least 2.5 calculated on a 4.0 scale at the end of the first academic year and thereafter maintain such a cumulative grade point average as evaluated at the end of each academic year;

(d) Have no criminal record, except for misdemeanor traffic violations; and

(e) Be in financial need.

(6) The provisions of this section shall be administered by the board. The board may promulgate rules for all matters necessary for the implementation of this section. By rule, the board shall provide for:



(a) A mechanism for informing all students of the availability of the assistance provided under this section early enough in their schooling that a salutary motivational effect is possible;

(b) Applications, forms, financial audit procedures, eligibility and other program audit procedures and other matters related to efficient operation;

(c) A procedure for waiver through the 1996-1997 academic year of the program eligibility requirement for successful completion of a specified core curriculum upon proper documentation by the applicant that failure to comply with the requirement is due solely to the fact that the required course or courses were not available to the applicant at the school attended.

(7) An applicant shall be found to be in financial need if:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Forty-two Thousand Five Hundred Dollars (\$42,500.00); or

(b) The family has an annual adjusted gross income of less than Forty-two Thousand Five Hundred Dollars (\$42,500.00) plus Five Thousand Dollars (\$5,000.00) for each additional child under the age of twenty-one (21).

The annual adjusted gross income of the family shall be verified by completion of the Free Application for Federal Student Aid (FAFSA) and the completion of the verification process if the applicant is selected for it.

As used in this subsection, the term "family" for an unemancipated applicant means the applicant, the applicant's parents and other children under age twenty-one (21) of the applicant's parents. The term "family" for an emancipated applicant means the applicant, an applicant's spouse, and any children under age twenty-one (21) of the applicant and spouse.

(8) No student shall receive a grant under this section in an amount greater than the tuition charged by the school. The student must apply for a federal grant prior to receiving state funds.

SECTION 2. Section 37-106-29, Mississippi Code of 1972, is brought forward as follows:

37-106-29. (1) There is established the Mississippi Resident Tuition Assistance Grant Program for college or university freshmen, sophomores, juniors and seniors to be administered by the Mississippi Postsecondary Education Financial Assistance Board established under Section 37-106-9, Mississippi Code of 1972, which shall set the dates and deadlines for applying for an award under this section. The board shall establish such rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

(2) The board shall approve grants to full-time freshmen, sophomore, junior and senior Mississippi residents who meet the general requirements for student eligibility as provided in subsection (4) of this section.

(3) Mississippi Resident Tuition Assistance Grants shall be for Mississippi resident students from any Mississippi family whose prior year adjusted gross income (AGI) exceeds the maximum allowed to qualify for full Pell Grant eligibility and campus-based federal aid. Those Mississippi students qualifying for less than the full Pell Grant award shall receive a Mississippi Resident Tuition Assistance Grant in an amount not to exceed the maximum Pell Grant allowable for that individual student. The award shall be applied

to tuition, rooms and meals, books, materials and fees not to exceed One Thousand Dollars (\$1,000.00) for junior and senior students attending state institutions of higher learning in Mississippi or four-year regionally accredited, state-approved, nonprofit colleges and universities in Mississippi, and Five Hundred Dollars (\$500.00) for freshmen and sophomores attending state institutions of higher learning or public community or junior colleges in Mississippi, or regionally accredited, state-approved, nonprofit two-year or four-year colleges in Mississippi, which will be prorated per term, semester or quarter of the academic year for costs of attendance, calculated according to the formula specified in subsection (8) of this section.

(4) The general requirements for initial eligibility of students for Mississippi Resident Tuition Assistance Grants consist of the following:

(a) Member of a Mississippi family whose prior year adjusted gross income (AGI) exceeds the maximum allowed to qualify for Pell Grant eligibility and campus-based federal aid.

(b) Acceptance for enrollment at any state institution of higher learning or public community or junior college located in Mississippi, or any regionally accredited, state-approved, nonprofit two-year or four-year college or university located in Mississippi and approved by the board.

(c) Completion of a secondary education as follows:

(i) Graduation from high school verified by the institution before disbursement of award with a minimum grade point average of 2.5 calculated on a 4.0 scale after seven (7) semesters as certified by the high school counselor or other authorized school official on the application; or

(ii) Attendance at a home education program during grade levels 9 through 12; or

(iii) Satisfactory completion of the High School Equivalency Diploma; or

(iv) Successful completion of the International Baccalaureate Program.

(d) A minimum score of fifteen (15) on the ACT test except that any student entering a vocational or technical program of study, or who has satisfactorily completed the High School Equivalency Diploma Test and attends a community or junior college will not be required to have a test score under the ACT unless a student enrolls in courses of academic study.

(e) Any student currently enrolled in any qualified institution shall have to only meet the same requirements as students who are applying for a renewal award.

(5) By accepting a Mississippi Resident Tuition Assistance Grant, the student is attesting to the accuracy, completeness and correctness of information provided to demonstrate the student's eligibility. Falsification of such information shall result in the denial of any pending grant and revocation of any award currently held to the extent that no further payments shall be made. Any student knowingly making false statements in order to receive a grant shall be guilty of a misdemeanor punishable, upon conviction thereof, by a fine of up to Ten Thousand Dollars (\$10,000.00), a prison sentence of up to one (1) year in the county jail, or both, and shall be required to return all Mississippi Resident Tuition Assistance Grants wrongfully obtained.

(6) Eligibility for renewal of Mississippi Resident Tuition Assistance Grants shall be evaluated at the end of each semester, or term, of each academic year. As a condition for renewal, a student shall:

(a) Make steady academic progress toward a certificate or degree, as outlined in the school Satisfactory Academic Progress Standards and certified by the institution's registrar.

(b) Maintain continuous enrollment for not less than two (2) semesters or three (3) quarters in each successive academic year, unless granted an exception for cause by the administering board; examples of cause may include student participation in a cooperative program, internship program or foreign study program. If a student fails to maintain continuous enrollment, and is not granted an exception for cause by the administering board, the student is ineligible to receive the Mississippi Resident Tuition Assistance Grant during the following semester or trimester or term of the regular academic year.

(c) Have a cumulative grade point average of at least 2.50 calculated on a 4.0 scale at the end of each semester or trimester or term.

(7) Each student, each year, must complete a Free Application for Federal Student Aid form or a Statement of Certification as designed by the administering board to determine his/her eligibility for a Mississippi Resident Tuition Assistance Grant.

(8) (a) The amount of the Mississippi Resident Tuition Assistance Grant awarded to any one (1) student, up to the maximum amount provided in subsection (3) of this section, shall be the difference of the student's cost of attendance at his accredited college of choice and the amount of federal aid such student may receive, not to supplant but to supplement the amount of any federal aid awarded to the student. Cost of attendance is the tuition and fees of the applicable institution plus an allowance for room and meals and books and materials.

(b) Payment of the Mississippi Resident Tuition Assistance Grant shall be made payable to the recipient and the educational institution and mailed directly to the institution, to be applied first to tuition.

(9) In order for an institution to remain eligible for its students to participate in the Mississippi Resident Tuition Assistance Grant Program, the institution shall comply with the following requirements:

(a) A complete and accurate roster of the eligibility status of each awarded student shall be made to the board for each term, semester or quarter of the academic year the student receives a Mississippi Resident Tuition Assistance Grant.

(b) The institution is required to make refunds to the Mississippi Resident Tuition Assistance Grant Fund for any funds which have not been disbursed to the recipient, in the case of students who have received a grant but who terminate enrollment during the academic term, semester or quarter of the academic year if an institution's refund policies permit a student to receive a refund in such instance. The recipient shall be responsible for the refund of any funds which have been disbursed by the institution in such instance.

(c) If a student drops below full-time status but does not terminate all enrollment during the term, semester or quarter of the academic year no refund will be required for that term. However, that student is ineligible to receive the Mississippi Resident Tuition Assistance Grant during the following term, semester or quarter of the regular academic year.

(d) The board may conduct its own annual audits of any institution participating in the Mississippi Resident Tuition Assistance Grant Program. The board may suspend or revoke an institution's eligibility to receive future monies under the program if it finds that the institution has not complied with the provisions of this section. In determining a student's initial eligibility, the number of prior semesters enrolled will not be counted against the student.

(10) No student may receive a Mississippi Resident Tuition Assistance Grant for more than the equivalent semesters or quarters required to complete one (1) baccalaureate degree or one (1) certificate or associate degree program per institution.

(11) No student receiving a Mississippi Eminent Scholars Grant as provided in Section 37-106-31 shall be eligible to receive the Mississippi Resident Tuition Assistance Grant pursuant to this section unless he is eligible for such award after the Mississippi Eminent Scholars Grant has been considered by the board when conducting an assessment of the financial resources available to the student. In no case shall any student receive any combination of student financial aid that would exceed the cost of attendance, as defined in subsection (8)(a).

For purposes of this section, certificated shall mean, but not be limited to, all postsecondary vocational programs in eligible institutions approved by the board.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-106-75, MISSISSIPPI CODE OF 1972, TO SET THE MAXIMUM TUITION AMOUNT FOR INSTITUTIONS OF HIGHER EDUCATION FOR THE HIGHER EDUCATION LEGISLATIVE PLAN (HELP) GRANT PROGRAM BY REVISING THE DEFINITION OF "TUITION"; TO BRING FORWARD SECTION 37-106-29, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE MISSISSIPPI RESIDENT TUITION ASSISTANCE GRANT PROGRAM (MTAG); AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 771 was adopted.

YEAS AND NAYS On H. B. No. 771. On motion of Senator Parks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Whaley called up the following entitled bill:

**H. B. No. 769:** Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as.

Senator Whaley offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The wildlife management area formerly known as the Tuscumbia Wildlife Management Area, located in Alcorn County, Mississippi, shall be named the Harvey Moss Wildlife Management Area at Tuscumbia.

The Department of Finance and Administration shall erect appropriate signs and markers in a prominent place at the wildlife management area to indicate the name of the area.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DESIGNATE THE WILDLIFE MANAGEMENT AREA, FORMERLY KNOWN AS THE TUSCUMBIA WILDLIFE MANAGEMENT AREA, AS THE HARVEY MOSS WILDLIFE MANAGEMENT AREA AT TUSCUMBIA; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 769 was adopted.

YEAS AND NAYS On H. B. No. 769. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Whaley called up the following entitled bill:

**H. B. No. 923:** Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as.

Senator Whaley offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-4-37, Mississippi Code of 1972, is amended as follows:

49-4-37. (1) The Department of Wildlife, Fisheries and Parks may establish and operate a fish hatchery in North Mississippi, to be named the Bob Tyler Fish Hatchery, at a site to be determined by the department with the approval of the commission to enable the department to adequately stock public lakes and streams in North Mississippi. For such purpose, the department shall use those funds that are made available by any agency of the state or federal government, an appropriation by the Legislature or any other source. The department is designated as the governing authority of any such fish hatchery and the operation and maintenance of the fish hatchery shall meet the standards of the department and state law regarding the operation of a fish hatchery. The department may accept funds from any source and those funds shall be used to pay the maintenance, operational and administrative expenses of the fish hatchery.

(2) The Tombigbee River Valley Water Management District is authorized to transfer to the Department of Wildlife, Fisheries and Parks fee title of no more than eighty (80) acres of approved replacement land to be surveyed from the following tract of land:

The Northeast Quarter of the Northwest Quarter of Section 20, Township 12, Range 8, Monroe County, Mississippi, containing 40 acres more or less.

All that land in the Northeast Quarter; north of a line starting at monument stamped "LA-42A"; and running northeasterly to a monument stamped "LA-43", Section 20, Township 12, Range 8, Monroe County, Mississippi, containing 105.42 acres more or less.

The land shall be transferred once an acceptable lease agreement between the Mississippi Department of Wildlife, Fisheries and Parks and the U.S. Army Corps of Engineers is secured and the department is given the authority and appropriation to construct a fish hatchery.

(3) The Mississippi Department of Wildlife, Fisheries and Parks shall have the authority to transfer the land necessary to reach the equal value for lands offered by the U.S. Army Corps of Engineers for the construction of a fish hatchery.

SECTION 2. Section 57-61-32, Mississippi Code of 1972, is amended as follows:

57-61-32. (1) Notwithstanding any provision of this chapter to the contrary, the Commission on Wildlife, Fisheries and Parks shall certify to the department the amount of money necessary to defray the cost of the state's share in constructing the \* \* \* Bob Tyler Fish Hatchery that is located in North Mississippi, which amount shall not be more than Four Million Dollars (\$4,000,000.00); and the department shall, if funds have not otherwise been made available, provide a grant for such amount out of the proceeds of bonds issued under this chapter. Of the funds provided hereunder, any amounts not expended on the fish hatchery shall be remitted to the department for deposit into the Mississippi Business Investment Sinking Fund.

The private match requirements of Section 57-61-9(2)(d), Mississippi Code of 1972, shall not apply to any loan or grant made under this section.

(2) Notwithstanding any provision of this chapter to the contrary, the Commission on Wildlife, Fisheries and Parks shall certify to the department the amount of money necessary to defray the costs of the state's share in constructing the water diversion project on the lower East Pearl River, beginning at the Wilson Slough Breakout down through the Farris Slough and Holmes Bayou to the Hobolochitto Creek, which amount shall not be more than Four Million Dollars (\$4,000,000.00); and if the United States Army Corps of Engineers receives approval for the construction of such project, and if the United

States has committed funding for the project, then the department shall provide a grant for such amount out of the proceeds of bonds issued under this chapter. Of the funds provided in this subsection, any amounts not expended on the project described herein shall be remitted to the department for deposit into the Mississippi Business Investment Sinking Fund. The provisions of this subsection (2) shall stand repealed from and after December 31, 2002.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 49-4-37 AND 57-61-32, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE FISH HATCHERY THAT IS LOCATED IN NORTH MISSISSIPPI AS THE BOB TYLER FISH HATCHERY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 923 was adopted.

YEAS AND NAYS On H. B. No. 923. On motion of Senator Whaley, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Kirby moved that the rules be suspended to move to the Rules Calendar, items 10 - 32, and the motion prevailed.

Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 558, S. C. R. No. 559, S. C. R. No. 561, S. C. R. No. 562, S. C. R. No. 563, S. C. R. No. 564, S. C. R. No. 565, S. R. No. 44, S. R. No. 45, S. R. No. 46, S. R. No. 47, S. R. No. 48, S. R. No. 49, S. R. No. 50, S. R. No. 51, S. R. No. 52, S. R. No. 53, S. R. No. 54, S. R. No. 55, S. R. No. 56, S. R. No. 57, S. R. No. 58 and S. R. No. 59 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 558:** Extending condolences of Legislature to surviving family of Motown recording artist/songwriter Barrett Strong of West Point.

**S. C. R. No. 559:** Congratulate Ricky Stenhouse from Olive Branch for winning the Daytona 500.

**S. C. R. No. 561:** Designate March 2023 as "American Red Cross Month in Mississippi."

**S. C. R. No. 562:** Designate October 2023 as "Walker Montgomery National Catfishing Awareness Month in Mississippi."

**S. C. R. No. 563:** Designate March 5-11, 2023, as "National School Social Work Week in Mississippi."

**S. C. R. No. 564:** Designate March 2023 as "Brain Injury Awareness Month in Mississippi" to promote treatment and prevention.

**S. C. R. No. 565:** Recognize Walthall County Constable Raymond Gutter on his retirement and three-decade law enforcement service.

**S. R. No. 44:** Recognize Bobby Morgan, Vice President of Public Affairs at Atmos Energy as Ole Miss Alumni Assn 2023 "40 Under 40" award.

**S. R. No. 45:** Congratulate nine Mississippi professional football players who played in the 2023 NFL Super Bowl.

**S. R. No. 46:** Recognize national defense operations and installations in Mississippi and the mission of the Defense Communities Development Council.

**S. R. No. 47:** Commend East Central High School "Hornets" Baseball Team for winning the 2022 MHSAA Class 5A State Championship.

**S. R. No. 48:** Commend 2022 Gautier High School "Gators" Boys Golf Team for winning first MHSAA 5A State Championship.

**S. R. No. 49:** Commend Ocean Springs High School Cheer Team for back-to-back MHSAA 6A State Championships.

**S. R. No. 50:** Commend Simpson County Academy "Cougars" Boys Basketball Team for winning back-to-back MAIS 5A State Championships.

**S. R. No. 51:** Extend condolences of Senate to surviving family of Jackson minority business pioneer Roy L. Dixon, Sr.

**S. R. No. 52:** Recognize judicial career of Chancellor Lawrence "Larry" Primeaux, 12th Chancery Court District, on his retirement.

**S. R. No. 53:** Commend 2021 and 2022 JSU "Tigers" Men's Cross-Country Team for winning consecutive SWAC Championships.

**S. R. No. 54:** Commend 2022 JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed for third straight SWAC Championship.

**S. R. No. 55:** Commend 2022 JSU "Lady Tigers" Women's Tennis Team and Head Coach Gabrielle Moore for SWAC Championship.

**S. R. No. 56:** Commend 2022 JSU "Tigers" Soccer Team for SWAC Championship and Coach Flogaites as "SWAC Coach of the Year".

**S. R. No. 57:** Commemorate the 50th Anniversary of USM Air Force Reserve Officer Training Corps (AFROTC) Detachment 432.

**S. R. No. 58:** Honor the legacy of Marine Gunnery Sergeant Zachary Taylor of Jackson, Mississippi, a Montford Point Marine, on his 100th Birthday.



**S. R. No. 59:** Commend Brookhaven Academy "Lady Cougars" Girls Basketball Team and Coach Ron Kessler for winning MAIS 5A Championship.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 558, S. C. R. No. 559, S. C. R. No. 561, S. C. R. No. 562, S. C. R. No. 563, S. C. R. No. 564, S. C. R. No. 565, S. R. No. 44, S. R. No. 45, S. R. No. 46, S. R. No. 47, S. R. No. 48, S. R. No. 49, S. R. No. 50, S. R. No. 51, S. R. No. 52, S. R. No. 53, S. R. No. 54, S. R. No. 55, S. R. No. 56, S. R. No. 57, S. R. No. 58 and S. R. No. 59. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Horhn, Jackson and Thomas as co-authors of **S. C. R. No. 558**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Caughman, England, Jackson, McCaughn, Parker and Suber as co-authors of **S. C. R. No. 559**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Hickman, Jackson, McCaughn, Thomas and Thompson as co-authors of **S. C. R. No. 561**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Jackson, McCaughn and Thomas as co-authors of **S. C. R. No. 562**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Frazier and Jackson as co-authors of **S. C. R. No. 563**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Caughman, Frazier, Hickman and Jackson as co-authors of **S. C. R. No. 564**.

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Unanimous consent was granted to add Senator Barnett as co-author of **S. C. R. No. 565**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Hickman, Hopson, Horhn, Jackson and McCaughn as co-authors of **S. R. No. 44**.

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Unanimous consent was granted to add Senators Butler K. (38th), Caughman, Hopson, McCaughn, Suber, Thomas and Thompson as co-authors of **S. R. No. 45**.

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Unanimous consent was granted to add Senators Barnett, Jackson and Thompson as co-authors of **S. R. No. 46**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 47**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 48**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 49**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 50**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Horhn as co-authors of **S. R. No. 51**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Hickman and Hopson as co-authors of **S. R. No. 52**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Jackson as co-authors of **S. R. No. 53**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Caughman, Hickman and Jackson as co-authors of **S. R. No. 54**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Hickman and Jackson as co-authors of **S. R. No. 55**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Hickman and Jackson as co-authors of **S. R. No. 56**.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), Hopson, Jackson, McCaughn and Seymour as co-authors of **S. R. No. 57**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Caughman, Hopson, Horhn, Jackson, McCaughn and Seymour as co-authors of **S. R. No. 58**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 59**.

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Senator Blount entered a motion to reconsider the vote whereby **H. B. No. 1020** passed the Senate as amended.

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize.

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Senator Fillingane entered a motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2622**.

**S. B. No. 2622:** Mississippi Prior Authorization Reform Act; enact.

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Senator Simmons D. T. (12th) entered a motion to reconsider the vote whereby **H. B. No. 1110** passed the Senate as amended.

**H. B. No. 1110:** Second Amendment Financial Privacy Act; create.

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Senator McCaughn entered a motion to reconsider the vote whereby **H. B. No. 769** passed the Senate as amended.

**H. B. No. 769:** Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as.

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Senator McCaughn entered a motion to reconsider the vote whereby **H. B. No. 923** passed the Senate as amended.

**H. B. No. 923:** Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as.

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Senator Butler A. (36th) moved that when the Senate adjourns, it adjourn in memory of Carolyn White Hill of Claiborne County, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Edwin "Glenn" Gibson, Mary E. Parten, William Herman Horne, James Leroy Riley, Raymond Lamar Massey and Margaret Virginia Johnson Barlow of Meridian, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of John Thomas Norman, Jr. of Bogue Chitto, MS.

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Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Retired State Trooper Lieutenant Thomas J. Hopkins, Sr. of Bolton, MS.

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## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2073:** Age of majority; lower to 18 for securing loans and entering contracts for real property.

**S. B. No. 2103:** Definitions and penalties regarding regulation of gasoline and petroleum products; extend repealer on.

**S. B. No. 2139:** Mississippi USA Semiquincentennial Commission and Mississippi Semiquincentennial Celebration Fund; create.

**S. B. No. 2339:** Provision of law establishing energy efficiency standards for building construction; extend repealer on.

**S. B. No. 2359:** Tourism; Mississippi Main Street Revitalization Grant Program.

**S. B. No. 2382:** Out-of-state lawyers; required to disclose whether licensed to practice law in Mississippi in television ads.

**S. B. No. 2511:** Destination marketing organizations; bring forward provision related to.

**S. B. No. 2673:** Mississippi Real Estate Appraisal Board; make independent from Mississippi Real Estate Commission.

**S. B. No. 2841:** Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag.

**S. B. No. 2887:** State Treasurer; modify certain provisions concerning the deposit and investment of excess state funds.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate adjourn until 10:00 AM, Wednesday, March 8, 2023.

The motion prevailed, and at 6:35 PM, the Senate stood adjourned in memory of Carolyn White Hill, Edwin "Glenn" Gibson, Mary E. Parten, William Herman Horne, James Leroy Riley, Margaret Virginia Johnson Barlow, John Thomas Norman, Jr., Retired State Trooper Lieutenant Thomas J. Hopkins, Sr. and Raymond Lamar Massey.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, MARCH 7, 2023

**S. R. No. 62:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE GERMANTOWN HIGH SCHOOL "LADY MAVERICKS" GIRLS BASKETBALL TEAM AND HEAD COACH JAMIE GLASGOW FOR WINNING THEIR FIRST MHSAA 6A STATE CHAMPIONSHIP.

By Senator(s) Thomas

**S. R. No. 63:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE YAZOO CITY HIGH SCHOOL "INDIANS" BOYS BASKETBALL TEAM AND COACH ANTHONY CARLYLE FOR WINNING THE MHSAA CLASS 4A STATE CHAMPIONSHIP FOR THE FIRST TIME IN 27 YEARS.

By Senator(s) Thomas

**S. R. No. 64:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST RANKIN HIGH SCHOOL "COUGARS" BOYS BASKETBALL TEAM AND HEAD COACH JOSHUA LUCKETT FOR WINNING ITS FIRST MHSAA 6A STATE CHAMPIONSHIP IN A HIGHLY ANTICIPATED "BATTLE FOR RANKIN COUNTY."

By Senator(s) Harkins, Kirby, Caughman

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SIXTY-FIFTH DAY, WEDNESDAY, MARCH 8, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Barry E. Thompson, Pastor, Springhill Missionary Baptist Church, Port Gibson, MS and Mt. Sinai Missionary Baptist Church, Sibley, MS.

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Senator Butler A. (36th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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## INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

Senator Hopson called up the following entitled bill:

**H. B. No. 1048:** "Universal Changing Tables Installation Incentive Grant Program Act"; establish to be administered by Mississippi Department of Rehabilitation Services.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and cited as the "Universal Changing Tables Installation Incentive Grant Program Act."

SECTION 2. (1) There is established the Universal Changing Tables Installation Incentive Grant Program for the purpose and intent of providing financial assistance to public entities located within the State of Mississippi to install universal changing tables in one or more restrooms in existing or proposed facilities under its control.

(2) Any state agency, department, municipal or county governing authority exercising ownership and control over any public facility which is accessible to the public, may be entitled to receive grants up to a maximum amount of Five Thousand Dollars (\$5,000.00) for each universal changing table installed in one or more restrooms in existing or proposed facilities under its control. Based upon a determination by the Mississippi Department of Rehabilitation Services, relative to the funds made available for the awarding of grants for the purpose specified in this act, the department may increase or decrease the number of grants awarded accordingly under the authority prescribed in Section 3 of this act.

(3) Grants shall be funded from monies appropriated by the Legislature to the department for that purpose, or any other source of funding made available to the department for purposes of this act. Grants shall be awarded on the basis of available funds on a first-come, first-served basis, provided that grant applicants satisfy the criteria established by the department for the awarding of grants.

(4) To cover the costs of administering the grant program in accordance with this act, the Department of Rehabilitation Services may receive up to one percent (1%) of any appropriation received by the department for the awarding of grants.

SECTION 3. (1) The Mississippi Department of Rehabilitation Services shall administer the Universal Changing Tables Installation Incentive Grant Program and shall have the following powers and duties:

- (a) Receiving applications for grants under the grant program;
- (b) Determining the eligibility of applicants and paying the grants from any funds available;
- (c) Adopting and enforcing appropriate rules and regulations regarding forms designed to be used by applicants for grants and the eligibility of applicants;
- (d) Developing criteria for evaluating the growing need for the installation of universal changing tables, including, but not be limited to:

(i) The percentage of the state's population living with a physical disability; and

(ii) The number of existing public facilities currently equipped with a universal changing table;

(e) Developing the administrative policy for the grant program;

(f) Promulgating rules and regulations pertaining to the implementation and operation of the grant program;

(g) Establishing a budget to support the activities of the program and periodically reviewing and, if appropriate, revising, the amount of the grants offered through the program;

(h) Any other rules and regulations as the department may deem necessary or appropriate to carry out the purposes and intent of the grant program; and

(i) Collaborating with the Department of Archives and History and the Department of Finance and Administration to ensure that the integrity of facilities designated as historic landmarks is not compromised by the installation of a universal changing table within such facilities.

(2) When reviewing applications for grant awards, the department shall give priority to applicants whose applications specify that in the installation of the universal changing table, the table is:

(a) Powered and height-adjustable, for safety of the person and caregiver assisting;

(b) Placed in single occupancy restrooms, universal to gender;

(c) Placed in a room with a minimum size of at least ten (10) feet by fourteen and six-tenths (14.6) feet, which allows for a turning radius of sixty (60) inches for the wheelchair in the middle of the room and thirty-six (36) inches of space at one (1) end of the table; and

(d) Made known to the visitors by the placement of clearly visible signage at the entrance of the building.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE UNIVERSAL CHANGING TABLES INSTALLATION INCENTIVE GRANT PROGRAM ACT FOR THE PURPOSES OF CREATING FINANCIAL INCENTIVES TO PUBLIC ENTITIES LOCATED WITHIN THE STATE OF MISSISSIPPI TO INSTALL UNIVERSAL CHANGING TABLES WITHIN THE RESTROOM OF FACILITIES UNDER THEIR CONTROL; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF REHABILITATION SERVICES SHALL ADMINISTER THE PROGRAM; TO PROVIDE THAT GRANTS SHALL BE FUNDED FROM MONIES APPROPRIATED BY THE LEGISLATURE AND ANY OTHER SOURCES OF FUNDS MADE AVAILABLE TO THE DEPARTMENT FOR THAT PURPOSE; TO PROVIDE THAT THE GRANTS SHALL BE AWARDED SUBJECT TO AVAILABLE FUNDING; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1048 was adopted.

YEAS AND NAYS On H. B. No. 1048. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting---None.

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Senator Michel called up the motion to reconsider the vote whereby **H. B. No. 544** passed the Senate and moved that it be reconsidered:

**H. B. No. 544:** Valued policy law; exempt builder's risk insurance policies from.

The foregoing motion prevailed.

YEAS AND NAYS On H. B. No. 544. On motion of Senator Michel, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting---None.

Voting Present--McLendon, McMahan. Total--2.

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Senator Wiggins called up the motion to reconsider the vote whereby **H. B. No. 1020** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize.

The foregoing motion prevailed.

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Senator Michel called up the motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2622** and moved that the motion to reconsider be tabled:

**S. B. No. 2622:** Mississippi Prior Authorization Reform Act; enact.

The foregoing motion prevailed.

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Senator Caughman called up the motion to reconsider the vote whereby **H. B. No. 1110** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 1110:** Second Amendment Financial Privacy Act; create.

The foregoing motion prevailed.

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Senator Caughman called up the following House Amendment to **S. B. No. 2647** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-35-4.1, Mississippi Code of 1972, is amended as follows:

73-35-4.1. (1) (a) In connection with any real estate transaction, the size or area, in square footage or otherwise, of the subject property, if provided by any real estate licensee in accordance with paragraph (b)(i) and (ii), shall not be considered any warranty or guarantee of the size or area information, in square footage or otherwise, of the subject property.

(b) (i) If a real estate licensee provides any party to a real estate transaction with third-party information concerning the size or area, in square footage or otherwise, of the subject property involved in the transaction, the licensee shall identify the source of the information.

(ii) For the purposes of this section, "third-party information" means:

1. An appraisal or any measurement information prepared by a licensed appraiser;
2. A surveyor developer's plan prepared by a licensed surveyor;
3. A tax assessor's public record; or
4. A builder's plan used to construct or market the property.

(c) A real estate licensee has no duty to the seller or purchaser of real property to conduct an independent investigation of the size or area, in square footage or otherwise, of a subject property, or to independently verify the accuracy of any third-party information.

(d) A real estate licensee who has complied with the requirements of this section, as applicable, shall have no further duties to the seller or purchaser of real property regarding disclosed or undisclosed property size or area information, and shall not be subject to liability to any party for any damages sustained with regard to any conflicting measurements or opinions of size or area, including exemplary or punitive damages.

(2) (a) If a real estate licensee has provided third-party information to any party to a real estate transaction concerning size or area of the subject real property, a party to the real estate transaction may recover damages from the licensee in a civil action only

when a licensee knowingly violates the duty to disclose the source of the information as required in this section. However, nothing in this act shall provide immunity from civil liability to any licensee who knowingly misrepresents the size or area of the subject real property.

(b) The sole and exclusive civil remedy at common law or otherwise for a violation of this section by a real estate licensee shall be an action for actual damages suffered by the party as a result of such violation and shall not include exemplary or punitive damages.

(c) For any real estate transaction commenced after the effective date of this section, any civil action brought pursuant to this section shall be commenced within two (2) years after the date of transfer of the subject real property.

(d) In any civil action brought pursuant to this section, the prevailing party shall be allowed court costs and reasonable attorney fees to be set by the court and collected as costs of the action.

(e) A transfer of a possessory interest in real property subject to the provisions of this section may not be invalidated solely because of the failure of any person to comply with the provisions of this section.

(f) The provisions of this section shall apply to, regulate and determine the rights, duties, obligations and remedies, at common law or otherwise, of the seller marketing the seller's real property for sale through a real estate licensee, and of the purchaser of real property offered for sale through a real estate licensee, with respect to disclosure of third-party information concerning the subject real property's size or area, in square footage or otherwise, and this section hereby supplants and abrogates all common-law liability, rights, duties, obligations and remedies of all parties therefor.

(3) Notwithstanding any other provision of law to the contrary, no real estate licensee shall have any duty or obligation nor be subject to discipline or other action of any kind by any licensing authority of the State of Mississippi, pertaining to information required to be disclosed by Sections 89-1-501 through 89-1-523 or delivery of information required to be disclosed by Sections 89-1-501 through 89-1-523.

(4) The Mississippi Real Estate Commission shall not promulgate any rule or regulation, nor make any administrative or other interpretation, whereby any real estate licensee may be held responsible or subject to discipline or other actions by the commission relating to the provisions of this section or the information required to be disclosed by Sections 89-1-501 through 89-1-523 or delivery of information required to be disclosed by Sections 89-1-501 through 89-1-523.

SECTION 2. Section 89-1-503, Mississippi Code of 1972, is amended as follows:

89-1-503. (1) The transferor of any real property subject to Sections 89-1-501 through 89-1-523 shall deliver to the prospective transferee the written property condition disclosure statement required by Sections 89-1-501 through 89-1-523, as follows:

(a) In the case of a sale, as soon as practicable before transfer of title.

(b) In the case of transfer by a real property sales contract, or by a lease together with an option to purchase, or a ground lease coupled with improvements, as soon as practicable before execution of the contract. For the purpose of this paragraph, "execution" means the making or acceptance of an offer.

With respect to any transfer subject to paragraph (a) or (b), the transferor shall indicate compliance with Sections 89-1-501 through 89-1-523 either on the receipt for

deposit, the real property sales contract, the lease, or any addendum attached thereto or on a separate document.

If any disclosure, or any material amendment of any disclosure, required to be made by Sections 89-1-501 through 89-1-523, is delivered after the execution of an offer to purchase, the transferee shall have three (3) days after delivery in person or five (5) days after delivery by deposit in the mail, to terminate his or her offer by delivery of a written notice of termination to the transferor or the transferor's agent.

(2) If a transferor of real property subject to Sections 89-1-501 through 89-1-523 shall fail to deliver the disclosure statement required by Sections 89-1-501 through 89-1-523, or fails to complete some portion of the disclosure statement, the prospective transferee is presumed to be on notice to inquire of the transferor concerning the content of the disclosure or the lack thereof. Any duly licensed real estate broker or salesperson involved with the transaction shall have no duty or obligation nor be subject to discipline or other action of any kind by any licensing authority of the State of Mississippi, pertaining to the disclosure or the failure of any disclosure to comply with Sections 89-1-501 through 89-1-523.

SECTION 3. Section 89-1-505, Mississippi Code of 1972, is amended as follows:

89-1-505. (1) \* \* \* The transferor \* \* \* shall not be liable for any error, inaccuracy or omission of any information delivered pursuant to Sections 89-1-501 through 89-1-523 if the error, inaccuracy or omission was not within the personal knowledge of the transferor \* \* \*, was based on information timely provided by public agencies or by other persons providing information as specified in subsection (2) that is required to be disclosed pursuant to Sections 89-1-501 through 89-1-523, and ordinary care was exercised in obtaining and transmitting \* \* \* the information.

(2) The delivery of any information required to be disclosed by Sections 89-1-501 through 89-1-523 to a prospective transferee by a public agency or other person providing information required to be disclosed pursuant to Sections 89-1-501 through 89-1-523 shall be deemed to comply with the requirements of Sections 89-1-501 through 89-1-523 and shall relieve the transferor \* \* \* of any further duty under Sections 89-1-501 through 89-1-523 with respect to that item of information.

(3) The delivery of a report or opinion prepared by a licensed engineer, land surveyor, geologist, structural pest control operator, contractor or other expert, dealing with matters within the scope of the professional's license or expertise, shall be sufficient compliance for application of the exemption provided by subsection (1) if the information is provided to the prospective transferee pursuant to a request therefor, whether written or oral. In responding to such a request, an expert may indicate, in writing, an understanding that the information provided will be used in fulfilling the requirements of Section 89-1-509 and, if so, shall indicate the required disclosures, or parts thereof, to which the information being furnished is applicable. Where such a statement is furnished, the expert shall not be responsible for any items of information, or parts thereof, other than those expressly set forth in the statement.

(4) No listing or selling agent shall be liable for any error, inaccuracy or omission of any information delivered pursuant to Sections 89-1-501 through 89-1-523.

(5) The Mississippi Real Estate Commission shall not promulgate any rule or regulation, nor make any administrative or other interpretation, whereby any real estate licensee may be held responsible or subject to discipline or other actions by the commission relating to the provisions of this section or the information required to be disclosed by Sections 89-1-501 through 89-1-523 or delivery of information required to be disclosed by Sections 89-1-501 through 89-1-523.

SECTION 4. Section 89-1-507, Mississippi Code of 1972, is amended as follows:

89-1-507. If information disclosed in accordance with Sections 89-1-501 through 89-1-523 is subsequently rendered inaccurate as a result of any act, occurrence or agreement subsequent to the delivery of the required disclosures, the inaccuracy resulting therefrom does not constitute a violation of Sections 89-1-501 through 89-1-523. If at the time the disclosures are required to be made, an item of information required to be disclosed is unknown or not available to the transferor, and the transferor \* \* \* has made a reasonable effort to ascertain it, the transferor may use an approximation of the information, provided the approximation is clearly identified as such, is reasonable, is based on the best information available to the transferor \* \* \*, and is not used for the purpose of circumventing or evading Sections 89-1-501 through 89-1-523.

SECTION 5. Section 89-1-515, Mississippi Code of 1972, is amended as follows:

89-1-515. Any disclosure made pursuant to Sections 89-1-501 through 89-1-523 may be amended in writing by the transferor \* \* \*, but the amendment shall be subject to the provisions of Section 89-1-503.

SECTION 6. Section 89-1-519, Mississippi Code of 1972, is amended as follows:

89-1-519. \* \* \* (1) No person or entity \* \* \* shall \* \* \* be deemed the agent of the transferor or transferee for purposes of the disclosure requirements of Sections 89-1-501 through 89-1-523 \* \* \*.

(2) Notwithstanding any other provision of law to the contrary, no real estate licensee shall have any duty or obligation nor be subject to discipline or other action of any kind by any licensing authority of the State of Mississippi, pertaining to information required to be disclosed by Sections 89-1-501 through 89-1-523 or delivery of information required to be disclosed by Sections 89-1-501 through 89-1-523.

SECTION 7. Section 89-1-523, Mississippi Code of 1972, is amended as follows:

89-1-523. No transfer subject to Sections 89-1-501 through 89-1-523 shall be invalidated solely because of the failure of any person to comply with any provision of Sections 89-1-501 through 89-1-523. \* \* \*

SECTION 8. Section 73-35-21, Mississippi Code of 1972, is amended as follows:

73-35-21. (1) Except as otherwise provided in this section, the commission may, upon its own motion and shall upon the verified complaint in writing of any person, hold a hearing pursuant to Section 73-35-23 for the refusal of license or for the suspension or revocation of a license previously issued, or for such other action as the commission deems appropriate. The commission shall have full power to refuse a license for cause or to revoke or suspend a license where it has been obtained by false or fraudulent representation, or where the licensee in performing or attempting to perform any of the acts mentioned herein, is deemed to be guilty of:

(a) Making any substantial misrepresentation in connection with a real estate transaction;

(b) Making any false promises of a character likely to influence, persuade or induce;

(c) Pursuing a continued and flagrant course of misrepresentation or making false promises through agents or salespersons or any medium of advertising or otherwise;

(d) Any misleading or untruthful advertising;

(e) Acting for more than one (1) party in a transaction or receiving compensation from more than one (1) party in a transaction, or both, without the knowledge of all parties for whom he acts;

(f) Failing, within a reasonable time, to account for or to remit any monies coming into his possession which belong to others, or commingling of monies belonging to others with his own funds. Every responsible broker procuring the execution of an earnest money contract or option or other contract who shall take or receive any cash or checks shall deposit, within a reasonable period of time, the sum or sums so received in a trust or escrow account in a bank or trust company pending the consummation or termination of the transaction. "Reasonable time" in this context means by the close of business of the next banking day;

(g) Entering a guilty plea or conviction in a court of competent jurisdiction of this state, or any other state or the United States of any felony;

(h) Displaying a "for sale" or "for rent" sign on any property without the owner's consent;

(i) Failing to furnish voluntarily, at the time of signing, copies of all listings, contracts and agreements to all parties executing the same;

(j) Paying any rebate, profit or commission to any person other than a real estate broker or salesperson licensed under the provisions of this chapter;

(k) Inducing any party to a contract, sale or lease to break such contract for the purpose of substituting in lieu thereof a new contract, where such substitution is motivated by the personal gain of the licensee;

(l) Accepting a commission or valuable consideration as a real estate salesperson for the performance of any of the acts specified in this chapter from any person, except his employer who must be a licensed real estate broker;

(m) Failing to successfully pass the commission's background investigation for licensure or renewal as provided in Section 73-35-10; or

(n) Any act or conduct, whether of the same or a different character than hereinabove specified, which constitutes or demonstrates bad faith, incompetency or untrustworthiness, or dishonest, fraudulent or improper dealing. However, simple contact and/or communication with any mortgage broker or lender by a real estate licensee about any professional, including, but not limited to, an appraiser, home inspector, contractor, and/or attorney regarding a listing and/or a prospective or pending contract for the lease, sale and/or purchase of real estate shall not constitute conduct in violation of this section.

(2) No real estate broker shall practice law or give legal advice directly or indirectly unless said broker be a duly licensed attorney under the laws of this state. He shall not act as a public conveyancer nor give advice or opinions as to the legal effect of instruments nor give opinions concerning the validity of title to real estate; nor shall he prevent or discourage any party to a real estate transaction from employing the services of an attorney; nor shall a broker undertake to prepare documents fixing and defining the legal rights of parties to a transaction. However, when acting as a broker, he may use an earnest money contract form. A real estate broker shall not participate in attorney's fees, unless the broker is a duly licensed attorney under the laws of this state and performs legal services in addition to brokerage services.

(3) It is expressly provided that it is not the intent and purpose of the Mississippi Legislature to prevent a license from being issued to any person who is found to be of good reputation, is able to give bond, and who has lived in the State of Mississippi for the required period or is otherwise qualified under this chapter.

(4) In addition to the reasons specified in subsection (1) of this section, the commission shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

(5) Nothing in this chapter shall prevent an associate broker or salesperson from owning any lawfully constituted business organization, including, but not limited to, a corporation, limited liability company or limited liability partnership, for the purpose of receiving payments contemplated in this chapter. The business organization shall not be required to be licensed under this chapter and shall not engage in any other activity requiring a real estate license.

(6) The Mississippi Real Estate Commission shall not promulgate any rule or regulation, nor make any administrative or other interpretation, whereby any real estate licensee may be held responsible or subject to discipline or other actions by the commission relating to the provisions of this section or the information required to be disclosed by Sections 89-1-501 through 89-1-523 or delivery of information required to be disclosed by Sections 89-1-501 through 89-1-523.

SECTION 9. Sections 89-1-521 and 89-1-525, Mississippi Code of 1972, which provide for certain disclosures and penalties of licensed real estate brokers and salespersons, are repealed.

SECTION 10. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-35-4.1, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR A REAL ESTATE LICENSEE REGARDING DISCLOSURE OF THE SIZE OR AREA OF PROPERTY; TO AMEND SECTIONS 89-1-503 AND 89-1-505, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR FAILURE OF A TRANSFEROR OF REAL PROPERTY TO PROVIDE CERTAIN INFORMATION; TO AMEND SECTIONS 89-1-507 AND 89-1-515, MISSISSIPPI CODE OF 1972, TO REMOVE REFERENCES TO AGENTS OF TRANSFERORS OF REAL PROPERTY; TO AMEND SECTION 89-1-519, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON OR ENTITY SHALL BE DEEMED THE AGENT OF THE TRANSFEROR OR TRANSFEREE FOR PURPOSES OF THE DISCLOSURE REQUIREMENTS OF SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 89-1-523, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY REGARDING SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE REAL ESTATE COMMISSION REGARDING; TO REPEAL SECTIONS 89-1-521 AND 89-1-525, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CERTAIN DISCLOSURES AND PENALTIES OF LICENSED REAL ESTATE BROKERS AND SALESPERSONS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2647** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Blackwell. Total--1.

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Senator Hill called up the following House Amendment to **S. B. No. 2392** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-5-22, Mississippi Code of 1972, is amended as follows:

19-5-22. (1) Fees for garbage or rubbish collection or disposal shall be assessed jointly and severally against the generator of the garbage or rubbish and against the owner of the property furnished the service. In addition to such fees, an additional amount not to exceed up to One Dollar (\$1.00) or ten percent (10%) per month, whichever is greater, on the current monthly bill may be assessed on the balance of any delinquent monthly fees. Any person who pays, as a part of a rental or lease agreement, an amount for garbage or rubbish collection or disposal services shall not be held liable upon the failure of the property owner to pay those fees.

(2) (a) Every generator assessed the fees authorized by Section 19-5-21 and the owner of the property occupied by that generator shall be jointly and severally liable for the fees.

(b) Subject to subsection (6) of this section, the fees shall be a lien upon the real property offered garbage or rubbish collection or disposal service.

(c) (i) The board of supervisors may assess the fees annually. If the fees are assessed annually, the fees for each calendar year shall be a lien upon the real property beginning on January 1 of the next immediately succeeding calendar year subject to subsection (6) of this section. The person or entity owing the fees, upon signing a form provided by the board of supervisors, may pay the fees in equal installments.

(ii) If fees are assessed on a basis other than annually, the fees shall become a lien upon the real property offered the service on the date that the fees become due and payable subject to subsection (6) of this section.

No real or personal property shall be sold to satisfy any lien imposed under this subsection (2).

(d) The county shall mail a notice of the lien, including the amount of unpaid fees and a description of the property subject to the lien, to the owner of the property.

(3) Liens created under subsection (2) may be discharged by filing with the \* \* \* chancery clerk a receipt or acknowledgement, signed by the designated county official or billing and collection entity, that the lien has been paid or discharged.

(4) (a) The board of supervisors may notify the tax collector of any unpaid fees assessed under Section 19-5-21 within ninety (90) days after the fees are due. Before notifying the tax collector, the board of supervisors shall provide notice of the delinquency to the person who owes the delinquent fees and shall afford an opportunity for a hearing, that complies with the due process protections the board deems necessary, consistent with the Constitutions of the United States and the State of Mississippi. The board of supervisors shall establish procedures for the manner in which notice shall be given and the contents of the notice; however, each notice shall include the amount of fees and shall prescribe the procedure required for payment of the delinquent fees. The board of supervisors may designate a disinterested individual to serve as hearing officer. The board of supervisors shall continue to update the delinquency notice to the tax collector at least once per quarter of each year.

(b) Upon receipt of a delinquency notice, the tax collector shall not issue or renew a motor vehicle road and bridge privilege license for any motor vehicle owned by a person who is delinquent in the payment of fees unless those fees in addition to any other taxes or fees assessed against the motor vehicle are paid. Payment of all delinquent garbage fees shall be deemed a condition of receiving a motor vehicle road and privilege license tag.

(c) The tax collector may forward the motor vehicle road and privilege license tag renewal notices to the designated county official or entity that is responsible for the billing and collection of the county garbage fees. The designated county official or the billing and collection entity shall identify those license tags that shall not be issued due to delinquent garbage fees. The designated county official or the billing and collection entity shall stamp a message on the license tag renewal notices that the tag will not be renewed until delinquent garbage fees are paid. The designated county official or the billing and collection entity shall return the license tag notices to the tax collector before the first of the month.

(d) Any appeal from a decision of the board of supervisors under this section regarding payment of delinquent garbage fees may be taken as provided in Section 11-51-75.

(5) The board of supervisors may levy the garbage fees as a special assessment against the property in lieu of the lien authorized in this section. The board of supervisors shall certify to the tax collector the assessment due from the owner of the property. The tax collector shall enter the assessment upon the annual tax roll of the county and shall collect the assessment at the same time he collects the county ad valorem taxes on the property.

No real or personal property shall be sold to satisfy any assessment imposed under this subsection (5).

(6) Liens created under this statute shall be contained in the chancery clerk's office in a separate hard copy book format and/or a digital format and shall include all information necessary for the recording and indexing therein. The registry created herein shall be created on or before January 1, 2024.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 19-5-22, MISSISSIPPI CODE OF 1972, TO REQUIRE A COUNTY BOARD OF SUPERVISORS TO NOTIFY THE COUNTY TAX COLLECTOR WHEN UNPAID FEES ASSESSED UNDER SECTION 19-5-21 ARE PAST



DUE; TO REQUIRE THE TAX COLLECTOR TO INDEX THE DELINQUENCY NOTICE RECEIVED FROM THE BOARD OF SUPERVISORS; TO PROVIDE THAT LIENS CREATED UNDER THIS STATUTE SHALL BE AVAILABLE IN A REGISTRY IN THE CHANCERY CLERK'S OFFICE; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2392** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Turner-Ford called up the following House Amendment to **S. B. No. 2203** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Mississippi Department of Finance and Administration, acting on behalf of the Mississippi Department of Mental Health, is hereby authorized to survey, partition, transfer and convey all of the rights, title and interest in the three thousand two hundred seven (3,207) acres of certain real property located in Rankin County, Mississippi, acquired by the State of Mississippi in 1894 and more particularly described in the land records of the Office of Rankin County Chancery Clerk in Book 46 Page 38 and Book 46 Page 39, to (a) the state agencies and institutions currently situated and operating programs on said property; (b) the Mississippi Veterans Affairs Board for the establishment of a Veterans Nursing Home in Rankin County; and (c) the Mississippi State Department of Health for the establishment of a Counter—Measure Warehouse in Rankin County, as specifically provided in this section.

(2) In order to implement said transfers, upon completing a field survey, the Department of Finance and Administration is authorized to define and assign individual parcels of property for stage agencies/institutions who currently have and operate programs at buildings on this property with deeds to be titled "State of Mississippi for the Benefit and Use of \_\_\_\_\_."

The existing state agencies/institutions to be assigned parcels of property include the following:

- (a) The Mississippi Department of Mental Health (State Hospital and Hudspeth facility);
- (b) The State Fire Academy;
- (c) The Mississippi Department of Environmental Quality;
- (d) The Mississippi Department of Transportation;

(e) The Mississippi Forestry Commission;

(f) The Mississippi Department of Public Safety, including the Mississippi Law Enforcement Officers' Training Academy (MLEOTA), Highway Patrol Substation, Department Headquarters, and the Mississippi Crime Lab;

(g) The Mississippi Department of Education;

(h) The Mississippi Emergency Management Agency;

(i) The Department of Finance and Administration Office of Surplus Property;

(j) The Mississippi Department of Corrections correctional facility;

(k) The Mississippi State University Veterinary Laboratory; and

(l) The Poultry Research and Diagnostic Laboratory in the Mississippi State University College of Veterinary Medicine.

(3) Upon completing a field survey, the Department of Finance and Administration is authorized to define and assign the proposed site on said property for the new Veterans Nursing Home located in Rankin County to the northwest of Mississippi State Hospital east of State Highway 475 and west of the lake, to the Mississippi Veterans Affairs Board for the establishment, operation, maintenance and control of the said Veterans Nursing Home.

(4) Upon completing a field survey, the Department of Finance and Administration is authorized to define and assign the proposed site on said property for a Counter-Measure Warehouse located southwest of the Office of Surplus Property, to the Mississippi State Department of Health, for the establishment, operation, maintenance and control of said warehouse.

(5) Upon completing the field survey, the Department of Finance and Administration is authorized to define the sewer easements and facilitate the installation of flow meters into the sewer lines to be assigned to the Mississippi Department of Mental Health and the said Department of Mental Health is authorized to assess each agency or institution an amount proportionate to its use of sewer costs that the department pays to the West Rankin Utility District, on a continuing basis as determined by the flow meters installed within each agency's assigned sewer line.

(6) The balance of any unassigned property on said parcel shall be under the maintenance and control of the Mississippi Department of Finance and Administration until such time as it may be required for use to construct buildings or facilities as may be authorized by law, at which time the Department of Finance and Administration shall be authorized to define and assign parcels for such purpose. The Department of Mental Health shall have the right to execute leases on all remaining unassigned property solely for timber planting and harvesting purposes, and for which the department shall receive the proceeds from the sell of any timber harvested from the unassigned property, the funds from which shall be deposited to the State Treasury specifically for the department.

(7) The State of Mississippi shall retain all mineral rights in the parcels of property assigned to state agencies and institutions under this section.

SECTION 2. Section 35-1-19, Mississippi Code of 1972, is amended as follows:

35-1-19. There is hereby authorized to be established by the State Veterans Affairs Board, the Mississippi State Veterans Home on a site to be determined by the State

Veterans Affairs Board, with the approval of the Bureau of Building, Grounds and Real Property Management of the Governor's Office of General Services, when funds are made available for such purpose by any agency of the federal government or other sources. The object and purpose of the establishment of the Mississippi State Veterans Home shall be to provide domiciliary care and other related services for eligible veterans of the State of Mississippi.

One or more additional veterans homes or domiciliaries are hereby authorized to be established by the State Veterans Affairs Board on sites in northern, central or southern Mississippi, to be determined by the State Veterans Affairs Board, with the approval of the Department of Finance and Administration, when funds are made available for such purpose by any agency of the federal government or other sources. The Veterans Affairs Board shall give the three (3) regions, northern, southern and central priority as to where the veterans home shall be located, with the northern region having first priority, the southern region having the next level priority and the central region being third in order of priority. The Veterans Affairs Board shall establish and operate the veterans home in Rankin County under the provisions of this act. The object and purpose of the establishment of such additional homes or domiciliaries shall be to provide domiciliary care and other related services for eligible veterans of the State of Mississippi. The State Veterans Affairs Board shall not be required to obtain certificates of need to carry out the intent and purpose of this section.

SECTION 3. Section 35-1-21, Mississippi Code of 1972, is amended as follows:

35-1-21. (1) Upon the establishment of the Mississippi State Veterans Home, and any additional homes as may be established, including the State Veterans Home in Rankin County under the provisions of this act, the Mississippi State Veterans Affairs Board is hereby designated as the governing authority of any such facilities. The operation and maintenance of all veterans homes shall meet the standards of the United States Department of Veterans Affairs with regard to the operation of state veterans homes.

(2) The State Veterans Affairs Board may contract with nongovernmental entities or the United States Department of Veterans Affairs to operate and provide services to state veterans homes. The board may contract with the vendor whose proposal is most advantageous to the state and veterans, taking into consideration cost factors, program suitability factors, management plan, delivery of care and service to residents, excellence of program design, key personnel, corporate or company resources, financial condition of the vendor, corporate experience and past performance, and any other requirements deemed necessary by the board and expressed in its solicitation for proposals. Contract(s) awarded under this section may be for periods exceeding one (1) year. The board is not required to select the vendor offering the lowest cost proposal, but shall select the vendor who, in the board's discretion, offers the proposal most advantageous to the State of Mississippi and veterans. When any contract is awarded, the reason(s) for the awarding of the contract shall be entered on the minutes of the board. The provisions of this paragraph shall supersede any rule or regulation of the Public Procurement Review Board to the contrary.

(3) The State Veterans Affairs Board may, as permitted by federal laws or regulations, purchase from the United States Department of Veterans Affairs, from contracts established by the United States Department of Veterans Affairs, or through other sharing agreements between the board and the United States Department of Veterans Affairs, services, commodities, supplies and equipment for use in operation of, and provision of care to residents of, the state veterans homes when such purchases or agreements are advantageous to the veterans and the state.

(4) The State Veterans Affairs Board may operate and maintain the state veterans homes without entering into any contract for management purposes with any nongovernmental entity or the United States Department of Veterans Affairs to operate

the homes. In such instances, the State Veterans Affairs Board shall be solely responsible for the operation and maintenance of the state veterans homes and shall hire the administrators and all other personnel for the veterans homes. The mission of the State Veterans Affairs Board in managing the state veterans homes shall be to provide domiciliary care and other related services for eligible veterans in the most cost efficient manner.

(5) The State Department of Health shall perform an initial certification survey of the State Veterans Home in Collins, Mississippi, on or about July 1, 2000. The purpose of this initial survey is to provide a baseline for measuring the quality of care during the period for which this section applies. In addition to the initial certification survey, the State Department of Health shall, as appropriate and in its discretion, conduct periodic follow-up certification surveys, during the period for which this section applies, of the State Veterans Home in Collins, Mississippi.

SECTION 4. Section 35-1-23, Mississippi Code of 1972, is amended as follows:

35-1-23. The Mississippi State Veterans Home and additional homes authorized by Section 35-1-7 and Sections 35-1-19 to 35-1-29, including the State Veterans Home in Rankin County under the provisions of this act, are authorized to accept funds from any source whatever, including the federal government or any department or agency thereof. All such funds received by the veterans home including funds from the United States or any federal agency or program for the support of persons housed or buried on the grounds of the Mississippi State Veterans Home and additional homes shall be used by the State Veterans Affairs Board to pay maintenance, operational and administrative expenses and to further the object and purpose of the Mississippi State Veterans Home and additional homes.

SECTION 5. Section 35-1-25, Mississippi Code of 1972, is amended as follows:

35-1-25. It shall be the duty of the Mississippi State Veterans Affairs Board to determine the need and, within available funds for such purpose, to provide adequate staffing to operate the Mississippi State Veterans Home and such additional homes as may be constructed, including the State Veterans Home in Rankin County under the provisions of this act. The board is authorized, within available funds for such purpose, to purchase such equipment as necessary to facilitate the establishment and operation of the veterans homes.

SECTION 6. Section 35-1-27, Mississippi Code of 1972, is amended as follows:

35-1-27. The Mississippi Veterans Affairs Board shall determine and set conditions and standards for admission and dismissal of all persons to and from the Mississippi State Veterans Home and such additional homes as may be constructed, including the State Veterans Home in Rankin County under the provisions of this act. In addition, the board shall promulgate such rules and regulations as it deems necessary for the government of the Mississippi State Veterans Home and such additional homes as may be constructed. Such rules and regulations shall include the establishment of rates for patient care within the patient's ability to pay. All funds paid to the board by the veteran residents of state veterans homes to fund their monthly expenses at the state veterans homes shall be considered to be special funds held in a fiduciary capacity for the benefit of the residents of the state veterans homes.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH TO SURVEY, PARTITION, TRANSFER AND CONVEY ALL OF THE RIGHTS, TITLE AND INTEREST IN THE 3,207 ACRES OF CERTAIN REAL PROPERTY LOCATED IN RANKIN COUNTY, MISSISSIPPI, ACQUIRED BY THE STATE OF MISSISSIPPI IN 1894 TO THE STATE AGENCIES CURRENTLY SITUATED AND OPERATING ON SAID PROPERTY; TO IDENTIFY THE EXISTING STATE AGENCIES AND INSTITUTIONS TO BE ASSIGNED PARCELS OF THE SAID PROPERTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE AND ASSIGN PARCELS OF SAID PROPERTY TO THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD FOR THE ESTABLISHMENT AND OPERATION OF A NEW VETERANS NURSING HOME IN RANKIN COUNTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE AND ASSIGN PARCELS OF SAID PROPERTY TO THE MISSISSIPPI STATE DEPARTMENT OF HEALTH FOR THE ESTABLISHMENT AND OPERATION OF A NEW COUNTER-MEASURE WAREHOUSE IN RANKIN COUNTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE SEWER EASEMENTS ON SAID PROPERTY TO BE ASSIGNED TO THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH FOR CONTINUED OPERATION; TO PROVIDE THAT THE BALANCE OF ANY UNASSIGNED PROPERTY SHALL BE UNDER THE MANAGEMENT AND CONTROL OF THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION UNTIL SUCH TIME AS SAID PROPERTY IS REQUIRED FOR FUTURE BUILDINGS OR FACILITIES OF THE STATE OF MISSISSIPPI; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH TO ASSESS EACH STATE AGENCY UTILIZING SAID PROPERTY AN AMOUNT PROPORTIONATE TO THE USE OF WATER/SEWER COSTS PAID TO THE WEST RANKIN COUNTY UTILITY DISTRICT; TO AMEND SECTIONS 35-1-19, 35-1-21, 35-1-23, 35-1-25 AND 35-1-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI VETERANS AFFAIRS BOARD TO ESTABLISH, OPERATE, MAINTAIN, RECEIVE FUNDS FOR, EMPLOYEE PERSONNEL AND SET ADMISSION STANDARDS FOR THE NEW VETERANS NURSING HOME IN RANKIN COUNTY; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2203** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Blount, Frazier, Horhn, Norwood. Total--4.  
Absent and those not voting----None.

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Senator McMahan called up the following House Amendment to **S. B. No. 2890** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Board of Supervisors of Lee County, Mississippi, is authorized and empowered, in its discretion, to contribute from any available funds an

amount not to exceed Fifty Thousand Dollars (\$50,000.00) annually to the Sanctuary Hospice House.

(2) This section shall be repealed from and after July 1, 2027.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI, TO CONTRIBUTE ANNUALLY TO THE SANCTUARY HOSPICE HOUSE; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2890** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--McDaniel, Sojourner. Total--2.

Absent and those not voting----None.

Senator Hill moved that the rules be suspended to move to calendar item 42, **S. B. No. 2612**, and the motion prevailed.

Senator Hill called up the following House Amendment to **S. B. No. 2612** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-59-5, Mississippi Code of 1972, is amended as follows:

73-59-5. (1) (a) Any corporation, partnership or individual seeking to be licensed and examined under this chapter shall file with the board a written application on such form as may be prescribed by the board. Such application shall be accompanied by the payment of the license fee. If the application sufficiently contains the information required pursuant to this chapter, the applicant shall be examined by the board at its next meeting using a uniform written examination prescribed by the board. The board shall administer an oral examination to applicants who are unable to take the written examination. In addition, the board, in examining such applicant, shall consider the following:

( \*\* \*i) Experience;

( \*\* \*ii) Complaints; and

( \*\* \*iii) Other pertinent information the board may require.

(b) If, as a result of the examination, the board finds that the applicant is qualified to engage in residential construction or residential improvement in Mississippi, the applicant shall be issued a license. Any applicant rejected by the board shall be given the opportunity to be reexamined at the next regularly scheduled examination date after a new application has been filed and the license fee has again been paid.

(c) The board shall make and preserve a record of each examination of an applicant and the findings of the board pertaining to such examination. A certified copy of such record, omitting confidential test questions, shall be furnished to the applicant so requesting such record upon the payment of a fee to the board that reasonably reflects the cost of furnishing such record to the applicant.

(d) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64, Mississippi Code of 1972.

(e) Each application for a license under this chapter shall reveal any other states in which the applicant or any partner or business associate of the applicant is licensed and whether the applicant, partner or business associate has had a license revoked or suspended in any other state. If the applicant fails to provide this information, the board may deny or revoke the applicant's license. If the applicant has had a license revoked in another state, the board may deny the application for a license in this state.

(2) As an alternative to the examinations provided for under subsection (1) of this section, an applicant who is a person or entity required to be licensed by Section 73-59-3(1) may be issued a license by the board if the applicant:

(a) (i) Is licensed by a municipality and/or county and submits documentation that the applicant has passed a standardized examination such as an International Code Council (ICC) examination or a municipality or county administered examination; or

(ii) Can demonstrate, by notarized affidavit, that the applicant has been acting in the applicable capacity described in Section 73-59-3(1)(d) for not less than five (5) years and the applicant submits all of the following:

1. One (1) reference letter from a building official or board licensed contractor specifying the classification of work for which the applicant is seeking a license,

2. One (1) reference letter from a bank or other financial institution, and

3. One (1) general reference letter from a project owner, architect, supplier or similar person or entity; and

(b) Completes any applicable video course made available by the board and submits a certificate of completion for the course to the board.

No person required to be licensed under Section 73-59-3(1) may be issued a license under this subsection after December 31, 2023.

SECTION 2. Section 73-59-3, Mississippi Code of 1972, is brought forward as follows:

73-59-3. (1) Except as otherwise provided in Section 73-59-15 or Section 33-1-39, the following persons or entities shall be licensed by the board annually as an active licensee or inactive licensee, as appropriate:

- (a) Persons or entities acting in the capacity as a residential builder;
  - (b) Persons or entities acting in the capacity as a residential remodeler;
  - (c) Persons or entities acting in the capacity as a construction manager through a contract or an agreement with the owner of the property being improved or constructed upon;
  - (d) Any subcontractor, of any tier, performing the following work or within the following trade, on any residential construction or residential improvement project, no matter the dollar amount of the construction or improvements:
    - (i) Electrical;
    - (ii) Plumbing;
    - (iii) Mechanical; and/or
    - (iv) Heating, ventilation and/or air conditioning; and
  - (e) Persons or entities acting in the capacity as a residential solar contractor.
- (2) As a prerequisite to obtaining a license or renewal thereof, each of the persons or entities in subsection (1) of this section shall submit to the board:
- (a) Proof of workers' compensation insurance, if required by applicable law; however, workers' compensation insurance shall not be required for inactive licensees;
  - (b) A federal employment identification number or social security number.
- (3) The board may require liability insurance to be licensed under this chapter and it shall be reflected on the certificate of licensure; however, liability insurance shall not be required for inactive licensees.
- (4) The board shall issue or renew a license to persons or entities required by subsection (1) of this section to be licensed, upon payment to the board of the license fee. The initial license fee shall be Fifty Dollars (\$50.00). The license fee may thereafter be increased or decreased by the board and cannot exceed One Hundred Dollars (\$100.00); however, the receipts from fees collected by the board shall be no greater than the amount required to pay all costs and expenses incurred by the board in enforcing the provisions of this chapter. Twenty-five Dollars (\$25.00) of the fee required by this section which is assessed to residential builders licensed under the provisions of Section 73-59-1 et seq. shall be deposited to the Construction Education Fund created pursuant to Section 31-3-14 and shall be distributed to the Mississippi Housing Institute. The remaining fees collected under this chapter shall be deposited into the special fund in the State Treasury known as the "State Board of Contractors Fund" created pursuant to Section 31-3-17 and shall be used for the administration and enforcement of this chapter and as provided in Section 31-3-14. Amounts in such fund shall not lapse into the State General Fund at the end of a fiscal year. Interest accrued to such fund shall remain in the fund. All expenditures from the special fund shall be by requisition to the Department of Finance and Administration, signed by the executive director of the board and countersigned by the chairman or vice chairman of the board.
- (5) Except as provided in Section 33-1-39, the license shall expire on the last day of the twelfth month following its issuance or renewal and shall become invalid unless renewed. The board may notify by mail or email every licensee under this chapter of the date of the expiration of his license and the amount of the fee required for renewal of the



license for one (1) year. To receive notification by email, a licensee must notify the board of his desire to receive notification by email and provide an email address. Such notice may be mailed or emailed within thirty (30) days prior to the expiration date of the license. The failure on the part of any licensee to renew his license annually in such twelfth month shall not deprive such licensee of the right of renewal, provided that renewal is effected within one hundred eighty (180) days after the expiration date of the license by payment of the license fee plus a penalty of ten percent (10%) of the license fee. A new license required to replace a revoked, lost, mutilated or destroyed license may be issued, subject to the rules of the board, for a charge of not more than Fifty Dollars (\$50.00). An inactive licensee may become an active licensee upon application meeting all the requirements of this section.

(6) Any person who is not a resident of the State of Mississippi who desires to perform residential construction or residential improvement shall be licensed to perform such construction or improvement as provided by this chapter.

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-59-5, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR AN ALTERNATIVE EXAMINATION METHOD FOR CERTAIN PERSONS OR ENTITIES APPLYING FOR A LICENSE UNDER THE LAWS REGULATING RESIDENTIAL BUILDERS AND REMODELERS; TO BRING FORWARD SECTION 73-59-3, MISSISSIPPI CODE OF 1972, WHICH IS A SECTION OF THE LAWS REGULATING RESIDENTIAL BUILDERS AND REMODELERS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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Senator Seymour called up the following entitled bill:

**H. B. No. 677:** County veteran service officers; revise certain qualifications for.

Senator Seymour offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 35-3-21, Mississippi Code of 1972, is amended as follows:

35-3-21. In order to maintain offices and pay personnel for the purpose of assisting all residents of the State of Mississippi who served in the military or naval forces of the United States during any war, their relatives, beneficiaries or dependents, to receive from the United States any and all compensation, hospitalization, insurance or other aid or benefits to which they may be entitled under existing or hereafter enacted laws of the United States, the boards of supervisors in the various counties in the state are hereby authorized and empowered, in their discretion, to expend out of the general county fund, or special veterans' fund herein authorized to be set up, or from both of such funds, such monies necessary to defray the office operating expenses and salary of the county veteran service officers.

Two (2) or more counties may, upon resolution duly adopted by the board of supervisors of each of such counties, agree to establish one (1) veteran service office for all of such counties. When two (2) or more counties enter into such an agreement, each

county shall pay such amount mutually agreed upon and duly adopted by resolution of the respective boards of supervisors.

County veteran service officers shall be (a) honorably discharged or honorably released veterans; (b) the surviving spouse or child of any such \* \* \* veteran, living or deceased; or (c) any person employed as a county veteran service officer in any county of this state on March 30, 1990. From and after July 1, 1990, county veteran service officers shall be certified by the Mississippi State Veterans Affairs Board which, among any other criteria it may establish, shall require such officers to (a) attend one (1) of the annual training programs provided for such officers by the Mississippi State Veterans Affairs Board, (b) successfully complete a written examination each year on the duties and responsibilities of and assistance available to such officers and veterans, (c) have certification and be accredited according to 38 CFR Section 14.629 administered by the Mississippi State Veterans Affairs Board, and (d) follow the rules and regulations promulgated by the Mississippi State Veterans Affairs Board. County veteran service officers who annually receive and complete such instruction in a manner satisfactory to the Veterans Affairs Board and in accordance with this section shall be certified by the board. No county veteran service officer shall be entitled to receive any compensation for his services, to which he is otherwise entitled by law, unless he is annually certified by the board. Persons who cannot meet the accreditation standards of hours worked for county veteran service officers may be certified by the Mississippi State Veterans Affairs Board as Veterans Resource Advisors and be entitled to receive any compensation for his services as authorized by law.

County veteran service officers may be employed, in the discretion of the boards of supervisors, either full time or part time.

County veteran service officers shall be authorized and empowered to act for a veteran under a written power of attorney authorized by the veteran for the purpose of assisting with claims, benefits, and appeals in an administrative hearing before the United States Department of Veterans Affairs and any of its boards or departments, and shall be immune from legal action only for such actions except in cases of abuse, fraud or breach of fiduciary duty.

The boards of supervisors of the various counties are authorized and directed to provide necessary office space and communications connectivity for county veteran service officers.

The boards of supervisors of the various counties are further authorized and empowered to pay all necessary and actual expenses of county veteran service officers who attend a school of instruction within the State of Mississippi for such county veteran service officers.

It shall also be the duty of the boards of supervisors to aid the United States to defeat all unjust claims for aid or benefit therefrom.

Such expenditures may be made by the several counties acting alone, or in cooperation with other counties, and in cooperation with any federal or state agency carrying out such purposes.

In the event that the general revenues of the county levied under and within the limits of existing taxing statutes are not sufficient to pay the expenses authorized herein, the board of supervisors may, in its discretion, levy an additional tax not to exceed one (1) mill on all taxable property in the county to defray such expenses or any part thereof. Any tax levy made under authority of this chapter shall not be considered in refunding homestead exemption losses under Title 27, Chapter 33, Mississippi Code of 1972.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTY VETERAN SERVICE OFFICERS TO ACT FOR A VETERAN FOR CERTAIN SERVICES UNDER A WRITTEN POWER OF ATTORNEY AUTHORIZED BY THE VETERAN FOR THE PURPOSE OF ASSISTING WITH CLAIMS, BENEFITS, AND APPEALS IN AN ADMINISTRATIVE HEARING BEFORE THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS; TO PROVIDE COUNTY VETERAN SERVICE OFFICERS WITH LEGAL IMMUNITY FOR SUCH ACTIONS EXCEPT IN CASES OF ABUSE, FRAUD OR BREACH OF FIDUCIARY DUTY; TO REVISE CERTAIN QUALIFICATIONS FOR COUNTY VETERAN SERVICE OFFICERS; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 677 was adopted.

YEAS AND NAYS On H. B. No. 677. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Seymour called up the following entitled bill:

**H. B. No. 1029:** United States Space Force; provide that reference to "Armed Forces" and "Uniformed Services" in Mississippi law shall include members of.

Senator Seymour offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Wherever the term "Armed Forces" or "Uniformed Services" shall appear in the Mississippi Code of 1972, the term shall be construed to include members of the United States Space Force.

SECTION 2. Section 23-15-673, Mississippi Code of 1972, is amended as follows:

23-15-673. (1) For the purposes of this subarticle, the term "absent voter" shall mean and include the following persons if they are absent from their county of residence and are otherwise qualified to vote in Mississippi:

(a) Any enlisted or commissioned members, male or female, of the United States Army, or any of its respective components or various divisions thereof; any enlisted or commissioned members, male or female, of the United States Navy, or any of its

respective components or various divisions thereof; any enlisted or commissioned members, male or female, of the United States Air Force, or any of its respective components or various divisions thereof; any enlisted or commissioned members, male or female, of the United States Marines, or any of its respective components or various divisions thereof; or any persons in any division of the armed services of the United States; or any persons who are members of the United States Space Force, who are citizens of Mississippi;

(b) Any member of the Merchant Marine and the American Red Cross who is a citizen of Mississippi;

(c) Any disabled war veteran who is a patient in any hospital and who is a citizen of Mississippi;

(d) Any civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and who is a citizen of Mississippi;

(e) Any trained or certified emergency response provider who is deployed during the time period authorized by law for absentee voting, on election day, or during any state of emergency declared by the President of the United States or any Governor of any state within the United States;

(f) Any citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia;

(g) Any citizen of Mississippi enrolled as a student at the United States Naval Academy, the United States Coast Guard Academy, the United States Merchant Marine Academy, the United States Air Force Academy or the United States Military Academy.

(2) The spouse and dependents of any absent voter as set out in paragraphs (a) through (g) of subsection (1) of this section shall also be included in the meaning of absent voter and may register to vote and vote an absentee ballot as provided in this subarticle if also absent from the county of their residence on the date of the election and otherwise qualified to vote in Mississippi.

(3) For the purpose of this subarticle, the term "election" shall mean and include the following sets of elections: special and runoff special elections, preferential and general elections, first and second primary elections or general elections without preferential elections, whichever system is applicable.

SECTION 3. Section 33-1-1, Mississippi Code of 1972, is amended as follows:

33-1-1. In this chapter, and in Chapters 3, 5, 7, 9 and 11 of this title, the words:

(a) Military forces of the state shall mean the organized militia, the state retired list, the state reserve list, and the Mississippi State Guard, and all other components of the militia of the state which may hereafter be organized.

(b) Organized militia shall mean the Mississippi National Guard, including the Army National Guard and the Air National Guard, and the Mississippi State Guard when organized, and shall be deemed to include any unit, component, element, headquarters, staff or cadre thereof, as well as any member or members.

(c) Mississippi National Guard shall mean that part of the organized militia of this state which is organized, equipped and federally recognized under the provisions of the laws of the United States and of the State of Mississippi relating to the National Guard.

(d) Army National Guard shall mean the members of federally recognized units and organizations of the Mississippi National Guard which are a reserve component of the United States Army.

(e) Air National Guard shall mean the members of federally recognized units and organizations of the Mississippi National Guard which are a reserve component of the United States Air Force.

(f) Military shall include Army, Air and Naval Forces and the United States Space Force.

(g) Military fund shall mean any and all monies appropriated by the Legislature for the support of the militia and such other revenues as may be received or collected by the military department.

(h) Federal recognition or federally recognized shall mean acknowledgment by the Secretary of the Air Force or the Secretary of the Army that an individual has been appointed to an authorized grade and position vacancy appropriate to his qualifications in the Air National Guard, or the Army National Guard, and that he meets the prescribed federal requirements for such grade and position; or that the particular unit or organization has been recognized by the Secretary of the Air Force or the Secretary of the Army as a component of the Air National Guard or Army National Guard of the United States.

(i) Unit or organization shall mean a single military organization having a mission, function, and a structure prescribed by competent authority.

(j) Active state duty shall mean active military duty in other than a training status in or with a force of the organized militia or with the Adjutant General's Department, upon the orders of the Governor.

(k) State training duty shall mean military duty in a training status authorized under Title 32 of the United States Code, Annotated, and regulations issued thereunder.

(l) Service of the United States or active service of the United States shall mean any active military duty in the Armed Forces of the United States except duty for training purposes.

(m) Officer shall include commissioned officers and warrant officers of the militia of this state unless otherwise specified.

(n) Enlisted man shall be understood to designate members of the militia of this state other than officers and warrant officers.

(o) Gender—words importing the masculine gender only shall apply to female as well as male.

SECTION 4. Section 37-135-31, Mississippi Code of 1972, is amended as follows:

37-135-31.

Interstate Compact on Educational

Opportunity for Military Children

ARTICLE I

PURPOSE

Section 1. It is the purpose of this compact to remove barriers to educational success imposed on children of military families because of frequent moves and deployment of their parents by:

A. Facilitating the timely enrollment of children of military families and ensuring that they are not placed at a disadvantage due to difficulty in the transfer of education records from the previous school district(s) or variations in entrance/age requirements.

B. Facilitating the student placement process through which children of military families are not disadvantaged by variations in attendance requirements, scheduling, sequencing, grading, course content or assessment.

C. Facilitating the qualification and eligibility for enrollment, educational programs, and participation in extracurricular academic, athletic, and social activities.

D. Facilitating the on-time graduation of children of military families.

E. Providing for the promulgation and enforcement of administrative rules implementing the provisions of this compact.

F. Providing for the uniform collection and sharing of information between and among member states, schools, and military families under this compact.

G. Promoting coordination between this compact and other compacts affecting military children.

H. Promoting flexibility and cooperation between the educational system, parents, and the student in order to achieve educational success for the student.

## ARTICLE II

### DEFINITIONS

Section 2. As used in this compact, unless the context clearly requires a different construction:

A. "Active duty" means full-time duty status in the active uniformed service of the United States, including members of the National Guard and Reserve on active duty orders pursuant to 10 USC, Sections 1209 and 1211.

B. "Children of military families" means school-aged children, enrolled in Kindergarten through 12th Grade, in the household of an active duty member.

C. "Compact commissioner" means the voting representative of each compacting state appointed pursuant to Article VIII of this compact.

D. "Deployment" means the period one (1) month prior to the service members' departure from their home station on military orders through six (6) months after return to their home station.

E. "Educational records" means those official records, files, and data directly related to a student and maintained by the school or local education agency, including, but not limited to, records encompassing all the material kept in the student's cumulative folder such as general identifying data, records of attendance and of academic work completed, records of achievement and results of evaluative tests, health data, disciplinary status, test protocols, and individualized education programs.

F. "Extracurricular activities" means a voluntary activity sponsored by the school or local education agency or an organization sanctioned by the local education agency.

Extracurricular activities include, but are not limited to, preparation for and involvement in public performances, contests, athletic competitions, demonstrations, displays and club activities.

G. "Interstate Commission on Educational Opportunity for Military Children" means the commission that is created under Article IX of this compact, which is generally referred to as the Interstate Commission.

H. "Local education agency" means a public authority legally constituted by the state as an administrative agency to provide control of and direction for Kindergarten through 12th Grade public educational institutions.

I. "Member state" means a state that has enacted this compact.

J. "Military installation" means a base, camp, post, station, yard, center, homeport facility for any ship, or other activity under the jurisdiction of the Department of Defense, including any leased facility, which is located within any of the several states, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands, and any other U.S. Territory. Such term does not include any facility used primarily for civil works, river and harbor projects, or flood control projects.

K. "Nonmember state" means a state that has not enacted this compact.

L. "Receiving state" means the state to which a child of a military family is sent, brought, or caused to be sent or brought.

M. "Rule" means a written statement by the Interstate Commission promulgated pursuant to Article XII of this compact that is of general applicability; implements, interprets, or prescribes a policy or provision of the compact, or an organizational, procedural, or practice requirement of the Interstate Commission and has the force and effect of statutory law in a member state; and includes the amendment, repeal, or suspension of an existing rule.

N. "Sending state" means the state from which a child of a military family is sent, brought, or caused to be sent or brought.

O. "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the U.S. Virgin Islands, Guam, American Samoa, the Northern Marianas Islands, and any other U.S. Territory.

P. "Student" means the child of a military family for whom the local education agency receives public funding and who is formally enrolled in Kindergarten through 12th Grade.

Q. "Transition" means: (i) the formal and physical process of transferring from school to school or (ii) the period of time in which a student moves from one school in the sending state to another school in the receiving state.

R. "Uniformed services" means the Army, Navy, Air Force, Space Force, Marine Corps, Coast Guard, as well as the Commissioned Corps of the National Oceanic and Atmospheric Administration, and Public Health Services.

S. "Veteran" means a person who served in the active military, naval, or air service and who was discharged or released therefrom under conditions other than dishonorable.

### ARTICLE III

#### APPLICABILITY

Section 3. A. Except as otherwise provided in subsection B, this compact shall apply to the children of:

1. Active duty members of the uniformed services as defined in this compact, including members of the National Guard and Reserve on active duty orders pursuant to 10 USC, Sections 1209 and 1211;

2. Members or veterans of the uniformed services who are severely injured and medically discharged or retired for a period of one (1) year after medical discharge or retirement; and

3. Members of the uniformed services who die on active duty or as a result of injuries sustained on active duty for a period of one (1) year after death.

B. The provisions of this interstate compact shall only apply to local education agencies as defined in this compact.

C. The provisions of this interstate compact shall not apply to the children of:

1. Inactive members of the National Guard and Military Reserves;

2. Members of the uniformed services now retired, except as provided in subsection A;

3. Veterans of the uniformed services, except as provided in subsection A; and

4. Other U.S. Department of Defense personnel and other federal agency civilian and contract employees not defined as active duty members of the uniformed services.

#### ARTICLE IV

##### EDUCATIONAL RECORDS AND ENROLLMENT

Section 4. A. Unofficial or "hand-carried" education records. In the event that official education records cannot be released to the parents for the purpose of transfer, the custodian of the records in the sending state shall prepare and furnish to the parent a complete set of unofficial educational records containing uniform information as determined by the Interstate Commission. Upon receipt of the unofficial education records by a school in the receiving state, the school shall enroll and appropriately place the student based on the information provided in the unofficial records pending validation by the official records, as quickly as possible.

B. Official education records/transcripts. Simultaneous with the enrollment and conditional placement of the student, the school in the receiving state shall request the student's official education records from the school in the sending state. Upon receipt of this request, the school in the sending state will process and furnish the official education records to the school in the receiving state within ten (10) days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.

C. Immunizations. Compacting states shall give thirty (30) days from the date of enrollment or within such time as is reasonably determined under the rules promulgated by the Interstate Commission for students to obtain any immunization(s) required by the receiving state. For a series of immunizations, initial vaccinations must be obtained within thirty (30) days or within such time as is reasonably determined under the rules promulgated by the Interstate Commission.



D. Kindergarten and First Grade entrance age. Students shall be allowed to continue their enrollment at the grade level in the receiving state commensurate with their grade level (including kindergarten) from a local education agency in the sending state at the time of transition, regardless of age. A student who has satisfactorily completed the prerequisite grade level in the local education agency in the sending state shall be eligible for enrollment in the next highest grade level in the receiving state, regardless of age. A student transferring after the start of the school year in the receiving state shall enter the school in the receiving state on their validated level from an accredited school in the sending state.

## ARTICLE V

### PLACEMENT AND ATTENDANCE

Section 5. A. Course placement. When the student transfers before or during the school year, the receiving state school shall initially honor placement of the student in educational courses based on the student's enrollment in the sending state school and/or educational assessments conducted at the school in the sending state if the courses are offered. Course placement includes, but is not limited to, honors, International Baccalaureate, advanced placement, vocational, technical, and career pathway courses. Continuing the student's academic program from the previous school and promoting placement in academically and career challenging courses should be paramount when considering placement. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement and continued enrollment of the student in the course(s).

B. Educational program placement. The receiving state school shall initially honor placement of the student in educational programs based on current educational assessments conducted at the school in the sending state or participation/placement in like programs in the sending state. Such programs include, but are not limited to, (i) gifted and talented programs, and (ii) English as a second language (ESL). This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

C. Special education services. In compliance with the federal requirements of the Individuals with Disabilities Education Act (IDEA), 20 USC, Section 1400 et seq., the receiving state shall initially provide comparable services to a student with disabilities based on his/her current Individualized Education Program (IEP) and in compliance with the requirements of Section 504 of the Rehabilitation Act, 29 USC, Section 794, and with Title II of the Americans with Disabilities Act, 42 USC, Sections 12131-12165, and the receiving state shall make reasonable accommodations and modifications to address the needs of incoming students with disabilities, subject to an existing 504 or Title II Plan, to provide the student with equal access to education. This does not preclude the school in the receiving state from performing subsequent evaluations to ensure appropriate placement of the student.

D. Placement flexibility. Local education agency administrative officials shall have flexibility in waiving course/program prerequisites or other preconditions for placement in courses/programs offered under the jurisdiction of the local education agency.

E. Absence as related to deployment activities. A student whose parent or legal guardian is an active duty member of the uniformed services, as defined by the compact, and has been called to duty for, is on leave from, or has immediately returned from deployment to a combat zone or combat support posting, shall be granted additional excused absences at the discretion of the local education agency superintendent to visit with his or her parent or legal guardian relative to such leave or deployment of the parent or guardian.

## ARTICLE VI

## ELIGIBILITY

## Section 6. A. Eligibility for enrollment.

1. Special power of attorney, relative to the guardianship of a child of a military family, and executed under applicable law, shall be sufficient for the purposes of enrollment and all other actions requiring parental participation and consent;

2. A local education agency shall be prohibited from charging local tuition to a transitioning military child placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent; and

3. A transitioning military child, placed in the care of a noncustodial parent or other person standing in loco parentis who lives in a jurisdiction other than that of the custodial parent, may continue to attend the school in which he/she was enrolled while residing with the custodial parent.

B. Eligibility for extracurricular participation. State and local education agencies shall facilitate the opportunity for transitioning military children's inclusion in extracurricular activities, regardless of application deadlines, to the extent they are otherwise qualified.

## ARTICLE VII

## GRADUATION

Section 7. In order to facilitate the on-time graduation of children of military families, state and local education agencies shall incorporate the following procedures:

A. Waiver requirements. Local education agency administrative officials shall waive specific courses required for graduation if similar coursework has been satisfactorily completed in another local education agency or shall provide reasonable justification for denial. Should a waiver not be granted to a student who would qualify to graduate from the sending school, the local education agency shall provide an alternative means of acquiring required coursework so that graduation may occur on time.

B. Exit exams. States shall accept: (i) exit or end-of-course exams required for graduation from the sending state, (ii) national norm-referenced achievement tests, or (iii) alternative testing, in lieu of testing requirements for graduation in the receiving state. In the event the above alternatives cannot be accommodated by the receiving state for a student transferring in his or her senior year, then the provisions of Article VII, subsection C shall apply.

C. Transfers during senior year. Should a military student transferring at the beginning or during his or her senior year be ineligible to graduate from the receiving local education agency after all alternatives have been considered, the sending and receiving local education agencies shall ensure the receipt of a diploma from the sending local education agency, if the student meets the graduation requirements of the sending local education agency. In the event that one (1) of the states in question is not a member of this compact, the member state shall use best efforts to facilitate the on-time graduation of the student in accordance with subsections A and B of this Article.

## ARTICLE VIII

## STATE COORDINATION

Section 8. A. Each member state shall, through the creation of a State Council or use of an existing body or board, provide for the coordination among its agencies of

government, local education agencies, and military installations concerning the state's participation in, and compliance with, this compact and Interstate Commission activities. While each member state may determine the membership of its own State Council, its membership must include at least: (i) the State Superintendent of Education, (ii) the superintendent of a school district with a high concentration of military children, (iii) one (1) representative from a military installation, (iv) one (1) representative each from the legislative and executive branches of government, and other offices and stakeholder groups the State Council deems appropriate. A member state that does not have a school district deemed to contain a high concentration of military children may appoint a superintendent from another school district to represent local education agencies on the State Council.

B. The State Council of each member state shall appoint or designate a military family education liaison to assist military families and the state in facilitating the implementation of this compact.

C. The Governor of each member state shall appoint or designate a compact commissioner responsible for the administration and management of the state's participation in the compact and who is empowered to establish statewide policy related to matters governed by this compact.

D. The compact commissioner and the military family education liaison designated herein shall be ex officio members of the State Council, unless either is already a full voting member of the State Council.

#### ARTICLE IX

##### INTERSTATE COMMISSION ON EDUCATIONAL OPPORTUNITY

##### FOR MILITARY CHILDREN

Section 9. The member states hereby create the Interstate Commission on Educational Opportunity for Military Children. The activities of the Interstate Commission are the formation of public policy and are a discretionary state function. The Interstate Commission shall:

A. Be a body corporate and joint agency of the member states and shall have all the responsibilities, powers, and duties set forth herein and such additional powers as may be conferred upon it by a subsequent concurrent action of the respective Legislatures of the member states in accordance with the terms of this compact.

B. Consist of one (1) Interstate Commission voting representative from each member state who shall be that state's compact commissioner and who is empowered to establish statewide policy related to matters governed by this compact.

1. Each member state represented at a meeting of the Interstate Commission is entitled to one (1) vote;

2. A majority of the total member states shall constitute a quorum for the transaction of business, unless a larger quorum is required by the bylaws of the Interstate Commission;

3. A representative shall not delegate a vote to another member state. In the event the compact commissioner is unable to attend a meeting of the Interstate Commission, the Governor or State Council may delegate voting authority to another person from the state for a specified meeting; and

4. The bylaws may provide for meetings of the Interstate Commission to be conducted by telecommunication or electronic communication.

C. Consist of ex officio, nonvoting representatives who are members of interested organizations. Such ex officio members, as defined in the bylaws, may include, but not be limited to, members of the representative organizations of military family advocates, local education agency officials, parent and teacher groups, the U.S. Department of Defense, the Education Commission of the States, the Interstate Agreement on the Qualification of Educational Personnel, and other interstate compacts affecting the education of children of military members.

D. Meet at least once each calendar year. The chairperson may call additional meetings and, upon the request of a simple majority of the member states, shall call additional meetings.

E. Establish an executive committee, whose members shall include the officers of the Interstate Commission and such other members of the Interstate Commission as determined by the bylaws. Members of the executive committee shall serve a one-year term. Members of the executive committee shall be entitled to one (1) vote each. The executive committee shall have the power to act on behalf of the Interstate Commission, with the exception of rule-making, during periods when the Interstate Commission is not in session. The executive committee shall oversee the day-to-day activities of the administration of the compact, including enforcement and compliance with the provisions of the compact, its bylaws and rules, and other such duties as deemed necessary. The U.S. Department of Defense shall serve as an ex officio, nonvoting member of the executive committee.

F. Establish bylaws and rules that provide for conditions and procedures under which the Interstate Commission shall make its information and official records available to the public for inspection or copying. The Interstate Commission may exempt from disclosure information or official records to the extent they would adversely affect personal privacy rights or proprietary interests.

G. Public notice shall be given by the Interstate Commission of all meetings, and all meetings shall be open to the public, except as set forth in the rules or as otherwise provided in the compact. The Interstate Commission and its committees may close a meeting, or portion thereof, when it determines by two-thirds (2/3) vote that an open meeting would be likely to:

1. Relate solely to the Interstate Commission's internal personnel practices and procedures;
  2. Disclose matters specifically exempted from disclosure by federal and state statute;
  3. Disclose trade secrets or commercial or financial information that is privileged or confidential;
  4. Involve accusing a person of a crime or formally censuring a person;
  5. Disclose information of a personal nature where disclosure would constitute a clearly unwarranted invasion of personal privacy;
  6. Disclose investigative records compiled for law enforcement purposes;
- or
7. Specifically relate to the Interstate Commission's participation in a civil action or other legal proceeding.

H. For a meeting, or portion of a meeting, closed pursuant to the provisions of subsection G, the Interstate Commission's legal counsel or designee shall certify that the

meeting may be closed and shall reference each relevant exemptible provision. The Interstate Commission shall keep minutes, which shall fully and clearly describe all matters discussed in a meeting and shall provide a full and accurate summary of actions taken, and the reasons therefor, including a description of the views expressed and the record of a roll call vote. All documents considered in connection with an action shall be identified in such minutes. All minutes and documents of a closed meeting shall remain under seal, subject to release by a majority vote of the Interstate Commission.

I. The Interstate Commission shall collect standardized data concerning the educational transition of the children of military families under this compact as directed through its rules, which shall specify the data to be collected, the means of collection and data exchange, and reporting requirements. Such methods of data collection, exchange, and reporting shall, insofar as is reasonably possible, conform to current technology and coordinate its information functions with the appropriate custodian of records as identified in the bylaws and rules.

J. The Interstate Commission shall create a process that permits military officials, education officials, and parents to inform the Interstate Commission if and when there are alleged violations of the compact or its rules or when issues subject to the jurisdiction of the compact or its rules are not addressed by the state or local education agency. This subsection shall not be construed to create a private right of action against the Interstate Commission or any member state.

## ARTICLE X

### POWERS AND DUTIES OF THE INTERSTATE COMMISSION

Section 10. The Interstate Commission shall have the following powers:

A. To provide for dispute resolution among member states.

B. To promulgate rules and take all necessary actions to effect the goals, purposes, and obligations as enumerated in this compact. The rules shall have the force and effect of statutory law and shall be binding in the compact states to the extent and in the manner provided in this compact.

C. To issue, upon request of a member state, advisory opinions concerning the meaning or interpretation of the interstate compact, its bylaws, rules, and actions.

D. To enforce compliance with the compact provisions, the rules promulgated by the Interstate Commission, and the bylaws, using all necessary and proper means, including, but not limited to, the use of judicial process.

E. To establish and maintain offices, which shall be located within one or more of the member states.

F. To purchase and maintain insurance and bonds.

G. To borrow, accept, hire, or contract for services of personnel.

H. To establish and appoint committees, including, but not limited to, an executive committee as required by Article IX, subsection E, which shall have the power to act on behalf of the Interstate Commission in carrying out its powers and duties hereunder.

I. To elect or appoint such officers, attorneys, employees, agents, or consultants, and to fix their compensation, define their duties, and determine their qualifications and to establish the Interstate Commission's personnel policies and programs relating to conflicts of interest, rates of compensation, and qualifications of personnel.

J. To accept any and all donations and grants of money, equipment, supplies, materials, and services and to receive, utilize, and dispose of them.

K. To lease, purchase, accept contributions or donations of, or otherwise to own, hold, improve, or use any property, real, personal, or mixed.

L. To sell, convey, mortgage, pledge, lease, exchange, abandon, or otherwise dispose of any property, real, personal, or mixed.

M. To establish a budget and make expenditures.

N. To adopt a seal and bylaws governing the management and operation of the Interstate Commission.

O. To report annually to the Legislatures, Governors, judiciary, and state councils of the member states concerning the activities of the Interstate Commission during the preceding year. Such reports shall also include any recommendations that may have been adopted by the Interstate Commission.

P. To coordinate education, training, and public awareness regarding the compact, its implementation, and operation for officials and parents involved in such activity.

Q. To establish uniform standards for the reporting, collecting, and exchanging of data.

R. To maintain corporate books and records in accordance with the bylaws.

S. To perform such functions as may be necessary or appropriate to achieve the purposes of this compact.

T. To provide for the uniform collection and sharing of information between and among member states, schools, and military families under this compact.

#### ARTICLE XI

##### ORGANIZATION AND OPERATION OF THE INTERSTATE COMMISSION

Section 11. A. The Interstate Commission shall, by a majority of the members present and voting, within twelve (12) months after the first Interstate Commission meeting, adopt bylaws to govern its conduct as may be necessary or appropriate to carry out the purposes of the compact, including, but not limited to:

1. Establishing the fiscal year of the Interstate Commission;
2. Establishing an executive committee and such other committees as may be necessary;
3. Providing for the establishment of committees and for governing any general or specific delegation of authority or function of the Interstate Commission;
4. Providing reasonable procedures for calling and conducting meetings of the Interstate Commission and ensuring reasonable notice of each such meetings;
5. Establishing the titles and responsibilities of the officers and staff of the Interstate Commission;
6. Providing a mechanism for concluding the operations of the Interstate Commission and the return of surplus funds that may exist upon the termination of the compact after the payment and reserving all of its debts and obligations; and

7. Providing "start-up" rules for initial administration of the compact.

B. The Interstate Commission shall, by a majority of the members, elect annually from among its members a chairperson, a vice chairperson and a treasurer, each of whom shall have the authority and duties as may be specified in the bylaws. The chairperson or, in the chairperson's absence or disability, the vice chairperson shall preside at all meetings of the Interstate Commission. The officers so elected shall serve without compensation or remuneration from the Interstate Commission provided that, subject to the availability of budgeted funds, the officers shall be reimbursed for ordinary and necessary costs and expenses incurred by them in the performance of their responsibilities as officers of the Interstate Commission.

C. Executive Committee, officers, and personnel.

1. The executive committee shall have such authority and duties as may be set forth in the bylaws, including, but not limited to: (a) managing the affairs of the Interstate Commission in a manner consistent with the bylaws and purposes of the Interstate Commission; (b) overseeing an organizational structure within and appropriate procedures for the Interstate Commission to provide for the creation of rules, operating procedures, and administrative and technical support functions; and (c) planning, implementing, and coordinating communications and activities with other state, federal, and local government organizations in order to advance the goals of the Interstate Commission.

2. The executive committee may, subject to the approval of the Interstate Commission, appoint or retain an executive director for such period, upon such terms and conditions, and for such compensation as the Interstate Commission may deem appropriate. The executive director shall serve as secretary to the Interstate Commission, but shall not be a member of the Interstate Commission. The executive director shall hire and supervise such other persons as may be authorized by the Interstate Commission.

D. The Interstate Commission's executive director and its employees shall be immune from suit and liability, either personally or in their official capacity, for a claim for damage to or loss of property or personal injury or other civil liability caused or arising out of or relating to an actual or alleged act, error, or omission that occurred, or that such person had a reasonable basis for believing occurred, within the scope of Interstate Commission employment, duties, or responsibilities, provided that such person shall not be protected from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

1. The liability of the Interstate Commission's executive director and employees or the Interstate Commission representatives, acting within the scope of their employment or duties for acts, errors, or omissions occurring within such person's state, may not exceed the limits of liability set forth under the constitution and laws of that state for state officials, employees, and agents. The Interstate Commission is considered to be an instrumentality of the states for the purposes of any such action. Nothing in this subsection D shall be construed to protect such person from suit or liability for damage, loss, injury, or liability caused by the intentional or willful and wanton misconduct of such person.

2. The Interstate Commission shall defend the executive director and its employees and, subject to the approval of the Attorney General or other appropriate legal counsel of the member state represented by an Interstate Commission representative, shall defend such Interstate Commission representative in any civil action seeking to impose liability arising out of an actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that the defendant had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities provided that the actual or alleged

act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such person.

3. To the extent not covered by the state involved, member state, or the Interstate Commission, the representatives or employees of the Interstate Commission shall be held harmless in the amount of a settlement or judgment, including attorney's fees and costs, obtained against such persons arising out of an actual or alleged act, error, or omission that occurred within the scope of Interstate Commission employment, duties, or responsibilities, or that such persons had a reasonable basis for believing occurred within the scope of Interstate Commission employment, duties, or responsibilities, provided that the actual or alleged act, error, or omission did not result from intentional or willful and wanton misconduct on the part of such persons.

## ARTICLE XII

### RULE-MAKING FUNCTIONS OF THE INTERSTATE COMMISSION

Section 12. A. Rule-making authority. The Interstate Commission shall promulgate reasonable rules in order to effectively and efficiently achieve the purposes of this compact. Notwithstanding the foregoing, in the event the Interstate Commission exercises its rule-making authority in a manner that is beyond the scope of the purposes of this compact, or the powers granted hereunder, then such an action by the Interstate Commission shall be invalid and have no force or effect.

B. Rule-making procedure. Rules shall be made pursuant to a rule-making process that substantially conforms to the "Model State Administrative Procedure Act," of 1981 Act, Uniform Laws Annotated, Vol. 15, p. 1 (2000) as amended, as may be appropriate to the operations of the Interstate Commission.

C. Not later than thirty (30) days after a rule is promulgated, any person may file a petition for judicial review of the rule provided that the filing of such a petition shall not stay or otherwise prevent the rule from becoming effective unless the court finds that the petitioner has a substantial likelihood of success. The court shall give deference to the actions of the Interstate Commission consistent with applicable law and shall not find the rule to be unlawful if the rule represents a reasonable exercise of the Interstate Commission's authority.

D. If a majority of the Legislatures of the compacting states rejects a rule by enactment of a statute or resolution in the same manner used to adopt the compact, then such rule shall have no further force and effect in any compacting state.

## ARTICLE XIII

### OVERSIGHT, ENFORCEMENT, AND DISPUTE RESOLUTION

#### Section 13. A. Oversight.

1. The executive, legislative, and judicial branches of state government in each member state shall enforce this compact and shall take all actions necessary and appropriate to effectuate the compact's purposes and intent. The provisions of this compact and the rules promulgated hereunder shall have standing as statutory law;

2. All courts shall take judicial notice of the compact and the rules in any judicial or administrative proceeding in a member state pertaining to the subject matter of this compact which may affect the powers, responsibilities, or actions of the Interstate Commission; and

3. The Interstate Commission shall be entitled to receive all service of process in any such proceeding and shall have standing to intervene in the proceeding



for all purposes. Failure to provide service of process to the Interstate Commission shall render a judgment or order void as to the Interstate Commission, this compact, or promulgated rules.

B. Default, technical assistance, suspension, and termination.

If the Interstate Commission determines that a member state has defaulted in the performance of its obligations or responsibilities under this compact, or the bylaws or promulgated rules, the Interstate Commission shall:

1. Provide written notice to the defaulting state and other member states of the nature of the default, the means of curing the default, and any action taken by the Interstate Commission. The Interstate Commission shall specify the conditions by which the defaulting state must cure its default;

2. Provide remedial training and specific technical assistance regarding the default;

3. If the defaulting state fails to cure the default, the defaulting state shall be terminated from the compact upon an affirmative vote of a majority of the member states, and all rights, privileges, and benefits conferred by this compact shall be terminated from the effective date of termination. A cure of the default does not relieve the offending state of obligations or liabilities incurred during the period of the default;

4. Suspension or termination of membership in the compact shall be imposed only after all other means of securing compliance have been exhausted. Notice of intent to suspend or terminate shall be given by the Interstate Commission to the Governor, the majority and minority leaders of the defaulting state's Legislature, and each of the member states;

5. The state which has been suspended or terminated is responsible for all assessments, obligations, and liabilities incurred through the effective date of suspension or termination, including obligations the performance of which extends beyond the effective date of suspension or termination;

6. The Interstate Commission shall not bear any costs relating to any state that has been found to be in default or which has been suspended or terminated from the compact, unless otherwise mutually agreed upon in writing between the Interstate Commission and the defaulting state; and

7. The defaulting state may appeal the action of the Interstate Commission by petitioning the United States District Court for the District of Columbia or the federal district where the Interstate Commission has its principal offices. The prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees.

C. Dispute resolution.

1. The Interstate Commission shall attempt, upon the request of a member state, to resolve disputes that are subject to the compact and that may arise among member states and between member and nonmember states.

2. The Interstate Commission shall promulgate a rule providing for both mediation and binding dispute resolution for disputes as appropriate.

D. Enforcement.

1. The Interstate Commission, in the reasonable exercise of its discretion, shall enforce the provisions and rules of this compact.

2. The Interstate Commission may by majority vote of the members initiate legal action in the United States District Court for the District of Columbia or, at the discretion of the Interstate Commission, in the federal district where the Interstate Commission has its principal offices to enforce compliance with the provisions of the compact, its promulgated rules and bylaws against a member state in default. The relief sought may include both injunctive relief and damages. In the event judicial enforcement is necessary, the prevailing party shall be awarded all costs of such litigation including reasonable attorney's fees.

3. The remedies herein shall not be the exclusive remedies of the Interstate Commission. The Interstate Commission may avail itself of any other remedies available under state law or the regulation of a profession.

#### ARTICLE XIV

##### FINANCING OF THE INTERSTATE COMMISSION

Section 14. A. The Interstate Commission shall pay or provide for the payment of the reasonable expenses of its establishment, organization, and ongoing activities.

B. The Interstate Commission may levy on and collect an annual assessment from each member state to cover the cost of the operations and activities of the Interstate Commission and its staff, which must be in a total amount sufficient to cover the Interstate Commission's annual budget as approved each year. The aggregate annual assessment amount shall be allocated based upon a formula to be determined by the Interstate Commission, which shall promulgate a rule binding upon all member states.

C. The Interstate Commission shall not incur obligations of any kind prior to securing the funds adequate to meet the same nor shall the Interstate Commission pledge the credit of any of the member states, except by and with the authority of the member state.

D. The Interstate Commission shall keep accurate accounts of all receipts and disbursements. The receipts and disbursements of the Interstate Commission shall be subject to the audit and accounting procedures established under its bylaws. However, all receipts and disbursements of funds handled by the Interstate Commission shall be audited yearly by a certified or licensed public accountant and the report of the audit shall be included in and become part of the annual report of the Interstate Commission.

#### ARTICLE XV

##### MEMBER STATES, EFFECTIVE DATE, AND AMENDMENT

Section 15. A. Any state is eligible to become a member state.

B. The compact shall become effective and binding upon legislative enactment of the compact into law by no less than ten (10) of the states. The effective date shall be no earlier than December 1, 2008. Thereafter it shall become effective and binding as to any other member state upon enactment of the compact into law by that state. The Governors of nonmember states or their designees shall be invited to participate in the activities of the Interstate Commission on a nonvoting basis prior to adoption of the compact by all states.

C. The Interstate Commission may propose amendments to the compact for enactment by the member states. No amendment shall become effective and binding upon the Interstate Commission and the member states unless and until it is enacted into law by unanimous consent of the member states.

#### ARTICLE XVI

## WITHDRAWAL AND DISSOLUTION

### Section 16. A. Withdrawal.

1. Once effective, the compact shall continue in force and remain binding upon each and every member state, provided that a member state may withdraw from the compact specifically by repealing the statute which enacted the compact into law.

2. Withdrawal from this compact shall be by the enactment of a statute repealing the same, but shall not take effect until one (1) year after the effective date of such statute and until written notice of the withdrawal has been given by the withdrawing state to the Governor of each other member jurisdiction.

3. The withdrawing state shall immediately notify the chairperson of the Interstate Commission in writing upon the introduction of legislation repealing this compact in the withdrawing state. The Interstate Commission shall notify the other member states of the withdrawing state's intent to withdraw within sixty (60) days of its receipt thereof.

4. The withdrawing state is responsible for all assessments, obligations, and liabilities incurred through the effective date of withdrawal, including obligations the performance of which extends beyond the effective date of withdrawal.

5. Reinstatement following withdrawal of a member state shall occur upon the withdrawing state reenacting the compact or upon such later date as determined by the Interstate Commission.

### B. Dissolution of compact.

1. This compact shall dissolve effective upon the date of the withdrawal or default of the member state that reduces the membership in the compact to one (1) member state.

2. Upon the dissolution of this compact, the compact becomes null and void and shall be of no further force or effect and the business and affairs of the Interstate Commission shall be concluded and surplus funds shall be distributed in accordance with the bylaws.

## ARTICLE XVII

### SEVERABILITY AND CONSTRUCTION

Section 17. A. The provisions of this compact shall be severable and if any phrase, clause, sentence, or provision is deemed unenforceable, the remaining provisions of the compact shall be enforceable.

B. The provisions of this compact shall be liberally construed to effectuate its purposes.

C. Nothing in this compact shall be construed to prohibit the applicability of other interstate compacts to which the states are members.

## ARTICLE XVIII

### BINDING EFFECT OF COMPACT AND OTHER LAWS

### Section 18. A. Other laws.

1. Nothing herein prevents the enforcement of any other law of a member state that is not inconsistent with this compact.

2. All member states' laws conflicting with this compact are superseded to the extent of the conflict.

B. Binding effect of the compact.

1. All lawful actions of the Interstate Commission, including all rules and bylaws promulgated by the Interstate Commission, are binding upon the member states.

2. All agreements between the Interstate Commission and the member states are binding in accordance with their terms.

3. In the event any provision of this compact exceeds the constitutional limits imposed on the Legislature of any member state, such provision shall be ineffective to the extent of the conflict with the constitutional provision in question in that member state.

SECTION 5. Section 49-7-351, Mississippi Code of 1972, is amended as follows:

49-7-351. (1) The purpose of this section is to honor wounded veterans and active duty service members by providing hunting, fishing and other recreational opportunities for them in state wildlife management areas and wildlife refuges.

(2) As used in this section, the term:

(a) "Active duty" means full-time duty in the Armed Forces, Reserves or National Guard during wartime service as defined by the United States Congress.

(b) "Armed Forces" means the United States Army, Navy, Marine Corps, Air Force, Space Force and Coast Guard.

(c) "National Guard" means the Army National Guard and the Air Force National Guard of the United States.

(d) "Reserves" means the Army Reserve, Navy Reserve, Marine Corps Reserve, Air Force Reserve and Coast Guard Reserve.

(3) The Commission on Wildlife, Fisheries and Parks may designate an area or areas or establish special seasons within wildlife management areas and wildlife refuges for hunting, fishing and other recreational activities for eligible veterans and active duty service members to be known as "Wounded Warrior Special Programs."

(4) The designated areas or special seasons shall be open to a person who:

(a) Is an active duty member of the Armed Forces, National Guard or Reserves and has a combat-related physical injury as determined by the member's branch of service; or

(b) Is a veteran member of the Armed Forces, National Guard or Reserves who served on active duty during a period of war as defined by the United States Congress, and:

(i) Has a service-connected physical disability as determined by the United States Department of Veterans Affairs; or

(ii) Was discharged or released from military service because of a physical disability acquired or aggravated while serving on active duty during a period of war.

(5) The department may allow one (1) person to accompany an eligible veteran or active duty service member who requires assistance to hunt, fish or participate in the recreational activity.

(6) The commission may adopt any rules and regulations deemed necessary to administer this section.

SECTION 6. Section 73-50-1, Mississippi Code of 1972, is amended as follows:

73-50-1. (1) This section shall be known as the "Military Family Freedom Act."

(2) As used in this section, the term:

(a) "License" means any license (other than a privilege license), certificate, registration or other evidence of qualification that an individual is required to obtain before he or she may engage in or represent himself or herself to be a member of a particular profession or occupation.

(b) "Occupational licensing board" means any state board, commission, department or other agency in Mississippi that is established for the primary purpose of regulating the entry of persons into, and/or the conduct of persons within, a particular profession or occupation, and which is authorized to issue licenses. For the purposes of this section, the State Department of Education shall be considered an occupational licensing board when issuing teacher licenses under Section 37-3-2.

(c) "Military" means the Armed Forces or Reserves of the United States, including the Army, Navy, Marine Corps, Coast Guard, Air Force, Space Force and the reserve components thereof, the National Guard of any state, the military reserves of any state, or the naval militia of any state.

(3) Notwithstanding any other provision of law, an occupational licensing board shall issue a license to an applicant who is a member of the military, or an applicant who is married to or is a dependent of a member of the military, if, upon application to an occupational licensing board, the applicant satisfies the following conditions:

(a) The applicant has been awarded a military occupational specialty, completed a military program of training, completed testing or equivalent training and experience, and performed in the occupational specialty; or

(b) The applicant holds a current and valid license in another state in an occupation with a similar scope of practice, as determined by the occupational licensing board in Mississippi and has held this license from the occupational licensing board in the other state for at least one (1) year; and

(c) The applicant has not committed any act in the other state that would have constituted grounds for refusal, suspension or revocation of a license to practice that occupation in Mississippi at the time the act was committed, the occupational licensing board in the other state holds the applicant in good standing, and the applicant does not have a disqualifying criminal record as determined by the occupational licensing board in Mississippi under Mississippi law; and

(d) The applicant did not surrender a license because of negligence or intentional misconduct related to the applicant's work in the occupation in another state; and

(e) The applicant does not have a complaint, allegation or investigation pending before an occupational licensing board or other board in another state that relates to unprofessional conduct or an alleged crime. If the applicant has a complaint, allegation or investigation pending, the occupational licensing board in Mississippi shall not issue or deny a license to the applicant until the complaint, allegation or investigation is resolved, or the applicant otherwise satisfies the criteria for licensure in Mississippi to the satisfaction of the occupational licensing board in Mississippi; and

(f) The applicant pays all applicable fees in Mississippi.

(4) Notwithstanding any other law, the occupational licensing board shall issue a license to an applicant who is a member of the military, or an applicant who is married to or is a dependent of a member of the military, upon application based on work experience in another state, if all the following apply:

(a) The applicant worked in a state that does not use a license to regulate a lawful occupation, but Mississippi uses a license to regulate a lawful occupation with a similar scope of practice, as determined by the occupational licensing board;

(b) The applicant worked for at least three (3) years in the lawful occupation;  
and

(c) The applicant satisfies the provisions of paragraphs (c) through (f) of subsection (3) of this section.

(5) An occupational licensing board may require an applicant to pass a jurisprudential examination specific to relevant state laws in Mississippi that regulate the occupation if the issuance of a license in Mississippi requires an applicant to pass a jurisprudential examination specific to relevant state statutes and administrative rules in Mississippi that regulate the occupation.

(6) The occupational licensing board shall issue or deny the license to the applicant within one hundred twenty days (120) days after receiving an application.

If the application requires longer than two (2) weeks to process, the occupational licensing board shall issue a temporary practice permit within thirty (30) days after receiving the application if the applicant submits an affidavit, under penalties of perjury, affirming that he or she satisfies the provisions of subsection (3)(a) or subsection (3)(b) of this section and subsection (3)(c) through (e) and pays all applicable fees as required by subsection (3)(f), or satisfies the provisions of subsection (4)(a) through (c) and pays all applicable fees as required by subsection (3)(f).

The applicant may practice under the temporary permit until a license is granted, or until a notice to deny the license is issued, in accordance with rules adopted by the occupational licensing board. A temporary license will expire in three hundred sixty-five (365) days after its issuance if the applicant fails to satisfy the requirement for licensure in subsection (5), if applicable.

(7) (a) The applicant may appeal any of the following decisions of an occupational licensing board to a court of general jurisdiction:

(i) Denial of a license;

(ii) Determination of the occupation;

(iii) Determination of the similarity of the scope of practice of the license issued; or

(iv) Other determinations under this section.

(b) The court shall determine all questions of law, including the interpretation of a constitutional or statutory provision or a rule adopted by an occupational licensing board, without regard to any previous determination that may have been made on the question in any action before the occupational licensing board.

(8) An occupational licensing board shall prominently print the following on all license applications, any communication denying a license, and on the board's website: "Pursuant to the provisions of the Military Family Freedom Act, Mississippi shall recognize occupational licenses obtained from other states for military members and their families." An occupational licensing board shall prepare and place on the board's website an annual report detailing the number of applications submitted to the licensing board under this section during a calendar year and the actions taken by the board on the applications.

(9) An occupational licensing board shall adopt rules necessary to implement this section by January 1, 2021. In addition, an occupational licensing board shall make all reasonable efforts to issue a license to an applicant for a license under this section.

(10) Nothing in this section shall be construed to prohibit a military applicant, spouse or dependent from proceeding under the existing licensure requirements established by an occupational licensing board in Mississippi.

(11) Nothing in this chapter shall be construed to prevent Mississippi from entering into a licensing compact or reciprocity agreement with another state, foreign province or foreign country. A license issued under this section is valid only in Mississippi. It does not make the person eligible to work in another state under an interstate compact or reciprocity agreement unless otherwise provided in Mississippi law.

(12) Nothing in this section shall be construed to apply to the practice of law as regulated under Section 73-3-1 et seq.

(13) This section preempts any ordinances of any municipality, county and other political subdivisions of the State of Mississippi that regulate licenses.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT REFERENCES IN THE MISSISSIPPI CODE TO "ARMED FORCES" OR "UNIFORMED SERVICES" SHALL INCLUDE MEMBERS OF THE UNITED STATES SPACE FORCE; TO AMEND SECTIONS 23-15-673, 33-1-1, 37-135-31, 49-7-351 AND 73-50-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1029 was adopted.

YEAS AND NAYS On H. B. No. 1029. On motion of Senator Seymour, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Filligane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning called up the following entitled bill:

**H. B. No. 454:** Radar; authorize use by municipal law enforcement officers in certain municipalities.

YEAS AND NAYS On H. B. No. 454. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning called up the following entitled bill:

**H. B. No. 1025:** Airport authority; authorize to dispose of property with a fair market value of zero if certain conditions are met.

YEAS AND NAYS On H. B. No. 1025. On motion of Senator Branning, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1101:** Corporations and LLCs; authorize determination notices and certificates of administrative dissolution to be served by email to registered agent.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:



SECTION 1. Section 79-4-14.21, Mississippi Code of 1972, is amended as follows:

79-4-14.21. (a) If the Secretary of State determines that one or more grounds exist under Section 79-4-14.20 for dissolving a corporation, he shall serve the corporation with written notice of his determination \* \* \*. Such determination may be served either by electronic mail to the email address of the registered agent of the corporation or by first-class mail as indicated by the corporation.

(b) If the corporation does not correct each ground for dissolution or demonstrate to the reasonable satisfaction of the Secretary of State that each ground determined by the Secretary of State does not exist within sixty (60) days after service of the notice is perfected, the Secretary of State shall administratively dissolve the corporation by signing a certificate of dissolution that recites the ground or grounds for dissolution and its effective date. The Secretary of State shall file the original of the certificate and serve a copy on the corporation, \* \* \* which certificate may be served either by electronic mail to the email address of the registered agent of the corporation or by first-class mail as indicated by the corporation.

(c) A corporation that has been administratively dissolved continues its corporate existence but may not carry on any business except as necessary to wind up and liquidate its business and affairs under Section 79-4-14.05 and notify claimants under Sections 79-4-14.06 and 79-4-14.07.

(d) The administrative dissolution of a corporation does not terminate the authority of its registered agent.

(e) The administrative dissolution of a corporation shall not impair the validity of any contract, deed, mortgage, security interest, lien, or act of the corporation or prevent the corporation from defending any action, suit or proceeding in any court of this state.

(f) A corporation that has been administratively dissolved may not maintain any action, suit or proceeding in any court of this state until the corporation is reinstated.

SECTION 2. Section 79-29-823, Mississippi Code of 1972, is amended as follows:

79-29-823. (1) If the Secretary of State determines that one or more grounds exist under Section 79-29-821 for administratively dissolving a limited liability company, the Secretary of State shall serve the limited liability company with written notice of the determination under Section 79-35-13 \* \* \*. Such determination may be served either by electronic mail to the email address of the registered agent of the limited liability company or by first-class mail as indicated by the limited liability company.

(2) If the limited liability company does not correct each ground for dissolution or demonstrate to the reasonable satisfaction of the Secretary of State that each ground determined by the Secretary of State does not exist within sixty (60) days after the service of the notice, the Secretary of State shall administratively dissolve the limited liability company by signing a certification of the administrative dissolution that recites the ground or grounds for dissolution and its effective date. The Secretary of State shall file the original of the certificate of administrative dissolution and serve the limited liability company with a copy of the certificate of administrative dissolution under Section 79-35-13, \* \* \* which certificate of administrative dissolution may be served either by electronic mail to the email address of the registered agent of the limited liability company or by first-class mail as indicated by the limited liability company.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 79-4-14.21 AND 79-29-823, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO SERVE DETERMINATION NOTICES AND CERTIFICATES OF ADMINISTRATIVE DISSOLUTION ON CORPORATIONS AND LIMITED LIABILITY COMPANIES BY EMAIL TO THE REGISTERED AGENT OF A CORPORATION OR LIMITED LIABILITY COMPANY AS INDICATED BY THE ENTITY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1101 was adopted.

YEAS AND NAYS On H. B. No. 1101. On motion of Senator McCaughn, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Hill, Polk, Seymour. Total--3.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 485:** Sexual assault evidence kit; regulate the processing of.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The following words shall have the meanings described in this act:

(a) "Law enforcement" means the law enforcement agency with the primary responsibility for investigating an alleged sexual assault.

(b) "Medical facility" means any doctor's office, hospital, medical clinic or nonprofit facility equipped to perform forensic medical examinations and prepare sexual assault evidence kits.

(c) "Reported kit" means a sexual assault evidence kit in which the survivor has consented to participate in the criminal justice process through reporting the crime to law enforcement.

(d) "Sexual assault" means rape, sexual assault, sexual battery or any other nonconsensual forcible sexual intercourse.

(e) "Sexual assault evidence collection kit" means a sexual assault or rape kit developed by the Mississippi chapter of the International Association of Forensic Nurses (IAFN) and approved by the Sexual Assault Evidence Accountability Task Force.

(f) "Sexual Assault Nurse Examiner" means a registered nurse or advanced practice nurse, with a minimum of one (1) year of experience in areas of practice that require advanced physical assessment skills, such as emergency, critical care and maternal child health, who has completed sexual assault nurse examiner (SANE) training consistent with IAFN SANE Education Guidelines that consists of both classroom and clinical components.

(g) "Unreported kit" means a sexual assault evidence kit in which the survivor consented to the evidence collection, but has not consented to participate in the criminal justice process by reporting the crime to law enforcement – meaning they are not seeking to have their kit tested.

(2) Sexual assault evidence collection kits shall be processed in the following manner:

(a) Any medical facility that conducts a medical forensic examination and/or prepares a sexual assault evidence collection kit shall immediately, but no longer than four (4) hours after the finalization of examination, contact the appropriate law enforcement agency to collect the kit. Until the kit is retrieved by law enforcement, the medical facility shall store the kit in a refrigerated manner in conformity with the Scientific Working Group for DNA Analysis Method.

(b) When a law enforcement agency is contacted to collect a sexual assault evidence kit, the law enforcement agency shall take possession of the kit from the medical facility within twenty four (24) hours. Upon taking physical possession of the sexual assault evidence collection kit, the law enforcement agency shall transport the kit in a manner that preserves the evidence in the kit. The agency shall: (i) store the kit in a secure, refrigerated location in the agency no more than two (2) hours after taking physical possession of the kit; or (ii) transport the kit directly to the Mississippi Forensics Laboratory.

(c) All kits must be delivered to the Mississippi Forensics Laboratory no later than seven (7) calendar days from the date the law enforcement agency took physical possession of the kit.

(d) A law enforcement agency that receives a sexual assault collection kit from a healthcare provider that relates to a report of a sexual assault that occurred outside the jurisdiction of that law enforcement agency shall have the sexual assault collection kit delivered to the law enforcement agency having jurisdiction within ten (10) days of learning that the other law enforcement agency has jurisdiction.

(3) (a) The Mississippi Forensics Laboratory shall test sexual assault evidence collection kits within sixty (60) days of receipt from a law enforcement agency. Forensic DNA testing shall be performed according to laboratory methods that determine the presence of DNA suitable for STR analysis. Any autosomal, CODIS eligible DNA profile shall be entered into the Combined DNA Index System (CODIS) or equivalency thereof and state or local DNA database. If the Mississippi Forensics Laboratory is unable to determine DNA present, other than the victim's DNA, in the sexual assault evidence collection kit, the laboratory should evaluate the case, when suitable, to determine if any other DNA results could be used for investigative purposes.

(b) When forensic laboratory testing does result in a DNA profile foreign to the victim, the Mississippi Forensics Laboratory should enter the foreign DNA profile into the Combined DNA Index System (CODIS) or equivalency thereof and any other required state or local DNA databases. The average completion rate for this analysis and classification should not exceed ninety (90) days.

(c) The Mississippi Forensics Laboratory is authorized to contract with other laboratories to ensure that each kit is tested and the information from such kit is entered into CODIS, when applicable, within the time frames required by this subsection.

SECTION 2. (1) Upon the request of a sexual assault victim or their designee, the law enforcement agency that is investigating the assault of such victim shall inform the victim of the location of the sexual assault evidence kit or other crime scene evidence from the victim's case and the status of the DNA testing of the sexual assault evidence kit or other crime scene evidence from the victim's case.

(2) The law enforcement agency shall respond to the victim's request as soon as possible, but no longer than seven (7) calendar days, with either an oral or written communication, or by email, if an email address is available.

(3) In addition to the rights provided in the "Mississippi Crime Victims' Bill of Rights," in Sections 99-43-1 through 99-43-101, a victim of sexual assault shall have:

(a) The right to be informed by the law enforcement agency handling the case whether a DNA profile of the assailant was obtained from the testing of the sexual assault evidence kit or other crime scene evidence from their case.

(b) The right to be informed whether the DNA profile of the assailant developed from the sexual assault evidence kit or other crime scene evidence has been entered into the Mississippi Forensics Laboratory's DNA identification system or CODIS.

(c) The right to be informed whether there is a match between the DNA profile of the assailant developed from the rape kit evidence or other crime scene evidence and a DNA profile contained in the Mississippi Forensics Laboratory's DNA identification system, provided that disclosure would not impede or compromise an ongoing investigation.

(4) If the law enforcement agency intends to destroy or dispose of the sexual assault evidence kit or any other crime scene evidence from an unsolved sexual assault case, the victim of the case shall be given written notification by the law enforcement agency of that intention within twenty (20) days. The victim shall be granted further preservation of the kit or its probative contents, upon their request.

(5) A law enforcement agency shall not destroy or dispose of the sexual assault evidence kit or any other crime scene evidence from an unsolved sexual assault case before twenty (20) years after the collection of the evidence of the crime or, if the victim was under eighteen (18) years of age at the time of the alleged offense, before the victim is forty (40) years of age.

(6) A sexual assault victim may designate a sexual assault victim advocate, or other support person of the victim's choosing, to act as a recipient of the above information required to be provided by this section.

(7) For the purpose of receiving notice under this section, the victim or the victim's designee may keep appropriate authorities informed of the name, address, telephone number, and email address of the person to whom the information should be provided, and any changes of the name, address, telephone number, and email address, if an email address is available.

(8) A defendant or person accused or convicted of a crime against the victim shall have no standing to object to any failure to comply with this section. The failure to provide a right or notice to a sexual assault victim under this section may not be used by a defendant to seek to have the conviction or sentence set aside.

(9) The sole civil or criminal remedy available to a sexual assault victim for a law enforcement agency's failure to fulfill its responsibilities under this section shall be standing to file a writ of mandamus to require compliance with subdivision with the requirements of this act.

SECTION 3. (1) The Mississippi Forensics Laboratory, in consultation with the Sexual Assault Evidence Accountability Task Force, and the Mississippi Department of Public Safety, shall conduct a study and issue a report by July 1, 2024, that examines the resources required to implement a rape kit tracking system in the state that shall:

(a) Be operated and managed by the Mississippi Department of Public Safety or Mississippi Forensic Laboratory for the purpose of tracking all rape kits collected for testing or analysis;

(b) Be accessible to sexual assault victims and other authorized users as determined by the Mississippi Department of Public Safety; and

(c) Function as an online accessible database capable of receiving, maintaining, storing and preserving tracking information related to the testing and analysis of all rape kits.

(2) The Mississippi Department of Public Safety and Mississippi Forensic Laboratory shall issue a report of its findings and recommendations to the Legislature within twelve (12) months of the effective date of this section. The report shall, at a minimum, identify the following:

(a) The resources and training needed to implement, manage and maintain a rape kit tracking system;

(b) The costs associated with implementing, managing and maintaining a rape kit tracking system;

(c) Potential sources of funding for implementing, managing and maintaining a rape kit tracking system; and

(d) The benefits to victims and to public safety associated with implementing a rape kit tracking system in Mississippi and recommendations on implementing, managing and maintaining an efficient and cost effective rape kit tracking system.

SECTION 4. There is created the "Sexual Assault Evidence Accountability Task Force" for the purpose of developing and approving standardized policies and procedures concerning the sexual assault evidence collection kit. The committee shall be comprised of the following nine (9) members:

(a) The director of the Mississippi Forensic Laboratory or their designee;

(b) One (1) representative from the Mississippi Department of Public Safety;

(c) One (1) district attorney appointed by the Mississippi Prosecutors' Association;

(d) One (1) sexual assault investigator appointed by the Mississippi Association of Chiefs of Police;

(e) One (1) sexual assault investigator appointed by the Mississippi Sheriffs' Association;

(f) One (1) investigator from the Mississippi Attorney General's Office;

(g) One (1) sexual assault nurse examiner practicing in north Mississippi appointed by the President of the Board of Directors of the Mississippi Association of Forensic Nurses (MAFN);

(h) One (1) sexual assault nurse examiner practicing in central Mississippi appointed by the President of the Board of Directors of the Mississippi Association of Forensic Nurses (MAFN);

(i) One (1) sexual assault nurse examiner practicing in south Mississippi appointed by the President of the Board of Directors of the Mississippi Association of Forensic Nurses (MAFN);

(j) One (1) physician appointed by the Mississippi State Medical Association; and

(k) One (1) physician appointed by the Mississippi Psychiatric Association.

SECTION 5. Section 99-43-7, Mississippi Code of 1972, is brought forward as follows:

99-43-7. (1) Unless the victim is unavailable or incapacitated as a result of the crime, within seventy-two (72) hours after the law enforcement agency becomes responsible for investigating the crime, the law enforcement agency shall provide to the victim in a manner and form prescribed by the Attorney General the following information:

(a) The availability of emergency and crisis services.

(b) The availability of victims' compensation benefits and the address and telephone number of the Victim Compensation Division.

(c) The name of the law enforcement officer and telephone number of the law enforcement agency with the following statement attached: "If within sixty (60) days you are not notified of an arrest in your case, you may call the telephone number of the law enforcement agency for the status of the case."

(d) The procedural steps involved in a criminal prosecution.

(e) The rights authorized by the Mississippi Constitution on rights of victims, including a form to invoke these rights.

(f) The existence of and eligibility requirements for restitution and compensation pursuant to Section 99-37-1 et seq. and Section 99-41-1 et seq., Mississippi Code of 1972.

(g) A recommended procedure if the victim is subjected to threats or intimidation.

(h) The name and telephone number of the office of the prosecuting attorney to contact for further information.

(2) In the event a victim initiates proceedings against a person by filing an affidavit, petition or complaint in a court of competent jurisdiction, the clerk of the court shall provide the victim with the information set forth in subsection (1); however, in lieu of the information set forth in subsection (1)(c), the clerk shall advise the victim of the name and telephone number of the law enforcement agency to which the complaint will be referred. This information shall be provided on a form prescribed by the Attorney General. Failure of the clerk of court to provide such information shall not subject the clerk to any criminal or civil liability.

SECTION 6. Section 45-47-1, Mississippi Code of 1972, is amended as follows:

45-47-1. (1) Every person who is arrested for the commission or attempted commission of a \*\*\* felony shall provide a biological sample for DNA testing to jail or detention center personnel upon booking. The analysis shall be performed by the Mississippi Forensics \*\*\* Laboratory or other entity designated by the Department of Public Safety, and the results shall be maintained by the Forensics \*\*\* Laboratory according to standard protocols adopted for maintenance of DNA records in conformity to federal guidelines for the maintenance of such records.

(2) (a) A DNA sample shall be collected by an individual who is trained in the collection procedures that the Forensics Laboratory uses.

(b) Upon \*\*\* receipt of an expungement request from a person whose DNA has been included in the state database in accordance with this section, the Forensics \*\*\* Laboratory shall destroy the sample and delete from the database all records thereof if there is no other pending qualifying warrant or capias for an arrest or felony conviction that would require that the sample remain in the DNA data bank \*\*\* and:

(i) The charge for which the sample was taken is dismissed;

(ii) The defendant is acquitted at trial or convicted of a lesser-included misdemeanor offense that is not an offense listed in this section;

(iii) No charge was filed within the statute of limitations, if any; or

(iv) No conviction has occurred, at least three (3) years have passed since the date of arrest, and there is no active prosecution.

(3) (a) Any person who, without authority, disseminates information contained in the DNA data bank shall be guilty of a misdemeanor.

(b) Any person who disseminates, receives, or otherwise uses or attempts to use information in the DNA data bank, knowing that the dissemination, receipt or use is for a purpose other than as authorized by law, shall be guilty of a misdemeanor.

(c) Except as authorized by law, any person who obtains or attempts to obtain any sample for purposes of having DNA analysis performed shall be guilty of a felony.

(4) (a) Any person convicted under subsection (3)(a) shall be sentenced to a fine not to exceed Five Hundred Dollars (\$500.00) or confinement in the county jail not to exceed thirty (30) days, or both.

(b) Any person convicted under subsection (3)(b) shall be sentenced to a fine not to exceed One Thousand Dollars (\$1,000.00) or confinement in the county jail not to exceed six (6) months, or both.

(c) Any person convicted under subsection (3)(c) shall be sentenced to a fine not to exceed One Thousand Dollars (\$1,000.00) or commitment to the custody of the Department of Corrections not to exceed two (2) years, or both.

(5) A defendant may file a motion with the court to seek destruction of the DNA sample and deletion of such information from the record under this section.

SECTION 7. Section 99-49-1, Mississippi Code of 1972, is amended as follows:

99-49-1. (1) Legislative intent. The Legislature finds that:

(a) The value of properly preserved biological evidence has been enhanced by the discovery of modern DNA testing methods, which, coupled with a comprehensive system of DNA databases that store crime scene and offender profiles, allow law enforcement to improve its crime-solving potential;

(b) Tapping the potential of preserved biological evidence requires the proper identification, collection, preservation, storage, cataloguing and organization of such evidence;

(c) Law enforcement agencies indicate that "cold" case investigations are hindered by an inability to access biological evidence that was collected in connection with criminal investigations;

(d) Innocent people mistakenly convicted of the serious crimes for which biological evidence is probative cannot prove their innocence if such evidence is not accessible for testing in appropriate circumstances;

(e) It is well established that the failure to update policies regarding the preservation of evidence squanders valuable law enforcement resources, manpower hours and storage space; and

(f) Simple but crucial enhancements to protocols for properly preserving biological evidence can solve old crimes, enhance public safety and settle claims of innocence.

(2) Definitions. For the purposes of this section:

(a) "Biological evidence" means the contents of a sexual assault examination kit or any item that contains blood, semen, hair, saliva, skin tissue, fingernail scrapings, bone, bodily fluids or other identifiable biological material that was collected as part of the criminal investigation or may reasonably be used to incriminate or exculpate any person for the offense. This definition applies whether that material is catalogued separately, such as on a slide, swab or in a test tube, or is present on other evidence, including, but not limited to, clothing, ligatures, bedding or other household material, drinking cups, cigarettes or other items.

(b) "DNA" means deoxyribonucleic acid.

(c) "Custody" means persons currently incarcerated; civilly committed; on parole or probation; or subject to sex offender registration for the period of the registration or for the first five (5) years of the registration, whichever is the shorter period.

(d) "Profile" means \* \* \* an autosomal, Y chromosome, or mitochondrial DNA profile generated from an individual.

(e) "State" refers to any governmental or public entity within Mississippi, including all private entities that perform such functions, and its officials or employees, including, but not limited to, law enforcement agencies, prosecutors' offices, courts, public hospitals, forensics laboratories, and any other entity or individual charged with the collection, storage or retrieval of biological evidence.

(3) Preservation of evidence procedures. (a) The state shall preserve all biological evidence:

(i) That is secured in relation to an investigation or prosecution of a crime for the period of time that the crime remains unsolved or as otherwise provided by law for that crime; or



(ii) That is secured in relation to an investigation or prosecution of a crime for the period of time that the person convicted of that crime remains in custody or as otherwise provided by law for that crime.

(b) This section applies to evidence that:

(i) Was in the possession of the state during the investigation and prosecution of the case; and

(ii) At the time of conviction was likely to contain biological material.

(c) The state shall not destroy biological evidence should one or more additional co-defendants, convicted of the same crime, remain in custody, and shall preserve the evidence for the period of time in which all co-defendants remain in custody or as otherwise provided by law for that crime.

(d) The state shall retain evidence in the amount and manner sufficient to develop a DNA profile from the biological material contained in or included on the evidence.

(e) Upon written request by the defendant, the state shall prepare an inventory of biological evidence that has been preserved in connection with the defendant's criminal case.

(f) The state may destroy evidence that includes biological material before the expiration of the time period as provided in Section 45-47-1 or as specified in paragraph (a) of this subsection if all of the following apply:

(i) No other provision of federal or state law requires the state to preserve the evidence.

(ii) The state sends certified delivery of notice of intent to destroy the evidence to:

1. All persons who remain in custody as a result of the criminal conviction, delinquency adjudication, or commitment related to evidence in question;
2. The attorney of record for each person in custody;
3. The Mississippi Office of Indigent Appeals;
4. The district attorney in the county of conviction; and
5. The Mississippi Attorney General.

(iii) No person who is notified under subparagraph (ii) of this paragraph (f) does either of the following within sixty (60) days after the date on which the person received the notice:

1. Files a motion for testing of evidence under \* \* \* Chapter 39, Title 99, Mississippi Code of 1972; or
2. Submits a written request for retention of evidence to the state entity which provided notice of its intent to destroy evidence under subparagraph (ii) of this paragraph (f).

(g) If, after providing notice under paragraph (f)(ii) of this subsection of its intent to destroy evidence, the state receives a written request for retention of the evidence, the state shall retain the evidence while the person remains in custody.

(h) The state shall not be required to preserve physical evidence that is of such a size, bulk or physical character as to render retention impracticable. When such retention is impracticable, the state shall remove and preserve portions of the material evidence likely to contain biological evidence related to the offense, in a quantity sufficient to permit future DNA testing, before returning or disposing of the physical evidence.

(i) Should the state be called upon to produce biological evidence that could not be located and whose preservation was required under the provisions of this statute, the chief evidence custodian assigned to the entity charged with the preservation of the evidence shall provide an affidavit in which the custodian stipulates, under penalty of perjury, an accurate description of the efforts taken to locate that evidence and that the evidence could not be located.

(4) This section does not require the state to preserve the biological evidence that is obtained in performing the test required by Section 99-3-41 and is required to be destroyed under that section.

(5) Any evidence in a murder, manslaughter or felony sexual assault case in the possession of the state on July 1, 2009, whether biological or not, shall be preserved by the state consistent with the legislative intent expressed in subsection (1) and subject to compliance with subsection (3)(f).

(6) Remedies for noncompliance. If the court finds that biological evidence was destroyed in violation of the provisions of this section, it may impose appropriate sanctions and order appropriate remedies.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE A PROCESS TO COLLECT AND PRESERVE SEXUAL ASSAULT EVIDENCE COLLECTION KITS; TO REQUIRE THE LAW ENFORCEMENT AGENCY TO IMMEDIATELY COLLECT AND STORE THE KIT IN COMPLIANCE WITH CERTAIN STANDARDS; TO REQUIRE THE LAW ENFORCEMENT AGENCY TO SEND THE KIT TO THE MISSISSIPPI FORENSICS LABORATORY WITHIN A CERTAIN NUMBER OF DAYS; TO REQUIRE THE FORENSICS LABORATORY TO PROCESS THE KIT AND ENTER CERTAIN DNA INFORMATION INTO THE APPROPRIATE FEDERAL, STATE AND LOCAL DATABASES; TO PROVIDE ADDITIONAL RIGHTS FOR SEXUAL ASSAULT VICTIMS; TO REQUIRE THE MISSISSIPPI FORENSICS LABORATORY, THE MISSISSIPPI ASSOCIATION OF FORENSIC NURSES AND THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY TO CONDUCT A STUDY AND ISSUE A REPORT THAT EXAMINES THE RESOURCES REQUIRED TO IMPLEMENT A RAPE KIT TRACKING SYSTEM; TO CREATE THE SEXUAL ASSAULT EVIDENCE ACCOUNTABILITY TASK FORCE; TO BRING FORWARD SECTION 99-43-7, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE CRIME VICTIMS' BILL OF RIGHTS, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 45-47-1, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT DNA SAMPLES SHALL BE COLLECTED FROM PERSONS ARRESTED FOR ANY FELONY AND TO PROVIDE THAT THE DNA SAMPLE SHALL BE DESTROYED ONLY UPON RECEIPT OF AN EXPUNGEMENT REQUEST FROM THE PERSON WHOSE DNA HAS BEEN INCLUDED IN THE STATE DATABASE; TO AMEND SECTION 99-49-1, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Senator Wiggins offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 29-32 by striking paragraph (b) and inserting in lieu thereof the following:

(b) "Medical facility" means any state, local, tribal, community, free, nonprofit, academic, or private doctor's office, hospital, or medical clinic equipped to perform forensic medical examinations and prepare sexual assault evidence kits.

FURTHER, AMEND on line 36-37 by striking paragraph (d) and inserting in lieu thereof the following:

(d) "Sexual assault" means any nonconsensual forcible sexual intercourse and any sexual crime against the person found in Title 97, Chapter 3.

FURTHER, AMEND by adding the following subsection after line 186 and renumber subsequent subsection(s) accordingly:

(2) The study authorized under subsection (1) of this section shall also examine the resources required to implement a procedure for every person arrested for any felony to provide a biological sample for DNA testing.

FURTHER, AMEND by deleting lines 192-202 and inserting in lieu thereof the following:

(a) The resources and training needed to implement, manage and maintain a rape kit tracking system and felony DNA testing procedure;

(b) The costs associated with implementing, managing and maintaining a rape kit tracking system and felony DNA testing procedure;

(c) Potential sources of funding for implementing, managing and maintaining a rape kit tracking system and felony DNA testing procedure; and

(d) The benefits to victims and to public safety associated with implementing a rape kit tracking system in Mississippi and recommendations on implementing, managing and maintaining an efficient and cost effective rape kit tracking system and felony DNA testing procedure.

FURTHER, AMEND on line 206 by adding the following language before the period:

and examining the implementation of a felony DNA testing procedure

FURTHER, AMEND on line 232-235 by striking paragraphs (j) and (k) and inserting in lieu thereof the following:

(j) One (1) physician who regularly performs forensic medical exams appointed by the Mississippi State Medical Association; and

(k) One (1) physician who regularly performs forensic medical exams appointed by the Mississippi Academy of Family Physicians.

FURTHER, AMEND by striking lines 236-331 and renumber subsequent sections accordingly.

FURTHER, AMEND on lines 413-414 by striking the new language.

FURTHER, AMEND title to conform.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 485 was adopted.

Senator Bryan offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND by inserting below line 235 the following:

(l) One (1) member appointed by the Mississippi Hospital Association.

Amendment No. 2 to Committee Amendment No. 1 to H. B. No. 485 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 485 was adopted.

YEAS AND NAYS On H. B. No. 485. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1215:** Child Support; suspend for incarcerated persons under certain conditions.

Senator Wiggins moved that **H. B. No. 1215** be recommitted to Judiciary, Division A, and the motion prevailed.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 510:** Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-15-13, Mississippi Code of 1972, is amended as follows:

43-15-13. (1) For purposes of this section, "children" means persons found within the state who are under the age of twenty-one (21) years, and who were placed in the custody of the Department of Child Protection Services by the youth court of the appropriate county. For purposes of this chapter, "commercial sexual exploitation" means any sexual act or crime of a sexual nature, which is committed against a child for financial or economic gain, to obtain a thing of value, for quid pro quo exchange of property or any other purpose.

(2) The Department of Child Protection Services shall establish a foster care placement program for children whose custody lies with the department, with the following objectives:

(a) Protecting and promoting the health, safety and welfare of children;

(b) Preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;

(c) Remedying or assisting in the solution of problems that may result in the neglect, abuse, exploitation, commercial sexual exploitation, human trafficking or delinquency of children;

(d) Restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(e) Placing children in suitable adoptive homes approved by a licensed adoption agency or family protection specialist, in cases where restoration to the biological family is not safe, possible or appropriate;

(f) Assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption, including temporary or emergency placement with a relative or fictive kin pending youth court action on the case. At the time of placement, the department shall implement concurrent planning, as described in subsection (8) of this section, so that permanency may occur at the earliest opportunity. Consideration of possible failure or delay of reunification should be given, to the end that the placement made is the best available placement to provide permanency for the child; and

(g) Providing a family protection specialist or worker or team of such specialists or workers for a family and child throughout the implementation of their permanent living arrangement plan. Wherever feasible, the same family protection specialist or worker or team shall remain on the case until the child is no longer under the jurisdiction of the youth court.

(3) The Department of Child Protection Services shall administer a system of individualized plans, reviews and reports once every six (6) months for each child under its custody within the State of Mississippi, which document each child who has been adjudged a neglected, abandoned or abused child, including a child alleged to have experienced commercial sexual exploitation and/or human trafficking and whose custody was changed by court order as a result of that adjudication, and each public or private facility licensed by the department. The Department of Child Protection Services' administrative review shall be completed on each child within the first three (3) months and a relative placement, fictive kin placement, or foster care review once every six (6) months after the child's initial forty-eight-hour shelter hearing. That system shall be for the purpose of enhancing potential family life for the child by the development of individual plans to return the child to the child's natural parent or parents, or to refer the child to the appropriate court for termination of parental rights and placement in a permanent relative's

home, adoptive home or foster/adoptive home. The goal of the Department of Child Protection Services shall be to return the child to the child's natural parent(s) or refer the child to the appropriate court for termination of parental rights and placement in a permanent relative's home, adoptive home or foster/adoptive home within the time periods specified in this subsection or in subsection (4) of this section. In furthering this goal, the department shall establish policy and procedures designed to appropriately place children in permanent homes, and provide counseling services and other appropriate services to children who have been victims of commercial sexual exploitation or human trafficking. The policy shall include a system of reviews for all children in foster care, as follows: foster care counselors in the department shall make all possible contact with the child's natural parent(s), custodial parent(s) of all siblings of the child, and any interested relative for the first two (2) months following the child's entry into the foster care system, and provide care for victims of commercial sexual exploitation or human trafficking. For purposes of contacting custodial parent(s) of a sibling, siblings include those who are considered a sibling under state law, and those who would have been considered a sibling under state law, except for termination or disruption of parental rights. For any child who has been in foster care for fifteen (15) of the last twenty-two (22) months regardless of whether the foster care was continuous for all of those twenty-two (22) months, the department shall file a petition to terminate the parental rights of the child's parents. The time period starts to run from the date the court makes a finding of abuse and/or neglect, or commercial sexual exploitation or human trafficking, or sixty (60) days from when the child was removed from his or her home, whichever is earlier. The department can choose not to file a termination of parental rights petition if the following apply:

(a) The child is being cared for by a relative; and/or

(b) The department has documented compelling and extraordinary reasons why termination of parental rights would not be in the best interests of the child. Before granting or denying a request by the department for an extension of time for filing a termination of parental rights action, the court shall receive a written report on the progress which a parent of the child has made in treatment, to be made to the court in writing by a mental health/substance abuse therapist or counselor.

(4) In the case of any child who is placed in foster care on or after July 1, 1998, except in cases of aggravated circumstances prescribed in Section 43-21-603(7)(c), the child's natural parent(s) will have a reasonable time to be determined by the court, which shall not exceed a six-month period of time, in which to meet the service agreement with the department for the benefit of the child unless the department has documented extraordinary and compelling reasons for extending the time period in the best interest of the child. If this agreement has not been satisfactorily met, simultaneously the child will be referred to the appropriate court for termination of parental rights and placement in a permanent relative's home, adoptive home or a foster/adoptive home. For children under the age of three (3) years, termination of parental rights shall be initiated within six (6) months, unless the department has documented compelling and extraordinary circumstances, and placement in a permanent relative's home, adoptive home or foster/adoptive home within two (2) months. For children who have been abandoned under the provisions of Section 97-5-1, termination of parental rights shall be initiated within thirty (30) days and placement in an adoptive home shall be initiated without necessity for placement in a foster home. The department need not initiate termination of parental rights proceedings where the child has been placed in durable legal custody, durable legal relative guardianship, or long-term or formalized foster care by a court of competent jurisdiction.

(5) The foster care review once every six (6) months shall be conducted by the youth court or its designee(s), and/or by personnel within the Department of Child Protection Services or by a designee or designees of the department and may include others appointed by the department, and the review shall include at a minimum an evaluation of the child based on the following:

(a) The extent of the care and support provided by the parents or parent while the child is in temporary custody;

(b) The extent of communication with the child by parents, parent or guardian;

(c) The degree of compliance by the agency and the parents with the social service plan established;

(d) The methods of achieving the goal and the plan establishing a permanent home for the child;

(e) Social services offered and/or utilized to facilitate plans for establishing a permanent home for the child; and

(f) Relevant testimony and recommendations from the foster parent of the child, the grandparents of the child, the guardian ad litem of the child, when appointed, the Court-Appointed Special Advocate (CASA) of the child, representatives of any private care agency that has cared for the child, the family protection worker or family protection specialist assigned to the case, and any other relevant testimony pertaining to the case.

Each child's review plan once every six (6) months shall be filed with the court which awarded custody and shall be made available to natural parents or foster parents upon approval of the court. The court shall make a finding as to the degree of compliance by the agency and the parent(s) with the child's social service plan. The court also shall find that the child's health and safety are the paramount concern. In the interest of the child, the court shall, where appropriate, initiate proceedings on its own motion. The Department of Child Protection Services shall report to the Legislature as to the number of those children, the findings of the foster care review board and relevant statistical information in foster care in a semiannual report to the Legislature to be submitted to the Joint Oversight Committee of the Department of Child Protection Services. The report shall not refer to the specific name of any child in foster care.

(6) (a) The Department of Child Protection Services, with the cooperation and assistance of the State Department of Health, shall develop and implement a training program for foster care parents to indoctrinate them as to their proper responsibilities upon a child's entry into their foster care. The program shall provide a minimum of twelve (12) clock hours of training, which shall include training foster care parents about providing mental and physical support to children who have experienced commercial sexual exploitation or human trafficking. The foster care training program shall be satisfactorily completed by such foster care parents before or within ninety (90) days after child placement with the parent. Record of the foster care parent's training program participation shall be filed with the court as part of a child's foster care review plan once every six (6) months.

(b) (i) The court may waive foster care training for an appropriate relative placement.

(ii) A relative exempted from foster care training is not eligible for board payments, foster care payments, kinship care payments, therapeutic care payments, or any other monthly payments from the department to assist in the care of the child.

(7) When the Department of Child Protection Services is considering placement of a child in a foster home and when the department deems it to be in the best interest of the child, the department shall give first priority to placing the child in the home of one (1) of the child's relatives within the third degree, as computed by the civil law rule.

(a) In placing the child in a relative's home, the department may waive any rule, regulation or policy applicable to placement in foster care that would otherwise require the child to have a separate bed or bedroom or have a bedroom of a certain size, if placing the child in a relative's home would be in the best interest of the child and those requirements cannot be met in the relative's home.

(b) The court may waive foster care training for a relative only when appropriate.

(8) The Legislature recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement as soon as is practicably possible. To achieve this goal, the Department of Child Protection Services is directed to conduct concurrent planning so that a permanent living arrangement may occur at the earliest opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most permanent living arrangement and permanent legal status. When a child is placed in foster care or relative care, the department shall first ensure and document that reasonable efforts, as defined in Section 43-21-105, were made to prevent or eliminate the need to remove the child from the child's home. The department's first priority shall be to make reasonable efforts to reunify the family when temporary placement of the child occurs or shall request a finding from the court that reasonable efforts are not appropriate or have been unsuccessful. A decision to place a child in foster care or relative care shall be made with consideration of the child's health, safety and best interests. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement made is the best available placement to provide a permanent living arrangement for the child. The department shall adopt rules addressing concurrent planning for reunification and a permanent living arrangement. The department shall consider the following factors when determining appropriateness of concurrent planning:

(a) The likelihood of prompt reunification;

(b) The past history of the family;

(c) The barriers to reunification being addressed by the family;

(d) The level of cooperation of the family;

(e) The foster parents' willingness to work with the family to reunite;

(f) The willingness and ability of the foster family or relative placement to provide an adoptive home or long-term placement;

(g) The age of the child; and

(h) Placement of siblings.

(9) If the department has placed a child in foster care or relative care under a court order, the department may not change the child's placement unless the department specifically documents to the court that the current placement is unsafe or unsuitable or that another placement is in the child's best interests unless the new placement is in an adoptive home or other permanent placement. Except in emergency circumstances as determined by the department or where the court orders placement of the child under Section 43-21-303, the foster parents, grandparents or other relatives of the child shall be given an opportunity to contest the specific reasons documented by the department at least seventy-two (72) hours before any such departure, and the court may conduct a review of that placement unless the new placement is in an adoptive home or other permanent placement. When a child is returned to foster care or relative care, the former



foster parents or relative placement shall be given the prior right of return placement in order to eliminate additional trauma to the child.

(10) The Department of Child Protection Services shall provide the foster parents, grandparents or other relatives with at least a seventy-two-hour notice of departure for any child placed in their foster care or relative care, except in emergency circumstances as determined by the department or where the court orders placement of the child under Section 43-21-303. The parent/legal guardian, grandparents of the child, guardian ad litem and the court exercising jurisdiction shall be notified in writing when the child leaves foster care or relative care placement, regardless of whether the child's departure was planned or unplanned. The only exceptions to giving a written notice to the parent(s) are when a parent has voluntarily released the child for adoption or the parent's legal rights to the child have been terminated through the appropriate court with jurisdiction.

(11) The Department of Child Protection Services shall extend the following rights to persons who provide foster care and relative care:

(a) A clear understanding of their role while providing care and the roles of the birth parent(s) and the placement agency in respect to the child in care;

(b) Respect, consideration, trust and value as a family who is making an important contribution to the agency's objectives;

(c) Notification of benchmarks that will be required of the foster parent such as appointments, home visits with department personnel, visitations of the child at school and meetings between department personnel and the child's family;

(d) Advance notice of information regarding scheduled meetings other than meetings where the Department of Child Protection Services personnel or social workers are going to the foster parent's home for site visits, appointments and court hearings concerning the foster child;

(e) The opportunity to communicate with professionals who work with the foster child including therapists, physicians and teachers who work directly with the child;

(f) The opportunity to communicate and collaborate, without threat of reprisal, with a department representative when further educational services are needed to ensure the child's educational needs are met, including services such as an Individualized Educational Plan (IEP), tutoring, occupational therapy, speech therapy and after-school programs;

(g) The opportunity to attend all IEP meetings, along with the department worker, at the child's school as long as the child is in custody and receiving special educational services;

(h) The opportunity to communicate with the foster child's guardian ad litem;

(i) The opportunity to attend all youth court hearings involving a foster child occurring while that child is placed in their care without being a party to the youth court action, unless otherwise ordered by the youth court. Foster parents may attend all youth court hearings and have legal counsel attend and observe with them if the child's permanent plan is adoption by the foster parents, unless otherwise ordered by the youth court. Foster parents may communicate with the guardian ad litem in writing at any time. Foster parents may ask to be heard concerning the best interest of the child at any disposition or permanency hearing;

(j) When the dates of the permanency hearing and permanency review hearing have been set by the youth court, Child Protection Services shall give written

notice to all foster parents by email, text message or U.S. mail with a reasonable amount of time prior to the hearing;

(k) The opportunity to request from the youth court permission to communicate with the child's birth family, previous foster parents of the child, and prospective and finalized adoptive parents of the child, without the threat of reprisal. However, this right creates no obligation of the birth family, previous foster parents, or prospective and finalized adoptive parents to communicate in return;

( \*\* \*l) Involvement in all the agency's crucial decisions regarding the child as team members who have pertinent information based on their day-to-day knowledge of the child in care and involvement in case planning, foster care review, individual educational planning meetings, and medical appointments;

(m) The opportunity to participate in the planning of visitations between the child and the child's siblings, parents or former guardians or other biological family members which have been previously authorized by the youth court. Visitations shall be scheduled at a time and place meeting the needs of the child, the biological family, and the foster family. Recognizing that visitation with family members is an important right of children in foster care, foster parents shall be flexible and cooperative with regard to family visits but shall retain the right to reasonable advance notice of all scheduled visitations;

(n) The ability to communicate with department personnel or representatives twenty-four (24) hours a day, seven (7) days a week, for the purpose of aiding the foster parent;

(o) A comprehensive list of all resources available to the foster parent and child, including dental providers, medical providers, respite workers in the area, day cares, and methods for submitting reimbursements;

( \*\* \*p) Support from the family protection worker or the family protection specialist in efforts to do a better day-to-day job in caring for the child and in working to achieve the agency's objectives for the child and the birth family through provision of:

(i) A copy of the "Foster Child Information Form" and all other pertinent information about the child and the birth family, including medical, dental, behavioral health history, psychological information, educational status, cultural and family background, and other issues relevant to the child which are known to the department at the time the child is placed in foster care prior to the child's placement with a foster parent or parents. The department shall make reasonable efforts to gather and provide all additional current medical, dental, behavioral, educational and psychological information reasonably available from the child's service providers within fifteen (15) days of placement. When the department learns of such information after fifteen (15) days of placement, the department shall communicate such information to the foster parent as soon as practicable;

(ii) An explanation of the plan for placement of the child in the foster parent's home and the ongoing and timely communication of any necessary information which is relevant to the care of the child, including any changes in the case plan;

( \*\* \*iii) Help in using appropriate resources to meet the child's needs, including counseling or other services for victims of commercial sexual exploitation or human trafficking;

( \*\* \*iv) Direct interviews between the family protection worker or specialist and the child, previously discussed and understood by the foster parents;

( \*\* \*v) Information regarding whether the child experienced commercial sexual exploitation or human trafficking;

(vi) Information related to the Healthy, Hunger-Free Kids Act of 2010. Foster parents shall protect the confidentiality of the child by working directly with a designated school official to complete the application for free lunches.

( \*\*q) The opportunity to develop confidence in making day-to-day decisions in regard to the child;

( \*\*r) The opportunity to learn and grow in their vocation through planned education in caring for the child;

( \*\*s) The opportunity to be heard regarding agency practices that they may question;

( \*\*t) Information related to all costs eligible for reimbursement, including:

(i) Reimbursement for costs of the child's care in the form of a board payment based on the age of the child as prescribed in Section 43-15-17 unless the relative is exempt from foster care training and chooses to exercise the exemption; and

( \*\*ii) Reimbursement for property damages caused by children in the custody of the Department of Child Protection Services in an amount not to exceed Five Hundred Dollars (\$500.00), as evidenced by written documentation. The Department of Child Protection Services shall not incur liability for any damages as a result of providing this reimbursement.

(12) The Department of Child Protection Services shall require the following responsibilities from participating persons who provide foster care and relative care:

(a) Understanding the department's function in regard to the foster care and relative care program and related social service programs;

(b) Sharing with the department any information which may contribute to the care of children;

(c) Functioning within the established goals and objectives to improve the general welfare of the child;

(d) Recognizing the problems in home placement that will require professional advice and assistance and that such help should be utilized to its full potential;

(e) Recognizing that the family who cares for the child will be one of the primary resources for preparing a child for any future plans that are made, including return to birth parent(s), termination of parental rights or reinstitutionalization;

(f) Expressing their views of agency practices which relate to the child with the appropriate staff member;

(g) Understanding that all information shared with the persons who provide foster care or relative care about the child and his/her birth parent(s) must be held in the strictest of confidence;

(h) Cooperating with any plan to reunite the child with his birth family and work with the birth family to achieve this goal; and

(i) Attending dispositional review hearings and termination of parental rights hearings conducted by a court of competent jurisdiction, or providing their recommendations to the \*\* guardian ad litem in writing.

(13) The department shall develop a grievance procedure for foster parents to raise any complaints or concerns regarding the provisions of Section 43-15-13(11) or (12).

(14) Nothing in this section shall be construed to create a private right of action or claim on the part of any individual, the department, or any child-placing agency.

SECTION 2. (1) There is hereby established the Mississippi Task Force on Foster Care and Adoption.

(2) The members of the task force are as follows:

(a) The Chief Justice of the Mississippi Supreme Court or a designee;

(b) The Executive Director of Child Protection Services or a designee;

(c) The Attorney General or a designee;

(d) The Chair of the Senate Study Group on Women, Children and Families or a designee;

(e) A member appointed by the Speaker of the House of Representatives from the Speaker's Task Force on Life or a designee;

(f) Two (2) sitting chancery court judges appointed by the Chief Justice of the Mississippi Supreme Court;

(g) Two (2) sitting youth court judges, one (1) of whom is a county court judge, and one (1) of whom is a youth court referee, appointed by the Chief Justice of the Mississippi Supreme Court;

(h) Two (2) practicing attorneys with expertise in youth court matters and adoptions to be named by the Mississippi Board of Bar Commissioners;

(i) A guardian ad litem to be named by the Mississippi Board of Bar Commissioners;

(j) A member of the Office of State Public Defender appointed by the State Public Defender to represent the interests of biological parents;

(k) A person appointed by the Speaker of the House to represent the interests of foster parents;

(l) An adult who spent time in state custody as a foster child to be appointed by the Governor;

(m) A Court-Appointed Special Advocate (CASA) volunteer to represent the interests of foster children to be appointed by the Lieutenant Governor; and

(n) A representative from the Mississippi Association of Child Care Agencies, Inc., to be appointed by the president of the association.

(2) The members must be appointed to the task force within fifteen (15) days of the effective date of this act. Vacancies on the task force shall be filled in the manner of the original appointment. Members are eligible for reappointment if upon reappointment they meet the qualifications required of a new appointee.

(3) The task force must meet within sixty (60) days of the effective date of this act upon the call of the Chief Justice of the Supreme Court, and at its first meeting shall elect

any officers from among its membership as it deems necessary for the efficient discharge of the task force's duties.

(4) The task force shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business. Ten (10) or more members shall constitute a quorum for the purpose of conducting any business of the task force, but a vote of not less than twelve (12) members is required for any recommendations to the Legislature.

(5) Members of the task force shall receive a per diem in the amount provided in Section 25-3-69 for each day engaged in the business of the task force. Members of the task force other than the legislative members shall receive reimbursement for travel expenses incurred while engaged in official business of the task force in accordance with Section 25-3-41 and the legislative members of the task force shall receive the expense allowance provided for in Section 5-1-47.

(6) The Mississippi Judicial College will staff the task force and will perform the duties which the task force directs.

(7) The task force is authorized to apply for and accept gifts, grants, subsidies and other funds from persons, corporations, foundations, the United States government or other entities, and the receipt of any gifts, grants, subsidies and funds shall be reported and otherwise accounted for in the manner provided by law. If financial subsidies are sufficient, the task force may hire additional contract staff to support its work.

(8) The duties of the task force shall be as follows:

(a) Perform a comprehensive review and draft any necessary proposed revision of adoption statutes;

(b) Review the use of "reasonable efforts" and "diligent search" in the Child Protection Services statutes and determine whether a uniform definition is needed for each term, and, if so, to draft recommended language;

(c) Draft a definition (or examples through a nonexhaustive list) of what constitutes "compelling and extraordinary reasons why termination of parental rights would not be in the best interests of the child;"

(d) Draft definitions of neglect as "willful" or "nonwillful" with a proposal for different courses of action depending on the type of neglect;

(e) Review of the guardian ad litem role in the foster care system and termination of parental rights process, including the proper responsibility for payment of guardians ad litem, how much they should be paid, whether more guardians ad litem are needed, and whether Title IV-E funds can be used for that purpose;

(f) Review whether parent representatives should be provided, and if so, how to pay them and whether Title IV-E funds could be used to pay them;

(g) Review of the timeframes and guidelines followed once a child comes into Child Protection Services custody and how to balance the length of these timeframes, the best interests of the child, and the interest of the biological parent(s);

(h) Review of the requirement to have concurrent permanency plans, whether this is currently taking place, and, if so, whether it is effective, and, if not effective, what needs to happen to ensure the courts and Child Protection Services are pursuing concurrent plans;

(i) Review of the requirement for a psychological assessment or evaluation for each child coming into custody, whether this is necessary in every case, and, if so, how to address the major shortage of medical providers that will be able to provide the services;

(j) Review of the diagnostic and evaluation shelters, whether the number is sufficient, and whether children are staying in these facilities too long before placement;

(k) Review of the course of action when a parent tests positive for drugs or alcohol, including when a mother tests positive for drugs during labor and delivery;

(l) Review of Title IV-E funding, whether these funds are being legally maximized, how they are being used and whether there are changes that need to be made to get the most out of these federal funds;

(m) To review laws, policies and procedures in other states;

(n) To review fatherhood initiative proposals and develop proposed policies to increase fatherhood participation of absent fathers; and

(o) Any other issues related to the Mississippi foster care system or adoption that the task force finds appropriate to address.

(9) The task force may request the assistance of the University of Mississippi School of Law and the Mississippi College School of Law, the Mississippi Judicial College, the Mississippi Administrative Office of Courts and the proper section of the Mississippi Bar Association, or any other related organization with expertise in domestic relations.

(10) The task force shall report its findings and recommendations to the Legislature annually not later than December 1st each year.

(11) This section shall stand repealed on July 1, 2027.

SECTION 3. Section 1 of this act shall take effect and be in force from and after July 1, 2023. Section 2 of this act shall be effective upon passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-15-13, MISSISSIPPI CODE OF 1972, TO AMEND THE RIGHTS AND RESPONSIBILITIES OF FOSTER PARENTS; TO ESTABLISH THE MISSISSIPPI TASK FORCE ON FOSTER CARE AND ADOPTION; TO PROVIDE FOR THE APPOINTMENT OF MEMBERS OF THE TASK FORCE; TO PROVIDE THAT THE TASK FORCE WILL STUDY MISSISSIPPI'S LAWS REGARDING FOSTER CARE AND ADOPTION AND RELATED AREAS OF INQUIRY; TO PROVIDE FOR THE TASK FORCE TO CONDUCT ITS BUSINESS; TO REQUIRE THAT THE TASK FORCE WILL REPORT ITS FINDINGS AND ANY RECOMMENDATIONS TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 510 was adopted.

YEAS AND NAYS On H. B. No. 510. On motion of Senator Boyd, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Blackmon, Simmons D. T. (12th). Total--2.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1115:** Durable legal custody; clarify jurisdiction for.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-21-609, Mississippi Code of 1972, is amended as follows:

43-21-609. In neglect and abuse cases, the disposition order may include any of the following alternatives, giving precedence in the following sequence:

(a) Release the child without further action;

(b) Place the child in the custody of his parents, a relative or other person subject to any conditions and limitations as the court may prescribe. If the court finds that temporary relative placement, adoption or foster care placement is inappropriate, unavailable or otherwise not in the best interest of the child, durable legal custody may be granted by the court to any person subject to any limitations and conditions the court may prescribe; such durable legal custody will not take effect unless the child or children have been in the physical custody of the proposed durable custodians for at least six (6) months under the supervision of the Department of Human Services. After granting durable legal custody of a minor child, the youth court shall retain original and exclusive jurisdiction of all matters related to durable legal custody, including, but not limited to, petitions to modify the durable legal custody. The requirements of Section 43-21-613 as to disposition review hearings do not apply to those matters in which the court has granted durable legal custody. In such cases, the Department of Human Services shall be released from any oversight or monitoring responsibilities;

(c) (i) Grant durable legal relative guardianship to a relative or fictive kin licensed as a foster parent if the licensed relative foster parent or licensed fictive kin foster parent exercised physical custody of the child for at least six (6) months before the grant of durable legal relative guardianship and the Department of Child Protection Services had legal custody or exercised supervision of the child for at least six (6) months. In order to establish durable legal relative guardianship, the youth court must find the following:

1. That reunification has been determined to be inappropriate;

2. That the relative guardian or fictive kin guardian shows full commitment to the care, shelter, education, nurture, and reasonable medical care of the child; and

3. That the youth court consulted with any child twelve (12) years of age or older before granting durable legal relative guardianship.

(ii) The requirements of Section 43-21-613 as to disposition review hearings do not apply to a hearing concerning durable legal relative guardianship. However, the Department of Child Protection Services must conduct an annual review and recertification of the durable legal relative guardianship to determine whether it remains in the best interest of the child. If a material change in circumstances occurs adverse to the best interest of the child, the parent, relative guardian, fictive kin guardian, or Department of Child Protection Services may petition the court to review the durable legal relative guardianship;

(d) Order terms of treatment calculated to assist the child and the child's parent, guardian or custodian which are within the ability of the parent, guardian or custodian to perform;

(e) Order youth court personnel, the Department of Child Protection Services or child care agencies to assist the child and the child's parent, guardian or custodian to secure social or medical services to provide proper supervision and care of the child;

(f) Give legal custody of the child to any of the following but in no event to any state training school:

(i) The Department of Child Protection Services for appropriate placement; or

(ii) Any private or public organization, preferably community-based, able to assume the education, care and maintenance of the child, which has been found suitable by the court. Prior to assigning the custody of any child to any private institution or agency, the youth court through its designee shall first inspect the physical facilities to determine that they provide a reasonable standard of health and safety for the child;

(g) If the court makes a finding that custody is necessary as defined in Section 43-21-301(3)(b), and that the child, in the action pending before the youth court had not previously been taken into custody, the disposition order shall recite that the effect of the continuation of the child's residing within his or her own home would be contrary to the welfare of the child, that the placement of the child in foster care is in the best interests of the child, and unless the reasonable efforts requirement is bypassed under Section 43-21-603(7)(c), the order also must state:

(i) That reasonable efforts have been made to maintain the child within his or her own home, but that the circumstances warrant his or her removal, and there is no reasonable alternative to custody; or

(ii) The circumstances are of such an emergency nature that no reasonable efforts have been made to maintain the child within his or her own home, and there is no reasonable alternative to custody; or

(iii) If the court makes a finding in accordance with subparagraph (ii) of this paragraph, the court shall order that reasonable efforts be made towards the reunification of the child with his or her family; or

(h) If the court had, before the disposition hearing in the action pending before the court, taken the child into custody, the judge or referee shall determine, and the youth court order shall recite that reasonable efforts were made by the Department of Child Protection Services to finalize the child's permanency plan that was in effect on the date of the disposition hearing.

SECTION 2. Section 43-21-613, Mississippi Code of 1972, is amended as follows:



43-21-613. (1) If the youth court finds, after a hearing which complies with the sections governing adjudicatory hearings, that the terms of a delinquency or child in need of supervision disposition order, probation or parole have been violated, the youth court may, in its discretion, revoke the original disposition and make any disposition which it could have originally ordered. The hearing shall be initiated by the filing of a petition that complies with the sections governing petitions in this chapter and that includes a statement of the youth court's original disposition order, probation or parole, the alleged violation of that order, probation or parole, and the facts which show the violation of that order, probation or parole. Summons shall be served in the same manner as summons for an adjudicatory hearing.

(2) On motion of a child or a child's parent, guardian or custodian, the youth court may, in its discretion, conduct an informal hearing to review the disposition order. If the youth court finds a material change of circumstances relating to the disposition of the child, the youth court may modify the disposition order to any appropriate disposition of equal or greater precedence which the youth court could have originally ordered.

(3) (a) \* \* \* All disposition orders for supervision, probation or placement of a child with an individual or an agency shall be reviewed by the youth court judge or referee at least annually to determine if continued placement, probation or supervision is in the best interest of the child or the public. For children who have been adjudicated abused or neglected, the youth court shall conduct a permanency hearing within twelve (12) months after the earlier of:

(i) An adjudication that the child has been abused or neglected; or

(ii) The date of the child's removal from the allegedly abusive or neglectful custodian/parent. Notice of such hearing shall be given in accordance with the provisions of Section 43-21-505(5). In conducting the hearing, the judge or referee shall require a written report and may require information or statements from the child's youth court counselor, parent, guardian or custodian, which includes, but is not limited to, an evaluation of the child's progress and recommendations for further supervision or treatment. The judge or referee shall, at the permanency hearing determine the future status of the child, including, but not limited to, whether the child should be returned to the parent(s) or placed with suitable relatives, placed for adoption, placed for the purpose of establishing durable legal custody or should, because of the child's special needs or circumstances, be continued in foster care on a permanent or long-term basis. If the child is in an out-of-state placement, the hearing shall determine whether the out-of-state placement continues to be appropriate and in the best interest of the child. At the permanency hearing the judge or referee shall determine, and the youth court order shall recite that reasonable efforts were made by the Department of Child Protection Services to finalize the child's permanency plan that was in effect on the date of the permanency hearing. The judge or referee may find that reasonable efforts to maintain the child within his home shall not be required in accordance with Section 43-21-603(7)(c), and that the youth court shall continue to conduct permanency hearings for a child who has been adjudicated abused or neglected, at least annually thereafter, for as long as the child remains in the custody of the Mississippi Department of Child Protection Services.

(b) The court may find that the filing of a termination of parental rights petition is not in the child's best interest if:

(i) The child is being cared for by a relative; and/or

(ii) The Department of Child Protection Services has documented compelling and extraordinary reasons why termination of parental rights would not be in the best interests of the child.

(c) The provisions of this subsection shall also apply to review of cases involving a dependent child; however, such reviews shall take place not less frequently

than once each one hundred eighty (180) days, or upon the request of the child's attorney, a parent's attorney, or a parent as deemed appropriate by the youth court in protecting the best interests of the child. A dependent child shall be ordered by the youth court judge or referee to be returned to the custody and home of the child's parent, guardian or custodian unless the judge or referee, upon such review, makes a written finding that the return of the child to the home would be contrary to the child's best interests.

(d) Reviews are not to be conducted unless explicitly ordered by the youth court concerning those cases in which the court has granted durable legal custody. In such cases, the Department of Child Protection Services shall be released from any oversight or monitoring responsibilities, and relieved of physical and legal custody and supervision of the child.

(4) The provisions of this section do not apply to proceedings concerning durable legal relative guardianship.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-21-609, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF YOUTH COURT REGARDING DURABLE LEGAL CUSTODY; TO AMEND SECTION 43-21-613, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL DISPOSITIONS AND MODIFICATIONS OF DURABLE LEGAL CUSTODY TO BE REVIEWED BY YOUTH COURT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1115 was adopted.

YEAS AND NAYS On H. B. No. 1115. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Carter called up the following entitled bill:

**H. B. No. 698:** Municipal water, wastewater and sewer services; require equity based billing based on use of.

Senator Carter offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 21-27-7, Mississippi Code of 1972, is amended as follows:

21-27-7. (1) (a) The governing authorities of municipalities shall have the power to erect, purchase, maintain and operate waterworks, and to regulate the same, and to prescribe the rates at which water shall be supplied to the \* \* \* users. Except as provided in Section 21-27-77, the rates at which water, wastewater, and sewer services shall be supplied shall be just and reasonable based on the actual cost to operate and maintain the systems, and rates may not be unreasonably preferential, prejudicial or discriminatory but shall be sufficient, equitable and consistent in application to each class of users. While a municipality may set different rates for different classifications of users, a municipality shall not discriminate in setting rates among members of the same classification. The municipal governing authorities shall make a finding on the minutes of the governing body establishing the rate based on the actual cost to operate and maintain the system. A municipality shall not charge a user a fee for services received which is less than the cost incurred by the municipality to provide such services.

(b) The governing authorities of a municipality shall establish and maintain rates and charges in equitable proportion to the use of the services and benefits rendered by the waterworks systems and water treatment facilities serving the municipal area. From time to time the governing authorities shall adjust such rates, to the end that the revenues therefrom will be sufficient at all times to pay the expenses of operating and maintaining such works, facilities and systems and all of the municipality's obligations under any contract or bond resolution with respect thereto. Except as provided in Section 21-27-77, the calculation of a user's bill shall be limited to the actual amount of volumetric usage, plus those fees reasonable and necessary for the cost of capital expenses, system operation and maintenance, and debt service.

(c) If a user's meter is tampered with, unreadable, or otherwise out-of-order, a municipality may render an estimated bill to that user for a period not to exceed six (6) months. In such circumstance, an estimated bill shall be based upon the prior average measured usage of the user.

(i) In the event a municipality is unable to meet the requirement of billing based solely on volumetric usage, the municipality may bill based on a flat fee rate. In such circumstance, the municipality may set different flat fee rates for different classifications of users, but the municipality shall not discriminate in setting flat fee rates among members of the same classification.

(ii) The governing authorities of the municipality shall make a finding on the minutes of the governing body establishing the rate based upon the actual cost to operate and maintain the system, and the municipality shall not charge a user a fee for services received that is less than the cost incurred by the municipality to provide such services.

(d) Notice of any change in the rate or rate structure at which services are supplied shall be posted on all bills sent to users at least one (1) month prior to the effective date of the rate change. Notice shall also be posted to the municipality's online webpage or bill payment platform, if the municipality has an online webpage or bill payment platform.

(e) Nothing in this statute shall be construed as prohibiting a user or governing authority of any municipality from applying for and receiving any federally or privately subsidized payment assistance, grant or other funds, nor shall this statute be construed as prohibiting a municipality from establishing or administering a program under Section 21-27-77.

(f) The governing authority of a municipality may provide for the calculation of a user's bill by a method other than volumetric usage only in exchange for consideration as part of our in connection with an incentive contract or other form of benefit or assistance

related to the user's location, expansion, or maintenance of its commercial or industrial operation within the municipality, so long as such rate is equitable, fair, and non-discriminatory.

(2) The governing authorities of municipalities shall have the power to acquire by purchase, donation or condemnation, in the name of the municipality, suitable grounds, within or without the corporate limits, upon which to erect waterworks, and also the right-of-way to and from such works and the right-of-way for laying water pipes within the corporate limits, and from such waterworks to the municipality, and to extend such right-of-way from time to time. The governing authorities shall have the power to contract with any person for the maintenance and operation of waterworks. \* \* \* The authorities shall have the power to contract with any person for the erection and maintenance of waterworks for a term not exceeding twenty-five (25) years, fixing water rates in the contract subject to municipal regulations. A contract for the erection or purchase of waterworks shall not, however, be entered into until submitted to a vote of the qualified electors and approved by a majority of those voting. A contract for maintenance under which the person who will perform such maintenance is wholly or partially responsible for fixing water rates shall not be entered into until submitted to a vote of the qualified electors and approved by a majority of those voting. It shall be unlawful for any municipally owned waterworks to supply water free of charge, or in any amount less than the fixed charges, to any person, firm or corporation, except as is expressly authorized by law.

SECTION 2. Section 21-27-189, Mississippi Code of 1972, is amended as follows:

21-27-189. A municipality, as defined in Section 21-27-163, is authorized and empowered, in the discretion of its governmental authorities, to exercise the following powers and authority within the area and territories comprising the metropolitan area of which it is a part:

(a) To operate and manage sewerage systems, sewage treatment facilities and sewage disposal systems and related facilities serving the metropolitan area in conformance with the metropolitan area plan.

(b) To construct, operate and maintain sewerage systems, sewage treatment facilities and sewage disposal systems in the manner and to the extent required by the metropolitan area plan.

(c) To accept and utilize grants and other funds from any source for waste treatment management purposes.

(d) To establish and maintain rates and charges in equitable proportion for the use of the services and benefits rendered of such sewerage systems, sewage treatment facilities and sewage disposal systems within the metropolitan area, and from time to time to adjust such rates, to the end that the revenues therefrom will be sufficient at all times to pay the expenses of operating and maintaining such works, facilities and systems and all of the municipality's obligations under any contract or bond resolution with respect thereto. The rates shall be just and reasonable, and rates may not be unreasonably preferential, prejudicial or discriminatory but shall be sufficient, equitable and consistent in application to each class of users. While the municipality may set different rates for different classifications of users, a municipality shall not discriminate in setting rates among members of the same classification. The governing authorities of the municipality shall make a finding on the minutes of the governing body establishing the rate based upon the actual cost to operate and maintain the system, and a municipality shall not charge a user a fee for services received which is less than the cost incurred by the municipality to provide such services.

(e) To incur short and long-term indebtedness under the provisions of Sections 21-27-161 through 21-27-191 or other applicable statutes.

(f) To adopt rules and regulations necessary to carry out the implementation of the metropolitan area plan and to assure the payment of each participating person or public agency of its proportionate share of treatment costs.

(g) To refuse to receive any waste from any public agency or subdivision thereof or any other person which does not comply with the provisions of the metropolitan area plan applicable to the particular area within which such public agency or subdivision thereof or any other person is located.

(h) To accept industrial waste for treatment and to require the pretreatment of same when within the opinion of the municipality such pretreatment is necessary.

(i) To adopt all necessary and reasonable rules and regulations to carry out and effectuate any waste treatment plan adopted for the metropolitan area.

(j) To require by ordinance or by contract with a public agency or other person that all waste within the metropolitan area be disposed of through sewerage systems, treatment facilities and sewage disposal systems which comprise a part of the metropolitan area plan, to the extent that the same may be available, but no public agency shall be precluded from constructing, operating and maintaining its own sewerage system if the same be a part of the metropolitan area plan.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 21-27-7, MISSISSIPPI CODE OF 1972, TO ENSURE JUST, REASONABLE AND TRANSPARENT BILLING FOR MUNICIPAL WATER, WASTEWATER, AND SEWER SERVICES; AND FOR RELATED PURPOSES.

Senator Carter offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 166 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 698 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 698 was adopted.

YEAS AND NAYS On H. B. No. 698. On motion of Senator Carter, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Thompson, Whaley, Wiggins, Williams, Younger. Total--37.

Nays--Blackmon, Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--12.

Absent and those not voting----None.

Voting Present--Blount. Total--1.

Senator Tate, who would have voted yea on H. B. No. 698, announced a pair with Senator Barnett, who would have voted nay.

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:38 AM, the Senate stood in recess.

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The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 39:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MRS. PANNY FLAUTT MAYFIELD UPON BEING NAMED A 2023 NOEL POLK LIFETIME ACHIEVEMENT AWARD NOMINEE.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Caughman called up the following entitled bill:

**H. B. No. 1030:** Motor Vehicle Sales Finance Law; clarify employees of state licensee may work remotely.

YEAS AND NAYS On H. B. No. 1030. On motion of Senator Caughman, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Younger called up the following entitled bill:

**H. B. No. 280:** Foreign governments; prohibit sale of agricultural lands to.

Senator Younger offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is created a study committee for the purpose of studying the purchasing, acquiring, leasing or holding an interest in agricultural land by foreign government. The committee shall be comprised of the following nine (9) members:

(a) The Commissioner of Department of Agriculture and Commerce, or his or her designee;

(b) The Attorney General, or his or her designee;

(c) The Chairman of the House Judiciary A Committee;

(d) The Chairman of the Senate Judiciary A Committee;

(e) The Chairman of the House Agriculture Committee;

(f) The Chairman of the Senate Agriculture Committee;

(g) One (1) person to be appointed by the Governor;

(h) One (1) person to be appointed by the Lieutenant Governor; and

(i) One (1) person to be appointed by the Speaker of the House of Representatives, who shall be a representative of Farm Bureau.

(2) Appointments to the study committee shall be made within thirty (30) days of the effective date of this act. At the first meeting, the committee shall elect from among its membership a chairman, a vice chairman and any other officers determined to be necessary, and shall adopt rules for transacting business and keeping records. The study committee shall develop and report its findings to the Legislature on or before December 1, 2023.

(3) A majority of the members of the study committee shall constitute a quorum. In the adoption of rules, resolutions and reports, and in the election of a chairman, vice chairman and any other officers determined to be necessary, an affirmative vote of a majority of the members present shall be required.

(4) To effectuate the purposes of this act, any department, division, board, bureau, committee, institution or agency of the state, or any political subdivision thereof, shall, at the request of the chairman of the study committee, provide the facilities, assistance, information and data needed to enable the study committee to carry out its duties.

(5) The study committee shall study at least the following information:

(a) The total amount of agricultural land that is under foreign ownership;

(b) The percentage change in foreign ownership of agricultural land in Mississippi, by year, over the past ten (10) years;

(c) The purpose to which foreign-owned agricultural land in Mississippi is being put to use currently, including any significant recent changes or trends in the use to which foreign-owned agricultural land in Mississippi is being put to use;

(d) Information regarding the extent of, and any recent changes in, foreign ownership of water rights in Mississippi;

(e) Information regarding the extent of, and any recent changes in, foreign ownership of water desalination facilities in Mississippi;

(f) Information regarding the extent of, and any recent changes in, foreign ownership of energy production, storage or distribution facilities in Mississippi;

(g) The Mississippi Department of Agriculture and Commerce's assessment of the impact of any recent changes in foreign ownership of agricultural land in Mississippi, water rights and food security;

(h) Any current prohibitions on the foreign ownership of Mississippi land and why such prohibitions are not being enforced; and

(i) Any legislative, regulatory or administrative policy changes the department recommends in light of the information in the report.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A STUDY COMMITTEE FOR THE PURPOSE OF STUDYING THE PURCHASING, ACQUIRING, LEASING OR HOLDING AN INTEREST IN AGRICULTURAL LAND BY FOREIGN GOVERNMENT; TO PROVIDE THE NINE MEMBERS OF THE STUDY COMMITTEE; TO PROVIDE THE INFORMATION THAT THE STUDY COMMITTEE SHALL STUDY, TO REQUIRE A REPORT TO BE PROVIDED TO THE LEGISLATURE BY DECEMBER 1, 2023; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 280 was adopted.

YEAS AND NAYS On H. B. No. 280. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Younger called up the following entitled bill:

**H. B. No. 363:** Mississippi Department of Agriculture and Commerce; technical amendments related to certain powers and duties.

Senator Younger offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:



SECTION 1. Section 69-5-31, Mississippi Code of 1972, is amended as follows:

69-5-31. (1) The Department of Agriculture and Commerce is authorized to hire and designate area law enforcement officers on a contractual basis to provide security and to enforce all laws of the State of Mississippi on the Mississippi State Fairgrounds Complex. All officers must have attended and satisfactorily completed the training course required for law enforcement officers at the Law Enforcement Officer's Training Academy or an equivalent facility. All officers must be current with this certification. A complete record of all law enforcement training of each employee will be maintained in each employee's record of employment. Furthermore, the Department of Agriculture and Commerce may enter into a contract with any certified law enforcement officer to provide security to the Department of Agriculture and Commerce with jurisdiction to enforce all laws of the State of Mississippi on property known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property.

(2) (a) All officers while in performance of their duty on the premises or at any of the facilities at the Mississippi State Fairgrounds Complex under the direction or control of the Department of Agriculture and Commerce and public property immediately adjacent to such facilities shall:

(i) Be required to dress in uniforms prescribed by the respective law enforcement agency by which he or she is employed; and

(ii) Be authorized to carry weapons.

(b) Employees designated as officers shall be duly sworn and vested with authority to bear arms and make arrests, and shall exercise primarily the responsibilities of the prevention and detection of crime, the apprehension of criminals, and the enforcement of the ordinances and policies of the Department of Agriculture and Commerce, a political subdivision of the State of Mississippi. Employees designated as such officers shall be considered law enforcement officers within the meaning of Section 45-6-3.

(3) The identities and personal information of the officers under the authority of this section are confidential and shall not be publicly disclosed by the department. All contract entered under the authority of this section shall be exempt from disclosure under the Mississippi Public Records Act, prescribed under Section 25-61-1 et seq.

SECTION 2. Section 69-42-1, Mississippi Code of 1972, is amended as follows:

69-42-1. (1) For the purposes of this section, the following words shall have the meanings ascribed in this section unless the context otherwise requires:

(a) "Agribusiness" means any agricultural, aquacultural, horticultural, manufacturing, research and development or processing enterprise or enterprises.

(b) "Farmer" means a resident of Mississippi who engages or wishes to engage in the commercial production of crops on land in Mississippi. The term shall include individuals, partnerships and corporations.

(2) The Mississippi Development Authority shall develop and implement a program to stimulate growth in the agricultural industry for agribusiness concerns and farmers.

(3) The program developed and implemented by the Mississippi Development Authority under this section shall:

(a) Increase the availability of financial assistance available to agribusiness concerns and farmers;

(b) Provide incentives for agribusiness concerns and farmers which will encourage growth in the Mississippi agricultural industry;

(c) Assist new agribusiness concerns and farmers in developing and implementing business plans;

(d) Develop methods for increasing markets for the goods and services of agribusiness concerns and farmers;

(e) Work with public and private entities in disseminating information about public and private programs that benefit agribusiness concerns and farmers; and

(f) Identify sources of financial assistance available to agribusiness concerns and farmers and assist agribusiness concerns and farmers with the preparation of applications for assistance from public and private sources.

\* \* \*

SECTION 3. Section 69-46-3, Mississippi Code of 1972, is amended as follows:

69-46-3. (1) There is created the Mississippi Land, Water and Timber Resources Board, hereinafter referred to as "the board," for the purpose of assisting Mississippi agricultural industry in the development, marketing and distribution of agricultural products.

(2) The board shall be composed of the following members:

(a) The Chairman of the Senate Agriculture Committee, or a member of the Senate Agriculture Committee designated by the chairman, as a nonvoting member;

(b) The Chairman of the House of Representatives Agriculture Committee or a member of the House of Representatives Agriculture Committee designated by the chairman, as a nonvoting member;

(c) The Chairman of the Senate Forestry Committee, or a member of the Senate Forestry Committee designated by the chairman, as a nonvoting member;

(d) The Executive Director of the Mississippi Development Authority, or his designee;

(e) The Commissioner of the Mississippi Department of Agriculture and Commerce, or his designee;

(f) The President of the Mississippi Farm Bureau Federation, or his designee;

(g) The Director of the Cooperative Extension Service at Mississippi State University, or his designee;

(h) The Executive Director of the Agribusiness and Natural Resource Development Center at Alcorn State University, or his designee;

(i) The Director of the Agricultural Finance Division of the Mississippi Development Authority, or his designee;

(j) The Director of the Agriculture Marketing Division of the Mississippi Department of Agriculture and Commerce, or his designee;

(k) The Executive Director of the Mississippi Forestry Commission, or his designee; and

(l) Three (3) individuals appointed by the Governor who are active producers of Mississippi land, water or timber commodities. The Governor shall appoint one (1) such person from each Supreme Court district.

(3) The Executive Director of the Mississippi Development Authority and the Commissioner of the Mississippi Department of Agriculture and Commerce shall serve as cochairmen of the board.

(4) The board shall meet at least once each calendar quarter at the call of the cochairmen. A majority of the members of the board shall constitute a quorum at all meetings. An affirmative vote of a majority of the members present and voting is required in the adoption of any actions taken by the board. All members must be notified, in writing, of all regular and special meetings of the board, which notices must be mailed at least ten (10) days before the dates of the meetings. All meetings shall take place at the State Capitol in Jackson, Mississippi, or at a location to be determined by the cochairmen. The board shall provide a copy of the minutes of each of its meetings to the Chairman of the Senate Agriculture Committee and the Chairman of the House of Representatives Agriculture Committee.

(5) Members of the board shall not receive compensation. However, each member may be paid travel expenses and meals and lodging expenses as provided in Section 25-3-41, for such expenses incurred in furtherance of their duties. Travel expenses and meals and lodging expenses and other necessary expenses incurred by the board shall be paid out of funds appropriated to the Mississippi Development Authority.

(6) In carrying out the provisions of the Mississippi Land, Water and Timber Resources Act, the board may utilize the services, facilities and personnel of all departments, agencies, offices and institutions of the state, and all such departments, agencies, offices and institutions shall cooperate with the board in carrying out the provisions of such act.

SECTION 4. Sections 69-41-1, 69-41-3, 69-41-5, 69-41-7, 69-41-9, 69-41-11, 69-41-13 and 69-41-19, Mississippi Code of 1972, which are provisions establishing and governing the administration of the "Mississippi Agribusiness Council Act of 1993," are repealed.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 69-5-31, MISSISSIPPI CODE OF 1972, TO EXEMPT OR MAINTAIN CONFIDENTIALITY OF PERSONAL IDENTIFYING INFORMATION OF LAW ENFORCEMENT OFFICERS HIRED BY THE DEPARTMENT; TO AMEND SECTION 69-42-1, MISSISSIPPI CODE OF 1972, TO DELETE REQUIREMENT FOR PRODUCTION OF ANNUAL REPORTS; TO AMEND SECTION 69-46-3, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL MEETING VENUE FOR THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES BOARD MEETINGS; TO AMEND SECTION 75-45-311, MISSISSIPPI CODE OF 1972, TO REPEAL SECTIONS 69-41-1, 69-41-3, 69-41-5, 69-41-7, 69-41-9, 69-41-11, 69-41-13 AND 69-41-19, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING AND GOVERNING THE ADMINISTRATION OF THE "MISSISSIPPI AGRIBUSINESS COUNCIL ACT OF 1993"; AND FOR RELATED PURPOSES.

Senators Hickman and Younger offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on lines 54-57 by deleting the following sentence:

All contracts entered under the authority of this section shall be exempt from disclosure under the Mississippi Public Records Act, prescribed under Section 25-61-1 et seq.

AMEND on line 54 by inserting after the period the following language:

The Department of Agriculture and Commerce shall redact the identities and personal information of officers contracted to serve on the Mississippi State Fairground Complex, from all contracts disclosed as public records in compliance with the Mississippi Public Records Act, prescribed under Section 25-61-1 et seq.; and such law enforcement contracts shall not be posted on the Department of Finance and Administration's searchable website, as required by the Mississippi Accountability and Transparency Act, prescribed under Section 27-104-151 et seq.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 363 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 363 was adopted.

YEAS AND NAYS On H. B. No. 363. On motion of Senator Younger, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Blount. Total--1.

Absent and those not voting----None.

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Senator DeBar called up the following entitled bill:

**H. B. No. 1365:** Assistant teacher salaries; prohibit school districts from using any state-funded increase to substitute the local contribution.

Senator DeBar offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-21-7, Mississippi Code of 1972, is amended as follows:

37-21-7. (1) This section shall be referred to as the "Mississippi Elementary Schools Assistant Teacher Program," the purpose of which shall be to provide an early childhood education program that assists in the instruction of basic skills. The State Board of Education is authorized, empowered and directed to implement a statewide system of

assistant teachers in kindergarten classes and in the first, second and third grades. The assistant teacher shall assist pupils in actual instruction under the strict supervision of a licensed teacher.

(2) (a) Except as otherwise authorized under subsection (7), each school district shall employ the total number of assistant teachers funded under subsection (6) of this section. The superintendent of each district shall assign the assistant teachers to the kindergarten, first-, second- and third-grade classes in the district in a manner that will promote the maximum efficiency, as determined by the superintendent, in the instruction of skills such as verbal and linguistic skills, logical and mathematical skills, and social skills.

(b) If a licensed teacher to whom an assistant teacher has been assigned is required to be absent from the classroom, the assistant teacher may assume responsibility for the classroom in lieu of a substitute teacher. However, no assistant teacher shall assume sole responsibility of the classroom for more than three (3) consecutive school days. Further, in no event shall any assistant teacher be assigned to serve as a substitute teacher for any teacher other than the licensed teacher to whom that assistant teacher has been assigned.

(3) Assistant teachers shall have, at a minimum, a high school diploma or a High School Equivalency Diploma equivalent, and shall show demonstrable proficiency in reading and writing skills. The State Department of Education shall develop a testing procedure for assistant teacher applicants to be used in all school districts in the state.

(4) (a) In order to receive funding, each school district shall:

(i) Submit a plan on the implementation of a reading improvement program to the State Department of Education; and

(ii) Develop a plan of educational accountability and assessment of performance, including pretests and posttests, for reading in Grades 1 through 6.

(b) Additionally, each school district shall:

(i) Provide annually a mandatory preservice orientation session, using an existing in-school service day, for administrators and teachers on the effective use of assistant teachers as part of a team in the classroom setting and on the role of assistant teachers, with emphasis on program goals;

(ii) Hold periodic workshops for administrators and teachers on the effective use and supervision of assistant teachers;

(iii) Provide training annually on specific instructional skills for assistant teachers;

(iv) Annually evaluate their program in accordance with their educational accountability and assessment of performance plan; and

(v) Designate the necessary personnel to supervise and report on their program.

(5) The State Department of Education shall:

(a) Develop and assist in the implementation of a statewide uniform training module, subject to the availability of funds specifically appropriated therefor by the Legislature, which shall be used in all school districts for training administrators, teachers and assistant teachers. The module shall provide for the consolidated training of each assistant teacher and teacher to whom the assistant teacher is assigned, working together as a team, and shall require further periodic training for administrators, teachers and assistant teachers regarding the role of assistant teachers;

(b) Annually evaluate the program on the district and state level. Subject to the availability of funds specifically appropriated therefor by the Legislature, the department shall develop: (i) uniform evaluation reports, to be performed by the principal or assistant principal, to collect data for the annual overall program evaluation conducted by the department; or (ii) a program evaluation model that, at a minimum, addresses process evaluation; and

(c) Promulgate rules, regulations and such other standards deemed necessary to effectuate the purposes of this section. Noncompliance with the provisions of this section and any rules, regulations or standards adopted by the department may result in a violation of compulsory accreditation standards as established by the State Board of Education and the Commission on School Accreditation.

(6) In addition to other funds allotted under the Minimum Education or Adequate Education Program, each school district shall be allotted sufficient funding for the purpose of employing assistant teachers. \* \* \* No school district shall pay any assistant teacher less than the state minimum salary. No school district shall reduce the local supplement or amount paid to an individual assistant teacher by the school district below the state minimum salary contained in this section from the previous year in a year in which the state minimum salary is increased. Should any school district violate the provisions of this subsection (6), such school district's funding shall be reduced by twice the amount of such reduction when computing the district's allocation of Mississippi Adequate Education Program funds. Provided, however, that school districts are authorized to reduce the state minimum salary by a pro rata daily amount (a) where there has been a reduction in adequate education program allocations for such district in such year, or (b) where there has been a reduction in the amount of federal funds to such district compared to the amount received from the previous year. Nothing herein contained shall prohibit any school district from adopting or continuing a program or plan whereby assistant teachers are paid varying salaries according to classroom performance and other similar standards.

For assistant teachers, the minimum annual salary shall be as follows:

2022-2023 and Subsequent Years Minimum Salary ..... \$17,000.00

In addition, for each one percent (1%) that the Sine Die General Fund Revenue Estimate Growth exceeds five percent (5%) in fiscal year 2006, as certified by the Legislative Budget Office to the State Board of Education and subject to the specific appropriation therefor by the Legislature, the State Board of Education shall revise the salary scale in the appropriate year to provide an additional one percent (1%) across-the-board increase in the base salaries for assistant teachers. The State Board of Education shall revise the salaries prescribed above for assistant teachers to conform to any adjustments made in prior fiscal years due to revenue growth over and above five percent (5%). The assistant teachers shall not be restricted to working only in the grades for which the funds were allotted, but may be assigned to other classes as provided in subsection (2)(a) of this section.

(7) (a) As an alternative to employing assistant teachers, any school district may use the allotment provided under subsection (6) of this section for the purpose of employing licensed teachers for kindergarten, first-, second- and third-grade classes;

however, no school district shall be authorized to use the allotment for assistant teachers for the purpose of employing licensed teachers unless the district has established that the employment of licensed teachers using such funds will reduce the teacher:student ratio in the kindergarten, first-, second- and third-grade classes. All state funds for assistant teachers shall be applied to reducing teacher:student ratio in Grades K-3.

It is the intent of the Legislature that no school district shall dismiss any assistant teacher for the purpose of using the assistant teacher allotment to employ licensed teachers. School districts may rely only upon normal attrition to reduce the number of assistant teachers employed in that district.

(b) Districts meeting the highest levels of accreditation standards, as defined by the State Board of Education, shall be exempted from the provisions of subsection (4) of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-21-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO SCHOOL DISTRICT SHALL REDUCE THE LOCAL SUPPLEMENT OR PAY AN INDIVIDUAL ASSISTANT TEACHER LESS THAN THE STATE MINIMUM SALARY IN A YEAR IN WHICH THE STATE MINIMUM SALARY IS INCREASED; TO PROVIDE FOR A REDUCTION IN FUNDS FOR SCHOOL DISTRICTS THAT VIOLATE THE PROVISIONS OF THIS SECTION; TO PROVIDE THAT NO SCHOOL DISTRICT SHALL PAY ANY ASSISTANT TEACHER LESS THAN THE STATE MINIMUM SALARY UNLESS DONE SO BY A PRO RATA DAILY AMOUNT WHERE THERE HAS BEEN A REDUCTION IN ADEQUATE EDUCATION PROGRAM ALLOCATIONS FOR SUCH DISTRICT IN SUCH YEAR OR WHERE THERE HAS BEEN A REDUCTION IN THE AMOUNT OF FEDERAL FUNDS TO SUCH DISTRICT FROM THE PREVIOUS YEAR; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1365 was adopted.

YEAS AND NAYS On H. B. No. 1365. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Chassaniol called up the following entitled bill:

**H. B. No. 704:** Television series production; provide incentives for certain.

Senator Chassaniol offered the following AMENDMENT NO. 1.

AMEND on line 238 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to H. B. No. 704 was adopted.

YEAS AND NAYS On H. B. No. 704. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Wiggins, Williams, Younger. Total--43.

Nays--Chism, Hill, Seymour. Total--3.

Absent and those not voting---None.

Voting Present--Blackwell, Branning, McDaniel, Parker, Sojourner, Whaley. Total--6.

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Senator DeBar called up the following entitled bill:

**H. B. No. 1173:** EEF procurement cards; authorize issuance to eligible charter school teachers.

YEAS AND NAYS On H. B. No. 1173. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1342:** Adoption procedures; regulate by creating a licensure authority.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 93-5-1, Mississippi Code of 1972, is amended as follows:

93-5-1. Divorces from the bonds of matrimony may be decreed to the injured party for any one or more of the following \* \* \* thirteen (13) causes:

First. Natural impotency.



Second. Adultery, unless it should appear that it was committed by collusion of the parties for the purpose of procuring a divorce, or unless the parties cohabited after a knowledge by complainant of the adultery.

Third. Being sentenced to any penitentiary, and not pardoned before being sent there.

Fourth. \* \* \* Continued \* \* \* desertion for the space of one (1) year.

Fifth. Habitual drunkenness.

Sixth. Habitual and excessive use of opium, morphine or other like drug.

Seventh. Habitual cruel and inhuman treatment, including spousal domestic abuse.

Spousal domestic abuse may be established through the reliable testimony of a single credible witness, who may be the injured party, and includes, but is not limited to:

That the injured party's spouse attempted to cause, or purposely, knowingly or recklessly caused bodily injury to the injured party, or that the injured party's spouse attempted by physical menace to put the injured party in fear of imminent serious bodily harm; or

That the injured party's spouse engaged in a pattern of behavior against the injured party of threats or intimidation, emotional or verbal abuse, forced isolation, sexual extortion or sexual abuse, or stalking or aggravated stalking as defined in Section 97-3-107, if the pattern of behavior rises above the level of unkindness or rudeness or incompatibility or want of affection.

Eighth. Having mental illness or an intellectual disability at the time of marriage, if the party complaining did not know of that infirmity.

Ninth. Marriage to some other person at the time of the pretended marriage between the parties.

Tenth. Pregnancy of the wife by another person at the time of the marriage, if the husband did not know of the pregnancy.

Eleventh. Either party may have a divorce if they are related to each other within the degrees of kindred between whom marriage is prohibited by law.

Twelfth. Incurable mental illness. However, no divorce shall be granted upon this ground unless the party with mental illness has been under regular treatment for mental illness and causes thereof, confined in an institution for persons with mental illness for a period of at least three (3) years immediately preceding the commencement of the action. However, transfer of a party with mental illness to his or her home for treatment or a trial visit on prescription or recommendation of a licensed physician, which treatment or trial visit proves unsuccessful after a bona fide effort by the complaining party to effect a cure, upon the recommitment of the party with mental illness in an institution for persons with mental illness, shall be regular treatment for mental illness and causes thereof, and the period of time so consumed in seeking to effect a cure or while on a trial visit home shall be added to the period of actual confinement in an institution for persons with mental illness in computing the required period of three (3) years confinement immediately preceding the beginning of the action. No divorce shall be granted because of mental illness until after a thorough examination of the person with mental illness by two (2) physicians who are recognized authorities on mental diseases. One (1) of those physicians shall be either the superintendent of a state psychiatric hospital or institution or a veterans hospital for persons with mental illness in which the patient is confined, or a

member of the medical staff of that hospital or institution who has had the patient in charge. Before incurable mental illness can be successfully proven as a ground for divorce, it shall be necessary that both of those physicians make affidavit that the patient is a person with mental illness at the time of the examination, and both affidavits shall be made a part of the permanent record of the divorce proceedings and shall create the prima facie presumption of incurable mental illness, such as would justify a divorce based on that ground. Service of process shall be made on the superintendent of the hospital or institution in which the defendant is a patient. If the patient is in a hospital or institution outside the state, process shall be served by publication, as in other cases of service by publication, together with the sending of a copy by registered mail to the superintendent of the hospital or institution. In addition, process shall be served upon the next blood relative and guardian, if any. If there is no legal guardian, the court shall appoint a guardian ad litem to represent the interest of the person with mental illness. The relative or guardian and superintendent of the hospital or institution shall be entitled to appear and be heard upon any and all issues. The status of the parties as to the support and maintenance of the person with mental illness shall not be altered in any way by the granting of the divorce.

However, in the discretion of the chancery court, and in those cases as the court may deem it necessary and proper, before any such decree is granted on the ground of incurable mental illness, the complainant, when ordered by the court, shall enter into bond, to be approved by the court, in such an amount as the court may think just and proper, conditioned for the care and keeping of the person with mental illness during the remainder of his or her natural life, unless the person with mental illness has a sufficient estate in his or her own right for that purpose.

Thirteenth. Upon application of either party, the court may grant a divorce when the court finds there has been an irretrievable breakdown of the marriage and that further attempts at reconciliation are impractical or futile and not in the best interests of the parties or family.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 93-5-1, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT OF WILLFUL AND OBSTINATE FROM THE GROUND OF DIVORCE FOR DESERTION; TO PROVIDE AN ADDITIONAL GROUND OF DIVORCE WHERE WHEN THE COURT FINDS THERE HAS BEEN AN IRRETRIEVABLE BREAKDOWN OF THE MARRIAGE AND THAT FURTHER ATTEMPTS AT RECONCILIATION ARE IMPRACTICAL OR FUTILE AND NOT IN THE BEST INTERESTS OF THE PARTIES OR FAMILY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1342 was adopted.

YEAS AND NAYS On H. B. No. 1342. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas, Thompson, Turner-Ford, Wiggins, Younger. Total--40.

Nays--Blackwell, Branning, Chism, McDaniel, Seymour, Sojourner, Sparks, Tate, Whaley, Williams. Total--10.  
Absent and those not voting---None.  
Voting Present--Hill, Parker. Total--2.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1149:** Path to permanency; provide for children in Child Protection Services.

Senator Wiggins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-21-201, Mississippi Code of 1972, is amended as follows:

43-21-201. (1) (a) Each party shall have the right to be represented by counsel at all stages of the proceedings including, but not limited to, detention, shelter, adjudicatory and disposition hearings and parole or probation revocation proceedings.

(b) In delinquency matters the court shall appoint legal defense counsel who is not also a guardian ad litem for the same child. If the party is a child, the child shall be represented by counsel at all critical stages: detention, adjudicatory and disposition hearings; parole or probation revocation proceedings; and post-disposition matters. If indigent, the child shall have the right to have counsel appointed for him by the youth court.

(c) A child who is alleged to have been abused or neglected shall be deemed to be a party to the proceedings under this chapter. The child shall be represented by an attorney at all stages of any proceedings held pursuant to this chapter. The court shall appoint an attorney to any child who is unrepresented.

(2) When a party first appears before the youth court, the judge shall ascertain whether he is represented by counsel and, if not, inform him of his rights including his right to counsel. If the court determines that a parent or guardian who is a party in an abuse, neglect or termination of parental rights proceeding is indigent, the youth court judge may appoint counsel to represent the indigent parent or guardian in the proceeding.

(3) An attorney appointed to represent a \* \* \* child shall be required to complete annual juvenile justice training that is approved by the Mississippi Office of State Public Defender and the Mississippi Commission on Continuing Legal Education. An attorney appointed to represent a parent or guardian in an abuse, neglect or termination of parental rights proceeding shall be required to complete annual training that is approved by the Office of State Public Defender and the Mississippi Commission on Continuing Legal Education. The Mississippi Office of State Public Defender and the Mississippi Commission on Continuing Legal Education shall determine the amount of juvenile justice training and continuing education required to fulfill the requirements of this subsection. The State Public Defender shall maintain a roll of attorneys who have complied with the training requirements and shall enforce the provisions of this subsection. Should an attorney fail to complete the annual training requirement or fail to attend the required training within six (6) months of being appointed to a youth court case, the attorney shall be disqualified to serve and the youth court shall immediately terminate the representation and appoint another attorney. Attorneys appointed by a youth court to five (5) or fewer cases a year are exempt from the requirements of this subsection.

(4) The child's attorney shall owe the same duties of undivided loyalty, confidentiality and competent representation to the child or minor as is due an adult client pursuant to the Mississippi Rules of Professional Conduct.

(5) An attorney shall enter his appearance on behalf of a party in the proceeding by filing a written notice of appearance with the youth court, by filing a pleading, notice or motion signed by counsel or by appearing in open court and advising the youth court that he is representing a party. After counsel has entered his appearance, he shall be served with copies of all subsequent pleadings, motions and notices required to be served on the party he represents. An attorney who has entered his appearance shall not be permitted to withdraw from the case until a timely appeal, if any, has been decided, except by leave of the court then exercising jurisdiction of the cause after notice of his intended withdrawal is served by him on the party he represents.

(6) Each designee appointed by a youth court judge shall be subject to the Code of Judicial Conduct and shall govern himself or herself accordingly.

(7) The Department of Child Protection Services shall be a necessary party at all stages of the proceedings involving a child for whom the department has custody, including, but not limited to, shelter, adjudicatory, disposition and permanency hearings.

SECTION 2. Section 43-21-501, Mississippi Code of 1972, is amended as follows:

43-21-501. When a petition has been filed and the date of hearing has been set by the youth court, the judge or his designee shall order the clerk of the youth court to issue a summons to the following to appear personally at such hearing:

- (a) The child named in the petition;
- (b) The person or persons who have custody or control of the child;
- (c) The parent or guardian of the child if such parent or guardian does not have custody of the child; \* \* \*
- (d) The Department of Child Protection Services; and
- ( \* \* \*e) Any other person whom the court deems necessary.

SECTION 3. Section 43-21-701, Mississippi Code of 1972, is amended as follows:

43-21-701. (1) There is hereby established the Mississippi Commission on a Uniform Youth Court System and Procedures. The commission shall consist of the following \* \* \* twenty-one (21) members:

- (a) One (1) circuit court judge appointed by the Chief Justice of the Mississippi Supreme Court;
- (b) One (1) chancery court judge, appointed by the Chief Justice of the Mississippi Supreme Court;
- (c) The President of the Mississippi Council of Youth Court Judges, or his designee;
- (d) Two (2) who may be either family court judges or county court judges, appointed by the President of the Mississippi Council of Youth Court Judges;
- (e) Two (2) youth court referees, appointed by the President of the Mississippi Council of Youth Court Judges;

(f) One (1) member of the Mississippi House of Representatives to be appointed by the Speaker of the House;

(g) One (1) member of the Mississippi Senate to be appointed by the Lieutenant Governor;

(h) The directors of the following state agencies or their designated representatives: the Mississippi Department of \* \* \* Human Services and the Mississippi Department of \* \* \* Child Protection Services;

(i) The director or his designated representative of the Governor's Office of Federal-State Programs;

(j) \* \* \* Two (2) employees, other than the director, of the Department of \* \* \* Child Protection Services who \* \* \* are supervisors of social workers primarily assigned to youth cases, appointed by the Governor;

(k) One (1) employee, other than the director, of the Department of Child Protection Services who is experienced with the legal process of youth court cases, appointed by the Governor;

( \* \* \*l) One (1) municipal police chief, appointed by the Governor;

( \* \* \*m) One (1) county sheriff, appointed by the Governor;

( \* \* \*n) Two (2) lawyers experienced in youth court work, appointed by the Governor; and

( \* \* \*o) Two (2) prosecuting attorneys who prosecute cases in youth court, appointed by the Governor.

(2) The members shall be appointed to the commission within fifteen (15) days of the effective date of Sections 43-21-701 and 43-21-703 and shall serve until the end of their respective terms of office, if applicable, or until October 1, \* \* \* 2024, whichever occurs first. Vacancies on the commission shall be filled in the manner of the original appointment. Members shall be eligible for reappointment provided that upon such reappointment they meet the qualifications required of a new appointee.

(3) The commission may elect any officers from among its membership as it deems necessary for the efficient discharge of the commission's duties.

(4) The commission shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business. \* \* \* Twelve (12) or more members shall constitute a quorum for the purpose of conducting any business of the commission; provided, however, a vote of not less than \* \* \* fourteen (14) members shall be required for any recommendations to the Legislature.

(5) Members of the commission shall serve without compensation, except that state and county employees and officers shall receive any per diem as authorized by law from appropriations available to their respective agencies or political subdivisions. All commission members shall be entitled to receive reimbursement for any actual and reasonable expenses incurred as a necessary incident to service on the commission, including mileage as provided by law.

(6) The commission may select and employ a research director who shall perform the duties which the commission directs, which duties shall include the hiring of such other employees for the commission as the commission may approve. The research director and all other employees of the commission shall be in the state service and their salaries shall be established by the commission subject to approval by the State Personnel Board.

Employees of the commission shall be reimbursed for the expenses necessarily incurred in the performance of their official duties in the same manner as other state employees. The commission may also employ any consultants it deems necessary, including consultants to compile any demographic data needed to accomplish the duties of the commission.

(7) The Governor's Office of Federal-State Programs shall support the Commission on a Uniform Youth Court System and shall act as agent for any funds made available to the commission for its use. In order to expedite the implementation of the Commission on a Uniform Youth Court System, any funds available to the Governor's Office of Federal-State Programs for the \* \* \* 2023-2024 fiscal year may be expended for the purpose of defraying the expenses of the commission created herein.

(8) The commission may contract for suitable office space in accordance with the provisions of Section 29-5-2, Mississippi Code of 1972. In addition, the commission may utilize, with their consent, the services, equipment, personnel, information and resources of other state agencies; and may accept voluntary and uncompensated services, contract with individuals, public and private agencies, and request information, reports and data from any agency of the state, or any of its political subdivisions, to the extent authorized by law.

(9) In order to conduct and carry out its purposes, duties and related activities as provided for in this section and Section 43-21-703, the commission is authorized to apply for and accept gifts, grants, subsidies and other funds from persons, corporations, foundations, the United States government or other entities, provided that the receipt of such gifts, grants, subsidies and funds shall be reported and otherwise accounted for in the manner provided by law.

SECTION 4. Section 43-21-703, Mississippi Code of 1972, is amended as follows:

43-21-703. (1) The commission shall study the youth court system in Mississippi, and prepare a report including any proposed changes in the youth court system and/or its procedures. It shall submit the report to the Legislature, on or before October 1, \* \* \* 2024, along with a report detailing any legislation which may be needed to implement the plan. In preparing the report, the commission shall evaluate the existing juvenile services in the state and may recommend changes in the organizational concepts, institutions, laws and resources.

(2) In formulating its report, the commission shall take into consideration the following:

- (a) Whether a uniform statewide youth court system would be desirable;
- (b) How best the service needs of the state could be met in relation to the taxing and resource capacity of various multi-county districts now existing or proposed;
- (c) Whether counties in a given service area or district may develop district shelters, detention centers and diagnostic centers to serve a multi-county area; and
- (d) What proposals or alternatives would update or modernize the system to provide staffing for all counties and citizens.

(3) The commission, in addition to recommending the plan described in this section, shall serve as a clearinghouse and information center for the collection, preparation, analysis and dissemination of information on the youth court system in Mississippi and shall conduct ongoing research relating to the improvement of the youth court system. Pursuant to its duties under this subsection, the commission may request the regular submission to it of such reports, information and statistics by the courts,

judges, prosecuting attorneys and agencies of this state which the commission deems necessary for the development of its reports.

SECTION 5. Section 93-15-107, Mississippi Code of 1972, is amended as follows:

93-15-107. (1) (a) Involuntary termination of parental rights proceedings are commenced upon the filing of a petition under this chapter. The petition may be filed by any interested person, or any agency, institution or person holding custody of the child. The simultaneous filing of a petition for adoption is not a prerequisite for filing a petition under this chapter.

(b) The proceeding shall be triable, either in term time or vacation, thirty (30) days after personal service of process to any necessary party or, for a necessary party whose address is unknown after diligent search, thirty (30) days after the date of the first publication of service of process by publication that complies with the Mississippi Rules of Civil Procedure.

(c) Necessary parties to a termination of parental rights action shall include the mother of the child, the legal father of the child, the putative father of the child when known, and any agency, institution or person holding custody of the child. The absence of a necessary party who has been properly served does not preclude the court from conducting the hearing or rendering a final judgment.

(d) A guardian ad litem shall be appointed to protect the best interest of the child, except that the court, in its discretion, may waive this requirement when a parent executes a written voluntary release to terminate parental rights. The guardian ad litem fees shall be determined and assessed in the discretion of the court.

(2) Voluntary termination of parental rights by written voluntary release is governed by Section 93-15-111.

(3) In all cases involving termination of parental rights, a minor parent shall be served with process as an adult.

(4) The court may waive service of process if an adoptive child was born in a foreign country, put up for adoption in the birth country, and has been legally admitted into this country.

(5) The clerk shall docket cases seeking relief under this chapter as priority cases. The assigned judge shall be immediately notified when a case is filed in order to provide for expedited proceedings.

SECTION 6. Section 93-17-3, Mississippi Code of 1972, is amended as follows:

93-17-3. (1) Except as otherwise provided in this section, a court of this state has jurisdiction over a proceeding for the adoption or readoption of a minor commenced under this chapter if:

(a) Immediately before commencement of the proceeding, the minor lived in this state with a parent, a guardian, a prospective adoptive parent or another person acting as parent, for at least six (6) consecutive months, excluding periods of temporary absence, or, in the case of a minor under six (6) months of age, lived in this state from soon after birth with any of those individuals and there is available in this state substantial evidence concerning the minor's present or future care;

(b) Immediately before commencement of the proceeding, the prospective adoptive parent lived in this state for at least six (6) consecutive months, excluding periods of temporary absence, and there is available in this state substantial evidence concerning the minor's present or future care;

(c) The agency that placed the minor for adoption is licensed in this state and it is in the best interest of the minor that a court of this state assume jurisdiction because:

(i) The minor and the minor's parents, or the minor and the prospective adoptive parent, have a significant connection with this state; and

(ii) There is available in this state substantial evidence concerning the minor's present or future care;

(d) The minor and the prospective adoptive parent or parents are physically present in this state and the minor has been abandoned or it is necessary in an emergency to protect the minor because the minor has been subjected to or threatened with mistreatment or abuse or is otherwise neglected, and the prospective adoptive parent or parents, if not residing in Mississippi, have completed and provided the court with a satisfactory Interstate Compact for Placement of Children (ICPC) home study and accompanying forms;

(e) It appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraphs (a) through (d), or another state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum to hear a petition for adoption of the minor, and it is in the best interest of the minor that a court of this state assume jurisdiction; or

(f) The child has been adopted in a foreign country, the agency that placed the minor for adoption is licensed in this state, and it is in the best interest of the child to be readopted in a court of this state having jurisdiction.

(2) A court of this state may not exercise jurisdiction over a proceeding for adoption of a minor if, at the time the petition for adoption is filed, a proceeding concerning the custody or adoption of the minor is pending in a court of another state exercising jurisdiction substantially in conformity with the Uniform Child Custody Jurisdiction Act or this section unless the proceeding is stayed by the court of the other state.

(3) If a court of another state has issued a decree or order concerning the custody of a minor who may be the subject of a proceeding for adoption in this state, a court of this state may not exercise jurisdiction over a proceeding for adoption of the minor unless:

(a) The court of this state finds that the court of the state which issued the decree or order:

(i) Does not have continuing jurisdiction to modify the decree or order under jurisdictional prerequisites substantially in accordance with the Uniform Child Custody Jurisdiction Act or has declined to assume jurisdiction to modify the decree or order; or

(ii) Does not have jurisdiction over a proceeding for adoption substantially in conformity with subsection (1)(a) through (d) or has declined to assume jurisdiction over a proceeding for adoption; and

(b) The court of this state has jurisdiction over the proceeding.

(4) Any person may be adopted in accordance with the provisions of this chapter in term time or in vacation by an unmarried adult, by a married person whose spouse joins in the petition, by a married person whose spouse does not join in the petition because such spouse does not cohabit or reside with the petitioning spouse, and in any circumstances determined by the court that the adoption is in the best interest of the child. Only the consenting adult will be a legal parent of the child. In those adoption proceedings



where the chancery court has jurisdiction, the adoption shall be by sworn petition filed in the chancery court of the county in which the adopting petitioner or petitioners reside or in which the child to be adopted resides or was born, or was found when it was abandoned or deserted, or in which the home is located to which the child has been surrendered by a person authorized to so do. In those adoption proceedings where the county court sitting as a youth court has jurisdiction, the adoption shall be by sworn petition filed in that county court. The petition shall be accompanied by a doctor's or nurse practitioner's certificate showing the physical and mental condition of the child to be adopted and a sworn statement of all property, if any, owned by the child. In addition, the petition shall be accompanied by affidavits of the petitioner or petitioners stating the amount of the service fees charged by any adoption agencies or adoption facilitators used by the petitioner or petitioners and any other expenses paid by the petitioner or petitioners in the adoption process as of the time of filing the petition. If the doctor's or nurse practitioner's certificate indicates any abnormal mental or physical condition or defect, the condition or defect shall not, in the discretion of the chancellor or youth court judge, bar the adoption of the child if the adopting parent or parents file an affidavit stating full and complete knowledge of the condition or defect and stating a desire to adopt the child, notwithstanding the condition or defect. The court shall have the power to change the name of the child as a part of the adoption proceedings. The word "child" in this section shall be construed to refer to the person to be adopted, though an adult.

(5) No person may be placed in the home of or adopted by the prospective adopting parties before a court-ordered or voluntary home study is satisfactorily completed by a licensed adoption agency, a licensed, experienced social worker approved by the chancery court, a court-appointed guardian ad litem that has knowledge or training in conducting home studies if so directed by the court, or by the Department of \* \* \* Child Protection Services on the prospective adoptive parties if required by Section 93-17-11.

(6) No person may be adopted by a person or persons who reside outside the State of Mississippi unless the provisions of the Interstate Compact for Placement of Children (Section 43-18-1 et seq.) have been complied with. In such cases Forms 100A, 100B (if applicable) and evidence of Interstate Compact for Placement of Children approval shall be added to the permanent adoption record file within one (1) month of the placement, and a minimum of two (2) post-placement reports conducted by a licensed child-placing agency shall be provided to the Mississippi Department of Child Protection Services Interstate Compact for Placement of Children office.

(7) No person may be adopted unless the provisions of the Indian Child Welfare Act (ICWA) have been complied with, if applicable. When applicable, proof of compliance shall be included in the court adoption file prior to finalization of the adoption. If not applicable, a written statement or paragraph in the petition for adoption shall be included in the adoption petition stating that the provisions of ICWA do not apply before finalization.

(8) The readoption of a child who has automatically acquired United States citizenship following an adoption in a foreign country and who possesses a Certificate of Citizenship in accordance with the Child Citizenship Act, CAA, Public Law 106-395, may be given full force and effect in a readoption proceeding conducted by a court of competent jurisdiction in this state by compliance with the Mississippi Registration of Foreign Adoptions Act, Article 9 of this chapter.

(9) For adult adoptees who consent to the adoption, a chancellor may waive any of the petition requirements and procedural requirements within subsections (4), (5), (6) and (7) of this section.

(10) For proceedings filed under this chapter, the chancery court has original exclusive jurisdiction over all adoption proceedings except when a county court sitting as a youth court has acquired jurisdiction of a child in an abuse or neglect proceeding. In

such case, the county court shall have original exclusive jurisdiction to hear a petition for adoption of that child pursuant to the procedures of this chapter.

(11) The clerk shall docket cases seeking relief under this chapter as priority cases. The assigned judge shall be immediately notified when a case is filed in order to provide for expedited proceedings.

SECTION 7. Section 7-5-1, Mississippi Code of 1972, is brought forward as follows:

7-5-1. The Attorney General provided for by Section 173 of the Mississippi Constitution shall be elected at the same time and in the same manner as the Governor is elected. His term of office shall be four (4) years and his compensation shall be fixed by the Legislature. He shall be the chief legal officer and advisor for the state, both civil and criminal, and is charged with managing all litigation on behalf of the state, except as otherwise specifically provided by law. No arm or agency of the state government shall bring or defend a suit against another arm or agency without prior written approval of the Attorney General. He shall have the powers of the Attorney General at common law and, except as otherwise provided by law, is given the sole power to bring or defend a lawsuit on behalf of a state agency, the subject matter of which is of statewide interest. He shall intervene and argue the constitutionality of any statute when notified of a challenge thereto, pursuant to the Mississippi Rules of Civil Procedure. His qualifications for office shall be as provided for chancery and circuit judges in Section 154 of the Mississippi Constitution.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE A CLEAR PATH TO PERMANENCY FOR CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILDREN ALLEGED TO HAVE BEEN ABUSED OR NEGLECTED SHALL BE A PARTY AND SHALL BE REPRESENTED BY COUNSEL; TO PROVIDE THAT A PARTY'S RIGHT TO REPRESENTATION SHALL EXTEND TO SHELTER HEARINGS; TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A NECESSARY PARTY AT ALL STAGES OF THE PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY INCLUDING, BUT NOT LIMITED TO, SHELTER, ADJUDICATORY, DISPOSITION AND PERMANENCY HEARINGS; TO AMEND SECTION 43-21-501, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO ISSUE A SUMMONS TO THE DEPARTMENT OF CHILD PROTECTION SERVICES IF A PETITION IS FILED THAT INVOLVES A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO AMEND SECTION 43-21-701, MISSISSIPPI CODE OF 1972, TO ADD ADDITIONAL MEMBERS TO THE MISSISSIPPI COMMISSION ON A UNIFORM YOUTH COURT SYSTEM AND PROCEDURES; TO REVISE THE QUORUM OF THE COMMISSION; TO AMEND SECTION 43-21-703, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSION SHALL FILE A REPORT WITH THE LEGISLATURE ON OR BEFORE A CERTAIN DATE; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CLERK TO DOCKET TERMINATION-OF-PARENTAL-RIGHTS CASES AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR ADOPTION PROCEEDINGS THE CHANCERY COURT HAS ORIGINAL EXCLUSIVE JURISDICTION OVER ALL ADOPTION PROCEEDINGS EXCEPT WHEN A COUNTY COURT SITTING AS A YOUTH COURT HAS ACQUIRED

JURISDICTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO PROVIDE THAT THE COUNTY COURT SHALL HAVE ORIGINAL EXCLUSIVE JURISDICTION TO HEAR A PETITION FOR ADOPTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO REQUIRE THE CLERK TO DOCKET ADOPTION PROCEEDINGS AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO BRING FORWARD SECTION 7-5-1, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE POWERS OF THE ATTORNEY GENERAL, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1149 failed.

Senator Wiggins offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. From and after July 1, 2023, the Department of Child Protection Services shall be a state agency separate and apart from the Department of Human Services and not a subagency housed within the Department of Human Services, and shall have such powers and duties and perform such functions that are assigned to the Department of Child Protection Services by state law. All records, property and contractual rights and obligations of the Department of Child Protection Services that relate to the powers, duties and functions exercised or performed by the Department of Child Protection Services while it was a subagency housed within the Department of Human Services shall be vested in the Department of Child Protection Services. The Department of Human

Services shall cooperate with the Department of Child Protection Services to the greatest extent possible to accomplish an orderly transition of the Department of Child Protection Services to a separate state agency.

SECTION 2. Section 43-26-1, Mississippi Code of 1972, is amended as follows:

43-26-1. (1) There is \* \* \* created a Mississippi Department of Child Protection Services.

(2) The Chief Administrative Officer of the Department of Child Protection Services shall be the Commissioner of Child Protection Services who shall be appointed by the Governor with the advice and consent of the Senate. The commissioner shall possess the following qualifications:

(a) A bachelor's degree from an accredited institution of higher learning and ten (10) years' experience in management, public administration, finance or accounting; or

(b) A master's or doctoral degree from an accredited institution of higher learning and five (5) years' experience in management, public administration, finance, law or accounting.

\* \* \*

(3) The Department of Child Protection Services shall provide the services authorized by law to every individual determined to be eligible therefor, and in carrying out the purposes of the department, the commissioner is authorized:

(a) To formulate the policy of the department regarding child welfare services within the jurisdiction of the department;

(b) To adopt, modify, repeal and promulgate, after due notice and hearing, and where not otherwise prohibited by federal or state law, to make exceptions to and grant exemptions and variances from, and to enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction;

(c) To apply for, receive and expend any federal or state funds or contributions, gifts, devises, bequests or funds from any other source;

(d) To enter into and execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the programs of the department; and

(e) To discharge such other duties, responsibilities, and powers as are necessary to implement the programs of the department.

(4) The commissioner shall establish the organizational structure of the Department of Child Protection Services, which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law.

(5) The commissioner shall appoint heads of offices, bureaus, and divisions, as defined in Section 7-17-11, who shall serve at the pleasure of the commissioner. The salary and compensation of such office, bureau and division heads shall be subject to the rules and regulations adopted and promulgated by the State Personnel Board. The commissioner shall have the authority to organize offices as deemed appropriate to carry out the responsibilities of the department.

(6) The Department of Child Protection Services shall be responsible for the development, execution, and provision of services in the following areas:

(a) Protective services for children;

(b) Foster care;

(c) Adoption services;

(d) Special services;

(e) Interstate compact;

(f) Licensure;

(g) Prevention services; and

(h) Such other services as may be designated. Services enumerated under Section 43-15-13 et seq., for the foster care program shall be provided by qualified staff with appropriate case loads.

(7) The Department of Child Protection Services shall have the following powers and duties:

(a) To provide basic services and assistance statewide to needy and disadvantaged individuals and families;

(b) To promote integration of the many services and programs within its jurisdiction at the client level thus improving the efficiency and effectiveness of service delivery and providing easier access to clients;

(c) To employ personnel and expend funds appropriated to the department to carry out the duties and responsibilities assigned to the department by law;

(d) To fingerprint and conduct a background investigation on every employee, contractor, subcontractor and volunteer:

(i) Who has direct access to clients of the department who are children or vulnerable adults;

(ii) Who is in a position of fiduciary responsibility;

(iii) Who is in a position with access to Federal Tax Information (FTI);

or

(iv) Who is otherwise required by federal law or regulations to undergo a background investigation.

Every such employee, contractor, subcontractor and volunteer shall provide a valid current social security number and/or driver's license number, which shall be furnished to conduct the background investigation for determination as to good moral character and to ensure that no person placed in any position referenced in this paragraph (d) has a felony conviction that would prevent employment or access to Federal Tax Information according to department policy. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a fingerprint-based national criminal history record check. The department shall be the recipient of the results of any background investigation and/or criminal history record check performed in accordance with this paragraph;

(e) To establish and maintain programs not inconsistent with the terms of this chapter and the rules, regulations and policies of the Department of Child Protection Services, and publish the rules and regulations of the department pertaining to such programs;

(f) To provide all other child welfare programs and services previously provided by the Department of Human Services or a division thereof; and

(g) Make such reports in such form and containing such information as the federal government may, from time to time, require, and comply with such provisions as the federal government may, from time to time, find necessary to assure the correctness and verification of such reports.

( \*\* \*8) The Mississippi Department of Child Protection Services shall submit a copy of the federal Annual Progress and Services Report (APSR) to the Chair of the Senate Public Health and Welfare Committee, the Chair of the Senate Appropriations Committee, the Chair of the House Public Health and Human Services Committee, the Chair of the House Appropriations Committee, the Lieutenant Governor, the Speaker of the House of Representatives, and the Governor by December 1 of each year.

( \*\* \*9) (a) The Commissioner of Child Protection Services shall hire a Coordinator of Services for Victims of Human Trafficking and Commercial Sexual Exploitation within the Department of Child Protection Services whose duties shall include, but not be limited to, the following:

(i) To form specialized human trafficking and commercial sexual exploitation assessment teams to respond on an as-needed basis to act as an emergency, separate and specialized response and assessment team to rapidly respond to the needs of children who are victims of human trafficking and commercial sexual exploitation;

(ii) To identify victims of human trafficking and commercial sexual exploitation;

(iii) To monitor, record and distribute federal human trafficking funds received by the Department of Child Protection Services;

(iv) To employ staff to investigate allegations of human trafficking and commercial sexual exploitation; and

(v) To develop and coordinate services within the Department of Child Protection Services and with outside service providers for victims of human trafficking and commercial sexual exploitation.

(b) The Commissioner of Child Protection Services shall develop standard operating procedures for the investigation, custody and services provided to alleged victims of human trafficking and commercial sexual exploitation.

(c) The Commissioner shall require two (2) hours of training regarding the subject of identifying, assessing, and providing comprehensive services to a child who has experienced or is alleged to have experienced commercial sexual exploitation or human trafficking. The training must be incorporated into the preservice training requirements of all Mississippi Department of Child Protection Services family specialists, adoption specialists, licensure specialists, direct supervisors of family protection specialists, direct supervisors of adoption specialists, and direct supervisors of licensure specialists.

(10) This section shall stand repealed on July 1, 2028.

SECTION 3. The following shall be codified as Section 43-26-5, Mississippi Code of 1972:

43-26-5. (1) The Department of Child Protection Services shall establish a record-keeping procedure to ensure that all referrals of neglect and/or abuse are accurately and adequately maintained for future or cross-reference.

(2) In addition to a toll-free abuse reporting telephone system, the department shall establish a uniform intake procedure for the receipt and referral to the appropriate personnel for investigation. The uniform intake procedure shall be made available to all appropriate agencies and the public in order to facilitate the necessary protective services.

SECTION 4. The following shall be codified as Section 43-26-7, Mississippi Code of 1972:

43-26-7. The Department of Child Protection Services shall have the authority to use the services and resources of the State Department of Education, the State Department of Health, the State Department of Human Services, the State Department of Mental Health, Division of Medicaid, and all other appropriate state departments, agencies, institutions or political subdivisions as will aid in carrying out the purposes of this chapter. It shall be the duty of all such state departments, agencies and institutions to make available such services and resources on a priority basis to the department, including, but not necessarily limited to, such services and resources as may be required to perform appropriate criminal history record checks on prospective foster and relative child placements for the purpose of preventing and detecting abuse and neglect.

SECTION 5. The following shall be codified as Section 43-26-9, Mississippi Code of 1972:

43-26-9. It is the intent of the Legislature that the resources devoted to family and children's services and to public assistance programs be clearly delineated and that all resources intended for child protection and other related purposes be expended in service of that goal.

SECTION 6. The following shall be codified as Section 43-26-11, Mississippi Code of 1972:

43-26-11. (1) There shall be created local offices of the Department of Child Protection Services in those locations throughout the state as determined by the commissioner. It shall be the duty of the board of supervisors of each county in which a local office is located to provide office space for the local offices.

The local office of the Department of Child Protection Services shall administer all forms of child welfare services with the exception of those administered by the Department of Human Services. The local offices shall comply with such regulations and submit such reports as may be established or required by the commissioner. Subject to the approval of the commissioner, the local offices may cooperate with other departments, agencies and institutions, state and local, when so requested, in performing services in conformity with the provisions of this chapter.

(2) The Department of Child Protection Services may enter into a lease with each county board of supervisors in each county where a local office is located to allow the department to maximize the availability of federal funds. Fair market value for the county-furnished building will be established and the department shall pay the federal share for the rent to the county. All other expenses related to the operation of the local office shall be split between the department, providing the federal share, and the county, being responsible for the remainder or the state share. This includes, but is not limited to, electricity, water, gas, internet, and janitorial services and supplies. All maintenance and repairs of the local office shall be the responsibility of the county due to the prohibition of federal funds for improvements of real property.

SECTION 7. The following shall be codified as Section 43-26-13, Mississippi Code of 1972:

43-26-13. The governing authority of any municipality or county in this state is authorized and empowered, in its discretion, to expend such funds as it deems necessary and desirable, from any available funds of the municipality or county, to: (a) match any state, federal or private funds available for any program administered by the Department of Child Protection Services in this state; and/or (b) make a voluntary contribution to any such program.

SECTION 8. The following shall be codified as Section 43-26-15, Mississippi Code of 1972:

43-26-15. The Department of Finance and Administration shall furnish office space for the Department of Child Protection Services in the City of Jackson and is authorized to rent suitable quarters in the city if there is not sufficient room in one of the state office buildings.

SECTION 9. The following shall be codified as Section 43-26-17, Mississippi Code of 1972:

43-26-17. The Department of Child Protection Services shall cooperate with the federal government, its agencies and instrumentalities, in carrying out the provisions of any federal acts concerning public welfare for children, and in other matters of mutual

concern pertaining to public welfare for children, including the adoption of such methods of administration as are found by the federal government to be necessary for the efficient operation of plans for public assistance and welfare services for children in accordance with the provisions of the federal Social Security Act, as amended. It shall also cooperate with other departments, agencies and institutions, federal, state and local or private, when so requested, in performing services in conformity with the laws applicable to the department.

SECTION 10. The following shall be codified as Section 43-26-19, Mississippi Code of 1972:

43-26-19. The Department of Child Protection Services may, in its discretion, destroy or cause to be destroyed, or otherwise disposed of, any and all abandoned applications, closed case files, communications, information, memoranda, records, reports, paid checks, and files, in the office of the Department of Child Protection Services when and as they become three (3) or more completed fiscal years old and which, in the opinion of the department, are no longer useful or necessary.

SECTION 11. The following shall be codified as Section 43-26-21, Mississippi Code of 1972:

43-26-21. All political subdivisions of the state, or combinations of political subdivisions, are authorized to employ assistant prosecutors to prosecute for the crimes under Section 97-19-71 and the Department of Child Protection Services is authorized to contract with any political subdivision to subsidize payment for the reasonable and necessary cost of prosecutions and investigations in any program where federal matching funds are available.

SECTION 12. The following shall be codified as Section 43-26-23, Mississippi Code of 1972:

43-26-23. (1) Any sums paid to or on behalf of any person, entity or subgrantee or the value of any aid or benefit or services obtained or received under any state or federally funded assistance program for children as a result of any false statement, misrepresentation, concealment of a material fact, failure to disclose assets, or by whatever means, becomes a debt due to the Department of Child Protection Services. The amount of value of any assistance shall be recoverable from the recipient or his or her estate in a civil action brought in the name of the Department of Child Protection Services pursuant to this section. If such action is brought, the department shall be entitled to recover, in addition to the amount of assistance, a reasonable amount of attorney's fees and its cost incurred therein. Where an attorney from the county attorney's office represents the department in such action, the attorney's fee awarded shall be for the use and benefit of that particular office and shall be forwarded to that office upon receipt by the department.

(2) In any civil action for the recovery of the amount of value of any aid or benefits or services improperly paid to the recipient, proof that a conviction or guilty plea on a misdemeanor or felony charge under Section 97-19-71 shall be deemed prima facie evidence that such assistance was improperly obtained under the provision of this section.

(3) Repayment of the assistance improperly obtained pursuant to this section shall not constitute a defense to or ground of dismissal of criminal charges brought under Section 97-19-71.

SECTION 13. Section 11-46-1, Mississippi Code of 1972, is amended as follows:

11-46-1. As used in this chapter, the following terms shall have the meanings ascribed unless the context otherwise requires:



(a) "Claim" means any demand to recover damages from a governmental entity as compensation for injuries.

(b) "Claimant" means any person seeking compensation under the provisions of this chapter, whether by administrative remedy or through the courts.

(c) "Board" means the Mississippi Tort Claims Board.

(d) "Department" means the Department of Finance and Administration.

(e) "Director" means the executive director of the department who is also the executive director of the board.

(f) "Employee" means any officer, employee or servant of the State of Mississippi or a political subdivision of the state, including elected or appointed officials and persons acting on behalf of the state or a political subdivision in any official capacity, temporarily or permanently, in the service of the state or a political subdivision whether with or without compensation, including firefighters who are members of a volunteer fire department that is a political subdivision. The term "employee" shall not mean a person or other legal entity while acting in the capacity of an independent contractor under contract to the state or a political subdivision; and

(i) For purposes of the limits of liability provided for in Section 11-46-15, the term "employee" shall include:

1. Physicians under contract to provide health services with the State Board of Health, the State Board of Mental Health or any county or municipal jail facility while rendering services under the contract;

2. Any physician, dentist or other health care practitioner employed by the University of Mississippi Medical Center (UMMC) and its departmental practice plans who is a faculty member and provides health care services only for patients at UMMC or its affiliated practice sites, including any physician or other health care practitioner employed by UMMC under an arrangement with a public or private health-related organization;

3. Any physician, dentist or other health care practitioner employed by any university under the control of the Board of Trustees of State Institutions of Higher Learning who practices only on the campus of any university under the control of the Board of Trustees of State Institutions of Higher Learning;

4. Any physician, dentist or other health care practitioner employed by the State Veterans Affairs Board and who provides health care services for patients for the State Veterans Affairs Board;

(ii) The term "employee" shall also include Mississippi Department of \* \* \* Child Protection Services licensed foster parents for the limited purposes of coverage under the Tort Claims Act as provided in Section 11-46-8; and

(iii) The term "employee" also shall include any employee or member of the governing board of a charter school but shall not include any person or entity acting in the capacity of an independent contractor to provide goods or services under a contract with a charter school.

(g) "Governmental entity" means the state and political subdivisions.

(h) "Injury" means death, injury to a person, damage to or loss of property or any other injury that a person may suffer that is actionable at law or in equity.

(i) "Political subdivision" means any body politic or body corporate other than the state responsible for governmental activities only in geographic areas smaller than that of the state, including, but not limited to, any county, municipality, school district, charter school, volunteer fire department that is a chartered nonprofit corporation providing emergency services under contract with a county or municipality, community hospital as defined in Section 41-13-10, airport authority, or other instrumentality of the state, whether or not the body or instrumentality has the authority to levy taxes or to sue or be sued in its own name.

(j) "State" means the State of Mississippi and any office, department, agency, division, bureau, commission, board, institution, hospital, college, university, airport authority or other instrumentality thereof, whether or not the body or instrumentality has the authority to levy taxes or to sue or be sued in its own name.

(k) "Law" means all species of law, including, but not limited to, any and all constitutions, statutes, case law, common law, customary law, court order, court rule, court decision, court opinion, court judgment or mandate, administrative rule or regulation, executive order, or principle or rule of equity.

SECTION 14. Section 11-46-8, Mississippi Code of 1972, is amended as follows:

11-46-8. Mississippi Department of \* \* \* Child Protection Services licensed foster parents shall be covered under this chapter for claims made by parties other than the foster child which are based on inadequate supervision or inadequate care of the foster child on the part of the foster parent.

SECTION 15. Section 25-1-109, Mississippi Code of 1972, is amended as follows:

25-1-109. No law enforcement agency shall disclose the name of any person arrested for any misdemeanor, issued a citation, or being held for any misdemeanor unless such person shall be formally charged and arrested for the offense, except to other law enforcement agencies or to the Mississippi Department of Human Services, the Mississippi Department of Child Protection Services or child day care providers where such information is used to help determine suitability of persons to serve as child care providers or child service workers. No political subdivision nor any employee thereof shall be held liable for the disclosure of any information prohibited by this section.

SECTION 16. Section 27-104-203, Mississippi Code of 1972, is amended as follows:

27-104-203. From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent, audit fee, personnel fee or other charge for services or resources received. The provisions of this section shall not apply (a) to grants, contracts, pass-through funds, project fees or other charges for services between state agencies and the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (b) to charges for services between the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (c) to federal grants, pass-through funds, cost allocation charges, surplus property charges or project fees between state agencies as approved or determined by the State Fiscal Officer, nor (d) telecommunications, data center services, and/or other information technology services that are used on an as-needed basis and those costs shall be passed through to the using agency, nor (e) to federal grants, special funds, or pass-through funds, available for payment by state agencies to the Department of Finance and Administration related to Mississippi Management and Reporting Systems (MMRS) Statewide Application charges and utilities as approved or determined by the State Fiscal Officer, nor (f) to grants, contracts, pass-through funds, project fees or charges for services between the State Department

of Health and the State Department of Revenue, and other state agencies or entities, including, but not limited to, the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, for the operation of the medical cannabis program as established by the Mississippi Medical Cannabis Act, nor (g) to charges between the Department of Human Services and the Department of Child Protection Services for services or resources received by either department from the other. The Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education shall retain the authority to charge and be charged for expenditures that they deemed nonrecurring in nature by the State Fiscal Officer.

SECTION 17. Section 37-31-107, Mississippi Code of 1972, is amended as follows:

37-31-107. Qualified students for the classes or courses may be accepted by the schools from any source, but priority of enrollment will be given referrals from the \* \* \* Department of Child Protection Services, state employment service, vocational rehabilitation, and nonretired veterans. The state employment service will assist with student job placement and referral whenever possible.

For the purposes of Sections 37-31-101 through 37-31-111, a qualified student is an adult, at least eighteen (18) years old, who is underemployed or unemployed and is not enrolled in school.

Students will not be eligible if they have dropped out of regular school for the specific purpose of enrolling in the manpower programs.

SECTION 18. Section 37-106-69, Mississippi Code of 1972, is amended as follows:

37-106-69. (1) There is established a forgivable loan program to encourage family protection workers employed by the Department of \* \* \* Child Protection Services to obtain the college education necessary to become licensed as a social worker, master social worker or certified social worker and become a family protection specialist for the department.

(2) Any person who is employed as a family protection worker for the Department of \* \* \* Child Protection Services shall be eligible for a forgivable loan from the board which shall be used to pay the costs of the person's education at a state institution of higher learning in Mississippi to obtain a college degree that is necessary to become licensed as a social worker, master social worker or certified social worker and become a family protection specialist for the department. The annual amount of a forgivable loan award under the program shall be equal to the total cost of tuition and fees at the college or university in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition and fees assessed by a state institution of higher learning during that school year.

(3) Forgivable loans made under the program shall be available to both full-time and part-time students. Students enrolling on a full-time basis may receive a maximum of two (2) annual awards. The maximum number of forgivable loans that may be made to students attending school on a part-time basis, and the maximum time period for part-time students to complete the number of academic hours necessary to obtain the necessary degree, shall be established by rules and regulations of the board. Forgivable loans made under the program shall not be based upon an applicant's financial need. A student must maintain a "C" average or higher in his or her college coursework in order to continue receiving the forgivable loan.

(4) Repayment and conversion terms shall be the same as those outlined in Section 37-106-53, except for the following:

(a) After a person who received a forgivable loan under the program has obtained a college degree that is necessary to become licensed as a social worker, master social worker or certified social worker and has received such a license from the Board of Examiners for Social Workers and Marriage and Family Therapists, the person shall render service as a family protection specialist for the Department of \* \* \* Child Protection Services for a period of not less than three (3) years from the date that the person became a family protection specialist;

(b) Any person who fails to complete his or her service obligation as a family protection specialist for the Department of \* \* \* Child Protection Services for not less than three (3) years, as required under subsection (4)(a) of this section, shall become liable immediately to the board for the sum of all forgivable loan awards made to that person, plus interest accruing at the current Stafford Loan rate at the time the person discontinues his or her service.

(5) It is the intent of the Legislature that the pursuit of necessary college education by family protection workers through the forgivable loan program shall not interfere with the duties of the family protection workers with the Department of \* \* \* Child Protection Services. The department shall promulgate regulations regarding family protection workers who participate in the forgivable loan program to ensure that such participation does not interfere with their duties with the department.

(6) The board shall promulgate rules and regulations necessary for the proper administration of the forgivable loan program established under this section. The board shall be the administering agency of the program.

(7) The total amount of state funds that may be expended for this program shall not exceed Three Hundred Twenty Thousand Dollars (\$320,000.00) in any fiscal year.

SECTION 19. Section 37-115-43, Mississippi Code of 1972, is amended as follows:

37-115-43. (1) The University of Mississippi Medical Center, in collaboration with the Mississippi Department of \* \* \* Child Protection Services and the Office of the Attorney General, is authorized and empowered to establish a Center of Excellence (Center) \* \* \* to provide care for abused and neglected children at the Blair E. Batson Hospital for Children located in Jackson, Mississippi, where suspected victims of child maltreatment referred by the Department of \* \* \* Child Protection Services or law enforcement will receive comprehensive physical examinations conducted by medical professionals who specialize in child maltreatment. The University of Mississippi Medical Center shall promulgate such policies as may be necessary and desirable to carry out the programs of the Center. The Center shall serve as a resource for the assessment, investigation and prosecution of child maltreatment. The Center shall work in collaboration with the Office of the Attorney General, the Mississippi Department of \* \* \* Child Protection Services, and other such state agencies and entities that provide services to children \* \* \* to ensure that CARE Clinic services are provided in a uniform fashion throughout the state.

(2) The Department of Pediatrics may use the Center for educational and outreach programs, telemedicine consultations, to develop satellite clinics in other locations in the state in cooperation with the local community or private hospital when applicable, and to conduct major research initiatives in child maltreatment.

(3) The Center of Excellence shall provide services to maltreated children and comply with national certification standards as necessary to provide services to the Department of \* \* \* Child Protection Services, the youth courts, state child advocacy centers, district attorney's offices and law enforcement agencies.

(4) There is created in the State Treasury a special fund to be known as the Children's Safe Center Fund. The University of Mississippi Medical Center shall expend funds pursuant to appropriation therefor by the Legislature for the support and maintenance of the Children's Safe Center. The University of Mississippi Medical Center is authorized to accept any and all grants, donations or matching funds from private, public or federal sources in order to add to, improve and enlarge the physical facilities of the Center and to expend any such funds for the support and maintenance of the Center. Assessments from Section 99-19-73 designated for the Children's Safe Center Fund shall be deposited into the fund. Monies remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned from the investment of monies in the fund shall be deposited to the credit of the fund.

SECTION 20. Section 41-3-18, Mississippi Code of 1972, is amended as follows:

41-3-18. (1) The board shall assess fees in the following amounts and for the following purposes:

(a) Food establishment annual permit fee, based on the assessment factors of the establishment as follows:

Assessment Category 1 .....	\$ 30.00
Assessment Category 2 .....	100.00
Assessment Category 3 .....	150.00
Assessment Category 4 .....	200.00

(b) Private water supply approval fee.....\$ 10.00

The board may develop such reasonable standards, rules and regulations to clearly define each assessment category. Assessment categories shall be based upon the factors to the public health implications of the category and type of food preparation being utilized by the food establishment, utilizing the model Food Code of 1995, or as may be amended by the federal Food and Drug Administration.

Any increase in the fees charged by the board under this subsection shall be in accordance with the provisions of Section 41-3-65.

(2) The fee authorized under subsection (1)(a) of this section shall not be assessed for:

(a) Food establishments operated by public schools, public junior and community colleges, or state agencies or institutions, including, without limitation, the state institutions of higher learning and the State Penitentiary; and

(b) Persons who make infrequent casual sales of honey and who pack or sell less than five hundred (500) gallons of honey per year, and those persons shall not be inspected by the State Department of Health unless requested by the producer.

(3) The fee authorized under subsection (1)(b) of this section shall not be assessed for private water supplies used by foster homes licensed by the Department of \* \* \* Child Protection Services.

SECTION 21. Section 41-67-12, Mississippi Code of 1972, is amended as follows:

41-67-12. (1) The department shall assess fees in the following amounts for the following purposes:

(a) A fee of One Hundred Dollars (\$100.00) shall be levied for soil and site evaluation and recommendation of individual on-site wastewater disposal systems. The department may increase the amount of the fee authorized in this paragraph (a) not more than two (2) times during the period from July 1, 2016, through June 30, 2020, with the percentage of each increase being not more than five percent (5%) of the amount of the fee in effect at the time of the increase.

(b) A fee of One Hundred Fifty Dollars (\$150.00) shall be levied once every three (3) years for the certification of installers and pumpers.

(c) A fee of Three Hundred Dollars (\$300.00) shall be levied once every three (3) years for the registration of manufacturers.

Any increase in the fee charged by the department under paragraph (b) or (c) of this subsection shall be in accordance with the provisions of Section 41-3-65.

(2) In the discretion of the board, a person shall be liable for a penalty equal to one and one-half (1-1/2) times the amount of the fee due and payable for failure to pay the fee on or before the date due, plus any amount necessary to reimburse the cost of collection.

(3) No fee authorized under this section shall be assessed by the department for state agencies or institutions, including, without limitation, foster homes licensed by the Mississippi Department of \* \* \* Child Protection Services.

SECTION 22. Section 41-87-5, Mississippi Code of 1972, is amended as follows:

41-87-5. Unless the context requires otherwise, the following definitions in this section apply throughout this chapter:

(a) "Eligible infants and toddlers" or "eligible children" means children from birth through thirty-six (36) months of age who need early intervention services because they:

(i) Are experiencing developmental delays as measured by appropriate diagnostic instruments and procedures in one or more of the following areas:

(A) Cognitive development;

(B) Physical development, including vision or hearing;

(C) Communication development;

(D) Social or emotional development;

(E) Adaptive development;

(ii) Have a diagnosed physical or mental condition, as defined in state policy, that has a high probability of resulting in developmental delay;

(iii) Are at risk of having substantial developmental delays if early intervention services are not provided due to conditions as defined in state policy. (This category may be served at the discretion of the lead agency contingent upon available resources.)

(b) "Early intervention services" are developmental services that:

(i) Are provided under public supervision;

(ii) Are provided at no cost except where federal or state law provides for a system of payments by families, including a schedule of sliding fees;

(iii) Are designed to meet the developmental needs of an infant or toddler with a disability in any one or more of the following areas:

- (A) Physical development;
- (B) Cognitive development;
- (C) Communication development;
- (D) Social or emotional development; or
- (E) Adaptive development;

(iv) Meet the requirements of Part C of the Individuals with Disabilities Education Act (IDEA) and the early intervention standards of the State of Mississippi;

(v) Include, but are not limited to, the following services:

services;

- (A) Assistive technology devices and assistive technology

- (B) Audiology;

- (C) Family training, counseling and home visits;

other early intervention services;

- (D) Health services necessary to enable a child to benefit from

purposes;

- (E) Medical services only for diagnostic or evaluation

- (F) Nutrition services;

- (G) Occupational therapy;

- (H) Physical therapy;

- (I) Psychological services;

- (J) Service coordination (case management);

- (K) Social work services;

- (L) Special instruction;

- (M) Speech-language pathology;

enable an infant or toddler and her/his family to receive early intervention services; and

- (N) Transportation and related costs that are necessary to

- (O) Vision services;

(vi) Are provided by qualified personnel as determined by the state's personnel standards, including:

- (A) Audiologists;

- (B) Family therapists;
- (C) Nurses;
- (D) Nutritionists;
- (E) Occupational therapists;
- (F) Orientation and mobility specialists;
- (G) Pediatricians and other physicians;
- (H) Physical therapists;
- (I) Psychologists;
- (J) Social workers;
- (K) Special educators;
- (L) Speech and language pathologists;

(vii) Are provided, to the maximum extent appropriate, in natural environments, including the home, and community settings in which children without disabilities would participate;

(viii) Are provided in conformity with an individualized family service plan.

(c) "Council" means the State Interagency Coordinating Council established under Section 41-87-7.

(d) "Lead agency" means the State Department of Health.

(e) "Participating agencies" includes, but is not limited to, the State Department of Education, the Department of Human Services, the Department of Child Protection Services, the State Department of Health, the Division of Medicaid, the State Department of Mental Health, the University Medical Center, the Board of Trustees of State Institutions of Higher Learning and the Mississippi Community College Board.

(f) "Local community" means a county either jointly, severally, or a portion thereof, participating in the provision of early intervention services.

(g) "Primary service agency" means the agency, whether a state agency, local agency, local interagency council or service provider which is designated by the lead agency to serve as the fiscal and contracting agent for a local community.

(h) "Multidisciplinary team" means a group comprised of the parent(s) or legal guardian and the service providers, as appropriate, described in paragraph (b) of this section, who are assembled for the purposes of:

(i) Assessing the developmental needs of an infant or toddler;

(ii) Developing the individualized family service plan; and

(iii) Providing the infant or toddler and his or her family with the appropriate early intervention services as detailed in the individualized family service plan.



(i) "Individualized family service plan" means a written plan designed to address the needs of the infant or toddler and his or her family as specified under Section 41-87-13.

(j) "Early intervention standards" means those standards established by any agency or agencies statutorily designated the responsibility to establish standards for infants and toddlers with disabilities, in coordination with the council and in accordance with Part C of IDEA.

(k) "Early intervention system" means the total collaborative effort in the state that is directed at meeting the needs of eligible children and their families.

(l) "Parent," for the purpose of early intervention services, means a parent, a guardian, a person acting as a parent of a child, foster parent, or an appointed surrogate parent. The term does not include the state if the child is a ward of the state where the child has not been placed with individuals to serve in a parenting capacity, such as foster parents, or when a surrogate parent has not been appointed. When a child is the ward of the state, a Department of Human Services or a Department of Child Protection Services representative will act as parent for purposes of service authorization.

(m) "Policies" means the state statutes, regulations, Governor's orders, directives by the lead agency, or other written documents that represent the state's position concerning any matter covered under this chapter.

(n) "Regulations" means the United States Department of Education's regulations concerning the governance and implementation of Part C of IDEA, the Early Intervention Program for Infants and Toddlers with Disabilities.

SECTION 23. Section 41-101-1, Mississippi Code of 1972, is amended as follows:

41-101-1. (1) There is created the Mississippi Council on Obesity Prevention and Management, hereinafter referred to as the "council," within the State Department of Health to be in existence for the period from July 1, 2001, until July 1, 2006, or until the council is established as a nonprofit corporation, whichever is the earlier date. The council may accept and expend grants and private donations from any source, including federal, state, public and private entities, to assist it to carry out its functions.

(2) The powers, functions and duties of the council shall include, but not be limited to, the following:

(a) The collection and analysis of data regarding the extent to which children and adults in Mississippi suffer from obesity, and the programs and services currently available to meet the needs of overweight children and adults, and the funds dedicated by the state to maintain those programs and services.

(b) The collection and analysis of data to demonstrate the economic impact on the state of treating obesity and the estimated cost savings of implementing a comprehensive statewide obesity prevention and management model.

(c) The establishment and maintenance of a resources data bank containing information about obesity and related subjects accessible to educational and research institutions, as well as members of the general public.

(d) Consideration of the feasibility of awarding tax incentives for work sites that promote activities to reduce obesity in the work force.

(e) The establishment of recommendations to enhance funding for effective prevention and management programs and services, including Medicaid, private health insurance programs, and other state and federal funds.

(f) The establishment of recommendations designed to assure that children of school age who may have early indicators of obesity have access to affordable, effective prevention and management services.

(g) The establishment of recommendations for changes to statewide elementary and secondary education curricula to implement comprehensive, coordinated obesity awareness and education programs.

(h) Recommendations to enhance clinical education curricula in medical, nursing and other schools of higher education to implement comprehensive, coordinated obesity awareness and education courses.

(i) Recommendations to increase education and awareness among primary care physicians and other health professionals regarding the recognition, prevention and effective management of obesity.

(j) Consideration of a state prevention campaign to increase public awareness of the need for early prevention and management of obesity, possibly including:

(i) A broad-based public education campaign outlining health risks associated with failure to receive treatment for obesity.

(ii) A health professional training campaign.

(iii) A targeted public education campaign directed toward high risk populations.

(k) Coordination with the United States Department of Agriculture, the United States Department of Health and Human Services, the United States Department of Education, the United States Centers for Disease Control and the National Center for Chronic Disease Prevention to share resources and information in order to ensure a comprehensive approach to obesity and obesity-related conditions.

(l) Coordination with the State Departments of Education, Health, Human Services and Child Protection Services and the Division of Medicaid to share resources and information in order to ensure a comprehensive approach to obesity and obesity-related conditions.

(m) Identification of and recommendations to reduce cultural, environmental and socioeconomic barriers to prevention and management of obesity in Mississippi.

(3) The council shall be composed of the following members:

(a) The Executive Director of the State Department of Health, or his designee;

(b) The Executive Director of the Department of Human Services, or his designee;

(c) The State Superintendent of Education, or his designee;

(d) The Executive Director of the State Department of Mental Health, or his designee;

(e) The Commissioner of Child Protection Services, or his designee;

( \*\*f) A representative of the Office of the Governor, to be appointed by the Governor;

( \*\*g) A member of the House of Representatives, appointed by the Speaker of the House of Representatives;

( \*\*h) A member of the Senate, appointed by the Lieutenant Governor;

( \*\*i) Two (2) representatives of the public-at-large, to be selected by the Governor;

( \*\*j) The President of either the Mississippi Medical Association or the African-American Obesity Research and Treatment Association (AAORTA), or his designee;

( \*\*k) The President of the Mississippi State Nurses Association, or his designee;

( \*\*l) The President of the Mississippi Pharmacists Association, or his designee;

( \*\*m) The President of the Mississippi Chapter of the American Academy of Pediatrics, or his designee;

( \*\*n) The Vice Chancellor of the University of Mississippi Medical Center, or his designee;

( \*\*o) A representative appointed from the Mississippi state office of the American Association of Retired Persons;

( \*\*p) A representative of the Mississippi Dietetic Association;

( \*\*q) A representative of the Mississippi Restaurant Association;

( \*\*r) The President of the Mississippi Physical Therapy Association, or his designee;

( \*\*s) A member appointed by the Mississippi Commissioner of Insurance;

( \*\*t) A representative from a food processor or food manufacturer; and

( \*\*u) A representative from the Mississippi Soft Drink Association.

(4) The council shall meet upon call of the Governor not later than August 1, 2001, and shall organize for business by selecting a chairman who shall serve for a one-year term and may be selected for subsequent terms. The council shall adopt internal organizational procedures necessary for efficient operation of the council. Council procedures shall include duties of officers, a process for selecting officers, quorum requirements for conducting business and policies for any council staff. Each member of the council shall designate necessary staff of their departments to assist the council in performing its duties and responsibilities. The council shall meet and conduct business at least quarterly. Meetings of the council shall be open to the public and opportunity for public comment shall be made available at each such meeting. The chairman of the council shall notify all persons who request that notice as to the date, time and place of each meeting.

(5) Members of the council shall receive no compensation for their services.

(6) The council shall submit a report, including proposed legislation if necessary, to the Governor and to the House and Senate Health and Welfare Committees before the convening of the 2004 legislative session. The report shall include a comprehensive state plan for implementation of services and programs in the State of Mississippi to increase prevention and management of obesity in adults and children and an estimate of the cost of implementation of such a plan.

(7) All departments, boards, agencies, officers and institutions of the state and all subdivisions thereof shall cooperate with the council in carrying out its purposes under this section.

SECTION 24. Section 43-1-9, Mississippi Code of 1972, is amended as follows:

43-1-9. There shall be created in each county of the state a county department of \*\*\* human services which shall consist of a county director of \*\*\* human services, and such other personnel as may be necessary for the efficient performance of the duties of the county department. It shall be the duty of the board of supervisors of each county to provide office space for the county department.

County director. The \*\*\* Executive Director of Human Services shall designate, in accordance with the rules and regulations of the State Personnel Board, with the approval of the Governor, a county director of \*\*\* human services who shall serve as the executive and administrative officer of the county department and shall be responsible to the state department for its management. Such director shall be a resident citizen of the county and shall not hold any political office of the state, county, municipality or subdivision thereof. However, in cases of emergency, the \*\*\* executive director may appoint a director of \*\*\* human services who is a nonresident of such county, to serve during the period of emergency only.

The county department of \*\*\* human services shall administer within the county all forms of public assistance and welfare services, with the exception of child welfare services administered by the Department of Child Protection Services. The county department shall comply with such regulations and submit such reports as may be established or required by the state department. Subject to the approval of the state department, the county department may cooperate with other departments, agencies and institutions, state and local, when so requested, in performing services in conformity with the provisions of this chapter.

In counties having two (2) judicial districts, the \*\*\* Executive Director of Human Services may create and establish in each of the judicial districts a separate county department of \*\*\* human services which shall consist of a director of \*\*\* human services and such other personnel as may be necessary for the efficient performance of the duties of the department thus established. In such cases the two (2) departments so established shall be dealt with as though each is a separate and distinct county department of \*\*\* human services, and each of the departments and each of the directors shall operate and have jurisdiction coextensive with the boundaries of the judicial district in which it is established; and, also, in such cases the words "county" and "director of \*\*\* human services" when used in this chapter shall, where applicable, mean each judicial district, and the director of \*\*\* human services appointed therefor; and where the board of supervisors is authorized to appropriate funds or provide office space or like assistance for one (1) county \*\*\* department or director, such board may, as the case may be, appropriate the amount specified by law or render the assistance required by law to each of the departments or directors. \*\*\* However, \*\*\* the \*\*\* Executive Director of Human Services shall not create and establish a separate county department of \*\*\* human services pursuant to this paragraph in any county in which such separate county department of \*\*\* human services is not in existence on January 1, 1983. \*\*\* In addition, in any county having two (2) county departments of \*\*\* human services on January 1, 1983, but only one (1) county director of \*\*\* on \*\*\* that date, the \*\*\*

Executive Director of Human Services shall not authorize and establish the second position of county director of \* \* \* human services in such county.

In any county not having two (2) judicial districts which is greater than fifty (50) miles in length, the \* \* \* Executive Director of Human Services may establish one (1) branch office of the county department of \* \* \* human services which shall be staffed with existing employees and administrative staff of such county department for not less than four (4) days per week.

SECTION 25. Section 43-1-101, Mississippi Code of 1972, is amended as follows:

43-1-101. (1) There is created the Mississippi Interagency Council on Homelessness. The purpose of the council is to establish, develop and implement a plan to reduce homelessness that includes a strong focus on the needs of homeless children, youth and families, as well as individuals and veterans who are homeless.

(2) In addition to the duties prescribed in subsection (1) the council shall annually make a report to the Governor, the House of Representatives, the Senate and the public regarding the council's progress in meeting its goals and objectives.

(3) The council shall be composed of the following members:

(a) A representative from the Office of the Governor, appointed by the Governor;

(b) The Chairperson or his designee of the Youth and Family Affairs Committee of the House of Representatives and the Chairperson or his designee of the Housing Committee of the Senate;

(c) The Executive Director of the Department of \* \* \* Human Services or his designee;

(d) The Executive Director of the Department of Mental Health or his designee;

(e) The Executive Director of the Mississippi Development Authority or his designee;

(f) The Commissioner of Child Protection Services or his designee;

( \* \* \*g) The State Superintendent of the Department of Education or his designee;

( \* \* \*h) A representative of Partners to End Homelessness, appointed by the Governor;

( \* \* \*i) A representative of Mississippi United to End Homelessness, appointed by the Governor;

( \* \* \*j) A representative of Open Doors Counseling Center, appointed by the Governor;

( \* \* \*k) A representative of a school district that is working on the McKinney-Vento Homeless Education Assistance Act, appointed by the State Superintendent of Education;

( \* \* \*l) A representative of the Mississippi Campaign to End Child Homelessness, appointed by the Governor;

( \*\* \*m) Two (2) directors from homeless and domestic violence emergency shelters, appointed by the Governor;

( \*\* \*n) A youth who is or has been homeless, appointed by the State Superintendent of Education;

( \*\* \*o) A representative of the Oakley Youth Development Center, appointed by the Governor;

( \*\* \*p) The Executive Director of the State Veterans Affairs Board or his designee;

( \*\* \*q) The Executive Director of Hope Enterprises, or his designee; and

( \*\* \*r) A representative from a community action agency appointed by the Governor.

(4) Appointments shall be made within thirty (30) days after July 1, 2013. Within fifteen (15) days thereafter on a day to be designated jointly by the Speaker of the House and the Lieutenant Governor, the council shall meet and organize by selecting from its membership a chairperson and a vice chairperson. The vice chairperson shall also serve as secretary and shall be responsible for keeping all records of the council. A majority of the members of the council shall constitute a quorum. In the selection of its officers and the adoption of rules, resolutions and reports, an affirmative vote of a majority of the council shall be required. All members shall be notified in writing of all meetings, and those notices shall be mailed at least fifteen (15) days before the date on which a meeting is to be held.

(5) Members of the council shall serve without compensation for their services, and the council shall perform its duties without legislative appropriation or the use of any state funds for that purpose; however, the council, by approval of a majority of the appointed members of the council, is authorized to accept funds that may be donated or provided in the form of financial grants from public or private sources. In addition, any department, division, board, bureau, commission or agency of the state, or of any political subdivision thereof, shall provide, at the request of the chair of the council, such facilities, assistance and data as will enable the council to carry out its duties.

SECTION 26. Section 43-14-1, Mississippi Code of 1972, is amended as follows:

43-14-1. (1) The purpose of this chapter is to provide for the development, implementation and oversight of a coordinated interagency system of necessary services and care for children and youth, called the Mississippi Statewide System of Care, up to age twenty-one (21) with serious emotional/behavioral disorders including, but not limited to, conduct disorders, or mental illness who require services from a multiple services and multiple programs system, and who can be successfully diverted from inappropriate institutional placement. The Mississippi Statewide System of Care is to be conducted in the most fiscally responsible (cost-efficient) manner possible, based on an individualized plan of care which takes into account other available interagency programs, including, but not limited to, Early Intervention Act of Infants and Toddlers, Section 41-87-1 et seq., Early Periodic Screening Diagnosis and Treatment, Section 43-13-117(A)(5), waived program for home- and community-based services for developmentally disabled people, Section 43-13-117(A)(29), and waived program for targeted case management services for children with special needs, Section 43-13-117(A)(31), those children identified through the federal Individuals with Disabilities Education Act of 1997 as having a serious emotional disorder (EMD), the Mississippi Children's Health Insurance Program and waived programs for children with serious emotional disturbances, Section 43-13-117(A)(46), and is tied to clinically and functionally appropriate outcomes. Some of the outcomes are to reduce the number of inappropriate out-of-home placements inclusive of those out-of-state and to reduce the number of inappropriate school

suspensions and expulsions for this population of children. This coordinated interagency system of necessary services and care shall be named the Mississippi Statewide System of Care. Children to be served by this chapter who are eligible for Medicaid shall be screened through the Medicaid Early Periodic Screening Diagnosis and Treatment (EPSDT) and their needs for medically necessary services shall be certified through the EPSDT process. For purposes of this chapter, the Mississippi Statewide System of Care is defined as a coordinated network of agencies and providers working as a team to make a full range of mental health and other necessary services available as needed by children with mental health problems and their families. The Mississippi Statewide System of Care shall be:

- (a) Child centered, family focused, family driven and youth guided;
- (b) Community based;
- (c) Culturally competent and responsive; and shall provide for:
  - (i) Service coordination or case management;
  - (ii) Prevention and early identification and intervention;
  - (iii) Smooth transitions among agencies and providers, and to the transition-age and adult service systems;
  - (iv) Human rights protection and advocacy;
  - (v) Nondiscrimination in access to services;
  - (vi) A comprehensive array of services composed of treatment and informal supports that are identified as best practices and/or evidence-based practices;
  - (vii) Individualized service planning that uses a strengths-based, wraparound process;
  - (viii) Services in the least restrictive environment;
  - (ix) Family participation in all aspects of planning, service delivery and evaluation; and
  - (x) Integrated services with coordinated planning across child-serving agencies.

Mississippi Statewide System of Care services shall be timely, intensive, coordinated and delivered in the community. Mississippi Statewide System of Care services shall include, but not be limited to, the following:

- (a) Comprehensive crisis and emergency response services;
- (b) Intensive case management;
- (c) Day treatment;
- (d) Alcohol and drug abuse group services for youth;
- (e) Individual, group and family therapy;
- (f) Respite services;
- (g) Supported employment services for youth;

- (h) Family education and support and family partners;
- (i) Youth development and support and youth partners;
- (j) Positive behavioral supports (PBIS) in schools;
- (k) Transition-age supported and independent living services; and
- (l) Vocational/technical education services for youth.

(2) There is established the Interagency Coordinating Council for Children and Youth (hereinafter referred to as the "ICCCY"). The ICCCY shall consist of the following membership:

- (a) The State Superintendent of Public Education;
- (b) The Executive Director of the Mississippi Department of Mental Health;
- (c) The Executive Director of the State Department of Health;
- (d) The Executive Director of the Department of Human Services;
- (e) The Executive Director of the Division of Medicaid, Office of the Governor;
- (f) The Executive Director of the State Department of Rehabilitation Services;
- (g) The Executive Director of Mississippi Families as Allies for Children's Mental Health, Inc.;
- (h) The Commissioner of Child Protection Services;
- ( \*\*i) The Attorney General;
- ( \*\*j) A family member of a child or youth in the population named in this chapter designated by Mississippi Families as Allies;
- ( \*\*k) A youth or young adult in the population named in this chapter designated by Mississippi Families as Allies;
- ( \*\*l) A local MAP team coordinator designated by the Department of Mental Health;
- ( \*\*m) A child psychiatrist experienced in the public mental health system designated by the Mississippi Psychiatric Association;
- ( \*\*n) An individual with expertise and experience in early childhood education designated jointly by the Department of Mental Health and Mississippi Families as Allies;
- ( \*\*o) A representative of an organization that advocates on behalf of disabled citizens in Mississippi designated by the Department of Mental Health; and
- ( \*\*p) A faculty member or dean from a Mississippi university specializing in training professionals who work in the Mississippi Statewide System of Care designated by the Board of Trustees of State Institutions of Higher Learning.

If a member of the council designates a representative to attend council meetings, the designee shall bring full decision-making authority of the member to the meeting. The



council shall select a chairman, who shall serve for a one-year term and may not serve consecutive terms. The council shall adopt internal organizational procedures necessary for efficient operation of the council. Each member of the council shall designate necessary staff of their departments to assist the ICCCY in performing its duties and responsibilities. The ICCCY shall meet and conduct business at least twice annually. The chairman of the ICCCY shall notify all ICCCY members and all other persons who request such notice as to the date, time, place and draft agenda items for each meeting.

(3) The Interagency System of Care Council (ISCC) is created to serve as the state management team for the ICCCY, with the responsibility of collecting and analyzing data and funding strategies necessary to improve the operation of the Mississippi Statewide System of Care, and to make recommendations to the ICCCY and to the Legislature concerning such strategies on, at a minimum, an annual basis. The System of Care Council also has the responsibility of coordinating the local Multidisciplinary Assessment and Planning (MAP) teams and "A" teams and may apply for grants from public and private sources necessary to carry out its responsibilities. The Interagency System of Care Council shall be comprised of one (1) member from each of the appropriate child-serving divisions or sections of the State Department of Health, the Department of Human Services ( \* \* \*Division of Youth Services), the Department of Child Protection Services, the State Department of Mental Health (Division of Children and Youth, Bureau of Alcohol and Drug Abuse, and Bureau of Intellectual and Developmental Disabilities), the State Department of Education (Office of Special Education and Office of Healthy Schools), the Division of Medicaid of the Governor's Office, the Department of Rehabilitation Services, and the Attorney General's office. Additional members shall include a family member of a child, youth or transition-age youth representing a family education and support 501(c)(3) organization, working with the population named in this chapter designated by Mississippi Families as Allies, an individual with expertise and experience in early childhood education designated jointly by the Department of Mental Health and Mississippi Families as Allies, a local MAP team representative and a local "A" team representative designated by the Department of Mental Health, a probation officer designated by the Department of Corrections, a family member and youth or young adult designated by Mississippi Families as Allies for Children's Mental Health, Inc., (MSFAA), and a family member other than a MSFAA representative to be designated by the Department of Mental Health and the Director of the Compulsory School Attendance Enforcement of the State Department of Education. Appointments to the Interagency System of Care Council shall be made within sixty (60) days after June 30, 2010. The council shall organize by selecting a chairman from its membership to serve on an annual basis, and the chairman may not serve consecutive terms.

(4) (a) As part of the Mississippi Statewide System of Care, there is established a statewide system of local Multidisciplinary Assessment, Planning and Resource (MAP) teams. The MAP teams shall be comprised of one (1) representative each at the county level from the major child-serving public agencies for education, human services, health, mental health and rehabilitative services approved by respective state agencies of the Department of Education, the Department of Human Services, the Department of Child Protection Services, the Department of Health, the Department of Mental Health and the Department of Rehabilitation Services. These agencies shall, by policy, contract or regulation require participation on MAP teams and "A" teams at the county level by the appropriate staff. Three (3) additional members may be added to each team, one (1) of which may be a representative of a family education/support 501(c)(3) organization with statewide recognition and specifically established for the population of children defined in Section 43-14-1. The remaining members will be representatives of significant community-level stakeholders with resources that can benefit the population of children defined in Section 43-14-1. The Department of Education shall assist in recruiting and identifying parents to participate on MAP teams and "A" teams.

(b) For each local existing MAP team that is established pursuant to paragraph (a) of this subsection, there

shall also be established an "A" (Adolescent) team which shall work with a MAP team. The "A" teams shall provide System of Care services for youthful offenders who have serious behavioral or emotional disorders. Each "A" team shall be comprised of, at a minimum, the following five (5) members:

- (i) A school counselor, mental health therapist or social worker;
- (ii) A community mental health professional;
- (iii) A social services/child welfare professional;
- (iv) A youth court counselor; and
- (v) A parent who had a child in the juvenile justice system.

(c) The Interagency Coordinating Council for Children and Youth and the Interagency System of Care Council shall work to develop MAP teams statewide that will serve to become the single point of entry for children and youth about to be placed in out-of-home care for reasons other than parental abuse/neglect.

(5) The Interagency Coordinating Council for Children and Youth may provide input to one another and to the ISCC relative to how each agency utilizes its federal and state statutes, policy requirements and funding streams to identify and/or serve children and youth in the population defined in this section. The ICCCY shall support the implementation of the plans of the respective state agencies for comprehensive, community-based, multidisciplinary care, treatment and placement of these children.

(6) The ICCCY shall oversee a pool of state funds that may be contributed by each participating state agency and additional funds from the Mississippi Tobacco Health Care Expenditure Fund, subject to specific appropriation therefor by the Legislature. Part of this pool of funds shall be available for increasing the present funding levels by matching Medicaid funds in order to increase the existing resources available for necessary community-based services for Medicaid beneficiaries.

(7) The local interagency coordinating care MAP team or "A" team will facilitate the development of the individualized System of Care programs for the population targeted in this section.

(8) Each local MAP team and "A" team shall serve as the single point of entry and re-entry to ensure that comprehensive diagnosis and assessment occur and shall coordinate needed services through the local MAP team and "A" team members and local service providers for the children named in subsection (1). Local children in crisis shall have first priority for access to the MAP team and "A" team processes and local System of Care services.

(9) The Interagency Coordinating Council for Children and Youth shall facilitate monitoring of the performance of local MAP teams.

(10) Each ICCCY member named in subsection (2) of this section shall enter into a binding memorandum of understanding to participate in the further development and oversight of the Mississippi Statewide System of Care for the children and youth described in this section. The agreement shall outline the system responsibilities in all operational areas, including ensuring representation on MAP teams, funding, data collection, referral of children to MAP teams and "A" teams, and training. The agreement shall be signed and in effect by July 1 of each year.

SECTION 27. Section 43-14-5, Mississippi Code of 1972, is amended as follows:

43-14-5. There is created in the State Treasury a special fund into which shall be deposited all funds contributed by the Department of Human Services, Department of Child Protection Services, State Department of Health, Department of Mental Health \* \* \* and State Department of Rehabilitation Services insofar as recipients are otherwise eligible under the Rehabilitation Act of 1973, as amended, and State Department of Education for the operation of a statewide System of Care by MAP teams and "A" teams utilizing such funds as may be made available to those MAP teams through a Request for Proposal (RFP) approved by the ICCCY.

SECTION 28. Section 43-15-3, Mississippi Code of 1972, is amended as follows:

43-15-3. The Department of Human Services \* \* \* and the Department of Child Protection Services are authorized, empowered and directed to cooperate fully with the United States Children's Bureau and Secretary of Labor in establishing, extending and strengthening "child welfare services" for the protection and care of homeless, dependent and neglected children and children in danger of becoming delinquent. \* \* \* Those departments \* \* \* are further authorized, empowered and directed to cooperate with the United States Children's Bureau and Secretary of Labor in developing plans for \* \* \* those "child welfare services" and extending any other cooperation necessary under Section 521 of Public Law No. 271-74th Congress of the United States.

In furtherance of the "child welfare services" referred to in the first paragraph hereof the State Treasurer is \* \* \* authorized and directed to receive on behalf of the state, and to execute all instruments incidental thereto, federal or other funds to be used for "child welfare services," and to place such funds in a special account to the credit of the "child welfare services," which \* \* \* funds shall be expended by the Department of Human Services and the Department of Child Protection Services for the purposes and under the provisions of this article and Section 521 of Public Law No. 271-74th Congress of the United States. It shall be paid out by the State Treasurer as funds appropriated to carry out the provisions of \* \* \* those laws.

The Department of Human Services or the Department of Child Protection Services shall issue all checks on \* \* \* the "child welfare services" fund to persons entitled to payment from \* \* \* the fund. All such sums shall be drawn upon the "child welfare services" fund upon requisition of the Director of the Department of Human Services or the Commissioner of Child Protection Services.

The money in the "child welfare services" fund shall be expended in accordance with the rules and regulations of the United States Children's Bureau and Secretary of Labor and in accordance with the plan developed by the Department of Human Services or Department of Child Protection Services and the United States Children's Bureau under Section 521 of Public Law No. 271-74th Congress of the United States, and shall not be used for any other purpose.

If a claim for foster care and/or adoption assistance under Title IV-E of the federal Social Security Act is not acted upon within a reasonable time after the filing of the claim, or is denied in whole or in part, the claimant may appeal to the \* \* \* Commissioner of Child Protection Services in the manner and form prescribed by the Department of \* \* \* Child Protection Services. The \* \* \* Commissioner of Child Protection Services shall, upon receipt of such an appeal, give the claimant reasonable notice and opportunity for a fair hearing. The \* \* \* Commissioner of Child Protection Services may also, upon his or her own motion, review any decision regarding a claim, and may consider any claim upon which a decision has not been made within a reasonable time. All decisions of the \* \* \* Commissioner of Child Protection Services shall be final and binding.

SECTION 29. Section 43-15-5, Mississippi Code of 1972, is amended as follows:

43-15-5. (1) The Department of \* \* \* Child Protection Services shall have authority and it shall be its duty to administer or supervise all public child welfare services, including

those services, responsibilities, duties and powers with which the \* \* \* local offices of child protection services are charged and empowered in this article; administer and supervise the licensing and inspection of all private child placing agencies; provide for the care of dependent and neglected children in foster family homes or in institutions, supervise the care of such children and those of illegitimate birth; supervise the importation of children; and supervise the operation of all state institutions for children. The Department of \* \* \* Child Protection Services shall be authorized to purchase hospital and medical insurance coverage for those children placed in foster care by the state or \* \* \* local offices of child protection services who are not otherwise eligible for medical assistance under the Mississippi Medicaid Law. The Department of \* \* \* Child Protection Services shall be further authorized to purchase burial or life insurance not exceeding One Thousand Five Hundred Dollars (\$1,500.00) for those children placed in foster care by the state or \* \* \* local offices of child protection services. All insurance coverage authorized herein may be purchased with any funds other than state funds available to the Department of \* \* \* Child Protection Services, including those funds available to the child which are administered by the department.

(2) Any person, partnership, group, corporation, organization or association desiring to operate a child residential home, as defined in Section 43-16-3, may make application for a license for such a facility to the Department of \* \* \* Child Protection Services on the application forms furnished for this purpose by the department. If an applicant meets the published rules and regulations of the department regarding minimum standards for a child residential home, then the applicant shall be granted a license by the department.

SECTION 30. Section 43-15-6, Mississippi Code of 1972, is amended as follows:

43-15-6. (1) Any person, institution, facility, clinic, organization or other entity that provides services to children in a residential setting where care, lodging, maintenance, and counseling or therapy for alcohol or controlled substance abuse or for any other emotional disorder or mental illness is provided for children, whether for compensation or not, that holds himself, herself, or itself out to the public as providing such services, and that is entrusted with the care of the children to whom he, she, or it provides services, because of the nature of the services and the setting in which the services are provided shall be subject to the provisions of this section.

(2) Each entity to which this section applies shall complete, through the appropriate governmental authority, a national criminal history record information check and a child abuse registry check for each owner, operator, employee, prospective employee, volunteer or prospective volunteer of the entity and/or any other that has or may have unsupervised access to a child served by the entity. In order to determine the applicant's suitability for employment, the entity shall ensure that the applicant be fingerprinted by local law enforcement, and the results forwarded to the Department of Public Safety. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Department of Public Safety to the FBI for a national criminal history record check.

(3) An owner, operator, employee, prospective employee, volunteer or prospective volunteer of the entity and/or any other that has or may have unsupervised access to a child who has a criminal history of conviction or pending indictment of a crime, whether a misdemeanor or a felony, that bears upon an individual's fitness to have responsibility for the safety and well-being of children as set forth in this chapter may not provide child care or operate, or be licensed as, a residential child care program, foster parent, or foster home.

(4) All fees incurred in compliance with this section shall be borne by the individual or entity to which subsection (1) applies.

(5) The Department of Human Services and the Department of Child Protection Services shall have the authority to set fees, to exclude a particular crime or crimes or a

substantiated finding of child abuse and/or neglect as disqualifying individuals or entities from providing foster care or residential child care, and adopt such other rules and regulations as may be required to carry out the provisions of this section.

(6) Any entity that violates the provisions of this section by failure to complete sex offense criminal history record information and felony conviction record information checks, as required under subsection (3) of this section, shall be subject to a penalty of up to Ten Thousand Dollars (\$10,000.00) for each such violation and may be enjoined from further operation until it complies with this section in actions maintained by the Attorney General.

(7) The Department of Human Services and the Department of Child Protection Services and/or \*\*\* their officers, employees, attorneys, agents and representatives shall not be held civilly liable for any findings, recommendations or actions taken pursuant to this section.

SECTION 31. Section 43-15-7, Mississippi Code of 1972, is amended as follows:

43-15-7. \*\*\* Any local office of child protection services is authorized to provide protective services for children as will conserve home life; assume responsibility for the care and support of dependent children needing public care away from their homes; place children found by the \*\*\* local office to be dependent or without proper care in suitable institutions or private homes, and cooperate with public and private institutions and agencies in placing such children in suitable institutions or private homes; accept custody or guardianship, through one of its designated employees, of any child, when appointed as custodian or guardian in the manner provided by law.

The board of supervisors in each county is \*\*\* empowered, in its discretion, to set aside and appropriate out of the tax levied and collected to support the poor of the county or out of the county general fund necessary monies to be administered by the \*\*\* local office of child protection services to carry out the provisions of this section.

SECTION 32. Section 43-15-11, Mississippi Code of 1972, is amended as follows:

43-15-11. (1) The board of supervisors of any county and/or the mayor and board of commissioners of any city and/or the mayor and board of aldermen of any municipality in this state are \*\*\* authorized and empowered, in their discretion, to expend out of any \*\*\* monies in their respective treasuries, to be drawn by warrant thereon, a sum or sums of money not exceeding a total of Twenty-five Dollars (\$25.00) annually per One Million Dollars (\$1,000,000.00) of the assessed valuation of the real and personal property thereof for the purpose of providing for the care, support and maintenance of homeless or destitute children of any county or municipality of this state who are supported, cared for, maintained and placed for adoption by any children's home society which operates over and serves the entire State of Mississippi, and which is approved and licensed by the Mississippi Department of \*\*\* Child Protection Services.

(2) The authority granted in this section is supplemental of and in addition to all existing authority for the expenditure of funds by such boards of supervisors and municipal governing authorities.

SECTION 33. Section 43-15-15, Mississippi Code of 1972, is amended as follows:

43-15-15. The \*\*\* Department of \*\*\* Child Protection Services shall maintain a registry of children whose custody lies with them and private or public agencies licensed by the department. \*\*\* The registry shall contain classifications of children as:

- (a) Temporary custody for evaluation, not to exceed three (3) months;

(b) Temporary custody not to exceed one (1) year with the plan to return custody to the natural parents;

(c) Temporary custody, not to exceed two (2) years, with a plan to free for adoption;

(d) Children freed for adoption;

(e) Children ages fourteen (14) and above who have voluntarily chosen not to be adopted and cannot be returned to their own homes; and

(f) Children who are institutionalized and for whom placement in an adoptive home is not feasible.

SECTION 34. Section 43-15-19, Mississippi Code of 1972, is amended as follows:

43-15-19. (1) The \* \* \* Department of \* \* \* Child Protection Services shall maintain a Mississippi Adoption Resource Exchange registry, which shall contain a total listing of all children freed for adoption as well as a listing of all persons who wish to adopt children and who are approved by a licensed adoption agency in the State of Mississippi. \* \* \* The registry shall be distributed to all county \* \* \* offices of child protection services and licensed adoption agencies within the state and shall be updated at least quarterly. The \* \* \* Department of \* \* \* Child Protection Services shall establish regulations for listing descriptive characteristics while protecting the privacy of the children's names. Listed names shall be removed when adoption placement plans are made for a child or when a person withdraws an application for adoption.

(2) Adoptive parents shall be given the option of having their names placed in the registry. To be placed in the registry, they shall be required to give written authority to the \* \* \* Department of Child Protection Services.

SECTION 35. Section 43-15-21, Mississippi Code of 1972, is amended as follows:

43-15-21. Anyone violating or releasing information of a confidential nature without the approval of the court with jurisdiction or the \* \* \* Department of \* \* \* Child Protection Services, upon being found guilty, shall be guilty of a misdemeanor and subject to a fine of no more than One Thousand Dollars (\$1,000.00) or imprisonment of six (6) months, or both.

SECTION 36. Section 43-15-23, Mississippi Code of 1972, is amended as follows:

43-15-23. (1) As used in this section the term "placing out" means to arrange for the free care of a child in a family, other than that of the child's parent, stepparent, grandparent, brother, sister, uncle or aunt or legal guardian, for the purpose of adoption or for the purpose of providing care.

(2) No person, agency, association, corporation, institution, society or other organization, except a child placement agency licensed by the Department of \* \* \* Child Protection Services under Section 43-15-5, shall request, receive or accept any compensation or thing of value, directly or indirectly, for placing out of a child.

(3) No person shall pay or give any compensation or thing of value, directly or indirectly, for placing out of a child to any person, agency, association, corporation, institution, society or other organization except a child placement agency licensed by the Department of \* \* \* Child Protection Services.

(4) The provisions of this section shall not be construed to (a) prevent the payment of salaries or other compensation by a child placement agency licensed by the Department of \* \* \* Child Protection Services to the officers or employees thereof; (b)

prevent the payment of legal fees, which have been approved by the chancery court, to an attorney for services performed in regard to adoption proceedings; (c) prevent the payment of reasonable and actual medical fees or hospital charges for services rendered in connection with the birth or medical treatment of such child to the physician or hospital which rendered the services; or (d) prevent the receipt of such payments by such attorney, physician or hospital.

(5) Any person, agency, association, corporation, institution, society or other organization violating the provisions of this section shall be guilty of illegal placement of children and shall be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00) or by imprisonment not more than five (5) years, or both such fine and imprisonment.

SECTION 37. Section 43-15-103, Mississippi Code of 1972, is amended as follows:

43-15-103. As used in this article:

(a) "Agency" means a residential child-caring agency or a child-placing agency.

(b) "Child" or "children" mean(s) any unmarried person or persons under the age of eighteen (18) years.

(c) "Child placing" means receiving, accepting or providing custody or care for any child under eighteen (18) years of age, temporarily or permanently, for the purpose of:

(i) Finding a person to adopt the child;

(ii) Placing the child temporarily or permanently in a home for adoption; or

(iii) Placing a child in a foster home or residential child-caring agency.

(d) "Child-placing agency" means any entity or person which places children in foster boarding homes or foster homes for temporary care or for adoption or any other entity or person or group of persons who are engaged in providing adoption studies or foster care studies or placement services as defined by the rules of the department.

(e) "Department" means the Mississippi Department of \* \* \* Child Protection Services.

\* \* \*

( \* \* \*f) "Family boarding home" or "foster home" means a home (occupied residence) operated by any entity or person which provides residential child care to at least one (1) child but not more than six (6) children who are not related to the primary caregivers.

( \* \* \*g) "Group care home" means any place or facility operated by any entity or person which provides residential child care for at least seven (7) children but not more than twelve (12) children who are not related to the primary caregivers.

( \* \* \*h) "Licensee" means any person, agency or entity licensed under this article.

( \* \* \*i) "Maternity home" means any place or facility operated by any entity or person which receives, treats or cares for more than one (1) child or adult who is pregnant out of wedlock, either before, during or within two (2) weeks after childbirth;

provided, that the licensed child-placing agencies and licensed maternity homes may use a family boarding home approved and supervised by the agency or home, as a part of their work, for as many as three (3) children or adults who are pregnant out of wedlock, and provided further, that the provisions of this definition shall not include children or women who receive maternity care in the home of a person to whom they are kin within the sixth degree of kindred computed according to civil law, nor does it apply to any maternity care provided by general or special hospitals licensed according to law and in which maternity treatment and care are part of the medical services performed and the care of children is brief and incidental.

\* \* \*

( \*\*j) "Person associated with a licensee" means an owner, director, member of the governing body, employee, provider of care and volunteer of a human services licensee.

( \*\*k) "Related" means children, step-children, grandchildren, step-grandchildren, siblings of the whole or half-blood, step-siblings, nieces or nephews of the primary care provider.

( \*\*l) "Residential child care" means the provision of supervision, and/or protection, and meeting the basic needs of a child for twenty-four (24) hours per day, which may include services to children in a residential setting where care, lodging, maintenance and counseling or therapy for alcohol or controlled substance abuse or for any other emotional disorder or mental illness is provided for children, whether for compensation or not.

( \*\*m) "Residential child-caring agency" means any place or facility operated by any entity or person, public or private, providing residential child care, regardless of whether operated for profit or whether a fee is charged. Such residential child-caring agencies include, but are not limited to, maternity homes, runaway shelters, group homes that are administered by an agency, and emergency shelters that are not in private residence.

SECTION 38. Section 43-15-105, Mississippi Code of 1972, is amended as follows:

43-15-105. (1) The \* \* \* Department of Child Protection Services shall be the licensing authority \* \* \* under this article, and is vested with all the powers, duties and responsibilities described in this article. The \* \* \* department shall make and establish rules and regulations regarding:

(a) Approving, extending, denying, suspending and revoking licenses for foster homes, residential child-caring agencies and child-placing agencies;

(b) Conditional licenses, variances from department rules and exclusions;

(c) Basic health and safety standards for licensees; and

(d) Minimum administration and financial requirements for licensees.

(2) The \* \* \* department shall:

(a) Define information that shall be submitted to the \* \* \* department with an application for a license;

(b) Establish guidelines for the administration and maintenance of client and service records, including staff qualifications, staff to client ratios;



- (c) Issue licenses in accordance with this article;
- (d) Conduct surveys and inspections of licensees and facilities;
- (e) Establish and collect licensure fees;
- (f) Investigate complaints regarding any licensee or facility;
- (g) Have access to all records, correspondence and financial data required to be maintained by a licensee or facility;
- (h) Have authority to interview any client, family member of a client, employee or officer of a licensee or facility; and
- (i) Have authority to revoke, suspend or extend any license issued by the \* \* \* department.

SECTION 39. Section 43-15-107, Mississippi Code of 1972, is amended as follows:

43-15-107. (1) Except as provided in Section 43-15-111, no person, agency, firm, corporation, association or other entity, acting individually or jointly with any other person or entity, may establish, conduct or maintain foster homes, residential child-caring agencies and child-placing agencies or facility and/or engage in child placing in this state without a valid and current license issued by and under the authority of the \* \* \* department as provided by this article and the rules of the \* \* \* department. Any out-of-state child-placing agency that provides a full range of services, including, but not limited to, adoptions, foster family homes, adoption counseling services or financial aid, in this state must be licensed by the \* \* \* department under this article.

(2) No license issued under this article is assignable or transferable.

(3) A current license shall at all times be posted in each licensee's facility, in a place that is visible and readily accessible to the public.

(4) (a) Except as otherwise provided in paragraph (b) of this subsection, each license issued under this article expires at midnight (Central Standard Time) twelve (12) months from the date of issuance unless it has been:

(i) Previously revoked by the \* \* \* department; or

(ii) Voluntarily returned to the \* \* \* department by the licensee.

(b) (i) For any child-placing agency located in Mississippi that remains in good standing, the license issued under this article expires at midnight (Central Standard Time) twenty-four (24) months from the date of issuance unless it has been:

1. Previously revoked by the \* \* \* department; or

2. Voluntarily returned to the \* \* \* department by the licensee.

(ii) Any child-placing agency whose license is governed by this paragraph (b) shall submit the following information to the \* \* \* department annually:

1. A copy of an audit report and IRS Form 990 for the agency;

2. The agency's fee schedule; and

3. The agency's client list.

(c) A license may be renewed upon application and payment of the applicable fee, provided that the licensee meets the license requirements established by this article and the rules and regulations of the \* \* \* department.

(5) Any licensee or facility which is in operation at the time rules are made in accordance with this article shall be given a reasonable time for compliance as determined by the rules of the \* \* \* department.

SECTION 40. Section 43-15-109, Mississippi Code of 1972, is amended as follows:

43-15-109. (1) An application for a license under this article shall be made to the \* \* \* department and shall contain information that the \* \* \* department determines is necessary in accordance with established rules.

(2) Information received by the office through reports, complaints, investigations and inspections shall be classified as public in accordance with Title 25, Chapter 61, Mississippi Code of 1972, Mississippi Public Records Act.

SECTION 41. Section 43-15-113, Mississippi Code of 1972, is amended as follows:

43-15-113. (1) If a license is revoked, the \* \* \* department may grant a new license after:

(a) Satisfactory evidence is submitted to the \* \* \* department, evidencing that the conditions upon which revocation was based have been corrected; and

(b) Inspection and compliance with all provisions of this article and applicable rules.

(2) The \* \* \* department may only suspend a license for a period of time which does not exceed the current expiration date of that license.

(3) When a license has been suspended, the \* \* \* department may completely or partially restore the suspended license upon a determination that the:

(a) Conditions upon which the suspension was based have been completely or partially corrected; and

(b) Interests of the public will not be jeopardized by restoration of the license.

SECTION 42. Section 43-15-115, Mississippi Code of 1972, is amended as follows:

43-15-115. (1) The \* \* \* department may, for the purpose of ascertaining compliance with the provisions of this article and its rules and regulations, enter and inspect on a routine basis the facility of a licensee.

(2) Before conducting an inspection under subsection (1), the \* \* \* department shall, after identifying the person in charge:

(a) Give proper identification;

(b) Request to see the applicable license;

(c) Describe the nature and purpose of the inspection; and

(d) If necessary, explain the authority of the \* \* \* department to conduct the inspection and the penalty for refusing to permit the inspection.

(3) In conducting an inspection under subsection (1), the \* \* \* department may, after meeting the requirements of subsection (2):

(a) Inspect the physical facilities;

(b) Inspect records and documents;

(c) Interview directors, employees, clients, family members of clients and others; and

(d) Observe the licensee in operation.

(4) An inspection conducted under subsection (1) shall be during regular business hours and may be announced or unannounced.

(5) The licensee shall make copies of inspection reports available to the public upon request.

(6) The provisions of this section apply to on-site inspections and do not restrict the \* \* \* department from contacting family members, neighbors or other individuals, or from seeking information from other sources to determine compliance with the provisions of this article.

SECTION 43. Section 43-15-117, Mississippi Code of 1972, is amended as follows:

43-15-117. (1) Except as provided in this article, no person, agency, firm, corporation, association or group children's home may engage in child placing, or solicit money or other assistance for child placing, without a valid license issued by the \* \* \* department. No out-of-state child-placing agency that provides a full range of services, including, but not limited to, adoptions, foster family homes, adoption counseling services or financial aid, may operate in this state without a valid license issued by the \* \* \* department. No child-placing agency shall advertise in the media markets in Mississippi seeking birth mothers or their children for adoption purposes unless the agency holds a valid and current license issued either by the \* \* \* department or the authorized governmental licensing agency of another state that regulates child-placing agencies. Any child-placing agency, physician or attorney who advertises for child placing or adoption services in Mississippi shall be required by the \* \* \* department to show their principal office location on all media advertising for adoption services.

(2) An attorney who provides legal services to a client in connection with proceedings for the adoption of a child by the client, who does not receive, accept or provide custody or care for the child for the purposes specified in Section 43-15-103(c), shall not be required to have a license under this article to provide those legal services.

(3) An attorney, physician or other person may assist a parent in identifying or locating a person interested in adopting the parent's child, or in identifying or locating a child to be adopted. However, no payment, charge, fee, reimbursement of expense, or exchange of value of any kind, or promise or agreement to make the same, may be made for that assistance.

(4) Nothing in this section precludes payment of reasonable fees for medical, legal or other lawful services rendered in connection with the care of a mother, delivery and care of a child including, but not limited to, the mother's living expenses, or counseling for the parents and/or the child, and for the legal proceedings related to lawful adoption

proceedings; and no provision of this section abrogates the right of procedures for independent adoption as provided by law.

(5) The \*\*\* department is specifically authorized to promulgate rules under the Administrative Procedures Law, Title 25, Chapter 43, Mississippi Code of 1972, to regulate fees charged by licensed child-placing agencies, if it determines that the practices of those licensed child-placing agencies demonstrates that the fees charged are excessive or that any of the agency's practices are deceptive or misleading; however, those rules regarding fees shall take into account the use of any sliding fee by an agency that uses a sliding fee procedure to permit prospective adoptive parents of varying income levels to utilize the services of those agencies or persons.

(6) The \*\*\* department shall promulgate rules under the Administrative Procedures Law, Title 25, Chapter 43, Mississippi Code of 1972, to require that all licensed child-placing agencies provide written disclosures to all prospective adoptive parents of any fees or other charges for each service performed by the agency or person, and file an annual report with the \*\*\* department that states the fees and charges for those services, and to require them to inform the \*\*\* department in writing thirty (30) days in advance of any proposed changes to the fees or charges for those services.

(7) The \*\*\* department is specifically authorized to disclose to prospective adoptive parents or other interested persons any fees charged by any licensed child-placing agency, attorney or counseling service or counselor for all legal and counseling services provided by that licensed child-placing agency, attorney or counseling service or counselor.

SECTION 44. Section 43-15-119, Mississippi Code of 1972, is amended as follows:

43-15-119. (1) If the \*\*\* department finds that a violation has occurred under this article or the rules and regulations of the \*\*\* department, it may:

(a) Deny, suspend or revoke a license or place the licensee on probation, if the \*\*\* department discovers that a licensee is not in compliance with the laws, standards or regulations governing its operation, and/or it finds evidence of aiding, abetting or permitting the commission of any illegal act; or

(b) Restrict or prohibit new admissions to the licensee's program or facility, if the \*\*\* department discovers that a licensee is not in compliance with the laws, standards or regulations governing its operation, and/or it finds evidence of aiding, abetting or permitting the commission of any illegal act.

(2) If placed on probation, the agency or licensee shall post a copy of the notice in a conspicuous place as directed by the \*\*\* department and with the agency's or individual's license, and the agency shall notify the custodians of each of the children in its care in writing of the agency's status and the basis for the probation.

SECTION 45. Section 43-15-121, Mississippi Code of 1972, is amended as follows:

43-15-121. In addition to, and notwithstanding, any other remedy provided by law, the \*\*\* department may, in a manner provided by law and upon the advice of the Attorney General who, except as otherwise authorized in Section 7-5-39, shall represent the \*\*\* department in the proceedings, maintain an action in the name of the state for injunction or other process against any person or entity to restrain or prevent the establishment, management or operation of a program or facility or performance of services in violation of this article or rules of the \*\*\* department.

SECTION 46. Section 43-15-125, Mississippi Code of 1972, is amended as follows:

43-15-125. The department \* \* \* and/or its officers, employees, attorneys and representatives shall not be held civilly liable for any findings, recommendations or actions taken pursuant to this article.

SECTION 47. Section 43-15-201, Mississippi Code of 1972, is amended as follows:

43-15-201. (1) An emergency medical services provider, without a court order, shall take possession of a child who is seven (7) days old or younger if the child is voluntarily delivered to the provider by the child's parent and the parent did not express an intent to return for the child.

(2) The parent who surrenders the baby shall not be required to provide any information pertaining to his or her identity, nor shall the emergency medical services provider inquire as to same. If the identity of the parent is known to the emergency medical services provider, the emergency medical services provider shall keep the identity confidential.

(3) A female presenting herself to a hospital through the emergency room or otherwise, who is subsequently admitted for purposes of labor and delivery, does not give up the legal protections or anonymity guaranteed under this section. If the mother clearly expresses a desire to voluntarily surrender custody of the newborn after birth, the emergency medical services provider can take possession of the child, without further action by the mother, as if the child had been presented to the emergency medical services provider in the same manner outlined above in subsection (1) of this section.

(a) If the mother expresses a desire to remain anonymous, identifying information may be obtained for purposes of securing payment of labor and delivery costs only. If the birth mother is a minor, the hospital may use the identifying information to secure payment through Medicaid, but shall not notify the minor's parent or guardian without the minor's consent.

(b) The identity of the birth mother shall not be placed on the birth certificate or disclosed to the Department of \* \* \* Child Protection Services.

(4) There is a presumption that by relinquishing a child in accordance with this section, the parent consents to the termination of his or her parental rights with respect to the child. As such, the parent waives the right to notification required by subsequent court proceedings.

(5) An emergency medical services provider who takes possession of a child under this section shall perform any act necessary to protect the physical health or safety of the child.

SECTION 48. Section 43-15-203, Mississippi Code of 1972, is amended as follows:

43-15-203. (1) No later than the close of the first business day after the date on which an emergency medical services provider takes possession of a child pursuant to Section 43-15-201, the provider shall notify the Department of \* \* \* Child Protection Services that the provider has taken possession of the child.

(2) The department shall assume the care, control and custody of the child immediately on receipt of notice pursuant to subsection (1). The department shall be responsible for all medical and other costs associated with the child and shall reimburse

the hospital for any costs incurred prior to the child being placed in the care of the department.

SECTION 49. Section 43-15-207, Mississippi Code of 1972, is amended as follows:

43-15-207. For the purposes of this article, an emergency medical services provider shall mean a licensed hospital, as defined in Section 41-9-3, which operates an emergency department, an adoption agency duly licensed by the Department of \* \* \* Child Protection Services, or fire station or mobile ambulance staffed with full-time firefighters, emergency medical technicians or paramedics. An emergency medical services provider does not include the offices, clinics, surgeries or treatment facilities of private physicians or dentists. No individual licensed healthcare provider, including physicians, dentists, nurses, physician assistants or other health professionals shall be deemed to be an emergency medical services provider under this article unless such individual voluntarily assumes responsibility for the custody of the child.

SECTION 50. Section 43-16-3, Mississippi Code of 1972, is amended as follows:

43-16-3. As used in this chapter, the following definitions shall apply unless the context clearly provides otherwise:

(a) "Child" means a person who has not reached the age of eighteen (18) years or who has not otherwise been legally emancipated.

(b) "Child residential home" means any place, facility or home operated by any person which receives children who are not related to the operators and whose parents or guardians are not residents of the same facility for supervision, care, lodging and maintenance for twenty-four (24) hours a day, with or without transfer of custody. This term does not include:

(i) Residential homes licensed by the Department of \* \* \* Child Protection Services under Section 43-15-5;

(ii) Any public school;

(iii) Any home operated by a state agency;

(iv) Child care facilities as defined in Section 43-20-5;

(v) Youth camps as defined in Section 75-74-3;

(vi) Health care facilities licensed by the State Department of Health;

or

(vii) The home of an attorney-in-fact operating under a power of attorney executed under Section 93-31-1 et seq.

(c) "Department" shall mean the State Department of Health.

(d) "Person" shall include an individual, partnership, organization, association or corporation.

SECTION 51. Section 43-16-7, Mississippi Code of 1972, is amended as follows:

43-16-7. \* \* \* The operator of any child residential home shall provide notification in accordance with this chapter within sixty (60) days of beginning operation.

\* \* \*

SECTION 52. Section 43-17-7, Mississippi Code of 1972, is amended as follows:

43-17-7. (1) The state department shall:

(a) Supervise the administration of the Temporary Assistance to Needy Families (TANF) program under this chapter by the county departments;

(b) Make such rules and regulations and take such action as may be necessary or desirable for carrying out the provisions of this chapter. All rules and regulations made by the state department shall be binding on the counties and shall be complied with by the respective county departments;

(c) Prescribe the form of, and print and supply to the county departments such forms as it may deem necessary and advisable;

(d) Cooperate with the federal government in matters of mutual concern pertaining to the TANF program;

(e) Make such reports in such form and containing such information as the federal government may from time to time require, and comply with such provisions as the federal government may from time to time find necessary to assure the correctness and verification of such reports;

(f) Publish an annual report and such interim reports as may be necessary;

(g) Establish rules and regulations restricting the use or disclosure of information, records, papers, files and communications concerning applicants and recipients to purposes directly connected with the administration of the TANF program, in compliance with federal law;

(h) When the state agency has reason to believe that the home in which a relative and child receiving TANF assistance reside is unsuitable for the child because of the neglect, abuse or exploitation of such child, the state department shall bring such condition to the attention of the appropriate court or law enforcement agencies, and provide such data with respect to the situation as the department may have;

(i) As required by federal law, to provide for the development and implementation of a program under which the department will undertake, in the case of a child born out of wedlock who is receiving TANF assistance authorized herein, to establish the paternity of such child and secure support for him; and, in the case of any child receiving TANF assistance from the department who has been deserted or abandoned by his parent, to secure support for such child from such parent (or from any other person legally liable for such support), utilizing any reciprocal arrangements adopted with other states to obtain or enforce court orders for support;

(j) Provide for entering into cooperative arrangements with appropriate courts and law enforcement officials to assist the department in administering the program referred to in paragraph (i), including the entering into of financial arrangements with such courts and officials in order to assure optimum results under such program, and with respect to any other matters of common concern to such courts or officials in the department.

(2) The Department of Human Services shall include the following agencies currently providing services to TANF and food stamp recipients in any planning activities with respect thereto, and those agencies shall cooperate with the department and provide information as necessary in order to ensure the full utilization of all economic assistance programs: the State Department of Mental Health, the State Department of Rehabilitation Services, the Mississippi Department of Corrections, the Mississippi Department of

Transportation, the State Department of Public Safety, the Division of Medicaid, the State Department of Health, the State Department of Child Protection Services and the State Department of Education.

SECTION 53. Section 43-18-3, Mississippi Code of 1972, is amended as follows:

43-18-3. The "appropriate public authorities" as used in Article III of the Interstate Compact on the Placement of Children shall, with reference to this state, means the \* \* \* Department of Child Protection Services, or with the approval of the Commissioner of Child Protection Services, any regional or local office of the Department of Child Protection Services shall be authorized to receive and act with reference to notices required by \* \* \* Article III.

SECTION 54. Section 43-18-5, Mississippi Code of 1972, is amended as follows:

43-18-5. As used in paragraph (a) of Article V of the Interstate Compact on the Placement of Children, the phrase "appropriate authority in the receiving state" with reference to this state shall mean the \* \* \* Department of \* \* \* Child Protection Services, or \* \* \* with the approval of the Commissioner of \* \* \* Child Protection Services, any regional or local office of the department.

SECTION 55. Section 43-21-351, Mississippi Code of 1972, is amended as follows:

43-21-351. (1) Any person or agency having knowledge that a child residing or being within the county is within the jurisdiction of the youth court may make a written report to the intake unit alleging facts sufficient to establish the jurisdiction of the youth court. The report shall bear a permanent number that will be assigned by the court in accordance with the standards established by the Administrative Office of Courts pursuant to Section 9-21-9(d), and shall be preserved until destroyed on order of the court.

(2) There shall be in each youth court of the state an intake officer who shall be responsible for the accurate and timely entering of all intake and case information into the Mississippi Youth Court Information Delivery System (MYCIDS) for the Department of Human Services - Division of Youth Services, truancy matters, and the \* \* \* Department of Child Protection Services. It shall be the responsibility of the youth court judge or referee of each county to ensure that the intake officer is carrying out the responsibility of this section.

SECTION 56. Section 43-21-354, Mississippi Code of 1972, is amended as follows:

43-21-354. The statewide incoming wide area telephone service established pursuant to Section 43-21-353 \* \* \* shall be maintained by the Department of \* \* \* Child Protection Services, or its successor, on a twenty-four-hour seven (7) days a week basis.

SECTION 57. Section 43-21-357, Mississippi Code of 1972, is amended as follows:

43-21-357. (1) After receiving a report, the youth court intake unit shall promptly make a preliminary inquiry to determine whether the interest of the child, other children in the same environment or the public requires the youth court to take further action. As part of the preliminary inquiry, the youth court intake unit may request or the youth court may order the Department of \* \* \* Child Protection Services, the Department of Human Services - Division of Youth Services, any successor agency or any other qualified public employee to make an investigation or report concerning the child and any other children in the same environment, and present the findings thereof to the youth court intake unit. If the youth court intake unit receives a neglect or abuse report, the youth court intake unit shall immediately forward the complaint to the Department of \* \* \* Child Protection



Services to promptly make an investigation or report concerning the child and any other children in the same environment and promptly present the findings thereof to the youth court intake unit. If it appears from the preliminary inquiry that the child or other children in the same environment are within the jurisdiction of the court, the youth court intake unit shall recommend to the youth court:

(a) That the youth court take no action;

(b) That an informal adjustment be made;

(c) That the Department of \* \* \* Child Protection Services \* \* \* monitor the child, family and other children in the same environment;

(d) That the child is warned or counseled informally;

(e) That the child be referred to the youth court intervention court; or

(f) That a petition be filed.

(2) The youth court shall then, without a hearing:

(a) Order that no action be taken;

(b) Order that an informal adjustment be made;

(c) Order that the Department of \* \* \* Child Protection Services \* \* \* monitor the child, family and other children in the same environment;

(d) Order that the child is warned or counseled informally;

(e) That the child be referred to the youth intervention court; or

(f) Order that a petition be filed.

(3) If the preliminary inquiry discloses that a child needs emergency medical treatment, the judge may order the necessary treatment.

SECTION 58. Section 43-21-405, Mississippi Code of 1972, is amended as follows:

43-21-405. (1) The informal adjustment process shall be initiated with an informal adjustment conference conducted by an informal adjustment counselor appointed by the judge or his designee.

(2) If the child and his parent, guardian or custodian appear at the informal adjustment conference without counsel, the informal adjustment counselor shall, at the commencement of the conference, inform them of their right to counsel, the child's right to appointment of counsel and the right of the child to remain silent. If either the child or his parent, guardian or custodian indicates a desire to be represented by counsel, the informal adjustment counselor shall adjourn the conference to afford an opportunity to secure counsel.

(3) At the beginning of the informal adjustment conference, the informal adjustment counselor shall inform the child and his parent, guardian or custodian:

(a) That information has been received concerning the child which appears to establish jurisdiction of the youth court;

(b) The purpose of the informal adjustment conference;

(c) That during the informal adjustment process no petition will be filed;

(d) That the informal adjustment process is voluntary with the child and his parent, guardian or custodian and that they may withdraw from the informal adjustment at any time; and

(e) The circumstances under which the informal adjustment process can be terminated under Section 43-21-407.

(4) The informal adjustment counselor shall then discuss with the child and his parent, guardian or custodian:

(a) Recommendations for actions or conduct in the interest of the child to correct the conditions of behavior or environment which may exist;

(b) Continuing conferences and contacts with the child and his parent, guardian or custodian by the informal adjustment counselor or other authorized persons; and

(c) The child's general behavior, his home and school environment and other factors bearing upon the proposed informal adjustment.

(5) After the parties have agreed upon the appropriate terms and conditions of informal adjustment, the informal adjustment counselor and the child and his parent, guardian or custodian shall sign a written informal adjustment agreement setting forth the terms and conditions of the informal adjustment. The informal adjustment agreement may be modified at any time upon the consent of all parties to the informal adjustment conference.

(6) The informal adjustment process shall not continue beyond a period of six (6) months from its commencement unless extended by the youth court for an additional period not to exceed six (6) months by court authorization prior to the expiration of the original six-month period. In no event shall the custody or supervision of a child which has been placed with the Department of \* \* \* Human Services - Division of Youth Services or the Department of Child Protection Services be continued or extended except upon a written finding by the youth court judge or referee that reasonable efforts have been made to maintain the child within his own home, but that the circumstances warrant his removal and there is no reasonable alternative to custody, and that reasonable efforts will continue to be made towards reunification of the family.

SECTION 59. Section 43-21-603, Mississippi Code of 1972, is amended as follows:

43-21-603. (1) At the beginning of each disposition hearing, the judge shall inform the parties of the purpose of the hearing.

(2) All testimony shall be under oath unless waived by all parties and may be in narrative form. The court may consider any evidence that is material and relevant to the disposition of the cause, including hearsay and opinion evidence. At the conclusion of the evidence, the youth court shall give the parties an opportunity to present oral argument.

(3) If the child has been adjudicated a delinquent child, before entering a disposition order, the youth court should consider, among others, the following relevant factors:

(a) The nature of the offense;

- (b) The manner in which the offense was committed;
- (c) The nature and number of a child's prior adjudicated offenses;
- (d) The child's need for care and assistance;
- (e) The child's current medical history, including medication and diagnosis;
- (f) The child's mental health history, which may include, but not be limited to, the Massachusetts Youth Screening Instrument version 2 (MAYSI-2);
- (g) Copies of the child's cumulative record from the last school of record, including special education records, if applicable;
- (h) Recommendation from the school of record based on areas of remediation needed;
- (i) Disciplinary records from the school of record; and
- (j) Records of disciplinary actions outside of the school setting.

(4) If the child has been adjudicated a child in need of supervision, before entering a disposition order, the youth court should consider, among others, the following relevant factors:

- (a) The nature and history of the child's conduct;
- (b) The family and home situation; and
- (c) The child's need of care and assistance.

(5) If the child has been adjudicated a neglected child or an abused child, before entering a disposition order, the youth court shall consider, among others, the following relevant factors:

- (a) The child's physical and mental conditions;
- (b) The child's or family's need of assistance;
- (c) The manner in which the parent, guardian or custodian participated in, tolerated or condoned the abuse, neglect or abandonment of the child;
- (d) The ability of a child's parent, guardian or custodian to provide proper supervision and care of a child; and
- (e) Relevant testimony and recommendations, where available, from the foster parent of the child, the grandparents of the child, the guardian ad litem of the child, representatives of any private care agency that has cared for the child, the family protection worker or family protection specialist assigned to the case, and any other relevant testimony pertaining to the case.

(6) After consideration of all the evidence and the relevant factors, the youth court shall enter a disposition order that shall not recite any of the facts or circumstances upon which the disposition is based, nor shall it recite that a child has been found guilty; but it shall recite that a child is found to be a delinquent child, a child in need of supervision, a neglected child or an abused child.

(7) If the youth court orders that the custody or supervision of a child who has been adjudicated abused or neglected be placed with the Department of \* \* \* Child Protection

Services or any other person or public or private agency, other than the child's parent, guardian or custodian, the youth court shall find and the disposition order shall recite that:

(a) (i) Reasonable efforts have been made to maintain the child within his own home, but that the circumstances warrant his removal and there is no reasonable alternative to custody; or

(ii) The circumstances are of such an emergency nature that no reasonable efforts have been made to maintain the child within his own home, and that there is no reasonable alternative to custody; and

(b) That the effect of the continuation of the child's residence within his own home would be contrary to the welfare of the child and that the placement of the child in foster care is in the best interests of the child; or

(c) Reasonable efforts to maintain the child within his home shall not be required if the court determines that:

(i) The parent has subjected the child to aggravated circumstances, including, but not limited to, abandonment, torture, chronic abuse and sexual abuse; or

(ii) The parent has been convicted of murder of another child of that parent, voluntary manslaughter of another child of that parent, aided or abetted, attempted, conspired or solicited to commit that murder or voluntary manslaughter, or a felony assault that results in the serious bodily injury to the surviving child or another child of that parent; or

(iii) The parental rights of the parent to a sibling have been terminated involuntarily; and

(iv) That the effect of the continuation of the child's residence within his own home would be contrary to the welfare of the child and that placement of the child in foster care is in the best interests of the child.

Once the reasonable efforts requirement is bypassed, the court shall have a permanency hearing under Section 43-21-613 within thirty (30) days of the finding.

(8) Upon a written motion by a party, the youth court shall make written findings of fact and conclusions of law upon which it relies for the disposition order. If the disposition ordered by the youth court includes placing the child in the custody of a training school, an admission packet shall be prepared for the child that contains the following information:

(a) The child's current medical history, including medications and diagnosis;

(b) The child's mental health history;

(c) Copies of the child's cumulative record from the last school of record, including special education records, if reasonably available;

(d) Recommendation from the school of record based on areas of remediation needed;

(e) Disciplinary records from the school of record; and

(f) Records of disciplinary actions outside of the school setting, if reasonably available.

Only individuals who are permitted under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) shall have access to a child's medical records which

are contained in an admission packet. The youth court shall provide the admission packet to the training school at or before the child's arrival at the training school. The admittance of any child to a training school shall take place between the hours of 8:00 a.m. and 3:00 p.m. on designated admission days.

(9) When a child in the jurisdiction of the Youth Court is committed to the custody of the Mississippi Department of \* \* \* Child Protection Services and is believed to be in need of treatment for a mental or emotional disability or infirmity, the Department of \* \* \* Child Protection Services shall file an affidavit alleging that the child is in need of mental health services with the Youth Court. The Youth Court shall refer the child to the appropriate community mental health center for evaluation pursuant to Section 41-21-67. If the prescreening evaluation recommends residential care, the Youth Court shall proceed with civil commitment pursuant to Sections 41-21-61 et seq., 43-21-315 and 43-21-611, and the Department of Mental Health, once commitment is ordered, shall provide appropriate care, treatment and services for at least as many adolescents as were provided services in fiscal year 2004 in its facilities.

(10) Any screening and assessment examinations ordered by the court may aid in dispositions related to delinquency, but no statements or admissions made during the course thereof may be admitted into evidence against the child on the issue of whether the child committed a delinquent act.

SECTION 60. Section 43-21-609, Mississippi Code of 1972, is amended as follows:

43-21-609. In neglect and abuse cases, the disposition order may include any of the following alternatives, giving precedence in the following sequence:

(a) Release the child without further action;

(b) Place the child in the custody of his parents, a relative or other person subject to any conditions and limitations as the court may prescribe. If the court finds that temporary relative placement, adoption or foster care placement is inappropriate, unavailable or otherwise not in the best interest of the child, durable legal custody may be granted by the court to any person subject to any limitations and conditions the court may prescribe; such durable legal custody will not take effect unless the child or children have been in the physical custody of the proposed durable custodians for at least six (6) months under the supervision of the Department of \* \* \* Child Protection Services. The requirements of Section 43-21-613 as to disposition review hearings do not apply to those matters in which the court has granted durable legal custody. In such cases, the Department of \* \* \* Child Protection Services shall be released from any oversight or monitoring responsibilities;

(c) (i) Grant durable legal relative guardianship to a relative or fictive kin licensed as a foster parent if the licensed relative foster parent or licensed fictive kin foster parent exercised physical custody of the child for at least six (6) months before the grant of durable legal relative guardianship and the Department of Child Protection Services had legal custody or exercised supervision of the child for at least six (6) months. In order to establish durable legal relative guardianship, the youth court must find the following:

1. That reunification has been determined to be inappropriate;

2. That the relative guardian or fictive kin guardian shows full commitment to the care, shelter, education, nurture, and reasonable medical care of the child; and

3. That the youth court consulted with any child twelve (12) years of age or older before granting durable legal relative guardianship.

(ii) The requirements of Section 43-21-613 as to disposition review hearings do not apply to a hearing concerning durable legal relative guardianship. However, the Department of Child Protection Services must conduct an annual review and recertification of the durable legal relative guardianship to determine whether it remains in the best interest of the child. If a material change in circumstances occurs adverse to the best interest of the child, the parent, relative guardian, fictive kin guardian, or Department of Child Protection Services may petition the court to review the durable legal relative guardianship;

(d) Order terms of treatment calculated to assist the child and the child's parent, guardian or custodian which are within the ability of the parent, guardian or custodian to perform;

(e) Order youth court personnel, the Department of Child Protection Services or child care agencies to assist the child and the child's parent, guardian or custodian to secure social or medical services to provide proper supervision and care of the child;

(f) Give legal custody of the child to any of the following but in no event to any state training school:

(i) The Department of Child Protection Services for appropriate placement; or

(ii) Any private or public organization, preferably community-based, able to assume the education, care and maintenance of the child, which has been found suitable by the court. Prior to assigning the custody of any child to any private institution or agency, the youth court through its designee shall first inspect the physical facilities to determine that they provide a reasonable standard of health and safety for the child;

(g) If the court makes a finding that custody is necessary as defined in Section 43-21-301(3)(b), and that the child, in the action pending before the youth court had not previously been taken into custody, the disposition order shall recite that the effect of the continuation of the child's residing within his or her own home would be contrary to the welfare of the child, that the placement of the child in foster care is in the best interests of the child, and unless the reasonable efforts requirement is bypassed under Section 43-21-603(7)(c), the order also must state:

(i) That reasonable efforts have been made to maintain the child within his or her own home, but that the circumstances warrant his or her removal, and there is no reasonable alternative to custody; or

(ii) The circumstances are of such an emergency nature that no reasonable efforts have been made to maintain the child within his or her own home, and there is no reasonable alternative to custody; or

(iii) If the court makes a finding in accordance with subparagraph (ii) of this paragraph, the court shall order that reasonable efforts be made towards the reunification of the child with his or her family; or

(h) If the court had, before the disposition hearing in the action pending before the court, taken the child into custody, the judge or referee shall determine, and the youth court order shall recite that reasonable efforts were made by the Department of Child Protection Services to finalize the child's permanency plan that was in effect on the date of the disposition hearing.

SECTION 61. Section 43-21-701, Mississippi Code of 1972, is amended as follows:

43-21-701. (1) There is \* \* \* established the Mississippi Commission on a Uniform Youth Court System and Procedures. The commission shall consist of the following nineteen (19) members:

(a) One (1) circuit court judge appointed by the Chief Justice of the Mississippi Supreme Court;

(b) One (1) chancery court judge, appointed by the Chief Justice of the Mississippi Supreme Court;

(c) The President of the Mississippi Council of Youth Court Judges, or his designee;

(d) Two (2) who may be either family court judges or county court judges, appointed by the President of the Mississippi Council of Youth Court Judges;

(e) Two (2) youth court referees, appointed by the President of the Mississippi Council of Youth Court Judges;

(f) One (1) member of the Mississippi House of Representatives to be appointed by the Speaker of the House;

(g) One (1) member of the Mississippi Senate to be appointed by the Lieutenant Governor;

(h) The directors of the following state agencies or their designated representatives: the Mississippi Department of \* \* \* Human Services and the Mississippi Department of \* \* \* Child Protection Services;

(i) The director or his designated representative of the Governor's Office of Federal-State Programs;

(j) One (1) employee, other than the \* \* \* Commissioner of the Department of \* \* \* Child Protection Services who is a supervisor of social workers primarily assigned to youth cases, appointed by the Governor;

(k) One (1) municipal police chief, appointed by the Governor;

(l) One (1) county sheriff, appointed by the Governor;

(m) Two (2) lawyers experienced in youth court work, appointed by the Governor; and

(n) Two (2) prosecuting attorneys who prosecute cases in youth court, appointed by the Governor.

(2) The members shall be appointed to the commission within fifteen (15) days of the effective date of Sections 43-21-701 and 43-21-703 and shall serve until the end of their respective terms of office, if applicable, or until October 1, 1989, whichever occurs first. Vacancies on the commission shall be filled in the manner of the original appointment. Members shall be eligible for reappointment provided that upon such reappointment they meet the qualifications required of a new appointee.

(3) The commission may elect any officers from among its membership as it deems necessary for the efficient discharge of the commission's duties.

(4) The commission shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business. Ten (10) or more members shall constitute a quorum for the purpose of conducting any business of the

commission; provided, however, a vote of not less than twelve (12) members shall be required for any recommendations to the Legislature.

(5) Members of the commission shall serve without compensation, except that state and county employees and officers shall receive any per diem as authorized by law from appropriations available to their respective agencies or political subdivisions. All commission members shall be entitled to receive reimbursement for any actual and reasonable expenses incurred as a necessary incident to service on the commission, including mileage as provided by law.

(6) The commission may select and employ a research director who shall perform the duties which the commission directs, which duties shall include the hiring of such other employees for the commission as the commission may approve. The research director and all other employees of the commission shall be in the state service and their salaries shall be established by the commission subject to approval by the State Personnel Board. Employees of the commission shall be reimbursed for the expenses necessarily incurred in the performance of their official duties in the same manner as other state employees. The commission may also employ any consultants it deems necessary, including consultants to compile any demographic data needed to accomplish the duties of the commission.

(7) The Governor's Office of Federal-State Programs shall support the Commission on a Uniform Youth Court System and shall act as agent for any funds made available to the commission for its use. In order to expedite the implementation of the Commission on a Uniform Youth Court System, any funds available to the Governor's Office of Federal-State Programs for the 1988-1989 fiscal year may be expended for the purpose of defraying the expenses of the commission created herein.

(8) The commission may contract for suitable office space in accordance with the provisions of Section 29-5-2, Mississippi Code of 1972. In addition, the commission may utilize, with their consent, the services, equipment, personnel, information and resources of other state agencies; and may accept voluntary and uncompensated services, contract with individuals, public and private agencies, and request information, reports and data from any agency of the state, or any of its political subdivisions, to the extent authorized by law.

(9) In order to conduct and carry out its purposes, duties and related activities as provided for in this section and Section 43-21-703, the commission is authorized to apply for and accept gifts, grants, subsidies and other funds from persons, corporations, foundations, the United States government or other entities, provided that the receipt of such gifts, grants, subsidies and funds shall be reported and otherwise accounted for in the manner provided by law.

SECTION 62. Section 43-21-801, Mississippi Code of 1972, is amended as follows:

43-21-801. (1) There is established the Youth Court Support Program. The purpose of the program shall be to ensure that all youth courts have sufficient support funds to carry on the business of the youth court. The Administrative Office of Courts shall establish a formula consistent with this section for providing state support payable from the Youth Court Support Fund for the support of the youth courts.

(a) (i) Each regular youth court referee is eligible for youth court support funds so long as the senior chancellor does not elect to employ a youth court administrator as set forth in paragraph (b); a municipal youth court judge is also eligible. The Administrative Office of Courts shall direct any funds to the appropriate county or municipality. The funds shall be utilized to compensate an intake officer who shall be responsible for ensuring that all intake and case information for the Department of Human Services - Division of Youth Services, truancy matters, and the \* \* \* Department of Child



Protection Services is entered into the Mississippi Youth Court Information Delivery System (MYCIDS) in an accurate and timely manner. If the court already has an intake officer responsible for entering all cases of the Department of Human Services - Division of Youth Services, truancy matters, and the \* \* \* Department of Child Protection Services into MYCIDS, the regular youth court referee or municipal court judge may certify to the Administrative Office of Courts that such a person is already on staff. In such a case, each regular youth court referee or municipal youth court judge shall have the sole individual discretion to appropriate those funds as expense monies to assist in hiring secretarial staff and acquiring materials and equipment incidental to carrying on the business of the court within the private practice of law of the referee or judge, or may direct the use of those funds through the county or municipal budget for court support supplies or services. The regular youth court referee and municipal youth court judge shall be accountable for assuring through private, county or municipal employees the proper preparation and filing of all necessary tracking and other documentation attendant to the administration of the youth court.

(ii) Title to all tangible property, excepting stamps, stationery and minor expendable office supplies, procured with funds authorized by this section, shall be and forever remain in the county or municipality to be used by the judge or referee during the term of his office and thereafter by his successors.

(b) (i) When permitted by the Administrative Office of Courts and as funds are available, the senior chancellor for Chancery Districts One, Two, Three, Four, Six, Seven, Nine, Ten, Thirteen, Fourteen, Fifteen and Eighteen may appoint a youth court administrator for the district whose responsibility will be to perform all reporting, tracking and other duties of a court administrator for all youth courts in the district that are under the chancery court system. Any chancery district listed in this paragraph in which a chancellor appoints a referee or special master to hear any youth court matter is ineligible for funding under this paragraph (b). The Administrative Office of Courts may allocate to an eligible chancery district a sum not to exceed Thirty Thousand Dollars (\$30,000.00) per year for the salary, fringe benefits and equipment of the youth court administrator, and an additional sum not to exceed One Thousand Nine Hundred Dollars (\$1,900.00) for the administrator's travel expenses.

(ii) The appointment of a youth court administrator shall be evidenced by the entry of an order on the minutes of the court. The person appointed shall serve at the will and pleasure of the senior chancellor but shall be an employee of the Administrative Office of Courts.

(iii) The Administrative Office of Courts must approve the position, job description and salary before the position can be filled. The Administrative Office of Courts shall not approve any plan that does not first require the expenditure of the funds from the Youth Court Support Fund before expenditure of county funds is authorized for that purpose.

(iv) Title to any tangible property procured with funds authorized under this paragraph shall be and forever remain in the State of Mississippi.

(c) (i) Each county court is eligible for youth court support funds. The funds shall be utilized to provide compensation to an intake officer who shall be responsible for ensuring that all intake and case information for the Department of Human Services - Division of Youth Services, truancy matters, and the \* \* \* Department of Child Protection Services is entered into the Mississippi Youth Court Information Delivery System (MYCIDS) in an accurate and timely manner. If the county court already has an intake officer or other staff person responsible for entering all cases of the Department of Human Services - Division of Youth Services, truancy matters and the \* \* \* Department of Child Protection Services into MYCIDS, the senior county court judge may certify that such a person is already on staff. In such a case, the senior county court judge shall have

discretion to direct the expenditure of those funds in hiring other support staff to carry on the business of the court.

(ii) For the purposes of this paragraph, "support staff" means court administrators, law clerks, legal research assistants, secretaries, resource administrators or case managers appointed by a youth court judge, or any combination thereof, but shall not mean school attendance officers.

(iii) The appointment of support staff shall be evidenced by the entry of an order on the minutes of the court. The support staff so appointed shall serve at the will and pleasure of the senior county court judge but shall be an employee of the county.

(iv) The Administrative Office of Courts must approve the positions, job descriptions and salaries before the positions may be filled. The Administrative Office of Courts shall not approve any plan that does not first require the expenditure of funds from the Youth Court Support Fund before expenditure of county funds is authorized for that purpose.

(v) The Administrative Office of Courts may approve expenditure from the fund for additional equipment for support staff appointed pursuant to this paragraph if the additional expenditure falls within the formula. Title to any tangible property procured with funds authorized under this paragraph shall be and forever remain in the county to be used by the youth court and support staff.

(2) (a) (i) The formula developed by the Administrative Office of Courts for providing youth court support funds shall be devised so as to distribute appropriated funds proportional to caseload and other appropriate factors as set forth in regulations promulgated by the Administrative Office of Courts. The formula will determine a reasonable maximum amount per judge or referee per annum that will not be exceeded in allocating funds under this section.

(ii) The formula shall be reviewed by the Administrative Office of Courts every two (2) years to ensure that the youth court support funds provided herein are proportional to each youth court's caseload and other specified factors.

(iii) The Administrative Office of Courts shall have wide latitude in the first two-year cycle to implement a formula designed to maximize caseload data collection.

(b) Application to receive funds under this section shall be submitted in accordance with procedures established by the Administrative Office of Courts.

(c) Approval of the use of any of the youth court support funds distributed under this section shall be made by the Administrative Office of Courts in accordance with procedures established by the Administrative Office of Courts.

(3) (a) There is created in the State Treasury a special fund to be designated as the "Youth Court Support Fund," which shall consist of funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be distributed to the youth courts by the Administrative Office of Courts for the purposes described in this section.

(b) (i) During the regular legislative session held in calendar year 2007, the Legislature may appropriate an amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000.00) to the Youth Court Support Fund.

(ii) During each regular legislative session subsequent to the 2007 Regular Session, the Legislature shall appropriate Two Million Five Hundred Thousand Dollars (\$2,500,000.00) to the Youth Court Support Fund.

(c) No youth court judge or youth court referee shall be eligible to receive funding from the Youth Court Support Fund who has not received annual continuing education in the field of juvenile justice in an amount to conform with the requirements of the Rules and Regulations for Mandatory Continuing Judicial Education promulgated by the Supreme Court. The Administrative Office of Courts shall maintain records of all referees and youth court judges regarding such training and shall not disburse funds to any county or municipality for the budget of a youth court judge or referee who is not in compliance with the judicial training requirements.

(4) Any recipient of funds from the Youth Court Support Fund shall not be eligible for continuing disbursement of funds if the recipient is not in compliance with the terms, conditions and reporting requirements set forth in the procedures promulgated by the Administrative Office of Courts.

SECTION 63. Section 43-27-101, Mississippi Code of 1972, is amended as follows:

43-27-101. For purposes of Sections 43-27-101 and 43-27-103, the following words shall have the meanings ascribed in this section, unless the context requires otherwise:

(a) "Child or youth in the custody of the Department of Human Services" means an individual:

(i) Who has not yet reached his eighteenth birthday;

(ii) Who has been legally placed in the custody of the Department of Human Services by the youth court and for whom custody with the Department of Human Services was not sought by the parents or legal custodians or guardians for the parents' or legal custodians' or guardians' legal responsibilities to relieve themselves of the responsibility for paying for treatment for a child or youth; and

(iii) Who is unable to be maintained with the family or legal guardians or custodians due to his or her need for specialized care.

(b) "Child or youth under the supervision of the Department of \* \* \* Child Protection Services" means an individual:

(i) Who has not yet reached his eighteenth birthday; and

(ii) Who has been referred for abuse or neglect and for whom a case has been opened and is active in the \* \* \* Department of Child Protection Services.

(c) "Plan of care" means a written plan of services needed to be provided for a child or youth and his or her family in order to provide the special care or services required.

(d) "Special needs crisis" means:

(i) Conduct or behavioral problems of such a severe nature and level that family or parental violence, abuse, and/or neglect pose an imminent threat or are present; or

(ii) Conduct or behavioral problems of such a severe nature and level that family or parental violence, abuse, and/or neglect pose an imminent threat or are present.

(e) "Specialized care" means:

(i) "Self care," which means the ability to provide, sustain and protect himself or herself at a level appropriate to his or her age;

(ii) "Interpersonal relationships," which means the ability to build and maintain satisfactory relationships with peers and adults;

(iii) "Family life," which means the capacity to live in a family or family-type environment;

(iv) "Self direction," which means the child's ability to control his or her behavior and to make decisions in a manner appropriate to his or her age;

(v) "Education," which means the ability to learn social and intellectual skill from teachers in an available educational setting.

(f) "Special needs child" means a child with a variety of handicapping conditions or disabilities, including emotional or severely emotional disorders. These conditions or disabilities present the need for special medical attention, supervision and therapy on a very regimented basis.

SECTION 64. Section 43-27-103, Mississippi Code of 1972, is amended as follows:

43-27-103. (1) Sections 43-27-101 and 43-27-103 shall enable the development by the Department of Human Services or the Department of Child Protection Services of a system of services for children or youth in the custody of the Department of Human Services or under the supervision of the Department of \* \* \* Child Protection Services, if funds are appropriated to \* \* \* either department for that purpose. The system of services may consist of emergency response services, an early intervention and treatment unit, respite care, crisis nurseries, specialized outpatient or inpatient treatment services, special needs foster care, therapeutic foster care, emergency foster homes, and Medicaid targeted case management for abused and neglected children and youth as well as children adjudicated delinquent or in need of supervision. Any of these services that are provided shall be arranged by and coordinated through the Department of Human Services or the Department of Child Protection Services, and \* \* \* each department may contract with public or private agencies or entities to provide any of the services or may provide any of the services itself. All of the services shall be provided in facilities that meet the standards set by the Department of Human Services or the Department of Child Protection Services for the particular type of facility involved. None of the services provided shall duplicate existing services except where there is a documented need for expansion of the services.

(2) A description of the services that may be provided under Sections 43-27-101 and 43-27-103 are as follows:

(a) "Emergency response services" means services to respond to children or youth in severe crisis and include:

(i) Emergency single-point phone lines;

(ii) Crisis care coordinators staffing shifts that enable twenty-four-hour per day response as "frontline" professionals when crisis calls are received, assist with decision-making, family support, initiate plan of action and remain

"on call" for the first seventy-two (72) hours for other service professionals to get in place and insure development of a plan of care;

(iii) Acute care/emergency medical response through contracted services with up to five (5) regional hospitals providing emergency room services and hospitalization for up to seventy-two (72) hours with a maximum of One Hundred Dollars (\$100.00) per day;

(iv) Case managers;

(v) Respite services; and

(vi) Assessment services contracted with social workers, psychologists, psychiatrists and other health professionals.

(b) "Early intervention and treatment unit" means a unique, nonhospital crisis service in a residential context that is able to provide the level of support and intervention needed to resolve the crisis and as an alternative to hospitalization. This unit shall provide specialized assessment, including a variety of treatment options and services to best intervene in a child or youth's crisis, and provide an appropriate plan for further services upon returning to the home and community. Staff-to-child or youth ratio shall be high, with multidisciplinary, specialized services for up to six (6) children or youths at one (1) time, and with the maximum assessment and treatment planning and services being ninety (90) days for most children or youths.

(c) "Respite care" means planned temporary care for a period of time ranging from a few hours within a twenty-four-hour period to an overnight or weekend stay to a maximum of ten (10) days. Care may be provided in-home or out-of-home with trained respite parents or counselors and is designed to provide a planned break for the parents from the caretaking role with the child.

(d) "Crisis nurseries" means a program providing therapeutic nursery treatment services to preschool aged children who as preschoolers demonstrate significant behavioral or emotional disorders. These services shall be to therapeutically address developmental and emotional behavioral difficulties through direct intervention with the child in a nursery school environment and to intervene with parents to provide education, support and therapeutic services.

(e) "Specialized outpatient or inpatient treatment services," such as sex offender treatment, means specialized treatment for perpetrators of sexual offenses with children.

(f) "Special needs foster care" means foster care for those children with a variety of handicapping conditions or disabilities, including serious emotional disturbance.

(g) "Therapeutic foster care" means residential mental health services provided to children and adolescents in a family setting, utilizing specially trained foster parents. Therapeutic foster care essentially involves the following features:

(i) Placement with foster parents who have been carefully selected by knowledgeable, well-trained mental health and social service professionals to work with children with an emotional disturbance;

(ii) Provision of special training to the foster parents to assist them in working with children with an emotional disturbance;

(iii) Low staff-to-child ratio, allowing the therapeutic staff to work very closely with each child, the foster parents and the biological parents, if available;

(iv) Creation of a support system among these specially trained foster parents; and

(v) Payment of a special foster care payment to the foster parents.

(h) "Emergency foster homes" means those homes used on a short-term basis for (i) children who are temporarily removed from the home in response to a crisis situation, or (ii) youth who exhibit special behavioral or emotional problems for whom removal from the existing home situation is necessary. In some cases they may provide an emergency placement for infants and toddlers for whom no regular foster home is available, rather than placement into an emergency shelter where older and larger groups of children are placed. Foster parents are trained to deal with the special needs of children placed in these emergency homes.

(i) "Medicaid targeted case management" means activities that are related to assuring the completion of proper client evaluations; arranging and supporting treatment plans, monitoring services, coordinating service delivery and other related actions.

SECTION 65. Section 43-27-109, Mississippi Code of 1972, is amended as follows:

43-27-109. The Department of Human Services or the Department of Child Protection Services may employ a sufficient number of new family protection specialists, youth counselors and clerical staff to reduce the caseload sizes for social workers and youth counselors of \* \* \* each department and to reduce the workload on clerical staff, if funds are appropriated to the department for that purpose.

SECTION 66. Section 43-27-113, Mississippi Code of 1972, is amended as follows:

43-27-113. In any investigation by the Department of \* \* \* Child Protection Services of a report made under Section 43-21-101 et seq. of the abuse or neglect of a child as defined in Section 43-21-105, the department may request the appropriate law enforcement officer with jurisdiction to accompany the department in its investigation, and in such cases the law enforcement officer shall comply with such request.

SECTION 67. Section 43-27-115, Mississippi Code of 1972, is amended as follows:

43-27-115. The Department of Human Services \* \* \* and the Department of Child Protection Services are each authorized to employ one (1) program manager for each department region, if funds are appropriated to \* \* \* either department for that purpose, whose duties shall be to develop an ongoing public education program to inform Mississippi citizens about the needs of the state's children, youth and families, the work of the department in addressing these needs and how citizens might become involved. The Department of Human Services and the Department of Child Protection Services shall develop formal agreements of cooperation and protocol between \* \* \* each department and other providers of services to children and families including school districts, hospitals, law enforcement agencies, mental health centers and others.

SECTION 68. Section 43-27-117, Mississippi Code of 1972, is amended as follows:

43-27-117. The Department of \* \* \* Child Protection Services is authorized to establish an online automated child welfare information system, if funds are appropriated to the department for that purpose, to give the department the capability to supply foster care, adoption and child abuse and neglect data to the federal Department of Health and

Human Services in a specified format as required, and to help the department in tracking child abuse and neglect referrals and the number of children affected in those referrals.

SECTION 69. Section 43-27-119, Mississippi Code of 1972, is amended as follows:

43-27-119. There is created a joint task force of the Department of Human Services, the Department of Child Protection Services and the Attorney General's Office consisting of the executive directors of the departments, the Attorney General, any staff persons designated by the executive directors and the Attorney General, and any other persons designated by the executive directors and the Attorney General. The joint task force shall research the issue of when \* \* \* each department should consider appealing court decisions that are contrary to the department's recommendations in child welfare and juvenile offender cases, and shall issue a protocol for determining the type of cases that should be appealed. The protocol shall establish the following:

(a) General guidelines to be considered for appealing a case;

(b) The type of information from case records and court records that should be entered into the appeal file; and

(c) The individuals who have authority to set the appeals process in motion and who can make final decisions about whether an appeal should be filed or not.

Not later than November 30, 1994, the joint task force shall complete its research, issue the protocol, and make recommendations to the Legislature for any administrative and legislative action necessary to properly and sufficiently address this issue.

SECTION 70. Section 43-43-5, Mississippi Code of 1972, is amended as follows:

43-43-5. All purchase of service contracts between the \* \* \* Department of \* \* \* Human Services or the Department of Child Protection Services and individuals, associations or corporations other than state agencies shall be for the reimbursement of actual costs incurred in providing services. However, the \* \* \* Department of \* \* \* Human Services or the Department of Child Protection Services, in accordance with policy established by \* \* \* either department, may advance one-twelfth (1/12) of the total estimated cost for providing services under the twelve-month contractual agreement, upon written request of a contractor, to give the contractor a better cash flow. Any funds so advanced shall be withheld from the contract reimbursement payments and in no case shall the final reimbursement payment to the contractor exceed the actual cost incurred in providing services. Any contractor receiving such advance payments shall be strictly liable to ensure that same is adjusted to actual cost, including repayment of excess cash advances if necessary, prior to the final closeout of the purchase of service contract.

SECTION 71. Section 43-43-7, Mississippi Code of 1972, is amended as follows:

43-43-7. The \* \* \* Department of \* \* \* Human Services or the Department of Child Protection Services in \* \* \* the purchase of service budget request shall accurately reflect the comprehensive annual services program required under Section 2004 of Title XX. In submitting its annual budget recommendations to the Legislature, the Legislative Budget Office shall include all federal Title XX monies received or anticipated by agencies as a part of the budget request in order to indicate for each budget category the amount of state monies requested, the amount of federal monies anticipated or due, the amount of other nonstate monies requested or anticipated and the total anticipated expenditure from all sources for each respective category. A similar breakdown of funding sources shall be shown for current and preceding fiscal periods. All Title XX purchase of service contracts shall be subject to such auditing procedures by the State Department of Audit as are applicable to all state agencies. Upon the direction of the Legislative Budget Office,

additional evaluation of the Title XX system may be performed by an independent group with expertise in cost analysis and the evaluation of human service programs.

SECTION 72. Section 43-51-3, Mississippi Code of 1972, is amended as follows:

43-51-3. As used in this chapter, unless the context clearly requires otherwise, the following words and phrases shall have the meanings respectively ascribed to them in this section:

(a) "Child at imminent risk of placement" means a minor who may be reasonably expected to face, in the near future, commitment to the care or custody of the state as a result of:

(i) Dependency, abuse or neglect;

(ii) Emotional disturbance;

(iii) Family conflict so extensive that reasonable control of the child is not exercised; or

(iv) Delinquency adjudication.

\* \* \*

( \* \* \*b) "Family preservation services" means services designed to help families alleviate risks or crises that might lead to out-of-home placement of children. The services may include procedures to maintain the safety of children in their own homes, support to families preparing to reunify or adopt and assistance to families in obtaining services and other sources of support necessary to address their multiple needs in a culturally sensitive environment.

( \* \* \*c) "Family support services" means preventive community-based activities designed to alleviate stress and to promote parental competencies and behaviors that will increase the ability of families to successfully nurture their children and will enable families to use other resources and opportunities available in the community. These services may include supportive networks designed to enhance child-rearing abilities of parents and to help compensate for the increased social isolation and vulnerability of families. Examples of these services and activities include: respite care for parents and other caregivers; early developmental screening of children to assess the needs of these children and assistance in obtaining specific services to meet their needs; mentoring, tutoring and health education for youth; and a range of center-based activities, such as informal interactions in drop-in centers and parent support groups, and home visiting programs.

SECTION 73. Section 43-51-5, Mississippi Code of 1972, is amended as follows:

43-51-5. (1) The \* \* \* Department of \* \* \* Child Protection Services \* \* \* shall engage in a comprehensive planning process \* \* \* to develop, coordinate and implement a meaningful and responsive program of family support and family preservation services. The scope of planning shall address child welfare, housing, mental health, primary health, education, juvenile justice, community-based programs providing family support and family preservation services and other social programs that service children at imminent risk of placement and their families. In developing the plan, the department, in its discretion, may invite active participation from local consumers, practitioners, researchers, foundations, mayors, members of the Legislature and any available federal regional staff.

\* \* \*

( \* \* \*2) In addition to the family preservation and family support services defined in Section 41-51-3, the \* \* \* Department of Child Protection Services shall offer a wide



range of services, included, but not limited to, the following: crisis resolution; teaching measures to prevent the repeated occurrence of abuse, neglect and/or family conflict; education in parenting skills, child development, communication, negotiations and home maintenance skills; child and family advocacy; and job-readiness training.

SECTION 74. Section 43-51-7, Mississippi Code of 1972, is amended as follows:

43-51-7. The \*\*\* Department of \*\*\* Child Protection Services shall apply annually for any available federal funds that may be used to defray the planning and service expenses, in all or in part, of \*\*\* this chapter, including, but not limited to, funds available under the \*\*\* Family First Prevention Services Act.

SECTION 75. Section 45-33-36, Mississippi Code of 1972, is amended as follows:

45-33-36. (1) Upon receipt of sex offender registration or change of registration information, the Department of Public Safety shall immediately provide the information to:

- (a) The National Sex Offender Registry or other appropriate databases;
- (b) The sheriff of the county and the chief law enforcement officer of any other jurisdiction where the offender resides, lodges, is an employee or is a student or intends to reside, work, attend school or volunteer;
- (c) The sheriff of the county and the chief law enforcement officer of any other jurisdiction from which or to which a change of residence, employment or student status occurs;
- (d) The Department of Human Services, the Department of Child Protection Services, and any other social service entities responsible for protecting minors in the child welfare system;
- (e) The probation agency that is currently supervising the sex offender;
- (f) Any agency responsible for conducting employment-related background checks under Section 3 of the National Child Protection Act of 1993 (42 USC 5119(a));
- (g) Each school and public housing agency in each jurisdiction in which the sex offender resides, is an employee or is a student;
- (h) All prosecutor offices in each jurisdiction in which the sex offender resides, is an employee, or is a student; and
- (i) Any other agencies with criminal investigation, prosecution or sex offender supervision functions in each jurisdiction in which the sex offender resides, is an employee, or is a student.

(2) The Department of Public Safety shall post changes to the public registry website within three (3) business days. Electronic notification will be available via the internet to all law enforcement agencies, to any volunteer organizations in which contact with minors or vulnerable adults might occur and any organization, company or individual who requests notification pursuant to procedures established by the Department of Public Safety. This provision shall take effect upon the state's receipt and implementation of the Department of Justice software in compliance with the provisions of the Adam Walsh Act.

(3) From and after July 1, 2015, local jurisdictions receiving notification and that have the ability may notify residents when a sex offender begins residing, lodges, becomes employed, volunteers or attends school or intends to reside, lodge, work, attend school or volunteer in the area by using a website, social media, print media, email or may provide a link to the Department of Public Safety website.

SECTION 76. Section 57-13-23, Mississippi Code of 1972, is amended as follows:

57-13-23. (1) There is \* \* \* created and established the Mississippi Automated Resource Information System (MARIS), (heretofore created by Executive Order No. 459, dated May 26, 1983, as amended by Executive Order No. 562, dated January 15, 1986), which shall be the mechanism within state government for the storing, processing, extracting and disseminating of useful data and information relating to the state's resources.

(2) The goal of MARIS shall be to facilitate the achievement of state agencies' responsibilities as they relate to the development, management, conservation, protection and utilization of the resources of Mississippi by making usable resource data and information more readily available and in a format that is consistent throughout state departments, agencies and institutions, and, to the extent possible, with federal and privately generated resource data banks.

(3) MARIS shall be under the supervision and general policy formulations of a policy committee as the cooperative effort of state departments, agencies and institutions for the sharing of useful data acquired and generated by state agencies in discharging their individual responsibilities.

(4) There is \* \* \* created and established the MARIS Policy Committee composed of the directors or their designees of the following departments, agencies and institutions:

Center for Population Studies, University of Mississippi

\* \* \*Department of Information Technology Services

Department of Agriculture and Commerce

Department of Archives and History

\* \* \*Mississippi Development Authority

Department of Human Services

Department of Child Protection Services

Department of Environmental Quality

Department of Wildlife, Fisheries and Parks

Mississippi Department of Transportation

Mississippi Emergency Management Agency

Mississippi Mineral Resources Institute, University of

Mississippi

Department of Finance and Administration

Office of the Secretary of State

Public Service Commission

Remote Sensing Center, Mississippi State University

State Forestry Commission

State Department of Health

State Oil and Gas Board

State Soil and Water Conservation Commission

\* \* \*Department of Revenue

University Research Center

Water Management Council.

(5) The MARIS Policy Committee shall elect a chairman, vice chairman and secretary, and it shall elect an executive committee from the membership of the policy committee to be composed of not less than five (5) nor more than nine (9) members, including the aforesaid officers. The policy committee may elect to the executive committee one (1) person other than from its membership. The policy committee shall determine the authority and responsibility to be exercised by the executive committee.

(6) There is \* \* \* created and established the MARIS Task Force which shall be composed of at least one (1) representative from each of the aforesaid agencies with knowledge in computer applications to natural, cultural, industrial or economic resources to be appointed by the respective directors thereof, and any other persons deemed advisable by the policy committee.

(7) The University Research Center shall house the MARIS equipment and staff and shall provide administrative support for the policy committee and technical support to all member agencies.

(8) It shall be the duty of every department, agency, office and institution of the State of Mississippi, and the officers thereof, to cooperate with and assist the MARIS Policy Committee in every reasonable way.

SECTION 77. Section 93-5-23, Mississippi Code of 1972, is amended as follows:

93-5-23. When a divorce shall be decreed from the bonds of matrimony, the court may, in its discretion, having regard to the circumstances of the parties and the nature of the case, as may seem equitable and just, make all orders touching the care, custody and maintenance of the children of the marriage, and also touching the maintenance and alimony of the wife or the husband, or any allowance to be made to her or him, and shall, if need be, require bond, sureties or other guarantee for the payment of the sum so allowed. Orders touching on the custody of the children of the marriage shall be made in accordance with the provisions of Section 93-5-24. For the purposes of orders touching the maintenance and alimony of the wife or husband, "property" and "an asset of a spouse" shall not include any interest a party may have as an heir at law of a living person or any interest under a third-party will, nor shall any such interest be considered as an economic circumstance or other factor. The court may afterwards, on petition, change the decree, and make from time to time such new decrees as the case may require. However, where proof shows that both parents have separate incomes or estates, the court may require that each parent contribute to the support and maintenance of the children of the marriage in proportion to the relative financial ability of each. In the event a legally responsible parent has health insurance available to him or her through an employer or organization that may extend benefits to the dependents of such parent, any order of support issued against such parent may require him or her to exercise the option of additional coverage in favor of such children as he or she is legally responsible to support.

Whenever the court has ordered a party to make periodic payments for the maintenance or support of a child, but no bond, sureties or other guarantee has been required to secure such payments, and whenever such payments as have become due remain unpaid for a period of at least thirty (30) days, the court may, upon petition of the person to whom such payments are owing, or such person's legal representative, enter an order requiring that bond, sureties or other security be given by the person obligated to make such payments, the amount and sufficiency of which shall be approved by the court. The obligor shall, as in other civil actions, be served with process and shall be entitled to a hearing in such case.

At the discretion of the court, any person found in contempt for failure to pay child support and imprisoned therefor may be referred for placement in a state, county or municipal restitution, house arrest or restorative justice center or program, provided such person meets the qualifications prescribed in Section 99-37-19.

Whenever in any proceeding in the chancery court concerning the custody of a child a party alleges that the child whose custody is at issue has been the victim of sexual or physical abuse by the other party, the court may, on its own motion, grant a continuance in the custody proceeding only until such allegation has been investigated by the Department of \* \* \* Child Protection Services. At the time of ordering such continuance, the court may direct the party and his attorney making such allegation of child abuse to report in writing and provide all evidence touching on the allegation of abuse to the Department of \* \* \* Child Protection Services. The Department of \* \* \* Child Protection Services shall investigate such allegation and take such action as it deems appropriate and as provided in such cases under the Youth Court Law (being Chapter 21 of Title 43, Mississippi Code of 1972) or under the laws establishing family courts (being Chapter 23 of Title 43, Mississippi Code of 1972).

If after investigation by the Department of \* \* \* Child Protection Services or final disposition by the youth court or family court allegations of child abuse are found to be without foundation, the chancery court shall order the alleging party to pay all court costs and reasonable attorney's fees incurred by the defending party in responding to such allegation.

The court may investigate, hear and make a determination in a custody action when a charge of abuse and/or neglect arises in the course of a custody action as provided in Section 43-21-151, and in such cases the court shall appoint a guardian ad litem for the child as provided under Section 43-21-121, who shall be an attorney. Unless the chancery court's jurisdiction has been terminated, all disposition orders in such cases for placement with the Department of \* \* \* Child Protection Services shall be reviewed by the court or designated authority at least annually to determine if continued placement with the department is in the best interest of the child or public.

The duty of support of a child terminates upon the emancipation of the child. The court may determine that emancipation has occurred pursuant to Section 93-11-65.

Custody and visitation upon military temporary duty, deployment or mobilization shall be governed by Section 93-5-34.

SECTION 78. Section 93-17-3, Mississippi Code of 1972, is amended as follows:

93-17-3. (1) Except as otherwise provided in this section, a court of this state has jurisdiction over a proceeding for the adoption or readoption of a minor commenced under this chapter if:

(a) Immediately before commencement of the proceeding, the minor lived in this state with a parent, a guardian, a prospective adoptive parent or another person acting as parent, for at least six (6) consecutive months, excluding periods of temporary absence, or, in the case of a minor under six (6) months of age, lived in this state from

soon after birth with any of those individuals and there is available in this state substantial evidence concerning the minor's present or future care;

(b) Immediately before commencement of the proceeding, the prospective adoptive parent lived in this state for at least six (6) consecutive months, excluding periods of temporary absence, and there is available in this state substantial evidence concerning the minor's present or future care;

(c) The agency that placed the minor for adoption is licensed in this state and it is in the best interest of the minor that a court of this state assume jurisdiction because:

(i) The minor and the minor's parents, or the minor and the prospective adoptive parent, have a significant connection with this state; and

(ii) There is available in this state substantial evidence concerning the minor's present or future care;

(d) The minor and the prospective adoptive parent or parents are physically present in this state and the minor has been abandoned or it is necessary in an emergency to protect the minor because the minor has been subjected to or threatened with mistreatment or abuse or is otherwise neglected, and the prospective adoptive parent or parents, if not residing in Mississippi, have completed and provided the court with a satisfactory Interstate Compact for Placement of Children (ICPC) home study and accompanying forms;

(e) It appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraphs (a) through (d), or another state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum to hear a petition for adoption of the minor, and it is in the best interest of the minor that a court of this state assume jurisdiction; or

(f) The child has been adopted in a foreign country, the agency that placed the minor for adoption is licensed in this state, and it is in the best interest of the child to be readopted in a court of this state having jurisdiction.

(2) A court of this state may not exercise jurisdiction over a proceeding for adoption of a minor if, at the time the petition for adoption is filed, a proceeding concerning the custody or adoption of the minor is pending in a court of another state exercising jurisdiction substantially in conformity with the Uniform Child Custody Jurisdiction Act or this section unless the proceeding is stayed by the court of the other state.

(3) If a court of another state has issued a decree or order concerning the custody of a minor who may be the subject of a proceeding for adoption in this state, a court of this state may not exercise jurisdiction over a proceeding for adoption of the minor unless:

(a) The court of this state finds that the court of the state which issued the decree or order:

(i) Does not have continuing jurisdiction to modify the decree or order under jurisdictional prerequisites substantially in accordance with the Uniform Child Custody Jurisdiction Act or has declined to assume jurisdiction to modify the decree or order; or

(ii) Does not have jurisdiction over a proceeding for adoption substantially in conformity with subsection (1)(a) through (d) or has declined to assume jurisdiction over a proceeding for adoption; and

(b) The court of this state has jurisdiction over the proceeding.

(4) Any person may be adopted in accordance with the provisions of this chapter in term time or in vacation by an unmarried adult, by a married person whose spouse joins in the petition, by a married person whose spouse does not join in the petition because such spouse does not cohabit or reside with the petitioning spouse, and in any circumstances determined by the court that the adoption is in the best interest of the child. Only the consenting adult will be a legal parent of the child. The adoption shall be by sworn petition filed in the chancery court of the county in which the adopting petitioner or petitioners reside or in which the child to be adopted resides or was born, or was found when it was abandoned or deserted, or in which the home is located to which the child has been surrendered by a person authorized to so do. The petition shall be accompanied by a doctor's or nurse practitioner's certificate showing the physical and mental condition of the child to be adopted and a sworn statement of all property, if any, owned by the child. In addition, the petition shall be accompanied by affidavits of the petitioner or petitioners stating the amount of the service fees charged by any adoption agencies or adoption facilitators used by the petitioner or petitioners and any other expenses paid by the petitioner or petitioners in the adoption process as of the time of filing the petition. If the doctor's or nurse practitioner's certificate indicates any abnormal mental or physical condition or defect, the condition or defect shall not, in the discretion of the chancellor, bar the adoption of the child if the adopting parent or parents file an affidavit stating full and complete knowledge of the condition or defect and stating a desire to adopt the child, notwithstanding the condition or defect. The court shall have the power to change the name of the child as a part of the adoption proceedings. The word "child" in this section shall be construed to refer to the person to be adopted, though an adult.

(5) No person may be placed in the home of or adopted by the prospective adopting parties before a court-ordered or voluntary home study is satisfactorily completed by a licensed adoption agency, a licensed, experienced social worker approved by the chancery court, a court-appointed guardian ad litem that has knowledge or training in conducting home studies if so directed by the court, or by the Department of \* \* \* Child Protection Services on the prospective adoptive parties if required by Section 93-17-11.

(6) No person may be adopted by a person or persons who reside outside the State of Mississippi unless the provisions of the Interstate Compact for Placement of Children (Section 43-18-1 et seq.) have been complied with. In such cases Forms 100A, 100B (if applicable) and evidence of Interstate Compact for Placement of Children approval shall be added to the permanent adoption record file within one (1) month of the placement, and a minimum of two (2) post-placement reports conducted by a licensed child-placing agency shall be provided to the Mississippi Department of Child Protection Services Interstate Compact for Placement of Children office.

(7) No person may be adopted unless the provisions of the Indian Child Welfare Act (ICWA) have been complied with, if applicable. When applicable, proof of compliance shall be included in the court adoption file prior to finalization of the adoption. If not applicable, a written statement or paragraph in the petition for adoption shall be included in the adoption petition stating that the provisions of ICWA do not apply before finalization.

(8) The readoption of a child who has automatically acquired United States citizenship following an adoption in a foreign country and who possesses a Certificate of Citizenship in accordance with the Child Citizenship Act, CAA, Public Law 106-395, may be given full force and effect in a readoption proceeding conducted by a court of competent jurisdiction in this state by compliance with the Mississippi Registration of Foreign Adoptions Act, Article 9 of this chapter.

(9) For adult adoptees who consent to the adoption, a chancellor may waive any of the petition requirements and procedural requirements within subsections (4), (5), (6) and (7) of this section.

SECTION 79. Section 93-17-5, Mississippi Code of 1972, is amended as follows:

93-17-5. (1) There shall be made parties to the proceeding by process or by the filing therein of a consent to the adoption proposed in the petition, which consent shall be duly sworn to or acknowledged and executed only by the following persons, but not before seventy-two (72) hours after the birth of the child:

(a) The parents, or parent, if only one (1) parent, though either be under the age of twenty-one (21) years;

(b) If both parents are dead, then any two (2) adult kin of the child within the third degree computed according to the civil law; if one of such kin is in possession of the child, he or she shall join in the petition or be made a party to the suit; or

(c) The guardian ad litem of an abandoned child, upon petition showing that the names of the parents of the child are unknown after diligent search and inquiry by the petitioners. In addition to the above, there shall be made parties to any proceeding to adopt a child, either by process or by the filing of a consent to the adoption proposed in the petition, the following:

(i) Those persons having physical custody of the child, except persons who are acting as foster parents as a result of placement with them by the Department of \* \* \* Child Protection Services of the State of Mississippi.

(ii) Any person to whom custody of the child may have been awarded by a court of competent jurisdiction of the State of Mississippi.

(iii) The agent of the \* \* \* Department of \* \* \* Child Protection Services of the State of Mississippi that has placed a child in foster care, either by agreement or by court order.

(2) The consent may also be executed and filed by the duly authorized officer or representative of a home to whose care the child has been delivered. The child shall join the petition by the child's next friend.

(3) If consent is not filed, process shall be had upon the parties as provided by law for process in person or by publication, if they are nonresidents of the state or are not found therein after diligent search and inquiry, the court or chancellor in vacation may fix a date in termtime or in vacation to which process may be returnable and shall have power to proceed in termtime or vacation. In any event, if the child is more than fourteen (14) years of age, a consent to the adoption, sworn to or acknowledged by the child, shall also be required or personal service of process shall be had upon the child in the same manner and in the same effect as if the child were an adult.

SECTION 80. Section 93-17-8, Mississippi Code of 1972, is amended as follows:

93-17-8. (1) Whenever an adoption becomes a contested matter, whether after a hearing on a petition for determination of rights under Section 93-17-6 or otherwise, the court:

(a) Shall, on motion of any party or on its own motion, issue an order for immediate blood or tissue sampling in accordance with the provisions of Section 93-9-21 et seq., if paternity is at issue. The court shall order an expedited report of such testing and shall hold the hearing resolving this matter at the earliest time possible.

(b) Shall appoint a guardian ad litem to represent the child. Such guardian ad litem shall be an attorney, however his duties are as guardian ad litem and not as attorney for the child. The reasonable costs of the guardian ad litem shall be taxed as

costs of court. Neither the child nor anyone purporting to act on his behalf may waive the appointment of a guardian ad litem.

(c) Shall determine first whether or not the objecting parent is entitled to so object under the criteria of Section 93-17-7 and then shall determine the custody of the child in accord with the best interests of the child and the rights of the parties as established by the hearings and judgments.

(d) Shall schedule all hearings concerning the contested adoption as expeditiously as possible for prompt conclusion of the matter.

(2) In determining the custody of the child after a finding that the adoption will not be granted, the fact of the surrender of the child for adoption by a parent shall not be taken as any evidence of that parent's abandonment or desertion of the child or of that parent's unfitness as a parent.

(3) In contested adoptions arising through petitions for determination of rights where the prospective adopting parents were not parties to that proceeding, they need not be made parties to the contested adoption until there has been a ruling that the objecting parent is not entitled to enter a valid objection to the adoption. At that point the prospective adopting parents shall be made parties by joinder which shall show their suitability to be adopting parents as would a petition for adoption. The identity and suitability of the prospective adopting parents shall be made known to the court and the guardian ad litem, but shall not be made known to other parties to the proceeding unless the court determines that the interests of justice or the best interests of the child require it.

(4) No birth parent or alleged parent shall be permitted to contradict statements given in a proceeding for the adoption of their child in any other proceeding concerning that child or his ancestry.

(5) Appointment of a guardian ad litem is not required in any proceeding under this chapter except as provided in subsection (1)(b) above and except for the guardian ad litem needed for an abandoned child. It shall not be necessary for a guardian ad litem to be appointed where the chancery judge presiding in the adoption proceeding deems it unnecessary and no adoption agency is involved in the proceeding. No final decree of adoption heretofore granted shall be set aside or modified because a guardian ad litem was not appointed unless as the result of a direct appeal not now barred.

(6) The provisions of Chapter 15 of this Title 93, Mississippi Code of 1972, are not applicable to proceedings under this chapter except as specifically provided by reference herein.

(7) The court may order a child's birth father, identified as such in the proceedings, to reimburse the Department of \* \* \* Child Protection Services, the foster parents, the adopting parents, the home, any other agency or person who has assumed liability for such child, all or part of the costs of the medical expenses incurred for the mother and the child in connection with the birth of the child, as well as reasonable support for the child after his birth.

SECTION 81. Section 93-17-11, Mississippi Code of 1972, is amended as follows:

93-17-11. At any time after the filing of the petition for adoption and completion of process thereon, and before the entering of a final decree, the court may, in its discretion, of its own motion or on motion of any party to the proceeding, require an investigation and report to the court to be made by any person, officer or home as the court may designate and direct concerning the child, and shall require in adoptions, other than those in which the petitioner or petitioners are a relative or stepparent of the child, that a home study be performed of the petitioner or petitioners by a licensed adoption agency or by the



Department of \* \* \* Child Protection Services, at the petitioner's or petitioners' sole expense and at no cost to the state or county. The investigation and report shall give the material facts upon which the court may determine whether the child is a proper subject for adoption, whether the petitioner or petitioners are suitable parents for the child, whether the adoption is to its best interest, and any other facts or circumstances that may be material to the proposed adoption. The home study shall be considered by the court in determining whether the petitioner or petitioners are suitable parents for the child. The court, when an investigation and report are required by the court or by this section, shall stay the proceedings in the cause for such reasonable time as may be necessary or required in the opinion of the court for the completion of the investigation and report by the person, officer or home designated and authorized to make the same.

Upon the filing of that consent or the completion of the process and the filing of the investigation and report, if required by the court or by this section, and the presentation of such other evidence as may be desired by the court, if the court determines that it is to the best interests of the child that an interlocutory decree of adoption be entered, the court may thereupon enter an interlocutory decree upon such terms and conditions as may be determined by the court, in its discretion, but including therein that the complete care, custody and control of the child shall be vested in the petitioner or petitioners until further orders of the court and that during such time the child shall be and remain a ward of the court. If the court determines by decree at any time during the pendency of the proceeding that it is not to the best interests of the child that the adoption proceed, the petitioners shall be entitled to at least five (5) days' notice upon their attorneys of record and a hearing with the right of appeal as provided by law from a dismissal of the petition; however, the bond perfecting the appeal shall be filed within ten (10) days from the entry of the decree of dismissal and the bond shall be in such amount as the chancellor may determine and supersedeas may be granted by the chancellor or as otherwise provided by law for appeal from final decrees.

After the entry of the interlocutory decree and before entry of the final decree, the court may require such further and additional investigation and reports as it may deem proper. The rights of the parties filing the consent or served with process shall be subject to the decree but shall not be divested until entry of the final decree.

SECTION 82. Section 93-17-12, Mississippi Code of 1972, is amended as follows:

93-17-12. In any child custody matter hereafter filed in any chancery or county court in which temporary or permanent custody has already been placed with a parent or guardian and in all adoptions, the court shall impose a fee for any court-ordered home study performed by the Department of \* \* \* Child Protection Services or any other entity. The fee shall be assessed upon either party or upon both parties in the court's discretion. The minimum fee imposed shall be not less than Three Hundred Fifty Dollars (\$350.00) for each household on which a home study is performed. The fee shall be paid directly to the Mississippi Department of \* \* \* Child Protection Services prior to the home study being conducted by the department or to the entity if the study is performed by another entity. The judge may order the fee be paid by one or both of the parents or guardian. If the court determines that both parents or the guardian are unable to pay the fee, the judge shall waive the fee and the cost of the home study shall be defrayed by the Department of \* \* \* Child Protection Services.

SECTION 83. Section 93-17-53, Mississippi Code of 1972, is amended as follows:

93-17-53. The purpose of Sections 93-17-51 through 93-17-67 is to supplement the Mississippi adoption law by making possible through public supplemental benefits the most appropriate adoption of each child certified by the \* \* \* Department of \* \* \* Child Protection Services as requiring a supplemental benefit to assure adoption.

SECTION 84. Section 93-17-57, Mississippi Code of 1972, is amended as follows:

93-17-57. The \*\*\* Department of \*\*\* Child Protection Services shall establish and administer an on-going program of supplemental benefits for adoption. Supplemental benefits and services for children under this program shall be provided out of such funds as may be appropriated to the \*\*\* Division of Medicaid \*\*\* for the medical services for children in foster care, or made available to the department from other sources.

SECTION 85. Section 93-17-59, Mississippi Code of 1972, is amended as follows:

93-17-59. Any child meeting criteria specified in Section 93-17-55 for whom the \*\*\* Department of \*\*\* Child Protection Services feels supplemental benefits are necessary to improve opportunities for adoption will be eligible for the program. The adoption agency shall document that reasonable efforts have been made to place the child in adoption without supplemental benefits through the use of adoption resource exchanges, recruitment and referral to appropriate specialized adoption agencies.

SECTION 86. Section 93-17-61, Mississippi Code of 1972, is amended as follows:

93-17-61. (1) When parents are found and approved for adoption of a child certified as eligible for supplemental benefits, and before the final decree of adoption is issued, there shall be executed a written agreement between the family entering into the adoption and the Department of \*\*\* Child Protection Services. In individual cases, supplemental benefits may commence with the adoptive placement or at the appropriate time after the adoption decree and will vary with the needs of the child as well as the availability of other resources to meet the child's needs. The supplemental benefits may be for special services only or for money payments as allowed under Section 43-13-115, \*\*\* and either for a limited period, for a long-term not exceeding the child's eighteenth birthday, or for any combination of the foregoing. The amount of the time-limited, long-term supplemental benefits may in no case exceed that which would be currently allowable for such child under the Mississippi Medicaid Law.

(2) When supplemental benefits last for more than one (1) year, the adoptive parents shall present an annual written certification that the child remains under the parents' care and that the child's need for supplemental benefits continues. Based on investigation by the agency and available funds, the agency may approve continued supplemental benefits. These benefits shall be extended so long as the parents remain legally responsible for and are providing support for the child. The agency shall continue paying benefits until a child reaches twenty-one (21) years of age if the child meets the criteria stated in Section 93-17-67(1) for continuation of Medicaid coverage.

(3) A child who is a resident of Mississippi when eligibility for supplemental benefits is certified shall remain eligible and receive supplemental benefits, if necessary for adoption, regardless of the domicile or residence of the adopting parents at the time of application for adoption, placement, legal decree of adoption or thereafter.

SECTION 87. Section 93-17-63, Mississippi Code of 1972, is amended as follows:

93-17-63. All records regarding such adoption shall be confidential. Anyone violating or releasing information of a confidential nature, as contemplated by Sections 93-17-51 through 93-17-67 without the approval of the court with jurisdiction or the \*\*\* Department of \*\*\* Child Protection Services unless such release is made pursuant to Sections 93-17-201 through 93-17-223 shall be guilty of a misdemeanor and subject to a fine not exceeding One Thousand Dollars (\$1,000.00) or imprisonment of six (6) months, or both.

SECTION 88. Section 93-17-65, Mississippi Code of 1972, is amended as follows:

93-17-65. The \*\*\* Department of \*\*\* Child Protection Services shall promulgate rules and regulations necessary to implement the provisions of Sections 93-17-51 through 93-17-67.

SECTION 89. Section 93-17-101, Mississippi Code of 1972, is amended as follows:

93-17-101. (1) The Legislature finds that:

(a) Locating adoptive families for children for whom state assistance is desirable, pursuant to the Mississippi adoption assistance law, and assuring the protection of the interests of the children affected during the entire assistance period, require special measures when the adoptive parents move to other states or are residents of another state; and

(b) Providing medical and other necessary services for children, with state assistance, encounters special difficulties when the providing of services takes place in other states.

(2) The purposes of Sections 93-17-101 through 93-17-109 are to:

(a) Authorize the Mississippi Department of \* \* \* Child Protection Services to enter into interstate agreements with agencies of other states for the protection of children on behalf of whom adoption assistance is being provided by the Mississippi Department of \* \* \* Child Protection Services; and

(b) Provide procedures for interstate children's adoption assistance payments, including medical payments.

SECTION 90. Section 93-17-103, Mississippi Code of 1972, is amended as follows:

93-17-103. (1) The Mississippi Department of \* \* \* Child Protection Services is authorized to develop, participate in the development of, negotiate and enter into one or more interstate compacts on behalf of this state with other states to implement one or more of the purposes set forth in Sections 93-17-101 through 93-17-109. When so entered into, and for so long as it shall remain in force, such a compact shall have the force and effect of law.

(2) For the purposes of Sections 93-17-101 through 93-17-109, the term "state" shall mean a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands or a territory or possession of or administered by the United States.

(3) For the purposes of Sections 93-17-101 through 93-17-109, the term "adoption assistance state" means the state that is signatory to an adoption assistance agreement in a particular case.

(4) For the purposes of Sections 93-17-101 through 93-17-109, the term "residence state" means the state of which the child is a resident by virtue of the residence of the adoptive parents.

SECTION 91. Section 93-17-107, Mississippi Code of 1972, is amended as follows:

93-17-107. (1) A child with special needs resident in this state who is the subject of an adoption assistance agreement with another state and who has been determined eligible for Medicaid in that state shall be entitled to receive a medical assistance identification from this state upon filing with the Mississippi Department of \* \* \* Child Protection Services a certified copy of the adoption assistance agreement obtained from the adoption assistance state which certifies to the eligibility of the child for Medicaid. In accordance with regulations of the Mississippi Department of \* \* \* Child Protection

Services, the adoptive parents shall be required, at least annually, to show that the agreement is still in force or has been renewed.

(2) The Division of Medicaid, Office of the Governor, shall consider the holder of a medical assistance identification pursuant to this section as any other holder of a medical assistance identification under the laws of this state and shall process and make payment on claims on account of such holder in the same manner and pursuant to the same conditions and procedures as for other recipients of medical assistance.

(3) The submission of any claim for payment or reimbursement for services or benefits pursuant to this section or the making of any statement in connection therewith, which claim or statement the maker knows or should know to be false, misleading or fraudulent shall be punishable as perjury and shall also be subject to a fine not to exceed Ten Thousand Dollars (\$10,000.00), or imprisonment for not to exceed two (2) years, or both.

(4) The provisions of this section shall apply only to medical assistance for children under adoption assistance agreements from states that have entered into a compact with this state under which the other state provides medical assistance to children with special needs under adoption assistance agreements made by this state. All other children entitled to medical assistance pursuant to adoption assistance agreements entered into by this state shall be eligible to receive it in accordance with the laws and procedures applicable thereto.

SECTION 92. Section 93-17-109, Mississippi Code of 1972, is amended as follows:

93-17-109. Consistent with federal law, the Mississippi Department of \* \* \* Child Protection Services and the Division of Medicaid, Office of the Governor of the State of Mississippi, in connection with the administration of Sections 93-17-101 through 93-17-109 and any compact entered into pursuant hereto, shall include in any state plan made pursuant to the Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272), Titles IV(e) and XIX of the Social Security Act, and any other applicable federal laws, the provision of adoption assistance and medical assistance for which the federal government pays some or all of the cost provided such authority is granted under the provisions of some law of this state other than the provisions of Sections 93-17-101 through 93-17-109. Such departments shall apply for and administer all relevant federal aid in accordance with law.

SECTION 93. Section 93-17-203, Mississippi Code of 1972, is amended as follows:

93-17-203. The following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) "Agency" means a county \* \* \* department of human services, the Department of Child Protection Services, a licensed or nonlicensed adoption agency or any other individual or entity assisting in the finalization of an adoption.

(b) "Adoptee" means a person who is or has been adopted in this state at any time.

(c) "Birth parent" means either:

(i) The mother designated on the adoptee's original birth certificate;

or

(ii) The person named by the mother designated on the adoptee's original birth certificate as the father of the adoptee.

(d) "Board" means the Mississippi State Board of Health.

(e) "Bureau" means the Bureau of Vital Records of the Mississippi State Board of Health.

(f) "Licensed adoption agency" means any agency or organization performing adoption services and duly licensed by the Mississippi Department of \* \* \* Child Protection Services.

SECTION 94. Section 93-17-209, Mississippi Code of 1972, is amended as follows:

93-17-209. (1) Whenever any person specified under Section 93-17-207 wishes to obtain medical, social or genetic background information about an adoptee or nonidentifying information about the birth parents of such adoptee, and the information is not on file with the bureau and the birth parents have not filed affidavits prohibiting a search to be conducted for them under the provisions of Sections 93-17-201 through 93-17-223, the person may request a licensed adoption agency to locate the birth parents to obtain the information.

(2) Employees of any agency conducting a search under this section may not inform any person other than the birth parents of the purpose of the search.

(3) The agency may charge the requester a reasonable fee for the cost of the search. When the agency determines that the fee will exceed One Hundred Dollars (\$100.00) for either birth parent, it shall notify the requester. No fee in excess of One Hundred Dollars (\$100.00) per birth parent may be charged unless the requester, after receiving notification under this subsection, has given consent to proceed with the search.

(4) The agency conducting the search shall, upon locating a birth parent, notify him or her of the request and of the need for medical, social and genetic information.

(5) The agency shall release to the requester any medical or genetic information provided by a birth parent under this section without disclosing the birth parent's identity or location.

(6) If a birth parent is located but refuses to provide the information requested, the agency shall notify the requester, without disclosing the birth parent's identity or location, and the requester may petition the chancery court to order the birth parent to disclose the nonidentifying information. The court shall grant the motion for good cause shown.

(7) The Mississippi Department of \* \* \* Child Protection Services shall provide the bureau each year with a list of licensed adoption agencies in this state capable of performing the types of searches described in this section.

SECTION 95. Section 93-21-305, Mississippi Code of 1972, is amended as follows:

93-21-305. (1) There is \* \* \* established in the State Treasury a special fund to be known as the "Mississippi Children's Trust Fund."

(2) The fund shall consist of any monies appropriated to the fund by the Legislature, any donations, gifts and grants from any source, receipts from the birth certificate fees as provided by subsection (2) of Section 41-57-11, and any other monies which may be received from any other source or which may be hereafter provided by law.

(3) Monies in the fund shall be used only for the purposes set forth in Sections 93-21-301 through 93-21-311. Interest earned on the investment of monies in the fund shall be returned and deposited to the credit of the fund.

(4) Disbursements of money from the fund shall be on the authorization of the \* \* \* Department of Child Protection Services.

(5) The primary purpose of the fund is to encourage and provide financial assistance in the provision of direct services to prevent child abuse and neglect.

SECTION 96. Section 93-21-307, Mississippi Code of 1972, is amended as follows:

93-21-307. The administration of the Mississippi Children's Trust Fund shall be vested in the \* \* \* Department of Child Protection Services. In carrying out the provisions of Sections 93-21-301 through 93-21-311, the \* \* \* Department of Child Protection Services shall have the following powers and duties:

(a) To assist in developing programs aimed at discovering and preventing the many factors causing child abuse and neglect;

(b) To prepare and disseminate, including the presentation of, educational programs and materials on child abuse and neglect;

(c) To provide educational programs for professionals required by law to make reports of child abuse and neglect;

(d) To help coordinate child protective services at the state, regional and local levels with the efforts of other state and voluntary social, medical and legal agencies;

(e) To provide advocacy for children in public and private state and local agencies affecting children;

(f) To encourage citizen and community awareness as to the needs and problems of children;

(g) To facilitate the exchange of information between groups concerned with families and children;

(h) To consult with state departments, agencies, commissions and boards to help determine the probable effectiveness, fiscal soundness and need for proposed educational and service programs for the prevention of child abuse and neglect;

(i) To adopt rules and regulations \* \* \* in accordance with the Administrative Procedures Law to discharge its responsibilities;

(j) To report annually, through the annual report of the \* \* \* Department of \* \* \* Child Protection Services, to the Governor and the Legislature concerning the \* \* \* department's activities under Sections 93-21-301 through 93-21-311 and the effectiveness of those activities in fostering the prevention of child abuse and neglect;

(k) To recommend to the Governor and the Legislature changes in state programs, statutes, policies and standards which will reduce child abuse and neglect, improve coordination among state agencies which provide services to prevent abuse and neglect, improve the condition of children and assist parents and guardians;

(l) To evaluate and strengthen all local, regional and state programs dealing with child abuse and neglect;

(m) To prepare and submit annually to the Governor and the Legislature reports evaluating the level and quality of all programs, services and facilities provided to children by state agencies;

(n) To contract with public or private nonprofit institutions, organizations, agencies or schools or with qualified individuals for the establishment of community-based educational and service programs designed to reduce the occurrence of child abuse and neglect;

(o) To determine the eligibility of programs applying for financial assistance and to make grants and loans from the fund for the purposes set forth in Sections 93-21-301 through 93-21-311;

(p) To develop, within one (1) year after July 1, 1989, a state plan for the distribution of funds from the trust fund which shall assure that an equal opportunity exists for establishment of prevention programs and for receipt of trust fund \* \* \* monies among all geographic areas in this state, and to submit the plan to the Governor and the Legislature and annually thereafter submit revisions thereto as needed;

(q) To provide for the coordination and exchange of information on the establishment and maintenance of local prevention programs;

(r) To develop and publicize criteria for the receipt of trust fund \* \* \* monies by eligible local prevention programs;

(s) To enter into contracts with public or private agencies to fulfill the requirements of Sections 93-21-301 through 93-21-311; and

(t) Review, monitor and approve the expenditure of trust fund \* \* \* monies by eligible local programs.

SECTION 97. Section 93-21-309, Mississippi Code of 1972, is amended as follows:

93-21-309. (1) The \* \* \* Department of Child Protection Services may authorize the disbursement of money in the trust fund in the form of grants or loans for the following purposes, which are listed in order of preference for expenditure:

(a) To assist a community private, nonprofit organization or a local public organization or agency in the establishment and operation of a program or service for the prevention of child abuse and neglect;

(b) To assist in the expansion of an existing community program or service for the prevention of child abuse and neglect;

(c) To assist a community private, nonprofit organization or a local public organization or agency in the establishment and operation of an educational program regarding the problems of child abuse and neglect and the problems of families and children;

(d) To assist in the expansion of an existing community educational program regarding the problems of child abuse and neglect and the problems of families and children;

(e) To study and evaluate community-based prevention programs, projects or services and educational programs for the problems of families and children; and

(f) Any other similar and related programs, projects, services and educational programs that the \* \* \* department declares will implement the purposes and provisions of Sections 93-21-301 through 93-21-311.

(2) For the purposes of this section, the term "educational programs" includes instructional and demonstration projects the main purpose of which is to disseminate information and techniques for the prevention of child abuse and neglect and the prevention of problems of families and children.

(3) No money in the trust fund shall be expended to provide services, counseling or direct assistance for the voluntary termination of any pregnancy.

SECTION 98. Section 93-21-311, Mississippi Code of 1972, is amended as follows:

93-21-311. In making grants or loans from the trust fund, the \* \* \* Department of Child Protection Services shall consider the degree to which the applicant's proposal meets the following criteria:

(a) Has as its primary purpose the development and facilitation of a community-based prevention program in a specific geographical area, which program shall utilize trained volunteers and existing community resources where practicable;

(b) Is administered by an organization or group which is composed of or has participation by the county department of \* \* \* human services, the county health department, the youth court or chancery court, the office of the district attorney, county or municipal law enforcement personnel, county or municipal school officials, local public or private organizations or agencies which provide programs or services for the prevention of child abuse and neglect and educational programs for the prevention of problems of families and children; and

(c) Demonstrates a willingness and ability and has a plan to provide prevention program models and consultations to appropriate organizations within the community regarding prevention program development and maintenance.

SECTION 99. Section 93-31-3, Mississippi Code of 1972, is amended as follows:

93-31-3. (1) (a) A parent or legal custodian of a child, by means of a properly executed power of attorney as provided in Section 93-31-5, may delegate to another willing person or persons as attorney-in-fact any of the powers regarding the care and custody of the child other than the following:

(i) The power to consent to marriage or adoption of the child;

(ii) The performance or inducement of an abortion on or for the child;

or

(iii) The termination of parental rights to the child.

(b) A delegation of powers under this section does not:

(i) Change or modify any parental or legal rights, obligations, or authority established by an existing court order;

(ii) Deprive any custodial or noncustodial parent or legal guardian of any parental or legal rights, obligations, or authority regarding the custody, visitation, or support of the child; or

(iii) Affect a court's ability to determine the best interests of a child.



(c) If both parents are living and neither parent's parental rights have been terminated, both parents must execute the power of attorney. If a noncustodial parent is absent or unknown, the custodial parent must complete the affidavit contemplated under Section 93-31-5 and attach it to the power of attorney.

(d) A power of attorney under this chapter must be facilitated by either a child welfare agency that is licensed to place children for adoption and that is operating under the Safe Families for Children model or another charitable organization that is operating under the Safe Families for Children model. A full criminal history and child abuse and neglect background check must be conducted on any person who is not a grandparent, aunt, uncle, or sibling of the child if the person is:

(i) Designated or proposed to be designated as the attorney-in-fact;

or

(ii) Is a person over the age of fifteen (15) who resides in the home of the designated attorney-in-fact.

(2) A power of attorney executed under this chapter shall not be used for the sole purposes of enrolling a child in a school to participate in the academic or interscholastic athletic programs provided by that school or for any other unlawful purposes, except as may be permitted by the federal Every Student Succeeds Act (Public Law 114-95).

(3) The parent or legal custodian of the child has the authority to revoke or withdraw the power of attorney authorized by this section at any time. Upon the termination, expiration, or revocation of the power of attorney, the child must be returned to the custody of the parent or legal custodian.

(4) Until the authority expires or is revoked or withdrawn by the parent or legal custodian, the attorney-in-fact shall exercise parental or legal authority on a continuous basis without compensation for the duration of the power of attorney.

(5) The execution of a power of attorney by a parent or legal custodian does not, in the absence of other evidence, constitute abandonment, desertion, abuse, neglect, or any evidence of unfitness as a parent unless the parent or legal custodian fails to take custody of the child or execute a new power of attorney after the one-year time limit, or after a longer time period as allowed for a serving parent, has elapsed. Nothing in this subsection prevents the Department of \* \* \* Child Protection Services or law enforcement from investigating allegations of abuse, abandonment, desertion, neglect or other mistreatment of a child.

(6) When the custody of a child is transferred by a power of attorney under this chapter, the child is not considered to have been placed in foster care and the attorney-in-fact will not be subject to any of the requirements or licensing regulations for foster care or other regulations relating to out-of-home care for children and will not be subject to any statutes or regulations dealing with the licensing or regulation of foster care homes.

(7) (a) "Serving parent" means a parent who is a member of the Armed Forces of the United States, including any reserve component thereof, or the National Oceanic and Atmospheric Administration Commissioned Officer Corps or the Public Health Service of the United States Department of Health and Human Services detailed by proper authority for duty with the Armed Forces of the United States, or who is required to enter or serve in the active military service of the United States under a call or order of the President of the United States or to serve on state active duty.

(b) A serving parent may delegate the powers designated in subsection (1) of this section for longer than one (1) year if on active-duty service or if scheduled to be

on active-duty service. The term of delegation, however, may not exceed the term of active-duty service plus thirty (30) days.

(8) (a) A power of attorney under this chapter must be filed in the youth court of the county where the minor child or children reside at the time the form is completed, and the clerk of the youth court will not impose or collect a filing fee. The filing is informational only, and no judicial intervention shall result at the time of filing.

(b) The power of attorney must be entered into the Mississippi Youth Court Information Delivery System (MYCIDS) under Section 43-21-351, and must be administratively reviewed by the youth court judge or referee, or a person designated by the youth court judge or referee, to ensure the safety of the child or children who are the subjects of the power of attorney one (1) year after the date of execution.

SECTION 100. Section 97-5-24, Mississippi Code of 1972, is amended as follows:

97-5-24. If any person eighteen (18) years or older who is employed by any public school district or private school in this state is accused of fondling or having any type of sexual involvement with any child under the age of eighteen (18) years who is enrolled in such school, the principal of such school and the superintendent of such school district shall timely notify the district attorney with jurisdiction where the school is located of such accusation, the Mississippi Department of Education and the Department of \* \* \* Child Protection Services, provided that such accusation is reported to the principal and to the school superintendent and that there is a reasonable basis to believe that such accusation is true. Any superintendent, or his designee, who fails to make a report required by this section shall be subject to the penalties provided in Section 37-11-35. Any superintendent, principal, teacher or other school personnel participating in the making of a required report pursuant to this section or participating in any judicial proceeding resulting therefrom shall be presumed to be acting in good faith. Any person reporting in good faith shall be immune from any civil liability that might otherwise be incurred or imposed.

SECTION 101. Section 97-5-39, Mississippi Code of 1972, is amended as follows:

97-5-39. (1) (a) Except as otherwise provided in this section, any parent, guardian or other person who intentionally, knowingly or recklessly commits any act or omits the performance of any duty, which act or omission contributes to or tends to contribute to the neglect or delinquency of any child or which act or omission results in the abuse of any child, as defined in Section 43-21-105(m) of the Youth Court Law, or who knowingly aids any child in escaping or absenting himself from the guardianship or custody of any person, agency or institution, or knowingly harbors or conceals, or aids in harboring or concealing, any child who has absented himself without permission from the guardianship or custody of any person, agency or institution to which the child shall have been committed by the youth court shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment not to exceed one (1) year in jail, or by both such fine and imprisonment.

(b) For the purpose of this section, a child is a person who has not reached his eighteenth birthday. A child who has not reached his eighteenth birthday and is on active duty for a branch of the armed services, or who is married, is not considered a child for the purposes of this statute.

(c) If a child commits one (1) of the proscribed acts in subsection (2)(a), (b) or (c) of this section upon another child, then original jurisdiction of all such offenses shall be in youth court.

(d) If the child's deprivation of necessary clothing, shelter, health care or supervision appropriate to the child's age results in substantial harm to the child's physical, mental or emotional health, the person may be sentenced to imprisonment in custody of

the Department of Corrections for not more than five (5) years or to payment of a fine of not more than Five Thousand Dollars (\$5,000.00), or both.

(e) A parent, legal guardian or other person who knowingly permits the continuing physical or sexual abuse of a child is guilty of neglect of a child and may be sentenced to imprisonment in the custody of the Department of Corrections for not more than ten (10) years or to payment of a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(2) Any person shall be guilty of felonious child abuse in the following circumstances:

(a) Whether bodily harm results or not, if the person shall intentionally, knowingly or recklessly:

(i) Burn any child;

(ii) Physically torture any child;

(iii) Strangle, choke, smother or in any way interfere with any child's breathing;

(iv) Poison a child;

(v) Starve a child of nourishments needed to sustain life or growth;

(vi) Use any type of deadly weapon upon any child;

(b) If some bodily harm to any child actually occurs, and if the person shall intentionally, knowingly or recklessly:

(i) Throw, kick, bite, or cut any child;

(ii) Strike a child under the age of fourteen (14) about the face or head with a closed fist;

(iii) Strike a child under the age of five (5) in the face or head;

(iv) Kick, bite, cut or strike a child's genitals; circumcision of a male child is not a violation under this subparagraph (iv);

(c) If serious bodily harm to any child actually occurs, and if the person shall intentionally, knowingly or recklessly:

(i) Strike any child on the face or head;

(ii) Disfigure or scar any child;

(iii) Whip, strike or otherwise abuse any child;

(d) Any person, upon conviction under paragraph (a) or (c) of this subsection, shall be sentenced by the court to imprisonment in the custody of the Department of Corrections for a term of not less than five (5) years and up to life, as determined by the court. Any person, upon conviction under paragraph (b) of this subsection shall be sentenced by the court to imprisonment in the custody of the Department of Corrections for a term of not less than two (2) years nor more than ten (10) years, as determined by the court. For any second or subsequent conviction under this subsection (2), the person shall be sentenced to imprisonment for life.

(e) For the purposes of this subsection (2), "bodily harm" means any bodily injury to a child and includes, but is not limited to, bruising, bleeding, lacerations, soft tissue swelling, and external or internal swelling of any body organ.

(f) For the purposes of this subsection (2), "serious bodily harm" means any serious bodily injury to a child and includes, but is not limited to, the fracture of a bone, permanent disfigurement, permanent scarring, or any internal bleeding or internal trauma to any organ, any brain damage, any injury to the eye or ear of a child or other vital organ, and impairment of any bodily function.

(g) Nothing contained in paragraph (c) of this subsection shall preclude a parent or guardian from disciplining a child of that parent or guardian, or shall preclude a person in loco parentis to a child from disciplining that child, if done in a reasonable manner, and reasonable corporal punishment or reasonable discipline as to that parent or guardian's child or child to whom a person stands in loco parentis shall be a defense to any violation charged under paragraph (c) of this subsection.

(h) Reasonable discipline and reasonable corporal punishment shall not be a defense to acts described in paragraphs (a) and (b) of this subsection or if a child suffers serious bodily harm as a result of any act prohibited under paragraph (c) of this subsection.

(3) Nothing contained in this section shall prevent proceedings against the parent, guardian or other person under any statute of this state or any municipal ordinance defining any act as a crime or misdemeanor. Nothing in the provisions of this section shall preclude any person from having a right to trial by jury when charged with having violated the provisions of this section.

(4) (a) A parent, legal guardian or caretaker who endangers a child's person or health by knowingly causing or permitting the child to be present where any person is selling, manufacturing or possessing immediate precursors or chemical substances with intent to manufacture, sell or possess a controlled substance as prohibited under Section 41-29-139 or 41-29-313, is guilty of child endangerment and may be sentenced to imprisonment for not more than ten (10) years or to payment of a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(b) If the endangerment results in substantial harm to the child's physical, mental or emotional health, the person may be sentenced to imprisonment for not more than twenty (20) years or to payment of a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(5) Nothing contained in this section shall prevent proceedings against the parent, guardian or other person under any statute of this state or any municipal ordinance defining any act as a crime or misdemeanor. Nothing in the provisions of this section shall preclude any person from having a right to trial by jury when charged with having violated the provisions of this section.

(6) After consultation with the Department of \* \* \* Child Protection Services, a regional mental health center or an appropriate professional person, a judge may suspend imposition or execution of a sentence provided in subsections (1) and (2) of this section and in lieu thereof require treatment over a specified period of time at any approved public or private treatment facility. A person may be eligible for treatment in lieu of criminal penalties no more than one (1) time.

(7) In any proceeding resulting from a report made pursuant to Section 43-21-353 of the Youth Court Law, the testimony of the physician making the report regarding the child's injuries or condition or cause thereof shall not be excluded on the ground that the physician's testimony violates the physician-patient privilege or similar privilege or rule

against disclosure. The physician's report shall not be considered as evidence unless introduced as an exhibit to his testimony.

(8) Any criminal prosecution arising from a violation of this section shall be tried in the circuit, county, justice or municipal court having jurisdiction; provided, however, that nothing herein shall abridge or dilute the contempt powers of the youth court.

SECTION 102. Section 99-41-17, Mississippi Code of 1972, is amended as follows:

99-41-17. (1) Compensation shall not be awarded under this chapter:

(a) Unless the criminally injurious conduct occurred after July 1, 1991;

(b) Unless the claim has been filed with the director within thirty-six (36) months after the crime occurred, or in cases of child sexual abuse, within thirty-six (36) months after the crime was reported to law enforcement or the Department of \* \* \* Child Protection Services, but in no event later than the victim's twenty-fifth birthday. For good cause, the director may extend the time period allowed for filing a claim for an additional period not to exceed twelve (12) months;

(c) To a claimant or victim who was the offender or an accomplice to the offender, or, except in cases of children under the age of consent as specified in Section 97-3-65, 97-3-97 or 97-5-23, Mississippi Code of 1972, who encouraged or in any way knowingly participated in criminally injurious conduct;

(d) To another person, if the award would unjustly benefit the offender or accomplice;

(e) Unless the criminally injurious conduct resulting in injury or death was reported to a law enforcement officer within seventy-two (72) hours after its occurrence or unless it is found that there was good cause for the failure to report within such time;

(f) To any claimant or victim when the injury or death occurred while the victim was confined in any federal, state, county or city jail or correctional facility;

(g) If the victim was injured as a result of the operation of a motor vehicle, boat or airplane, unless the vehicle was used by the offender (i) while under the influence of alcohol or drugs, (ii) as a weapon in the deliberate attempt to injure or cause the death of the victim, (iii) in a hit-and-run accident by leaving the scene of an accident as specified in Section 63-3-401, (iv) to flee apprehension by law enforcement as specified in Sections 97-9-72 and 97-9-73, or (v) causes any injury to a child who is in the process of boarding or exiting a school bus in the course of a violation of Section 63-3-615;

(h) If, following the filing of an application, the claimant failed to take further steps as required by the division to support the application within forty-five (45) days of such request made by the director or failed to otherwise cooperate with requests of the director to determine eligibility, unless failure to provide information was beyond the control of the claimant;

(i) To a claimant or victim who, subsequent to the injury for which application is made, is convicted of any felony, and the conviction becomes known to the director;

(j) To any claimant or victim who has been under the actual or constructive supervision of a department of corrections for a felony conviction within five (5) years prior to the injury or death for which application has been made;

(k) To any claimant or victim who, at the time of the criminally injurious conduct upon which the claim for compensation is based, engaged in conduct unrelated

to the crime upon which the claim for compensation is based that either was (i) a felony, or (ii) a delinquent act which, if committed by an adult, would constitute a felony;

(l) To any claimant or victim who knowingly furnishes any false or misleading information or knowingly fails or omits to disclose a material fact or circumstance.

(2) Compensation otherwise payable to a claimant shall be diminished to the extent:

(a) That the economic loss is recouped from other sources, including collateral sources; and

(b) Of the degree of responsibility for the cause of injury or death attributable to the victim or claimant.

(3) Upon a finding that the claimant or victim has not fully cooperated with appropriate law enforcement agencies and prosecuting attorneys, an award of compensation may be denied, withdrawn or reduced.

(4) Compensation otherwise payable to a claimant or victim may be denied or reduced to a claimant or victim who, at the time of the crime upon which the claim for compensation is based, was engaging in or attempting to engage in other unlawful activity unrelated to the crime upon which the claim for compensation is based.

SECTION 103. Sections 43-1-30, 43-1-51, 43-1-53, 43-1-57, 43-1-59, 43-1-63, 43-51-1 and 43-51-9, Mississippi Code of 1972, which created the Mississippi TANF Implementation Council, created the Division of Family and Children's Services within the Department of Human Services, provides the title for the Family Preservation Act, and requires an ongoing evaluation and report on family preservation services, are repealed.

SECTION 104. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT FROM AND AFTER JULY 1, 2023, THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A STATE AGENCY SEPARATE AND APART FROM THE DEPARTMENT OF HUMAN SERVICES AND NOT A SUBAGENCY HOUSED WITHIN THE DEPARTMENT OF HUMAN SERVICES, AND SHALL HAVE SUCH POWERS AND DUTIES AND PERFORM SUCH FUNCTIONS THAT ARE ASSIGNED TO THE DEPARTMENT OF CHILD PROTECTION SERVICES BY STATE LAW; TO AMEND SECTION 43-26-1, MISSISSIPPI CODE OF 1972, AND TO CREATE NEW SECTIONS 43-26-5, 43-26-7, 43-26-9, 43-26-11, 43-26-13, 43-26-15, 43-26-17, 43-26-19, 43-26-21 AND 43-26-23, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE POWERS AND DUTIES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES AND THE COMMISSIONER OF CHILD PROTECTION SERVICES; TO AMEND SECTIONS 11-46-1, 11-46-8, 25-1-109, 27-104-203, 37-31-107, 37-106-69, 37-115-43, 41-3-18, 41-67-12, 41-87-5, 41-101-1, 43-1-9, 43-1-101, 43-14-1, 43-14-5, 43-15-3, 43-15-5, 43-15-6, 43-15-7, 43-15-11, 43-15-15, 43-15-19, 43-15-21, 43-15-23, 43-15-103, 43-15-105, 43-15-107, 43-15-109, 43-15-113, 43-15-115, 43-15-117, 43-15-119, 43-15-121, 43-15-125, 43-15-201, 43-15-203, 43-15-207, 43-16-3, 43-16-7, 43-17-7, 43-18-3, 43-18-5, 43-21-351, 43-21-354, 43-21-357, 43-21-405, 43-21-603, 43-21-609, 43-21-701, 43-21-801, 43-27-101, 43-27-103, 43-27-109, 43-27-113, 43-27-115, 43-27-117, 43-27-119, 43-43-5, 43-43-7, 43-51-3, 43-51-5, 43-51-7, 45-33-36, 57-13-23, 93-5-23, 93-17-3, 93-17-5, 93-17-8, 93-17-11, 93-17-12, 93-17-53, 93-17-57, 93-17-59, 93-17-61, 93-17-63, 93-17-65, 93-17-101, 93-17-103,

93-17-107, 93-17-109, 93-17-203, 93-17-209, 93-21-305, 93-21-307, 93-21-309, 93-21-311, 93-31-3, 97-5-24, 97-5-39 AND 99-41-17, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO REPEAL SECTIONS 43-1-30, 43-1-51, 43-1-53, 43-1-57, 43-1-59, 43-1-63, 43-51-1 AND 43-51-9, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI TANF IMPLEMENTATION COUNCIL, CREATED THE DIVISION OF FAMILY AND CHILDREN'S SERVICES WITHIN THE DEPARTMENT OF HUMAN SERVICES, PROVIDES THE TITLE FOR THE FAMILY PRESERVATION ACT, AND REQUIRES AN ONGOING EVALUATION AND REPORT ON FAMILY PRESERVATION SERVICES; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 1149 was adopted.

YEAS AND NAYS On H. B. No. 1149. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

\_\_\_\_\_  
Senator Chassaniol called up the following entitled bill:

**H. B. No. 419:** Tourism; provide assistance to destination marketing organization.

Senator Chassaniol offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-123-7, Mississippi Code of 1972, is brought forward as follows:

57-123-7. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means:

(i) Special local governmental units created by local and private laws of the State of Mississippi for the purpose of tourism promotion, funded by special local tax levies, and staffed with professionals engaged in out-of-state tourism marketing and tourism product development for municipalities, counties and/or regions; or

(ii) Publicly-funded local organizations that engage in out-of-state tourism marketing and tourism development for municipalities, counties and/or regions.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations,

communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in Section 1 of Chapter 399, Laws of 2022.

(2) (a) The Department of Finance and Administration shall establish a program for the purpose of providing funds to assist destination marketing organizations in paying costs for marketing activities as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocation of funds under this section and shall disburse funds as follows:

(i) Not more than Nine Million Four Hundred Twenty-seven Thousand Five Hundred Fifty-seven Dollars (\$9,427,557.00) of such monies shall be allocated to destination marketing organizations in a manner that will provide monies to a destination marketing organization in an amount equal to seventy-five percent (75%) of the destination marketing organization's marketing and advertising expenditures during the 2019 fiscal year, and

(ii) Not more than Twenty Million Five Hundred Seventy-two Thousand Four Hundred Forty-three Dollars (\$20,572,443.00) of such monies shall be allocated to destination marketing organizations based on the proportion that a destination marketing organization's contribution toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report bears to all destination marketing organizations' contributions toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report. However, a destination marketing organization shall not receive an amount less than Two Hundred Fifty Thousand Dollars (\$250,000.00) under this subparagraph (ii).

(b) Within fifteen (15) days after July 1, 2022, the Department of Finance and Administration shall distribute the funds allocated under paragraph (a) of this subsection (2) to eligible destination marketing organizations. Before receiving funds under this subsection (2), a destination marketing organization must certify to the Department of Finance and Administration that:

(i) The funds will only be used for marketing activities, and

(ii) The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds, and

(iii) The destination marketing organization will obligate all funds by December 31, 2024, and fully expend all funds by December 31, 2026.

(c) Destination marketing organizations receiving funds under this subsection (2) shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this subsection (2) shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide semi-annual reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.



(d) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTION 57-123-7, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES A PROGRAM TO ASSIST DESTINATION MARKETING ORGANIZATIONS; AND FOR RELATED PURPOSES.

Senator Chassaniol offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 97 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 419 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 419 was adopted.

YEAS AND NAYS On H. B. No. 419. On motion of Senator Chassaniol, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk called up the following entitled bill:

**H. B. No. 538:** Pat Harrison Waterway District; provide county withdrawal from district not effective until close of FY in which county obligations met.

Senator Polk offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 51-15-118, Mississippi Code of 1972, as amended by Senate Bill No. 2526, 2023 Regular Session, is amended as follows:

51-15-118. The board of supervisors of any county that is included in the Pat Harrison Waterway District, or the governing authorities of any municipality not located in a member county but that joined the district by petition, may elect to withdraw such county or municipality from the district. The withdrawing county or municipality shall be responsible for paying its portion of any district bonds, contractual obligations, and any other indebtedness and liabilities of the district that are outstanding on the date of such county's or municipality's withdrawal from the district. The withdrawing county's or municipality's portion of such liabilities, obligations and indebtedness shall be determined through an independent audit conducted by a certified public accountant. The board of supervisors of the withdrawing county, or the governing authorities of the withdrawing municipality, shall provide the sum that is required by this section either by appropriation from any available funds of the county or by levy. Such board of supervisors or municipal governing authorities may borrow funds as needed to satisfy the withdrawing county's or municipality's portion of the liabilities, obligations and indebtedness of the district as required herein. No withdrawal shall become effective until the close of the fiscal year in which the county has satisfied its obligations under this section.

SECTION 2. Section 51-15-119, Mississippi Code of 1972, as amended by Senate Bill No. 2526, 2023 Regular Session, is amended as follows:

51-15-119. (1) The Pat Harrison Waterway District through its board of directors is hereby empowered:

(a) To develop in conjunction with the United States Army Corps of Engineers, United States Secretary of Agriculture, or with the head of any other federal or state agency as may be involved, plans for public works of improvement to make navigable or for the prevention of flood water damage, or the conservation, development, recreation, utilization and disposal of water, including the impoundment, diversion, flowage and distribution of waters for beneficial use as defined in Article 1 of this chapter, and in connection with the Oktibbeha River Basin project as authorized under Public Law 874, 87th Congress, October 23, 1962, and substantially in accordance with the recommendation of the Chief of Engineers in House Document 549 of the 87th Congress.

(b) To impound overflow water and the surface water of any streams in the Pat Harrison Waterway District or its tributaries within the project area, within or without the district, at the place or places and in the amount as may be approved by the Office of Land and Water Resources of the State of Mississippi, by the construction of a dam or dams, reservoir or reservoirs, work or works, plants and any other necessary or useful related facilities contemplated and described as a part of the project within and without the district, to control, store, and preserve these waters, and to use, distribute, and sell them, to construct or otherwise acquire within the project area all works, plants or other facilities necessary or useful to the project for processing the water and transporting it to cities and other facilities necessary or useful to the project for the purpose of processing the water and transporting it to cities and other facilities for domestic, municipal, commercial, industrial, agricultural and manufacturing purposes, and is hereby given the power to control open channels for water delivery purposes and water transportation.

(c) To acquire and develop any other available water necessary or useful to the project and to construct, acquire, and develop all facilities within the project area deemed necessary or useful with respect thereto.

(d) To forest and reforest and to aid in the foresting and reforesting of the project area, and to prevent and aid in the prevention of soil erosion and flood within the area; to control, store and preserve within the boundaries of the project area the waters of any streams in the area, for irrigation of lands and for prevention of water pollution.

(e) To acquire by condemnation all property of any kind, real, personal or mixed, or any interest therein, within or without the boundaries of the district, necessary for the project and the exercise of the powers, rights, privileges and functions conferred upon the district by this article, according to the procedure provided by law for the condemnation of lands or other property taken for rights-of-way or other purposes by railroad, telephone or telegraph companies and according to the provisions of Section 29-1-1. For the purposes of this article the right of eminent domain of the district shall be superior and dominant to the right of eminent domain of railroad, telegraph, telephone, gas, power and other companies or corporations and shall be sufficient to enable the acquisition of county roads, state highways or other public property in the project area, and the acquisition or relocation of this property in the project area. The cost of right-of-way purchases, rerouting and elevating all other county-maintained roads affected by construction shall be borne by the water management district, and new construction shall be of equal quality as in roads existing as of June 1, 1962. The county in which such work is done may assist in these costs if the board of supervisors desires.

The amount and character of interest in land, other property and easements to be acquired shall be determined by the board of directors, and their determination shall be conclusive and shall not be subject to attack in the absence of manifold abuse of discretion or fraud on the part of such board in making this determination. However:

(i) In acquiring lands, either by negotiation or condemnation, the district shall not acquire minerals or royalties within the project area; sand and gravel shall not be considered as minerals within the meaning of this section; and

(ii) No person or persons owning the drilling rights or the right to share in production shall be prevented from exploring, developing or producing oil or gas with necessary rights-of-way for ingress and egress, pipelines and other means of transporting these products by reason of the inclusion of the lands or mineral interests within the project area, whether below or above the waterline, but any activities shall be under reasonable regulations by the board of directors that will adequately protect the project; and

(iii) In drilling and developing, these persons are hereby vested with a right to have mineral interests integrated and their lands developed in the drilling unit or units that the State Oil and Gas Board shall establish after due consideration of the rights of all owners to be included in the drilling unit.

Moreover, when any site or plot of land is to be rented, leased or sold to any person, firm or corporation for the purpose of operating recreational facilities thereon for profit, the board shall, by resolution, specify the terms and conditions of the sale, rental or lease, and shall advertise for public bids thereon. When these bids are received, they shall be publicly opened by the board, and the board shall thereupon determine the highest and best bid submitted and shall immediately notify the former owner of the site or plot of the amount, terms and conditions of the highest and best bid. The former owner of the site or plot shall have the exclusive right at his option, for a period of thirty (30) days after written notice is received by the land owner of the determination of the highest and best bid by the board, to rent, lease or purchase the site or plot of land by meeting the highest and best bid and by complying with all terms and conditions of renting, leasing or sale as specified by the board. However, the board shall not in any event rent, lease or sell to any former owner more land than was taken from the former owner for the construction of the project, or one-quarter (1/4) mile of shore line, whichever is lesser. If this option is not exercised by the former owner within a period of thirty (30) days, the board shall accept the highest and best bid submitted.

Any bona fide, resident householder actually living or maintaining a residence on land taken by the district by condemnation shall have the right to repurchase his former

land from the board of directors for a price not exceeding the price paid for his land, plus any permanent improvements and plus the cost of condemnation.

(f) To require the necessary relocation of roads and highways, railroad, telephone and telegraph lines and properties, electric power lines, pipelines, and mains and facilities in the project area, or to require the anchoring or other protection of any of these, provided due compensation is first paid the owners thereof or agreement is had with the owners regarding the payment of the cost of relocation. Further, the district is hereby authorized to acquire easements or rights-of-way in or outside of the project area for the relocation of roads, highways, railroad, telephone and telegraph lines and properties, electric power lines, pipelines, and mains and facilities, and to convey them to the owners thereof in connection with the relocation as a part of the construction of the project. However, the directors of the district shall not close any public access road to the project existing prior to the construction of the reservoir unless the board of supervisors of the county in which the road is located agrees.

(g) To overflow and inundate any public lands and public property, including sixteenth section lands and in lieu lands, within the project area.

(h) To construct, extend, improve, maintain and reconstruct, to cause to be constructed, extended, improved, maintained and reconstructed, and to use and operate all facilities of any kind within the project area necessary or convenient to the project and to the exercise of powers, rights, privileges and functions.

(i) To sue and be sued in its corporate name.

(j) To adopt, use and alter a corporate seal.

(k) To make bylaws for the management and regulation of its affairs.

(l) To employ engineers, attorneys, who may or may not be a director, and all necessary agents and employees to properly finance, construct, operate and maintain the projects and the plants, and to pay reasonable compensation for these services; for all services in connection with the issuance of bonds as provided in this article, the attorney's fee shall not exceed one percent (1%) of the principal amount of these bonds. For any other services, only reasonable compensation shall be paid for those services. The board shall have the right to employ a general manager or executive director, who shall, at the discretion of the board, have the power to employ and discharge employees. Without limiting the generality of the foregoing, it may employ fiscal agents or advisors in connection with its financing program and in connection with the issuance of its bonds.

(m) To make contracts and to execute instruments necessary or convenient to the exercise of the powers, rights, privileges and functions conferred upon it by this article.

(n) To make or cause to be made surveys and engineering investigations relating to the project, or related projects, for the information of the district to facilitate the accomplishment of the purposes for which it is created.

(o) To apply for and accept grants from the United States of America or from any corporation or agency created or designated by the United States of America, and to ratify and accept applications heretofore or hereafter made by voluntary associations to these agencies for grants to construct, maintain or operate any project or projects which hereafter may be undertaken or contemplated by the district.

(p) To do all other acts or things necessary, requisite, or convenient to the exercising of the powers, rights, privileges or functions conferred upon it by this article or any other law.

(q) To make such contracts in the issuance of bonds that may be necessary to ensure the marketability thereof.

(r) To enter into contracts with municipalities, corporations, districts, public agencies, political subdivisions of any kind, and others for any services, facilities or commodities that the project may provide. The district is also authorized to contract with any municipality, corporation or public agency for the rental, leasing, purchase or operation of the water production, water filtration or purification, water supply and distributing facilities of the municipality, corporation or public agency upon consideration as the district and entity may agree. Any contract may be upon any terms and for any time as the parties may agree, and it may provide that it shall continue in effect until bonds specified therein and refunding bonds issued in lieu of these bonds and all obligations are paid. Any contract with any political subdivision shall be binding upon the political subdivisions according to its terms, and the municipalities or other political subdivisions shall have the power to enter into these contracts as in the discretion of the governing authorities thereof would be to the best interest of the people of the municipality or other political subdivisions. These contracts may include within the discretion of the governing authorities a pledge of the full faith and credit of the political subdivisions for the performance thereof.

(s) To fix and collect charges and rates for any services, facilities or commodities furnished by it in connection with the project, and to impose penalties for failure to pay these charges and rates when due.

(t) To operate and maintain within the project area, with the consent of the governing body of any city or town located within the district, any works, plants or facilities of any city deemed necessary or convenient to the accomplishment of the purposes for which the district is created.

(u) Subject to the provisions of this article, from time to time to lease, sell or otherwise lawfully dispose of property of any kind, real, personal or mixed, or any interest therein within the project area or acquired outside the project area as authorized in this article, for the purpose of furthering the business of the district.

(v) When, in the opinion of the board of directors as shown by resolution duly passed, it shall not be necessary to the carrying on of the business of the district that the district own any lands acquired, the board shall advertise the lands for sale to the highest and best bidder for cash, and shall receive and publicly open the bids thereon. The board shall, by resolution, determine the highest and best bid submitted for the land and shall thereupon notify the former owner, his/her heirs or devisees, by registered mail of the land to be sold and the highest and best bid received therefor, and the former owner, or his/her heirs or devisees, shall have the exclusive right at his/her or their option for a period of thirty (30) days in which to meet such highest and best bid and to purchase such property.

(w) To prevent or aid in the prevention of damage to person or property from the waters of the Pascagoula River or any of its tributaries.

(x) To acquire by purchase, lease, gift or in any other manner (otherwise than by condemnation) and to maintain, use and operate all property of any kind, real, personal or mixed, or any interest therein within the project area, within or without the boundaries of the district, necessary for the project and convenient to the exercise of the powers, rights, privileges and functions conferred upon the district by this article.

(y) In the purchase of or in the entering into of all lease purchase agreements for supplies, equipment, heavy equipment and the like, the directors shall in all instances comply with the provisions of law pertaining to public purchases by public bids on these supplies and equipment.

(z) To designate employees as peace officers with the power to make arrests for violations of regulations of the district. The officers are authorized to carry weapons and to enforce the laws of the state within the confines of district parks and property. Any employee so designated is required to obtain and maintain certification pursuant to Section 45-6-1 et seq.

(aa) To contract with persons, who are certified according to the minimum standards established by the Board on Law Enforcement Officer Standards and Training under Section 45-6-1 et seq., to serve as peace officers with the power to make arrests for violations of regulations of the district. Such officers are authorized to carry weapons and to enforce the laws of the state within the confines of district parks and property. All persons with which the district has contracted under this paragraph (aa) shall be independent contractors and shall not be considered as employees under Chapter 46 \* \* \*, Title 11, Mississippi Code of 1972.

(bb) To: (i) receive and expend funds that are made available to it under the provisions of the federal American Recovery and Reinvestment Act of 2009 (ARRA), and/or from any other source, to construct a lake and related structures and facilities in George County, Mississippi, if the funds received by the district may be used for that purpose; (ii) obtain any information and research regarding construction of the lake and related structures and facilities from the Department of Wildlife, Fisheries and Parks; and (iii) to receive and expend any funds made available to the district from the Department of Wildlife, Fisheries and Parks for the construction of the lake and related structures and facilities.

(2) The board of directors shall annually prepare a five-year plan containing a prioritized list detailing the purposes, goals and projected costs of projects which it intends to implement or is in the process of implementing and shall file such plans with the clerk of the board of supervisors of each member county, \* \* \* with the clerk of each member municipality, and with the Chairmen of the House and Senate Appropriations Committees on or before July 15 of each year.

(3) The board of directors shall, after completion of the annual audit of the district and upon receipt of the written report thereon, file a copy of such audit with the clerk of the board of supervisors of each member county, and with the clerk of each member municipality.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 51-15-118, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2526, 2023 REGULAR SESSION, TO PROVIDE THAT FOR ANY PARTICIPATING COUNTY IN THE PAT HARRISON WATERWAY DISTRICT THAT IS WITHDRAWING FROM THE DISTRICT, SUCH WITHDRAWAL SHALL NOT BECOME EFFECTIVE UNTIL THE CLOSE OF THE FISCAL YEAR IN WHICH THE COUNTY HAS SATISFIED CERTAIN OBLIGATIONS WITH THE DISTRICT; TO AMEND SECTION 51-15-119, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2526, 2023 REGULAR SESSION, TO REQUIRE THE BOARD OF DIRECTORS OF THE DISTRICT TO PROVIDE TO THE CHAIRMEN OF THE HOUSE AND SENATE APPROPRIATIONS COMMITTEES CERTAIN ANNUAL PLANS CONCERNING THE DISTRICT; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 538 was adopted.

YEAS AND NAYS On H. B. No. 538. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Polk called up the following entitled bill:

**H. B. No. 768:** State Personnel Board; require agencies seeking an exemption from the oversight of to submit written plan of justification to Legislature and SPB.

YEAS AND NAYS On H. B. No. 768. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Polk called up the following entitled bill:

**H. B. No. 540:** Personal and professional services; require the Department of Finance and Administration to conduct solicitations of for certain agencies.

Senator Polk offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:



(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements

for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c), any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services, any personal service contracts entered into by the individual state institutions of higher learning, any personal service contracts entered into by the Mississippi Department of Transportation, any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services, any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019, any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission, any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services, any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories, any personal or professional service contract entered into by the Mississippi Department of Health and/or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2023, any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, utility rate expert services, any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022, any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026, and any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026. Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act;

(ii) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars (\$75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife,

Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars (\$75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (ii) shall stand repealed on June 30, 2027.

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;
4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and
5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or

professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Notwithstanding the exemption of personal and professional services contracts entered into by the Department of Human Services and personal and professional services contracts entered into by the Department of Child Protection Services from the provisions of this section under subsection (2)(f), before the Department of Human Services or the Department of Child Protection Services may enter into a personal or professional service contract, the department(s) shall give notice of the proposed personal or professional service contract to the Public Procurement Review Board for any recommendations by the board. Upon receipt of the notice, the board shall post the notice on its website and on the procurement portal website established by Sections 25-53-151 and 27-104-165. If the board does not respond to the department(s) within seven (7) calendar days after receiving the notice, the department(s) may enter the proposed personal or professional service contract. If the board responds to the department(s) within seven (7) calendar days, then the board has seven (7) calendar days from the date of its initial response to provide any additional recommendations. After the end of the second seven-day period, the department(s) may enter the proposed personal or professional service contract. The board is not authorized to disapprove any proposed personal or professional services contracts. This subsection shall stand repealed on July 1, 2022.

SECTION 2. Section 27-104-103, Mississippi Code of 1972, is amended as follows:

27-104-103. (1) The Department of Finance and Administration shall have the following duties and powers:

(a) To provide administrative guidance to the various departments and agencies of state government;

(b) To facilitate the expedient delivery of services and programs for the benefit of the citizens of the state;

(c) To analyze and develop efficient management practices and assist departments and agencies in implementing effective and efficient work management systems;

(d) To conduct management review of state agencies and departments and recommend a management plan to state departments and agencies when corrective action is required;

(e) To, at least annually, report to the Governor and the Legislature on programs and actions taken to improve the conduct of state operations and to prepare and recommend management programs for effective and efficient management of the operations of state government;

(f) To allocate the federal-state programs funds to the departments responsible for the delivery of the programs and services for which the appropriation was made;

(g) To coordinate the planning functions of all agencies in the executive branch of government and review any and all plans which are developed by those agencies and departments;

(h) To collect and maintain the necessary data on which to base budget and policy development issues;

(i) To develop and analyze policy recommendations to the Governor;

(j) To develop and manage the executive budget process;

(k) To prepare the executive branch budget recommendations;

(l) To review and monitor the expenditures of the executive agencies and departments of government;

(m) To manage the state's fiscal affairs;

(n) To administer programs relating to general services, public procurement, insurance and the Bond Advisory Division;

(o) To administer the state's aircraft operation.

(2) The department shall have the following additional powers and duties under Chapter 18 of Title 17:

(a) It shall acquire the site submitted by the Mississippi Hazardous Waste Facility Siting Authority and, if determined necessary, design, finance, construct and operate a state commercial hazardous waste management facility;

(b) It may acquire by deed, purchase, lease, contract, gift, devise or otherwise any real or personal property, structures, rights-of-way, franchises, easements and other interest in land which is necessary and convenient for the construction or operation of the state commercial hazardous waste management facility, upon such terms and conditions as it deems advisable, hold, mortgage, pledge or otherwise encumber the same, and lease, sell, convey or otherwise dispose of the same in such a manner as may be necessary or advisable to carry out the purposes of Chapter 18 of Title 17;

(c) It shall develop and implement, in consultation with the Department of Environmental Quality, schedules of user fees, franchise fees and other charges, including nonregulatory penalties and surcharges applicable to the state commercial hazardous waste management facility;

(d) It may employ consultants and contractors to provide services including site acquisition, design, construction, operation, closure, post-closure and perpetual care of the state commercial hazardous waste management facility;

(e) It may apply for and accept loans, grants and gifts from any federal or state agency or any political subdivision or any private or public organization;

(f) It shall make plans, surveys, studies and investigations as may be necessary or desirable with respect to the acquisition, development and use of real property and the design, construction, operation, closure and long-term care of the state commercial hazardous waste management facility;

(g) It shall have the authority to preempt any local ordinance or restriction which prohibits or has the effect of prohibiting the establishment or operation of the state commercial hazardous waste management facility;

(h) It may negotiate any agreement for site acquisition, design, construction, operation, closure, post-closure and perpetual care of the state commercial hazardous waste management facility and may negotiate any agreement with any local governmental unit pursuant to Chapter 18 of Title 17;

(i) It may promulgate rules and regulations necessary to effectuate the purposes of Chapter 18 of Title 17 not inconsistent therewith;

(j) If funds are not appropriated or if the appropriated funds are insufficient to carry out the provisions of Chapter 18 of Title 17, the department shall expend any funds available to it from any source to defray its costs to implement Chapter 18 of Title 17 through February 1, 1991 \* \* \*;

(k) To carry out such duties and responsibilities assigned to it by the Public Procurement Review Board as provided in Section 27-104-7(2)(f);

(l) To establish, with the approval of the Public Procurement Review Board, rules and regulations that prohibit agencies from requiring that a vendor be located in the same municipality or surrounding area as the agency. Such rules and regulations shall further prohibit agencies from giving preference to any vendor based on location. Such rules and regulations shall provide that a winning bidder without a local office shall be given a reasonable opportunity to open an office in Mississippi when such local office is necessary to deliver the relevant services.

The provisions of this paragraph (l) shall stand repealed on June 30, 2027.

(3) From and after July 1, 2016, the expenses of the Department of Finance and Administration shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under law such as rents, MAGIC fees, and other fees for services shall be deposited into the State General Fund as authorized by law.

(4) From and after July 1, 2016, the Department of Finance and Administration shall not charge another state agency a fee, assessment, rent or other charge for services or resources received by that state agency from the department.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONDUCT PERSONAL AND PROFESSIONAL SERVICES SOLICITATIONS IN EXCESS OF \$75,000.00 FOR THE DEPARTMENT OF MARINE RESOURCES, THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS, THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY AND THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-104-103, MISSISSIPPI CODE OF 1972, TO REVISE THE POWER AND DUTIES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONFORM; AND FOR RELATED PURPOSES.



Senator Polk offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-7, as amended by House Bill No. 249, 2023 Regular Session, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this

paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

- (i) Black: having origins in any of the black racial groups of Africa;
  - (ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;
  - (iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;
  - (iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or
  - (v) Female;
- (e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;
- (f) Except as otherwise provided in subparagraph (xv) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:
- (i) Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c) \* \* \*;
  - (ii) Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services \* \* \*;
  - (iii) Any personal service contracts entered into by the individual state institutions of higher learning \* \* \*;
  - (iv) Any personal service contracts entered into by the Mississippi Department of Transportation \* \* \*;
  - (v) Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services \* \* \*;
  - (vi) Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019 \* \* \*;
  - (vii) Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission \* \* \*;
  - (viii) Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services \* \* \*;

(ix) Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories \* \* \*;

(x) Any personal or professional service contract entered into by the Mississippi Department of Health \* \* \* or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, \* \* \*, 2026;

(xi) Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services \* \* \*;

(xii) Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022 \* \* \*;

(xiii) Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026 \* \* \*;

(xiv) Any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act; and

(xv) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars (\$75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars (\$75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (xv) shall stand repealed on June 30, 2027.

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;
4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and
5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that

submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust

funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Notwithstanding the exemption of personal and professional services contracts entered into by the Department of Human Services and personal and professional services contracts entered into by the Department of Child Protection Services from the provisions of this section under subsection (2)(f), before the Department of Human Services or the Department of Child Protection Services may enter into a personal or professional service contract, the department(s) shall give notice of the proposed personal or professional service contract to the Public Procurement Review Board for any recommendations by the board. Upon receipt of the notice, the board shall post the notice on its website and on the procurement portal website established by Sections 25-53-151 and 27-104-165. If the board does not respond to the department(s) within seven (7) calendar days after receiving the notice, the department(s) may enter the proposed personal or professional service contract. If the board responds to the department(s) within seven (7) calendar days, then the board has seven (7) calendar days from the date of its initial response to provide any additional recommendations. After the end of the second seven-day period, the department(s) may enter the proposed personal or professional service contract. The board is not authorized to disapprove any proposed personal or professional services contracts. This subsection shall stand repealed on July 1, 2022.

SECTION 2. Section 27-104-103, Mississippi Code of 1972, is amended as follows:

27-104-103. (1) The Department of Finance and Administration shall have the following duties and powers:

(a) To provide administrative guidance to the various departments and agencies of state government;

(b) To facilitate the expedient delivery of services and programs for the benefit of the citizens of the state;

(c) To analyze and develop efficient management practices and assist departments and agencies in implementing effective and efficient work management systems;

(d) To conduct management review of state agencies and departments and recommend a management plan to state departments and agencies when corrective action is required;

(e) To, at least annually, report to the Governor and the Legislature on programs and actions taken to improve the conduct of state operations and to prepare and recommend management programs for effective and efficient management of the operations of state government;

(f) To allocate the federal-state programs funds to the departments responsible for the delivery of the programs and services for which the appropriation was made;

(g) To coordinate the planning functions of all agencies in the executive branch of government and review any and all plans which are developed by those agencies and departments;

(h) To collect and maintain the necessary data on which to base budget and policy development issues;

(i) To develop and analyze policy recommendations to the Governor;



- (j) To develop and manage the executive budget process;
- (k) To prepare the executive branch budget recommendations;
- (l) To review and monitor the expenditures of the executive agencies and departments of government;
- (m) To manage the state's fiscal affairs;
- (n) To administer programs relating to general services, public procurement, insurance and the Bond Advisory Division;
- (o) To administer the state's aircraft operation.

(2) The department shall have the following additional powers and duties under Chapter 18 of Title 17:

(a) It shall acquire the site submitted by the Mississippi Hazardous Waste Facility Siting Authority and, if determined necessary, design, finance, construct and operate a state commercial hazardous waste management facility;

(b) It may acquire by deed, purchase, lease, contract, gift, devise or otherwise any real or personal property, structures, rights-of-way, franchises, easements and other interest in land which is necessary and convenient for the construction or operation of the state commercial hazardous waste management facility, upon such terms and conditions as it deems advisable, hold, mortgage, pledge or otherwise encumber the same, and lease, sell, convey or otherwise dispose of the same in such a manner as may be necessary or advisable to carry out the purposes of Chapter 18 of Title 17;

(c) It shall develop and implement, in consultation with the Department of Environmental Quality, schedules of user fees, franchise fees and other charges, including nonregulatory penalties and surcharges applicable to the state commercial hazardous waste management facility;

(d) It may employ consultants and contractors to provide services including site acquisition, design, construction, operation, closure, post-closure and perpetual care of the state commercial hazardous waste management facility;

(e) It may apply for and accept loans, grants and gifts from any federal or state agency or any political subdivision or any private or public organization;

(f) It shall make plans, surveys, studies and investigations as may be necessary or desirable with respect to the acquisition, development and use of real property and the design, construction, operation, closure and long-term care of the state commercial hazardous waste management facility;

(g) It shall have the authority to preempt any local ordinance or restriction which prohibits or has the effect of prohibiting the establishment or operation of the state commercial hazardous waste management facility;

(h) It may negotiate any agreement for site acquisition, design, construction, operation, closure, post-closure and perpetual care of the state commercial hazardous waste management facility and may negotiate any agreement with any local governmental unit pursuant to Chapter 18 of Title 17;

(i) It may promulgate rules and regulations necessary to effectuate the purposes of Chapter 18 of Title 17 not inconsistent therewith;

(j) If funds are not appropriated or if the appropriated funds are insufficient to carry out the provisions of Chapter 18 of Title 17, the department shall expend any funds available to it from any source to defray its costs to implement Chapter 18 of Title 17 through February 1, 1991 \* \* \*;

(k) To carry out such duties and responsibilities assigned to it by the Public Procurement Review Board as provided in Section 27-104-7(2)(f);

(l) To establish, with the approval of the Public Procurement Review Board, rules and regulations that prohibit agencies from requiring that a vendor be located in the same municipality or surrounding area as the agency. Such rules and regulations shall further prohibit agencies from giving preference to any vendor based on location. Such rules and regulations shall provide that a winning bidder without a local office shall be given a reasonable opportunity to open an office in Mississippi when such local office is necessary to deliver the relevant services.

The provisions of this paragraph (l) shall stand repealed on June 30, 2027.

(3) From and after July 1, 2016, the expenses of the Department of Finance and Administration shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under law such as rents, MAGIC fees, and other fees for services shall be deposited into the State General Fund as authorized by law.

(4) From and after July 1, 2016, the Department of Finance and Administration shall not charge another state agency a fee, assessment, rent or other charge for services or resources received by that state agency from the department.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONDUCT PERSONAL AND PROFESSIONAL SERVICES SOLICITATIONS IN EXCESS OF \$75,000.00 FOR THE DEPARTMENT OF MARINE RESOURCES, THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS, THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY AND THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-104-103, MISSISSIPPI CODE OF 1972, TO REVISE THE POWER AND DUTIES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONFORM; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 540 was adopted.

YEAS AND NAYS On H. B. No. 540. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Horhn, Jackson, Simmons D. T. (12th). Total--3.

Absent and those not voting----None.

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Senator Bryan moved that the rules be suspended to move to calendar item 96, **H. B. No. 522**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

**H. B. No. 522:** Mississippi Individual On-site Wastewater Disposal System Law; extend repealer on.

YEAS AND NAYS On H. B. No. 522. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan moved that the rules be suspended to move to calendar item 97, **H. B. No. 854**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

**H. B. No. 854:** Marriage and family therapists; revise certain requirements for licensure.

YEAS AND NAYS On H. B. No. 854. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan moved that the rules be suspended to move to calendar item 99, **H. B. No. 1158**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

**H. B. No. 1158:** Medical Cannabis Act; revise certain provisions of.

Senator Blackwell offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-137-5, Mississippi Code of 1972, is amended as follows:

41-137-5. (1) No person shall be authorized to use medical cannabis in this state unless the person (a) has been diagnosed by a practitioner, with whom the person has a bona fide practitioner-patient relationship within his or her scope of practice, as having a debilitating medical condition for which the practitioner believes, in his or her professional opinion, that the person would likely receive medical or palliative benefit from the medical use of medical cannabis to treat or alleviate the person's debilitating medical condition or symptoms associated with the person's debilitating medical condition, (b) has received a written certification of that diagnosis from the practitioner, and (c) has been issued a registry identification card from the MDOH under Section 41-137-23. A person who has been diagnosed by a practitioner as specified in paragraph (a) of this subsection shall be a qualifying patient, and the practitioner who has diagnosed the patient shall document that diagnosis with a written certification. However, nothing herein shall require a practitioner to issue a written certification.

(2) A written certification shall:

(a) Affirm that it is made in the course of a bona fide practitioner-patient relationship;

(b) Remain current for twelve (12) months, unless the practitioner specifies a shorter period of time;

(c) Be issued only after an in-person assessment of the patient by a practitioner;

(d) Only be issued on behalf of a minor when the minor's parent or guardian is present and provides signed consent; and

(e) Be limited to the allowable amount of cannabis in a thirty-day period..

(3) No state agency, department, political subdivision or board shall require a practitioner to require a patient to submit to a drug test as a condition to receiving a certification for a registry identification card. However, a practitioner may require a drug test from a patient that is within his or her scope of practice.

(4) After a practitioner has issued a written certification to a qualifying patient, a practitioner may assist the patient in registering for a registry identification card with the Department of Health, in a manner provided by regulations of the Department of Health.

( \*\* \*5) After a qualifying patient receives a written certification from a practitioner, the patient shall be required to make a follow-up visit with the practitioner not less than six (6) months after the date of issuance of the certification for the practitioner to evaluate and determine the effectiveness of the patient's medical use of medical cannabis to treat or alleviate the patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition. Qualifying patients may make a follow-up visit with a different practitioner than the practitioner who originally issued their written certification, provided that such practitioner is otherwise registered and acting within their scope of practice and the provisions of this chapter.

( \*\* \*6) Before dispensing medical cannabis to a cardholder, the dispensary from which the cardholder is obtaining medical cannabis shall verify the identity of the cardholder and the authority of the cardholder to use medical cannabis as provided in

Section 41-137-39 and shall determine the maximum amount of medical cannabis that a cardholder is eligible to receive and the amount of medical cannabis that the cardholder has received from all dispensaries during a specified period of time using the statewide seed-to-sale tracking system under Section 41-137-11.

( \*\* \*7) (a) A practitioner shall be registered to issue written certifications to qualifying patients by completing the required application process as set forth by the MDOH. The MDOH shall require a practitioner to complete a minimum of eight (8) hours of continuing education in medical cannabis in order to issue written certifications. After the first year of registration, these practitioners shall complete five (5) hours of continuing education in medical cannabis annually to maintain this registration.

(b) A practitioner shall not be required to have any additional qualifications to be authorized to certify a qualifying patient for a registry identification card, other than such requirements for practitioners as provided under the Mississippi Medical Cannabis Act.

(c) A practitioner shall not be required to be registered to certify patients with any state agency or board other than the MDOH.

( \*\* \*8) Only physicians and doctors of osteopathic medicine may issue written certifications to registered qualifying patients who are minors.

(9) The requirements of this section shall not apply to a person who is authorized to purchase topical cannabis provided under Section 41-137-39(22), and such persons may possess and use such products without being in violation of this chapter.

SECTION 2. Section 41-137-23, Mississippi Code of 1972, is amended as follows:

41-137-23. (1) No later than one hundred twenty (120) days after February 2, 2022, the MDOH shall begin issuing registry identification cards to qualifying patients who submit the following:

(a) A written certification issued by a practitioner within \* \* \* six (6) months immediately preceding the date of the application;

(b) The application or renewal fee;

(c) The name, address, social security number, and date of birth of the qualifying patient;

(d) The name, address, and telephone number of the qualifying patient's practitioner issuing the written certification;

(e) The name, address, social security number, and date of birth of the designated caregiver, or designated caregivers, chosen by the qualifying patient; and

(f) If more than one (1) designated caregiver is designated at any given time, documentation demonstrating that a greater number of designated caregivers is needed due to the patient's age or medical condition.

(2) If the qualifying patient is unable to submit the information required by subsection (1) of this section due to the person's age or medical condition, the person responsible for making medical decisions for the qualifying patient may do so on behalf of the qualifying patient.

(3) Except as provided in subsection (5) of this section, the MDOH shall:

(a) Verify the information contained in an application or renewal submitted under this section and approve or deny an application or renewal within thirty (30) days of receiving a completed application or renewal application; and

(b) Issue registry identification cards to a qualifying patient and his or her designated caregiver(s), if any, within five (5) days of approving the application or renewal. A designated caregiver must have a registry identification card for each of his or her qualifying patients.

(4) \* \* \* (a) The MDOH shall require criminal background checks in order to carry out this section.

(b) The MDOH shall require that the prospective designated caregiver or caregiver's applicant apply for or authorize the division to obtain state and national criminal background checks to be conducted by the Mississippi Justice Information Center of the Department of Public Safety and the Federal Bureau of Investigation.

(c) Such criminal background checks shall conform to the applicable federal standards, and shall include the taking of fingerprints.

(d) The applicant shall authorize the release of such criminal background checks to the MDOH, and shall be responsible for the payment of any fee associated with the criminal background checks.

(e) Upon completion of such criminal background checks, the Mississippi Justice Information Center of the Department of Public Safety shall forward to the MDOH all information obtained concerning the applicant.

(5) The MDOH shall not issue a registry identification card to a qualifying patient who is younger than eighteen (18) years of age, unless:

(a) The qualifying patient's practitioner has explained the potential risks and benefits of the medical use of medical cannabis to the custodial parent or legal guardian with responsibility for health care decisions for the qualifying patient; and

(b) The custodial parent or legal guardian with responsibility for health care decisions for the qualifying patient consents in writing to:

(i) Acknowledge the potential harms related to the use of medical cannabis;

(ii) Allow the qualifying patient's medical use of medical cannabis;

(iii) Serve as the qualifying patient's designated caregiver; and

(iv) Control the acquisition of the medical cannabis, the dosage and the frequency of the use of medical cannabis by the qualifying patient.

(6) If a designated caregiver is an entity licensed to provide health care services, residential care services or day care services, then:

(a) The MDOH may provide a single registry identification card to the entity, regardless of the number of registered qualifying patients the entity serves; and

(b) The MDOH may issue individual registry identification cards for employees of the entity that may transport medical cannabis.

(7) The MDOH shall provide an electronic or physical list of registered qualifying patients who have designated the entity as their caregiver. This list shall be updated with each additional designation.

(8) The MDOH may deny an application or renewal of a qualifying patient's registry identification card only if the applicant:

- (a) Did not provide the required information or materials;
- (b) Previously had a registry identification card revoked;
- (c) Provided false information; or
- (d) Failed to meet the other requirements of this chapter.

(9) The MDOH may deny an application or renewal for a designated caregiver chosen by a qualifying patient whose registry identification card was granted only if the applicant:

- (a) Does not meet the definition of "designated caregiver" under Section 41-137-3;
- (b) Did not provide the information required;
- (c) Previously had a registry identification card revoked;
- (d) Provided false information;
- (e) Is younger than twenty-one (21) years of age and is not the parent or legal guardian of the qualifying patient who the designated caregiver would assist; or
- (f) Failed to meet the other requirements of this chapter.

(10) The MDOH shall give written notice to the qualifying patient of the reason for denying a registry identification card to the qualifying patient or to the qualifying patient's designated caregiver.

(11) Denial of an application or renewal is considered a final MDOH action, subject to judicial review in accordance with Section 41-137-59.

SECTION 3. Section 41-137-35, Mississippi Code of 1972, is amended as follows:

41-137-35. (1) The MDOH shall issue licenses for cannabis cultivation facilities, cannabis processing facilities, cannabis transportation entities, cannabis disposal entities, cannabis research facilities and cannabis testing facilities. The MDOR shall issue licenses for medical cannabis dispensaries.

(2) The cannabis cultivation facility license application fee shall be subject to the following tiers:

- (a) Micro-cultivators.

(i) Tier 1. A cannabis cultivation facility with a canopy of one thousand (1,000) square feet or less shall be subject to a one-time nonrefundable license application fee of One Thousand Five Hundred Dollars (\$1,500.00). The annual license fee shall be a nonrefundable fee of Two Thousand Dollars (\$2,000.00).

(ii) Tier 2. A cannabis cultivation facility with a canopy of more than one thousand (1,000) square feet but not more than two thousand (2,000) square feet

shall be subject to a one-time nonrefundable license application fee of Two Thousand Five Hundred Dollars (\$2,500.00). The annual license fee shall be a nonrefundable fee of Three Thousand Five Hundred Dollars (\$3,500.00).

(b) Cultivators.

(i) Tier 1. A cannabis cultivation facility with a canopy of not less than two thousand (2,000) square feet but not more than five thousand (5,000) square feet shall be subject to a one-time nonrefundable license application fee of Five Thousand Dollars (\$5,000.00). The annual license fee shall be a nonrefundable fee of Fifteen Thousand Dollars (\$15,000.00).

(ii) Tier 2. A cannabis cultivation facility with a canopy of not less than five thousand (5,000) square feet but not more than fifteen thousand (15,000) square feet shall be subject to a one-time nonrefundable license application fee of Ten Thousand Dollars (\$10,000.00). The annual license fee shall be a nonrefundable fee of Twenty-five Thousand Dollars (\$25,000.00).

(iii) Tier 3. A cannabis cultivation facility with a canopy of not less than fifteen thousand (15,000) square feet but not more than thirty thousand (30,000) square feet shall be subject to a one-time nonrefundable license application fee of Twenty Thousand Dollars (\$20,000.00). The annual license fee shall be a nonrefundable fee of Fifty Thousand Dollars (\$50,000.00).

(iv) Tier 4. A cannabis cultivation facility with a canopy of not less than thirty thousand (30,000) square feet but not more than sixty thousand (60,000) square feet shall be subject to a one-time nonrefundable license application fee of Thirty Thousand Dollars (\$30,000.00). The annual license fee shall be a nonrefundable fee of Seventy-five Thousand Dollars (\$75,000.00).

(v) Tier 5. A cannabis cultivation facility with a canopy of not less than sixty thousand (60,000) square feet but not more than one hundred thousand (100,000) square feet shall be subject to a one-time nonrefundable license application fee of Forty Thousand Dollars (\$40,000.00). The annual license fee shall be a nonrefundable fee of One Hundred Thousand Dollars (\$100,000.00).

(vi) Tier 6. A cannabis cultivation facility with a canopy of not less than one hundred thousand (100,000) square feet \* \* \* but not more than one hundred fifty thousand (150,000) square feet shall be subject to a one-time nonrefundable license application fee of Sixty Thousand Dollars (\$60,000.00). The annual license fee shall be a nonrefundable fee of One Hundred Fifty Thousand Dollars (\$150,000.00). Tier 6 cannabis cultivation facilities shall have not more than two (2) locations; however, the total canopy space of both locations combined may not exceed one hundred fifty thousand (150,000) square feet.

(3) The cannabis processing facility license application fee shall be subject to the following tiers:

(a) Micro-processors.

(i) Tier 1. A cannabis processing facility which processes less than two thousand (2,000) pounds of dried biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Two Thousand Dollars (\$2,000.00). The annual license fee shall be a nonrefundable fee of Three Thousand Five Hundred Dollars (\$3,500.00).

(ii) Tier 2. A cannabis processing facility which processes not less than two thousand (2,000) pounds but less than three thousand (3,000) pounds of dried biomass cannabis material annually shall be subject to a one-time nonrefundable license



application fee of Two Thousand Five Hundred Dollars (\$2,500.00). The annual license fee shall be a nonrefundable fee of Five Thousand Dollars (\$5,000.00).

(b) Processors. A cannabis processing facility which processes not less than three thousand (3,000) pounds of biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Fifteen Thousand Dollars (\$15,000.00). The annual license fee shall be a nonrefundable fee of Twenty Thousand Dollars (\$20,000.00).

(4) A medical cannabis dispensary shall be subject to a one-time nonrefundable license application fee of Fifteen Thousand Dollars (\$15,000.00). The annual license fee shall be a nonrefundable fee of Twenty-five Thousand Dollars (\$25,000.00).

(5) Cannabis transportation entities shall be subject to a one-time nonrefundable application fee of Five Thousand Dollars (\$5,000.00). The annual license fee shall be a nonrefundable fee of Seven Thousand Five Hundred Dollars (\$7,500.00).

(6) Cannabis disposal entities shall be subject to a one-time nonrefundable application fee of Five Thousand Dollars (\$5,000.00). The annual license fee shall be a nonrefundable fee of Seven Thousand Five Hundred Dollars (\$7,500.00).

(7) Cannabis testing facilities shall be subject to a one-time nonrefundable application fee of Ten Thousand Dollars (\$10,000.00) and an annual license fee of Fifteen Thousand Dollars (\$15,000.00). A cannabis testing facility shall not employ an agent or employee who also is employed or has ownership at any other medical cannabis establishment.

(8) Cannabis research facilities shall be subject to a one-time nonrefundable application fee of Ten Thousand Dollars (\$10,000.00) and an annual license fee of Fifteen Thousand Dollars (\$15,000.00). A research facility at any university or college in this state shall be exempt from all fees imposed under this section.

(9) No individual or business entity shall have a direct or indirect ownership or economic interest of greater than ten percent (10%) in:

- (a) More than one (1) cannabis cultivation facility license;
- (b) More than one (1) cannabis processing facility license; and
- (c) More than five (5) medical cannabis dispensary licenses.

A practitioner may have an ownership interest in a medical cannabis establishment, but shall not issue written certifications to patients or refer patients to a facility in which he or she has an ownership interest.

(10) Minimum qualifications for applicants for a cannabis cultivation facility, a cannabis processing facility, a medical cannabis dispensary, a medical cannabis transportation entity or a medical cannabis disposal entity license(s) are as follows:

(a) An individual applicant for a cannabis cultivation facility, cannabis processing facility, medical cannabis dispensary, medical cannabis transportation entity or medical cannabis disposal license shall be a natural person who:

- (i) Is at least twenty-one (21) years of age;
- (ii) Has not previously held a license for a cannabis cultivation facility, cannabis processing facility, medical cannabis dispensary, medical cannabis transportation entity or medical cannabis disposal entity that has been revoked;

(iii) Has not been convicted of a disqualifying felony offense;

(iv) If possessing a professional or occupational license, that the license is in good standing;

(v) Has submitted a sworn statement indicating that he or she is a true and actual owner of the entity for which the license is desired, and that he or she intends to carry on the business authorized for himself or herself and the entity and not as the agent for any other entity.

(vi) Has no outstanding tax delinquencies owed to the State of Mississippi;

(vii) Is not serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022;

(viii) Is not the spouse of a person serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

(b) If the applicant is applying on behalf of an entity, in addition to paragraph (a) of this subsection, the individual applicant shall:

(i) Be legally authorized to submit an application on behalf of the entity;

(ii) Serve as the primary point of contact with the MDOR and MDOH;

(iii) Submit sufficient proof that the entity has no owner, board member, officer, or anyone with an economic interest in the entity who:

1. Is under the age of twenty-one (21);

2. Has previously been an owner of a medical cannabis dispensary, cannabis cultivation facility, a cannabis processing facility, medical cannabis transportation entity or medical cannabis disposal entity that has had its license revoked;

3. Has been convicted of a disqualifying felony offense;

4. Owes delinquent taxes to the State of Mississippi;

5. Is serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

6. Is the spouse of a person serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

(iv) Submit sufficient proof that if an owner, board member, officer or anyone with an economic interest in the entity has or had a professional or occupational license, that the license is in good standing.

(11) Applicants for cannabis cultivation facility licenses and cannabis processing facility licenses shall both meet the minimum qualifications in subsection (10) of this section and shall also submit sufficient proof of the following:

(a) If a natural person, proof that the person has been a resident of the State of Mississippi and a citizen of the United States of America for at least three (3) years prior to the application date; or

(b) If a business entity, proof that at least thirty-five percent (35%) of the equity ownership interests in the entity are held by individuals who have been residents of the State of Mississippi and citizens of the United States of America for at least three (3) consecutive years prior to the application date.

This subsection (11) shall stand repealed on December 31, 2022.

(12) A micro-cultivator or a micro-processor shall both meet the minimum qualifications in subsection (10) of this section and shall also submit sufficient proof of the following:

(a) If a natural person, proof that the person has been a resident of the State of Mississippi and a citizen of the United States of America for at least three (3) years prior to the application date; or

(b) If a business entity, provide proof that:

(i) It was registered as an entity with the Secretary of State in Mississippi; and

(ii) One-hundred percent (100%) of the equity ownership interests in the entity are held by individuals who have been residents of the State of Mississippi and citizens of the United States of America for at least three (3) consecutive years prior to the application date.

(13) For purposes of this section, it shall be sufficient to prove Mississippi residency for the individual(s) to submit two (2) of the following source documents:

(a) Mississippi Tax Return Form 80-105 or Form 80-205 for each of the three (3) years preceding the application without schedules, worksheets, or attachments, and redacted to remove all financial information and all but the last four (4) digits of the individual's social security number for the three (3) years preceding the application;

(b) Ownership, lease, or rental documents for place of primary domicile for the three (3) years preceding the application;

(c) Billing statements, including utility bills for the three (3) years preceding the application; or

(d) Vehicle registration for the three (3) years preceding the application.

(14) Ownership in a cannabis cultivation facility license, cannabis processing facility license or a medical cannabis dispensary license or investment in a business that supports or benefits from such a license shall not disqualify or otherwise negatively impact the license or finding of suitability of such owner who is otherwise engaged in any other form of business operation in the state, if such business requires the owner to hold a license or be found suitable under state law.

(15) Any business or state entity applying for registration as a medical cannabis establishment must meet all the requirements specified in this chapter.

(16) A prospective medical cannabis establishment shall submit all of the following:

(a) An application, including:

(i) The legal name of the prospective medical cannabis establishment;

(ii) The physical address of the prospective medical cannabis establishment, which shall not be within one thousand (1,000) feet of the nearest property boundary line of a school, church or child care facility which exists or has acquired necessary real property for the operation of such facility before the date of the medical cannabis establishment application unless the entity has received approval from the school, church or child care facility and received the applicable waiver from their licensing agency, provided that the main point of entry of the cannabis establishment is not located within five hundred (500) feet of the nearest property boundary line of any school, church or child care facility;

(iii) The name of each principal officer and board member of the proposed medical cannabis establishment; and

(iv) Any additional information requested by the MDOR and MDOH.

(b) Operating procedures consistent with rules and regulations for oversight of the proposed medical cannabis establishment, including procedures to ensure accurate record keeping and adequate security measures.

(c) If the municipality or county where the proposed medical cannabis establishment would be located has enacted zoning restrictions, a sworn statement certifying that the proposed medical cannabis establishment is in compliance with the restrictions.

(d) If the municipality or county where the proposed medical cannabis establishment would be located requires a local registration, license or permit, then proof of receiving such registration, license or permit.

(e) If the application is on behalf of an entity, verification that none of the principal officers or board members have served as a principal officer or board member for a medical cannabis establishment that has had its license revoked.

(f) If the application is on behalf of an entity, verification that none of the principal officers or board members is under twenty-one (21) years of age.

(17) If a dispensary license is issued to an applicant that is still constructing the licensed premises, the applicant must complete construction and fulfill all obligations required by the Department of Revenue to open for business within eighteen (18) months, or the license shall be revoked.

( \*\* \*18) The MDOR and MDOH shall issue a renewal registration certificate within ten (10) days of receipt of the prescribed renewal application and renewal fee from a medical cannabis establishment if its license is not under suspension and has not been revoked.

( \*\* \*19) A licensing agency shall require disclosure only of persons, entities or affiliated entities who directly or indirectly own ten percent (10%) or more of a medical cannabis establishment issued a license by the licensing agency.

( \*\* \*20) Otherwise eligible applicants for licenses to operate as medical cannabis establishments under this chapter shall not be disqualified from receipt of a license based on:

(a) Their location on Mississippi Choctaw Indian Reservation Lands; or

(b) The involvement of the Mississippi Band of Choctaw Indians or any entity owned or operated by the Mississippi Band of Choctaw Indians as an owner or co-owner of such license, provided that such license shall be subject to revocation for material noncompliance with this chapter on the same basis as any other license.

( \*\* \*21) A cannabis processing facility that produces edible cannabis products shall hold a permit to operate as a food establishment and shall comply with all applicable requirements for food establishments as set by the MDOH.

( \*\* \*22) \*\*\* Any cannabis that contains less than three tenths percent (.3%) THC that was addressed by the 2018 Farm Bill, Public Law No. 115-334, shall be exempt from regulations applicable to medical cannabis establishments licensed under this chapter.

SECTION 4. Section 41-137-39, Mississippi Code of 1972, is amended as follows:

41-137-39. (1)\*\*\* (a) Medical cannabis establishments shall conduct a background check into the criminal history of every person seeking to become a principal officer, board member, agent, volunteer, or employee before the person begins working at or for the medical cannabis establishment.

(b) Every person seeking to become a principal officer, board member, agent, volunteer, or employee shall apply for or authorize the division to obtain state and national criminal background checks to be conducted by the Mississippi Justice Information Center of the Department of Public Safety and the Federal Bureau of Investigation.

(c) Such criminal background checks shall conform to the applicable federal standards, and shall include the taking of fingerprints.

(d) The applicant shall authorize the release of such criminal background checks to the MDOH, and shall be responsible for the payment of any fee associated with the criminal background checks.

(e) Upon completion of such criminal background checks, the Mississippi Justice Information Center of the Department of Public Safety shall forward to the MDOH all information obtained concerning the applicant.

(2) A medical cannabis establishment may not employ any person who:

(a) Was convicted of a disqualifying felony offense; or

(b) Is under twenty-one (21) years of age.

(3) The operating documents of a medical cannabis establishment must include procedures for the oversight of the medical cannabis establishment and procedures to ensure accurate record keeping and adequate security measures.

(4) A medical cannabis establishment shall implement appropriate security measures designed to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis.

(5) All cultivation, harvesting, processing and packaging of medical cannabis must take place in an enclosed, locked and secure facility with a physical address provided to the MDOH during the licensing and registration process. The facility shall be equipped with locks or other security devices that permit access only by agents of the medical cannabis establishment, emergency personnel or adults who are twenty-one (21) years of age and older and who are accompanied by medical cannabis establishment agents.

(6) No medical cannabis establishment other than a cannabis processing facility or cannabis research facility may produce cannabis concentrates, cannabis extractions, or other cannabis products.

(7) A medical cannabis establishment may not share office space with or refer patients to a practitioner.

(8) Medical cannabis establishments are subject to inspection by the MDOR and MDOH during business hours.

(9) Before medical cannabis may be dispensed to a cardholder, a dispensary agent must:

(a) Require that the individual present a registry identification card;

(b) Make a diligent effort to verify that the registry identification card presented to the dispensary is valid;

(c) Make a diligent effort to verify that the person presenting the registry identification card is the person identified on the registry identification card presented to the dispensary agent; and

(d) Not believe that the amount of medical cannabis dispensed would cause the person to possess more than the allowable amount of medical cannabis.

(10) A medical cannabis establishment shall not sell more than the allowable amount of medical cannabis to a cardholder. A resident cardholder shall not obtain more than a total of six (6) MMCEUs of allowable medical cannabis in a week from a dispensary or a combination of dispensaries. A resident cardholder shall not obtain more than a total of twenty-four (24) MMCEUs of allowable medical cannabis in thirty (30) days from a dispensary or a combination of dispensaries.

The possession limit for resident cardholders of the allowable amount of medical cannabis shall be a total of twenty-eight (28) MMCEUs. There shall not be a possession limit on nonconsumable medical cannabis, including, but not limited to, suppositories, ointments, soaps, and lotions or other topical agents.

(11) For purposes of this chapter, total THC is defined as THCA multiplied by .877 plus THC Delta 9 and all other psychoactive forms or isomers of THC added together. A medical cannabis establishment shall not sell cannabis flower or trim that has a potency of greater than thirty percent (30%) total THC. A medical cannabis dispensary shall not sell cannabis tinctures, oils or concentrates that have a potency of greater than sixty percent (60%) total THC. Cannabis products that have a potency of over thirty percent (30%) total THC shall be clearly labeled as "extremely potent." Edible cannabis products, including food or drink products, that have been combined with usable cannabis or cannabis products shall be physically demarked and labeled with a clear determination of how much total THC is in a single-serving size and how much THC is in the entire package.

A medical cannabis product shall contain a notice of harm regarding the use of cannabis products. Edible cannabis products shall be homogenized to ensure uniform disbursement of cannabinoids throughout the product. All molded edible cannabis products shall be presented in the form of geometric shapes and shall not be molded to contain any images or characters designed or likely to appeal to minors, such as cartoons, toys, animals or children.

(12) A dispensary may not dispense more than the allowable amount of cannabis to a registered qualifying patient or a nonresident cardholder, directly or via a registered designated caregiver. Dispensaries shall ensure compliance with this limitation by maintaining internal, confidential records that include records specifying how much medical cannabis is being dispensed to the registered qualifying patient or nonresident cardholder and whether it was dispensed directly to a registered qualifying patient, nonresident cardholder or to the registered designated caregiver.

(13) A nonresident cardholder shall not obtain more than a total of six (6) MMCEUs of allowable medical cannabis in a week from a dispensary or a combination of dispensaries. A nonresident cardholder shall not obtain more than a total of twelve (12) MMCEUs of allowable medical cannabis from a dispensary or a combination of dispensaries in a fifteen-day period.

(14) A nonresident may apply to receive a nonresident registry identification card up to thirty (30) days before arriving in Mississippi. A nonresident registry identification card shall be valid for fifteen (15) days. After the expiration of the card, a nonresident may apply for a renewal of the card and may be granted another card which shall be valid for another fifteen-day period. A nonresident registry identification card shall only be valid, at a maximum, for two (2) separate periods of fifteen (15) days in a three-hundred-sixty-five-day period. An applicant may indicate on his or her application the specific time period that he or she wishes for the card to be valid. The possession limit of the allowable amount of medical cannabis for nonresident cardholders shall be fourteen (14) MMCEUs.

(15) A medical cannabis dispensary agent or employee shall not issue a written certification. Employees and agents of a medical cannabis dispensary shall complete at least eight (8) hours of continuing education in medical cannabis as regulated by the MDOR in order to be certified to work at a medical cannabis dispensary. After the first year of employment, these employees shall complete five (5) hours of continuing education in medical cannabis annually to maintain this certification.

(16) Notwithstanding any other provision to the contrary, a patient with a debilitating medical condition who is between eighteen (18) years to twenty-five (25) years of age is not eligible for a medical cannabis registry identification card unless two (2) practitioners from separate medical practices have diagnosed the patient as having a debilitating medical condition after an in-person consultation. One (1) of these practitioners must be a physician or doctor of osteopathic medicine.

If one (1) of the recommending practitioners is not the patient's primary care practitioner, the recommending practitioner shall review the records of a diagnosing practitioner. The requirement that the two (2) practitioners be from separate medical practices does not apply if the patient is homebound or if the patient had a registry identification card before the age of eighteen (18).

(17) Except as otherwise provided in this section, a medical cannabis establishment shall not allow an individual who is younger than twenty-one (21) years old to enter the premises of the establishment unless the individual possesses a registry identification card and is accompanied by his or her legal guardian.

(18) A medical cannabis establishment shall only purchase, grow, cultivate, and use cannabis that is grown and cultivated in this state. Any medical cannabis that is grown and cultivated in this state shall not be transported outside of this state.

(19) Employees of all medical cannabis establishments shall apply for a work permit with the MDOH and MDOR, as applicable, before beginning employment with any establishment. The licensing agency for the respective medical cannabis establishment may issue work permits to these individuals. These licensing agencies shall maintain a work registry of all applicants and work permits issued. The fee for a work permit shall be Twenty-five Dollars (\$25.00) and the permit shall be valid for five (5) years. Work permits shall be the property of the employee and shall not be transferable to other employees.

(20) For purposes of this subsection, "plant growth regulator cannabis" shall mean a cannabis plant whose growth and structure has been modified using plant growth hormones. A cannabis cultivation facility shall not cultivate and a cannabis dispensary shall not sell, transfer or provide for consumption plant growth regulator cannabis.

(21) A medical cannabis dispensary shall only make sales to cardholders inside the dispensary. A medical cannabis dispensary shall not sell or otherwise convey medical cannabis to a cardholder through the means of a drive-through, curbside delivery or other delivery outside the premises of the dispensary. Any topical cannabis product that is purchased by a dispensary from a licensed processor, and that is not ingested by the liver, may be sold to a cardholder or any person over the age of twenty-one (21) years old who is not a cardholder. Such products shall be placed in an area of the dispensary that does not require access with a registering identification card.

(22) Any and all contracts or agreements entered into by the MDOH and MDOR for information technology software, hardware, and/or services for the purpose of implementing and/or operating under the Mississippi Medical Cannabis Act shall include language reasonably limiting the ability of the vendor to escalate the ongoing cost of such software, hardware, and/or services during the term of the contract, including any amendments and/or extensions.

(23) The MDOR and MDOH shall not share the name, address or personal data of a registry identification cardholder to any federal government entity.

SECTION 5. Section 41-137-41, Mississippi Code of 1972, is amended as follows:

41-137-41. (1) From and after February 2, 2022, the MDOH and MDOR shall each, where relevant to the role of that particular agency, establish and promulgate the following rules and regulations:

(a) Governing the manner in which it shall consider petitions from the public to add debilitating medical conditions or treatments to the list of debilitating medical conditions set forth in Section 41-137-3, including public notice of and opportunities to comment in public hearings on the petitions;

(b) Establishing the form and content of license and renewal applications and written certifications submitted under this chapter;

(c) Governing the manner in which it shall consider applications for and renewals of registry identification cards, which may include creating a standardized written certification form;

(d) Governing medical cannabis establishments with the goals of ensuring the health and safety of registered qualifying patients and preventing diversion and theft of medical cannabis without imposing an undue burden or compromising the confidentiality of cardholders, including:

(i) Oversight requirements;

(ii) Recordkeeping requirements;

(iii) Qualifications that are directly and demonstrably related to the operation of medical cannabis establishments;

(iv) Security requirements, including lighting, physical security, and alarm requirements;

(v) Health and safety regulations, including restrictions on the use of pesticides, herbicides or other chemicals that are injurious to human health;

(vi) Standards for the processing of cannabis products and the indoor cultivation of cannabis by cannabis cultivation facilities;



(vii) Requirements for the transportation and storage of cannabis by medical cannabis establishments;

(viii) Employment and training requirements, including requiring that each medical cannabis establishment create an identification badge for each agent of the establishment;

(ix) Standards for the safe processing of medical cannabis products, including extracts and concentrates;

(x) Restrictions on the advertising, signage, and display of medical cannabis, provided that the restrictions may not prevent appropriate signs on the property of a dispensary, listings in business directories, including phone books, listings in cannabis-related or medical publications, display on dispensary websites of pictures of products that the dispensary sells, or the sponsorship of health or not-for-profit charity or advocacy events;

(xi) Requirements and procedures for the safe and accurate packaging and labeling of medical cannabis, including prohibiting the use of any images designed or likely to appeal to minors, such as cartoons, packaging that resembles popular candy brands, toys, animals or children, or any other likeness or image containing characters or phrases to advertise to minors;

(xii) Standards for cannabis testing facilities, including requirements for equipment and qualifications for personnel;

(xiii) Protocol development for the safe delivery of medical cannabis from dispensaries to cardholders;

(xiv) Reasonable requirements to ensure the applicant has sufficient property or capital to operate the applicant's proposed medical cannabis establishment;

(xv) Procedures for suspending or terminating the licenses or registry identification cards of cardholders and medical cannabis establishments that commit multiple or serious violations of the provisions of this chapter or the rules and regulations promulgated pursuant to this section;

(xvi) Procedures for the selection, certification and oversight of a seed-to-sale tracking system as provided for in Section 41-137-11;

(xvii) Requirements for labeling medical cannabis and cannabis products, including requiring medical cannabis product labels to include the following:

1. The length of time it typically takes for the product to take effect;
2. Disclosure of ingredients and possible allergens;
3. A nutritional fact panel;
4. The amount of THC and CBD in the product;
5. A notice of the potential harm caused by consuming medical cannabis; and
6. For edible cannabis products, when practicable, a standard symbol indicating that the product contains cannabis;

(xviii) Procedures for the registration of nonresident cardholders, which must require the submission of:

1. A practitioner's statement confirming that the patient has a debilitating medical condition; and

2. Documentation demonstrating that the nonresident cardholder is allowed to possess medical cannabis or cannabis preparations in the jurisdiction where he or she resides;

(xix) The amount of cannabis products, including the amount of concentrated cannabis, each cardholder and nonresident cardholder can possess;

(xx) Reasonable application and renewal fees for registry identification cards and registration certificates, according to the following:

1. The fee schedule shall be set as follows:

a. The qualifying patient registry identification card application fee shall be Twenty-five Dollars (\$25.00);

b. The designated caregiver registry identification card application fee shall be Twenty-five Dollars (\$25.00);

c. The designated caregiver criminal background fee shall be Thirty-seven Dollars (\$37.00);

d. The fee for a renewal or replacement of a card shall be Twenty-five Dollars (\$25.00);

e. The fee for a card for a nonresident patient shall be Seventy-five Dollars (\$75.00);

f. The qualifying patient registry identification card application fee for a Medicaid participant shall be Fifteen Dollars (\$15.00) and the fee for a renewal of such card shall be Fifteen Dollars (\$15.00); and

g. The application fee for a qualifying patient registry identification card for disabled veterans or disabled first responders shall be waived. A disabled veteran or first responder may prove their disability by providing written documentation from their practitioner attesting to their debilitating medical condition, documentation from the Social Security Disability Office, or documentation that attests the applicant is a one-hundred percent (100%) disabled veteran as determined by the U.S. Department of Veteran Affairs and codified at 38 CFR, Section 3.340(a)(2013); and

2. The MDOH may accept donations from private sources to reduce the amount of the application and renewal fees;

(xxi) Any other rules and regulations necessary to implement and administer this chapter.

(2) The initial rules filed by the MDOH to implement the medical cannabis program in accordance with this chapter shall be effective immediately upon their filing.

(3) No state agency or board shall implement any rule, regulation, policy, or requirement that is contrary to the provisions of the Mississippi Medical Cannabis Act.

SECTION 6. Section 41-137-47, Mississippi Code of 1972, is amended as follows:

41-137-47. (1) The licensing agency may fine, suspend or revoke a license at its discretion for a violation of this chapter or any rules and regulations under this chapter by the licensee or any of its employees or agents. The licensing agency may deny the application of any applicant who fails to meet the qualifications for obtaining such license under this chapter or any rules and regulations under this chapter. If a licensee or applicant wishes to appeal \* \* \* the licensing agency's decision, the licensee or applicant shall file its administrative appeal within twenty (20) days of receipt of the initial notice. The licensing agency shall then conduct a hearing on the record pursuant to the licensing agency's rules and regulations governing such hearings, at which time the burden shall be on the licensee or applicant to prove that the agency's decision was:

- (a) Unsupported by substantial evidence;
- (b) Arbitrary or capricious;
- (c) Beyond the power of the administrative agency to make; or
- (d) Violated some statutory or constitutional right of the aggrieved party.

If the licensee or applicant fails to appeal the initial notice within the prescribed time, the decision becomes final and cannot be further appealed.

(2) The licensing agency shall provide its initial notice of suspension, revocation, fine or other sanction by personal delivery or mailing by certified mail, signature required, to the medical cannabis establishment at the address on the registration certificate. A suspension shall not be for a longer period than six (6) months. The licensing agency shall provide its initial notice of denial by personal delivery, mailing by certified mail, signature required, or by electronic mail to the applicant at the physical or electronic address listed in its application.

(3) A medical cannabis establishment may continue to possess and cultivate cannabis as otherwise authorized to do so under its license during a suspension, but it may not dispense, transfer or sell cannabis.

(4) The MDOH shall immediately revoke the registry identification card of any cardholder who sells or otherwise transfers medical cannabis to a person or other entity, and the cardholder shall be disqualified from further participation in the medical cannabis program under this chapter.

(5) Except as otherwise provided in subsection (4) of this section, the MDOH may revoke the registry identification card of any cardholder who knowingly commits a violation of this chapter.

(6) The hearing decision of the agency on a denial, revocation, suspension or fine is a final decision of the applicable agency subject to judicial review in accordance with Section 41-137-59.

(7) No license issued by the MDOH or MDOR shall be transferred by the license holder to any other person or entity except with the written consent of the applicable licensing agency.

(8) Any investigation, fine, suspension or revocation by a licensing agency under this section shall be considered confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17. This exemption shall not apply after such time that the licensing agency has rendered its final disposition and all appeals are exhausted.

SECTION 7. Section 41-137-49, Mississippi Code of 1972, is amended as follows:

41-137-49. (1) Data in license and registration applications and supporting data submitted by registered qualifying patients, registered designated caregivers, medical cannabis establishments and nonresident cardholders, including data on registered designated caregivers and practitioners, shall be considered private data on individuals that is confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17.

(2) Data kept or maintained by an agency shall not be used for any purpose not provided for in this chapter and shall not be combined or linked in any manner with any other list or database.

(3) Data kept or maintained by an agency may be disclosed as necessary for:

(a) The verification of registration certificates and registry identification cards under this chapter;

(b) Submission of the annual report required by this chapter;

(c) Notification of state or local law enforcement of apparent criminal violations of this chapter;

(d) Notification of state and local law enforcement about falsified or fraudulent information submitted for purposes of obtaining or renewing a registry identification card; or

(e) Notification of the State Board of Medical Licensure or other occupational or professional licensing board or entity if there is reason to believe that a practitioner provided a written certification in violation of this chapter, or if the MDOH has reason to believe the practitioner otherwise violated the standard of care for evaluating medical conditions.

(4) Any information kept or maintained by medical cannabis establishments must identify cardholders by their registry identification numbers and must not contain names or other personally identifying information.

(5) At a cardholder's request, the MDOH may confirm the cardholder's status as a registered qualifying patient or a registered designated caregiver to a third party, such as a landlord, school, medical professional, or court.

(6) Any agency hard drives or other data-recording media that are no longer in use and that contain cardholder information shall be destroyed.

(7) The addresses of prospective and licensed medical cannabis establishments shall be considered confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17.

SECTION 8. Section 41-137-59, Mississippi Code of 1972, is amended as follows:

41-137-59. (1) Any person or entity aggrieved by a final decision or order of an agency under the provisions of this chapter may petition for judicial review of the final decision or order.

(2) (a) The petition shall be filed within twenty (20) days after the issuance of the agency's final decision or order. The petition shall be filed in the circuit court of the county in which the appellant resides. If the appellant is a nonresident of this state, the appeal shall be made to the Circuit Court of the First Judicial District of Hinds County, Mississippi.

(b) The review by the circuit court shall be based on the record made before the agency. Before filing a petition under subsection (1) of this section, a petitioner shall

obtain from the agency an estimate of the cost to prepare the entire record of the agency and shall pay to the agency the amount of the estimate. The circuit court shall dismiss with prejudice any petition filed where it is shown that the petitioner failed to pay prior to filing the petition the estimate cost for preparation of the record.

( \*\* \*c) Any person or entity aggrieved by the decision of the circuit court may appeal to the Mississippi Supreme Court.

SECTION 9. Section 41-137-63, Mississippi Code of 1972, is amended as follows:

41-137-63. (1) (a) There is established a Medical Cannabis Advisory Committee, which shall be the committee that is required to advise the Legislature about medical cannabis and cannabis product, patient care, services and industry.

(b) The advisory committee shall consist of nine (9) members, as follows:

(i) The Governor shall appoint three (3) members to the committee, as follows:

1. One (1) representative from the MDOH;
2. One (1) registered qualifying patient; and
3. One (1) physician with experience in medical cannabis

issues;

(ii) The Lieutenant Governor shall appoint three (3) members, as follows:

1. One (1) owner or agent of a medical cannabis cultivation
2. One (1) representative from the MDOH; and
3. One (1) qualified certified nurse practitioner, physician

assistant or optometrist;

(iii) The Speaker of the House shall appoint three (3) members, as follows:

1. One (1) owner or agent of a medical cannabis processing
2. One (1) owner or agent of a medical cannabis dispensary;
3. One (1) representative from the MDOR.

facility;

and

(c) The advisory committee shall meet at least two (2) times per year for the purpose of evaluating and making recommendations to the Legislature and the MDOH and MDOR regarding:

(i) The ability of qualifying patients in all areas of the state to obtain timely access to high-quality medical cannabis;

(ii) The effectiveness of the medical cannabis establishments in serving the needs of registered qualifying patients, including the provision of educational and support services by dispensaries, the reasonableness of their prices, security issues,

and the sufficiency of the number operating to serve the state's registered qualifying patients;

(iii) The effectiveness of the cannabis testing facilities, including whether a sufficient number are operating;

(iv) The sufficiency of the regulatory and security safeguards contained in this chapter and adopted by the MDOH to ensure that access to and use of cannabis cultivated is provided only to cardholders;

(v) Any recommended additions or revisions to the MDOH and MDOR rules and regulations or this chapter, including relating to security, safe handling, labeling, nomenclature, and whether additional types of licenses should be made available; and

(vi) Any research studies regarding health effects of medical cannabis for patients.

(d) The advisory committee shall accept public comment in writing and in-person at least once per year. The advisory committee shall meet at least two (2) times per year and advisory committee members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(e) The chairman of the advisory committee shall be elected by the voting members of the committee annually and shall not serve more than two (2) consecutive years as chairman.

(f) The members of the advisory committee specified in paragraph (b) of this subsection shall serve for terms that are concurrent with the terms of members of the Legislature, and any member appointed under paragraph (b) may be reappointed to the advisory committee. The members of the advisory committee specified in paragraph (b) shall serve without compensation, but shall receive reimbursement to defray actual expenses incurred in the performance of committee business as authorized by law.

(2) This section shall stand repealed on December 31, \* \* \* 2026.

SECTION 10. Section 41-29-153, Mississippi Code of 1972, is amended as follows:

41-29-153. (a) The following are subject to forfeiture:

(1) All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of this article or in violation of Article 5 of this chapter or Chapter 137 of this title;

(2) All raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this article or in violation of Article 5 of this chapter or Chapter 137 of this title;

(3) All property which is used, or intended for use, as a container for property described in paragraph (1) or (2) of this subsection;

(4) All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession or concealment of property described in paragraph (1) or (2) of this subsection, however:

A. No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this article;

B. No conveyance is subject to forfeiture under this section by reason of any act or omission proved by the owner thereof to have been committed or omitted without his knowledge or consent; if the confiscating authority has reason to believe that the conveyance is a leased or rented conveyance, then the confiscating authority shall notify the owner of the conveyance within five (5) days of the confiscation;

C. A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission;

D. A conveyance is not subject to forfeiture for a violation of Section 41-29-139(c)(2)(A) 1, 2 or (B)1 or (C)1, 2, 3;

(5) All money, deadly weapons, books, records, and research products and materials, including formulas, microfilm, tapes and data which are used, or intended for use, in violation of this article or in violation of Article 5 of this chapter or Chapter 137 of this title;

(6) All drug paraphernalia as defined in Section 41-29-105(v); and

(7) Everything of value, including real estate, furnished, or intended to be furnished, in exchange for a controlled substance in violation of this article, all proceeds traceable to such an exchange, and all monies, negotiable instruments, businesses or business investments, securities, and other things of value used, or intended to be used, to facilitate any violation of this article. All monies, coin and currency found in close proximity to forfeitable controlled substances, to forfeitable drug manufacturing or distributing paraphernalia, or to forfeitable records of the importation, manufacture or distribution of controlled substances are presumed to be forfeitable under this paragraph; the burden of proof is upon claimants of the property to rebut this presumption.

A. No property shall be forfeited under the provisions of subsection (a)(7) of this section, to the extent of the interest of an owner, by reason of any act or omission established by him to have been committed or omitted without his knowledge or consent.

B. Neither personal property encumbered by a bona fide security interest nor real estate encumbered by a bona fide mortgage, deed of trust, lien or encumbrance shall be forfeited under the provisions of subsection (a)(7) of this section, to the extent of the interest of the secured party or the interest of the mortgagee, holder of a deed of trust, lien or encumbrance by reason of any act or omission established by him to have been committed or omitted without his knowledge or consent.

(b) Property subject to forfeiture may be seized by the bureau, local law enforcement officers, enforcement officers of the Mississippi Department of Transportation, highway patrolmen, the board, \* \* \* the State Board of Pharmacy, or law enforcement officers of the Mississippi Department of Revenue or Mississippi Department of Health acting with their duties in accordance with the Mississippi Medical Cannabis Act, upon process issued by any appropriate court having jurisdiction over the property. Seizure without process may be made if:

(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(2) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this article;

(3) The bureau, the board, local law enforcement officers, enforcement officers of the Mississippi Department of Transportation, or highway patrolmen, \* \* \* the State Board of Pharmacy, or law enforcement officers of the Mississippi Department of Revenue or Mississippi Department of Health acting with their duties in accordance with the Mississippi Medical Cannabis Act, have probable cause to believe that the property is directly or indirectly dangerous to health or safety;

(4) The bureau, local law enforcement officers, enforcement officers of the Mississippi Department of Transportation, highway patrolmen, the board, \* \* \* the State Board of Pharmacy, or law enforcement officers of the Mississippi Department of Revenue or Mississippi Department of Health acting with their duties in accordance with the Mississippi Medical Cannabis Act, have probable cause to believe that the property was used or is intended to be used in violation of this article; or

(5) The seizing law enforcement agency obtained a seizure warrant as described in \* \* \* subsection (f) of this section.

(c) Controlled substances listed in Schedule I of Section 41-29-113 that are possessed, transferred, sold, or offered for sale in violation of this article are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in the said Schedule I, which are seized or come into the possession of the state, the owners of which are unknown, are contraband and shall be summarily forfeited to the state.

(d) Species of plants from which controlled substances in Schedules I and II of Sections 41-29-113 and 41-29-115 may be derived which have been planted or cultivated in violation of this article, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the state.

(e) The failure, upon demand by the bureau and/or local law enforcement officers, or their authorized agents, or highway patrolmen designated by the bureau, the board, \* \* \* the State Board of Pharmacy, or law enforcement officers of the Mississippi Department of Revenue or Mississippi Department of Health acting with their duties in accordance with the Mississippi Medical Cannabis Act, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored, to produce an appropriate registration, or proof that he is the holder thereof, constitutes authority for the seizure and forfeiture of the plants.

(f) (1) When any property is seized under the Uniform Controlled Substances Law, except as otherwise provided in paragraph (3) of this subsection, by a law enforcement agency with the intent to be forfeited, the law enforcement agency that seized the property shall obtain a seizure warrant from the county or circuit court having jurisdiction of such property within seventy-two (72) hours of any seizure, excluding weekends and holidays. Any law enforcement agency that fails to obtain a seizure warrant within seventy-two (72) hours as required by this section shall notify the person from whom the property was seized that it will not be forfeited and shall provide written instructions advising the person how to retrieve the seized property.

(2) A circuit or county judge having jurisdiction of any property other than a controlled substance, raw material or paraphernalia, may issue a seizure warrant upon proper oath or affirmation from a law enforcement agency. The law enforcement agency that is seeking a seizure warrant shall provide the following information to the judge:

A. Probable cause to believe that the property was used or intended to be used in violation of this article;

B. The name of the person from whom the property was seized; and



C. A detailed description of the property which is seized, including the value of the property.

(3) This subsection does not apply to seizures performed pursuant to Section 41-29-157 when property is specifically set forth in a search and seizure warrant.

SECTION 11. Section 41-29-154, Mississippi Code of 1972, is amended as follows:

41-29-154. Any controlled substance or paraphernalia seized under the authority of this article or any other law of Mississippi or of the United States, shall be destroyed, adulterated and disposed of or otherwise rendered harmless and disposed of, upon written authorization of the director, Commissioner of the Mississippi Department of Revenue or the State Health Officer of the Mississippi Department of Health, as applicable, after such substance or paraphernalia has served its usefulness as evidence or after such substance or paraphernalia is no longer useful for training or demonstration purposes.

A record of the disposition of such substances and paraphernalia and the method of destruction or adulteration employed along with the names of witnesses to such destruction or adulteration shall be retained by the director.

No substance or paraphernalia shall be disposed of, destroyed or rendered harmless under the authority of this section without an order from the director, Commissioner of the Mississippi Department of Revenue or the State Health Officer of the Mississippi Department of Health, as applicable, and without at least two (2) officers or agents of the bureau present as witnesses.

SECTION 12. Section 25-53-1, Mississippi Code of 1972, is amended as follows:

25-53-1. The Legislature recognizes that in order for the State of Mississippi to receive the maximum use and benefit from information technology and services now in operation or which will in the future be placed in operation, there should be full cooperation and cohesive planning and effort by and between the several state agencies and that it is the responsibility of the Legislature to provide statutory authority therefor. The Legislature, therefore, declares and determines that for these and other related purposes there is hereby established an agency of state government to be known as the Mississippi Department of Information Technology Services (MDITS). The Legislature further declares that the Mississippi Department of Information Technology Services (MDITS) shall provide statewide services that facilitate cost-effective information processing and telecommunication solutions. State agencies shall work in full cooperation with the board of MDITS to identify opportunities to minimize duplication, reduce costs and improve the efficiency of providing common technology services across agency boundaries. The provisions of this chapter shall not apply to the Department of Human Services for a period of three (3) years beginning July 1, 2017. The provisions of this chapter shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017. Through June 30, \* \* \* 2024, the provisions of this chapter shall not apply to the Department of Health and the Department of Revenue for the purposes of implementing, administering and enforcing the provisions of the Mississippi Medical Cannabis Act.

SECTION 13. Section 25-53-5, Mississippi Code of 1972, is amended as follows:

25-53-5. The authority shall have the following powers, duties, and responsibilities:

(a) (i) The authority shall provide for the development of plans for the efficient acquisition and utilization of computer equipment and services by all agencies of state government, and provide for their implementation. In so doing, the authority may

use the MDITS' staff, at the discretion of the executive director of the authority, or the authority may contract for the services of qualified consulting firms in the field of information technology and utilize the service of such consultants as may be necessary for such purposes. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Human Services for a period of three (3) years beginning on July 1, 2017. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017.

(ii) [Repealed]

(b) The authority shall immediately institute procedures for carrying out the purposes of this chapter and supervise the efficient execution of the powers and duties of the office of executive director of the authority. In the execution of its functions under this chapter, the authority shall maintain as a paramount consideration the successful internal organization and operation of the several agencies so that efficiency existing therein shall not be adversely affected or impaired. In executing its functions in relation to the institutions of higher learning and junior colleges in the state, the authority shall take into consideration the special needs of such institutions in relation to the fields of teaching and scientific research.

(c) Title of whatever nature of all computer equipment now vested in any agency of the State of Mississippi is hereby vested in the authority, and no such equipment shall be disposed of in any manner except in accordance with the direction of the authority or under the provisions of such rules and regulations as may hereafter be adopted by the authority in relation thereto.

(d) The authority shall adopt rules, regulations, and procedures governing the acquisition of computer and telecommunications equipment and services which shall, to the fullest extent practicable, insure the maximum of competition between all manufacturers of supplies or equipment or services. In the writing of specifications, in the making of contracts relating to the acquisition of such equipment and services, and in the performance of its other duties the authority shall provide for the maximum compatibility of all information systems hereafter installed or utilized by all state agencies and may require the use of common computer languages where necessary to accomplish the purposes of this chapter. The authority may establish by regulation and charge reasonable fees on a nondiscriminatory basis for the furnishing to bidders of copies of bid specifications and other documents issued by the authority.

(e) The authority shall adopt rules and regulations governing the sharing with, or the sale or lease of information technology services to any nonstate agency or person. Such regulations shall provide that any such sharing, sale or lease shall be restricted in that same shall be accomplished only where such services are not readily available otherwise within the state, and then only at a charge to the user not less than the prevailing rate of charge for similar services by private enterprise within this state.

(f) The authority may, in its discretion, establish a special technical advisory committee or committees to study and make recommendations on technology matters within the competence of the authority as the authority may see fit. Persons serving on the Information Resource Council, its task forces, or any such technical advisory committees shall be entitled to receive their actual and necessary expenses actually incurred in the performance of such duties, together with mileage as provided by law for state employees, provided the same has been authorized by a resolution duly adopted by the authority and entered on its minutes prior to the performance of such duties.

(g) The authority may provide for the development and require the adoption of standardized computer programs and may provide for the dissemination of information to and the establishment of training programs for the personnel of the various information

technology centers of state agencies and personnel of the agencies utilizing the services thereof.

(h) The authority shall adopt reasonable rules and regulations requiring the reporting to the authority through the office of executive director of such information as may be required for carrying out the purposes of this chapter and may also establish such reasonable procedures to be followed in the presentation of bills for payment under the terms of all contracts for the acquisition of computer equipment and services now or hereafter in force as may be required by the authority or by the executive director in the execution of their powers and duties.

(i) The authority shall require such adequate documentation of information technology procedures utilized by the various state agencies and may require the establishment of such organizational structures within state agencies relating to information technology operations as may be necessary to effectuate the purposes of this chapter.

(j) The authority may adopt such further reasonable rules and regulations as may be necessary to fully implement the purposes of this chapter. All rules and regulations adopted by the authority shall be published and disseminated in readily accessible form to all affected state agencies, and to all current suppliers of computer equipment and services to the state, and to all prospective suppliers requesting the same. Such rules and regulations shall be kept current, be periodically revised, and copies thereof shall be available at all times for inspection by the public at reasonable hours in the offices of the authority. Whenever possible no rule, regulation or any proposed amendment to such rules and regulations shall be finally adopted or enforced until copies of the proposed rules and regulations have been furnished to all interested parties for their comment and suggestions.

(k) The authority shall establish rules and regulations which shall provide for the submission of all contracts proposed to be executed by the executive director for computer equipment or services to the authority for approval before final execution, and the authority may provide that such contracts involving the expenditure of less than such specified amount as may be established by the authority may be finally executed by the executive director without first obtaining such approval by the authority.

(l) The authority is authorized to purchase, lease, or rent computer equipment or services and to operate that equipment and use those services in providing services to one or more state agencies when in its opinion such operation will provide maximum efficiency and economy in the functions of any such agency or agencies.

(m) Upon the request of the governing body of a political subdivision or instrumentality, the authority shall assist the political subdivision or instrumentality in its development of plans for the efficient acquisition and utilization of computer equipment and services. An appropriate fee shall be charged the political subdivision by the authority for such assistance.

(n) The authority shall adopt rules and regulations governing the protest procedures to be followed by any actual or prospective bidder, offerer or contractor who is aggrieved in connection with the solicitation or award of a contract for the acquisition of computer equipment or services. Such rules and regulations shall prescribe the manner, time and procedure for making protests and may provide that a protest not timely filed shall be summarily denied. The authority may require the protesting party, at the time of filing the protest, to post a bond, payable to the state, in an amount that the authority determines sufficient to cover any expense or loss incurred by the state, the authority or any state agency as a result of the protest if the protest subsequently is determined by a court of competent jurisdiction to have been filed without any substantial basis or reasonable expectation to believe that the protest was meritorious; however, in no event may the amount of the bond required exceed a reasonable estimate of the total project

cost. The authority, in its discretion, also may prohibit any prospective bidder, offerer or contractor who is a party to any litigation involving any such contract with the state, the authority or any agency of the state to participate in any other such bid, offer or contract, or to be awarded any such contract, during the pendency of the litigation.

(o) The authority shall make a report in writing to the Legislature each year in the month of January. Such report shall contain a full and detailed account of the work of the authority for the preceding year as specified in Section 25-53-29(3).

All acquisitions of computer equipment and services involving the expenditure of funds in excess of the dollar amount established in Section 31-7-13(c), or rentals or leases in excess of the dollar amount established in Section 31-7-13(c) for the term of the contract, shall be based upon competitive and open specifications, and contracts therefor shall be entered into only after advertisements for bids are published in one or more daily newspapers having a general circulation in the state not less than fourteen (14) days prior to receiving sealed bids therefor. The authority may reserve the right to reject any or all bids, and if all bids are rejected, the authority may negotiate a contract within the limitations of the specifications so long as the terms of any such negotiated contract are equal to or better than the comparable terms submitted by the lowest and best bidder, and so long as the total cost to the State of Mississippi does not exceed the lowest bid. If the authority accepts one (1) of such bids, it shall be that which is the lowest and best. Through June 30, \*\*\* 2024, the provisions of this paragraph shall not apply to acquisitions of information technology equipment and services made by the Mississippi Department of Health and/or the Mississippi Department of Revenue for the purposes of implementing, administering and/or enforcing the provisions of the Mississippi Medical Cannabis Act.

(p) When applicable, the authority may procure equipment, systems and related services in accordance with the law or regulations, or both, which govern the Bureau of Purchasing of the Office of General Services or which govern the Mississippi Department of Information Technology Services procurement of telecommunications equipment, software and services.

(q) The authority is authorized to purchase, lease, or rent information technology and services for the purpose of establishing pilot projects to investigate emerging technologies. These acquisitions shall be limited to new technologies and shall be limited to an amount set by annual appropriation of the Legislature. These acquisitions shall be exempt from the advertising and bidding requirement.

(r) All fees collected by the Mississippi Department of Information Technology Services shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature.

(s) The authority shall work closely with the council to bring about effective coordination of policies, standards and procedures relating to procurement of remote sensing and geographic information systems (GIS) resources. In addition, the authority is responsible for development, operation and maintenance of a delivery system infrastructure for geographic information systems data. The authority shall provide a warehouse for Mississippi's geographic information systems data.

(t) The authority shall manage one or more State Data Centers to provide information technology services on a cost-sharing basis. In determining the appropriate services to be provided through the State Data Center, the authority should consider those services that:

(i) Result in savings to the state as a whole;

(ii) Improve and enhance the security and reliability of the state's information and business systems; and

(iii) Optimize the efficient use of the state's information technology assets, including, but not limited to, promoting partnerships with the state institutions of higher learning and community colleges to capitalize on advanced information technology resources.

(u) The authority shall increase federal participation in the cost of the State Data Center to the extent provided by law and its shared technology infrastructure through providing such shared services to agencies that receive federal funds. With regard to state institutions of higher learning and community colleges, the authority may provide shared services when mutually agreeable, following a determination by both the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, that the sharing of services is mutually beneficial.

(v) The authority, in its discretion, may require new or replacement agency business applications to be hosted at the State Data Center. With regard to state institutions of higher learning and community colleges, the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, may agree that institutions of higher learning or community colleges may utilize business applications that are hosted at the State Data Center, following a determination by both the authority and the applicable board that the hosting of those applications is mutually beneficial. In addition, the authority may establish partnerships to capitalize on the advanced technology resources of the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, following a determination by both the authority and the applicable board that such a partnership is mutually beneficial.

(w) The authority shall provide a periodic update regarding reform-based information technology initiatives to the Chairmen of the House and Senate Accountability, Efficiency and Transparency Committees.

From and after July 1, 2018, the expenses of this agency shall be defrayed by appropriation from the State General Fund. In addition, in order to receive the maximum use and benefit from information technology and services, expenses for the provision of statewide shared services that facilitate cost-effective information processing and telecommunication solutions shall be defrayed by pass-through funding and shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature. These funds shall only be utilized to pay the actual costs incurred by the Mississippi Department of Information Technology Services for providing these shared services to state agencies. Furthermore, state agencies shall work in full cooperation with the Board of the Mississippi Department of Information Technology Services to identify computer equipment or services to minimize duplication, reduce costs, and improve the efficiency of providing common technology services across agency boundaries.

SECTION \*. The following shall be codified as Section 73-21-127.1, Mississippi Code of 1972:

73-21-127.1. The Prescription Monitoring Program shall issue a report each year to the Legislature that indicates the number of opioid prescriptions that were provided to patients during that year.

SECTION 15. Section 41-137-3, Mississippi Code of 1972, is amended as follows:

41-137-3. For purposes of this chapter, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "Artificially derived cannabinoid" means a chemical substance that is created by a chemical reaction that changes the molecular structure of any chemical substance derived from the plant Cannabis family Cannabaceae. Such term shall not include:

(i) A naturally occurring chemical substance that is separated from the plant Cannabis family Cannabaceae by a chemical or mechanical extraction process;

(ii) Cannabinoids that are produced by decarboxylation from a naturally occurring cannabinoid acid without the use of a chemical catalyst; or

(iii) Any other chemical substance identified by MDOH.

(b) "Allowable amount of medical cannabis" means an amount not to exceed the maximum amount of Mississippi Medical Cannabis Equivalency Units ("MMCEU").

( \* \* \* c ) "Bona fide practitioner-patient relationship" means:

(i) A practitioner and patient have a treatment or consulting relationship, during the course of which the practitioner, within his or her scope of practice, has completed an in-person assessment of the patient's medical history and current mental health and medical condition and has documented their certification in the patient's medical file;

(ii) The practitioner has consulted in person with the patient with respect to the patient's debilitating medical condition; and

(iii) The practitioner is available to or offers to provide follow-up care and treatment to the patient.

( \* \* \* d ) "Cannabis" means all parts of the plant of the genus cannabis, the flower, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or its resin, including whole plant extracts. Such term shall not mean cannabis-derived drug products approved by the federal Food and Drug Administration under Section 505 of the Federal Food, Drug, and Cosmetic Act.

( \* \* \* e ) "Cannabis cultivation facility" means a business entity licensed and registered by the Mississippi Department of Health that acquires, grows, cultivates and harvests medical cannabis in an indoor, enclosed, locked and secure area.

( \* \* \* f ) "Cannabis disposal entity" means a business licensed and registered by the Mississippi Department of Health that is involved in the commercial disposal or destruction of medical cannabis.

( \* \* \* g ) "Cannabis processing facility" means a business entity that is licensed and registered by the Mississippi Department of Health that:

(i) Acquires or intends to acquire cannabis from a cannabis cultivation facility;

(ii) Possesses cannabis with the intent to manufacture a cannabis product;

(iii) Manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and

(iv) Sells or intends to sell a cannabis product to a medical cannabis dispensary, cannabis testing facility or cannabis research facility.

( \*\*h) "Cannabis products" means cannabis flower, concentrated cannabis, cannabis extracts and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes, without limitation, edible cannabis products, beverages, topical products, ointments, oils, tinctures and suppositories that contain tetrahydrocannabinol (THC) and/or cannabidiol (CBD) except those products excluded from control under Sections 41-29-113 and 41-29-136.

( \*\*i) "Cannabis research facility" or "research facility" means a research facility at any university or college in this state or an independent entity licensed and registered by the Mississippi Department of Health pursuant to this chapter that acquires cannabis from cannabis cultivation facilities and cannabis processing facilities in order to research cannabis, develop best practices for specific medical conditions, develop medicines and provide commercial access for medical use.

( \*\*j) "Cannabis testing facility" or "testing facility" means an independent entity licensed and registered by the Mississippi Department of Health that analyzes the safety and potency of cannabis.

( \*\*k) "Cannabis transportation entity" means an independent entity licensed and registered by the Mississippi Department of Health that is involved in the commercial transportation of medical cannabis.

(l) "Cannabis waste" means plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts. This term shall not include seeds, roots, stems and stalks.

(m) "Cannabinoid" means any of the chemical compounds that are the active constituents derived from THC.

( \*\*n) "Canopy" means the total surface area within a cultivation area that is dedicated to the cultivation of flowering cannabis plants. The surface area of the plant canopy must be calculated in square feet and measured and must include all of the area within the boundaries where the cultivation of the flowering cannabis plants occurs. If the surface area of the plant canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used in the cultivation area the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not include the areas within the cultivation area that are used to cultivate immature cannabis plants and seedlings, prior to flowering, and that are not used at any time to cultivate mature cannabis plants.

( \*\*o) "Cardholder" means a registered qualifying patient or a registered designated caregiver who has been issued and possesses a valid registry identification card.

( \*\*p) "Chronic pain" means a pain state in which the cause of the pain cannot be removed or otherwise treated, and which in the generally accepted course of medical practice, no relief or cure of the cause of the pain is possible, or none has been found after reasonable efforts by a practitioner.

( \*\*q) "Concentrate" means a substance obtained by separating cannabinoids from cannabis by:

(i) A mechanical extraction process;

(ii) A chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, food-grade ethanol or steam distillation; or

(iii) A chemical extraction process using the hydrocarbon-based solvent carbon dioxide, provided that the process does not involve the use of high heat or pressure.

( \* \* \*r) "Debilitating medical condition" means:

(i) Cancer, Parkinson's disease, Huntington's disease, muscular dystrophy, glaucoma, spastic quadriplegia, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis, amyotrophic lateral sclerosis (ALS), Crohn's disease, ulcerative colitis, sickle-cell anemia, Alzheimer's disease, agitation of dementia, post-traumatic stress disorder (PTSD), autism, pain refractory to appropriate opioid management, diabetic/peripheral neuropathy, spinal cord disease or severe injury, or the treatment of these conditions;

(ii) A chronic, terminal or debilitating disease or medical condition, or its treatment, that produces one or more of the following: cachexia or wasting syndrome, chronic pain, severe or intractable nausea, seizures, or severe and persistent muscle spasms, including, but not limited to, those characteristic of multiple sclerosis; or

(iii) Any other serious medical condition or its treatment added by the Mississippi Department of Health, as provided for in Section 41-137-17.

( \* \* \*s) "Designated caregiver" means a person who:

(i) Has agreed to assist with a registered qualifying patient's medical use of medical cannabis;

(ii) Assists no more than five (5) registered qualifying patients with their medical use of medical cannabis, unless the designated caregiver's registered qualifying patients each reside in or are admitted to a health care facility or facility providing residential care services or day care services where the designated caregiver is employed;

(iii) Is at least twenty-one (21) years of age unless the person is the parent or legal guardian of each qualifying patient the person assists; and

(iv) Has not been convicted of a disqualifying felony offense.

( \* \* \*t) "Disqualifying felony offense" means:

(i) A conviction for a crime of violence, as defined in Section 97-3-2;

(ii) A conviction for a crime that was defined as a violent crime in the law of the jurisdiction in which the offense was committed, and that was classified as a felony in the jurisdiction where the person was convicted; or

(iii) A conviction for a violation of a state or federal controlled substances law that was classified as a felony in the jurisdiction where the person was convicted, including the service of any term of probation, incarceration or supervised release within the previous five (5) years and the offender has not committed another similar offense since the conviction. Under this subparagraph (iii), a disqualifying felony offense shall not include a conviction that consisted of conduct for which this chapter would likely have prevented the conviction but for the fact that the conduct occurred before February 2, 2022.



( \*\* \*u) "Edible cannabis products" means products that:

- (i) Contain or are infused with cannabis or an extract thereof;
- (ii) Are intended for human consumption by oral ingestion; and
- (iii) Are presented in the form of foodstuffs, beverages, extracts, oils, tinctures, lozenges and other similar products.

( \*\* \*v) "Entity" means a corporation, general partnership, limited partnership or limited liability company that has been registered with the Secretary of State as applicable.

( \*\* \*w) "MMCEU" means Mississippi Medical Cannabis Equivalency Unit. One unit of MMCEU shall be considered equal to:

- (i) Three and one-half (3.5) grams of medical cannabis flower;
- (ii) One (1) gram of medical cannabis concentrate; or
- (iii) One hundred (100) milligrams of THC in an infused product.

( \*\* \*x) "MDOH" means the Mississippi Department of Health.

( \*\* \*y) "MDOR" means the Mississippi Department of Revenue.

( \*\* \*z) "Medical cannabis" means cannabis, cannabis products and edible cannabis that are intended to be used by registered qualifying patients as provided in this chapter.

( \*\* \*aa) "Medical cannabis dispensary" or "dispensary" means an entity licensed and registered with the MDOR that acquires, possesses, stores, transfers, sells, supplies or dispenses medical cannabis, equipment used for medical cannabis, or related supplies and educational materials to cardholders.

( \*\* \*bb) "Medical cannabis establishment" means a cannabis cultivation facility, cannabis processing facility, cannabis testing facility, cannabis dispensary, cannabis transportation entity, cannabis disposal entity or cannabis research facility licensed and registered by the appropriate agency.

( \*\* \*cc) "Medical cannabis establishment agent" means an owner, officer, board member, employee, volunteer or agent of a medical cannabis establishment.

( \*\* \*dd) "Medical use" includes the acquisition, administration, cultivation, processing, delivery, harvest, possession, preparation, transfer, transportation, or use of medical cannabis or equipment relating to the administration of medical cannabis to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition. The term "medical use" does not include:

- (i) The cultivation of cannabis unless the cultivation is done by a cannabis cultivation facility; or
- (ii) The extraction of resin from cannabis by mechanical or chemical extraction unless the extraction is done by a cannabis processing facility.

( \*\* \*ee) "Nonresident cardholder" means a person who:

(i) Has been diagnosed with a debilitating medical condition by a practitioner in his or her respective state or territory, or is the parent, guardian, conservator or other person with authority to consent to the medical use of medical cannabis by a person who has been diagnosed with a debilitating medical condition;

(ii) Is not a resident of Mississippi or who has been a resident of Mississippi for less than forty-five (45) days; and

(iii) Has submitted any documentation required by MDOH rules and regulations and has received confirmation of registration.

( \*\*ff) "Practitioner" means a physician, certified nurse practitioner, physician assistant or optometrist who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and the laws of this state. In relation to a nonresident cardholder, the term means a physician, certified nurse practitioner, physician assistant or optometrist who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and under the laws of the state or territory in which the nonresident patient resides. For registered qualifying patients who are minors, "practitioner" shall mean a physician or doctor of osteopathic medicine who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and the laws of this state.

( \*\*gg) "Public place" means a church or any area to which the general public is invited or in which the general public is permitted, regardless of the ownership of the area, and any area owned or controlled by a municipality, county, state or federal government, including, but not limited to, streets, sidewalks or other forms of public transportation. Such term shall not mean a private residential dwelling.

( \*\*hh) "Qualifying patient" means a person who has been diagnosed by a practitioner as having a debilitating medical condition and has been issued a written certification.

( \*\*ii) "Registry identification card" means a document issued by the MDOH that identifies a person as a registered qualifying patient, nonresident registered qualifying patient or registered designated caregiver.

( \*\*jj) "School" means an institution for the teaching of children, consisting of a physical location, whether owned or leased, including instructional staff members and students, and which is in session each school year. This definition shall include, but not be limited to, public, private, church and parochial programs for kindergarten, elementary, junior high and high schools. Such term shall not mean a home instruction program.

( \*\*kk) "Scope of practice" means the defined parameters of various duties, services or activities that may be provided or performed by a certified nurse practitioner as authorized under Sections 73-15-5 and 73-15-20, by an optometrist as authorized under Section 73-19-1, by a physician as authorized under Section 73-25-33, or by a physician assistant under Section 73-26-5, and rules and regulations adopted by the respective licensing boards for those practitioners.

( \*\*ll) "THC" or "Tetrahydrocannabinol" means any and all forms of tetrahydrocannabinol that are contained naturally in the cannabis plant, as well as synthesized forms of THC and derived variations, derivatives, isomers and allotropes that have similar molecular and physiological characteristics of tetrahydrocannabinol, including, but not limited to, THCA, THC Delta 9, THC Delta 8, THC Delta 10 and THC Delta 6.

( \*\*mm) "Written certification" means a form approved by the MDOH, signed and dated by a practitioner, certifying that a person has a debilitating medical condition. A written certification shall include the following:

- recommendation;
- (i) The date of issue and the effective date of the recommendation;
  - (ii) The patient's name, date of birth and address;
  - (iii) The practitioner's name, address, and federal Drug Enforcement Agency number; and
  - (iv) The practitioner's signature.

SECTION 16. Section 41-137-57, Mississippi Code of 1972, is amended as follows:

41-137-57. (1) The cultivation, processing, sale and distribution of medical cannabis and cannabis products, as performed in accordance to the provisions of this chapter, shall be legal in every county and municipality of this state unless a county or municipality opts out through a vote by the board of supervisors of the county or governing authorities of the municipality, as applicable, within ninety (90) days after February 2, 2022. The governing authorities of the municipality or the board of supervisors of the county, as applicable, shall provide a notice in accordance with the Open Meetings Act (Section 25-41-1 et seq.) of its intent of holding a vote regarding opting out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable. The governing authorities of the municipality or the board of supervisors of the county, as applicable, may opt out of allowing one or more of the following: cultivation, processing, sale or distribution of medical cannabis and cannabis products. The governing authorities of a municipality, by a vote entered upon their minutes, may opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the municipality. The board of supervisors of a county, by a vote entered upon its minutes, may opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county.

(2) If the board of supervisors of a county or the governing authorities of a municipality do not opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, within ninety (90) days after February 2, 2022, then no vote by the board of supervisors or governing authorities, as applicable, may be held to so opt out, and the provisions of this chapter shall remain applicable and operative in the county or municipality, as applicable. If the board of supervisors of a county or governing authorities of a municipality have opted out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, then the board of supervisors or governing authorities of a municipality may later opt in regarding the same through a vote by the board of supervisors or governing authorities, as applicable, entered upon its or their minutes, or an election duly held according to subsection (3) or (4) of this section, as applicable.

(3) (a) Upon presentation and filing of a proper petition requesting that the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, be legal in the unincorporated areas of the county signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the county, it shall be the duty of the board of supervisors to call an election at which there shall be submitted to the qualified electors of the county the question of whether or not the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, shall be legal in the unincorporated areas of such county as provided in this chapter. Such election shall be held and conducted by the county election commissioners on a date fixed by the order of the board of supervisors, which date shall not be more than sixty (60) days from the date of the filing of the petition. Notice thereof shall be given by publishing such notice once each week for at least three (3) consecutive weeks in some newspaper published in the county or if no newspaper be

published therein, by such publication in a newspaper in an adjoining county and having a general circulation in the county involved. The election shall be held not earlier than fifteen (15) days from the first publication of such notice.

(b) The election shall be held and conducted as far as may be possible in the same manner as is provided by law for the holding of general elections. The ballots used at the election shall contain a brief statement of the proposition submitted and, on separate lines, the words "I vote FOR allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of \_\_\_\_\_ [Name of County] ( )" or "I vote AGAINST allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of \_\_\_\_\_ [Name of County] ( )" with appropriate boxes in which the voters may express their choice. All qualified electors may vote by marking the ballot with a cross (x) or check (✓) mark opposite the words of their choice.

(c) The election commissioners shall canvass and determine the results of the election and shall certify the same to the board of supervisors which shall adopt and spread upon its minutes an order declaring such results. If, in such election, a majority of the qualified electors participating therein vote in favor of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county, this chapter shall be applicable and operative in the unincorporated areas of such county, and the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county shall be lawful to the extent and in the manner permitted in this chapter. If, on the other hand, a majority of the qualified electors participating in the election vote against allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, then it shall be illegal to cultivate, process, sell and/or distribute medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county. In either case, no further election shall be held in the county under the provisions of this section for a period of two (2) years from the date of the prior election and then only upon the filing of a petition requesting same signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the county as provided in this section.

(4) (a) Upon presentation and filing of a proper petition requesting that the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, be legal in the municipality signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the municipality, it shall be the duty of the governing authorities of the municipality to call an election at which there shall be submitted to the qualified electors of the municipality the question of whether or not the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, shall be legal in the municipality as provided in this chapter. Such election shall be held and conducted on a date fixed by the order of the governing authorities of the municipality, which date shall not be more than sixty (60) days from the date of the filing of the petition. Notice thereof shall be given by publishing such notice once each week for at least three (3) consecutive weeks in some newspaper published in the municipality or if no newspaper be published therein, by such publication in a newspaper having a general circulation in the municipality involved. The election shall be held not earlier than fifteen (15) days from the first publication of such notice.

(b) The election shall be held and conducted as far as may be possible in the same manner as is provided by law for the holding of municipal elections. The ballots used at the election shall contain a brief statement of the proposition submitted and, on separate lines, the words "I vote FOR allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in \_\_\_\_\_ [Name of Municipality] ( )" or "I vote AGAINST allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in \_\_\_\_\_

[Name of Municipality] ( ) with appropriate boxes in which the voters may express their choice. All qualified electors may vote by marking the ballot with a cross (x) or check (✓) mark opposite the words of their choice.

(c) The election commissioners shall canvass and determine the results of the election and shall certify the same to the governing authorities which shall adopt and spread upon their minutes an order declaring such results. If, in such election, a majority of the qualified electors participating therein vote in favor of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, this chapter shall be applicable and operative in such municipality and the cultivation, processing, sale, and/or distribution of medical cannabis and cannabis products, as applicable, therein shall be lawful to the extent and in the manner permitted in this chapter. If, on the other hand, a majority of the qualified electors participating in the election vote against allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, then it shall be illegal to cultivate, process, sell and/or distribute medical cannabis and cannabis products, as applicable, in the municipality. In either case, no further election shall be held in the municipality under the provisions of this section for a period of two (2) years from the date of the prior election and then only upon the filing of a petition requesting same signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the municipality as provided in this section.

(5) Regardless of whether a county or municipality opts out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, cardholders, cannabis testing facilities, cannabis research facilities, cannabis transportation entities and cannabis disposal entities may possess medical cannabis in the municipality or county if done in accordance with this chapter.

(6) (a) If a municipality that has opted out under this section annexes a geographic area which contains a licensed entity operating under the provisions of this chapter, then the licensed entity may continue its operation in that municipality's newly annexed geographic area.

(b) If a licensed entity operating under the provisions of this chapter is located in a municipality that contracts its corporate boundaries thereby causing the geographic area in which the licensed entity is located to no longer be in the municipality and instead in an unincorporated area of a county that has opted out under this section, then the licensed entity may continue its operation in that area of the county.

(7) In any county or municipality in which real property is owned, leased or otherwise controlled by a waterway district or water management district created in Title 51, Mississippi Code of 1972, the decision of the county or municipality to opt out or opt in as provided in this section shall be binding on all real property in such district. The ordinances of a county or municipality related to the provisions of this chapter shall be applicable to all real property within the boundaries of the county or municipality in such district.

SECTION 17. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-137-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A PRACTITIONER TO ASSIST A PATIENT IN REGISTERING FOR A REGISTRY IDENTIFICATION CARD WITH THE DEPARTMENT OF HEALTH AFTER THE PRACTITIONER HAS ISSUED A WRITTEN CERTIFICATION TO THE PATIENT; TO PROVIDE THAT THE REQUIREMENTS OF THIS SECTION SHALL NOT APPLY TO A PERSON WHO IS AUTHORIZED TO PURCHASE TOPICAL CANNABIS, AND SUCH

PERSONS MAY POSSESS AND USE SUCH PRODUCTS WITHOUT BEING IN VIOLATION OF THIS CHAPTER; TO PROHIBIT ANY STATE AGENCY, DEPARTMENT, POLITICAL SUBDIVISION OR BOARD FROM REQUIRING A PRACTITIONER TO REQUIRE A PATIENT TO SUBMIT TO A DRUG TEST AS A CONDITION TO RECEIVING A CERTIFICATION FOR A REGISTRY IDENTIFICATION CARD; TO PROVIDE THAT A PRACTITIONER SHALL NOT BE REQUIRED TO HAVE ANY ADDITIONAL QUALIFICATIONS TO BE AUTHORIZED TO CERTIFY A QUALIFYING PATIENT FOR A REGISTRY IDENTIFICATION CARD; TO PROVIDE THAT A PRACTITIONER SHALL NOT BE REQUIRED TO BE REGISTERED TO CERTIFY PATIENTS WITH ANY STATE AGENCY OR BOARD OTHER THAN THE MDOH; TO PROVIDE THAT QUALIFYING PATIENTS MAY MAKE A FOLLOW-UP VISIT WITH A DIFFERENT PRACTITIONER THAN THE PRACTITIONER WHO ORIGINALLY ISSUED THEIR WRITTEN CERTIFICATION, PROVIDED THAT SUCH PRACTITIONER IS OTHERWISE REGISTERED AND ACTING WITHIN THEIR SCOPE OF PRACTICE AND THE PROVISIONS OF THE LAW; TO AMEND SECTION 41-137-23, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A MEDICAL CANNABIS WRITTEN CERTIFICATION ISSUED BY A PRACTITIONER SHALL BE VALID FOR THE SIX MONTHS IMMEDIATELY PRECEDING THE DATE OF APPLICATION; TO AMEND SECTION 41-137-35, MISSISSIPPI CODE OF 1972, TO CAP THE CANNABIS CULTIVATION FACILITY TIER 6 TO NOT MORE THAN 150,000 SQUARE FEET; TO PROVIDE THAT A PRACTITIONER MAY HAVE AN OWNERSHIP INTEREST IN A MEDICAL CANNABIS ESTABLISHMENT, BUT SHALL NOT ISSUE WRITTEN CERTIFICATIONS TO PATIENTS OR REFER PATIENTS TO A FACILITY IN WHICH HE OR SHE HAS AN OWNERSHIP INTEREST; TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, TO REQUIRE A PROSPECTIVE EMPLOYEE TO UNDERGO A FINGERPRINT-BASED BACKGROUND CHECK BY THE DEPARTMENT OF PUBLIC SAFETY; TO REQUIRE A SUBSEQUENT BACKGROUND CHECK TO BE CONDUCTED ON PROSPECTIVE EMPLOYEES IF THEY DO NOT START EMPLOYMENT WITH AN ENTITY FOR SIX MONTHS; TO AUTHORIZE ANY TOPICAL CANNABIS PRODUCT THAT IS PURCHASED BY A DISPENSARY FROM A LICENSED PROCESSOR, AND THAT IS NOT INGESTED BY THE LIVER, TO BE SOLD TO A CARDHOLDER OR ANY PERSON OVER THE AGE OF TWENTY-ONE WHO IS NOT A CARDHOLDER; TO AMEND SECTION 41-137-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DISPENSARY WEBSITES TO DISPLAY PICTURES OF THE PRODUCTS THAT THE DISPENSARY SELLS; TO PROHIBIT A STATE AGENCY OR BOARD FROM IMPLEMENTING ANY RULE, REGULATION, POLICY OR REQUIREMENT THAT IS CONTRARY TO THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 41-137-47, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LICENSING AGENCIES TO DENY THE APPLICATION OF ANY APPLICANT WHO FAILS TO MEET THE QUALIFICATIONS FOR OBTAINING SUCH LICENSE; TO ESTABLISH CERTAIN APPEAL PROCEDURES FOR DENIALS; TO PROVIDE THAT ANY INVESTIGATION, FINE, SUSPENSION OR REVOCATION BY A LICENSING AGENCY UNDER THIS SECTION SHALL BE CONSIDERED CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 41-137-49, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ADDRESSES OF PROSPECTIVE AND LICENSED MEDICAL CANNABIS ESTABLISHMENTS SHALL BE CONSIDERED CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 41-137-59, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE JUDICIAL REVIEW OF AN APPEAL FROM A FINAL DECISION OR ORDER OF AN AGENCY UNDER THE PROVISIONS OF THE MEDICAL CANNABIS ACT SHALL BE BASED ON THE RECORD MADE BEFORE THE AGENCY; TO AMEND SECTION 41-137-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL FOR THE MEDICAL CANNABIS ADVISORY COMMITTEE; TO AMEND SECTION 41-29-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTROLLED SUBSTANCES AND RAW MATERIALS WHICH HAVE BEEN USED IN VIOLATION OF THE MEDICAL CANNABIS ACT MAY BE SUBJECT TO FORFEITURE; TO EMPOWER LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF REVENUE OR MISSISSIPPI DEPARTMENT OF HEALTH ACTING WITH THEIR DUTIES IN

ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT TO SEIZE SUCH SUBJECTS; TO AMEND SECTION 41-29-154, MISSISSIPPI CODE OF 1972, TO EMPOWER LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF REVENUE OR MISSISSIPPI DEPARTMENT OF HEALTH ACTING WITH THEIR DUTIES IN ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT TO DESTROY ANY CONTROLLED SUBSTANCES OR PARAPHERNALIA SEIZED UNDER THEIR AUTHORITY; TO AMEND SECTION 25-53-1, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL THAT ALLOWS AN EXEMPTION TO ITS OVERSIGHT FOR THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL THAT ALLOWS AN EXEMPTION TO ITS PROCUREMENT PROCEDURES FOR THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO CREATE NEW SECTION 73-21-127.1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE PRESCRIPTION MONITORING PROGRAM TO ISSUE AN ANNUAL REPORT TO THE LEGISLATURE THAT INDICATES THE NUMBER OF OPIOID PRESCRIPTIONS THAT WERE PROVIDED TO PATIENTS DURING THAT YEAR; TO AMEND SECTION 41-137-3, MISSISSIPPI CODE OF 1972, TO ADD THE DEFINITION OF THE TERMS ARTIFICIALLY DERIVED CANNABINOID, CANNABINOID AND CANNABIS WASTE; TO AMEND SECTION 41-137-57, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN ANY COUNTY OR MUNICIPALITY IN WHICH REAL PROPERTY IS OWNED, LEASED OR OTHERWISE CONTROLLED BY A WATERWAY DISTRICT OR WATER MANAGEMENT DISTRICT CREATED IN TITLE 51, MISSISSIPPI CODE OF 1972, THE DECISION OF THE COUNTY OR MUNICIPALITY TO OPT OUT OR OPT IN OF ALLOWING MEDICAL CANNABIS ENTITIES SHALL BE BINDING ON ALL REAL PROPERTY IN SUCH DISTRICT; TO PROVIDE THAT THE ORDINANCES OF A COUNTY OR MUNICIPALITY RELATED TO THE PROVISIONS THE MEDICAL CANNABIS LAW SHALL BE APPLICABLE TO ALL REAL PROPERTY WITHIN THE BOUNDARIES OF THE COUNTY OR MUNICIPALITY IN SUCH DISTRICT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1158 failed.

Senator Blackwell offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-137-5, Mississippi Code of 1972, is amended as follows:

41-137-5. (1) No person shall be authorized to use medical cannabis in this state unless the person (a) has been diagnosed by a practitioner, with whom the person has a bona fide practitioner-patient relationship within his or her scope of practice, as having a debilitating medical condition for which the practitioner believes, in his or her professional opinion, that the person would likely receive medical or palliative benefit from the medical use of medical cannabis to treat or alleviate the person's debilitating medical condition or symptoms associated with the person's debilitating medical condition, (b) has received a written certification of that diagnosis from the practitioner, and (c) has been issued a registry identification card from the MDOH under Section 41-137-23. A person who has been diagnosed by a practitioner as specified in paragraph (a) of this subsection shall be a qualifying patient, and the practitioner who has diagnosed the patient shall document

that diagnosis with a written certification. However, nothing herein shall require a practitioner to issue a written certification.

(2) A written certification shall:

(a) Affirm that it is made in the course of a bona fide practitioner-patient relationship;

(b) Remain current for twelve (12) months, unless the practitioner specifies a shorter period of time;

(c) Be issued only after an in-person assessment of the patient by a practitioner;

(d) Only be issued on behalf of a minor when the minor's parent or guardian is present and provides signed consent; and

(e) Be limited to the allowable amount of cannabis in a thirty-day period..

(3) No state agency, department, political subdivision or board shall require a practitioner to require a patient to submit to a drug test as a condition to receiving a certification for a registry identification card. However, a practitioner may require a drug test from a patient that is within his or her scope of practice.

(4) After a practitioner has issued a written certification to a qualifying patient, a practitioner may assist the patient in registering for a registry identification card with the Department of Health, in a manner provided by regulations of the Department of Health.

( \*\* \*5) After a qualifying patient receives a written certification from a practitioner, the patient shall be required to make a follow-up visit with the practitioner not less than six (6) months after the date of issuance of the certification for the practitioner to evaluate and determine the effectiveness of the patient's medical use of medical cannabis to treat or alleviate the patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition. Qualifying patients may make a follow-up visit with a different practitioner than the practitioner who originally issued their written certification, provided that such practitioner is otherwise registered and acting within their scope of practice and the provisions of this chapter.

( \*\* \*6) Before dispensing medical cannabis to a cardholder, the dispensary from which the cardholder is obtaining medical cannabis shall verify the identity of the cardholder and the authority of the cardholder to use medical cannabis as provided in Section 41-137-39 and shall determine the maximum amount of medical cannabis that a cardholder is eligible to receive and the amount of medical cannabis that the cardholder has received from all dispensaries during a specified period of time using the statewide seed-to-sale tracking system under Section 41-137-11.

( \*\* \*7) (a) A practitioner shall be registered to issue written certifications to qualifying patients by completing the required application process as set forth by the MDOH. The MDOH shall require a practitioner to complete a minimum of eight (8) hours of continuing education in medical cannabis in order to issue written certifications. After the first year of registration, these practitioners shall complete five (5) hours of continuing education in medical cannabis annually to maintain this registration.

(b) A practitioner shall not be required to have any additional qualifications to be authorized to certify a qualifying patient for a registry identification card, other than such requirements for practitioners as provided under the Mississippi Medical Cannabis Act.



(c) A practitioner shall not be required to be registered to certify patients with any state agency or board other than the MDOH.

( \*\* \*8) Only physicians and doctors of osteopathic medicine may issue written certifications to registered qualifying patients who are minors.

(9) The requirements of this section shall not apply to a person who is authorized to purchase topical cannabis provided under Section 41-137-39(22), and such persons may possess and use such products without being in violation of this chapter.

SECTION 2. Section 41-137-23, Mississippi Code of 1972, is amended as follows:

41-137-23. (1) No later than one hundred twenty (120) days after February 2, 2022, the MDOH shall begin issuing registry identification cards to qualifying patients who submit the following:

(a) A written certification issued by a practitioner within \* \* \* six (6) months immediately preceding the date of the application;

(b) The application or renewal fee;

(c) The name, address, social security number, and date of birth of the qualifying patient;

(d) The name, address, and telephone number of the qualifying patient's practitioner issuing the written certification;

(e) The name, address, social security number, and date of birth of the designated caregiver, or designated caregivers, chosen by the qualifying patient; and

(f) If more than one (1) designated caregiver is designated at any given time, documentation demonstrating that a greater number of designated caregivers is needed due to the patient's age or medical condition.

(2) If the qualifying patient is unable to submit the information required by subsection (1) of this section due to the person's age or medical condition, the person responsible for making medical decisions for the qualifying patient may do so on behalf of the qualifying patient.

(3) Except as provided in subsection (5) of this section, the MDOH shall:

(a) Verify the information contained in an application or renewal submitted under this section and approve or deny an application or renewal within \* \* \* ten (10) days of receiving a completed application or renewal application; and

(b) Issue registry identification cards to a qualifying patient and his or her designated caregiver(s), if any, within five (5) days of approving the application or renewal. A designated caregiver must have a registry identification card for each of his or her qualifying patients.

(4) \* \* \* (a) The MDOH shall require criminal background checks in order to carry out this section.

(b) The MDOH shall require that the prospective designated caregiver or caregiver's applicant apply for or authorize the division to obtain state and national criminal background checks to be conducted by the Mississippi Justice Information Center of the Department of Public Safety and the Federal Bureau of Investigation.

(c) Such criminal background checks shall conform to the applicable federal standards, and shall include the taking of fingerprints.

(d) The applicant shall authorize the release of such criminal background checks to the MDOH, and shall be responsible for the payment of any fee associated with the criminal background checks.

(e) Upon completion of such criminal background checks, the Mississippi Justice Information Center of the Department of Public Safety shall forward to the MDOH all information obtained concerning the applicant.

(5) The MDOH shall not issue a registry identification card to a qualifying patient who is younger than eighteen (18) years of age, unless:

(a) The qualifying patient's practitioner has explained the potential risks and benefits of the medical use of medical cannabis to the custodial parent or legal guardian with responsibility for health care decisions for the qualifying patient; and

(b) The custodial parent or legal guardian with responsibility for health care decisions for the qualifying patient consents in writing to:

(i) Acknowledge the potential harms related to the use of medical cannabis;

(ii) Allow the qualifying patient's medical use of medical cannabis;

(iii) Serve as the qualifying patient's designated caregiver; and

(iv) Control the acquisition of the medical cannabis, the dosage and the frequency of the use of medical cannabis by the qualifying patient.

(6) If a designated caregiver is an entity licensed to provide health care services, residential care services or day care services, then:

(a) The MDOH may provide a single registry identification card to the entity, regardless of the number of registered qualifying patients the entity serves; and

(b) The MDOH may issue individual registry identification cards for employees of the entity that may transport medical cannabis.

(7) The MDOH shall provide an electronic or physical list of registered qualifying patients who have designated the entity as their caregiver. This list shall be updated with each additional designation.

(8) The MDOH may deny an application or renewal of a qualifying patient's registry identification card only if the applicant:

(a) Did not provide the required information or materials;

(b) Previously had a registry identification card revoked;

(c) Provided false information; or

(d) Failed to meet the other requirements of this chapter.

(9) The MDOH may deny an application or renewal for a designated caregiver chosen by a qualifying patient whose registry identification card was granted only if the applicant:

41-137-3; (a) Does not meet the definition of "designated caregiver" under Section

(b) Did not provide the information required;

(c) Previously had a registry identification card revoked;

(d) Provided false information;

(e) Is younger than twenty-one (21) years of age and is not the parent or legal guardian of the qualifying patient who the designated caregiver would assist; or

(f) Failed to meet the other requirements of this chapter.

(10) The MDOH shall give written notice to the qualifying patient of the reason for denying a registry identification card to the qualifying patient or to the qualifying patient's designated caregiver.

(11) Denial of an application or renewal is considered a final MDOH action, subject to judicial review in accordance with Section 41-137-59.

SECTION 3. Section 41-137-35, Mississippi Code of 1972, is amended as follows:

41-137-35. (1) The MDOH shall issue licenses for cannabis cultivation facilities, cannabis processing facilities, cannabis transportation entities, cannabis disposal entities, cannabis research facilities and cannabis testing facilities. The MDOR shall issue licenses for medical cannabis dispensaries.

(2) The cannabis cultivation facility license application fee shall be subject to the following tiers:

(a) Micro-cultivators.

(i) Tier 1. A cannabis cultivation facility with a canopy of one thousand (1,000) square feet or less shall be subject to a one-time nonrefundable license application fee of One Thousand Five Hundred Dollars (\$1,500.00). The annual license fee shall be a nonrefundable fee of Two Thousand Dollars (\$2,000.00).

(ii) Tier 2. A cannabis cultivation facility with a canopy of more than one thousand (1,000) square feet but not more than two thousand (2,000) square feet shall be subject to a one-time nonrefundable license application fee of Two Thousand Five Hundred Dollars (\$2,500.00). The annual license fee shall be a nonrefundable fee of Three Thousand Five Hundred Dollars (\$3,500.00).

(b) Cultivators.

(i) Tier 1. A cannabis cultivation facility with a canopy of not less than two thousand (2,000) square feet but not more than five thousand (5,000) square feet shall be subject to a one-time nonrefundable license application fee of Five Thousand Dollars (\$5,000.00). The annual license fee shall be a nonrefundable fee of Fifteen Thousand Dollars (\$15,000.00).

(ii) Tier 2. A cannabis cultivation facility with a canopy of not less than five thousand (5,000) square feet but not more than fifteen thousand (15,000) square feet shall be subject to a one-time nonrefundable license application fee of Ten Thousand Dollars (\$10,000.00). The annual license fee shall be a nonrefundable fee of Twenty-five Thousand Dollars (\$25,000.00).

(iii) Tier 3. A cannabis cultivation facility with a canopy of not less than fifteen thousand (15,000) square feet but not more than thirty thousand (30,000) square feet shall be subject to a one-time nonrefundable license application fee of Twenty Thousand Dollars (\$20,000.00). The annual license fee shall be a nonrefundable fee of Fifty Thousand Dollars (\$50,000.00).

(iv) Tier 4. A cannabis cultivation facility with a canopy of not less than thirty thousand (30,000) square feet but not more than sixty thousand (60,000) square feet shall be subject to a one-time nonrefundable license application fee of Thirty Thousand Dollars (\$30,000.00). The annual license fee shall be a nonrefundable fee of Seventy-five Thousand Dollars (\$75,000.00).

(v) Tier 5. A cannabis cultivation facility with a canopy of not less than sixty thousand (60,000) square feet but not more than one hundred thousand (100,000) square feet shall be subject to a one-time nonrefundable license application fee of Forty Thousand Dollars (\$40,000.00). The annual license fee shall be a nonrefundable fee of One Hundred Thousand Dollars (\$100,000.00).

(vi) Tier 6. A cannabis cultivation facility with a canopy of not less than one hundred thousand (100,000) square feet \* \* \* but not more than one hundred fifty thousand (150,000) square feet shall be subject to a one-time nonrefundable license application fee of Sixty Thousand Dollars (\$60,000.00). The annual license fee shall be a nonrefundable fee of One Hundred Fifty Thousand Dollars (\$150,000.00). Tier 6 cannabis cultivation facilities shall have not more than two (2) locations; however, the total canopy space of both locations combined may not exceed one hundred fifty thousand (150,000) square feet.

(3) The cannabis processing facility license application fee shall be subject to the following tiers:

(a) Micro-processors.

(i) Tier 1. A cannabis processing facility which processes less than two thousand (2,000) pounds of dried biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Two Thousand Dollars (\$2,000.00). The annual license fee shall be a nonrefundable fee of Three Thousand Five Hundred Dollars (\$3,500.00).

(ii) Tier 2. A cannabis processing facility which processes not less than two thousand (2,000) pounds but less than three thousand (3,000) pounds of dried biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Two Thousand Five Hundred Dollars (\$2,500.00). The annual license fee shall be a nonrefundable fee of Five Thousand Dollars (\$5,000.00).

(b) Processors. A cannabis processing facility which processes not less than three thousand (3,000) pounds of biomass cannabis material annually shall be subject to a one-time nonrefundable license application fee of Fifteen Thousand Dollars (\$15,000.00). The annual license fee shall be a nonrefundable fee of Twenty Thousand Dollars (\$20,000.00).

(4) A medical cannabis dispensary shall be subject to a one-time nonrefundable license application fee of Fifteen Thousand Dollars (\$15,000.00). The annual license fee shall be a nonrefundable fee of Twenty-five Thousand Dollars (\$25,000.00).

(5) Cannabis transportation entities shall be subject to a one-time nonrefundable application fee of Five Thousand Dollars (\$5,000.00). The annual license fee shall be a nonrefundable fee of Seven Thousand Five Hundred Dollars (\$7,500.00).

(6) Cannabis disposal entities shall be subject to a one-time nonrefundable application fee of Five Thousand Dollars (\$5,000.00). The annual license fee shall be a nonrefundable fee of Seven Thousand Five Hundred Dollars (\$7,500.00).

(7) Cannabis testing facilities shall be subject to a one-time nonrefundable application fee of Ten Thousand Dollars (\$10,000.00) and an annual license fee of Fifteen Thousand Dollars (\$15,000.00). \* \* \* An individual or business entity that has a direct or indirect ownership or economic interest in a licensed cannabis testing facility may also have a direct or indirect ownership or economic interest in a licensed medical cannabis transportation entity. A cannabis testing facility may enter into an agreement for the transportation of medical cannabis by a licensed medical cannabis transportation entity. MDOH may contract with a private laboratory for the purpose of conducting compliance testing oversight of medical cannabis testing facilities licensed in the state. Any such laboratory under contract for compliance testing oversight shall be prohibited from conducting any other commercial medical cannabis testing in this state.

(8) Cannabis research facilities shall be subject to a one-time nonrefundable application fee of Ten Thousand Dollars (\$10,000.00) and an annual license fee of Fifteen Thousand Dollars (\$15,000.00). A research facility at any university or college in this state shall be exempt from all fees imposed under this section.

(9) No individual or business entity shall have a direct or indirect ownership or economic interest of greater than ten percent (10%) in:

- (a) More than one (1) cannabis cultivation facility license;
- (b) More than one (1) cannabis processing facility license; and
- (c) More than five (5) medical cannabis dispensary licenses.

(10) Minimum qualifications for applicants for a cannabis cultivation facility, a cannabis processing facility, a medical cannabis dispensary, a medical cannabis transportation entity or a medical cannabis disposal entity license(s) are as follows:

(a) An individual applicant for a cannabis cultivation facility, cannabis processing facility, medical cannabis dispensary, medical cannabis transportation entity or medical cannabis disposal license shall be a natural person who:

- (i) Is at least twenty-one (21) years of age;
- (ii) Has not previously held a license for a cannabis cultivation facility, cannabis processing facility, medical cannabis dispensary, medical cannabis transportation entity or medical cannabis disposal entity that has been revoked;
- (iii) Has not been convicted of a disqualifying felony offense;
- (iv) If possessing a professional or occupational license, that the license is in good standing;
- (v) Has submitted a sworn statement indicating that he or she is a true and actual owner of the entity for which the license is desired, and that he or she intends to carry on the business authorized for himself or herself and the entity and not as the agent for any other entity.
- (vi) Has no outstanding tax delinquencies owed to the State of Mississippi;
- (vii) Is not serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022;

(viii) Is not the spouse of a person serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

(b) If the applicant is applying on behalf of an entity, in addition to paragraph (a) of this subsection, the individual applicant shall:

(i) Be legally authorized to submit an application on behalf of the entity;

(ii) Serve as the primary point of contact with the MDOR and MDOH;

(iii) Submit sufficient proof that the entity has no owner, board member, officer, or anyone with an economic interest in the entity who:

1. Is under the age of twenty-one (21);

2. Has previously been an owner of a medical cannabis dispensary, cannabis cultivation facility, a cannabis processing facility, medical cannabis transportation entity or medical cannabis disposal entity that has had its license revoked;

3. Has been convicted of a disqualifying felony offense;

4. Owes delinquent taxes to the State of Mississippi;

5. Is serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

6. Is the spouse of a person serving as a member of the Mississippi Senate or Mississippi House of Representatives through December 31, 2022; and

(iv) Submit sufficient proof that if an owner, board member, officer or anyone with an economic interest in the entity has or had a professional or occupational license, that the license is in good standing.

(11) Applicants for cannabis cultivation facility licenses and cannabis processing facility licenses shall both meet the minimum qualifications in subsection (10) of this section and shall also submit sufficient proof of the following:

(a) If a natural person, proof that the person has been a resident of the State of Mississippi and a citizen of the United States of America for at least three (3) years prior to the application date; or

(b) If a business entity, proof that at least thirty-five percent (35%) of the equity ownership interests in the entity are held by individuals who have been residents of the State of Mississippi and citizens of the United States of America for at least three (3) consecutive years prior to the application date.

This subsection (11) shall stand repealed on December 31, 2022.

(12) A micro-cultivator or a micro-processor shall both meet the minimum qualifications in subsection (10) of this section and shall also submit sufficient proof of the following:

(a) If a natural person, proof that the person has been a resident of the State of Mississippi and a citizen of the United States of America for at least three (3) years prior to the application date; or

(b) If a business entity, provide proof that:

(i) It was registered as an entity with the Secretary of State in Mississippi; and

(ii) One-hundred percent (100%) of the equity ownership interests in the entity are held by individuals who have been residents of the State of Mississippi and citizens of the United States of America for at least three (3) consecutive years prior to the application date.

(13) For purposes of this section, it shall be sufficient to prove Mississippi residency for the individual(s) to submit two (2) of the following source documents:

(a) Mississippi Tax Return Form 80-105 or Form 80-205 for each of the three (3) years preceding the application without schedules, worksheets, or attachments, and redacted to remove all financial information and all but the last four (4) digits of the individual's social security number for the three (3) years preceding the application;

(b) Ownership, lease, or rental documents for place of primary domicile for the three (3) years preceding the application;

(c) Billing statements, including utility bills for the three (3) years preceding the application; or

(d) Vehicle registration for the three (3) years preceding the application.

(14) Ownership in a cannabis cultivation facility license, cannabis processing facility license or a medical cannabis dispensary license or investment in a business that supports or benefits from such a license shall not disqualify or otherwise negatively impact the license or finding of suitability of such owner who is otherwise engaged in any other form of business operation in the state, if such business requires the owner to hold a license or be found suitable under state law.

(15) Any business or state entity applying for registration as a medical cannabis establishment must meet all the requirements specified in this chapter.

(16) A prospective medical cannabis establishment shall submit all of the following:

(a) An application, including:

(i) The legal name of the prospective medical cannabis establishment;

(ii) The physical address of the prospective medical cannabis establishment, which shall not be within one thousand (1,000) feet of the nearest property boundary line of a school, church or child care facility which exists or has acquired necessary real property for the operation of such facility before the date of the medical cannabis establishment application unless the entity has received approval from the school, church or child care facility and received the applicable waiver from their licensing agency, provided that the main point of entry of the cannabis establishment is not located within five hundred (500) feet of the nearest property boundary line of any school, church or child care facility;

(iii) The name of each principal officer and board member of the proposed medical cannabis establishment; and

(iv) Any additional information requested by the MDOR and MDOH.

(b) Operating procedures consistent with rules and regulations for oversight of the proposed medical cannabis establishment, including procedures to ensure accurate record keeping and adequate security measures.

(c) If the municipality or county where the proposed medical cannabis establishment would be located has enacted zoning restrictions, a sworn statement certifying that the proposed medical cannabis establishment is in compliance with the restrictions.

(d) If the municipality or county where the proposed medical cannabis establishment would be located requires a local registration, license or permit, then proof of receiving such registration, license or permit.

(e) If the application is on behalf of an entity, verification that none of the principal officers or board members have served as a principal officer or board member for a medical cannabis establishment that has had its license revoked.

(f) If the application is on behalf of an entity, verification that none of the principal officers or board members is under twenty-one (21) years of age.

(17) If a dispensary license is issued to an applicant that is still constructing the licensed premises, the applicant must complete construction and fulfill all obligations required by the Department of Revenue to open for business within eighteen (18) months, or the license shall be revoked.

( \*\* \*18) The MDOR and MDOH shall issue a renewal registration certificate within ten (10) days of receipt of the prescribed renewal application and renewal fee from a medical cannabis establishment if its license is not under suspension and has not been revoked.

( \*\* \*19) A licensing agency shall require disclosure only of persons, entities or affiliated entities who directly or indirectly own ten percent (10%) or more of a medical cannabis establishment issued a license by the licensing agency.

( \*\* \*20) Otherwise eligible applicants for licenses to operate as medical cannabis establishments under this chapter shall not be disqualified from receipt of a license based on:

(a) Their location on Mississippi Choctaw Indian Reservation Lands; or

(b) The involvement of the Mississippi Band of Choctaw Indians or any entity owned or operated by the Mississippi Band of Choctaw Indians as an owner or co-owner of such license, provided that such license shall be subject to revocation for material noncompliance with this chapter on the same basis as any other license.

( \*\* \*21) A cannabis processing facility that produces edible cannabis products shall hold a permit to operate as a food establishment and shall comply with all applicable requirements for food establishments as set by the MDOH.

( \*\* \*22) \* \* \* Any cannabis that contains less than three tenths percent (.3%) THC that was addressed by the 2018 Farm Bill, Public Law No. 115-334, shall be exempt from regulations applicable to medical cannabis establishments licensed under this chapter.

SECTION 4. Section 41-137-39, Mississippi Code of 1972, is amended as follows:

41-137-39. (1) \* \* \* (a) Medical cannabis establishments shall conduct a background check into the criminal history of every person seeking to become a principal officer, board member, agent, volunteer, or employee before the person begins working at or for the medical cannabis establishment.



(b) Every person seeking to become a principal officer, board member, agent, volunteer, or employee shall apply for or authorize the division to obtain state and national criminal background checks to be conducted by the Mississippi Justice Information Center of the Department of Public Safety and the Federal Bureau of Investigation.

(c) Such criminal background checks shall conform to the applicable federal standards, and shall include the taking of fingerprints.

(d) The applicant shall authorize the release of such criminal background checks to the MDOH, and shall be responsible for the payment of any fee associated with the criminal background checks.

(e) Upon completion of such criminal background checks, the Mississippi Justice Information Center of the Department of Public Safety shall forward to the MDOH all information obtained concerning the applicant.

(2) A medical cannabis establishment may not employ any person who:

(a) Was convicted of a disqualifying felony offense; or

(b) Is under twenty-one (21) years of age.

(3) The operating documents of a medical cannabis establishment must include procedures for the oversight of the medical cannabis establishment and procedures to ensure accurate record keeping and adequate security measures.

(4) A medical cannabis establishment shall implement appropriate security measures designed to deter and prevent the theft of medical cannabis and unauthorized entrance into areas containing medical cannabis.

(5) All cultivation, harvesting, processing and packaging of medical cannabis must take place in an enclosed, locked and secure facility with a physical address provided to the MDOH during the licensing and registration process. The facility shall be equipped with locks or other security devices that permit access only by agents of the medical cannabis establishment, emergency personnel or adults who are twenty-one (21) years of age and older and who are accompanied by medical cannabis establishment agents.

(6) No medical cannabis establishment other than a cannabis processing facility or cannabis research facility may produce cannabis concentrates, cannabis extractions, or other cannabis products.

(7) A medical cannabis establishment may not share office space with or refer patients to a practitioner.

(8) Medical cannabis establishments are subject to inspection by the MDOR and MDOH during business hours.

(9) Before medical cannabis may be dispensed to a cardholder, a dispensary agent must:

(a) Require that the individual present a registry identification card;

(b) Make a diligent effort to verify that the registry identification card presented to the dispensary is valid;

(c) Make a diligent effort to verify that the person presenting the registry identification card is the person identified on the registry identification card presented to the dispensary agent; and

(d) Not believe that the amount of medical cannabis dispensed would cause the person to possess more than the allowable amount of medical cannabis.

(10) A medical cannabis establishment shall not sell more than the allowable amount of medical cannabis to a cardholder. A resident cardholder shall not obtain more than a total of six (6) MMCEUs of allowable medical cannabis in a week from a dispensary or a combination of dispensaries. A resident cardholder shall not obtain more than a total of twenty-four (24) MMCEUs of allowable medical cannabis in thirty (30) days from a dispensary or a combination of dispensaries.

The possession limit for resident cardholders of the allowable amount of medical cannabis shall be a total of twenty-eight (28) MMCEUs. There shall not be a possession limit on nonconsumable medical cannabis, including, but not limited to, suppositories, ointments, soaps, and lotions or other topical agents.

(11) For purposes of this chapter, total THC is defined as THCA multiplied by .877 plus THC Delta 9 and all other psychoactive forms or isomers of THC added together. A medical cannabis establishment shall not sell cannabis flower or trim that has a potency of greater than thirty percent (30%) total THC. A medical cannabis dispensary shall not sell cannabis tinctures, oils or concentrates that have a potency of greater than sixty percent (60%) total THC. Cannabis products that have a potency of over thirty percent (30%) total THC shall be clearly labeled as "extremely potent." Edible cannabis products, including food or drink products, that have been combined with usable cannabis or cannabis products shall be physically demarked and labeled with a clear determination of how much total THC is in a single-serving size and how much THC is in the entire package.

A medical cannabis product shall contain a notice of harm regarding the use of cannabis products. Edible cannabis products shall be homogenized to ensure uniform disbursement of cannabinoids throughout the product. All molded edible cannabis products shall be presented in the form of geometric shapes and shall not be molded to contain any images or characters designed or likely to appeal to minors, such as cartoons, toys, animals or children.

(12) A dispensary may not dispense more than the allowable amount of cannabis to a registered qualifying patient or a nonresident cardholder, directly or via a registered designated caregiver. Dispensaries shall ensure compliance with this limitation by maintaining internal, confidential records that include records specifying how much medical cannabis is being dispensed to the registered qualifying patient or nonresident cardholder and whether it was dispensed directly to a registered qualifying patient, nonresident cardholder or to the registered designated caregiver.

(13) A nonresident cardholder shall not obtain more than a total of six (6) MMCEUs of allowable medical cannabis in a week from a dispensary or a combination of dispensaries. A nonresident cardholder shall not obtain more than a total of twelve (12) MMCEUs of allowable cannabis from a dispensary or a combination of dispensaries in a fifteen-day period.

(14) A nonresident may apply to receive a nonresident registry identification card up to thirty (30) days before arriving in Mississippi. A nonresident registry identification card shall be valid for fifteen (15) days. After the expiration of the card, a nonresident may apply for a renewal of the card and may be granted another card which shall be valid for another fifteen-day period. A nonresident registry identification card shall only be valid, at a maximum, for two (2) separate periods of fifteen (15) days in a three-hundred-sixty-five-day period. An applicant may indicate on his or her application

the specific time period that he or she wishes for the card to be valid. The possession limit of the allowable amount of medical cannabis for nonresident cardholders shall be fourteen (14) MMCEUs.

(15) A medical cannabis dispensary agent or employee shall not issue a written certification. Employees and agents of a medical cannabis dispensary shall complete at least eight (8) hours of continuing education in medical cannabis as regulated by the MDOR in order to be certified to work at a medical cannabis dispensary. After the first year of employment, these employees shall complete five (5) hours of continuing education in medical cannabis annually to maintain this certification.

(16) Notwithstanding any other provision to the contrary, a patient with a debilitating medical condition who is between eighteen (18) years to twenty-five (25) years of age is not eligible for a medical cannabis registry identification card unless two (2) practitioners from separate medical practices have diagnosed the patient as having a debilitating medical condition after an in-person consultation. One (1) of these practitioners must be a physician or doctor of osteopathic medicine.

If one (1) of the recommending practitioners is not the patient's primary care practitioner, the recommending practitioner shall review the records of a diagnosing practitioner. The requirement that the two (2) practitioners be from separate medical practices does not apply if the patient is homebound or if the patient had a registry identification card before the age of eighteen (18).

(17) Except as otherwise provided in this section, a medical cannabis establishment shall not allow an individual who is younger than twenty-one (21) years old to enter the premises of the establishment unless the individual possesses a registry identification card and is accompanied by his or her legal guardian.

(18) A medical cannabis establishment shall only purchase, grow, cultivate, and use cannabis that is grown and cultivated in this state. Any medical cannabis that is grown and cultivated in this state shall not be transported outside of this state.

(19) Employees of all medical cannabis establishments shall apply for a work permit with the MDOH and MDOR, as applicable, before beginning employment with any establishment. The licensing agency for the respective medical cannabis establishment may issue work permits to these individuals. These licensing agencies shall maintain a work registry of all applicants and work permits issued. The fee for a work permit shall be Twenty-five Dollars (\$25.00) and the permit shall be valid for five (5) years. Work permits shall be the property of the employee and shall not be transferable to other employees.

(20) For purposes of this subsection, "plant growth regulator cannabis" shall mean a cannabis plant whose growth and structure has been modified using plant growth hormones. A cannabis cultivation facility shall not cultivate and a cannabis dispensary shall not sell, transfer or provide for consumption plant growth regulator cannabis.

(21) A medical cannabis dispensary shall only make sales to cardholders inside the dispensary. A medical cannabis dispensary shall not sell or otherwise convey medical cannabis to a cardholder through the means of a drive-through, curbside delivery or other delivery outside the premises of the dispensary. Any topical cannabis product that is purchased by a dispensary from a licensed processor, and that is not ingested by the liver, may be sold to a cardholder or any person over the age of twenty-one (21) years old who is not a cardholder. Such products shall be placed in an area of the dispensary that does not require access with a registry identification card.

(22) Any and all contracts or agreements entered into by the MDOH and MDOR for information technology software, hardware, and/or services for the purpose of implementing and/or operating under the Mississippi Medical Cannabis Act shall include language reasonably limiting the ability of the vendor to escalate the ongoing cost of such

software, hardware, and/or services during the term of the contract, including any amendments and/or extensions.

(23) The MDOR and MDOH shall not share the name, address or personal data of a registry identification cardholder to any federal government entity.

SECTION 5. Section 41-137-41, Mississippi Code of 1972, is amended as follows:

41-137-41. (1) From and after February 2, 2022, the MDOH and MDOR shall each, where relevant to the role of that particular agency, establish and promulgate the following rules and regulations:

(a) Governing the manner in which it shall consider petitions from the public to add debilitating medical conditions or treatments to the list of debilitating medical conditions set forth in Section 41-137-3, including public notice of and opportunities to comment in public hearings on the petitions;

(b) Establishing the form and content of license and renewal applications and written certifications submitted under this chapter;

(c) Governing the manner in which it shall consider applications for and renewals of registry identification cards, which may include creating a standardized written certification form;

(d) Governing medical cannabis establishments with the goals of ensuring the health and safety of registered qualifying patients and preventing diversion and theft of medical cannabis without imposing an undue burden or compromising the confidentiality of cardholders, including:

(i) Oversight requirements;

(ii) Recordkeeping requirements;

(iii) Qualifications that are directly and demonstrably related to the operation of medical cannabis establishments;

(iv) Security requirements, including lighting, physical security, and alarm requirements;

(v) Health and safety regulations, including restrictions on the use of pesticides, herbicides or other chemicals that are injurious to human health;

(vi) Standards for the processing of cannabis products and the indoor cultivation of cannabis by cannabis cultivation facilities;

(vii) Requirements for the transportation and storage of cannabis by medical cannabis establishments;

(viii) Employment and training requirements, including requiring that each medical cannabis establishment create an identification badge for each agent of the establishment;

(ix) Standards for the safe processing of medical cannabis products, including extracts and concentrates;

(x) Restrictions on the advertising, signage, and display of medical cannabis, provided that the restrictions may not prevent appropriate signs on the property of a dispensary, listings in business directories, including phone books, listings in cannabis-related or medical publications, display of cannabis in company logos and other

branding activities, display on dispensary websites of pictures of products that the dispensary sells, or the sponsorship of health or not-for-profit charity or advocacy events;

(xi) Requirements and procedures for the safe and accurate packaging and labeling of medical cannabis, including prohibiting the use of any images designed or likely to appeal to minors, such as cartoons, packaging that resembles popular candy brands, toys, animals or children, or any other likeness or image containing characters or phrases to advertise to minors;

(xii) Standards for cannabis testing facilities, including requirements for equipment and qualifications for personnel;

(xiii) Protocol development for the safe delivery of medical cannabis from dispensaries to cardholders;

(xiv) Reasonable requirements to ensure the applicant has sufficient property or capital to operate the applicant's proposed medical cannabis establishment;

(xv) Procedures for suspending or terminating the licenses or registry identification cards of cardholders and medical cannabis establishments that commit multiple or serious violations of the provisions of this chapter or the rules and regulations promulgated pursuant to this section;

(xvi) Procedures for the selection, certification and oversight of a seed-to-sale tracking system as provided for in Section 41-137-11;

(xvii) Requirements for labeling medical cannabis and cannabis products, including requiring medical cannabis product labels to include the following:

1. The length of time it typically takes for the product to take effect;

2. Disclosure of ingredients and possible allergens;

3. A nutritional fact panel;

4. The amount of THC and CBD in the product;

5. A notice of the potential harm caused by consuming medical cannabis; and

6. For edible cannabis products, when practicable, a standard symbol indicating that the product contains cannabis;

(xviii) Procedures for the registration of nonresident cardholders, which must require the submission of:

1. A practitioner's statement confirming that the patient has a debilitating medical condition; and

2. Documentation demonstrating that the nonresident cardholder is allowed to possess medical cannabis or cannabis preparations in the jurisdiction where he or she resides;

(xix) The amount of cannabis products, including the amount of concentrated cannabis, each cardholder and nonresident cardholder can possess;

(xx) Reasonable application and renewal fees for registry identification cards and registration certificates, according to the following:

## 1. The fee schedule shall be set as follows:

a. The qualifying patient registry identification card application fee shall be Twenty-five Dollars (\$25.00);

b. The designated caregiver registry identification card application fee shall be Twenty-five Dollars (\$25.00);

c. The designated caregiver criminal background fee shall be Thirty-seven Dollars (\$37.00);

d. The fee for a renewal or replacement of a card shall be Twenty-five Dollars (\$25.00);

e. The fee for a card for a nonresident patient shall be Seventy-five Dollars (\$75.00);

f. The qualifying patient registry identification card application fee for a Medicaid participant shall be Fifteen Dollars (\$15.00) and the fee for a renewal of such card shall be Fifteen Dollars (\$15.00); and

g. The application fee for a qualifying patient registry identification card for disabled veterans or disabled first responders shall be waived. A disabled veteran or first responder may prove their disability by providing written documentation from their practitioner attesting to their debilitating medical condition, documentation from the Social Security Disability Office, or documentation that attests the applicant is a one-hundred percent (100%) disabled veteran as determined by the U.S. Department of Veteran Affairs and codified at 38 CFR, Section 3.340(a)(2013); and

## 2. The MDOH may accept donations from private sources to reduce the amount of the application and renewal fees;

(xxi) Any other rules and regulations necessary to implement and administer this chapter.

(2) The initial rules filed by the MDOH to implement the medical cannabis program in accordance with this chapter shall be effective immediately upon their filing.

(3) No state agency, political subdivision or board shall implement any rule, regulation, policy, or requirement that is contrary to the provisions of the Mississippi Medical Cannabis Act.

## SECTION 6. Section 41-137-47, Mississippi Code of 1972, is amended as follows:

41-137-47. (1) The licensing agency may fine, suspend or revoke a license at its discretion for a violation of this chapter or any rules and regulations under this chapter by the licensee or any of its employees or agents. The licensing agency may deny the application of any applicant who fails to meet the qualifications for obtaining such license under this chapter or any rules and regulations under this chapter. If a licensee or applicant wishes to appeal \* \* \* the licensing agency's decision, the licensee or applicant shall file its administrative appeal within twenty (20) days of receipt of the initial notice. The licensing agency shall then conduct a hearing on the record pursuant to the licensing agency's rules and regulations governing such hearings, at which time the burden shall be on the licensee or applicant to prove that the agency's decision was:

(a) Unsupported by substantial evidence;

(b) Arbitrary or capricious;

- (c) Beyond the power of the administrative agency to make; or
- (d) Violated some statutory or constitutional right of the aggrieved party.

If the licensee or applicant fails to appeal the initial notice within the prescribed time, the decision becomes final and cannot be further appealed.

(2) The licensing agency shall provide its initial notice of suspension, revocation, fine or other sanction by personal delivery or mailing by certified mail, signature required, to the medical cannabis establishment at the address on the registration certificate. A suspension shall not be for a longer period than six (6) months. The licensing agency shall provide its initial notice of denial by personal delivery, mailing by certified mail, signature required, or by electronic mail to the applicant at the physical or electronic address listed in its application.

(3) A medical cannabis establishment may continue to possess and cultivate cannabis as otherwise authorized to do so under its license during a suspension, but it may not dispense, transfer or sell cannabis.

(4) The MDOH shall immediately revoke the registry identification card of any cardholder who sells or otherwise transfers medical cannabis to a person or other entity, and the cardholder shall be disqualified from further participation in the medical cannabis program under this chapter.

(5) Except as otherwise provided in subsection (4) of this section, the MDOH may revoke the registry identification card of any cardholder who knowingly commits a violation of this chapter.

(6) The hearing decision of the agency on a denial, revocation, suspension or fine is a final decision of the applicable agency subject to judicial review in accordance with Section 41-137-59.

(7) No license issued by the MDOH or MDOR shall be transferred by the license holder to any other person or entity except with the written consent of the applicable licensing agency.

(8) Any investigation, fine, suspension or revocation by a licensing agency under this section shall be considered confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17. This exemption shall not apply after such time that the licensing agency has rendered its final disposition and all appeals are exhausted.

SECTION 7. Section 41-137-49, Mississippi Code of 1972, is amended as follows:

41-137-49. (1) Data in license and registration applications and supporting data submitted by registered qualifying patients, registered designated caregivers, medical cannabis establishments and nonresident cardholders, including data on registered designated caregivers and practitioners, shall be considered private data on individuals that is confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17.

(2) Data kept or maintained by an agency shall not be used for any purpose not provided for in this chapter and shall not be combined or linked in any manner with any other list or database.

(3) Data kept or maintained by an agency may be disclosed as necessary for:

(a) The verification of registration certificates and registry identification cards under this chapter;

(b) Submission of the annual report required by this chapter;

(c) Notification of state or local law enforcement of apparent criminal violations of this chapter;

(d) Notification of state and local law enforcement about falsified or fraudulent information submitted for purposes of obtaining or renewing a registry identification card; or

(e) Notification of the State Board of Medical Licensure or other occupational or professional licensing board or entity if there is reason to believe that a practitioner provided a written certification in violation of this chapter, or if the MDOH has reason to believe the practitioner otherwise violated the standard of care for evaluating medical conditions.

(4) Any information kept or maintained by medical cannabis establishments must identify cardholders by their registry identification numbers and must not contain names or other personally identifying information.

(5) At a cardholder's request, the MDOH may confirm the cardholder's status as a registered qualifying patient or a registered designated caregiver to a third party, such as a landlord, school, medical professional, or court.

(6) Any agency hard drives or other data-recording media that are no longer in use and that contain cardholder information shall be destroyed.

(7) The addresses of prospective and licensed medical cannabis establishments, except for medical cannabis dispensaries, shall be considered confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17.

SECTION 8. Section 41-137-59, Mississippi Code of 1972, is amended as follows:

41-137-59. (1) Any person or entity aggrieved by a final decision or order of an agency under the provisions of this chapter may petition for judicial review of the final decision or order.

(2) (a) The petition shall be filed within twenty (20) days after the issuance of the agency's final decision or order. The petition shall be filed in the circuit court of the county in which the appellant resides. If the appellant is a nonresident of this state, the appeal shall be made to the Circuit Court of the First Judicial District of Hinds County, Mississippi.

(b) The review by the circuit court shall be based on the record made before the agency. Before filing a petition under subsection (1) of this section, a petitioner shall obtain from the agency an estimate of the cost to prepare the entire record of the agency and shall pay to the agency the amount of the estimate. The circuit court shall dismiss with prejudice any petition filed where it is shown that the petitioner failed to pay prior to filing the petition the estimate cost for preparation of the record.

( \*\* \*c) Any person or entity aggrieved by the decision of the circuit court may appeal to the Mississippi Supreme Court.

SECTION 9. Section 41-137-63, Mississippi Code of 1972, is amended as follows:



41-137-63. (1) (a) There is established a Medical Cannabis Advisory Committee, which shall be the committee that is required to advise the Legislature about medical cannabis and cannabis product, patient care, services and industry.

(b) The advisory committee shall consist of nine (9) members, as follows:

as follows: (i) The Governor shall appoint three (3) members to the committee,

1. One (1) representative from the MDOH;
2. One (1) registered qualifying patient; and
3. One (1) physician with experience in medical cannabis

issues;

follows: (ii) The Lieutenant Governor shall appoint three (3) members, as

facility; 1. One (1) owner or agent of a medical cannabis cultivation

2. One (1) representative from the MDOH; and
3. One (1) qualified certified nurse practitioner, physician

assistant or optometrist;

follows: (iii) The Speaker of the House shall appoint three (3) members, as

facility; 1. One (1) owner or agent of a medical cannabis processing

and 2. One (1) owner or agent of a medical cannabis dispensary;

3. One (1) representative from the MDOR.

(c) The advisory committee shall meet at least two (2) times per year for the purpose of evaluating and making recommendations to the Legislature and the MDOH and MDOR regarding:

(i) The ability of qualifying patients in all areas of the state to obtain timely access to high-quality medical cannabis;

(ii) The effectiveness of the medical cannabis establishments in serving the needs of registered qualifying patients, including the provision of educational and support services by dispensaries, the reasonableness of their prices, security issues, and the sufficiency of the number operating to serve the state's registered qualifying patients;

(iii) The effectiveness of the cannabis testing facilities, including whether a sufficient number are operating;

(iv) The sufficiency of the regulatory and security safeguards contained in this chapter and adopted by the MDOH to ensure that access to and use of cannabis cultivated is provided only to cardholders;

(v) Any recommended additions or revisions to the MDOH and MDOR rules and regulations or this chapter, including relating to security, safe handling, labeling, nomenclature, and whether additional types of licenses should be made available; and

(vi) Any research studies regarding health effects of medical cannabis for patients.

(d) The advisory committee shall accept public comment in writing and in-person at least once per year. The advisory committee shall meet at least two (2) times per year and advisory committee members shall be furnished written notice of the meetings at least ten (10) days before the date of the meeting.

(e) The chairman of the advisory committee shall be elected by the voting members of the committee annually and shall not serve more than two (2) consecutive years as chairman.

(f) The members of the advisory committee specified in paragraph (b) of this subsection shall serve for terms that are concurrent with the terms of members of the Legislature, and any member appointed under paragraph (b) may be reappointed to the advisory committee. The members of the advisory committee specified in paragraph (b) shall serve without compensation, but shall receive reimbursement to defray actual expenses incurred in the performance of committee business as authorized by law.

(2) This section shall stand repealed on December 31, \* \* \* 2026.

SECTION 10. Section 41-29-153, Mississippi Code of 1972, is amended as follows:

41-29-153. (a) The following are subject to forfeiture:

(1) All controlled substances which have been manufactured, distributed, dispensed or acquired in violation of this article or in violation of Article 5 of this chapter or Chapter 137 of this title;

(2) All raw materials, products and equipment of any kind which are used, or intended for use, in manufacturing, compounding, processing, delivering, importing, or exporting any controlled substance in violation of this article or in violation of Article 5 of this chapter or Chapter 137 of this title;

(3) All property which is used, or intended for use, as a container for property described in paragraph (1) or (2) of this subsection;

(4) All conveyances, including aircraft, vehicles or vessels, which are used, or intended for use, to transport, or in any manner to facilitate the transportation, sale, receipt, possession or concealment of property described in paragraph (1) or (2) of this subsection, however:

A. No conveyance used by any person as a common carrier in the transaction of business as a common carrier is subject to forfeiture under this section unless it appears that the owner or other person in charge of the conveyance is a consenting party or privy to a violation of this article;

B. No conveyance is subject to forfeiture under this section by reason of any act or omission proved by the owner thereof to have been committed or omitted without his knowledge or consent; if the confiscating authority has reason to believe that the conveyance is a leased or rented conveyance, then the confiscating authority shall notify the owner of the conveyance within five (5) days of the confiscation;

C. A forfeiture of a conveyance encumbered by a bona fide security interest is subject to the interest of the secured party if he neither had knowledge of nor consented to the act or omission;

D. A conveyance is not subject to forfeiture for a violation of Section 41-29-139(c)(2)(A) 1, 2 or (B)1 or (C)1, 2, 3;

(5) All money, deadly weapons, books, records, and research products and materials, including formulas, microfilm, tapes and data which are used, or intended for use, in violation of this article or in violation of Article 5 of this chapter or Chapter 137 of this title;

(6) All drug paraphernalia as defined in Section 41-29-105(v); and

(7) Everything of value, including real estate, furnished, or intended to be furnished, in exchange for a controlled substance in violation of this article, all proceeds traceable to such an exchange, and all monies, negotiable instruments, businesses or business investments, securities, and other things of value used, or intended to be used, to facilitate any violation of this article. All monies, coin and currency found in close proximity to forfeitable controlled substances, to forfeitable drug manufacturing or distributing paraphernalia, or to forfeitable records of the importation, manufacture or distribution of controlled substances are presumed to be forfeitable under this paragraph; the burden of proof is upon claimants of the property to rebut this presumption.

A. No property shall be forfeited under the provisions of subsection (a)(7) of this section, to the extent of the interest of an owner, by reason of any act or omission established by him to have been committed or omitted without his knowledge or consent.

B. Neither personal property encumbered by a bona fide security interest nor real estate encumbered by a bona fide mortgage, deed of trust, lien or encumbrance shall be forfeited under the provisions of subsection (a)(7) of this section, to the extent of the interest of the secured party or the interest of the mortgagee, holder of a deed of trust, lien or encumbrance by reason of any act or omission established by him to have been committed or omitted without his knowledge or consent.

(b) Property subject to forfeiture may be seized by the bureau, local law enforcement officers, enforcement officers of the Mississippi Department of Transportation, highway patrolmen, the board, \* \* \* the State Board of Pharmacy, or law enforcement officers of the Mississippi Department of Revenue or Mississippi Department of Health acting with their duties in accordance with the Mississippi Medical Cannabis Act, upon process issued by any appropriate court having jurisdiction over the property. Seizure without process may be made if:

(1) The seizure is incident to an arrest or a search under a search warrant or an inspection under an administrative inspection warrant;

(2) The property subject to seizure has been the subject of a prior judgment in favor of the state in a criminal injunction or forfeiture proceeding based upon this article;

(3) The bureau, the board, local law enforcement officers, enforcement officers of the Mississippi Department of Transportation, or highway patrolmen, \* \* \* the State Board of Pharmacy, or law enforcement officers of the Mississippi Department of Revenue or Mississippi Department of Health acting with their duties in accordance with the Mississippi Medical Cannabis Act, have probable cause to believe that the property is directly or indirectly dangerous to health or safety;

(4) The bureau, local law enforcement officers, enforcement officers of the Mississippi Department of Transportation, highway patrolmen, the board, \* \* \* the State

Board of Pharmacy, or law enforcement officers of the Mississippi Department of Revenue or Mississippi Department of Health acting with their duties in accordance with the Mississippi Medical Cannabis Act, have probable cause to believe that the property was used or is intended to be used in violation of this article; or

(5) The seizing law enforcement agency obtained a seizure warrant as described in \* \* \* subsection (f) of this section.

(c) Controlled substances listed in Schedule I of Section 41-29-113 that are possessed, transferred, sold, or offered for sale in violation of this article are contraband and shall be seized and summarily forfeited to the state. Controlled substances listed in the said Schedule I, which are seized or come into the possession of the state, the owners of which are unknown, are contraband and shall be summarily forfeited to the state.

(d) Species of plants from which controlled substances in Schedules I and II of Sections 41-29-113 and 41-29-115 may be derived which have been planted or cultivated in violation of this article, or of which the owners or cultivators are unknown, or which are wild growths, may be seized and summarily forfeited to the state.

(e) The failure, upon demand by the bureau and/or local law enforcement officers, or their authorized agents, or highway patrolmen designated by the bureau, the board, \* \* \* the State Board of Pharmacy, or law enforcement officers of the Mississippi Department of Revenue or Mississippi Department of Health acting with their duties in accordance with the Mississippi Medical Cannabis Act, of the person in occupancy or in control of land or premises upon which the species of plants are growing or being stored, to produce an appropriate registration, or proof that he is the holder thereof, constitutes authority for the seizure and forfeiture of the plants.

(f) (1) When any property is seized under the Uniform Controlled Substances Law, except as otherwise provided in paragraph (3) of this subsection, by a law enforcement agency with the intent to be forfeited, the law enforcement agency that seized the property shall obtain a seizure warrant from the county or circuit court having jurisdiction of such property within seventy-two (72) hours of any seizure, excluding weekends and holidays. Any law enforcement agency that fails to obtain a seizure warrant within seventy-two (72) hours as required by this section shall notify the person from whom the property was seized that it will not be forfeited and shall provide written instructions advising the person how to retrieve the seized property.

(2) A circuit or county judge having jurisdiction of any property other than a controlled substance, raw material or paraphernalia, may issue a seizure warrant upon proper oath or affirmation from a law enforcement agency. The law enforcement agency that is seeking a seizure warrant shall provide the following information to the judge:

A. Probable cause to believe that the property was used or intended to be used in violation of this article;

B. The name of the person from whom the property was seized; and

C. A detailed description of the property which is seized, including the value of the property.

(3) This subsection does not apply to seizures performed pursuant to Section 41-29-157 when property is specifically set forth in a search and seizure warrant.

SECTION 11. Section 41-29-154, Mississippi Code of 1972, is amended as follows:

41-29-154. Any controlled substance or paraphernalia seized under the authority of this article or any other law of Mississippi or of the United States, shall be destroyed,

adulterated and disposed of or otherwise rendered harmless and disposed of, upon written authorization of the director, Commissioner of the Mississippi Department of Revenue or the State Health Officer of the Mississippi Department of Health, as applicable, after such substance or paraphernalia has served its usefulness as evidence or after such substance or paraphernalia is no longer useful for training or demonstration purposes.

A record of the disposition of such substances and paraphernalia and the method of destruction or adulteration employed along with the names of witnesses to such destruction or adulteration shall be retained by the director.

No substance or paraphernalia shall be disposed of, destroyed or rendered harmless under the authority of this section without an order from the director, Commissioner of the Mississippi Department of Revenue or the State Health Officer of the Mississippi Department of Health, as applicable, and without at least two (2) officers or agents of the bureau present as witnesses.

SECTION 12. Section 25-53-1, Mississippi Code of 1972, is amended as follows:

25-53-1. The Legislature recognizes that in order for the State of Mississippi to receive the maximum use and benefit from information technology and services now in operation or which will in the future be placed in operation, there should be full cooperation and cohesive planning and effort by and between the several state agencies and that it is the responsibility of the Legislature to provide statutory authority therefor. The Legislature, therefore, declares and determines that for these and other related purposes there is hereby established an agency of state government to be known as the Mississippi Department of Information Technology Services (MDITS). The Legislature further declares that the Mississippi Department of Information Technology Services (MDITS) shall provide statewide services that facilitate cost-effective information processing and telecommunication solutions. State agencies shall work in full cooperation with the board of MDITS to identify opportunities to minimize duplication, reduce costs and improve the efficiency of providing common technology services across agency boundaries. The provisions of this chapter shall not apply to the Department of Human Services for a period of three (3) years beginning July 1, 2017. The provisions of this chapter shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017. Through June 30, \* \* \* 2024, the provisions of this chapter shall not apply to the Department of Health and the Department of Revenue for the purposes of implementing, administering and enforcing the provisions of the Mississippi Medical Cannabis Act.

SECTION 13. Section 25-53-5, Mississippi Code of 1972, as amended by Senate Bill No. 2728, 2023 Regular Session, is amended as follows:

25-53-5. The authority shall have the following powers, duties, and responsibilities:

(a) (i) The authority shall provide for the development of plans for the efficient acquisition and utilization of computer equipment and services by all agencies of state government, and provide for their implementation. In so doing, the authority may use the MDITS' staff, at the discretion of the executive director of the authority, or the authority may contract for the services of qualified consulting firms in the field of information technology and utilize the service of such consultants as may be necessary for such purposes. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Human Services for a period of three (3) years beginning on July 1, 2017. Pursuant to Section 25-53-1, the provisions of this section shall not apply to the Department of Child Protection Services for a period of three (3) years beginning July 1, 2017.

(ii) [Repealed]

(b) The authority shall immediately institute procedures for carrying out the purposes of this chapter and supervise the efficient execution of the powers and duties of the office of executive director of the authority. In the execution of its functions under this chapter, the authority shall maintain as a paramount consideration the successful internal organization and operation of the several agencies so that efficiency existing therein shall not be adversely affected or impaired. In executing its functions in relation to the institutions of higher learning and junior colleges in the state, the authority shall take into consideration the special needs of such institutions in relation to the fields of teaching and scientific research.

(c) Title of whatever nature of all computer equipment now vested in any agency of the State of Mississippi is hereby vested in the authority, and no such equipment shall be disposed of in any manner except in accordance with the direction of the authority or under the provisions of such rules and regulations as may hereafter be adopted by the authority in relation thereto.

(d) The authority shall adopt rules, regulations, and procedures governing the acquisition of computer and telecommunications equipment and services which shall, to the fullest extent practicable, insure the maximum of competition between all manufacturers of supplies or equipment or services. In the writing of specifications, in the making of contracts relating to the acquisition of such equipment and services, and in the performance of its other duties the authority shall provide for the maximum compatibility of all information systems hereafter installed or utilized by all state agencies and may require the use of common computer languages where necessary to accomplish the purposes of this chapter. The authority may establish by regulation and charge reasonable fees on a nondiscriminatory basis for the furnishing of copies of bid specifications and other documents issued by the authority.

(e) The authority shall adopt rules and regulations governing the sharing with, or the sale or lease of information technology services to any nonstate agency or person. Such regulations shall provide that any such sharing, sale or lease shall be restricted in that same shall be accomplished only where such services are not readily available otherwise within the state, and then only at a charge to the user not less than the prevailing rate of charge for similar services by private enterprise within this state.

(f) The authority may, in its discretion, establish a special technical advisory committee or committees to study and make recommendations on technology matters within the competence of the authority as the authority may see fit. Persons serving on the Information Resource Council, its task forces, or any such technical advisory committees shall be entitled to receive their actual and necessary expenses actually incurred in the performance of such duties, together with mileage as provided by law for state employees, provided the same has been authorized by a resolution duly adopted by the authority and entered on its minutes prior to the performance of such duties.

(g) The authority may provide for the development and require the adoption of standardized computer programs and may provide for the dissemination of information to and the establishment of training programs for the personnel of the various information technology centers of state agencies and personnel of the agencies utilizing the services thereof.

(h) The authority shall adopt reasonable rules and regulations requiring the reporting to the authority through the office of executive director of such information as may be required for carrying out the purposes of this chapter and may also establish such reasonable procedures to be followed in the presentation of bills for payment under the terms of all contracts for the acquisition of computer equipment and services now or hereafter in force as may be required by the authority or by the executive director in the execution of their powers and duties.

(i) The authority shall require such adequate documentation of information technology procedures utilized by the various state agencies and may require the establishment of such organizational structures within state agencies relating to information technology operations as may be necessary to effectuate the purposes of this chapter.

(j) The authority may adopt such further reasonable rules and regulations as may be necessary to fully implement the purposes of this chapter. All rules and regulations adopted by the authority shall be published and disseminated in readily accessible form to all affected state agencies, and to all current suppliers of computer equipment and services to the state, and to all prospective suppliers requesting the same. Such rules and regulations shall be kept current, be periodically revised, and copies thereof shall be available at all times for inspection by the public at reasonable hours in the offices of the authority. Whenever possible no rule, regulation or any proposed amendment to such rules and regulations shall be finally adopted or enforced until copies of the proposed rules and regulations have been furnished to all interested parties for their comment and suggestions.

(k) The authority shall establish rules and regulations which shall provide for the submission of all contracts proposed to be executed by the executive director for computer equipment and/or telecommunications or services, including cloud computing, to the authority for approval before final execution, and the authority may provide that such contracts involving the expenditure of less than such specified amount as may be established by the authority may be finally executed by the executive director without first obtaining such approval by the authority.

(l) The authority is authorized to consider new technologies, such as cloud computing, to purchase, lease, or rent computer equipment or services and to operate that equipment and use those services in providing services to one or more state agencies when in its opinion such operation will provide maximum efficiency and economy in the functions of any such agency or agencies.

(m) Upon the request of the governing body of a political subdivision or instrumentality, the authority shall assist the political subdivision or instrumentality in its development of plans for the efficient acquisition and utilization of computer equipment and services. An appropriate fee shall be charged the political subdivision by the authority for such assistance.

(n) The authority shall adopt rules and regulations governing the protest procedures to be followed by any actual or prospective bidder, offerer or contractor who is aggrieved in connection with the solicitation or award of a contract for the acquisition of computer equipment or services. Such rules and regulations shall prescribe the manner, time and procedure for making protests and may provide that a protest not timely filed shall be summarily denied. The authority may require the protesting party, at the time of filing the protest, to post a bond, payable to the state, in an amount that the authority determines sufficient to cover any expense or loss incurred by the state, the authority or any state agency as a result of the protest if the protest subsequently is determined by a court of competent jurisdiction to have been filed without any substantial basis or reasonable expectation to believe that the protest was meritorious; however, in no event may the amount of the bond required exceed a reasonable estimate of the total project cost. The authority, in its discretion, also may prohibit any prospective bidder, offerer or contractor who is a party to any litigation involving any such contract with the state, the authority or any agency of the state to participate in any other such bid, offer or contract, or to be awarded any such contract, during the pendency of the litigation.

(o) The authority shall make a report in writing to the Legislature each year in the month of January. Such report shall contain a full and detailed account of the work of the authority for the preceding year as specified in Section 25-53-29(3).

All acquisitions of computer equipment and services involving the expenditure of funds in excess of the dollar amount established in Section 31-7-13(c), or rentals or leases in excess of the dollar amount established in Section 31-7-13(c) for the term of the contract, shall be based upon competitive and open specifications, and contracts therefor shall be entered into only after advertisements for bids are published in one or more daily newspapers having a general circulation in the state not less than fourteen (14) days prior to receiving sealed bids therefor. The authority may reserve the right to reject any or all bids, and if all bids are rejected, the authority may negotiate a contract within the limitations of the specifications so long as the terms of any such negotiated contract are equal to or better than the comparable terms submitted by the lowest and best bidder, and so long as the total cost to the State of Mississippi does not exceed the lowest bid. If the authority accepts one (1) of such bids, it shall be that which is the lowest and best. Through June 30, \*\*\* 2024, the provisions of this paragraph shall not apply to acquisitions of information technology equipment and services made by the Mississippi Department of Health and \*\*\* the Mississippi Department of Revenue for the purposes of implementing, administering and \*\*\* enforcing the provisions of the Mississippi Medical Cannabis Act.

(p) When applicable, the authority may procure equipment, systems and related services in accordance with the law or regulations, or both, which govern the Bureau of Purchasing of the Office of General Services or which govern the Mississippi Department of Information Technology Services procurement of telecommunications equipment, software and services.

(q) The authority is authorized to purchase, lease, or rent information technology and services for the purpose of establishing pilot projects to investigate emerging technologies. These acquisitions shall be limited to new technologies and shall be limited to an amount set by annual appropriation of the Legislature. These acquisitions shall be exempt from the advertising and bidding requirement.

(r) To promote the maximum use and benefit from technology and services now in operation or which will in the future be placed in operation and to identify opportunities, minimize duplication, reduce costs and improve the efficiency of providing common technology services the authority is authorized to:

(i) Enter into master agreements for computer or telecommunications equipment or services, including cloud computing, available for shared use by state agencies, institutes of higher learning and governing authorities; and

(ii) Enter into contracts for the acquisition of computer or telecommunications equipment or services, including cloud computing, that have been acquired by other entities, located within or outside of the State of Mississippi, so long as it is determined by the authority to be in the best interest of the state. The acquisitions provided in this paragraph (r) shall be exempt from the advertising and bidding requirements of Section 25-53-1 et seq.

(\*\*\*s) All fees collected by the Mississippi Department of Information Technology Services shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature.

(\*\*t) The authority shall work closely with the council to bring about effective coordination of policies, standards and procedures relating to procurement of remote sensing and geographic information systems (GIS) resources. In addition, the authority is responsible for development, operation and maintenance of a delivery system infrastructure for geographic information systems data. The authority shall provide a warehouse for Mississippi's geographic information systems data.

(\*\*\*u) The authority shall manage one or more State Data Centers to provide information technology services on a cost-sharing basis. In determining the



appropriate services to be provided through the State Data Center, the authority should consider those services that:

- (i) Result in savings to the state as a whole;
- (ii) Improve and enhance the security and reliability of the state's information and business systems; and
- (iii) Optimize the efficient use of the state's information technology assets, including, but not limited to, promoting partnerships with the state institutions of higher learning and community colleges to capitalize on advanced information technology resources.

( \*\* \*v) The authority shall increase federal participation in the cost of the State Data Center to the extent provided by law and its shared technology infrastructure through providing such shared services to agencies that receive federal funds. With regard to state institutions of higher learning and community colleges, the authority may provide shared services when mutually agreeable, following a determination by both the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, that the sharing of services is mutually beneficial.

( \*\* \*w) The authority, in its discretion, may require new or replacement agency business applications to be hosted at the State Data Center. With regard to state institutions of higher learning and community colleges, the authority and the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, as the case may be, may agree that institutions of higher learning or community colleges may utilize business applications that are hosted at the State Data Center, following a determination by both the authority and the applicable board that the hosting of those applications is mutually beneficial. In addition, the authority may establish partnerships to capitalize on the advanced technology resources of the Board of Trustees of State Institutions of Higher Learning or the Mississippi Community College Board, following a determination by both the authority and the applicable board that such a partnership is mutually beneficial.

( \*\* \*x) The authority shall provide a periodic update regarding reform-based information technology initiatives to the Chairmen of the House and Senate Accountability, Efficiency and Transparency Committees.

From and after July 1, 2018, the expenses of this agency shall be defrayed by appropriation from the State General Fund. In addition, in order to receive the maximum use and benefit from information technology and services, expenses for the provision of statewide shared services that facilitate cost-effective information processing and telecommunication solutions shall be defrayed by pass-through funding and shall be deposited into the Mississippi Department of Information Technology Services Revolving Fund unless otherwise specified by the Legislature. These funds shall only be utilized to pay the actual costs incurred by the Mississippi Department of Information Technology Services for providing these shared services to state agencies. Furthermore, state agencies shall work in full cooperation with the Board of the Mississippi Department of Information Technology Services to identify computer equipment or services to minimize duplication, reduce costs, and improve the efficiency of providing common technology services across agency boundaries.

SECTION 14. The following shall be codified as Section 73-21-127.1, Mississippi Code of 1972:

73-21-127.1. The Prescription Monitoring Program shall issue a report each year to the Legislature that indicates the number of opioid prescriptions that were provided to patients during that year.

SECTION 15. Section 41-137-3, Mississippi Code of 1972, is amended as follows:

41-137-3. For purposes of this chapter, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "Artificially derived cannabinoid" means a chemical substance that is created by a chemical reaction that changes the molecular structure of any chemical substance derived from the plant Cannabis family Cannabaceae. Such term shall not include:

(i) A naturally occurring chemical substance that is separated from the plant Cannabis family Cannabaceae by a chemical or mechanical extraction process;

(ii) Cannabinoids that are produced by decarboxylation from a naturally occurring cannabinoid acid without the use of a chemical catalyst; or

(iii) Any other chemical substance identified by MDOH.

(b) "Allowable amount of medical cannabis" means an amount not to exceed the maximum amount of Mississippi Medical Cannabis Equivalency Units ("MMCEU").

( \* \* \* c ) "Bona fide practitioner-patient relationship" means:

(i) A practitioner and patient have a treatment or consulting relationship, during the course of which the practitioner, within his or her scope of practice, has completed an in-person assessment of the patient's medical history and current mental health and medical condition and has documented their certification in the patient's medical file;

(ii) The practitioner has consulted in person with the patient with respect to the patient's debilitating medical condition; and

(iii) The practitioner is available to or offers to provide follow-up care and treatment to the patient.

( \* \* \* d ) "Cannabis" means all parts of the plant of the genus cannabis, the flower, the seeds thereof, the resin extracted from any part of the plant and every compound, manufacture, salt, derivative, mixture or preparation of the plant, its seeds or its resin, including whole plant extracts. Such term shall not mean cannabis-derived drug products approved by the federal Food and Drug Administration under Section 505 of the Federal Food, Drug, and Cosmetic Act.

( \* \* \* e ) "Cannabis cultivation facility" means a business entity licensed and registered by the Mississippi Department of Health that acquires, grows, cultivates and harvests medical cannabis in an indoor, enclosed, locked and secure area.

( \* \* \* f ) "Cannabis disposal entity" means a business licensed and registered by the Mississippi Department of Health that is involved in the commercial disposal or destruction of medical cannabis.

( \* \* \* g ) "Cannabis processing facility" means a business entity that is licensed and registered by the Mississippi Department of Health that:

(i) Acquires or intends to acquire cannabis from a cannabis cultivation facility;

(ii) Possesses cannabis with the intent to manufacture a cannabis product;

(iii) Manufactures or intends to manufacture a cannabis product from unprocessed cannabis or a cannabis extract; and

(iv) Sells or intends to sell a cannabis product to a medical cannabis dispensary, cannabis testing facility or cannabis research facility.

( \*\* \*h) "Cannabis products" means cannabis flower, concentrated cannabis, cannabis extracts and products that are infused with cannabis or an extract thereof and are intended for use or consumption by humans. The term includes, without limitation, edible cannabis products, beverages, topical products, ointments, oils, tinctures and suppositories that contain tetrahydrocannabinol (THC) and/or cannabidiol (CBD) except those products excluded from control under Sections 41-29-113 and 41-29-136.

( \*\* \*i) "Cannabis research facility" or "research facility" means a research facility at any university or college in this state or an independent entity licensed and registered by the Mississippi Department of Health pursuant to this chapter that acquires cannabis from cannabis cultivation facilities and cannabis processing facilities in order to research cannabis, develop best practices for specific medical conditions, develop medicines and provide commercial access for medical use.

( \*\* \*j) "Cannabis testing facility" or "testing facility" means an independent entity licensed and registered by the Mississippi Department of Health that analyzes the safety and potency of cannabis.

( \*\* \*k) "Cannabis transportation entity" means an independent entity licensed and registered by the Mississippi Department of Health that is involved in the commercial transportation of medical cannabis.

(l) "Cannabis waste" means plant debris of the plant of the genus cannabis, including dead plants and all unused plant parts. This term shall not include seeds, roots, stems and stalks.

(m) "Cannabinoid" means any of the chemical compounds that are the active constituents derived from THC.

( \*\* \*n) "Canopy" means the total surface area within a cultivation area that is dedicated to the cultivation of flowering cannabis plants. The surface area of the plant canopy must be calculated in square feet and measured and must include all of the area within the boundaries where the cultivation of the flowering cannabis plants occurs. If the surface area of the plant canopy consists of noncontiguous areas, each component area must be separated by identifiable boundaries. If a tiered or shelving system is used in the cultivation area the surface area of each tier or shelf must be included in calculating the area of the plant canopy. Calculation of the area of the plant canopy may not include the areas within the cultivation area that are used to cultivate immature cannabis plants and seedlings, prior to flowering, and that are not used at any time to cultivate mature cannabis plants.

( \*\* \*o) "Cardholder" means a registered qualifying patient or a registered designated caregiver who has been issued and possesses a valid registry identification card.

( \*\* \*p) "Chronic pain" means a pain state in which the cause of the pain cannot be removed or otherwise treated, and which in the generally accepted course of medical practice, no relief or cure of the cause of the pain is possible, or none has been found after reasonable efforts by a practitioner.

( \*\* \*q) "Concentrate" means a substance obtained by separating cannabinoids from cannabis by:

- (i) A mechanical extraction process;
- (ii) A chemical extraction process using a nonhydrocarbon-based or other solvent, such as water, vegetable glycerin, vegetable oils, animal fats, food-grade ethanol or steam distillation; or
- (iii) A chemical extraction process using the hydrocarbon-based solvent carbon dioxide, provided that the process does not involve the use of high heat or pressure.

( \*\* \*r) "Debilitating medical condition" means:

- (i) Cancer, Parkinson's disease, Huntington's disease, muscular dystrophy, glaucoma, spastic quadriplegia, positive status for human immunodeficiency virus (HIV), acquired immune deficiency syndrome (AIDS), hepatitis, amyotrophic lateral sclerosis (ALS), Crohn's disease, ulcerative colitis, sickle-cell anemia, Alzheimer's disease, agitation of dementia, post-traumatic stress disorder (PTSD), autism, pain refractory to appropriate opioid management, diabetic/peripheral neuropathy, spinal cord disease or severe injury, or the treatment of these conditions;
- (ii) A chronic, terminal or debilitating disease or medical condition, or its treatment, that produces one or more of the following: cachexia or wasting syndrome, chronic pain, severe or intractable nausea, seizures, or severe and persistent muscle spasms, including, but not limited to, those characteristic of multiple sclerosis; or
- (iii) Any other serious medical condition or its treatment added by the Mississippi Department of Health, as provided for in Section 41-137-17.

( \*\* \*s) "Designated caregiver" means a person who:

- (i) Has agreed to assist with a registered qualifying patient's medical use of medical cannabis;
- (ii) Assists no more than five (5) registered qualifying patients with their medical use of medical cannabis, unless the designated caregiver's registered qualifying patients each reside in or are admitted to a health care facility or facility providing residential care services or day care services where the designated caregiver is employed;
- (iii) Is at least twenty-one (21) years of age unless the person is the parent or legal guardian of each qualifying patient the person assists; and
- (iv) Has not been convicted of a disqualifying felony offense.

( \*\* \*t) "Disqualifying felony offense" means:

- (i) A conviction for a crime of violence, as defined in Section 97-3-2;
- (ii) A conviction for a crime that was defined as a violent crime in the law of the jurisdiction in which the offense was committed, and that was classified as a felony in the jurisdiction where the person was convicted; or
- (iii) A conviction for a violation of a state or federal controlled substances law that was classified as a felony in the jurisdiction where the person was convicted, including the service of any term of probation, incarceration or supervised release within the previous five (5) years and the offender has not committed another

similar offense since the conviction. Under this subparagraph (iii), a disqualifying felony offense shall not include a conviction that consisted of conduct for which this chapter would likely have prevented the conviction but for the fact that the conduct occurred before February 2, 2022.

( \*\* \*u) "Edible cannabis products" means products that:

- (i) Contain or are infused with cannabis or an extract thereof;
- (ii) Are intended for human consumption by oral ingestion; and
- (iii) Are presented in the form of foodstuffs, beverages, extracts, oils, tinctures, lozenges and other similar products.

( \*\* \*v) "Entity" means a corporation, general partnership, limited partnership or limited liability company that has been registered with the Secretary of State as applicable.

( \*\* \*w) "MMCEU" means Mississippi Medical Cannabis Equivalency Unit. One unit of MMCEU shall be considered equal to:

- (i) Three and one-half (3.5) grams of medical cannabis flower;
- (ii) One (1) gram of medical cannabis concentrate; or
- (iii) One hundred (100) milligrams of THC in an infused product.

( \*\* \*x) "MDOH" means the Mississippi Department of Health.

( \*\* \*y) "MDOR" means the Mississippi Department of Revenue.

( \*\* \*z) "Medical cannabis" means cannabis, cannabis products and edible cannabis that are intended to be used by registered qualifying patients as provided in this chapter.

( \*\* \*aa) "Medical cannabis dispensary" or "dispensary" means an entity licensed and registered with the MDOR that acquires, possesses, stores, transfers, sells, supplies or dispenses medical cannabis, equipment used for medical cannabis, or related supplies and educational materials to cardholders.

( \*\* \*bb) "Medical cannabis establishment" means a cannabis cultivation facility, cannabis processing facility, cannabis testing facility, cannabis dispensary, cannabis transportation entity, cannabis disposal entity or cannabis research facility licensed and registered by the appropriate agency.

( \*\* \*cc) "Medical cannabis establishment agent" means an owner, officer, board member, employee, volunteer or agent of a medical cannabis establishment.

( \*\* \*dd) "Medical use" includes the acquisition, administration, cultivation, processing, delivery, harvest, possession, preparation, transfer, transportation, or use of medical cannabis or equipment relating to the administration of medical cannabis to treat or alleviate a registered qualifying patient's debilitating medical condition or symptoms associated with the patient's debilitating medical condition. The term "medical use" does not include:

- (i) The cultivation of cannabis unless the cultivation is done by a cannabis cultivation facility; or

(ii) The extraction of resin from cannabis by mechanical or chemical extraction unless the extraction is done by a cannabis processing facility.

( \* \* \*ee) "Nonresident cardholder" means a person who:

(i) Has been diagnosed with a debilitating medical condition by a practitioner in his or her respective state or territory, or is the parent, guardian, conservator or other person with authority to consent to the medical use of medical cannabis by a person who has been diagnosed with a debilitating medical condition;

(ii) Is not a resident of Mississippi or who has been a resident of Mississippi for less than forty-five (45) days; and

(iii) Has submitted any documentation required by MDOH rules and regulations and has received confirmation of registration.

( \* \* \*ff) "Practitioner" means a physician, certified nurse practitioner, physician assistant or optometrist who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and the laws of this state. In relation to a nonresident cardholder, the term means a physician, certified nurse practitioner, physician assistant or optometrist who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and under the laws of the state or territory in which the nonresident patient resides. For registered qualifying patients who are minors, "practitioner" shall mean a physician or doctor of osteopathic medicine who is licensed to prescribe medicine under the licensing requirements of their respective occupational boards and the laws of this state.

( \* \* \*gg) "Public place" means a church or any area to which the general public is invited or in which the general public is permitted, regardless of the ownership of the area, and any area owned or controlled by a municipality, county, state or federal government, including, but not limited to, streets, sidewalks or other forms of public transportation. Such term shall not mean a private residential dwelling.

( \* \* \*hh) "Qualifying patient" means a person who has been diagnosed by a practitioner as having a debilitating medical condition and has been issued a written certification.

( \* \* \*ii) "Registry identification card" means a document issued by the MDOH that identifies a person as a registered qualifying patient, nonresident registered qualifying patient or registered designated caregiver.

( \* \* \*jj) "School" means an institution for the teaching of children, consisting of a physical location, whether owned or leased, including instructional staff members and students, and which is in session each school year. This definition shall include, but not be limited to, public, private, church and parochial programs for kindergarten, elementary, junior high and high schools. Such term shall not mean a home instruction program.

( \* \* \*kk) "Scope of practice" means the defined parameters of various duties, services or activities that may be provided or performed by a certified nurse practitioner as authorized under Sections 73-15-5 and 73-15-20, by an optometrist as authorized under Section 73-19-1, by a physician as authorized under Section 73-25-33, or by a physician assistant under Section 73-26-5, and rules and regulations adopted by the respective licensing boards for those practitioners.

( \* \* \*ll) "THC" or "Tetrahydrocannabinol" means any and all forms of tetrahydrocannabinol that are contained naturally in the cannabis plant, as well as synthesized forms of THC and derived variations, derivatives, isomers and allotropes that have similar molecular and physiological characteristics of tetrahydrocannabinol,

including, but not limited to, THCA, THC Delta 9, THC Delta 8, THC Delta 10 and THC Delta 6.

( \*\* \*mm) "Written certification" means a form approved by the MDOH, signed and dated by a practitioner, certifying that a person has a debilitating medical condition. A written certification shall include the following:

- (i) The date of issue and the effective date of the recommendation;
- (ii) The patient's name, date of birth and address;
- (iii) The practitioner's name, address, and federal Drug Enforcement Agency number; and
- (iv) The practitioner's signature.

SECTION 16. Section 41-137-57, Mississippi Code of 1972, is amended as follows:

41-137-57. (1) The cultivation, processing, sale and distribution of medical cannabis and cannabis products, as performed in accordance to the provisions of this chapter, shall be legal in every county and municipality of this state unless a county or municipality opts out through a vote by the board of supervisors of the county or governing authorities of the municipality, as applicable, within ninety (90) days after February 2, 2022. The governing authorities of the municipality or the board of supervisors of the county, as applicable, shall provide a notice in accordance with the Open Meetings Act (Section 25-41-1 et seq.) of its intent of holding a vote regarding opting out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable. The governing authorities of the municipality or the board of supervisors of the county, as applicable, may opt out of allowing one or more of the following: cultivation, processing, sale or distribution of medical cannabis and cannabis products. The governing authorities of a municipality, by a vote entered upon their minutes, may opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the municipality. The board of supervisors of a county, by a vote entered upon its minutes, may opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county.

(2) If the board of supervisors of a county or the governing authorities of a municipality do not opt out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, within ninety (90) days after February 2, 2022, then no vote by the board of supervisors or governing authorities, as applicable, may be held to so opt out, and the provisions of this chapter shall remain applicable and operative in the county or municipality, as applicable. If the board of supervisors of a county or governing authorities of a municipality have opted out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, then the board of supervisors or governing authorities of a municipality may later opt in regarding the same through a vote by the board of supervisors or governing authorities, as applicable, entered upon its or their minutes, or an election duly held according to subsection (3) or (4) of this section, as applicable.

(3) (a) Upon presentation and filing of a proper petition requesting that the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, be legal in the unincorporated areas of the county signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the county, it shall be the duty of the board of supervisors to call an election at which there shall be submitted to the qualified electors of the county the question of whether or not the cultivation, processing, sale and/or distribution of medical

cannabis and cannabis products, as applicable, shall be legal in the unincorporated areas of such county as provided in this chapter. Such election shall be held and conducted by the county election commissioners on a date fixed by the order of the board of supervisors, which date shall not be more than sixty (60) days from the date of the filing of the petition. Notice thereof shall be given by publishing such notice once each week for at least three (3) consecutive weeks in some newspaper published in the county or if no newspaper be published therein, by such publication in a newspaper in an adjoining county and having a general circulation in the county involved. The election shall be held not earlier than fifteen (15) days from the first publication of such notice.

(b) The election shall be held and conducted as far as may be possible in the same manner as is provided by law for the holding of general elections. The ballots used at the election shall contain a brief statement of the proposition submitted and, on separate lines, the words "I vote FOR allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of \_\_\_\_\_ [Name of County] ( )" or "I vote AGAINST allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of \_\_\_\_\_ [Name of County] ( )" with appropriate boxes in which the voters may express their choice. All qualified electors may vote by marking the ballot with a cross (x) or check (✓) mark opposite the words of their choice.

(c) The election commissioners shall canvass and determine the results of the election and shall certify the same to the board of supervisors which shall adopt and spread upon its minutes an order declaring such results. If, in such election, a majority of the qualified electors participating therein vote in favor of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county, this chapter shall be applicable and operative in the unincorporated areas of such county, and the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county shall be lawful to the extent and in the manner permitted in this chapter. If, on the other hand, a majority of the qualified electors participating in the election vote against allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, then it shall be illegal to cultivate, process, sell and/or distribute medical cannabis and cannabis products, as applicable, in the unincorporated areas of the county. In either case, no further election shall be held in the county under the provisions of this section for a period of two (2) years from the date of the prior election and then only upon the filing of a petition requesting same signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the county as provided in this section.

(4) (a) Upon presentation and filing of a proper petition requesting that the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, be legal in the municipality signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the municipality, it shall be the duty of the governing authorities of the municipality to call an election at which there shall be submitted to the qualified electors of the municipality the question of whether or not the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, shall be legal in the municipality as provided in this chapter. Such election shall be held and conducted on a date fixed by the order of the governing authorities of the municipality, which date shall not be more than sixty (60) days from the date of the filing of the petition. Notice thereof shall be given by publishing such notice once each week for at least three (3) consecutive weeks in some newspaper published in the municipality or if no newspaper be published therein, by such publication in a newspaper having a general circulation in the municipality involved. The election shall be held not earlier than fifteen (15) days from the first publication of such notice.



(b) The election shall be held and conducted as far as may be possible in the same manner as is provided by law for the holding of municipal elections. The ballots used at the election shall contain a brief statement of the proposition submitted and, on separate lines, the words "I vote FOR allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in \_\_\_\_\_ [Name of Municipality] ( )" or "I vote AGAINST allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, in \_\_\_\_\_ [Name of Municipality] ( )" with appropriate boxes in which the voters may express their choice. All qualified electors may vote by marking the ballot with a cross (x) or check (✓) mark opposite the words of their choice.

(c) The election commissioners shall canvass and determine the results of the election and shall certify the same to the governing authorities which shall adopt and spread upon their minutes an order declaring such results. If, in such election, a majority of the qualified electors participating therein vote in favor of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, this chapter shall be applicable and operative in such municipality and the cultivation, processing, sale, and/or distribution of medical cannabis and cannabis products, as applicable, therein shall be lawful to the extent and in the manner permitted in this chapter. If, on the other hand, a majority of the qualified electors participating in the election vote against allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, as applicable, then it shall be illegal to cultivate, process, sell and/or distribute medical cannabis and cannabis products, as applicable, in the municipality. In either case, no further election shall be held in the municipality under the provisions of this section for a period of two (2) years from the date of the prior election and then only upon the filing of a petition requesting same signed by at least twenty percent (20%) or fifteen hundred (1500), whichever number is the lesser, of the qualified electors of the municipality as provided in this section.

(5) Regardless of whether a county or municipality opts out of allowing the cultivation, processing, sale and/or distribution of medical cannabis and cannabis products, cardholders, cannabis testing facilities, cannabis research facilities, cannabis transportation entities and cannabis disposal entities may possess medical cannabis in the municipality or county if done in accordance with this chapter.

(6) (a) If a municipality that has opted out under this section annexes a geographic area which contains a licensed entity operating under the provisions of this chapter, then the licensed entity may continue its operation in that municipality's newly annexed geographic area.

(b) If a licensed entity operating under the provisions of this chapter is located in a municipality that contracts its corporate boundaries thereby causing the geographic area in which the licensed entity is located to no longer be in the municipality and instead in an unincorporated area of a county that has opted out under this section, then the licensed entity may continue its operation in that area of the county.

(7) In any county or municipality in which real property is owned, leased or otherwise controlled by a waterway district or water management district created in Title 51, Mississippi Code of 1972, the decision of the county or municipality to opt out or opt in as provided in this section shall be binding on all real property in such district. The ordinances of a county or municipality related to the provisions of this chapter shall be applicable to all real property within the respective boundaries of the county or municipality in such district.

SECTION 17. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-137-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A PRACTITIONER TO ASSIST A PATIENT IN REGISTERING FOR A REGISTRY IDENTIFICATION CARD WITH THE DEPARTMENT OF HEALTH AFTER THE PRACTITIONER HAS ISSUED A WRITTEN CERTIFICATION TO THE PATIENT; TO PROVIDE THAT THE REQUIREMENTS OF THIS SECTION SHALL NOT APPLY TO A PERSON WHO IS AUTHORIZED TO PURCHASE TOPICAL CANNABIS, AND SUCH PERSONS MAY POSSESS AND USE SUCH PRODUCTS WITHOUT BEING IN VIOLATION OF THIS CHAPTER; TO PROHIBIT ANY STATE AGENCY, DEPARTMENT, POLITICAL SUBDIVISION OR BOARD FROM REQUIRING A PRACTITIONER TO REQUIRE A PATIENT TO SUBMIT TO A DRUG TEST AS A CONDITION TO RECEIVING A CERTIFICATION FOR A REGISTRY IDENTIFICATION CARD; TO PROVIDE THAT A PRACTITIONER SHALL NOT BE REQUIRED TO HAVE ANY ADDITIONAL QUALIFICATIONS TO BE AUTHORIZED TO CERTIFY A QUALIFYING PATIENT FOR A REGISTRY IDENTIFICATION CARD; TO PROVIDE THAT A PRACTITIONER SHALL NOT BE REQUIRED TO BE REGISTERED TO CERTIFY PATIENTS WITH ANY STATE AGENCY OR BOARD OTHER THAN THE MDOH; TO PROVIDE THAT QUALIFYING PATIENTS MAY MAKE A FOLLOW-UP VISIT WITH A DIFFERENT PRACTITIONER THAN THE PRACTITIONER WHO ORIGINALLY ISSUED THEIR WRITTEN CERTIFICATION, PROVIDED THAT SUCH PRACTITIONER IS OTHERWISE REGISTERED AND ACTING WITHIN THEIR SCOPE OF PRACTICE AND THE PROVISIONS OF THE LAW; TO AMEND SECTION 41-137-23, MISSISSIPPI CODE OF 1972, TO REQUIRE MDOH TO VERIFY THE INFORMATION CONTAINED IN A REGISTRY IDENTIFICATION CARD APPLICATION OR RENEWAL AND APPROVE OR DENY AN APPLICATION OR RENEWAL WITHIN TEN DAYS OF RECEIVING A COMPLETED APPLICATION OR RENEWAL APPLICATION; TO PROVIDE THAT A MEDICAL CANNABIS WRITTEN CERTIFICATION ISSUED BY A PRACTITIONER SHALL BE VALID FOR THE SIX MONTHS IMMEDIATELY PRECEDING THE DATE OF APPLICATION; TO AMEND SECTION 41-137-35, MISSISSIPPI CODE OF 1972, TO CAP THE CANNABIS CULTIVATION FACILITY TIER 6 TO NOT MORE THAN 150,000 SQUARE FEET; TO AUTHORIZE AN INDIVIDUAL OR BUSINESS ENTITY TO HAVE AN OWNERSHIP OR ECONOMIC INTEREST IN A MEDICAL CANNABIS TESTING FACILITY AND A CANNABIS TRANSPORTATION ENTITY; TO PROVIDE THAT MDOH MAY CONTRACT WITH A PRIVATE LABORATORY FOR THE PURPOSE OF CONDUCTING COMPLIANCE TESTING OVERSIGHT OF MEDICAL CANNABIS; TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, TO REQUIRE A PROSPECTIVE EMPLOYEE TO UNDERGO A FINGERPRINT-BASED BACKGROUND CHECK BY THE DEPARTMENT OF PUBLIC SAFETY; TO REQUIRE A SUBSEQUENT BACKGROUND CHECK TO BE CONDUCTED ON PROSPECTIVE EMPLOYEES IF THEY DO NOT START EMPLOYMENT WITH AN ENTITY FOR SIX MONTHS; TO AUTHORIZE ANY TOPICAL CANNABIS PRODUCT THAT IS PURCHASED BY A DISPENSARY FROM A LICENSED PROCESSOR, AND THAT IS NOT INGESTED BY THE LIVER, TO BE SOLD TO A CARDHOLDER OR ANY PERSON OVER THE AGE OF TWENTY-ONE WHO IS NOT A CARDHOLDER; TO AMEND SECTION 41-137-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DISPENSARY WEBSITES TO DISPLAY PICTURES OF THE PRODUCTS THAT THE DISPENSARY SELLS; TO PROHIBIT A STATE AGENCY OR BOARD FROM IMPLEMENTING ANY RULE, REGULATION, POLICY OR REQUIREMENT THAT IS CONTRARY TO THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 41-137-47, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LICENSING AGENCIES TO DENY THE APPLICATION OF ANY APPLICANT WHO FAILS TO MEET THE QUALIFICATIONS FOR OBTAINING SUCH LICENSE; TO ESTABLISH CERTAIN APPEAL PROCEDURES FOR DENIALS; TO PROVIDE THAT ANY INVESTIGATION, FINE, SUSPENSION OR REVOCATION BY A LICENSING AGENCY UNDER THIS SECTION SHALL BE CONSIDERED CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 41-137-49, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ADDRESSES OF PROSPECTIVE AND LICENSED MEDICAL CANNABIS ESTABLISHMENTS, EXCEPT FOR MEDICAL CANNABIS DISPENSARIES, SHALL BE

CONSIDERED CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 41-137-59, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE JUDICIAL REVIEW OF AN APPEAL FROM A FINAL DECISION OR ORDER OF AN AGENCY UNDER THE PROVISIONS OF THE MEDICAL CANNABIS ACT SHALL BE BASED ON THE RECORD MADE BEFORE THE AGENCY; TO AMEND SECTION 41-137-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL FOR THE MEDICAL CANNABIS ADVISORY COMMITTEE; TO AMEND SECTION 41-29-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTROLLED SUBSTANCES AND RAW MATERIALS WHICH HAVE BEEN USED IN VIOLATION OF THE MEDICAL CANNABIS ACT MAY BE SUBJECT TO FORFEITURE; TO EMPOWER LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF REVENUE OR MISSISSIPPI DEPARTMENT OF HEALTH ACTING WITH THEIR DUTIES IN ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT TO SEIZE SUCH SUBJECTS; TO AMEND SECTION 41-29-154, MISSISSIPPI CODE OF 1972, TO EMPOWER LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF REVENUE OR MISSISSIPPI DEPARTMENT OF HEALTH ACTING WITH THEIR DUTIES IN ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT TO DESTROY ANY CONTROLLED SUBSTANCES OR PARAPHERNALIA SEIZED UNDER THEIR AUTHORITY; TO AMEND SECTION 25-53-1, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL THAT ALLOWS AN EXEMPTION TO ITS OVERSIGHT FOR THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2728, 2023 REGULAR SESSION, TO EXTEND THE DATE OF REPEAL THAT ALLOWS AN EXEMPTION TO ITS PROCUREMENT PROCEDURES FOR THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO CREATE NEW SECTION 73-21-127.1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE PRESCRIPTION MONITORING PROGRAM TO ISSUE AN ANNUAL REPORT TO THE LEGISLATURE THAT INDICATES THE NUMBER OF OPIOID PRESCRIPTIONS THAT WERE PROVIDED TO PATIENTS DURING THAT YEAR; TO AMEND SECTION 41-137-3, MISSISSIPPI CODE OF 1972, TO ADD THE DEFINITION OF THE TERMS ARTIFICIALLY DERIVED CANNABINOID, CANNABINOID AND CANNABIS WASTE; TO AMEND SECTION 41-137-57, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN ANY COUNTY OR MUNICIPALITY IN WHICH REAL PROPERTY IS OWNED, LEASED OR OTHERWISE CONTROLLED BY A WATERWAY DISTRICT OR WATER MANAGEMENT DISTRICT CREATED IN TITLE 51, MISSISSIPPI CODE OF 1972, THE DECISION OF THE COUNTY OR MUNICIPALITY TO OPT OUT OR OPT IN OF ALLOWING MEDICAL CANNABIS ENTITIES SHALL BE BINDING ON ALL REAL PROPERTY IN SUCH DISTRICT; TO PROVIDE THAT THE ORDINANCES OF A COUNTY OR MUNICIPALITY RELATED TO THE PROVISIONS THE MEDICAL CANNABIS LAW SHALL BE APPLICABLE TO ALL REAL PROPERTY WITHIN THE BOUNDARIES OF THE COUNTY OR MUNICIPALITY IN SUCH DISTRICT; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 1158 was adopted.

YEAS AND NAYS On H. B. No. 1158. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeLano, England, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks,

Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Barrett, Branning, Chism, DeBar, Hill. Total--5.

Absent and those not voting--None.

Not Voting--Tate. Total--1.

Voting Present--Blount, Fillingane, Frazier, Simmons D. T. (12th). Total--4.

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Senator Bryan moved that the rules be suspended to move to calendar item 100, **H. B. No. 1222**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

**H. B. No. 1222:** The Mississippi Collaborative Response to Mental Health Act; create.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as "The Mississippi Collaborative Response to Mental Health Act."

SECTION 2. (1) Each county and municipal law enforcement agency shall provide Mental Health First Aid training that is evidence-based and approved by the Department of Mental Health to all law enforcement officers who are employed or contracted by the agency by July 1, 2031.

(2) On or before July 1, 2025, each county and municipal law enforcement agency shall employ at least one (1) law enforcement officer who is a Crisis Intervention Team Officer, as defined in Section 41-21-131. An agency which employs fewer than five (5) law enforcement officers may execute an agreement with one or more other law enforcement agencies to have a Crisis Intervention Team officer to serve as the officer for that agency.

SECTION 3. The following shall be codified as Section 41-21-77.1, Mississippi Code of 1972:

41-21-77.1. Subject to appropriation by the Legislature, the Department of Mental Health shall provide funding to each community mental health center to allow the center to designate court liaisons for the counties in its service area.

SECTION 4. Section 41-4-3, Mississippi Code of 1972, is amended as follows:

41-4-3. (1) There is created a State Board of Mental Health, referred to in this chapter as "board," consisting of nine (9) members, to be appointed by the Governor, with the advice and consent of the Senate, each of whom shall be a qualified elector. One (1) member shall be appointed from each congressional district as presently constituted; and four (4) members shall be appointed from the state at large, one (1) of whom shall be a licensed medical doctor who is a psychiatrist, one (1) of whom shall hold a Ph.D. degree and be a licensed clinical psychologist, one (1) of whom shall be a licensed medical doctor, and one (1) of whom shall be a social worker with experience in the mental health field.

No more than two (2) members of the board shall be appointed from any one (1) congressional district as presently constituted.

Each member of the initial board shall serve for a term of years represented by the number of his congressional district; two (2) state at large members shall serve for a term of six (6) years; two (2) state at large members shall serve for a term of seven (7) years; subsequent appointments shall be for seven-year terms and the Governor shall fill any vacancy for the unexpired term.

The board shall elect a chairman whose term of office shall be one (1) year and until his successor shall be elected.

(2) Each board member shall be entitled to a per diem as is authorized by law and all actual and necessary expenses, including mileage as provided by law, incurred in the discharge of official duties.

(3) The board shall hold regular meetings quarterly and such special meetings deemed necessary, except that no action shall be taken unless there is present a quorum of at least five (5) members.

(4) No board member may be appointed for more than two (2) consecutive terms. For purposes of counting terms of any board member, when the term ends for any board member who is a member of the board as of the effective date of this act, the end of such term shall be considered the person's first term. If any person who is a member of the board as of the effective date of this act is re-appointed after the expiration of his or her term, such succeeding term shall be considered the second term and such person shall not be re-appointed to the board without a break in service.

SECTION 5. Section 41-19-31, Mississippi Code of 1972, is amended as follows:

41-19-31. For the purpose of authorizing the establishment of mental illness and intellectual disability facilities and services in the State of Mississippi, the boards of supervisors of one or more counties are authorized to act singularly or as a group in the selection of a regional district by spreading upon their minutes by resolution such designation in conformity with this act.

SECTION 6. Section 41-19-33, Mississippi Code of 1972, is amended as follows:

41-19-33. (1) Each region so designated or established under Section 41-19-31 shall establish a regional commission to be composed of members appointed by the boards of supervisors of the various counties in the region. Each regional commission shall employ or contract with a certified public accountant for the purpose of managing the finances of the commission. The certified public accountant shall provide an annual audit to the commission in addition to his or her other duties. It shall be the duty of such regional commission to administer mental health/intellectual disability programs certified and required by the State Board of Mental Health and as specified in Section 41-4-1(2). In addition, once designated and established as provided hereinabove, a regional commission shall have the following authority and shall pursue and promote the following general purposes:

(a) To establish, own, lease, acquire, construct, build, operate and maintain mental illness, mental health, intellectual disability, alcoholism and general rehabilitative facilities and services designed to serve the needs of the people of the region so designated, provided that the services supplied by the regional commissions shall include those services determined by the Department of Mental Health to be necessary and may include, in addition to the above, services for persons with developmental and learning disabilities; for persons suffering from narcotic addiction and problems of drug abuse and drug dependence; and for the aging as designated and certified by the Department of Mental Health. Such regional mental health and intellectual disability commissions and

other community service providers shall, on or before July 1 of each year, submit an annual operational plan to the Department of Mental Health for approval or disapproval based on the minimum standards and minimum required services established by the department for certification and itemize the services as specified in Section 41-4-1(2), including financial statements. As part of the annual operation plan required by Section 41-4-7(h) submitted by any regional community mental health center or by any other reasonable certification deemed acceptable by the department, the community mental health center shall state those services specified in Section 41-4-1(2) that it will provide and also those services that it will not provide. If the department finds deficiencies in the plan of any regional commission or community service provider based on the minimum standards and minimum required services established for certification, the department shall give the regional commission or community service provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. The regional commission or community service provider shall develop a sustainability business plan within thirty (30) days of being placed on probation, which shall be signed by all commissioners and shall include policies to address one or more of the following: the deficiencies in programmatic services, clinical service staff expectations, timely and appropriate billing, processes to obtain credentialing for staff, monthly reporting processes, third-party financial reporting and any other required documentation as determined by the department. After the six-month probationary period, if the department determines that the regional commission or community service provider still does not meet the minimum standards and minimum required services established for certification, the department may remove the certification of the commission or provider, and from and after July 1, 2011, the commission or provider shall be ineligible for state funds from Medicaid reimbursement or other funding sources for those services. After the six-month probationary period, the Department of Mental Health may identify an appropriate community service provider to provide any core services in that county that are not provided by a community mental health center. However, the department shall not offer reimbursement or other accommodations to a community service provider of core services that were not offered to the decertified community mental health center for the same or similar services.

(b) To provide facilities and services for the prevention of mental illness, mental disorders, developmental and learning disabilities, alcoholism, narcotic addiction, drug abuse, drug dependence and other related handicaps or problems (including the problems of the aging) among the people of the region so designated, and for the rehabilitation of persons suffering from such illnesses, disorders, handicaps or problems as designated and certified by the Department of Mental Health.

(c) To promote increased understanding of the problems of mental illness, intellectual disabilities, alcoholism, developmental and learning disabilities, narcotic addiction, drug abuse and drug dependence and other related problems (including the problems of the aging) by the people of the region, and also to promote increased understanding of the purposes and methods of the rehabilitation of persons suffering from such illnesses, disorders, handicaps or problems as designated and certified by the Department of Mental Health.

(d) To enter into contracts and to make such other arrangements as may be necessary, from time to time, with the United States government, the government of the State of Mississippi and such other agencies or governmental bodies as may be approved by and acceptable to the regional commission for the purpose of establishing, funding, constructing, operating and maintaining facilities and services for the care, treatment and rehabilitation of persons suffering from mental illness, an intellectual disability, alcoholism, developmental and learning disabilities, narcotic addiction, drug abuse, drug dependence and other illnesses, disorders, handicaps and problems (including the problems of the aging) as designated and certified by the Department of Mental Health.

(e) To enter into contracts and make such other arrangements as may be necessary with any and all private businesses, corporations, partnerships, proprietorships or other private agencies, whether organized for profit or otherwise, as may be approved by and acceptable to the regional commission for the purpose of establishing, funding, constructing, operating and maintaining facilities and services for the care, treatment and rehabilitation of persons suffering from mental illness, an intellectual disability, alcoholism, developmental and learning disabilities, narcotic addiction, drug abuse, drug dependence and other illnesses, disorders, handicaps and problems (including the problems of the aging) relating to minimum services established by the Department of Mental Health.

(f) To promote the general mental health of the people of the region.

(g) To pay the administrative costs of the operation of the regional commissions, including per diem for the members of the commission and its employees, attorney's fees, if and when such are required in the opinion of the commission, and such other expenses of the commission as may be necessary. The Department of Mental Health standards and audit rules shall determine what administrative cost figures shall consist of for the purposes of this paragraph. Each regional commission shall submit a cost report annually to the Department of Mental Health in accordance with guidelines promulgated by the department.

(h) To employ and compensate any personnel that may be necessary to effectively carry out the programs and services established under the provisions of the aforesaid act, provided such person meets the standards established by the Department of Mental Health.

(i) To acquire whatever hazard, casualty or workers' compensation insurance that may be necessary for any property, real or personal, owned, leased or rented by the commissions, or any employees or personnel hired by the commissions.

(j) To acquire professional liability insurance on all employees as may be deemed necessary and proper by the commission, and to pay, out of the funds of the commission, all premiums due and payable on account thereof.

(k) To provide and finance within their own facilities, or through agreements or contracts with other local, state or federal agencies or institutions, nonprofit corporations, or political subdivisions or representatives thereof, programs and services for persons with mental illness, including treatment for alcoholics, and promulgating and administering of programs to combat drug abuse and programs for services for persons with an intellectual disability.

(l) To borrow money from private lending institutions in order to promote any of the foregoing purposes. A commission may pledge collateral, including real estate, to secure the repayment of money borrowed under the authority of this paragraph. Any such borrowing undertaken by a commission shall be on terms and conditions that are prudent in the sound judgment of the members of the commission, and the interest on any such loan shall not exceed the amount specified in Section 75-17-105. Any money borrowed, debts incurred or other obligations undertaken by a commission, regardless of whether borrowed, incurred or undertaken before or after March 15, 1995, shall be valid, binding and enforceable if it or they are borrowed, incurred or undertaken for any purpose specified in this section and otherwise conform to the requirements of this paragraph.

(m) To acquire, own and dispose of real and personal property. Any real and personal property paid for with state and/or county appropriated funds must have the written approval of the Department of Mental Health and/or the county board of supervisors, depending on the original source of funding, before being disposed of under this paragraph.

(n) To enter into managed care contracts and make such other arrangements as may be deemed necessary or appropriate by the regional commission in order to participate in any managed care program. Any such contract or arrangement affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(o) To provide facilities and services on a discounted or capitated basis. Any such action when affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(p) To enter into contracts, agreements or other arrangements with any person, payor, provider or other entity, under which the regional commission assumes financial risk for the provision or delivery of any services, when deemed to be necessary or appropriate by the regional commission. Any action under this paragraph affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(q) To provide direct or indirect funding, grants, financial support and assistance for any health maintenance organization, preferred provider organization or other managed care entity or contractor, where such organization, entity or contractor is operated on a nonprofit basis. Any action under this paragraph affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(r) To form, establish, operate, and/or be a member of or participant in, either individually or with one or more other regional commissions, any managed care entity as defined in Section 83-41-403(c). Any action under this paragraph affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(s) To meet at least annually with the board of supervisors of each county in its region for the purpose of presenting its total annual budget and total mental health/intellectual disability services system. The commission shall submit an annual report on the adult mental health services, children mental health services and intellectual disability services required by the State Board of Mental Health.

(t) To provide alternative living arrangements for persons with serious mental illness, including, but not limited to, group homes for persons with chronic mental illness.

(u) To make purchases and enter into contracts for purchasing in compliance with the public purchasing law, Sections 31-7-12 and 31-7-13, with compliance with the public purchasing law subject to audit by the State Department of Audit.

(v) To ensure that all available funds are used for the benefit of persons with mental illness, persons with an intellectual disability, substance abusers and persons with developmental disabilities with maximum efficiency and minimum administrative cost. At any time a regional commission, and/or other related organization whatever it may be, accumulates surplus funds in excess of one-half (1/2) of its annual operating budget, the entity must submit a plan to the Department of Mental Health stating the capital improvements or other projects that require such surplus accumulation. If the required plan is not submitted within forty-five (45) days of the end of the applicable fiscal year, the Department of Mental Health shall withhold all state appropriated funds from such regional commission until such time as the capital improvement plan is submitted. If the submitted capital improvement plan is not accepted by the department, the surplus funds shall be expended by the regional commission in the local mental health region on group homes for persons with mental illness, persons with an intellectual disability, substance abusers,



children or other mental health/intellectual disability services approved by the Department of Mental Health.

(w) Notwithstanding any other provision of law, to fingerprint and perform a criminal history record check on every employee or volunteer. Every employee or volunteer shall provide a valid current social security number and/or driver's license number that will be furnished to conduct the criminal history record check. If no disqualifying record is identified at the state level, fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check.

(x) Notwithstanding any other provisions of law, each regional commission shall have the authority to create and operate a primary care health clinic to treat (i) its patients; and (ii) its patients' family members related within the third degree; and (iii) its patients' household members or caregivers, subject to the following requirements:

(i) The regional commission may employ and compensate any personnel necessary and must satisfy applicable state and federal laws and regulations regarding the administration and operation of a primary care health clinic.

(ii) A Mississippi licensed physician must be employed or under agreement with the regional commission to provide medical direction and/or to carry out the physician responsibilities as described under applicable state and/or federal law and regulations.

(iii) The physician providing medical direction for the primary care clinic shall not be certified solely in psychiatry.

(iv) A sliding fee scale may be used by the regional commission when no other payer source is identified.

(v) The regional commission must ensure services will be available and accessible promptly and in a manner that preserves human dignity and assures continuity of care.

(vi) The regional commission must provide a semiannual report to the Chairmen of the Public Health Committees in both the House of Representatives and Senate. At a minimum, for each reporting period, these reports shall describe the number of patients provided primary care services, the types of services provided, and the payer source for the patients. Except for patient information and any other information that may be exempt from disclosure under the Health Information Portability and Accountability Act (HIPAA) and the Mississippi Public Records Act, the reports shall be considered public records.

(vii) The regional commission must employ or contract with a core clinical staff that is multidisciplinary and culturally and linguistically competent.

(viii) The regional commission must ensure that its physician as described in subparagraph (ii) of this paragraph (x) has admitting privileges at one or more local hospitals or has an agreement with a physician who has admitting privileges at one or more local hospitals to ensure continuity of care.

(ix) The regional commission must provide an independent financial audit report to the State Department of Mental Health and, except for patient information and any other information that may be exempt from disclosure under HIPAA and the Mississippi Public Records Act, the audit report shall be considered a public record.

For the purposes of this paragraph (x), the term "caregiver" means an individual who has the principal and primary responsibility for caring for a child or dependent adult, especially in the home setting.

(y) In general to take any action which will promote, either directly or indirectly, any and all of the foregoing purposes.

(z) All regional commissioners shall receive new orientation training and annual training with continuing education regarding the Mississippi mental health system and services as developed by the State Department of Mental Health. Training shall be provided at the expense of the department except for travel expenses which shall be paid by the regional commission.

(2) The types of services established by the State Department of Mental Health that must be provided by the regional mental health/intellectual disability centers for certification by the department, and the minimum levels and standards for those services established by the department, shall be provided by the regional mental health/intellectual disability centers to children when such services are appropriate for children, in the determination of the department.

(3) Each regional commission shall compile quarterly financial statements and status reports from each individual community health center. The compiled reports shall be submitted to the coordinator quarterly. The reports shall contain a:

- (a) Balance sheet;
- (b) Statement of operations;
- (c) Statement of cash flows; and

(d) Description of the status of individual community health center's actions taken to increase access to and availability of community mental health services.

SECTION 7. Section 41-19-35, Mississippi Code of 1972, is amended as follows:

41-19-35. Except as otherwise provided in this section, the board of supervisors of each participating county in the program shall appoint one (1) member to represent its county on the regional commission in its respective region for a term of four (4) years who shall serve at the will and pleasure of the appointing board of supervisors, who may be a clerk, sheriff or deputy. In addition, the chancery clerks of the counties in each region shall select a chancery clerk or a deputy clerk to serve as a nonvoting liaison to the commission, and the sheriffs of the counties in each region shall select a sheriff or a deputy sheriff to serve as a nonvoting liaison to the commission. Any compensation of such members shall be paid by the regional commission, in its discretion, from any funds available. Each member of the commission shall attend the orientation training for new commissioners and the annual training for all commissioners held by the Department of Mental Health. The Department of Mental Health shall notify the board of supervisors when a commissioner does not attend either the orientation training or annual training. Upon notice from the Department of Mental Health that a commissioner has failed to attend the required meetings, the appointing board of supervisors shall remove the commissioner, unless the department and the commission agree to an alternate arrangement to allow the commissioner to continue to serve until the next opportunity to attend the orientation meeting and/or the annual training.

SECTION 8. Section 41-21-67, Mississippi Code of 1972, is amended as follows:

41-21-67. (1) Whenever the affidavit provided for in Section 41-21-65 is filed with the chancery clerk, the clerk, upon direction of the chancellor of the court, shall issue a writ directed to the sheriff of the proper county to take into custody the person alleged to be in need of treatment and to take the person for pre-evaluation screening and treatment by the appropriate community mental health center established under Section 41-19-31. The community mental health center will be designated as the first point of entry for

pre-evaluation screening and treatment. If the community mental health center is unavailable, \* \* \* a reputable licensed physician, psychologist, nurse practitioner \* \* \* who has been certified by the Department of Mental Health to perform pre-evaluation screening may conduct the pre-evaluation screening and examination as set forth in Section 41-21-69. The \* \* \* writ may provide where the person shall be held \* \* \* for pre-evaluation \* \* \* and examination. However, when the affidavit fails to set forth factual allegations and witnesses sufficient to support the need for treatment, the chancellor shall refuse to direct issuance of the writ. Reapplication may be made to the chancellor. If a pauper's affidavit is filed by an affiant who is a guardian or conservator of a person in need of treatment, the court shall determine if either the affiant or the person in need of treatment is a pauper and if \* \* \* the affiant or the person in need of treatment is determined to be a pauper, the county of the residence of the respondent shall bear the costs of the commitment proceedings in court, unless funds for those purposes are made available by the state.

In any county in which a Crisis Intervention Team has been established under the provisions of Sections 41-21-131 through 41-21-143, the clerk, upon the direction of the chancellor, may require that the person be referred to the Crisis Intervention Team for appropriate psychiatric or other medical services before the issuance of the writ.

(2) Upon issuance of the writ, the chancellor shall immediately appoint and summon two (2) reputable, licensed physicians or one (1) reputable, licensed physician and either one (1) psychologist, nurse practitioner or physician assistant to conduct a physical and mental examination of the person at a place to be designated by the clerk or chancellor and to report their findings to the clerk or chancellor. However, any nurse practitioner or physician assistant conducting the examination shall be independent from, and not under the supervision of, the other physician conducting the examination. A nurse practitioner or psychiatric nurse practitioner conducting an examination under this chapter must be functioning within a collaborative or consultative relationship with a physician as required under Section 73-15-20(3). In all counties in which there is a county health officer, the county health officer, if available, may be one (1) of the physicians so appointed. If a licensed physician is not available to conduct the physical and mental examination within forty-eight (48) hours of the issuance of the writ, the court, in its discretion and upon good cause shown, may permit the examination to be conducted by the following: (a) two (2) nurse practitioners, one (1) of whom must be a psychiatric nurse practitioner; or (b) one (1) psychiatric nurse practitioner and one (1) psychologist or physician assistant. Neither of the physicians nor the psychologist, nurse practitioner or physician assistant selected shall be related to that person in any way, nor have any direct or indirect interest in the estate of that person nor shall any full-time staff of residential treatment facilities operated directly by the State Department of Mental Health serve as examiner.

(3) The clerk shall ascertain whether the respondent is represented by an attorney, and if it is determined that the respondent does not have an attorney, the clerk shall immediately notify the chancellor of that fact. If the chancellor determines that the respondent for any reason does not have the services of an attorney, the chancellor shall immediately appoint an attorney for the respondent at the time the examiners are appointed.

(4) If the chancellor determines that there is probable cause to believe that the respondent is mentally ill and that there is no reasonable alternative to detention, the chancellor may order that the respondent be retained as an emergency patient at any licensed medical facility for evaluation by a physician, nurse practitioner or physician assistant and that a peace officer transport the respondent to the specified facility. If the community mental health center serving the county has partnered with Crisis Intervention Teams under the provisions of Sections 41-21-131 through 41-21-143, the order may specify that the licensed medical facility be a designated single point of entry within the county or within \* \* \* a county served by the community mental health center. If the person evaluating the respondent finds that the respondent is mentally ill and in need of

treatment, the chancellor may order that the respondent be retained at the licensed medical facility or any other available suitable location as the court may so designate pending an admission hearing. If necessary, the chancellor may order a peace officer or other person to transport the respondent to that facility or suitable location. Any respondent so retained may be given such treatment as is indicated by standard medical practice. However, the respondent shall not be held in a hospital operated directly by the State Department of Mental Health, and shall not be held in jail unless the court finds that there is no reasonable alternative.

The respondent's status as an indigent or pauper shall not constitute sufficient grounds for the court to find that there is no reasonable alternative for the respondent to be held in jail.

(5) (a) For indigent patients with no payor source or without payor coverage before a chancellor's determination concerning psychiatric treatment, the respondent's county of residence may bear the costs of prehearing placement or detention provided by a licensed medical facility pursuant to an agreed upon fee schedule with the licensed medical facility. In the absence of an agreed upon fee schedule, the respondent's county of residence may pay for the cost of placement or detention in an amount no greater than the applicable reimbursement rate based on the Mississippi Medicaid reimbursement rate or schedule, and the county shall not be liable for any costs that exceed the Mississippi Medicaid reimbursement rate or schedule.

(b) For indigent respondents with no payor source or without payor coverage where the chancellor has determined that the respondent is in need of psychiatric treatment and no State Department of Mental Health beds or community mental health center crisis stabilization beds are available, the respondent's county of residence shall bear the costs of treatment at an amount negotiated with the treatment facilities, but the county shall not be liable for any costs that exceed the Mississippi Medicaid reimbursement rate or schedule.

(c) This subsection (5) shall not take effect until July 1, 2026, and then only in counties where the Director of the Department of Mental Health certifies that there are sufficient facilities available at a reasonable cost and at a reasonable location.

( \*\* \*6) (a) Whenever a licensed psychologist, nurse practitioner or physician assistant who is certified to complete examinations for the purpose of commitment or a licensed physician has reason to believe that a person poses an immediate substantial likelihood of physical harm to himself or others or is gravely disabled and unable to care for himself by virtue of mental illness, as defined in Section 41-21-61(e), then the physician, psychologist, nurse practitioner or physician assistant may hold the person or may admit the person to and treat the person in a licensed medical facility, without a civil order or warrant for a period not to exceed seventy-two (72) hours. However, if the seventy-two-hour period begins or ends when the chancery clerk's office is closed, or within three (3) hours of closing, and the chancery clerk's office will be continuously closed for a time that exceeds seventy-two (72) hours, then the seventy-two-hour period is extended until the end of the next business day that the chancery clerk's office is open. The person may be held and treated as an emergency patient at any licensed medical facility, available regional mental health facility, or crisis intervention center. The physician or psychologist, nurse practitioner or physician assistant who holds the person shall certify in writing the reasons for the need for holding.

If a person is being held and treated in a licensed medical facility, and that person decides to continue treatment by voluntarily signing consent for admission and treatment, the seventy-two-hour hold may be discontinued without filing an affidavit for commitment. Any respondent so held may be given such treatment as indicated by standard medical practice. Persons acting in good faith in connection with the detention and reporting of a person believed to be mentally ill shall incur no liability, civil or criminal, for those acts.

(b) Whenever an individual is held for purposes of receiving treatment as prescribed under paragraph (a) of this subsection, and it is communicated to the mental health professional holding the individual that the individual resides or has visitation rights with a minor child, and if the individual is considered to be a danger to the minor child, the mental health professional shall notify the Department of Child Protection Services prior to discharge if the threat of harm continues to exist, as is required under Section 43-21-353.

This paragraph (b) shall be known and may be cited as the "Andrew Lloyd Law."

SECTION 9. Section 41-21-77, Mississippi Code of 1972, is amended as follows:

41-21-77. (1) If admission is ordered at a treatment facility, the sheriff, his or her deputy or any other person appointed or authorized by the court shall immediately deliver the respondent to the director of the appropriate facility. Neither the Board of Mental Health or its members, nor the Department of Mental Health or its related facilities, nor any employee of the Department of Mental Health or its related facilities, shall be appointed, authorized or ordered to deliver the respondent for treatment, and no person shall be so delivered or admitted until the director of the admitting institution determines that facilities and services are available. Persons who have been ordered committed and are awaiting admission may be given any such treatment in the facility by a licensed physician as is indicated by standard medical practice. Any county facility used for providing housing, maintenance and medical treatment for involuntarily committed persons pending their transportation and admission to a state treatment facility shall be certified by the State Department of Mental Health under the provisions of Section 41-4-7(kk). No person shall be delivered or admitted to any non-Department of Mental Health treatment facility unless the treatment facility is licensed and/or certified to provide the appropriate level of psychiatric care for persons with mental illness. It is the intent of this Legislature that county-owned hospitals work with regional community mental health/intellectual disability centers in providing care to local patients. The clerk shall provide the director of the admitting institution with a certified copy of the court order, a certified copy of the appointed examiners' certificates, a certified copy of the affidavit, and any other information available concerning the physical and mental condition of the respondent. Upon notification from the United States Veterans Administration or other agency of the United States government, that facilities are available and the respondent is eligible for care and treatment in those facilities, the court may enter an order for delivery of the respondent to or retention by the Veterans Administration or other agency of the United States government, and, in those cases the chief officer to whom the respondent is so delivered or by whom he is retained shall, with respect to the respondent, be vested with the same powers as the director of the Mississippi State Hospital at Whitfield, or the East Mississippi State Hospital at Meridian, with respect to retention and discharge of the respondent.

(2) (a) When admission to a treatment facility is ordered by the court, the chancery clerk shall make record of the admission. Each chancery clerk shall maintain a record of the number of persons ordered by the court to be admitted to a treatment facility, the number of hearings held by the court to determine whether a person should be admitted to a treatment facility and the number of affidavits filed to admit a person to a treatment facility under Section 41-21-61 etc.

(b) The chancery clerk shall maintain a record each time such clerk receives a denial for admission to a community mental health center crisis stabilization bed, the reason provided to the clerk for such denial, and the subsequent action taken by the clerk upon receiving the denial.

(c) Each chancery clerk shall provide the records required by paragraphs (a) and (b) of this subsection (2) to the Department of Mental Health within thirty (30) days of the end of each calendar quarter. Within sixty (60) days of receipt of the chancery clerk records, the Department of Mental Health shall provide a summary to the Chairpersons

of the Appropriations, Public Health and Judiciary A and B Committees for the Mississippi House of Representatives and the Mississippi Senate and the President of the Mississippi Association of Community Mental Health Centers.

SECTION 10. Section 41-4-7, Mississippi Code of 1972, is amended as follows:

41-4-7. The State Board of Mental Health shall have the following powers and duties:

(a) To appoint a full-time Executive Director of the Department of Mental Health, who shall be employed by the board and shall serve as executive secretary to the board. The first director shall be a duly licensed physician with special interest and competence in psychiatry, and shall possess a minimum of three (3) years' experience in clinical and administrative psychiatry. Subsequent directors shall possess at least a master's degree or its equivalent, and shall possess at least ten (10) years' administrative experience in the field of mental health. The salary of the executive director shall be determined by the board;

(b) To appoint a Medical Director for the Department of Mental Health. The medical director shall provide clinical oversight in the implementation of evidence-based and best practices; provide clinical leadership in the integration of mental health, intellectual disability and addiction services with community partners in the public and private sectors; and provide oversight regarding standards of care. The medical director shall serve at the will and pleasure of the board, and will undergo an annual review of job performance and future service to the department;

(c) To \* \* \* establish and implement its state strategic plan;

(d) To develop a strategic plan for the development of services for persons with mental illness, persons with developmental disabilities and other clients of the public mental health system. Such strategic planning program shall require that the board, acting through the Strategic Planning and Best Practices Committee, perform the following functions respecting the delivery of services:

(i) Establish measures for determining the efficiency and effectiveness of the services specified in Section 41-4-1(2);

(ii) Conducting studies of community-based care in other jurisdictions to determine which services offered in these jurisdictions have the potential to provide the citizens of Mississippi with more effective and efficient community-based care;

(iii) Evaluating the efficiency and effectiveness of the services specified in Section 41-4-1(2);

(iv) Recommending to the Legislature by January 1, 2014, any necessary additions, deletions or other changes necessary to the services specified in Section 41-4-1(2);

(v) Implementing by July 1, 2012, a system of performance measures for the services specified in Section 41-4-1(2);

(vi) Recommending to the Legislature any changes that the department believes are necessary to the current laws addressing civil commitment;

(vii) Conducting any other activities necessary to the evaluation and study of the services specified in Section 41-4-1(2);

(viii) Assisting in conducting all necessary strategic planning for the delivery of all other services of the department. Such planning shall be conducted so as

to produce a single strategic plan for the services delivered by the public mental health system and shall establish appropriate mission statements, goals, objectives and performance indicators for all programs and services of the public mental health system. For services other than those specified in Section 41-4-1(2), the committee shall recommend to the State Board of Mental Health a strategic plan that the board may adopt or modify;

(e) To set up state plans for the purpose of controlling and treating any and all forms of mental and emotional illness, alcoholism, drug misuse and developmental disabilities;

(f) [Repealed]

(g) To enter into contracts with any other state or federal agency, or with any private person, organization or group capable of contracting, if it finds such action to be in the public interest;

(h) To collect reasonable fees for its services; however, if it is determined that a person receiving services is unable to pay the total fee, the department shall collect \* \* \* no more than the amount such person is able to pay;

(i) To certify, coordinate and establish minimum standards and establish minimum required services, as specified in Section 41-4-1(2), for regional mental health and intellectual disability commissions and other community service providers for community or regional programs and services in adult mental health, children and youth mental health, intellectual disabilities, alcoholism, drug misuse, developmental disabilities, compulsive gambling, addictive disorders and related programs throughout the state. Such regional mental health and intellectual disability commissions and other community service providers shall, on or before July 1 of each year, submit an annual operational plan to the State Department of Mental Health for approval or disapproval based on the minimum standards and minimum required services established by the department for certification and itemize the services specified in Section 41-4-1(2), including financial statements. As part of the annual operation plan required by this paragraph (i) submitted by any regional community mental health center or by any other reasonable certification deemed acceptable by the department, the community mental health center shall state those services specified in Section 41-4-1(2) that it will provide and also those services that it will not provide. If the department finds deficiencies in the plan of any regional commission or community service provider based on the minimum standards and minimum required services established for certification, the department shall give the regional commission or community service provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. The regional commission or community service provider shall develop a sustainability business plan within thirty (30) days of being placed on probation, which shall be signed by all commissioners and shall include policies to address one or more of the following: the deficiencies in programmatic services, clinical service staff expectations, timely and appropriate billing, processes to obtain credentialing for staff, monthly reporting processes, third-party financial reporting and any other required documentation as determined by the department. After the six-month probationary period, if the department determines that the regional commission or community service provider still does not meet the minimum standards and minimum required services established for certification, the department may remove the certification of the commission or provider and from and after July 1, 2011, the commission or provider shall be ineligible for state funds from Medicaid reimbursement or other funding sources for those services. However, the department shall not mandate a standard or service, or decertify a regional commission or community service provider for not meeting a standard or service, if the standard or service does not have funding appropriated by the Legislature or have a state, federal or local funding source identified by the department. No county shall be required to levy millage to provide a mandated standard or service above the minimum rate required by Section 41-19-39. After the six-month probationary period, the department

may identify an appropriate community service provider to provide any core services in that county that are not provided by a community mental health center. However, the department shall not offer reimbursement or other accommodations to a community service provider of core services that were not offered to the decertified community mental health center for the same or similar services. The State Board of Mental Health shall promulgate rules and regulations necessary to implement the provisions of this paragraph (i), in accordance with the Administrative Procedures Law (Section 25-43-1.101 et seq.);

(j) To establish and promulgate reasonable minimum standards for the construction and operation of state and all Department of Mental Health certified facilities, including reasonable minimum standards for the admission, diagnosis, care, treatment, transfer of patients and their records, and also including reasonable minimum standards for providing day care, outpatient care, emergency care, inpatient care and follow-up care, when such care is provided for persons with mental or emotional illness, an intellectual disability, alcoholism, drug misuse and developmental disabilities;

(k) To implement best practices for all services specified in Section 41-4-1(2), and to establish and implement all other services delivered by the Department of Mental Health. To carry out this responsibility, the board shall require the department to establish a division responsible for developing best practices based on a comprehensive analysis of the mental health environment to determine what the best practices for each service are. In developing best practices, the board shall consider the cost and benefits associated with each practice with a goal of implementing only those practices that are cost-effective practices for service delivery. Such best practices shall be utilized by the board in establishing performance standards and evaluations of the community mental health centers' services required by paragraph (d) of this section;

(l) To assist community or regional programs consistent with the purposes of this chapter by making grants and contracts from available funds;

(m) To establish and collect reasonable fees for necessary inspection services incidental to certification or compliance;

(n) To accept gifts, trusts, bequests, grants, endowments or transfers of property of any kind;

(o) To receive monies coming to it by way of fees for services or by appropriations;

(p) To serve as the single state agency in receiving and administering any and all funds available from any source for the purpose of service delivery, training, research and education in regard to all forms of mental illness, intellectual disabilities, alcoholism, drug misuse and developmental disabilities, unless such funds are specifically designated to a particular agency or institution by the federal government, the Mississippi Legislature or any other grantor;

(q) To establish mental health holding centers for the purpose of providing short-term emergency mental health treatment, places for holding persons awaiting commitment proceedings or awaiting placement in a state mental health facility following commitment, and for diverting placement in a state mental health facility. These mental health holding facilities shall be readily accessible, available statewide, and be in compliance with emergency services' minimum standards. They shall be comprehensive and available to triage and make appropriate clinical disposition, including the capability to access inpatient services or less restrictive alternatives, as needed, as determined by medical staff. Such facility shall have medical, nursing and behavioral services available on a twenty-four-hour-a-day basis. The board may provide for all or part of the costs of establishing and operating the holding centers in each district from such funds as may be appropriated to the board for such use, and may participate in any plan or agreement with



any public or private entity under which the entity will provide all or part of the costs of establishing and operating a holding center in any district;

(r) To certify/license case managers, mental health therapists, intellectual disability therapists, mental health/intellectual disability program administrators, addiction counselors and others as deemed appropriate by the board. Persons already professionally licensed by another state board or agency are not required to be certified/licensed under this section by the Department of Mental Health. The department shall not use professional titles in its certification/licensure process for which there is an independent licensing procedure. Such certification/licensure shall be valid only in the state mental health system, in programs funded and/or certified by the Department of Mental Health, and/or in programs certified/licensed by the State Department of Health that are operated by the state mental health system serving persons with mental illness, an intellectual disability, a developmental disability or addictions, and shall not be transferable;

(s) To develop formal mental health worker qualifications for regional mental health and intellectual disability commissions and other community service providers. The State Personnel Board shall develop and promulgate a recommended salary scale and career ladder for all regional mental health/intellectual disability center therapists and case managers who work directly with clients. The State Personnel Board shall also develop and promulgate a career ladder for all direct care workers employed by the State Department of Mental Health;

(t) The employees of the department shall be governed by personnel merit system rules and regulations, the same as other employees in state services;

(u) To establish such rules and regulations as may be necessary in carrying out the provisions of this chapter, including the establishment of a formal grievance procedure to investigate and attempt to resolve consumer complaints;

(v) To grant easements for roads, utilities and any other purpose it finds to be in the public interest;

(w) To survey statutory designations, building markers and the names given to mental health/intellectual disability facilities and proceedings in order to recommend deletion of obsolete and offensive terminology relative to the mental health/intellectual disability system. Based upon a recommendation of the executive director, the board shall have the authority to name/rename any facility operated under the auspices of the Department of Mental Health for the sole purpose of deleting such terminology;

(x) To ensure an effective case management system directed at persons who have been discharged from state and private psychiatric hospitals to ensure their continued well-being in the community;

(y) To develop formal service delivery standards designed to measure the quality of services delivered to community clients, as well as the timeliness of services to community clients provided by regional mental health/intellectual disability commissions and other community services providers;

(z) To establish regional state offices to provide mental health crisis intervention centers and services available throughout the state to be utilized on a case-by-case emergency basis. The regional services director, other staff and delivery systems shall meet the minimum standards of the Department of Mental Health;

(aa) To require performance contracts with community mental health/intellectual disability service providers to contain performance indicators to measure successful outcomes, including diversion of persons from inpatient psychiatric

hospitals, rapid/timely response to emergency cases, client satisfaction with services and other relevant performance measures;

(bb) To enter into interagency agreements with other state agencies, school districts and other local entities as determined necessary by the department to ensure that local mental health service entities are fulfilling their responsibilities to the overall state plan for behavioral services;

(cc) To establish and maintain a toll-free grievance reporting telephone system for the receipt and referral for investigation of all complaints by clients of state and community mental health/intellectual disability facilities;

(dd) To establish a peer review/quality assurance evaluation system that assures that appropriate assessment, diagnosis and treatment is provided according to established professional criteria and guidelines;

(ee) To develop and implement state plans for the purpose of assisting with the care and treatment of persons with Alzheimer's disease and other dementia. This plan shall include education and training of service providers, caregivers in the home setting and others who deal with persons with Alzheimer's disease and other dementia, and development of adult day care, family respite care and counseling programs to assist families who maintain persons with Alzheimer's disease and other dementia in the home setting. No agency shall be required to provide any services under this section until such time as sufficient funds have been appropriated or otherwise made available by the Legislature specifically for the purposes of the treatment of persons with Alzheimer's and other dementia;

(ff) Working with the advice and consent of the administration of Ellisville State School, to enter into negotiations with the Economic Development Authority of Jones County for the purpose of negotiating the possible exchange, lease or sale of lands owned by Ellisville State School to the Economic Development Authority of Jones County. It is the intent of the Mississippi Legislature that such negotiations shall ensure that the financial interest of the persons with an intellectual disability served by Ellisville State School will be held paramount in the course of these negotiations. The Legislature also recognizes the importance of economic development to the citizens of the State of Mississippi and Jones County, and encourages fairness to the Economic Development Authority of Jones County. Any negotiations proposed which would result in the recommendation for exchange, lease or sale of lands owned by Ellisville State School must have the approval of the State Board of Mental Health. The State Board of Mental Health may and has the final authority as to whether or not these negotiations result in the exchange, lease or sale of the properties it currently holds in trust for persons with an intellectual disability served at Ellisville State School.

If the State Board of Mental Health authorizes the sale of lands owned by Ellisville State School, as provided for under this paragraph (ff), the monies derived from the sale shall be placed into a special fund that is created in the State Treasury to be known as the "Ellisville State School Client's Trust Fund." The principal of the trust fund shall remain inviolate and shall never be expended. Any interest earned on the principal may be expended solely for the benefits of clients served at Ellisville State School. The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the Mississippi Prepaid Affordable College Tuition Program under Section 37-155-9, and those investments shall be subject to the limitations prescribed by Section 37-155-9. Unexpended amounts remaining in the trust fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the trust fund shall be deposited to the credit of the trust fund. The administration of Ellisville State School may use any interest earned on the principal of the trust fund, upon appropriation by the Legislature, as needed for services or facilities by the clients of Ellisville State School. Ellisville State School shall make known to the Legislature, through the Legislative Budget Committee and the respective Appropriations Committees of the House and Senate, its

proposed use of interest earned on the principal of the trust fund for any fiscal year in which it proposes to make expenditures thereof. The State Treasurer shall provide Ellisville State School with an annual report on the Ellisville State School Client's Trust Fund to indicate the total monies in the trust fund, interest earned during the year, expenses paid from the trust fund and such other related information.

Nothing in this section shall be construed as applying to or affecting mental health/intellectual disability services provided by hospitals as defined in Section 41-9-3(a), and/or their subsidiaries and divisions, which hospitals, subsidiaries and divisions are licensed and regulated by the Mississippi State Department of Health unless such hospitals, subsidiaries or divisions voluntarily request certification by the Mississippi State Department of Mental Health.

All new programs authorized under this section shall be subject to the availability of funds appropriated therefor by the Legislature;

(gg) Working with the advice and consent of the administration of Boswell Regional Center, to enter into negotiations with the Economic Development Authority of Simpson County for the purpose of negotiating the possible exchange, lease or sale of lands owned by Boswell Regional Center to the Economic Development Authority of Simpson County. It is the intent of the Mississippi Legislature that such negotiations shall ensure that the financial interest of the persons with an intellectual disability served by Boswell Regional Center will be held paramount in the course of these negotiations. The Legislature also recognizes the importance of economic development to the citizens of the State of Mississippi and Simpson County, and encourages fairness to the Economic Development Authority of Simpson County. Any negotiations proposed which would result in the recommendation for exchange, lease or sale of lands owned by Boswell Regional Center must have the approval of the State Board of Mental Health. The State Board of Mental Health may and has the final authority as to whether or not these negotiations result in the exchange, lease or sale of the properties it currently holds in trust for persons with an intellectual disability served at Boswell Regional Center. In any such exchange, lease or sale of such lands owned by Boswell Regional Center, title to all minerals, oil and gas on such lands shall be reserved, together with the right of ingress and egress to remove same, whether such provisions be included in the terms of any such exchange, lease or sale or not.

If the State Board of Mental Health authorizes the sale of lands owned by Boswell Regional Center, as provided for under this paragraph (gg), the monies derived from the sale shall be placed into a special fund that is created in the State Treasury to be known as the "Boswell Regional Center Client's Trust Fund." The principal of the trust fund shall remain inviolate and shall never be expended. Any earnings on the principal may be expended solely for the benefits of clients served at Boswell Regional Center. The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the Mississippi Prepaid Affordable College Tuition Program under Section 37-155-9, and those investments shall be subject to the limitations prescribed by Section 37-155-9. Unexpended amounts remaining in the trust fund at the end of a fiscal year shall not lapse into the State General Fund, and any earnings on amounts in the trust fund shall be deposited to the credit of the trust fund. The administration of Boswell Regional Center may use any earnings on the principal of the trust fund, upon appropriation by the Legislature, as needed for services or facilities by the clients of Boswell Regional Center. Boswell Regional Center shall make known to the Legislature, through the Legislative Budget Committee and the respective Appropriations Committees of the House and Senate, its proposed use of the earnings on the principal of the trust fund for any fiscal year in which it proposes to make expenditures thereof. The State Treasurer shall provide Boswell Regional Center with an annual report on the Boswell Regional Center Client's Trust Fund to indicate the total monies in the trust fund, interest and other income earned during the year, expenses paid from the trust fund and such other related information.

Nothing in this section shall be construed as applying to or affecting mental health/intellectual disability services provided by hospitals as defined in Section 41-9-3(a), and/or their subsidiaries and divisions, which hospitals, subsidiaries and divisions are licensed and regulated by the Mississippi State Department of Health unless such hospitals, subsidiaries or divisions voluntarily request certification by the Mississippi State Department of Mental Health.

All new programs authorized under this section shall be subject to the availability of funds appropriated therefor by the Legislature;

(hh) Notwithstanding any other section of the code, the Board of Mental Health shall be authorized to fingerprint and perform a criminal history record check on every employee or volunteer. Every employee and volunteer shall provide a valid current social security number and/or driver's license number which shall be furnished to conduct the criminal history record check. If no disqualifying record is identified at the state level, fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check;

(ii) The Department of Mental Health shall have the authority for the development of a consumer friendly single point of intake and referral system within its service areas for persons with mental illness, an intellectual disability, developmental disabilities or alcohol or substance abuse who need assistance identifying or accessing appropriate services. The department will develop and implement a comprehensive evaluation procedure ensuring that, where appropriate, the affected person or their parent or legal guardian will be involved in the assessment and planning process. The department, as the point of intake and as service provider, shall have the authority to determine the appropriate institutional, hospital or community care setting for persons who have been diagnosed with mental illness, an intellectual disability, developmental disabilities and/or alcohol or substance abuse, and may provide for the least restrictive placement if the treating professional believes such a setting is appropriate, if the person affected or their parent or legal guardian wants such services, and if the department can do so with a reasonable modification of the program without creating a fundamental alteration of the program. The least restrictive setting could be an institution, hospital or community setting, based upon the needs of the affected person or their parent or legal guardian;

(jj) To have the sole power and discretion to enter into, sign, execute and deliver long-term or multiyear leases of real and personal property owned by the Department of Mental Health to and from other state and federal agencies and private entities deemed to be in the public's best interest. Any monies derived from such leases shall be deposited into the funds of the Department of Mental Health for its exclusive use. Leases to private entities shall be approved by the Department of Finance and Administration and all leases shall be filed with the Secretary of State;

(kk) To certify and establish minimum standards and minimum required services for county facilities used for housing, feeding and providing medical treatment for any person who has been involuntarily ordered admitted to a treatment center by a court of competent jurisdiction. The minimum standard for the initial assessment of those persons being housed in county facilities is for the assessment to be performed by a physician, preferably a psychiatrist, or by a nurse practitioner, preferably a psychiatric nurse practitioner. If the department finds deficiencies in any such county facility or its provider based on the minimum standards and minimum required services established for certification, the department shall give the county or its provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. After the six-month probationary period, if the department determines that the county or its provider still does not meet the minimum standards and minimum required services, the department may remove the certification of the county or provider and require the county to contract with another county having a certified facility to hold those persons for that period of time pending transportation and admission to a

state treatment facility. Any cost incurred by a county receiving an involuntarily committed person from a county with a decertified holding facility shall be reimbursed by the home county to the receiving county; and

(II) To provide orientation training to all new commissioners of regional commissions and annual training for all commissioners with continuing education regarding the Mississippi mental health system and services as developed by the State Department of Mental Health. Training shall be provided at the expense of the department except for travel expenses which shall be paid by the regional commission.

SECTION 11. A law enforcement officer shall transport the mental health person who is in crisis to the appropriate health care facility at the request of the crisis intervention team or mobile crisis response team.

SECTION 12. (1) There is created in the State Treasury a special fund to be designated as the "Mississippi Collaborative Response to Mental Health Fund," which shall consist of funds deposited therein under Section 27-69-75, Mississippi Code of 1972, and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Mental Health, upon appropriation by the Legislature, for the purposes provided in Sections 2 and 3 of this act and for the purposes described in subsection (2) of this section.

(2) (a) The Department of Mental Health shall establish a program for reimbursing private hospitals, in whole or in part, for uncompensated behavioral treatment services provided to persons admitted to such hospitals pursuant to a chancery court order as provided in Section 41-27-77. A private hospital may apply to the Department of Mental Health for reimbursement of the uncompensated behavioral treatment services provided to persons admitted to the hospital pursuant to a chancery court order for behavioral treatment services. A private hospital desiring assistance under this section must submit an application to the Department of Mental Health. The application must include a description of the behavioral treatment services provided by the hospital for which the assistance is requested, the total costs of the behavioral treatment services provided by the hospital and the portion of such costs for which the hospital was not compensated, the amount of assistance requested and any other information required by the Department of Mental Health.

(b) The Department of Mental Health shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE "THE MISSISSIPPI COLLABORATIVE RESPONSE TO MENTAL HEALTH ACT"; TO REQUIRE EACH MUNICIPAL AND COUNTY LAW ENFORCEMENT AGENCY TO PROVIDE MENTAL HEALTH FIRST-AID TRAINING THAT IS EVIDENCE-BASED AND APPROVED BY THE DEPARTMENT OF MENTAL HEALTH; TO REQUIRE EACH MUNICIPAL AND COUNTY LAW ENFORCEMENT AGENCY TO HAVE AT LEAST ONE CRISIS INTERVENTION TRAINED OFFICER BY A CERTAIN DATE; TO PROVIDE THAT AN AGENCY WHICH EMPLOYS LESS FIVE LAW ENFORCEMENT OFFICERS MAY EXECUTE AN AGREEMENT WITH ONE OR

MORE LAW ENFORCEMENT AGENCIES TO HAVE A CRISIS INTERVENTION TEAM OFFICER SERVE AS THE OFFICER FOR THAT AGENCY; TO CREATE NEW SECTION 41-21-77.1, MISSISSIPPI CODE OF 1972, TO REQUIRE COURT LIAISONS FOR CERTAIN COUNTIES; TO AMEND SECTION 41-4-3, MISSISSIPPI CODE OF 1972, TO REVISE THE TERMS OF THE MEMBERS OF THE STATE BOARD OF MENTAL HEALTH; TO AMEND SECTION 41-19-31, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISION WHICH REGULATED REGIONAL COMMISSIONS TO THIS ACT; TO AMEND SECTION 41-19-33, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH REGIONAL COMMISSION TO EMPLOY OR CONTRACT WITH A CERTIFIED PUBLIC ACCOUNTANT TO MANAGE ITS FINANCES; TO REQUIRE THE ACCOUNTANT TO PROVIDE AN ANNUAL AUDIT IN ADDITION TO OTHER DUTIES; TO PROVIDE QUALIFICATIONS FOR MEMBERS OF THE BOARD; TO AMEND SECTION 41-19-35, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEMBERS OF THE REGIONAL COMMISSION SHALL SERVE AT THE WILL AND PLEASURE OF THE APPOINTING BOARD OF SUPERVISORS; TO REQUIRE THE COMMISSIONERS TO ATTEND CERTAIN TRAININGS AS A CONDITION TO REMAINING A COMMISSIONER; TO REQUIRE REMOVAL OF ANY COMMISSIONER WHO FAILS TO ATTEND CERTAIN TRAININGS PROVIDED BY THE DEPARTMENT OF MENTAL HEALTH UNLESS ALTERNATE ARRANGEMENTS ARE MADE; TO AMEND SECTION 41-21-67, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PERSONS WHO PERFORM PRE-SCREENING EVALUATIONS SHALL BE CERTIFIED BY THE COMMUNITY MENTAL HEALTH CENTERS; TO PROVIDE THAT BEGINNING ON JULY 1, 2026, IF THE DIRECTOR OF THE DEPARTMENT OF MENTAL HEALTH CERTIFIES THAT THERE ARE SUFFICIENT FACILITIES AVAILABLE AT A REASONABLE COST AND AT A REASONABLE LOCATION, THE COUNTY OF RESIDENCE OF AN INDIGENT PATIENT WITH NO PAYOR SOURCE OR WITHOUT PAYOR COVERAGE MAY PAY THE COST OF PLACEMENT OR DETENTION OF SUCH PATIENT IN A LICENSED MEDICAL FACILITY PROVIDED THAT THE COUNTY SHALL NOT BE LIABLE FOR ANY COSTS THAT EXCEEDS THE MEDICAID REIMBURSEMENT RATE; TO AMEND SECTION 41-21-77, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CHANCERY CLERK TO MAINTAIN A RECORD FOR THE NUMBER OF PERSONS ORDERED FOR ADMISSION TO A TREATMENT FACILITY, THE NUMBER OF HEARINGS TO DETERMINE WHETHER A PERSON SHOULD BE ADMITTED AND THE NUMBER OF AFFIDAVITS FILED FOR PURPOSES OF ADMITTING A PERSON TO A TREATMENT FACILITY; TO AMEND SECTION 41-4-7, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE STATE BOARD OF MENTAL HEALTH; TO REQUIRE LAW ENFORCEMENT OFFICERS TO TRANSPORT PERSONS IN CRISIS TO THE APPROPRIATE HEALTHCARE FACILITY AT THE REQUEST OF THE CRISIS INTERVENTION TEAM; TO CREATE THE "MISSISSIPPI COLLABORATIVE RESPONSE TO MENTAL HEALTH FUND" AS A SPECIAL FUND IN THE STATE TREASURY; TO PROVIDE THAT MONIES IN THE FUND SHALL BE USED BY THE DEPARTMENT OF MENTAL HEALTH, UPON APPROPRIATION BY THE LEGISLATURE, FOR CERTAIN PURPOSES PROVIDED IN THIS ACT, INCLUDING REIMBURSING PRIVATE HOSPITALS, IN WHOLE OR IN PART, FOR UNCOMPENSATED BEHAVIORAL TREATMENT SERVICES PROVIDED TO PERSONS ADMITTED TO SUCH HOSPITALS PURSUANT TO A CHANCERY COURT ORDER; TO PROVIDE THAT THE DEPARTMENT OF MENTAL HEALTH SHALL ESTABLISH A PROGRAM FOR PROVIDING SUCH REIMBURSEMENT TO PRIVATE HOSPITALS; AND FOR RELATED PURPOSES.

Senator Bryan offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as "The Mississippi Collaborative Response to Mental Health Act."

SECTION 2. (1) Each county and municipal law enforcement agency shall provide Mental Health First Aid training that is evidence-based and approved by the Department of Mental Health to all law enforcement officers who are employed or contracted by the agency by July 1, 2031.

(2) On or before July 1, 2025, each county and municipal law enforcement agency shall employ at least one (1) law enforcement officer who is a Crisis Intervention Team Officer, as defined in Section 41-21-131. An agency which employs fewer than five (5) law enforcement officers may execute an agreement with one or more other law enforcement agencies to have a Crisis Intervention Team officer to serve as the officer for that agency.

SECTION 3. The following shall be codified as Section 41-21-77.1, Mississippi Code of 1972:

41-21-77.1. Subject to appropriation by the Legislature, the Department of Mental Health shall provide funding to each community mental health center to allow the center to designate court liaisons for the counties in its service area.

SECTION 4. Section 41-4-3, Mississippi Code of 1972, is amended as follows:

41-4-3. (1) There is created a State Board of Mental Health, referred to in this chapter as "board," consisting of nine (9) members, to be appointed by the Governor, with the advice and consent of the Senate, each of whom shall be a qualified elector. One (1) member shall be appointed from each congressional district as presently constituted; and four (4) members shall be appointed from the state at large, one (1) of whom shall be a licensed medical doctor who is a psychiatrist, one (1) of whom shall hold a Ph.D. degree and be a licensed clinical psychologist, one (1) of whom shall be a licensed medical doctor, and one (1) of whom shall be a social worker with experience in the mental health field.

No more than two (2) members of the board shall be appointed from any one (1) congressional district as presently constituted.

Each member of the initial board shall serve for a term of years represented by the number of his congressional district; two (2) state at large members shall serve for a term of six (6) years; two (2) state at large members shall serve for a term of seven (7) years; subsequent appointments shall be for seven-year terms and the Governor shall fill any vacancy for the unexpired term.

The board shall elect a chairman whose term of office shall be one (1) year and until his successor shall be elected.

(2) Each board member shall be entitled to a per diem as is authorized by law and all actual and necessary expenses, including mileage as provided by law, incurred in the discharge of official duties.

(3) The board shall hold regular meetings quarterly and such special meetings deemed necessary, except that no action shall be taken unless there is present a quorum of at least five (5) members.

(4) No board member may be appointed for more than two (2) consecutive terms. For purposes of counting terms of any board member, when the term ends for any board member who is a member of the board as of the effective date of this act, the end of such term shall be considered the person's first term. If any person who is a member of the board as of the effective date of this act is re-appointed after the expiration of his or her

term, such succeeding term shall be considered the second term and such person shall not be re-appointed to the board without a break in service.

SECTION 5. Section 41-19-31, Mississippi Code of 1972, is amended as follows:

41-19-31. For the purpose of authorizing the establishment of mental illness and intellectual disability facilities and services in the State of Mississippi, the boards of supervisors of one or more counties are authorized to act singularly or as a group in the selection of a regional district by spreading upon their minutes by resolution such designation in conformity with this act.

SECTION 6. Section 41-19-33, Mississippi Code of 1972, is amended as follows:

41-19-33. (1) Each region so designated or established under Section 41-19-31 shall establish a regional commission to be composed of members appointed by the boards of supervisors of the various counties in the region. Each regional commission shall employ or contract with an accountant for the purpose of managing the finances of the commission. The accountant shall provide an annual audit to the commission in addition to his or her other duties. It shall be the duty of such regional commission to administer mental health/intellectual disability programs certified and required by the State Board of Mental Health and as specified in Section 41-4-1(2). In addition, once designated and established as provided hereinabove, a regional commission shall have the following authority and shall pursue and promote the following general purposes:

(a) To establish, own, lease, acquire, construct, build, operate and maintain mental illness, mental health, intellectual disability, alcoholism and general rehabilitative facilities and services designed to serve the needs of the people of the region so designated, provided that the services supplied by the regional commissions shall include those services determined by the Department of Mental Health to be necessary and may include, in addition to the above, services for persons with developmental and learning disabilities; for persons suffering from narcotic addiction and problems of drug abuse and drug dependence; and for the aging as designated and certified by the Department of Mental Health. Such regional mental health and intellectual disability commissions and other community service providers shall, on or before July 1 of each year, submit an annual operational plan to the Department of Mental Health for approval or disapproval based on the minimum standards and minimum required services established by the department for certification and itemize the services as specified in Section 41-4-1(2), including financial statements. As part of the annual operation plan required by Section 41-4-7(h) submitted by any regional community mental health center or by any other reasonable certification deemed acceptable by the department, the community mental health center shall state those services specified in Section 41-4-1(2) that it will provide and also those services that it will not provide. If the department finds deficiencies in the plan of any regional commission or community service provider based on the minimum standards and minimum required services established for certification, the department shall give the regional commission or community service provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. The regional commission or community service provider shall develop a sustainability business plan within thirty (30) days of being placed on probation, which shall be signed by all commissioners and shall include policies to address one or more of the following: the deficiencies in programmatic services, clinical service staff expectations, timely and appropriate billing, processes to obtain credentialing for staff, monthly reporting processes, third-party financial reporting and any other required documentation as determined by the department. After the six-month probationary period, if the department determines that the regional commission or community service provider still does not meet the minimum standards and minimum required services established for certification, the department may remove the certification of the commission or provider, and from and after July 1, 2011, the commission or provider shall be ineligible for state funds from Medicaid reimbursement or other funding sources for those services. After the six-month probationary period, the Department of Mental



Health may identify an appropriate community service provider to provide any core services in that county that are not provided by a community mental health center. However, the department shall not offer reimbursement or other accommodations to a community service provider of core services that were not offered to the decertified community mental health center for the same or similar services.

(b) To provide facilities and services for the prevention of mental illness, mental disorders, developmental and learning disabilities, alcoholism, narcotic addiction, drug abuse, drug dependence and other related handicaps or problems (including the problems of the aging) among the people of the region so designated, and for the rehabilitation of persons suffering from such illnesses, disorders, handicaps or problems as designated and certified by the Department of Mental Health.

(c) To promote increased understanding of the problems of mental illness, intellectual disabilities, alcoholism, developmental and learning disabilities, narcotic addiction, drug abuse and drug dependence and other related problems (including the problems of the aging) by the people of the region, and also to promote increased understanding of the purposes and methods of the rehabilitation of persons suffering from such illnesses, disorders, handicaps or problems as designated and certified by the Department of Mental Health.

(d) To enter into contracts and to make such other arrangements as may be necessary, from time to time, with the United States government, the government of the State of Mississippi and such other agencies or governmental bodies as may be approved by and acceptable to the regional commission for the purpose of establishing, funding, constructing, operating and maintaining facilities and services for the care, treatment and rehabilitation of persons suffering from mental illness, an intellectual disability, alcoholism, developmental and learning disabilities, narcotic addiction, drug abuse, drug dependence and other illnesses, disorders, handicaps and problems (including the problems of the aging) as designated and certified by the Department of Mental Health.

(e) To enter into contracts and make such other arrangements as may be necessary with any and all private businesses, corporations, partnerships, proprietorships or other private agencies, whether organized for profit or otherwise, as may be approved by and acceptable to the regional commission for the purpose of establishing, funding, constructing, operating and maintaining facilities and services for the care, treatment and rehabilitation of persons suffering from mental illness, an intellectual disability, alcoholism, developmental and learning disabilities, narcotic addiction, drug abuse, drug dependence and other illnesses, disorders, handicaps and problems (including the problems of the aging) relating to minimum services established by the Department of Mental Health.

(f) To promote the general mental health of the people of the region.

(g) To pay the administrative costs of the operation of the regional commissions, including per diem for the members of the commission and its employees, attorney's fees, if and when such are required in the opinion of the commission, and such other expenses of the commission as may be necessary. The Department of Mental Health standards and audit rules shall determine what administrative cost figures shall consist of for the purposes of this paragraph. Each regional commission shall submit a cost report annually to the Department of Mental Health in accordance with guidelines promulgated by the department.

(h) To employ and compensate any personnel that may be necessary to effectively carry out the programs and services established under the provisions of the aforesaid act, provided such person meets the standards established by the Department of Mental Health.

(i) To acquire whatever hazard, casualty or workers' compensation insurance that may be necessary for any property, real or personal, owned, leased or rented by the commissions, or any employees or personnel hired by the commissions.

(j) To acquire professional liability insurance on all employees as may be deemed necessary and proper by the commission, and to pay, out of the funds of the commission, all premiums due and payable on account thereof.

(k) To provide and finance within their own facilities, or through agreements or contracts with other local, state or federal agencies or institutions, nonprofit corporations, or political subdivisions or representatives thereof, programs and services for persons with mental illness, including treatment for alcoholics, and promulgating and administering of programs to combat drug abuse and programs for services for persons with an intellectual disability.

(l) To borrow money from private lending institutions in order to promote any of the foregoing purposes. A commission may pledge collateral, including real estate, to secure the repayment of money borrowed under the authority of this paragraph. Any such borrowing undertaken by a commission shall be on terms and conditions that are prudent in the sound judgment of the members of the commission, and the interest on any such loan shall not exceed the amount specified in Section 75-17-105. Any money borrowed, debts incurred or other obligations undertaken by a commission, regardless of whether borrowed, incurred or undertaken before or after March 15, 1995, shall be valid, binding and enforceable if it or they are borrowed, incurred or undertaken for any purpose specified in this section and otherwise conform to the requirements of this paragraph.

(m) To acquire, own and dispose of real and personal property. Any real and personal property paid for with state and/or county appropriated funds must have the written approval of the Department of Mental Health and/or the county board of supervisors, depending on the original source of funding, before being disposed of under this paragraph.

(n) To enter into managed care contracts and make such other arrangements as may be deemed necessary or appropriate by the regional commission in order to participate in any managed care program. Any such contract or arrangement affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(o) To provide facilities and services on a discounted or capitated basis. Any such action when affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(p) To enter into contracts, agreements or other arrangements with any person, payor, provider or other entity, under which the regional commission assumes financial risk for the provision or delivery of any services, when deemed to be necessary or appropriate by the regional commission. Any action under this paragraph affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(q) To provide direct or indirect funding, grants, financial support and assistance for any health maintenance organization, preferred provider organization or other managed care entity or contractor, where such organization, entity or contractor is operated on a nonprofit basis. Any action under this paragraph affecting more than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(r) To form, establish, operate, and/or be a member of or participant in, either individually or with one or more other regional commissions, any managed care entity as defined in Section 83-41-403(c). Any action under this paragraph affecting more

than one (1) region must have prior written approval of the Department of Mental Health before being initiated and annually thereafter.

(s) To meet at least annually with the board of supervisors of each county in its region for the purpose of presenting its total annual budget and total mental health/intellectual disability services system. The commission shall submit an annual report on the adult mental health services, children mental health services and intellectual disability services required by the State Board of Mental Health.

(t) To provide alternative living arrangements for persons with serious mental illness, including, but not limited to, group homes for persons with chronic mental illness.

(u) To make purchases and enter into contracts for purchasing in compliance with the public purchasing law, Sections 31-7-12 and 31-7-13, with compliance with the public purchasing law subject to audit by the State Department of Audit.

(v) To ensure that all available funds are used for the benefit of persons with mental illness, persons with an intellectual disability, substance abusers and persons with developmental disabilities with maximum efficiency and minimum administrative cost. At any time a regional commission, and/or other related organization whatever it may be, accumulates surplus funds in excess of one-half (1/2) of its annual operating budget, the entity must submit a plan to the Department of Mental Health stating the capital improvements or other projects that require such surplus accumulation. If the required plan is not submitted within forty-five (45) days of the end of the applicable fiscal year, the Department of Mental Health shall withhold all state appropriated funds from such regional commission until such time as the capital improvement plan is submitted. If the submitted capital improvement plan is not accepted by the department, the surplus funds shall be expended by the regional commission in the local mental health region on group homes for persons with mental illness, persons with an intellectual disability, substance abusers, children or other mental health/intellectual disability services approved by the Department of Mental Health.

(w) Notwithstanding any other provision of law, to fingerprint and perform a criminal history record check on every employee or volunteer. Every employee or volunteer shall provide a valid current social security number and/or driver's license number that will be furnished to conduct the criminal history record check. If no disqualifying record is identified at the state level, fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check.

(x) Notwithstanding any other provisions of law, each regional commission shall have the authority to create and operate a primary care health clinic to treat (i) its patients; and (ii) its patients' family members related within the third degree; and (iii) its patients' household members or caregivers, subject to the following requirements:

(i) The regional commission may employ and compensate any personnel necessary and must satisfy applicable state and federal laws and regulations regarding the administration and operation of a primary care health clinic.

(ii) A Mississippi licensed physician must be employed or under agreement with the regional commission to provide medical direction and/or to carry out the physician responsibilities as described under applicable state and/or federal law and regulations.

(iii) The physician providing medical direction for the primary care clinic shall not be certified solely in psychiatry.

(iv) A sliding fee scale may be used by the regional commission when no other payer source is identified.

(v) The regional commission must ensure services will be available and accessible promptly and in a manner that preserves human dignity and assures continuity of care.

(vi) The regional commission must provide a semiannual report to the Chairmen of the Public Health Committees in both the House of Representatives and Senate. At a minimum, for each reporting period, these reports shall describe the number of patients provided primary care services, the types of services provided, and the payer source for the patients. Except for patient information and any other information that may be exempt from disclosure under the Health Information Portability and Accountability Act (HIPAA) and the Mississippi Public Records Act, the reports shall be considered public records.

(vii) The regional commission must employ or contract with a core clinical staff that is multidisciplinary and culturally and linguistically competent.

(viii) The regional commission must ensure that its physician as described in subparagraph (ii) of this paragraph (x) has admitting privileges at one or more local hospitals or has an agreement with a physician who has admitting privileges at one or more local hospitals to ensure continuity of care.

(ix) The regional commission must provide an independent financial audit report to the State Department of Mental Health and, except for patient information and any other information that may be exempt from disclosure under HIPAA and the Mississippi Public Records Act, the audit report shall be considered a public record.

For the purposes of this paragraph (x), the term "caregiver" means an individual who has the principal and primary responsibility for caring for a child or dependent adult, especially in the home setting.

(y) In general to take any action which will promote, either directly or indirectly, any and all of the foregoing purposes.

(z) All regional commissioners shall receive new orientation training and annual training with continuing education regarding the Mississippi mental health system and services as developed by the State Department of Mental Health. Training shall be provided at the expense of the department except for travel expenses which shall be paid by the regional commission.

(2) The types of services established by the State Department of Mental Health that must be provided by the regional mental health/intellectual disability centers for certification by the department, and the minimum levels and standards for those services established by the department, shall be provided by the regional mental health/intellectual disability centers to children when such services are appropriate for children, in the determination of the department.

(3) Each regional commission shall compile quarterly financial statements and status reports from each individual community health center. The compiled reports shall be submitted to the coordinator quarterly. The reports shall contain a:

- (a) Balance sheet;
- (b) Statement of operations;
- (c) Statement of cash flows; and

(d) Description of the status of individual community health center's actions taken to increase access to and availability of community mental health services.

SECTION 7. Section 41-19-35, Mississippi Code of 1972, is amended as follows:

41-19-35. Except as otherwise provided in this section, the board of supervisors of each participating county in the program shall appoint one (1) member to represent its county on the regional commission in its respective region for a term of four (4) years who shall serve at the will and pleasure of the appointing board of supervisors, who may be a clerk, sheriff or deputy. In addition, the chancery clerks of the counties in each region shall select a chancery clerk or a deputy clerk to serve as a nonvoting liaison to the commission, and the sheriffs of the counties in each region shall select a sheriff or a deputy sheriff to serve as a nonvoting liaison to the commission. Any compensation of such members shall be paid by the regional commission, in its discretion, from any funds available. Each member of the commission shall attend the orientation training for new commissioners and the annual training for all commissioners held by the Department of Mental Health. The Department of Mental Health shall notify the board of supervisors when a commissioner does not attend either the orientation training or annual training. Upon notice from the Department of Mental Health that a commissioner has failed to attend the required meetings, the appointing board of supervisors shall remove the commissioner, unless the department and the commission agree to an alternate arrangement to allow the commissioner to continue to serve until the next opportunity to attend the orientation meeting and/or the annual training.

SECTION 8. On or before December 1, 2023, each county shall report to the Department of Mental Health data relating to the placement of individuals both before an involuntary civil commitment proceeding, and after a hearing where an involuntary commitment order has been entered. The data shall include information concerning individuals held in jails and the cost of holding such individuals. The Department of Mental Health is authorized to determine the specific data to be submitted.

SECTION 9. Section 41-21-77, Mississippi Code of 1972, is amended as follows:

41-21-77. (1) If admission is ordered at a treatment facility, the sheriff, his or her deputy or any other person appointed or authorized by the court shall immediately deliver the respondent to the director of the appropriate facility. Neither the Board of Mental Health or its members, nor the Department of Mental Health or its related facilities, nor any employee of the Department of Mental Health or its related facilities, shall be appointed, authorized or ordered to deliver the respondent for treatment, and no person shall be so delivered or admitted until the director of the admitting institution determines that facilities and services are available. Persons who have been ordered committed and are awaiting admission may be given any such treatment in the facility by a licensed physician as is indicated by standard medical practice. Any county facility used for providing housing, maintenance and medical treatment for involuntarily committed persons pending their transportation and admission to a state treatment facility shall be certified by the State Department of Mental Health under the provisions of Section 41-4-7(kk). No person shall be delivered or admitted to any non-Department of Mental Health treatment facility unless the treatment facility is licensed and/or certified to provide the appropriate level of psychiatric care for persons with mental illness. It is the intent of this Legislature that county-owned hospitals work with regional community mental health/intellectual disability centers in providing care to local patients. The clerk shall provide the director of the admitting institution with a certified copy of the court order, a certified copy of the appointed examiners' certificates, a certified copy of the affidavit, and any other information available concerning the physical and mental condition of the respondent. Upon notification from the United States Veterans Administration or other agency of the United States government, that facilities are available and the respondent is eligible for care and treatment in those facilities, the court may enter an order for delivery of the respondent to or retention by the Veterans Administration or other agency of the United States government, and, in those cases the chief officer to whom the respondent

is so delivered or by whom he is retained shall, with respect to the respondent, be vested with the same powers as the director of the Mississippi State Hospital at Whitfield, or the East Mississippi State Hospital at Meridian, with respect to retention and discharge of the respondent.

(2) (a) When admission to a treatment facility is ordered by the court, the chancery clerk shall make record of the admission. Each chancery clerk shall maintain a record of the number of persons ordered by the court to be admitted to a treatment facility, the number of hearings held by the court to determine whether a person should be admitted to a treatment facility and the number of affidavits filed to admit a person to a treatment facility under Section 41-21-61 etc.

(b) The chancery clerk shall maintain a record each time such clerk receives a denial for admission to a community mental health center crisis stabilization bed, the reason provided to the clerk for such denial, and the subsequent action taken by the clerk upon receiving the denial.

(c) Each chancery clerk shall provide the records required by paragraphs (a) and (b) of this subsection (2) to the Department of Mental Health within thirty (30) days of the end of each calendar quarter. Within sixty (60) days of receipt of the chancery clerk records, the Department of Mental Health shall provide a summary to the Chairpersons of the Appropriations, Public Health and Judiciary A and B Committees for the Mississippi House of Representatives and the Mississippi Senate, the Coordinator of Mental Health and the President of the Mississippi Association of Community Mental Health Centers.

SECTION 10. Section 41-4-7, Mississippi Code of 1972, is amended as follows:

41-4-7. The State Board of Mental Health shall have the following powers and duties:

(a) To appoint a full-time Executive Director of the Department of Mental Health, who shall be employed by the board and shall serve as executive secretary to the board. The first director shall be a duly licensed physician with special interest and competence in psychiatry, and shall possess a minimum of three (3) years' experience in clinical and administrative psychiatry. Subsequent directors shall possess at least a master's degree or its equivalent, and shall possess at least ten (10) years' administrative experience in the field of mental health. The salary of the executive director shall be determined by the board;

(b) To appoint a Medical Director for the Department of Mental Health. The medical director shall provide clinical oversight in the implementation of evidence-based and best practices; provide clinical leadership in the integration of mental health, intellectual disability and addiction services with community partners in the public and private sectors; and provide oversight regarding standards of care. The medical director shall serve at the will and pleasure of the board, and will undergo an annual review of job performance and future service to the department;

(c) To \* \* \* establish and implement its state strategic plan;

(d) To develop a strategic plan for the development of services for persons with mental illness, persons with developmental disabilities and other clients of the public mental health system. Such strategic planning program shall require that the board, acting through the Strategic Planning and Best Practices Committee, perform the following functions respecting the delivery of services:

(i) Establish measures for determining the efficiency and effectiveness of the services specified in Section 41-4-1(2);

(ii) Conducting studies of community-based care in other jurisdictions to determine which services offered in these jurisdictions have the potential to provide the citizens of Mississippi with more effective and efficient community-based care;

(iii) Evaluating the efficiency and effectiveness of the services specified in Section 41-4-1(2);

(iv) Recommending to the Legislature by January 1, 2014, any necessary additions, deletions or other changes necessary to the services specified in Section 41-4-1(2);

(v) Implementing by July 1, 2012, a system of performance measures for the services specified in Section 41-4-1(2);

(vi) Recommending to the Legislature any changes that the department believes are necessary to the current laws addressing civil commitment;

(vii) Conducting any other activities necessary to the evaluation and study of the services specified in Section 41-4-1(2);

(viii) Assisting in conducting all necessary strategic planning for the delivery of all other services of the department. Such planning shall be conducted so as to produce a single strategic plan for the services delivered by the public mental health system and shall establish appropriate mission statements, goals, objectives and performance indicators for all programs and services of the public mental health system. For services other than those specified in Section 41-4-1(2), the committee shall recommend to the State Board of Mental Health a strategic plan that the board may adopt or modify;

(e) To set up state plans for the purpose of controlling and treating any and all forms of mental and emotional illness, alcoholism, drug misuse and developmental disabilities;

(f) [Repealed]

(g) To enter into contracts with any other state or federal agency, or with any private person, organization or group capable of contracting, if it finds such action to be in the public interest;

(h) To collect reasonable fees for its services; however, if it is determined that a person receiving services is unable to pay the total fee, the department shall collect \* \* \* no more than the amount such person is able to pay;

(i) To certify, coordinate and establish minimum standards and establish minimum required services, as specified in Section 41-4-1(2), for regional mental health and intellectual disability commissions and other community service providers for community or regional programs and services in adult mental health, children and youth mental health, intellectual disabilities, alcoholism, drug misuse, developmental disabilities, compulsive gambling, addictive disorders and related programs throughout the state. Such regional mental health and intellectual disability commissions and other community service providers shall, on or before July 1 of each year, submit an annual operational plan to the State Department of Mental Health for approval or disapproval based on the minimum standards and minimum required services established by the department for certification and itemize the services specified in Section 41-4-1(2), including financial statements. As part of the annual operation plan required by this paragraph (i) submitted by any regional community mental health center or by any other reasonable certification deemed acceptable by the department, the community mental health center shall state those services specified in Section 41-4-1(2) that it will provide and also those services that it will not provide. If the department finds deficiencies in the plan of any regional

commission or community service provider based on the minimum standards and minimum required services established for certification, the department shall give the regional commission or community service provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. The regional commission or community service provider shall develop a sustainability business plan within thirty (30) days of being placed on probation, which shall be signed by all commissioners and shall include policies to address one or more of the following: the deficiencies in programmatic services, clinical service staff expectations, timely and appropriate billing, processes to obtain credentialing for staff, monthly reporting processes, third-party financial reporting and any other required documentation as determined by the department. After the six-month probationary period, if the department determines that the regional commission or community service provider still does not meet the minimum standards and minimum required services established for certification, the department may remove the certification of the commission or provider and from and after July 1, 2011, the commission or provider shall be ineligible for state funds from Medicaid reimbursement or other funding sources for those services. However, the department shall not mandate a standard or service, or decertify a regional commission or community service provider for not meeting a standard or service, if the standard or service does not have funding appropriated by the Legislature or have a state, federal or local funding source identified by the department. No county shall be required to levy millage to provide a mandated standard or service above the minimum rate required by Section 41-19-39. After the six-month probationary period, the department may identify an appropriate community service provider to provide any core services in that county that are not provided by a community mental health center. However, the department shall not offer reimbursement or other accommodations to a community service provider of core services that were not offered to the decertified community mental health center for the same or similar services. The State Board of Mental Health shall promulgate rules and regulations necessary to implement the provisions of this paragraph (i), in accordance with the Administrative Procedures Law (Section 25-43-1.101 et seq.);

(j) To establish and promulgate reasonable minimum standards for the construction and operation of state and all Department of Mental Health certified facilities, including reasonable minimum standards for the admission, diagnosis, care, treatment, transfer of patients and their records, and also including reasonable minimum standards for providing day care, outpatient care, emergency care, inpatient care and follow-up care, when such care is provided for persons with mental or emotional illness, an intellectual disability, alcoholism, drug misuse and developmental disabilities;

(k) To implement best practices for all services specified in Section 41-4-1(2), and to establish and implement all other services delivered by the Department of Mental Health. To carry out this responsibility, the board shall require the department to establish a division responsible for developing best practices based on a comprehensive analysis of the mental health environment to determine what the best practices for each service are. In developing best practices, the board shall consider the cost and benefits associated with each practice with a goal of implementing only those practices that are cost-effective practices for service delivery. Such best practices shall be utilized by the board in establishing performance standards and evaluations of the community mental health centers' services required by paragraph (d) of this section;

(l) To assist community or regional programs consistent with the purposes of this chapter by making grants and contracts from available funds;

(m) To establish and collect reasonable fees for necessary inspection services incidental to certification or compliance;

(n) To accept gifts, trusts, bequests, grants, endowments or transfers of property of any kind;



(o) To receive monies coming to it by way of fees for services or by appropriations;

(p) To serve as the single state agency in receiving and administering any and all funds available from any source for the purpose of service delivery, training, research and education in regard to all forms of mental illness, intellectual disabilities, alcoholism, drug misuse and developmental disabilities, unless such funds are specifically designated to a particular agency or institution by the federal government, the Mississippi Legislature or any other grantor;

(q) To establish mental health holding centers for the purpose of providing short-term emergency mental health treatment, places for holding persons awaiting commitment proceedings or awaiting placement in a state mental health facility following commitment, and for diverting placement in a state mental health facility. These mental health holding facilities shall be readily accessible, available statewide, and be in compliance with emergency services' minimum standards. They shall be comprehensive and available to triage and make appropriate clinical disposition, including the capability to access inpatient services or less restrictive alternatives, as needed, as determined by medical staff. Such facility shall have medical, nursing and behavioral services available on a twenty-four-hour-a-day basis. The board may provide for all or part of the costs of establishing and operating the holding centers in each district from such funds as may be appropriated to the board for such use, and may participate in any plan or agreement with any public or private entity under which the entity will provide all or part of the costs of establishing and operating a holding center in any district;

(r) To certify/license case managers, mental health therapists, intellectual disability therapists, mental health/intellectual disability program administrators, addiction counselors and others as deemed appropriate by the board. Persons already professionally licensed by another state board or agency are not required to be certified/licensed under this section by the Department of Mental Health. The department shall not use professional titles in its certification/licensure process for which there is an independent licensing procedure. Such certification/licensure shall be valid only in the state mental health system, in programs funded and/or certified by the Department of Mental Health, and/or in programs certified/licensed by the State Department of Health that are operated by the state mental health system serving persons with mental illness, an intellectual disability, a developmental disability or addictions, and shall not be transferable;

(s) To develop formal mental health worker qualifications for regional mental health and intellectual disability commissions and other community service providers. The State Personnel Board shall develop and promulgate a recommended salary scale and career ladder for all regional mental health/intellectual disability center therapists and case managers who work directly with clients. The State Personnel Board shall also develop and promulgate a career ladder for all direct care workers employed by the State Department of Mental Health;

(t) The employees of the department shall be governed by personnel merit system rules and regulations, the same as other employees in state services;

(u) To establish such rules and regulations as may be necessary in carrying out the provisions of this chapter, including the establishment of a formal grievance procedure to investigate and attempt to resolve consumer complaints;

(v) To grant easements for roads, utilities and any other purpose it finds to be in the public interest;

(w) To survey statutory designations, building markers and the names given to mental health/intellectual disability facilities and proceedings in order to recommend deletion of obsolete and offensive terminology relative to the mental health/intellectual

disability system. Based upon a recommendation of the executive director, the board shall have the authority to name/rename any facility operated under the auspices of the Department of Mental Health for the sole purpose of deleting such terminology;

(x) To ensure an effective case management system directed at persons who have been discharged from state and private psychiatric hospitals to ensure their continued well-being in the community;

(y) To develop formal service delivery standards designed to measure the quality of services delivered to community clients, as well as the timeliness of services to community clients provided by regional mental health/intellectual disability commissions and other community services providers;

(z) To establish regional state offices to provide mental health crisis intervention centers and services available throughout the state to be utilized on a case-by-case emergency basis. The regional services director, other staff and delivery systems shall meet the minimum standards of the Department of Mental Health;

(aa) To require performance contracts with community mental health/intellectual disability service providers to contain performance indicators to measure successful outcomes, including diversion of persons from inpatient psychiatric hospitals, rapid/timely response to emergency cases, client satisfaction with services and other relevant performance measures;

(bb) To enter into interagency agreements with other state agencies, school districts and other local entities as determined necessary by the department to ensure that local mental health service entities are fulfilling their responsibilities to the overall state plan for behavioral services;

(cc) To establish and maintain a toll-free grievance reporting telephone system for the receipt and referral for investigation of all complaints by clients of state and community mental health/intellectual disability facilities;

(dd) To establish a peer review/quality assurance evaluation system that assures that appropriate assessment, diagnosis and treatment is provided according to established professional criteria and guidelines;

(ee) To develop and implement state plans for the purpose of assisting with the care and treatment of persons with Alzheimer's disease and other dementia. This plan shall include education and training of service providers, caregivers in the home setting and others who deal with persons with Alzheimer's disease and other dementia, and development of adult day care, family respite care and counseling programs to assist families who maintain persons with Alzheimer's disease and other dementia in the home setting. No agency shall be required to provide any services under this section until such time as sufficient funds have been appropriated or otherwise made available by the Legislature specifically for the purposes of the treatment of persons with Alzheimer's and other dementia;

(ff) Working with the advice and consent of the administration of Ellisville State School, to enter into negotiations with the Economic Development Authority of Jones County for the purpose of negotiating the possible exchange, lease or sale of lands owned by Ellisville State School to the Economic Development Authority of Jones County. It is the intent of the Mississippi Legislature that such negotiations shall ensure that the financial interest of the persons with an intellectual disability served by Ellisville State School will be held paramount in the course of these negotiations. The Legislature also recognizes the importance of economic development to the citizens of the State of Mississippi and Jones County, and encourages fairness to the Economic Development Authority of Jones County. Any negotiations proposed which would result in the recommendation for exchange, lease or sale of lands owned by Ellisville State School

must have the approval of the State Board of Mental Health. The State Board of Mental Health may and has the final authority as to whether or not these negotiations result in the exchange, lease or sale of the properties it currently holds in trust for persons with an intellectual disability served at Ellisville State School.

If the State Board of Mental Health authorizes the sale of lands owned by Ellisville State School, as provided for under this paragraph (ff), the monies derived from the sale shall be placed into a special fund that is created in the State Treasury to be known as the "Ellisville State School Client's Trust Fund." The principal of the trust fund shall remain inviolate and shall never be expended. Any interest earned on the principal may be expended solely for the benefits of clients served at Ellisville State School. The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the Mississippi Prepaid Affordable College Tuition Program under Section 37-155-9, and those investments shall be subject to the limitations prescribed by Section 37-155-9. Unexpended amounts remaining in the trust fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the trust fund shall be deposited to the credit of the trust fund. The administration of Ellisville State School may use any interest earned on the principal of the trust fund, upon appropriation by the Legislature, as needed for services or facilities by the clients of Ellisville State School. Ellisville State School shall make known to the Legislature, through the Legislative Budget Committee and the respective Appropriations Committees of the House and Senate, its proposed use of interest earned on the principal of the trust fund for any fiscal year in which it proposes to make expenditures thereof. The State Treasurer shall provide Ellisville State School with an annual report on the Ellisville State School Client's Trust Fund to indicate the total monies in the trust fund, interest earned during the year, expenses paid from the trust fund and such other related information.

Nothing in this section shall be construed as applying to or affecting mental health/intellectual disability services provided by hospitals as defined in Section 41-9-3(a), and/or their subsidiaries and divisions, which hospitals, subsidiaries and divisions are licensed and regulated by the Mississippi State Department of Health unless such hospitals, subsidiaries or divisions voluntarily request certification by the Mississippi State Department of Mental Health.

All new programs authorized under this section shall be subject to the availability of funds appropriated therefor by the Legislature;

(gg) Working with the advice and consent of the administration of Boswell Regional Center, to enter into negotiations with the Economic Development Authority of Simpson County for the purpose of negotiating the possible exchange, lease or sale of lands owned by Boswell Regional Center to the Economic Development Authority of Simpson County. It is the intent of the Mississippi Legislature that such negotiations shall ensure that the financial interest of the persons with an intellectual disability served by Boswell Regional Center will be held paramount in the course of these negotiations. The Legislature also recognizes the importance of economic development to the citizens of the State of Mississippi and Simpson County, and encourages fairness to the Economic Development Authority of Simpson County. Any negotiations proposed which would result in the recommendation for exchange, lease or sale of lands owned by Boswell Regional Center must have the approval of the State Board of Mental Health. The State Board of Mental Health may and has the final authority as to whether or not these negotiations result in the exchange, lease or sale of the properties it currently holds in trust for persons with an intellectual disability served at Boswell Regional Center. In any such exchange, lease or sale of such lands owned by Boswell Regional Center, title to all minerals, oil and gas on such lands shall be reserved, together with the right of ingress and egress to remove same, whether such provisions be included in the terms of any such exchange, lease or sale or not.

If the State Board of Mental Health authorizes the sale of lands owned by Boswell Regional Center, as provided for under this paragraph (gg), the monies derived from the

sale shall be placed into a special fund that is created in the State Treasury to be known as the "Boswell Regional Center Client's Trust Fund." The principal of the trust fund shall remain inviolate and shall never be expended. Any earnings on the principal may be expended solely for the benefits of clients served at Boswell Regional Center. The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the Mississippi Prepaid Affordable College Tuition Program under Section 37-155-9, and those investments shall be subject to the limitations prescribed by Section 37-155-9. Unexpended amounts remaining in the trust fund at the end of a fiscal year shall not lapse into the State General Fund, and any earnings on amounts in the trust fund shall be deposited to the credit of the trust fund. The administration of Boswell Regional Center may use any earnings on the principal of the trust fund, upon appropriation by the Legislature, as needed for services or facilities by the clients of Boswell Regional Center. Boswell Regional Center shall make known to the Legislature, through the Legislative Budget Committee and the respective Appropriations Committees of the House and Senate, its proposed use of the earnings on the principal of the trust fund for any fiscal year in which it proposes to make expenditures thereof. The State Treasurer shall provide Boswell Regional Center with an annual report on the Boswell Regional Center Client's Trust Fund to indicate the total monies in the trust fund, interest and other income earned during the year, expenses paid from the trust fund and such other related information.

Nothing in this section shall be construed as applying to or affecting mental health/intellectual disability services provided by hospitals as defined in Section 41-9-3(a), and/or their subsidiaries and divisions, which hospitals, subsidiaries and divisions are licensed and regulated by the Mississippi State Department of Health unless such hospitals, subsidiaries or divisions voluntarily request certification by the Mississippi State Department of Mental Health.

All new programs authorized under this section shall be subject to the availability of funds appropriated therefor by the Legislature;

(hh) Notwithstanding any other section of the code, the Board of Mental Health shall be authorized to fingerprint and perform a criminal history record check on every employee or volunteer. Every employee and volunteer shall provide a valid current social security number and/or driver's license number which shall be furnished to conduct the criminal history record check. If no disqualifying record is identified at the state level, fingerprints shall be forwarded to the Federal Bureau of Investigation for a national criminal history record check;

(ii) The Department of Mental Health shall have the authority for the development of a consumer friendly single point of intake and referral system within its service areas for persons with mental illness, an intellectual disability, developmental disabilities or alcohol or substance abuse who need assistance identifying or accessing appropriate services. The department will develop and implement a comprehensive evaluation procedure ensuring that, where appropriate, the affected person or their parent or legal guardian will be involved in the assessment and planning process. The department, as the point of intake and as service provider, shall have the authority to determine the appropriate institutional, hospital or community care setting for persons who have been diagnosed with mental illness, an intellectual disability, developmental disabilities and/or alcohol or substance abuse, and may provide for the least restrictive placement if the treating professional believes such a setting is appropriate, if the person affected or their parent or legal guardian wants such services, and if the department can do so with a reasonable modification of the program without creating a fundamental alteration of the program. The least restrictive setting could be an institution, hospital or community setting, based upon the needs of the affected person or their parent or legal guardian;

(jj) To have the sole power and discretion to enter into, sign, execute and deliver long-term or multiyear leases of real and personal property owned by the Department of Mental Health to and from other state and federal agencies and private

entities deemed to be in the public's best interest. Any monies derived from such leases shall be deposited into the funds of the Department of Mental Health for its exclusive use. Leases to private entities shall be approved by the Department of Finance and Administration and all leases shall be filed with the Secretary of State;

(kk) To certify and establish minimum standards and minimum required services for county facilities used for housing, feeding and providing medical treatment for any person who has been involuntarily ordered admitted to a treatment center by a court of competent jurisdiction. The minimum standard for the initial assessment of those persons being housed in county facilities is for the assessment to be performed by a physician, preferably a psychiatrist, or by a nurse practitioner, preferably a psychiatric nurse practitioner. If the department finds deficiencies in any such county facility or its provider based on the minimum standards and minimum required services established for certification, the department shall give the county or its provider a six-month probationary period to bring its standards and services up to the established minimum standards and minimum required services. After the six-month probationary period, if the department determines that the county or its provider still does not meet the minimum standards and minimum required services, the department may remove the certification of the county or provider and require the county to contract with another county having a certified facility to hold those persons for that period of time pending transportation and admission to a state treatment facility. Any cost incurred by a county receiving an involuntarily committed person from a county with a decertified holding facility shall be reimbursed by the home county to the receiving county; and

(ll) To provide orientation training to all new commissioners of regional commissions and annual training for all commissioners with continuing education regarding the Mississippi mental health system and services as developed by the State Department of Mental Health. Training shall be provided at the expense of the department except for travel expenses which shall be paid by the regional commission.

SECTION 11. A law enforcement officer shall transport the mental health person who is in crisis to the appropriate health care facility at the request of the crisis intervention team or mobile crisis response team.

SECTION 12. (1) After making expenditures of at least Two Million Five Hundred Thousand Dollars (\$2,500,000.00) each year to provide funding for county and municipal law enforcement training and court liaisons as authorized by this section, the Department of Mental Health is authorized to expend any additional funds to provide grants to community mental health centers for the purpose of increasing housing for patients. A community mental health center may apply to the Department of Mental Health for a grant to pay for the cost of patient housing. A community mental health center desiring assistance under this section must submit an application to the Department of Mental Health. The application must include any information required by the Department.

(2) The Department of Mental Health shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE "THE MISSISSIPPI COLLABORATIVE RESPONSE TO MENTAL HEALTH ACT"; TO REQUIRE EACH MUNICIPAL AND COUNTY LAW ENFORCEMENT AGENCY TO PROVIDE MENTAL HEALTH FIRST-AID TRAINING THAT IS EVIDENCE-BASED AND APPROVED BY THE DEPARTMENT OF MENTAL

HEALTH; TO REQUIRE EACH MUNICIPAL AND COUNTY LAW ENFORCEMENT AGENCY TO HAVE AT LEAST ONE CRISIS INTERVENTION TRAINED OFFICER BY A CERTAIN DATE; TO PROVIDE THAT AN AGENCY WHICH EMPLOYS LESS FIVE LAW ENFORCEMENT OFFICERS MAY EXECUTE AN AGREEMENT WITH ONE OR MORE LAW ENFORCEMENT AGENCIES TO HAVE A CRISIS INTERVENTION TEAM OFFICER SERVE AS THE OFFICER FOR THAT AGENCY; TO CREATE NEW SECTION 41-21-77.1, MISSISSIPPI CODE OF 1972, TO REQUIRE COURT LIAISONS FOR CERTAIN COUNTIES; TO AMEND SECTION 41-4-3, MISSISSIPPI CODE OF 1972, TO REVISE THE TERMS OF THE MEMBERS OF THE STATE BOARD OF MENTAL HEALTH; TO AMEND SECTION 41-19-31, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISION WHICH REGULATED REGIONAL COMMISSIONS TO THIS ACT; TO AMEND SECTION 41-19-33, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH REGIONAL COMMISSION TO EMPLOY OR CONTRACT WITH AN ACCOUNTANT TO MANAGE ITS FINANCES; TO REQUIRE THE ACCOUNTANT TO PROVIDE AN ANNUAL AUDIT IN ADDITION TO OTHER DUTIES; TO PROVIDE QUALIFICATIONS FOR MEMBERS OF THE BOARD; TO AMEND SECTION 41-19-35, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEMBERS OF THE REGIONAL COMMISSION SHALL SERVE AT THE WILL AND PLEASURE OF THE APPOINTING BOARD OF SUPERVISORS; TO REQUIRE THE COMMISSIONERS TO ATTEND CERTAIN TRAININGS AS A CONDITION TO REMAINING A COMMISSIONER; TO REQUIRE REMOVAL OF ANY COMMISSIONER WHO FAILS TO ATTEND CERTAIN TRAININGS PROVIDED BY THE DEPARTMENT OF MENTAL HEALTH UNLESS ALTERNATE ARRANGEMENTS ARE MADE; TO AMEND SECTION 41-21-77, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CHANCERY CLERK TO MAINTAIN A RECORD FOR THE NUMBER OF PERSONS ORDERED FOR ADMISSION TO A TREATMENT FACILITY, THE NUMBER OF HEARINGS TO DETERMINE WHETHER A PERSON SHOULD BE ADMITTED AND THE NUMBER OF AFFIDAVITS FILED FOR PURPOSES OF ADMITTING A PERSON TO A TREATMENT FACILITY; TO AMEND SECTION 41-4-7, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE STATE BOARD OF MENTAL HEALTH; TO REQUIRE LAW ENFORCEMENT OFFICERS TO TRANSPORT PERSONS IN CRISIS TO THE APPROPRIATE HEALTHCARE FACILITY AT THE REQUEST OF THE CRISIS INTERVENTION TEAM; TO PROVIDE THAT ON OR BEFORE DECEMBER 1, 2023, EACH COUNTY SHALL REPORT TO THE DEPARTMENT OF MENTAL HEALTH DATA RELATING TO THE PLACEMENT OF INDIVIDUALS BOTH BEFORE AN INVOLUNTARY CIVIL COMMITMENT PROCEEDING, AND AFTER A HEARING WHERE AN INVOLUTORY COMMITMENT ORDER HAS BEEN ENTERED; TO PROVIDE THAT AFTER MAKING EXPENDITURES OF AT LEAST \$2,500,000.00 EACH YEAR TO PROVIDE FUNDING FOR COUNTY AND MUNICIPAL LAW ENFORCEMENT TRAINING AND COURT LIAISONS, THE DEPARTMENT OF MENTAL HEALTH MAY EXPEND ANY ADDITIONAL FUNDS TO PROVIDE GRANTS TO COMMUNITY MENTAL HEALTH CENTERS FOR THE PURPOSE OF INCREASING HOUSING FOR PATIENTS; TO PROVIDE THAT THE DEPARTMENT OF MENTAL HEALTH SHALL HAVE ALL POWERS NECESSARY TO IMPLEMENT AND ADMINISTER THE PROGRAM, AND THE DEPARTMENT SHALL PROMULGATE RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THE ACT; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1222 was adopted.

YEAS AND NAYS On H. B. No. 1222. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,

Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan moved that the rules be suspended to move to calendar item 101, **H. B. No. 1264**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

**H. B. No. 1264:** School districts; authorize to provide feminine hygiene products for female students in Grades 6-12.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section the following terms shall have the meaning ascribed herein:

(a) "Feminine hygiene products" means tampons and sanitary napkins for use in connection with the menstrual cycle.

(b) "School building" means any facility:

(i) That is owned or leased by the school district or over which the board has care, custody and control; and

(ii) In which there is a public school serving students in Grade 6 through Grade 12.

(2) School districts are authorized to make feminine hygiene products available, at no cost to students, in the bathrooms or offices of the school nurse in school buildings.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE SCHOOL DISTRICTS TO MAKE FEMININE HYGIENE PRODUCTS AVAILABLE, AT NO COST TO STUDENTS, IN THE BATHROOMS OR OFFICES OF THE SCHOOL NURSE IN SCHOOL BUILDINGS FOR STUDENTS IN GRADE 6 THROUGH GRADE 12; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1264 was adopted.

YEAS AND NAYS On H. B. No. 1264. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

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Senator Bryan moved that the rules be suspended to move to calendar item 102, **H. B. No. 1392**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

**H. B. No. 1392:** MS Vulnerable Persons Abuse Registry; require Department of Human Services to establish.

Senator Bryan offered the following AMENDMENT NO. 1.

AMEND on line 266 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to H. B. No. 1392 was adopted.

YEAS AND NAYS On H. B. No. 1392. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan moved that the rules be suspended to move to calendar item 103, **H. B. No. 557**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

**H. B. No. 557:** MS Rural Dentists Scholarship Program; increase number of students who may be admitted into annually.

Senator Bryan offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:



SECTION 1. Section 37-146-7, Mississippi Code of 1972, is amended as follows:

37-146-7. Identification and recruitment of undergraduate participants; designation of underserved or rural area; applicant qualifications; maximum number of new admissions per year. (1) The commission shall develop and implement policies and procedures designed to recruit, identify and enroll undergraduate students who demonstrate necessary interest, commitment, aptitude and academic achievement to pursue careers as dentists in rural or dentally underserved areas of Mississippi, and to develop and implement the programs designed to foster successful entry of participants into dental school, completion of dental school, and establishment and maintenance of a career in dentistry in a rural or underserved area of Mississippi.

(2) The commission shall have the authority through use of generally applicable definitions, to designate an area of the state as underserved or rural.

(3) The commission, in conjunction with the University of Mississippi Medical Center, shall have the authority to provide students selected for scholarship funding with faculty mentors and other programs designed to enhance the students' likelihood of admission to the dental school. The commission and the University of Mississippi Medical Center will develop coursework that will help provide scholarship students with the skills necessary for sustained and successful dental practice in rural Mississippi.

(4) Each applicant for admission to the program must submit an application to the commission that conforms to requirements established by the commission.

(5) In selecting participants for the program, the board may only accept an applicant if his or her academic record and other characteristics, if given consideration by the University of Mississippi School of Dentistry Admissions Committee, would be considered credible and competitive.

(6) An applicant for the program may be admitted only upon a majority vote of the members of the commission.

(7) Up to \*\*\* six (6) students will be admitted to the Mississippi Rural Dentists Scholarship Program each year.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-146-7, MISSISSIPPI CODE OF 1972, TO INCREASE THE NUMBER OF STUDENTS ADMITTED ANNUALLY TO THE MISSISSIPPI RURAL DENTIST SCHOLARSHIP PROGRAM FROM THREE TO SIX; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 557 was adopted.

YEAS AND NAYS On H. B. No. 557. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--McDaniel. Total--1.

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Senator Bryan moved that the rules be suspended to move to calendar item 98, **H. B. No. 1039**, and the motion prevailed.

Senator Bryan called up the following entitled bill:

**H. B. No. 1039:** Occupational licensing; revise certain provisions relating to members of the military to include veterans.

Senator Bryan offered the following AMENDMENT NO. 1.

AMEND on line 157 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to H. B. No. 1039 was adopted.

YEAS AND NAYS On H. B. No. 1039. On motion of Senator Bryan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Fillingane called up the following entitled bill:

**H. B. No. 529:** Department of Public Safety; revise various provisions.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-2-1, Mississippi Code of 1972, is amended as follows:

45-2-1. (1) Whenever used in this section, the term:

(a) "Covered individual" means a law enforcement officer or firefighter, including volunteer firefighters, as defined in this section when employed by an employer as defined in this section; it does not include employees of independent contractors.

(b) "Employer" means a state board, commission, department, division, bureau or agency, or a county, municipality or other political subdivision of the state, which employs, appoints or otherwise engages the services of covered individuals.

(c) "Firefighter" means an individual who is trained for the prevention and control of loss of life and property from fire or other emergencies, who is assigned to firefighting activity, and is required to respond to alarms and perform emergency actions at the location of a fire, hazardous materials or other emergency incident.

(d) "Law enforcement officer" means any lawfully sworn officer or employee of the state or any political subdivision of the state whose duties require the officer or employee to investigate, pursue, apprehend, arrest, transport or maintain custody of persons who are charged with, suspected of committing, or convicted of a crime, whether the officer is on regular duty on full-time status, an auxiliary or reserve officer, or is serving on a temporary or part-time status.

(e) "Cause of death" means any cause of death that would be covered under the Public Safety Officers' Benefits Act of 1976, the Hometown Heroes Survivors Benefits Act of 2003, generally codified at 42 USCS Chapter 46, or the Safeguarding America's First Responders Act of 2020.

(2) (a) The Department of Public Safety shall make a payment, as provided in this section, in the amount of \* \* \* One Hundred Ten Thousand Dollars (\$110,000.00) when a covered individual, while engaged in the performance of the person's official duties, dies or receives accidental or intentional bodily injury that results in the loss of the covered individual's life and such death is the result of a covered cause of death, provided that the death is not the result of suicide and that the bodily injury is not intentionally self-inflicted.

(b) The payment provided for in this subsection shall be made to the beneficiary who was designated in writing by the covered individual, signed by the covered individual and delivered to the employer during the covered individual's lifetime. If no such designation is made, then the payment shall be made to the surviving child or children and spouse in equal portions, and if there is no surviving child or spouse, then to the parent or parents. If a beneficiary is not designated and there is no surviving child, spouse or parent, then the payment shall be made to the covered individual's estate.

(c) The payment made in this subsection is in addition to any workers' compensation or pension benefits and is exempt from the claims and demands of creditors of the covered individual.

(3) (a) There is established in the State Treasury a special fund to be known as the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund. The trust fund shall be funded by an initial appropriation of Two Hundred Thousand Dollars (\$200,000.00), and shall be comprised of any additional funds made available by the Legislature or by donation, contribution, gift or any other source.

(b) The State Treasurer shall invest the monies of the trust fund in any of the investments authorized for the funds of the Public Employees' Retirement System under Section 25-11-121, and those investments shall be subject to the limitations prescribed by Section 25-11-121.

(c) Unexpended amounts remaining in the trust fund at the end of the state fiscal year shall not lapse into the State General Fund, and any income earned on amounts in the trust fund shall be deposited to the credit of the trust fund. However, any unexpended amounts transferred in accordance with Section 2 of Chapter 315, Laws of

2022, and remaining in the trust fund at the end of the state fiscal year shall lapse into the Coronavirus State Fiscal Recovery Fund.

(4) The Department of Public Safety shall be responsible for the management of the trust fund and the disbursement of death benefits authorized under this section. The Department of Public Safety shall adopt rules and regulations necessary to implement and standardize the payment of death benefits under this section, to administer the trust fund created by this section and to carry out the purposes of this section.

SECTION 2. Section 63-16-13, Mississippi Code of 1972, is amended as follows:

63-16-13. (1) If the operator of a motor vehicle being operated on the public roads, streets or highways of the State of Mississippi or registered in the State of Mississippi has been found failing to have motor vehicle liability insurance in at least the minimum amounts required under Section 63-15-3(j), it is a misdemeanor and, upon conviction, is punishable by a fine of One Hundred Dollars (\$100.00) and suspension of driving privilege for a period of one (1) year or until the owner of the motor vehicle shows proof of liability insurance that is in compliance with the liability limits required by Section 63-15-3(j) and has paid the fines and assessments imposed and the driver's license reinstatement fees imposed by the Department of Public Safety. A judge shall determine whether the defendant is indigent, and if a determination of indigence is made, shall authorize the reinstatement of that person's driver's license upon proof of mandatory liability insurance subject to compliance with a payment plan for any fines, assessments and/or fees. If such fines are levied in a municipal court, the funds from such fines shall be deposited in the general fund of the municipality. If such fines are levied in any of the courts of the county, the funds from such fines shall be deposited in the general fund of the county. A person convicted of a criminal offense under this subsection (1) shall not be convicted of a criminal offense under Section 63-15-4(4) arising from the same incident.

(2) (a) There is created in the State Treasury a special fund to be designated as the "Uninsured Motorist Identification Fund." The fund shall consist of monies deposited therein as provided under subsection (1) of this section and monies from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund; however, one-half (1/2) of any monies in excess of the amount needed to defray the expenses and costs of the verification system created under Section 63-16-3 remaining in the fund at the end of a fiscal year shall be transferred to a special fund created in the State Treasury for the purpose of funding a Highway Patrol Trooper School, and one-half (1/2) of any monies in excess of the amount needed to defray the expenses and costs of the verification system created under Section 63-16-3 remaining in the fund at the end of a fiscal year shall be transferred to the Mississippi Trauma Care Systems Fund created under Section 41-59-75.

(b) Monies in the Uninsured Motorist Identification Fund may be used by the Department of Public Safety, upon appropriation by the Legislature, \* \* \* for the purpose of defraying expenses and costs for the motor vehicle insurance verification system created under Section 63-16-3. In addition, at any time during a fiscal year, if the Department of Public Safety determines that funds in the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund created under Section 45-2-1 are insufficient, the department may request the State Fiscal Officer to transfer funds from the Uninsured Motorist Identification Fund. The State Fiscal Officer may make an appropriate transfer if he determines that the funds in the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund are insufficient and the funds in the Uninsured Motorist Identification Fund will be sufficient for defraying the expenses and costs for the motor vehicle insurance verification system created under Section 63-16-3. Monies in the fund used for the purposes described in this paragraph (b) shall be in addition to other funds available from any other source for such purposes.

SECTION 3. Section 63-16-3, Mississippi Code of 1972, is amended as follows:

63-16-3. (1) The Department of Public Safety, hereinafter referred to in this section as "department," in cooperation with the Commissioner of Insurance and the Department of Revenue, shall establish an accessible common carrier-based motor vehicle insurance verification system to verify the compliance of a motor vehicle with motor vehicle liability policy requirements under the Mississippi Motor Vehicle Safety-Responsibility Law.

(2) The department, in cooperation with the Department of Revenue if applicable, may contract with a private vendor or vendors to establish and maintain the system.

(3) The system must:

(a) Send requests to insurers for verification of motor vehicle liability insurance using electronic services established by the insurers through the internet, World Wide Web, or a similar proprietary or common carrier electronic system in compliance with the specifications and standards of the Insurance Industry Committee on Motor Vehicle Administration and other applicable industry standards;

(b) Include appropriate provisions to secure its data against unauthorized access and to maintain a record of all requests and responses;

(c) Be accessible, without fee, to authorized personnel of the department, the courts, law enforcement personnel, and other entities authorized by the department under the provisions of Section 63-16-7;

(d) Be able to interface with existing department systems;

(e) Be able to be accessed by authorized users via a secure web browser;

(f) Not more often than every thirty (30) days, receive insurance information from insurers under specifications and standards set forth in paragraph (a) of this subsection or other data file formats as approved by the department to identify motor vehicle insurance policy information; however, no insurer shall be required to provide information in a format other than those set forth by the Insurance Industry Committee on Motor Vehicle Administration "Insurance Data Transfer Guide," as amended;

(g) Provide a means by which low-volume insurers that are unable to deploy an online interface with the system can report insurance policy data to the department or their designee for inclusion in the system;

(h) Provide a means to track separately or distinguish motor vehicles that are subject to a certificate of insurance under Section 63-15-39 or 63-15-41, a certificate of self-insurance under Section 63-15-53, a bond under Section 63-15-49, or a certificate of deposit of money or securities under Section 63-15-51;

(i) Distinguish motor vehicles that are exempt from the provisions of this chapter;

(j) Be available twenty-four (24) hours a day, seven (7) days a week, subject to reasonable allowances for scheduled maintenance or temporary system failures, to verify the insurance status of any motor vehicle in a manner prescribed by the department; and

(k) Be installed and operational not later than March 1, 2016, followed by an appropriate testing period of not less than six (6) months.

(4) Every insurer shall cooperate with the department and the Insurance Department in establishing and maintaining the system and shall provide motor vehicle

liability policy status and information to verify liability coverage for a motor vehicle insured by that company that is registered in this state.

(5) Records and information gathered by or stored in the system are exempt from the Mississippi Public Records Act of 1983.

SECTION 4. The following shall be codified as Section 45-27-23, Mississippi Code of 1972:

45-27-23. (1) In order to facilitate the authorized interstate exchange of criminal history information for noncriminal justice purposes, including, but not limited to, background checks for the licensing and screening of employees and volunteers under the National Child Protection Act of 1993, as amended, and to implement the National Crime Prevention and Privacy Compact, 42 U.S.C. Section 14616, the Legislature approves and ratifies the compact. The director of the Mississippi Justice Information Center shall execute the compact on behalf of the state.

(2) The department is the repository of criminal history records for purposes of the compact and shall do all things necessary or incidental to carrying out the compact.

(3) The director of the Mississippi Justice Information Center, or the director's designee, is the state's compact officer and shall administer the compact within the state. The Mississippi Justice Information Center may establish procedures for the cooperative exchange of criminal history records between the state and federal government for use in noncriminal justice cases.

(4) The state's ratification of the compact remains in effect until legislation is enacted specifically renouncing the compact.

SECTION 5. Section 45-27-9, Mississippi Code of 1972, is amended as follows:

45-27-9. (1) All criminal justice agencies within the state shall submit to the center an arrest card that will transmit fingerprints, descriptions, photographs (when specifically requested), and other identifying data on persons who have been lawfully arrested or taken into custody in this state for all felonies and misdemeanors as described in Section 45-27-7(2)(a). It shall be the duty of all chiefs of police, sheriffs, district attorneys, courts, court clerks, judges, parole and probation officers, wardens or other persons in charge of correctional institutions in this state to furnish the center with all data required by the rules duly promulgated under the Administrative Procedures Act to carry out its responsibilities under this chapter, and the duty of courts and court clerks to submit a disposition form for every disposition. It shall be the duty of all criminal justice agencies within the state to supply the prosecutor and the proper court with the disposition form that is attached to the physical arrest card if fingerprints were taken manually or, if fingerprints were captured digitally, the disposition form generated by the electronic fingerprint device at the time of the arrest. The PEER committee may conduct random review of the records of any agency or clerks referenced in this subsection (1) to determine whether the duties of such agencies and clerks are being fulfilled in a timely manner. The PEER committee, based on its findings, if any, shall recommend measures to ensure that the duties are more effectively carried out in a timely manner.

(2) (a) All persons in charge of law enforcement agencies shall obtain, or cause to be obtained, fingerprints according to the fingerprint system of identification established by the Director of the Federal Bureau of Investigation, full face and profile photographs (if equipment is available) and other available identifying data, of each person arrested or taken into custody for an offense of a type designated in subsection (1) of this section, of all persons arrested or taken into custody as fugitives from justice and of all unidentified human corpses in their jurisdictions, but photographs need not be taken if it is known that photographs of the type listed, taken within the previous year, are on file. Any record taken in connection with any person arrested or taken into custody and subsequently

released without charge or cleared of the offense through court proceedings shall be purged from the files of the center and destroyed upon receipt by the center of a lawful expunction order. All persons in charge of law enforcement agencies shall submit to the center detailed descriptions of arrests or takings into custody which result in release without charge or subsequent exoneration from criminal liability within twenty-four (24) hours of the release or exoneration.

(b) The center will work to secure grant funds to purchase live scan equipment to be utilized throughout the state. All law enforcement agencies shall utilize any live scan equipment provided by the center to ensure the most accurate collection of fingerprints. The center shall coordinate the use of the equipment with federal, state, county and municipal law enforcement agencies.

(3) Fingerprints and other identifying data required to be taken under subsection (2) shall be forwarded within twenty-four (24) hours after taking for filing and classification, but the period of twenty-four (24) hours may be extended to cover any intervening holiday or weekend. Photographs taken shall be forwarded at the discretion of the agency concerned, but, if not forwarded, the fingerprint record shall be marked "Photo Available" and the photographs shall be forwarded subsequently if the center so requests.

(4) All persons in charge of law enforcement agencies shall submit to the center detailed descriptions of arrest warrants and related identifying data immediately upon determination of the fact that the warrant cannot be served for the reasons stated. If the warrant is subsequently served or withdrawn, the law enforcement agency concerned must immediately notify the center of the service or withdrawal. Also, the agency concerned must annually, no later than January 31 of each year and at other times if requested by the center, confirm all arrest warrants which continue to be outstanding. Upon receipt of a lawful expunction order, the center shall purge and destroy files of all data relating to an offense when an individual is subsequently exonerated from criminal liability of that offense. The center shall not be liable for the failure to purge, destroy or expunge any records if an agency or court fails to forward to the center proper documentation ordering the action.

(5) All persons in charge of state correctional institutions shall obtain fingerprints, according to the fingerprint system of identification established by the Director of the Federal Bureau of Investigation or as otherwise directed by the center, and full face and profile photographs of all persons received on commitment to the institutions. The prints so taken shall be forwarded to the center, together with any other identifying data requested, within ten (10) days after the arrival at the institution of the person committed. At the time of release, the institution will again obtain fingerprints, as before, and forward them to the center within ten (10) days, along with any other related information requested by the center. The institution shall notify the center immediately upon the release of the person.

(6) All persons in charge of law enforcement agencies, all court clerks, all municipal justices where they have no clerks, all justice court judges and all persons in charge of state and county probation and parole offices, shall supply the center with the information described in subsections (4) and (10) of this section on the basis of the forms and instructions for the disposition form to be supplied by the center.

(7) All persons in charge of law enforcement agencies in this state shall furnish the center with any other identifying data required in accordance with guidelines established by the center. All law enforcement agencies and correctional institutions in this state having criminal identification files shall cooperate in providing the center with copies of the items in the files which will aid in establishing the nucleus of the state criminal identification file.

(8) All law enforcement agencies within the state shall report to the center, in a manner prescribed by the center, all persons wanted by and all vehicles and identifiable

property stolen from their jurisdictions. The report shall be made as soon as is practical after the investigating department or agency either ascertains that a vehicle or identifiable property has been stolen or obtains a warrant for an individual's arrest or determines that there are reasonable grounds to believe that the individual has committed a crime. The report shall be made within a reasonable time period following the reporting department's or agency's determination that it has grounds to believe that a vehicle or property was stolen or that the wanted person should be arrested.

(9) All law enforcement agencies in the state shall immediately notify the center if at any time after making a report as required by subsection (8) of this section it is determined by the reporting department or agency that a person is no longer wanted or that a vehicle or property stolen has been recovered. Furthermore, if the agency making the apprehension or recovery is not the one which made the original report, then it shall immediately notify the originating agency of the full particulars relating to the apprehension or recovery using methods prescribed by the center.

(10) All law enforcement agencies in the state and clerks of the various courts shall promptly report to the center all instances where records of convictions of criminals are ordered expunged by courts of this state as now provided by law. The center shall promptly expunge from the files of the center and destroy all records pertaining to any convictions that are ordered expunged by the courts of this state as provided by law.

(11) The center shall not be held liable for the failure to purge, destroy or expunge records if an agency or court fails to forward to the center proper documentation ordering the action.

(12) Any criminal justice department or agency making an expenditure in excess of Five Thousand Dollars (\$5,000.00) in any calendar year on software or programming upgrades concerning a computerized records management system or jail management system shall ensure that the new or upgraded system is formatted to Department of Justice approved XML format and that no impediments to data sharing with other agencies or departments exist in the software programming.

(13) (a) All law enforcement agencies within the state shall:

(i) Implement an incident-based reporting system within the agency or department that meets the reporting requirements of the National Incident-Based Reporting System (NIBRS) of the Uniform Crime Reporting Program of the Federal Bureau of Investigation;

(ii) Use the system described by subparagraph (i) to submit to the center information and statistics concerning criminal offenses committed in the jurisdiction of the local law enforcement agency, in a manner prescribed by the center; and

(iii) Report the information as soon as is practicable after the investigating agency or department ascertains that a qualifying crime has been committed in its jurisdiction, once the state-level NIBRS Repository is available.

(b) No later than July 1, 2019, the department shall submit a report to the Legislature that identifies the number of local law enforcement agencies that have implemented the system described in this subsection (13).

SECTION 6. Section 63-1-16, Mississippi Code of 1972, is amended as follows:

63-1-16. (1) The Department of Public Safety shall, upon request of the board of supervisors, furnish \*\*\* a Driver Service Bureau public access computer at a location in each county seat \*\*\* to access the Driver Service Bureau website. \*\*\* The county shall furnish the \*\*\* Internet connectivity at the location for the \*\*\* Driver Service Bureau public access computer.



\* \* \*

( \*\* \*2) At each driver's license location in the state, there shall be location signs prominently displayed providing for required information for the various licenses, cards and other services.

( \*\* \*3) On the Driver Services \* \* \* Bureau's website, there shall be tutorial videos linked to online procedures to help clearly illustrate how to use the website.

( \*\* \*4) On the Driver Services \* \* \* Bureau's website, the "Wait Anywhere Appointment," or its equivalent or successor program, shall be made available to use for all driver's license locations in the state.

SECTION 7. Section 45-9-101, Mississippi Code of 1972, is amended as follows:

45-9-101. (1) (a) Except as otherwise provided, the Department of Public Safety is authorized to issue licenses to carry stun guns, concealed pistols or revolvers to persons qualified as provided in this section. Such licenses shall be valid throughout the state for a period of five (5) years from the date of issuance, except as provided in subsection (25) of this section. Any person possessing a valid license issued pursuant to this section may carry a stun gun, concealed pistol or concealed revolver.

(b) The licensee must carry the license, together with valid identification, at all times in which the licensee is carrying a stun gun, concealed pistol or revolver and must display both the license and proper identification upon demand by a law enforcement officer. A violation of the provisions of this paragraph (b) shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by summons.

(2) The Department of Public Safety shall issue a license if the applicant:

(a) Is a resident of the state. However, this residency requirement may be waived if the applicant possesses a valid permit from another state, is a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, is the spouse of a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, or is a retired law enforcement officer establishing residency in the state;

(b) (i) Is twenty-one (21) years of age or older; or

(ii) Is at least eighteen (18) years of age but not yet twenty-one (21) years of age and the applicant:

1. Is a member or veteran of the United States Armed Forces, including National Guard or Reserve; and

2. Holds a valid Mississippi driver's license or identification card issued by the Department of Public Safety or a valid and current tribal identification card issued by a federally recognized Indian tribe containing a photograph of the holder;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a stun gun, pistol or revolver;

(d) Is not ineligible to possess a firearm by virtue of having been convicted of a felony in a court of this state, of any other state, or of the United States without having been pardoned or without having been expunged for same;

(e) Does not chronically or habitually abuse controlled substances to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses controlled substances to the extent that his faculties are impaired if the applicant has been voluntarily or involuntarily committed to a treatment facility for the abuse of a controlled substance or been found guilty of a crime under the provisions of the Uniform Controlled Substances Law or similar laws of any other state or the United States relating to controlled substances within a three-year period immediately preceding the date on which the application is submitted;

(f) Does not chronically and habitually use alcoholic beverages to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages to the extent that his normal faculties are impaired if the applicant has been voluntarily or involuntarily committed as an alcoholic to a treatment facility or has been convicted of two (2) or more offenses related to the use of alcohol under the laws of this state or similar laws of any other state or the United States within the three-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a stun gun, concealed pistol or revolver to defend himself;

(h) Has not been adjudicated mentally incompetent, or has waited five (5) years from the date of his restoration to capacity by court order;

(i) Has not been voluntarily or involuntarily committed to a mental institution or mental health treatment facility unless he possesses a certificate from a psychiatrist licensed in this state that he has not suffered from disability for a period of five (5) years;

(j) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony unless three (3) years have elapsed since probation or any other conditions set by the court have been fulfilled;

(k) Is not a fugitive from justice; and

(l) Is not disqualified to possess a weapon based on federal law.

(3) The Department of Public Safety may deny a license if the applicant has been found guilty of one or more crimes of violence constituting a misdemeanor unless three (3) years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred prior to the date on which the application is submitted, or may revoke a license if the licensee has been found guilty of one or more crimes of violence within the preceding three (3) years. The department shall, upon notification by a law enforcement agency or a court and subsequent written verification, suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime which would disqualify such person from having a license under this section, until final disposition of the case. The provisions of subsection (7) of this section shall apply to any suspension or revocation of a license pursuant to the provisions of this section.

(4) The application shall be completed, under oath, on a form promulgated by the Department of Public Safety and shall include only:

(a) The name, address, place and date of birth, race, sex and occupation of the applicant;

(b) The driver's license number or social security number of applicant;

(c) Any previous address of the applicant for the two (2) years preceding the date of the application;

(d) A statement that the applicant is in compliance with criteria contained within subsections (2) and (3) of this section;

(e) A statement that the applicant has been furnished a copy of this section and is knowledgeable of its provisions;

(f) A conspicuous warning that the application is executed under oath and that a knowingly false answer to any question, or the knowing submission of any false document by the applicant, subjects the applicant to criminal prosecution; and

(g) A statement that the applicant desires a legal means to carry a stun gun, concealed pistol or revolver to defend himself.

(5) The applicant shall submit only the following to the Department of Public Safety:

(a) A completed application as described in subsection (4) of this section;

(b) A full-face photograph of the applicant taken within the preceding thirty (30) days in which the head, including hair, in a size as determined by the Department of Public Safety, except that an applicant who is younger than twenty-one (21) years of age must submit a photograph in profile of the applicant;

(c) A nonrefundable license fee of Eighty Dollars (\$80.00). Costs for processing the set of fingerprints as required in paragraph (d) of this subsection shall be borne by the applicant. Honorably retired law enforcement officers, disabled veterans and active duty members of the Armed Forces of the United States, and law enforcement officers employed with a law enforcement agency of a municipality, county or state at the time of application for the license, shall be exempt from the payment of the license fee;

(d) A full set of fingerprints of the applicant administered by the Department of Public Safety; and

(e) A waiver authorizing the Department of Public Safety access to any records concerning commitments of the applicant to any of the treatment facilities or institutions referred to in subsection (2) of this section and permitting access to all the applicant's criminal records.

(6) (a) The Department of Public Safety, upon receipt of the items listed in subsection (5) of this section, shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing.

(b) The Department of Public Safety shall forward a copy of the applicant's application to the sheriff of the applicant's county of residence and, if applicable, the police chief of the applicant's municipality of residence. The sheriff of the applicant's county of residence, and, if applicable, the police chief of the applicant's municipality of residence may, at his discretion, participate in the process by submitting a voluntary report to the Department of Public Safety containing any readily discoverable prior information that he feels may be pertinent to the licensing of any applicant. The reporting shall be made within thirty (30) days after the date he receives the copy of the application. Upon receipt of a response from a sheriff or police chief, such sheriff or police chief shall be reimbursed at a rate set by the department.

(c) The Department of Public Safety shall, within forty-five (45) days after the date of receipt of the items listed in subsection (5) of this section:

(i) Issue the license;

(ii) Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in subsections (2) and (3) of this section. If the Department of Public Safety denies the application, it shall notify the applicant in writing, stating the ground for denial, and the denial shall be subject to the appeal process set forth in subsection (7); or

(iii) Notify the applicant that the department is unable to make a determination regarding the issuance or denial of a license within the forty-five-day period prescribed by this subsection, and provide an estimate of the amount of time the department will need to make the determination.

(d) In the event a legible set of fingerprints, as determined by the Department of Public Safety and the Federal Bureau of Investigation, cannot be obtained after a minimum of two (2) attempts, the Department of Public Safety shall determine eligibility based upon a name check by the Mississippi Highway Safety Patrol and a Federal Bureau of Investigation name check conducted by the Mississippi Highway Safety Patrol at the request of the Department of Public Safety.

(7) (a) If the Department of Public Safety denies the issuance of a license, or suspends or revokes a license, the party aggrieved may appeal such denial, suspension or revocation to the Commissioner of Public Safety, or his authorized agent, within thirty (30) days after the aggrieved party receives written notice of such denial, suspension or revocation. The Commissioner of Public Safety, or his duly authorized agent, shall rule upon such appeal within thirty (30) days after the appeal is filed and failure to rule within this thirty-day period shall constitute sustaining such denial, suspension or revocation. Such review shall be conducted pursuant to such reasonable rules and regulations as the Commissioner of Public Safety may adopt.

(b) If the revocation, suspension or denial of issuance is sustained by the Commissioner of Public Safety, or his duly authorized agent pursuant to paragraph (a) of this subsection, the aggrieved party may file within ten (10) days after the rendition of such decision a petition in the circuit or county court of his residence for review of such decision. A hearing for review shall be held and shall proceed before the court without a jury upon the record made at the hearing before the Commissioner of Public Safety or his duly authorized agent. No such party shall be allowed to carry a stun gun, concealed pistol or revolver pursuant to the provisions of this section while any such appeal is pending.

(8) The Department of Public Safety shall maintain an automated listing of license holders and such information shall be available online, upon request, at all times, to all law enforcement agencies through the Mississippi Crime Information Center. However, the records of the department relating to applications for licenses to carry stun guns, concealed pistols or revolvers and records relating to license holders shall be exempt from the provisions of the Mississippi Public Records Act of 1983, and shall be released only upon order of a court having proper jurisdiction over a petition for release of the record or records.

(9) Within thirty (30) days after the changing of a permanent address, or within thirty (30) days after having a license lost or destroyed, the licensee shall notify the Department of Public Safety in writing of such change or loss. Failure to notify the Department of Public Safety pursuant to the provisions of this subsection shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by a summons.

(10) In the event that a stun gun, concealed pistol or revolver license is lost or destroyed, the person to whom the license was issued shall comply with the provisions of subsection (9) of this section and may obtain a duplicate, or substitute thereof, upon payment of Fifteen Dollars (\$15.00) to the Department of Public Safety, and furnishing a notarized statement to the department that such license has been lost or destroyed.

(11) A license issued under this section shall be revoked if the licensee becomes ineligible under the criteria set forth in subsection (2) of this section.

(12) (a) Except as provided in subsection (25) of this section, no less than ninety (90) days prior to the expiration date of the license, the Department of Public Safety shall \* \* \* send to each licensee a written notice of the expiration and a renewal form prescribed by the department. The licensee must renew his license on or before the expiration date by filing with the department the renewal form, a notarized affidavit stating that the licensee remains qualified pursuant to the criteria specified in subsections (2) and (3) of this section if necessary, and a full set of fingerprints administered by the Department of Public Safety or the sheriff of the county of residence of the licensee. The first renewal may be processed by mail "or other means as determined by the Department" and the subsequent renewal must be made in person. Thereafter every other renewal may be processed by mail to assure that the applicant must appear in person every ten (10) years for the purpose of obtaining a new photograph.

(i) Except as provided in this subsection, a renewal fee of Forty Dollars (\$40.00) shall also be submitted along with costs for processing the fingerprints;

(ii) Honorably retired law enforcement officers, disabled veterans, active duty members of the Armed Forces of the United States and law enforcement officers employed with a law enforcement agency of a municipality, county or state at the time of renewal, shall be exempt from the renewal fee; and

(iii) The renewal fee for a Mississippi resident aged sixty-five (65) years of age or older shall be Twenty Dollars (\$20.00).

(b) The Department of Public Safety shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing. The license shall be renewed upon receipt of the completed renewal application and appropriate payment of fees.

(c) A licensee who fails to file a renewal application on or before its expiration date must renew his license by paying a late fee of Fifteen Dollars (\$15.00). No license shall be renewed six (6) months or more after its expiration date, and such license shall be deemed to be permanently expired. A person whose license has been permanently expired may reapply for licensure; however, an application for licensure and fees pursuant to subsection (5) of this section must be submitted, and a background investigation shall be conducted pursuant to the provisions of this section.

(13) No license issued pursuant to this section shall authorize any person, except a law enforcement officer as defined in Section 45-6-3 with a distinct license authorized by the Department of Public Safety, to carry a stun gun, concealed pistol or revolver into any place of nuisance as defined in Section 95-3-1, Mississippi Code of 1972; any police, sheriff or highway patrol station; any detention facility, prison or jail; any courthouse; any courtroom, except that nothing in this section shall preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his courtroom; any polling place; any meeting place of the governing body of any governmental entity; any meeting of the Legislature or a committee thereof; any school, college or professional athletic event not related to firearms; any portion of an establishment, licensed to dispense alcoholic beverages for consumption on the premises, that is primarily devoted to dispensing alcoholic beverages; any portion of an establishment in which beer, light spirit product or light wine is consumed on the premises, that is primarily devoted to such purpose; any elementary or secondary school facility; any junior college, community college, college or university facility unless for the purpose of participating in any authorized firearms-related activity; inside the passenger terminal of any airport, except that no person shall be prohibited from carrying any legal firearm into the terminal if the firearm is encased for shipment, for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; any church or other place of worship, except as

provided in Section 45-9-171; or any place where the carrying of firearms is prohibited by federal law. In addition to the places enumerated in this subsection, the carrying of a stun gun, concealed pistol or revolver may be disallowed in any place in the discretion of the person or entity exercising control over the physical location of such place by the placing of a written notice clearly readable at a distance of not less than ten (10) feet that the "carrying of a pistol or revolver is prohibited." No license issued pursuant to this section shall authorize the participants in a parade or demonstration for which a permit is required to carry a stun gun, concealed pistol or revolver.

(14) A law enforcement officer as defined in Section 45-6-3, chiefs of police, sheriffs and persons licensed as professional bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of 1972, shall be exempt from the licensing requirements of this section.

(a) The Commissioner of Public Safety shall promulgate rules and regulations to provide licenses to law enforcement officers as defined in Section 45-6-3 who choose to obtain a license under the provisions of this section, which shall include a distinction that the officer is an "active duty" law enforcement officer and an endorsement that such officer is authorized to carry in the locations listed in subsection (13). A law enforcement officer shall provide the following information to receive the license described in this subsection: (i) a letter, with the official letterhead of the agency or department for which the officer is employed at the time of application and (ii) a letter with the official letterhead of the agency or department, which explains that such officer has completed a certified law enforcement training academy.

(b) The licensing requirements of this section do not apply to the carrying by any person of a stun gun, pistol or revolver, knife, or other deadly weapon that is not concealed as defined in Section 97-37-1.

(15) Any person who knowingly submits a false answer to any question on an application for a license issued pursuant to this section, or who knowingly submits a false document when applying for a license issued pursuant to this section, shall, upon conviction, be guilty of a misdemeanor and shall be punished as provided in Section 99-19-31, Mississippi Code of 1972.

(16) All fees collected by the Department of Public Safety pursuant to this section shall be deposited into a special fund hereby created in the State Treasury and shall be used for implementation and administration of this section. After the close of each fiscal year, the balance in this fund shall be certified to the Legislature and then may be used by the Department of Public Safety as directed by the Legislature.

(17) All funds received by a sheriff or police chief pursuant to the provisions of this section shall be deposited into the general fund of the county or municipality, as appropriate, and shall be budgeted to the sheriff's office or police department as appropriate.

(18) Nothing in this section shall be construed to require or allow the registration, documentation or providing of serial numbers with regard to any stun gun or firearm.

(19) Any person holding a valid unrevoked and unexpired license to carry stun guns, concealed pistols or revolvers issued in another state shall have such license recognized by this state to carry stun guns, concealed pistols or revolvers. The Department of Public Safety is authorized to enter into a reciprocal agreement with another state if that state requires a written agreement in order to recognize licenses to carry stun guns, concealed pistols or revolvers issued by this state.

(20) The provisions of this section shall be under the supervision of the Commissioner of Public Safety. The commissioner is authorized to promulgate reasonable rules and regulations to carry out the provisions of this section.

(21) For the purposes of this section, the term "stun gun" means a portable device or weapon from which an electric current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure, momentarily stun, knock out, cause mental disorientation or paralyze.

(22) (a) From and after January 1, 2016, the Commissioner of Public Safety shall promulgate rules and regulations which provide that licenses authorized by this section for honorably retired law enforcement officers and honorably retired correctional officers from the Mississippi Department of Corrections shall (i) include the words "retired law enforcement officer" on the front of the license, and (ii) unless the licensee chooses to have this license combined with a driver's license or identification card under subsection (25) of this section, that the license itself have a red background to distinguish it from other licenses issued under this section.

(b) An honorably retired law enforcement officer and honorably retired correctional officer shall provide the following information to receive the license described in this section: (i) a letter, with the official letterhead of the agency or department from which such officer is retiring, which explains that such officer is honorably retired, and (ii) a letter with the official letterhead of the agency or department, which explains that such officer has completed a certified law enforcement training academy.

(23) A disabled veteran who seeks to qualify for an exemption under this section shall be required to provide a veterans health services identification card issued by the United States Department of Veterans Affairs indicating a service-connected disability, which shall be sufficient proof of such service-connected disability.

(24) A license under this section is not required for a loaded or unloaded pistol or revolver to be carried upon the person in a sheath, belt holster or shoulder holster or in a purse, handbag, satchel, other similar bag or briefcase or fully enclosed case if the person is not engaged in criminal activity other than a misdemeanor traffic offense, is not otherwise prohibited from possessing a pistol or revolver under state or federal law, and is not in a location prohibited under subsection (13) of this section. However, the medical use of medical cannabis by a cardholder who is a registered qualifying patient which is lawful under the provisions of the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder shall not disqualify a person under this subsection (24) solely because the person is prohibited from possessing a firearm under 18 USCS Section 922(g)(3) due to such medical use of medical cannabis.

(25) An applicant for a license under this section shall have the option of, instead of being issued a separate card for the license, having the license appear as a notation on the individual's driver's license or identification card. If the applicant chooses this option, the license issued under this section shall have the same expiration date as the driver's license or identification card, and renewal shall take place at the same time and place as renewal of the driver's license or identification card. The Commissioner of Public Safety shall have the authority to promulgate rules and regulations which may be necessary to ensure the effectiveness of the concurrent application and renewal processes.

SECTION 8. Section 63-16-15, Mississippi Code of 1972, which provides for the repeal of the Public Safety Verification and Enforcement Act (Sections 63-16-1 through 63-16-13, Mississippi Code of 1972), is repealed.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-2-1, MISSISSIPPI CODE OF 1972, TO INCREASE THE BENEFITS PAID FROM THE LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS DEATH BENEFITS TRUST FUND; TO AMEND SECTION 63-16-13, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER OF PUBLIC SAFETY TO USE MONIES IN THE UNINSURED MOTORIST IDENTIFICATION FUND TO PAY A BENEFIT FOR COVERED INDIVIDUALS; TO AMEND SECTION 63-16-3, MISSISSIPPI CODE OF 1972, TO EXEMPT RECORDS IN THE MOTOR VEHICLE INSURANCE VERIFICATION SYSTEM FROM THE MISSISSIPPI PUBLIC RECORDS ACT; TO CREATE NEW SECTION 45-27-23, MISSISSIPPI CODE OF 1972, TO RATIFY THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT AND TO DESIGNATE THE DIRECTOR OF THE MISSISSIPPI JUSTICE INFORMATION CENTER AS THE STATE'S COMPACT OFFICER; TO AMEND SECTION 45-27-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI JUSTICE INFORMATION CENTER TO PURCHASE LIVE SCAN EQUIPMENT TO BE USED FOR FINGERPRINTING BY LAW ENFORCEMENT AGENCIES THROUGHOUT THE STATE; TO AMEND SECTION 63-1-16, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO FURNISH A DRIVER SERVICE BUREAU PUBLIC ACCESS COMPUTER IN EACH COUNTY; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE CONCEALED CARRY OF A FIREARM WITH A LICENSE, TO REVISE HOW LICENSE RENEWALS MAY BE SENT; TO REPEAL SECTION 63-16-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE AUTOMATIC REPEAL OF THE PUBLIC SAFETY VERIFICATION AND ENFORCEMENT ACT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 529 was adopted.

YEAS AND NAYS On H. B. No. 529. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 405:** Bribery of a candidate; revise statute of limitations.

Senator Fillingane offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-1-5, Mississippi Code of 1972, as amended by Senate Bill No. 2337, 2023 Regular Session, is amended as follows:

99-1-5. (1) (a) The passage of time shall never bar prosecution against any person for the offenses of murder, manslaughter, aggravated assault, aggravated



domestic violence, kidnapping, arson, burglary, forgery, counterfeiting, robbery, larceny, rape, embezzlement, obtaining money or property under false pretenses or by fraud, felonious abuse or battery of a child as described in Section 97-5-39, touching or handling a child for lustful purposes as described in Section 97-5-23, sexual battery of a child as described in Section 97-3-95(1)(c), (d) or (2), exploitation of children as described in Section 97-5-33, promoting prostitution under Section 97-29-51(2) when the person involved is a minor, or any human trafficking offense as described in Section 97-3-54.1(1)(a), (1)(b) or (1)(c), Section 97-3-54.2, or Section 97-3-54.3.

(b) A person shall not be prosecuted \* \* \* for felonious assistance-program fraud, as described in Section 97-19-71, or for felonious abuse of vulnerable persons, as described in Sections 43-47-18 and 43-47-19, unless the prosecution for the offense is commenced within five (5) years next after the commission thereof.

(c) A person shall not be prosecuted for larceny of timber as described in Section 97-17-59, unless the prosecution for the offense is commenced within six (6) years next after the commission thereof.

(d) The time limitation on prosecution for conspiracy, as described in Section 97-1-1, shall be the same as for the underlying offense for which the defendant is accused of conspiring to commit.

(e) A person shall not be prosecuted for bribery as defined in Section 97-11-11, unless the prosecution for the offense is commenced within five (5) years after the commission thereof.

(2) A person shall not be prosecuted for any other offense not listed in this section unless the prosecution for the offense is commenced within two (2) years next after the commission thereof.

(3) Nothing contained in this section shall bar any prosecution against any person who shall abscond or flee from justice, or shall absent himself from this state or out of the jurisdiction of the court, or so conduct himself that he cannot be found by the officers of the law, or that process cannot be served upon him.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2337, 2023 REGULAR SESSION, TO REVISE THE STATUTE OF LIMITATIONS FOR BRIBERY OF A CANDIDATE TO FIVE YEARS; AND FOR RELATED PURPOSES.

Senator Sparks offered the following AMENDMENT NO. 1 to AMENDMENT NO. 1.

AMEND by inserting the following sections below line 50 and renumber subsequent sections:

SECTION \*. Section 97-11-11, Mississippi Code of 1972, is amended as follows:

97-11-11. (1) Every person who shall promise, offer or give to any officer, agent or trustee, either public or private, while holding such office, agency or trust, or after he

has become a candidate or applicant for the same, any money, goods, chattels, right in action, or other property, real or personal, with intent to influence his vote, opinion, action or judgment on any question, matter, cause or proceeding which may be then pending, or may be thereafter subject to vote, opinion, action or judgment of such officer, agent or trustee, shall, on conviction, be imprisoned in the Penitentiary not less than five (5) years but not more than \* \* \* twenty (20) years, or fined not more than \* \* \* Ten Thousand Dollars (\$10,000.00), or both, and shall be forever disqualified from holding any public office, trust or appointment, and shall forfeit his office, if any be held.

(2) Notwithstanding any other law to the contrary, the minimum terms imposed under this section shall not be reduced or suspended nor shall such person be eligible for probation or parole before the expiration of the minimum term of incarceration.

SECTION \*. Section 97-11-13, Mississippi Code of 1972, is amended as follows:

97-11-13. (1) If any officer, agent or trustee shall accept any gift, offer or promise, prohibited by Section 97-11-11, he shall, on conviction, be forever disqualified from holding any public office, trust or appointment, and shall forfeit his office, if any be held, and be imprisoned in the Penitentiary not less than five (5) years but not more than \* \* \* twenty (20) years, or be fined not more than \* \* \* Ten Thousand Dollars (\$10,000.00), or both.

(2) Notwithstanding any other law to the contrary, the minimum terms imposed under this section shall not be reduced or suspended nor shall such person be eligible for probation or parole before the expiration of the minimum term of incarceration.

SECTION \*. Section 97-11-53, Mississippi Code of 1972, is amended as follows:

97-11-53. As used in this section the following words shall have the following meaning:

(1) Person: individual, firm, corporation, association, partnership or other legal entity.

(2) Public official:

(a) Any elected official of the State of Mississippi or of any political subdivision thereof, or

(b) Any officer, director, commissioner, supervisor, chief, head, agent or employee of:

(i) The State of Mississippi,

(ii) Any agency of the State of Mississippi,

(iii) Any political subdivision of the State of Mississippi,

(iv) Any body politic of the State of Mississippi, or

(v) Any entity created by or under the laws of the State of Mississippi or by executive order of the Governor of the State of Mississippi and which expends public funds.

No person shall directly or indirectly offer, promise, give or agree to give to any public official or his spouse any money, property, or other tangible or intangible thing of value as an inducement or incentive for (a) the awarding or refusal to award a contract by any of the entities referred to in subsections (i) through (v) of subsection 2 b of this section; (b) the purchase, sale or lease of property by any of the entities referred to in subsections

(i) through (v) of subsection 2 b of this section; or (c) the accomplishment of any official act or purpose involving public funds or public trust.

Any person who violates the terms of this section shall be guilty of a felony and shall, upon conviction, be imprisoned in the \* \* \* Mississippi Department of Corrections not less than five (5) years but not more than \* \* \* twenty (20) years, or be fined not more than \* \* \* Ten Thousand Dollars (10,000.00), or both; and in addition such person and the firm, corporation, partnership, association or other type of business entity which he represents shall be barred for a period of five (5) years from the date of conviction from doing business with the State of Mississippi or any political subdivision thereof or any other public entity referred to in this section.

No public official shall directly or indirectly accept, receive, offer to receive or agree to receive any gift, offer, or promise of any money, property or other tangible or intangible thing of value as an inducement or incentive for (a) the awarding or refusal to award a contract by any of the entities referred to in subsections (i) through (v) of subsection 2 b of this section; (b) the purchase, sale or lease of property by any of the entities referred to in subsections (i) through (v) of subsection 2 b of this section; or (c) the accomplishment of any official act or purpose involving public funds or public trust.

Any public official who violates the terms of this section or whose spouse does so with his knowledge and consent, shall be guilty of a felony and shall, upon conviction, be imprisoned in the Penitentiary not less than five (5) years but not more than \* \* \* twenty (20) years, or be fined not more than \* \* \* Ten Thousand Dollars (\$10,000.00), or both; and in addition, upon conviction such public official shall forfeit his office, if any he hold, and be forever disqualified from holding any public office, trust, appointment or employment with the State of Mississippi or any political subdivision thereof or with any other public entity referred to in this section.

Each violation of the provisions of this section shall constitute a separate offense. Notwithstanding any other law to the contrary, the minimum terms imposed under this section shall not be reduced or suspended nor shall such person be eligible for probation or parole before the expiration of the minimum term of incarceration.

SECTION \*. Section 97-1-5, Mississippi Code of 1972, is amended as follows:

97-1-5. (1) Every person who shall be convicted of having concealed, received, or relieved any felon, or having aided or assisted any felon, knowing that the person had committed a felony, with intent to enable the felon to escape or to avoid arrest, trial, conviction or punishment after the commission of the felony, on conviction thereof shall be imprisoned in the custody of the Department of Corrections as follows:

(a) If the felony was a violent crime:

(i) If the maximum punishment was life, death or twenty (20) years or more, for a period not to exceed twenty (20) years; or

(ii) If the maximum punishment for the violent felony was less than twenty (20) years, for a period not to exceed the maximum punishment.

(b) If the felony was a nonviolent crime other than the crimes listed in 97-1-5(1)(c):

(i) If the maximum punishment for the nonviolent felony was ten (10) years or more, for a period not to exceed ten (10) years; or

(ii) If the maximum punishment for the nonviolent felony was less than ten (10) years, for a period not to exceed the maximum punishment.

(c) If the felony was a crime provided for in Section 97-11-11, 97-11-13 or 97-11-53 for a period not less than five (5) years but not exceeding twenty (20) years or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(2) For the purposes of this section, "violent crime" means homicide, robbery, manslaughter, sex crimes, burglary of an occupied dwelling, aggravated assault, kidnapping, drive-by shooting, armed robbery, felonious abuse of a vulnerable person, felonies subject to an enhanced penalty, felony child abuse or exploitation, or any violation of Section 97-5-33 relating to exploitation of children, Section 97-5-39(1)(b), 97-5-39(1)(c) or 97-5-39(2) relating to child neglect or abuse, or Section 63-11-30(5) relating to aggravated DUI.

(3) In the prosecution of an offense under this section, it shall not be necessary to aver in the indictment or to prove on the trial that the principal has been convicted or tried.

(4) Notwithstanding any other law to the contrary, the minimum terms imposed under Section 97-1-5(1)(c) shall not be reduced or suspended nor shall such person be eligible for probation or parole before the expiration of the minimum term of incarceration.

FURTHER, AMEND by technically renumbering Section 97-11-53.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Amendment No. 1 to H. B. No. 405 was adopted.

Amendment No. 1 as amended to H. B. No. 405 was adopted.

YEAS AND NAYS On H. B. No. 405. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 795:** Shoplifting; require to calculate total price of all shoplifting items for fine.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-23-93, Mississippi Code of 1972, is amended as follows:

97-23-93. (1) Any person who shall willfully and unlawfully take possession of any merchandise owned or held by and offered or displayed for sale by any merchant, store or other mercantile establishment with the intention and purpose of converting such merchandise to his own use without paying the merchant's stated price therefor shall be guilty of the crime of shoplifting and, upon conviction, shall be punished as is provided in this section.

(2) The requisite intention to convert merchandise without paying the merchant's stated price for the merchandise is presumed, and shall be prima facie evidence thereof, when such person, alone or in concert with another person, willfully:

(a) Conceals the unpurchased merchandise;

(b) Removes or causes the removal of unpurchased merchandise from a store or other mercantile establishment;

(c) Alters, transfers or removes any price-marking, any other marking which aids in determining value affixed to the unpurchased merchandise, or any tag or device used in electronic surveillance of unpurchased merchandise;

(d) Transfers the unpurchased merchandise from one (1) container to another; or

(e) Causes the cash register or other sales recording device to reflect less than the merchant's stated price for the unpurchased merchandise.

(3) Evidence of stated price or ownership of merchandise may include, but is not limited to:

(a) The actual merchandise or the container which held the merchandise alleged to have been shoplifted; or

(b) The content of the price tag or marking from such merchandise; or

(c) Properly identified photographs of such merchandise.

(4) Any merchant or his agent or employee may testify at a trial as to the stated price or ownership of merchandise.

(5) A person convicted of shoplifting merchandise for which the merchant's stated price is less than or equal to One Thousand Dollars (\$1,000.00) shall be punished as follows:

(a) Upon a first shoplifting conviction the defendant shall be guilty of a misdemeanor and fined not more than One Thousand Dollars (\$1,000.00), or punished by imprisonment in the county jail not to exceed six (6) months, or by both, if the court finds substantial and compelling reasons why the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00).

(b) Upon a second shoplifting conviction the defendant shall be guilty of a misdemeanor and fined not more than One Thousand Dollars (\$1,000.00) or punished by imprisonment in the county jail for a term not to exceed six (6) months, or by both, if the court finds substantial and compelling reasons why the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall

suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(6) Upon a third or subsequent shoplifting conviction \* \* \*, the defendant shall be guilty of a felony and fined not more than One Thousand Dollars (\$1,000.00), or imprisoned for a term not exceeding three (3) years, or by both such fine and imprisonment.

(7) A person convicted of shoplifting merchandise for which the merchant's stated price exceeds One Thousand Dollars (\$1,000.00) shall be guilty of a felony and, upon conviction, punished as provided in Section 97-17-41 for the offense of grand larceny.

(8) In determining the number of prior shoplifting convictions for purposes of imposing punishment under this section, the court shall disregard all such convictions occurring more than seven (7) years prior to the shoplifting offense in question.

(9) For the purpose of determining the gravity of the offense under subsection (7) of this section, the prosecutor may aggregate the value of merchandise shoplifted from three (3) or more separate mercantile establishments within the same legal jurisdiction over a period of thirty (30) or fewer days.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023 and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT A THIRD OR SUBSEQUENT CONVICTION FOR SHOPLIFTING SHALL BE A FELONY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 795 was adopted.

YEAS AND NAYS On H. B. No. 795. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 995:** Rape; revise elements for the crime of and remove spousal exception.

Senator Fillingane offered the following AMENDMENT NO. 1.

AMEND on line 265 by inserting before the period the following:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to H. B. No. 995 was adopted.

YEAS AND NAYS On H. B. No. 995. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 266:** Department of Public Safety Headquarters Office; name in honor of Commissioner David R. Huggins.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Mississippi State Crime Laboratory of the Mississippi Department of Public Safety located in Pearl, Rankin County, Mississippi, shall be named the "Tom Weathersby State Crime Laboratory." The Department of Finance and Administration shall prepare or have prepared a distinctive plaque, to be approved by the Mississippi Department of Public Safety and the Mississippi House of Representatives, to be placed in a prominent place within the building, that states the background, accomplishments and service to the state by the Honorable Tom Weathersby. The Department of Finance and Administration, in conjunction with the Mississippi Department of Public Safety, shall erect or cause to be erected proper lettering or signage on the outdoor facade of the building displaying the official name of the building as the "Tom Weathersby State Crime Laboratory." Any and all funds necessary to accomplish this act will be appropriated by the Legislature for such purpose.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO NAME THE MISSISSIPPI STATE CRIME LABORATORY IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "TOM WEATHERSBY STATE CRIME LABORATORY"; TO REQUIRE THE DEPARTMENT OF FINANCE AND

ADMINISTRATION IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDING DISPLAYING THE OFFICIAL NAME AS THE "TOM WEATHERSBY STATE CRIME LABORATORY"; AND FOR RELATED PURPOSES.

Senators Fillingane and Hopson offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 12 by deleting the period and inserting after the quotation mark the following language:

upon the retirement of Tom Weathersby from the Mississippi Legislature.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 266 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 266 was adopted.

YEAS AND NAYS On H. B. No. 266. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following entitled bill:

**H. B. No. 912:** Firearm suppressors; authorizing manufacture and possession in Mississippi and prohibit enforcement of federal laws governing.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words and phrases have the meanings ascribed in this subsection unless the context clearly requires otherwise:

(a) "Firearm" means any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. "Firearm" does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of illegal weapons which are:

(i) An antique or curio firearm manufactured before 1899; or



(ii) A replica of an antique or curio firearm manufactured before 1899, but only if the replica does not use rim fire or center fire ammunition.

(b) "Firearm suppressor" means any device designed, made or adapted to muffle the report of a firearm.

(c) "Generic and insignificant part" means an item that has manufacturing or consumer product applications other than inclusion in a firearm suppressor. The term includes a spring, screw, nut and pin.

(d) "Manufacture" includes forging, casting, machining or another process for working a material.

(2) A firearm suppressor is considered to be manufactured in this state if the item is manufactured:

(a) In this state from basic materials; and

(b) Without the inclusion of any part imported from another state other than a generic and insignificant part.

(3) A firearm suppressor is manufactured in this state if it is manufactured as described in subsection (2) of this section without regard to whether a firearm imported into this state from another state is attached to or used in conjunction with the suppressor.

(4) A firearm suppressor that is manufactured in this state and remains in this state is not subject to federal law or federal regulation, including registration, under the authority of the United States Congress to regulate interstate commerce.

(5) Basic material from which a firearm suppressor is manufactured in this state, including unmachined steel, is not a firearm suppressor and is not subject to federal regulation under the authority of the United States Congress to regulate interstate commerce as if it actually were a firearm suppressor.

(6) A firearm suppressor manufactured and sold in this state must have the words "Made in Mississippi" clearly stamped on it.

(7) On written notification to the Attorney General by a United States citizen who resides in this state of the citizen's intent to manufacture a firearm suppressor to which subsection (4) of this section applies, the Attorney General shall seek a declaratory judgment from a federal district court in this state that subsection (4) of this section is consistent with the United States Constitution.

(8) This section applies only to a firearm suppressor that is manufactured on or after July 1, 2023.

SECTION 2. (1) This section applies to:

(a) The State of Mississippi, including an agency, department, commission, bureau, board, office, council, court or other entity that is in any branch of state government and which is created by the constitution or a statute of this state;

(b) The governing body of a municipality, county, school district or other district;

(c) An officer, employee or body that is part of a municipality, county, school district or other district, including a sheriff, municipal police department, municipal attorney or county attorney; and

(d) A district attorney or other prosecuting attorney.

(2) (a) An entity described in subsection (1) of this section may not adopt a rule, regulation, order, ordinance or policy under which the entity enforces, or by consistent action allows the enforcement of, a federal statute, order, rule or regulation that purports to regulate a firearm suppressor, as defined in Section 1 of this act, if the rule, regulation, order, ordinance or policy imposes a prohibition, restriction or other regulation that does not exist under the laws of this state.

(b) An entity or person employed by or otherwise under the direction or control of an entity described in subsection (1) of this section may not enforce or attempt to enforce any federal statute, order, rule or regulation described under paragraph (a) of this subsection.

(3) (a) An entity described in subsection (1) of this section may not receive state funds if the entity adopts a rule, regulation, order, ordinance or policy under which the entity enforces a federal law described under subsection (2)(a) of this section or, by consistent action, allows the enforcement of a federal law described under subsection (2)(a) of this section.

(b) State funds for the entity must be denied for the fiscal year following the year in which a final judicial determination in an action brought under this section is made that the entity has violated subsection (2)(a) of this section.

(4) (a) Any citizen residing in the jurisdiction of an entity described in subsection (1) of this section may file a complaint with the Attorney General if the citizen offers evidence to support an allegation that the entity has adopted a rule, regulation, order, ordinance or policy under which the entity enforces a federal law described under subsection (2)(a) or that the entity, by consistent action, allows the enforcement of a federal law described under subsection (2)(a) of this section. The citizen must include with the complaint any evidence the citizen has in support of the complaint.

(b) If the Attorney General determines that a complaint filed under paragraph (a) of this subsection against an entity described in subsection (1) of this section is valid, to compel the entity's compliance with this section, the Attorney General may file a petition for a writ of mandamus or apply for other appropriate equitable relief in the chancery court in Hinds County or in the county in which the principal office of the entity is located. The Attorney General may recover reasonable expenses incurred obtaining relief under this subsection, including court costs, reasonable attorney's fees, investigative costs, witness fees and deposition costs.

SECTION 3. An alleged offense under Section 97-37-1, as it existed on June 30, 2023, of concealed carrying of a muffler or silencer for any firearm, or under Section 97-37-5, as it existed on June 30, 2023, of possession by a person who has been convicted of a felony of a muffler or silencer for any firearm, or under Section 97-37-31, as it existed on June 30, 2023, of possession of a device that is used to muffle a firearm, may not be prosecuted on or after July 1, 2023. If on July 1, 2023, a criminal action is pending for an offense described in this section, the action is dismissed on that date. However, a final conviction for an offense described in this section which exists on July 1, 2023, is unaffected by this act.

SECTION 4. Section 11-1-67, Mississippi Code of 1972, is amended as follows:

11-1-67. (1) The authority to bring an action against any firearms or ammunition manufacturer, distributor or dealer duly licensed under federal law on behalf of any governmental entity created by or pursuant to an act of the Mississippi Legislature or the Mississippi Constitution of 1890, or any department, agency or authority thereof, for damages, abatement, injunctive relief or any other relief or remedy resulting from or relating to the lawful design, manufacture, distribution or sale of firearms, firearm

components, \* \* \* ammunition or ammunition components to the public, shall be exclusively reserved to the state. This section shall not prohibit a political subdivision from bringing an action against a firearm or ammunition manufacturer, distributor or dealer for breach of contract or warranty as to firearms or ammunition purchased by the political subdivision, or for injuries resulting from a firearm malfunction due to defects in materials or workmanship.

(2) "Political subdivision" and "governmental entity" shall have the meanings ascribed in Section 11-46-1.

SECTION 5. Section 97-37-1, Mississippi Code of 1972, is amended as follows:

97-37-1. (1) Except as otherwise provided in Section 45-9-101, any person who carries, concealed on or about one's person, any bowie knife, dirk knife, butcher knife, switchblade knife, metallic knuckles, blackjack, slingshot, pistol, revolver, or any rifle with a barrel of less than sixteen (16) inches in length, or any shotgun with a barrel of less than eighteen (18) inches in length, machine gun or any fully automatic firearm or deadly weapon, \* \* \* or uses or attempts to use against another person any imitation firearm, shall, upon conviction, be punished as follows:

(a) By a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or both, in the discretion of the court, for the first conviction under this section.

(b) By a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), and imprisonment in the county jail for not less than thirty (30) days nor more than six (6) months, for the second conviction under this section.

(c) By confinement in the custody of the Department of Corrections for not less than one (1) year nor more than five (5) years, for the third or subsequent conviction under this section.

(d) By confinement in the custody of the Department of Corrections for not less than one (1) year nor more than ten (10) years for any person previously convicted of any felony who is convicted under this section.

(2) It shall not be a violation of this section for any person over the age of eighteen (18) years to carry a firearm or deadly weapon concealed within the confines of his own home or his place of business, or any real property associated with his home or business or within any motor vehicle.

(3) It shall not be a violation of this section for any person to carry a firearm or deadly weapon concealed if the possessor of the weapon is then engaged in a legitimate weapon-related sports activity or is going to or returning from such activity. For purposes of this subsection, "legitimate weapon-related sports activity" means hunting, fishing, target shooting or any other legal activity which normally involves the use of a firearm or other weapon.

(4) For the purposes of this section, "concealed" means hidden or obscured from common observation and shall not include any weapon listed in subsection (1) of this section, including, but not limited to, a loaded or unloaded pistol carried upon the person in a sheath, belt holster or shoulder holster that is wholly or partially visible, or carried upon the person in a scabbard or case for carrying the weapon that is wholly or partially visible.

SECTION 6. Section 97-37-5, Mississippi Code of 1972, is amended as follows:

97-37-5. (1) It shall be unlawful for any person who has been convicted of a felony under the laws of this state, any other state, or of the United States to possess any firearm or any bowie knife, dirk knife, butcher knife, switchblade knife, metallic knuckles \* \* \* or blackjack \* \* \* unless such person has received a pardon for such felony, has received a relief from disability pursuant to Section 925(c) of Title 18 of the United States Code, or has received a certificate of rehabilitation pursuant to subsection (3) of this section.

(2) Any person violating this section shall be guilty of a felony and, upon conviction thereof, shall be fined not more than Five Thousand Dollars (\$5,000.00), or committed to the custody of the State Department of Corrections for not less than one (1) year nor more than ten (10) years, or both.

(3) A person who has been convicted of a felony under the laws of this state, under the laws of another state, under federal law or in state military court may apply for a certificate of rehabilitation as provided in this section. If the person was convicted of a felony under the laws of this state, he or she may apply to the court in which he was convicted for a certificate of rehabilitation. If the person was convicted of a felony under the laws of another state, under federal law or in state military court, he or she may apply to the court in the person's county of residence for a certificate of rehabilitation. A person convicted of a felony under the laws of another state, under federal law or in state military court shall attach a certified copy of his or her judgment and a certified copy of his or her completion of sentence to the petition for a certificate of rehabilitation. The court may grant such certificate in its discretion upon a showing to the satisfaction of the court that the applicant has been rehabilitated and has led a useful, productive and law-abiding life since the completion of his or her sentence and upon the finding of the court that he or she will not be likely to act in a manner dangerous to public safety.

(4) (a) A person who is discharged from court-ordered mental health treatment may petition the court which entered the commitment order for an order stating that the person qualifies for relief from a firearms disability.

(b) In determining whether to grant relief, the court must hear and consider evidence about:

(i) The circumstances that led to imposition of the firearms disability under 18 USCS, Section 922(d)(4);

(ii) The person's mental history;

(iii) The person's criminal history; and

(iv) The person's reputation.

(c) A court may not grant relief unless it makes and enters in the record the following affirmative findings:

(i) That the person is no longer likely to act in a manner dangerous to public safety; and

(ii) Removing the person's disability to purchase a firearm is not against the public interest.

SECTION 7. Section 97-37-31, Mississippi Code of 1972, which creates the misdemeanor offense of making, manufacturing, selling or possessing a device that will muffle the report of a firearm by a person not authorized to do such under federal law, is repealed.

SECTION 8. This act shall take effect and be in force from and after the date that the United States Supreme Court in *Paxton et al v. Richardson* rules in favor of the Texas

Attorney General and the State of Texas and its passage and implementation of Texas House Bill 957, 2021 Regular Session and shall stand repealed one day before its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT A FIREARM SUPPRESSOR MANUFACTURED AND REMAINING IN THE STATE OF MISSISSIPPI IS NOT SUBJECT TO FEDERAL LAWS AND REGULATIONS GOVERNING FIREARM SUPPRESSORS; TO PROHIBIT STATE AND LOCAL GOVERNMENTAL AUTHORITIES FROM ENFORCING FEDERAL REGULATIONS ON SUPPRESSORS MADE IN MISSISSIPPI; TO REQUIRE STATE FUNDING TO BE WITHHELD FROM ANY GOVERNMENTAL ENTITY THAT ADOPTS A RULE OR POLICY ENFORCING THE FEDERAL LAWS GOVERNING FIREARM SUPPRESSORS; TO REQUIRE THE DISMISSAL OF CHARGES OF ILLEGALLY CARRYING A MUFFLER OR SILENCER WHICH ARE PENDING ON JULY 1, 2023; TO AMEND SECTIONS 11-1-67, 97-37-1 AND 97-37-5, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO REPEAL SECTION 97-37-31, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISDEMEANOR OFFENSE OF MAKING, MANUFACTURING, SELLING OR POSSESSING A DEVICE THAT WILL MUFFLE THE REPORT OF A FIREARM BY A PERSON NOT AUTHORIZED TO DO SUCH UNDER FEDERAL LAW; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 912 was adopted.

YEAS AND NAYS On H. B. No. 912. On motion of Senator England, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Jackson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Turner-Ford. Total--12.

Absent and those not voting----None.

Senator Tate, who would have voted yea on H. B. No. 912, announced a pair with Senator Barnett, who would have voted nay.

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Senator Branning moved that the rules be suspended to move to calendar item 71, **H. B. No. 1003**, and the motion prevailed.

Senator Branning called up the following entitled bill:

**H. B. No. 1003:** Mississippi Fully Autonomous Vehicle Enabling (MS FAVE) Act of 2023; establish to regulate operation of autonomous vehicle on public roads.

Senator Branning offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the Mississippi Fully Autonomous Vehicle Enabling (MS FAVE) Act of 2023.

SECTION 2. As used in this act, the following terms shall have the meanings ascribed in this section, unless the context of use clearly requires otherwise:

(a) "Automated driving system" means the hardware and software that are collectively capable of performing the entire dynamic driving task on a sustained basis, regardless of whether it is limited to a specific operational design domain.

(b) "Department" means the Department of Public Safety.

(c) "Dynamic driving task" (DDT) means all of the real-time operational and tactical functions required to operate a vehicle in on-road traffic, excluding the strategic functions such as trip scheduling and selection of destinations and waypoints, and including without limitation:

(i) Lateral vehicle motion control, via steering;

(ii) Longitudinal motion control, via acceleration and deceleration;

(iii) Monitoring the driving environment, via object and event detection, recognition, classification and response preparation;

(iv) Object and event response execution;

(v) Maneuver planning; and

(vi) Enhancing conspicuity via lighting, signaling and gesturing.

(d) "DDT fallback" means the response by the person or human driver to either perform the DDT or achieve a minimal risk condition after occurrence of a DDT performance-relevant system failure or upon operational design domain exit, or the response by an automated driving system to achieve minimal risk condition, given the same circumstances.

(e) "Fully autonomous vehicle" means a motor vehicle equipped with an automated driving system designed to function without a human driver as a Level 4 or Level 5 automation system under the Society of Automotive Engineers (SAE) Standard J3016.

(f) "Human driver" means a natural person in the vehicle with a valid license to operate a motor vehicle who controls all or part of the dynamic driving task.

(g) "Law enforcement interaction plan" means a document of procedures that are developed by manufacturers, owners or operators of fully autonomous vehicles to be used by law enforcement officers and first responders when interacting with fully autonomous vehicles, which describes:

(i) How to communicate with a fleet support specialist who is available during the times the vehicle is in operation;

(ii) How to recognize whether the fully autonomous vehicle is in autonomous mode;

(iii) How to safely remove the vehicle from the roadway and steps to safely tow the vehicle; and

(iv) Any additional information the manufacturer, owner or operator deems necessary regarding hazardous conditions or public safety risks associated with the operation of the fully autonomous vehicle.

(h) "Minimal risk condition" means a condition to which a person, human driver, or an automated driving system may bring a vehicle after performing the DDT fallback in order to reduce the risk of a crash when a given trip cannot or should not be completed.

(i) "On-demand autonomous vehicle network" means a transportation service network that uses a software application or other digital means to dispatch or otherwise enable the pre-arrangement of transportation with fully autonomous vehicles for purposes of transporting passengers, including for-hire transportation and transportation of passengers for compensation.

(j) "Operational design domain (ODD)" means the operating conditions under which a given automated driving system is specifically designed to function, including, but not limited to, environmental, geographical, time-of-day restrictions, and/or the requisite presence or absence of certain traffic or roadway characteristics.

(k) "Person" means a natural person, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, governmental agency, public corporation or any other legal or commercial entity.

(l) "Request to intervene" means the notification by an automated driving system to a human driver, that the human driver should promptly begin or resume performance of part or all of the dynamic driving task.

(m) "Society of Automotive Engineers (SAE) J3016" means the "Taxonomy and Definitions for Terms Related to Driving Automation Systems for On-Road Motor Vehicles" as revised and published by SAE International in April 2021.

SECTION 3. A person may operate a fully autonomous vehicle on the public roads of this state without a human driver provided that the automated driving system is engaged and the vehicle meets the following conditions:

(a) If a failure of the automated driving system occurs that renders that system unable to perform the entire dynamic driving task relevant to its intended operational design domain, the fully autonomous vehicle will achieve a minimal risk condition;

(b) The fully autonomous vehicle is capable of operating in compliance with the applicable traffic and motor vehicle safety laws and regulations of this state when reasonable to do so, unless an exemption has been granted by the Department of Public Safety; and

(c) When required by federal law, the vehicle bears the required manufacturer's certification label indicating that at the time of its manufacture it has been certified to be in compliance with all applicable Federal Motor Vehicle Safety Standards, including reference to any exemption granted by the National Highway Traffic Safety Administration.

SECTION 4. (1) Prior to operating a fully autonomous vehicle on the public roads of this state without a human driver, a person shall submit a law enforcement interaction plan to the Department of Public Safety that describes:

(a) How to communicate with a fleet support specialist who is available during the times the vehicle is in operation;

(b) How to safely remove the fully autonomous vehicle from the roadway and steps to safely tow the vehicle;

(c) How to recognize whether the fully autonomous vehicle is in autonomous mode; and

(d) Any additional information the manufacturer or owner deems necessary regarding hazardous conditions or public safety risks associated with the operation of the fully autonomous vehicle.

(2) This section shall stand repealed on July 1, 2026.

SECTION 5. When an automated driving system installed on a motor vehicle is engaged the automated driving system is considered the driver or operator, for the purpose of assessing compliance with applicable traffic or motor vehicle laws and shall be deemed to satisfy electronically all physical acts required by a driver or operator of the vehicle. The automated driving system is considered to be licensed to operate the vehicle as required under Section 63-1-5.

SECTION 6. Before operating a fully autonomous vehicle on public roads in this state without a human driver, a person shall file proof of financial responsibility satisfactory to the Department of Public Safety that the fully autonomous vehicle is covered by insurance or proof of self-insurance that satisfies the requirements of Section 63-15-37, 63-15-39, 63-15-41, 63-15-43, 63-15-49, 63-15-51 or 63-15-53.

SECTION 7. In the event of a crash:

(a) The fully autonomous vehicle shall remain on the scene of the crash when required by Article 9, Title 63, Chapter 3, Mississippi Code of 1972, consistent with its capability under Section 3 of this act.

(b) The owner of the fully autonomous vehicle, or a person on behalf of the vehicle owner, shall report any crashes

or collisions consistent with Article 9, Title 63, Chapter 3, Mississippi Code of 1972.

SECTION 8. An on-demand autonomous vehicle network shall be permitted to operate pursuant to state laws governing the operation of transportation network companies, taxis or any other ground transportation for-hire of passengers, with the exception that any provision of law that reasonably applies only to a human driver would not apply to the operation of fully autonomous vehicles with the automated driving system engaged on an on-demand autonomous vehicle network.

SECTION 9. (1) A fully autonomous vehicle shall be properly registered with the Department of Revenue in accordance with Section 63-5-39. If a fully autonomous vehicle is registered in this state, the vehicle shall be identified on the registration as a fully autonomous vehicle.

(2) A fully autonomous vehicle shall be properly titled in accordance with Title 63, Chapter 21, Mississippi Code of 1972. If a fully autonomous vehicle is titled in this state, the vehicle shall be identified on the title as a fully autonomous vehicle.

SECTION 10. (1) A person may operate a motor vehicle equipped with an automated driving system capable of performing the entire dynamic driving task if:

(a) The automated driving system will issue a request to intervene whenever the automated driving system is not capable of performing the entire dynamic driving task with the expectation that the person will respond appropriately to the request; and



(b) The automated driving system is capable of being operated in compliance with rules of the road governed by Title 63, Mississippi Code of 1972, when reasonable to do so unless an exemption has been granted by the Department of Public Safety.

(2) Nothing in this act prohibits or restricts a human driver from operating a fully autonomous vehicle equipped with controls that allow for the human driver to control all or part of the dynamic driving task.

SECTION 11. A fully autonomous vehicle that is also a commercial motor vehicle as defined in Sections 63-1-203 and 63-19-3 may operate pursuant to the provisions of Title 63, Mississippi Code of 1972, which govern the operation of commercial motor vehicles, except that any provision that by its nature reasonably applies only to a human driver does not apply to such a vehicle operating with the automated driving system engaged.

SECTION 12. A fully autonomous vehicle that is designed to be operated exclusively by the automated driving system for all trips is not subject to motor vehicle equipment and identification laws prescribed under Title 63, Chapter 7, Mississippi Code of 1972, or any regulations administratively promulgated therefrom that:

(a) Relate to or support motor vehicle operation

by a human driver seated in the vehicle; and

(b) Are not relevant for an automated driving system.

SECTION 13. (1) Unless otherwise provided in this act, and notwithstanding any other provision of law, fully autonomous vehicles and automated driving systems are governed exclusively by this act. The Department of Public Safety, in conjunction with the Department of Revenue, with regard to DOR's specific functions related to the registration and titling of motor vehicles, shall implement and enforce the provisions of this act.

(2) No state agency, political subdivision, municipality or local entity may prohibit the operation of fully autonomous vehicles, automated driving systems or on-demand autonomous vehicle networks, or otherwise enact or enforce rules or ordinances that would impose taxes, fees or other requirements, including performance standards, specific to the operation of fully autonomous vehicles, automated driving systems or

on-demand autonomous vehicle networks in addition to the requirements of this act.

SECTION 14. Section 63-1-5, Mississippi Code of 1972, is brought forward as follows:

63-1-5. (1) (a) No person shall drive or operate a motor vehicle or an autocycle as defined in Section 63-3-103 upon the highways of the State of Mississippi without first securing an operator's license to drive on the highways of the state, unless specifically exempted by Section 63-1-7.

(b) The types of operator's licenses are:

(i) Class R;

(ii) Class D;

(iii) Class A, B or C commercial license governed by Article 5 of this

chapter; and

(iv) Interlock-restricted license as prescribed in Section 63-11-31.

(2) (a) Every person who makes application for an original license or a renewal license to operate any single vehicle with a gross weight rating of less than twenty-six thousand one (26,001) pounds or any vehicle towing a vehicle with a gross vehicle weight rating not in excess of ten thousand (10,000) pounds other than vehicles included in Class C, vehicles which require a special endorsement, or to operate a vehicle as a common carrier by motor vehicle, taxicab, passenger coach, dray, contract carrier or private commercial carrier as defined in Section 27-19-3, other than those vehicles for which a Class A, B or C license is required under Article 5 of this chapter, may, in lieu of the Class R regular driver's license, apply for and obtain a Class D driver's license. The fee for the issuance of a Class D driver's license shall be as set forth in Section 63-1-43 and the Class D license shall be valid for the term prescribed in Section 63-1-47. Except as required under Article 5 of this chapter, no driver of a pickup truck shall be required to have a Class D or a commercial license regardless of the purpose for which the pickup truck is used.

(b) Persons operating vehicles listed in paragraph (a) of this subsection for private purposes or in emergencies need not obtain a Class D license.

(3) An interlock-restricted license allows a person to drive only a motor vehicle equipped with an ignition-interlock device.

(4) A person who violates this section is guilty of a misdemeanor and, upon conviction, may be punished by imprisonment for not less than two (2) days nor more than six (6) months, by a fine of not less than Two Hundred Dollars (\$200.00) nor more than Five Hundred Dollars (\$500.00), or both.

SECTION 15. Section 63-1-203, Mississippi Code of 1972, is amended as follows:

63-1-203. As used in this article:

(a) "Alcohol" means any substance containing any form of alcohol including, but not limited to, ethanol, methanol, propanol and isopropanol.

(b) "Alcohol concentration" means the concentration of alcohol in a person's blood or breath. When expressed as a percentage it means:

(i) The number of grams of alcohol per one hundred (100) milliliters of blood; or

(ii) The number of grams of alcohol per two hundred ten (210) liters of breath.

(c) "Commercial driver's license" or "CDL" means a license issued by a state or other jurisdiction, in accordance with the standards contained in 49 CFR, Part 383, to an individual which authorizes the individual to operate a class of commercial motor vehicle.

(d) "Commercial driver's license information system" or "CDLIS" means the CDLIS established by the Federal Motor Carrier Safety Administration (FMCSA) pursuant to Section 12007, of the Commercial Motor Vehicle Safety Act of 1986.

(e) "Commercial learner's permit" means a permit issued pursuant to Section 63-1-208(5).

(f) "Commercial motor vehicle" or "CMV" means a motor vehicle or combination of motor vehicles used in commerce to transport passengers or property if the motor vehicle:

(i) Has a gross combination weight rating of eleven thousand seven hundred ninety-four (11,794) kilograms or more (twenty-six thousand one (26,001) pounds or more) inclusive of a towed unit(s) with a gross vehicle weight rating of more than four thousand five hundred thirty-six (4,536) kilograms (ten thousand (10,000) pounds);

(ii) Has a gross vehicle weight rating of eleven thousand seven hundred ninety-four (11,794) or more kilograms (twenty-six thousand one (26,001) pounds or more);

(iii) Is designed to transport sixteen (16) or more passengers, including the driver;

(iv) Is of any size and is used in the transportation of hazardous materials as defined in this section; or

(v) The term shall not include:

1. Authorized emergency vehicles as defined in Section 63-3-103;

2. Motor homes as defined in Section 63-3-103; however, this exemption shall only apply to vehicles used strictly for recreational, noncommercial purposes;

3. Military and commercial equipment owned or operated by the United States Department of Defense, including the National Guard and Mississippi Military Department, and operated by: active duty military personnel; members of the military reserves; members of the National Guard on active duty, including personnel on full-time National Guard duty; personnel on part-time National Guard training; National Guard military technicians (civilians who are required to wear military uniforms); employees of the Mississippi Military Department; and active duty United States Coast Guard personnel. This exception is not applicable to United States Reserve technicians;

4. Farm vehicles, which are vehicles:

a. Controlled and operated by a farmer;

b. Used to transport either agricultural products, farm machinery, farm supplies, or both, to or from a farm;

c. Not used in the operations of a common or contract motor carrier; and

d. Used within one hundred fifty (150) miles of the farm.

(g) "Controlled substance" means any substance so classified under Section 102(6) of the Controlled Substances Act, 21 USCS 802(6), and includes all substances listed on Schedules I through V of 21 Code of Federal Regulations, Part 1308, as they may be revised from time to time, any substance so classified under Sections 41-29-113 through 41-29-121, Mississippi Code of 1972, and any other substance which would impair a person's ability to operate a motor vehicle.

(h) "Conviction" means an unvacated adjudication of guilt, or a determination by a judge or hearing officer that a person has violated or failed to comply

with the law in a court of original jurisdiction or an authorized administrative tribunal, an unvacated forfeiture of bail or collateral deposited to secure the person's appearance in court, the payment of a fine or court cost, or violation of a condition of release without bail, regardless of whether or not the penalty is rebated, suspended or probated. Conviction shall also mean a plea of guilty or nolo contendere which has been accepted by the court.

(i) "Disqualification" means any of the following three (3) actions:

(i) The suspension, revocation or cancellation of a commercial driver's license by the state or jurisdiction of issuance;

(ii) Any withdrawal of a person's privilege to drive a commercial motor vehicle by a state or other jurisdiction as the result of a violation of state or local law relating to motor vehicle traffic control, other than parking, vehicle weight or vehicle defect violations; or

(iii) A determination by the Federal Motor Carrier Safety Administration that a person is not qualified to operate a commercial motor vehicle under 49 CFR, Part 391.

(j) "Driver" means any person who drives, operates or is in physical control of a commercial motor vehicle on a public highway or who is required to hold a commercial driver's license.

(k) "Employer" means any person, including the United States, a state, the District of Columbia or a political subdivision of a state, who owns or leases a commercial motor vehicle or assigns employees to operate a commercial motor vehicle.

(l) "Foreign" means outside the fifty (50) United States and the District of Columbia.

(m) "Gross combination weight rating" or "GCWR" means the value specified by the manufacturer as the loaded weight of a combination (articulated) vehicle. In the absence of a value specified by the manufacturer, gross combination weight rating will be determined by adding the gross vehicle weight rating of the power unit and the total weight of the towed unit and any load thereon.

(n) "Gross vehicle weight rating" or "GVWR" means the value specified by the manufacturer as the loaded weight of a single vehicle.

(o) "Hazardous materials" means any material that has been designated as hazardous under 49 USCS Section 5103 and is required to be placarded under subpart F of 49 CFR, Part 172 or any quantity of a material listed as a select agent or toxin in 42 CFR, Part 73.

(p) "Imminent hazard" means the existence of a condition that presents a substantial likelihood that death, serious illness, severe personal injury, or a substantial endangerment to health, property, or the environment may occur before the reasonably foreseeable completion date of a formal proceeding begun to lessen the risk of that death, illness, injury, or endangerment.

(q) "Nonresident commercial driver's license" or "nonresident CDL" means a commercial driver's license issued by a state to an individual under either of the following two (2) conditions:

(i) To an individual domiciled in a foreign country meeting the requirements of 49 CFR, Part 383.23(b)(1); or

(ii) To an individual domiciled in another state meeting the requirements of 49 CFR, Part 383.23(b)(2).

(r) "Serious traffic violation" means conviction at any time when operating a commercial motor vehicle or at those times when operating a noncommercial motor vehicle when the conviction results in the revocation, cancellation, or suspension of the operator's license or operating privilege, of:

(i) Excessive speeding, involving a single charge of any speed fifteen (15) miles per hour or more, above the posted speed limit;

(ii) Reckless driving, as defined under state or local law;

(iii) Improper traffic lane changes, as defined in Section 63-3-601, 63-3-603, 63-3-613 or 63-3-803;

(iv) Following the vehicle ahead too closely, as defined in Section 63-3-619;

(v) A violation of any state law or local ordinance relating to motor vehicle traffic control, other than a parking violation, arising in connection with an accident or collision resulting in death to any person;

(vi) Operating a commercial motor vehicle without obtaining a commercial driver's license;

(vii) Operating a commercial motor vehicle without a commercial driver's license in the driver's possession;

(viii) Operating a commercial motor vehicle without the proper class of commercial driver's license or endorsements, or both.

(s) "Out-of-service order" means a declaration by an authorized enforcement officer of a federal, state, Canadian, Mexican, or local jurisdiction, that a driver, or a commercial motor vehicle, or a motor carrier operation, is out of service pursuant to 49 CFR, Part 386.72, 392.5, 395.13, 396.9 or compatible laws, or the North American Uniform Out-of-Service Criteria.

(t) "State of domicile" means that state where a person has a true, fixed and permanent home and principal residence and to which the person has the intention of returning whenever the person is absent.

(u) "Tank vehicle" means any commercial motor vehicle that is designed to transport any liquid or gaseous materials within a tank that is either permanently or temporarily attached to the vehicle or the chassis. Such vehicles include, but are not limited to, cargo tanks and portable tanks, as defined in 49 CFR, Part 171. However, they do not include portable tanks having a rated capacity under one thousand (1,000) gallons.

(v) "United States" means the fifty (50) states and the District of Columbia.

(w) "Fully autonomous vehicle" means a motor vehicle equipped with an automated driving system designed to function without a human driver as a Level 4 or Level 5 automation system under the Society of Automotive Engineers (SAE) Standard J3016.

SECTION 16. Section 63-3-103, Mississippi Code of 1972, is amended as follows:

63-3-103. (a) "Vehicle" means every device in, upon or by which any person or property is or may be transported or drawn upon a highway, except devices used exclusively upon stationary rails or tracks.

(b) "Motor vehicle" means every vehicle which is self-propelled and every vehicle which is propelled by electric power obtained from overhead trolley wires, but not operated upon rails. The term "motor vehicle" shall not include electric personal assistive mobility devices, personal delivery devices or electric bicycles.

(c) "Motorcycle" means every motor vehicle having a saddle for the use of the rider and designed to travel on not more than three (3) wheels in contact with the ground but excluding a tractor. The term "motorcycle" includes motor scooters as defined in subsection (j) of this section. The term "motorcycle" shall not include electric bicycles or personal delivery devices.

(d) "Authorized emergency vehicle" means every vehicle of the fire department (fire patrol), every police vehicle, every 911 Emergency Communications District vehicle, every such ambulance and special use EMS vehicle as defined in Section 41-59-3, every Mississippi Emergency Management Agency vehicle as is designated or authorized by the Executive Director of MEMA and every emergency vehicle of municipal departments or public service corporations as is designated or authorized by the commission or the chief of police of an incorporated city.

(e) "School bus" means every motor vehicle operated for the transportation of children to or from any school, provided same is plainly marked "School Bus" on the front and rear thereof and meets the requirements of the State Board of Education as authorized under Section 37-41-1.

(f) "Recreational vehicle" means a vehicular type unit primarily designed as temporary living quarters for recreational, camping or travel use, which either has its own motive power or is mounted on or drawn by another vehicle and includes travel trailers, fifth-wheel trailers, camping trailers, truck campers and motor homes.

(g) "Motor home" means a motor vehicle that is designed and constructed primarily to provide temporary living quarters for recreational, camping or travel use.

(h) "Electric assistive mobility device" means a self-balancing two-tandem wheeled device, designed to transport only one (1) person, with an electric propulsion system that limits the maximum speed of the device to fifteen (15) miles per hour.

(i) "Autocycle" means a three-wheel motorcycle with a steering wheel, nonstraddle seating, rollover protection and seat belts.

(j) "Motor scooter" means a two-wheeled vehicle that has a seat for the operator, one (1) wheel that is ten (10) inches or more in diameter, a step-through chassis, a motor with a rating of two and seven-tenths (2.7) brake horsepower or less if the motor is an internal combustion engine, an engine of 50cc or less and otherwise meets all safety requirements of motorcycles. The term "motor scooter" shall not include electric bicycles or personal delivery devices.

(k) "Platoon" means a group of individual motor vehicles traveling in a unified manner at electronically coordinated speeds at following distances that are closer than would be reasonable and prudent without such coordination.

(l) "Electric bicycle" means a bicycle or tricycle equipped with fully operable pedals, a saddle or seat for the rider, and an electric motor of less than seven hundred fifty (750) watts that meets the requirements of one (1) of the following three (3) classes:

(i) "Class 1 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty (20) miles per hour.

(ii) "Class 2 electric bicycle" means an electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of twenty (20) miles per hour.

(iii) "Class 3 electric bicycle" means an electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty-eight (28) miles per hour.

(m) "Personal delivery device" means a device:

(i) Solely powered by an electric motor;

(ii) Intended to be operated primarily on sidewalks, crosswalks, and other pedestrian areas to transport cargo;

(iii) Intended primarily to transport property on public rights-of-way, and not intended to carry passengers; and

(iv) Capable of navigating with or without the active control or monitoring of a natural person.

(n) "Personal delivery device operator" means a person or entity that exercises physical control or monitoring over the operation of a personal delivery device, excluding a person or entity that requests or receives the services of a personal delivery device, arranges for or dispatches the requested services of a personal delivery device, or stores, charges or maintains a personal delivery device.

(o) "Fully autonomous vehicle" means a motor vehicle equipped with an automated driving system designed to function without a human driver as a Level 4 or Level 5 automation system under the Society of Automotive Engineers (SAE) Standard J3016.

SECTION 17. Section 63-3-401, Mississippi Code of 1972, is brought forward as follows:

63-3-401. (1) The driver of any vehicle involved in an accident resulting in injury to or death of any person shall immediately stop such vehicle at the scene of such accident or as close thereto as possible but shall then forthwith return to and in every event shall remain at the scene of the accident until he has fulfilled the requirements of Section 63-3-405.

(2) Every stop under the provisions of subsection (1) of this section shall be made without obstructing traffic or endangering the life of any person more than is necessary.

(3) Except as provided in subsection (4) of this section, if any driver of a vehicle involved in an accident that results in injury to any person willfully fails to stop or to comply with the requirements of subsection (1) of this section, then such person, upon conviction, shall be punished by imprisonment for not less than thirty (30) days nor more than one (1) year, or by fine of not less than One Hundred Dollars (\$100.00) nor more than Five Thousand Dollars (\$5,000.00), or by both such fine and imprisonment.

(4) If any driver of a vehicle involved in an accident that results in the death of another or the mutilation, disfigurement, permanent disability or the destruction of the tongue, eye, lip, nose or any other limb, organ or member of another willfully fails to stop or to comply with the requirements under the provisions of subsection (1) of this section, then such person, upon conviction, shall be guilty of a felony and shall be punished by

imprisonment for not less than five (5) nor more than twenty (20) years, or by fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by both such fine and imprisonment.

(5) The commissioner shall revoke the driver's license of any person convicted under this section.

SECTION 18. Section 63-3-405, Mississippi Code of 1972, is brought forward as follows:

63-3-405. The driver of any vehicle involved in an accident resulting in injury to or death of any person or damage to any vehicle which is driven or attended by any person shall give his name, address and the registration number of the vehicle he is driving and shall, upon request and if available, exhibit his operator's or chauffeur's license to the person struck or the driver or occupant of or person attending any vehicle collided with. Said driver shall render to any person injured in such accident reasonable assistance, including the carrying, or the making of arrangements for the carrying, of such person to a physician, surgeon or hospital for medical or surgical treatment if it is apparent that such treatment is necessary or if such carrying is requested by the injured person. No such driver who, in good faith and in the exercise of reasonable care, renders emergency care to any injured person at the scene of an accident or in transporting said injured person to a point where medical assistance can be reasonably expected, shall be liable for any civil damages to said injured person as a result of any acts committed in good faith and in the exercise of reasonable care or omission in good faith and in the exercise of reasonable care by such driver in rendering the emergency care to said injured person.

SECTION 19. Section 63-3-411, Mississippi Code of 1972, is brought forward as follows:

63-3-411. (1) The driver of a vehicle involved in an

accident resulting in injury to or death of any person or total property damage to an apparent extent of Five Hundred Dollars (\$500.00) or more shall immediately, by the quickest means of communication, give notice of the collision to the local police department if the collision occurs within an incorporated municipality, or if the collision occurs outside of an incorporated municipality to the nearest sheriff's office or highway patrol station.

(2) The department may require any driver of a vehicle involved in an accident, of which report must be made as provided in this section, to file supplemental reports whenever the original report is insufficient in the opinion of the department.

Additionally, the department may require witnesses of accidents to render reports to the department.

(3) It shall be the duty of the highway patrol or the

sheriff's office to investigate all accidents required to be reported by this section when the accident occurs outside the corporate limits of a municipality, and it shall be the duty of the police department of each municipality to investigate all accidents required to be reported by this section when the accidents occur within the corporate limits of the municipality.

Every law enforcement officer who investigates an accident as required by this subsection, whether the investigation is made at the scene of the accident or by subsequent investigation and interviews, shall forward within six (6) days after completing the investigation a written report of the accident to the department if the accident occurred outside the corporate limits of a municipality, or to the police department of the municipality if the accident occurred within the corporate limits of such municipality. Police



departments shall forward such reports to the department within six (6) days of the date of the accident.

(4) Whenever an engineer of a railroad locomotive, or other person in charge of a train, is required to show proof of his identity under the provisions of this article, in connection with operation of such locomotive, to any law enforcement officer, such person shall not be required to display his operator's or chauffeur's license but shall display his railroad employee number.

(5) In addition to the information required on the "statewide uniform traffic accident report" forms provided by Section 63-3-415, the department shall require the parties involved in an accident and the witnesses of such accident to furnish their phone numbers in order to assist the investigation by law enforcement officers.

SECTION 20. Section 63-3-413, Mississippi Code of 1972, is brought forward as follows:

63-3-413. Whenever the driver of a vehicle is physically incapable of making a required accident report and there was another occupant in the vehicle at the time of the accident capable of making a report, such occupant shall make or cause to be made said report.

SECTION 21. Section 63-3-619, Mississippi Code of 1972, is brought forward as follows:

63-3-619. (1) The driver of a motor vehicle shall not follow another vehicle more closely than is reasonable and prudent, having due regard for the speed of such vehicles and the traffic upon and the condition of the highway.

(2) The driver of any motor truck or motor truck drawing another vehicle when traveling upon a roadway outside of a business or residence district shall not follow within three hundred (300) feet of another motor truck or motor truck drawing another vehicle. The provisions of this subsection shall not be construed to prevent overtaking and passing nor shall the same apply upon any lane specially designated for use by motor trucks.

(3) (a) Subject to the provisions of paragraph (b) of this subsection, subsections (1) and (2) of this section shall not apply to the operator of a nonlead vehicle in a platoon, as defined in Section 63-3-103(k), as long as the platoon is operating on a limited access divided highway with more than one (1) lane in each direction and the platoon consists of not more than two (2) motor vehicles.

(b) A platoon may be operated in this state only after an operator files a plan for approval of general platoon operations with the Department of Transportation. If that department approves the submission, it shall forward the plan to the Department of Public Safety for approval. The plan shall be reviewed and either approved or disapproved by the Department of Transportation and the Department of Public Safety within thirty (30) days after it is filed. If approved by both departments, the operator shall be allowed to operate the platoon five (5) working days after plan approval. The Motor Carrier Division of the Department of Public Safety shall develop the acceptable standards required for each portion of the plan.

SECTION 22. Section 63-5-53, Mississippi Code of 1972, is brought forward as follows:

63-5-53. (1) Any person driving any vehicle, object, or contrivance upon any highway or highway structure shall be liable for all damage which said highway or structure may sustain as a result of any illegal operation, driving, or moving of such vehicle, object, or contrivance, or as a result of operation, driving, or moving any vehicle,

object or contrivance weighing in excess of the maximum weight in this chapter but authorized by a special permit issued as provided in this chapter.

(2) Whenever such driver is not the owner of such vehicle, object or contrivance, but is so operating, driving, or moving the same with the express or implied permission of said owner, then said owner and driver shall be jointly and severally liable for any such damage.

(3) Such damage may be recovered in a civil action brought by the authorities in control of such highway or highway structure.

SECTION 23. Section 63-7-9, Mississippi Code of 1972, is brought forward as follows:

63-7-9. Except as may otherwise be provided in this chapter, the provisions of this chapter with respect to equipment on vehicles shall not apply to implements of husbandry, road machinery, road rollers, or farm tractors.

SECTION 24. Section 63-15-37, Mississippi Code of 1972, is brought forward as follows:

63-15-37. Proof of financial responsibility when required under this chapter with respect to a motor vehicle or with respect to a person who is not the owner of a motor vehicle may be given by filing:

1. A certificate of insurance as provided in Section 63-15-39 or Section 63-15-41; or
2. A bond as provided in Section 63-15-49; or
3. A certificate of deposit of money or securities as provided in Section 63-15-51; or
4. A certificate of self-insurance as provided in section 63-15-53, supplemented by an agreement by the self-insurer that, with respect to accidents occurring while the certificate is in force, he will pay the same judgments and in the same amounts that an insurer would have been obligated to pay under an owner's motor vehicle liability policy if it had issued such a policy to said self-insurer.

SECTION 25. Section 63-15-39, Mississippi Code of 1972, is brought forward as follows:

63-15-39. Proof of financial responsibility may be furnished by filing with the department the written certificate of any insurance company duly authorized to write motor vehicle liability insurance in this state certifying that there is in effect a motor vehicle liability policy for the benefit of the person required to furnish proof of financial responsibility. Such certificate shall give the effective date of such motor vehicle liability policy, which date shall be the same as the effective date of the certificate, and shall designate by explicit description or by appropriate reference all motor vehicles covered thereby, unless the policy is issued to a person who is not the owner of a motor vehicle.

SECTION 26. Section 63-15-41, Mississippi Code of 1972, is brought forward as follows:

63-15-41. (1) The nonresident owner of a motor vehicle, the owner or operator of which is not licensed in this state, may give proof of financial responsibility by filing with the department a written certificate or certificates of an insurance company authorized to transact business in the state in which the motor vehicle or motor vehicles described in such certificate or certificates are registered, or if such nonresident does not own a motor

vehicle, then in the state in which the insured resides, provided such certificate otherwise conforms to the provisions of this chapter. The department shall accept the same upon condition that said insurance company complies with the following provisions with respect to the policies so certified:

(a) Said insurance company shall execute a power of attorney authorizing the department to accept service on its behalf of notice or process in any action arising out of a motor vehicle accident in this state;

(b) Said insurance company shall agree in writing that such policies shall be deemed to conform with the laws of this state relating to the terms of motor vehicle liability policies issued herein.

(2) If any insurance company not authorized to transact business in this state, which has qualified to furnish proof of financial responsibility, defaults in any said undertakings or agreements, the department shall not thereafter accept as proof any certificate of said company whether theretofore filed or thereafter tendered as proof, so long as such default continues.

SECTION 27. Section 63-15-43, Mississippi Code of 1972, is brought forward as follows:

63-15-43. (1) A "motor vehicle liability policy" as said term is used in this chapter shall mean an owner's or an operator's motor vehicle liability policy, that has been certified as provided in Section 63-15-39 or Section 63-15-41, as proof of financial responsibility, and issued, except as otherwise provided in Section 63-15-41, by an insurance company duly authorized to write motor vehicle liability insurance in this state, to or for the benefit of the person named therein as insured.

(2) Such owner's motor vehicle liability policy:

(a) May be any motor vehicle liability policy form that has been filed with and approved by the Commissioner of Insurance and may contain exclusions and limitations on coverage as long as the exclusions and limitations language has been filed with and approved by the Commissioner of Insurance.

(b) Shall have limits of liability no less than: Twenty-five Thousand Dollars (\$25,000.00) because of bodily injury to or death of one (1) person in any one (1) accident and, subject to said limit for one (1) person, Fifty Thousand Dollars (\$50,000.00) because of bodily injury to or death of two (2) or more persons in any one (1) accident, and Twenty-five Thousand Dollars (\$25,000.00) because of injury to or destruction of property of others in any one (1) accident.

(3) Every motor vehicle liability policy certified under the provisions of this chapter shall be subject to the following provisions which need not be contained therein:

(a) The liability of the insurance company with respect to the insurance required by this chapter shall become absolute whenever injury or damage covered by said motor vehicle liability policy occurs; said policy may not be cancelled or annulled as to such liability by any agreement between the insurance company and the insured after the occurrence of the injury or damage; no statement made by the insured or on his behalf and no violation of said policy shall defeat or void said policy;

(b) The satisfaction by the insured of a judgment for such injury or damage shall not be a condition precedent to the right or duty of the insurance company to make payment on account of such injury or damage;

(c) The insurance company shall have the right to settle any claim covered by the policy, and if such settlement is made in good faith, the amount thereof shall be

deductible from the limits of liability specified in paragraph (b) of subsection (2) of this section; or

(d) The policy, the written application therefor, if any, and any rider or endorsement which does not conflict with the provisions of the chapter shall constitute the entire contract between the parties.

(4) Any policy which grants the coverage required for a motor vehicle liability policy may also grant any lawful coverage in excess of or in addition to the coverage specified for a motor vehicle liability policy, and such excess or additional coverage shall not be subject to the provisions of this chapter. With respect to a policy which grants such excess or additional coverage, the term "motor vehicle liability policy" shall apply only to that part of the coverage which is required by this section.

(5) Any motor vehicle liability policy may provide that the insured shall reimburse the insurance company for any payment the insurance company would not have been obligated to make under the terms of the policy except for the provisions of this chapter.

(6) Any motor vehicle liability policy may provide for the prorating of the insurance thereunder with other valid and collectible insurance.

(7) The requirements for a motor vehicle liability policy may be fulfilled by the policies of one or more insurance companies which policies together meet such requirements.

(8) Any binder issued pending the issuance of a motor vehicle liability policy shall be deemed to fulfill the requirements for such a policy.

SECTION 28. Section 63-15-49, Mississippi Code of 1972, is amended as follows:

63-15-49. (1) Proof of financial responsibility may be furnished by filing a bond with the department, accompanied by the statutory recording fee of the chancery clerk to cover the cost of recordation of the notice provided for herein. The bond may be either a surety bond with a surety company authorized to do business within the state or a bond with at least two (2) individual sureties each owning real estate within the state not exempt under the constitution or laws of the State of Mississippi and together having equities equal in value to at least twice the amount of such bond. In cases of a bond with two (2) individual sureties, such real estate shall be scheduled and a description thereof shall appear in the bond approved by the clerk of the chancery court of the county or counties in which the real estate is located and also approved by the tax collector of the county or counties where the property is situated as being free from any delinquent tax liens. Such bond shall be conditioned for payments in amounts and under the same circumstances as would be required in a motor vehicle liability policy, and shall not be cancellable except after five (5) days' written notice is received by the department. However, cancellation shall not prevent recovery with respect to any right or cause of action arising prior to the date of cancellation. Such bond shall constitute a lien in favor of the state upon the real estate so scheduled of any surety, which lien shall exist in favor of any holder of a final judgment against the person who has filed such bond. Notice to that effect, which shall include a description of the real estate scheduled in the bond, shall be filed by the department in the office of the chancery clerk of the county where such real estate is situated. Such notice shall be accompanied by the statutory fee for the services of the chancery clerk in connection with the recordation of such notice, and the chancery clerk or his deputy, upon receipt of such notice, shall acknowledge and cause the same to be recorded in the lien records. Recordation shall constitute notice as provided by the statutes governing the recordation of liens on real estate.

(2) If a judgment rendered against the principal on such surety or real estate bond shall not be satisfied within sixty (60) days after it has become final, the judgment creditor may, for his own use and benefit and at his sole expense, bring an action or actions in the

name of the state against the persons who executed such bond, including an action or proceeding to foreclose any lien that may exist upon the real estate of a person who has executed such real estate bond, which foreclosure action shall be brought in like manner and subject to all the provisions of law applicable to an action to foreclose a mortgage on real estate.

SECTION 29. Section 63-15-51, Mississippi Code of 1972, is amended as follows:

63-15-51. (1) Proof of financial responsibility may be evidenced by the certificate of the State Treasurer that the person named therein has deposited with him Fifteen Thousand Dollars (\$15,000.00) in cash, or securities \* \* \* as may legally be purchased by savings banks or for trust funds of a market value of Fifteen Thousand Dollars (\$15,000.00). The State Treasurer shall not accept any such deposit and issue a certificate therefor and the department shall not accept such certificate unless accompanied by evidence that there are no unsatisfied judgments of any character against the depositor in the county where the depositor resides.

(2) Such deposit shall be held by the State Treasurer to satisfy, in accordance with the provisions of this chapter, any execution on a judgment issued against \* \* \* the person making the deposit, for damages, including damages for care and loss of services, because of bodily injury to or death of any person, or for damages because of injury to or destruction of property, including the loss of use thereof, resulting from the ownership, maintenance, use or operation of a motor vehicle after \* \* \* the deposit was made. Money or securities so deposited shall not be subject to attachment or execution unless \* \* \* the attachment or execution shall arise out of a suit for damages as aforesaid.

SECTION 30. Section 63-15-53, Mississippi Code of 1972, is amended as follows:

63-15-53. (1) Any person in whose name more than twenty-five (25) motor vehicles are licensed may qualify as a self-insurer by obtaining a certificate of self-insurance issued by the department as provided in subsection (2) of this section.

(2) The department may, in its discretion, upon the application of a person, issue a certificate of self-insurance when it is satisfied that such person is possessed and will continue to be possessed of ability to pay judgments obtained against such person.

(3) Upon not less than five (5) days notice and a hearing pursuant to such notice, the department may upon reasonable grounds cancel a certificate of self-insurance. Failure to pay any judgment within thirty (30) days after such judgment shall have become final shall constitute a reasonable ground for the cancellation of a certificate of self-insurance.

SECTION 31. Section 63-19-3, Mississippi Code of 1972, is brought forward as follows:

63-19-3. The following words and phrases, when used in this chapter, shall have the meanings respectively ascribed to them in this section, except where the context or subject matter otherwise requires:

(a) "Motor vehicle" means any self-propelled or motored device designed to be used or used primarily for the transportation of passengers or property, or both, and having a gross vehicular weight rating of less than fifteen thousand (15,000) pounds, but shall not include electric personal assistive mobility devices, personal delivery devices or electric bicycles as defined in Section 63-3-103.

(b) "Commercial vehicle" means any self-propelled or motored device designed to be used or used primarily for the transportation of passengers or property, or both, and having a gross vehicular weight rating of fifteen thousand (15,000) pounds or more; however, wherever "motor vehicle" appears in this chapter, except in Section

63-19-43, the same shall be construed to include commercial vehicles where such construction is necessary in order to give effect to this chapter.

(c) "Retail buyer" or "buyer" means a person who buys a motor vehicle or commercial vehicle from a retail seller, not for the purpose of resale, and who executes a retail installment contract in connection therewith.

(d) "Retail seller" or "seller" means a person who sells a motor vehicle or commercial vehicle to a retail buyer under or subject to a retail installment contract.

(e) The "holder" of a retail installment contract means the retail seller of the motor vehicle or commercial vehicle under or subject to the contract or if the contract is purchased by a sales finance company or other assignee, the sales finance company or other assignee.

(f) "Retail installment transaction" means any transaction evidenced by a retail installment contract entered into between a retail buyer and a retail seller wherein the retail buyer buys a motor vehicle or commercial vehicle from the retail seller at a time price payable in one or more deferred installments. The cash sale price of the motor vehicle or commercial vehicle, the amount included for insurance and other benefits if a separate charge is made therefor, official fees and the finance charge shall together constitute the time price.

(g) "Retail installment contract" or "contract" means an agreement entered into in this state pursuant to which the title to or a lien upon the motor vehicle or commercial vehicle which is the subject matter of a retail installment transaction is retained or taken by a retail seller from a retail buyer as security for the buyer's obligation. The term includes a chattel mortgage, a conditional sales contract and a contract for the bailment or leasing of a motor vehicle or commercial vehicle by which the bailee or lessee contracts to pay as compensation for its use a sum substantially equivalent to or in excess of its value and by which it is agreed that the bailee or lessee is bound to become, or has the option of becoming, the owner of the motor vehicle upon full compliance with the provisions of the contract.

(h) "Cash sale price" means the price stated in a retail installment contract for which the seller would have sold to the buyer, and the buyer would have bought from the seller, the motor vehicle or commercial vehicle which is the subject matter of the retail installment contract, if such sale had been a sale for cash instead of a retail installment transaction. The cash sale price may include any taxes, registration, certificate of title, if any, license and other fees and charges for accessories and their installation and for delivery, servicing, repairing or improving the motor vehicle or commercial vehicle.

(i) "Official fees" means the fees prescribed by law for filing, recording or otherwise perfecting and releasing or satisfying a retained title or a lien created by a retail installment contract, if recorded.

(j) "Finance charge" means the amount agreed upon between the buyer and the seller, as limited in this chapter, to be added to the aggregate of the cash sale price, the amount, if any, included for insurance and other benefits and official fees, in determining the time price.

(k) "Sales finance company" means a person engaged, in whole or in part, in the business of purchasing retail installment contracts from one or more retail sellers. The term includes, but is not limited to, a bank, trust company, private banker, industrial bank or investment company, if so engaged. The term also includes a retail seller engaged, in whole or in part, in the business of creating and holding retail installment contracts which exceed a total aggregate outstanding indebtedness of Five Hundred Thousand Dollars (\$500,000.00). The term does not include the pledgee to whom is pledged one or more of such contracts to secure a bona fide loan thereon.

(l) "Person" means an individual, partnership, corporation, association and any other group however organized.

(m) "Administrator" means the Commissioner of Banking and Consumer Finance or his duly authorized representative.

(n) "Commissioner" means the Commissioner of Banking and Consumer Finance.

(o) "Records" or "documents" means any item in hard copy or produced in a format of storage commonly described as electronic, imaged, magnetic, microphotographic or otherwise, and any reproduction so made shall have the same force and effect as the original thereof and be admitted in evidence equally with the original.

Words in the singular include the plural and vice versa.

SECTION 32. Section 63-21-3, Mississippi Code of 1972, is amended as follows:

63-21-3. The terms and provisions of this chapter shall be administered by the Department of Revenue. The Department of Revenue shall have charge of all the affairs of administering the laws of the state relative to vehicle registration and titling, including fully autonomous vehicles, and manufactured housing titling as hereinafter provided and may employ such administrative and clerical assistance, material and equipment as may be necessary to enable it to speedily, completely and efficiently perform the duties as outlined in this chapter.

SECTION 33. Section 63-21-9, Mississippi Code of 1972, is amended as follows:

63-21-9. (1) Except as provided in Section 63-21-11, every owner of a motor vehicle as defined in this chapter, which is in this state and which is manufactured or assembled after July 1, 1969, or which is the subject of first sale for use after July 1, 1969, \* \* \* every owner of a manufactured home as defined in this chapter, which is in this state and which is manufactured or assembled after July 1, 1999, or which is the subject of first sale for use after July 1, 1999, and every owner of a fully autonomous vehicle as defined in Section 3 of this act, which is in this state and which is manufactured or assembled after July 1, 2023, or which is the subject of first sale for use after July 1, 2023, shall make application to the \* \* \* Department of Revenue for a certificate of title with the following exceptions:

(a) Voluntary application for title may be made for any model motor vehicle which is in this state after July 1, 1969, \* \* \* for any model manufactured home or mobile home which is in this state after July 1, 1999, and for any model fully autonomous vehicles which is in this state after July 1, 2023, and any person bringing a motor vehicle, manufactured home \* \* \*, mobile home or fully autonomous vehicle into this state from a state which requires titling shall make application for title to the \* \* \* Department of Revenue within thirty (30) days thereafter.

(b) After July 1, 1969, any dealer, acting for himself, or another, who sells, trades or otherwise transfers any new or used vehicle as defined in this chapter, \* \* \* after July 1, 1999, any dealer, acting for himself, or another, who sells, trades or otherwise transfers any new or used manufactured home or mobile home as defined in this chapter, and after July 1, 2023, any dealer, acting for himself, or another, who sells, trades or otherwise transfers any new or used fully autonomous vehicle as defined in Section 3 of this act, or any designated agent, shall furnish to the purchaser or transferee, without charge for either application or certificate of title, an application for title of said vehicle, manufactured home \* \* \*, mobile home or fully autonomous vehicle and cause to be forwarded to the \* \* \* Department of Revenue any and all documents required by the \* \* \* department to issue certificate of title to the purchaser or transferee. The purchaser or

transferee may then use the duplicate application for title as a permit to operate vehicle as provided in Section 63-21-67, until certificate of title is received.

(2) (a) Voluntary application for title may be made for any model all-terrain vehicle which is in this state.

(b) A dealer who sells, trades or otherwise transfers any new or used all-terrain vehicles as defined in this chapter, may furnish to the purchaser or transferee, without charge for either application or certificate of title, an application for title of said vehicle, and cause to be forwarded to the State Tax Commission any and all documents required by the commission to issue certificate of title to the purchaser or transferee.

(3) Any dealer, acting for himself or another who sells, trades or otherwise transfers any vehicle, manufactured home \* \* \*, mobile home or fully autonomous vehicle required to be titled under this chapter who does not comply with the provisions of this chapter shall be guilty of a misdemeanor and upon conviction shall be fined a sum not exceeding Five Hundred Dollars (\$500.00).

SECTION 34. Section 63-21-11, Mississippi Code of 1972, is brought forward as follows:

63-21-11. (1) No certificate of title need be obtained for:

(a) A vehicle, manufactured home or mobile home owned by the United States or any agency thereof;

(b) A vehicle, manufactured home or mobile home owned by a manufacturer or dealer and held for sale, even though incidentally moved on the highway or used for purposes of testing or demonstration, or a vehicle used by a manufacturer solely for testing;

(c) A vehicle, manufactured home or mobile home owned by a nonresident of this state and not required by law to be registered in this state;

(d) A vehicle regularly engaged in the interstate transportation of persons or property for which a currently effective certificate of title has been issued in another state;

(e) A vehicle moved solely by animal power;

(f) An implement of husbandry;

(g) Special mobile equipment;

(h) A pole trailer;

(i) Utility trailers of less than five thousand (5,000) pounds gross vehicle weight;

(j) A manufactured home with respect to which the requirements of subsections (1) through (5) of Section 63-21-30, as applicable, have been satisfied unless with respect to the same manufactured home or mobile home there has been recorded an affidavit of severance pursuant to subsection (6) of Section 63-21-30.

(2) Nothing in this section shall prohibit the issuance of a certificate of title to the nonresident owner of an all-terrain vehicle that is purchased in this state.

SECTION 35. Section 63-21-15, Mississippi Code of 1972, is brought forward as follows:



63-21-15. (1) The application for the certificate of title of a vehicle, manufactured home or mobile home in this state shall be made by the owner to a designated agent, on the form the Department of Revenue prescribes, and shall contain or be accompanied by the following, if applicable:

(a) The name, driver's license number, if the owner has been issued a driver's license, current residence and mailing address of the owner;

(b) (i) If a vehicle, a description of the vehicle, including the following data: year, make, model, vehicle identification number, type of body, the number of cylinders, odometer reading at the time of application, and whether new or used; and

(ii) If a manufactured home or mobile home, a description of the manufactured home or mobile home, including the following data: year, make, model number, serial number and whether new or used;

(c) The date of purchase by applicant, the name and address of the person from whom the vehicle, manufactured home or mobile home was acquired, and the names and addresses of any lienholders in the order of their priority and the dates of their security agreements;

(d) In connection with the transfer of ownership of a manufactured home or mobile home sold by a sheriff's bill of sale, a copy of the sheriff's bill of sale;

(e) (i) An odometer disclosure statement made by the transferor of a motor vehicle. The statement shall read:

"Federal and state law requires that you state the mileage in connection with the transfer of ownership. Failure to complete or providing a false statement may result in fine and/or imprisonment.

I state that the odometer now reads \_\_\_\_\_ (no tenths) miles and to the best of my knowledge that it reflects the actual mileage of the vehicle described herein, unless one (1) of the following statements is checked:

\_\_\_\_\_ (1) I hereby certify that to the best of my knowledge the odometer reading reflects the amount of mileage in excess of its mechanical limits.

\_\_\_\_\_ (2) I hereby certify that the odometer reading is not the actual mileage.  
WARNING-ODOMETER DISCREPANCY!"

(ii) In connection with the transfer of ownership of a motor vehicle, each transferor shall disclose the mileage to the transferee in writing on the title or on the document being used to reassign the title, which form shall be prescribed and furnished by the Department of Revenue. This written disclosure must be signed by the transferor and transferee, including the printed name of both parties.

Notwithstanding the requirements above, the following exemptions as to odometer disclosure shall be in effect:

1. A vehicle having a gross vehicle weight rating of more than sixteen thousand (16,000) pounds.

2. A vehicle that is not self-propelled.

3. A vehicle that is twenty (20) years old or older.

4. A vehicle sold directly by the manufacturer to any agency of the United States in conformity with contractual specifications.

5. A transferor of a new vehicle prior to its first transfer for purposes other than resale need not disclose the vehicle's odometer mileage.

(iii) Any person who knowingly gives a false statement concerning the odometer reading on an odometer disclosure statement shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine of up to One Thousand Dollars (\$1,000.00) or imprisonment of up to one (1) year, or both, at the discretion of the court. These penalties shall be cumulative, supplemental and in addition to the penalties provided by any other law; and

(f) For previously used manufactured homes and mobile homes that previously have not been titled in this state or any other state, a disclosure statement shall be made by the owner of the manufactured home or mobile home applying for the certificate of title. That statement shall read:

"I state that the previously used manufactured home or mobile home owned by me for which I am applying for a certificate of title, to the best of my knowledge:

\_\_\_\_\_ (1) Has never been declared a total loss due to flood damage, fire damage, wind damage or other damage; or

\_\_\_\_\_ (2) Has previously been declared a total loss due to:

\_\_\_\_\_ (a) Collision;

\_\_\_\_\_ (b) Flood;

\_\_\_\_\_ (c) Fire;

\_\_\_\_\_ (d) Wind;

\_\_\_\_\_ (e) Other (please describe): \_\_\_\_\_

."

(2) The application shall be accompanied by such evidence as the Department of Revenue reasonably requires to identify the vehicle, manufactured home or mobile home and to enable the Department of Revenue to determine whether the owner is entitled to a certificate of title and the existence or nonexistence of security interests in the vehicle, manufactured home or mobile home and whether the applicant is liable for a use tax as provided by Sections 27-67-1 through 27-67-33.

(3) If the application is for a vehicle, manufactured home or mobile home purchased from a dealer, it shall contain the name and address of any lienholder holding a security interest created or reserved at the time of the sale and the date of his security agreement and it shall be signed by the dealer as well as the owner. The designated agent shall promptly mail or deliver the application to the Department of Revenue.

(4) If the application is for a new vehicle, manufactured home or mobile home, it shall contain the certified manufacturer's statement of origin showing proper assignments to the applicant and a copy of each security interest document.

(5) Each application shall contain or be accompanied by the certificate of a designated agent that the vehicle, manufactured home or mobile home has been physically inspected by him and that the vehicle identification number and descriptive data shown on the application, pursuant to the requirements of subsection (1)(b) of this section,

are correct, and also that he has identified the person signing the application and witnessed the signature. If the application is to receive a branded title for a vehicle for which a salvage certificate of title has been issued, the application shall be accompanied by a sworn affidavit that the vehicle complies with the requirements of this section, Section 63-21-39 and the regulations promulgated by the Department of Revenue under Section 63-21-39.

(6) (a) If the application is for a first certificate of title on a vehicle, manufactured home or mobile home other than a new vehicle, manufactured home or mobile home, then the application shall conform with the requirements of this section except that in lieu of the manufacturer's statement of origin, the application shall be accompanied by a copy of the bill of sale of said motor vehicle, manufactured home or mobile home whereby the applicant claims title or in lieu thereof, in the case of a motor vehicle, certified copies of the last two (2) years' tag and tax receipts or in lieu thereof, in any case, such other information the Department of Revenue may reasonably require to identify the vehicle, manufactured home or mobile home and to enable the Department of Revenue to determine ownership of the vehicle, manufactured home or mobile home and the existence or nonexistence of security interest in it. If the application is for a vehicle, manufactured home or mobile home last previously registered in another state or country, the application shall also be accompanied by the certificate of title issued by the other state or country, if any, properly assigned.

(b) A person may apply for a certificate of title to a vehicle lacking proper documentation if the vehicle is at least thirty (30) years old and the person submits a certificate of ownership signed under penalty of perjury on a form prescribed by the Department of Revenue.

(7) If the application is for a vehicle the owner does not intend to drive, the owner need not purchase a license tag in order to receive a certificate of title, so long as the application contains an affidavit attesting to the owner's intent that the vehicle not be operated on the highways of this state until and unless the owner applies for a license tag.

(8) Every designated agent within this state shall, no later than the next business day after they are received by him, forward to the Department of Revenue by mail, postage prepaid, the originals of all applications received by him, together with such evidence of title as may have been delivered to him by the applicants.

(9) An application for certificate of title and information to be placed on an application for certificate of title may be transferred electronically as provided in Section 63-21-16.

(10) The Department of Revenue shall issue a certificate of title or any other document applied for under this chapter to the designated agent, owner or lienholder of the motor vehicle or of the manufactured home or mobile home, as appropriate, not more than thirty (30) days after the application and required fee prescribed under Section 63-21-63 or Section 63-21-64 are received unless the applicant requests expedited processing under subsection (11) of this section.

(11) (a) The Department of Revenue shall establish an expedited processing procedure for the receipt of applications and the issuance of certificates of title and any other documents issued under this chapter, except a replacement certificate of title as provided under Section 63-21-27(2), for motor vehicles and for manufactured homes or mobile homes. Any designated agent, lienholder or owner requesting the issuance of any such document, at his or her option, shall receive such expedited processing upon payment of a fee in the amount of Thirty Dollars (\$30.00). Such fee shall be in addition to the fees applicable to the issuance of any such documents under Section 63-21-63 and Section 63-21-64.

(b) When expedited title processing is requested, the applicable fees are paid and all documents and information necessary for the Department of Revenue to issue the certificate of title or other documents applied for are received by the department, then the department shall complete processing of the application and issue the title or document applied for within seventy-two (72) hours of the time of receipt, excluding weekends and holidays.

SECTION 36. Section 63-21-17, Mississippi Code of 1972, is brought forward as follows:

63-21-17. (1) The Department of Revenue shall examine each application received and, when satisfied as to its genuineness and regularity and that the applicant is entitled to the issuance of a certificate of title, shall issue a certificate of title of the vehicle, manufactured home or mobile home on the form prescribed by the department.

(2) The Department of Revenue shall maintain a record of all certificates of title issued for fifteen (15) years from the date of issuance, pursuant to the provisions of this chapter:

(a) Under a distinctive title number assigned to the vehicle, manufactured home or mobile home;

(b) Under the vehicle identification number;

(c) Under the name of the owner; and

(d) In the discretion of the Department of Revenue, by any other method the department determines.

(3) The Department of Revenue shall maintain a record of each affidavit of affixation filed in accordance with subsections (3), (4) and (5) of Section 63-21-30. The record shall state the name and mailing address of each owner of the related manufactured home, the county of recordation, the date of recordation, and the book and page number of each book of records in which there has been recorded an affidavit of affixation under subsections (1) and (2) of Section 63-21-30, the name of the manufacturer, the make, the model name, the model year, the dimensions, and the manufacturer's serial number or VIN of the manufactured home or mobile home, to the extent that such data exists, and any other information the Department of Revenue prescribes.

(4) The Department of Revenue shall maintain a record of each manufacturer's certificate of origin submitted for the purpose of effectuating the retirement of title as provided in Section 63-21-30. The record shall state the name and mailing address of each owner of the manufactured home, the date the manufacturer's certificate of origin was submitted, the county of recordation, the date of recordation, and the book and page number of each book of records in which there has been recorded an affidavit of affixation under subsections (1) and (2) of Section 63-21-30, the name of the manufacturer, the make, the model name, the model year, the dimensions, and the manufacturer's serial number or VIN of the manufactured home or mobile home, to the extent that such data exists, and any other information the Department of Revenue prescribes.

(5) The Department of Revenue shall maintain a record of each certificate of title accepted for surrender as provided in subsection (5) of Section 63-21-30. The record shall state the name and mailing address of each owner of the manufactured home, the date the certificate of title was accepted for surrender, the county of recordation, the date of recordation, and the book and page number of each book of records in which there has been recorded an affidavit of affixation under subsections (1) and (2) of Section 63-21-30, the name of the manufacturer, the make, the model name, the model year, the dimensions, and the manufacturer's serial number or VIN of the manufactured home or

mobile home, to the extent that such data exists, and any other information the Department of Revenue prescribes.

(6) The Department of Revenue shall maintain a record of each affidavit of severance filed in accordance with subsection (6) of Section 63-21-30. The record shall state the name and mailing address of each owner of the related manufactured home, the county of recordation, the date of recordation, and the book and page number of each book of records in which there has been recorded an affidavit of severance under subsection (6) of Section 63-21-30, the name of the manufacturer, the make, the model name, the model year, the dimensions, and the manufacturer's serial number or VIN of the manufactured home or mobile home, to the extent that such data exists, and any other information the Department of Revenue prescribes.

(7) Records of affidavits of affixation, submitted manufacturer's certificates of origin, surrendered certificates of title, and affidavits of severance shall be maintained permanently and be subject to public records request. The records of affidavits of affixation, submitted manufacturer's certificates of origin, and surrendered certificates of title shall include a statement that the manufactured home is real property as provided in subsections (13) and (14) of Section 63-21-30.

SECTION 37. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE MISSISSIPPI FULLY AUTONOMOUS VEHICLE ENABLING (MS FAVE) ACT OF 2023; TO DEFINE TERMINOLOGY USED HEREIN; TO AUTHORIZE THE OPERATION OF FULLY AUTONOMOUS VEHICLES ON THE PUBLIC ROADS OF THIS STATE WITHOUT A HUMAN DRIVER PROVIDED THAT THE AUTOMATED DRIVING SYSTEM IS ENGAGED AND CERTAIN CONDITIONS ARE MET; TO SPECIFY THE CONDITIONS TO BE SATISFIED BEFORE A FULLY AUTONOMOUS VEHICLE MAY OPERATE UPON THE PUBLIC ROADS OF THIS STATE; TO REQUIRE THE OPERATOR OF A FULLY AUTONOMOUS VEHICLE TO SUBMIT A LAW ENFORCEMENT INTERACTION PLAN TO THE DEPARTMENT OF PUBLIC SAFETY; TO PROVIDE THAT AN AUTOMATED DRIVING SYSTEM INSTALLED ON A MOTOR VEHICLE IS CONSIDERED THE DRIVER OR OPERATOR, FOR THE PURPOSE OF ASSESSING COMPLIANCE WITH APPLICABLE UNIFORM TRAFFIC LAWS; TO STIPULATE THAT BEFORE OPERATING A FULLY AUTONOMOUS VEHICLE ON PUBLIC ROADS IN THIS STATE WITHOUT A HUMAN DRIVER, SATISFACTORY PROOF OF FINANCIAL RESPONSIBILITY MUST BE FILED WITH THE DEPARTMENT OF PUBLIC SAFETY; TO PRESCRIBE THE PROCEDURES TO BE FOLLOWED WHEN A FULLY AUTONOMOUS VEHICLE IS INVOLVED IN AN ACCIDENT; TO PERMIT THE OPERATION OF AN ON-DEMAND AUTONOMOUS VEHICLE NETWORK IN COMPLIANCE WITH THE OPERATION OF TRANSPORTATION NETWORK COMPANIES, TAXIS OR ANY OTHER GROUND TRANSPORTATION FOR-HIRE OF PASSENGERS; TO REQUIRE FULLY AUTONOMOUS VEHICLES TO BE REGISTERED AND TITLED WITH THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE MANUAL HUMAN OPERATION OF VEHICLES EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM; TO AUTHORIZE THE OPERATION OF FULLY AUTONOMOUS VEHICLES THAT ARE CLASSIFIED AS COMMERCIAL MOTOR VEHICLES; TO EXEMPT FULLY AUTONOMOUS VEHICLES DESIGNED TO BE OPERATED EXCLUSIVELY BY AUTOMATED DRIVING SYSTEMS FROM CERTAIN VEHICLE EQUIPMENT REQUIREMENTS; TO PROHIBIT UNAUTHORIZED STATE AGENCIES, POLITICAL SUBDIVISIONS OF THE STATE, OR LOCAL GOVERNING AUTHORITY FROM RESTRICTING THE OPERATION OF FULLY AUTONOMOUS VEHICLES OR IMPOSING TAXES, FEES AND OTHER REQUIREMENTS UPON FULLY

AUTONOMOUS VEHICLES; TO AMEND SECTIONS 63-1-203, 63-3-103, 63-15-49, 63-15-51, 63-15-53, 63-21-3 AND 63-21-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTIONS 63-1-5, 63-3-401, 63-3-405, 63-3-411, 63-3-413, 63-3-619, 63-5-53, 63-7-9, 63-15-37, 63-15-39, 63-15-41, 63-15-43, 63-19-3, 63-21-11, 63-21-15 AND 63-21-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

Senators Williams and Branning offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND on line 154 by deleting the word "and"

FURTHER, AMEND on line 158 by deleting the period and inserting in lieu thereof "; and"

FURTHER, AMEND by inserting the following language below line 158 and renumbering subsequent subsection:

(e) Other elements determined to be necessary by the Department of Public Safety and made publicly available on the Department of Public Safety's website by July 1, 2023.

(2) If a person fails to submit a law enforcement interaction plan prescribed by Section 1 of this Section, the Department of Public Safety may immediately issue a cease-and-desist letter prohibiting the operation of the person's fully autonomous vehicle on public roads of this state until the person submits the law enforcement interaction plan.

FURTHER, AMEND on line 1424 by deleting the following language ", and shall stand repealed on June 30, 2023"

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1003 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1003 was adopted.

YEAS AND NAYS On H. B. No. 1003. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blount, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sparks, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--41.

Nays--Barrett, Blackmon, Blackwell, Bryan, Chism, Hill, Seymour, Suber, Turner-Ford. Total--9.

Absent and those not voting---None.

Voting Present--Sojourner, Tate. Total--2.

On motion of Senator Williams, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. B. No. 1003.

Senator Fillingane called up the following entitled bill:

**H. B. No. 400:** Election crimes; revise the penalties for certain.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-13-3, Mississippi Code of 1972, is amended as follows:

97-13-3. If any person shall offer or give a gift, money, financial award, reward or other promise thereof to another for the purpose of inducing him, by any unlawful means not amounting to bribery, to procure any person to vote at any election for or against any person or measure, the person so giving or offering such reward shall, upon conviction thereof, be imprisoned in the \*\*\* State Penitentiary not more than \*\*\* ten (10) years, or fined not more than \*\*\* Five Thousand Dollars (\$5,000.00), or both.

SECTION 2. Section 97-13-5, Mississippi Code of 1972, is amended as follows:

97-13-5. Any such manager who shall proceed to any election without having the ballot box locked and secured in the manner directed by law, or who shall open and read or consent to any other person opening and reading any ballot given him to be deposited in the box at such election, before it is put into the box, shall, upon conviction, be imprisoned in the \*\*\* State Penitentiary not more than \*\*\* ten (10) years, or be fined not more than \*\*\* Five Thousand Dollars (\$5,000.00), or both.

SECTION 3. Section 97-13-7, Mississippi Code of 1972, is amended as follows:

97-13-7. Any manager of an election who, before the votes are counted, shall dispose of or deposit the ballot box in a manner not authorized by law, or shall, at any time after the election has begun and before the ballots are counted, give access to the ballot box with which he is entrusted to any other, shall, upon conviction, be imprisoned in the \*\*\* State Penitentiary not more than \*\*\* ten (10) years, or be fined not more than \*\*\* Five Thousand Dollars (\$5,000.00), or both.

SECTION 4. Section 97-13-9, Mississippi Code of 1972, is amended as follows:

97-13-9. If any manager or clerk of any election shall knowingly make or consent to any false entry on the list of persons voting, or shall permit to be put in the ballot box any ballot not given by a voter, or shall take out of such box, or permit to be so taken out, any ballot deposited therein except in the manner prescribed by law, or shall, by any other act or omission, designedly destroy or change the ballots given by the electors, he shall, upon conviction, be punished by imprisonment in the State Penitentiary for a term not \*\*\* less than two (2) years nor more than twenty (20) years, or be fined not more than \*\*\* Ten Thousand Dollars (\$10,000.00), or both.

SECTION 5. Section 97-13-35, Mississippi Code of 1972, is amended as follows:

97-13-35. (1) Any person who shall vote at any election, not being legally qualified, or who shall vote in more than one (1) county, or at more than one (1) place in any county or in any city, town, or village entitled to separate representation, or who shall vote out of the district of his legal domicile, or who shall vote or attempt to vote in the primary election of one (1) party when he shall have voted on the same date in the primary election of another party, shall, upon conviction, be imprisoned in the \*\*\* State Penitentiary not \*\*\* less than two (2) years nor more than twenty (20) years, or be fined not more than \*\*\* Five Thousand Dollars (\$5,000.00), or both.

(2) Any person who shall vote in the second primary election of one (1) party when he voted in the first primary election of another party preceding the same regular, special, or general election shall, upon conviction, be guilty of a \*\*\* felony and be imprisoned in the \*\*\* State Penitentiary not \*\*\* less than two (2) years nor more than twenty (20) years, or be fined not more than \*\*\* Five Thousand Dollars (\$5,000.00), or both.

SECTION 6. Section 97-13-36, Mississippi Code of 1972, is amended as follows:

97-13-36. Any person who shall knowingly vote at any election in more than one (1) county or at more than one (1) place in any county, municipality or other political subdivision with the intent to have more than one (1) vote counted in any election shall be guilty of the crime of multiple voting and, upon conviction, shall be imprisoned in the State Penitentiary not \*\*\* less than two (2) years nor more than twenty (20) years, or be fined not more than \*\*\* Ten Thousand Dollars (\$10,000.00), or both \*\*\*.

SECTION 7. Section 97-13-37, Mississippi Code of 1972, is amended as follows:

97-13-37. Whoever shall procure, or endeavor to procure, the vote of any elector, or the influence of any person over other electors, at any election, for himself or any candidate, by means of violence, threats of violence, or threats of withdrawing custom, or dealing in business or trade, or of enforcing the payment of a debt, or of bringing a suit or criminal prosecution, or by any other threat or injury to be inflicted by him, or by his means, or shall violate any provision of Section 23-15-871 or 23-15-874, shall, upon conviction, be imprisoned in the county jail not \*\*\* less than two (2) years nor more than twenty (20) years, or be fined not more than \*\*\* Five Thousand Dollars (\$5,000.00), or both.

SECTION 8. Section 97-13-43, Mississippi Code of 1972, is amended as follows:

97-13-43. Any person who willfully tampers with or damages any voting machine or tabulating computer or device to be used or being used at or in connection with any election or who prevents or attempts to prevent the correct operation of any voting machine or tabulating computer or device shall be guilty of a felony and, upon conviction, be punished by imprisonment for not \*\*\* less than two (2) years nor more than twenty (20) years, or be fined \*\*\* Ten Thousand Dollars (\$10,000.00), or both.

SECTION 9. Section 23-15-93, Mississippi Code of 1972, is amended as follows:

23-15-93. If any election commissioner or registrar shall refuse or neglect to perform any of the duties imposed upon him or her by this chapter regarding the registration of electors, or shall knowingly permit any person to sign a false affidavit or otherwise knowingly permit any person to violate any provision of this chapter regarding the registration of electors, or shall violate any of the provisions of this chapter regarding the registration of electors, or if any officer taking the affidavits as provided in this chapter regarding registration of electors shall make any false statement in his or her certificate thereto attached, he or she shall be deemed guilty of a crime and shall be punished by a fine not exceeding \*\*\* Five Thousand Dollars (\$5,000.00) or by imprisonment in the State Penitentiary not exceeding \*\*\* ten (10) years, or both, and shall be removed from office.

SECTION 10. Section 23-15-561, Mississippi Code of 1972, is amended as follows:

23-15-561. (1) It shall be unlawful during any primary or any other election for any candidate for any elective office or any representative of such candidate or any other person to publicly or privately put up or in any way offer any prize, cash award or other item of value to be raffled, drawn for, played for or contested for in order to encourage persons to vote or to refrain from voting in any election.



(2) Any person who shall violate the provisions of subsection (1) of this section shall, upon conviction thereof, be punished by a fine in an amount not to exceed \* \* \* Seven Thousand Five Hundred Dollars (\$7,500.00).

(3) Any candidate who shall violate the provisions of subsection (1) of this section shall, upon conviction thereof, in addition to the fine prescribed above, be punished by:

(a) Disqualification as a candidate in the race for the elective office; or

(b) Removal from the elective office, if the offender has been elected thereto.

SECTION 11. Section 23-15-627, Mississippi Code of 1972, is amended as follows:

23-15-627. Any elector described in Section 23-15-713 may request an absentee ballot application and vote in person at the office of the registrar in the county in which he or she resides. The registrar shall be responsible for furnishing an absentee ballot application form to any elector authorized to receive an absentee ballot. Except as otherwise provided in Section 23-15-625, absentee ballot applications shall be furnished to a person only upon the oral or written request of the elector who seeks to vote by absentee ballot; however, the parent, child, spouse, sibling, legal guardian, those empowered with a power of attorney for that elector's affairs or agent of the elector, who is designated in writing and witnessed by a resident of this state who shall write his or her physical address on such designation, may orally request an absentee ballot application on behalf of the elector. The written designation shall be valid for one (1) year after the date of the designation. An absentee ballot application must have the seal of the circuit or municipal clerk affixed to it and be initialed by the registrar or his or her deputy in order to be used to obtain an absentee ballot. A reproduction of an absentee ballot application shall not be valid unless it is a reproduction provided by the office of the registrar of the jurisdiction in which the election is being held and which contains the seal and initials required by this section. Such application shall be substantially in the following form:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, \_\_\_\_\_, duly qualified and registered in the \_\_\_\_ Precinct of the County of \_\_\_\_\_, and State of Mississippi, coming within the purview of the definition 'ABSENT ELECTOR' will be absent from the county of my residence on election day, or unable to vote in person because (check appropriate reason):

( ) (PRESIDENTIAL APPLICANT ONLY:) I am currently a resident of Mississippi or have moved therefrom within thirty (30) days of the coming presidential election.

( ) I am an enlisted or commissioned member, male or female, of any component of the United States Armed Forces and am a citizen of Mississippi, or spouse or dependent of such member.

( ) I am a member of the Merchant Marine or the American Red Cross and am a citizen of Mississippi or spouse or dependent of such member.

( ) I am a disabled war veteran who is a patient in any hospital and am a citizen of Mississippi or spouse or dependent of such veteran.

( ) I am a civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and am a citizen of Mississippi or spouse or dependent of such civilian.

( ) I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.

( ) I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade school, whose studies or employment at such institution necessitates my absence from the county of my voting residence or spouse or dependent of such student, teacher or administrator who maintains a common domicile outside the county of my voting residence with such student, teacher or administrator.

( ) I will be outside the county on election day.

( ) I have a temporary or permanent physical disability \* \* \*.

( ) I am sixty-five (65) years of age or older.

( ) I am the parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside his or her county of residence or more than fifty (50) miles away from his or her residence, and I will be with such person on election day.

( ) I am a member of the congressional delegation, or spouse or dependent of a member of the congressional delegation.

( ) I am required to be at work on election day during the times which the polls will be open.

I hereby make application for an official ballot, or ballots, to be voted by me at the election to be held in \_\_\_\_\_, on \_\_\_\_\_.

Mail 'Absent Elector's Ballot' to me at the following address \_\_\_\_\_.

( ) I wish to receive an absentee ballot for the runoff election \_\_\_\_\_.

I realize that I can be fined up to \* \* \* Seven Thousand Five Hundred Dollars (\$7,500.00) and sentenced up to \* \* \* ten (10) years in the Penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee Voter Law. (This sentence is to be in bold print.)

If you are temporarily or permanently disabled, you are not required to have this application notarized or signed by an official authorized to administer oaths for absentee balloting. You are required to sign this application in the proper place and have a person eighteen (18) years of age or older witness your signature and sign this application in the proper place.

DO NOT SIGN WITHOUT READING. (This sentence is to be in bold print.)

IN WITNESS WHEREOF I have hereunto set my hand and seal this the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
(Signature of absent elector)

SWORN TO AND SUBSCRIBED before me this the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
(Official authorized to administer oaths)

for absentee balloting.)

TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR  
PERMANENTLY DISABLED:

I HEREBY CERTIFY that this application for an absent elector's ballot was signed  
by the above-named elector in my presence and that I am at least eighteen (18) years of  
age, this the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
(Signature of witness)

CERTIFICATE OF DELIVERY

I hereby certify that \_\_\_\_\_ (print name of voter) has requested that  
I, \_\_\_\_\_ (print name of person delivering application), deliver to the voter  
this absentee ballot application.

\_\_\_\_\_  
(Signature of person delivering application)

\_\_\_\_\_  
(Address of person delivering application)"

SECTION 12. Section 23-15-635, Mississippi Code of 1972, is amended as  
follows:

23-15-635. (1) The form of the elector's certificate, attesting witness certification  
and certificate of person providing voter assistance on the back of the envelope used by  
absentee voters who are not absent voters as defined in Section 23-15-673, shall be as  
follows:

"ELECTOR'S CERTIFICATE

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, under penalty of perjury do solemnly swear that this envelope  
contains the ballot marked by me indicating my choice of the candidates or propositions  
to be submitted at the election to be held on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, and I  
hereby authorize the registrar to place this envelope in the ballot box on my behalf, and I  
further authorize the election managers to open this envelope and place my ballot among  
the other ballots cast before such ballots are counted, and record my name on the poll list  
as if I were present in person and voted.

I further swear that I marked the enclosed ballot in secret.

Penalties for vote fraud are up to \* \* \* ten (10) years in prison and a fine of up to \* \* \*  
Seven Thousand Five Hundred Dollars (\$7,500.00). (Miss. Code. Ann. Section  
23-15-753.) Penalties for voter intimidation are \* \* \* not less than two (2) years nor more  
than twenty (20) years in jail and a fine of up to \* \* \* Five Thousand Dollars (\$5,000.00).  
(Miss. Code. Ann. Section 97-13-37.)

\_\_\_\_\_

(Signature of voter)

## CERTIFICATE OF ATTESTING WITNESS

Under penalty of perjury I affirm that the above named voter personally appeared before me, on this the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, and is known by me to be the person named, and who, after being duly sworn or having affirmed, subscribed the foregoing oath or affirmation. That the voter exhibited to me his or her blank ballot; that the ballot was not marked or voted before the voter exhibited the ballot to me; that the voter was not solicited or advised by me to vote for any candidate, question or issue, and that the voter, after marking his or her ballot, placed it in the envelope, closed and sealed the envelope in my presence, and signed and swore or affirmed the above certificate.

\_\_\_\_\_  
(Attesting witness)\_\_\_\_\_  
(Address)\_\_\_\_\_  
(Official title)\_\_\_\_\_  
(City and State)

## CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

(To be completed only if the voter has received assistance in marking the enclosed ballot.) I, under penalty of perjury, hereby certify that the above-named voter declared to me that he or she is blind, temporarily or permanently physically disabled, or cannot read or write, and that the voter requested that I assist the voter in marking the enclosed absentee ballot. I hereby certify that the ballot preferences on the enclosed ballot are those communicated by the voter to me, and that I have marked the enclosed ballot in accordance with the voter's instructions.

Penalties for vote fraud are up to \* \* \* ten (10) years in prison and a fine of up to \* \* \* Seven Thousand Five Hundred Dollars (\$7,500.00). (Miss. Code. Ann. Section 23-15-753.) Penalties for voter intimidation are \* \* \* not less than two (2) years nor more than twenty (20) years in jail and a fine of up to \* \* \* Five Thousand Dollars (\$5,000.00). (Miss. Code. Ann. Section 97-13-37.)

\_\_\_\_\_  
Signature of person providing assistance\_\_\_\_\_  
Printed name of person providing assistance\_\_\_\_\_  
Address of person providing assistance\_\_\_\_\_  
Date and time assistance provided\_\_\_\_\_  
Family relationship to voter (if any)"

(2) The envelope shall have printed on the flap on the back of the envelope in bold print and in a distinguishing color, the following: "YOUR VOTE WILL BE REJECTED AND

NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED ACROSS THE FLAP OF THIS ENVELOPE BY YOU AND AN ATTESTING WITNESS."

SECTION 13. Section 23-15-751, Mississippi Code of 1972, is amended as follows:

23-15-751. If any registrar or commissioner of elections shall refuse or neglect to perform any of the duties prescribed by Sections 23-15-621 through 23-15-735, or shall knowingly permit any person to sign a false affidavit or otherwise knowingly permit any person to violate Sections 23-15-621 through 23-15-735, or shall violate any of the provisions thereof, or if any officer taking the affidavits as provided in said acts shall make any false statement in his certificate thereto attached, he shall, upon conviction, be deemed guilty of a crime and shall be punished by a fine not exceeding \* \* \* Five Thousand Dollars (\$5,000.00) or by imprisonment in the Penitentiary not exceeding \* \* \* ten (10) years, and shall be removed from office.

SECTION 14. Section 23-15-753, Mississippi Code of 1972, is amended as follows:

23-15-753. (1) Any person who willfully, unlawfully and feloniously procures, seeks to procure, or seeks to influence the vote of any person voting by absentee ballot, by the payment of money, the promise of payment of money, or by the delivery of any other item of value or promise to give the voter any item of value, or by promising or giving the voter any favor or reward in an effort to influence his vote, or any person who aids, abets, assists, encourages, helps, or causes any person voting an absentee ballot to violate any provision of law pertaining to absentee voting, or any person who sells his vote for money, favor, or reward, has been paid or promised money, a reward, a favor or favors, or any other item of value, or any person who shall willfully swear falsely to any affidavit provided for in Sections 23-15-621 through 23-15-735, shall be guilty of the crime of "vote fraud" and, upon conviction, shall be sentenced to pay a fine of not \* \* \* more than \* \* \* Five Thousand Dollars (\$5,000.00), or by imprisonment in the \* \* \* State Penitentiary for \* \* \* not more than \* \* \* ten (10) years, or by both fine and imprisonment \* \* \*.

(2) It shall be unlawful for any person who pays or compensates another person for assisting voters in marking their absentee ballots to base the pay or compensation on the number of absentee voters assisted or the number of absentee ballots cast by persons who have received the assistance. Any person who violates this section, upon conviction, shall \* \* \* be fined not \* \* \* more than \* \* \* Seven Thousand Five Hundred Dollars (\$7,500.00), or imprisoned in the State Penitentiary not \* \* \* more than \* \* \* ten (10) years, or both.

SECTION 15. Any person who shall deny a person the right to vote for a reason that is not provided in law shall be deemed guilty of a crime and punished by a fine not exceeding Five Thousand Dollars (\$5,000.00) or by imprisonment in the Department of Corrections not exceeding ten (10) years, or both.

SECTION 16. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 97-13-3, 97-13-5, 97-13-7, 97-13-9, 97-13-35, 97-13-36, 97-13-37, 97-13-43, 23-15-93, 23-15-561, 23-15-627, 23-15-635, 23-15-751 AND 23-15-753, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTIES FOR COMMITTING CERTAIN ELECTION CRIMES; TO CREATE A NEW SECTION OF LAW TO PROVIDE THAT ANY PERSON WHO SHALL DENY A PERSON THE RIGHT TO

VOTE SHALL BE DEEMED GUILTY OF A CRIME; TO PROVIDE THE PENALTIES FOR THE CRIME; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 400 was adopted.

YEAS AND NAYS On H. B. No. 400. On motion of Senator Fillingane, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, Michel, Moran, Parker, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--32.

Nays--Blackmon, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th). Total--11.

Absent and those not voting--Blount, Jackson, Parks. Total--3.

Senator Turner-Ford, who would have voted nay on H. B. No. 400, announced a pair with Senator McMahan, who would have voted yea.

Senator DeBar, who would have voted yea on H. B. No. 400, announced a pair with Senator Barnett, who would have voted nay.

Senator Thomas, who would have voted nay on H. B. No. 400, announced a pair with Senator McLendon, who would have voted yea.

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Senator Fillingane called up the following entitled bill:

**H. B. No. 1315:** Pornographic media materials; regulate access to minors and require age verification.

Senator Fillingane offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Legislature finds that pornography contributes to:

(a) The hyper sexualization of teens and prepubescent children and may lead to low self-esteem, body image disorders;

(b) An increase in problematic sexual activity at younger ages, and increased desire among adolescents to engage in risky sexual behavior;

(c) Difficulty in forming or maintaining positive, intimate relationships, as well as promoting problematic or harmful sexual behaviors and addiction; and

(d) A negative impact brain development and functioning, contribute to emotional and medical illnesses, shape deviant sexual arousal.

SECTION 2. As used in Sections 1 through 4 of this act, the following words shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) "Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.

(b) "Distribute" means to issue, sell, give, provide, deliver, transfer, transmute, circulate, or disseminate by any means.

(c) "Internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks.

(d) "Material harmful to minors" is defined as all of the following:

(i) Any material that the average person, applying contemporary community standards would find, taking the material as a whole and with respect to minors, is designed to appeal to, or is designed to pander to, the prurient interest, including, but not limited to, child pornography or material that depicts or promotes child sexual exploitation or trafficking.

(ii) Any of the following material that exploits, is devoted to, or principally consists of descriptions of actual, simulated, or animated display or depiction of any of the following, in a manner patently offensive with respect to minors:

1. Pubic hair, anus, vulva, genitals, or nipple of the female breast.

2. Touching, caressing, or fondling of nipples, breasts, buttocks, anuses, or genitals.

3. Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, excretory functions, exhibitions, or any other sexual act.

(iii) The material taken as a whole lacks serious literary, artistic, political, or scientific value for minors.

(iv) The material is sexually oriented, as defined in Section 97-5-27(2).

(e) "Minor" means any person under the age of eighteen (18) years.

(f) "News-gathering organization" means any of the following:

(i) An employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this subparagraph, who can provide documentation of such employment with the newspaper, news publication, or news source.

(ii) An employee of a radio broadcast station, television broadcast station, cable television operator, or wire service while operating as an employee as provided in this subparagraph, who can provide documentation of such employment.

(g) "Publish" means to communicate or make information available to another person or entity on a publicly available internet website.

(h) "Reasonable age verification methods" include verifying that the person seeking to access the material is eighteen (18) years of age or older by using any of the following methods:

(i) Provide a digitized identification card;

(ii) Require the person attempting to access the material to comply with a commercial age verification system that verifies in one or more of the following ways:

1. Government-issued identification; or

2. Any commercially reasonable method that relies on public or private transactional data to verify the age of the person attempting to access the information is at least eighteen (18) years of age or older.

(i) "Substantial portion" means more than thirty-three and one-third (33-1/3) percent of total material on a website, which meets the definition of "material harmful to minors" as defined by this section.

(j) "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event. Transactional data can include, but is not limited to, records from mortgage, education, and employment entities.

SECTION 3. (1) Any commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the internet from a website that contains a substantial portion of such material shall be held liable if the entity fails to perform reasonable age verification methods to verify the age of individuals attempting to access the material.

(2) Any commercial entity or third party that performs the required age verification shall not retain any identifying information of the individual after access has been granted to the material.

(3) (a) Any commercial entity that is found to have violated this section shall be liable to an individual for damages resulting from a minor's accessing the material, including court costs and reasonable attorney fees as ordered by the court.

(b) A commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual shall be liable to the individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney fees as ordered by the court.

(4) (a) A commercial entity or other person or vendor providing digital or online resources or databases to students in a public school district, charter school, the Mississippi School of the Arts, the Mississippi School for Mathematics and Science, the Mississippi Virtual Public School, the Mississippi School for the Deaf and the Mississippi School for the Blind, or a minor in a public library, shall implement safety policies and technology protection measures that filter, block access to, or otherwise prohibit and prevent a minor from sending, receiving, viewing or downloading material harmful to minors.

(b) The provisions of this subsection take precedence over any contrary provision in a contract. Notwithstanding any contractual provision to the contrary in a contract between a public school district, upon a first occurrence of noncompliance with this subsection by a commercial entity or other person or vendor providing digital or online resources or databases, the state, or any of its agencies, or any public school district, local education agency, public school, public library or charter school is entitled to a reduction in the amount of ten percent (10%) of the agreed upon price in the contract to be paid to the provider. Upon a subsequent occurrence of noncompliance with this subsection by a commercial entity or other person or vendor providing digital or online resources or databases, the state or any of its agencies, or any public school district, local



education agency, public school, public library or charter school is entitled to a complete refund of the agreed upon price of the contract to be paid to the provider.

(c) The State Auditor may audit a public school district, charter school, the Mississippi School of the Arts, the Mississippi School for Mathematics and Science, the Mississippi Virtual Public School, the Mississippi School for the Deaf and the Mississippi School for the Blind for compliance with this subsection and any violations shall be reported to the Auditor no later than thirty (30) days after the instance of noncompliance.

SECTION 4. (1) The provisions of this act shall not apply to any bona fide news or public interest broadcast, website video, report, or event and shall not be construed to affect the rights of any news-gathering organizations.

(2) No internet service provider, or its affiliates or subsidiaries, search engine, or cloud service provider shall be held to have violated the provisions of this act for providing access or connection to or from a website or other information or content on the internet or a facility, system, or network not under that provider's control, including transmission, downloading, storage, access software, or other to the extent such provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors.

SECTION 5. Section 97-29-107, Mississippi Code of 1972, is amended as follows:

97-29-107. (1) Sections 97-29-101 through 97-29-109 shall not apply when the distribution or wholesale distribution of the material, performance or device was made by:

(a) A person, corporation, company, partnership, firm, association, business, establishment or other legal entity to a person associated with an institution of higher learning, either as a member of the faculty or as a matriculated student, teaching or pursuing a course of study related to such material, performance or device;

(b) A licensed physician or a licensed psychologist to a person whose receipt of such material or device was authorized in writing by such physician or psychologist in the course of medical or psychological treatment or care;

(c) A person who while acting in his capacity as an employee is employed on a full-time or part-time basis by (i) any recognized historical society or museum accorded charitable status by the federal government; (ii) any state, county or municipal public library; or (iii) any library of any \* \* \* college or university in this state; or

(d) A community television antenna services system or a cable television system operating pursuant to a written agreement not in conflict with this paragraph granted by a county, municipality or other political subdivision of this state, or by an employee of such system while acting within the scope of his employment, when the signal transmitting the material or performance originates outside of the State of Mississippi.

(2) Any exemption from prosecution claimed under the provisions of this section may be raised at a pretrial hearing by motion, and the court shall determine whether sufficient evidence exists to constitute an exemption from prosecution under the provisions of Sections 97-29-101 through 97-29-109. If the motion is sustained, the case shall be dismissed; provided, however, if the motion is not sustained then the defendant may offer into evidence at trial as an affirmative defense to conviction under Sections 97-29-101 through 97-29-109 any matter which could have been raised by the defendant in the motion to dismiss.

SECTION 6. Section 97-29-109, Mississippi Code of 1972, is brought forward as follows:

97-29-109. Any person, except one who wholesale distributes, who violates Section 97-29-101 or Section 97-29-105 shall be guilty of a misdemeanor and, upon conviction, shall, in the case of the first offense, be fined not more than Five Thousand Dollars (\$5,000.00) or imprisoned in the county jail for a term not to exceed six (6) months, or both. If the person has been previously convicted of a violation of Section 97-29-101 or Section 97-29-105 or of Section 97-5-27 or 97-5-29, Mississippi Code of 1972, then the person shall be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Ten Thousand Dollars (\$10,000.00) or imprisoned for a term not to exceed one (1) year, or both.

Any person who wholesale distributes in violation of Section 97-29-101 or Section 97-29-105 shall, upon conviction, be fined not more than Ten Thousand Dollars (\$10,000.00) or imprisoned for a term not to exceed one (1) year, or both. If the person has been previously convicted of a violation of Section 97-29-101 or Section 97-29-105 or of Section 97-5-27 or 97-5-29, Mississippi Code of 1972, then the person shall, upon conviction, be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Fifty Thousand Dollars (\$50,000.00) or imprisoned for a term not to exceed one (1) year, or both.

A corporation, company, partnership, firm, association, business, establishment, organization or other legal entity other than an individual convicted of distributing obscenity or unlawful sexual devices or wholesale distribution of obscenity or unlawful sexual devices shall be fined not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00). If such legal entity has been previously convicted of distributing obscenity or unlawful sexual devices or wholesale distribution of obscenity or unlawful sexual devices or of a violation of Section 97-5-27 or Section 97-5-29, Mississippi Code of 1972, then such legal entity shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than Fifty Thousand Dollars (\$50,000.00).

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REGULATE PORNOGRAPHIC MEDIA EXPOSURE TO CHILDREN; TO PROVIDE THE LEGISLATIVE INTENT; TO PROVIDE DEFINITIONS; TO REQUIRE COMMERCIAL ENTITIES THAT PROVIDE SUCH CONTENT TO HAVE AGE VERIFICATION SYSTEMS; TO PROVIDE LIABILITY FOR THOSE COMMERCIAL ENTITIES THAT DO NOT PROVIDE AN AGE VERIFICATION; TO REQUIRE A COMMERCIAL ENTITY OR OTHER PERSON OR VENDOR PROVIDING DIGITAL OR ONLINE RESOURCES OR DATABASES TO STUDENTS IN A PUBLIC SCHOOL DISTRICT, CHARTER SCHOOL, THE MISSISSIPPI SCHOOL OF THE ARTS, THE MISSISSIPPI SCHOOL FOR MATHEMATICS AND SCIENCE, THE MISSISSIPPI VIRTUAL PUBLIC SCHOOL, THE MISSISSIPPI SCHOOL FOR THE DEAF AND THE MISSISSIPPI SCHOOL FOR THE BLIND, OR A MINOR IN A PUBLIC LIBRARY, TO IMPLEMENT SAFETY POLICIES AND TECHNOLOGY PROTECTION MEASURES THAT FILTER, BLOCK ACCESS TO, OR OTHERWISE PROHIBIT AND PREVENT A MINOR FROM SENDING, RECEIVING, VIEWING OR DOWNLOADING MATERIAL HARMFUL TO MINORS; TO PROVIDE THAT THE REQUIREMENT TO IMPLEMENT SAFETY POLICIES AND TECHNOLOGY PROTECTION MEASURES TAKE PRECEDENCE OVER ANY CONTRARY PROVISION IN A CONTRACT; TO PROVIDE FOR CERTAIN PENALTIES UPON NONCOMPLIANCE BY A COMMERCIAL ENTITY OR OTHER PERSON OR VENDOR; TO AUTHORIZE THE STATE AUDITOR TO AUDIT A PUBLIC SCHOOL DISTRICT, CHARTER SCHOOL, THE MISSISSIPPI SCHOOL OF THE ARTS, THE MISSISSIPPI SCHOOL FOR MATHEMATICS AND SCIENCE, THE MISSISSIPPI VIRTUAL PUBLIC SCHOOL, THE MISSISSIPPI SCHOOL FOR THE DEAF AND THE MISSISSIPPI SCHOOL FOR THE BLIND FOR COMPLIANCE WITH THE

REQUIREMENT THAT A COMMERCIAL ENTITY OR OTHER PERSON OR VENDOR PROVIDING DIGITAL OR ONLINE RESOURCES OR DATABASES TO STUDENTS IN THE SCHOOLS IMPLEMENT CERTAIN SAFETY POLICIES AND TECHNOLOGY PROTECTION MEASURES; TO AMEND SECTION 97-29-107, MISSISSIPPI CODE OF 1972, TO DELETE THE EXEMPTION FOR ANY PUBLIC OR PRIVATE SCHOOL LIBRARY IN THIS STATE FROM THE CRIME OF DISTRIBUTING OBSCENE MATERIALS; TO BRING FORWARD SECTION 97-29-109, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE EXEMPTIONS AND PENALTIES FOR DISTRIBUTION OF OBSCENE MATERIALS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

#### POINT OF ORDER

A point of order was raised by Senator Turner-Ford that the amendment adding language concerning the Magnolia vendor contract is not germane to the original bill.

#### RULING OF THE CHAIR

The Chair, Senator Hopson presiding, ruled the point of order not well-taken.

Senator Wiggins offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND by striking SECTION 5 in its entirety on lines 190 - 227 and renumbering subsequent sections accordingly.

FURTHER, AMEND the title to conform.

YEAS AND NAYS. The yeas and nays being taken, Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1315 was adopted by the following vote:

Yeas--Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Chassaniol, DeBar, DeLano, Frazier, Hickman, Hopson, Horhn, Johnson, Jordan, Michel, Moran, Norwood, Polk, Simmons D. T. (12th), Simmons S. (13th), Thomas, Thompson, Turner-Ford, Wiggins. Total--27.

Nays--Barrett, Branning, Caughman, Chism, England, Fillingane, Harkins, Hill, Kirby, McCaughn, McDaniel, Parker, Seymour, Sojourner, Sparks, Suber, Tate, Whaley, Williams, Younger. Total--20.

Absent and those not voting--Barnett, Jackson, McLendon, McMahan, Parks. Total--5.

Senator Bryan offered the following AMENDMENT NO. 2 TO COMMITTEE AMENDMENT NO. 1.

AMEND on lines 170-176 by striking paragraph (c) in its entirety.

FURTHER, AMEND the title to conform.

Amendment No. 2 to Committee Amendment No. 1 to H. B. No. 1315 was adopted.

Committee Amendment No. 1 as amended to H. B. No. 1315 was adopted.

YEAS AND NAYS On H. B. No. 1315. On motion of Senator Hill, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, Michel, Moran, Parker, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Whaley, Wiggins, Williams, Younger. Total--31.

Nays--Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--13. Absent and those not voting--McLendon, Parks. Total--2.

Senator Thompson, who would have voted yea on H. B. No. 1315, announced a pair with Senator Jackson, who would have voted nay.

Senator DeBar, who would have voted yea on H. B. No. 1315, announced a pair with Senator Barnett, who would have voted nay.

Senator Turner-Ford, who would have voted nay on H. B. No. 1315, announced a pair with Senator McMahan, who would have voted yea.

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 4:50 PM, the Senate stood in recess.

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The Senate resumed business at 5:00 PM, pursuant to recess, with President Hosemann presiding.

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 39:** Panny Flautt Mayfield; commend upon being named a 2023 Noel Polk Lifetime Achievement Award Nominee. Rules.

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MESSAGE FROM THE GOVERNOR  
March 8, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2373:** Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program; establish. (March 8, 2023, 3:27 PM)

**S. B. No. 2433:** Regulation of public utilities; exempt distribution of water by eligible homeowners association to its own residents from. (March 8, 2023, 3:09 PM)

**S. B. No. 2561:** Highways; make the MS Transportation Commission vote on use of ERBR Fund monies majority instead of unanimous. (March 8, 2023, 3:52 PM)

**S. B. No. 2649:** Minority; remove for beneficiaries of certain insurance policies. (March 8, 2023, 3:16 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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Senator Bryan moved that the rules be suspended to move to calendar item 99, **H. B. No. 1158**, and the motion prevailed.

**H. B. No. 1158:** Medical Cannabis Act; revise certain provisions of.

Senator Bryan moved to reconsider the vote whereby **H. B. No. 1158** passed the Senate as amended.

The foregoing motion prevailed.

Senator Blackwell moved to reconsider the vote whereby Amendment No. 1 to **H. B. No. 1158** was adopted by the Senate.

The foregoing motion prevailed.

Senators Blount and Blackwell offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 1.

AMEND by striking lines 1036-1042 and inserting the following in lieu thereof:

(8) Any ongoing investigation by a licensing agency under this Section shall be considered confidential and exempt from disclosure under the Mississippi Public Records Act of 1983, Sections 25-61-1 through 25-61-17.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Amendment No. 1 to H. B. No. 1158 was adopted.

Amendment No. 1 as amended to H. B. No. 1158 was adopted.

YEAS AND NAYS On H. B. No. 1158. Vote recurring, on motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T.

(12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Barrett, Branning, Chism, Hill, Seymour. Total--5.

Absent and those not voting--None.

Not voting--Tate. Total--1.

Voting Present--Fillingane. Total--1.

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Senator DeBar moved that the rules be suspended to move to calendar item 90, **H. B. No. 817**, and the motion prevailed.

Senator DeBar called up the following entitled bill:

**H. B. No. 817:** Early Learning Collaborative; increase minimum funding levels for full-day and half-day programs.

Senator DeBar offered the following AMENDMENT NO. 1.

AMEND on line 319 by inserting before the period the following language:

, and shall stand repealed on June 30, 2023

Amendment No. 1 to H. B. No. 817 was adopted.

YEAS AND NAYS On H. B. No. 817. On motion of Senator DeBar, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, Hill. Total--2.

Absent and those not voting----None.

Voting Present--McDaniel, Sojourner. Total--2.

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Senator Harkins moved that the rules be suspended to move to calendar item 55, **S. B. No. 2841**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2841** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-19-31, Mississippi Code of 1972, is amended as follows:

27-19-31. (1) The Department of Revenue is authorized and directed to establish and maintain a vehicle registration renewal system whereby the license tag attached upon

a motor vehicle or trailer may be issued for five (5) years with the approval of the License Tag Commission, except for motor vehicles registered in excess of ten thousand (10,000) pounds gross vehicle weight, and motor vehicles in a fleet registered under Section 27-19-66, apportioned vehicles, rental and commercial trailers and buses, which shall be issued for a period of time determined by the Department of Revenue. During each intervening year of the period for which license tags are issued, the Department of Revenue shall issue up to two (2) license decals, in lieu of the license tags, the month and year in which the license tag expires shall be specified on one (1) of the decals so issued. Motor vehicles in a corporate fleet registered under Section 27-19-66, trailers in a fleet registered under Section 27-19-66.1, and apportioned vehicles shall not be issued decals specifying the month and year of expiration.

Any series of tags may be cancelled by the commissioner with the approval of the License Tag Commission and a new series of tags issued.

(2) (a) The license decals issued in lieu of the license tags shall indicate the month and the last two (2) figures of the year for which such license shall expire. The license decals shall be attached to the license tag of the motor vehicle or trailer, and when so attached shall be deemed to be the license tag for the ensuing registration year. The month and year decal shall be attached in an upright position in the lower right corner of the license tag. Decals specifying the month and year of expiration shall not be required to be attached to license tags on motor vehicles in a corporate fleet registered under Section 27-19-66, trailers in a fleet registered under Section 27-19-66.1, or apportioned vehicles.

Except as otherwise provided in this paragraph, the registration year shall be a period of one (1) year commencing on the first day of the month following the month in which the vehicle was acquired. Beginning October 1, 1982, original registrations of motor vehicles, except motor vehicles registered in excess of ten thousand (10,000) pounds gross vehicle weight, apportioned vehicles and buses, may be made and shall be prorated for a period of from six (6) to eleven (11) months according to regulations established by the Department of Revenue to reduce a disproportionate number of registrations for a particular month. Beginning July 1, 1995, original registrations and renewal registrations of motor vehicles in corporate fleets registered under Section 27-19-66, shall be prorated according to regulations established by the Department of Revenue so as to cause the registration of such fleet motor vehicles to coincide with the anniversary month for corporate fleets established by the Department of Revenue. Beginning July 1, 2011, original registrations and renewal registrations of trailers in trailer fleets registered under Section 27-19-66.1 shall be prorated according to regulations established by the Department of Revenue so as to cause the registration of such trailers to coincide with the anniversary month for trailer fleets established by the Department of Revenue. Where a vehicle is registered for a period less than twelve (12) months, the anniversary month shall be the month of the expiration of the original license tag.

Beginning July 1, 1996, original registrations and renewal registrations of motor vehicles in individual fleets registered under Section 27-19-66 shall be prorated according to regulations established by the Department of Revenue so as to cause the registration of such fleet motor vehicles to coincide with the anniversary month for individual fleets established by the county tax collector. Where a vehicle is registered for a period less than twelve (12) months, the anniversary month shall be the month of the expiration of the original license tag.

The Department of Revenue, with the approval of the License Tag Commission, shall so specify the area or areas on the license tag where the license decals shall be attached. The number of the license tag shall be written across its face, and the number of the tag shall represent the registration number; and upon all the tags for private passenger vehicles the word "MISSISSIPPI" shall be written across the top of the tag in capital letters sufficiently large to be easily read, but upon all other tags such word may be abbreviated. The number of the license tag shall not exceed seven (7) letters, numbers

or a combination of such letters and numbers. Also, on all tags sold and issued, an appropriate place will be provided thereon to place license decals indicating the expiration date of the tag. For the purposes of this section and Section 27-19-32, Mississippi Code of 1972, the term "decal," "decals" or "license decal" shall mean a tab, sticker or other similar device attached to a license tag which validates same for a stated period of time. One (1) license tag and up to two (2) license decals shall be furnished for all vehicles and shall be fastened immovably twelve (12) inches or more above the ground, at the rear of the vehicle under or over the rear light, with the number in upright position so that it will be plainly visible and legible at all times, and at night at a distance of sixty (60) feet. In the case of tractors or other motor vehicles drawing or pulling trailers, semitrailers or farm implements, the tag shall be fastened upon such vehicle twelve (12) inches or more above the ground, upon the front or back of such vehicle, with the number in an upright position. Such license plate, all characters and any legally affixed decals shall not be defaced, covered or obstructed from view by any object, decal, sticker, paint, marking or license plate bracket or holder. Any person who defaces, covers or obstructs any portion of a license tag with any sticker, decoration, paint, marking, license plate bracket or holder or any other thing or device, in such a manner that the characters and any legally affixed decals on the tag cannot be read, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than Twenty-five Dollars (\$25.00). However, it shall not be unlawful for the county name to be partially or completely obstructed from view by any object, decal, sticker or license plate bracket or holder. Unless the license tag with current decals is fastened to the vehicle as herein provided, the said vehicle shall be regarded as operating without a license tag, and the owner or operator shall be liable for the penalties herein provided.

In addition to the above requirements, license tags for private passenger vehicles shall have a county designation thereon referencing the name of the county in which such vehicle is registered.

Law enforcement officers of this state shall remove from a motor vehicle or trailer any license tag and/or decals which are so defaced that proper identification cannot be reasonably made. The officer shall issue to the driver of such vehicle a tag permit which shall be valid for a period of five (5) days. Each person receiving such tag permit shall purchase, within five (5) days from the date of the issuance of the permit, a new tag and/or decals for the fee set forth in Section 27-19-37, Mississippi Code of 1972, for a substitute tag.

Any person who has a license tag or decals on a vehicle which may be so defaced that proper identification cannot be reasonably made may remove such and purchase another license tag and/or decals for the same fee required for a substitute tag. If any license tag shall deteriorate due to age so that identification cannot be reasonably made, the owner may surrender such tag to the issuing authority and be issued a new tag and like decals at no cost.

(b) Beginning January 1, 2024, an owner of a private carrier of passengers or motorcycle may choose a tag with a black background and a white pinstripe border. "Mississippi" shall be printed at the top, and the name of the county shall be printed at the bottom. The application and the additional fee of Thirty-eight Dollars and Twenty-five Cents (\$38.25), less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the department within seven (7) days of the date the application is made. The remaining Thirty-six Dollars and Twenty-five Cents (\$36.25) of the additional fee shall be deposited to the credit of the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund established in Section 45-2-1. In all other respects, tags issued under this paragraph (b) shall follow the guidelines for tags issued under paragraph (a) of this subsection.

(3) The Department of Revenue is authorized to promulgate appropriate rules and regulations to govern the use and display of license decals and to publish a summary thereof which shall be available to state officials and the public upon request.



SECTION 2. Section 27-19-11, Mississippi Code of 1972, is amended as follows:

27-19-11. (1) On each carrier of property, for each commercial motor vehicle, truck-tractor or road tractor, and on each bus, there is hereby levied an annual highway privilege tax in accordance with the following schedule, except that the gross vehicle weight of buses shall be the gross weight of the vehicle plus one hundred fifty (150) pounds per each regular seat.

RATE OF TAX			
GROSS WEIGHT OF VEHICLE NOT TO EXCEED IN POUNDS	COMMON AND CONTRACT CARRIERS OF PROPERTY	PRIVATE COMMERCIAL AND NONCOMMERCIAL CARRIERS OF PROPERTY	PRIVATE CARRIERS OF PROPERTY
0000 - 6000	\$ 7.20	\$ 7.20	\$ 7.20
6001 - 10000	33.60	25.20	16.80
10001 - 16000	78.40	70.70	39.20
16001 - 20000	156.00	129.00	78.00
20001 - 26000	228.00	192.00	114.00
26001 - 30000	300.00	247.00	150.00
30001 - 36000	384.00	318.00	192.00
36001 - 40000	456.00	378.00	228.00
40001 - 42000	504.00	420.00	264.00
42001 - 44000	528.00	444.00	276.00
44001 - 46000	552.00	456.00	282.00
46001 - 48000	588.00	492.00	300.00
48001 - 50000	612.00	507.00	312.00
50001 - 52000	660.00	540.00	336.00
52001 - 54000	684.00	564.00	348.00
54001 - 56000	708.00	588.00	360.00
56001 - 58000	756.00	624.00	384.00
58001 - 60000	780.00	642.00	396.00

60001 - 62000	828.00	828.00	420.00
62001 - 64000	852.00	852.00	432.00
64001 - 66000	900.00	900.00	482.00
66001 - 68000	936.00	936.00	504.00
68001 - 70000	972.00	972.00	516.00
70001 - 72000	996.00	996.00	528.00
72001 - 74000	1,128.00	1,128.00	576.00
74001 - 76000	1,248.00	1,248.00	612.00
76001 - 78000	1,380.00	1,380.00	720.00
78001 - 80000	1,512.00	1,512.00	864.00
80001 - 84000	1,776.00	1,776.00	1,152.00

The purchase of the license tag exceeding 80,000 gross vehicle weight is limited to the transport of products as provided for harvest permits as defined in Section 27-19-81(4). Such license tag shall be a "HP" license tag with weight allowance printed on the cab card only.

In addition to the above levied annual highway privilege tax on vehicles with a gross weight exceeding ten thousand (10,000) pounds, there is levied and shall be collected an additional privilege tax in the amount of One Thousand Eight Hundred Seventy-five Dollars (\$1,875.00) for each current or later year model vehicle based upon a licensed weight of eighty-four thousand (84,000) pounds. This additional privilege tax shall be reduced by the amount of One Hundred Seventy-five Dollars (\$175.00) for each year of age to a minimum of Fifty Dollars (\$50.00) and further reduced by the ratio of licensed weight to the maximum weight of eighty-four thousand (84,000) pounds. During the first year only, the privilege tax monies collected under the provisions of this paragraph shall be distributed to the various counties of the state on the basis of the ratio of the last year of annual ad valorem taxes collected by such counties on such vehicles to the total ad valorem taxes collected by all counties on such vehicles in the same year. In all subsequent years, the distribution to the counties shall be made on the basis of the ratio of the number of motor vehicles registered in excess of ten thousand (10,000) pounds, in each taxing district in each county, to the total number of such vehicles registered statewide. The counties shall then distribute these proceeds as they would if these collections were ad valorem taxes.

From the privilege tax monies collected under this section, Three Million Seven Hundred Thirty-two Thousand Four Hundred Three Dollars and Eleven Cents (\$3,732,403.11) shall be earmarked and set aside to be apportioned and paid to the counties of the state in the manner provided by Section 27-19-159, Mississippi Code of 1972. Any excess privilege tax monies collected under this section shall be deposited into the State Highway Fund for the construction, maintenance and reconstruction of highways and roads of the State of Mississippi or the payment of interest and principal on bonds authorized by the 1972 Regular Session of the Legislature for construction and reconstruction of highways.

No privilege license shall be issued for any period of time for less than One Dollar (\$1.00). Any person making application for the license tag under this section is required to sign an affidavit attesting to facts indicating the applicability of this section. Proof of

purchase of valid harvest permit for the vehicle must be presented at time of purchase of the license tag.

The annual highway privilege tax imposed on operators engaged exclusively in the transportation of household goods shall be the same as the tax imposed upon private commercial carriers by this section. In determining the amount of privilege taxes due under the provisions of this section, there shall be allowed a maximum tolerance of five hundred (500) pounds on all classes of carriers except carriers of liquefied compressed gases and in the case of carriers of liquefied compressed gases there shall be allowed a maximum tolerance of two thousand (2,000) pounds.

Any owner or operator who operates a motor vehicle on the public highways, with a license tag attached to it which was issued for another or different vehicle, shall be liable for the privilege tax on said vehicle for twelve (12) months plus a penalty thereon of twenty-five percent (25%).

Carriers of property duly registered and licensed in another state and being used to transport farm harvesting machinery or equipment to and from a particular county in this state may, upon adoption of a resolution by the board of supervisors of the county where such machinery or equipment is being exclusively used in harvesting farm crops within the county, be exempt from the taxes herein levied when the resolution is filed with the Department of Revenue. However, the exemption shall not exceed a period of forty (40) days for any annual period without a second resolution of approval by the board of supervisors who shall have the authority to extend the exemption not to exceed an additional period of twenty (20) days during any annual period.

A private commercial carrier of property hauling interstate may purchase a common and contract carrier of property license plate at the prescribed fee to allow the carrier to lease on a one-way basis per trip without qualifying with the Public Service Commission.

(2) Beginning January 1, 2024, an owner of a carrier of property whose gross vehicle weight does not exceed ten thousand (10,000) pounds may choose a license tag with a black background and a white pinstripe border. "Mississippi" shall be printed at the top, and the name of the county shall be printed at the bottom. The application and the additional fee of Thirty-eight Dollars and Twenty-five Cents (\$38.25), less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the department within seven (7) days of the date the application is made. The remaining Thirty-six Dollars and Twenty-five Cents (\$36.25) of the additional fee shall be deposited to the credit of the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund established in Section 45-2-1. In all other respects, tags issued under this subsection (2) shall follow the guidelines for tags issued under subsection (1) of this section.

SECTION 3. This act shall take effect and be in force from and after January 1, 2024, and shall stand repealed on December 31, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-19-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OWNER OF A PRIVATE CARRIER OF PASSENGERS OR MOTORCYCLE MAY CHOOSE A REGULAR LICENSE TAG WITH A BLACK BACKGROUND AND A WHITE PINSTRIPE BORDER, WITH "MISSISSIPPI" PRINTED AT THE TOP AND THE NAME OF THE COUNTY PRINTED AT THE BOTTOM; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAG; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAG; TO AMEND SECTION 27-19-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OWNER OF A CARRIER OF PROPERTY WHOSE GROSS VEHICLE WEIGHT DOES NOT EXCEED 10,000

POUNDS MAY CHOOSE A LICENSE TAG WITH A BLACK BACKGROUND AND A WHITE PINSTRIPE BORDER, WITH "MISSISSIPPI" PRINTED AT THE TOP AND THE NAME OF THE COUNTY PRINTED AT THE BOTTOM; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAG; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAG; AND FOR RELATED PURPOSES.

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Senator Harkins moved that the rules be suspended to move to calendar item 56, **S. B. No. 2887**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2887** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 635 by striking "its passage" and inserting in lieu thereof "July 1, 2023, and shall stand repealed on June 30, 2023".

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Senator Harkins moved that the rules be suspended to move to calendar item 45, **S. B. No. 2692**, and the motion prevailed.

Senator Harkins called up the following House Amendment to **S. B. No. 2692** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The provisions of this section shall apply to every section of this act that relates to the issuance of bonds unless otherwise provided in this act.

(2) As used in this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "State" means the State of Mississippi.

(b) "Commission" means the State Bond Commission.

(3) The principal of and interest on the bonds authorized under this act shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this act, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this act from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this act, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (1) of the applicable section of this act. The proceeds of such bonds shall be disbursed from the special fund under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this act. Any resolution providing for the issuance of bonds under the provisions of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this act, or under such resolution, and may enforce and compel performance of all duties required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof. As used in this section, the "accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (a) the stated initial value of such bond, plus (b) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(16) This act shall be deemed to be full and complete authority for the exercise of the powers granted in this act that relate to the issuance of bonds, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state that relates to the issuance of bonds.

SECTION 2. (1) (a) (i) A special fund, to be designated as the "2023 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

		AMOUNT
NAME	PROJECT	ALLOCATED
Alcorn State University .....		\$ 1.00
	Repair, renovation,	
	and expansion of and upgrades,	
	improvements and additions	
	to the David L. Whitney	
	Complex and Wellness	
	Center.....	\$ 1.00
Alcorn State University/Division of		
Agriculture.....		\$ 1.00
	Preplanning for renovation	
	of the poultry science	
	facilities on the Lorman	
	Campus into a Poultry/Animal	
	Science Center Academic	
	Research Center Building	
	Complex.....	\$ 1.00

Delta State University ..... \$ 2.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 1.00

Repair and renovation

of and upgrades,

improvements and

additions to the

Walter Sillers Coliseum.....\$ 1.00

Jackson State University ..... \$ 1.00

Construction, furnishing

and equipping of a new

residence hall and related

facilities.....\$ 1.00

Mississippi State University ..... \$ 1.00

Repair, renovation, construction,

acquisition of property, furnishing

and equipping of related

facilities to house the

College of Architecture,

Art and Design.....\$ 1.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary Medicine ..... \$ 2.00



Repair and renovation

of and upgrades and

improvements to

Dorman Hall and

related facilities.....\$ 1.00

Preplanning for renovation

of and upgrades and

improvements to

the Bost Extension

Center.....\$ 1.00

Mississippi University for Women .....\$ 3.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 1.00

Preplanning for repair

and renovation of

and upgrades and

improvements to Old

Pohl Gym.....\$ 1.00

Preplanning for repair

and renovation of

and upgrades and

improvements to the

Hogarth Center.....\$ 1.00

Mississippi Valley State University.....\$ 1.00

Demolition of Leflore Hall

and preplanning for

construction, furnishing

and equipping of a new

residence hall and related

facilities.....\$ 1.00

University of Mississippi .....\$ 1.00

Construction,

furnishing and

equipping of a

new building and

related facilities

to house the School

of Accountancy.....\$ 1.00

University of Mississippi Medical Center.....\$ 3.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 1.00

Upgrades and improvements

to elevators and related

facilities.....\$ 1.00

Development and

implementation of

campus wayfinding

system.....\$ 1.00

University of Southern Mississippi .....\$ 1.00

Construction, furnishing

and equipping of a new

science research facility...\$ 1.00

University of Southern Mississippi/Gulf

Coast Campuses.....\$ 1.00

Repair, renovation,

and upgrading of

campus buildings

and facilities at

the Gulf Coast

Research Laboratory,

Halstead Campus.....\$ 1.00

IHL Education and Research Center.....\$ 4.00

Replacement of a

chiller and related

equipment for the campus

air conditioning and

heating system.....\$ 1.00

Replacement of cooling

tower and related

equipment for the

campus air conditioning

and heating system.....\$ 1.00

Replacement of roof

for the

Universities Center.....\$ 1.00

Replacement of campus

emergency management

system.....\$ 1.00

TOTAL .....\$ 22.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued

by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Twenty-two Dollars (\$22.00). No bonds shall be issued under this section after July 1, 2027.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 3. (1) (a) (i) A special fund, to be designated as the "2023 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma.....	\$ 1.00
Copiah-Lincoln .....	1.00
East Central.....	1.00
East Mississippi.....	1.00
Hinds.....	1.00

Holmes .....	1.00
Itawamba.....	1.00
Jones.....	1.00
Meridian .....	1.00
Mississippi Delta.....	1.00
Mississippi Gulf Coast .....	1.00
Northeast Mississippi.....	1.00
Northwest Mississippi .....	1.00
Pearl River.....	1.00
Southwest Mississippi.....	1.00
GRAND TOTAL.....	\$15.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such

resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Fifteen Dollars (\$15.00). No bonds shall be issued under this section after July 1, 2027.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 4. (1) (a) (i) A special fund, to be designated as the "2023 State Agencies Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

STATE AGENCIES.....\$ 36.00

Department of Corrections.....\$ 5.00

Planning, repair and

renovation of and code

and security upgrades and

improvements to housing units

at Mississippi State

Penitentiary.....\$ 1.00

Planning, repair and

renovation of and code

and security upgrades and

improvements to housing units

at East Mississippi

Correctional Facility.....\$ 1.00

Planning, repair and

renovation of and code

and security upgrades and

improvements to housing units

at South Mississippi

Correctional Institution.....\$ 1.00

Planning, repair and

renovation of and code

and security upgrades and

improvements to housing units

at Marshall County

Correctional Facility.....\$ 1.00

Planning, repair and

renovation of and code

and security upgrades and

improvements to facilities,

grounds and infrastructure

under the care and control

of the department statewide....\$ 1.00

Department of Finance and Administration.....\$ 8.00

Planning, repair,

renovation, improvements,

furnishing and equipping

of Capitol Facilities

buildings to optimize



space.....\$ 1.00

Planning, repair, renovation,

replacements and improvements

of mechanical systems

including controls

serving Capitol Facilities

buildings.....\$ 1.00

Planning, repair, renovation,

replacements and improvements

of elevators serving

Capitol Facilities

buildings.....\$ 1.00

Planning and construction

of non-potable water

supplies for Central

Mechanical Plants.....\$ 1.00

Planning, repair, renovation,

replacements, installation,

and improvements to fire

alarm, access control,

and camera systems at

Capitol Facilities

buildings and grounds.....\$ 1.00

Planning, repair, and

replacement of roofs at  
buildings under the care  
and control of the  
department.....\$ 1.00

Planning, repair, renovation,  
replacement, upgrades, and  
installation of generators  
serving Capitol Facilities  
buildings.....\$ 1.00

Planning, repair and  
renovation of and code  
and security upgrades and  
improvements to facilities,  
grounds and infrastructure  
under the care and control  
of the department.....\$ 1.00

Department of Mental Health.....\$ 20.00

Planning, repair, renovation,  
improvements, furnishing  
and equipping of  
Group Home kitchens  
at Group Homes under  
the care and control  
of East Mississippi State

Hospital.....\$ 1.00

Planning and replacement

of chiller and associated

equipment serving E Building

at East Mississippi State

Hospital.....\$ 1.00

Preplanning of construction,

furnishing and equipping of

a new building to replace

existing Administration

Building at East Mississippi

State Hospital.....\$ 1.00

Planning, repair, and

restoration of windows

at the Mississippi

State Hospital.....\$ 1.00

Planning, repair, renovation,

and replacement and improvements

to plumbing systems

at the Mississippi

State Hospital.....\$ 1.00

Planning, masonry repair,

repainting and waterproofing

of buildings

at the Mississippi

State Hospital.....\$ 1.00

Planning, repair, and

replacement of roofs at

buildings at Boswell

Regional Center.....\$ 1.00

Planning, repair, replacements,

and improvements to campus

roads and parking areas

at Boswell Regional

Center.....\$ 1.00

Planning and replacement

of HVAC systems at

Auditorium at Boswell

Regional Center.....\$ 1.00

Planning, repair, and

waterproofing at

Bldg. 4/Rec. at

Ellisville State School.....\$ 1.00

Planning, repair, and

renovation, improvements,

furnishing and equipping

of cottages at Hudspeth

Regional Center.....\$ 1.00

Planning, repair, and

renovation, replacements,

and improvements to campus

sidewalks at Hudspeth

Regional Center.....\$ 1.00

Planning repair, and

replacement of roofs at

buildings at North

Mississippi Regional Center.....\$ 1.00

Planning and installation

of new generator at

Nutrition Services at

North Mississippi

Regional Center.....\$ 1.00

Planning repair, and

replacement of roofs at

buildings at South

Mississippi Regional Center.....\$ 1.00

Planning and replacement

of fire alarm system

at South Mississippi

Regional Center.....\$ 1.00

Planning, repair, renovation,

replacements and improvements

of mechanical systems

including controls

serving North Mississippi

State Hospital.....\$ 1.00

Planning and replacement

of generator at North

Mississippi State Hospital.....\$ 1.00

Planning, repair,

renovation, furnishing

and equipping of

dormitory facilities

at Mississippi Adolescent

Center.....\$ 1.00

Planning, repair,

renovation, improvements,

furnishing, and equipping

of dormitory kitchen at

Specialized Treatment Facility.....\$ 1.00

Department of Public Safety.....\$ 2.00

Continuation of construction,

furnishing and equipping of

a headquarters replacement

building and related

facilities adjacent

to the State Crime Lab.....\$ 1.00

Continuation of construction,

furnishing and equipping of

new Troop G Highway Patrol

Substation in Starkville.....\$ 1.00

Mississippi Department of Health.....\$ 1.00

Planning, repair, and

renovation to building

envelope at Osborne Building.....\$ 1.00

TOTAL.....\$ 36.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the agency for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued

by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an agency that are in excess of that needed to complete the projects at such agency that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the agency. In addition, any amounts allocated to an agency for the projects at such agency that are described in paragraph (a) of this subsection shall be reduced by the amount of any other funds authorized by the Legislature during the 2023 Regular Session specifically for such purposes.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed Thirty-six Dollars (\$36.00); however, the total amount of bonds that may be issued under this section shall be reduced by the amount of any other funds authorized by the Legislature during the 2023 Regular Session specifically for the purposes described in subsection (1) of this section. No bonds shall be issued under this section after July 1, 2027.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 5. (1) (a) (i) A special fund, to be designated as the "2023 Department of Finance and Administration Statewide Repair and Renovation Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of site and infrastructure improvements, general repairs and renovations, weatherization, roofing, environmental mitigation, mechanical, electrical and structural repairs required for state-owned facilities, universities and community and junior colleges, repairs, renovations and improvements necessary for compliance with the Americans with Disabilities Act or other codes, purchase and installation of necessary furniture and equipment, and continuation and completion of previously authorized projects.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with



the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (1) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the department shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission is authorized to proceed under the provisions of Section 1(6) of this act. The total amount of bonds issued under this section shall not exceed One Dollar (\$1.00); however, the total amount of bonds that may be issued under this section shall be reduced by the amount of any other funds authorized by the Legislature during the 2023 Regular Session specifically for the purposes described in subsection (1) of this section. No bonds shall be issued under this section after July 1, 2027.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (1) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The provisions of Section 1 of this act shall apply to the issuance of bonds authorized under this section.

SECTION 6. Section 1, Chapter 480, Laws of 2021, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not

lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University .....		\$ 5,675,000.00
	Phase I of repair and	
	renovation of and	
	upgrades and improvements	
	to campus dormitories.....	\$ 5,675,000.00
Delta State University .....		\$ 10,800,000.00
	Renovation and expansion	
	of and upgrades,	
	improvements and additions	
	to the Robert E. Smith	
	School of Nursing	
	Building and related	
	facilities.....	\$ 7,800,000.00
	Repair, renovation	
	and upgrading of	
	campus buildings	
	and facilities.....	\$ 3,000,000.00
Jackson State University .....		\$ 6,500,000.00

Phase III of repair,  
  
renovation and  
  
upgrading of campus  
  
buildings, facilities,  
  
and infrastructure.....\$ 6,000,000.00

Preplanning for  
  
construction, furnishing  
  
and equipping of a new  
  
dining facility and  
  
related facilities.....\$ 500,000.00

Mississippi State University ..... \$ 15,000,000.00

Phase I of construction,  
  
furnishing and equipping  
  
of a new building and  
  
related facilities to  
  
house the College of  
  
Architecture, Art  
  
and Design.....\$ 15,000,000.00

Mississippi State University/Division of  
  
Agriculture, Forestry and Veterinary Medicine ..... \$ 8,000,000.00

Repair and renovation of  
  
and upgrades and  
  
improvements to Dorman Hall  
  
and related facilities.....\$ 8,000,000.00

Mississippi University for Women ..... \$ 2,750,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 2,750,000.00

Mississippi Valley State University..... \$ 500,000.00

Preplanning for repair,

renovation, furnishing

and equipping of the

Charles Lackey

Recreation Center.....\$ 500,000.00

University of Mississippi ..... \$ 12,000,000.00

Construction, furnishing

and equipping of a new

mechanical and power

plant building and related

facilities.....\$ 12,000,000.00

University of Mississippi Medical Center..... \$ 8,000,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 8,000,000.00

University of Southern Mississippi ..... \$ 10,750,000.00

Repair and renovation

of Hickman Hall and

related facilities.....\$ 10,000,000.00

Preplanning and

construction, furnishing

and equipping of a new

science research facility...\$ 750,000.00

University of Southern Mississippi/Gulf

Coast Campuses ..... \$ 5,800,000.00

\* \* \* Renovation and expansion

of and upgrades,

improvements and additions

to Hardy Hall to house the

Executive Education \* \* \* Center

and related facilities

on the Gulf Park

Campus.....\$ 4,800,000.00

Repair, renovation

life safety, and

ADA code upgrades,

furnishing and equipping

of campus buildings

and facilities

at the Gulf Coast

Research Laboratory,

Halstead Campus.....\$ 1,000,000.00

IHL Education and Research Center ..... \$ 600,000.00

Planning, repair, renovation,

life safety and ADA code

upgrades of buildings,

facilities and infrastructure,

including the Paul B. Johnson

Tower, Edsel E. Thrash

Universities Center and

the Mississippi Public

Broadcasting Building.....\$ 600,000.00

TOTAL ..... \$ 86,375,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Three Hundred Seventy-five Thousand Dollars (\$86,375,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be

payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall

become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 7. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Water Pollution Control Revolving Fund established in Section 49-17-85, Mississippi Code of 1972. Upon the adoption of a resolution by the Commission on Environmental Quality declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission; however, the Commission on Environmental Quality shall declare the necessity for the issuance of bonds only in the amount necessary to match projected federal funds available through the following federal fiscal year from the annual Clean Water State Revolving Fund (CWSRF) appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent,



prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Dollar (\$1.00).

(b) The proceeds of bonds issued pursuant to this subsection shall be deposited into the Water Pollution Control Revolving Fund created pursuant to Section 49-17-85, Mississippi Code of 1972.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. Interest and investment earnings on money in the Water Pollution Control Revolving Fund shall be utilized to pay the principal and

interest on such bonds as they become due. If the interest and investment earnings of the fund and any funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund created in Section 49-17-85, Mississippi Code of 1972. After the transfer of the proceeds of any such sale or sales to the Water Pollution Control Revolving Fund, any investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the Water Pollution Control Revolving Fund and shall be used only for the purposes provided in Section 49-17-85, Mississippi Code of 1972. The proceeds of such bonds shall be disbursed solely upon the order of the Commission on Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 8. Section 49-17-85, Mississippi Code of 1972, is amended as follows:

49-17-85. (1) There is established in the State Treasury a fund to be known as the "Water Pollution Control Revolving Fund," which shall be administered by the commission acting through the department. The revolving fund may receive bond proceeds and funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source, public or private. The revolving fund shall be maintained in perpetuity for the purposes established in this section.

(2) There is established in the State Treasury a fund to be known as the "Water Pollution Control Hardship Grants Fund," which shall be administered by the commission acting through the department. The grants fund shall be maintained in perpetuity for the purposes established in this section. Any interest earned on monies in the grants fund shall be credited to that fund.

(3) The commission shall promulgate regulations for the administration of the revolving fund program, the hardship grants program and for related programs authorized under this section. The regulations shall be in accordance with the federal Water Quality Act of 1987, as amended, and regulations and guidance issued under that act. The commission may enter into capitalization grant agreements with the United States Environmental Protection Agency and may accept capitalization grant awards made under Title VI of the Water Quality Act of 1987, as amended.

(4) The commission shall establish a loan program which shall commence after October 1, 1988, to assist political subdivisions in the construction of water pollution control projects. Loans from the revolving fund may be made to political subdivisions as set forth in a loan agreement in amounts not exceeding one hundred percent (100%) of eligible project costs as established by the commission. Notwithstanding loan amount limitations set forth in Section 49-17-61, the commission may require local participation or funding from other sources, or otherwise limit the percentage of costs covered by loans from the revolving fund. The commission may establish a maximum amount for any loan in order to provide for broad and equitable participation in the program.

(5) The commission shall establish a hardship grants program for rural communities, which shall commence after July 1, 1997, to assist severely economically disadvantaged small rural political subdivisions in the construction of water pollution control projects. The commission may receive and administer state or federal funds, or both, appropriated for the operation of this grants program and may take all actions necessary to implement the program in accordance with the federal hardship grants program. The hardship grants program shall operate in conjunction with the revolving loan program administered under this section.

(6) The commission shall act for the state in all matters and with respect to all determinations under Title VI of the federal Water Quality Act of 1987, as amended, and the federal Omnibus Appropriations and Recision Act of 1996.

(7) Except as otherwise provided in this section, the revolving fund may be used only:

(a) To make loans on the condition that:

(i) The loans are made at or below market interest rates, at terms not to exceed the maximum time allowed by federal law after project completion; the interest rate and term may vary from time to time and from loan to loan at the discretion of the commission;

(ii) Periodic principal and interest payments will commence when required by the commission but not later than one (1) year after project completion and all loans will be fully amortized when required by the commission but not later than the maximum time allowed by federal law after project completion;

(iii) The recipient of a loan will establish a dedicated source of revenue for repayment of loans;

(b) To buy or refinance the debt obligation of political subdivisions at or below market rates, where the debt obligations were incurred after March 7, 1985, and where the projects were constructed in compliance with applicable federal and state regulations;

(c) To guarantee, or purchase insurance for, obligations of political subdivisions where the action would improve credit market access or reduce interest rates;

- (d) To provide loan guarantees for similar revolving funds established by municipalities or intermunicipal agencies;
  - (e) To earn interest on fund accounts;
  - (f) To establish nonpoint source pollution control management programs;
  - (g) To establish estuary conservation and management programs;
  - (h) For the reasonable costs of administering the revolving fund and conducting activities under this act, subject to the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended, and subject to annual appropriation by the Legislature;
  - (i) In connection with the issuance, sale and purchase of bonds under Section 31-25-1 et seq., related to the funding of projects, to provide security or a pledge of revenues for the repayment of the bonds; and
  - (j) To pay the principal and interest on bonds issued pursuant to Section 11 of Chapter 580, Laws of 2007, Section 1 of Chapter 492, Laws of 2008, Section 47 of Chapter 557, Laws of 2009, Section 45 of Chapter 533, Laws of 2010, Section 3 of Chapter 480, Laws of 2011, Section 36 of Chapter 569, Laws of 2013, Section 9 of Chapter 452, Laws of 2018, Section 1 of Chapter 415, Laws of 2019, Section 16 of Chapter 492, Laws of 2020, \* \* \* Section 137 of Chapter 480, Laws of 2021, and Section 7 of this act, as they become due; however, only interest and investment earnings on money in the fund may be utilized for this purpose.
- (8) The hardship grants program shall be used only to provide hardship grants consistent with the federal hardship grants program for rural communities, regulations and guidance issued by the United States Environmental Protection Agency, subsections (3) and (5) of this section and regulations promulgated and guidance issued by the commission under this section.
- (9) The commission shall establish by regulation a system of priorities and a priority list of projects eligible for funding with loans from the revolving fund.
- (10) The commission may provide a loan from the revolving fund only with respect to a project if that project is on the priority list established by the commission.
- (11) The revolving fund shall be credited with all payments of principal and interest derived from the fund uses described in subsection (7) of this section. However, notwithstanding any other provision of law to the contrary, all or any portion of payments of principal and interest derived from the fund uses described in subsection (7) of this section may be designated or pledged for repayment of a loan as provided in Section 31-25-28 in connection with a loan from the Mississippi Development Bank.
- (12) The commission may establish and collect fees to defray the reasonable costs of administering the revolving fund if it determines that the administrative costs will exceed the limitations established in Section 603(d)(7) of Title VI of the federal Clean Water Act, as amended. The administration fees may be included in loan amounts to political subdivisions for the purpose of facilitating payment to the commission. The fees may not exceed five percent (5%) of the loan amount.
- (13) Except as otherwise provided in this section, the commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to the six (6) most southern counties of the state covered by the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in such counties; however, the interest on the loans shall not be forgiven for a period of more than twenty-four (24) months and the maturity of the loans shall not be extended for a period of more than forty-eight (48) months.
- (14) The commission may, on a case-by-case basis and to the extent allowed by federal law, renegotiate the payment of principal and interest on loans made under this section to Hancock County as a result of coverage under the Presidential Declaration of Major Disaster for the State of Mississippi (FEMA-1604-DR) dated August 29, 2005, and to political subdivisions located in Hancock County.
- SECTION 9. Section 18, Chapter 492, Laws of 2020, is amended as follows:
- Section 18. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:
- (a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the

interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Commission on Environmental Quality, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the grant program authorized in Section 19 of this act. Upon the adoption of a resolution by the Commission on Environmental Quality, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Commission on Environmental Quality shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* One Million One Dollars (\$1,000,001.00). No bonds authorized under this section shall be issued after July 1, 2024.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Dam Safety Fund created pursuant to Section \* \* \* 19 of this act. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized

under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Dam Safety Fund created in Section \* \* \* 19 of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Environmental Quality under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such

warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 10. Sections 6 through 20, Chapter 521, Laws of 1995, as amended by Section 17, Chapter 503, Laws of 2003, as amended by Section 2, Chapter 477, Laws of 2004, as amended by Section 2, Chapter 456, Laws of 2006, as amended by Section 3, Chapter 492, Laws of 2008, as amended by Section 47, Chapter 533, Laws of 2010, as amended by Section 13, Chapter 480, Laws of 2011, as amended by Section 35, Chapter 569, Laws of 2013, as amended by Section 8, Chapter 452, Laws of 2018, as amended by Section 12, Chapter 454, Laws of 2019, as amended by Section 25, Chapter 492, Laws of 2020 are amended as follows:

Section 6. The board created in Section 41-3-16, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred by the board in constructing new water systems or repairing existing water systems described in Section 41-3-16. Upon the adoption of a resolution by the board declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the board shall deliver a certified copy of its resolution or resolutions to the State Bond Commission. Upon receipt of such resolution, the State Bond Commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the tax exempt or taxable bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The amount of bonds issued under Sections 6 through 20 of this act shall not exceed \* \* \* Thirty-six Million Eight Hundred Forty-four Thousand Dollars (\$36,844,000.00), the proceeds of which shall be deposited in the revolving fund and Five Million Dollars (\$5,000,000.00), the proceeds of which shall be deposited in the emergency fund.

Section 7. The principal of and interest on the bonds authorized under Section 6 of this act shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the State Bond Commission.

Section 8. The bonds authorized by Section 6 of this act shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be affixed thereto, attested by the Secretary of the State Bond Commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 9. All bonds and interest coupons issued under the provisions of Sections 6 through 20 of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the

powers granted by Sections 6 through 20 of this act, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 10. The State Bond Commission shall act as the issuing agent for the bonds authorized under Sections 6 through 20 of this act, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under Sections 6 through 20 of this act from the proceeds derived from the sale of the bonds. The State Bond Commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, to be selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of Sections 6 through 20 of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 11. The bonds issued under the provisions of Sections 6 through 20 of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 12. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under Sections 6 through 20 of this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest on the bonds, on their due dates.

Section 13. Upon the issuance and sale of bonds under the provisions of Sections 6 through 20 of this act, the State Bond Commission shall transfer the proceeds of any sale or sales of bonds to the revolving fund and the emergency fund in the amounts specified in Section 6 of this act. After such transfer, all investment earnings or interest earned on the proceeds of such bonds shall be deposited to the credit of the revolving fund and the emergency fund, and shall be used only for the purposes established in Section 41-3-16. The proceeds of such bonds shall be disbursed solely upon the order of the board created in Section 1 of this act under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

Section 14. The bonds authorized under Sections 6 through 20 of this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by Sections 6 through 20 of this act. Any resolution providing for the issuance of bonds under the provisions of Sections 6 through 20 of this act shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.



Section 15. The bonds authorized under the authority of Sections 6 through 20 of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 16. Any holder of bonds issued under the provisions of Sections 6 through 20 of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce all rights granted under Sections 6 through 20 of this act, or under such resolution, and may enforce and compel performance of all duties required by Sections 6 through 20 of this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 17. All bonds issued under the provisions of Sections 6 through 20 of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 18. Bonds issued under the provisions of Sections 6 through 20 of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 19. The proceeds of the bonds issued under the provisions of Sections 6 through 20 of this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 20. Sections 6 through 20 of this act shall be deemed to be full and complete authority for the exercise of the powers granted, but Sections 6 through 20 of this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 11. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the Mississippi Community Heritage Preservation Grant Fund created pursuant to Section 39-5-145, Mississippi Code of 1972. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed One Dollar (\$1.00). No bonds authorized under this section shall be issued after July 1, 2027.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Community Heritage Preservation Grant Fund created pursuant to Section 39-5-145, Mississippi Code of 1972. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Community Heritage Preservation Grant Fund created in Section 39-5-145, and the proceeds of such bonds shall be disbursed for the purposes provided in Section 39-5-145, Mississippi Code of 1972.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 12. Section 39-5-145, Mississippi Code of 1972, is amended as follows:

39-5-145. (1) A special fund, to be designated the "Mississippi Community Heritage Preservation Grant Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any monies designated for deposit therein from any source, including proceeds of any state general obligation bonds designated for deposit therein. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The expenditure of monies deposited into the fund shall be under the direction of the Department of Finance and Administration, based upon recommendations of the Board of Trustees of the Department of Archives and History, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration. Monies deposited into such fund shall be allocated and disbursed according to the provisions of this section. If any monies in the special fund are derived from proceeds of state general obligation bonds and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the

Department of Finance and Administration shall provide an accounting of such unused monies to the State Bond Commission.

(2) Monies deposited into the fund shall be allocated and disbursed as follows:

(a) (i) \* \* \* Fifty-six Million Fifty Thousand One Dollars (\$56,050,001.00) shall be allocated and disbursed as grants on a reimbursable basis through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service in helping pay the costs incurred in preserving, restoring, rehabilitating, repairing or interpreting 1. historic county courthouses, 2. historic school buildings, and/or 3. other historic properties identified by certified local governments. Where possible, expenditures from the fund shall be used to match federal grants or other grants that may be accessed by the Department of Archives and History, other state agencies, county governments or municipal governments, school districts or nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service. Any properties, except those described in paragraphs (b) and (d) of this subsection, receiving monies pursuant to this section must be designated as "Mississippi Landmark" properties prior to selection as projects for funding under the provisions of this section.

(ii) One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be allocated and disbursed as grants through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments in helping pay the costs of historically appropriate restoration, repair and renovation of historically significant county courthouses. Grants to individual courthouses under this paragraph (a)(ii) shall not exceed Eight Hundred Seventy-five Thousand Dollars (\$875,000.00).

(b) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Amory Regional Museum in Amory, Mississippi, to pay the costs of capital improvements, repair, renovation, furnishing and/or equipping of the museum. The Department of Finance and Administration is directed to transfer Two Hundred Fifty Thousand Dollars (\$250,000.00) from the fund to the city on or before December 31, 2004, and the city shall place the funds into an escrow account. The city may expend the funds from the account only in an amount equal to matching funds that are provided from any source other than the state for the project. As the funds are withdrawn from the escrow account, the city shall certify to the Department of Finance and Administration the amount of the funds that have been withdrawn and that the funds withdrawn are in an amount equal to matching funds required by this paragraph.

(c) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to the Jacinto Foundation, Inc., to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the courthouse and related facilities in Jacinto, Mississippi, and to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping other buildings and facilities near the courthouse.

(d) Four Hundred Twenty-five Thousand Dollars (\$425,000.00) shall be allocated and disbursed as grant funds to the Oxford-Lafayette County Heritage Foundation to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing, equipping and/or acquiring the L.Q.C. Lamar Home in Oxford, Mississippi.

(e) One Million Four Hundred Twenty-five Thousand Dollars (\$1,425,000.00) shall be allocated and disbursed as grant funds to the City of Columbus, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Columbus City Hall building and related facilities.

(f) One Million Dollars (\$1,000,000.00) shall be allocated and disbursed as grant funds to the Town of Wesson, Mississippi, to pay the costs of restoration and renovation of the Old Wesson School.

(g) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Town of Shubuta, Mississippi, to assist in paying the

costs associated with construction, reconstruction, refurbishing, repair, renovation and restoration of the Shubuta Town Hall building and related facilities.

(h) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the City of Okolona, Mississippi, to assist in paying costs associated with the purchase, repair, renovation, furnishing and equipping of a building and related facilities on Main Street in the City of Okolona, for the purpose of establishing a welcome center in which historical information relating to the City of Okolona will be displayed, including, but not limited to, information relating to the furniture, banking, retail and farming industries; education; historical collections owned by individuals and organizations; genealogy; Okolona College; and the Battle of Okolona and the War Between the States.

(i) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Tallahatchie County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Tallahatchie County Courthouse.

(j) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to Wayne County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Wayne County Courthouse.

(k) Three Hundred Thousand Dollars (\$300,000.00) shall be allocated and disbursed as grant funds to assist in paying the cost of rehabilitation and restoration of Winterville Indian Mounds in Washington County, Mississippi.

(l) Five Hundred Thousand Dollars (\$500,000.00) shall be allocated and disbursed as grant funds to the City of Kosciusko, to assist the City of Kosciusko, Mississippi, in paying costs associated with (i) repair, renovation, furnishing, equipping, additions to and expansion of the Kosciusko Natchez Trace Visitor Center in the City of Kosciusko, Mississippi, and (ii) repair, renovation, furnishing, equipping, additions to and expansion of the historic Strand Theater in the City of Kosciusko, Mississippi.

(m) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Jefferson County, Mississippi, to assist in paying costs associated with repair, renovation, upgrades and improvements to the confederate cemetery and related properties and facilities in the county.

(n) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Tate County, Mississippi, to assist in paying costs associated with painting, refurbishment and historical restoration and renovation of the Tate County Courthouse.

(o) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Humphreys County, Mississippi, to assist in paying costs associated with repair and renovation of and upgrades and improvements to the Humphreys County Courthouse.

(p) One Hundred Fifty Thousand Dollars (\$150,000.00) of any monies deposited into the fund during Fiscal Year 2023 shall be allocated and disbursed as grant funds to assist in paying the costs associated with relocation, repair, renovation and restoration of a one-room school building and related facilities including costs incurred before July 1, 2022, and such grant funds shall not be subject to any requirement for matching funds.

(q) Monies in the Mississippi Community Heritage Preservation Grant Fund which are derived from proceeds of state general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Department of Archives and History in providing assistance directly related to a project described in paragraph (a) of this subsection for which funding is provided under this section. Reimbursement may be made only until such time as the project is completed. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Mississippi Department of Archives and History. Reimbursement of reasonable actual and necessary costs for a project shall not exceed three percent (3%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) (a) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments, municipal governments,

school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service for projects associated with the preservation, restoration, rehabilitation, repair or interpretation of (i) historic courthouses, (ii) historic school buildings, and/or (iii) other historic properties identified by certified local governments. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(ii), (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), (2)(g), (2)(h) and (2)(j) of this section.

(b) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments for projects associated with historically appropriate restoration, repair and renovation of historically significant county courthouses. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(i), (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(4) The Department of Archives and History shall publicize the Community Heritage Preservation Grant Program described in this section on a statewide basis, including the publication of the criteria and standards used by the department in selecting projects for funding. The selection of a project for funding under the provisions of this section shall be made solely upon the deliberate consideration of each proposed project on its merits. The board shall make every effort to award the grants in a manner that will fairly distribute the funds in regard to the geography and cultural diversity of the state. This subsection shall not apply to projects described in subsection (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(5) With regard to any project awarded funding under this section, any consultant, planner, architect, engineer, exhibit contracting firm, historic preservation specialist or other professional hired by a grant recipient to work on any such project shall be approved by the board before their employment by the grant recipient.

(6) Plans and specifications for all projects initiated under the provisions of this section shall be approved by the board before the awarding of any contracts. The plans and specifications for any work involving "Mississippi Landmark" properties shall be developed in accordance with "The Secretary of the Interior's Standards for the Treatment of Historic Properties."

SECTION 13. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-601. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued

under this section shall not exceed One Dollar (\$1.00). No bonds authorized under this section shall be issued after July 1, 2027.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the Mississippi Main Street Investment Grant Fund created pursuant to Section 57-1-601. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the Mississippi Main Street Investment Grant Fund created in Section 57-1-601. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 14. Section 3, Chapter 421, Laws of 2019, is amended as follows:

Section 3. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.



(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-16. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Twenty-nine Million Dollars (\$29,000,000.00). No bonds authorized under this section shall be issued after July 1, 2023.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the ACE Fund created pursuant to Section 57-1-16. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ACE Fund created in Section 57-1-16. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 15. Section 6, Chapter 492, Laws of 2020, which authorizes the issuance of state general obligation bonds in the amount of Ten Million Dollars (\$10,000,000.00) for the ACE Fund created in Section 57-1-16, is repealed.

SECTION 16. There is created in the State Treasury a special fund designated as the "2023 ACE Fund Supplementary Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies deposited into the fund shall be used for supplementing the ACE Fund created in Section 57-1-16 to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs it administers.

SECTION 17. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirty-one Million Dollars (\$31,000,000.00) from the Capital Expense Fund to the 2023 ACE Fund Supplementary Fund created in Section 16 of this act.

SECTION 18. Section 4, Chapter 460, Laws of 2006, is amended is follows:

Section 4. (1) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in Section 2 of this act. Upon the issuance of a certificate by the executive director of the department, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the executive director shall deliver a certified copy of his certificate or certificates to the commission. Upon receipt of the certificate, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this act shall not exceed \* \* \* Twenty Million Seven Hundred Twenty Thousand Dollars (\$20,720,000.00).

(2) Any investment earnings on amounts deposited into the special fund created in Section 2 of this act shall be used to pay debt service on bonds issued under this act, in accordance with the proceedings authorizing issuance of the bonds.

SECTION 19. Section 1, Chapter 454, Laws of 2019, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2019 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

AMOUNT

NAME	PROJECT	ALLOCATED
Alcorn State University .....		\$ 6,320,000.00
	Planning, repair, renovation, life safety and ADA code upgrades, furnishing and equipping of campus buildings, facilities, and infrastructure and continuation and completion of previously authorized projects.....	\$ 6,320,000.00
Alcorn State University/Division of Agriculture .....		\$ 720,000.00
	Phase I of repair, renovation, furnishing, equipping and expansion of and additions to the Child Development Laboratory Center.....	\$ 720,000.00
Delta State University .....		\$ 7,320,000.00
	Planning, repair, renovation, life safety and ADA code upgrades, furnishing and equipping and expansion of and additions to campus buildings, facilities, and infrastructure.....	\$ 7,320,000.00
Jackson State University .....		\$ 6,740,000.00
	Repair, renovation, furnishing, equipping and expansion of and additions and improvements to campus buildings, facilities and infrastructure.....	\$ 6,740,000.00
Mississippi State University .....		\$ 10,320,000.00
	Phase II of construction, furnishing and equipping of a new building and related facilities to house the Kinesiology Department.....	\$ 10,000,000.00
	Preplanning of construction, demolition, furnishing and equipping of a new building and related facilities to house the College of Architecture, Art and Design.....	\$ 320,000.00
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine.....		\$ * * * 7,985,000.00
	Repair and renovation of buildings and related facilities at the Sustainable Bioproducts Complex and repair and renovation of Ballew Hall and related facilities.....	\$ * * * 7,985,000.00
Mississippi University for Women .....		\$ 6,645,000.00
	Phase I of construction,	

furnishing and equipping of a new building and related facilities to house the Culinary Arts Program.....\$ 6,645,000.00	
Mississippi Valley State University.....	\$ 6,320,000.00
Phase I of Student Union improvements and planning, repair, renovation, life safety and ADA code upgrades, furnishing and equipping and expansion of and additions to campus buildings, facilities, and infrastructure.....\$ 6,320,000.00	
University of Mississippi .....	\$ 5,320,000.00
Repair, renovation, furnishing, equipping and expansion of and additions to the Data Center Building and related facilities.....\$ 5,320,000.00	
University of Mississippi Medical Center.....	\$ 12,000,000.00
Matching funds for site development, planning, design, construction, repair, renovation, furnishing, equipping, additions to and expansion of Blair E. Batson Children's Hospital and related facilities at the University of Mississippi Medical Center.....\$ 12,000,000.00	
University of Southern Mississippi .....	\$ 13,300,000.00
Planning, repair, renovation, life safety and ADA code upgrades, furnishing and equipping and expansion of and additions to campus buildings including the Cook Library and Old Kinesiology, other facilities, and infrastructure.....\$ 8,300,000.00	
Construction of improvements, upgrades and additions to campus infrastructure including roads and streets, sidewalks, parking lots and related facilities.....\$ 5,000,000.00	
University of Southern Mississippi/Gulf Coast Campuses .....	\$ 1,700,000.00
Planning, repair, renovation, life safety, and ADA code upgrades, furnishing and equipping of campus buildings, facilities, and	

infrastructure at any of the coast campuses including Gulf Park, Halstead and Cedar Point.....	\$ 1,700,000.00
IHL Education and Research Center .....	\$ 690,000.00
Repair, renovation, furnishing, equipping and expansion of and additions and improvements to campus buildings, facilities and infrastructure.....	\$ 690,000.00
TOTAL .....	\$ * * * 85,380,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things

necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Eighty-five Million Three Hundred Eighty Thousand Dollars (\$85,380,000.00). No bonds shall be issued under this section after July 1, 2023.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State

Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 20. Section 1, Chapter 492, Laws of 2020, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.



(2) (a) (i) A special fund, to be designated as the "2020 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University		\$ 3,650,000.00
	Campus safety and security project, including open space development, sprinkler systems for dormitories, security camera installation, card access systems, street lighting, and emergency kiosks.....	\$ 3,650,000.00
Alcorn State University/Division of Agriculture		\$ 2,635,000.00
	Phase II of repair, renovation, furnishing, equipping and expansion of and additions to the Child Development Learning Center.....	\$ 2,635,000.00
Delta State University		\$ 3,000,000.00
	Repair, renovation, and upgrading of campus buildings and facilities.....	\$ 3,000,000.00
Jackson State University		\$ 5,260,000.00
	Phase III of repair, renovation, and upgrading of campus buildings, facilities, and infrastructure.....	\$ 5,260,000.00
* * *		
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine		\$ 7,935,000.00
	Phase II of repair and renovation, replacement and/or demolition of Ballew Hall and related facilities.....	\$ 7,535,000.00
	Pre-planning for repair and renovation of Dorman Hall and related facilities.....	\$ 400,000.00
Mississippi University for Women		\$ 13,000,000.00
	Phase II of construction, furnishing and equipping of a new building and related facilities to house the Culinary Arts Program.....	\$ 13,000,000.00

Mississippi Valley State University.....	\$ 13,435,000.00
Phase II of Student Union	
improvements and planning,	
repair, renovation, life	
safety and ADA code upgrades,	
furnishing and equipping	
and expansion of and	
additions to campus	
buildings, facilities, and	
infrastructure.....	\$ 13,435,000.00
University of Mississippi .....	\$ 13,530,000.00
Phase II of repair, renovation,	
furnishing, equipping and	
expansion of and additions	
to the Data Center Building	
and related facilities.....	\$ 13,530,000.00
University of Mississippi Medical Center.....	\$ 5,680,000.00
Replacement of HVAC	
systems, boilers and	
related equipment,	
infrastructure and controls....	\$ 5,680,000.00
University of Southern Mississippi .....	\$ 6,500,000.00
Phase II of repair and	
renovation of the	
Kinesiology Building	
and related facilities.....	\$ 6,000,000.00
Pre-planning for repair	
and renovation of	
Hickman Hall and	
related facilities.....	\$ 500,000.00
University of Southern Mississippi/Gulf	
Coast Campuses.....	\$ 700,000.00
Pre-planning for design	
of Executive Education	
and Conference Center	
and related facilities	
on the Gulf Park	
campus.....	\$ 200,000.00
Planning, repair,	
renovation, life safety,	
and ADA code upgrades,	
furnishing and equipping	
of campus buildings	
and facilities	
at the Gulf Coast	
Research Laboratory,	
Halstead Campus.....	\$ 500,000.00
IHL Education and Research Center .....	\$ 1,400,000.00
Replace mechanical air	
handlers at Jackson State	
University's Edsel E.	
Thrash Universities	
Center and the Mississippi	
Public Broadcasting	
Building.....	\$ 1,400,000.00
TOTAL .....	\$ *** 76,725,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds

authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Seventy-six Million Seven Hundred Twenty-five Thousand Dollars (\$76,725,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or

without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 21. Section 1, Chapter 480, Laws of 2021, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University .....		\$ 5,675,000.00

Phase I of repair and  
 renovation of and  
 upgrades and improvements  
 to campus dormitories.....\$ 5,675,000.00  
 Delta State University ..... \$ 10,800,000.00  
 Renovation and expansion  
 of and upgrades,  
 improvements and additions  
 to the Robert E. Smith  
 School of Nursing  
 Building and related  
 facilities.....\$ 7,800,000.00  
 Repair, renovation  
 and upgrading of  
 campus buildings  
 and facilities.....\$ 3,000,000.00  
 Jackson State University ..... \$ 6,500,000.00  
 Phase III of repair,  
 renovation and  
 upgrading of campus  
 buildings, facilities,  
 and infrastructure.....\$ 6,000,000.00  
 Preplanning for  
 construction, furnishing  
 and equipping of a new  
 dining facility and  
 related facilities.....\$ 500,000.00  
 Mississippi State University ..... \$ \* \* \* 4,820,000.00  
 Phase I of construction,  
 furnishing and equipping  
 of a new building and  
 related facilities to  
 house the College of  
 Architecture, Art  
 and Design.....\$ \* \* \* 4,820,000.00  
 Mississippi State University/Division of  
 Agriculture, Forestry and Veterinary  
 Medicine..... \$ \* \* \* 1,600,000.00  
 Repair and renovation of  
 and upgrades and  
 improvements to Dorman Hall  
 and related facilities.....\$ \* \* \* 1,600,000.00  
 Mississippi University for Women ..... \$ 2,750,000.00  
 Repair, renovation,  
 and upgrading of  
 campus buildings  
 and facilities.....\$ 2,750,000.00  
 Mississippi Valley State University..... \$ 500,000.00  
 Preplanning for repair,  
 renovation, furnishing  
 and equipping of the  
 Charles Lackey  
 Recreation Center.....\$ 500,000.00  
 University of Mississippi ..... \$ 12,000,000.00  
 Construction, furnishing  
 and equipping of a new  
 mechanical and power  
 plant building and related  
 facilities.....\$ 12,000,000.00

University of Mississippi Medical Center.....	\$ 8,000,000.00
Repair, renovation, and upgrading of campus buildings and facilities.....	\$ 8,000,000.00
University of Southern Mississippi .....	\$ 10,750,000.00
Repair and renovation of Hickman Hall and related facilities.....	\$ 10,000,000.00
Preplanning and construction, furnishing and equipping of a new science research facility...	\$ 750,000.00
University of Southern Mississippi/Gulf Coast Campuses .....	\$ * * * 1,500,000.00
Construction, furnishing and equipping of Executive Education and Conference Center and related facilities on the Gulf Park Campus * * *, and Repair, renovation, life safety, and ADA code upgrades, furnishing and equipping of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus.....	\$ * * * 1,500,000.00
IHL Education and Research Center .....	\$ 600,000.00
Planning, repair, renovation, life safety and ADA code upgrades of buildings, facilities and infrastructure, including the Paul B. Johnson Tower, Edsel E. Thrash Universities Center and the Mississippi Public Broadcasting Building.....	\$ 600,000.00
TOTAL .....	\$ * * * 65,495,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for

which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Sixty-five Million Four Hundred Ninety-five Thousand Dollars (\$65,495,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such



bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 22. There is created in the State Treasury a special fund designated as the "2023 IHL Capital Projects Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Mississippi State University/Division of	Agriculture, Forestry and Veterinary Medicine .....	\$ 2,500.00
	Repair and renovation of	
	buildings and related	
	facilities at the	
	Sustainable Bioproducts	
	Complex and repair and	
	renovation of Ballew Hall	
	and related facilities.....	\$ 2,500.00
Mississippi State University .....		\$ 10,000,000.00
	Phase III of construction,	
	furnishing and equipping of	
	a new building and related	
	facilities to house the	
	Kinesiology Department.....	\$ 10,000,000.00
Mississippi State University .....		\$ 10,180,000.00
	Phase I of construction,	
	furnishing and equipping	
	of a new building and	
	related facilities to	
	house the College of	
	Architecture, Art	
	and Design.....	\$ 10,180,000.00

Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine .....	\$ 6,400,000.00
Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....	\$ 6,400,000.00
University of Southern Mississippi/Gulf Coast Campuses.....	\$ 4,300,000.00
Construction, furnishing and equipping of Executive Education and Conference Center and related facilities on the Gulf Park; and Repair, renovation life safety, and ADA code upgrades, furnishing and equipping of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus.....	\$ 4,300,000.00
TOTAL .....	\$ 30,882,500.00

SECTION 23. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirty Million Eight Hundred Eighty-two Thousand Five Hundred Dollars (\$30,882,500.00) from the Capital Expense Fund to the 2023 IHL Capital Projects Fund created in Section 22 of this act.

SECTION 24. Section 3, Chapter 492, Laws of 2020, is amended as follows:

Section 3. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2020 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this act.

(ii) 1. Except as otherwise provided, monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma.....	\$ 1,615,000.00
Copiah-Lincoln .....	1,915,000.00
East Central.....	* * * 1,500,000.00
East Mississippi.....	2,125,000.00
Hinds.....	3,925,000.00

Holmes .....	2,640,000.00
Itawamba.....	* * * 0.00
Jones.....	2,340,000.00
Meridian .....	1,955,000.00
Mississippi Delta.....	1,795,000.00
Mississippi Gulf Coast .....	3,440,000.00
Northeast Mississippi.....	2,040,000.00
Northwest Mississippi .....	3,500,000.00
Pearl River.....	2,365,000.00
Southwest Mississippi.....	* * * 0.00
GRAND TOTAL.....	\$ * * * 31,155,000.00

Funds disbursed to Northwest Mississippi Community College under this section shall be used by the college to assist in paying costs associated with construction, furnishing and equipping of the Northwest Mississippi Community College Performing Arts Center and related facilities and the community college shall be exempt from Department of Finance and Administration control and supervision relating to such project.

2. The Department of Finance and Administration is authorized to transfer not more than One Million Dollars (\$1,000,000.00) of available bond funds under this section or any other law to each community college requesting to be exempt from department control and supervision relating to the repair, renovation and improvement of existing facilities owned by the community colleges, including utility infrastructure projects; heating, ventilation and air conditioning systems; and the replacement of furniture and equipment. The community colleges shall comply with all applicable statutes related to the purchase of the repair, renovation and improvement of such existing facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Thirty-one Million

One Hundred Fifty-five Thousand Dollars (\$31,155,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special funds created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 25. Section 2, Chapter 480, Laws of 2021, is amended as follows:

Section 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund

shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this act.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma.....	\$ 1,601,497.00
Copiah-Lincoln .....	1,914,389.00
East Central.....	*** 1,030,000.00
East Mississippi.....	*** 0.00
Hinds.....	3,858,858.00
Holmes .....	2,670,171.00
Itawamba.....	*** 1,532.00
Jones.....	2,354,904.00
Meridian .....	1,932,245.00
Mississippi Delta.....	1,801,892.00
Mississippi Gulf Coast .....	3,410,539.00
Northeast Mississippi.....	*** 0.00
Northwest Mississippi .....	2,937,492.00
Pearl River.....	2,456,481.00
Southwest Mississippi.....	*** 0.00
GRAND TOTAL.....	\$ *** 25,970,000.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate

method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Twenty-five Million Nine Hundred Seventy Thousand Dollars (\$25,970,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special funds created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature



are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 26. There is created in the State Treasury a special fund designated as the "2023 Community Colleges Capital Projects Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction

of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

East Central.....	\$ 1,078,372.00
East Mississippi.....	2,070,016.00
Itawamba.....	4,879,814.00
Northeast Mississippi.....	2,052,257.00
Southwest Mississippi.....	3,384,541.00
<b>TOTAL .....</b>	<b>\$ 13,465,000.00</b>

SECTION 27. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirteen Million Four Hundred Sixty-five Thousand Dollars (\$13,465,000.00) from the Capital Expense Fund to the 2023 Community Colleges Capital Projects Fund created in Section 26 of this act.

SECTION 28. Section 57-75-15, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars (\$77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section

57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred

Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed \* \* \* Fifteen Million One Hundred Thousand Dollars (\$15,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed \* \* \* Seventy Million Dollars (\$70,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed \* \* \* Six Million Dollars (\$6,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(dd) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall not exceed Two Hundred Forty-six Million Seven Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$246,798,550.00); however, the total amount of bonds that may be issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxii) shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 First Extraordinary Session specifically for such projects. No bonds shall be issued under this paragraph after July 1, 2040.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and

Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) and (c) of this subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing grants and loans as authorized in Section 57-75-11(tt);

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate; and

(xxiv) Providing loans, grants and other funds as authorized in Sections 57-75-11(xx) and 57-75-11(yy) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the

issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before

the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of

payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes



under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj), Section 57-75-11(vv) and Section 57-75-11(xx) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

[From and after July 1, 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars (\$77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an

amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2016.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed \* \* \* Fifteen Million One Hundred Thousand Dollars (\$15,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed \* \* \* Seventy Million Dollars (\$70,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed \* \* \* Six Million Dollars (\$6,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(dd) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall not exceed Two Hundred Forty-six Million Seven Hundred

Ninety-eight Thousand Five Hundred Fifty Dollars (\$246,798,550.00); however, the total amount of bonds that may be issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 First Extraordinary Session specifically for such projects. No bonds shall be issued under this paragraph after July 1, 2040.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

- (i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;
- (ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;
- (iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;
- (iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;
- (v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;
- (vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;
- (vii) Providing for the payment of interest on the bonds;
- (viii) Providing debt service reserves;
- (ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;
- (x) For purposes authorized in paragraphs (b) and (c) of this subsection (4);
- (xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;
- (xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);
- (xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);
- (xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);
- (xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;
- (xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);
- (xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing loans as authorized in Section 57-75-11(tt);

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate; and

(xxiv) Providing loans, grants and other funds as authorized in Sections 57-75-11(xx) and 57-75-11(yy) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The

Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds on sealed bids at public sale, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to date of delivery of the bonds to the purchaser. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually; provided that the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any

funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department

of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj), Section 57-75-11(vv) and Section 57-75-11(xx) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.



SECTION 29. Section 2, Chapter 522, Laws of 2011, is amended as follows:

Section 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2011 Mississippi Civil Rights Museum and Museum of Mississippi History Construction Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of the following projects:

Preplanning, to include contracting with consultants with expertise in planning a civil rights museum and in artifact acquisition and of exhibit planning; the acquisition, storage and relocating of artifacts; exhibit design through construction documents, exhibit fabrication and exhibit installation; and designing, preplanning the construction of, and the construction, furnishing and equipping of the Mississippi Civil Rights Museum on state-owned property adjacent to the new Museum of Mississippi History located in the City of Jackson,

Mississippi ..... \$ 20,000,000.00

Acquisition, storing and relocating of artifacts; exhibit design through construction, documents, exhibit fabrication and exhibit installation; and designing and preplanning the construction of the new Museum of Mississippi History on state-owned property located in the City of Jackson, Mississippi; and the construction, furnishing and equipping of Phase I of such museum; and designing, preplanning the construction of, and the construction of a parking garage and related facilities to serve the Mississippi Civil Rights Museum or the new Museum of

Mississippi History ..... \$ \* \* \* 17,996,623.00

Total ..... \$ \* \* \* 37,996,623.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in

paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any monies allocated for a project described in paragraph (a) of this subsection that are in excess of that needed to complete the project may be used for other projects described in paragraph (a) of this subsection. In addition, any monies allocated for a project described in paragraph (a) of this subsection may be used for facilities that will be jointly used by each museum described in paragraph (a) of this subsection.

(3) (a) (i) Subject to the provisions of this subsection, the commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Thirty-seven Million Nine Hundred Ninety-six Thousand Six Hundred Twenty-three Dollars (\$37,996,623.00).

(ii) Planning for the construction of both museums described in subsection (2) of this section to include the parking garage, must be completed and cost estimates must be completed for the finished museums, less exhibit furnishings/displays, prior to any bonds being issued under this section to provide funds for the construction of either museum.

(iii) No bonds may be issued under this section for the purpose of providing funds to pay any costs associated with artifacts or exhibits for either of the museums described in subsection (2) of this section until the commission is provided proof that funds from private, local and/or federal sources have been irrevocably dedicated for such purposes in an amount equal to the amount of bonds to be issued to provide funds for such purposes.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, and attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds, and for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bond shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 30. Chapter 464, Laws of 1999, as amended by Chapter 386, Laws of 2000, as amended by Section 2, Chapter 553, Laws of 2010, as amended by Section 44, Chapter 472, Laws of 2015, is amended as follows:

Section 1. As used in this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

Section 2. (1) (a) A special fund, to be designated as the "1999 Department of Wildlife, Fisheries and Parks Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state and investment earnings on amounts in the fund shall be deposited into such fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishing and/or equipping facilities and purchasing real property for public facilities for the Department of Wildlife, Fisheries and Parks for the following projects:

(i) Critical dam repairs to lakes  
in, and renovation and repair of existing facilities  
and equipping facilities at the following parks

and fishing lakes:

Bolivar .....	\$ 500,000.00
Neshoba .....	450,000.00
Tom Bailey .....	275,000.00
Roosevelt .....	150,000.00
Trace .....	800,000.00
Legion .....	100,000.00
Percy Quinn .....	100,000.00
Walthall County .....	700,000.00
Tombigbee .....	100,000.00
Perry County .....	100,000.00
TOTAL .....	\$ 3,275,000.00

(ii) Repairs, renovation and  
construction at the following state fish  
hatcheries:

Turcotte .....	\$ 200,000.00
Meridian .....	250,000.00
Lyman .....	1,000,000.00
North Mississippi .....	1,000,000.00
TOTAL .....	\$ 2,450,000.00

(iii) Construction of new  
headquarters buildings, and renovation and  
repair of existing headquarters buildings as  
considered necessary and appropriate by the  
Department of Wildlife, Fisheries and Parks  
at the following wildlife management areas:

Tuscumbia, Yockanookany, Choctaw, Chickasaw, Calhoun, Grenada, Chickasawhay, Sunflower .....	\$ 1,550,000.00
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(iv) Construction of new, and  
renovation and repair of equipment sheds as  
considered necessary and appropriate by the  
Department of Wildlife, Fisheries and Parks  
at the following wildlife management areas:

Black Prairie, Trim Cane, Malmaison, Caney Creek, Tallahala, Bienville, Chickasawhay, Sandy Creek, Caston Creek, Little Biloxi, Old River, Upper and Lower Pascagoula, Wolf River .....	\$ 150,000.00
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(v) Construction of new  
facilities and storage sheds, and renovation  
and repair of existing facilities and storage  
sheds at the following state lakes:

Lamar Bruce, Simpson County, Bogue Homa, Kemper County, Jeff Davis, Bill Waller, Mary Crawford, Oktibbeha County, Tippah County, Monroe County .....	\$ 875,000.00
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(vi) Construction of lakes  
(including, but not limited to, construction  
of dams, drainage structures and spillways  
related to such lakes), and construction of  
facilities, buildings, day use areas, campsites,  
infrastructure, utilities, roads, boat ramps  
and parking for such lakes in the following  
counties:

Copiah County .....	\$ 3,250,000.00
George County .....	\$ 500,000.00
TOTAL .....	\$ 3,750,000.00

(vii) Repair, renovation,

reconstruction or resurfacing of a certain  
public road in Yalobusha County beginning at  
Mississippi Highway 32 and extending northerly  
to the entrance of George Payne Cossar State  
Park .....

\$ 200,000.00

(viii) Repair, renovation

and restoration of Lakeland Park in Wayne

County..... \$ 100,000.00

(ix) Repair, renovation,

reconstruction and resurfacing of certain  
public roads in Panola County beginning at  
the intersection of John Harmon Road and  
Mississippi Highway 315 and extending  
northerly along John Harmon Road and thence  
easterly along State Park Road to John Kyle  
State Park. Any state aid road funds or other  
funds that may be available for such road  
projects may be used to match any of the funds  
authorized under this subparagraph (ix).

However, if no state aid road funds or other  
funds are available to match the funds made  
available under this subparagraph (ix), then  
the funds authorized under this subparagraph  
(ix) may be used for the road project along  
State Park Road, and any remaining funds may  
be used on the John Harmon Road project.....

\$ 500,000.00

(x) Paving a walking/bicycle

path at Percy Quinn State Park ..... \$ 25,000.00

(xi) Repair and renovation of

manager and assistant manager residences at

Percy Quinn State Park..... \$ 50,000.00

GRAND TOTAL ..... \$ \* \* \* 12,906,373.00

(c) If a project described in paragraph (b) of this subsection is completed  
without utilizing the full amount of the funds allocated for such project, the Department of  
Wildlife, Fisheries and Parks may utilize such excess funds as necessary to complete  
any of the other projects described in paragraph (b) of this section.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs  
of projects described in subsection (1) of this section. Promptly after the commission  
has certified, by resolution duly adopted, that the projects described in subsection (1)  
shall have been completed, abandoned, or cannot be completed in a timely fashion, any  
amounts remaining in such special fund shall be applied to pay debt service on the  
bonds issued under this act, in accordance with the proceedings authorizing the  
issuance of such bonds and as directed by the commission.

(3) The Department of Finance and Administration, acting through the Bureau of  
Building, Grounds and Real Property Management, is expressly authorized and  
empowered to receive and expend any local or other source funds in connection with  
the expenditure of funds provided for in this section. The expenditure of monies  
deposited into the special fund shall be under the direction of the Department of Finance  
and Administration, and such funds shall be paid by the State Treasurer upon warrants  
issued by such department, which warrants shall be issued upon requisitions signed by  
the Executive Director of the Department of Finance and Administration, or his  
designee.

(4) The Department of Finance and Administration is authorized to pay for the  
purchase of real estate, construction, repair, renovation, furnishing and equipping of  
facilities.

Section 3. (1) (a) A special fund, to be designated as the "Pat Harrison  
Waterway District Lake Improvements Fund," is created within the State Treasury. The  
fund shall be maintained by the State Treasurer as a separate and special fund,  
separate and apart from the General Fund of the state. Unexpended amounts

remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to:

(i) Assist the Pat Harrison Waterway District in paying the costs associated with construction of a lake in George County, Mississippi, (including, but not limited to, construction of dams, drainage structures and spillways related to such lake), and construction of facilities, buildings, day use areas, campsites, infrastructure, utilities, roads, boat ramps and parking for such lake; and

(ii) Assist the Pat Harrison Waterway District in paying expenses incurred by the district for administrative, management, legal, accounting, engineering and other costs associated with the implementation of this section. Funds provided to the Pat Harrison Waterway District under this subparagraph (ii) shall not exceed three percent (3%) of the amount of bond proceeds deposited into the special fund.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in subsection (1) of this section. Promptly after the commission has certified, by resolution duly adopted, that the projects described in subsection (1) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this act, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

Section 4. (1) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in Sections 2 and 3 of this act. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this act shall not exceed \* \* \* Fifteen Million Nine Hundred Six Thousand Three Hundred Seventy-three Dollars (\$15,906,373.00).

(2) The proceeds of the bonds issued pursuant to this act shall be deposited into the following special funds in not more than the following amounts:

(a) The 1999 Department of Wildlife, Fisheries and Parks  
Improvements Fund created pursuant to Section 2  
of this act..... \$ \* \* \* 12,906,373.00.

(b) The Pat Harrison Waterway District Lake Improvements Fund  
created pursuant to Section 3 of this  
act..... \$ 3,000,000.00.

(3) Any investment earnings on amounts deposited into the special funds created in Sections 2 and 3 of this act shall be used to pay debt service on bonds issued under this act, in accordance with the proceedings authorizing issuance of such bonds.

Section 5. The principal of and interest on the bonds authorized under this act shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or

rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

Section 6. The bonds authorized by this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 7. All bonds and interest coupons issued under the provisions of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 8. The commission shall act as the issuing agent for the bonds authorized under this act, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this act from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bond shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, to be selected by the commission.

The commission, when issuing any bonds under the authority of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 9. The bonds issued under the provisions of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 10. Upon the issuance and sale of bonds under the provisions of this act, the commission shall transfer the proceeds of any such sale or sales to the special funds created in Sections 2 and 3 of this act in the amounts provided for in Section 4(2) of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.



Section 11. The bonds authorized under this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this act. Any resolution providing for the issuance of bonds under the provisions of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

Section 12. The bonds authorized under the authority of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 13. Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this act, or under such resolution, and may enforce and compel performance of all duties required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 14. All bonds issued under the provisions of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 15. Bonds issued under the provisions of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 16. The proceeds of the bonds issued under this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 17. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

Section 18. This act shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 31. Section 3, Chapter 580, Laws of 2007, which authorizes state general obligation bonds in the amount of Four Million Dollars (\$4,000,000.00) to be issued for the Grand Gulf Access Road Construction Fund, to be spent under the direction of the Mississippi Transportation Commission, is repealed.

SECTION 32. There is created in the State Treasury a special fund designated as the "2023 MDOT Road Construction Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies deposited into the fund shall be disbursed, in the discretion of the Mississippi Department of Transportation, to assist in paying the costs of the Grand Gulf Access Road Project.

SECTION 33. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Four Million Dollars (\$4,000,000.00) from the Capital Expense Fund to the 2023 MDOT Road Construction Fund created in Section 32 of this act.

SECTION 34. Section 27-7-22.32, Mississippi Code of 1972, is brought forward as follows:

[Through December 31, 2023, this section shall read as follows:]

27-7-22.32. (1) (a) There shall be allowed as a credit against the tax imposed by this chapter the amount of the qualified adoption expenses paid or incurred, not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), for each dependent child legally adopted by a taxpayer under the laws of this state during calendar year 2006 or during any calendar year thereafter through calendar year 2017, and not to exceed Five Thousand Dollars (\$5,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (a) may not claim a credit under paragraph (b) of this subsection for the adoption of the same child.

(b) There shall be allowed as a credit against the tax imposed by this chapter the amount of Five Thousand Dollars (\$5,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state through the Mississippi Department of Child Protection Services during calendar year 2018 or during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (b) may not claim a credit under paragraph (a) of this subsection for the adoption of the same child.

(2) The tax credit under this section may be claimed for the taxable year in which the adoption becomes final under the laws of this state. Any tax credit claimed under this section but not used in any taxable year may be carried forward for the five (5) succeeding tax years. A tax credit is allowed under this section for any child for which an exemption is claimed during the same taxable year under Section 27-7-21(e). For the purposes of this section, the term "qualified adoption expenses" means and has the same definition as that term has in 26 USCS 36C.

[From and after January 1, 2024, this section shall read as follows:]

27-7-22.32. There shall be allowed as a credit against the tax imposed by this chapter the amount of the qualified adoption expenses paid or incurred, not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), for each dependent child legally adopted by a taxpayer under the laws of this state during calendar year 2006 or during any calendar year thereafter. The tax credit under this section may be claimed for the taxable year in which the adoption becomes final under the laws of this state. Any tax credit claimed under this section but not used in any taxable year may be carried forward for the three (3) succeeding tax years. A tax credit is allowed under this section for any child for which an exemption is claimed during the same taxable year under Section 27-7-21(e). For the purposes of this section, the term "qualified adoption expenses" means and has the same definition as that term has in 26 USCS 36C.

SECTION 35. Section 27-7-22.39, Mississippi Code of 1972, is brought forward as follows:

27-7-22.39. (1) As used in this section:

(a) "Low-income residents" means persons whose household income is less than one hundred fifty percent (150%) of the federal poverty level.

(b) "Qualifying charitable organization" means a charitable organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code or is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901. The organization must spend at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits or low-income residents of this state and their households or to children who have a chronic illness or physical, intellectual, developmental or emotional disability who are residents of this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. Taxpayers choosing to make donations through an umbrella charitable organization that collects donations on behalf of member charities shall designate that the donation be directed to a member charitable organization that would qualify under this section on a stand-alone basis. Qualifying charitable organization does not include

any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

(c) "Qualifying foster care charitable organization" means a qualifying charitable organization that each operating year provides services to at least one hundred (100) qualified individuals in this state and spends at least fifty percent (50%) of its budget on services to qualified individuals in this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying foster care charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. For the purposes of this paragraph, "qualified individual" means a child in a foster care placement program established by the Department of Child Protection Services, a child placed under the Safe Families for Children model, or a child at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(d) "Services" means:

(i) Cash assistance, medical care, child care, food, clothing, shelter, and job-placement services or any other assistance that is reasonably necessary to meet immediate basic needs and that is provided and used in this state;

(ii) Job-training or education services or funding for parents, foster parents or guardians; or (iii) Job-training or education services or funding provided as part of a foster care independent living program.

(2) Except as provided in subsections (3) and (4) of this section, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by the taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization, not to exceed:

(a) the lesser of Four Hundred Dollars (\$400.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

(b) The lesser of Eight Hundred Dollars (\$800.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(3) A separate credit is allowed against the taxes imposed by this chapter for voluntary cash contributions during the taxable year to a qualifying foster care charitable organization. A contribution to a qualifying foster care charitable organization does not qualify for, and shall not be included in, any credit amount under subsection (2) of this section. If the voluntary cash contribution by the taxpayer is to a qualifying foster care charitable organization, the credit shall not exceed:

(a) the lesser of Five Hundred Dollars (\$500.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

(b) The lesser of One Thousand Dollars (\$1,000.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(4) Subsections (2) and (3) of this section provide separate credits against taxes imposed by this chapter depending on the recipients of the contributions. A taxpayer, including a married couple filing a joint return, in the same taxable year, may either or both:

(a) Contribute to a qualifying charitable organization, other than a qualifying foster care charitable organization, and claim a credit under subsection (2) of this section.

(b) Contribute to a qualifying foster care charitable organization and claim a credit under subsection (3) of this section.

(5) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(6) If the allowable tax credit exceeds the taxes otherwise due under this chapter on the claimant's income, or if there are no taxes due under this chapter, the taxpayer may carry forward the amount of the claim not used to offset the taxes under this chapter for not more than five (5) consecutive taxable years' income tax liability.

(7) The credit allowed by this section is in lieu of a deduction pursuant to Section 170 of the Internal Revenue Code and taken for state tax purposes.

(8) Taxpayers taking a credit authorized by this section shall provide the name of the qualifying charitable organization and the amount of the contribution to the department on forms provided by the department.

(9) A qualifying charitable organization shall provide the department with a written certification that it meets all criteria to be considered a qualifying charitable organization. The organization shall also notify the department of any changes that may affect the qualifications under this section.

(10) The charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code or verification that the organization is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901.

(b) Financial data indicating the organization's budget for the organization's prior operating year and the amount of that budget spent on services to residents of this state who either:

(i) Receive temporary assistance for needy families benefits;

(ii) Are low-income residents of this state;

(iii) Are children who have a chronic illness or physical, intellectual, developmental or emotional disability; or

(iv) Are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(c) A statement that the organization plans to continue spending at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits, who are low-income residents of this state, who are children who have a chronic illness or physical, intellectual, developmental or emotional disability or who are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements for a qualifying charitable organization or qualifying foster care charitable organization except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi shall submit a statement that it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and that one hundred percent (100%) of the voluntary cash contributions it receives from Mississippi taxpayers will be spent on services to qualified individuals in Mississippi.

(d) In the case of a foster care charitable organization, a statement that each operating year it provides services to at least one hundred (100) qualified individuals in this state.

(e) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions.

(f) Any other information that the department requires to administer this section.

(11) The department shall review each written certification and determine whether the organization meets all the criteria to be considered a qualifying charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of the qualifying charitable organizations.

(12) The aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed Three Million Dollars (\$3,000,000.00). However, for calendar year 2021, and for each calendar year thereafter, the aggregate amount of

tax credits that may be awarded under this section in any calendar year shall not exceed One Million Dollars (\$1,000,000.00). In addition, any tax credits not awarded under this section before June 1, 2020, may be allocated during calendar year 2020 under Section 27-7-22.41 for contributions by taxpayers to eligible charitable organizations described in Section

27-7-22.41(1)(b)(ii) as provided under such section, notwithstanding any limitation on the percentage of tax credits that may be allocated for such contributions.

(13) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(14) This section shall be repealed from and after January 1, 2025.

SECTION 36. Section 27-7-22.41, Mississippi Code of 1972, is brought forward as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract with the Mississippi Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,
2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or
3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as an educational services charitable organization that is accredited by a regional accrediting organization and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,
2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or
3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible

charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) A statement that the funds generated from the tax credit shall be used for educational resources, staff and expenditures and/or other purposes described in this section.

(d) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the

date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars (\$5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00), for calendar year 2022, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Sixteen Million Dollars (\$16,000,000.00), and for calendar year 2023, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Eighteen Million Dollars (\$18,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than four and one-half percent (4-1/2%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 37. Section 27-7-22.43, Mississippi Code of 1972, is brought forward as follows:

27-7-22.43. (1) This section shall be known and may be cited as the "Pregnancy Resource Act."

(2) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is a pregnancy resource center or crisis pregnancy center eligible to receive funding disbursed by the Choose Life Advisory Committee under Section 27-19-56.70, 27-19-56.277 and/or 27-19-56.412.

(3) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. For a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(4) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(5) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(6) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(7) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(8) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(9) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon



final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(10) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). For credits allocated during a calendar year for contributions to eligible charitable organizations, no more than fifty percent (50%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 38. Section 27-67-31, Mississippi Code of 1972, is amended as follows:

27-67-31. All administrative provisions of the sales tax law, and amendments thereto, including those which fix damages, penalties and interest for failure to comply with the provisions of said sales tax law, and all other requirements and duties imposed upon taxpayer, shall apply to all persons liable for use taxes under the provisions of this article. The commissioner shall exercise all power and authority and perform all duties with respect to taxpayers under this article as are provided in said sales tax law, except where there is conflict, then the provisions of this article shall control.

The commissioner may require transportation companies to permit the examination of waybills, freight bills, or other documents covering shipments of tangible personal property into this state.

On or before the fifteenth day of each month, the amount received from taxes, damages and interest under the provisions of this article during the preceding month shall be paid and distributed as follows:

(a) On or before July 15, 1994, through July 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited in the School Ad Valorem Tax Reduction Fund created pursuant to Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars (\$4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess of Four Million Dollars (\$4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(b) On or before July 15, 1994, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Education Enhancement Fund created pursuant to Section 37-61-33.

(c) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter, the revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(d) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter and after the deposits required by paragraphs (a) and (b) of this section are made, the remaining revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(1) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(e) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1).

(f) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2).

(g) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, Four Hundred Sixteen Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$416,666.67) or one and one-fourth percent (1-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, Eight Hundred Thirty-three Thousand Three Hundred Thirty-three Dollars and Thirty-four Cents (\$833,333.34) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) or three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2022, and each succeeding month thereafter through July 15, 2023, One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2023, and each succeeding month thereafter, (i) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six

Dollars and Sixty-seven Cents (\$1,666,666.67) or three percent (3%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13, and (ii) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or three percent (3%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the State Aid Road Fund created in Section 65-9-17.

(h) On or before August 15, 2020, and each succeeding month thereafter through July 15, 2022, One Million Dollars (\$1,000,000.00) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. Amounts deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (h) shall be in addition to amounts deposited into the fund under paragraph (g) of this section.

(i) The remainder of the amount received from taxes, damages and interest under the provisions of this article shall be paid into the General Fund of the State Treasury by the commissioner.

SECTION 39. Section 65-9-17, Mississippi Code of 1972, is amended as follows:

65-9-17. (1) When any county shall have met the requirements of this chapter and shall have become eligible for state aid, the State Aid Engineer, as soon as practicable, shall notify such county in writing of such eligibility and that its proportionate part of any state funds allocated to it for state aid may be utilized for construction in the manner provided by law, and such notice shall also be given in writing to the Department of Finance and Administration and to the State Treasurer.

(2) State aid funds shall be allocated to each county for use on state aid system roads or roads on the Local System Road Program in accordance with the provisions of Section 27-65-75.

(3) State aid funds may be credited to a county in advance of the normal accrual to finance certain state aid improvements, subject to the approval of the State Aid Engineer and subject further to the following limitations:

(a) That the maximum amount of state aid funds that may be advanced to any county shall not exceed ninety percent (90%) of the state aid funds estimated to accrue to such county during the remainder of the term of office of the board of supervisors of such county.

(b) That no advance credit of funds will be made to any county when the unobligated balance in the State Aid Road Fund is less than One Million Dollars (\$1,000,000.00).

(c) That such advance crediting of funds be effected by the State Aid Engineer at the time of the approval of the plans and specifications for the proposed improvements.

It is the intent of this provision to utilize to the fullest practicable extent the balance of state aid funds on hand at all times.

(4) State aid funds shall be available to such county to the following extent and in the following manner:

(a) On state aid projects, other than those on or off the federal aid secondary system to be partially financed with federal funds, state aid funds credited to such county in the State Aid Road Fund shall be available to cover the cost of such project. Upon the awarding of a contract for such state aid project, the board of supervisors of any county will, by an official order of the board, authorize the State Aid Engineer to set up the project fund for such project from that county's state aid fund in the State Treasury. The amount of the project fund will cover the estimated cost of the project, including the contractor's payments and any other costs authorized under this chapter to be paid from state aid funds. Withdrawals from the project fund will be made by requisitions prepared by the State Aid Engineer, based on estimates and other supporting statements and documents prepared or approved by the county engineer, such requisitions, accompanied by such estimates and statements, to be directed to the Department of Finance and Administration, which will issue warrants in payment thereof. Requisitions may be drawn to cover the final cost of the project accepted by the boards

of supervisors of the counties affected and the State Aid Engineer, even though such cost exceeds the aforesaid estimated project fund. Whenever, in the opinion of the State Aid Engineer, it should appear that any such estimate or statement of account has been improperly allowed or that any road construction project is not proceeding in accordance with the plans, specifications and standards set up therefor, then, in such event, due notice in writing shall be given the board of supervisors of such county and the contractor on such project, if any, stating the reason why such account should not have been allowed or why such project is not progressing satisfactorily; and if, within thirty (30) days from the date of such notice in writing, such error or default is not corrected to the satisfaction of the State Aid Engineer, all state aid funds theretofore allocated to such eligible county shall be immediately withdrawn and notice given the Department of Finance and Administration and the State Treasurer that such county has become ineligible therefor. Such county shall remain ineligible until it again becomes eligible by satisfying the State Aid Engineer as to its eligibility.

(b) On state aid projects on the federal aid secondary system which are to be partially financed with federal funds, state aid funds credited to such county in the State Aid Road Fund shall be available to cover the sponsor's share of the cost of such project. At the same time, the State Treasurer, on order from the board of supervisors, shall transfer an amount up to one hundred percent (100%) of such cost from the credit of such county in the State Aid Road Fund to the credit of such county in the State Highway Fund, earmarked for such project.

(c) State aid road funds credited to a county in the State Aid Road Fund shall also be available to cover the sponsor's cost of any other project of such county which is partially financed with federal funds available through federal "safer off-system" road funds and/or other federal road funds allocated to the counties as provided for in accordance with Section 65-9-29(2). On order from the board of supervisors of such county, the State Treasurer shall transfer an amount up to one hundred percent (100%) of such cost from the credit of such county in the State Aid Road Fund to the credit of such county in the State Highway Fund, earmarked for such project.

(d) Up to one-third (1/3) of state aid road funds credited to a county in the State Aid Road Fund may be available to match federal bridge replacement monies or other federal funds, or both, to construct, replace, inspect or post bridges and to conduct pavement management surveys on county roads which are not on the state aid system. To implement such projects, the State Treasurer shall, as requested in an order from the board of supervisors of the county, make transfers out of the credit of such county in the State Aid Road Fund.

(e) Up to twenty-five percent (25%) of the state aid road funds credited to a county in the State Aid Road Fund may be available for projects authorized under the Local System Road Program. Withdrawals from the fund for the Local System Road Program will be made by requisitions prepared by the State Aid Engineer, based on estimates and other supporting statements and documents prepared or approved by the county engineer; such requisitions, accompanied by such estimates and statements, to be directed to the Department of Finance and Administration, which will issue warrants in payment thereof. Requisitions may be drawn to cover the final cost of the local system road project accepted by the boards of supervisors of the counties affected and the State Aid Engineer even though such cost exceeds the aforesaid estimated project fund. Whenever, in the opinion of the State Aid Engineer, it should appear that any such estimate or statement of account has been improperly allowed or that any road construction project is not proceeding in accordance with the plans, specifications and standards set up therefor, then, in such event, due notice in writing shall be given the board of supervisors of such county and the contractor on such project, if any, stating the reason why such account should not have been allowed or why such project is not progressing satisfactorily; and if, within thirty (30) days from the date of such notice in writing, such error or default is not corrected to the satisfaction of the State Aid Engineer, all state aid funds theretofore allocated to such eligible county shall be immediately withdrawn and notice given the Department of Finance and Administration and the State Treasurer that such county has become ineligible therefor. Such county shall remain ineligible until it again becomes eligible by satisfying the State Aid Engineer as to its eligibility.

(5) The State Treasurer is hereby authorized to continue to receive and deposit all funds from the federal government made available by it, either by existing law or by any law which may be passed hereafter, to the credit of the State Highway Fund, and the Treasurer shall notify the commission of the amounts so received.

All accounts against the above-mentioned funds shall be certified to by the Executive Director of the Mississippi Department of Transportation, who shall request the Department of Finance and Administration to issue its warrant on the State Treasurer for the amount of the accounts; and the Treasurer shall pay same if sufficient funds are available, all in the manner prescribed herein or as may be required by law.

(6) The board of supervisors of each county is hereby authorized and empowered to pay funds into the State Treasury in the manner above set out, and to use and expend such funds for the purposes set out in this chapter. For the purpose of providing such funds, the board of supervisors is hereby authorized and empowered to use and expend any county road and bridge funds, including revenue received from any gasoline taxes paid to such county, or any funds available in the General Fund, or to issue road and bridge bonds of such county in any lawful amount in the manner and method and subject to the restrictions, limitations and conditions, and payable from the same sources of revenue, now provided by law.

(7) (a) In addition any other provisions of this section, funds deposited into the State Aid Road Fund under Section 27-67-31(g) shall be used under this chapter to prioritize the timely repair and replacement of deficient state aid system bridges. Each county shall be allocated a percentage of such funds as they become available, which percentage shall be based:

(i) One-half (1/2) on the proportion that the total number of state aid system bridges in the county bears to the total number of state aid system bridges in all counties of the state; and

(ii) One-half (1/2) on the proportion that the total square footage of deck area of all state aid system bridges in the county bears to the total square footage of deck area of all state aid system bridges in all counties of the state.

(b) For the purposes of this subsection, (i) the term "deficient bridge" means a bridge with a condition rating of fair or less for its deck, superstructure or substructure, as determined by National Bridge Inspection Standards and that is included on the latest annual bridge inventory prepared by the Office of State Aid Road Construction and (ii) the term "state aid system bridge" means a bridge that is included on the latest annual official bridge inventory prepared by the Office of State Aid Road Construction, excluding bridges on the local bridge system and the rural major collector system.

SECTION 40. Section 19-11-27, Mississippi Code of 1972, is amended as follows:

19-11-27. No board of supervisors of any county shall expend from, or contract an obligation against, the budget estimates for road and bridge construction, maintenance and equipment, made and published by it during the last year of the term of office of such board, between the first day of October and the first day of the following January, a sum exceeding one-fourth (1/4) of such item of the budget made and published by it, except in cases of emergency. The clerk of any county is prohibited from issuing any warrant contrary to the provisions of this section. No board of supervisors nor any member thereof shall buy any machinery or equipment in the last six (6) months of their or his term unless or until he has been elected at the general election of that year. The provisions of this section shall not apply to (i) projects of any type that receive monies from the Local System Bridge Replacement and Rehabilitation Program, the Emergency Road and Bridge Repair Fund, the 2018 Transportation and Infrastructure Improvement Fund or the Gulf Coast Restoration Fund and (ii) to expenditures on deficient bridges in the State Aid Road System or the Local System Road Program that have been deemed to be a deficient bridge as defined in Section 65-37-3 or a deficient state aid system bridge as defined in Section 65-9-17(7), as the case may be, or to a contract, lease or lease-purchase contract executed pursuant to the bidding requirements in Section 31-7-13 and approved by a unanimous vote of the board. Such unanimous vote shall include a statement indicating the board's

proclamation that the award of the contract is essential to the efficiency and economy of the operation of the county government.

SECTION 41. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS FOR THE PURPOSE OF MAKING CAPITAL IMPROVEMENTS FOR STATE INSTITUTIONS OF HIGHER LEARNING, COMMUNITY AND JUNIOR COLLEGES AND STATE AGENCIES; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE UNIVERSITY OF SOUTHERN MISSISSIPPI MAY BE USED; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE MATCHING FUNDS FOR FEDERAL FUNDS FOR THE WATER POLLUTION CONTROL REVOLVING FUND; TO AMEND SECTION 49-17-85, MISSISSIPPI CODE OF 1972, TO AUTHORIZE INTEREST AND INVESTMENT EARNINGS ON MONEY IN THE WATER POLLUTION CONTROL REVOLVING FUND TO BE UTILIZED TO PAY DEBT SERVICE ON THE BONDS AUTHORIZED TO BE ISSUED BY THIS ACT; TO AMEND SECTION 18, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS THAT MAY BE ISSUED TO PROVIDE FUNDS FOR THE "MISSISSIPPI DAM SAFETY FUND"; TO AMEND SECTIONS 6 THROUGH 20, CHAPTER 521, LAWS OF 1995, AS LAST AMENDED BY SECTION 25, CHAPTER 492, LAWS OF 2020, TO INCREASE THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE LOCAL GOVERNMENTS AND RURAL WATER SYSTEMS IMPROVEMENTS REVOLVING LOAN FUND; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI MAIN STREET INVESTMENT GRANT FUND; TO AMEND SECTION 3, CHAPTER 421, LAWS OF 2019, TO REDUCE BY \$21,000,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE ACE FUND; TO REPEAL SECTION 6, CHAPTER 492, LAWS OF 2020, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$10,000,000.00 FOR THE ACE FUND; TO CREATE THE 2023 ACE FUND SUPPLEMENTARY FUND IN THE STATE TREASURY TO SUPPLEMENT THE ACE FUND IN REIMBURSING REASONABLE COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE ADMINISTRATION OF GRANT, LOAN AND FINANCIAL INCENTIVE PROGRAMS; TO TRANSFER \$31,000,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 ACE FUND SUPPLEMENTARY FUND; TO AMEND SECTION 4, CHAPTER 460, LAWS OF 2006, TO REDUCE BY \$9,280,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE DEPARTMENT OF MARINE RESOURCES EQUIPMENT AND FACILITIES FUND; TO AMEND SECTION 1, CHAPTER 454, LAWS OF 2019, TO REDUCE BY \$2,500.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF REPAIR AND RENOVATION OF BUILDINGS AND RELATED FACILITIES AT THE SUSTAINABLE BIOPRODUCTS COMPLEX AND REPAIR AND RENOVATION OF BALLEW HALL AND RELATED FACILITIES; TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, TO REMOVE THE \$10,000,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF PHASE III OF CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING AND RELATED FACILITIES TO HOUSE THE KINESIOLOGY DEPARTMENT; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REDUCE BY \$10,180,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING

MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF PHASE I OF CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING AND RELATED FACILITIES TO HOUSE THE COLLEGE OF ARCHITECTURE, ART AND DESIGN; TO REDUCE BY \$6,400,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY'S DIVISION OF AGRICULTURE, FORESTRY AND VETERINARY MEDICINE IN PAYING THE COSTS OF REPAIR AND RENOVATION OF, AND UPGRADES AND IMPROVEMENTS TO, DORMAN HALL AND RELATED FACILITIES; TO REDUCE BY \$4,300,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING THE UNIVERSITY OF SOUTHERN MISSISSIPPI IN PAYING THE COSTS OF CONSTRUCTION, FURNISHING AND EQUIPPING OF EXECUTIVE EDUCATION AND CONFERENCE CENTER AND RELATED FACILITIES ON ITS GULF PARK CAMPUS, AND OF REPAIR, RENOVATION, LIFE SAFETY, AND ADA CODE UPGRADES, FURNISHING AND EQUIPPING OF CAMPUS BUILDINGS AND FACILITIES AT THE GULF COAST RESEARCH LABORATORY, HALSTEAD CAMPUS; TO CREATE THE 2023 IHL CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF IHL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT, IN THE AMOUNT OF THE REDUCTION FOR EACH PROJECT; TO TRANSFER \$30,882,500.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 IHL CAPITAL PROJECTS FUND; TO AMEND SECTION 3, CHAPTER 492, LAWS OF 2020, TO REDUCE BY \$320,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE \$2,445,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE \$1,670,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO AMEND SECTION 2, CHAPTER 480, LAWS OF 2021, TO REDUCE BY \$758,372.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE \$2,070,016.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST MISSISSIPPI COMMUNITY COLLEGE; TO REDUCE BY \$2,434,814.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE \$2,052,257.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR NORTHEAST MISSISSIPPI COMMUNITY COLLEGE; TO REMOVE THE \$1,714,541.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO CREATE THE 2023 COMMUNITY COLLEGES CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF COMMUNITY COLLEGE CAPITAL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT IN THE AMOUNT OF THE REDUCTION FOR EACH COMMUNITY COLLEGE; TO TRANSFER \$13,465,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 COMMUNITY COLLEGES CAPITAL PROJECTS FUND; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO REDUCE BY \$20,000,000.00, \$60,000,000.00 AND \$5,000,000.00 THE AMOUNTS OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPHS (XXVI), (XXVIII) AND (XXX), RESPECTIVELY, OF SECTION 57-75-5(F); TO AMEND SECTION 2, CHAPTER 522, LAWS OF 2011, TO REDUCE BY \$3,377.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 2011 MISSISSIPPI CIVIL RIGHTS MUSEUM AND MUSEUM OF MISSISSIPPI HISTORY CONSTRUCTION FUND; TO AMEND CHAPTER 464, LAWS OF 1999, AS LAST AMENDED BY SECTION 44, CHAPTER 472, LAWS OF 2015, TO REDUCE BY \$18,627.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 1999 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS IMPROVEMENTS FUND; TO REPEAL SECTION 3, CHAPTER 580, LAWS OF 2007, WHICH AUTHORIZES STATE GENERAL OBLIGATION BONDS IN THE

AMOUNT OF \$4,000,000.00 TO BE ISSUED FOR THE GRAND GULF ACCESS ROAD CONSTRUCTION FUND TO BE SPENT UNDER THE DIRECTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO CREATE THE 2023 MDOT ROAD CONSTRUCTION FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF THE GRAND GULF ACCESS ROAD PROJECT; TO TRANSFER \$4,000,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 MDOT ROAD CONSTRUCTION FUND; TO BRING FORWARD SECTIONS 27-7-22.32, 27-7-22.39, 27-7-22.41 AND 27-7-22.43, WHICH AUTHORIZE CERTAIN TAX CREDITS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO REVISE THE PORTION OF STATE USE TAX REVENUE DEPOSITED INTO THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION FUND; TO PROVIDE THAT A PORTION OF STATE USE TAX REVENUE SHALL BE DEPOSITED INTO THE STATE AID ROAD FUND; TO AMEND SECTION 65-9-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUCH MONIES DEPOSITED INTO THE STATE AID ROAD FUND SHALL BE USED TO PRIORITIZE THE TIMELY REPAIR AND REPLACEMENT OF DEFICIENT STATE AID SYSTEM BRIDGES; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO ALLOW COUNTY BOARDS OF SUPERVISORS TO EXPEND MONIES ON CERTAIN DEFICIENT BRIDGES DURING THE LAST TERM OF OFFICE OF SUCH BOARDS; AND FOR RELATED PURPOSES.

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Senator Turner-Ford moved that the rules be suspended to move to calendar item 3, **H. B. No. 1286**, and the motion prevailed.

Senator Turner-Ford called up the motion to reconsider the vote whereby **H. B. No. 1286** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 1286:** Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center".

The foregoing motion prevailed.

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Senator Turner-Ford moved that the rules be suspended to move to calendar item 4, **H. B. No. 366**, and the motion prevailed.

Senator Turner-Ford called up the motion to reconsider the vote whereby **H. B. No. 366** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 366:** Sam G. Polles State Office Building; designate the MS Dept. of Wildlife Central Office Building as.

The foregoing motion prevailed.

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Senator Turner-Ford moved that the rules be suspended to move to calendar item 80, **H. B. No. 874**, and the motion prevailed.

Senator Turner-Ford called up the following entitled bill:

**H. B. No. 874:** MS Dept. of Archives and History property; authorize DFA to clarify donation of certain lands in Claiborne County to U.S. Dept. of Interior - National Park Service.

Senator Turner-Ford moved that **H. B. No. 874** be recommitted to Public Property, and the motion prevailed.



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Senator Wiggins entered a motion to reconsider the vote whereby **H. B. No. 1216** passed the Senate as amended.

**H. B. No. 1216:** Circuit judges and chancellors; increase office operating and expense allowances and support staff funding.

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Senator Hill entered a motion to reconsider the vote whereby **H. B. No. 1392** passed the Senate as amended.

**H. B. No. 1392:** MS Vulnerable Persons Abuse Registry; require Department of Human Services to establish.

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Senator Hickman entered a motion to reconsider the vote whereby **H. B. No. 1315** passed the Senate as amended.

**H. B. No. 1315:** Pornographic media materials; regulate access to minors and require age verification.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Rachel Goodman McGee of Columbus, MS.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2003:** Highways; Dedicate a section of Highway 12 to G. Louis Jones.

**S. B. No. 2077:** Charitable Organizations; Raise audit threshold for contributions to \$750,000.00, and use a cash basis only.

**S. B. No. 2164:** Real property owned by school districts; allow to be sold for development.

**S. B. No. 2197:** Veteran service officers; authorize certain action on behalf of a veteran under a power of attorney, provide immunity to.

**S. B. No. 2298:** Bail agents; revise procedure for determining in municipal and justice courts.

**S. B. No. 2337:** Conspiracy; revise statute of limitations.

**S. B. No. 2347:** Hospital police department; authorize for certain private entities.

**S. B. No. 2360:** Agricultural high schools; revise board membership.

**S. B. No. 2420:** Public Funds Offender Registry; create.

**S. B. No. 2545:** Highways; Dedicate a section of Highway 35 to Constable Raye Hawkins.

**S. B. No. 2546:** Highways; dedicate a section of Highway 51 to Deputy Joe Kenneth Cosby.

**S. B. No. 2547:** Highways; Dedicate a section of Highway 315 to Nolan Mettetal.

**S. B. No. 2602:** Highway Memorials; designate segment of Highway 25 to Kash McGraw and Bridge to Stacey Ricks.

**S. B. No. 2751:** Sixteenth section lands; no law, ordinance or regulation shall prohibit school districts from using for educational facilities.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2079:** Mississippi School Protection Act; enact to allow armed educators.

**S. B. No. 2082:** Child support; administratively suspend obligations for incarcerated individuals.

**S. B. No. 2127:** Terroristic threats; revise elements of.

**S. B. No. 2167:** Early Intervention Task Force; establish.

**S. B. No. 2239:** State law enforcement officers; authorize use of uniforms, weapons and vehicles off duty while performing security services.

**S. B. No. 2333:** Public schools; require staff training to assist with seizures.

**S. B. No. 2361:** Mississippi Modified School Calendar Grant Program; establish and provide eligibility criteria.

**S. B. No. 2371:** American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act; create.

**S. B. No. 2384:** Foster Care and Adoption Task Force; create.

**S. B. No. 2487:** Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish.

**S. B. No. 2495:** State inmates; require MDOC to pay increased rate to house inmates in county jails.

**S. B. No. 2523:** Pecan Harvesting Law; revise penalties for violating.

**S. B. No. 2534:** Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides.

**S. B. No. 2556:** Qualifications for appointment as a conservation officer; clarify.

**S. B. No. 2585:** William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; revise provisions of.

**S. B. No. 2586:** Computer science curriculum; clarify terminology to specify who may provide instruction in.

**S. B. No. 2595:** ARPA Workforce Development and Retention Act; provide expiration date of grant funds.

**S. B. No. 2634:** Child support; allow criminal charges three years after the child turns twenty-one.

**S. B. No. 2645:** Circuit court districts; increase number of assistant district attorneys and criminal investigators.

**S. B. No. 2749:** School board members; increase pay.

**S. B. No. 2810:** Office of Workforce Development; amend certain provisions relating to.

**S. B. No. 2812:** Board for administration of certain failing school district; extend date of repeal.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2309:** AN ACT TO AMEND CHAPTER 393, LAWS OF 2014, AS LAST AMENDED BY CHAPTER 443, LAWS OF 2022, TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF ARCHIVES AND HISTORY TO DONATE THE REMAINDER OF CERTAIN REAL PROPERTY KNOWN AS THE "OLD MAGNOLIA CHURCH SITE" LOCATED IN CLAIBORNE COUNTY, MISSISSIPPI, TO THE NATIONAL PARK SERVICE FOR THE PURPOSE OF FACILITATING A COMPLETE DONATION OF ALL PARCELS OF LAND COMPRISING SAID PROPERTY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2312:** AN ACT TO AMEND SECTION 19-7-3, MISSISSIPPI CODE OF 1972, TO ESTABLISH A COMPETITIVE BIDDING PROCESS WITH RIGHT OF FIRST REFUSAL FOR THE LEASE OR SALE OF COUNTY-OWNED PROPERTY; AND FOR RELATED PURPOSES.

**S. B. No. 2663:** AN ACT TO AMEND SECTION 39-5-22, MISSISSIPPI CODE OF 1972, TO REVISE THE ELIGIBILITY REQUIREMENTS TO RECEIVE A GRANT FROM

THE MISSISSIPPI HISTORIC SITE PRESERVATION FUND; TO REQUIRE THE DEPARTMENT OF ARCHIVES AND HISTORY TO SUBMIT AN ANNUAL REPORT TO MEMBERS OF THE LEGISLATURE; AND FOR RELATED PURPOSES.

**S. B. No. 2728:** AN ACT TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE STATEWIDE MASTER AGREEMENTS; TO AUTHORIZE UTILIZATION OF INFORMATION TECHNOLOGY ACQUISITIONS MADE BY OTHER ENTITIES; AND FOR RELATED PURPOSES.

**S. B. No. 2734:** AN ACT TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO PERMIT COUNTY BOARDS OF SUPERVISORS TO EXPEND FEDERAL FUNDS DURING THE LAST TERM OF OFFICE OF SUCH BOARD; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 49:** AN ACT TO AMEND SECTION 49-7-153, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS TO ISSUE A NATIVE SON OR DAUGHTER RESIDENT LIFETIME SPORTSMAN HUNTING AND FISHING LICENSE IF OFFICIAL DOCUMENTS REFLECT THAT ONE OF THE APPLICANT'S PARENTS WAS BORN IN THE STATE OF MISSISSIPPI AND WAS ON ACTIVE MILITARY SERVICE AT THE TIME OF THE APPLICANT'S BIRTH; TO REQUIRE AN APPLICANT FOR SUCH LICENSE TO PROVIDE A CERTIFIED COPY OF AN ORIGINAL BIRTH CERTIFICATE OF SUCH PARENT SHOWING THAT THE PARENT WAS BORN IN MISSISSIPPI AND PROVIDE OFFICIAL DOCUMENTS INDICATING THAT SUCH PARENT WAS ON ACTIVE MILITARY SERVICE AT THE TIME OF THE APPLICANT'S BIRTH; TO PROVIDE THAT AN APPLICANT FOR SUCH LICENSE SHALL NOT BE REQUIRED TO HAVE BEEN DOMICILED IN THIS STATE FOR EIGHTEEN CONSECUTIVE MONTHS IMMEDIATELY PRECEDING THE DATE OF HIS OR HER APPLICATION FOR A LICENSE; AND FOR RELATED PURPOSES.

**H. B. No. 276:** AN ACT TO AMEND SECTION 73-23-43, MISSISSIPPI CODE OF 1972, TO AMEND THE GENERAL POWERS AND DUTIES OF THE STATE BOARD OF PHYSICAL THERAPY TO AUTHORIZE THE BOARD TO ISSUE SUBPOENAS FOR THE ATTENDANCE AND TESTIMONY OF WITNESSES AND THE PRODUCTION OF PAPERS, RECORDS OR OTHER DOCUMENTARY EVIDENCE; AND FOR RELATED PURPOSES.

**H. B. No. 401:** AN ACT TO AMEND SECTION 63-17-75 AND 63-17-109, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS OF THE "MISSISSIPPI MOTOR VEHICLE COMMISSION LAW," TO PROVIDE EXCEPTIONS UNDER WHICH A MOTOR VEHICLE MANUFACTURER IS ELIGIBLE TO OWN ANY INTEREST IN, OPERATE OR CONTROL A MOTOR VEHICLE DEALER OR DEALERSHIP, APPLY FOR A MOTOR VEHICLE DEALERS LICENSE OR BE LICENSED AS A NEW MOTOR VEHICLE DEALER IN THE STATE OF MISSISSIPPI; TO SPECIFY IN THE EXCEPTION THAT STATE LAW SHALL NOT BE CONSTRUED TO PROHIBIT THE OWNERSHIP, OPERATION OR CONTROL BY A MANUFACTURER OR SUBSIDIARY THEREOF WHO HAS MET CERTAIN CONDITIONS TO RECEIVE A LICENSE AS A MOTOR VEHICLE DEALERSHIP; AND FOR RELATED PURPOSES.

**H. B. No. 722:** AN ACT TO AMEND SECTION 41-29-105, MISSISSIPPI CODE OF 1972, TO EXCLUDE FROM THE DEFINITION OF "PARAPHERNALIA" UNDER THE UNIFORM CONTROLLED SUBSTANCES LAW ANY MATERIALS USED OR INTENDED FOR USE IN TESTING FOR THE PRESENCE OF FENTANYL OR A FENTANYL ANALOG IN A SUBSTANCE; AND FOR RELATED PURPOSES.

**H. B. No. 877:** AN ACT TO AMEND SECTION 1, CHAPTER 451, LAWS OF 2022, TO CLARIFY THE AUTHORITY OF THE UNIVERSITY OF SOUTHERN MISSISSIPPI

TO ENTER INTO INSURANCE AGREEMENTS FOR THE PROTECTION OF LEASED AND SUBLEASED PROPERTY ADMINISTERED BY THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT AGAINST LOSS OR DAMAGE TO THE PROPERTY; AND FOR RELATED PURPOSES.

**H. B. No. 904:** AN ACT TO AMEND SECTION 51-13-111, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE BOARD OF DIRECTORS OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT TO TRANSFER KEMPER LAKE TO THE KEMPER COUNTY BOARD OF SUPERVISORS; TO AUTHORIZE THE BOARD TO PAY \$40,000 FOR COSTS ASSOCIATED WITH PAVILION REPAIRS AND IMPROVEMENTS TO THE KEMPER COUNTY BOARD OF SUPERVISORS; TO AUTHORIZE THE KEMPER COUNTY BOARD OF SUPERVISORS TO TRANSFER KEMPER LAKE TO ANY WATER MANAGEMENT DISTRICT THAT MEETS CERTAIN CRITERIA PRESCRIBED BY THE BOARD OF SUPERVISORS, UPON THE TERMS AND CONDITIONS AS IT MAY DETERMINE; AND FOR RELATED PURPOSES.

**H. B. No. 1027:** AN ACT TO DESIGNATE THE BLUEBERRY AS THE STATE FRUIT OF MISSISSIPPI; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 288:** AN ACT TO AMEND SECTION 77-2-9, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CERTAIN PERSONNEL AND MEMBERS OF THE PUBLIC UTILITIES STAFF SHALL BE FILLED BY CONSULTING CONTRACT IN ADDITION TO BEING COMPETITIVELY APPOINTED BY THE EXECUTIVE DIRECTOR; AND FOR RELATED PURPOSES.

**H. B. No. 516:** AN ACT TO AMEND SECTION 49-1-15, MISSISSIPPI CODE OF 1972, TO DECREASE THE MINIMUM YEARS OF LAW ENFORCEMENT EXPERIENCE REQUIRED TO BE APPOINTED A CONSERVATION OFFICER FROM FIVE YEARS TO TWO YEARS; AND FOR RELATED PURPOSES.

**H. B. No. 894:** AN ACT TO AMEND SECTION 17-1-27, MISSISSIPPI CODE OF 1972, TO ADD ADMINISTRATIVE OR CIVIL PENALTIES AS AN OPTION THAT LOCAL GOVERNING AUTHORITIES MAY PURSUE WHEN A LOCAL ZONING ORDINANCE IS VIOLATED; AND FOR RELATED PURPOSES.

**H. B. No. 1016:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 8 LOCATED IN HOUSTON, CHICKASAW COUNTY, MISSISSIPPI, AS THE "DEPUTY JEREMY ALLEN VOYLES MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 1017:** AN ACT TO DESIGNATE THE INTERSECTION OF U.S. HIGHWAY 45 AND COUNTY ROAD 110 LOCATED IN QUITMAN, CLARKE COUNTY, MISSISSIPPI, AS THE "ARMY SPECIALIST TERRY KISHAUN DANTEZ GORDON MEMORIAL INTERSECTION"; AND FOR RELATED PURPOSES.

**H. B. No. 1060:** AN ACT TO AMEND SECTION 77-3-3, MISSISSIPPI CODE OF 1972, TO CLARIFY THE DEFINITION OF THE TERM "PUBLIC UTILITY"; TO AUTHORIZE ELECTRIC VEHICLE CHARGING BY NONUTILITIES; TO BRING FORWARD SECTION 77-3-11, MISSISSIPPI CODE OF 1972, WHICH RELATES TO CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 77-3-201, MISSISSIPPI CODE OF 1972, WHICH RELATES TO DEFINITIONS REGARDING FAILURE TO CONSTRUCT FACILITIES NECESSARY TO PROVIDE SERVICE, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 77-11-305, MISSISSIPPI CODE OF 1972, WHICH RELATES TO DEFINITIONS REGARDING INTERSTATE GAS PIPELINES, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1170:** AN ACT TO AMEND SECTION 63-21-16, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF REVENUE TO ISSUE ELECTRONIC LIENS AND TITLES FOR MOTOR VEHICLES AND MANUFACTURED HOMES; TO BRING FORWARD SECTION 63-21-15, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE APPLICATION FOR THE CERTIFICATE OF TITLE OF A MOTOR VEHICLE OR MANUFACTURED HOME, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 63-21-45, MISSISSIPPI CODE OF 1972, WHICH RELATES TO SECURITY INTERESTS IN MOTOR VEHICLES AND MANUFACTURED HOMES, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 1190:** AN ACT TO PROVIDE THAT PLAN SPONSOR OF A HEALTH BENEFIT PLAN MAY, ON BEHALF OF COVERED PERSONS IN THE PLAN, PROVIDE THE CONSENT REQUIRED IN THE MISSISSIPPI INSURANCE E-COMMERCE MODEL ACT TO THE MAILING OF ALL COMMUNICATIONS RELATED TO THE PLAN BY ELECTRONIC MEANS; TO DEFINE "HEALTH BENEFIT PLAN" AND "PLAN SPONSOR"; TO PROVIDE THAT BEFORE CONSENTING ON BEHALF OF A PARTY, A PLAN SPONSOR SHALL CONFIRM THAT THE PARTY ROUTINELY USES ELECTRONIC COMMUNICATIONS DURING THE NORMAL COURSE OF EMPLOYMENT; TO PROVIDE THAT BEFORE PROVIDING DELIVERY BY ELECTRONIC MEANS, THE INSURER FOR THE HEALTH BENEFIT PLAN SHALL PROVIDE THE PARTY AN OPPORTUNITY TO OPT OUT OF DELIVERY BY ELECTRONIC MEANS AND MEET CERTAIN OTHER CONDITIONS OF THE MISSISSIPPI INSURANCE E-COMMERCE MODEL ACT; TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES TO IMPLEMENT THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 383:** AN ACT TO AMEND SECTIONS 27-25-503 AND 27-25-703, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALERS ON THOSE PROVISIONS THAT ESTABLISH A TEMPORARILY REDUCED RATE FOR THE LEVY AND ASSESSMENT OF SEVERANCE TAXES ON THE INITIAL OIL AND NATURAL GAS PRODUCED FROM CERTAIN HORIZONTALLY DRILLED WELLS AND HORIZONTALLY DRILLED RECOMPLETION WELLS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1217:** AN ACT TO REVISE THE COURT INTERPRETERS PROGRAM ADMINISTERED BY THE ADMINISTRATIVE OFFICE OF COURTS; TO AMEND SECTION 9-21-71, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN DEFINITIONS AND TO CREATE THREE LEVELS OF INTERPRETERS AUTHORIZED TO SERVE IN CIVIL AND CRIMINAL PROCEEDINGS IN ALL COURTS; TO AMEND SECTION 9-21-73, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE USE OF AN INTERPRETER WHENEVER A LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUAL IS INVOLVED IN LITIGATION; TO AMEND SECTIONS 9-21-77 AND 9-21-79, MISSISSIPPI CODE OF

1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO CREATE NEW SECTION 9-21-80, MISSISSIPPI CODE OF 1972, TO PRESCRIBE CERTAIN REQUIREMENTS FOR THE COURTS RELATING TO THE APPOINTMENT OF AN INTERPRETER; TO AMEND SECTION 9-21-81, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COST OF PROVIDING AN INTERPRETER IN ANY PROCEEDING TO BE PAID BY THE COUNTY OR MUNICIPALITY; TO AMEND SECTION 99-17-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE APPOINTMENT OF AN INTERPRETER IN ALL CRIMINAL CASES WHERE THE DEFENDANT IS A LIMITED ENGLISH PROFICIENT (LEP) INDIVIDUAL; AND FOR RELATED PURPOSES.

**H. B. No. 1218:** AN ACT TO AMEND SECTION 9-27-1, MISSISSIPPI CODE OF 1972, TO CHANGE THE CITING OF MENTAL HEALTH COURTS TO "RIVERS MCGRAW MENTAL HEALTH TREATMENT COURT ACT"; TO AMEND SECTION 9-27-3, MISSISSIPPI CODE OF 1972, TO ADD THE WORD "TREATMENT"; TO AMEND SECTION 9-27-5, MISSISSIPPI CODE OF 1972, TO PROVIDE NEW DEFINITIONS RELATED TO BEHAVIORAL HEALTH; TO AMEND SECTION 9-27-7, MISSISSIPPI CODE OF 1972, TO REVISE THE STANDARDS FOR MENTAL HEALTH TREATMENT COURTS; TO AMEND SECTION 9-27-9, MISSISSIPPI CODE OF 1972, TO REQUIRE ANY MENTAL AND BEHAVIORAL HEALTH TREATMENT PROVIDER TO BE LICENSED BY THE APPROPRIATE STATE LICENSING BOARD; TO AMEND SECTION 9-27-11, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR ALTERNATIVE SENTENCING; TO AMEND SECTIONS 9-27-15, 9-27-17 AND 9-27-19, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTIONS; TO CREATE NEW SECTION 9-27-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THE DUTIES OF THE ADMINISTRATIVE OFFICE OF COURTS FOR THE MENTAL HEALTH TREATMENT COURTS; TO CREATE NEW SECTION 9-27-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THE CERTIFICATION AND RECERTIFICATION PROCESS FOR MENTAL HEALTH TREATMENT COURTS; AND FOR RELATED PURPOSES.

**H. B. No. 1244:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 365 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "HOWARD TILLMAN BOBO MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 1245:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 364 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "JAMES MILLARD JOURDAN MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

**H. B. No. 1246:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 365 LOCATED IN PRENTISS COUNTY, MISSISSIPPI, AS THE "LELAND L. HOLLAND MEMORIAL HIGHWAY"; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate adjourn until 10:00 AM, Thursday, March 9, 2023.

The motion prevailed, and at 5:16 PM, the Senate stood adjourned in memory of Rachel Goodman McGee.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, MARCH 8, 2023

**S. R. No. 65:** Rules

A RESOLUTION EXTENDING THE RECOGNITION OF THE MISSISSIPPI SENATE TO D'IBERVILLE PUBLIC WORKS DIRECTOR MIKE MULLINS ON THE OCCASION OF HIS RETIREMENT, AND COMMENDING HIS OUTSTANDING PUBLIC SERVICE.

By Senator(s) DeLano

**S. R. No. 66:** Rules

A RESOLUTION CONGRATULATING ALPHA KAPPA ALPHA SORORITY, INC., ON THE OCCASION OF ITS POLICY IMPACT "2023 AKA DAY AT THE MISSISSIPPI STATE CAPITOL" TO PROMOTE ADVOCACY AND TAKE ACTION FOR HUMAN RIGHTS AND SOCIAL JUSTICE.

By Senator(s) Simmons (12th)

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SIXTY-SIXTH DAY, THURSDAY, MARCH 9, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Nance Hixon, Pastor, Eastlawn United Methodist Church, Pascagoula, MS.

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Senator Wiggins led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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**REPORT OF COMMITTEE ON LOCAL AND PRIVATE**

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 2892:** City of Vicksburg; authorize to contribute to the creation, development and promotion of the Dr. Jane Ellen McAllister Museum. Title Sufficient. Do Pass.



**S. B. No. 3065:** Bolivar County; authorize to contribute up to \$5,000.00 annually to the Fannie Lou Hamer Breast Cancer Foundation. Title Sufficient. Do Pass.

**S. B. No. 3108:** Lowndes County; authorize to lease property for nominal consideration for nonprofit use for the benefit of disadvantaged children. Title Sufficient. Do Pass.

**S. B. No. 3109:** Warren County; authorize board of supervisors to contribute funds to certain nonprofit corporations. Title Sufficient. Do Pass.

**H. B. No. 1197:** City of Baldwin; extend date of repeal on tax for hotels, motels, restaurants and convenience stores. Title Sufficient. Do Pass.

**H. B. No. 1209:** City of Waynesboro; extend repealer on authority to impose tax on bars, restaurants, hotels/motels, B & Bs. Title Sufficient. Do Pass.

**H. B. No. 1356:** City of Lexington; extend repealer on restaurant tourism tax. Title Sufficient. Do Pass.

**H. B. No. 1521:** City of Brandon; extend repealer on tax on sales of prepared food and drink at restaurants and bars. Title Sufficient. Do Pass.

**H. B. No. 1528:** Benton County; authorize to contract with and/or contribute to the Institute of Community Services, Inc. Title Sufficient. Do Pass.

**H. B. No. 1541:** Tallahatchie County; authorize conveyance of public library to the Town of Webb. Title Sufficient. Do Pass.

**H. B. No. 1542:** Tallahatchie County; authorize conveyance of public library to the Town of Tutwiler. Title Sufficient. Do Pass.

**H. B. No. 1662:** City of Ripley; authorize expansion of water system in Tippah County except in certificated areas other than those in the city. Title Sufficient. Do Pass.

**H. B. No. 1712:** City of Vicksburg; authorize to contribute funds and in-kind services to Tate Cemetery. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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Senator Fillingane called up the motion to reconsider the vote whereby **H. B. No. 4** passed the Senate as amended and moved that it be reconsidered:

**H. B. No. 4:** Tianeptine; include in Schedule I controlled substance list.

The foregoing motion prevailed.

Senator Fillingane moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 4** was adopted by the Senate.

The foregoing motion prevailed.

Senator Sparks offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-29-117, Mississippi Code of 1972, is amended as follows:

41-29-117. (A) The controlled substances listed in this section are included in Schedule III.

#### SCHEDULE III

(a) Stimulants. Any material, compound, mixture, or preparation which contains any quantity of the following substances or their salts, isomers, or salts of isomers, of the following substances:

- (1) Benzphetamine;
- (2) Chlorphentermine;
- (3) Clortermine;
- (4) Phendimetrazine.

(b) Depressants. Unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of the following substances:

(1) Any substance which contains any quantity of a derivative of barbituric acid, or any salt of a derivative of barbituric acid, except those substances which are specifically listed in other schedules;

(2) Unless specifically excepted or unless listed in another schedule, any compound, mixture or preparation containing any of the following substances or any salt of the substances specifically included in this subsection (2) and one or more other active medicinal ingredients which are not listed in any other schedule:

- (i) Amobarbital;
- (ii) Secobarbital;
- (iii) Pentobarbital;

(3) Any suppository dosage form containing any of the following substances or any salt of any of the substances specifically included in this subsection (3) approved by the Food and Drug Administration for marketing only as a suppository:

- (i) Amobarbital;
- (ii) Secobarbital;
- (iii) Pentobarbital;
- (4) Chlorhexadol;
- (5) Embutramide;

(6) Any drug product containing gamma-hydroxybutyric acid, including its salts, isomers and salts of isomers, for which an application is approved under Section 505 of the Federal Food, Drug and Cosmetic Act;

(7) Ketamine; its salts, isomers, and salts of isomers; other names include (+)-2-(2-chlorophenyl)-2-(methylamino)cyclohexanone;

(8) Lysergic acid;

(9) Lysergic acid amide;

(10) Methyprylon;

(11) Perampanel; its salts, isomers, and salts of isomers;

(12) Sulfondiethylmethane;

(13) Sulfonethylmethane;

(14) Sulfonmethane;

(15) Tiletamine and zolazepam or any salt thereof; other names for the tiletamine and zolazepam combination product include: telazol; other names for tiletamine include: 2-(ethylamino)-2-(2-thienyl)-cyclohexanone; other names for zolazepam include: 4-(2-fluorophenyl)-6,8-dihydro 1,3,8-trimethylpyrazolo-[3,4-e](1,4)-diazepin-7(1H)-one, flupyrazapon.

(c) Nalorphine.

(d) Any material, compound, mixture or preparation which contains any quantity of ephedrine or pseudoephedrine, except for any product that contains any quantity of pseudoephedrine or ephedrine that is sold subject to the quantity restrictions authorized in Section 73-21-124.

(e) Narcotic drugs. Any material, compound, mixture, or preparation containing limited quantities of any of the following narcotic drugs, or any salts thereof:

(1) Not more than one and eight-tenths (1.8) grams of codeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with an equal or greater quantity of an isoquinoline alkaloid of opium;

(2) Not more than one and eight-tenths (1.8) grams of codeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(3) Not more than one and eight-tenths (1.8) grams of dihydrocodeine, or any of its salts, per one hundred (100) milliliters or not more than ninety (90) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(4) Not more than three hundred (300) milligrams of ethylmorphine, or any of its salts, per one hundred (100) milliliters or not more than fifteen (15) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(5) Not more than five hundred (500) milligrams of opium per one hundred (100) milliliters or per one hundred (100) grams, or not more than twenty-five (25) milligrams per dosage unit, with one or more active, nonnarcotic ingredients in recognized therapeutic amounts;

(6) Not more than fifty (50) milligrams of morphine, or any of its salts, per one hundred (100) milliliters or per one hundred (100) grams with one or more active, nonnarcotic ingredients in recognized therapeutic amounts.

(f) Anabolic steroids. Unless specifically exempted or listed in another schedule, any material, compound, mixture or preparation containing any quantity of any of the following anabolic steroids (any drug or hormonal substance chemically and pharmacologically related to testosterone other than estrogens, progestins, corticosteroids and dehydroepiandrosterone):

- (1) 3beta,17-dihydroxy-5a-androstane;
- (2) 3alpha,17beta-dihydroxy-5a-androstane;
- (3) 5alpha-androstan-3,17-dione;
- (4) 1-androstenediol  
(3beta,17beta-dihydroxy-5alpha-androst-1-ene);
- (5) 1-androstenediol  
(3alpha,17beta-dihydroxy-5alpha-androst-1-ene);
- (6) 4-androstenediol (3beta,17beta-dihydroxy-androst-4-ene);
- (7) 5-androstenediol (3beta,17beta-dihydroxy-androst-5-ene);
- (8) 1-androstenedione ([5alpha]-androst-1-en-3, 17-dione);
- (9) 4-androstenedione (androst-4-en-3,17-dione);
- (10) 5-androstenedione (androst-5-en-3,17-dione);
- (11) Bolasterone  
(7alpha,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
- (12) Boldenone (17beta-hydroxyandrost-1,4,-diene-3-one);
- (13) Boldione (androsta-1,4-diene-3,17-dione);
- (14) Calusterone  
(7beta,17alpha-dimethyl-17beta-hydroxyandrost-4-en-3-one);
- (15) Clostebol (4-chloro-17beta-hydroxyandrost-4-en-3-one);
- (16) Dehydrochloromethyltestosterone  
(4-chloro-17beta-hydroxy-17alpha-methylandrost-1,4-dien-3-one);
- (17) Desoxymethyltestosterone  
(17alpha-methyl-5alpha-androst-2-en-17beta-ol, also known as madol);
- (18) Delta1-dihydrotestosterone (also known as 1-testosterone)  
(17beta-hydroxy-5alpha-androst-1-en-3-one);
- (19) 4-dihydrotestosterone (17beta-hydroxy-androstan-3-one);
- (20) Drostanolone  
(17beta-hydroxy-2alpha-methyl-5alpha-androstan-3-one);
- (21) Ethylestrenol (17alpha-ethyl-17beta-hydroxyestr-4-ene);

- (22) Fluoxymesterone (9-fluoro-17alpha-methyl-11beta, 17beta-dihydroxyandrost-4-en-3-one);
- (23) Formebolone  
(2-formyl-17alpha-methyl-11alpha,17beta-dihydroxyandrost-1, 4-dien-3-one);
- (24) Furazabol  
(17alpha-methyl-17beta-hydroxyandrostano[2,3-c]-furazan);
- (25) 13beta-ethyl-17alpha-hydroxygon-4-en-3-one;
- (26) 4-hydroxytestosterone  
(4,17beta-dihydroxyandrost-4-en-3-one);
- (27) 4-hydroxy-19-nortestosterone  
(4,17beta-dihydroxy-estr-4-en-3-one);
- (28) Mestanolone  
(17alpha-methyl-17beta-hydroxy-5-androstan-3-one);
- (29) Mesterolone  
(1alpha-methyl-17beta-hydroxy-[5alpha]-androstan-3-one);
- (30) Methandienone  
(17alpha-methyl-17beta-hydroxyandrost-1,4-dien-3-one);
- (31) Methandriol (17alpha-methyl-3beta, 17beta-dihydroxyandrost-5-ene);
- (32) Methasterone (2[alpha], 17[alpha]-dimethyl-5[alpha]-androstan-17[beta]-ol-3-one);
- (33) Methenolone  
(1-methyl-17beta-hydroxy-5alpha-androst-1-en-3-one);
- (34) 17alpha-methyl-3beta, 17beta-dihydroxy-5a-androstane;
- (35) 17alpha-methyl-3alpha, 17beta-dihydroxy-5a-androstane;
- (36) 17alpha-methyl-3beta, 17beta-dihydroxyandrost-4-ene;
- (37) 17alpha-methyl-4-hydroxynandrolone  
(17alpha-methyl-4-hydroxy-17beta-hydroxyestr-4-en-3-one);
- (38) Methyldienolone  
(17alpha-methyl-17beta-hydroxyestra-4,9(10)-dien-3-one);
- (39) Methyltrienolone  
(17alpha-methyl-17beta-hydroxyestra-4,9-11-trien-3-one);
- (40) Methyltestosterone  
(17alpha-methyl-17beta-hydroxyandrost-4-en-3-one);
- (41) Mibolerone  
(7alpha,17alpha-dimethyl-17beta-hydroxyestr-4-en-3-one);

(42) 17alpha-methyl-Delta1-dihydrotestosterone (17b  
beta-hydroxy-17alpha-methyl-5alpha-androst-1-en-3-one) (also known as  
17-alpha-methyl-1-testosterone);

(43) Nandrolone (17beta-hydroxyestr-4-en-3-one);

(44) 19-nor-4-androstenediol (3beta,17beta-dihydroxyestr-4-ene);

(45) 19-nor-4-androstenediol (3a,17beta-dihydroxyestr-4-ene);

(46) 19-nor-5-androstenediol (3beta,17beta-dihydroxyestr-5-ene);

(47) 19-nor-5-androstenediol (3alpha,17beta-dihydroxyestr-5-ene);

(48) 19-nor-4,9(10)-androstadienedione  
(estra-4,9(10)-diene-3,17-dione, 19-norandrost-4,9(10)-diene-3,17-dione);

(49) 19-nor-4-androstenedione (estr-4-en-3,17-dione);

(50) 19-nor-5-androstenedione (estr-5-en-3,17-dione);

(51) Norbolethone  
(13beta,17alpha-diethyl-17beta-hydroxygon-4-en-3-one);

(52) Norclostebol (4-chloro-17beta-hydroxyestr-4-en-3-one);

(53) Norethandrolone  
(17alpha-ethyl-17beta-hydroxyestr-4-en-3-one);

(54) Normethandrolone  
(17alpha-methyl-17beta-hydroxyestr-4-en-3-one);

(55) Oxandrolone  
(17alpha-methyl-17beta-hydroxy-2-oxa-[5alpha]-androstan-3-one);

(56) Oxymesterone  
(17alpha-methyl-4,17beta-dihydroxyandrost-4-en-3-one);

(57) Oxymetholone  
(17alpha-methyl-2-hydroxymethylene-17beta-hydroxy-[5alpha]- androstan-3-one);

(58) Prostanazol  
(17[beta]-hydroxy-5[alpha]-androstan[3,2-c]pyrazole)

(59) Stanozolol  
(17alpha-methyl-17beta-hydroxy-[5alpha]-androst-2-eno[3,2-c]- pyrazole);

(60) Stenbolone  
(17beta-hydroxy-2-methyl-[5alpha]-androst-1-en-3-one);

(61) Testolactone  
(13-hydroxy-3-oxo-13,17-secoandrost-1,4-dien-17-oic acid lactone);

(62) Testosterone (17beta-hydroxyandrost-4-en-3-one);

(63) Tetrahydrogestrinone  
(13beta,17alpha-diethyl-17beta-hydroxygon-4,9,11-trien-3-one);

(64) Trenbolone (17beta-hydroxyestr-4,9,11-trien-3-one);

(65) Any salt, ester, or ether of a drug or substance described in this paragraph. Except such term does not include an anabolic steroid that is expressly intended for administration through implants to cattle or other nonhuman species and that has been approved by the Secretary of Health and Human Services for such administration. If any person prescribes, dispenses, or distributes such steroid for human use, the person shall be considered to have prescribed, dispensed or distributed an anabolic steroid within the meaning of this paragraph.

(g) Any material, compound, mixture or preparation which contains any quantity of buprenorphine or its salts.

(h) Dronabinol (synthetic) in sesame oil and encapsulated in a soft gelatin capsule in a United States Food and Drug Administration approved drug product.

(i) Any material, compound, mixture, or preparation which contains any quantity of Tianeptine (7-((3-chloro-6-methyl-5,5-dioxido-6,11-dihydrodibenzo[c,f][1,2]thiazepin-11-yl)amino)heptanoic acid) or its salts, isomers, salts of isomers, sulfate, free acid or derivative thereof.

(B) Any material, compound, mixture or preparation which contains any quantity of a Schedule III controlled substance other than butalbital, and is listed as an exempt substance in 21 CFR, Section 1308.22, 1308.24, 1308.26, 1308.32 or 1308.34, shall be exempted from the provisions of the Uniform Controlled Substances Law.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-29-117, MISSISSIPPI CODE OF 1972, TO INCLUDE TIANEPTINE AS A SCHEDULE III DRUG; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 4 was adopted.

YEAS AND NAYS On H. B. No. 4. On motion of Senator Sparks, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley called up the motion to reconsider the vote whereby **H. B. No. 769** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 769:** Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as.

The foregoing motion prevailed.

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Senator Whaley called up the motion to reconsider the vote whereby **H. B. No. 923** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 923:** Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as.

The foregoing motion prevailed.

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Senator Wiggins called up the motion to reconsider the vote whereby **H. B. No. 1216** passed the Senate as amended and moved that it be reconsidered:

**H. B. No. 1216:** Circuit judges and chancellors; increase office operating and expense allowances and support staff funding.

The foregoing motion prevailed.

Senator Wiggins moved to reconsider the vote whereby Committee Amendment No. 1 to **H. B. No. 1216** was adopted by the Senate.

The foregoing motion prevailed.

Senator Wiggins offered the following SUBSTITUTE FOR COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9-1-36, Mississippi Code of 1972, is amended as follows:

9-1-36. (1) Each circuit judge and chancellor shall receive an office operating allowance for the expenses of operating the office of the judge, including retaining a law clerk, legal research, stenographic help, stationery, stamps, furniture, office equipment, telephone, office rent and other items and expenditures necessary and incident to maintaining the office of judge. The allowance shall be paid only to the extent of actual expenses incurred by the judge as itemized and certified by the judge to the Supreme Court in the amounts set forth in this subsection; however, the judge may expend sums in excess thereof from the compensation otherwise provided for his office. \* \* \* Part of this expense or allowance \* \* \* may be used to pay an official court reporter for services rendered to \* \* \* the court.

\* \* \*

\* \* \* From and after July 1, \* \* \* 2023, the office operating allowance under this subsection shall be \* \* \* Fifteen Thousand Dollars (\$15,000.00) per annum.

(2) In addition to the amounts provided for in subsection (1), there is \* \* \* created a separate office allowance fund for the purpose of providing support staff to judges. This fund shall be managed by the Administrative Office of Courts.

(3) Each judge who desires to employ support staff after July 1, 1994, shall make application to the Administrative Office of Courts by submitting to the Administrative Office



of Courts a proposed personnel plan setting forth what support staff is deemed necessary. The plan may be submitted by a single judge or by any combination of judges desiring to share support staff. In the process of the preparation of the plan, the judges, at their request, may receive advice, suggestions, recommendations and other assistance from the Administrative Office of Courts. The Administrative Office of Courts must approve the positions, job descriptions and salaries before the positions may be filled. The Administrative Office of Courts shall not approve any plan which does not first require the expenditure of the funds in the support staff fund for compensation of any of the support staff before expenditure is authorized of county funds for that purpose. Upon approval by the Administrative Office of Courts, the judge or judges may appoint the employees to the position or positions, and each employee so appointed will work at the will and pleasure of the judge or judges who appointed him but will be employees of the Administrative Office of Courts. Upon approval by the Administrative Office of Courts, the appointment of any support staff shall be evidenced by the entry of an order on the minutes of the court. When support staff is appointed jointly by two (2) or more judges, the order setting forth any appointment shall be entered on the minutes of each participating court.

(4) The Administrative Office of Courts shall develop and promulgate minimum qualifications for the certification of court administrators. Any court administrator appointed on or after October 1, 1996, shall be required to be certified by the Administrative Office of Courts.

(5) Support staff shall receive compensation pursuant to personnel policies established by the Administrative Office of Courts \* \* \* in an amount of \* \* \* One Hundred Thousand Dollars (\$100,000.00) per fiscal year per judge for whom all support staff is approved for the funding of support staff assigned to a judge or judges \* \* \*.

\* \* \*

The Administrative Office of Courts may approve expenditures from the fund for additional equipment for support staff appointed pursuant to this section in any year in which the allocation per judge is sufficient to meet the equipment expense after provision for the compensation of the support staff.

(6) (a) Each temporary special circuit judge shall receive an office operating allowance for the purposes described in Section 9-1-36(1) in the amount of Zero Dollars (\$0.00) per annum.

(b) Support staff shall receive compensation pursuant to personnel policies established by the Administrative Office of Courts in an amount of Zero Dollars (\$0.00) per fiscal year per temporary special circuit judge for whom all support staff is approved for the funding of support staff assigned to a temporary special circuit judge or temporary special circuit judges.

( \* \* \*7) For the purposes of this section, the following terms \* \* \* have the meaning ascribed \* \* \* in this subsection unless the context clearly requires otherwise:

(a) "Judges" means circuit judges and chancellors, or any combination thereof \* \* \*.

(b) "Support staff" means court administrators, law clerks, legal research assistants or secretaries, or any combination thereof, but shall not mean school attendance officers \* \* \*.

(c) "Compensation" means the gross salary plus all amounts paid for benefits or otherwise as a result of employment or as required by employment; \* \* \* however, \* \* \* only salary earned for services rendered shall be reported and credited for Public Employees' Retirement System purposes. Amounts paid for benefits or otherwise,

including reimbursement for travel expenses, shall not be reported or credited for retirement purposes \* \* \*.

(d) "Law clerk" means a clerk hired to assist a judge or judges who has a law degree or who is a full-time law student who is making satisfactory progress at an accredited law school.

( \* \* \*8) Title to all tangible property, excepting stamps, stationery and minor expendable office supplies, procured with funds authorized by this section, shall be and forever remain in the State of Mississippi to be used by the circuit judge or chancellor during the term of his office and thereafter by his successors.

( \* \* \*9) Any circuit judge or chancellor who did not have a primary office provided by the county on March 1, 1988, shall be allowed an additional \* \* \* Seven Thousand Dollars (\$7,000.00) per annum to defray the actual expenses incurred by the judge or chancellor in maintaining an office; however, any circuit judge or chancellor who had a primary office provided by the county on March 1, 1988, and who vacated the office space after that date for a legitimate reason, as determined by the Department of Finance and Administration, shall be allowed the additional office expense allowance provided under this subsection. The county in which a circuit judge or chancellor sits is authorized to provide funds from any available source to assist in defraying the actual expenses to maintain an office.

( \* \* \*10) The Supreme Court, through the Administrative Office of Courts, shall submit to the Department of Finance and Administration the itemized and certified expenses for office operating allowances that are directed to the court pursuant to this section.

( \* \* \*11) The Supreme Court, through the Administrative Office of Courts, shall have the power to adopt rules and regulations regarding the administration of the office operating allowance authorized pursuant to this section.

SECTION 2. The funds authorized in Section 9-1-36(6) shall only be for the purposes of defraying the expenses of any temporary special circuit judge appointed under the authority of House Bill 1020, 2023 Regular Session.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE OFFICE OPERATING ALLOWANCE, SUPPORT STAFF FUNDING AND THE ADDITIONAL OFFICE EXPENSE ALLOWANCE PAYABLE TO CIRCUIT JUDGES AND CHANCELLORS; TO PROVIDE AN OFFICE OPERATING ALLOWANCE AND COMPENSATION OF SUPPORT STAFF FOR TEMPORARY SPECIAL CIRCUIT JUDGES; AND FOR RELATED PURPOSES.

Substitute for Committee Amendment No. 1 to H. B. No. 1216 was adopted.

YEAS AND NAYS On H. B. No. 1216. On motion of Senator Wiggins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniell, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Fillingane called up the motion to reconsider the vote whereby **H. B. No. 1315** passed the Senate as amended and moved that the motion to reconsider be tabled:

**H. B. No. 1315:** Pornographic media materials; regulate access to minors and require age verification..

The foregoing motion prevailed.

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Senator Polk moved that the Senate stand in recess until 2:00 PM.

The motion prevailed, and at 10:36 AM, the Senate stood in recess.

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The Senate resumed business at 2:00 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON APPROPRIATIONS

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 271:** Appropriation; Health Department for distributing funds to hospitals under the Health Care Impact Grant Program. Title Sufficient. Do Pass As Amended.

**H. B. No. 272:** Appropriation; Health Department for Local Provider Innovation Grant Program. Title Sufficient. Do Pass As Amended.

**H. B. No. 1715:** Appropriation; Health Department for funding the ARPA Rural Water Associations Infrastructure Grant Program. Title Sufficient. Do Pass As Amended.

**H. B. No. 1716:** Appropriation; DEQ for funding the MS Municipality and County Water Infrastructure Grant Program. Title Sufficient. Do Pass As Amended.

**H. B. No. 1717:** Appropriation; DFA - Office of Insurance for reimbursing the State Health Plan for eligible expenses incurred. Title Sufficient. Do Pass As Amended.

**H. B. No. 1718:** Appropriation; DFA Bureau of Building for completing capital projects at state-owned buildings and grounds. Title Sufficient. Do Pass As Amended.

**H. B. No. 1719:** Appropriation; DFA to assist destination marketing organizations in paying for marketing activities. Title Sufficient. Do Pass As Amended.

**H. B. No. 1722:** Appropriation; UMMC for construction, repair and renovation of the School of Dentistry. Title Sufficient. Do Pass As Amended.

**H. B. No. 1644:** Appropriations; additional for various state agencies for FY 2023 and FY 2024. Title Sufficient. Do Pass As Amended.

**H. B. No. 1614:** Appropriation; Educational Television, Authority for. Title Sufficient. Do Pass As Amended.

**H. B. No. 1615:** Appropriation; Library Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1620:** Appropriation; Public Service Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1621:** Appropriation; Public Utilities Staff. Title Sufficient. Do Pass As Amended.

**H. B. No. 1635:** Appropriation; Veterans' Home Purchase Board. Title Sufficient. Do Pass As Amended.

**H. B. No. 1617:** Appropriation; Wildlife, Fisheries and Parks, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1641:** Appropriation; Attorney General. Title Sufficient. Do Pass As Amended.

**H. B. No. 1638:** Appropriation; Capital Post-Conviction Counsel, Office of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1637:** Appropriation; District attorneys and staff. Title Sufficient. Do Pass As Amended.

**H. B. No. 1639:** Appropriation; State Public Defender, Office of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1640:** Appropriation; Supreme Court, Court of Appeals and trial judges services. Title Sufficient. Do Pass As Amended.

**H. B. No. 1605:** Appropriation; Insurance, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1606:** Appropriation; Fire Academy. Title Sufficient. Do Pass As Amended.

**H. B. No. 1609:** Appropriation: Real Estate Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1608:** Appropriation; Real Estate Appraiser Licensing and Certification Board. Title Sufficient. Do Pass As Amended.

**H. B. No. 1624:** Appropriation; Medicaid, Division of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1622:** Appropriation; Human Services, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1625:** Appropriation: Child Protection Services, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1623:** Appropriation; Rehabilitation Services, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1626:** Appropriation; Health, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1612:** Appropriation; Archives and History, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1611:** Appropriation; Arts Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1616:** Appropriation; Environmental Quality, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1618:** Appropriation; Grand Gulf Military Monument Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1636:** Appropriation; Marine Resources, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1629:** Appropriation; Soil and Water Conservation Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1632:** Appropriation; Port Authority, State. Title Sufficient. Do Pass As Amended.

**H. B. No. 1630:** Appropriation; Pat Harrison Waterway District. Title Sufficient. Do Pass As Amended.

**H. B. No. 1631:** Appropriation; Pearl River Valley Water Supply District. Title Sufficient. Do Pass As Amended.

**H. B. No. 1633:** Appropriation; Tombigbee River Valley Water Management District. Title Sufficient. Do Pass As Amended.

**H. B. No. 1634:** Appropriation; Yellow Creek State Inland Port Authority. Title Sufficient. Do Pass As Amended.

**H. B. No. 1642:** Appropriation; Transportation, Department of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1595:** Appropriation; Barber Examiners, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1596:** Appropriation; Cosmetology, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1598:** Appropriation; Medical Licensure, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1599:** Appropriation; Nursing, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1600:** Appropriation; Nursing Home Administrators, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1601:** Appropriation; Optometry, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1602:** Appropriation; Physical Therapy Board. Title Sufficient. Do Pass As Amended.

**H. B. No. 1603:** Appropriation; Psychology, Board of. Title Sufficient. Do Pass As Amended.

**H. B. No. 1597:** Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Title Sufficient. Do Pass As Amended.

**H. B. No. 1593:** Appropriation; Athletic Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1594:** Appropriation; Auctioneers Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1604:** Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Title Sufficient. Do Pass As Amended.

**H. B. No. 1627:** Appropriation; Foresters, Board of Registration for. Title Sufficient. Do Pass As Amended.

**H. B. No. 1628:** Appropriation; Forestry Commission. Title Sufficient. Do Pass As Amended.

**H. B. No. 1619:** Appropriation; Oil and Gas Board. Title Sufficient. Do Pass As Amended.

**H. B. No. 1643:** Appropriation, Reappropriation, DFA - Bureau of Building - FY2024. Title Sufficient. Do Pass As Amended.

**H. B. No. 1610:** Appropriation; Legislative expenses. Title Sufficient. Do Pass As Amended.

**H. B. No. 1607:** Appropriation; Public Employees' Retirement System. Title Sufficient. Do Pass As Amended.

HOPSON, Chairman

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2212:** Recipients of Medicaid; extend postpartum coverage up to 12 months.

**S. B. No. 2306:** Flood and drainage control districts; revise number of directors for certain municipalities.

**S. B. No. 2485:** Early Intervention Act for Infants and Toddlers; add certain individuals to definition of qualified personnel.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 787:** Mississippi Board of Registration for Foresters; bring forward all code sections and authorize to suspend license of licensee for failure to satisfy judgement.

**H. B. No. 979:** Hunting; provide exeception for recovering mortally wounded animals at night with use of light.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:07 PM, the Senate stood in recess.

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The Senate resumed business at 2:21 PM, pursuant to recess, with President Hosemann presiding.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2002:** Memorial highways; designate segments of highways to Bradford C. Freeman and Douglas Anderson.

Representatives Busby,Massengill,Arnold

**S. B. No. 2559:** Transportation; extend repealer on harvest permit authorization and fees.

Representatives Busby,Massengill,Smith

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 691:** Memorial highway; designate a portion of U.S. Highway 45 in Wayne County, MS, as the "Army Sergeant Eric C. Newman Memorial Highway."

Representatives Busby, Massengill, Arnold

**H. B. No. 917:** Mississippi Worker's Comp commission office building; place under the supervision and care of DFA.

Representatives Newman, Holloway, Weathersby

**H. B. No. 1034:** State Veterans Affairs Board; revise composition of.

Representatives Carpenter, Newman, Hines

**H. B. No. 1084:** Insurance agents; revise the continuing education requirements of those who are 65 and have been licensed for 20 years.

Representatives Zuber, Ford (54th), Guice

**H. B. No. 1477:** Harvest permits; extend repealer on authority of MDOT to issue.

Representatives Busby, Massengill, Smith

Andrew Ketchings, Clerk of the House of Representatives

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Senator Michel called up the following House Amendment to **S. B. No. 2615** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-15-3, Mississippi Code of 1972, is amended as follows:

25-15-3. For the purposes of this article, the words and phrases used herein shall have the following meanings:

(a) "Employee" means a person who works full time for the State of Mississippi and receives his compensation in a direct payment from a department, agency or institution of the state government and any person who works full time for any school district, community/junior college, public library or university-based program authorized under Section 37-23-31 for deaf, aphasic and emotionally disturbed children or any regular nonstudent bus driver. This shall include legislators, employees of the legislative branch and the judicial branch of the state and "employees" shall include full-time salaried judges and full-time district attorneys and their staff and full-time compulsory school attendance officers. For the purposes of this article, any "employee" making contributions to the State of Mississippi retirement plan shall be considered a full-time employee. For purposes of this article, "employee" shall not mean contract personnel.

(b) "Department" means the Department of Finance and Administration.

(c) "Plan" means the State and School Employees Life and Health Insurance Plan created under this article.



(d) "Fund" means the State and School Employees Insurance Fund set up under this article.

(e) "Retiree" means any employee retired under the Mississippi retirement plan.

(f) "Board" means the State and School Employees Health Insurance Management Board created under Section 25-15-303.

SECTION 2. Section 25-9-120, Mississippi Code of 1972, is amended as follows:

25-9-120. (1) (a) Contract personnel, whether classified as contract workers or independent contractors shall not be deemed state service or nonstate service employees of the State of Mississippi, and shall not be eligible to participate in the Public Employees' Retirement System, \* \* \* nor be allowed credit for personal and sick leave and other leave benefits as employees of the State of Mississippi, notwithstanding Sections 25-3-91 through 25-3-101; 25-9-101 through 25-9-151; 25-11-1 through 25-11-126; 25-11-128 through 25-11-131; 25-15-1 through 25-15-23 and for the purpose set forth herein. Contract workers, i.e., contract personnel who do not meet the criteria of independent contractors, shall be subject to the provisions of Section 25-11-127.

(b) Contract workers for any department, agency or institution of the state government, any school district, community/junior college, public library or university-based program, whether classified as contract workers or independent contractors, may purchase the base plan of the State and School Employees' Health Insurance Plan provided that such person pays the full price of such plan without contribution from their employer. Such government entities shall offer the base plan to any such personnel who work at least one hundred thirty (130) hours per month. The provisions of this paragraph (b) shall not apply to independent contractors. The State and School Employees' Health Insurance Management Board shall establish the premiums.

(2) The Personal Service Contract Review Board is abolished. The Public Procurement Review Board shall be the Personal Service Contract Review Board and shall retain all powers and duties granted by law to the Personal Service Contract Review Board. All equipment, inventories, records, personnel, resources and other property, real or personal, tangible or intangible, of the Personal Service Contract Review Board shall be transferred to the Public Procurement Review Board as provided in Section 27-104-7. The transfer of personnel shall be commensurate with the number and classification of positions (PINS) allocated to the Personal Service Contract Review Board on June 30, 2017. Wherever the terms "Personal Service Contract Review Board" or "board," when referring to the Personal Service Contract Review Board, appear in any law, rule, regulation or document the same shall be construed to mean the Public Procurement Review Board.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 25-15-3 AND 25-9-120, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS TO AUTHORIZE CONTRACT WORKERS EMPLOYED BY THE STATE OR OTHER GOVERNMENT ENTITIES TO PURCHASE THE BASE PLAN OF THE STATE AND SCHOOL EMPLOYEES' HEALTH INSURANCE PLAN IF SUCH PERSON PAYS THE FULL PRICE OF SUCH PLAN WITHOUT CONTRIBUTION FROM THEIR EMPLOYER; TO REQUIRE SUCH GOVERNMENT ENTITIES TO OFFER THIS TO ANY CONTRACT PERSONNEL WHO WORK AT LEAST 130 HOURS PER MONTH; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2615** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Carter called up the following House Amendment to **S. B. No. 2339** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-39-21, Mississippi Code of 1972, is amended as follows:

57-39-21. (1) The \* \* \* Mississippi Development Authority, in consultation with other appropriate professional groups and organizations, and others knowledgeable in the subject, shall review, amend and adopt, in accordance with Standard 90.1- \* \* \* 2016 of the American Society of Heating, Refrigeration and Air-Conditioning Engineers, energy code standards for building construction, standards for computer-based energy management systems, standards for systems for cogeneration of heating, cooling and electricity, and standards for design to use passive solar energy concepts, in order to promote the efficient use of energy. For the purposes of this section, "building" shall mean any structure which includes provisions for a heating or cooling system, or both, or for a hot water system, except exempted buildings. Unless it is an exempted building, each of the following are examples of buildings, within the meaning of this section:

(a) Any building which provides facilities or shelter for public assembly, or which is used for educational, office or institutional purposes;

(b) Any inn, hotel, motel, sports arena, supermarket, transportation terminal, retail store, restaurant or other commercial establishment which provides service or retail merchandise;

(c) Any portion of an industrial plant building used primarily as office space; and

(d) Any building owned by a state or political subdivision or instrumentality thereof, including libraries, museums, schools, hospitals, auditoriums, sports arenas and university buildings.

(2) Exempt buildings shall include:

(a) Buildings and structures or portions thereof whose peak design rate of energy usage is less than three and four-tenths (3.4) British thermal units per hour per square foot or one (1.0) watt per square foot of floor area for all purposes;

(b) Buildings and structures or portions thereof which are neither heated nor cooled by fuel;

(c) Any mobile home;

(d) Any privately owned, noncommercial building or structure whose construction, heating, cooling or lighting arrangement is not in conflict with federal law;

(e) Any building owned or leased, in whole or in part, by the United States government.

(3) Beginning July 1, 2013, the design, direction, construction and alteration of any building for which the standards promulgated pursuant to subsection (1) of this section applies shall be accomplished so that the building or applicable portions thereof shall meet or conform to the standards. The \*\*\* Mississippi Development Authority shall not have enforcement over this section. Local governing authorities shall adopt rules and regulations for the administration and enforcement of this section \*\*\* and \*\*\* such penalties for violations of this section as they deem appropriate, except in regard to buildings owned by the state. In state-owned buildings, the \*\*\* Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management, shall provide for the compliance with the standards adopted under this chapter. Local governing authorities are authorized to adopt rules and regulations as developed and promulgated by the \*\*\* department for the administration and enforcement of these standards and to adopt such penalties for violations of the standards as they deem appropriate. Local governing authorities are authorized to establish an inspection fee for the inspection of thermal and lighting standards in an amount not to exceed One Hundred Fifty Dollars (\$150.00).

(4) This section shall stand repealed from and after July 1, \*\*\* 2026.

SECTION 2. (1) The state and any county board of supervisors or municipal governing authority may not prohibit or otherwise limit in a building code applicable to commercial or residential buildings or construction a refrigerant designated as acceptable for use pursuant to and in accordance with 42 USC 7671k.

(2) The prohibition set out under subsection (1) of this section shall apply only to the use of such refrigerant in equipment that is listed and installed in accordance with safety standards and use conditions imposed pursuant to such designation.

SECTION 3. Section 2 of this act shall be codified in Chapter 2, Title 17, Mississippi Code of 1972.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 57-39-21, MISSISSIPPI CODE OF 1972, WHICH REQUIRES CERTAIN STANDARDS THAT PROMOTE EFFICIENT ENERGY USE TO BE IMPLEMENTED DURING THE DESIGN, DIRECTION, CONSTRUCTION AND ALTERATION OF CERTAIN BUILDINGS, TO EXTEND THE DATE OF THE REPEALER ON THAT STATUTE AND TO UPDATE AGENCY NOMENCLATURE; TO CREATE A NEW SECTION TO PROVIDE THAT STATE, COUNTY OR MUNICIPAL BUILDING CODES MAY NOT PROHIBIT OR LIMIT THE USE OF FEDERALLY APPROVED SUBSTITUTE REFRIGERANTS; AND FOR RELATED PURPOSES.

Senator Hopson moved that the rules be suspended to move to the Supplement 1 - Appropriations Calendar for immediate consideration of all items, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**H. B. No. 271:** Appropriation; Health Department for distributing funds to hospitals under the Health Care Impact Grant Program.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Health for the purpose of funding the Mississippi Hospital Sustainability Grant Program established under Senate Bill No. 2372, 2023 Regular Session, for the period beginning upon the passage of this act and ending June 30, 2024 .....

\$ 83,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of

monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. None of the funds appropriated by this act shall be used to pay employee premium payments.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage, and shall stand repealed on July 1, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM ESTABLISHED UNDER SENATE BILL NO. 2372, 2023 REGULAR SESSION, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

Committee Amendment No. 1 to H. B. No. 271 was adopted.

YEAS AND NAYS On H. B. No. 271. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 272:** Appropriation; Health Department for Local Provider Innovation Grant Program.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the COVID-19 Mississippi Local Provider Innovation Grant Program established in Section 41-139-1, Mississippi

Code of 1972, for the fiscal year beginning on July 1, 2023, and ending June 30, 2024 . \$ 0.00.

SECTION 2. Of the funds appropriated in Section 1 of this act, the department is authorized to expend not more than Zero Dollars (\$0.00) for administrative expenses in administering the grant program.

SECTION 3. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Capital Expense Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM FOR FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 272 was adopted.

YEAS AND NAYS On H. B. No. 272. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1715:** Appropriation; Health Department for funding the ARPA Rural Water Associations Infrastructure Grant Program.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established in Section 41-3-16.1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 75,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the

expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time-to-time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time-to-time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF  
HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER  
ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE FISCAL YEAR  
2024.

Committee Amendment No. 1 to H. B. No. 1715 was adopted.

YEAS AND NAYS On H. B. No. 1715. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,

Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1716:** Appropriation; DEQ for funding the MS Municipality and County Water Infrastructure Grant Program.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Environmental Quality for the purpose of funding the Mississippi Municipality and County Water Infrastructure Grant Program established in Section 49-2-131, Mississippi Code of 1972, for the period beginning on the passage of this act and ending June 30, 2024 ..... \$ 41,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Environmental Quality.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the



federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF FUNDING THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD BEGINNING ON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

Committee Amendment No. 1 to H. B. No. 1716 was adopted.

YEAS AND NAYS On H. B. No. 1716. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

\_\_\_\_\_  
Senator Hopson called up the following entitled bill:

**H. B. No. 1717:** Appropriation; DFA - Office of Insurance for reimbursing the State Health Plan for eligible expenses incurred.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration - Office of Insurance for the purpose of reimbursing the State and School Employees' Life and Health Insurance Plan for eligible expenses incurred on or after March 3, 2021, through June 30, 2024, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 30,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR THE PURPOSE OF REIMBURSING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR ELIGIBLE EXPENSES INCURRED DURING A CERTAIN PERIOD, FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1717 was adopted.

YEAS AND NAYS On H. B. No. 1717. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1718:** Appropriation; DFA Bureau of Building for completing capital projects at state-owned buildings and grounds.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management, for the purpose of completing capital projects at state-owned buildings and grounds for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 75,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or

otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION, BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT, FOR THE PURPOSE OF COMPLETING CAPITAL PROJECTS AT STATE-OWNED BUILDINGS AND GROUNDS FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1718 was adopted.

YEAS AND NAYS On H. B. No. 1718. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1719:** Appropriation; DFA to assist destination marketing organizations in paying for marketing activities.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration to assist destination marketing organizations in paying for marketing activities as provided in

Section 57-123-7, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 \$ 12,000,000.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing funds to Mississippi Main Street Association as provided in Section 57-123-11, for the period beginning July 1, 2023, and ending June 30, 2024 .....\$ 3,000,000.00.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE  
AND ADMINISTRATION TO ASSIST DESTINATION MARKETING ORGANIZATIONS

IN PAYING FOR MARKETING ACTIVITIES AND TO PROVIDE FUNDS TO  
MISSISSIPPI MAIN STREET ASSOCIATION, FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1719 was adopted.

YEAS AND NAYS On H. B. No. 1719. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1722:** Appropriation; UMMC for construction, repair and renovation of the School of Dentistry.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, to the University of Mississippi Medical Center to assist in paying the costs associated with construction, repair and renovation at and acquisition of equipment for the School of Dentistry, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... \$ 0.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, to the University of Mississippi Medical Center to assist in paying the costs associated with repair and renovation at and acquisition of equipment for the facility used for the adolescent psychiatric program, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 0.00.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "medical center" means the University of Mississippi Medical Center.

(2) The medical center shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the medical center's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the medical center shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the

Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the medical center under this act, the medical center shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the medical center under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the medical center or recipient has expended or otherwise used any of the funds appropriated to the medical center under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the medical center or recipient, then the medical center or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the State Treasury not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH CONSTRUCTION, REPAIR AND RENOVATION AT AND ACQUISITION OF EQUIPMENT FOR THE SCHOOL OF DENTISTRY, FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1722 was adopted.

YEAS AND NAYS On H. B. No. 1722. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1644:** Appropriations; additional for various state agencies for FY 2023 and FY 2024.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Ethics Commission for the period beginning July 1, 2022, and ending June 30, 2023 ..... \$ 24,961.00.

This additional appropriation is for the purpose of defraying agency operational expenses.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Emergency Management Agency for the period beginning July 1, 2022, and ending June 30, 2023 ..... \$ 6,518,942.00.

This additional appropriation is for the purpose of defraying Hazard Mitigation Fund expenses associated with the City of Jackson's water crisis.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the State Department of Health for the period upon passage of this act and ending June 30, 2024 ..... \$ 1,103,950.00.

This additional appropriation is for the purpose of defraying legal expenses.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF CAPITAL EXPENSE FUNDS, MISSISSIPPI ETHICS COMMISSION FOR FISCAL YEAR 2023; MISSISSIPPI EMERGENCY MANAGEMENT AGENCY FOR FISCAL YEAR 2023; STATE DEPARTMENT OF HEALTH FOR FISCAL YEARS 2023 AND 2024; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1644 was adopted.

YEAS AND NAYS On H. B. No. 1644. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.



Senator Hopson called up the following entitled bill:

**H. B. No. 1614:** Appropriation; Educational Television, Authority for.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Authority for Educational Television for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 4,187,293.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Authority for Educational Television which is comprised of special source funds collected by or otherwise available to the Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,157,752.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent: 73  
Time-Limited: 7

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Funds appropriated herein shall first be used for the continuation of a full and complete broadcast schedule of educational and instructional, professional growth, and public service programs, with the production of new films and programs to be secondary thereto.

SECTION 5. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Two Million One Hundred Eighteen Thousand Nine Hundred Sixty-six Dollars (\$2,118,966.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid or equipment purchased with funds appropriated hereby be transferred or assigned to any other state agency, department or officer for public relations, publicity or publication activities of such office.

SECTION 8. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall have the authority to expend funds in the Capital Equipment Replacement Revolving Fund, in accordance with Section 37-63-17, Mississippi Code of 1972, for the purpose of purchasing technical equipment for operating the educational radio and television facilities.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Content Operations	
Number of Locally Produced TV Programs	150
Number of Locally Produced Radio Programs	1,092
Number of Monthly Average Number of Web Site Users	4,500
Number of New Programs Produced and Broadcast Related to Fit to Eat Programming	13
Percent Increase in Visitors Viewing the Healthy Living Related Items on MPB Site	31.00
Percent of Radio Broadcasts & TV Alerts During Times of Emergency	100.00
Education Services	
Percent Increase in Users Using MPB Education Online Resources for Pre-K Children and Families	15.00
Number of Students Served by the Digital Education Network (DEN) Classroom	2,000
Number of School Districts Participating in the DEN Classroom	30
Number of Teachers Taking e-Learning Courses	1,200
Number of Teacher Continuing Education Units (CEUs) Provided by e-Learning Courses Offered	400

Percent Increase of Visitors to the MPB	
Education Website	15.00
Number of Rotary Clubs Sponsoring with MPB	20
Number of Early Childhood Educators	
Attending MPB Resource Workshops	
Involving PBS and MPB Programs/Content	250
Number of Childcare Centers Using PBS	
Content	30
Number of Parents Participating in	
Parents Are Teachers Too (PATT)	
Initiative	300
Technical Services	
Number of Transmitters On Air	8
On-Air Reliability	99.95
Number of IT Help Desk Orders Filled	600
Administration	
Number of Community Engagements/Outreach	
Events Including Virtual Engagements	125
Number of State Agency Partners	40
New Grant Dollars Acquired	75,000.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be paid to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 12. It is the intention of the Legislature that the Authority for Educational Television may fund a program to focus on the manufacturing industry in Mississippi.

SECTION 13. Mississippi Authority for Educational Television is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Two Million Dollars (\$2,000,000.00).

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, for the Educational Television Authority for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Educational Television Authority, as authorized in House Bill No. 1601, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 3,048,822.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) Tower maintenance and upgrades .....	\$ 1,999,794.00.
(b) Digitalization of 49 Years of Educational	
Content and Mississippi History .....	\$ 700,000.00.
(c) Production of a Medgar Evers	
documentary .....	\$ 349,028.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the

previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Educational Television Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds as authorized in House Bill No. 1601, 2022 Regular Session provide for tower maintenance and upgrades for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,135,044.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1614 was adopted.

YEAS AND NAYS On H. B. No. 1614. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1615:** Appropriation; Library Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Library Commission and for carrying out

the provisions of Section 39-3-107, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 10,452,758.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Library Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 3,100,948.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 45

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Funds to be distributed to eligible public library systems under the Personnel Incentive Grants Program shall be paid quarterly in advance on or before September 30, December 31, March 31 and June 30.

SECTION 5. It is the intention of the Legislature that the Mississippi Library Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Four Hundred Ninety-three Thousand Eight Hundred Forty-seven Dollars (\$493,847.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Administrative Services	
Number of Help Desk Tickets Resolved	1,350
Library Services	
Number of Continuing Education Workshops Held per Year	40
Percent Increase of Citizens Informed by Acquiring Needed Information Through Mississippi Libraries	1.00
Number of Library Visits by Commission Staff	175
Number of Patrons Utilizing Braille, Audio, Etc	4,000
Number of Children Participating in Statewide Summer Library Prg	120,000
Number of Items Borrowed and Loaned on the Interlibrary Loan System	10,000
Number of Items Available for Use Statewide on the Interlibrary Loan System	5,000,000
Number of Searches on MAGNOLIA	35,000,000
Number of Items Available for Use at MLC (Pimary Resource Library)	100,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. It is the intention of the Legislature that no less than One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00) shall be expended for the Magnolia Database.

SECTION 9. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, are derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for MAGNOLIA . \$ 350,000.00.

SECTION 10. Of the funds appropriated herein, Four Million Three Hundred Seventy-five Thousand One Hundred Thirty-nine Dollars (\$4,375,139.00) is provided for the cost of health insurance for all full-time library staff members in each public library in Mississippi.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1615 was adopted.

YEAS AND NAYS On H. B. No. 1615. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1620:** Appropriation; Public Service Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Public Service Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 4,793,357.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Public Service Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 464,494.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 52

Time-Limited: 5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be

published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Utility Regulatory Services	
Number of Utility Docket Cases	240
Number of Utility Complaints	4,560
Electric Complaints as a Percent of Total	48.00
Telecommunication Complaints as a Percent of Total	32.00
Water Complaints as a Percent of Total	10.00
Gas Complaints as a Percent of Total	8.00
Sewer Complaints as a Percent of Total	1.00
Average Cost per Utility Complaint	638.00
Time To Resolve Utility Complaints (Days)	3
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type:	
Investor-Owned Utilities (Cents/kWh)	0.11
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Electric Cooperatives (Cents/kWh)	0.11
Average Price of Electricity for Residential Customers in MS as a Percent of the April 2016 National Average, 12.43 Cents/kWh - Investor Owned Utilities	86.89
Average Price of Electricity for Residential Customers in MS as a Percent of the April 2016 National Average,	



12.43 Cents/kWh - Electric Cooperative	95.14
Average Monthly Residential Electric Usage in MS (kWh)	1,200
Average Monthly Residential Electric Usage in MS as a Percent of the 2015 National Average, 909 kWh	135.00
Number of Pipeline Inspections	630
Average Cost per Pipeline Inspection	883.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 5. None of the funds herein appropriated by this act to the Public Service Commission shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Mississippi Public Service Commission that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the Public Service Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Service Commission to administer the Mississippi Telephone Solicitation Act, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 66,372.00.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2024
Performance Measures	Target
Telephone "no-call"	
Number of No-Call Complaints	65,000
Average Cost per No-Call Complaint	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the Public Service Commission shall compile the amount of time that is expended on each regulated entity during Fiscal Year 2023. On or before August 1, 2023, the Public Service Commission shall report these findings to the House of Representatives' Public Utilities Committee.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAIVING THE EXPENSES OF THE MISSISSIPPI PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1620 was adopted.

YEAS AND NAYS On H. B. No. 1620. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1621:** Appropriation; Public Utilities Staff.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Utilities Staff for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

..... \$ 2,376,392.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	25
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall

determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Public Utilities Staff shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE  
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1621 was adopted.

YEAS AND NAYS On H. B. No. 1621. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1635:** Appropriation; Veterans' Home Purchase Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Veterans' Home Purchase Board's revolving fund, for the purpose of defraying the expenses of the Veterans' Home Purchase Board and making new home loans as authorized by law for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 74,626,056.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent: 18

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Veterans' Home Purchase Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. It is the intention of the Legislature that the Veterans' Home Purchase Board is hereby authorized to escalate, budget and expend funds from any source, not to exceed Ten Million Dollars (\$10,000,000.00), for the purpose of making new home loans as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1635 was adopted.

YEAS AND NAYS On H. B. No. 1635. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1617:** Appropriation; Wildlife, Fisheries and Parks, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Wildlife, Fisheries and Parks for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 9,079,053.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Wildlife, Fisheries and Parks which is comprised of special source funds collected by or otherwise available to the department for the support and maintenance of the department, including the Museum of Natural Science and the Bureau of Parks and Recreation, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 69,576,594.00.

The following sum, which is included in the sum appropriated above in this section, is appropriated out of the state excise taxes upon gasoline, oil and other petroleum products to the Fisheries and Wildlife Fund for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,750,000.00.

The Department of Revenue is directed to set aside the amount of this appropriation or any part thereof at any time it sees fit, out of any collections of taxes upon gasoline, oil and other petroleum products, and to deduct the amounts so set aside from such funds before making distribution thereof. However, provisions shall first be made for the Highway Bonds Sinking Fund, as required under the provisions of Chapter 130, Laws of 1938, and any amendments thereto, and Section 27-5-101, Mississippi Code of 1972.

Any funds available in the Wildlife Heritage Fund may be expended by the Commission on Wildlife, Fisheries and Parks as authorized by law. The department shall make a detailed report to the Legislature regarding the spending of the Wildlife Heritage funds by September 1 for the preceding fiscal year.

SECTION 3. Of the funds appropriated under the provisions of Section 2 to the Bureau of Wildlife and Fisheries, funds in the amount of One Hundred Twenty-five Thousand Three Hundred Thirty-five Dollars (\$125,335.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2024.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 533

Time-Limited: 49

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are

added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. Each conservation officer and supervisor shall be furnished an allowance for uniforms not to exceed Five Hundred Fifty Dollars (\$550.00) per annum.

Provided further, when any personnel of the Bureau of Wildlife and Fisheries are transferred from one (1) county to another on a permanent assignment, the expense monies now paid on out-of-county duty shall not be applicable.

SECTION 6. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Support Services	
Number of Hunting and Fishing Licenses Sold	480,000
Number of Registrations of Boats	50,000
Percent Change in License Sales	1.00
Percent Change in Boat Registration	1.00
Fisheries	
Number of Fish Stocked for Public Waters	2,000,000
Number of Customers of DWFP Lakes	70,000
Number of Participants in Aquatic Education	6,500
Number of Access Facilities Built or Maintained (Boat Ramps)	35
Wildlife	

MDWFP Management for Hunters and Non-Consumptive Users (Man-Days)	125,000
Research Projects Conducted to Sustain Healthy and Abundant Wildlife Populations	6
Acres of Forest Inventory	1,000
Acres of Prescribed Burning, Waterfowl Management, and Timber Management on WMA's to Sustain Healthy & Abundant Wildlife	33,000
Percent Change in Number of Research Projects Conducted to Sustain Healthy and Abundant Wildlife Populations	0.00
Percent Change in Number of Private Land Acres Influenced	0.00
Percent Change in the Number of Forest Inventories Conducted	0.00
Law Enforcement	
Number of Hunter Education Participants	10,000
Number of Hours Patrolled on Land	175,000
Number of Hours Patrolled on Water	75,000
Number of Criminal Investigations Conducted	8,000
Number of Shooting Sport Programs	1,500
Number of Boating Accidents	50
Number of Boating Fatalities	7
Cost per Student for Hunter Education	48.00
Percent Increase in Shooting Sports Program	10.00
Percent Change in Number of Boating Accidents	50.00
Percent Change in Boating Related Fatalities	0.00
Percent Change in Public Contacts per Officer/per Day	50.00
Special Projects	
Percent increase in Improved Use of Special Funds (%)	0.20
Motor Vehicle Fund	
Number of Vehicles Purchased	35
Number of Used Vehicles Sold	35
Percent Change in Number of Vehicles in the Fleet in Order to Maintain Efficient and Reliable Fleet of Vehicles	1.00
Parks	
Overnight Accommodation (Cabins/Motels)	250,000
Overnight Accommodations (Camping)	795,000
Day Use Services	400,000
Percent Change in Day Use Services	10.00
Percent Change in the Prior Year of Occupancy Rate of Cabins	25.00
Museum	
Statewide Education Programming	250,000
Total Public Programming	125,000
Number of Visitors to Exhibits	95,000
Number of Natural Heritage Records Entered	60,000
Percent Change of Students that Understand the Importance of Natural Resource Conservation	5.00
Percent Change of Visitors to Exhibits	10.00
Percent Change in the Number of Natural Heritage Records	10.00



A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. Of the funds appropriated in Section 2, the following amount shall come from the Department of Wildlife, Fisheries and Parks Special Pearl River Timber Fund No. 3465, for the purpose of making improvements to the Pearl River Wildlife Management Area..... \$ 50,000.00.

SECTION 9. Of the funds appropriated within this act, the Commission on Wildlife, Fisheries and Parks may enter into cooperative agreements with the board of supervisors of any county or any group or combination of counties for the purpose of creating, improving or restoring parks, public game and fish habitat lying or to be situated wholly or partially within such county or in an adjoining county; and each county is empowered and authorized, in its discretion, to expend funds from the general county fund for such purposes from which fund they shall reimburse to the Commission on Wildlife, Fisheries and Parks the actual cost of all surveying and engineering projects incurred by the Department of Wildlife, Fisheries and Parks incidental thereto. Such boards of supervisors are further authorized and empowered, in their discretion, to enter into agreements necessary to carry out the purposes of this act with any other county, the United States Forest Service or any other agency if same should be necessary for the acquisition of land by lease or otherwise for such purposes.

SECTION 10. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 11. In order to be in compliance with Section 63-1-201 et seq., funds are herein provided and may be expended by the Department of Wildlife, Fisheries and Parks to pay the costs of commercial driver's licenses for specific employees and/or to reimburse such costs for specific employees who, in the course of their duties and responsibilities, are required to hold a valid Mississippi Commercial Driver's License.

SECTION 12. The Mississippi Department of Wildlife, Fisheries and Parks is authorized to provide financial support of One Hundred Seventy-five Thousand Dollars (\$175,000.00) and to enter into an agreement with the Mississippi Cooperative Extension Service for a project specialist and related supportive cost.

SECTION 13. The department is authorized to spend up to sixty percent (60%) of revenue in the State Park Timber Endowment Fund, as needed, to operate and maintain the state parks.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated in Section 1, it is the intention of the Legislature that Four Hundred Thousand Dollars (\$400,000.00) is allocated for the detection and prevention of Chronic Wasting Disease in deer populations across the state.

SECTION 16. Of the funds appropriated in Section 1, it is the intention of the Legislature that Seventy-five Thousand Dollars (\$75,000.00) is allocated for LeFleur's Bluff State Park for playground security expenses.

SECTION 17. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) may be provided to fund the Youth Participation Initiative for the purpose of educating children in the areas of hunting, fishing, conservation, and safety.

SECTION 18. The fund created pursuant to Section 49-5-21, Mississippi Code of 1972, and known as the "Fisheries and Wildlife Fund" shall be treated as a special trust fund. All funds derived from the sale of licenses, fees, fines and other revenues

received by the department as provided by law, shall be deposited in the Fisheries and Wildlife Fund. In addition, revenue derived from the sale of timber on wildlife management areas, refuges and preserves shall be deposited into an account established for such revenues under the Fisheries and Wildlife Fund. The interest and any investment income earned on the fund shall be credited by the State Treasurer to the Fisheries and Wildlife Fund and shall not be paid into the General Fund. Any unexpended funds remaining in the fund at the end of the fiscal year shall not lapse and shall remain in the fund. Nothing in this section shall prevent the use of said funds from maintenance and upgrade of wildlife management areas.

SECTION 19. It is the intention of the Legislature that no more than One Million Three Hundred Thousand Dollars (\$1,300,000.00) be expended from the Motor Vehicle Fund for the purchase of any type of motor vehicle.

SECTION 20. The executive director of the Department of Wildlife, Fisheries and Parks is authorized to enter into an agreement with any public or private entities to manage any park or parks within the state park system.

SECTION 21. It is the intent of the Legislature that no state-owned wildlife management area be closed and that to the greatest practicable extent, department land management decisions and actions may not result in any net loss of any acreage available for hunting opportunities that existed on July 1, 2006, as provided in Section 49-5-99(4). It is the intention of the Legislature that no state park be closed without legislative approval.

SECTION 22. It is the intent of the Legislature that the Mississippi Department of Wildlife, Fisheries and Parks shall have the authority to enter into multi-year contracts for the purpose of placing a sign on such state park property under the department's domain, in accordance with any applicable rules and regulations. All proceeds generated from these activities shall remain with the department and shall be deposited into the proper special fund.

SECTION 23. It is the intent of the Legislature that from the funds available to the Department of Wildlife, Fisheries and Parks, the department may purchase and pay premium(s) on property damage insurance on its motor vehicles, boats, trailers, real property improvements, buildings, furnishings, and such other assets as may be appropriate or practical, and/or as required by a granting entity.

SECTION 24. Of the funds appropriated under the provisions of Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be designated for the purpose of defraying the operational expenses of Special Projects. None of these funds shall be used for "Personal Services."

SECTION 25. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall have the authority to receive, budget and expend funds from the Gulf and Wildlife Protection Fund, not to exceed Fifty Thousand Dollars (\$50,000.00) for the purpose of preservation, protection, conservation, and acquisition of waters, land and wildlife of this state.

SECTION 26. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 27. Of the funds appropriated in Section 1, it is the intention of the Legislature that Fifty-eight Thousand Five Hundred Ninety-three Dollars (\$58,593.00) may be allocated for the Hunter Education program supported from the General Fund court assessments.

SECTION 28. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Wildlife, Fisheries, and Parks for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1605, 2022 Regular Session to provide for repairs and renovations to state parks and museums for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the

previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 29. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 30. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS  
FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1617 was adopted.

YEAS AND NAYS On H. B. No. 1617. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1641:** Appropriation; Attorney General.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of the Attorney General for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 29,411,008.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the credit of the Office of the Attorney General which is comprised of special source funds collected by or otherwise available to the office, for the purpose of defraying the expenses of the office for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 8,365,950.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 83

Time-Limited: 203

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Office of the Attorney General shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

		FY2024 Target
Performance Measures		
Supportive Services		
	Cost of Support Services as Percent of Budget, 2011-2012 Baseline: 5.10%	5.00
Training		
	Ratings of Continuing Legal Education Training Presentation by Participants	95.00
	Ratings of CRIMES System Training Presentation by Participants	0.00
Litigation		
	Minimum Affirmations of Criminal Convictions 2011-2012 Baseline: 90.00%	90.00
	Minimum Affirmations of Death Penalty Appeals 2011-2012 Baseline: 83.33%	80.00

SENATE JOURNAL  
THURSDAY, MARCH 9, 2023

1921

Minimum Denial of Relief in Federal Habeas Corpus 2011-2012 Baseline: 86.96%	99.00
Minimum Pos Results of Civil Cases 2011-2012 Baseline: 96.00%	96.00
Percent Change of Affirmations of Criminal Convictions Attained	7.00
Percent Change of Death Penalty Review Cases Affirmed	5.00
Percent of Change of Appeals for Relief in Federal Habeas Corpus Cases Denied	0.00
Percent Change of Positive Results from Civil Cases	0.00
Opinions	
Percent Assigned to Attorneys in 3 Days or Less, 2011-2012 Baseline: 100.00%	100.00
Percent of Opinions Completed in 30 Days or Less, 2011-2012 Baseline: 76.00%	75.00
Percent Change of Opinion Requests Assigned to Attorneys within 3 Days or Less	0.00
Percent Change of Opinion Requests Completed within 30 Days or Less	5.00
State Agency Contracts	
Percent of Good and Excellent Ratings for Legal Services, 2011-2012 Baseline: 94.00%	100.00
Percent Change of Good/Excellent Ratings for Legal Services	0.00
Insurance Integrity Enforcement	
Minimum Positive Results of Workers' Compensation Cases 2011-2012 Baseline: 90.00%	99.00
Minimum Positive Results of Insurance Cases 2011-2012 Baseline: 90.00%	99.00
Percent Change of Positive Results of Workers' Compensation Insurance Fraud	5.00
Percent Change of Positive Results of Other Insurance Cases	0.00
Other Mandated Programs	
Medicaid Fraud Convictions vs Dispositions 2011-2012 Baseline: 100.00%	90.00
Medicaid Abuse Convictions vs Dispositions 2011-2012 Baseline: 95.00%	95.00
Minimum Defendants Convicted after Indictments (PID) 2011-2012 Baseline: 96.00%	90.00
Response to Consumer Complaints (Days) 2011-2012 Baseline: 3.14%	5
Average Number of Days to Respond to Consumer Complaints	5
Percent Change of Medicaid Fraud Convictions vs Dispositions	0.00
Percent Change of Medicaid Abuse Convictions vs Dispositions	0.00
Percent Change of Defendants Convicted After Indictment	0.00
Crime Victims Compensation	
Percent of Claims Processed in 12 Weeks	

or Less, 2011-2012 Baseline: 67.97%	75.00
Percent Change of Claims Processed Timely	0.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. Of the funds appropriated under the provisions of Section 1, funds included therein which are derived from penalties and/or other funds collected by the Medicaid Fraud Control Unit shall be available for the purpose of providing the state match for federal funds available for the support of the unit, or for other lawful purposes as deemed appropriate by the Attorney General. Further, it is the intent of the Legislature that any penalties and/or other funds collected and/or expended shall be accounted for separately as to source and/or application of such funds.

SECTION 7. Of the funds appropriated under the provisions of Section 1, the amount of One Million Dollars (\$1,000,000.00), or so much thereof as may be necessary, shall be made available for expenditure by the Prosecutors Training Division.

SECTION 8. No part of the money herein appropriated shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 9. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Attorney General that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, the sum of Six Hundred Eighty Thousand Dollars (\$680,000.00) is provided from the Department of Health for the Alcohol and Tobacco Enforcement Unit.

SECTION 12. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Million Six Hundred Ninety Thousand Three Hundred Forty-six Dollars (\$5,690,346.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Prosecutor Education.....	\$ 662,582.00
Crime Victims Compensation .....	\$ 1,901,332.00
Vulnerable Persons Training, Invest and	
Prosecution Trust .....	\$ 565,165.00
Child Support Prosecution Trust.....	\$ 128,475.00
Law Enforcement & Firefighters Disability	
Benefits Trust .....	\$ 133,666.00
Cyber Crime Unit .....	\$ 944,722.00
Domestic Violence Training.....	\$ 376,580.00
Children's Advocacy Centers .....	\$ 554,489.00
Crime Victims Compensation Admin .....	\$ 347,547.00
Motorcycle Officer Training .....	\$ 62,763.00
District Attorney Operations .....	\$ 13,025.00

It is the intention of the Legislature that the Attorney General's Office shall prepare and submit a quarterly report to the Chairmen of the Appropriation Committees

of the Senate and House of Representatives that details the expenditures made for programs supported from General Fund court assessments allocated in this section.

SECTION 13. Of the funds appropriated in this act, funds are provided to defray the expenses of litigation defending the constitutionality of Mississippi statutes.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1641 was adopted.

YEAS AND NAYS On H. B. No. 1641. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1638:** Appropriation; Capital Post-Conviction Counsel, Office of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel, for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 1,985,529.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Office of Capital Post-Conviction Counsel, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel of the State of Mississippi for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 215,258.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent: 9

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Office of Capital Post-Conviction Counsel shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1638 was adopted.

YEAS AND NAYS On H. B. No. 1638. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

\_\_\_\_\_  
Senator Hopson called up the following entitled bill:

**H. B. No. 1637:** Appropriation; District attorneys and staff.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.



Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries and travel expenses of district attorneys, assistant district attorneys, criminal investigators, tort claims assessments, and paying office expenses of district attorneys for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 27,617,848.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Prosecutor Compensation Fund, referred to in Section 99-19-73, Mississippi Code of 1972, for the purpose of paying salaries of assistant district attorneys of the state as authorized in Section 25-31-5(1) for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 486,932.00.

SECTION 3. None of the funds authorized in this section shall be used to reimburse district attorneys or their staff for taxable meals incurred within their geographical district.

SECTION 4. Of the funds appropriated herein, office expenses of district attorneys as authorized by Section 25-31-8, Mississippi Code of 1972, in the amount of One Million Two Hundred Sixty-nine Thousand Dollars (\$1,269,000.00).

SECTION 5. Of the funds appropriated in Section 1, office expenses and such funds for salaries shall be provided as authorized in Section 25-3-35(6), Mississippi Code of 1972, to fund the salary for one (1) full-time legal assistant in the Sixth Circuit Court District as authorized in Section 25-31-5(2)(f), Mississippi Code of 1972.

SECTION 6. It is the intention of the Legislature that the district attorneys and assistant district attorneys of the state shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of details as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget requests for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 7. It is the intention of the Legislature that with the funds provided herein, the district attorneys shall submit their Five-Year Strategic Plan(s) as required in Section 27-103-129(1), Mississippi Code of 1972.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1637 was adopted.

YEAS AND NAYS On H. B. No. 1637. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1639:** Appropriation; State Public Defender, Office of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of State Public Defender of the State of Mississippi for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 3,488,231.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent: 25

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Capital Defense	
.....Percent of Trial Cases Opened Less Than	
One Year .....	75.00
.....Percent Change in Running Average of	
Reversals Due to Ineffective Assistance	
.....	
of Counsel .....	0.10
.....Average of Reversals Due to Ineffective	
Assistance of Counsel.....	8.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 4. It is the intention of the Legislature that the Office of State Public Defender shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds provided in Section 1, Two Hundred Seventy-eight Thousand Five Hundred Dollars (\$278,500.00) shall be provided for the Indigent Parental Representation for the purpose of contracting with trained and certified attorneys to represent indigent parents or guardians in abuse, neglect or termination of parental rights proceedings as provided under Sections 43-21-201 and 99-18-13, Mississippi Code of 1972.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1639 was adopted.

YEAS AND NAYS On H. B. No. 1639. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1605:** Appropriation; Insurance, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 12,575,977.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi Department of Insurance which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024. \$ 130,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent:	128
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Insurance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the

intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, Etc) Licenses Issued	165,000
Average Cost per License Issued	100.00
Number of Agent's C/A's Issued	290,000
Average Cost per Agent C/A Issued	25.00
Number of Requests for Assistance	24,500
Average Cost per Customer I/C Addressed	53.00
Number of Fire Marshal Investigations	475
Cost per Fire Marshal Investigation	550.00
Number of Fire Marshal Inspections	5,720
Average Cost per Fire Marshal Inspection	60.00
Liquefied Compressed Gas	
Number of Accidents/Injuries/Deaths Due to Incidents Involving LCG	0
Number of Inspections	7,500
Average Cost per Inspection	60.00
Number of Safety Training Schools/Seminars	170
Average Cost per Safety Training School	145.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is provided for the Mississippi Fire Personnel Minimum Standards and Certification Board.

SECTION 7. Of the funds appropriated under the provisions of Section 1, funds in the amount of Twenty Thousand Dollars (\$20,000.00) are provided and shall be expended to pay the annual dues for the National Conference of Insurance Legislators.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding any project for which the Legislature has made funds available. Any signage regarding any public event or project shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Within the limits of the funds available to the Mississippi Insurance Department for such purpose, the Commissioner of Insurance for the Mississippi Insurance Department may grant a paid internship to students pursuing junior or senior undergraduate level year coursework toward a bachelor's degree in risk management insurance or graduate level coursework towards a master's degree in business administration. Those applicants deemed qualified by the Mississippi Department of Insurance shall receive funds that may be used to pay for tuition, books and related fees

to pursue their degree. It is the intent of the Legislature that the paid internship program shall be used as incentive for risk management insurance careers at the Mississippi Insurance Department.

SECTION 11. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the State Fire Marshal's Office for fire safety prevention and services, including, but not limited to, fire protection supplies and materials, smoke alarms, and public service announcements providing fire prevention information.

SECTION 12. Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Propane Education and Research Program Fund, for the purpose of research and development of more cost effective uses of propane and on educational programs, safety programs, and market development of propane for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 130,000.00.

SECTION 13. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Annual Fire Fund which was created in Section 17-23-21, Mississippi Code of 1972 to the Mississippi Department of Insurance for the Rural Fire Truck Acquisition Assistance Program and the Supplementary Rural Fire Truck Fund for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,000,000.00.

SECTION 14. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Rural Fire Truck Matching Assistance Fund which was created in Section 17-23-1 (4), Mississippi Code of 1972 to the Mississippi Department of Insurance for the Rural Fire Truck Matching Assistance Program for the fiscal year beginning July 1, 2023, and ending June 30, 2024  
\$ 2,000,000.00.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Department of Insurance for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of purchasing vehicles for inspectors, as authorized in House Bill No. 1593, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023 from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Department of Insurance for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of purchasing smoke alarms, as authorized in House Bill No. 1593, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 50,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023 from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. With the funds appropriated herein, the Mississippi Insurance Department is authorized to make payment for expenses incurred during Fiscal Year 2021 to the National Association of Insurance Commissioners in an amount not to exceed Fifteen Thousand Seven Hundred and Seventy Dollars (\$15,770.00).

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1605 was adopted.

YEAS AND NAYS On H. B. No. 1605. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1606:** Appropriation; Fire Academy.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Fire Academy for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,324,164.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 60  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Training	
Number of Students Trained	15,000
Average Cost per Student Trained	440.49

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 4. It is the intention of the Legislature that the State Fire Academy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the State Fire Academy for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of a state match to purchase a specialty rescue truck, as authorized in House Bill No. 1594, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 75,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the



previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 8. It is the intention of the Legislature that the State Fire Academy is hereby authorized to pay invoices submitted by Aramark Uniform for reimbursement for prior fiscal year commodities in an amount not to exceed Five Thousand Six Hundred Fourteen Dollars (\$5,614.00).

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1606 was adopted.

YEAS AND NAYS On H. B. No. 1606. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1609:** Appropriation: Real Estate Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 1,733,660.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized for the Mississippi Real Estate Commission:

AUTHORIZED HEADCOUNT:

Permanent:	16
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Mississippi Real Estate Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
MISSISSIPPI REAL ESTATE COMMISSION FOR FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1609 was adopted.

YEAS AND NAYS On H. B. No. 1609. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Blackwell. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1608:** Appropriation; Real Estate Appraiser Licensing and Certification Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate Appraisal License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Appraiser Licensing and Certification Board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 461,335.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized for the Mississippi Real Estate Appraiser Licensing and Certification Board:

AUTHORIZED HEADCOUNT:

Permanent: 4

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth

within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Mississippi Real Estate Appraiser Licensing and Certification Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1608 was adopted.

YEAS AND NAYS On H. B. No. 1608. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1625:** Appropriation: Child Protection Services, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Child Protection Services for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 128,935,231.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Child Protection Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 123,604,416.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent: 1,517

Time-Limited: 417

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Child Protection Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. The Department of Child Protection Services is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 7. Of the funds appropriated in Section 1, herein to the Department of Child Protection Services, it is the intention of the Legislature that Ninety-three Thousand Six Hundred One Dollars (\$93,601.00) shall be allocated to the Mississippi Children's Trust Fund supported from General Fund court assessments.

SECTION 8. Of the funds appropriated by this act, pursuant to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for maintaining a 24-hour hotline that is to be manned at all times, and for a coordinator to work with the Department of Public Safety, and to contract with outside agencies or service providers to organize for the provision of specialized services, including counseling services and other appropriate care to children who have been victims of commercial and sexual exploitation or human trafficking.

SECTION 9. Of the funds appropriated in Section 1 and Section 2, an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) may be expended for the Department of Child Protection Services for Kinship Care Payments as authorized by Section 43-15-17, Mississippi Code of 1972.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Child Protection Services for the purpose of reauthorizing the expenditure of Capital Expense Fund, as reappropriated in HB 1611, 2022 Regular Session, for information technology system developments for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 10,721,859.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. Of the funds appropriated in Section 1, Eleven Million Eighty-six Thousand Two Hundred Thirty-nine Dollars (\$11,086,239.00) are appropriated to fund the Adoption Assistance Payments and One Million Two Hundred Fifty-four Thousand Nine Hundred Ninety-nine Dollars (\$1,254,999.00) are provided for the Foster Home Maintenance Payments. It is the intent of the Legislature that these funds be expended for said purpose.

SECTION 12. Notwithstanding any other provision, the Department of Child Protection Services shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 13. Of the funds appropriated herein, the Department of Child Protection Services is authorized to make payments for expenses incurred during Fiscal Years 2020, 2021, and 2022 for an amount not to exceed Sixty-five Thousand Four Hundred Seventy-three Dollars and Seventy-nine Cents (\$65,473.79).

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1625 was adopted.

YEAS AND NAYS On H. B. No. 1625. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1623:** Appropriation; Rehabilitation Services, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Rehabilitation Services for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 30,606,495.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Rehabilitation Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various offices of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 216,125,615.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Eight Hundred Two Dollars (\$3,681,802.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972. The above funds shall be allocated as follows:

Fully match all available federal funds .....	\$ 2,782,590.00.
Independent Living Program which includes the State Attendant Care Program.....	\$ 854,903.00.
Deaf and hard of hearing .....	\$ 44,309.00.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	824
Time-Limited:	207

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. It is the intention of the Legislature that the Department of Rehabilitation Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. The Office of Vocational Rehabilitation for the Blind shall remain accredited by using not more than Five Hundred Dollars (\$500.00) of the funds appropriated along with matching funds for payment of fees to an accreditation agency recommended by the Rehabilitation Services Administration.



SECTION 7. Of the funds appropriated herein, the Mississippi Department of Rehabilitation Services through the Office of Vocational Rehabilitation for the Blind is authorized to expend an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for the National Federation for the Blind (NFB) News line service to allow blind and visually impaired persons to access newspapers through toll-free telephone calls.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Disability Determination Services	
Number of Dispositions	60,000
Number of Days For Processing Time	130
Voc Rehabilitation For The Blind	
Number of Blind and Visually Impaired Persons Served	2,025
Number of Persons Rehabilitated	285
Number of Independent Living Persons Served	720
Percent Change in Persons Employed Compared to Persons Served	13.00
Vocational Rehabilitation	
Number of Clients Served	15,025
Number of Clients Rehabilitated	2,535
Percent Change of Persons Employed Compared to Persons Served	16.00
Persons Employed with Pay Rate Greater than Federal or State Minimum Wage	2,535
Persons with Significant Disabilities Leaving VR With Competitive, Self, or BEP Employment, Wage = or > Than Minimum	1,138
Spinal Cord & Head Injury Program	
Number of Clients Served	1,050
Percent Change in Number of Spinal Cord and Brain Injuries per Year	3.00
Special Disability Programs	
Number of Clients Served	3,100
Percent Change in Persons Receiving HCBW Services Compared to Waiting List	25.00
Ratio of Cost to HCBW Services per Person Compared to an Institutional Setting	38.00
Support Services	
Percent of Total Budget	1.96

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 10. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Five Hundred Sixty-three Thousand Thirty-nine Dollars (\$1,563,039.00) shall be allocated to the Spinal Cord & Head Injury Trust supported from General Fund court assessments.

SECTION 11. Of the funds appropriated in Section 1, One Million Dollars (\$1,000,000.00) is provided for the support of the Independent Living Home and Community Based Waiver programs along with any additional funds that may be appropriated to these programs.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1623 was adopted.

YEAS AND NAYS On H. B. No. 1623. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniell, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1626:** Appropriation; Health, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Health for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 38,888,421.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the State Department of Health which is comprised of special source funds collected by

or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
\$ 505,431,838.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two Dollars (\$526,102.00) shall be derived from the State General Fund and Nine Million Two Hundred Seventy-eight Thousand Seven Hundred Eighty-three Dollars (\$9,278,783.00) shall be derived from the Health Care Expendable Fund, created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the State Department of Health. The funds provided in this section shall be allocated as follows:

Maternal and Child Health Care Program.....	\$ 1,242,943.00
Mississippi Health Care Alliance for the ST Elevated Myocardial Infarction Program (STEMI) and the Stroke System of Care Plan .....	\$ 100,000.00
Health Department Programs.....	\$ 8,461,942.00

SECTION 4. Of the funds appropriated in this act, Twenty-eight Million Dollars (\$28,000,000.00) is allocated to the Trauma Care System. Of the General Fund court assessments provided in Section 1, Seven Million Twenty-three Thousand One Hundred Ninety-seven Dollars (\$7,023,197.00) shall be allocated for Trauma Care Systems and One Million Eight Hundred Five Thousand Eight Hundred Fifty-nine Dollars (\$1,805,859.00) shall be allocated for Emergency Medical Services. All additional funds are appropriated in Section 2. The State Department of Health may transfer a portion of Trauma Care System funds to the Division of Medicaid for the development and implementation of an enhanced reimbursement fee program related to trauma care and services, used to match federal funds, under a cooperative agreement between the State Department of Health and the Division of Medicaid.

It is the intention of the Legislature that none of the funds authorized herein for the Trauma Care System shall be expended to the benefit of any hospital located outside the boundaries of the State of Mississippi, unless otherwise excepted in this paragraph. Funds shall be expended by the Mississippi Department of Health for distribution to the Regional Medical Center or Le Bonheur Children's Hospital at Memphis, located in Memphis, Tennessee, or the University of South Alabama Medical Center located in Mobile, Alabama, or the Joseph M. Still Burn Centers, Inc., located in Augusta, Georgia, or the Joseph M. Still Burn and Reconstruction Center at Merit Health Central or any affiliates or any other Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that participates in the Mississippi Trauma Care System, as determined by the Mississippi Department of Health.

SECTION 5. Of the funds appropriated in Section 2, Twenty Million Dollars (\$20,000,000.00) shall be derived from the Tobacco Control Program Fund, created in Section 41-113-11, Mississippi Code of 1972, and shall be allocated as follows:

University of Mississippi Medical Center Cancer Institute.....	\$ 4,250,000.00
Department of Education - Mary Kirkpatrick Haskell – Mary Sprayberry Public School Nurse Program .....	\$ 3,060,000.00
Attorney General's Office - Alcohol and Tobacco Enforcement Unit .....	\$ 680,000.00
University of Mississippi Medical Center – A Comprehensive Tobacco (ACT) Center .....	\$ 595,000.00
Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI) and Stroke System of Care Plan.....	\$ 595,000.00
Mississippi Qualified Health Center Grant Program .....	\$ 3,400,000.00
Mississippi Health Department Programs.....	\$ 7,420,000.00

Of the funds appropriated in this section, the State Department of Health is authorized to expend funds to create and administer the Office of Tobacco Control

within the department as outlined and created in Section 41-113-3, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in Section 1, Four Million Five Hundred Two Thousand Nine Hundred Fifteen Dollars (\$4,502,915.00) shall be allocated as follows:

Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI) and Stroke System of Care Plan.....	\$ 279,400.00
Mississippi Qualified Health Center Grant Program.....	\$ 4,000,000.00
Mississippi Health Department Programs.....	\$ 223,515.00

SECTION 7. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	699
Time-Limited:	1,306

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 8. It is the intention of the Legislature that the State Department of Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024	Target
Health Services		
State Infant Mortality Rate (per 1,000 Live Births)	8.20	
Percent of Women who Received Prenatal Care in First Trimester	72.50	
Percent of Live Births Delivered Prior to 37 Weeks of Gestation	13.20	
Teenage Live Birth Rate Age 15-19 Years (per 1,000 Women Age 15-19)	22.60	
Percent of Newborns with Positive and Inconclusive Genetic Screens who Received Recommended Follow-Up	100.00	
Percent of Adults who are Obese (Body Mass Index of 30 or More, Regardless of Sex)	39.10	
Health Protection		
Percent of Mississippi Population Receiving Water From a Public Water Supply	92.00	
Percent of Mississippi Population Receiving Optimally Fluoridated Water	50.00	
Transfer Time of Level III and IV Trauma Centers to Appropriate Facilities for Treatment (Minutes)	130	
Communicable Disease		
Primary and Secondary Syphilis: Case Rate per 100,000	38.35	
Tuberculosis: Number of Cases		
45		
Tuberculosis: Case Rate per 100,000	1.40	
HIV Disease: Number of Cases		
442		
HIV Disease: Case Rate per 100,000	14.93	
Rate of Two Year Old Children Fully Immunized (National Immunization Survey: 4:3:1:3:3:1:4 series - 19 to 35 months)	72.20	
Tobacco Control		
Percent of Current Smokers Among Public		

Middle School Students .....	2.00
.....Percent of Current Smokers Among Public	
High School Students.....	4.20
..... Percent of Current Smokers Among Adults	
18 Years and Older.....	20.00
Public Health Emerg Prep/resp	
..... Time Required for Command Staff to	
Report to Emergency Operations Center in	
Response to a National or Man-Made	
Disaster (Minutes).....	30
Admin & Support Services	
..... Percent of Mississippi Population Living	
in an Area Designated as a Health	
Professional Shortage Area: Mental	
Health .....	60.00
..... Percent of Mississippi Population Living	
in an Area Designated as a Health	
Professional Shortage Area: Dental .....	45.00
..... Percent of Mississippi Population Living	
in an Area Designated as a Health	
Professional Shortage Area: Primary	
Care.....	49.00
Medical Cannabis	
..... Number of Conditions Added to the List	
of Debilitating Medical Conditions .....	3
Number of Qualifying Patients Approved	
3,000	
Number of Designated Caregivers Approved	
50	
..... Number of Registry Identification Cards	
Revoked .....	20
..... Total Number of Patients with a Registry	
Identification Card .....	3,000
Number of Licensed Medical Practitioners	
65	
..... Number of Licensed Cannabis Cultivation	
Facilities.....	0
..... Number of Licensed Cannabis Processing	
Facilities.....	10
..... Number of Licensed Cannabis Testing	

Facilities.....	4
.....Number of Licensed Cannabis Waste	
Disposal Entities .....	12
.....Number of Licensed Cannabis	
Transportation Entities .....	12
Percent of Applications Approved	
70.00	

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 10. It is the intention of the Legislature that with the funds provided herein, the State Department of Health may provide and administer without charge, Hepatitis B vaccinations to Emergency Medical Services (EMS) personnel who are in need of such vaccinations through job related exposure.

SECTION 11. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 38,640,146.00.

SECTION 12. Of the funds appropriated under Section 11 of this act, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent: 5  
Time-Limited: 3

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure

that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 13. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall come from the Department of Human Services, Child Care Development Fund or other appropriate special funds for the purpose of child care licensure. These funds are to be transferred to the State Department of Health no later than July 31, 2023. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Human Services.

SECTION 14. It is the intention of the Legislature that the State Department of Health shall expend not more than Fifty Thousand Dollars (\$50,000.00) of the funds appropriated herein for providing the oil known as "Lorenzo's Oil" for the treatment of the genetic disorder adrenoleukodystrophy (ALD), to children and Mississippi residents over the age of twenty-one (21) who have the genetic disorder adrenoleukodystrophy and for whom Medicaid does not reimburse the cost of providing the oil. The department may also provide needed pathology and biannual MRI exams.

SECTION 15. Of the funds appropriated in Section 1, Seven Hundred Thousand Dollars (\$700,000.00) are provided for the purpose of purchasing AIDS drugs and other necessary AIDS related medical services.

SECTION 16. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided for the Breast and Cervical Cancer Program.

SECTION 17. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Medical Cannabis Act at the Department of Health for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 7,243,426.00.

SECTION 18. Of the funds appropriated under the provisions of Section 17 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	0
Time-Limited:	34

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure



that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 19. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Burn Care Fund which is comprised of special source funds collected by or otherwise available to the department, for the purpose of funding reimbursement for uncompensated medical care to Mississippi burn victims through the trauma care system at in-state burn facilities including the Joseph M. Still Burn and Reconstruction Center at Merit Health Central or for uncompensated aero medical transportation to out-of-state qualified United States Burn Care facilities, and such other provisions necessary to provide burn care for Mississippi residents, including reimbursement for travel, lodgings, meals and other reasonable travel-related expenses incurred by burn victims, family members and/or caregivers, for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 1,000,000.00.

SECTION 20. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 21. It is the intention of the Legislature that the Mississippi Department of Health shall implement same day service to receive birth and death certificates.

SECTION 22. It is the intention of the Legislature that the Mississippi State Department of Health shall provide the Joint Legislative Budget Committee a report of all grants received by September 15, 2023. This notification will consist of the name of the grant and agency or nonprofit making the award, the award amount, and a short list of goals to be achieved.

SECTION 23. It is the intention of the Legislature that the Mississippi State Department of Health shall be the fiscal agent in all allowable grants awarded.

SECTION 24. Of the funds appropriated in Section 2, Seven Hundred Thousand Dollars (\$700,000.00) shall come from the Department of Education for the purpose of maintenance of effort for the Early Intervention Program. These funds are to be transferred to the State Department of Health no later than December 31, 2023. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Education.

SECTION 25. The Mississippi Department of Health is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls which, from time to time, may occur due to insufficient working cash spent in anticipation of receiving federal reimbursement. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Mississippi Department of Health designated special fund account. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the department in the manner of and subject to the same terms provided in this section.

SECTION 26. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 27. With the funds appropriated herein, it is the intention of the Legislature that the Mississippi Department of Health is authorized to set the compensation of all nurse PINs, Epidemiologists and Disease Intervention Specialist Series based on the education and experience of the incumbent not to exceed the end salary as established by the State Personnel Board.

SECTION 28. It is the intent of the Legislature that the Chairman of the Board of Health may appoint an official replacement or representative with voting privileges to the Advisory Board of the Office of Mississippi Physician Workforce.

SECTION 29. It is the intention of the Legislature that the State Health Officer shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Health. It is further the intention of the Legislature that the State Health Officer shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 30. Of the funds appropriated in Section 1, it is the intention of the Legislature that Eight Hundred Fifty-nine Thousand Nine Hundred Three Dollars (\$859,903.00) shall be allocated to the Domestic Violence program that is supported from General Fund court assessments.

SECTION 31. It is the intent of the Legislature that the Mississippi State Department of Health shall have authority to escalate the various budgets in both funds and positions, with the approval of the State Fiscal Officer, from any special funds collected or available for HIV medical or support services, clinical quality management, and administrative expenses not to exceed Five Million Dollars (\$5,000,000.00), to the agency for expenditure. Upon such approval, the Mississippi State Department of Health may expend such funds in the manner authorized by law. Funds may be made available to local HIV/AIDS service providers.

The Executive Director of the Mississippi State Department of Health shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 32. Notwithstanding any other provision, the Department of Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 33. It is the intention of the Legislature that the State Department of Health is hereby authorized to escalate, budget and expend funds for salaries and positions, with the approval of the State Fiscal Officer, from fund numbers 5331400000, 5331500000 and 5820130100, for the purpose of operating the State Department of Health programs as authorized by law, in accordance with rules and regulation of the Department of Finance and Administration in a manner consistent with the escalation of federal funds and when grant requirements have changed that result in staffing needs but do not result in new or additional funds.

The Executive Director of the State Department of Health or designee shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 34. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Healthcare Expendable Fund not otherwise appropriated, for the Department of Health for the purpose of reauthorizing the expenditure of Healthcare Expendable Funds to defray the expenses of the Department of Health, as authorized in HB 1614, 2022 Regular Session for Non-Transport Emergency Services for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 415,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 35. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 36. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1626 was adopted.

YEAS AND NAYS On H. B. No. 1626. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1611:** Appropriation; Arts Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Arts Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 1,330,183.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Arts Commission which is comprised of special source funds and donations collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 2,475,500.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 10

Time-Limited: 2

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be

published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Mississippi Arts Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, funds in the amount of One Million Four Hundred Ninety Thousand Dollars (\$1,490,000.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following:

Training of educators and promotion of arts programs in	
public schools.....	\$ 100,000.00
Miscellaneous grants and programs.....	\$ 350,000.00
Whole Schools Initiative.....	\$ 1,040,000.00

SECTION 6. It is the intention of the Legislature that the Arts Commission shall have the authority to transfer dollars appropriated herein designated for the "Challenge Program," specific amounts to a special fund in the State Treasury called the Arts Commission Challenge Initiative Fund. The unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and may be expended by the commission in subsequent fiscal years upon appropriation of the Legislature. Any interest earned on the fund shall be deposited to the credit of the fund and may be disbursed by the commission upon appropriations of the Legislature. It is the intention of the Legislature that the commission may award grants to arts organizations from monies in the fund and the grantees will be required to provide matching funds for the grants in an amount of not less than two (2) times the amount of the grant.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Arts Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1598, 2022 Regular Session to provide for the funding of the Building Fund for the Arts Initiative for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,700,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1611 was adopted.

YEAS AND NAYS On H. B. No. 1611. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1616:** Appropriation; Environmental Quality, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Environmental Quality for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 12,011,148.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Environmental Quality which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 248,212,077.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	235
Time-Limited:	193

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Environmental Quality shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Pollution Control	
Percent of Days with Air Advisories	5.00
Percent of Air Permits Modified/Issued in a Timely Manner	50.00
Percent of Counties That Meet NAAQ Standards	75.00
Percent of Air Facilities Inspected	35.00
Percent of Air Facilities in Compliance with Regulatory Requirements	85.00
Percent of Waste Permits Issued/Modified in a Timely Manner	60.00
Percent of Waste Facilities Inspected	60.00
Percent of Inspected Waste Facilities in Compliance with Regulatory Requirements	65.00
Percent of Citizens who Have Access to Recycling Programs	55.00
Percent of Underground Storage Tanks in Compliance with Regulatory Requirements	60.00
Percent of Contaminated Sites That Have Completed Assessment	50.00
Percent of Contaminated Sites That Have Completed Remediation	5.00
Percent of Waters That Have Acceptable Quality for Their Designed Use	56.00
Percent of NPDES Permits Issued/Modified in a Timely Manner	70.00
Percent of NPDES Majors Inspected per Year	50.00
Percent of NPDES Majors in Compliance	66.00
Percent of Staff with Expertise in the National Incident Management System	70.00
Construction Grants	
Percent of SRF Loan Recipients in Compliance with Loan Agreements	90.00
Land & Water	
Percent of Annual Prioritized Water Resource Areas Adequately Characterized	80.00
Percent of Groundwater Use Permits Issued/Modified	90.00
Percent of Surface Water Use Permits Issued/Modified	90.00
Percent of Water Use Reported	80.00
Percent of High Hazard Dams with Emergency Action Plans	95.00
Geology	
Percent of Mining Facilities Inspected	95.00
Percent of Inspected Mining Facilities in Compliance with Regulatory Requirements	85.00
Administrative Services	
Administration as a Percent of Total Budget	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 2, an amount no greater than Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Administrative Services for support of Legal Division environmental protection activities.

SECTION 8. Of the funds appropriated in Section 2, an amount no greater than One Hundred Thousand Dollars (\$100,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Pollution Control for support of the Household Hazardous Waste Collection Grants Program.

SECTION 9. Of the funds appropriated in Section 2, Four Million Four Hundred Ninety Thousand Dollars (\$4,490,000.00), or so much thereof, is provided for the Clean Water Grant match.

SECTION 10. The Department of Environmental Quality (DEQ) may request that the Mississippi Development Authority (MDA) staff shall provide an economic viability assessment for any complete application or group of related complete applications submitted to DEQ after July 1, 1999, for which DEQ estimates that DEQ will be required to devote extraordinary effort to process the application or group of related applications within the one hundred eighty (180) days required by Section 49-17-29(3)(c). For purposes of this paragraph, "extraordinary effort" means the constant dedication of more than three (3) full-time equivalent positions for a period of at least one hundred eighty (180) days. The economic viability assessment shall include, but not be limited to: (i) an analysis of the current and future market viability of the project concerning which application(s) has been made to DEQ; and (ii) an analysis of the applicant's economic ability to construct, develop, maintain and operate the project as described in the application(s) submitted to DEQ. If the economic viability assessment concludes that the project is not economically viable for any reason, DEQ shall suspend processing the permit application(s), notwithstanding the provisions of Section 49-17-29(3)(c). Within thirty (30) days of the decision of MDA staff, the permit applicant may present any additional information on its behalf to the Executive Director of MDA, and the Executive Director shall review the MDA staff assessment. If additional information is received in writing from the applicant, the Executive Director of MDA shall make a decision in review of the MDA staff decision within sixty (60) days of the staff decision, and the decision of the Executive Director of MDA shall be the final administrative action of MDA in the matter.

SECTION 11. It is the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Environmental Quality. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. Of the funds appropriated herein, it is the intent of the Legislature that the Department of Environmental Quality shall pay debt service on bonds issued to provide state matching funds for the State Revolving Loan Fund with interest earnings derived from the fund.

SECTION 14. Of the funds appropriated in Section 2, an amount not greater than Two Hundred Thousand Dollars (\$200,000.00) shall be derived from the Pollution



Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality to be used for dam and reservoir inspections, inventory, and reporting.

SECTION 15. It is the intention of the Legislature for the Department of Environmental Quality to continue with any agreements with Mississippi state agencies, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 16. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) is provided for the purpose of assessment, remediation, operation and maintenance, cost-sharing, oversight, and administration of water, land, and air contamination projects within the State of Mississippi pursuant to the 2020 settlement in The State of Mississippi ex rel. Lynn Fitch, Attorney General vs. EnPro, Inc., et.al.; Cause No. CV-2017-19-JMY2.

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 18. Notwithstanding any other provision, the Department of Environmental Quality shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR  
RELATED PURPOSES, FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1616 was adopted.

YEAS AND NAYS On H. B. No. 1616. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1618:** Appropriation; Grand Gulf Military Monument Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Grand Gulf Military Monument Commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 298,213.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Grand Gulf Military Monument Commission, for the purpose of defraying the expenses of the commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ... \$ 112,875.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 7

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Grand Gulf Military Monument Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level

of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund, not otherwise appropriated for Grand Gulf Military Monument Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1606, 2022 Regular Session, for the purpose of defraying the expenses of Grand Gulf Military Monument Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 220,122.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1618 was adopted.

YEAS AND NAYS On H. B. No. 1618. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1636:** Appropriation; Marine Resources, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Marine Resources for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 2,704,500.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Marine Resources for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 117,667,565.00.

Of the funds appropriated in this section, Three Million Fifty Thousand Dollars (\$3,050,000.00) is derived from the state excise taxes upon gasoline, oil and other petroleum products.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent:	90
Time-Limited:	65

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. Each Marine Conservation Officer and Supervisor shall be furnished an allowance for uniforms not to exceed Six Hundred Dollars (\$600.00) per annum.

SECTION 6. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3345200000 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2023, and ending June 30, 2024. \$ 12,455,247.00.

Of the funds appropriated within this section, One Million Three Hundred Fifty-seven Thousand Five Hundred Forty-four Dollars (\$1,357,544) shall be designated for bond repayment.

Department of Marine Resources Programs:

Total Public Access Projects	\$ 5,048,852.00
Total Management Projects	\$ 5,048,851.00
Prior Year Projects	\$ 1,000,000.00

Each political subdivision receiving funds authorized in this section shall be held responsible for complying with Section 29-15-9, Mississippi Code of 1972, and shall be subject to an audit by the State Auditor and shall submit detailed reports beginning June 30, and every six (6) months thereafter for the duration of the project to the Department of Marine Resources on how funds authorized in this section were expended.

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2023. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

It is the intention of the Legislature that if the amount of the Tidelands funds appropriated in this act exceed the actual amount of tidelands funds available, the available funds shall be allocated on a pro rata basis between projects listed in this section.

SECTION 7. It is the intention of the Legislature that the department shall place any special trust funds appropriated to the department in a special trust fund and the interest earned on the principal shall be credited to the special trust fund. Monies in the fund at the end of the fiscal year shall be retained in the special trust fund for use in the next succeeding fiscal year. The department may use the interest earned on the fund to pay reasonable costs for administering the fund and related projects.

SECTION 8. It is the intention of the Legislature that the Department of Marine Resources has the authorization to move tidelands funds between approved projects upon request from entity and proper completion of Form TTF-6 documentation.

SECTION 9. It is the intention of the Legislature for the Department of Marine Resources and the Department of Environmental Quality to continue with any agency partnerships, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, Forty-seven Million Six Hundred Forty-one Thousand Two Hundred Seventy-four Dollars (\$47,641,274.00) is provided for the funding of the following Gulf of Mexico Energy Security Act (GOMESA) projects for FY 2024:

(a) To assist the University of Southern Mississippi with the Ocean Enterprise Project .....	\$ 3,114,002.00
(b) To assist the City of Biloxi with the East Biloxi Boardwalk sand re-nourishment.....	\$ 894,380.00
(c) To assist the Department of Marine Resources with the Coffee Creek Outfall .....	\$ 367,638.00
(d) To assist the Department of Marine Resources with the Coffee Creek water quality.....	\$ 102,241.00
(e) To assist the Department of Marine Resources with the Infinity Science Center.....	\$ 165,967.00
(f) To assist Jackson County Board of Supervisors with the Front Beach Erosion Control.....	\$ 658,740.00
(g) To assist the Department of Marine Resources with GOMESA project management, development and mitigation.....	\$ 1,396,227.00
(h) To assist the Department of Marine Resources with artificial reef construction.....	\$ 744,054.00
(i) To assist the Department of Environmental Quality with water quality .....	\$ 985,054.00
(j) To assist the Department of Marine Resources with Bonnet Carre Response .....	\$ 161,132.00
(k) To assist Jackson County with a Watershed Development Plan .....	\$ 258,368.00
(l) To assist the City of Diamondhead with Marsh Erosion Prevention .....	\$ 495,000.00
(m) To assist the City of Pass Christian with Sanitary Sewer Pump Station Repairs.....	\$ 967,575.00
(n) To assist Hancock County with Atlantic Street Sewer Improvements .....	\$ 2,213,648.00
(o) To assist the City of Long Beach with Small Craft Harbor SE Bulkhead Improvements .....	\$ 2,188,000.00
(p) To assist the Kiln Utility District with the Jordan River Shores Sewer Force Main Relocation .....	\$ 392,378.00
(q) To assist the City of Biloxi with the Point Cadet Living Shoreline.....	\$ 764,863.00
(r) To assist the Department of Marine Resources with MS Reef Fish Monitoring and Assessment.....	\$ 70,789.00
(s) To assist Hancock County Utility Authority with Oak Harbor Sewer Improvements .....	\$ 2,811,548.00
(t) To assist Hancock County Port and Harbor Commission with Port Bienville Conservation Management .....	\$ 265,010.00
(u) To assist the City of Gautier with Water Quality and Infrastructure Sanitary Sewer .....	\$ 2,869,000.00
(v) To assist the City of Pascagoula with Buena Vista Area Drainage .....	\$ 498,277.00
(w) To assist the City of Pass Christian with	

Gravity Sewer System Improvements Phase I .....	\$ 1,744,319.00
(x) To assist the City of Pascagoula with	
Point Park Pier Repair/Improvements .....	\$ 347,351.00
(y) To assist the Department of Marine	
Resources with the Railroad Corner Beneficial	
Use Site .....	\$ 114,530.00
(z) To assist the University of Southern	
Mississippi with collection of Fishery-Dependent	
information on Blue Crabs .....	\$ 99,774.00
(aa) To assist the National Oceans and	
Applications Research Center with the Cat Island	
Baseline Inventory of Seagrass Habitat .....	\$ 289,727.00
(bb) To assist the National Oceans and	
Applications Research Center with the Inventory	
Of Wetlands Habitats .....	\$ 369,614.00
(cc) To assist the National Oceans and	
Applications Research Center with the Pelican	
Key Baseline Hydrographic Survey .....	\$ 87,792.00
(dd) To assist Mississippi State University	
with the Evaluation and Monitoring of Marine Mammal	
and Sea Turtles after Bonnet Carre Spillway	
Opening .....	\$ 2,088,170.00
(ee) To assist the American Shrimp Processors	
Association with the Shrimp Processors Feasibility	
Study \$ 665,918.00	
(ff) To assist the Jackson County Utility	
Authority with Septic System Abatements .....	\$ 1,800,000.00
(gg) To assist the University of Southern	
Mississippi with the Mississippi Coastal Fishery	
Resource Assessment .....	\$ 381,000.00
(hh) To assist the Department of Marine	
Resources with the Katrina Key Expansion .....	\$ 430,000.00
(ii) To assist the Secretary of State with	
the Broadwater Marina Restoration .....	\$ 3,678,850.00
(jj) To assist the City of Pass Christian	
with Sewer Pump Station Repairs .....	\$ 366,335.00
(kk) To assist the City of Diamondhead	
With Drainage, Flood Prevention and Water Quality	
Improvements .....	\$ 1,193,447.00
(ll) To assist the Department of Marine	
Resources with the Bonnet Carre and Mid Breton	
Response .....	\$ 802,931
(mm) To assist the City of Ocean Springs	
with the Front Beach Pub Access and Storm Water	
Mitigation Improvements .....	\$ 2,614,984.00
(nn) To assist the City of Pass Christian	
with Phase II of the Gravity Sewer System	
Improvements .....	\$ 4,594,986.00
(oo) To assist the Department of Marine	
Resources with the Off Bottom Oyster Aquaculture .....	\$ 1,455,173.00
(pp) To assist the Department of Marine	
Resources with the Pelican Key Beneficial	
Use Site .....	\$ 348,220.00
(qq) To assist the Department of Marine	
Resources with Phase II of the Katrina Key	
Expansion .....	\$ 400,000.00
(rr) To assist the Jackson County Board	
of Supervisors with the Pascagoula Beach Open	
Channel Outfalls .....	\$ 1,339,000.00

(ss) To assist the Department of Marine  
Resources with water testing for Seafood

Consumption Safety ..... \$ 45,262.00

SECTION 12. It is the intent of the Legislature that the Department of Marine Resources shall have the authority to expend funds in an amount not to exceed Seventeen Million Dollars (\$17,000,000.00) from funds for the Gulf of Mexico Energy Security Act (GOMESA) that may become available to the agency in fiscal year 2024 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 14. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 15. With the funds appropriated herein, the Department of Marine Resources is authorized to make payment for expenses incurred during Fiscal Years 2020 and 2021 as follows:

Vendor	Amount Invoice Date Fiscal Year
Coastal Conservation Assoc.	\$3,175.50 4/16/2020 2020
City of Waveland	\$4,050.00 5/31/2020 2020
City of Long Beach	\$ 217.50 5/27/2021 2021
City of Long Beach	\$ 217.50 6/25/2021 2021
City of Long Beach	\$ 270.00 6/30/2021 2021

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE  
FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1636 was adopted.



YEAS AND NAYS On H. B. No. 1636. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1629:** Appropriation; Soil and Water Conservation Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the State Soil and Water Conservation Commission for the purpose of defraying the administrative expenses of the commission and carrying out the provisions of Section 69-27-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 587,502.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Soil and Water Conservation Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 24,772,510.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent: 9  
Time-Limited: 6

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of

Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the State Soil and Water Conservation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. The State Soil and Water Conservation Commission is authorized to retain all funds generated from the sale of equipment. Any funds made available from the sale of equipment shall be deposited into the special fund in the State Treasury to the credit of the Soil and Water Conservation Commission and shall be used solely for the purpose of purchasing equipment.

SECTION 6. The State Soil and Water Conservation Commission is authorized to receive, budget and expend any proceeds derived from the sale of bonds authorized in Section 69-27-331 et seq., Mississippi Code of 1972. All expenditures shall be in accordance with conditions provided in Section 69-27-331 et seq., Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1629 was adopted.

YEAS AND NAYS On H. B. No. 1629. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1632:** Appropriation; Port Authority, State.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Mississippi State Port Authority at Gulfport, for the purpose of defraying the expenses of the authority for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 75,945,858.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 39

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, One Hundred Thirty-five Thousand Dollars (\$135,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall only expend funds on activities directly related to the operation of the state port.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money appropriated under the provisions of Section 1 shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1632 was adopted.

YEAS AND NAYS On H. B. No. 1632. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1630:** Appropriation; Pat Harrison Waterway District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Pat Harrison Waterway District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 7,662,825.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:  
Permanent: 58  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Pat Harrison Waterway District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1630 was adopted.

YEAS AND NAYS On H. B. No. 1630. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1631:** Appropriation; Pearl River Valley Water Supply District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any special source funds which are received by or otherwise become available to the Pearl River Valley Water Supply District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 19,948,408.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	107
Time-Limited:	1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the

annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Pearl River Valley Water Supply District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following condition: the District shall waive traffic control fees for any vehicle displaying a "REZ" tag.

SECTION 7. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following conditions: (1) If any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open, these events shall be exempt from the district's lottery system for host events at the reservoir and given priority of any and all date options available. (2) If any local governmental or nonprofit entity wins the bid for such events, the district shall waive the daily launch fees or any other special event fees for the ESPN Bass Masters Classic or the FLW Major Open. (3) The Catch A Dream Foundation Bass Classic shall be held on the first Sunday in May unless any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open on that date. The Catch A Dream Foundation Bass Classic shall be exempt from the district's lottery system for host events at the reservoir and given priority for the first Sunday in May. The district shall waive the daily launch fees or any other special event fees for the Classic.

SECTION 8. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 9. Funds are provided herein out of the Ross Barnett Reservoir Dredging Fund for dredging and other related activities to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law or in accordance with the provisions of a valid trust indenture.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1631 was adopted.

YEAS AND NAYS On H. B. No. 1631. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1633:** Appropriation; Tombigbee River Valley Water Management District.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or



otherwise become available to the Tombigbee River Valley Water Management District, for the purpose of paying bond maturities, accrued interest, maintenance expenses, project development costs, and any other authorized expenses of the water management district, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 8,748,579.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 17  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Tombigbee River Valley Water Management District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. All monies in possession of the district in excess of necessary operating funds shall be deposited with a bank or banks selected by the board of directors of the district. These funds shall be deposited in such bank or banks and in such manner that interest earned shall be at least equal to interest earnings on state funds deposited by the State Treasury.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1633 was adopted.

YEAS AND NAYS On H. B. No. 1633. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1634:** Appropriation; Yellow Creek State Inland Port Authority.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Yellow Creek State Inland Port Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 13,888,378.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 17

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Yellow Creek State Inland Port Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, Fifty Thousand Dollars (\$50,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1634 was adopted.

YEAS AND NAYS On H. B. No. 1634. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1642:** Appropriation; Transportation, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Transportation Funds, for the purpose of defraying the administrative expenses of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 .....\$ 1,398,878,445.00.

SECTION 2. The following offices are supported by the funds appropriated in Section 1: The Office of Administrative Services, the Office of Highways and the Office of Aeronautics and Rails. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2,645  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds appropriated to the Mississippi Department of Transportation under the provisions of Section 1, the following amounts shall be available for expenditure in the program budgets as required by Section 27-103-127, Mississippi Code of 1972:

Administration and Other Expenses .....	\$ 61,472,447.00
Construction.....	\$ 965,228,455.00
Maintenance .....	\$ 259,432,228.00
Debt Service .....	\$ 77,280,364.00
Aeronautics, Rails and other .....	\$ 35,464,951.00

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Transportation shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. Of the funds appropriated in Section 1, it is the intention of the Legislature that Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2024.

SECTION 6. Of the funds appropriated in Section 1 and authorized for expenditure in Section 3, Five Million Dollars (\$5,000,000.00) shall be transferred by the Mississippi Department of Transportation to the Department of Public Safety Office of Commercial Transportation Enforcement Division for the operations of the Division as authorized to be relocated in Section 77-7-343, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 1 of this act, the Mississippi Department of Transportation shall expend such funds as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

- (a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;
- (b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;
- (c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;
- (d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 8. None of the funds appropriated under the provisions of Section 1 of this act may be expended by the Department of Transportation for construction of new highways if such highway segment is less than ten (10) miles in length unless:

- (a) The explanation and justification for letting such a contract for a length of less than ten (10) miles is entered upon the official minutes of the Transportation Commission;
- (b) The commission, within ten (10) working days after entry of its explanation and justification upon its minutes, gives notice, by United States First Class Mail, and provides a copy of such entry upon its minutes, to the Chairman of the Transportation Committee of the Mississippi House of Representatives and the Chairman of the Mississippi Senate Highways and Transportation Committee.

SECTION 9. It is the intention of the Legislature that of the sum appropriated in Section 1, the Department is authorized to provide a protective footwear allowance of not more than \$150 per person annually for Engineers, Maintenance, and Construction Workers as part of their safety equipment.

SECTION 10. Of the funds appropriated to the Mississippi Department of Transportation, Three Hundred Thousand Dollars (\$300,000.00) shall be used for the Statewide Litter Prevention Program.

SECTION 11. Of the funds appropriated in Section 1, not less than Eighty Million Dollars (\$80,000,000.00) shall be expended for contracted maintenance overlay and pavement rehabilitation.

SECTION 12. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend with funds which were obligated in Fiscal Year 2023 for maintenance overlay projects and maintenance repair projects but not

completed by the end of Fiscal Year 2023, in an amount not to exceed Ten Million Dollars (\$10,000,000.00).

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to transfer between the various programs in an amount not to exceed ten percent (10%) of the amount allocated in Section 3, except that no transfers shall be authorized which increase the "Administrative and Other Expenses" Program or which decrease the "Maintenance" Program.

SECTION 14. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend an amount not to exceed Thirty Million Dollars (\$30,000,000.00) received from other public or private entities as reimbursements for payments made on federal projects.

SECTION 15. With the funds appropriated in this act, the Mississippi Department of Transportation shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement of ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." Further, the signage shall state the four-year legislative term in which the project was funded.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Mississippi Department of Transportation is authorized to dispose of or transfer used cell phones that are obsolete or inoperable to cell phone recycling programs dedicated to providing free phone access to United States military personnel.

SECTION 18. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Maintenance	
Number of Acres Mowed (First and Subsequent)	290,000
Percent Increase of Acreage Mowed	66.00
Slow the Expected Increases of Total	
Fatalities According to a 5 Year Rolling	
Average (697 or Less)	707
Percent Decrease in State-Maintained	
Lane Miles Needing Repair or	
Rehabilitation	1.50
Percent of Pavement Needs Met Annually	10.00
Percent of Interstate Lane-Miles with an	
Acceptable Pavement Condition Rating	52.50
Percent of 4 Lane Highway Lane-Miles	
with an Acceptable Pavement Condition	
Rating	72.00
Percent of 2 Lane Highway Lane-Miles	
with an Acceptable Pavement Condition	
Rating	57.50
Cost per Mile to Maintain State Highways	27,938.00
Number of Bridges in Poor Condition	170
Number of Bridges with Timber Components	115

Construction	
Percent of Miles of State Maintained	
Highways that Meet MDOT Thresholds for Congestion	2.16
Number of Lane Miles of State Maintained	
Highways Requiring Additional Capacity	604.99
Cost per Mile to Construct State Highways	18,460,000.00
Administration & Other	
Administration as a Percent of Total Budget	4.40
GO-MDOT-Total Number of Page Views	1,077,228
Percent Increase in Utilization of MDOTTRAFFIC.com Website	0.05
Bonded Debt Service	
MDOT's Share of Annual Debt Service will Not Exceed 3.75% of Annual Budget	0.76
Aeronautics & Rails	
Number of Airports Inspected	69
Number of Grade Crossings Inspected	2,100

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 19. The Mississippi Department of Transportation is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Hundred Twenty-Five Million Dollars (\$125,000,000.00).

SECTION 20. With the funds appropriated herein, the Department of Transportation is authorized to make payment for expenses incurred during Fiscal Years 2018 through 2021 as follows:

Vendor	Amount Invoice Date Fiscal Year
City of Greenville	\$1,410.56 02/26/2021 FY2021
City of Greenville	\$1,038.64 05/27/2021 FY2021
MS Department of Health	\$ 120.00 12/29/2017 FY2018
MS Department of Health	\$ 180.00 12/21/2018 FY2019
MS Department of Health	\$ 390.00 10/16/2020 FY2021
MS Department of Health	\$ 210.00 10/30/2020 FY2021
Mississippi Power	\$ 498.44 07/27/2020 FY2021
Pearl Valley Electric Power Association	\$ 73.27 09/27/2019 FY2020

Pearl Valley Electric Power Association	\$ 129.77 09/27/2019 FY2020
RJ Young Company	\$ 605.51 06/15/2021 FY2021
Singing River Electric	\$ 27.86 07/13/2020 FY2020
Singing River Electric	\$ 121.84 07/13/2021 FY2021
Singing River Electric	\$ 29.25 07/15/2021 FY2021

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1642 was adopted.

YEAS AND NAYS On H. B. No. 1642. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1595:** Appropriation; Barber Examiners, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:



SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Barber Examiners, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 337,410.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 7  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures						FY2024
						Target
Examination						
Number		of		Examinations		Given
410						
Licensure & Regulation						
Average	Time	of	Processing	In	State	Licenses
0.00						
.....Average Time of Processing Out of State						
Licenses .....						0.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 4. It is the intention of the Legislature that the State Board of Barber Examiners shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1595 was adopted.

YEAS AND NAYS On H. B. No. 1595. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1596:** Appropriation; Cosmetology, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Cosmetology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 971,622.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	13
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. The State Board of Cosmetology shall not be authorized to expend any funds appropriated by this act after October 1, 2019, unless the board has adopted and implemented each of the following policies, which shall be conditions upon the receipt and expenditure of those funds:

(a) A policy that the board will not issue any licenses for the practice of wigology and will issue licenses and certifications only as provided under the cosmetology licensure law; and

(b) A policy that allows any person who holds a wig specialist license issued by the board before July 1, 2014, to continue his or her practice as it existed before July 1, 2014, and allows any person who holds a wig salon license issued by the board before July 1, 2014, to continue operating a wig salon under the statutory requirements as they existed before July 1, 2014, and provides that any such person will be eligible to receive a certificate of registration issued by the board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided

herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures				FY2024 Target
Exam Administration				
Number	of	Students	Tested	
1,500				
Cost	per	Licensing	Examination	
400.00				
School Coordination				
Number	of	School	Permits	
41				
Establishment Inspections				
Percent of Establishments, by Type				
(Salons & Schools), That are Inspected				
Each Year				80.00
Number of Average Violations per				
Inspection by Type				3
Number	of	Documented	Complaints	Received
15				
Percent of Documented Complaints				
Resolved within Six Months				100.00
Percent of School Audits Resulting in				
Disciplinary Actions				3.00
Licensure & Information Support				
Percent of Completed Applications				
Processed within Ten Business Days, by				
Type (Practitioners, Instructors)				100.00
Number of Business Days from Date of				
Completed Applications of New Salon &				
School to Initial Inspection				14
Collect & Report the Percent of License				
Renewals Issued within Seven Business				
Days, Ten Business Days for Schools				100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 5. It is the intent of this legislation to provide the funds for the board to meet when necessary, but under no circumstances shall it meet more than sixty-two (62) days a year.

SECTION 6. It is the intention of the Legislature that the State Board of Cosmetology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail

comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1596 was adopted.

YEAS AND NAYS On H. B. No. 1596. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1598:** Appropriation; Medical Licensure, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Medical Licensure, for the purpose of defraying the expenses of the

board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 3,677,033.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 30  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Licensure	
Percent of Licensees who Renew Online	100.00
Percent of Individual License Renewals	
Issued within Seven Business Days	100.00
Investigative	
Recidivism Rate for Those Receiving	
Disciplinary Actions	4.00
Number of Documented Complaints Received	300
Percent of Documented Complaints	
Resolved within Seven Business Days	15.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 4. It is the intention of the Legislature that the State Board of Medical Licensure shall maintain complete accounting and personnel records related to the

expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds provided under the provisions of this act, an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is provided for the Mississippi Physician Health Program.

SECTION 7. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Thirty Thousand Dollars (\$130,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expense of the Mississippi Prescription Monitoring Program.

SECTION 8. It is the intention of the Legislature that the funds are appropriated here in accordance with a signed Memorandum of Understanding with the Mississippi Department of Health to assist with the implementation of the Medical Cannabis Act for registering and monitoring compliance with the rules and regulations of the Act.

SECTION 9. It is further the intention of the Legislature that, for Fiscal Year 2024, the board shall be allowed to recover all costs from a holder of a license who has been found by the board in violation of statute after notice and a hearing as provided by law. The expenses must be direct costs associated with the investigation and conduct of a proceeding for licensure revocation, suspension or restriction.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1598 was adopted.

YEAS AND NAYS On H. B. No. 1598. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1599:** Appropriation; Nursing, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Board of Nursing, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .. \$ 5,015,671.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 41

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds provided for herein, One Million Five Hundred Sixty Thousand Dollars (\$1,560,000.00) shall be provided for the Office of Nursing Workforce (ONW). In accordance with Section 73-15-18(1), Mississippi Code of 1972, the Mississippi Board of Nursing is designated as the state agency responsible for the



administration and supervision of the Nursing Workforce Program as an educational curriculum. The mission of the Office of Nursing Workforce is to carry out the scope of service and leadership tasks required of the profession by promoting a strong educational infrastructure between nursing practice and nursing education.

SECTION 4. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Five Thousand Dollars (\$105,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 5. It is the intention of the Legislature that the funds are appropriated here in accordance with a signed Memorandum of Understanding with the Mississippi Department of Health to assist with the implementation of the Medical Cannabis Act for registering and monitoring compliance with the rules and regulations of the Act.

SECTION 6. It is the intention of the Legislature that the Mississippi Board of Nursing shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1599 was adopted.

YEAS AND NAYS On H. B. No. 1599. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

\_\_\_\_\_  
Senator Hopson called up the following entitled bill:

**H. B. No. 1600:** Appropriation; Nursing Home Administrators, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 205,454.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent:	2
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for

Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators deposit all revenue generated into a special fund in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators and that all interest earned or deposited to the fund shall remain in the fund and not be paid into the State General Fund of Mississippi.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1600 was adopted.

YEAS AND NAYS On H. B. No. 1600. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1601:** Appropriation; Optometry, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Optometry, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 204,784.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the State Board of Optometry shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Board of Optometry shall have the authority to escalate and expend funds, which are comprised of special funds of the department, in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) for the costs related to the relocation and furnishing of their office for the period beginning July 1, 2023, and ending June 30, 2024. The escalation of those funds and/or related transfers shall be in accordance with procedures for federal fund escalations as provided in Section 27-104-21, Mississippi Code 1972, and expended for the purposes of performing such duties as set forth by law in accordance with applicable rules and regulations of the State Fiscal Officer.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAIVING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1601 was adopted.

YEAS AND NAYS On H. B. No. 1601. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

\_\_\_\_\_  
Senator Hopson called up the following entitled bill:

**H. B. No. 1602:** Appropriation; Physical Therapy Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Physical Therapy, for the purpose of defraying the expenses of the Mississippi

State Board of Physical Therapy for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 323,981.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	3
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Physical Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1602 was adopted.

YEAS AND NAYS On H. B. No. 1602. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1603:** Appropriation; Psychology, Board of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Psychology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 158,185.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the

annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Psychology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. Of the funds appropriated in Section 1, Thirteen Thousand Dollars (\$13,000.00) is provided for the administrative support of the Mississippi Autism Board as prescribed by Section 73-75-11, Mississippi Code of 1972.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1603 was adopted.



YEAS AND NAYS On H. B. No. 1603. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1597:** Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Examiners for Social Workers and Marriage and Family Therapists for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 206,744.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Board of Examiners for Social Workers and Marriage and Family Therapists shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated under the provisions of Section 1, Five Thousand Five Hundred Dollars (\$5,500.00) is provided for the upgrade and maintenance of the Board's Licensing and Regulatory System (LARS) to a CLOUD based system.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAIVING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1597 was adopted.

YEAS AND NAYS On H. B. No. 1597. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1593:** Appropriation; Athletic Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Athletic Commission Fund, for the purpose of defraying the expenses of the Mississippi Athletic Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 139,641.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Mississippi Athletic Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the

same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. With the funds appropriated herein, the Chairman of the Commission shall be the ex officio recorder of permits and licenses and for his service as such shall receive an annual salary equal to Forty Thousand Dollars (\$40,000.00).

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1593 was adopted.

YEAS AND NAYS On H. B. No. 1593. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1594:** Appropriation; Auctioneers Commission.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Auctioneers Commission for the purpose of defraying the expenses of the commission, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 117,462.00.

SECTION 2. It is the intention of the Legislature that the Mississippi Auctioneers Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1594 was adopted.

YEAS AND NAYS On H. B. No. 1594. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1604:** Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registration for Professional Engineers and Land Surveyors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 556,525.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent:	5
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the State Board of Registration for Professional Engineers and Land Surveyors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative

Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1604 was adopted.

YEAS AND NAYS On H. B. No. 1604. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1627:** Appropriation; Foresters, Board of Registration for.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registered Foresters Fund, for the purpose of defraying the expenses of the

State Board of Registration for Foresters for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 44,129.00.

SECTION 2. It is the intention of the Legislature that the State Board of Registration for Foresters shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1627 was adopted.

YEAS AND NAYS On H. B. No. 1627. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1628:** Appropriation; Forestry Commission.



Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Forestry Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 15,460,487.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Forestry Commission which is comprised of special source funds collected by or otherwise available to the commission, for the support and maintenance of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 11,776,802.00.

Of the funds specified in this section, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be deposited in a fund created in the State Treasury called the "Forest Improvement Revolving Fund." Money in this fund shall be used by the State Forestry Commission to assist in the reforestation and growth improvement of the forests, woodlands, and publicly owned lands of the state, including sixteenth section lands, Camp Shelby, Columbia Training School and colleges and universities. Landowners who contract with the commission for such work shall pay to the commission its actual cost for conducting such work. Money received for this work by the commission shall be paid into the State Treasury, and the State Treasurer shall deposit such money in the "Forest Improvement Revolving Fund."

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	343
Time-Limited:	7

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure

that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the State Forestry Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Forest Protection & Information	
Average Suppression Time (Hrs from Detection to Control)	1
Number of Acres Burned Under a Prescribed Burn Program	17,750
Percent of Fires Suppressed at 100 Acres or Less	95.00
Forest Management	
Forest Resource Development Program	
Acres Regenerated or Improved	35,000
Acres Monitored for Insect, Storm or Disease	19,800,000
Re-Inventory 20% of State's Forest Lands (% of Regions)	20.00
Percent Increase of Re-Inventory of State Forest Land	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. There is created in the State Treasury a fund designated as the Volunteer Fire Department Equipment Conversion Revolving Fund to be used by the State Forestry Commission to assist in the conversion of vehicles acquired by the State Forestry Commission through the Federal Excess Personal Property Program or by volunteer fire departments through other means to adapt them for use in the suppression of wildland fires. This assistance shall be in the form of fabrication of water tanks or other accessories necessary for the operation of fire suppression units, installation of piping and valves, painting or other similar or associated component work necessary to place fire suppression equipment into service. It is not for general vehicle maintenance or repair.

The Volunteer Fire Department Equipment Conversion Revolving Fund shall be funded by monies received from charges for work and services performed for volunteer fire departments by the State Forestry Commission. Monies collected from such charges shall be deposited into the Volunteer Fire Department Equipment Conversion Revolving Fund. The State Treasurer shall make disbursements therefrom for payment of materials, supplies and labor upon requisition of the Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

The amount of monies deposited into the Volunteer Fire Department Equipment Conversion Fund through this work shall not exceed Fifty Thousand Dollars (\$50,000.00). Funds in excess of Fifty Thousand Dollars (\$50,000.00) shall be placed in the State Forestry Commission's regular appropriated special funds. Monies in this revolving fund are to be considered special funds and shall be carried forward from one fiscal year to the next.

SECTION 7. There is created in the State Treasury a fund designated as the Camden State Forest Revolving Fund to be used by the State Forestry Commission to direct forest management activities on the Camden State Forest in Madison County, Mississippi. The forest management activities will include, but not be limited to, maintenance of property, timber sale activities and regeneration work.

The Camden State Forest Revolving Fund shall be funded by monies received from timber sales, leases, and any other source. Monies collected from these income sources shall be deposited into the Camden State Forest Revolving Fund. The State Treasurer shall make disbursements therefrom for payments of materials, supplies and labor upon requisition of the State Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

It is the intention of the Legislature that any revolving funds in excess of the budgeted amount needed for the necessary operation and maintenance of all properties under the direct supervision and management of the State Forestry Commission shall remain in the Camden State Forest Revolving Fund for use in future years.

SECTION 8. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two Hundred Thousand Dollars (\$200,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2024.

SECTION 9. Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within the funds available.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR  
2024.

Committee Amendment No. 1 to H. B. No. 1628 was adopted.

YEAS AND NAYS On H. B. No. 1628. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1619:** Appropriation; Oil and Gas Board.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Oil and Gas Board which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
\$ 2,675,607.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent:	32
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the State Oil and Gas Board shall maintain complete accounting and personnel records related to the expenditure of

all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1619 was adopted.

YEAS AND NAYS On H. B. No. 1619. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1610:** Appropriation; Legislative expenses.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries, mileage, insurance, matching funds and the daily expense allowance of the members of the Legislature for the Regular Session of 2024 and providing contingent funds for the House of Representatives and Senate for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the House of Representatives..... \$ 5,257,750.00.

For Contingent Fund for the

House of Representatives ..... \$ 8,174,140.00.

Out of the above amount appropriated for the Contingent Fund for the House of Representatives, not more than Fifteen Thousand Dollars (\$15,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the Senate..... \$ 2,345,814.00.

For Contingent Fund for the Senate ..... \$ 6,088,343.00.

Out of the above amount appropriated for the Contingent Fund for the Senate, not more than Ten Thousand Dollars (\$10,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For the joint legislative operations of the House of

Representatives and the Senate..... \$ 1,225,268.00.

For the expenses of the Joint Legislative

Budget Committee..... \$ 4,701,474.00.

For the expenses of the Joint Legislative

Committee on Performance Evaluation

and Expenditure Review..... \$ 2,578,434.00.

For the expenses of the Joint Legislative

Reapportionment Committee ..... \$ 278,000.00.

For the expenses of the Joint Legislative

Code Committee..... \$ 400,000.00.

The Joint Legislative Reapportionment Committee shall prepare, publish and provide semiannual reports to each member of the Legislature and such reports shall provide a line-by-line detailed accounting of all receipts and expenditures of any and all monies appropriated by the Legislature to the Joint Legislative Reapportionment Committee. Any meetings of the Joint Legislative Reapportionment Committee shall be held in state offices or at publicly owned facilities.

SECTION 2. The following sums, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the monthly expense allowance of the members of the Legislature, as provided in Section 5-1-41, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

For the House of Representatives..... \$ 2,392,922.00.

For the Senate ..... \$ 1,039,050.00.

SECTION 3. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the state's share of various assessments for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

Of the funds authorized in this section, the following distribution shall be made:

Southern States Energy Board..... \$ 29,077.00.

Interstate Cooperation..... \$ 341,556.00.

National Conference of Commissioners

on Uniform State Laws..... \$ 39,845.00.

The Energy Council ..... \$ 38,400.00.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the joint operations of the House of Representatives and the Senate not otherwise appropriated, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 50,000.00.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this Legislature for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. None of the funds appropriated under the provisions of this act may be used to pay or reimburse any expenses of out-of-state travel for any member or employee of the House of Representatives without prior approval of the House Management Committee or for any member or employee of the Senate without prior approval of the Senate Rules Committee.

SECTION 7. Of the funds provided herein, the Clerk of the Mississippi House of Representatives and the Secretary of the Mississippi Senate may transfer funds between accounts for their respective chambers which are administered by the Mississippi House of Representatives and the Mississippi Senate.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1610 was adopted.

YEAS AND NAYS On H. B. No. 1610. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1607:** Appropriation; Public Employees' Retirement System.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Administrative Expense Account of the Public Employees' Retirement System for the purpose of defraying the administrative expenses of the Board of Trustees of the Public Employees' Retirement System, or out of any money in the State Treasury to the credit of the Retirement System Building Account of the Public Employees' Retirement System for the purpose of maintenance and general operation of the Retirement System Building, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 19,176,620.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	157
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Board of Trustees of the Public Employees' Retirement System shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request



for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. In accordance with the purposes of this article, there shall be established in the State Treasury the Public Employees' Retirement System Building Repair and Maintenance Fund, into which shall be deposited all funds collected as rental income from the building owned by the system located at 301 North President Street, Jackson, Mississippi. At the end of each fiscal year, any and all unexpended funds shall be transferred to the Administrative Budget Fund of the system.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 1, no more than Three Million Five Hundred Thirty-eight Thousand Dollars (\$3,538,000.00) is provided for the purpose of defraying those expenses associated with maintaining, upgrading and operating the computer system.

SECTION 7. The Public Employees' Retirement System is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Public Employees' Retirement System.

SECTION 8. Of the funds appropriated in Section 1, no more than Three Hundred Thousand Dollars (\$300,000.00) is provided, only for the explicit purpose of building maintenance and repair.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1607 was adopted.

YEAS AND NAYS On H. B. No. 1607. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1640:** Appropriation; Supreme Court, Court of Appeals and trial judges services.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 7,319,478.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi State Supreme Court which is comprised of special source funds collected by or otherwise available to the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 937,470.00.

SECTION 3. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Mississippi State Supreme Court, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 70

Time-Limited: 0

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 27,784,839.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the trial judges, for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2023, and ending June 30, 2024. \$ 4,192,368.00.

SECTION 6. Of the funds appropriated under Sections 4 and 5 of this act for the purpose of defraying the expenses of special judges, chancellors and circuit judges, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 109

Time-Limited: 0

SECTION 7. Of the funds appropriated Under Sections 4 and 5 of this act, Eight Million Seven Hundred Twenty Thousand Dollars (\$8,720,000.00) is provided for the purpose of employing support staff in an amount not to exceed Eighty Thousand Dollars (\$80,000.00) per fiscal year per judge.

SECTION 8. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of funding the Administrative Office of Courts for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 14,988,442.00.

SECTION 9. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Administrative Office of Courts for the purpose of defraying the expenses of the Administrative Office of Courts and the Board of Certified Court Reporters for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 26,144,090.00.

SECTION 10. Of the funds appropriated under the provisions of this act for the purpose of funding the Administrative Office of Courts, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 40  
Time-Limited: 0

SECTION 11. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the Continuing Legal Education Fund, a special fund hereby created in the State Treasury, for the purpose of defraying the expenses of providing continuing legal education programs to lawyers in Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 156,356.00.

SECTION 12. It is the intention of the Legislature that interest earned from any investment or deposit to the Continuing Legal Education Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Continuing Legal Education Fund and shall not be paid into the General Fund of Mississippi.

SECTION 13. Of the funds appropriated under the provisions of this act for the purpose of providing continuing legal education programs, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2  
Time-Limited: 0

SECTION 14. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..\$ 5,166,098.00.

SECTION 15. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..\$ 1,591,422.00.

SECTION 16. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Court of Appeals, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 58  
Time-Limited: 0

SECTION 17. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Bar Admissions, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 336,480.00.

SECTION 18. It is the intention of the Legislature that interest earned from any investment or deposit to the Board of Bar Admissions Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Board of Bar Admissions Fund and shall not be paid into the General Fund of Mississippi.

SECTION 19. Of the funds appropriated under the provisions of this act for the purpose of funding the Board of Bar Admissions, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3  
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 20. No part of the funds herein appropriated shall be used in the payment of attorney's fees, nor shall any of such funds be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 21. It is the intent of the Legislature that the Mississippi State Supreme Court shall charge the maximum amount allowable by law for services rendered where charges for such services are provided for by statute, and for any other services rendered, shall charge an amount consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Office of the Mississippi State Supreme Court.

SECTION 22. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the public space in the Law Library.

SECTION 23. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 24. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Million Four Hundred Sixty Thousand Five Hundred Dollars (\$2,460,500.00) may be provided for the Comprehensive Electronic Court Systems Fund administered by the Administrative Office of Courts.

SECTION 25. It is the intention of the Legislature that the Mississippi State Supreme Court shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 26. Of the funds appropriated under the provisions of this act, Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be provided for the Youth Court Support Fund administered by the Administrative Office of Courts.

SECTION 27. Of the funds appropriated in Section 8, Nine Million Dollars (\$9,000,000.00) is provided to defray the costs of the Drug Court Program.

SECTION 28. It is the intention of the Legislature that in the event there are not sufficient funds in the Judicial System Operation Fund created under Section 9-21-45, Mississippi Code of 1972, in any given year with which to pay the annual salary supplements set forth in HB 484, 2012 Regular Session, then the county treasury shall not be obligated to fund such salary supplements and the salary of county court judges shall be that in place prior to the passage of HB 484, 2012 Regular Session.

SECTION 29. Of the funds appropriated in Section 8, it is the intention of the Legislature that an amount of Six Million Seven Hundred Thousand Dollars (\$6,700,000.00) may be allocated for the programs supported from General Fund court assessments as follows:

Drug Courts ..... \$ 6,500,000.00  
Civil Legal Assistance ..... \$ 200,000.00

SECTION 30. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Supreme Court – Administrative Office of the Courts for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1628, 2022 Regular Session to provide for IT equipment and Youth Court computers for the Supreme Court – Administrative Office of the Courts for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 90,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 31. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Supreme Court – Administrative Office of the Courts for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1628, 2022 Regular Session to provide for programmers, trainers and operations for the Mississippi Electronic Courts (MEC) System to meet the mandate to bring all the courts into the MEC System for the Supreme Courts – Administrative Office of the Courts for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 435,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 32. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 33. This act shall take effect and be in force from and after July 1, 2023, and shall be repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1640 was adopted.

YEAS AND NAYS On H. B. No. 1640. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1624:** Appropriation; Medicaid, Division of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Governor's Office - Division of Medicaid for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, as provided in Section 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

\$ 838,953,656.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Medical Care Fund created by Section 43-13-143, Mississippi Code of 1972, for the purpose of providing medical assistance under the Mississippi Medicaid Law for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

\$ 315,635,553.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Governor's Office - Division of Medicaid which is comprised of special source funds collected by or otherwise available to the Division, for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 5,484,929,142.00.

Prior period recovery of funds may be maintained and expended by the division when the recovery is received or finalized. Any recoveries due to audits or third party recoveries may be used to offset the cost of such audits and third party recoveries and as such, the division may escalate Contractual Services as needed for these purposes.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund, for the purpose of defraying the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 63,230,003.00.

The above funds shall be allocated as follows:

CHIP Program at up to 209% level of poverty ..... \$ 9,000,000.00.

Medical Program Matching Funds..... \$ 54,230,003.00.

It is the intention of the Legislature that funds may be shifted among the above allocated line items where needed at the discretion of the Executive Director of Governor's Office - Division of Medicaid.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 921

Time-Limited: 23

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are

added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 6. It is the intention of the Legislature that the Governor's Office - Division of Medicaid shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process with the Children's Health Insurance Program (CHIP) being separated from the Medical Services Program and submitted as a separate program. All Medicaid 1915 (C) Home and Community Based Services Waivers shall be presented as a budget program separate from the Medical Services Program. In addition, the performance measures reported for the Medical Services Program shall include an unduplicated case count of individuals served by eligibility status, and the number and the costs of emergency room visits.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Administrative Services	
Admin as a Percent of Total Budget	3.66
Third Party Liability Cost Avoided (Thou)	1,176,412.00
Percent of Clean Claims Processed within 30 Days of Receipt	99.50
Percent of Clean Claims Processed within 90 Days of Receipt	100.00
Percent of Applications Processed within Std. of Promptness - Medicaid	90.00
Third Party Funds Recovered	7,998,051.00
Number of Providers Submitting	

Electronic Claims	31,500
Turnover Rate of Employees	15.00
Medical Services	
Costs of Emergency Room Visits	171,539,318
Number of Emergency Room Visits	418,177
Medicaid Recipients - Enrolled (Persons)	793,762
Child Physical Exams (Ages 0-20)	317,675
Adult Physical Exams (21-Older)	10,595
Number of Fraud and Abuse Cases Investigated	300
Number of Medicaid Providers	45,000
Number of Medicaid Beneficiaries	
Assigned to a Managed Care Company	450,000
Percent of MSCAN Diabetic Members Aged	
17-75 Receiving HBA1c Test	88.69
Percent of MSCAN Members with Persistent	
Asthma are Appropriately Prescribed	
Medication	71.08
Rate of EPSDT Well Child Screening	75.00
Percent Change in Number of Recipients	
Enrolled From Last Year	2.50
Percent Change in Number of Providers	
From Last Year	29.15
Children's Health Insur Prg (chip)	
Number of CHIP Enrollees	47,000
Percent of CHIP Applications Processed	
within Std. of Promptness	90.00
Home & Comm-based Waiver Prg	
Elderly and Disabled - Persons Served	20,559
Elderly and Disabled - Funded Slots	20,121
Elderly and Disabled - Total Authorized	
Slots	22,200
Assisted Living - Persons Served	945
Assisted Living - Funded Slots	918
Assisted Living - Total Authorized Slots	1,100
Independent Living - Persons Served	3,675
Independent Living - Funded Slots	3,615
Independent Living - Total Authorized Slots	5,800
Traumatic Brain Injury - Persons Served	1,103
Traumatic Brain Injury - Funded Slots	1,050
Traumatic Brain Injury - Total	
Authorized Slots	1,150
Intellectual Disability - Persons Served	3,250
Intellectual Disability - Funded Slots	3,250
Intellectual Disability - Total	
Authorized Slots	4,150
Percent Change in Persons On Waiting	
List (E&D)	10.00
Percent Change in Persons On Waiting	
List (AL)	10.00
Percent Change in Persons On Waiting	
List (IL)	10.00
Percent Change in Persons On Waiting	
List (TBI)	10.00
Percent Change in Persons On Waiting	
List (IDD)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.



SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. The Governor's Office - Division of Medicaid shall provide statistical and financial reports on a monthly basis to the Legislative Budget Office and the PEER Committee. These reports shall include, but are not limited to, an accounting of all funds spent in the medical program, the CHIP program, the Dialysis Transportation program, and each of the Home and Community Based Waiver programs, and an accounting of all funds spent in the administrative program, participant statistics and any other information requested by the Legislative Budget Office and the PEER Committee.

The Governor's Office - Division of Medicaid shall perform its cash flow projections on a predetermined monthly schedule and make this and any other information requested available, upon request, to the Chair of the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee, the House and Senate Medicaid Committees, the House and Senate Appropriations Committees, the Legislative Budget Office and the PEER Committee. A summary of this cash flow projection shall also be presented in the report referenced in the above paragraph.

SECTION 10. Of the funds appropriated under the provisions of this act in an amount not to exceed, Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose of funding a temporary program to provide nonemergency transportation to locations for necessary dialysis services for end-stage renal disease patients who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, whose income did not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS).

SECTION 11. Of the funds appropriated in Sections 1 and 3, Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$398,550.00) General Funds and One Million One Hundred One Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds are provided to maintain five (5) additional slots in the Assisted Living Waiver program for persons with Traumatic Brain Injury and in need of Cognitive Rehabilitation.

SECTION 12. Of the funds appropriated in Section 1, Eight Hundred Five Thousand Six Hundred Thirty Dollars (\$805,630.00) is provided to maintain additional slots in the Assisted Living Home and Community Based Waiver program and One Million One Hundred Ninety-two Thousand Seven Hundred Seventy Dollars (\$1,192,770.00) is provided to maintain additional slots in the Elderly and Disabled Home and Community Based Waiver program.

SECTION 13. It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative Budget Committee hearings for Fiscal Year 2024, which will be used as the baseline levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in Fiscal Year 2024 and later fiscal years:

- a. Comprehensive Diabetes Care (CDC) or successive measure.
- b. Medication Management for People with Asthma (MMA) or successive measure.
- c. Annual Monitoring for Patients on Persistent Medications (MPM) or successive measure.

d. Adult BMI Assessment (ABA) and Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents (WCC) or successive measure.

In addition, for comparison purposes, these same baselines for the health-related outcome measurements shall be established for similar Medicaid recipients who are not enrolled in the MS-CAN program.

SECTION 14. It is the intention of the Legislature that the Governor's Office - Division of Medicaid and the Department of Human Services shall continue to work together to implement HB 1090 of the 2017 Regular Session, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 15. The Governor's Office - Division of Medicaid is authorized to expend funds appropriated herein as necessary to provide currently existing home and community based services through any CMS approved state plan or home and community based services waiver to individuals who qualify for those services to avoid institutionalization or to transition an individual from an institution to any home and community based setting. Provision of such services shall not count against any limit imposed under this act. It is the intention of the Legislature that the cost of providing home and community based services shall not exceed the cost of nursing facility services, as determined by the Division.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAIVING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1624 was adopted.

YEAS AND NAYS On H. B. No. 1624. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

\_\_\_\_\_  
Senator Hopson called up the following entitled bill:

**H. B. No. 1622:** Appropriation; Human Services, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Human Services for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 74,476,245.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 1,736,609,583.00.

SECTION 3. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 4. With the funds appropriated in this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	1,296
Time-Limited:	Full Time .....	474

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. It is the intention of the Legislature that the Department of Human Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall

be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. Of the funds appropriated in Section 2 herein to the Department of Human Services, One Million Dollars (\$1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2023. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. The Department of Human Services is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 9. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Support Services	
Percent of Referred/Directed	
Investigative Audits Conducted	100.00
Percent of Special Investigations Conducted	95.00
Percent of Referred/Obtained Fraud	
Investigations Conducted Timely	100.00
Percent of Referred Administrative	
Disqualification Hearings and Fair	
Hearings Conducted Timely	99.00
Percent of Monitoring Reviews Conducted	
within Acceptable Timeframes	98.00
Total Amount of Funds Recovered	3,500,000.00
Aging & Adult Services	
In-Home Services - Age 60 + (Persons Served)	32,680
Community Services - Age 60 + (Persons Served)	193,617
Number of Congregate Meals	468,272
Number of Home Delivered Meals	2,700,000
Substantiated Incidences of Abuse of	
Vulnerable Adults per 1,000 Population	0.17
Home Delivered Meals, Percent Reduction	
of Persons on Waiting list	1.00
Child Support Enforcement	
Number of Paternities Established	15,500
Percent Change in Paternities Established	3.30

SENATE JOURNAL  
THURSDAY, MARCH 9, 2023

2025

Number of Obligations Established	16,000
Percent Change in Obligations Established	12.50
Total Collections	378,000,000.00
Percent Change in Total Collections	-2.50
Number of Absent Parents Located	68,000
Percent of Child Support Cases Current on Payments	-2.53
Community Services	
Number of Elderly Served by CSBG and LIHEAP	20,352
Number of Disabled Served CSBG/LIHEAP	26,762
Number of Households Achieving Self-Sufficiency CSBG/LIHEAP	0
Percent Increase in Rate of Households Attaining Self-Sufficiency	0.00
Number of Households Stabilized CSBG/LIHEAP	0
Percent Increase in the Number of Households Stabilized	0.00
Number of Households Weatherized	516
Early Childhood Care & Dev	
Number of Children Served	30,138
Assistance Payments	
Dollar Amount of Assistance	6,240,877.00
Food Assistance	
Number of Average Monthly Households Supplement Nutrition Assistance Program - SNAP	225,000
Percent of Mississippi Households Receiving SNAP Benefits	716,413,100.00
Tanf Work Program	22.51
Number of Average Monthly TANF Households	4,600
Number of Average Monthly Persons Served in TANF Work Program	1,107
TANF Work Program Participation Rate	60.00
Number of Persons Employed Through the TANF Work Program for the Year	832
Number of Households Receiving TANF Benefits During the Year	9,969
Percent of Households Receiving TANF During the Year	49.00
Percent of TANF Participants in Job Trng Who Enter Employment	30.00
Percent of TANF Participants in Job Training Who Enter Employment at A Salary Sufficient to Be Ineligible for TANF	19.00
Percent of TANF Participants in Job Training Who Remain Employed for One Year After Leaving the Program	75.00
Percent of TANF Participants in Job Training Who Remain Employed for Five Years After Leaving the Program	65.00
Social Services Block Grant	
Number of Clients Served - Division of Family and Children's Services	75,611
Number of Clients Served - Aging and Adult Services	21,178
Number of Clients Served - Youth Services	12,880
Youth Services	
Number of Children Served - Community	

Services	15,000
Number of Children Served -	
Institutional Component	300.00
Number of Volunteers - Community	
Services/Institution	0
Number of Children Placed in Alternative	
Placement	0
Percent of Children Diverted from	
Institutional Care	95.00
Recidivism Rate	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 11. It is the intent of the Legislature that the Department of Human Services, Division of Child Support Enforcement, make a concentrated effort to increase collections of past due child support payments. On or before January 1, 2024, the Executive Director of the Department of Human Services shall submit a report to the Legislative Budget Office detailing year-to-date performance measures in the Child Support Enforcement Program compared with the prior year.

SECTION 12. It is the intention of the Legislature that the Department of Human Services shall have the authority to spend such additional funds as it shall receive from the federal government in incentives or the federal match on those incentives for the purpose of child support enforcement.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred to the Juvenile Facility Monitoring Unit at the Department of Public Safety no later than July 31, 2023.

SECTION 14. Of the funds appropriated herein, to the Department of Human Services One Million Dollars (\$1,000,000.00), is provided for the support of the Home Delivered Meals Program and any additional funds that may be appropriated to this program.

SECTION 15. Of the funds provided in Section 1, herein to the Department of Human Services, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is provided to fund the Senior Olympics Program.

SECTION 16. It is the intention of the Legislature that the Governor's Office, Division of Medicaid and the Department of Human Services shall continue to work together to implement Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 17. As a condition of receiving and expending any funds appropriated under this act, the Department of Human Services:

(a) Shall use a competitive procurement process for entering into all TANF subgrant agreements with non-state entities when the federal government does not direct to whom the funds must be subgranted;

(b) Upon awarding of a grant to any subgrantee of the department, shall require the subgrantee to submit a monthly report to the department that contains, but is not limited to, all of the following:

.....  
(i) A listing of all costs incurred by the subgrantee during the previous month;

.....  
(ii) A listing of all clients served by the subgrantee, with an explanation of which services were provided to the clients;

.....  
(iii) A listing of all lower-tier subgrantees, who must be approved by the department before the execution of any such agreement by the prime subgrantee; and

.....  
(iv) Any other data required by the department to provide sufficient evidence of budgetary compliance;

.....(c) Shall not advance funds to a subgrantee for more than sixty (60) days; and

(d) Shall reimburse a subgrantee for expenses only after the required documentation is provided and is approved by the department.

SECTION 18. It is the intent of the Legislature, that within the funds available, the Department of Human Services may provide any qualifying grants of CARES Act or American Rescue Act funding in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the three (3) regional food banks that serve Mississippi, including Feed the Gulf Coast, Mid-South Food Bank, and Mississippi Food Network.

SECTION 19. With the funds appropriated herein, the Department of Human Services is authorized to make payment to certain vendors for expenses incurred during 2021 as follows:

DNA Diagnostics Center	\$ 34,474.42
Pearson VUE	\$ 551.25
Shred IT	\$ 961.56
Southwestern Communication	\$ 3,030.76

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Human Services for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1611, 2022 Regular Session to defray expenses of the Department of Human Services for the fiscal year beginning July 1, 2023, and ending  
June 30, 2024 ..... \$ 58,885,920.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) To defray the Department's computer expenses..... \$ 4,885,920.00.  
(b) To secure federal funding for a new computer system..... \$ 54,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2023, except for Section 19 which shall take effect and be in force from and after the passage of this act and through the fiscal year ending June 30, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF HUMAN SERVICES FOR THE FISCAL YEAR 2024.

Senators Blount and Simmons D. T. (12th) offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND after line 16 by inserting the following as a new section and renumbering subsequent sections accordingly:

SECTION (\*). As a condition of receiving and expending the funds appropriated to the Department of Human Services under this act, the department shall provide the maximum amount of TANF funds allowed under Federal law to parents eligible for the Child Care Payment Program.

Amendment No. 1 to Committee Amendment No. 1 to H. B. No. 1622 failed.

Committee Amendment No. 1 to H. B. No. 1622 was adopted.

YEAS AND NAYS On H. B. No. 1622. On motion of Senator Blackwell, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1612:** Appropriation; Archives and History, Department of.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 10,809,208.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Department of Archives and History which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 12,899,913.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent:	137
Time-Limited:	9

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the



annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that the Department of Archives and History shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intent of the Legislature that the Mississippi Department of Archives and History shall charge the maximum amount allowable for services rendered, consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Mississippi Department of Archives and History.

SECTION 6. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the museum and public space in the State Historical Museum, Old Capitol Restoration.

SECTION 7. Of the funds provided in Section 2, Two Million Dollars (\$2,000,000.00) is provided to the Department of Archives and History from the Mississippi Landmark Grant Fund as created in House Bill No. 1082, Regular Session of 1999, to help support the preservation of Mississippi Landmark Properties.

SECTION 8. Of the funds provided under the provisions of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the purpose of capital development and maintenance of Beauvoir Shrine, the last home of Jefferson Davis, the only President of the Confederate States of America, subject to approval by the Department of Archives and History. The expenditure of funds available in this section shall be subject to prior approval by the Department of Archives and History.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Archives and History for the purpose of supporting the Statewide Oral History Project for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 45,748.00.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code

of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds provided in Section 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) is provided from Special Funds in the State Treasury to the credit of the State Treasury fund created in Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose of paying the costs of repair and renovation of the New Capitol, the Old Capitol, the Governor's Mansion, and the War Memorial Building, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of funds.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1599, 2022 Regular Session to provide for Beauvoir, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1599, 2022 Regular Session to defray expenses of the Department of Archives and History for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,096,270.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

- (a) De la Pointe-Krebs House ..... \$ 96,270.00.
- (b) Repair, renovation, and construction  
projects undertaken by the Department of  
Archives and History..... \$ 8,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. The Mississippi Department of Archives and History is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars (\$1,000,000.00).

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1612 was adopted.

YEAS AND NAYS On H. B. No. 1612. On motion of Senator Hopson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Blount. Total--1.

Senator Hopson called up the following entitled bill:

**H. B. No. 1643:** Appropriation, Reappropriation, DFA - Bureau of Building - FY2024.

Senator Hopson offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3393100000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, for the purpose of reauthorizing the expenditure of funds previously appropriated for construction and/or repair and renovation projects at various state agencies and institutions, as authorized in HB No. 1603, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 90,392,052.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of special funds for construction and/or repair and renovation projects at various state agencies and institutions that had been authorized by the Legislature in prior fiscal years.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 3390200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; SB 3015, 2017 Regular Session; SB 2911, 2016 Regular Session; SB 2902, 2014 Regular Session; and SB 2896, 2013 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 408,730.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for

construction and/or repair and renovation projects at various state agencies and institutions.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 3390300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 60,000,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at the Institutions of Higher Learning and Community and Junior Colleges and various state agencies and institutions.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493C00000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; and SB 3015, 2017 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024.... \$ 244,551.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in prior fiscal years for upgrades and renovation of the water treatment facility at the Alcorn State University and related purposes.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2023, or change the purpose of which the funds were originally authorized. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 6493200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; and HB 1667, 2019 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 87,069.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for improvements for the Law Enforcement Officer's Training Academy.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022

Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; and SB 3049, 2019 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 667,169.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense funds for construction and/or repair, renovation, and improvements of state-owned properties, universities and community colleges that had been authorized by the Legislature in a prior fiscal year.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 7. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 6493500000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603; 2022 Regular Session and SB 2948, 2021 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,031,055.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 8. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493600000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session and SB 2948, 2021 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 37,144,402.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 9. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493700000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session and HB 1550, 2022 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 39,400,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for construction, repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the

previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6494300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in SB 3045, 2022 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024...\$ 10,850,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024...\$ 35,000,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 12. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611310000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1353, 2022 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024...\$ 9,890,350.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611320000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024...\$ 35,250,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended

balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611330000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 70,890,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611340000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 2,994,191.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023 from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 16. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repair and renovation projects.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF CAPITAL EXPENSES AND SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2024.

Committee Amendment No. 1 to H. B. No. 1643 was adopted.

YEAS AND NAYS On H. B. No. 1643. On motion of Senator Polk, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Betsy Heindl Storms, Chesterine Moulds Boatner and Randy Royal of Meridian, MS.

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#### REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 65:** Michael Bradley (Brad) Wood, Hattiesburg, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, six year term effective May 4, 2022 and ending March 31, 2028. Do Advise and Consent.

**S. N. No. 71:** Aimee Rebecca W. Robertson, Gulfport, Mississippi, Mississippi Home Corporation as a representative of the Second Supreme Court District, six year term effective June 27, 2022 and ending April 23, 2028. Do Advise and Consent.

**S. N. No. 63:** Huey Love (Hue) Townsend, Jr., Belzoni, Mississippi, Mississippi Home Corporation as a resident of the First Supreme Court District, term effective December 30, 2022 and ending June 30, 2028. Do Advise and Consent.

**S. N. No. 70:** Robert Reed (Reed) Nelson, Madison, Mississippi, Mississippi Home Corporation, remainder of six year term effective June 28, 2022 and ending April 23, 2026, representing the First Supreme Court District, vice Carl EuGene (Gene) Delcomyn. Do Advise and Consent.

**S. N. No. 66:** Brian Kendall Johnson, Madison, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective upon confirmation by the Senate and ending March 31, 2026, vice Reed Nelson. Do Advise and Consent.

HARKINS, Chairman

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#### REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:



**H. B. No. 1648:** Mississippi Small Business Investment Company Act; increase the amount of tax credits that can be allocated under. Title Sufficient. Do Pass As Amended.

**H. B. No. 1668:** Income tax; revise certain provisions regarding pass-through entities. Title Sufficient. Do Pass.

**H. B. No. 1733:** Income tax; revise deduction for depreciation for certain expenditures and property. Title Sufficient. Do Pass As Amended.

**H. B. No. 1734:** Bonds; authorize for various purposes. Title Sufficient. Do Pass As Amended.

HARKINS, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2075:** Birth certificate; adoptee may obtain certified copy of original after age 21.

**S. B. No. 2099:** Motor vehicle theft; revise penalty for.

**S. B. No. 2100:** Receiving stolen property; revise the crime of.

**S. B. No. 2101:** Criminal law; revise crimes of fleeing a law enforcement officer, resisting arrest and carjacking.

**S. B. No. 2343:** Capitol police; revise jurisdiction of.

**S. B. No. 2376:** Youth court; clarify that disclosure of certain records in criminal matters do not require youth court approval.

**S. B. No. 2449:** Sales and use taxes; bring forward code sections for the purpose of possible amendment.

**S. B. No. 2538:** Mississippi Regional Pre-Need Disaster Clean Up Act; create.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 13, 2023.

The motion prevailed, and at 3:27 PM, the Senate stood in recess.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2003:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 12 IN OKTIBBEHA COUNTY, MISSISSIPPI, AS THE "G. LOUIS JONES MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER POLICE CHIEF GRANVEL LOUIS JONES; AND FOR RELATED PURPOSES.

**S. B. No. 2224:** AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES AND REGULATIONS TO EXAMINE AND ADDRESS ANY INEQUALITIES REGARDING PROVIDER REIMBURSEMENT RATES PAID BY AN INSURER, SUBCONTRACTOR, OTHER PAYOR OR BY THIRD-PARTY ADMINISTRATORS; TO PROVIDE THAT FAILURE TO COMPLY WITH RULES AND REGULATIONS ADOPTED BY THE COMMISSIONER MAY RESULT IN A FINE NOT TO EXCEED \$10,000.00 PER VIOLATION; TO ADD A FOUR-YEAR REPEALER TO THE SECTION; TO AMEND SECTION 83-9-5, MISSISSIPPI CODE OF 1972, TO CLARIFY REQUIREMENTS FOR A CLEAN CLAIM; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE MAY ADOPT RULES AND REGULATIONS NECESSARY TO ENSURE COMPLIANCE WITH THE SECTION; AND FOR RELATED PURPOSES.

**S. B. No. 2545:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 35 IN PANOLA COUNTY, MISSISSIPPI, AS THE "CONSTABLE RAYE HAWKINS MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER CONSTABLE RAYE HAWKINS; AND FOR RELATED PURPOSES.

**S. B. No. 2602:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 25 IN LEAKE COUNTY, MISSISSIPPI, AS THE "KASH HAIDEN MCGRAW MEMORIAL HIGHWAY" IN MEMORY OF KASH MCGRAW; TO DESIGNATE THE BRIDGE ON HIGHWAY 25 IN WINSTON COUNTY, MISSISSIPPI, AS THE "STACEY DALE RICKS MEMORIAL BRIDGE" IN HONOR OF STACEY DALE RICKS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2077:** AN ACT TO AMEND SECTION 79-11-507, MISSISSIPPI CODE OF 1972, TO RAISE THE AUDIT THRESHOLD FOR CHARITY ORGANIZATIONS FROM \$500,000.00 TO \$750,000.00, AND USE CASH BASIS MEASUREMENT ONLY; AND FOR RELATED PURPOSES.

**S. B. No. 2622:** AN ACT TO ENACT THE MISSISSIPPI PRIOR AUTHORIZATION REFORM ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT; TO PROVIDE THE APPLICABILITY AND SCOPE OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAINTAIN A COMPLETE LIST OF SERVICES FOR WHICH PRIOR AUTHORIZATIONS ARE REQUIRED; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE ANY CURRENT PRIOR AUTHORIZATION REQUIREMENTS AND RESTRICTIONS READILY ACCESSIBLE AND POSTED ON ITS WEBSITE; TO SET REQUIREMENTS FOR THE CLINICAL REVIEW CRITERIA OF HEALTH INSURANCE ISSUERS; TO PROHIBIT HEALTH INSURANCE ISSUERS FROM DENYING A CLAIM FOR FAILURE TO OBTAIN PRIOR AUTHORIZATION IF THE PRIOR AUTHORIZATION REQUIREMENT WAS NOT IN EFFECT ON THE DATE OF SERVICE ON THE CLAIM; TO REQUIRE HEALTH INSURERS TO MAKE CERTAIN PRIOR AUTHORIZATION STATISTICS AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE AVAILABLE A STANDARDIZED ELECTRONIC PRIOR AUTHORIZATION REQUEST TRANSACTION PROCESS BY JANUARY 1, 2024; TO REQUIRE ALL HEALTH CARE PROFESSIONALS AND HEALTH CARE PROVIDERS TO USE THAT PROCESS NOT LATER THAN JANUARY 1, 2026;

TO ESTABLISH CERTAIN REQUIREMENTS ON HEALTH INSURANCE ISSUERS FOR PRIOR AUTHORIZATIONS IN NONURGENT CIRCUMSTANCES AND URGENT CIRCUMSTANCES; TO PROVIDE CERTAIN QUALIFICATIONS OF PHYSICIANS QUALIFIED TO MAKE ADVERSE DETERMINATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO GIVE CERTAIN NOTIFICATIONS WHEN MAKING AN ADVERSE DETERMINATION; TO ESTABLISH THE QUALIFICATIONS FOR PERSONNEL WHO REVIEW APPEALS OF PRIOR AUTHORIZATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO PERIODICALLY REVIEW ITS PRIOR AUTHORIZATION REQUIREMENTS AND TO CONSIDER REMOVAL OF THESE REQUIREMENTS IN CERTAIN CASES; TO PROVIDE THAT A HEALTH INSURANCE ISSUER MAY NOT REVOKE OR FURTHER LIMIT, CONDITION OR RESTRICT A PREVIOUSLY ISSUED PRIOR AUTHORIZATION WHILE IT REMAINS VALID UNDER THIS ACT UNLESS CERTAIN EXCLUSIONS ARE APPLICABLE; TO PROVIDE HOW LONG PRIOR AUTHORIZATION APPROVALS SHALL BE VALID; TO PROVIDE HOW LONG THE PRIOR AUTHORIZATIONS FOR CHRONIC CONDITIONS SHALL BE VALID; TO ESTABLISH THE PROCEDURE FOR THE CONTINUITY OF PRIOR APPROVALS FROM PREVIOUS HEALTH INSURANCE ISSUERS TO CURRENT ISSUERS; TO PROVIDE THAT A FAILURE BY A HEALTH INSURANCE ISSUER TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS SPECIFIED IN THIS ACT SHALL RESULT IN ANY HEALTH CARE SERVICES SUBJECT TO REVIEW TO BE AUTOMATICALLY DEEMED AUTHORIZED BY THE HEALTH INSURANCE ISSUER OR ITS CONTRACTED PRIVATE REVIEW AGENT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ISSUE CEASE AND DESIST ORDERS TO HEALTH INSURANCE ISSUERS OR PRIVATE REVIEW AGENTS; TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO IMPOSE UPON A PRIVATE REVIEW AGENT, HEALTH BENEFIT PLAN OR HEALTH INSURANCE ISSUER AN ADMINISTRATIVE FINE NOT TO EXCEED \$10,000 PER VIOLATION OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO REPORT TO THE DEPARTMENT CERTAIN DATA; TO REQUIRE HEALTH INSURANCE ISSUERS TO NOTIFY THE COMMISSIONER OF INSURANCE OF SUSPECTED SUBMISSIONS OF FALSE REQUESTS FOR PRIOR AUTHORIZATION; TO REQUIRE THE COMMISSIONER TO HAVE AN ADMINISTRATIVE HEARING ON SUCH MATTERS TO RESOLVE THE ISSUE; TO AMEND SECTION 41-83-31, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO SET CERTAIN QUALIFICATIONS AND TIME CONSTRAINTS FOR PHYSICIANS MAKING ADVERSE DETERMINATIONS THROUGH ANY PROGRAM OF UTILIZATION REVIEW; TO AMEND SECTION 83-9-6.3, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2652:** AN ACT TO CREATE THE MISSISSIPPI VULNERABLE PERSON ABUSE REGISTRY; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ESTABLISH A REGISTRY FOR INDIVIDUALS CONVICTED OF CERTAIN CRIMES AGAINST A VULNERABLE PERSON; TO REQUIRE CERTAIN CARE PROVIDERS TO QUERY THE REGISTRY FOR EMPLOYEES AND PROSPECTIVE EMPLOYEES; TO ALLOW MEMBERS OF THE PUBLIC TO QUERY THE REGISTRY REGARDING HIRING A CARETAKER OR A PERSON WHO WILL BE IN A POSITION OF TRUST OR AUTHORITY TO A VULNERABLE PERSON; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO ADOPT RULES; TO AMEND SECTION 43-47-7, MISSISSIPPI CODE OF 1972, TO GRANT CERTAIN GOVERNMENTAL AUTHORITIES AND CERTAIN PERSONS AUTHORIZED BY A COURT, INCLUDING GUARDIAN AD

LITEMS, ACCESS TO REPORTS OF ABUSE, NEGLECT OR EXPLOITATION OF VULNERABLE PERSONS; AND FOR RELATED PURPOSES.

**S. B. No. 2703:** AN ACT TO AMEND SECTION 63-1-43, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO WAIVE THE FEE FOR ANY DRIVER'S LICENSE OR LEARNER'S PERMIT ISSUED TO APPLICANTS WHO ARE IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 45-1-21, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**S. B. No. 2723:** AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO PURCHASE CERTAIN REAL PROPERTY, AND ANY IMPROVEMENTS THEREON, LOCATED WITHIN THE CAPITOL COMPLEX IN THE CITY OF JACKSON, HINDS COUNTY, MISSISSIPPI, KNOWN AS THE FORMER "FIRST CHRISTIAN CHURCH"; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 231:** AN ACT TO DIRECT THE STATE DEPARTMENT OF MENTAL HEALTH TO DEVELOP AND IMPLEMENT A COMPREHENSIVE AND STATEWIDE FENTANYL AND DRUG ABUSE EDUCATION, PREVENTION AND CESSATION PROGRAM THAT IS BASED ON SCIENTIFIC DATA AND RESEARCH; TO REQUIRE THAT THE PROGRAM INCLUDE THE FOLLOWING MINIMUM COMPONENTS: THE USE OF MASS MEDIA TO DISCOURAGE THE USE OF FENTANYL AND ABUSE OF OTHER DRUGS AND TO EDUCATE PEOPLE ABOUT THE HEALTH HAZARDS FROM THE USE OF FENTANYL AND ABUSE OF OTHER DRUGS; MATERIALS, CURRICULA AND PROGRAMS THAT MAY BE USED OR IMPLEMENTED IN SCHOOLS AND OTHER LOCATIONS TO EDUCATE YOUTH ABOUT FENTANYL AND OTHER HARMFUL DRUGS AND TO DISCOURAGE THE USE OF FENTANYL AND ABUSE OF OTHER DRUGS; LOCAL COMMUNITY PROGRAMS THAT DISCOURAGE THE USE OF FENTANYL AND ABUSE OF OTHER DRUGS AND INVOLVE COMMUNITY-BASED ORGANIZATIONS IN FENTANYL AND DRUG ABUSE EDUCATION, PREVENTION AND CESSATION PROGRAMS IN THEIR COMMUNITIES; AND PROGRAMS TO ASSIST AND HELP PEOPLE TO STOP USING FENTANYL AND/OR ABUSING OTHER DRUGS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Betsy Heindl Storms, Chesterine Moulds Boatner and Randy Royal.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR THURSDAY, MARCH 9, 2023

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SEVENTIETH DAY, MONDAY, MARCH 13, 2023

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Absent--Carter, Hill, Tate. Total--3.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Carter.

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The invocation was delivered by Reverend Norwood Seymour, Retired, First Assembly of God, Gulfport, MS.

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Senator Seymour led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2090:** Board of Funeral Services; revise provisions related to.

**S. B. No. 2187:** Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating.

**S. B. No. 2346:** Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification.

**S. B. No. 2613:** Nonemergency transportation providers; extend date by which providers may provide service without a permit.

SENATE JOURNAL  
MONDAY, MARCH 13, 2023

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. C. R. No. 533:** Constitution; amend to revise ballot initiative process.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 1225:** Telephone solicitation; bring forward provisions of law relating to.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2149:** City of Guntown; authorize the use of side by side vehicles on certain public roads.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1711:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE FUNDS TO AND PROVIDE IN-KIND SERVICES FOR MAINTENANCE TO THE BEULAH CEMETERY; TO PROVIDE THAT COMMUNITY SERVICE OR INMATE LABOR MAY BE USED FOR SUCH MAINTENANCE; AND FOR RELATED PURPOSES.

**H. B. No. 1725:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE PRAIRIE LAND WATER ASSOCIATION; TO PROVIDE THAT SUCH CONTRIBUTION MAY BE MADE BY UTILIZING CERTAIN LOCAL FISCAL RECOVERY FUNDS THAT HAVE

BEEN RECEIVED BY THE COUNTY THROUGH THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1726:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE YMCA, BOYS AND GIRLS CLUB, HOMELESS COALITION, UNITED WAY, LAST HOUSE ON THE BLOCK, HABITAT FOR HUMANITY HOUSING, COMMUNITY COUNSELING, CONTACT HELPLINE AND HELPING HANDS BY UTILIZING CERTAIN LOCAL FISCAL RECOVERY FUNDS THAT HAVE BEEN RECEIVED BY THE COUNTY THROUGH THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1727:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO ANY PUBLIC UTILITY OR ASSOCIATION OPERATING WITHIN THE COUNTY FOR PURPOSES OF EXPANDING OR REPAIRING WATER AND SEWER INFRASTRUCTURE; TO PROVIDE THAT SUCH CONTRIBUTION MAY BE MADE BY UTILIZING CERTAIN LOCAL FISCAL RECOVERY FUNDS THAT HAVE BEEN RECEIVED BY THE COUNTY THROUGH THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1787:** AN ACT TO AMEND SECTION 903, LOCAL AND PRIVATE LAWS OF 2018, TO AUTHORIZE THE SCENIC RIVERS DEVELOPMENT ALLIANCE (SRDA) TO CREATE SPECIAL PURPOSE ENTITIES; TO DEFINE THE TERM "SPECIAL PURPOSE ENTITY"; TO PROVIDE THAT THE CONTROL, OPERATION, MANAGEMENT AND GOVERNANCE OF ANY SPECIAL PURPOSE ENTITY SHALL REMAIN IN THE SRDA ALLIANCE; TO AUTHORIZE ANY SPECIAL PURPOSE ENTITY, CREATED BY THE SRDA ALLIANCE, TO PERFORM CERTAIN ACTS; AND FOR RELATED PURPOSES.

**H. B. No. 1788:** AN ACT TO AMEND CHAPTER 924, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2028, ON THE ACT AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF COLUMBIA, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

**H. B. No. 1791:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF UNION COUNTY, MISSISSIPPI, TO LEVY AN ASSESSMENT, IN ADDITION TO ANY OTHER ASSESSMENTS AND COURT COSTS, FOR CIVIL CASES FILED AND MISDEMEANOR CONVICTIONS AND/OR NONADJUDICATIONS OBTAINED IN ITS JUSTICE COURT, TO BE PLACED IN A SPECIAL COUNTY FUND DESIGNATED THE "UNION COUNTY CAPITAL IMPROVEMENTS FUND" AND USED TO FUND CAPITAL IMPROVEMENTS; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2358:** Ballot harvesting; ban.

**S. B. No. 3004:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

**S. B. No. 3007:** Appropriation; IHL - Student Financial Aid.

**S. B. No. 3008:** Appropriation; IHL - University of Mississippi Medical Center.

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

**S. B. No. 3014:** Appropriation; Fair and Coliseum Commission - Livestock shows.

**S. B. No. 3015:** Appropriation; Animal Health, Board of.

**S. B. No. 3019:** Appropriation; Ethics Commission.

**S. B. No. 3020:** Appropriation; Judicial Performance Commission.

**S. B. No. 3022:** Appropriation; Revenue, Department of.

**S. B. No. 3023:** Appropriation; Tax Appeals Board.

**S. B. No. 3024:** Appropriation; Workers' Compensation Commission.

**S. B. No. 3027:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.

**S. B. No. 3032:** Appropriation; Pharmacy, Board of.

**S. B. No. 3034:** Appropriation; Veterinary Examiners, Board of.

**S. B. No. 3035:** Appropriation; Architecture, Board of.

**S. B. No. 3113:** Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds.

**S. B. No. 3114:** Appropriation; additional to DEQ for Mississippi Municipality and County Water Infrastructure Grant Program, ARPA funds.

**S. B. No. 3115:** Appropriation; additional to DOH for ARPA Rural Water Associations Infrastructure Grant Program.

**S. B. No. 3116:** Appropriation; additional to DFA for destination marketing organizations and Main Street Association, ARPA funds.

**S. B. No. 3117:** Appropriation; additional for DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan, ARPA funds.

**S. B. No. 3118:** Appropriation; additional to DFA - Bureau of Buildings, ARPA funds.

**S. B. No. 3119:** Appropriation; additional to DOH for Mississippi Hospital Sustainability Grant Program, ARPA funds.



Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 3038:** Appropriation; Motor Vehicle Commission.

**S. B. No. 3039:** Appropriation; Accountancy, Board of Public.

**S. B. No. 3044:** Appropriation; Governor's Office and Mansion.

**S. B. No. 3046:** Appropriation; Development Authority, Mississippi.

**S. B. No. 3048:** Appropriation; Personnel Board.

**S. B. No. 3049:** Appropriation; Secretary of State.

**S. B. No. 3120:** Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 3002:** Appropriation; IHL - Alcorn State - Agricultural programs.

**S. B. No. 3003:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

**S. B. No. 3017:** Appropriation; Military Department.

**S. B. No. 3030:** Appropriation; Funeral Services Board.

**S. B. No. 3037:** Appropriation; Geologists, Board of Registered Professional.

**S. B. No. 3040:** Appropriation; Contractors, Board of.

**S. B. No. 3042:** Appropriation; Banking and Consumer Finance, Department of.

**S. B. No. 3050:** Appropriation; Treasurer's Office.

**S. B. No. 3051:** Appropriation; Debt Service-Gen. Obli.

Andrew Ketchings, Clerk of the House of Representatives

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## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 3000:** Appropriation; IHL - General support.

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3010:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

**S. B. No. 3011:** Appropriation; Corrections, Department of.

**S. B. No. 3012:** Appropriation; Public Safety, Department of.

**S. B. No. 3013:** Appropriation; Agriculture and Commerce, Department of.

**S. B. No. 3016:** Appropriation; Emergency Management Agency.

**S. B. No. 3018:** Appropriation; Veterans Affairs Board.

**S. B. No. 3021:** Appropriation; Employment Security, Department of.

**S. B. No. 3025:** Appropriation; Mental Health, Department of.

**S. B. No. 3026:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

**S. B. No. 3028:** Appropriation; Chiropractic Examiners, Board of.

**S. B. No. 3029:** Appropriation; Dental Examiners, Board of.

**S. B. No. 3031:** Appropriation; Massage Therapy, Board of.

**S. B. No. 3033:** Appropriation; Counselors, Board of Examiners for Licensed Professional.

**S. B. No. 3036:** Appropriation; Gaming Commission.

**S. B. No. 3041:** Appropriation; Audit, Department of.

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of.

**S. B. No. 3045:** Appropriation; Information Technology Services, Department of.

**S. B. No. 3047:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

**S. B. No. 3052:** Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies.

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1711:** City of Vicksburg; authorize contributions of funds and in-kind maintenance services to Beulah Cemetery. Local and Private.

**H. B. No. 1725:** Lowndes County; authorize contribution to Prairie Land Water Association using ARPA Local Fiscal Recovery Funds. Local and Private.

**H. B. No. 1726:** Lowndes County; authorize contributions to certain nonprofit organizations using ARPA Local Fiscal Recovery Funds. Local and Private.

**H. B. No. 1727:** Lowndes County; authorize contributions to any public utility/assoc. to expand, repair water/sewer infrastructure using ARPA funds. Local and Private.

**H. B. No. 1787:** Scenic Rivers Development Alliance; authorize to create special purpose entities. Local and Private.

**H. B. No. 1788:** City of Columbia; extend repeal date on hotel/motel and restaurant tourism tax. Local and Private.

**H. B. No. 1791:** Union County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. Local and Private.

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MESSAGE FROM THE GOVERNOR  
March 10, 2023

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Carra Elizabeth Powell, Horn Lake, Mississippi, State Board of Education to represent the Third Supreme Court District, remainder of a nine year term beginning March 9, 2023 and ending June 30, 2030 vice, Karen J. Morgan Elam.

Kent Gerard (Kent) Nicaud, Pass Christian, Mississippi, Gaming Commission, remainder of a four year term effective March 8, 2023 and ending September 30, 2025, vice Alben Hopkins.

Gerard Raymond Gibert, Ridgeland, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective March 8, 2023 and ending December 31, 2027.

Tate Reeves  
GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Carra Elizabeth Powell, State Board of Education to represent the Third Supreme Court District, remainder of a nine year term beginning March 9, 2023 and ending June 30, 2030, Education.

Kent Gerard (Kent) Nicaud, Gaming Commission, remainder of a four year term effective March 8, 2023 and ending September 30, 2025, Gaming.

Gerard Raymond Gibert, Mississippi Lottery Corporation Board of Directors,  
five year term effective March 8, 2023 and ending December 31, 2027, Finance.

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INTRODUCTIONS FOR FRIDAY, MARCH 10, 2023

**S. B. No. 3143:** Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF LUCEDALE, MISSISSIPPI, TO IMPOSE A TAX OF UP TO ONE PERCENT TO BE LEVIED ON THE GROSS PROCEEDS DERIVED FROM THE SALES OF PREPARED FOOD AND DRINK AT RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS FOR PARKS AND RECREATION CAPITAL IMPROVEMENTS; TO PROVIDE FOR A REFERENDUM ON WHETHER SUCH TAX SHALL BE LEVIED; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. B. No. 3144:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF NESHOPA COUNTY, MISSISSIPPI, TO CONTRIBUTE UP TO \$5,000.00 DURING ANY ONE FISCAL YEAR TO PHILADELPHIA TRANSIT FROM AVAILABLE COUNTY FUNDS IN SUPPORT OF ITS TRANSPORTATION SERVICES FOR THE GENERAL PUBLIC, ELDERLY, AND DISABLED CITIZENS; AND FOR RELATED PURPOSES.

By Senator(s) Branning

**S. B. No. 3145:** Local and Private

AN ACT TO AMEND CHAPTER 982, LOCAL AND PRIVATE LAWS OF 2007, TO AUTHORIZE THE BOARD OF SUPERVISORS OF GEORGE COUNTY, MISSISSIPPI, TO IMPOSE A TAX OF UP TO THREE PERCENT TO BE LEVIED ON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS WITHIN THE COUNTY, TO IMPOSE A TAX OF UP TO ONE PERCENT ON THE GROSS PROCEEDS DERIVED FROM THE SALES OF PREPARED FOODS AND BEVERAGES AT RESTAURANTS WITHIN THE COUNTY, AND TO EXPEND THE PROCEEDS OF SUCH TAXES TO FUND A SPORTS FACILITY AND RECREATIONAL CAPITAL IMPROVEMENT PROJECT IN PARTNERSHIP WITH THE CITY OF LUCEDALE UNDER TITLE 27, CHAPTER 65; TO PROVIDE FOR AN ELECTION ON WHETHER SUCH TAXES WILL BE LEVIED; AND FOR RELATED PURPOSES.

By Senator(s) DeBar

**S. R. No. 67:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE 2022-2023 WEST LAUDERDALE HIGH SCHOOL GIRLS SOCCER TEAM AND HEAD COACH BRANDON RODGERS UPON WINNING THE MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 4A GIRLS SOCCER STATE CHAMPIONSHIP.

By Senator(s) Tate

**S. R. No. 68:** Rules

A RESOLUTION RECOGNIZING AND COMMENDING MRS. SARAH LEA ANGLIN UPON BEING NAMED THE 2022 STATE GAMES OF MISSISSIPPI "FEMALE ATHLETE OF THE YEAR."

By Senator(s) Tate

**S. R. No. 69:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING MR. LEEROY CARPENTER ON BEING SELECTED AS THE 2022 STATE GAMES OF MISSISSIPPI OVERALL "MALE ATHLETE OF THE YEAR."

By Senator(s) Tate

**S. R. No. 70:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE JACKSON PREP "PATRIOTS" BOYS BASKETBALL TEAM AND HEAD COACH TIM WISE FOR WINNING BACK-TO-BACK MAIS BASKETBALL CHAMPIONSHIPS.

By Senator(s) Kirby, Harkins, Michel

**S. R. No. 71:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LOUISVILLE HIGH SCHOOL "LADY WILDCATS" GIRLS BASKETBALL TEAM AND HEAD COACH MITCHELL MCCURRY FOR WINNING THE MHSAA CLASS 4A STATE CHAMPIONSHIP WHICH IS THEIR THIRD TITLE IN SCHOOL HISTORY.

By Senator(s) Branning, Hickman

**S. R. No. 72:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING KAYLEE HARRISON ON BEING SELECTED AS THE 2022 STATE GAMES OF MISSISSIPPI "YOUTH ATHLETE OF THE YEAR."

By Senator(s) Tate

**S. R. No. 73:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "LADY BLUE DEVILS" GIRLS BASKETBALL TEAM FOR WINNING BACK-TO-BACK MHSAA 3A STATE CHAMPIONSHIPS AND HEAD COACH MICHAEL SMITH AS THE ONLY MISSISSIPPI HIGH SCHOOL BASKETBALL COACH TO WIN CONSECUTIVE STATE CHAMPIONSHIPS IN BOTH BOYS AND GIRLS BASKETBALL.

By Senator(s) Sparks

**S. R. No. 74:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE HIGH SCHOOL "BLUE DEVILS" BOYS BASKETBALL TEAM FOR WINNING BACK-TO-BACK MHSAA CLASS 3A STATE CHAMPIONSHIPS AND HEAD COACH MICHAEL SMITH AS THE FIRST MISSISSIPPI HIGH SCHOOL COACH TO WIN CONSECUTIVE STATE CHAMPIONSHIPS IN BOTH BOYS AND GIRLS BASKETBALL.

By Senator(s) Sparks

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2149:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GUNTOWN, MISSISSIPPI, TO ALLOW THE OPERATION OF SIDE-BY-SIDE VEHICLES ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE CITY; TO REQUIRE INDIVIDUALS OPERATING A SIDE-BY-SIDE VEHICLE TO HAVE A VALID DRIVER'S LICENSE AND PROOF OF INSURANCE; TO REQUIRE SIDE-BY-SIDE VEHICLES TO BE REGISTERED WITH THE CITY; TO AUTHORIZE THE CITY TO CHARGE A REGISTRATION FEE; AND FOR RELATED PURPOSES.

**S. B. No. 2360:** AN ACT TO AMEND SECTION 37-27-7, MISSISSIPPI CODE OF 1972, TO REVISE THE BOARD MEMBERSHIP OF AGRICULTURAL HIGH SCHOOLS; TO PROVIDE THAT THE COUNTY SUPERINTENDENT OF EDUCATION SHALL SERVE AS AN EX OFFICIO NONVOTING MEMBER; AND FOR RELATED PURPOSES.

**S. B. No. 2392:** AN ACT TO AMEND SECTION 19-5-22, MISSISSIPPI CODE OF 1972, TO REQUIRE A COUNTY BOARD OF SUPERVISORS TO NOTIFY THE COUNTY TAX COLLECTOR WHEN UNPAID FEES ASSESSED UNDER SECTION 19-5-21 ARE PAST DUE; TO REQUIRE THE TAX COLLECTOR TO INDEX THE DELINQUENCY NOTICE RECEIVED FROM THE BOARD OF SUPERVISORS; TO PROVIDE THAT

LIENS CREATED UNDER THIS STATUTE SHALL BE AVAILABLE IN A REGISTRY IN THE CHANCERY CLERK'S OFFICE; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2164:** AN ACT TO AMEND SECTION 37-7-473, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT, IN ADDITION TO OTHER CURRENT LAWFUL PROPERTY USE CONVEYANCES, SCHOOL DISTRICTS MAY CONVEY, SELL, LEASE OR OTHERWISE DISPOSE OF REAL PROPERTY FOR RESIDENTIAL, MIXED-USE OR OTHER DEVELOPMENTS; TO BRING FORWARD SECTION 37-7-471, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**S. B. No. 2197:** AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, TO AUTHORIZE COUNTY VETERAN SERVICE OFFICERS TO ACT FOR A VETERAN FOR CERTAIN SERVICES UNDER A WRITTEN POWER OF ATTORNEY AUTHORIZED BY THE VETERAN FOR THE PURPOSE OF ASSISTING WITH CLAIMS, BENEFITS, AND APPEALS IN AN ADMINISTRATIVE HEARING BEFORE THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS; TO PROVIDE COUNTY VETERAN SERVICE OFFICERS WITH LEGAL IMMUNITY ONLY FOR SUCH ACTIONS IN CASES OF ABUSE, FRAUD OR BREACH OF FIDUCIARY DUTY; AND FOR RELATED PURPOSES.

**S. B. No. 2212:** AN ACT TO AMEND SECTION 43-13-115, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE DIVISION OF MEDICAID TO PROVIDE UP TO 12 MONTHS OF CONTINUOUS COVERAGE POSTPARTUM FOR ANY INDIVIDUAL WHO QUALIFIES FOR MEDICAID AS A PREGNANT WOMAN TO THE EXTENT ALLOWABLE UNDER FEDERAL LAW; AND FOR RELATED PURPOSES.

**S. B. No. 2298:** AN ACT TO AMEND SECTION 21-23-8, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE TO DETERMINE BAIL IN MUNICIPAL COURT; TO AMEND SECTION 99-5-11, MISSISSIPPI CODE OF 1972, TO REVISE THE PROCEDURE TO DETERMINE BAIL IN JUSTICE COURT; AND FOR RELATED PURPOSES.

**S. B. No. 2306:** AN ACT TO AMEND SECTION 51-35-317, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF DIRECTORS FOR FLOOD AND DRAINAGE CONTROL DISTRICTS FOR CERTAIN MUNICIPALITIES; AND FOR RELATED PURPOSES.

**S. B. No. 2337:** AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OFFENSE OF CONSPIRACY SHALL BEAR THE SAME STATUTE OF LIMITATION AS THE CRIME THE DEFENDANT IS ACCUSED OF CONSPIRING TO COMMIT; AND FOR RELATED PURPOSES.

**S. B. No. 2347:** AN ACT TO CREATE NEW SECTION 41-9-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNING BODY OF A PRIVATELY OWNED HOSPITAL TO ESTABLISH A HOSPITAL POLICE DEPARTMENT IF THE HOSPITAL WAS PREVIOUSLY PUBLICLY OWNED AND HAD AN ESTABLISHED POLICE DEPARTMENT AT THE TIME THAT IT WAS PUBLICLY OWNED; TO AUTHORIZE THE GOVERNING BODY OF A PRIVATELY OWNED HOSPITAL TO APPOINT QUALIFIED INDIVIDUALS TO SERVE AS HOSPITAL POLICE OFFICERS UPON ANY PREMISES OWNED OR LEASED BY THE HOSPITAL AND UNDER THE JURISDICTION OF THE GOVERNING BODY; TO AUTHORIZE THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF PUBLIC SAFETY TO PROMULGATE RESTRICTIONS AND CONDITIONS UPON THE EXERCISE OF AUTHORITY UNDER THIS SECTION; TO REQUIRE THE GOVERNING BOARD OF THE EMPLOYING HOSPITAL TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH A LOCAL LAW ENFORCEMENT

AGENCY TO HOLD AND MAINTAIN A HOSPITAL POLICE OFFICER'S CERTIFICATION; TO PROVIDE CERTIFICATION STANDARDS FOR A HOSPITAL POLICE OFFICER; TO PROVIDE THE DUTIES OF A HOSPITAL POLICE OFFICER; TO PROVIDE THAT THE SALARY OF A HOSPITAL POLICE OFFICER SHALL BE PAID BY THE EMPLOYING HOSPITAL'S GOVERNING BODY; TO PROVIDE THAT THE HOSPITAL POLICE OFFICERS SHALL SERVE AT THE WILL AND PLEASURE OF THE GOVERNING BODY; TO PROVIDE FOR A LIMITATION OF LIABILITY FOR HOSPITAL POLICE OFFICERS; TO REQUIRE THE DEPARTMENT OF PUBLIC SAFETY TO TRAIN HOSPITAL POLICE OFFICERS IN CRISIS DE-ESCALATION TECHNIQUES; TO PROVIDE THAT THE SECTION SHALL REPEAL ON A CERTAIN DATE; TO AMEND SECTIONS 41-9-3, 45-6-3, 45-5-5 AND 45-5-11, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**S. B. No. 2420:** AN ACT TO CREATE A PUBLIC REGISTRY OF OFFENDERS WHOSE CRIMES INVOLVED THE EMBEZZLEMENT OR MISAPPROPRIATION OF PUBLIC FUNDS; TO DEFINE TERMS; TO DIRECT THE DEPARTMENT OF PUBLIC SAFETY TO CREATE A REGISTRY OF OFFENDERS; TO REQUIRE RESPONSIBLE AGENCIES TO FORWARD CERTAIN INFORMATION TO THE DEPARTMENT; TO REQUIRE OFFENDERS TO REPORT TO THE DEPARTMENT WITHIN A PRESCRIBED TIMEFRAME; TO AUTHORIZE THE DEPARTMENT TO PROMULGATE RULES FOR THE IMPLEMENTATION OF THE ACT; TO AMEND SECTION 25-1-113, MISSISSIPPI CODE OF 1972, TO PROHIBIT LOCAL GOVERNMENTS FROM HIRING PERSONS ON THE REGISTRY FOR CERTAIN POSITIONS; AND FOR RELATED PURPOSES.

**S. B. No. 2485:** AN ACT TO AMEND SECTION 41-87-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF QUALIFIED PERSONNEL WHO PROVIDE EARLY INTERVENTION SERVICES UNDER THE EARLY INTERVENTION ACT FOR INFANTS AND TODDLERS TO INCLUDE INDIVIDUALS WHO HOLD A DEGREE IN HUMAN DEVELOPMENT AND FAMILY SCIENCE OR CHILD AND FAMILY SCIENCE WITH A CONCENTRATION IN CHILD DEVELOPMENT AND LICENSURE IN PRE-KINDERGARTEN TO KINDERGARTEN; AND FOR RELATED PURPOSES.

**S. B. No. 2546:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 51 IN PANOLA COUNTY, MISSISSIPPI, AS THE "JOE KENNETH COSBY MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER DEPUTY SHERIFF JOE KENNETH COSBY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2547:** AN ACT TO DESIGNATE A SEGMENT OF MISSISSIPPI HIGHWAY 315 IN PANOLA COUNTY, MISSISSIPPI, AS THE "NOLAN METTETAL MEMORIAL HIGHWAY" IN MEMORY OF THE LATE FORMER LEGISLATOR NOLAN METTETAL; AND FOR RELATED PURPOSES.

**S. B. No. 2698:** AN ACT TO AMEND SECTION 27-31-46.1, MISSISSIPPI CODE OF 1972, TO EXTEND THE PERIOD IN WHICH CERTAIN RENEWABLE ENERGY PROJECTS MAY BEGIN CONSTRUCTION IN ORDER TO BE ELIGIBLE FOR A PARTIAL AD VALOREM TAX EXEMPTION; TO EXTEND THE TIME PERIOD WITHIN WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES MAY AUTHORIZE A PARTIAL AD VALOREM TAX EXEMPTION FOR CERTAIN RENEWABLE ENERGY PROJECTS; TO AMEND SECTION 27-31-104, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES TO ENTER INTO AGREEMENTS WITH CERTAIN ENTERPRISES GRANTING A FEE-IN-LIEU OF AD VALOREM TAXES, TO REVISE THE ENTERPRISES WITH WHICH COUNTY BOARDS

OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES ARE AUTHORIZED TO ENTER INTO SUCH AGREEMENTS; TO EXTEND THE TIME PERIOD WITHIN WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES MAY ENTER INTO SUCH AGREEMENTS WITH CERTAIN RENEWABLE ENERGY PROJECTS; AND FOR RELATED PURPOSES.

**S. B. No. 2751:** AN ACT TO AMEND SECTION 29-3-132, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO LAW, ORDINANCE OR REGULATION SHALL PROHIBIT, RESTRICT OR INTERFERE WITH SCHOOL DISTRICTS' USE OF SIXTEENTH SECTION LANDS FOR THE CONSTRUCTION AND OPERATION OF EDUCATIONAL OR EXTRACURRICULAR FACILITIES; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2120:** Firearms; authorize law enforcement officers to purchase at fair market value upon retirement.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1790:** AN ACT TO REENACT AND AMEND CHAPTER 951, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 925, LOCAL AND PRIVATE LAWS OF 2015, AS AMENDED BY CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND UNTIL JULY 1, 2027, THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, MISSISSIPPI, TO IMPOSE A TAX ON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS WITHIN THE COUNTY TO ESTABLISH A SPORTS COMPLEX FOR YOUTH WITHIN THE COUNTY; TO PROHIBIT THE COUNTY FROM PLACING THE SPORTS COMPLEX UNDER ANY LEASE UNTIL DEBTS PERTAINING TO THE COMPLEX ARE SATISFIED; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE GOVERNOR  
March 13, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:



**S. B. No. 2011:** Sales tax; exempt motor vehicle transfers to and from trusts, corporations, partnerships and limited liability companies. (March 10, 2023, 2:09 PM)

**S. B. No. 2018:** Sales tax; remove tax on wholesale sales of beer. (March 10, 2023, 2:10 PM)

**S. B. No. 2151:** Town of North Carrollton; extend repeal date on restaurant tourism tax. (March 10, 2023, 2:12 PM)

**S. B. No. 2215:** State depositories; revise definition of "primary capital." (March 10, 2023, 2:13 PM)

**S. B. No. 2227:** Federal Home Loan Banks; provide certain rights and procedures regarding collateral. (March 10, 2023, 2:14 PM)

**S. B. No. 2228:** Pet insurance; establish provisions for the sale and renewal of policies. (March 10, 2023, 2:15 PM)

**S. B. No. 2282:** Pseudoephedrine; delete the automatic repealer on the provision that authorizes the distribution of. (March 10, 2023, 2:16 PM)

**S. B. No. 2518:** City of Batesville; extend repealer on hotel/motel & restaurant tourism tax. (March 10, 2023, 2:17 PM)

**S. B. No. 2521:** Town of Carrollton; extend repealer on provision of law authorizing to levy tax on sales of restaurants. (March 10, 2023, 2:19 PM)

**S. B. No. 2525:** Forestry; create the Forestry Facility Grant Program. (March 10, 2023, 2:23 PM)

**S. B. No. 2548:** Motor vehicles; clarify that vehicle length restrictions are the same for day and night operation. (March 10, 2023, 2:24 PM)

**S. B. No. 2550:** Commercial crabbing licenses; applicable to boat instead of each fisherman. (March 10, 2023, 2:25 PM)

**S. B. No. 2623:** Mississippi State and School Employees' Life and Health Insurance Plan Task Force; establish. (March 10, 2023, 2:45 PM)

**S. B. No. 2681:** Mississippi Development Authority; clarify time trigger for tax exemption cutoff under Growth and Prosperity Act. (March 10, 2023, 2:34 PM)

**S. B. No. 2700:** Homestead; provide full exemption for unremarried surviving spouse of U.S. military member killed on active duty or training. (March 10, 2023, 2:48 PM)

**S. B. No. 2724:** Department of Public Safety building project and contract; exempt from certain public purchasing requirements. (March 10, 2023, 2:37 PM)

**S. B. No. 2797:** Mississippi State Asylum Records; provide procedures and exempt from confidentiality and privilege requirements. (March 10, 2023, 2:39 PM)

**S. B. No. 2851:** Technology-based capital assistance programs; revise certain terms and amounts of assistance. (March 10, 2023, 2:46 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2297:** Forensics laboratory; require approval of model of intoxilyzer equipment that is readily available to law enforcement agencies.

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1790:** Washington County; reenact and extend repeal date on hotel and motel tax supporting a sports complex. Local and Private.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 691:** Memorial highway; designate a portion of U.S. Highway 45 in Wayne County, MS, as the "Army Sergeant Eric C. Newman Memorial Highway."  
Senators Branning, DeLano, Thompson.

**H. B. No. 1477:** Harvest permits; extend repealer on authority of MDOT to issue.  
Senators Branning, Williams, Whaley.

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## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2203:** AN ACT TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION ACTING ON BEHALF OF THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH TO SURVEY, PARTITION, TRANSFER AND CONVEY ALL OF THE RIGHTS, TITLE AND INTEREST IN THE 3,207 ACRES OF CERTAIN REAL PROPERTY LOCATED IN RANKIN COUNTY, MISSISSIPPI, ACQUIRED BY THE STATE OF MISSISSIPPI IN 1894 TO THE STATE AGENCIES CURRENTLY SITUATED AND OPERATING ON SAID PROPERTY; TO IDENTIFY THE EXISTING STATE AGENCIES AND INSTITUTIONS TO BE ASSIGNED PARCELS OF THE SAID PROPERTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE AND ASSIGN PARCELS OF SAID PROPERTY TO THE MISSISSIPPI STATE VETERANS AFFAIRS BOARD FOR THE ESTABLISHMENT AND OPERATION OF A NEW VETERANS NURSING HOME IN RANKIN COUNTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE AND ASSIGN PARCELS OF SAID PROPERTY TO THE MISSISSIPPI STATE DEPARTMENT OF HEALTH FOR THE ESTABLISHMENT AND OPERATION OF A NEW COUNTER-MEASURE WAREHOUSE IN RANKIN COUNTY; TO AUTHORIZE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEFINE SEWER EASEMENTS ON SAID PROPERTY TO BE ASSIGNED TO THE MISSISSIPPI

DEPARTMENT OF MENTAL HEALTH FOR CONTINUED OPERATION; TO PROVIDE THAT THE BALANCE OF ANY UNASSIGNED PROPERTY SHALL BE UNDER THE MANAGEMENT AND CONTROL OF THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION UNTIL SUCH TIME AS SAID PROPERTY IS REQUIRED FOR FUTURE BUILDINGS OR FACILITIES OF THE STATE OF MISSISSIPPI; TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH TO ASSESS EACH STATE AGENCY UTILIZING SAID PROPERTY AN AMOUNT PROPORTIONATE TO THE USE OF WATER/SEWER COSTS PAID TO THE WEST RANKIN COUNTY UTILITY DISTRICT; TO AMEND SECTIONS 35-1-19, 35-1-21, 35-1-23, 35-1-25 AND 35-1-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI VETERANS AFFAIRS BOARD TO ESTABLISH, OPERATE, MAINTAIN, RECEIVE FUNDS FOR, EMPLOYEE PERSONNEL AND SET ADMISSION STANDARDS FOR THE NEW VETERANS NURSING HOME IN RANKIN COUNTY; AND FOR RELATED PURPOSES.

**S. B. No. 2647:** AN ACT TO AMEND SECTION 73-35-4.1, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR A REAL ESTATE LICENSEE REGARDING DISCLOSURE OF THE SIZE OR AREA OF PROPERTY; TO AMEND SECTIONS 89-1-503 AND 89-1-505, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY FOR FAILURE OF A TRANSFEROR OF REAL PROPERTY TO PROVIDE CERTAIN INFORMATION; TO AMEND SECTIONS 89-1-507 AND 89-1-515, MISSISSIPPI CODE OF 1972, TO REMOVE REFERENCES TO AGENTS OF TRANSFERORS OF REAL PROPERTY; TO AMEND SECTION 89-1-519, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON OR ENTITY SHALL BE DEEMED THE AGENT OF THE TRANSFEROR OR TRANSFEREE FOR PURPOSES OF THE DISCLOSURE REQUIREMENTS OF SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 89-1-523, MISSISSIPPI CODE OF 1972, TO REVISE LIABILITY REGARDING SECTIONS 89-1-501 THROUGH 89-1-523; TO AMEND SECTION 73-35-21, MISSISSIPPI CODE OF 1972, TO REVISE THE AUTHORITY OF THE REAL ESTATE COMMISSION REGARDING; TO REPEAL SECTIONS 89-1-521 AND 89-1-525, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR CERTAIN DISCLOSURES AND PENALTIES OF LICENSED REAL ESTATE BROKERS AND SALESPERSONS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2336:** AN ACT TO AMEND SECTION 41-29-319, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERMS "ADMINISTER," "DISTRIBUTE," "EDUCATION EMPLOYEE," "POSSESS" AND "STORAGE"; TO AUTHORIZE A PERSON TO ADMINISTER AN OPIOID ANTAGONIST THAT WAS DISTRIBUTED BY AN EDUCATION EMPLOYEE; TO AUTHORIZE AN EDUCATION EMPLOYEE TO STORE, DISTRIBUTE AND ADMINISTER OPIOID ANTAGONISTS; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO DISTRIBUTE OPIOID ANTAGONISTS TO EDUCATION EMPLOYEES UPON A REQUEST MADE IN WRITING; TO AUTHORIZE A PERSON TO STORE AN OPIOID ANTAGONIST THAT IS DISTRIBUTED BY AN EDUCATION EMPLOYEE; TO PROVIDE THAT AN EDUCATION EMPLOYEE SHALL BE IMMUNE FROM CRIMINAL AND CIVIL LIABILITY FOR ACTIONS AUTHORIZED BY THIS ACT; TO PROVIDE THAT A PERSON SHALL BE IMMUNE FROM CRIMINAL AND CIVIL LIABILITY FOR ACTIONS AUTHORIZED BY THIS ACT; AND FOR RELATED PURPOSES.

**S. B. No. 2890:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LEE COUNTY, MISSISSIPPI, TO CONTRIBUTE ANNUALLY TO THE SANCTUARY HOSPICE HOUSE; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**S. R. No. 60:** Commend NWMCC Lady Rangers volleyball team for first-ever Region 23 Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 61:** Commend Northwest Mississippi Community College "Rangers" Softball team for first Region 23 Title. Title Sufficient. Do Be Adopted.

**S. R. No. 62:** Commend Germantown High School "Lady Mavericks" Girls Basketball Team for their first Class 6A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 63:** Commend Yazoo City High School "Indians" Boys Basketball Team for winning first 4A State Championship in 27 years. Title Sufficient. Do Be Adopted.

**S. R. No. 64:** Commend Northwest Rankin High School "Cougars" Boys Basketball Team for winning its first State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 65:** Recognize D'Iberville Public Works Director Mike Mullins on the occasion of his retirement and commend his public service. Title Sufficient. Do Be Adopted.

**S. R. No. 66:** Observe March 21, 2023, as "Alpha Kappa Alpha Sorority Day at the Capitol." Title Sufficient. Do Be Adopted.

**S. R. No. 67:** Resolutions congratulating 2022-2023 West Lauderdale High School Girls Soccer Team. Title Sufficient. Do Be Adopted.

**S. R. No. 68:** Commend Sarah Lea Anglin State Games "Female Athlete of the Year." Title Sufficient. Do Be Adopted.

**S. R. No. 69:** Congratulate Mr. LeeRoy Carpenter State Games "Male Athlete of the Year." Title Sufficient. Do Be Adopted.

**S. R. No. 70:** Commend Jackson Prep "Patriots" Boys Basketball Team for back-to-back MAIS State Championships. Title Sufficient. Do Be Adopted.

**S. R. No. 71:** Commend Louisville High School "Lady Wildcats" Girls Basketball Team for winning 4A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 72:** Congratulate Kaylee Harrison being selected as State Games "Youth Athlete of the Year." Title Sufficient. Do Be Adopted.

**S. R. No. 73:** Commend Booneville High School "Lady Blue Devils" Girls Basketball Team for winning back-to-back MHSAA 3A State Championships. Title Sufficient. Do Be Adopted.

**S. R. No. 74:** Commend Booneville High School "Blue Devils" Boys Basketball Team for winning back-to-back MHSAA 3A State Championships. Title Sufficient. Do Be Adopted.

**H. C. R. No. 39:** Panny Flaatt Mayfield; commend upon being named a 2023 Noel Polk Lifetime Achievement Award Nominee. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Harkins called up the following entitled nomination:

**S. N. No. 65:** Michael Bradley (Brad) Wood, Hattiesburg, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, six year term effective May 4, 2022 and ending March 31, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 65 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Carter, Hill, Tate. Total--3.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 71:** Aimee Rebecca W. Robertson, Gulfport, Mississippi, Mississippi Home Corporation as a representative of the Second Supreme Court District, six year term effective June 27, 2022 and ending April 23, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 71 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Carter, Hill, Tate. Total--3.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2781** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For the purpose of this section, the term "agencies" means the State Department of Health, the Department of Human Services, the Department of Child Protection Services and the Division of Medicaid, and the term "agency" means any one of those entities.

(2) The agencies shall jointly develop a program to coordinate and promote information and services related to pregnancy, childbirth and care for dependent children for expectant mothers and new parents. The program shall be fully operational not later than January 1, 2024.

(3) The program shall include, but shall not be limited to, providing comprehensive information and resources related to adoption assistance, child care, domestic abuse protection, early intervention, food, clothing and supplies related to pregnancy and newborn care, job training and placement, paternity, parenting skills, and prenatal and postpartum care provided by:

- (a) The State of Mississippi or any other governmental entity; or
- (b) Relevant nonprofit organizations, including religious institutions.

(4) Each agency shall determine, in cooperation with the other agencies, which aspects and topics of the program that the agency will oversee and how the agency will promote the program. The agencies shall make information related to the program available on a separate website that is accessible from each agency's main website and the county health departments' websites not later than October 1, 2023. The mobile application referenced in subsection (5) of this section shall be available to the public not later than January 1, 2024.

(5) The agencies shall jointly establish a promotional campaign to educate the public about the program, including, but not limited to, the implementation of a separate website as provided in subsection (4) of this section social media graphics and any other awareness activity, including the creation of a mobile application.

(6) The agencies shall apply for any federal grants that may be available to assist in paying the costs of implementing and operating the program.

(7) The agencies shall jointly promulgate such rules as necessary to implement this program.

(8) Not later than October 1, 2024, the agencies shall report to the Chairs of the House and Senate Judiciary A Committees, the House Public Health and Human Services Committee and the Senate Public Health and Welfare Committee on the operation and status of the program.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DIRECT THE STATE DEPARTMENT OF HEALTH, THE DEPARTMENT OF HUMAN SERVICES, THE DEPARTMENT OF CHILD PROTECTION SERVICES AND THE DIVISION OF MEDICAID TO JOINTLY DEVELOP A PROGRAM TO COORDINATE AND PROMOTE INFORMATION AND SERVICES RELATED TO PREGNANCY, CHILDBIRTH AND CARE FOR DEPENDENT CHILDREN FOR EXPECTANT MOTHERS AND NEW PARENTS; TO REQUIRE THAT THE PROGRAM BE FULLY OPERATIONAL NOT LATER THAN JANUARY 1, 2024; TO REQUIRE THE PROGRAM TO PROVIDE CERTAIN RESOURCES RELATED TO ADOPTION

ASSISTANCE, CHILD CARE, DOMESTIC ABUSE PROTECTION, EARLY INTERVENTION, FOOD, CLOTHING AND SUPPLIES RELATED TO PREGNANCY AND NEWBORN CARE, JOB TRAINING AND PLACEMENT, PATERNITY, PARENTING SKILLS, AND PRENATAL AND POSTPARTUM CARE; TO REQUIRE EACH AGENCY TO DETERMINE, IN COOPERATION WITH THE OTHER AGENCIES, WHICH ASPECTS AND TOPICS OF THE PROGRAM THAT THE AGENCY WILL OVERSEE AND HOW THE AGENCY WILL PROMOTE THE PROGRAM; TO REQUIRE THE AGENCIES TO MAKE INFORMATION RELATED TO THE PROGRAM AVAILABLE ON A SEPARATE WEBSITE THAT IS ACCESSIBLE FROM EACH AGENCY'S MAIN WEBSITE AND THE COUNTY HEALTH DEPARTMENTS' WEBSITES NOT LATER THAN OCTOBER 1, 2023; TO REQUIRE THE AGENCIES TO JOINTLY ESTABLISH A PROMOTIONAL CAMPAIGN TO EDUCATE THE PUBLIC ABOUT THE PROGRAM; TO DIRECT THE AGENCIES TO APPLY FOR ANY FEDERAL GRANTS THAT MAY BE AVAILABLE TO ASSIST IN PAYING THE COSTS OF IMPLEMENTING AND OPERATING THE PROGRAM; TO REQUIRE THE AGENCIES TO JOINTLY PROMULGATE SUCH RULES AS NECESSARY TO IMPLEMENT THE PROGRAM; TO REQUIRE THE AGENCIES TO REPORT TO THE CHAIRS OF CERTAIN LEGISLATIVE COMMITTEES ON THE OPERATION AND STATUS OF THE PROGRAM NOT LATER THAN OCTOBER 1, 2024; AND FOR RELATED PURPOSES.

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Senator DeLano called up the following House Amendment to **S. B. No. 2140** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This section shall be known and may be cited as the "National Security on State Devices and Networks Act."

(2) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Prohibited technology" means any information technology deemed to pose an unacceptable risk to the security of the United States and/or the State of Mississippi by Mississippi and/or federal law, regulation, or guidance.

(b) "State-issued devices" means any desktop computer, laptop computer, cell phone, tablet or any other device capable of Internet connectivity that is issued to a state employee pursuant to his or her employment and for use in carrying out his or her professional duties.

(c) "State-operated networks" means any telecommunications network, including, but not limited to, wireless local area networks, wireless guest networks, virtual private networks, or other information technology network systems owned or operated by the Mississippi Department of Information Technology Services or any other state agency.

(d) "State agency" means any agency, department, commission, board, bureau, institution or other instrumentality of the state.

(e) "State employee" means an employee or agent complying with and performing duties on behalf of the state.

(3) No state employee shall download, access, or use a prohibited technology on a state-issued device or a state-operated network.

(4) State agencies may restrict the download, access, or use of prohibited technologies.

(5) The provisions of this section shall not apply to law enforcement agencies of the state or its political subdivisions when downloading, accessing, or using a prohibited technology is necessary to carry out their official duties for bona fide law enforcement, investigative or public safety purposes.

SECTION 2. Section 25-53-191, Mississippi Code of 1972, is amended as follows:

25-53-191. (1) For the purposes of this section, the following terms shall have the meanings ascribed to them in this section unless the context otherwise clearly requires:

(a) "Department" means the Mississippi Department of Information Technology.

(b) "State agency" means any agency, department, commission, board, bureau, institution or other instrumentality of the state.

(c) "Wireless communication device" means a cellular telephone, pager or a personal digital assistant device having wireless communication capability.

(2) Before a wireless communication device may be assigned, issued or made available to an agency officer or employee, the agency head, or his designee, shall sign a statement certifying the need or reason for issuing the device. No officer or employee of any state agency, except for an officer or employee of the Mississippi Emergency Management Agency, shall be assigned or issued more than one (1) such wireless communication device. No officer or employee of any state agency to whom has been assigned, issued or made available the use of a wireless communication device, the cost of which is paid through the use of public funds, shall use such device for personal use.

(3) A state agency shall not reimburse any officer or employee for use of his or her personal wireless communication device.

(4) Every state agency that, at the expense of the state agency, assigns, issues or makes available to any of its officers or employees a wireless communication device shall obtain and maintain detailed billing for every wireless communication device account. A list of approved vendors for the procurement of wireless communication devices and the delivery of wireless communication device services shall be developed for all state agencies by the Mississippi Department of Information Technology Services \* \* \*. The department \* \* \* shall exercise the option of selecting one (1) vendor from which to procure wireless communication devices and to provide wireless communication device services, or if it deems such to be most advantageous to the state agencies, it may select multiple vendors. The department \* \* \* shall select a vendor or vendors on the basis of lowest and best bid proposals. A state agency may not procure a wireless communication device from any vendor or contract for wireless communication device services with any vendor unless the vendor appears on the list approved by the department \* \* \*. A contract entered into in violation of this section shall be void and unenforceable.

(5) The department shall promulgate a model acceptable use policy defining the appropriate use of all wireless communication devices. The department shall include in its definition of appropriate use a prohibition on the downloading, accessing, or using of a prohibited technology pursuant to the National Security on State Devices and Networks Act. The acceptable use policy should specify that these resources, including both devices and services, are provided at the state agency's expense as tools for



accomplishing the business missions of the state agency; that all those resources are for business use; and that more than incidental personal use of those resources is prohibited. The acceptable use policy should require that each official and employee issued one (1) of the above devices or authorized to access one (1) of the above services sign the policy and that the signed copy be placed in the personnel file of the official or employee. The acceptable use policy should also require that the use of these resources be tracked, verified and signed by the official or employee and the supervisor of the official or employee at each billing cycle or other appropriate interval. All state agencies shall adopt the model policy or adopt a policy that is, at minimum, as stringent as the model policy and shall provide a copy of the policy to the department.

(6) All state agencies shall purchase or acquire only the lowest cost cellular telephone, pager or personal digital assistance device which will carry out its intended use.

(7) The University of Mississippi Medical Center and its employees, the Mississippi State University Extension Service and its agents and faculty members, the Mississippi State University Agricultural and Forestry Experiment Station and its faculty members, the Mississippi State University Forestry and Wildlife Research Center and its faculty members, and the Mississippi State University College of Veterinary Medicine and its faculty members shall be exempt from the application of this section.

(8) The State Auditor shall conduct necessary audits to ensure compliance with the provisions of this section.

SECTION 3. Section 1 of this act shall be codified as a new section in Title 25, Chapter 53, Mississippi Code of 1972.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE A NEW SECTION WITHIN TITLE 25, CHAPTER 53, MISSISSIPPI CODE OF 1972, TO CREATE THE NATIONAL SECURITY ON STATE DEVICES AND NETWORKS ACT; TO AMEND SECTION 25-53-191, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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Senator DeLano called up the following House Amendment to **S. B. No. 2729** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 117 by deleting ", and shall stand repealed on June 30, 2023".

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Senator Hopson called up the following House Amendment to **S. B. No. 2372** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. There is established the Health Care Impact Grant Program to be administered by the State Department of Health. The program shall provide grants to hospitals for the purpose of strengthening and improving the health care system and the quality and availability of health care services, and partially compensating hospitals for the cost of uncompensated care that they have. The amount of the grants shall be calculated based on the number of licensed beds of the hospitals. Hospitals eligible for grants under the program include licensed specialty hospitals that are recognized as such by the department.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE HEALTH CARE IMPACT GRANT PROGRAM TO BE ADMINISTERED BY THE STATE DEPARTMENT OF HEALTH; TO PROVIDE THAT THE PROGRAM SHALL PROVIDE GRANTS TO HOSPITALS FOR THE PURPOSE OF STRENGTHENING AND IMPROVING THE HEALTH CARE SYSTEM AND THE QUALITY AND AVAILABILITY OF HEALTH CARE SERVICES, AND PARTIALLY COMPENSATING HOSPITALS FOR THE COST OF UNCOMPENSATED CARE THAT THEY HAVE; TO PROVIDE THAT THE AMOUNT OF THE GRANTS SHALL BE CALCULATED BASED ON THE NUMBER OF LICENSED BEDS OF THE HOSPITALS; AND FOR RELATED PURPOSES.

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Senator Hopson called up the following House Amendment to **S. B. No. 2444** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-321, Mississippi Code of 1972, is amended as follows:

27-104-321. (1) All funds received by or on behalf of the State of Mississippi through the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) shall be deposited into the Coronavirus State Fiscal Recovery Fund created in subsection (2) of this section.

(2) There is created in the State Treasury a special fund to be designated as the "Coronavirus State Fiscal Recovery Fund." The special fund shall consist of funds required to be deposited into the special fund by subsection (1) of this section, funds appropriated or otherwise made available by the Legislature in any manner, and funds from any other source designated for deposit

into the special fund. Monies in the fund shall only be spent upon appropriation by the Legislature, and shall only be used as provided in the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2) or as authorized by federal rule or regulation or guidelines, and also may be used for paying expenses of the Department of Finance and Administration in administering expenditures from the funds.

(3) Unexpended amounts remaining in the special fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the Coronavirus State Fiscal Recovery Fund. Any investment earnings or interest earned on amounts in the special fund shall be deposited to the credit of the special fund.

SECTION 2. Section 27-104-325, Mississippi Code of 1972, is brought forward as follows:

27-104-325. There is created in the State Treasury a special fund to be designated as the "Coronavirus State Fiscal Recovery Lost Revenue Fund," which shall consist of funds calculated based on a reduction in the state's general revenue due to the coronavirus public health emergency, made available through the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and transferred into the fund by act of the Legislature. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purpose of providing government services.

SECTION 3. Section 37-106-60, Mississippi Code of 1972, is brought forward as follows:

37-106-60. (1) This section shall be known as the Nursing and Respiratory Therapy Education Incentive Program.

(2) There is created a forgivable loan program for study in nursing to become a licensed practical nurse or a registered nurse, for advanced study in nursing by licensed registered nurses, or for study in respiratory therapy to become a respiratory therapist. Forgivable loans are established and shall be allocated to students who: (a) are accepted and enrolled in an accredited nursing program or respiratory therapy program approved by the board; (b) complete an application by the deadline established by the board; and (c) enter into contract with the board, obligating themselves to pursue to completion the course of study agreed upon, and following the completion of the course of study, to practice nursing or respiratory therapy, as the case may be, in the State of Mississippi for not less than five (5) years.

(3) Repayment and conversion terms shall be the same as outlined in Section 37-106-53, except that the following provisions shall apply instead of subsection (1)(b) of that section: In lieu of payment in full of both principal and interest, a loan recipient under this section may elect to repay by entry into service employment as provided in subsection (2)(c) of this section. Repayment under this option shall convert the loan to an interest-free scholarship and discharge the same, on the basis of one fifth (1/5) of the total loan amount for each full year of service, or the appropriate proportion of the total outstanding balance of principal and interest, all as established by rule and regulation of the board. If at any time before the repayment in full of the total obligation the recipient abandons or abrogates repayment by this service option, the provisions of Section 37-106-53(1)(c) shall apply.

(4) The board shall establish the rules and regulations as it deems necessary and proper to carry out the purposes and intent of this section.

SECTION 4. Section 41-3-16.1, Mississippi Code of 1972, is brought forward as follows:

41-3-16.1. (1) The State Department of Health (department) shall establish a grant program to be known as the ARPA Rural Water Associations Infrastructure Grant Program (program) to assist rural water associations in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by the federal American Rescue Plan Act (ARPA).

(2) The program shall be funded from appropriations by the Legislature to the department from the Coronavirus State Fiscal Recovery Fund, and the department shall expend all such funds for the purposes provided in subsection (1) of this section. It is the intent of the Legislature that, in the first fiscal year after April 25, 2022, twenty percent (20%) of the funds appropriated to the department for the program be obligated to projects that have completed plans and specifications, acquired all necessary land and/or easements, and are ready to proceed to construction.

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through ARPA.

(4) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant. The maximum amount of funds that may be provided to any rural water association from all grants under the program is Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

(7) The department shall have all powers necessary to implement and administer the program. Of the funds appropriated to the department for the program, not more than five percent (5%) may be used by the department to cover the department's costs of administering the program.

(8) In carrying out its responsibilities under the program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(9) The department shall submit an annual report regarding the program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

SECTION 5. Section 41-14-31, Mississippi Code of 1972, is brought forward as follows:

41-14-31. (1) The Mississippi Department of Health shall establish and administer the Covid-19 Hospital Expanded Capacity Program for the purpose of providing funds to hospitals that increased treatment capacity related to the COVID-19 pandemic. The program shall make grants to hospitals as a reimbursement for expenses incurred during the period beginning on March 3, 2021, through December 31, 2023, in the following manner:

(a) Funds shall first be expended for the reimbursement to hospitals for the creation of ICU beds at a maximum amount of Two Hundred Thousand Dollars (\$200,000.00) per bed. If the reimbursement for allowable expenditures submitted by all hospitals exceeds the amount of funds appropriated to this program, then the Department of Health shall allocate the reimbursement to each hospital per ICU bed created.

(b) After such reimbursement is made in paragraph (a) of this subsection, any remaining funds shall be used to reimburse hospitals for the creation of negative pressure beds at a maximum amount of Fifty Thousand dollars (\$50,000.00) per bed. If the reimbursement for allowable expenditures submitted by all hospitals exceeds the amount of funds appropriated to this program, then the Department of Health shall allocate the reimbursement to each hospital per negative pressure bed created.

(2) The Department of Health shall:

(a) Promulgate rules and regulations necessary to implement the purposes of this act.

(b) Require all applications for grants to be filed no later than December 31, 2023.

(c) Require recipients of funds under this program to certify that the reimbursement for the creation of the intensive care units or negative pressure room is for allowable expenditures under the American Rescue Plan Act (ARPA) of 2021, Public Law 117-2, which amends Title VI of the Social Security Act; and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury.

(d) Certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the office under this act is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund in Section 9901 of ARPA.

(3) The department shall not:

(a) Reimburse hospitals for funds expended by the "Mississippi ICU Infrastructure Act," Sections 41-14-1 through 41-14-11.

(b) Reimburse hospitals for professional fees expended in the creation of the beds.

(4) The Department of Health may retain up to One Hundred Fifty Thousand Dollars (\$150,000.00) of the funds appropriated to the program established in this act to pay reasonable expenses incurred in the administration of the program.

(5) The department shall operate and administer the grant program from funds appropriated by the Legislature from the Coronavirus State Fiscal Recovery Funds.

(6) The Department of Health shall submit to the Joint Legislative Budget Committee before October 1 of each year an annual report containing, at a minimum, the number of submitted applications, the amount of grant funds awarded to each hospital for both ICU beds and negative pressure beds, and the number of ICU beds and negative pressure beds that were provided a reimbursement.

(7) This act shall stand repealed on July 1, 2026.

SECTION 6. Section 41-139-1, Mississippi Code of 1972, is amended as follows:

41-139-1. (1) As used in this section, the following terms shall be defined as provided in this subsection:

(a) "Local health care provider" or "provider" means a facility that is licensed, certified or otherwise authorized or permitted by law to provide health care in the ordinary course of business in the State of Mississippi, including, but not limited to, skilled nursing facilities, direct primary care clinics, provider owned clinics, rural health clinics, academic medical centers, community health centers and/or independent physician practices.

(b) "Transitional assistance" means any assistance related to changing a provider's current health care delivery model to a model more appropriate for the community that the provider serves, including, but not limited to:

(i) Conducting a market study of health care services needed and provided in the community;

(ii) Acquiring and implementing new technological tools and infrastructure, including, but not limited to, telemedicine delivery methods, development of health information exchange platforms to electronically share medical records, electronic health record optimization, purchasing connected devices, upgrading digital devices, improving broadband connectivity, public health reporting, and implementing online or mobile patient appointment management applications; and

(iii) Supporting the implementation of population health management.

(2) There is established the COVID-19 Mississippi Local Provider Innovation Grant Program to be administered by the State Department of Health. The program and any grant awarded under the program shall be for the purpose of strengthening and improving the health care system and increasing access to health care services providers to help communities achieve and maintain optimal health by providing transitional assistance to providers. The department may award an innovation grant to a local health care provider that applies in accordance with this section.

(3) Eligible local health care providers shall provide the following information to the department in their application for a grant:

(a) A description of the location or locations for which the grant monies will be expended, including the name and locations of where the provider administers health care services;

(b) A statement of the amount of grant monies requested;

(c) A description of the needs of the provider, the transitional assistance for which the grant monies will be expended and how such transitional assistance will meet the stated needs;

(d) Evidence that the provider has played an active role in the community to combat the spread of COVID-19, including, but not limited to, testing, vaccination and antibody treatment; and

(e) Any other information that the department deems necessary to administer this section.

(4) Applicants are limited to one (1) application per business entity as determined by the applicant's business filing status with the Secretary of State. Subsidiaries of the entity are not eligible to submit separate applications. Health systems that affiliate, own or control multiple clinics are only eligible to submit to one (1) application under the parent entity. The department shall determine the amount of the grant to be awarded to each applicant based on the factors detailed in the application \* \* \*. Applicants for grants that were approved and funded in the first round of grants awarded during fiscal year 2023 are eligible to apply for the second round of grants awarded during fiscal year 2024. The maximum amount of \* \* \* any one (1) grant that may be awarded to an applicant \* \* \* is Two Hundred Fifty Thousand Dollars (\$250,000.00). Grants may be used for reimbursement of expenses of transitional assistance meeting federal and state requirements that were incurred by providers during the period beginning on March 3, 2021, through December 31, 2024.

(5) \* \* \* The department may expend up to one and one-half percent (1-1/2%) of the amount appropriated for the program for the expenses of administering the program, or the specific amount authorized for administrative expenses in the appropriation bill if that amount is higher.

SECTION 7. Section 45-2-41, Mississippi Code of 1972, is amended as follows:

45-2-41. (1) There is created the "Mississippi Law Enforcement and Fire Fighters Premium Pay Program," which shall be administered by the Department of Public Safety to provide premium pay to those law enforcement officers and firefighters in the State of Mississippi as provided for in subsection (2) of this section. Monies disbursed by the Department of Public Safety under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Lost Revenue Fund for the program established under this section.

(2) The program shall be funded from monies appropriated by the Legislature from the Coronavirus State Fiscal Recovery Lost Revenue Fund for that purpose. The Department of Public Safety shall distribute the monies for the program in accordance with the following:

(a) One Thousand Dollars (\$1,000.00) of premium pay shall be paid to each eligible individual, except as otherwise provided in paragraph (d) of this subsection (2).

(b) Eligible individuals are all certified, full-time and part-time law enforcement officers and certified, full-time and part-time firefighters who are serving in the State of Mississippi on July 1, 2022, except those excluded under paragraphs (c) and (d) of this subsection (2). If a person is an eligible individual in more than one (1) position covered under this paragraph, that person shall only be eligible for one (1) payment of premium pay under paragraph (a) of this subsection.

(c) Any law enforcement officer who received hazard pay from the Governor's discretionary funds authorized by the Legislature from the federal Coronavirus Aid, Relief and Economic Security Act is not eligible to receive monies under this section.

(d) Any law enforcement officer or firefighter who received One Thousand Dollars (\$1,000.00) or more of premium pay from the county, municipality or other governmental entity that employed them from funds received under the federal American Rescue Plan Act is not eligible to receive monies under this section. However, any law enforcement officer or firefighter who received less than One Thousand Dollars (\$1,000.00) of premium pay from the county, municipality or other governmental entity that employed them from funds received under the federal American Rescue Plan Act is eligible to receive from the monies under this section the difference between the amount of premium pay received from their employer and One Thousand Dollars (\$1,000.00).

( \*\*\*) The department also shall distribute monies to counties, municipalities and other governmental entities that, before July 1, 2022, paid premium pay to law enforcement officers and firefighters employed by them from funds received under the federal American Rescue Plan Act, to reimburse those governmental entities for not more than One Thousand Dollars (\$1,000.00) of the amount of premium pay that the governmental entity paid to each recipient.

SECTION 8. Section 25-3-25, Mississippi Code of 1972, is amended as follows:

25-3-25. (1) Except as otherwise provided in subsections (2) through \*\*\* (12), the salaries of sheriffs of the various counties are fixed as full compensation for their services.

The annual salary for each sheriff shall be based upon the total population of his county according to the latest federal decennial census in the following categories and for the following amounts; however, no sheriff shall be paid less than the salary authorized under this section to be paid the sheriff based upon the population of the county according to the most recent federal decennial census:

(a) For counties with a total population of more than one hundred thousand (100,000), a salary of One Hundred Four Thousand Dollars (\$104,000.00).

(b) For counties with a total population of more than forty-four thousand (44,000) and not more than one hundred thousand (100,000), a salary of Ninety-five Thousand Dollars (\$95,000.00).

(c) For counties with a total population of more than thirty thousand (30,000) and not more than forty-four thousand (44,000), a salary of Ninety Thousand Dollars (\$90,000.00).

(d) For counties with a total population of more than twelve thousand five hundred (12,500) and not more than thirty thousand (30,000), a salary of Eighty-five Thousand Dollars (\$85,000.00).

(e) For counties with a total population of not more than twelve thousand five hundred (12,500), a salary of Eighty Thousand Dollars (\$80,000.00).

(2) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Leflore County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains a restitution center within the county;

(b) The Mississippi Department of Corrections operates and maintains a community work center within the county;



(c) There is a resident circuit court judge in the county whose office is located at the Leflore County Courthouse;

(d) There is a resident chancery court judge in the county whose office is located at the Leflore County Courthouse;

(e) The Magistrate for the Fourth Circuit Court District is located in the county and maintains his office at the Leflore County Courthouse;

(f) The Region VI Mental Health-Mental Retardation Center, which serves a multicounty area, calls upon the sheriff to provide security for out-of-town mental patients, as well as patients from within the county;

(g) The increased activity of the Child Support Division of the Department of Human Services in enforcing in the courts parental obligations has imposed additional duties on the sheriff; and

(h) The dispatchers of the enhanced E-911 system in place in Leflore County have been placed under the direction and control of the sheriff.

(3) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Rankin County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the Central Mississippi Correctional Facility within the county;

(b) The State Hospital is operated and maintained within the county at Whitfield;

(c) Hudspeth Regional Center, a facility maintained for the care and treatment of persons with an intellectual disability, is located within the county;

(d) The Mississippi Law Enforcement Officers Training Academy is operated and maintained within the county;

(e) The State Fire Academy is operated and maintained within the county;

(f) The Pearl River Valley Water Supply District, ordinarily known as the "Reservoir District," is located within the county;

(g) The Jackson-Medgar Wiley Evers International Airport is located within the county;

(h) The patrolling of the state properties located within the county has imposed additional duties on the sheriff; and

(i) The sheriff, in addition to providing security to the nearly one hundred thousand (100,000) residents of the county, has the duty to investigate, solve and assist in the prosecution of any misdemeanor or felony committed upon any state property located in Rankin County.

(4) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Neshoba County shall pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00).

(5) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Tunica County, in its discretion, may pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00), payable beginning April 1, 1997.

(6) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Hinds County shall pay an annual supplement to the sheriff of the county in an amount equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) Hinds County has the greatest population of any county, two hundred fifty-four thousand four hundred forty-one (254,441) by the 1990 census, being almost one hundred thousand (100,000) more than the next most populous county;

(b) Hinds County is home to the State Capitol and the seat of all state government offices;

(c) Hinds County is the third largest county in geographic area, containing eight hundred seventy-five (875) square miles;

(d) Hinds County is comprised of two (2) judicial districts, each having a courthouse and county office buildings;

(e) There are four (4) resident circuit judges, four (4) resident chancery judges, and three (3) resident county judges in Hinds County, the most of any county, with the sheriff acting as chief executive officer and provider of bailiff services for all;

(f) The main offices for the clerk and most of the judges and magistrates for the United States District Court for the Southern District of Mississippi are located within the county;

(g) The state's only urban university, Jackson State University, is located within the county;

(h) The University of Mississippi Medical Center, combining the medical school, dental school, nursing school and hospital, is located within the county;

(i) Mississippi Veterans Memorial Stadium, the state's largest sports arena, is located within the county;

(j) The Mississippi State Fairgrounds, including the Coliseum and Trade Mart, are located within the county;

(k) Hinds County has the largest criminal population in the state, such that the Hinds County Sheriff's Department operates the largest county jail system in the state, housing almost one thousand (1,000) inmates in three (3) separate detention facilities;

(l) The Hinds County Sheriff's Department handles more mental and drug and alcohol commitment cases than any other sheriff's department in the state;

(m) The Mississippi Department of Corrections maintains a restitution center within the county;

(n) The Mississippi Department of Corrections regularly houses as many as one hundred (100) state convicts within the Hinds County jail system; and

(o) The Hinds County Sheriff's Department is regularly asked to provide security services not only at the Fairgrounds and Memorial Stadium, but also for events at the Mississippi Museum of Art and Jackson City Auditorium.

(7) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Wilkinson County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(8) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Marshall County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(9) In addition to the salary provided in subsection (1) of this section, the Board of Supervisors of Greene County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the South Mississippi Correctional Facility within the county;

(b) In 1996, additional facilities to house another one thousand four hundred sixteen (1,416) male offenders were constructed at the South Mississippi Correctional Facility within the county; and

(c) The patrolling of the state properties located within the county has imposed additional duties on the sheriff justifying additional compensation.

(10) In addition to the salary provided in subsection (1) of this section, the board of supervisors of any county, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The amount of the supplement shall be spread on the minutes of the board. The annual supplement authorized in this subsection shall not be in addition to the annual supplements authorized in subsections (2) through (9).

(11) In addition to the salary provided in subsection (1) and the supplements authorized in subsections (2) through (10), the board of supervisors of any county, in its discretion, may pay an annual supplement in an amount not to exceed Five Thousand Dollars (\$5,000.00) to the sheriff of any county in which a juvenile detention center is located. The amount of the supplement shall be spread on the minutes of the board.

(12) In addition to the salary provided in subsection (1) and any supplements authorized in subsections (2) through (11), a sheriff may receive the premium pay provided for in Section 45-2-41 as part of the sheriff's compensation.

( \*\* \*13) (a) The salaries provided in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month. If a pay date falls on a weekend or legal holiday, salary

payments shall be made on the workday immediately preceding the weekend or legal holiday.

(b) At least Ten Dollars (\$10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection (1) of Section 25-7-19 shall be used for the sheriffs' salaries authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

( \*\* \*14) (a) All sheriffs, each year, shall attend twenty (20) hours of continuing education courses in law enforcement. Such courses shall be approved by the Mississippi Board on Law Enforcement Officers Standards and Training. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Sheriffs' Association.

(b) The Mississippi Board on Law Enforcement Officers Standards and Training shall reimburse each county for the expenses incurred by sheriffs and deputy sheriffs for attendance at any approved training programs as required by this subsection.

SECTION 9. Section 49-2-131, Mississippi Code of 1972, is brought forward as follows:

49-2-131. (1) This section shall be known and may be cited as the "Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022."

(2) There is hereby established within the Mississippi Department of Environmental Quality the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program under which municipalities, counties and certain public utilities not regulated by the Public Service Commission may apply for reimbursable grants to make necessary investments in water, wastewater, and stormwater infrastructure to be funded by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 (ARPA). Such grants shall be made available to municipalities and counties to be matched with the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA on a one-to-one matching basis. Coronavirus Local Fiscal Recovery Funds that a county transfers to a municipality or that a county or municipality transfers to a public utility not regulated by the Public Service Commission are eligible on a one-to-one matching basis. Municipalities that received less than One Million Dollars (\$1,000,000.00) in the total allocation of Coronavirus Local Fiscal Recovery Funds are eligible for a two-to-one match only on the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA. The total funds provided for all two-to-one matches shall not exceed Fifty Million Dollars (\$50,000,000.00). The dollar amount for professional fees that can be allocated as a part of a county's, municipality's or public utility's matching share is not to exceed four percent (4%) of the total project cost.

(3) For purposes of this section, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "MCWI Grant Program" means the Mississippi Municipality and County Water Infrastructure Grant Program.

(b) "ARPA" means the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(c) "State Recovery Funds" means Coronavirus State Fiscal Recovery Funds awarded through Section 602 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(d) "Local Recovery Funds" means Coronavirus Local Fiscal Recovery Funds awarded through Section 603 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(e) "Department" means the Department of Environmental Quality.

(f) "Professional fees" means fees for the services of attorneys and engineering, surveying, and environmental studies.

(g) "Project" means the infrastructure improvements defined in an application that (i) complies with all requirements of ARPA, and (ii) is eligible for a grant award under this section.

(4) (a) On or before July 1, 2022, the Department of Environmental Quality shall promulgate rules and regulations necessary to administer the MCWI Grant Program prescribed under this section, including application procedures and deadlines. The department is exempt from compliance with the Mississippi Administrative Procedures Law in fulfilling the requirements of this section.

(b) The Department of Health shall advise the Mississippi Department of Environmental Quality regarding all such rules and regulations as related to the federal Safe Drinking Water Act.

(5) Funding under the MCWI Grant Program shall be allocated to projects certified by the Mississippi Department of Environmental Quality as eligible for federal funding, including, but not be limited to, the following:

(a) Construction of publicly owned treatment works;

(b) Projects pursuant to the implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA);

(c) Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage;

(d) Management and treatment of stormwater or subsurface drainage water;

(e) Water conservation, efficiency, or reuse measures;

(f) Development and implementation of a conservation and management plan under the CWA;

(g) Watershed projects meeting the criteria set forth in the CWA;

(h) Energy consumption reduction for publicly owned treatment works;

(i) Reuse or recycling of wastewater, stormwater, or subsurface drainage water;

(j) Facilities to improve drinking water quality;

(k) Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements;

(l) New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage;

(m) Storage of drinking water, such as to prevent contaminants or equalize water demands;

- (n) Purchase of water systems and interconnection of systems;
- (o) New community water systems;
- (p) Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure;
- (q) Dam and reservoir rehabilitation, if the primary purpose of dam or reservoir is for drinking water supply and project is necessary for the provision of drinking water;
- (r) Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act; and
- (s) Any eligible drinking water, wastewater or stormwater project through ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury.

(6) The governing authority of a municipality, county or public utility that is not regulated by the Public Service Commission may submit an application for grant funds under this section if the applicant is an operator-member of Mississippi 811, Inc., as defined in Section 77-13-3. Applicants shall certify to the department that each expenditure of the funds awarded to them under this section is in compliance with ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent submissions will be due by the dates established by the department.

(7) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application for grant funds shall include the following at a minimum: (a) applicant contact information; (b) project description and type of project; (c) project map; (d) estimate of population affected by the project; (e) disadvantaged community criteria (population, median household income, unemployment, current water/sewer rates); (f) estimated project cost; (g) list of match funds of direct Coronavirus Local Fiscal Recovery Funds received and to be received from the federal government, a certification that such funds have been or will be used for the project detailed in the application, and documentation of commitment; (h) estimated project schedule and readiness to proceed; (i) engineering services agreement; (j) engineering reports; and (k) information about status of obtaining any required permits.

(8) The department must apply a system for use in ranking the grant applications received. When applying the ranking system, the department shall apply a greater weight to projects that have approved engineering/design, plans and permits if the department has deemed the project is ready to begin construction within six (6) months. Projects that are included on the municipal or county engineer's approved list and provide applicable supporting documentation shall receive additional consideration awarded to the application. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project and the number of communities the project serves; (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by the United States Department

of Treasury rules for ARPA funds; (j) the extent to which the project benefits multiple political subdivisions in a regional manner; (k) the project's ability to enhance public service infrastructure, including transportation and emergency access; and (l) any other factors as determined by the department.

(9) The grant program shall include a specific emphasis on addressing the needs of an economically disadvantaged community, including providing safe, reliable drinking water in areas that lack infrastructure, providing sewage treatment capacity in unsewered areas and providing regional development of infrastructure to serve multiple communities.

(10) Applications shall be reviewed and scored as they are received. The Mississippi Department of Environmental Quality shall certify whether each project submitted is a "necessary investment" in water, wastewater, or stormwater infrastructure as defined in the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. The Department of Environmental Quality shall review the lists of recommended water infrastructure projects and issue its list of recommended projects to the Mississippi Department of Health for its advice. Grant agreements shall be executed between the recipient and the Mississippi Department of Environmental Quality. All final awards shall be determined at the discretion of the executive director of the department. Any funds awarded to the City of Jackson under this section shall be deposited in the Capital City Water/Sewer Projects Fund of the State Treasury. Funds shall be obligated to a grantee upon the execution of a grant agreement between the department and the approved applicant. Funds shall be made available to a grantee when the department obtains the necessary support for reimbursement. The department is authorized to conduct additional rounds of grants as needed; however, in the first round no more than forty percent (40%) of the total funds appropriated for each grant program may be awarded by the department, and the remaining funds may be awarded in the second or subsequent rounds which shall occur no later than six (6) months from the previous round. To ensure equitable treatment between the categories of projects, no less than twenty percent (20%) awarded under this section shall be allocated to each of the three (3) categories of drinking water projects, wastewater projects and stormwater projects. In second or subsequent rounds, any funds not requested may be allocated to any category.

(11) Grant funds shall be used prospectively; however, grant funds may be used to reimburse expenses incurred before the enactment of this program if the costs are adequately documented and comply with applicable ARPA guidelines. An applicant must agree to obtain all necessary state and federal permits and follow all state bidding and contracting laws and fiscally sound practices in the administration of the funds.

(12) (a) Monies must be disbursed under this section in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund, established by the American Rescue Plan of 2021.

(b) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. Each person receiving funds under these programs found to be fully or partially noncompliant with the requirements in this section shall return to the state all or a portion of the funds received.

(13) The department shall submit to the Lieutenant Governor, Speaker of the House, House and Senate Appropriations Chairmen, and the Legislative Budget Office quarterly reports and annual reports that are due by the dates established in the Compliance and Reporting Guidance by the United States Department of Treasury. The reports shall contain the applications received, the score of the applications, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and status of each applicant's project.

(14) Grant funds shall be available under this section through December 31, 2026, or on the date of the fund expenditure deadline provided by the federal government, whichever occurs later. Each grant recipient shall certify for any project for which a grant is awarded that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA funds, then the grant recipient will complete the project through other funds.

(15) The Mississippi Department of Environmental Quality may retain an amount not to exceed five percent (5%) of the total funds allocated to the program to defray administrative costs.

(16) The department shall be exempt from provisions of the Public Procurement Review Board for any requirements of personal or professional service contracts or the pre-approval of the solicitation for such contracts used in the execution of its responsibilities under this section. This subsection shall stand repealed on January 1, 2026.

(17) The provisions of this section shall stand repealed on January 1, 2027.

SECTION 10. Section 57-123-7, Mississippi Code of 1972, is brought forward as follows:

57-123-7. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means:

(i) Special local governmental units created by local and private laws of the State of Mississippi for the purpose of tourism promotion, funded by special local tax levies, and staffed with professionals engaged in out-of-state tourism marketing and tourism product development for municipalities, counties and/or regions; or

(ii) Publicly-funded local organizations that engage in out-of-state tourism marketing and tourism development for municipalities, counties and/or regions.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in Section 1 of Chapter 399, Laws of 2022.

(2) (a) The Department of Finance and Administration shall establish a program for the purpose of providing funds to assist destination marketing organizations in paying costs for marketing activities as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocation of funds under this section and shall disburse funds as follows:

(i) Not more than Nine Million Four Hundred Twenty-seven Thousand Five Hundred Fifty-seven Dollars (\$9,427,557.00) of such monies shall be allocated to destination marketing organizations in a manner that will provide monies to a destination marketing organization in an amount equal to seventy-five percent (75%) of the



destination marketing organization's marketing and advertising expenditures during the 2019 fiscal year, and

(ii) Not more than Twenty Million Five Hundred Seventy-two Thousand Four Hundred Forty-three Dollars (\$20,572,443.00) of such monies shall be allocated to destination marketing organizations based on the proportion that a destination marketing organization's contribution toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report bears to all destination marketing organizations' contributions toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report. However, a destination marketing organization shall not receive an amount less than Two Hundred Fifty Thousand Dollars (\$250,000.00) under this subparagraph (ii).

(b) Within fifteen (15) days after July 1, 2022, the Department of Finance and Administration shall distribute the funds allocated under paragraph (a) of this subsection (2) to eligible destination marketing organizations. Before receiving funds under this subsection (2), a destination marketing organization must certify to the Department of Finance and Administration that:

(i) The funds will only be used for marketing activities, and

(ii) The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds, and

(iii) The destination marketing organization will obligate all funds by December 31, 2024, and fully expend all funds by December 31, 2026.

(c) Destination marketing organizations receiving funds under this subsection (2) shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this subsection (2) shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide semi-annual reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.

(d) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

SECTION 11. Section 57-123-9, Mississippi Code of 1972, is brought forward as follows:

57-123-9. (1) The Department of Finance and Administration shall establish a program for the purpose of providing assistance to Mississippi nonprofit museums as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall disburse funds under this section to nonprofit museums located in municipalities with a population of not more than fifty thousand (50,000) according to the latest federal decennial census to assist in paying costs associated with advertising and other forms of promoting and publicizing nonprofit museums and museum related activities, and repairs and renovations of and upgrades and improvements to such

museums for health and safety purposes related to the Coronavirus Disease 19. Of the monies disbursed by the Department of Finance and Administration under this section, twenty-five percent (25%) of such monies shall be used to provide assistance for requests for assistance of less than Three Hundred Thousand Dollars (\$300,000.00); thirty-five percent (35%) of such monies shall be used to provide assistance for requests for assistance of Three Hundred Thousand Dollars (\$300,000.00) or more but less than Seven Hundred Thousand Dollars (\$700,000.00) and forty percent (40%) of such monies shall be used to provide assistance for requests for assistance of Seven Hundred Thousand Dollars (\$700,000.00) or more. A museum desiring assistance under this section must submit an application to the Department of Finance and Administration. The application must include a description of the purposes for which the assistance is requested, the amount of the assistance requested and any other information required by the department.

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 12. Section 57-123-11, Mississippi Code of 1972, is brought forward as follows:

57-123-11. (1) The Department of Finance and Administration shall establish a program for the purpose of providing funds to Mississippi Main Street Association as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall disburse funds under this section to Mississippi Main Street Association to be used for the purpose of making revitalization grants to Mississippi communities as follows:

2020	Number of	Grant	Total
population	communities	amount	grants
More than 25,000	8	\$ 125,000.00	\$ 1,000,000.00
Not more than 25,000	40	\$ 100,000.00	\$ 4,000,000.00
Total			\$ 5,000,000.00

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 13. Section 3, Chapter 53, Laws of 2022, is amended as follows:

Section 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	60
Time-Limited:	Full Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by

the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

The State Fire Academy is authorized to accept and expend any funds received through the Mississippi Law Enforcement and Fire Fighters Premium Pay Program created under Section 45-2-41, Mississippi Code of 1972. These funds shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds, not to exceed the amount provided to the State Fire Academy through the Premium Pay Program.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 14. Section 3, Chapter 79, Laws of 2022, is amended as follows:

Section 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	103
Time-Limited:	74

Each Marine Conservation Officer and Supervisor shall be furnished an allowance for uniforms not to exceed Six Hundred Dollars (\$600.00) per annum.

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for

Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

The Department of Marine Resources is authorized to accept and expend any funds received through the Mississippi Law Enforcement and Fire Fighters Premium Pay Program created under Section 45-2-41, Mississippi Code of 1972. These funds shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds, not to exceed the amount provided to the Department of Marine Resources through the Premium Pay Program.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 15. Section 3, Chapter 91, Laws of 2022, is amended as follows:

Section 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent: 1,771

Time-Limited: 80

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

The Department of Public Safety is authorized to accept and expend any funds received through the Mississippi Law Enforcement and Fire Fighters Premium Pay Program created under Section 45-2-41, Mississippi Code of 1972. These funds shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds, not to exceed the amount provided to the Department of Public Safety for premium pay for eligible individuals of the department.

No General Funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 16. Section 3, Chapter 93, Laws of 2022, is amended as follows:

Section 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	886
Time-Limited:	27

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

The Mississippi National Guard is authorized to accept and expend any funds received through the Mississippi Law Enforcement and Fire Fighters Premium Pay Program created under Section 45-2-41, Mississippi Code of 1972. These funds shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds, not to exceed the amount provided to the Mississippi National Guard through the Premium Pay Program.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 17. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD THE FOLLOWING SECTIONS FOR THE PURPOSE OF POSSIBLE AMENDMENT; SECTION 27-104-325, MISSISSIPPI CODE OF 1972, WHICH CREATED THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; SECTION 37-106-60, MISSISSIPPI CODE OF 1972, WHICH CREATED THE NURSING AND RESPIRATORY THERAPY EDUCATION INCENTIVE PROGRAM; SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, WHICH CREATED THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM; SECTION 41-14-31, MISSISSIPPI CODE OF 1972, WHICH CREATED THE COVID-19 HOSPITAL EXPANDED CAPACITY PROGRAM; SECTION 49-2-131, MISSISSIPPI CODE OF 1972, WHICH CREATED THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM ACT; SECTION 57-123-7, MISSISSIPPI CODE OF 1972, WHICH CREATED A PROGRAM TO PROVIDE FUNDS TO ASSIST DESTINATION MARKETING ORGANIZATIONS IN PAYING COSTS FOR MARKETING ACTIVITIES; SECTION 57-123-9, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHED A PROGRAM TO PROVIDE ASSISTANCE TO MISSISSIPPI NONPROFIT MUSEUMS; AND SECTION 57-123-11, MISSISSIPPI CODE OF 1972, WHICH CREATED A PROGRAM TO PROVIDE FUNDS TO THE MISSISSIPPI MAIN STREET ASSOCIATION; TO AMEND SECTION 27-104-321, MISSISSIPPI CODE OF 1972, TO AUTHORIZE FUNDS IN THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO BE USED FOR PAYING EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN ADMINISTERING EXPENDITURES FROM THE FUND; TO AMEND SECTION 41-139-1, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS OF THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM; TO PROVIDE THAT APPLICANTS FOR GRANTS THAT WERE APPROVED AND FUNDED IN THE FIRST ROUND OF GRANTS AWARDED DURING FISCAL YEAR 2023 ARE ELIGIBLE TO APPLY FOR THE SECOND ROUND OF GRANTS AWARDED DURING FISCAL YEAR 2024; TO PROVIDE THAT GRANTS MAY BE USED FOR REIMBURSEMENT OF EXPENSES THAT WERE INCURRED BY PROVIDERS DURING THE PERIOD BEGINNING ON MARCH 3, 2021, THROUGH DECEMBER 31, 2024; TO DELETE THE REQUIREMENT THAT THE PROGRAM BE FUNDED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE THAT THE DEPARTMENT OF HEALTH MAY EXPEND A PORTION OF THE AMOUNT APPROPRIATED FOR THE PROGRAM FOR THE EXPENSES OF ADMINISTERING THE PROGRAM; TO AMEND SECTION 45-2-41, MISSISSIPPI CODE OF 1972, TO REVISE THE SOURCE OF FUNDING FOR THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM; TO CLARIFY THE AMOUNT OF PREMIUM PAY THAT A PERSON MAY RECEIVE FROM THIS PROGRAM IF THEY RECEIVED PREMIUM PAY FROM THEIR EMPLOYER; TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SHERIFFS MAY RECEIVE THE PREMIUM PROVIDED FOR IN SECTION 45-2-41, AS PART OF THEIR COMPENSATION; TO AMEND SECTION 3, CHAPTER 53, LAWS OF 2022, TO AUTHORIZE THE STATE FIRE ACADEMY TO ACCEPT AND EXPEND ANY FUNDS RECEIVED THROUGH THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM; TO AMEND SECTION 3, CHAPTER 79, LAWS OF 2022, TO AUTHORIZE THE DEPARTMENT OF MARINE RESOURCES TO ACCEPT AND EXPEND ANY FUNDS RECEIVED THROUGH THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM; TO AMEND SECTION 3, CHAPTER 91, LAWS OF 2022, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO ACCEPT AND EXPEND ANY FUNDS RECEIVED THROUGH THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM; TO AMEND SECTION 3, CHAPTER 93, LAWS OF 2022, TO AUTHORIZE THE MISSISSIPPI NATIONAL GUARD TO ACCEPT AND EXPEND ANY FUNDS RECEIVED THROUGH THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM; AND FOR RELATED PURPOSES.

Senator Hopson called up the following House Amendment to **S. B. No. 2446** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-371, Mississippi Code of 1972, is amended as follows:

27-104-371. (1) A special fund, to be designated as the "2022 Local Improvements Projects Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(2) Monies deposited into the fund shall be disbursed by the Department of Finance and Administration as follows:

(a) To the Department of Archives and History for the purpose of providing a grant to the Scott Ford House, Inc., to develop the property located at 136 East Cohea Street in the City of Jackson, the home of the former slave Mary Scott Green, to tell her story and that of other Mississippi midwives, and to develop the property located at 138 East Cohea Street in the City of Jackson as a house museum to tell the family story of the midwife Virginia Scott Ford.....\$ 200,000.00

(b) To assist in paying costs associated with repair, renovation, furnishing and equipping of and upgrades and improvements to the Jackson Public School District's Career Development Center in Jackson, Mississippi.....\$ 300,000.00

(c) To assist the Centreville Chamber of Commerce in paying costs associated with construction, furnishing and equipping of a recreation center and related facilities in the Town of Centreville, Mississippi.....\$ 500,000.00

(d) To assist \* \* \* Richards Community Center, Inc., in paying costs associated with recreational equipment and lights for the Richards Community Center.....\$ 150,000.00

(e) To assist in paying costs associated with repair and renovation of the National Guard Armory in the Town of Gloster, Mississippi.....\$ 250,000.00

(f) To assist the City of Georgetown, Mississippi, in paying costs associated with Railroad Avenue lighting and  
park area.....\$ 50,000.00

(g) To assist the City of Georgetown, Mississippi, in paying costs associated with Railroad Avenue

sidewalks.....\$ 100,000.00

(h) To assist the City of Brookhaven, Mississippi, in paying costs associated with geometric improvements, signalization improvements, striping/signing and drainage improvements to Brookway Boulevard beginning at Interstate 55 and continuing east to U.S. Highway 51.....\$ 1,000,000.00

(i) To assist the Town of Byhalia, Mississippi, in paying costs associated with the Old School Commons restoration and upgrades necessary to meet ADA regulations.....\$ 500,000.00

(j) To assist Marshall County, Mississippi, in paying costs associated with the Blackwater Road Bridge

project.....\$ 500,000.00

(k) To assist the Town of Tylertown, Mississippi, in paying costs associated with the renovation of the Civic Center and Mississippi State University Extension Service

offices.....\$ 450,000.00

(l) To assist the City of Durant, Mississippi, in paying costs associated with road repairs.....\$ 50,000.00

(m) To assist the Town of Goodman, Mississippi, in paying costs associated with road repairs.....\$ 50,000.00

(n) To assist Holmes County, Mississippi, in paying costs associated with courthouse renovation.....\$ 150,000.00

(o) To assist the Town of Pickens, Mississippi, in paying costs associated with repair and renovation of the town police station.....\$ 50,000.00

(p) To the Board of Supervisors of Lowndes County, Mississippi, to assist the Town of Crawford, Mississippi, in paying costs associated with infrastructure

needs.....\$ 250,000.00

(q) To assist the City of D'Iberville, Mississippi, in paying costs associated with the extension of

Mallett Road.....\$ 1,000,000.00

(r) To assist the Town of Coldwater, Mississippi, in paying costs associated with the acquisition of a fire

truck.....\$ 350,000.00



(s) To assist the Town of Tunica, Mississippi, in paying costs associated with road repairs.....\$ 500,000.00

(t) To assist Tunica County, Mississippi, in paying costs associated with the extension of natural gas

lines.....\$ 150,000.00

(u) To assist the City of Starkville, Mississippi, in paying costs associated with Northside Drive drainage channel improvements, mobilization, channel shaping and

grading.....\$ 250,000.00

(v) To assist the City of Starkville, Mississippi, in paying costs associated with J.L. King Center infrastructure, security and lighting..... \$ 250,000.00

(w) To assist the City of Jackson, Mississippi, in paying costs associated with construction of a parking lot and related facilities for the Jackson Convention

Center ..... \$ 1,000,000.00

(x) To assist the City of Oxford, Mississippi, in paying costs associated with repair and renovation of a building to be used by the City of Oxford Police

Department ..... \$ 1,000,000.00

(y) To assist Perry County, Mississippi, in paying costs associated with the acquisition of a

fire truck ..... \$ 250,000.00

(z) To assist the City of Columbus, Mississippi, Fire and Rescue in paying costs associated with the acquisition of a fire engine ..... \$ 350,000.00

(aa) To assist the City of Fulton, Mississippi, in paying costs associated with the purchase of and repair and renovation of a building to house City Hall and repair and renovation of the former City Hall to house other city

departments ..... \$ 1,000,000.00

(bb) To assist Itawamba County, Mississippi, in paying costs associated with repair and renovation of the Itawamba County Courthouse and construction of a Justice

Court..... \$ 1,000,000.00

(cc) To assist Jones County, Mississippi, in paying costs associated with repair, renovation, upgrades and additions to the Jones County Law Enforcement Complex.....\$ 500,000.00

(dd) To assist the City of Laurel, Mississippi, in paying costs associated with additions to the Veterans Museum in Laurel, Mississippi ..... \$ 250,000.00

(ee) To assist Arise and Shine, Inc., with providing children and youth programs and services in Copiah County, Mississippi ..... \$ 50,000.00

(ff) To assist the City of Crystal Springs, Mississippi, in paying costs associated with providing lighting for Pedestrian and Bicycle Corridor Federal Aid Project

No. STP-0130-00(013)LPA/107363-701000 ..... \$ 250,000.00

(gg) To assist in paying costs associated with repair and renovation of the Millsaps Heritage Center in the City of Hazlehurst, Mississippi ..... \$ 300,000.00

(hh) To assist the City of Ocean Springs, Mississippi, in paying costs associated with water system, sewer system and other infrastructure improvements and development of the Fayard project beautification ..... \$ 1,500,000.00

(ii) To assist the \* \* \* Diamondhead Fire District in paying various costs for the City Fire

Department ..... \$ 25,000.00

(jj) To assist in paying various costs for the Fenton Fire Station in Hancock County, Mississippi ..... \$ 25,000.00

(kk) To assist in paying various costs for the County Farm Fire Station in Harrison County,

Mississippi ..... \$ 25,000.00

(ll) To assist in paying various costs for the Lizan Fire Station in Harrison County, Mississippi ..... \$ 25,000.00

(mm) To assist in paying various costs for the Saucier Fire Station in Harrison County,

Mississippi ..... \$ 25,000.00

(nn) To assist in paying various costs for the Success Fire Station in Harrison County,

Mississippi ..... \$ 25,000.00

(oo) To assist the City of Fayette, Mississippi, in paying costs associated with the construction, furnishing and equipping of a fire station for the city's fire

department ..... \$ 400,000.00

(pp) To assist the City of Baldwin, Mississippi, in paying costs associated with the construction of a satellite fire station..... \$ 200,000.00

(qq) To assist the City of Baldwin, Mississippi, in paying costs associated with repairs to Winddance Drive necessary for trucking company weight

restrictions..... \$ 100,000.00

(rr) To assist the City of Tupelo, Mississippi, in paying costs associated with lighting and curb upgrades to McCullough Boulevard ..... \$ 500,000.00

(ss) To assist the City of Booneville, Mississippi, in paying costs associated with the repair, replacement, adjustment and relocation of sewer lines and related sewer system infrastructure underneath and near the Northeast Mississippi Community College football field and surrounding

area..... \$ 1,000,000.00

(tt) To assist Madison County, Mississippi, in paying costs associated with making improvements to Bozeman Road, beginning at its intersection with Mississippi Highway 463 and proceeding north..... \$ 2,500,000.00

(uu) To assist the City of Madison, Mississippi, in paying costs associated with renovation of the Performing Arts Center and placement of utility lines under the

center..... \$ 1,000,000.00

(vv) To assist the Town of Bruce, Mississippi, in paying costs associated with infrastructure improvements around and near both of the city's parks, including, but not limited to, paving town streets and parking lots, drainage improvements, water and sewer line repairs and extensions, and pavilion construction in such parks..... \$ 400,000.00

(ww) To assist the Town of Bruce, Mississippi, in paying costs associated with repair and resurfacing of "Jimmy Beckley" Industrial Park Road ..... \$ 500,000.00

(xx) To assist the Town of Derma, Mississippi, in paying costs associated with water well repairs ..... \$ 50,000.00

(yy) To assist the Town of Vardaman, Mississippi, in paying costs associated with paving town streets ..... \$ 150,000.00

(zz) To assist in paying costs associated with construction of an ambulance center for Tippah County

Hospital..... \$ 500,000.00

(aaa) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of a fire truck for the town's fire department..... \$ 300,000.00

(bbb) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$ 25,000.00

(ccc) To assist in paying costs associated with creating a SkillPath 2030 Lab for the North Tippah School

District ..... \$ 200,000.00

(ddd) To assist the City of Ripley, Mississippi, in paying costs associated with the purchase of equipment for the city's fire department..... \$ 100,000.00

(eee) To assist the City of Ripley, Mississippi, in paying costs associated with various infrastructure

projects ..... \$ 200,000.00

(fff) To assist Mississippi Hills Heritage Area Alliance in paying costs associated with alliance

activities ..... \$ 100,000.00

(ggg) To assist in paying costs associated with exhibits with robotics and code training for students at the Issac Chapel Rosenwald Historical Museum and Education Center in Marshall County, Mississippi ..... \$ 200,000.00

On the effective date of this act, the Board of Supervisors of Marshall County shall transfer to the Issac Chapel Rosenwald Historical Museum and Education Center the remaining balance of all funds received from the Department of Finance and Administration under this paragraph (ggg).

(hhh) To assist Delta Health System in paying costs associated with capital improvements and infrastructure improvements related to patient room compliance and women's center services ..... \$ 2,000,000.00

(iii) To assist the City of Gautier, Mississippi, in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center and improvements to Town Commons Park, including, but not limited to, parking and through roads for an amphitheater ..... \$ 4,000,000.00

(jjj) To assist the City of Senatobia, Mississippi, in paying costs associated with repair, renovation and upgrades to Front Street Fire Station..... \$ 500,000.00

(kkk) To assist the City of Gautier, Mississippi, in paying costs associated with expansion of RV sites and paving at Shepard State Park..... \$ 1,500,000.00

(lll) To assist Chickasaw County, Mississippi, in paying costs associated with the \* \* \* CR42 Road

project ..... \$ 500,000.00

(mmm) To assist in paying costs associated with construction of a firehouse for the Thorn Volunteer Fire Department in Chickasaw County, Mississippi..... \$ 50,000.00

(nnn) To assist Clay County, Mississippi, in paying costs associated with road projects in Supervisors District 2 in Clay County including overlay of Mayhew Road, Mayfield Road, Pinkerton Road, Clisby Road and Herman

Shirley Road..... \$ 500,000.00

(ooo) To assist Monroe County, Mississippi, in paying costs associated with road maintenance and

repairs ..... \$ 500,000.00

(ppp) To assist the City of West Point, Mississippi, in paying costs associated with roof repair and/or replacement for Bryan Public Library ..... \$ 250,000.00

(qqq) To assist in paying costs associated with construction of the Michael H. Ball Veterans of Foreign Wars Post 12191 building in Carroll County,

Mississippi..... \$ 200,000.00

(rrr) To assist the Town of Duck Hill, Mississippi, in paying costs associated with resurfacing

streets ..... \$ 200,000.00

(sss) To assist the Town of Carrollton, Mississippi, in paying various costs associated with the town's water tower project ..... \$ 20,000.00

(ttt) To assist in paying costs associated with various Winona-Montgomery County Consolidated School District renovation projects ..... \$ 7,000,000.00

(uuu) To assist in paying costs associated with a regional communications system for the Mississippi Organ Recovery Agency..... \$ 200,000.00

(vvv) To assist the City of Columbia, Mississippi, in paying costs associated with improvements to the city's downtown storm drainage system and related infrastructure. \$ 500,000.00

(www) To assist Marion County, Mississippi, in paying costs associated with pavement maintenance for county

roads..... \$ 500,000.00

(xxx) To assist Lamar County, Mississippi, in paying costs associated with the Mental Health Diversion Center in Purvis, Mississippi..... \$ 500,000.00

(yyy) To \*\*\* provide for the reimbursement of prior costs associated with acquisition and repair, renovation, furnishing and equipping of a building and related facilities for the Bovina Volunteer Fire Department in Warren County, Mississippi .....

\$ 250,000.00

(zzz) To assist the City of Vicksburg, Mississippi, in paying costs associated with lighting for city baseball fields ..... \$ 250,000.00

(aaaa) To assist Warren County, Mississippi, in paying costs associated with the purchase of culverts and construction and installation of sluice gates..... \$ 75,000.00

(bbbb) To assist the City of Grenada, Mississippi, in paying costs associated with road resurfacing for Southwest Frontage Road..... \$ 250,000.00

(cccc) To assist Grenada County, Mississippi, in paying costs associated with construction and extension of New Industrial Park Road ..... \$ 500,000.00

(dddd) To assist Grenada County, Mississippi, in paying costs associated with resurfacing of National Guard Trout Road ..... \$ 750,000.00

(eeee) To assist Tallahatchie County, Mississippi, in paying costs associated with roof repair for Phillip Community Center in Tallahatchie County \* \* \* .....\$ 50,000.00

(ffff) To assist the City of Petal, Mississippi, in paying costs associated with the construction of an access road beginning at or near the intersection of Central Avenue and M. J. Harris Drive in Petal, Mississippi, and running southerly into the Robert E. Russell Sports Complex ..... \$ 500,000.00

(gggg) To assist the City of Iuka, Mississippi, in paying costs associated with road paving, purchase of utility vehicles for the city's police department and fire department, city park upgrades, library repair and purchase of a dump truck and two (2) police cars. \$ 250,000.00

(hhhh) To assist the City of Pontotoc, Mississippi, in paying costs associated with relocating the fire station on Main Street in the city to a less congested corner lot near the current location..... \$ 750,000.00

(iiii) To assist in paying costs associated with construction of the Agricola Multipurpose Center in George County, Mississippi..... \$ 1,600,000.00

(jjjj) To assist in paying costs associated with industrial park wastewater replacement main in George County, Mississippi..... \$ 400,000.00

(kkkk) To assist in paying costs associated with construction of a multipurpose arena in Jackson County, Mississippi ..... \$ 750,000.00

(llll) To assist Jasper County, Mississippi, in paying costs associated with repairs, resurfacing and improvements to roads and bridges including, but not limited to, CR 195 and CR 215..... \$ 650,000.00

(mmmm) To assist Smith County, Mississippi, in paying costs associated with repair and repaving of county roads..... \$ 250,000.00

(nnnn) To assist in paying costs associated with acquisition of motor vehicles for the Winston County Sheriff's Department ..... \$ 150,000.00

(oooo) To assist Kemper County, Mississippi, in paying costs associated with a gas line project from Dekalb, Mississippi, to Scooba, Mississippi..... \$ 500,000.00

(pppp) To assist in paying costs associated with the purchase of equipment for the Kemper County Volunteer Fire Department ..... \$ 50,000.00

(qqqq) To assist in paying costs associated with acquisition of motor vehicles for the Neshoba County Sheriff's Department..... \$ 150,000.00

(rrrr) To assist the Town of Scooba, Mississippi, in paying costs associated with the renovation of town facilities ..... \$ 75,000.00

(ssss) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting..... \$ 1,750,000.00

(tttt) To assist the City of Hattiesburg, Mississippi, in paying costs associated with flood control, detention basins or other infrastructure improvements in and around Gordon's

Creek ..... \$ 250,000.00  
(uuuu) To assist Alcorn County, Mississippi, in paying costs associated with repair and renovation of the Alcorn County Courthouse..... \$ 1,000,000.00  
(vvvv) To assist in paying costs associated with Alcorn County School District improvements..... \$ 150,000.00  
(www) To Alcorn County, Mississippi, to assist in paying Alcorn County Fire Chiefs and Firefighters Association expenses..... \$ 100,000.00  
(xxxx) To assist the Jacinto Foundation, Inc., in paying costs associated with capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the Jacinto Courthouse and related facilities in Alcorn County, Mississippi..... \$ 100,000.00  
(yyyy) To assist Covington County, Mississippi, in paying costs associated with improvements to Kelly Creek Road and/or Fruitstand Road..... \$ 200,000.00  
(zzzz) To assist Jefferson Davis County, Mississippi, in paying costs associated with improvements to Willie Fortenberry Road, Gum Swamp Road and/or Sumrall Road ..... \$ 100,000.00  
(aaaaa) To assist the Town of Shubuta, Mississippi, in paying costs associated with refurbishing, repair, renovation, restoration and furnishing of the Town Hall building..... \$ 200,000.00  
(bbbbb) To assist Coahoma Community College in paying costs associated with completion of the HVAC system for the Coahoma County Higher Education Center.....\$ 150,000.00  
(ccccc) To assist Simpson County, Mississippi, in paying costs associated with various road paving projects ..... \$ 500,000.00  
(ddddd) To assist the Town of D'Lo, Mississippi, in paying costs associated with paving South Maple Street, Elm Street, North Oak Street and North Maple Street .....\$ 200,000.00  
(eeee) To provide funds to be distributed equally among the following fire departments in Simpson County, Mississippi, and Rankin County, Mississippi, to assist in paying various department costs: Braxton Fire Department, Cato Fire Department, Harrisville Volunteer Fire Department, Magee Fire Department, Mendenhall Fire Department, \* \* \* Simpson County Station 7 Fire Department, Old Pearl Volunteer Fire Department, Pinola Fire Department, Puckett Volunteer Fire Department and Shell Road Volunteer Fire Department ..... \$ 150,000.00  
(ffff) To assist in paying costs associated with the purchase of playground equipment for Houston Community Park in Itawamba County ..... \$ 50,000.00  
(ggggg) To assist Newton County, Mississippi, in paying costs associated with upgrades and repairs to Tanglewood Road ..... \$ 450,000.00  
(hhhhh) To assist Scott County, Mississippi, in paying costs associated with infrastructure improvements on Coal Bluff Road..... \$ 350,000.00  
(iiii) To assist the Town of Plantersville, Mississippi, in paying costs associated with infrastructure improvements and the purchase of equipment for the town's police department..... \$ 100,000.00  
(jjjjj) To assist Oktibbeha County, Mississippi, in paying costs associated with upgrades and improvements to Maben Sturgis Road ..... \$ 1,000,000.00  
(kkkkk) To assist the City of Starkville, Mississippi, in paying costs associated with the city's Main Street project ..... \$ 1,250,000.00  
(llll) To assist Humphreys County, Mississippi, in paying costs associated with repairs, including asbestos removal, to the Humphreys County Courthouse.....\$ 400,000.00  
(mmmmm) To assist the City of New Albany, Mississippi, in paying costs associated with central business district renovations ..... \$ 250,000.00  
(nnnnn) To assist the CREATE Foundation in paying costs associated with storm shelter and community center renovations in the Red Hill Community in Union County, Mississippi

..... \$ 150,000.00  
 (ooooo) To the Board of Trustees of Southwest Mississippi Community College for the purpose of providing funds for the costs associated with the construction of a new \* \* \* outdoor multipurpose center on the campus of the college.....\$ 500,000.00  
 (ppppp) To Scenic Rivers Development Alliance for the purpose of making improvements at parks and facilities as follows: golf cart path repairs and course equipment upgrades at Quail Hollow Golf Course in Pike County; building repairs and equipment upgrades at Bogue Chitto Water Park in Pike County; building repairs, arena equipment and bleachers at Ethel Vance Park in Pike County; building repairs and fencing at Liberty Town Fields in Pike County; ADA sidewalk improvements and building repairs at Walkers Bridge Water Park in Walthall County; pier improvements, building improvements and road improvements at the County Outdoor Complex in Walthall County and park improvements in Franklin County..... \$ 1,000,000.00  
 (qqqqq) To assist the Caledonia Natural Gas District in paying costs associated with acquisition of three (3) pickup trucks to be used as service trucks..... \$ 150,000.00  
 (rrrrr) To assist Neshoba County, Mississippi, \* \* \* for the reimbursement of prior costs associated with transition to the MSWIN system ..... \$ 1,000,000.00  
 (sssss) To assist in paying costs associated with the Neshoba General Hospital Ambulance Enterprise ..... \$ 250,000.00  
 (ttttt) To assist the Briarwood Pool in Jackson, Mississippi, in paying costs associated with ADA requirements and accessibility plan..... \$ 250,000.00  
 (uuuuu) To assist Hinds County, Mississippi, in paying costs associated with Phase I White Oak Creek streambank erosion improvements to a portion of the creek running from at or near Old Canton Road to at or near Briarwood Drive in the City of Jackson, Mississippi..... \$ 2,000,000.00  
 (vvvvv) To assist \* \* \* the City of Tupelo, Mississippi, in paying costs associated with improvements to Endville Road..... \$ 500,000.00  
 (wwwww) To provide funds to Wayne County, Mississippi, to be distributed equally among the following volunteer fire departments in Wayne County \* \* \* to assist in paying various department costs: Battles Volunteer Fire Department, Beat Four Volunteer Fire Department, Buckatunna Volunteer Fire Department, Central Volunteer Fire Department, Clara Volunteer Fire Department, Coyt Volunteer Fire Department, Crossroads Volunteer Fire Department, Denham Volunteer Fire Department, Ecutta Volunteer Fire Department, Hiwanee Volunteer Fire Department, Matherville Volunteer Fire Department, Maynor Creek Volunteer Fire Department, Mulberry Volunteer Fire Department, Pleasant Grove Volunteer Fire Department, Progress Volunteer Fire Department, Strengthford Volunteer Fire Department and Yellow Creek Volunteer Fire Department ..... \$ 340,000.00  
 (xxxxx) To assist the City of Waynesboro, Mississippi, in paying city fire department costs..... \$ 70,000.00  
 (yyyyy) To assist the Town of State Line, Mississippi, in paying various department costs for Stateline Volunteer Fire Department \* \* \* ..... \$ 20,000.00  
 (zzzzz) To assist in paying various department costs for Richton Volunteer Fire Department in Perry County, Mississippi..... \$ 20,000.00  
 (aaaaa) To assist the \* \* \* Town of Stateline, Mississippi, in paying costs associated with acquisition of motor vehicles for the city's police department .....\$ 50,000.00  
 (bbbbb) To assist the City of Picayune, Mississippi, in paying costs associated with improvements to North Frontage Road from Interstate 59 in Picayune\$ 850,000.00  
 (ccccc) To assist the City of Raymond, Mississippi, in paying costs associated with renovation, rehabilitation and expansion of and additions to the city's police station ..... \$ 250,000.00  
 (ddddd) To assist Benton County, Mississippi, in paying costs associated with maintenance of roads and bridges ..... \$ 500,000.00  
 (eeeee) To assist the Town of Potts Camp, Mississippi, in paying costs associated with the acquisition of a fire



truck ..... \$ 300,000.00  
(fffff) To assist the Town of Hickory Flat, Mississippi, in paying costs associated with the acquisition of equipment for the town's police department ..... \$ 100,000.00  
(ggggg) To assist Union County, Mississippi, in paying costs associated with maintenance of roads in Supervisors District 1 in Union County ..... \$ 500,000.00  
(hhhhh) To assist Union County, Mississippi, in paying costs associated with maintenance of roads in Supervisors District 2 in Union County ..... \$ 500,000.00  
(iiiiii) To provide matching funds to the City of Charleston, Mississippi, for the repair of Charleston City Hall..... \$ 250,000.00  
(jjjjj) To assist the Town of Coffeeville, Mississippi, in paying costs associated with street improvements..... \$ 125,000.00  
(kkkkk) To assist the City of Water Valley, Mississippi, in paying costs associated with renovation of the Water Valley Civic Auditorium ..... \$ 225,000.00  
(lllll) To assist Pearl River County, Mississippi, in paying costs associated with county road maintenance..... \$ 500,000.00  
(mmmmm) To assist the City of Morton, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to streets and roads around Morton High School and surrounding areas in the City of Morton ..... \$ 150,000.00  
(nnnnn) To provide funds to be distributed equally among the eight (8) volunteer fire departments in Scott County, Mississippi, to assist in paying various department costs and expenses..... \$ 200,000.00  
(ooooo) To assist in paying costs associated with repair and renovation of facilities at Chautauqua Park in Crystal Springs, Mississippi..... \$ 500,000.00  
(ppppp) To assist Quitman Community Hospital in paying costs associated with improvements and upgrades to facilities and equipment..... \$ 500,000.00  
(qqqqq) To provide funds to be distributed in the amount of \$25,000.00 to the fire departments in Prentiss County, Mississippi, the Belmont Fire Department in Tishomingo County, Mississippi, and the Rienzi Fire Department in Alcorn County, Mississippi, to assist in paying equipment costs ..... \$ 425,000.00  
(rrrrr) To assist the City of Senatobia, Mississippi, in paying costs associated with lighting and other improvements to city-owned \* \* \* facilities ..... \$ 1,000,000.00  
(sssss) To assist Tate County, Mississippi, in paying costs associated with road and infrastructure improvements..... \$ 5,000,000.00  
(ttttt) To assist in paying costs associated with construction of an Agriculture Technology building at Independence High School in the Tate County School District..... \$ 750,000.00  
(uuuuu) To provide funds to be distributed equally among all volunteer fire departments in Clarke County, Mississippi, to assist in paying equipment costs and for upgrades ..... \$ 150,000.00  
(vvvvv) To assist in paying costs associated with acquisition of motor vehicles with upfit, lights, cages and sirens, for the Clarke County Sheriff's Department ..... \$ 100,000.00  
(wwwww) To assist Lincoln County, Mississippi, in paying costs associated with HVAC system and equipment repairs and/or replacement..... \$ 500,000.00  
(xxxxx) To assist \* \* \* the Jackson Metropolitan Technical Center in paying costs associated with roof and building repairs for its building ..... \$ 100,000.00  
(yyyyy) To assist Attala County, Mississippi, to provide funds for the acquisition of fire trucks for Carmack Volunteer Fire Department, Friendship Volunteer Fire Department, Providence Fire Department and Zama Volunteer Fire Department ..... \$ 1,000,000.00  
(zzzzz) To assist Attala County, Mississippi, in defraying expenses associated with repairs, resurfacing and other improvements to county roads and bridges ..... \$ 1,000,000.00

(aaaaaaa) To assist Leake County, Mississippi, to provide funds for the acquisition of fire trucks, fire fighting equipment and gear for volunteer fire departments in Leake County ..... \$ 2,000,000.00

(bbbbbbb) To assist Attala County, Mississippi, in paying costs associated with repair and/or replacement of the roof for the Jack Post Industrial Building \$ 1,000,000.00

(ccccccc) To assist the Town of West, Mississippi, in paying costs associated with repairs and improvements to town facilities ..... \$ 200,000.00

(ddddddd) To assist the City of Kosciusko, Mississippi, in paying costs associated with repair and maintenance of city facilities ..... \$ 500,000.00

(eeeeeee) To assist in paying costs associated with construction of a new building for American Legion Post No. 44 in Attala County, Mississippi ..... \$ 300,000.00

(ffffff) To assist the City of Clinton, Mississippi, in paying costs associated with site work for and construction and development of streets, street lighting and signals, electrical and communications distribution systems and equipment, water system and sewer system infrastructure and related infrastructure within an area bound by U.S. Highway 80, Springridge Road, Interstate 20 and Clinton-Raymond Road/Madison Street in the City of Clinton ..... \$ 8,000,000.00

(ggggggg) To assist the Town of Flora, Mississippi, in paying costs associated with improvements to the town's water system and sewer system infrastructure.....\$ 1,000,000.00

(hhhhhhh) To assist Rankin County, Mississippi, in defraying expenses associated with repairs, resurfacing and other improvements to roads and bridges .....\$ 8,000,000.00

(iiiiiii) To assist the City of Brandon, Mississippi, in paying costs associated with infrastructure improvements ..... \$ 2,000,000.00

(jjjjjjj) To assist the City of Pearl, Mississippi, in paying costs associated with construction of a bridge extending from the intersection of the extension of Ware Street and relocated St. Augustine Street to Pearson Road in the City of Pearl ... \$ 500,000.00

(kkkkkkk) To assist Harrison County, Mississippi, in paying costs associated with Sportsplex improvements in the City of Long Beach, Mississippi ..... \$ 1,500,000.00

(lllllll) To assist in paying costs associated with improvements to Lumpkin Stadium for the Long Beach School District ..... \$ 100,000.00

(mmmmmmm) To provide \*\*\* \$22,222.22 to be distributed \*\*\* to the following fire departments in Choctaw County, Mississippi, to assist in paying various department costs: Chester Volunteer Fire Department, \*\*\* Town of Ackerman Fire Department, Bywy Volunteer Fire Department, Simpson Volunteer Fire Department, Town of Weir Fire Department, Panhandle Volunteer Fire Department, Union Volunteer Fire Department and Town of French Camp Fire Department and to provide \$22,222.24 to the Reform Fire Department in Choctaw County to assist in paying various department costs ..... \$ 200,000.00

(nnnnnnn) To provide funds to Winston County, Mississippi, to be distributed equally among the following fire departments in Winston County \*\*\* to assist in paying various department costs: Nanih Waiya Volunteer Fire Department, Shiloh Volunteer Fire Department, City of Louisville Fire Department, Lo Butcha Volunteer Fire Department, Town of Noxapater Volunteer Fire Department and Mars Hill Volunteer Fire Department ..... \$ 120,000.00

(oooooooo) To provide funds to be distributed equally among the following fire departments in Webster County, Mississippi, to assist in paying various department costs: Town of Mathiston Volunteer Fire Department, City of Eupora Fire Department and Tomnolen Volunteer Fire Department ..... \$ 60,000.00

(ppppppp) To assist the City of Eupora, Mississippi, in paying costs associated with street repairs, resurfacing and improvements ..... \$ 300,000.00

(qqqqqqq) To assist the City of Louisville, Mississippi, in paying the costs associated with constructing a road and other transportation infrastructure in the City of Louisville that will provide and improve access to land owned by the city designated for

an economic development project on or near the location of Winston Plywood & Veneer ..... \$ 200,000.00  
(rrrrrr) To assist the Town of French Camp, Mississippi, in paying the costs associated with sidewalk repairs, lighting and improvements for the town's Historic Downtown District and School Street..... \$ 100,000.00  
(sssssss) To provide funds to \* \* \* Choctaw County, Mississippi \* \* \*, for repairs and resurfacing of roads in the county..... \$ 500,000.00  
(tttttt) To assist the Town of Ackerman, Mississippi, in paying costs associated with street repairs, resurfacing and improvements..... \$ 200,000.00  
(uuuuuuu) To assist the Town of Mathiston, Mississippi, in paying costs associated with construction, repair, renovation, upgrades and improvements to the town's facilities ..... \$ 100,000.00  
(vvvvvvv) To assist Choctaw County, Mississippi, in paying costs associated with Courthouse renovations and improvements..... \$ 100,000.00  
(wwwwwww) To assist American Legion Post 82 in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities .....\$ 25,000.00  
(xxxxxxx) To assist VFW Post 3806 in the City of Eupora, Mississippi, in paying costs associated with the Post building and Post activities ..... \$ 25,000.00  
(yyyyyyy) To assist VFW Post 4540 in Winston County, Mississippi, in paying costs associated with the Post building and Post activities ..... \$ 25,000.00  
(zzzzzzz) To assist \* \* \* the American Legion in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities .....\$ 25,000.00  
(aaaaaaaa) To assist in paying the costs associated with land acquisition, site development and construction, furnishing and equipping of new buildings and facilities for, and the relocation of, the Mississippi Armed Forces Museum at Camp Shelby to property owned by the Mississippi Military Department and located near Camp Shelby in Forrest County, Mississippi..... \$ 6,000,000.00  
(bbbbbbbb) To assist the City of Pascagoula, Mississippi, in paying costs associated with renovations of city offices ..... \$ 1,000,000.00  
(cccccccc) To assist the Town of Sardis, Mississippi, in paying costs associated with repairs, resurfacing and other improvements to roads and bridges..... \$ 250,000.00  
(ddddddd) To assist the Town of Como, Mississippi, in paying costs associated with repairs, resurfacing and other improvements to roads and bridges..... \$ 250,000.00  
(eeeeeeee) To assist the City of Bay Springs, Mississippi, in paying the costs associated with repairs to Payton Avenue ..... \$ 35,000.00  
(ffffff) To assist the Town of Heidelberg, Mississippi, in paying the costs associated with repairs to Walnut Street..... \$ 45,000.00  
(gggggggg) To assist the \* \* \* East Jasper School District in paying the costs associated with the acquisition of the Old Heidelberg Academy ..... \$ 350,000.00  
(hhhhhhh) To assist the City of Hattiesburg, Mississippi, in paying the costs associated with improvements to Dabbs Street ..... \$ 250,000.00  
(iiiiiii) To assist Lincoln County, Mississippi, in paying the costs associated with repairs and improvements to the county courthouse..... \$ 350,000.00  
(jjjjjjj) To assist the City of Carthage, Mississippi, in paying the costs associated with the repair and renovation of the coliseum..... \$ 600,000.00  
(kkkkkkk) To assist Holmes County, Mississippi, in paying the costs associated with the paving and improvements to Salem/Courts Road ..... \$ 600,300.00  
(lllllll) To assist Tougaloo College in paying the costs associated with the improvement, renovation and preservation of the historic Mansion building\$ 600,000.00  
(mmmmmmm) To assist the City of Southaven, Mississippi, in paying costs associated with a traffic signal at the intersection of Airways Boulevard and

Guthrie Drive ..... \$ 270,000.00  
 (nnnnnnnn) To assist DeSoto County, Mississippi, in paying the costs associated with a traffic signal at the intersection of Byhalia Road and Hwy 305 in Lewisburg/Olive Branch..... \$ 270,000.00  
 (ooooooo) To assist Marshall County, Mississippi, in paying the costs associated with building the Chickasaw Trail Emergency Response Center .....\$ 1,000,000.00  
 (pppppppp) To assist the Town of Terry, Mississippi, in paying the costs associated with the renovation of a community center ..... \$ 30,000.00  
 (qqqqqqqq) To assist the City of Byram, Mississippi, in paying the costs associated with bridge and drainage projects ..... \$ 500,000.00  
 (rrrrrrrr) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for Thalia Mara Hall ..... \$ 2,000,000.00  
 (ssssssss) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for the Jackson Planetarium ..... \$ 2,000,000.00  
 (ttttttt) To assist Panola County, Mississippi, in paying the costs associated with airport improvements..... \$ 500,000.00  
 (uuuuuuuu) To assist the Town of Sardis, Mississippi, in paying costs associated with the Sardis Lake Development project ..... \$ 1,700,000.00  
 (vvvvvvvv) To assist the Town of Noxapater, Mississippi, in paying the costs associated with paving, repairs and improvements to city streets ..... \$ 250,000.00  
 (wwwwwww) To assist the Town of Walnut Grove, Mississippi, in paying the costs associated with the purchase of a new fire truck..... \$ 250,000.00  
 (xxxxxxx) To assist the Lee County 4th District Community Development Group, a nonprofit corporation, in paying the costs associated with the construction/improvement to its community center ..... \$ 300,000.00  
 (yyyyyyyy) To assist the Windows of Amory, a nonprofit corporation, for expenses related to improvements and operations of the former First Christian Church, known as "The Windows" ..... \$ 200,000.00  
 (zzzzzzzz) To assist the City of Aberdeen, Mississippi, in paying the costs associated with repairs and improvements to the Magnolias ..... \$ 150,000.00  
 (aaaaaaaa) To assist Claiborne County, Mississippi, in paying the costs associated with repairs and improvements to historical structures in the county .....\$ 75,000.00  
 (bbbbbbbbb) To assist Claiborne County, Mississippi, in paying the costs associated with the replacement of an air conditioning and heating system for the county jail ..... \$ 80,000.00  
 (cccccccc) To assist Claiborne County, Mississippi, in paying the costs associated with the resurfacing of Russom-Westside Road..... \$ 300,000.00  
 (ddddddddd) To assist the Summit Community Development Foundation in paying the costs associated with the Stand Pipe project..... \$ 200,000.00  
 (eeeeeeee) To assist the City of Natchez, Mississippi, in paying the costs associated with lighting of the Mississippi River Bridge..... \$ 500,000.00  
 (fffffffff) To assist the City of Magee, Mississippi, in paying the costs associated with infrastructure improvements..... \$ 150,000.00  
 (ggggggggg) To assist the City of Mendenhall, Mississippi, in paying costs associated with infrastructure improvements ..... \$ 150,000.00  
 (hhhhhhhhh) To assist Montgomery County, Mississippi, in defraying expenses for infrastructure improvements and industrial facility..... \$ 1,000,000.00  
 (iiiiiii) To assist Attala County, Mississippi, in paying the costs associated with roof repairs for a county-owned building..... \$ 600,000.00  
 (jjjjjjjjj) To assist the Mississippi Department of Transportation in paying the costs associated with an overpass for Old Highway 63 over Highway 98..... \$ 1,200,000.00

(kkkkkkkkk) To assist Greene County, Mississippi, in paying the costs associated with asbestos abatement and demolition of an abandoned factory building \$ 600,000.00

(lllllllll) To assist Greene County, Mississippi, in paying the costs associated with the conversion of the old farmer's market into a regional emergency operations center ..... \$ 1,200,000.00

(mmmmmmmmm) To assist the Greene County School District in paying costs associated with tornado and wind damage at the McLain Attendance Center .....\$ 50,000.00

(nnnnnnnnn) To assist the City of D'Iberville, Mississippi, in paying the costs associated with upgrades, mitigation and improvements to the city marina \$ 750,000.00

(ooooooooo) To assist Jackson County, Mississippi, in paying the costs associated with the renovations and expansions of the Ball Park Road Fire Station .....\$ 750,000.00

(ppppppppp) To assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements to Riley Road..... \$ 500,000.00

(qqqqqqqqq) To assist the Pearl & Leaf Rivers Rails to Trails Recreational District in paying the costs associated with overlaying the trail from James Lynn Cartledge Gateway to Carolyn McRaney Gateway and paving the parking lots at stations..... \$ 1,500,000.00

(rrrrrrrrr) To assist the City of Flowood, Mississippi, in paying the costs associated with infrastructure improvements to North Flowood Drive ..... \$ 2,000,000.00

(sssssssss) To assist the Mississippi Department of Transportation in paying the costs associated with improvements to Highway 25 between Grants Ferry Road and Mississippi Highway 471 ..... \$ 4,000,000.00

(ttttttttt) To assist the City of Macon, Mississippi, in paying the costs associated with inspection, repairs and improvements to the Electric Department Office .....\$ 40,000.00

(uuuuuuuuu) To assist Noxubee County, Mississippi, in paying the costs associated with a roof replacement on the county courthouse ..... \$ 400,000.00

(vvvvvvvvv) To assist the City of Poplarville, Mississippi, in paying costs associated with the acquisition of a new fire truck..... \$ 500,000.00

(wwwwwwwww) To assist Warren County, Mississippi, in paying the costs associated with upgrades and improvements for the historic Old Courthouse and grounds in Vicksburg ..... \$ 650,000.00

(xxxxxxxxx) To assist the City of Gulfport, Mississippi, in paying costs associated with the Interconnecting Gulfport project related to the federal BUILD grant route, to include Pool Street Extension, Creosote Road Extension, and Daniel Boulevard Extension ..... \$ 3,500,000.00

(yyyyyyyyy) To assist Yazoo County, Mississippi, in paying the costs associated with the construction and repairs of the Lake George Bridge ..... \$ 3,000,000.00

(zzzzzzzzz) To assist Issaquena County, Mississippi, in paying the costs associated with the construction and repairs of the Mannie Road Bridge.. \$ 1,500,000.00

(aaaaaaaaa) To assist Sharkey County, Mississippi, in paying the costs associated with the construction and repairs of the Low Water Bridge Road Bridge .....\$ 1,500,000.00

(bbbbbbbbb) To assist the Warren County Port Commission in defraying expenses for environmental and permit..... \$ 500,000.00

(ccccccccc) To assist Quitman County, Mississippi, in paying the costs associated with infrastructure improvements on county roads and bridges \$ 500,000.00

(ddddddddd) To assist Perry County, Mississippi, in paying the costs associated with the widening of Cochran Road ..... \$ 600,000.00

(eeeeeeeee) To assist the City of Richland, Mississippi, in paying the costs associated with the Highway 49 pedestrian crossover ..... \$ 500,000.00

(fffffffff) To assist the City of Pearl, Mississippi, in paying the costs associated with the Pearl-Richland Intermodal Bridge ..... \$ 2,000,000.00

(gggggggggg) To assist the Mississippi Department of Transportation in paying the costs associated with improvements to Highway 21 in Sebastopol, Mississippi .....\$ 400,000.00

(hhhhhhhhhh) To assist the Town of Decatur, Mississippi, in paying the costs associated with upgrading rescue extrication equipment ..... \$ 60,000.00

(iiiiiiiiii) To assist the City of Hernando, Mississippi, in paying the costs associated with infrastructure improvements to the Oak Grove and Highway 51 intersection..... \$ 500,000.00

(jjjjjjjjjj) To assist the City of Tupelo, Mississippi, in the refurbishment of Ballard Park for the purposes of renovation and to establish a special needs (all inclusive) children's playground..... \$ 500,000.00

(kkkkkkkkkk) To assist the City of Tupelo, Mississippi, in paying costs associated with turnaround access at the Elvis Presley Birthplace ..... \$ 250,000.00

(llllllllll) To assist the City of Saltillo, Mississippi, in paying the costs associated with infrastructure improvements..... \$ 250,000.00

(mmmmmmmmmm) To assist the City of Gluckstadt, Mississippi, in paying the costs associated with the acquisition of land and construction of a new police station ....\$ 1,000,000.00

(nnnnnnnnnn) To assist the City of Ridgeland, Mississippi, in paying the costs associated with the construction of the Commerce Park Connector Road \$ 1,000,000.00

(oooooooooo) To assist the City of Ridgeland, Mississippi, in paying the costs associated with road paving and improvements to city streets ..... \$ 1,500,000.00

(pppppppppp) To assist the City of Olive Branch, Mississippi, in paying the costs associated with infrastructure improvement on Pleasant Hill Road from SR 302 to Stateline Road ..... \$ 750,000.00

(qqqqqqqqqq) To assist the Horn Lake Creek Basin Interceptor Sewer District in paying the costs associated with an infrastructure project..... \$10,000,000.00

(rrrrrrrrrr) To assist the City of Corinth, Mississippi, in paying the costs associated with the EFLAP Bridge Replacement..... \$ 500,000.00

(ssssssssss) To assist Alcorn County, Mississippi, in paying the costs associated with infrastructure improvements at the Getwell Road and Harper Road Intersection .....\$ 350,000.00

(tttttttttt) To assist the Town of Blue Mountain, Mississippi, in paying the costs associated with improvements to the Blue Mountain Children's Park..... \$ 150,000.00

(uuuuuuuuuu) To assist the Town of Farmington, Mississippi, in paying the costs associated with computer equipment upgrades for city hall ..... \$ 25,000.00

(vvvvvvvvvv) To assist the City of Corinth, Mississippi, in paying the costs associated with the Corinth Veterans Honor Memorial..... \$ 25,000.00

(wwwwwwwwww) To assist the University of Southern Mississippi in paying the costs associated with re-roofing the coliseum..... \$ 500,000.00

(xxxxxxxxxx) To assist Stone County, Mississippi, in paying the costs associated with road paving and improvements to county roads and bridges ..... \$ 500,000.00

(yyyyyyyyyy) To assist the City of Greenville, Mississippi, in paying the costs of construction and development of the downtown green space associated with the new federal courthouse as part of the Thad Cochran Project ..... \$ 500,000.00

(zzzzzzzzzz) To assist the City of Greenville, Mississippi, in paying the costs of redevelopment of Hangar 173 at airport to assist the Mississippi Delta Community College (MDCC) Aerospace Maintenance Instruction Program..... \$ 1,500,000.00

(aaaaaaaaaa) To assist the City of Cleveland, Mississippi, in paying the costs associated with the Airport Terminal Road Extension Project ..... \$ 1,000,000.00

(bbbbbbbbbb) To assist Tishomingo County, Mississippi, in paying the costs associated with a tornado siren and storm shelter at Carter's Branch Volunteer Fire Department ..... \$ 50,000.00

(ccccccccc) To assist the Town of Marietta, Mississippi, in paying the costs associated with an infrastructure project..... \$ 165,000.00

(dddddddddd) To assist the Town of Mantachie, Mississippi, in paying the costs associated with modernizing the town's police force ..... \$ 100,000.00

(eeeeeeeeeee) To assist Tishomingo County, Mississippi, in paying the costs associated with a roof replacement for the Circuit Courthouse ..... \$ 400,000.00  
(fffffffff) To assist the City of Iuka, Mississippi, in paying the costs associated with repairs and improvements to city streets ..... \$ 150,000.00  
(ggggggggggg) To assist the Yellow Creek Inland Port Authority in paying the costs associated with infrastructure and port improvement ..... \$ 1,500,000.00  
(hhhhhhhhhhh) To assist Pontotoc County, Mississippi, in paying the costs associated with a Veteran's Service Center in Pontotoc ..... \$ 125,000.00  
(iiiiiiiiiii) To assist Pontotoc County, Mississippi, in paying costs associated with improvements to the Fairgrounds/Exhibit Building Parking Project. .... \$ 100,000.00  
(jjjjjjjjjjj) To assist the City of Calhoun City, Mississippi, in paying the costs associated with paving and improvements to city streets ..... \$ 200,000.00  
(kkkkkkkkkkk) To assist the Mississippi Arts and Entertainment Experience (The MAX) in paying the costs associated with upgrading exhibits ..... \$ 250,000.00  
(lllllllllll) To assist Yazoo County, Mississippi, in paying costs associated with renovations at the Oakes African-American Cultural Center. .... \$ 100,000.00  
(mmmmmmmmmmm) To assist the City of Pass Christian, Mississippi, in paying the costs associated with the Pass Christian Downtown Redevelopment Initiative .....\$ 750,000.00  
(nnnnnnnnnnn) To assist Clay County, Mississippi, in paying the costs associated with the renovations of the county courthouse ..... \$ 350,000.00  
(oooooooooooo) To assist the City of West Point, Mississippi, in paying the costs associated with road paving and improvements to city streets ..... \$ 400,000.00  
(ppppppppppp) To assist the City of Macon, Mississippi, for reimbursement to the city for engineers, clean up of debris, and to stabilize exterior of Electric Department when surrounding buildings collapsed (local state of emergency) ..... \$ 35,000.00  
(qqqqqqqqqqq) To assist the Pascagoula Redevelopment Authority in paying the costs associated with the downtown revitalization project ..... \$ 750,000.00  
(rrrrrrrrrrr) To assist the City of Eupora, Mississippi, in paying the costs associated with the construction of an amphitheater ..... \$ 50,000.00  
(sssssssssss) To assist the City of Eupora, Mississippi, in paying the costs associated with a walking trail ..... \$ 10,000.00  
(ttttttttttt) To assist Lowndes County, Mississippi, in paying the costs associated with the construction, development, upgrades and improvements to the rail yard expansion at the West Bank Port, and other rail improvements in Lowndes County that provide otherwise support freight rail service to and from the West Bank Port .....\$ 3,200,000.00  
(uuuuuuuuuuu) To assist the City of Jackson, Mississippi, in paying the costs associated with the widening, straightening and clearing debris from Eubanks Creek from State Street to Old Canton Road ..... \$ 500,000.00  
(vvvvvvvvvvv) To assist the Department of Finance and Administration in paying the costs associated with the development of the LeFleur's Bluff Otter Creek Golf Park and Connector Trail Project ..... \$13,250,000.00  
(wwwwwwwwwww) To assist the City of Vicksburg, Mississippi, in paying costs associated with the river front development ..... \$ 3,500,000.00  
(xxxxxxxxxxx) To assist the City of Pelahatchie, Mississippi, in paying the costs associated with repairs and improvements to roads and bridges ..... \$ 300,000.00  
(yyyyyyyyyyy) To assist the Marty Stuart Congress of Country Music Museum in paying the costs associated with the completion of the Ellis Theatre ..... \$ 500,000.00  
(zzzzzzzzzzz) To assist the City of Water Valley, Mississippi, in paying the costs associated with upgrades and improvements to the city owned electrical system .....\$ 500,000.00  
(aaaaaaaaaaaaa) To assist the North Mississippi Health Services in paying the costs associated with the unfinished dedicated operating room for cesarean deliveries at the hospital in Amory, Mississippi, which room may be used as a negative pressure room ..... \$ 1,000,000.00

(bbbbbbbbbbbb) To assist the B.B. King Museum and Delta Interpretive Center in paying costs associated with renovations, repairs and improvements to the B.B. King Museum and Club

Ebony..... \$ 2,500,000.00

(cccccccccc) To assist the Department of Finance and Administration – Bureau of Building, Ground and Real Property Management for the Mississippi Sports Hall of Fame and Museum in paying costs associated with renovations, repairs and improvements to the Mississippi Sports

Hall of Fame..... \$ 2,500,000.00

(dddddddddd) To assist the Town of Macon, Mississippi, in paying costs associated with storm cleanup and emergency operation including storm debris removal..... \$ 75,000.00

(eeeeeeeeeee) To assist Noxubee County, Mississippi, in paying costs associated with repair of the Veterans Building..... \$ 25,000.00

(fffffftttt) To assist Noxubee County, Mississippi, in paying costs associated with road maintenance and repairs..... \$ 150,000.00

(gggggggggg) To assist Hinds County, Mississippi, in paying costs associated with resurfacing Champion Hill Road..... \$ 500,000.00

(hhhhhhhhhhh) To assist the Town of Vaiden, Mississippi, in paying costs associated with various infrastructure projects..... \$ 100,000.00

(iiiiiiiiiii) To assist the Town of McCool, Mississippi, in paying costs associated with various infrastructure projects..... \$ 100,000.00

(jjjjjjjjjjj) To assist the Tate County Heritage Museum in paying costs associated with acquisition and updating of exhibits and displays and repair, restoration, upgrades and improvements to equipment and facilities..... \$ 50,000.00

(kkkkkkkkkkk) To assist the Mississippi's Toughest Kids Foundation in paying the costs associated with:

(i) Design, preplanning, construction, furnishing and equipping of buildings and related facilities at Camp Kamassa in Copiah County, Mississippi; and

(ii) Design, preplanning, construction and development of infrastructure at Camp Kamassa in Copiah County, Mississippi..... \$ 1,000,000.00.

SECTION 2. Section 1, Chapter 103, Laws of 2022, is amended as follows:

Section 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, to the Department of Public Safety for the purpose of providing funds for the Mississippi Law Enforcement and Fire Fighters Premium Pay Program as created in House Bill No. 1427, 2022 Regular Session, for the period beginning July 1, 2022, and ending June 30, 2023..... \$ 12,000,000.00.

SECTION 3. Section 4, Chapter 103, Laws of 2022, is amended as follows:

Section 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 4. Section 7, Chapter 9, Laws of 2022, is amended as follows:

Section 7. Of the funds appropriated in Section 1, \* \* \* Twenty-six Thousand Dollars (\$26,000.00) is provided for the administrative support of the Mississippi Autism Board as prescribed by Section 73-75-11, Mississippi Code of 1972.

SECTION 5. Section 15, Chapter 74, Laws of 2022, is amended as follows:

Section 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the \* \* \* Capital Expense Fund not otherwise appropriated for the Educational Television Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1388, 2021 Regular Session to provide for tower maintenance and upgrades for the fiscal year beginning July 1, 2022, and ending June 30, 2023..... \$ 1,500,000.00



Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

SECTION 6. Section 1, Chapter 81, Laws of 2022, is amended as follows:

Section 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration - Office of Insurance for the purpose of \* \* \* reimbursing the State and School Employees' Life and Health Insurance Plan for eligible expenses incurred on or after March 3, 2021, through June 30, 2023, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 \$ 60,000,000.00.

SECTION 7. Section 1, Chapter 482, Laws of 2022, is amended as follows:

Section 1. During fiscal year 2023, the State Fiscal Officer shall transfer the amounts listed below from the Capital Expense Fund (Fund No. 6499C00000) to each of the following named funds:

FUND	FUND NUMBER	AMOUNT
Mississippi Historic Site Preservation Fund	3348400000	\$ 2,000,000.00
* * *		
2022 Mississippi Ports Improvements Fund	6614190000	\$ 10,000,000.00
Victims of Human Trafficking and Commercial Sexual Exploitation Fund	3307800000	\$ 2,500,000.00
* * *		
2022 Mississippi Land, Water, and Timber Resources Fund	6614180000	\$ 2,500,000.00
MDOT 2022 Maintenance Project Fund created in this act		\$ 45,000,000.00
MDOT 2022 Capacity Project Fund created in this act		\$ 35,000,000.00
MDOT 2022 Infrastructure Match Fund created in this act		\$ 40,000,000.00
MDOT 2022 Emergency Road and Bridge Fund created in this act		\$100,000,000.00
TOTAL		\$237,000,000.00

SECTION 8. Section 1, Chapter 109, Laws of 2022, is amended as follows:

Section 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the Gulf Coast Restoration Fund, as created in Section 57-119-1 Mississippi Code of 1972, not otherwise appropriated to the Mississippi Development Authority. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ \* \* \*

42,857,356.00.

Of the funds appropriated in this section the following sums are provided for projects:

(a) To assist the Gulfport Redevelopment Commission for the completion of the second and final phase of a mixed-use, downtown redevelopment project, including public use components, so as to leverage public and private investment....\$ 8,000,000.00

(b) To assist the City of Pass Christian with the Water Front Redevelopment Plan.....\$ 3,000,000.00

(c) To assist the Pascagoula Redevelopment Authority with the City of Pascagoula Rail Line Development Plan.....\$ 3,061,356.00

(d) To assist the City of Biloxi with the Popp's Ferry Extension Project.....\$ 3,000,000.00

(e) To assist the City of Waveland

with the Waveland Marina Phase I.....\$ 2,000,000.00 (f) To assist the Ocean Springs Redevelopment Authority with City of Ocean Springs Projects.....\$ 2,000,000.00 (g) To assist the City of Moss Point with Moss Point's Magnificent Mile 2.0.....\$ 2,000,000.00 (h) To assist the Hancock County Port and Harbor Commission with the Technology Park at Stennis Airport \* \* \* .....\$ \* \* \* 7,000,000.00

(i) To assist the Pearl River County Board of Supervisors with the Pearl River County Industrial Park Project.....\$ 1,600,000.00

(j) To assist the City of Long Beach with the Long Beach Harbor Complex Restoration.....\$ 1,000,000.00 (k) To assist the City of Bay St. Louis with the City Public Safety Complex.....\$ 1,000,000.00

(l) To assist the Mississippi State University Research and Technology Corporation with continued development of the Mississippi Cyber Center Project.....\$ 1,000,000.00

(m) To assist the City of Diamondhead with the Commerce District Transportation.....\$ 900,000.00

(n) To assist \* \* \* Heritage Spring Water, LLC, with the Heritage Spring Water Project in Stone County, Mississippi.....\$ 600,000.00

(o) To assist the Ocean Springs Collective with Ocean Springs Collective Projects.....\$ 400,000.00

(p) To assist the Mississippi Export Railroad with Mississippi Export Projects.....\$ 3,500,000.00

(q) To assist the Greater Biloxi Economic Development Foundation and JDLE, LLC with the Downtown Redevelopment of Barq's and Kress Buildings on Howard Avenue.....\$ 2,000,000.00

(r) To assist the Mississippi Gulf Resort Classic Foundation with the Rapisan Systems Classic Tournament.....\$ 796,000.00

SECTION 9. Section 2, Chapter 109, Laws of 2022, is amended as follows:

Section 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 2951, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ \* \* \* 50,293,000.00.

Notwithstanding the amounts reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

Of the funds reappropriated in this section the following sums are provided for projects:

(a) To assist the Mississippi State University Research and Technology Corporation with the design and construction of the Mississippi Cyber Center.....\$ 13,500,000.00

(b) To assist the University of Southern Mississippi Ocean Enterprise.....\$ 4,500,000.00

(c) To assist the Stone County Board of Supervisors with the Piney Wood Pellet Mill road, rail and bypass.....\$ 2,500,000.00

(d) To assist the Gulfport Redevelopment Commission for Phase I of a planned 3 phase project of downtown redevelopment to be used on a public use project so as to leverage public and private investment.....\$ 2,500,000.00

(e) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development..\$ 6,000,000.00

(f) To assist the Pascagoula Redevelopment with downtown revitalization project.....\$ 3,000,000.00

(g) To assist Long Beach High School with the Long Beach High School Career and Technical Education Center.....\$ 2,500,000.00

(h) To assist the City of Diamondhead with the Town Center District – Commercial District Project.....\$ 2,000,000.00

(i) To assist Stone County School District with the Stone County High School Career and Technical Education Center.....\$ 3,200,000.00

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(\*\*\*) To assist the City of Gulfport with flood control and/or drainage for the Forest Heights Project.....\$ 2,100,000.00

(\*\*\*) To assist the City of Moss Point with the Interstate 10 Frontage Roads, North and South.....\$ 2,000,000.00

(\*\*\*) To assist the City of Picayune with the Friendship Park Revitalization Project.....\$ 1,900,000.00

(\*\*\*) To assist Pearl River Community College PRCC Aviation Aerospace Academy.....\$ 1,900,000.00

(\*\*\*) To assist the City of Bay St. Louis with the Court Street Parking facility, expansion and improvements.....\$ 1,000,000.00

(\*\*\*) To assist the Walter Anderson Museum with Phase 3 and Phase 4.....\$ 636,000.00

(\*\*\*) To assist the City of Lucedale with Ventura Drive Improvements.....\$ 577,000.00

(\*\*\*) To assist George County with the Scott Road Project, widening and infrastructure.....\$ 480,000.00

SECTION 10. Section 3, Chapter 109, Laws of 2022, is amended as follows:

Section 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 2951, 2021 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....\$ \*\*\* 47,425,069.00.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2022.

Of the funds reappropriated in this section, the following sums are provided for projects recommended by the department and projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Power Dynamics Innovations, LLC with Equipment and Facility Upgrades.....\$ 1,550,000.00

(b) To assist the City of Bay St. Louis with the Old Town Police Department.....\$ 1,000,000.00

(c) To assist the City of Bay St. Louis with the Old Town Depot Revitalization District.....\$ 1,500,000.00

(d) To assist the City of Diamondhead with the Commercial District Transformation Project.....\$ 1,500,000.00

(e) To assist the Stone County School District with the Stone County High School Career and Technical Education Center.....\$ 3,144,128.00

(f) To assist the University of Southern Mississippi with the Ocean Enterprise Phase I.....\$ 6,305,093.00

(g) To assist the Walter Anderson Museum Creative Complex Phase I and begin Phase II.....\$ 515,957.00

(h) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development..\$ 2,000,000.00

(i) To assist the Gulfport School with a STEM Exploration Lab.....\$ 85,410.00

(j) To assist the City of Biloxi with downtown revitalization at the Saenger Theater.....\$ 950,328.00

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Of the funds reappropriated in this section, the following sums are provided for projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Harrison County with the Harrison County Law Enforcement Training Academy.....\$ 2,813,258.00

- (b) To assist George Regional Health System with a multispecialty medical office complex.....\$ 1,901,193.00
- (c) To assist George Regional Health System with a cafeteria expansion and renovation.....\$ 820,469.00
- (d) To assist Mississippi State University Research and Technology Corporation with the design and construction of the Mississippi Cyber Center.....\$ 3,430,624.00
- (e) To assist the Port of Pascagoula with the North Rail Connector.....\$ 6,600,000.00
- (f) To assist Jackson County Economic Development Foundation with site development and related support of a defense supplier.....\$ 1,356,650.00
- (g) To assist the Pascagoula Redevelopment Authority with the Innovation Center.....\$ 1,000,000.00
- (h) To assist the Pascagoula Redevelopment Authority with the City Center.....\$ 1,993,952.00
- (i) To assist the Institute for Marine Mammal Studies with Educational Classrooms and Dorms.....\$ 3,000,000.00
- (j) To assist the City of Pass Christian with redevelopment and revitalization.....\$ 750,000.00
- (k) To assist the City of Long Beach with development and revitalization.....\$ 2,000,000.00
- (l) To assist the City of Long Beach with the Quarles House.....\$ 2,000,000.00
- (m) To assist George County with a rail connection project:
  - (1) George County rail and highway improvements for Enviva project.....\$ 600,000.00
  - (2) Mississippi Export Railroad for the Enviva project.....\$ 608,007.00

SECTION 11. There is created in the State Treasury a special fund to be known as the 2022 Mississippi Ports Improvements Fund, which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into the fund. Monies in the fund shall be used by the Mississippi Development Authority, upon appropriation by the Legislature, for such purposes as provided in the appropriation. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 12. There is created in the State Treasury a special fund to be known as the 2022 Mississippi Land, Water, and Timber Resources Fund, which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into the fund. Monies in the fund shall be used by the Mississippi Land, Water and Timber Resources Board, upon appropriation by the Legislature, for such purposes as provided in the appropriation. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

SECTION 13. Section 57-1-18, Mississippi Code of 1972, is brought forward as follows:

57-1-18. (1) For the purposes of this section, the following terms shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Limited population county" means a county in the State of Mississippi with a population of thirty thousand (30,000) or less according to the most recent federal decennial census at the time the county submits its application to the MDA under this section.

(b) "MDA" means the Mississippi Development Authority.

(c) "Project" means highways, streets and other roadways, bridges, sidewalks, utilities, airfields, airports, acquisition of equipment, acquisition of real property, development of real property, improvements to real property, and any other project approved by the MDA.

(d) "Small municipality" means a municipality in the State of Mississippi with a population of ten thousand (10,000) or less according to the most recent federal decennial census at the time the municipality submits its application to the MDA under this section. The term "small municipality" also includes a municipal historical hamlet as defined in Section 17-27-5.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Small Municipalities and Limited Population Counties Fund," which shall consist of funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to small municipalities and limited population counties or natural gas districts created by law and contained therein to assist in completing projects under this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Sections 1 through 16 of Chapter 538, Laws of 2002, Sections 1 through 16 of Chapter 508, Laws of 2003, Sections 55 through 70 of Chapter 1, Laws of 2004 Third Extraordinary Session, Sections 1 through 16 of Chapter 482, Laws of 2006, Section 15 of Chapter 580, Laws of 2007, Section 1 of Chapter 503, Laws of 2008, Section 42 of Chapter 557, Laws of 2009, Section 38 of Chapter 533, Laws of 2010, Section 41 of Chapter 480, Laws of 2011, Section 30 of Chapter 569, Laws of 2013, Section 4 of Chapter 530, Laws of 2014, Section 11 of Chapter 472, Laws of 2015, Section 19 of Chapter 511, Laws of 2016, Section 5 of Chapter 452, Laws of 2018, Section 19 of Chapter 454, Laws of 2019, or Section 11 of Chapter 492, Laws of 2020, may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a grant program to make grants to small municipalities and limited population counties from the Small Municipalities and Limited Population Counties Fund. Grants made under this section to a small municipality or a limited population county shall not exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) during any grant period established by the MDA. A small municipality or limited population county may apply to the MDA for a grant under this section in the manner provided for in this section.

(4) A small municipality or limited population county desiring assistance under this section must submit an application to the MDA. The application must include a description of the project for which assistance is requested, the cost of the project for which assistance is requested, the amount of assistance requested and any other information required by the MDA.

(5) The MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(6) The MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 14. Section 57-1-16, Mississippi Code of 1972, is amended as follows:  
57-1-16. (1) As used in this section:

(a) "Extraordinary economic development opportunity" means a new or expanded business or industry which maintains a strong financial condition and minimal credit risk and creates substantial employment, particularly in areas of high unemployment. The term "extraordinary economic development opportunity" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) "Local economic development entities" means state institutions of higher learning or public or private nonprofit local economic development entities including, but not limited to, chambers of commerce, local authorities, commissions or other entities created by local and private legislation or districts created pursuant to Section 19-5-99.

(c) "MDA" means the Mississippi Development Authority.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the ACE Fund, which shall consist of money from any public or private source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. The purpose of the fund shall be to assist in maximizing extraordinary economic development opportunities related to any new or expanded business or industry or to assist a local unit of government as authorized in subsection (5) of this section. Such funds may be used to make grants to local economic development entities to assist any new or expanding business or industry that meets the criteria provided in this section when such assistance aids the consummation of a project within the State of Mississippi, including any federal Indian reservation located within the geographical boundary of Mississippi, or to make grants to a local unit of government as authorized in subsection (5) of this section.

(b) Monies in the fund which are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a grant program to make grants from the ACE Fund created under this section. Local economic development entities may apply to the MDA for a grant under this section in the manner provided for in subsection (4) of this section. Local units of government may apply to the MDA for a grant under this section in the manner provided in subsection (5) of this section.

(4) (a) Any business or industry desiring assistance from a local economic development entity under this section shall submit an application to the local economic development entity which shall include, at a minimum:

(i) Evidence that the business or industry meets the definition of an extraordinary economic development opportunity;

(ii) A demonstration that the business or industry is at an economic disadvantage by locating the new or expanded project in the county;

(iii) A description, including the cost, of the requested assistance;

(iv) A description of the purpose for which the assistance is requested;

(v) A two-year business plan;

(vi) Financial statements or tax returns for the three (3) years immediately prior to the application;

(vii) Credit reports on all persons or entities with a twenty percent (20%) or greater interest in the business or industry; and

(viii) Any other information required by the MDA.

(b) The MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this section and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(c) Upon receipt of the application from a business or industry, the local economic development entity may apply to the MDA for assistance under this section. Such application must contain evidence that the business or industry meets the

definition of an extraordinary economic development opportunity, a demonstration that the business or industry is at an economic disadvantage by locating the new or expanded project in the county, a description, including the cost, of the requested assistance, and a statement of what efforts have been made or are being made by the business or industry for securing or qualifying for other local, state, federal or private funds for the project.

(d) The MDA shall have sole discretion in the awarding of ACE funds, provided that the business or industry and the local economic development entity have met the statutory requirements of this section. However, in making grants under this section, the MDA shall attempt to provide for an equitable distribution of such grants among each of the congressional districts of this state in order to promote economic development across the entire state.

(5) (a) The MDA may make grants to local units of government to assist the local unit of government in purchasing real property for the benefit of an existing industry that commits to maintain a minimum of one thousand three hundred (1,300) jobs for a minimum of ten (10) years after the date the grant is made. The MDA shall not make grants under this subsection to assist local units of government for the benefit of any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) Any local unit of government seeking a grant authorized under this subsection shall apply to MDA. The application shall contain such information as the MDA may require.

(c) The MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this subsection and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(6) The MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, for the implementation of this section. However, before the implementation of any such rules and regulations, they shall be submitted to a committee consisting of five (5) members of the Senate Finance Committee and five (5) members of the House of Representatives Ways and Means Committee, appointed by the respective committee chairmen.

SECTION 15. Section 57-1-701, Mississippi Code of 1972, is amended as follows:

57-1-701. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Eligible entity" means any (i) county, (ii) municipality or (iii) public or private nonprofit local economic development entity including, but not limited to, local authorities, commissions, or other entities created by local and private legislation or pursuant to Section 19-5-99.

(b) "Optioned property" means industrial property that is subject to a real estate option to purchase contract entered into between an eligible entity and a real estate owner, where such option shall be for a minimum of three (3) years and the option price shall not exceed the appraised fair market value of the real estate.

(c) "Eligible expenditures" means:

(i) Fees for architects, engineers, environmental consultants, attorneys, and such other advisors, consultants and agents that MDA determines are necessary to complete site due diligence associated with site development improvements located on industrial property that is publicly owned or is optioned property;

(ii) Contributions toward site development improvements, as approved by MDA, located on industrial property that is publicly owned;

(iii) Contributions toward public infrastructure improvements directly serving industrial property that is publicly owned or is optioned property; and/or

(iv) Contributions toward acquisition of publicly owned real property used for economic development purposes by an eligible entity, where the acquisition price shall not exceed the appraised fair market value of the property.

(d) "MDA" means the Mississippi Development Authority.

(e) "Site development improvements" means site clearing, grading, and environmental mitigation; improvements to drainage systems; easement and right-of-way acquisition; sewer systems; transportation directly affecting the site, including roads, bridges or rail; bulkheads; taxiways and parking ramps; land reclamation; water supply (storage, treatment and distribution); telecommunications systems, including fiber optic; natural gas distribution systems; aesthetic improvements; the dredging of channels and basins; or other improvements as approved by MDA.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Site Development Grant Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to assist eligible entities as provided in this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Section 2 of Chapter 390, Laws of 2017, Section 5 of Chapter 412, Laws of 2018, Section 1 of Chapter 421, Laws of 2019, Section 4 of Chapter 492, Laws of 2020, or Section 8 of Chapter 480, Laws of 2021 or provided by the Legislature, may be used to reimburse reasonable actual and necessary costs incurred by MDA for the administration of the various grant, loan and financial incentive programs administered by MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) (a) MDA shall establish a program to make grants to eligible entities to match local or other funds associated with improving the marketability of publicly owned industrial property for industrial economic development purposes and other property improvements as approved by MDA. An eligible entity may apply to MDA for a grant under this program in the manner provided for in this section. An eligible entity desiring assistance under this section must provide matching funds in an amount determined by MDA. Matching funds may be provided in the form of cash and/or in-kind services as determined by MDA.

(b) An eligible entity desiring assistance under this section must submit an application to MDA. The application must include:

(i) A description of the eligible expenditures for which assistance is requested;

(ii) The amount of assistance requested;

(iii) The amount and type of matching funds to be provided by the eligible entity; and

(iv) Any other information required by MDA.

(c) Upon request by MDA, an eligible entity shall provide MDA with access to all studies, reports, documents and/or plans developed as a result of or related to an eligible entity receiving assistance under this section.

(4) MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(5) MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 16. Section 57-61-21, Mississippi Code of 1972, is amended as follows:

57-61-21. (1) There is hereby created a special fund in the State Treasury to be known as the Mississippi Business Investment Fund dedicated to the purpose of providing grants and/or loans to municipalities for the purpose of providing for improvements authorized by this chapter. All monies received by the board to carry out



the purposes of this chapter, by legislative appropriation, issuance of bonds or otherwise, shall be deposited into the Mississippi Business Investment Fund. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the Mississippi Business Investment Fund, and the State Auditor, or his successor to such duties, shall issue warrants upon requisitions signed by the Chairman or Executive Director of the Mississippi \* \* \* Development Authority.

(2) Any monies repaid to the state from loans funded through the Mississippi Business Investment Fund shall be deposited into the Mississippi Business Investment Sinking Fund, which is hereby created in the State Treasury. Funds required in excess of the amounts available in the Mississippi Business Investment Sinking Fund to retire bonds issued pursuant to this chapter shall be appropriated from the State General Fund.

(3) Monies in the fund which are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature.

SECTION 17. Section 57-61-25, Mississippi Code of 1972, is amended as follows:

57-61-25. (1) The seller is authorized to borrow, on the credit of the state upon receipt of a resolution from the Mississippi Development Authority requesting the same, monies not exceeding the aggregate sum of Three Hundred Ninety-seven Million Five Hundred Thousand Dollars (\$397,500,000.00), not including monies borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this chapter. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this chapter, general or limited obligation bonds of the state shall be issued, from time to time, to provide monies necessary to carry out the purposes of this chapter for such total amounts, in such form, in such denominations payable in such currencies (either domestic or foreign, or both) and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than thirty (30) years from date thereof.

(3) All bonds and notes issued under authority of this chapter shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this chapter may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenues derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest, as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and secretary of the seller.

(7) The seller is authorized to provide, by resolution, for the issuance of refunding bonds for the purpose of refunding any debt issued under the provisions of this chapter and then outstanding, either by voluntary exchange with the holders of the outstanding debt or to provide funds to redeem and the costs of issuance and retirement of the debt, at maturity or at any call date. The issuance of the refunding bonds, the maturities and other details thereof, the rights of the holders thereof and the duties of the issuing officials in respect to the same shall be governed by the provisions of this section, insofar as they may be applicable.

(8) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

(9) The proceeds of bonds issued under this chapter after April 9, 2002, and any monies provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi Development Authority. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 18. Section 65-4-15, Mississippi Code of 1972, is amended as follows:

65-4-15. (1) There is hereby established a special fund in the State Treasury to be known as the "Economic Development Highway Fund" which shall consist of such monies as the Legislature shall appropriate thereto or such other monies as the Legislature may designate to be deposited therein. Any monies to the credit of such fund may be expended by the Mississippi Department of Transportation or political subdivision, as appropriate, upon approval of requisitions therefor by the Mississippi Development Authority for any expenses incurred by the Transportation Department or political subdivision in constructing and improving highways and highway segments which have been approved by the Mississippi Development Authority under the provisions of this chapter. From and after July 1, 2004, no monies to the credit of the fund may be expended for the construction and improvement of highways for high economic benefit projects that are being developed for the primary purpose of conducting retail sales unless the Mississippi Development Authority has received an application for the project prior to July 1, 2004; however, the primary purpose is not conducting retail sales if the project is a mixed-use development for which retail space is no more than twenty percent (20%) of the square footage of the development. With regard to a high economic benefit project as defined in Section 65-4-5(1)(c)(xiii) for which the Mississippi Development Authority approved and allocated monies in the fund before January 1, 2016, for constructing or improving a highway or highway segment related to the high economic benefit project, the Mississippi Development Authority may reallocate such monies from the original highway or highway segment purpose and allocate the funds for constructing or improving another highway or highway segment provided that such highway or highway segment is located within three (3) miles of the high economic benefit project for which the Mississippi Development Authority originally allocated and approved the monies. The Office of State Aid Road Construction shall be entitled to reimbursement from monies in the fund, upon approval by the Mississippi Development Authority of requisitions therefor by the State Aid Engineer, for the actual expenses incurred by the office in administering and providing engineering services to political subdivisions. Monies remaining unexpended to the credit of such special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on the investment of monies in the special fund shall be deposited to the credit of the fund.

(2) Monies in the Economic Development Highway Fund which are derived from proceeds of bonds issued under this chapter after July 1, 2003, or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi Development Authority. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements to the Mississippi Development Authority under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 19. Section 57-1-221, Mississippi Code of 1972, is amended as follows:

57-1-221. (1) As used in this section:

(a) "Approved business enterprise" means any project that:

(i) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of two hundred fifty (250) new, full-time jobs with a total capital investment in the state of a minimum of Thirty Million Dollars (\$30,000,000.00) in Tier 1 or Tier 2 counties;

(ii) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of one hundred fifty (150) new, full-time jobs with a total capital investment in the state of a minimum of Fifteen Million Dollars (\$15,000,000.00) in areas federally designated as low-income census tracts;

(iii) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of one thousand (1,000) new, full-time jobs;

(iv) Is a manufacturer of high-end kitchen appliances having at least four hundred (400) employees working at its Mississippi facilities on January 1, 2015, and with a capital investment of at least Five Million Dollars (\$5,000,000.00) made after July 1, 2014, through four (4) years after July 1, 2015, that expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and retains a minimum of four hundred (400) jobs; or

(v) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, with significant regional impact as determined by MDA.

(b) "MDA" means the Mississippi Development Authority.

(c) "Facility related to the project" means and includes any of the following, as they may pertain to the project:

(i) Facilities to provide potable and industrial water supply systems, sewage and waste disposal systems and water, natural gas and electric transmission systems to the site of the project;

(ii) Building facilities and equipment necessary to operate the facility;

(iii) Rail lines;

(iv) Airports, airfields, air terminals and port facilities;

(v) Highways, streets and other roadways; and

(vi) Fire protection facilities, equipment and elevated water tanks.

(d) "Project" means any industrial, commercial, research and development, warehousing, distribution, transportation, processing, mining, United States government or tourism enterprise together with all real property required for construction, maintenance and operation of the enterprise that is approved by the MDA. The term "project" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(2) (a) There is created a special fund in the State Treasury to be known as the Mississippi Industry Incentive Financing Revolving Fund which shall consist of monies from any source designated for deposit into the fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Except as otherwise provided, monies in the fund shall be disbursed by the Mississippi Development Authority for the purposes authorized in subsection (3) of this section. The Mississippi Development Authority shall allocate and disburse Thirty Million Dollars (\$30,000,000.00) from the fund as a grant to Mississippi State University for the construction, furnishing and equipping of a high-performance computing data center that is home to federally designated centers of computing excellence. The disbursement of such funds shall not be subject to any requirements of this section relating to grants and loans made by the Mississippi Development Authority under this section. The Mississippi Development Authority shall allocate and disburse Three Million Dollars (\$3,000,000.00) from the fund as a grant to Delta Health System for capital costs related to hospital systems expansion. The disbursement of such funds shall not be subject to any requirements of this section relating to grants and loans made by the Mississippi Development Authority under this section. The Mississippi Development Authority shall

disburse such funds to Delta Health System not later than thirty (30) days after April 22, 2021.

(b) Monies in the fund that are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a program to make grants or loans from the Mississippi Industry Incentive Financing Revolving Fund to local governments, including, but not limited to, counties, municipalities, industrial development authorities and economic development districts, and approved business enterprises to construct or otherwise provide facilities related to the project. Local governments are authorized to accept grants and enter into loans authorized under the program, and to sell, lease or otherwise dispose of a project or any property related to the project in whole or in part.

(4) (a) Except as otherwise provided in this section, any business enterprise or local government desiring a grant or loan under this section shall submit an application to the MDA which shall include, at a minimum:

(i) Evidence that the business or industry meets the definition of an approved business enterprise;

(ii) A description, including the cost, of the requested assistance;

(iii) A description of the purpose for which the assistance is requested; and

(iv) Any other information required by the MDA.

(b) Except as otherwise provided in this section, the MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this section and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(c) Upon receipt of the application from a business enterprise or local government for a grant or loan under this section, the MDA shall determine whether the enterprise meets the definition of an approved business enterprise and determine whether to provide the assistance requested in the form of a grant or a loan.

(d) Except as otherwise provided in subsection (2)(a) of this section, the MDA shall have sole discretion in providing grants or loans under this section. The terms of a grant or loan provided under this section and the manner of repayment of any loan shall be within the discretion of the MDA. Repayments of loans made under this section shall be deposited to the credit of the Mississippi Industry Incentive Financing Revolving Fund until the uncommitted balance in the fund reaches Fifty Million Dollars (\$50,000,000.00). Once the uncommitted balance in the fund reaches Fifty Million Dollars (\$50,000,000.00), repayments of loans under this section shall be deposited to the credit of Fund No. 3951 in the State Treasury to pay debt service on bonds until such time as the uncommitted balance in the fund falls below Fifty Million Dollars (\$50,000,000.00).

(e) The MDA shall notify the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the approval of any grant or loan application thirty (30) days prior to the disbursement of any monies for the loan or grant from the Mississippi Industry Incentive Financing Revolving Fund. The notification shall identify the applicant and the purposes for which the loan or grant is made.

(5) (a) Contracts, by local governments, including, but not limited to, design and construction contracts, for the acquisition, purchase, construction or installation of a project shall be exempt from the provisions of Section 31-7-13 if:

(i) The MDA finds and records such finding on its minutes, that because of availability or the particular nature of a project, it would not be in the public

interest or would less effectively achieve the purposes of this section to enter into such contracts on the basis of Section 31-7-13; and

(ii) The approved business enterprise that is involved in the project concurs in such finding.

(b) When the requirements of paragraph (a) of this subsection are met:

(i) The requirements of Section 31-7-13 shall not apply to such contracts; and

(ii) The contracts may be entered into on the basis of negotiation.

(6) It is the policy of the MDA and the MDA is authorized to accommodate and support any enterprise that receives a loan under this section for a project defined in Section 17-25-23 that wishes to have a program of diversity in contracting, and/or that wishes to do business with or cause its prime contractor to do business with Mississippi companies, including those companies that are small business concerns owned and controlled by socially and economically disadvantaged individuals. The term "socially and economically disadvantaged individuals" shall have the meaning ascribed to such term under Section 8(d) of the Small Business Act (15 USCS 637(d)) and relevant subcontracting regulations promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for the purposes of this subsection.

(7) The MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, for the implementation of this section.

SECTION 20. Section 57-1-601, Mississippi Code of 1972, is amended as follows:

57-1-601. (1) For the purposes of this section, the following words shall have the following meanings ascribed in this section, unless the context clearly otherwise requires:

(a) "MDA" means the Mississippi Development Authority.

(b) "Municipality" means any municipality with a population of less than fifteen thousand (15,000) according to the latest federal decennial census at the time the municipality submits an application to the MDA under this section.

(c) "Revitalization zone" means an area in the municipality officially designated by ordinance or resolution of the governing authorities of the municipality as a revitalization zone and approved and certified by the MDA as meeting the requirements of this section.

(2) (a) There is created in the State Treasury a special fund to be designated as the "Mississippi Main Street Investment Grant Fund" which shall consist of funds from any source designated for deposit into the fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the MDA for the purposes authorized in subsection (3) of this section.

(b) Monies in the fund which are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA in providing grants under this section through the use of proceeds of such general obligation bonds. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for the program. Reimbursement of reasonable actual and necessary costs for assistance shall not exceed three percent (3%) of the proceeds of bonds issued for such assistance or the monies provided by the Legislature. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a program to make grants to a municipality to assist with maintaining and improving the viability of revitalization zones. The proceeds of a grant made to a municipality under this section may be used for maintaining and/or improving the viability of a revitalization zone through means deemed appropriate by the governing authorities of a municipality, including, but not limited to, making loans, grants and/or other forms of assistance to any person or public or private association or other entity for use for infrastructure projects, improvements to properties, signage and other purposes related to maintaining and/or improving the viability of the revitalization zone.

(4) (a) If a municipality desires a grant under this section, the municipality shall submit an application to the MDA seeking (i) approval and certification of the proposed revitalization zone and (ii) a grant for the purposes authorized in this section. The application shall include, at a minimum:

1. The name of the proposed revitalization zone, together with the words, "revitalization zone";
2. A description of the revitalization zone by metes and bounds;
3. A map showing the parcels of real property included in the revitalization zone and the present use of such parcels;
4. A master plan for the revitalization zone that has been approved by sixty percent (60%) of the property owners within the zone at the time the municipality submits the application; and
5. Any other information required by the MDA. The governing authorities of a municipality may designate the boundaries of a proposed revitalization zone by adoption of an ordinance or resolution that is spread upon its minutes and describes the boundaries of the zone.

(b) The MDA shall review the application to confirm that the revitalization zone meets the requirements of this section. A revitalization zone may embrace two (2) or more separate parcels of real property, and such property may be publicly and/or privately owned. Each revitalization zone shall be of such size and form as to include all properties that, in the determination of the municipality and the MDA, constitute an integral part of the revitalization zone. If the MDA determines that the boundaries of the proposed revitalization zone exceed the area that is reasonably deemed to be integral to the revitalization zone, the MDA may reduce the boundaries of the proposed area. Upon the approval and selection of a municipal revitalization zone project, the MDA shall certify the revitalization zone.

(5) The MDA shall have all powers necessary to implement and administer the program established under this section, and the MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 21. Section 17-23-21, Mississippi Code of 1972, is amended as follows:

17-23-21. There is created in the State Treasury a special fund to be designated as the "Annual Fire Fund" to be administered by the Commissioner of Insurance. Monies in the fund, upon appropriation by the Legislature, may be used by the commissioner only for the purpose of his or her discretion in requesting the State Fiscal Officer, and notifying the Legislative Budget Office of such, to transfer funds from this fund to the Rural Fire Truck Fund, the Supplementary Rural Fire Truck Fund, the Municipal Fire Protection Fund and/or the County Volunteer Fire Department Fund; however, the commissioner shall request the State Fiscal Officer to transfer at least One Million Five Hundred Thousand Dollars (\$1,500,000.00) annually to the Rural and Supplementary Rural Fire Truck Funds. Upon the request of the commissioner, the State Fiscal Officer shall transfer the requested amounts from the Annual Fire Fund to the Rural Fire Truck Fund, the Supplementary Rural Fire Truck Fund, the Municipal Fire Protection Fund and/or the County Volunteer Fire Department Fund. The total amount of all such transfers shall not exceed the amount appropriated by the Legislature from the Annual Fire Fund for the fiscal year in which the transfers are made, and those transfers shall not reduce the amount of the spending authority provided to the commissioner by that appropriation. The commissioner shall document those transfers through a reconciliation with the Department of Finance and Administration. \* \* \* The Annual Fire Fund shall consist of monies provided to it through the provisions of Section 83-34-4(6), and any monies which may be appropriated to it by the Legislature. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 22. Section 65-1-183, Mississippi Code of 1972, is amended as follows:

65-1-183. There is created in the State Treasury a special fund to be designated as the "2022 Infrastructure Match Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation, upon appropriation by the Legislature, to provide for funds necessary to match projected federal funds available through the following federal fiscal year from the annual Federal Highway Administration appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations. The Department of Transportation is authorized to transfer funds from the 2022 Infrastructure Match Fund to the department's agency support fund subject to the following provisions: The total amount of all such transfers shall not exceed the amount appropriated by the Legislature from the 2022 Infrastructure Match Fund for the fiscal year in which the transfers are made, and those transfers shall not reduce the amount of the spending authority provided to the department by that appropriation. The department shall document those transfers through a reconciliation with the Department of Finance and Administration.

SECTION 23. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-104-371, MISSISSIPPI CODE OF 1972, TO REVISE THE LANGUAGE OF SEVERAL PROJECTS FUNDED FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTIONS 1 AND 4, CHAPTER 103, LAWS OF 2022, TO PROVIDE THAT THE FUNDING FOR THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM WILL BE FROM THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND INSTEAD OF THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO AMEND SECTION 7, CHAPTER 9, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE STATE BOARD OF PSYCHOLOGY TO INCREASE THE AMOUNT OF FUNDS PROVIDED FOR THE ADMINISTRATIVE SUPPORT OF THE MISSISSIPPI AUTISM BOARD; TO AMEND SECTION 15, CHAPTER 74, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION TO CLARIFY THAT THE FUNDS REAPPROPRIATED TO PROVIDE FOR TOWER MAINTENANCE AND UPGRADES ARE FROM THE CAPITAL EXPENSE FUND INSTEAD OF THE GENERAL FUND; TO AMEND SECTION 1, CHAPTER 81, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE TO CLARIFY THAT THE FUNDS APPROPRIATED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND ARE FOR THE PURPOSE OF REIMBURSING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR CERTAIN ELIGIBLE EXPENSES; TO AMEND SECTION 1, CHAPTER 482, LAWS OF 2022, TO REVISE THE RECIPIENT FUNDS FOR SEVERAL TRANSFERS MADE BY THE STATE FISCAL OFFICER FROM THE CAPITAL EXPENSE FUND; TO AMEND SECTION 1, CHAPTER 109, LAWS OF 2022, TO REVISE THE RECIPIENT OF ONE PROJECT FUNDED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FROM THE GULF COAST RESTORATION FUND; TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY (MDA) TO INCREASE THE AMOUNT OF FUNDS APPROPRIATED FROM THE GULF COAST RESTORATION FUND (GCRF) TO ASSIST THE HANCOCK COUNTY PORT AND HARBOR COMMISSION WITH THE TECHNOLOGY PARK AT STENNIS AIRPORT BY THE TOTAL AMOUNT OF FUNDS REMOVED FROM OTHER MDA APPROPRIATIONS AS PROVIDED IN THIS ACT; TO AMEND SECTION 2, CHAPTER

109, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REMOVE THE FUNDS REAPPROPRIATED FROM THE GULF COAST RESTORATION FUND TO ASSIST THE HANCOCK COUNTY PORT AND HARBOR COMMISSION WITH THE ASSAULT LANDING STRIP; TO AMEND SECTION 3, CHAPTER 109, LAWS OF 2022, TO REVISE THE FISCAL YEAR 2023 APPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO REMOVE THE FUNDS REAPPROPRIATED FROM THE GULF COAST RESTORATION FUND TO ASSIST THE HANCOCK COUNTY PORT AND HARBOR COMMISSION WITH THE MULTIUSER AERO STRIP AT STENNIS AIRPORT; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE 2022 MISSISSIPPI PORTS IMPROVEMENTS FUND, WHICH SHALL BE EXPENDED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY UPON APPROPRIATION BY THE LEGISLATURE; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE KNOWN AS THE 2022 MISSISSIPPI LAND, WATER, AND TIMBER RESOURCES FUND, WHICH SHALL BE EXPENDED BY THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES BOARD UPON APPROPRIATION BY THE LEGISLATURE; TO BRING FORWARD SECTION 57-1-18, MISSISSIPPI CODE OF 1972, WHICH CREATED THE SMALL MUNICIPALITIES AND LIMITED POPULATION COUNTIES FUND, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO AMEND SECTION 57-1-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE ACE FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-61-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES FROM THE PROCEEDS OF BONDS AND PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI BUSINESS INVESTMENT FUND AND THE MISSISSIPPI BUSINESS INVESTMENT SINKING FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN A CERTAIN FUND CREATED IN THE MISSISSIPPI BUSINESS ACT MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 65-4-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE ECONOMIC DEVELOPMENT HIGHWAY FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-221, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-601, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI MAIN STREET INVESTMENT GRANT FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 17-23-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UPON THE REQUEST OF THE COMMISSIONER OF INSURANCE, THE STATE FISCAL OFFICER SHALL TRANSFER THE REQUESTED AMOUNTS FROM THE ANNUAL FIRE FUND TO THE RURAL FIRE TRUCK FUND, THE SUPPLEMENTARY RURAL FIRE TRUCK FUND, THE MUNICIPAL FIRE PROTECTION FUND AND/OR THE COUNTY VOLUNTEER FIRE DEPARTMENT FUND; TO AMEND SECTION 65-1-183, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO TRANSFER FUNDS FROM THE 2022 INFRASTRUCTURE MATCH FUND TO THE



DEPARTMENT'S AGENCY SUPPORT FUND SUBJECT TO CERTAIN PROVISIONS;  
AND FOR RELATED PURPOSES.

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Senator Hopson called up the following House Amendment to **S. B. No. 2454** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-103-125, Mississippi Code of 1972, is brought forward as follows:

27-103-125. The proposed budget of each state agency shall show the amounts required for operating expenses separately from the amounts required for permanent improvements. The overall budget shall show, separately by each source, the estimated amount of general fund revenue and of special fund revenues of general fund agencies. The total proposed expenditures in Part 1 of the overall budget shall not exceed the amount of estimated revenues that will be available in the general and special funds for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand in the general and special funds at the close of the then current fiscal year. The total proposed expenditures from the State General Fund in Part 1 of the overall budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee. The Legislative Budget Office may recommend additional taxes or sources of revenue if in its judgment those additional funds are necessary to adequately support the functions of the state government.

SECTION 2. Section 27-103-139, Mississippi Code of 1972, is brought forward as follows:

27-103-139. On or before November 15 preceding each regular session of the Legislature, except the first regular session of a new term of office, the Governor shall submit to the members of the Legislature, the Legislative Budget Office or the members-elect, as the case may be, and to the executive head of each state agency a balanced budget for the succeeding fiscal year. The budget submitted shall be prepared in a format that will include performance measurement data associated with the various programs operated by each agency. The total proposed expenditures in the balanced budget shall not exceed the amount of estimated revenues that will be available for appropriation or use during the succeeding fiscal year, including any balances other than unencumbered balances in general funds that will be on hand at the close of the then current fiscal year, as determined by the revenue estimate jointly adopted by the Governor and the Legislative Budget Committee. The total proposed expenditures from the State General Fund in the balanced budget shall not exceed ninety-eight percent (98%) of the amount of general fund revenue estimate for the succeeding fiscal year. The general fund revenue estimate shall be the estimate jointly adopted by the Governor and the Joint Legislative Budget Committee.

The revenues used in preparing the balanced budget shall be only those revenues that will be available under the general laws of the state as they exist when the balanced budget is prepared, and shall not include any proposed revenues that would become available only after the enactment of new legislation. If the Governor has any

recommendations for additional proposed expenditures or proposed revenues that are not included in his balanced budget, he shall submit those recommendations in a supplement that is separate from his balanced budget, and whenever the Governor recommends any such additional proposed expenditures, he also shall recommend proposed revenues that are sufficient to fund the additional proposed expenditures, providing specific details regarding the sources and the total amount of those proposed revenues.

The Governor may employ a budget officer for the purpose of receiving information from the State Fiscal Officer and preparing his recommendations on the budget. If the Governor determines that information received from the State Fiscal Officer is not sufficient to enable him to prepare his budget recommendations, he may request an appropriation from the Legislature to provide additional staff within the Governor's office for that purpose. At the first regular session after his election for Governor, the Governor shall submit any budget recommendations plus the required revenue source recommendations no later than January 31 of that year.

SECTION 3. Section 27-103-203, Mississippi Code of 1972, is brought forward as follows:

27-103-203. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Working Cash-Stabilization Reserve Fund.

(2) The Working Cash-Stabilization Reserve Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Working Cash-Stabilization Reserve Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. If the Ayers Settlement Fund is created under Section 37-101-27(5), the first Five Million Dollars (\$5,000,000.00) of interest earned on those sums each fiscal year shall be deposited into that fund until a total of Seventy Million Dollars (\$70,000,000.00) has been deposited into the fund. The interest, or the remaining interest if the Ayers Settlement Fund is created, that is earned on those sums shall be deposited in the Working Cash-Stabilization Reserve Fund until the balance of principal and interest in the fund reaches ten percent (10%) of the total General Fund appropriations for the current fiscal year, and all interest earned in excess of amounts necessary to maintain the ten percent (10%) fund balance requirement shall be deposited by the State Treasurer into the State General Fund.

(3) The Working Cash-Stabilization Reserve Fund, except for Fifteen Million Dollars (\$15,000,000.00) and the amount of the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27, shall be used by the State Treasurer for cash flow needs throughout the year when the Executive Director of the Department of Finance and Administration certifies that in his opinion there will be cash flow deficiencies in the State General Fund. No borrowing of monies from other special funds for such purposes as authorized by Section 31-17-101 et seq., shall be made as long as an unencumbered balance in excess of Fifteen Million Dollars (\$15,000,000.00) and the interest and income earned on the principal of the Ayers Endowment Trust created by Section 37-101-27 remains in the fund. The State Treasurer shall reimburse the fund for all sums borrowed for those purposes from General Fund revenues collected during the fiscal year in which those funds are used. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department of Finance and Administration of each transfer into and out of the fund. Fifteen Million Dollars (\$15,000,000.00) in the Working Cash-Stabilization Reserve Fund shall remain available for exclusive use of the Ayers Endowment Trust created by Section 37-101-27. If the Ayers Settlement Fund is created under Section 37-101-27(5), beginning when a total of Fifty-five Million Dollars (\$55,000,000.00) has been deposited into the fund, for

each annual deposit of interest to that fund under subsection (2) of this section, the Ayers Endowment Trust created under Section 37-101-27(1) shall be reduced by an equal amount annually until the Ayers Endowment Trust reaches Zero Dollars (\$0.00), at which time any requirements concerning the Ayers Endowment Trust in this section shall be null and void.

(4) The Working Cash-Stabilization Reserve Fund, except for Forty Million Dollars (\$40,000,000.00), shall also be used for the purpose of covering any projected deficits that may occur in the General Fund at the end of a fiscal year as a result of revenue shortfalls. If the Governor determines that a deficit in revenues from all sources may occur, it shall be the duty of the Executive Director of the Department of Finance and Administration to transfer such funds as necessary to the General Fund to alleviate the deficit in accordance with Sections 27-104-13 and 31-17-123; however, not more than Fifty Million Dollars (\$50,000,000.00) may be transferred from the fund for that purpose in any one (1) fiscal year.

(5) The Working Cash-Stabilization Reserve Fund also shall be used to provide funds for the Disaster Assistance Trust Fund when those funds are immediately needed to provide for disaster assistance under Sections 33-15-301 through 33-15-317. Any transfer of funds from the Working Cash-Stabilization Reserve Fund to the Disaster Assistance Trust Fund shall be made in accordance with the provisions of subsection (5) of Section 33-15-307.

(6) The Department of Finance and Administration shall immediately send notice of any transfers made, or other action taken under authority of this section, to the Legislative Budget Office.

(7) Funds deposited in the Working Cash-Stabilization Reserve Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Working Cash-Stabilization Reserve Fund shall be made except by act of the Legislature making specific reference to the Working Cash-Stabilization Reserve Fund as the source of those funds.

(8) Any funds appropriated from the Working Cash-Stabilization Reserve Fund that are unexpended at the end of a fiscal year shall lapse into the Working Cash-Stabilization Reserve Fund.

SECTION 4. Section 27-103-211, Mississippi Code of 1972, is brought forward as follows:

27-103-211. The total sum appropriated by the Legislature from the State General Fund for any fiscal year shall not exceed ninety-eight percent (98%) of the general fund revenue estimate for that fiscal year developed by the Department of Revenue and the University Research Center and adopted by the Joint Legislative Budget Committee. The unencumbered balances in general funds that will be available and on hand at the close of the fiscal year shall not include projected amounts required to be deposited into the Working Cash-Stabilization Reserve Fund under Section 27-103-203.

SECTION 5. Section 27-103-213, Mississippi Code of 1972, is brought forward as follows:

27-103-213. (1) The unencumbered cash balance in the General Fund in the State Treasury at the close of each fiscal year shall be distributed to the Municipal Revolving Fund, the Working Cash-Stabilization Reserve Fund and the Capital Expense Fund in the manner provided in this section.

(2) (a) At the end of each fiscal year, the Executive Director of the Department of Finance and Administration and the State Treasurer shall determine the extent of the unencumbered cash balance existing in the General Fund in the State Treasury.

(b) As used in this section, the term "unencumbered cash balance" or "unencumbered General Fund cash balance" means the amount in the State General Fund after deducting all appropriations and other expenditures. However, if the Legislature has authorized additional or deficit appropriations or transfers from the State General Fund for that fiscal year, those amounts shall be subtracted from the unencumbered cash balance in the General Fund before determining the amount available for distribution. The unencumbered General Fund cash balance shall not be determined until after August 31 of each year, and it shall not be made until the State Treasurer has received a certificate in writing from the Executive Director of the Department of Finance and Administration, with notification to the Legislative Budget Office, showing the amount of the unencumbered General Fund cash balance.

(3) If any unencumbered General Fund cash balance is available for distribution under this section, the distribution of those funds shall be made by the Executive Director of the Department of Finance and Administration in the following order:

(a) To the Municipal Revolving Fund, an amount equal to Seven Hundred Fifty Thousand Dollars (\$750,000.00); however, if the amount of the unencumbered General Fund cash balance is less than Seven Hundred Fifty Thousand Dollars (\$750,000.00), then the total amount of the unencumbered General Fund cash balance shall be distributed to the Municipal Revolving Fund.

(b) To the Working Cash-Stabilization Reserve Fund, fifty percent (50%) of the amount of the unencumbered General Fund cash balance after the distributions are made under paragraph (a), not to exceed ten percent (10%) of the General Fund appropriations for the fiscal year that the unencumbered General Fund cash balance represents. For the purposes of this paragraph (b), the appropriations for the fiscal year shall be the total amount contained in the actual appropriation bills passed by the Legislature.

(c) To the Capital Expense Fund, any remaining amount of the unencumbered General Fund cash balance after the distributions are made under paragraphs (a) and (b).

SECTION 6. Section 27-103-303, Mississippi Code of 1972, is brought forward as follows:

27-103-303. (1) There is created in the State Treasury a special fund, separate and apart from any other fund, to be designated the Capital Expense Fund.

(2) The Capital Expense Fund shall not be considered as a surplus or available funds when adopting a balanced budget as required by law. The State Treasurer shall invest all sums in the Capital Expense Fund not needed for the purposes provided for in this section in certificates of deposit, repurchase agreements and other securities as authorized in Section 27-105-33(d) or Section 7-9-103, as the State Treasurer may determine to yield the highest market rate available. Interest earned on this fund shall be deposited by the State Treasurer into the State General Fund.

(3) The Capital Expense Fund shall be used for capital expense needs, repair and renovation of state-owned properties and specific expenditures authorized by the Legislature. The Legislature shall designate those capital expense projects, repair and renovation projects and other authorized projects in an appropriation act passed by the Legislature, which shall direct the Director of the Department of Finance and Administration to administer the projects.

(4) In addition to the purposes specified in subsection (3) of this section, the Capital Expense Fund shall be used to provide funds for emergency repairs on state-owned buildings upon requisition of the Executive Director of the Department of Finance and Administration. Whenever the executive director determines that funds are immediately needed for emergency repairs on state-owned buildings, he or she shall requisition the funds needed from the Capital Expense Fund, which shall be subject to the limitations set forth in this subsection. At the same time he or she makes the requisition, the executive director shall notify the Lieutenant Governor, the Speaker of the House of Representatives, the respective Chairmen of the Senate Appropriations Committee, the Senate Finance Committee, the House Appropriations Committee and the House Ways and Means Committee and the Legislative Budget Office of his or her determination of the need for the funds, the amount that he or she has requisitioned and where the funds will be used. If the amount requisitioned is available in the Capital Expense Fund, is not allocated for any specific projects as authorized in subsection (3) of this section and is within the limitations set forth below in this subsection, then the executive director may escalate the budget of the Bureau of Building, Grounds and Real Property Management to use the full amount of the requisitioned funds for the emergency repairs and transfer that amount to the bureau for that purpose. If the amount requisitioned is more than the amount available in the Capital Expense Fund or above the limitations set forth below in this subsection, then the executive director may escalate the budget of the bureau to use the amount that is available within the limitations for the emergency repairs and transfer that amount to the bureau for that purpose. The maximum amount that may be transferred from the Capital Expense Fund to the bureau for any single emergency shall be One Million Dollars (\$1,000,000.00), and the maximum amount that may be transferred to the bureau for all emergencies during any fiscal year shall be Five Million Dollars (\$5,000,000.00).

(5) Funds deposited in the Capital Expense Fund shall be used only for the purposes specified in this section, and as long as the provisions of this section remain in effect, no other expenditure, appropriation or transfer of funds in the Capital Expense Fund shall be made except by act of the Legislature making specific reference to the Capital Expense Fund as the source of those funds.

(6) Unexpended funds in the Capital Expense Fund at the end of a fiscal year shall not lapse into the State General Fund but shall remain in the fund for use under this section. Any funds appropriated from the Capital Expense Fund that are unexpended at the end of a fiscal year shall lapse into the Capital Expense Fund.

SECTION 7. Section 57-119-9, Mississippi Code of 1972, is brought forward as follows:

57-119-9. (1) Applicants who are eligible for assistance under this section include, but are not limited to, local units of government, nongovernmental organizations, institutions of higher learning, community colleges, public schools, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities. Projects that are eligible for assistance under this section are projects that have the potential to generate increased economic activity in the region, as described in Section 57-119-11(3).

(2) MDA shall establish criteria, rules, and procedures for accepting and reviewing applications for assistance under this section. MDA, with advice from the Gulf Coast Restoration Fund Advisory Board, shall review, compile and score all timely received applications, and shall present the applications and its recommendations for assistance to individual projects under this section to the Legislature no later than December 1 of the year. The Legislature shall determine individual projects that will be funded under this section by separate line items in an appropriation bill.

(3) Applications for assistance under this section will be received through web portals set up by MDA. MDA shall set criteria for the web portal which may include protection of the confidentiality of any or all of the applications.

(4) The project described in paragraph (m) of Section 18, Chapter 106, Laws of 2020 (Senate Bill No. 2977), to assist George County with a rail connection project, shall not be required to meet the criteria established by the Mississippi Development Authority for the selection and recommendation of projects under this section in order to receive the funds allocated for that project under Chapter 106.

SECTION 8. Section 57-119-13, Mississippi Code of 1972, is amended as follows:

57-119-13. (1) Assistance provided under this chapter may not be used to finance one hundred percent (100%) of the cost of any project; however, this limitation shall not apply to projects for local units of government, state institutions of higher learning, public community colleges, public schools, government-owned ports and government-owned airports.

(2) Contracts executed by MDA with recipients of assistance under this chapter must include provisions requiring a performance report on the contracted activities, must account for the proper use of funds provided under the contract, and must include provisions for recovery of assistance if the assistance was based upon fraudulent information or the recipient of the assistance is not meeting the performance requirements established by MDA of the assistance. Recipients of assistance under this chapter must regularly report to MDA the status of the project on a schedule determined by MDA.

SECTION 9. During fiscal year 2024, the State Fiscal

Officer shall transfer to the Capital Expense Fund out of the following enumerated funds, the amounts listed below from each fund:

FUND	FUND NUMBER	AMOUNT
General Fund	2999000000	\$1.00
Treasurer's Office		
Abandoned Property	3317800000	\$1.00
TOTAL		\$2.00

SECTION 10. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTIONS 27-103-125, 27-103-139, 27-103-203, 27-103-211, 27-103-213 AND 27-103-303, MISSISSIPPI CODE OF 1972, WHICH RELATE TO VARIOUS ASPECTS OF THE BUDGET PROCESS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 57-119-9, MISSISSIPPI CODE OF 1972, WHICH RELATES TO VARIOUS ASPECTS OF THE GULF COAST RESTORATION FUND, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 57-119-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE PERCENTAGE LIMITATION ON ASSISTANCE THAT MAY BE PROVIDED FROM THE GULF COAST RESTORATION FUND FOR THE COST OF ANY PROJECT SHALL NOT APPLY TO PROJECTS OF CERTAIN PUBLIC ENTITIES; TO DIRECT THE STATE

FISCAL OFFICER TO MAKE CERTAIN TRANSFERS TO THE CAPITAL EXPENSE FUND DURING FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

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Senator Hopson called up the following House Amendment to **S. B. No. 2616** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by inserting the following new Section 2 after line 88 and renumbering the succeeding section:

"SECTION 2. During fiscal year 2024, the State Fiscal Officer shall transfer the sum of One Million Dollars (\$1,000,000.00) from the Real Estate License Fund (Fund No. 3383200000) to the Real Estate Appraiser License Fund (Fund No. 3383700000)."

AMEND FURTHER the title by inserting the following after the semicolon on line 3: "TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN SUM FROM THE REAL ESTATE LICENSE FUND TO THE REAL ESTATE APPRAISER LICENSE FUND DURING FISCAL YEAR 2024;"

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Senator Wiggins called up the following House Amendment to **S. B. No. 2073** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND the effective date by adding the following: ", and shall stand repealed June 30, 2023".

AMEND further by deleting Section 10 in its entirety and renumbering the succeeding sections.

AMEND title to conform.

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Senator Hopson called up the following House Amendment to **S. B. No. 2511** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-123-7, Mississippi Code of 1972, is brought forward as follows:

57-123-7. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means:

(i) Special local governmental units created by local and private laws of the State of Mississippi for the purpose of tourism promotion, funded by special local tax levies, and staffed with professionals engaged in out-of-state tourism marketing and tourism product development for municipalities, counties and/or regions; or

(ii) Publicly-funded local organizations that engage in out-of-state tourism marketing and tourism development for municipalities, counties and/or regions.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in Section 1 of Chapter 399, Laws of 2022.

(2) (a) The Department of Finance and Administration shall establish a program for the purpose of providing funds to assist destination marketing organizations in paying costs for marketing activities as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. The Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocation of funds under this section and shall disburse funds as follows:

(i) Not more than Nine Million Four Hundred Twenty-seven Thousand Five Hundred Fifty-seven Dollars (\$9,427,557.00) of such monies shall be allocated to destination marketing organizations in a manner that will provide monies to a destination marketing organization in an amount equal to seventy-five percent (75%) of the destination marketing organization's marketing and advertising expenditures during the 2019 fiscal year, and

(ii) Not more than Twenty Million Five Hundred Seventy-two Thousand Four Hundred Forty-three Dollars (\$20,572,443.00) of such monies shall be allocated to destination marketing organizations based on the proportion that a destination marketing organization's contribution toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report bears to all destination marketing organizations' contributions toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report. However, a destination marketing organization shall not receive an amount less than Two Hundred Fifty Thousand Dollars (\$250,000.00) under this subparagraph (ii).

(b) Within fifteen (15) days after July 1, 2022, the Department of Finance and Administration shall distribute the funds allocated under paragraph (a) of this subsection (2) to eligible destination marketing organizations. Before receiving funds under this subsection (2), a destination marketing organization must certify to the Department of Finance and Administration that:

(i) The funds will only be used for marketing activities, and

(ii) The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds, and



(iii) The destination marketing organization will obligate all funds by December 31, 2024, and fully expend all funds by December 31, 2026.

(c) Destination marketing organizations receiving funds under this subsection (2) shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this subsection (2) shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide semi-annual reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.

(d) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTION 57-123-7, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW THAT REQUIRES THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO ASSIST DESTINATION MARKETING ORGANIZATIONS, FOR POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2082** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 43-19-36, Mississippi Code of 1972:

43-19-36. (1) For the purposes of this section, the following terms shall be defined as provided in this subsection:

(a) "Incarcerated or involuntarily institutionalized" includes, but is not limited to, involuntary confinement to a federal or state prison or correctional facility, a county jail, a juvenile detention center or a mental health facility. This term does not include probation or work release, and the one hundred eighty (180) consecutive days excludes credit for time served before sentencing.

(b) "Child support obligation" means the payment due on the current child support order, an arrears payment on a preexisting arrears balance, or interest on arrears.

(c) "Suspension" means a child support obligation being administratively set to Zero Dollars (\$0.00) for the period in which the person owing support is incarcerated or involuntarily institutionalized, and prevents the accrual of arrears during that period of incarceration.

(2) Child support obligations shall be suspended, by operation of law, for any period exceeding one hundred eighty (180) consecutive days in which the person ordered to pay support is incarcerated or involuntarily institutionalized, unless the person owing support has the means to pay support in accordance with the guidelines established in Sections 43-19-101 and 43-19-103 while incarcerated or involuntarily institutionalized.

(3) The child support obligation will resume the first day of the month following the expiration of sixty (60) days after the date the noncustodial parent is released from incarceration, and the noncustodial parent's child support order and obligation will become enforceable on that date. This section does not preclude a person owing support from seeking a modification of the child support order based on a change in circumstances or other appropriate reason.

(4) (a) The Department of Human Services enforcing a child support order under Title IV-D of the Social Security Act (42 USC Section 651 et seq.) may, upon written notice of the proposed adjustment to the obligor and the obligee, administratively adjust the arrears balance for an order for child support suspended under subsection (2) of this section if all of the following occur:

(i) The department verifies that arrears were accrued in violation of this section;

(ii) The department verifies that the person owing support has the means to pay the support; and

(iii) Neither the support obligor nor obligee objects in writing within thirty (30) days of receipt of the notice of proposed adjustment by the department.

(b) If either the support obligor or obligee objects to the administrative adjustment set forth in this subsection, the department shall file a petition with the court for a determination of the arrears balance.

(c) The department may perform this adjustment without regard to whether it was enforcing the child support order at the time the parent owing support qualified for relief under this section.

(5) This section does not prohibit the department or a party from petitioning a court for a determination of child support or arrears amounts.

(6) This section applies to every child support obligation in which the person who is ordered to pay is incarcerated for one hundred eighty (180) consecutive days after the enactment of this section.

SECTION 2. Section 93-11-65, Mississippi Code of 1972, is amended as follows:

93-11-65. (1) (a) In addition to the right to proceed under Section 93-5-23, Mississippi Code of 1972, and in addition to the remedy of habeas corpus in proper cases, and other existing remedies, the chancery court of the proper county shall have jurisdiction to entertain suits for the custody, care, support and maintenance of minor children and to hear and determine all such matters, and shall, if need be, require bond, sureties or other

guarantee to secure any order for periodic payments for the maintenance or support of a child. In the event a legally responsible parent has health insurance available to him or her through an employer or organization that may extend benefits to the dependents of such parent, any order of support issued against such parent may require him or her to exercise the option of additional coverage in favor of such children as he or she is legally responsible to support. Proceedings may be brought by or against a resident or nonresident of the State of Mississippi, whether or not having the actual custody of minor children, for the purpose of judicially determining the legal custody of a child. All actions herein authorized may be brought in the county where the child is actually residing, or in the county of the residence of the party who has actual custody, or of the residence of the defendant. Process shall be had upon the parties as provided by law for process in person or by publication, if they be nonresidents of the state or residents of another jurisdiction or are not found therein after diligent search and inquiry or are unknown after diligent search and inquiry; provided that the court or chancellor in vacation may fix a date in termtime or in vacation to which process may be returnable and shall have power to proceed in termtime or vacation. Provided, however, that if the court shall find that both parties are fit and proper persons to have custody of the children, and that either party is able to adequately provide for the care and maintenance of the children, the chancellor may consider the preference of a child of twelve (12) years of age or older as to the parent with whom the child would prefer to live in determining what would be in the best interest and welfare of the child. The chancellor shall place on the record the reason or reasons for which the award of custody was made and explain in detail why the wishes of any child were or were not honored.

(b) An order of child support shall specify the sum to be paid weekly or otherwise. In addition to providing for support and education, the order shall also provide for the support of the child prior to the making of the order for child support, and such other expenses as the court may deem proper.

(c) The court may require the payment to be made to the custodial parent, or to some person or corporation to be designated by the court as trustee, but if the child or custodial parent is receiving public assistance, the Department of Human Services shall be made the trustee.

(d) The noncustodial parent's liabilities for past education and necessary support and maintenance and other expenses are limited to a period of one (1) year next preceding the commencement of an action.

(2) Provided further, that where the proof shows that both parents have separate incomes or estates, the court may require that each parent contribute to the support and maintenance of the children in proportion to the relative financial ability of each.

(3) Except as otherwise provided in Section 1 of this act for persons who are incarcerated or involuntarily institutionalized, whenever the court has ordered a party to make periodic payments for the maintenance or support of a child, but no bond, sureties or other guarantee has been required to secure such payments, and whenever such payments as have become due remain unpaid for a period of at least thirty (30) days, the court may, upon petition of the person to whom such payments are owing, or such person's legal representative, enter an order requiring that bond, sureties or other security be given by the person obligated to make such payments, the amount and sufficiency of which shall be approved by the court. The obligor shall, as in other civil actions, be served with process and shall be entitled to a hearing in such case.

(4) When a charge of abuse or neglect of a child first arises in the course of a custody or maintenance action pending in the chancery court pursuant to this section, the chancery court may proceed with the investigation, hearing and determination of such abuse or neglect charge as a part of its hearing and determination of the custody or maintenance issue as between the parents, as provided in Section 43-21-151, notwithstanding the other provisions of the Youth Court Law. The proceedings in

chancery court on the abuse or neglect charge shall be confidential in the same manner as provided in youth court proceedings, and the chancery court shall appoint a guardian ad litem in such cases, as provided under Section 43-21-121 for youth court proceedings, who shall be an attorney. In determining whether any portion of a guardian ad litem's fee shall be assessed against any party or parties as a cost of court for reimbursement to the county, the court shall consider each party's individual ability to pay. Unless the chancery court's jurisdiction has been terminated, all disposition orders in such cases for placement with the Department of Human Services shall be reviewed by the court or designated authority at least annually to determine if continued placement with the department is in the best interest of the child or the public.

(5) Each party to a paternity or child support proceeding shall notify the other within five (5) days after any change of address. In addition, the noncustodial and custodial parent shall file and update, with the court and with the state case registry, information on that party's location and identity, including social security number, residential and mailing addresses, telephone numbers, photograph, driver's license number, and name, address and telephone number of the party's employer. This information shall be required upon entry of an order or within five (5) days of a change of address.

(6) In any case subsequently enforced by the Department of Human Services pursuant to Title IV-D of the Social Security Act, the court shall have continuing jurisdiction.

(7) In any subsequent child support enforcement action between the parties, upon sufficient showing that diligent effort has been made to ascertain the location of a party, due process requirements for notice and service of process shall be deemed to be met with respect to the party upon delivery of written notice to the most recent residential or employer address filed with the state case registry.

(8) (a) The duty of support of a child terminates upon the emancipation of the child. Unless otherwise provided for in the underlying child support judgment, emancipation shall occur when the child:

(i) Attains the age of twenty-one (21) years, or

(ii) Marries, or

(iii) Joins the military and serves on a full-time basis, or

(iv) Is convicted of a felony and is sentenced to incarceration of two (2) or more years for committing such felony; \* \* \*

(b) Unless otherwise provided for in the underlying child support judgment, the court may determine that emancipation has occurred and no other support obligation exists when the child:

(i) Discontinues full-time enrollment in school having attained the age of eighteen (18) years, unless the child is disabled, or

(ii) Voluntarily moves from the home of the custodial parent or guardian, establishes independent living arrangements, obtains full-time employment and discontinues educational endeavors prior to attaining the age of twenty-one (21) years, or

(iii) Cohabits with another person without the approval of the parent obligated to pay support; \* \* \*

(c) The duty of support of a child who is incarcerated but not emancipated shall be suspended for the period of the child's incarceration.

(9) A determination of emancipation does not terminate any obligation of the noncustodial parent to satisfy arrearage existing as of the date of emancipation; the total amount of periodic support due prior to the emancipation plus any periodic amounts ordered paid toward the arrearage shall continue to be owed until satisfaction of the arrearage in full, in addition to the right of the person for whom the obligation is owed to execute for collection as may be provided by law.

(10) Upon motion of a party requesting temporary child support pending a determination of parentage, temporary support shall be ordered if there is clear and convincing evidence of paternity on the basis of genetic tests or other evidence, unless the court makes written findings of fact on the record that the award of temporary support would be unjust or inappropriate in a particular case.

(11) Custody and visitation upon military temporary duty, deployment or mobilization shall be governed by Section 93-5-34.

SECTION 3. Section 93-11-71, Mississippi Code of 1972, is amended as follows:

93-11-71. (1) Except as otherwise provided in Section 1 of this act for persons who are incarcerated or involuntarily institutionalized, whenever a court orders any person to make periodic payments of a sum certain for the maintenance or support of a child, and whenever such payments as have become due remain unpaid for a period of at least thirty (30) days, a judgment by operation of law shall arise against the obligor in an amount equal to all payments that are then due and owing.

(a) A judgment arising under this section shall have the same effect and be fully enforceable as any other judgment entered in this state. A judicial or administrative action to enforce the judgment may be begun at any time; and

(b) Such judgments arising in other states by operation of law shall be given full faith and credit in this state.

(2) Any judgment arising under the provisions of this section shall operate as a lien upon all the property of the judgment debtor, both real and personal, which lien shall be perfected as to third parties without actual notice thereof only upon enrollment on the judgment roll. The department or attorney representing the party to whom support is owed shall furnish an abstract of the judgment for periodic payments for the maintenance and support of a child, along with sworn documentation of the delinquent child support, to the circuit clerk of the county where the judgment is rendered, and it shall be the duty of the circuit clerk to enroll the judgment on the judgment roll. Liens arising under the provisions of this section may be executed upon and enforced in the same manner and to the same extent as any other judgment.

(3) Notwithstanding the provisions in subsection (2) of this section, any judgment arising under the provisions of this section shall subject the following assets to interception or seizure without regard to the entry of the judgment on the judgment roll of the situs district or jurisdiction and such assets shall apply to all child support owed including all arrears:

(a) Periodic or lump-sum payments from a federal, state or local agency, including unemployment compensation, workers' compensation and other benefits;

(b) Winnings from lotteries and gaming winnings that are received in periodic payments made over a period in excess of thirty (30) days;

(c) Assets held in financial institutions;

(d) Settlements and awards resulting from civil actions;

(e) Public and private retirement funds, only to the extent that the obligor is qualified to receive and receives a lump-sum or periodic distribution from the funds;

(f) Lump-sum payments as defined in Section 93-11-101; and

(g) Unclaimed property as described in Section 89-12-1 et seq.

(4) Notwithstanding the provisions of subsections (1) and (2) of this section, upon disestablishment of paternity granted pursuant to Section 93-9-10 and a finding of clear and convincing evidence, including negative DNA testing that the obligor is not the biological father of the child or children for whom support has been ordered, the court shall disestablish paternity and may forgive any child support arrears of the obligor for the child or children determined by the court not to be the biological child or children of the obligor, if the court makes a written finding that, based on the totality of the circumstances, the forgiveness of the arrears is equitable under the circumstances.

(5) In any case in which a child receives assistance from block grants for Temporary Assistance for Needy Families (TANF), and the obligor owes past-due child support, the obligor, if not incapacitated, may be required by the court to participate in any work programs offered by any state agency.

(6) A parent who receives social security disability insurance payments who is liable for a child support arrearage and whose disability insurance benefits provide for the payment of past due disability insurance benefits for the support of the minor child or children for whom the parent owes a child support arrearage shall receive credit toward the arrearage for the payment or payments for the benefit of the minor child or children if the arrearage accrued after the date of disability onset as determined by the Social Security Administration.

SECTION 4. Section 93-5-23, Mississippi Code of 1972, is amended as follows:

93-5-23. When a divorce shall be decreed from the bonds of matrimony, the court may, in its discretion, having regard to the circumstances of the parties and the nature of the case, as may seem equitable and just, make all orders touching the care, custody and maintenance of the children of the marriage, and also touching the maintenance and alimony of the wife or the husband, or any allowance to be made to her or him, and shall, if need be, require bond, sureties or other guarantee for the payment of the sum so allowed. Orders touching on the custody of the children of the marriage shall be made in accordance with the provisions of Section 93-5-24. For the purposes of orders touching the maintenance and alimony of the wife or husband, "property" and "an asset of a spouse" shall not include any interest a party may have as an heir at law of a living person or any interest under a third-party will, nor shall any such interest be considered as an economic circumstance or other factor. The court may afterwards, on petition, change the decree, and make from time to time such new decrees as the case may require. However, where proof shows that both parents have separate incomes or estates, the court may require that each parent contribute to the support and maintenance of the children of the marriage in proportion to the relative financial ability of each. In the event a legally responsible parent has health insurance available to him or her through an employer or organization that may extend benefits to the dependents of such parent, any order of support issued against such parent may require him or her to exercise the option of additional coverage in favor of such children as he or she is legally responsible to support.

Except as otherwise provided in Section 1 of this act for persons who are incarcerated or involuntarily institutionalized, whenever the court has ordered a party to make periodic payments for the maintenance or support of a child, but no bond, sureties or other guarantee has been required to secure such payments, and whenever such payments as have become due remain unpaid for a period of at least thirty (30) days, the court may, upon petition of the person to whom such payments are owing, or such

person's legal representative, enter an order requiring that bond, sureties or other security be given by the person obligated to make such payments, the amount and sufficiency of which shall be approved by the court. The obligor shall, as in other civil actions, be served with process and shall be entitled to a hearing in such case.

At the discretion of the court, any person found in contempt for failure to pay child support and imprisoned therefor may be referred for placement in a state, county or municipal restitution, house arrest or restorative justice center or program, provided such person meets the qualifications prescribed in Section 99-37-19.

Whenever in any proceeding in the chancery court concerning the custody of a child a party alleges that the child whose custody is at issue has been the victim of sexual or physical abuse by the other party, the court may, on its own motion, grant a continuance in the custody proceeding only until such allegation has been investigated by the Department of Human Services. At the time of ordering such continuance, the court may direct the party and his attorney making such allegation of child abuse to report in writing and provide all evidence touching on the allegation of abuse to the Department of Human Services. The Department of Human Services shall investigate such allegation and take such action as it deems appropriate and as provided in such cases under the Youth Court Law (being Chapter 21 of Title 43, Mississippi Code of 1972) or under the laws establishing family courts (being Chapter 23 of Title 43, Mississippi Code of 1972).

If after investigation by the Department of Human Services or final disposition by the youth court or family court allegations of child abuse are found to be without foundation, the chancery court shall order the alleging party to pay all court costs and reasonable attorney's fees incurred by the defending party in responding to such allegation.

The court may investigate, hear and make a determination in a custody action when a charge of abuse and/or neglect arises in the course of a custody action as provided in Section 43-21-151, and in such cases the court shall appoint a guardian ad litem for the child as provided under Section 43-21-121, who shall be an attorney. Unless the chancery court's jurisdiction has been terminated, all disposition orders in such cases for placement with the Department of Human Services shall be reviewed by the court or designated authority at least annually to determine if continued placement with the department is in the best interest of the child or public.

The duty of support of a child terminates upon the emancipation of the child. The court may determine that emancipation has occurred pursuant to Section 93-11-65.

Custody and visitation upon military temporary duty, deployment or mobilization shall be governed by Section 93-5-34.

SECTION 5. Section 43-19-101, Mississippi Code of 1972, is amended as follows:

43-19-101. (1) The following child-support award guidelines shall be a rebuttable presumption in all judicial or administrative proceedings regarding the awarding or modifying of child-support awards in this state:

Number Of Children	Percentage Of Adjusted Gross Income
Due Support	That Should Be Awarded For Support
1	14%
2	20%
3	22%

4	24%
5 or more	26%

(2) The guidelines provided for in subsection (1) of this section apply unless the judicial or administrative body awarding or modifying the child-support award makes a written finding or specific finding on the record that the application of the guidelines would be unjust or inappropriate in a particular case as determined under the criteria specified in Section 43-19-103.

(3) The amount of "adjusted gross income" as that term is used in subsection (1) of this section shall be calculated as follows:

(a) Determine gross income from all potential sources that may reasonably be expected to be available to the absent parent including, but not limited to, the following: wages and salary income; income from self-employment; income from commissions; income from investments, including dividends, interest income and income on any trust account or property; absent parent's portion of any joint income of both parents; workers' compensation, disability, unemployment, annuity and retirement benefits, including an Individual Retirement Account (IRA); any other payments made by any person, private entity, federal or state government or any unit of local government; alimony; any income earned from an interest in or from inherited property; any other form of earned income; and gross income shall exclude any monetary benefits derived from a second household, such as income of the absent parent's current spouse;

(b) Subtract the following legally mandated deductions:

(i) Federal, state and local taxes. Contributions to the payment of taxes over and beyond the actual liability for the taxable year shall not be considered a mandatory deduction;

(ii) Social security contributions;

(iii) Retirement and disability contributions except any voluntary retirement and disability contributions;

(c) If the obligated parent is subject to an existing court order for another child or children, subtract the amount of that court-ordered support;

(d) If the absent parent is also the parent of another child or other children residing with him, then the court may subtract an amount that it deems appropriate to account for the needs of said child or children;

(e) Compute the total annual amount of adjusted gross income based on paragraphs (a) through (d) of this subsection, then divide this amount by twelve (12) to obtain the monthly amount of adjusted gross income.

Upon conclusion of the calculation of paragraphs (a) through (e) of this subsection, multiply the monthly amount of adjusted gross income by the appropriate percentage designated in subsection (1) of this section to arrive at the amount of the monthly child-support award.

(4) In cases in which the adjusted gross income as defined in this section is more than One Hundred Thousand Dollars (\$100,000.00) or less than Ten Thousand Dollars (\$10,000.00), the court shall make a written finding in the record as to whether or not the application of the guidelines established in this section is reasonable. The court shall take into account the basic subsistence needs of the obligated parent who has a limited ability to pay.



(5) (a) Imputation of income shall not be based upon a standard amount in lieu of fact-gathering. In the absence of specific sufficient evidence of past earnings and employment history to use as the measure of an obligated parent's ability to pay, the recommended child-support obligation amount should be based on available information about the specific circumstances of the obligated parent. This can include, but is not limited to, such factors as assets, residence, job skills, educational attainment, literacy, age, health, criminal record and other employment barriers, and record of seeking work, as well as the local job market, the availability of employers willing to hire the obligated parent, prevailing earnings level in the local community, and other relevant factors in the case.

(b) The court may not consider incarceration as intentional or voluntary unemployment, or underemployment when establishing or modifying a child support order.

(6) Unless extended or waived, the Department of Human Services shall review the appropriateness of these guidelines beginning January 1, 1994, and every four (4) years thereafter and report its findings to the Legislature no later than the first day of the regular legislative session of that year. The Legislature shall thereafter amend these guidelines when it finds that amendment is necessary to ensure that equitable support is being awarded in all cases involving the support of minor children.

(7) All orders involving support of minor children, as a matter of law, shall include reasonable medical support. Notice to the obligated parent's employer that medical support has been ordered shall be on a form as prescribed by the Department of Human Services. In any case in which the support of any child is involved, the court shall make the following findings either on the record or in the judgment:

(a) The availability to all parties of health insurance coverage for the child(ren);

(b) The cost of health insurance coverage to all parties.

The court shall then make appropriate provisions in the judgment for the provision of health insurance coverage for the child(ren) in the manner that is in the best interests of the child(ren). If the court requires the custodial parent to obtain the coverage then its cost shall be taken into account in establishing the child-support award. If the court determines that health insurance coverage is not available to any party or that it is not available to either party at a cost that is reasonable as compared to the income of the parties, then the court shall make specific findings as to such either on the record or in the judgment. In that event, the court shall make appropriate provisions in the judgment for the payment of medical expenses of the child(ren) in the absence of health insurance coverage.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 43-19-36, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILD SUPPORT OBLIGATIONS SHALL BE SUSPENDED BY OPERATION OF LAW FOR PERSONS ORDERED TO PAY CHILD SUPPORT WHO ARE INCARCERATED OR INVOLUNTARILY INSTITUTIONALIZED FOR MORE THAN 180 DAYS, WITH CERTAIN EXCEPTIONS; TO PROVIDE THAT THE CHILD SUPPORT OBLIGATION WILL RESUME 60 DAYS AFTER THE NONCUSTODIAL PARENT IS RELEASED FROM INCARCERATION, AND THE NONCUSTODIAL PARENT'S CHILD SUPPORT ORDER AND OBLIGATION WILL BECOME ENFORCEABLE ON THAT

DATE; TO AUTHORIZE THE DEPARTMENT OF HUMAN SERVICES WHEN ENFORCING A CHILD SUPPORT ORDER TO ADMINISTRATIVELY ADJUST THE ARREARS BALANCE FOR AN ORDER FOR CHILD SUPPORT THAT WAS SUSPENDED BECAUSE OF INCARCERATION OR INSTITUTIONALIZATION UNDER CERTAIN CONDITIONS; TO AMEND SECTIONS 93-11-65, 93-11-71 AND 93-5-23, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 43-19-101, MISSISSIPPI CODE OF 1972, TO PROVIDE HOW INCARCERATION OF A PARENT SHOULD BE CONSIDERED FOR CHILD SUPPORT; AND FOR RELATED PURPOSES.

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Senator Parker called up the following House Amendment to **S. B. No. 2371** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by inserting the following after line 1861 and renumbering the succeeding sections:

" SECTION 8. The following shall be codified as Section 25-61-11.1, Mississippi Code of 1972:

25-61-11.1. Sections 8 through 17 of this act shall be known and may be cited as the "Mississippi Consumer Privacy Act for State Agencies".

SECTION 9. The following shall be codified as Section 25-61-11.3, Mississippi Code of 1972:

25-61-11.3. (1) Any records that include the address, telephone number, electronic mail address, date of birth, or social security number of any professional or occupational licensee, and are held by a state agency that licenses professions or occupations, shall not be deemed public records as provided in Section 25-61-3, unless the licensee has consented to the release of such records.

(2) The provisions of this section shall not prohibit the agency from posting information on an Internet site that the agency deems necessary to inform consumers of disciplinary proceedings filed against the licensee.

SECTION 10. The following shall be codified as Section 25-61-11.4, Mississippi Code of 1972:

25-61-11.4. For purposes of Sections 8 through 17 of this act, the following terms have the meanings as defined in this section, unless the context clearly indicates otherwise:

(a) "Agency" includes any agency or political subdivision of this state, or an authorized agent or contractor of an agency or political subdivision of this state, that compiles or maintains motor vehicle records.

(b) "Authorized recipient" means a person who is permitted to receive and use personal information from an agency in a manner authorized by this chapter.

(c) "Disclose" means to make available or make known personal information contained in a motor vehicle record about a person to another person, by any means of communication.

(d) "Individual record" means a motor vehicle record obtained by an agency containing personal information about an individual who is the subject of the record as identified in a request.

(e) "Motor vehicle record" means a record that pertains to a motor vehicle operator's or driver's license or permit, motor vehicle traffic citations, motor vehicle registration, motor vehicle title, or identification document issued by an agency of this state or a local agency authorized to issue an identification document. The term "motor vehicle record" does not include:

- (i) A record that pertains to a motor carrier; or
- (ii) An accident report prepared in accordance with law.

(f) "Person" means an individual, organization, or entity, but does not include this state or an agency of this state.

(g) "Personal information" means information that identifies a person, including a person's photograph or computerized image, social security number, date of birth, driver identification number, name, address, email address, telephone number, or medical or disability information. The term "personal information" does not include information on vehicle accidents, driving or equipment-related violations, or driver's license or registration status, or information contained in an accident report prepared under law.

(h) "Record" means any book, paper, photograph, photostat, card, film, tape, recording, electronic data, printout, or other documentary material regardless of physical form or characteristics.

SECTION 11. The following shall be codified as Section 25-61-11.5, Mississippi Code of 1972:

25-61-11.5. An agency shall not knowingly disclose personal information about any person obtained by the agency in connection with a motor vehicle record, except as provided by Sections 8 through 17 of this act. An agency that maintains motor vehicle records that contain personal information is authorized to adopt rules and regulations necessary to carry out the purposes of this act.

SECTION 12. The following shall be codified as Section 25-61-11.6, Mississippi Code of 1972:

25-61-11.6. (1) Personal information obtained by an agency in connection with a motor vehicle record shall be disclosed for use in connection with any matter of:

- (a) Motor vehicle or motor vehicle operator safety;
- (b) Motor vehicle theft;
- (c) Motor vehicle product alterations, recalls, or advisories;
- (d) Performance monitoring of motor vehicles or motor vehicle dealers by a motor vehicle manufacturer;
- (e) Removal of nonowner records from the original owner records of a motor vehicle manufacturer to carry out the purposes of:
- (i) The Automobile Information Disclosure Act, 15 USC Section 1231

et seq.;

(ii) 49 USC Chapters 301, 305, 323, 325, 327, 329, and 331;

(iii) The Anti Car Theft Act of 1992, 18 USC Sections 553, 981, 982, 2119, 2312, 2313, and 2322, 19 USC Sections 164Gb and 1646c, and 42 USC Section 375 Oa et seq., all as amended;

(iv) The Clean Air Act, 42 USC Section 7401 et seq., as amended;  
and

(v) Any other statute or regulation enacted or adopted under, or in relation to, a law included in this section.

(f) Child support enforcement activities as provided in Section 93-11-155;

(g) Voter registration matters, as provided in Section 23-15-169 et seq.; or

(h) Motor vehicle emissions information.

(2) Personal information obtained by an agency in connection with a motor vehicle record shall be disclosed to a requestor who:

(a) Is the subject of the information; or

(b) Demonstrates, in such form and manner as the agency requires, that the requestor has obtained the written consent of the person who is the subject of the information.

(3) Personal information obtained by an agency in connection with a motor vehicle record may be disclosed to any requestor by an agency if the requestor:

(a) Provides his or her name and address, and any proof of that information as required by the agency; and

(b) Represents that the use of the personal information will be strictly limited to use by:

(i) A government agency, including any court or law enforcement agency, in carrying out its functions;

(ii) A private person or entity acting on behalf of a government agency in carrying out the functions of the agency;

(iii) Use in connection with a matter of:

1. Motor vehicle or motor vehicle operator safety;

2. Motor vehicle theft;

3. Motor vehicle product alterations, recalls, or advisories;

4. Performance monitoring of motor vehicles, motor vehicle parts, or motor vehicle dealers; or

5. Removal of nonowner records from the original owner records of motor vehicle manufacturers.

(iv) Use in the normal course of business by a legitimate business, or an authorized agent of the business, but only:

1. To verify the accuracy of personal information submitted by the individual to the business or the agent of the business; and

2. If the information is not correct, to obtain the correct information for the sole purpose of preventing fraud by pursuing a legal remedy against or recovering on a debt or security interest against the individual.

(v) Use in conjunction with a civil, criminal, administrative, or arbitral proceeding in any court or government agency or before any self-regulatory body, including service of process, investigation in anticipation of litigation, execution or enforcement of a judgment or order, or under an order of any court;

(vi) Use by a motor vehicle manufacturer, dealership, or distributor, or an agent of or provider of services to a motor vehicle manufacturer, dealership, or distributor, for motor vehicle market research activities, including survey research, but only if the personal information is not published, redisclosed, or used to contact any individual;

(vii) Use by an insurer, insurance support organization, or self-insured entity, or an authorized agent of an insurer, insurance support organization, or self-insured entity, in connection with claims processing or investigation activities, antifraud activities, rating, or underwriting;

(viii) Use in providing notice to an owner or lien holder of a vehicle that was towed or impounded, and is in the possession of a vehicle storage facility;

(ix) Use by an employer or an agent or insurer of the employer to obtain or verify information relating to a holder of a commercial driver's license that is required under 49 USC Chapter 313;

(x) Use by a consumer reporting agency, as defined by the Fair Credit Reporting Act (15 USC Section 1681 et seq.), for a purpose permitted under that act;

(xi) In the normal course of business by a person, or authorized agent of a person, who holds a license from the Mississippi Motor Vehicle Commission, or is regulated by the Department of Banking and Consumer Finance, the Board of Governors of the Federal Reserve System, the Office of the Comptroller of the Currency, the Federal Deposit Insurance Corporation, the Consumer Financial Protection Bureau, or the National Credit Union Administration;

(xii) In connection with the operation of private toll transportation facilities.

(4) Subsection (3)(b)(iv) of this section does not authorize the disclosure of personal information to a person who is not a business licensed by, registered with, or subject to regulatory oversight by a government agency.

(5) The only personal information an agency may release under subsection (3) of this section is the person's

name, address, date of birth, email address, telephone number, medical or disability information and driver's license number.

SECTION 13. The following shall be codified as Section 25-61-11.7, Mississippi Code of 1972:

25-61-11.7. (1) Any requestor who misrepresents his or her purpose for seeking motor vehicle information, or who has violated any provision of this act, or any rules of an agency promulgated to carry out the provisions of this act, shall be guilty of a felony, and upon conviction, shall be sentenced to the custody of the Mississippi Department of Corrections for not more than five (5) years. Any corporation, association, firm or other entity that has violated the provisions of this act shall be fined in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for each violation.

(2) Whenever the agency provides a requestor access to personal information in bulk as provided under Section 12 of this act, the agency shall enter into a contract with the requestor which shall require:

(a) That the requestor post a performance bond in an amount of not more than One Million Dollars (\$1,000,000.00);

(b) A prohibition on the sale or redistribution of the personal information for the purpose of marketing extended vehicle warranties by telephone;

(c) That the requestor provide proof of general liability and cyber-threat insurance coverage in an amount specified by the contracting agency, that is at least Three Million Dollars (\$3,000,000.00), and reasonably related to the risks associated with unauthorized access and use of the records;

(d) That if a requestor experiences a breach of system security that includes data obtained under authority of this section, the requestor shall notify the agency of the breach not later than forty-eight (48) hours after the discovery of the breach;

(e) That the requestor include in each contract with a third-party that receives the personal information from the requestor, that the third-party must comply with federal and state laws regarding the records;

(f) That the requester, and any third-party receiving the personal information from the requestor, protect the personal information with appropriate and accepted industry standard security measures for the type of information and the known risks from unauthorized access and use of the information; and

(g) That the requestor annually provides to the agency a report of all third-parties to which the personal information was disclosed under this act and the purpose of the disclosure.

Nothing in this subsection (5) shall bar an agency from adopting a rule that prohibits the bulk transfer of data.

(6) The bond and insurance requirements of this act shall not apply to a government agency, including a court of law or law enforcement agency.

(7) An agency that discloses any motor vehicle records in bulk shall include in the records at least two (2) records that are created solely for the purpose of monitoring compliance with this act and detecting by receipt of certain forms of communications or actions directed at the subjects of the created records, potential violations of this act or contract terms required by this act.

(8) An agency that discloses motor vehicle records shall designate an employee to be responsible for:

(a) Monitoring compliance with this act and contract terms required by this act;

(b) Referring potential violations of this act to law enforcement agencies;  
and

(c) Making recommendations to the administrative head of the agency or his or her designee on the eligibility of a person under this act to receive personal information.

(9) This act does not affect any rights or remedies available under a contract or any other law. If an agency determines that a person has violated the terms of a contract with the agency that authorized the disclosure of personal information in connection with a motor vehicle record, the agency may:

(a) Cease disclosing personal information to that person; and

(b) Allow the person to remedy the violation and continue receiving personal information.

(10) Nothing in this act shall be construed to prohibit the Mississippi Department of Revenue from providing information to a private firm for the management and upkeep of a tax lien registry.

SECTION 14. The following shall be codified as Section 25-61-11.8, Mississippi Code of 1972:

25-61-11.8. (1) A person who sells to a person who is not an authorized recipient of personal information obtained by an agency in connection with a motor vehicle record is liable to the person who is the subject of the information for:

(a) Actual damages;

(b) If the actual damages to the person are less than Two Thousand Five Hundred Dollars (\$2,500.00), an additional amount so that the total amount of damages equals Two Thousand Five Hundred Dollars (\$2,500.00); and

(c) Court costs incurred by the person who is the subject of the information in bringing the action.

(2) A person whose personal information has been disclosed for compensation to a person who is not an authorized recipient of such information may sue for:

(i) The damages, costs, and fees authorized under paragraph (a) of subsection (2) of this section;

(ii) Injunctive relief; and

(iii) Any other equitable remedy determined to be appropriate by the court.

SECTION 15. The following section shall be codified as Section 25-61-11.9, Mississippi Code of 1972:

25-61-11.9. (1) An authorized recipient of personal information may redisclose the information, including redisclosure for compensation, only for a use permitted under Section 12 of this act.

(2) An authorized recipient who rediscloses personal information obtained from an agency shall be required by that agency to:

(a) Maintain for a period of not less than five (5) years, records as to any person or entity receiving that information and the permitted use for which it was obtained; and

(b) Provide copies of those records to the agency upon request.

(3) A person who receives personal information under subsection (2) of this section may not redisclose the personal information, including redisclosure for compensation, to a person who is not an authorized recipient of such information.

(4) An authorized recipient shall notify each person who receives such personal information that the person may not redisclose the personal information to a person who is not an authorized recipient of such information.

(5) A person commits an offense if he or she violates this section. The penalties established in Section 13, subsection (1) of this act shall apply to violations of this section.

SECTION 16. The following shall be codified as Section 25-61-11.10, Mississippi Code of 1972:

25-61-11.10. In addition to the records of licensees exempted from the Public Records Act of 1983, by Section 49-7-4, any records held by the Mississippi Department of Wildlife, Fisheries and Parks that include the addresses, telephone numbers, electronic mail addresses, dates of birth, or social security numbers of any person who has done business with the department shall not be public records as defined by Section 25-61-3.

SECTION 17. The following shall be codified as Section 25-61-11.11, Mississippi Code of 1972:

25-61-11.11. In addition to any penalties provided for under this act, persons who violate the provisions of this act by using information that was unlawfully obtained to contact individuals by telephone, may also be investigated and sanctioned under the provisions of the Mississippi Telephone Solicitation Act.

SECTION 18. Section 49-7-4, Mississippi Code of 1972, is brought forward as follows:

49-7-4. The records of the Department of Wildlife, Fisheries and Parks relating to applications for and sales of any resident or nonresident licenses issued under this chapter, and all records related to holders of such licenses, are exempt from the provisions of the Mississippi Public Records Act of 1983, in accordance with Section 25-61-11, and shall be released only upon order of a court having proper jurisdiction over a petition for release of the record or records. However, upon request, the records specified in this section shall be available to all law enforcement agencies.

SECTION 19. Section 77-3-725, Mississippi Code of 1972, is brought forward as follows:

77-3-725. The commission may investigate alleged violations and initiate proceedings relative to a violation of this article or any rules and regulations promulgated pursuant to this article. Such proceedings include, without limitation, proceedings to issue a cease and desist order, and to issue an order imposing a civil penalty not to exceed Ten Thousand Dollars (\$10,000.00) for each violation. The commission shall afford an opportunity for a fair hearing to the alleged violator(s) after giving written notice of the time and place for said hearing. Failure to appear at any such hearing may result in the commission finding the alleged violator(s) liable by default. Any telephone solicitor found to have violated this article, pursuant to a hearing or by default, may be subject to a civil penalty not to exceed Ten Thousand Dollars (\$10,000.00) for each violation to be



assessed and collected by the commission. Each telephonic communication shall constitute a separate violation.

All penalties collected by the commission shall be deposited in the special fund created under Section 77-3-721 for the administration of this article.

The commission may issue subpoenas, require the production of relevant documents, administer oaths, conduct hearings, and do all things necessary in the course of investigating, determining and adjudicating an alleged violation.

The remedies, duties, prohibitions and penalties set forth under this article shall not be exclusive and shall be in addition to all other causes of action, remedies and penalties provided by law, including, but not limited to, the penalties provided by Section 77-1-53."

AMEND title to conform.

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Senator Barnett called up the following House Amendment to **S. B. No. 2495** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-901, Mississippi Code of 1972, is amended as follows:

47-5-901. (1) (a) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his sentence in the county jail of the county wherein such person was convicted if the Commissioner of Corrections determines that physical space is not available for confinement of such person in the state correctional institutions. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. The commissioner shall certify in writing that space is not available to the sheriff or other officer having custody of the person. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(b) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his or her sentence in the county jail of the county wherein such person was convicted if the sheriff or president of the board of supervisors, requests such inmate or inmates. Upon such request, the department may allow such inmate or inmates to serve all or any part of such inmate's or inmates' sentence(s), as the case may be, in the county of conviction of the inmate or inmates or the county of request of a sheriff or board of supervisors outside the county of conviction. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. Whenever a request is denied for an inmate or inmates, then the commissioner shall certify in writing to the sentencing court, sheriff, or president of the board of supervisors of a county, as the case may be, that such inmate or inmates does not qualify to serve the sentence or sentences in the county jail. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(2) If state prisoners are housed in county jails due to a lack of capacity at state correctional institutions, the Department of Corrections shall determine the cost for food and medical attention for such prisoners. The cost of feeding and housing offenders confined in such county jails shall be based on actual costs or contract price per prisoner. In order to maximize the potential use of county jail space, the Department of Corrections is encouraged to negotiate a reasonable per day cost per prisoner, which in no event may exceed \*\*\* Twenty-five Dollars (\$25.00) per day per offender, except as authorized in Section 47-5-909(2).

(3) (a) Upon vouchers submitted by the board of supervisors of any county housing persons due to lack of space at state institutions, the Department of Corrections shall pay to such county, out of any available funds, the actual cost of food, or contract price per prisoner, not to exceed \*\*\* Twenty-five Dollars (\$25.00) per day per offender, except as authorized in Section 47-5-909(2), as determined under subsection (2) of this section for each day an offender is so confined beginning the day that the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the department, whichever is earlier, and will terminate on the date on which the offender is released or otherwise removed from the custody of the county jail. The department, or its contracted medical provider, will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of negotiated discounted fee schedule, medical care service providers will be paid by the department, or its contracted medical service provider, an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. The board of supervisors of any county shall not be liable for any cost associated with medical attention for prisoners who are pretrial detainees or for prisoners who have been convicted that exceeds the Mississippi Medicaid reimbursement rate or the reimbursement provided by the Department of Corrections, whichever is greater. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications. Such payment shall be placed in the county general fund and shall be expended only for food and medical attention for such persons.

(b) Upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs provided in paragraph (a).

(c) If the probation or parole of an offender is revoked, the additional cost of housing the offender pending the revocation hearing shall be assessed as part of the offender's court cost and shall be remitted to the department.

(4) A person, on order of the sentencing court, may serve not more than twenty-four (24) months of his sentence in a county jail if the person is classified in accordance with Section 47-5-905 and the county jail is an approved county jail for housing state inmates under federal court order. The sheriff of the county shall have the right to petition the Commissioner of Corrections to remove the inmate from the county jail. The county shall be reimbursed in accordance with subsection (2) of this section.

(5) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions against any action brought by any person who was committed to a county jail under the provisions of this section.

(6) This section does not create in the Department of Corrections, or its employees or agents, any new liability, express or implied, nor shall it create in the Department of Corrections any administrative authority or responsibility for the construction, funding, administration or operation of county or other local jails or other places of confinement which are not staffed and operated on a full-time basis by the Department of Corrections.

The correctional system under the jurisdiction of the Department of Corrections shall include only those facilities fully staffed by the Department of Corrections and operated by it on a full-time basis.

(7) An offender returned to a county for post-conviction proceedings shall be subject to the provisions of Section 99-19-42 and the county shall not receive the per-day allotment for such offender after the time prescribed for returning the offender to the Department of Corrections as provided in Section 99-19-42.

SECTION 2. Section 47-5-909, Mississippi Code of 1972, is amended as follows:

47-5-909. (1) It is the policy of the Legislature that all inmates be removed from county jails as early as practicable. Sections 47-5-901 through 47-5-907 are temporary measures to help alleviate the immediate operating capacity limitations at correctional facilities and are not permanent measures to be included in the long-term operating capacity of the correctional system.

(2) Notwithstanding any other provision of law, to expedite the removal of inmates from county jails as early as practicable, absent a contract negotiated between the Department of Corrections and the county jail, the Department of Corrections shall pay county jails for housing state offenders out of any available funds as follows: Twenty-five Dollars (\$25.00) per day per offender for days one (1) through thirty (30), Thirty Dollars (\$30.00) per day per offender for days thirty-one (31) through sixty (60), and Thirty-four Dollars (\$34.00) per day per offender for days sixty-one (61) or greater when:

(a) An offender remains in the county jail after the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the Department of Corrections, whichever is earlier.

(b) An offender remains in the county jail after being revoked from parole or probation or is sentenced to a technical violation center.

(3) The Department of Corrections is additionally responsible for all medical costs related to offenders housed at county jails under subsection (2) of this section.

SECTION 3. Section 99-19-42, Mississippi Code of 1972, is amended as follows:

99-19-42. Any offender in the custody of the Department of Corrections who is summoned to a county by court order for any post-conviction proceeding shall have such proceeding heard during the term of court in which the offender is returned to the custody of a county. If the offender's case is not heard during such term of court, the offender shall be returned to the facility of the Department of Corrections from which he was summoned. If the offender is not returned within one (1) week of the end of the term of court, the county housing the offender shall not receive the \* \* \* Twenty-five Dollars (\$25.00) allowed under Section 47-5-901, except as authorized in Section 47-5-909(2), for housing state offenders after the one-week time period required for returning the offender to the Department of Corrections.

SECTION 4. Section 47-5-931, Mississippi Code of 1972, is brought forward as follows:

47-5-931. (1) The Department of Corrections, in its discretion, may contract with the board of supervisors of one or more counties or with a regional facility operated by one or more counties, to provide for housing, care and control of offenders who are in the custody of the State of Mississippi. Any facility owned or leased by a county or counties for this purpose shall be designed, constructed, operated and maintained in accordance with American Correctional Association standards, and shall comply with all constitutional standards of the United States and the State of Mississippi, and with all court orders that

may now or hereinafter be applicable to the facility. If the Department of Corrections contracts with more than one (1) county to house state offenders in county correctional facilities, excluding a regional facility, then the first of such facilities shall be constructed in Sharkey County and the second of such facilities shall be constructed in Jefferson County.

(2) The Department of Corrections shall contract with the board of supervisors of the following counties to house state inmates in regional facilities: (a) Marion and Walthall Counties; (b) Carroll and Montgomery Counties; (c) Stone and Pearl River Counties; (d) Winston and Choctaw Counties; (e) Kemper and Neshoba Counties; (f) Alcorn County and any contiguous county in which there is located an unapproved jail; (g) Yazoo County and any contiguous county in which there is located an unapproved jail; (h) Chickasaw County and any contiguous county in which there is located an unapproved jail; (i) George and Greene Counties and any contiguous county in which there is located an unapproved jail; (j) Washington County and any contiguous county in which there is located an unapproved jail; (k) Hinds County and any contiguous county in which there is located an unapproved jail; (l) Leake County and any contiguous county in which there is located an unapproved jail; (m) Issaquena County and any contiguous county in which there is located an unapproved jail; (n) Jefferson County and any contiguous county in which there is located an unapproved jail; (o) Franklin County and any contiguous county in which there is located an unapproved jail; (p) Holmes County and any contiguous county in which there is located an unapproved jail; and (q) Bolivar County and any contiguous county in which there is located an unapproved jail. The Department of Corrections shall decide the order of priority of the counties listed in this subsection with which it will contract for the housing of state inmates. For the purposes of this subsection, the term "unapproved jail" means any jail that the local grand jury determines should be condemned or has found to be of substandard condition or in need of substantial repair or reconstruction.

(3) In addition to the offenders authorized to be housed under subsection (1) of this section, the Department of Corrections may contract with any regional facility to provide for housing, care and control of not more than seventy-five (75) additional offenders who are in the custody of the State of Mississippi.

(4) The Governor and the Commissioner of Corrections are authorized to increase administratively the number of offenders who are in the custody of the State of Mississippi that can be placed in regional correctional facilities.

SECTION 5. Section 47-5-933, Mississippi Code of 1972, is amended as follows:

47-5-933. The Department of Corrections may contract for the purposes set out in Section 47-5-931 for a period of not more than twenty (20) years. The contract may provide that the Department of Corrections pay a fee of no more than \* \* \* Thirty-four Dollars (\$34.00) per day for each offender that is housed in the facility. The Department of Corrections may include in the contract, as an inflation factor, a three percent (3%) annual increase in the contract price. The state shall retain responsibility for medical care for state offenders to the extent that is required by law; provided, however, the department may reimburse each facility for contract medical services as provided by law in an amount not to exceed Six Dollars and Twenty-five Cents (\$6.25) per day per offender.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 47-5-901 AND 47-5-903, MISSISSIPPI CODE OF 1972, TO ALLOW AN INMATE PLACED UNDER THE CUSTODY OF THE

DEPARTMENT OF CORRECTIONS TO SERVE ALL OR PART OF HIS SENTENCE IN THE COUNTY REQUESTED BY A SHERIFF OR BOARD OF SUPERVISORS OUTSIDE THE COUNTY OF CONVICTION UPON CERTAIN CONDITIONS; TO INCREASE THE MAXIMUM PER DAY COST PER PRISONER; TO AMEND SECTION 47-5-909, MISSISSIPPI CODE OF 1972, TO EXPEDITE THE REMOVAL OF INMATES FROM COUNTY JAILS BY DIRECTING THE DEPARTMENT OF CORRECTIONS TO PAY COUNTY JAILS FOR HOUSING STATE OFFENDERS; TO AMEND SECTION 99-19-42, MISSISSIPPI CODE OF 1972, TO INCREASE THE RATE OF PAY FOR HOUSING STATE OFFENDERS IN COUNTY JAILS; TO BRING FORWARD SECTION 47-5-931, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENT; TO AMEND SECTION 47-5-933, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$31.00 TO \$34.00 THE AMOUNT THE DEPARTMENT OF CORRECTIONS PAYS PER DAY FOR EACH STATE OFFENDER WHO IS HOUSED IN A REGIONAL CORRECTIONAL FACILITY; AND FOR RELATED PURPOSES.

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Senator Younger called up the following House Amendment to **S. B. No. 2523** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 69-33-1, Mississippi Code of 1972, is amended as follows:

69-33-1. For the purpose of this chapter, the following words shall have the following meanings unless the context shall prescribe otherwise:

(a) "Owner" means the person, firm or corporation owning the land on which pecan trees are growing or the person, firm or corporation having legal possession of such land.

(b) "Harvesting season" means that portion of each calendar year beginning on \* \* \* September 1 and ending \* \* \* January 31.

SECTION 2. Section 69-33-3, Mississippi Code of 1972, is amended as follows:

69-33-3. When pecan trees are grown on private property and the branches of such trees extend over a public road, street or highway right-of-way, any pecans falling from any such pecan trees onto such public right-of-way shall be deemed the property of the owner of such pecan trees until the end of the harvesting season, and it shall be unlawful for any person, without the permission of the owner of such trees, to remove such pecans from any such public right-of-way during the harvesting season. It shall be unlawful for any person, without the permission of the owner of such trees, to pick or otherwise remove any pecans from the limbs or branches of pecan trees or to cause pecans to fall from such trees. Any person found to be in violation of this section shall be guilty of a misdemeanor, and upon conviction shall be fined an amount not exceeding One Hundred Dollars (\$100.00) or be imprisoned for a period not to exceed thirty (30) days in jail, or both such fine and imprisonment.

SECTION 3. Section 69-33-5, Mississippi Code of 1972, is brought forward as follows:

69-33-5. Any pecans remaining on a public road, street or highway right-of-way during that portion of each calendar year except the harvesting season shall be deemed

to be abandoned by the owner of such pecans, and it shall not be unlawful for any person to remove such pecans from such public right-of-way, except during the harvesting season.

SECTION 4. Section 69-33-7, Mississippi Code of 1972, is brought forward as follows:

69-33-7. The provisions of this chapter shall not be construed to prohibit employees of the State Highway Department or the employees of a county or municipality from engaging in normal activities of maintenance on the rights-of-way of public roads, streets or highways. Nor shall the provisions of this chapter be construed to grant the owner of any pecan trees the right to harvest pecans from the rights-of-way of any interstate or other limited access highway.

SECTION 5. Section 69-33-9, Mississippi Code of 1972, is amended as follows:

69-33-9. (1) Any person who, without the owner's permission, enters upon the private property of an owner of lands upon which pecan trees are growing for the purpose of removing pecans from the premises thereof, whether from the grounds or within any facility thereon where the pecans are stored, for his or her own financial benefit which causes financial detriment and other damages or hardships to the owner of the pecan trees, shall be found guilty of violating the provisions of this chapter shall be guilty of \* \* \* larceny and subject to the penalties of petit larceny as prescribed in Section 97-17-43, or grand larceny, as prescribed in Section 97-17-41.

(2) In addition to any such fine or imprisonment that may be imposed for violating the provisions of this chapter, the court shall order restitution to be made to the owner of the severed pecans in United States currency at the current replacement value of the damage or loss. Whether the felonious crime is prosecuted as petit larceny or grand larceny shall be determined by the amount of the pecan's fair market value at the time the theft of the pecans occurred.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 69-33-1, 639-33-3 AND 69-33-9, MISSISSIPPI CODE OF 1972, TO REVISE THE CRIMINAL AND CIVIL PENALTIES FOR VIOLATING THE PROVISIONS OF THE PECAN HARVESTING LAW; TO BRING FORWARD SECTIONS 69-33-5 AND 69-33-7, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2523** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Carter, Hill, Tate. Total--3.

Senator Whaley called up the following House Amendment to **S. B. No. 2534** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-4-39, Mississippi Code of 1972, is amended as follows:

49-4-39. The commission may regulate hunting, fishing and wildlife viewing, guide and outfitter services. The commission shall have the following powers and duties:

(a) Prescribe the form and type of licenses;

(b) Establish fees for the types of licenses; provided however, that the annual fee for guide and outfitter services licenses shall not \* \* \* be less than Five Hundred Dollars (\$500.00) for residents, and not be less than One Thousand Dollars (\$1,000.00) for nonresidents; and

(c) To exercise all powers and make any regulations necessary to regulate such services.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-4-39, MISSISSIPPI CODE OF 1972, TO REVISE THE ANNUAL FEE FOR GUIDE AND OUTFITTER SERVICES LICENSES FOR BOTH RESIDENTS AND NONRESIDENTS; AND FOR RELATED PURPOSES.

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Senator Parker called up the following House Amendment to **S. B. No. 2595** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 26 by striking "its passage" and inserting in lieu thereof the following:

"July 1, 2023, and shall stand repealed on June 30, 2023".

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Senator Wiggins called up the following House Amendment to **S. B. No. 2634** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-5-3, Mississippi Code of 1972, is amended as follows:

97-5-3. (1) Any parent who shall desert or \* \* \* willfully neglect or refuse to provide for the support and maintenance of his or her child or children, including the natural parent of an illegitimate child or children wherein paternity has been established by law or when the natural parent has acknowledged paternity in writing, while said child or children are under the age of \* \* \* twenty-one (21) years shall be guilty of a felony and, on conviction thereof, shall be punished for a first offense by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by commitment to the custody of the Department of Corrections not more than five (5) years, or both; and for a second or subsequent offense, by a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00), or by commitment to the custody of the Department of Corrections not less than two (2) years nor more than five (5) years, or both, in the discretion of the court.

(2) In any prosecution under this section, it is a defense if, during the relevant time period, the child:

(i) Marries, or

(ii) Joins the military and serves on a full-time basis, or

(iii) Is convicted of a felony and is sentenced to incarceration of two (2) or more years for committing such felony, or

(iv) Discontinues full-time enrollment in school having attained the age of eighteen (18) years, unless the child is disabled, or

(v) Voluntarily moves from the home of the custodial parent or guardian, establishes independent living arrangements, obtains full-time employment and discontinues educational endeavors prior to attaining the age of twenty-one (21) years, or

(vi) Cohabits with another person without the approval of the parent obligated to pay support.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-5-3, MISSISSIPPI CODE OF 1972, TO ALLOW CHARGES AGAINST A PARENT WHO SHALL DESERT OR WILLFULLY NEGLECT OR REFUSE TO PROVIDE SUPPORT AND MAINTENANCE OF HIS OR HER CHILD WHEN THAT CHILD IS UNDER 21 YEARS OF AGE; TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE STATUTE OF LIMITATIONS FOR CHARGES AGAINST A PARENT WHO DESERTS, WILLFULLY NEGLECTS OR REFUSES TO PROVIDE SUPPORT OR MAINTENANCE OF HIS OR HER CHILD; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2634** by the following vote:



Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Simmons D. T. (12th). Total--1.

Absent and those not voting--Carter, Hill, Tate. Total--3.

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Senator Parker called up the following House Amendment to **S. B. No. 2810** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 71-5-353, Mississippi Code of 1972, is amended as follows:

71-5-353. (1) (a) Each employer shall pay unemployment insurance contributions equal to five and four-tenths percent (5.4%) of taxable wages paid by him each calendar year, except as may be otherwise provided in Section 71-5-361 and except that each newly subject employer shall pay unemployment insurance contributions at the rate of one percent (1%) of taxable wages, for his first year of liability, one and one-tenth percent (1.1%) of taxable wages for his second year of liability, and one and two-tenths percent (1.2%) of taxable wages for his third and subsequent years of liability unless the employer's experience-rating record has been chargeable throughout at least the twelve (12) consecutive calendar months ending on the most recent computation date at the time the rate for a year is determined; thereafter the employer's contribution rate shall be determined in accordance with the provisions of Section 71-5-355.

(b) Notwithstanding the newly subject employer contribution rate provided for in paragraph (a) of this subsection, the contribution rate of all newly subject employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only. The contribution rate of all newly subject employers shall be reduced by three one-hundredths of one percent (.03%) for calendar year 2014 only. For purposes of this chapter, "newly subject employers" means employers whose unemployment insurance experience-rating record has not been chargeable throughout at least the twelve (12) consecutive calendar months ending on the most recent computation date at the time the contribution rate for a year is determined.

(2) (a) (i) There is hereby created in the Treasury of the State of Mississippi special funds to be known as the "Mississippi Workforce Enhancement Training Fund" \* \* \*, the "Mississippi Works Fund" and the "Mississippi K-12 Workforce Development Grant Program Fund" which consist of funds collected pursuant to subsection (3) of this section and any other monies that may be appropriated to the funds from the Legislature.

(ii) Funds collected shall initially be deposited into the Mississippi Department of Employment Security bank account for clearing contribution collections and subsequently appropriate amounts shall be transferred to the Mississippi Workforce Investment and Training Fund Holding Account described in Section 71-5-453. In the event any employer pays an amount insufficient to cover the total contributions due, the amounts due shall be satisfied in the following order:

1. Unemployment contributions;
2. Mississippi Workforce Enhancement Training contributions, \* \* \* Mississippi K-12 Workforce Development Grant Program contributions and the Mississippi Works contributions, known collectively as the Mississippi Workforce Investment and Training contributions, on a pro rata basis;
3. Interest and damages; then
4. Legal and processing costs.

The amount of unemployment insurance contributions due for any period will be the amount due according to the actual computations unless the employer is participating in the MLPP. In that event, the amount due is the MLPP amount computed by the department.

Cost of collection and administration of the Mississippi Workforce Enhancement Training contribution, the \* \* \* Mississippi K-12 Workforce Development Grant Program contribution and the Mississippi Works contribution shall be allocated based on a plan approved by the United States Department of Labor (USDOL). The Mississippi Community College Board shall pay the cost of collecting the Mississippi Workforce Enhancement Training contributions, the \* \* \* Office of Workforce Development shall pay the cost of collecting the \* \* \* Mississippi K-12 Workforce Development Grant Program contributions and the Mississippi Department of Employment Security shall pay the cost of collecting the Mississippi Works contributions. Payments shall be made semiannually with the cost allocated to each based on a USDOL approved plan on a pro rata basis, for periods ending in June and December of each year. Payment shall be made by each organization to the department no later than sixty (60) days after the billing date. Cost shall be allocated under the USDOL's approved plan and in the same ratio as each contribution type represents to the total authorized by subparagraph (ii)2 of this paragraph to be collected for the period.

(b) Mississippi Workforce Enhancement Training contributions and \* \* \* Mississippi K-12 Workforce Development Grant Program contributions shall be distributed \* \* \* for calendar years \* \* \* after calendar year 2014 as follows, ninety-three and seventy-five one-hundredths percent (93.75%) shall be distributed to the Mississippi Workforce Enhancement Training Fund and the remainder shall be distributed to the \* \* \* Mississippi K-12 Workforce Development Grant Program Fund;

\* \* \*

(c) All contributions collected for the State Workforce Enhancement Training Fund, the \* \* \* Mississippi K-12 Workforce Development Grant Program Fund and the Mississippi Works Fund will be initially deposited into the Mississippi Department of Employment Security bank account for clearing contribution collections and subsequently transferred to the Workforce Investment and Training Holding Account and will be held by the Mississippi Department of Employment Security in such account for a period of not less than thirty (30) days. After such period, the Mississippi Workforce Enhancement Training contributions shall be transferred to the Mississippi Community College Board Treasury Account, with oversight provided by the Mississippi Office of Workforce Development, the \* \* \* Mississippi K-12 Workforce Development Grant Program contributions shall be transferred to the Mississippi K-12 Workforce Development Grant Program Treasury Account and the Mississippi Works contributions shall be transferred to the Mississippi Department of Employment Security Mississippi Works Treasury Account. The Mississippi K-12 Workforce Development Grant Program contributions and the Mississippi Works contributions shall be transferred in the same ratio as each contribution type represents to the total authorized by paragraph (a)(ii)2 of this subsection to be collected for the period and within the time frame determined by the department;

however, except in cases of extraordinary circumstances, these funds shall be transferred within fifteen (15) days. Interest earnings or interest credits on deposit amounts in the Workforce Investment and Training Holding Account shall be retained in the account to pay the banking costs of the account. If after the period of twelve (12) months interest earnings less banking costs exceeds Ten Thousand Dollars (\$10,000.00), such excess amounts shall be transferred to the respective accounts within thirty (30) days following the end of each calendar year on the basis described in paragraph (b) of this subsection. Interest earnings and/or interest credits for the \*\*\* Mississippi K-12 Workforce Development Grant Program funds shall be used for the payment of banking costs and excess amounts shall be used in accordance with the rules and regulations of the \*\*\* Mississippi K-12 Workforce Development Grant Program created in Section 2 of this act.

(d) All enforcement procedures for the collection of delinquent unemployment contributions contained in Sections 71-5-363 through 71-5-383 shall be applicable in all respects for collections of delinquent unemployment insurance contributions designated for the Unemployment Compensation Fund, the Mississippi Workforce Enhancement Training Fund, the \*\*\* Mississippi K-12 Workforce Development Grant Program Fund and the Mississippi Works Fund.

(e) (i) Except as otherwise provided for in this subparagraph (i), all monies deposited into the Mississippi Workforce Enhancement Training Fund Treasury Account shall be directed by the Mississippi Office of Workforce Development, in collaboration with the Mississippi Community College Board, in accordance with the Workforce Training Act of 1994 (Section 37-153-1 et seq.) and under policies approved by the Mississippi Office of Workforce Development for the following purposes: to provide training in collaboration with the Mississippi Community College Board and individual community and junior colleges to employers and employees in order to enhance employee productivity. Such training may be subject to a minimal administrative fee of not more than five percent (5%) to be paid from the Mississippi Workforce Enhancement Training Fund as established by the Office of Workforce Development. The initial priority of these funds shall be for the benefit of existing businesses located within the state. Employers may request training for existing employees and/or newly hired employees from the Mississippi Office of Workforce Development. The office, in consultation with the Mississippi Community College Board, will be responsible for approving the training. A portion of the funds collected for the Mississippi Workforce Enhancement Training Fund shall be used for the development of performance measures to measure the effectiveness of the use of the Mississippi Workforce Enhancement Training Fund dollars. These performance measures shall be uniform for all training projects and shall be reported to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature. Nothing in this section or elsewhere in law shall be interpreted as giving the Office of Workforce Development or State Workforce Investment Board authority to direct the Mississippi Community College Board or individual community or junior colleges on how to expend other funds, aside from funds appropriated to the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, appropriated or received for workforce training. The Mississippi Office of Workforce Development, Mississippi Community College Board, individual community or junior colleges, State Workforce Investment Board and other agencies implementing or coordinating state-funded workforce development programs under state law shall cooperate with each other to promote effective workforce training in Mississippi, under the direction of the office. Any subsequent changes to these performance measures shall also be reported to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature. A performance report for each training project and community college, based upon these measures, shall be submitted annually to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature.

(ii) Except as otherwise provided in this paragraph (e), all funds deposited into the \*\*\* Mississippi K-12 Workforce Development Grant Program Fund shall be used for administration of \*\*\* the Mississippi K-12 Workforce Development Grant Program created in Section 2 of this act. Any funds remaining in the State Workforce

Investment board bank account on June 30, 2023, shall be transferred to the Mississippi K-12 Workforce Development Grant Program Fund.

(iii) All funds deposited into the Mississippi Department of Employment Security Mississippi Works Fund shall be disbursed exclusively by the Executive Director of the Mississippi Department of Employment Security, in accordance with the rules and regulations promulgated by the Office of Workforce Development, in support of workforce training activities approved by the Mississippi Office of Workforce Development in support of economic development activities. Funds allocated by the executive director under this subparagraph (iii) shall only be utilized for the training of unemployed persons, for immediate training needs for the net new jobs created by an employer, for the retention of jobs, to create a work-ready applicant pool of Mississippians with credentials and/or postsecondary education in accordance with the state's Workforce Investment and Opportunity Act plan, or for the support of local economic and community development activities related to workforce development in the state. The Mississippi Office of Workforce Development, in collaboration with the Mississippi Public Community College System and its partners, shall be the primary entity to facilitate training. Training conducted utilizing these Mississippi Works funds may be subject to a minimal administrative fee of not more than five percent (5%) to be paid from the Mississippi Works Fund as authorized by the Mississippi Office of Workforce Development. All costs associated with the administration of these funds shall be reimbursed to the Mississippi Department of Employment Security from the Mississippi Works Fund.

(iv) 1. The Department of Employment Security shall be the fiscal agent for the receipt and disbursement of all funds remaining in the State Workforce Investment Board bank account, subject to the administrative oversight of the Office of Workforce Development. The Mississippi Department of Employment Security shall be the fiscal agent for all funds appropriated to it for use by the Office of Workforce Development.

2. \* \* \* The Office of Workforce Development, in coordination with the Mississippi Department of Employment Security as fiscal agent, shall ensure that any funds expended for contractual services rendered to the Office of Workforce Development over Five Thousand Dollars (\$5,000.00) shall be paid only to service providers who have been selected on a competitive basis. Any contract for services entered into using funds \* \* \* appropriated to the Mississippi Department of Employment Security for the Office of Workforce Development shall meet the requirements for state contracts set out in Section 31-7-1 et seq.

3. Any commodities procured for the office shall be procured in accordance with the provisions of Section 31-7-13.

\* \* \*

(3) (a) (i) Mississippi Workforce Enhancement Training contributions and \* \* \* Mississippi K-12 Workforce Development Grant Program contributions shall be collected \* \* \* for calendar years \* \* \* after calendar year 2016 \* \* \* at a rate of twenty one-hundredths percent (.20%), based upon taxable wages, of which fifteen one-hundredths percent (.15%) shall be the Workforce Enhancement Training contribution, one-hundredths of one percent (.01%) shall be the \* \* \* Mississippi K-12 Workforce Development Grant Program contribution and four one-hundredths percent (.04%) shall be the Mississippi Works contribution. The Mississippi Works contribution shall be collected for calendar years in which the general experience ratio, adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%), results in a general experience rate of less than two-tenths percent (.2%). In all other years the Mississippi Works contribution shall not be in effect.

( \* \* \* ii) The Mississippi Workforce Enhancement Training Fund contribution, the \* \* \* Mississippi K-12 Workforce Development Grant Program Fund

contribution and the Mississippi Works contribution shall be in addition to the general experience rate plus the individual experience rate of all employers but shall not be charged to reimbursing or rate-paying political subdivisions or institutions of higher learning, or reimbursing nonprofit organizations, as described in Sections 71-5-357 and 71-5-359.

(b) All Mississippi Workforce Enhancement Training contributions, \* \* \* Mississippi K-12 Workforce Development Grant Program contributions and Mississippi Works contributions collected shall be deposited initially into the Mississippi Department of Employment Security bank account for clearing contribution collections and shall within two (2) business days be transferred to the Workforce Investment and Training Holding Account. Any Mississippi Workforce Enhancement Training Fund and/or \* \* \* Mississippi K-12 Workforce Development Grant Program Fund and/or Mississippi Works Fund transactions from the Mississippi Department of Employment Security bank account for clearing contribution collections that are deposited into the Workforce Investment and Training Fund Holding Account and are not honored by a financial institution will be transferred back to the Mississippi Department of Employment Security bank account for clearing contribution collections out of funds in the Mississippi Workforce Investment and Training Fund Holding Account.

(c) Suspension of the Workforce Enhancement Training Fund contributions required pursuant to this chapter shall occur if the insured unemployment rate exceeds an average of five and five-tenths percent (5.5%) for the three (3) consecutive months immediately preceding the effective date of the new rate year following such occurrence and shall remain suspended throughout the duration of that rate year. Such suspension shall continue until such time as the three (3) consecutive months immediately preceding the effective date of the next rate year that has an insured unemployment rate of less than an average of four and five-tenths percent (4.5%). Upon such occurrence, reactivation shall be effective upon the first day of the rate year following the event that lifts suspension and shall be in effect for that year and shall continue until such time as a subsequent suspension event as described in this chapter occurs.

(d) Notwithstanding any other provision contained herein, contribution collections for the \* \* \* Mississippi K-12 Workforce Development Grant Program Fund, Mississippi Works Fund and Mississippi Workforce Enhancement Training Fund shall not be suspended, under any circumstances, for tax rate year 2021, and the resulting contribution rate of twenty one-hundredths percent (.20%) shall be added to the employer's general and individual experience rate to obtain the total unemployment insurance rate for 2021.

(4) All collections due or accrued prior to any suspension of the Mississippi Workforce Enhancement Training Fund will be collected based upon the law at the time the contributions accrued, regardless of when they are actually collected.

SECTION 2. (1) The Office of Workforce Development shall establish and administer the Mississippi K-12 Workforce Development Grant Program for the purpose of constructing, remodeling, purchasing or upgrading equipment or otherwise providing support to career technical centers at the K-12 education level. The grant program shall be funded from the Mississippi K-12 Workforce Development Grant Program Fund as provided in Section 71-5-353 and any other monies appropriated by the Legislature for that purpose.

(2) The Office of Workforce Development shall prescribe the terms and conditions of the grant program. To be eligible to receive a grant from the Office of Workforce Development under the grant program, a school at the K-12 education level shall provide the following information:

(a) The number of students enrolled in the workforce development program for which the funds will be used;

- (b) The purpose of the program;
- (c) Whether the program fits into the ecosystem for the training needs in the area;
- (d) Evidence of the school's local involvement with industry partners in the area; and
- (e) Any other information that the office determines is necessary.

(3) The Office of Workforce Development may use a maximum of five percent (5%) of funds appropriated for the program for the administration of the program.

(4) The Office of Workforce Development shall comply with the reporting requirements provided in Section 37-153-7. Each school that received grants from the program shall assist the office in completing the reporting requirement.

SECTION 3. Section 37-153-7, Mississippi Code of 1972, is amended as follows:

37-153-7. (1) There is created the Mississippi Office of Workforce Development and the Mississippi State Workforce Investment Board, which shall serve as the advisory board for the office. The Mississippi State Workforce Investment Board shall be composed of thirty-one (31) voting members, of which a majority shall be representatives of business and industry in accordance with the federal Workforce Innovation and Opportunity Act, or any successive acts.

(2) The members of the State Workforce Investment Board shall include:

(a) The Governor, or his designee;

(b) Nineteen (19) members, appointed by the Governor, of whom:

(i) A majority shall be representatives of businesses in the state, who:

1. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local board described in Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and Opportunity Act. At least two (2) of the members appointed under this item 1. shall be small business owners, chief executives or operating officers of businesses with less than fifty (50) employees;

2. Represent businesses, including small businesses, or organizations representing businesses, which provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in high-demand industry sectors or occupations in the state; and

3. Are appointed from among individuals nominated by state business organizations and business trade associations;

(ii) Not less than twenty percent (20%) shall consist of representatives of the workforce within the state, which:

1. Includes labor organization representatives who have been nominated by state labor federations;

2. Includes a labor organization member or training director from an apprenticeship program in the state, which shall be a joint labor-management apprenticeship program if such a program exists in the state;

3. May include representatives of community-based organizations, including organizations serving veterans or providing or supporting competitive, integrated employment for individuals with disabilities, who have demonstrated experience and expertise in addressing employment, training or education needs of individuals with barriers to employment; and

4. May include representatives of organizations, including organizations serving out-of-school youth, who have demonstrated experience or expertise in addressing the employment, training or education needs of eligible youth;

(iii) The balance shall include government representatives, including the lead state officials with primary responsibility for core programs, and chief elected officials (collectively representing both cities and counties, where appropriate);

(c) Two (2) representatives of businesses in the state appointed by the Lieutenant Governor;

(d) Two (2) representatives of businesses in the state appointed by the Governor from a list of three (3) recommendations from the Speaker of the House; and

(e) The following state officials:

(i) The Executive Director of the Mississippi Department of Employment Security;

(ii) The Executive Director of the Department of Rehabilitation Services;

(iii) The State Superintendent of Public Education;

(iv) The Executive Director of the Mississippi Development Authority;

(v) The Executive Director of the Mississippi Community College Board;

(vi) The President of the Community College Association; and

(vii) The Commissioner of the Institutions of Higher Learning.

(f) One (1) senator, appointed by the Lieutenant Governor, and one (1) representative, appointed by the Speaker of the House, shall serve on the state board in a nonvoting capacity.

(g) The Governor may appoint additional members if required by the federal Workforce Innovation and Opportunity Act, or any successive acts.

(h) Members of the board shall serve a term of four (4) years, and shall not serve more than three (3) consecutive terms.

(i) The membership of the board shall reflect the diversity of the State of Mississippi.

(j) The Governor shall designate the Chairman of the Mississippi State Workforce Investment Board from among the business and industry voting members of

the board, and a quorum of the board shall consist of a majority of the voting members of the board.

(k) The voting members of the board who are not state employees shall be entitled to reimbursement of their reasonable expenses in the manner and amount specified in Section 25-3-41 and shall be entitled to receive per diem compensation as authorized in Section 25-3-69.

(3) Members of the state board may be recalled by their appointing authority for cause, including a felony conviction, fraudulent or dishonest acts or gross abuse of discretion, failure to meet board member qualifications, or chronic failure to attend board meetings.

(4) The Mississippi Department of Employment Security shall establish limits on administrative costs for each portion of Mississippi's workforce development system consistent with the federal Workforce Investment Act or any future federal workforce legislation.

(5) The Mississippi State Workforce Investment Board shall have the following duties. These duties are intended to be consistent with the scope of duties provided in the federal Workforce Innovation and Opportunity Act, amendments and successor legislation to this act, and other relevant federal law:

(a) Through the office, develop and submit to the Governor, Lieutenant Governor and Speaker of the House a strategic plan for an integrated state workforce development system that aligns resources and structures the system to more effectively and efficiently meet the demands of Mississippi's employers and job seekers. This plan will comply with the federal Workforce Investment Act of 1998, as amended, the federal Workforce Innovation and Opportunity Act of 2014 and amendments and successor legislation to these acts;

(b) Assist the Governor, Lieutenant Governor and Speaker of the House in the development and continuous improvement of the statewide workforce investment system that shall include:

(i) Development of linkages in order to assure coordination and nonduplication among programs and activities; and

(ii) Review local workforce development plans that reflect the use of funds from the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser Act and the amendment or successor legislation to the acts, and the Mississippi Comprehensive Workforce Training and Education Consolidation Act;

(c) Recommend to the office the designation of local workforce investment areas as required in Section 116 of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014. There shall be four (4) workforce investment areas that are generally aligned with the planning and development district structure in Mississippi. Planning and development districts will serve as the fiscal agents to manage Workforce Investment Act funds, oversee and support the local workforce investment boards aligned with the area and the local programs and activities as delivered by the one-stop employment and training system. The planning and development districts will perform this function through the provisions of the county cooperative service districts created under Sections 19-3-101 through 19-3-115; however, planning and development districts currently performing this function under the Interlocal Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may continue to do so;

(d) Assist the Governor in the development of an allocation formula for the distribution of funds for adult employment and training activities and youth activities to local workforce investment areas;



(e) Recommend comprehensive, results-oriented measures that shall be applied to all of Mississippi's workforce development system programs;

(f) Assist the Governor in the establishment and management of a one-stop employment and training system conforming to the requirements of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, as amended, recommending policy for implementing the Governor's approved plan for employment and training activities and services within the state. In developing this one-stop career operating system, the Mississippi State Workforce Investment Board, in conjunction with local workforce investment boards, shall:

(i) Design broad guidelines for the delivery of workforce development programs;

(ii) Identify all existing delivery agencies and other resources;

(iii) Define appropriate roles of the various agencies to include an analysis of service providers' strengths and weaknesses;

(iv) Determine the best way to utilize the various agencies to deliver services to recipients; and

(v) Develop a financial plan to support the delivery system that shall, at a minimum, include an accountability system;

(g) To provide authority, in accordance with any executive order of the Governor, for developing the necessary collaboration among state agencies at the highest level for accomplishing the purposes of this article;

(h) To monitor the effectiveness of the workforce development centers and WIN job centers;

(i) To advise the Governor, public schools, community/junior colleges and institutions of higher learning on effective school-to-work transition policies and programs that link students moving from high school to higher education and students moving between community colleges and four-year institutions in pursuit of academic and technical skills training;

(j) To work with industry to identify barriers that inhibit the delivery of quality workforce education and the responsiveness of educational institutions to the needs of industry;

(k) To provide periodic assessments on effectiveness and results of the overall Mississippi comprehensive workforce development system and district councils;

(l) Develop broad statewide development goals, including a goal to raise the state's labor force participation rate;

(m) Perform a comprehensive review of Mississippi's workforce development efforts, including the amount spent and effectiveness of programs supported by state or federal money; and

(n) To assist the Governor in carrying out any other responsibility required by the federal Workforce Investment Act of 1998, as amended and the Workforce Innovation and Opportunity Act, successor legislation and amendments.

(6) The Mississippi State Workforce Investment Board shall coordinate all training programs and funds within its purview, consistent with the federal Workforce Investment

Act, Workforce Innovation and Opportunity Act, amendments and successor legislation to these acts, and other relevant federal law.

Each state agency director responsible for workforce training activities shall advise the Mississippi Office of Workforce Development and the State Workforce Investment Board of appropriate federal and state requirements. Each state agency, department and institution shall report any monies received for workforce training activities or career and technical education and a detailed itemization of how those monies were spent to the state board. The board shall compile the data and provide a report of the monies and expenditures to the Chairs of the House and Senate Appropriations Committee, the Chair of the House Workforce Development Committee and the Chair of the Senate Economic and Workforce Development Committee by October 1 of each year. Each such state agency director shall remain responsible for the actions of his agency; however, each state agency and director shall work cooperatively to fulfill the state's goals.

(7) The State Workforce Investment Board shall establish an executive committee, which shall consist of the following State Workforce Investment Board members:

- (a) The Chair of the State Workforce Investment Board;
- (b) Two (2) business representatives currently serving on the state board selected by the Governor;
- (c) The two (2) business representatives currently serving on the state board appointed by the Lieutenant Governor;
- (d) The two (2) business representatives currently serving on the state board appointed by the Governor from a list of three (3) recommendations from the Speaker of the House;
- (e) The two (2) legislators, who shall serve in a nonvoting capacity, one (1) of whom shall be appointed by the Lieutenant Governor from the membership of the Mississippi Senate and one (1) of whom shall be appointed by the Speaker of the House of Representatives from the membership of the Mississippi House of Representatives.

(8) The executive committee shall select an executive director of the Office of Workforce Development, with the advice and consent of a majority of the State Workforce Investment Board. The executive committee shall seek input from economic development organizations across the state when selecting the executive director. The executive director shall:

- (a) Be a person with extensive experience in development of economic, human and physical resources, and promotion of industrial and commercial development. The executive director shall have a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce or economic development;
- (b) Perform the functions necessary for the daily operation and administration of the office, with oversight from the executive committee and the State Workforce Investment Board, to fulfill the duties of the state board as described in Chapter 476, Laws of 2020;
- (c) Hire staff needed for the performance of his or her duties under Chapter 476, Laws of 2020. The executive director, with approval from the executive committee, shall set the compensation of any hired employees from any funds made available for that purpose;

(d) Enter any part of the Mississippi Community College Board, individual community and junior colleges, or other workforce training facilities operated by the state or its subdivisions;

(e) Serve at the will and pleasure of the executive committee;

(f) Promulgate rules and regulations, subject to oversight by the executive committee, not inconsistent with this article, as may be necessary to enforce the provisions in Chapter 476, Laws of 2020; and

(g) Perform any other actions he or she, in consultation with the executive committee, deems necessary to fulfill the duties under Chapter 476, Laws of 2020.

(9) The Office of Workforce Development and Mississippi Community College Board shall collaborate in the administration and oversight of the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, as described in Section 71-5-353. The executive director shall maintain complete and exclusive operational control of the office's functions.

(10) The office shall file an annual and a quarterly report each year with the Governor, Secretary of State, President of the Senate, \* \* \* Speaker of the House, \* \* \* Chairman of the House Workforce Development Committee and Chairman of the Senate Economic and Workforce Development Committee. The annual report shall be filed not later than October 1 of each year regarding all funds approved by the office to be expended on workforce training during the prior calendar year. The quarterly and annual report shall include:

(a) Information on the performance of the Mississippi Workforce Enhancement Training Fund and the Mississippi Works Fund, in terms of adding value to the local and state economy, the contribution to future growth of the state economy, and movement toward state goals, including increasing the labor force participation rate; \* \* \*

(b) With respect to specific workforce training projects:

(i) The location of the training;

(ii) The amount allocated to the project;

(iii) The purpose of the project;

(iv) The specific business entity that is the beneficiary of the project; \* \* \*

(v) The number of employees intended to be trained and actually trained, if applicable, in the course of the project \* \* \*; and

(vi) The types of funds used for the project;

(c) With respect to the grants that have been awarded under the Mississippi K-12 Workforce Development Grant Program created in Section 2 of this act:

(i) The entity that was awarded the grant;

(ii) The amount allocated to the grant;

(iii) The purpose of the grant; and

(iv) How the grant has been used since it was awarded; and

(d) With respect to the office's authority to select tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office:

(i) The policies that the office has adopted or amended on the process for the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office;

(ii) The eligible entities that the office determined may provide services, such as companies, nonprofit organizations, or other similar groups;

(iii) Any tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, that have been selected by the office; and

(iv) What entity received the benefit of the tools and resources that were selected.

All information concerning a proposed project which is provided to the executive director shall be kept confidential. Except as provided in subsections (13) and (14), such confidentiality shall not limit disclosure under the Mississippi Public Records Act of 1983 of records describing the nature, quantity, cost or other pertinent information related to the activities of, or services performed using, the Mississippi Workforce Enhancement Training Fund or the Mississippi Works Fund.

(11) In addition to other powers and duties provided in this section, the Office of Workforce Development shall also have the following powers and duties:

(a) Direct access to accounting and banking statements for all funds under its direction to ensure accurate and efficient management of funds and to improve internal control;

(b) The ability to enter into nondisclosure agreements to effectively support economic development activities and the proprietary nature of customized training for existing and new industry;

(c) To adopt and promulgate such rules and regulations as may be necessary or desirable for the purpose of implementing the Mississippi K-12 Workforce Development Grant Program created in Section 2 of this act;

(d) To receive contributions, donations, gifts, bequests of money, other forms of financial assistance and property, equipment, materials or manpower from persons, foundations, trust funds, corporations, organizations and other sources, public or private, made to the office, and may expend or use the same in accordance with the conditions prescribed by the donor, provided that no such condition is contrary to any provision of law;

(e) To contract with state agencies, governing authorities or economic and workforce development entities for shared programmatic efforts and support service or joint employment of personnel in order to further the office's purposes; and

(f) To determine, subject to appropriation, the need for and, if desired, the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, through processes established in policies adopted by the office that are deemed to be practical, feasible and in the public interest. These processes shall outline eligible entities that may provide such services, such as companies, nonprofit organizations, or other similar groups and shall ensure the office determines metrics for success, including deliverables as required by the office.

Through December 31, 2024, the provisions of Section 27-104-7 related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the office.

( \*\* \*12) Nothing in Chapter 476, Laws of 2020 [Senate Bill No. 2564] shall void or otherwise interrupt any contract, lease, grant or other agreement previously entered into by the State Workforce Investment Board, Mississippi Community College Board, individual community or junior colleges, or other entities.

(13) Any records of the office which contain client information from the Mississippi Development Authority or local economic development entities concerning development projects shall be exempt from the provisions of the Mississippi Public Records Act of 1983 for a period of two (2) years after receipt of the information by the office. Confidential client information as described in this section shall not include the information which must be disclosed by the certified applicant related to a qualified economic development project in the annual report described in Section 57-1-759.

(14) Confidential client information in public records held by the office shall be exempt from the provisions of the Mississippi Public Records Act of 1983 during any period of review and negotiation on a project proposal facilitated by the Mississippi Development Authority or local economic development entities and for a period of thirty (30) days after approval, disapproval or abandonment of the proposal not to exceed one (1) year.

SECTION 4. Section 27-104-7, Mississippi Code of 1972, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board.

The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) Promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c), any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services, any personal service contracts entered into by the individual state institutions of higher learning, any personal service contracts entered into by the Mississippi Department of Transportation, any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services, any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019, any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission, any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services, any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories, any personal or professional service contract entered into by the Mississippi Department of Health and/or the

Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2023, any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, utility rate expert services, any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022, any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026, and any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026. Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act;

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;



(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;
4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and
5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from

the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal

relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

(9) Notwithstanding the exemption of personal and professional services contracts entered into by the Department of Human Services and personal and professional services contracts entered into by the Department of Child Protection Services from the provisions of this section under subsection (2)(f), before the Department of Human Services or the Department of Child Protection Services may enter into a personal or professional service contract, the department(s) shall give notice of the proposed personal or professional service contract to the Public Procurement Review Board for any recommendations by the board. Upon receipt of the notice, the board shall post the notice on its website and on the procurement portal website established by Sections 25-53-151 and 27-104-165. If the board does not respond to the department(s) within seven (7) calendar days after receiving the notice, the department(s) may enter the proposed personal or professional service contract. If the board responds to the department(s) within seven (7) calendar days, then the board has seven (7) calendar days from the date of its initial response to provide any additional recommendations. After the end of the second seven-day period, the department(s) may enter the proposed personal or professional service contract. The board is not authorized to disapprove any proposed personal or professional services contracts. This subsection shall stand repealed on July 1, 2022.

(10) Through December 31, 2024, the provisions of this section related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the Office of Workforce Development created in Section 37-153-7.

SECTION 5. Section 71-5-355, Mississippi Code of 1972, is amended as follows:

71-5-355. (1) As used in this section, the following words and phrases shall have the following meanings, unless the context clearly requires otherwise:

(a) "Tax year" means any period beginning on January 1 and ending on December 31 of a year.

(b) "Computation date" means June 30 of any calendar year immediately preceding the tax year during which the particular contribution rates are effective.

(c) "Effective date" means January 1 of the tax year.

(d) Except as hereinafter provided, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H, plus the total of all remuneration paid by such employer excluded from the definition of wages by Section 71-5-351. For the computation of modified rates, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H.

(e) For the computation of modified rates, "eligible employer" means an employer whose experience-rating record has been chargeable with benefits throughout the thirty-six (36) consecutive calendar-month period ending on the computation date, except that any employer who has not been subject to the Mississippi Employment Security Law for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement shall be an eligible employer if his or her experience-rating record has been chargeable throughout not less than the twelve (12) consecutive calendar-month period ending on the computation date. No employer shall be considered eligible for a contribution rate less than five and four-tenths percent (5.4%) with respect to any tax year, who has failed to file any two (2) quarterly reports within the qualifying period by September 30 following the computation date. No employer or employing unit shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which the employing unit is found by the department to be in violation of Section 71-5-19(2) or (3) and for the next two (2) succeeding tax years. No representative of such employing unit who was a party to a violation as described in Section 71-5-19(2) or (3), if such representative was or is an employing unit in this state, shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which such violation was detected by the department and for the next two (2) succeeding tax years.

(f) With respect to any tax year, "reserve ratio" means the ratio which the total amount available for the payment of benefits in the Unemployment Compensation Fund, excluding any amount which has been credited to the account of this state under Section 903 of the Social Security Act, as amended, and which has been appropriated for the expenses of administration pursuant to Section 71-5-457 whether or not withdrawn from such account, on October 31 (close of business) of each calendar year bears to the aggregate of the taxable payrolls of all employers for the twelve (12) calendar months ending on June 30 next preceding.

(g) "Modified rates" means the rates of employer unemployment insurance contributions determined under the provisions of this chapter and the rates of newly subject employers, as provided in Section 71-5-353.

(h) For the computation of modified rates, "qualifying period" means a period of not less than the thirty-six (36) consecutive calendar months ending on the computation date throughout which an employer's experience-rating record has been chargeable with benefits; except that with respect to any eligible employer who has not been subject to this article for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement, "qualifying period" means the period ending on the computation date throughout which his or her experience-rating record has been chargeable with benefits, but in no event less than the twelve (12) consecutive calendar-month period ending on the computation date throughout which his or her experience-rating record has been so chargeable.

(i) The "exposure criterion" (EC) is defined as the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits as of November 16 of each calendar year or the next working day if November 16 falls on a holiday or a weekend, divided by the total wages, exclusive of wages paid by all state agencies, all political subdivisions, reimbursable nonprofit corporations, and tax-exempt public service employment, for the twelve-month period ending June 30 immediately

preceding such date. The EC shall be computed to four (4) decimal places and rounded up if any fraction remains. Notwithstanding any other provision contained herein, the date for determining the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits for the calendar years 2020 and 2021 shall be December 31.

(j) The "cost rate criterion" (CRC) is defined as follows: Beginning with January 1974, the benefits paid for the twelve-month period ending December 1974 are summed and divided by the total wages for the twelve-month period ending on June 30, 1975. Similar ratios are computed by subtracting the earliest month's benefit payments and adding the benefits of the next month in the sequence and dividing each sum of twelve (12) months' benefits by the total wages for the twelve-month period ending on the June 30 which is nearest to the final month of the period used to compute the numerator. If December is the final month of the period used to compute the numerator, then the twelve-month period ending the following June 30 will be used for the denominator. Benefits and total wages used in the computation of the cost rate criterion shall exclude all benefits and total wages applicable to state agencies, political subdivisions, reimbursable nonprofit corporations, and tax-exempt PSE employment.

The CRC shall be computed as the average for the highest monthly value of the cost rate criterion computations during each of the economic cycles since the calendar year 1974 as defined by the National Bureau of Economic Research. The CRC shall be computed to four (4) decimal places and any remainder shall be rounded up.

The CRC shall be adjusted only through annual computations and additions of future economic cycles.

(k) "Size of fund index" (SOFI) is defined as the ratio of the exposure criterion (EC) to the cost rate criterion (CRC). The target size of fund index will be fixed at 1.0. If the insured unemployment rate (IUR) exceeds a four and five-tenths percent (4.5%) average for the most recent completed July to June period, the target SOFI will be .8 and will remain at that level until the computed SOFI (the average exposure criterion of the current year and the preceding year divided by the average cost rate criterion) equals 1.0 or the average IUR falls to four and five-tenths percent (4.5%) or less for any period July to June. However, if the IUR falls below two and five-tenths percent (2.5%) for any period July to June the target SOFI shall be 1.2 until such time as the computed SOFI is equal to or greater than 1.0 or the IUR is equal to or greater than two and five-tenths percent (2.5%), at which point the target SOFI shall return to 1.0.

(l) No employer's unemployment contribution general experience rate plus individual unemployment experience rate shall exceed five and four-tenths percent (5.4%). Accrual rules shall apply for purposes of computing contribution rates including associated functions.

(m) The term "general experience rate" has the same meaning as the minimum tax rate.

(2) Modified rates:

(a) For any tax year, when the reserve ratio on the preceding November 16, in the case of any tax year, equals or exceeds three percent (3%), the modified rates, as hereinafter prescribed, shall be in effect. In computation of this reserve ratio, any remainder shall be rounded down.

(b) Modified rates shall be determined for the tax year for each eligible employer on the basis of his or her experience-rating record in the following manner:

(i) The department shall maintain an experience-rating record for each employer. Nothing in this chapter shall be construed to grant any employer or

individuals performing services for him or her any prior claim or rights to the amounts paid by the employer into the fund.

(ii) Benefits paid to an eligible individual shall be charged against the experience-rating record of his or her base period employers in the proportion to which the wages paid by each base period employer bears to the total wages paid to the individual by all the base period employers, provided that benefits shall not be charged to an employer's experience-rating record if the department finds that the individual:

1. Voluntarily left the employ of such employer without good cause attributable to the employer or to accept other work;

2. Was discharged by such employer for misconduct connected with his or her work;

3. Refused an offer of suitable work by such employer without good cause, and the department further finds that such benefits are based on wages for employment for such employer prior to such voluntary leaving, discharge or refusal of suitable work, as the case may be;

4. Had base period wages which included wages for previously uncovered services as defined in Section 71-5-511(e) to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566;

5. Extended benefits paid under the provisions of Section 71-5-541 which are not reimbursable from federal funds shall be charged to the experience-rating record of base period employers;

6. Is still working for such employer on a regular part-time basis under the same employment conditions as hired. Provided, however, that benefits shall be charged against an employer if an eligible individual is paid benefits who is still working for such employer on a part-time "as-needed" basis;

7. Was hired to replace a United States serviceman or servicewoman called into active duty and was laid off upon the return to work by that serviceman or servicewoman, unless such employer is a state agency or other political subdivision or instrumentality of the state;

8. Was paid benefits during any week while in training with the approval of the department, under the provisions of Section 71-5-513B, or for any week while in training approved under Section 236(a)(1) of the Trade Act of 1974, under the provisions of Section 71-5-513C;

9. Is not required to serve the one-week waiting period as described in Section 71-5-505(2). In that event, only the benefits paid in lieu of the waiting period week may be noncharged; or

10. Was paid benefits as a result of a fraudulent claim, provided notification was made to the Mississippi Department of Employment Security in writing or by email by the employer, within ten (10) days of the mailing of the notice of claim filed to the employer's last-known address.

(iii) Notwithstanding any other provision contained herein, an employer shall not be noncharged when the department finds that the employer or the employer's agent of record was at fault for failing to respond timely or adequately to the request of the department for information relating to an unemployment claim that was subsequently determined to be improperly paid, unless the employer or the employer's agent of record shows good cause for having failed to respond timely or adequately to the

request of the department for information. For purposes of this subparagraph "good cause" means an event that prevents the employer or employer's agent of record from timely responding, and includes a natural disaster, emergency or similar event, or an illness on the part of the employer, the employer's agent of record, or their staff charged with responding to such inquiries when there is no other individual who has the knowledge or ability to respond. Any agency error that resulted in a delay in, or the failure to deliver notice to, the employer or the employer's agent of record shall also be considered good cause for purposes of this subparagraph.

(iv) The department shall compute a benefit ratio for each eligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record during the period his or her experience-rating record has been chargeable, but not less than the twelve (12) consecutive calendar-month period nor more than the thirty-six (36) consecutive calendar-month period ending on the computation date, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date. Such benefit ratio shall be computed to the tenth of a percent (.1%), rounding any remainder to the next higher tenth.

(v) 1. The unemployment insurance contribution rate for each eligible employer shall be the sum of two (2) rates: his or her individual experience rate in the range from zero percent (0%) to five and four-tenths percent (5.4%), plus a general experience rate. In no event shall the resulting unemployment insurance rate be in excess of five and four-tenths percent (5.4%), however, it is the intent of this section to provide the ability for employers to have a tax rate, the general experience rate plus the individual experience rate, of up to five and four-tenths percent (5.4%).

2. The employer's individual experience rate shall be equal to his or her benefit ratio as computed under paragraph (b)(iv) of this subsection (2).

3. The general experience rate shall be determined in the following manner: The department shall determine annually, for the thirty-six (36) consecutive calendar-month period ending on the computation date, the amount of benefits which were not charged to the record of any employer and of benefits which were ineffectively charged to the employer's experience-rating record. For the purposes of this item 3, the term "ineffectively charged benefits" shall include:

a. The total of the amounts of benefits charged to the experience-rating records of all eligible employers which caused their benefit ratios to exceed five and four-tenths percent (5.4%);

b. The total of the amounts of benefits charged to the experience-rating records of all ineligible employers which would cause their benefit ratios to exceed five and four-tenths percent (5.4%) if they were eligible employers; and

c. The total of the amounts of benefits charged or chargeable to the experience-rating record of any employer who has discontinued his or her business or whose coverage has been terminated within such period; provided, that solely for the purposes of determining the amounts of ineffectively charged benefits as herein defined, a "benefit ratio" shall be computed for each ineligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record throughout the period ending on the computation date, during which his or her experience-rating record has been chargeable with benefits, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date; and provided further, that such benefit ratio shall be computed to the tenth of one percent (.1%) and any remainder shall be rounded to the next higher tenth.

The ratio of the sum of these amounts (subsection (2)(b)(v)3a, b and c) to the taxable wages paid during the same period divided by all eligible employers whose benefit ratio did not exceed five and four-tenths percent (5.4%), computed to the next higher tenth of one percent (.1%), shall be the general experience rate; however, the general experience rate for rate year 2014 shall be two tenths of one percent (.2%) and to that will be added the employer's individual experience rate for the total unemployment insurance rate.

4. a. Except as otherwise provided in this item 4, the general experience rate shall be adjusted by use of the size of fund index factor. This factor may be positive or negative, and shall be determined as follows: From the target SOFI, as defined in subsection (1)(k) of this section, subtract the simple average of the current and preceding years' exposure criteria divided by the cost rate criterion, as defined in subsection (1)(j) of this section. The result is then multiplied by the product of the CRC, as defined in subsection (1)(j) of this section, and total wages for the twelve-month period ending June 30 divided by the taxable wages for the twelve-month period ending June 30. This is the percentage positive or negative added to the general experience rate. The sum of the general experience rate and the trust fund adjustment factor shall be multiplied by fifty percent (50%) and this product shall be computed to one (1) decimal place, and rounded to the next higher tenth.

b. Notwithstanding the minimum rate provisions as set forth in subsection (1)(l) of this section, the general experience rate of all employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only.

5. The general experience rate shall be zero percent (0%) unless the general experience ratio for any tax year as computed and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%) is an amount equal to or greater than two-tenths of one percent (.2%), then the general experience rate shall be the computed general experience ratio and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%); however, in no case shall the sum of the general experience plus the individual experience unemployment insurance rate exceed five and four-tenths percent (5.4%). For rate years subsequent to 2014, Mississippi Workforce Enhancement Training contribution rate, and/or \* \* \* Mississippi K-12 Workforce Development Grant Program contribution rate, and/or Mississippi Works contribution rate, when in effect, shall be added to the unemployment contribution rate, regardless of whether the addition of this contribution rate causes the total contribution rate for the employer to exceed five and four-tenths percent (5.4%).

6. The department shall include in its annual rate notice to employers a brief explanation of the elements of the general experience rate, and shall include in its regular publications an annual analysis of benefits not charged to the record of any employer, and of the benefit experience of employers by industry group whose benefit ratio exceeds four percent (4%), and of any other factors which may affect the size of the general experience rate.

7. Notwithstanding any other provision contained herein, the general experience rate for calendar year 2021 shall be zero percent (0%). Charges attributed to each employer's individual experience rate for the period March 8, 2020, through June 30, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2021 and the two (2) subsequent tax rate years. Moreover, charges attributed to each employer's individual experience rate for the period July 1, 2020, through December 31, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2022 and the two (2) subsequent tax rate years.

(vi) When any employing unit in any manner succeeds to or acquires the organization, trade, business or substantially all the assets thereof of an employer,



excepting any assets retained by such employer incident to the liquidation of his or her obligations, whether or not such acquiring employing unit was an employer within the meaning of Section 71-5-11, subsection H, prior to such acquisition, and continues such organization, trade or business, the experience-rating and payroll records of the predecessor employer shall be transferred as of the date of acquisition to the successor employer for the purpose of rate determination.

(vii) When any employing unit succeeds to or acquires a distinct and severable portion of an organization, trade or business, the experience-rating and payroll records of such portion, if separately identifiable, shall be transferred to the successor upon:

1. The mutual consent of the predecessor and the successor;
2. Approval of the department;
3. Continued operation of the transferred portion by the successor after transfer; and
4. The execution and the filing with the department by the predecessor employer of a waiver relinquishing all rights to have the experience-rating and payroll records of the transferred portion used for the purpose of determining modified rates of contribution for such predecessor.

(viii) If the successor was an employer subject to this chapter prior to the date of acquisition, it shall continue to pay unemployment insurance contributions at the rate applicable to it from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date of acquisition, it shall pay unemployment insurance contributions at the rate applicable to the predecessor or, if more than one (1) predecessor and the same rate is applicable to both, the rate applicable to the predecessor or predecessors, from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date the acquisition occurred and simultaneously acquires the businesses of two (2) or more employers to whom different rates of unemployment insurance contributions are applicable, it shall pay unemployment insurance contributions from the date of the acquisition until the end of the current tax year at a rate computed on the basis of the combined experience-rating and payroll records of the predecessors as of the computation date for such tax year. In all cases the rate of unemployment insurance contributions applicable to such successor for each succeeding tax year shall be computed on the basis of the combined experience-rating and payroll records of the successor and the predecessor or predecessors.

(ix) The department shall notify each employer quarterly of the benefits paid and charged to his or her experience-rating record; and such notification, in the absence of an application for redetermination filed within thirty (30) days after the date of such notice, shall be final, conclusive and binding upon the employer for all purposes. A redetermination, made after notice and opportunity for a fair hearing, by a hearing officer designated by the department who shall consider and decide these and related applications and protests; and the finding of fact in connection therewith may be introduced into any subsequent administrative or judicial proceedings involving the determination of the rate of unemployment insurance contributions of any employer for any tax year, and shall be entitled to the same finality as is provided in this subsection with respect to the findings of fact in proceedings to redetermine the contribution rate of an employer.

(x) The department shall notify each employer of his or her rate of contribution as determined for any tax year as soon as reasonably possible after September 1 of the preceding year. Such determination shall be final, conclusive and binding upon such employer unless, within thirty (30) days after the date of such notice to

his or her last-known address, the employer files with the department an application for review and redetermination of his or her contribution rate, setting forth his or her reasons therefor. If the department grants such review, the employer shall be promptly notified thereof and shall be afforded an opportunity for a fair hearing by a hearing officer designated by the department who shall consider and decide these and related applications and protests; but no employer shall be allowed, in any proceeding involving his or her rate of unemployment insurance contributions or contribution liability, to contest the chargeability to his or her account of any benefits paid in accordance with a determination, redetermination or decision pursuant to Sections 71-5-515 through 71-5-533 except upon the ground that the services on the basis of which such benefits were found to be chargeable did not constitute services performed in employment for him or her, and then only in the event that he or she was not a party to such determination, redetermination, decision or to any other proceedings provided in this chapter in which the character of such services was determined. The employer shall be promptly notified of the denial of this application or of the redetermination, both of which shall become final unless, within ten (10) days after the date of notice thereof, there shall be an appeal to the department itself. Any such appeal shall be on the record before said designated hearing officer, and the decision of said department shall become final unless, within thirty (30) days after the date of notice thereof to the employer's last-known address, there shall be an appeal to the Circuit Court of the First Judicial District of Hinds County, Mississippi, in accordance with the provisions of law with respect to review of civil causes by certiorari.

(3) Notwithstanding any other provision of law, the following shall apply regarding assignment of rates and transfers of experience:

(a) (i) If an employer transfers its trade or business, or a portion thereof, to another employer and, at the time of the transfer, there is substantially common ownership, management or control of the two (2) employers, then the unemployment experience attributable to the transferred trade or business shall be transferred to the employer to whom such business is so transferred. The rates of both employers shall be recalculated and made effective on January 1 of the year following the year the transfer occurred.

(ii) If, following a transfer of experience under subparagraph (i) of this paragraph (a), the department determines that a substantial purpose of the transfer of trade or business was to obtain a reduced liability of unemployment insurance contributions, then the experience-rating accounts of the employers involved shall be combined into a single account and a single rate assigned to such account.

(b) Whenever a person who is not an employer or an employing unit under this chapter at the time it acquires the trade or business of an employer, the unemployment experience of the acquired business shall not be transferred to such person if the department finds that such person acquired the business solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions. Instead, such person shall be assigned the new employer rate under Section 71-5-353, unless assignment of the new employer rate results in an increase of less than two percent (2%), in which case such person would be assigned the new employer rate plus an additional two percent (2%) penalty for the rate year. In determining whether the business was acquired solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions, the department shall use objective factors which may include the cost of acquiring the business, whether the person continued the business enterprise of the acquired business, how long such business enterprise was continued, or whether a substantial number of new employees were hired for performance of duties unrelated to the business activity conducted prior to acquisition.

(c) (i) If a person knowingly violates or attempts to violate paragraph (a) or (b) of this subsection or any other provision of this chapter related to determining the assignment of a contribution rate, or if a person knowingly advises another person in a

way that results in a violation of such provision, the person shall be subject to the following penalties:

1. If the person is an employer, then such employer shall be assigned the highest rate assignable under this chapter for the rate year during which such violation or attempted violation occurred and the three (3) rate years immediately following this rate year. However, if the person's business is already at such highest rate for any year, or if the amount of increase in the person's rate would be less than two percent (2%) for such year, then the person's tax rate shall be increased by two percent (2%) for such year. The penalty rate will apply to the successor business as well as the related entity from which the employees were transferred in an effort to obtain a lower rate of unemployment insurance contributions.

2. If the person is not an employer, such person shall be subject to a civil money penalty of not more than Five Thousand Dollars (\$5,000.00). Each such transaction for which advice was given and each occurrence or reoccurrence after notification being given by the department shall be a separate offense and punishable by a separate penalty. Any such fine shall be deposited in the penalty and interest account established under Section 71-5-114.

(ii) For purposes of this paragraph (c), the term "knowingly" means having actual knowledge of or acting with deliberate ignorance or reckless disregard for the prohibition involved.

(iii) For purposes of this paragraph (c), the term "violates or attempts to violate" includes, but is not limited to, intent to evade, misrepresentation or willful nondisclosure.

(iv) In addition to the penalty imposed by subparagraph (i) of this paragraph (c), any violation of this subsection may be punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment. This subsection shall prohibit prosecution under any other criminal statute of this state.

(d) The department shall establish procedures to identify the transfer or acquisition of a business for purposes of this subsection.

(e) For purposes of this subsection:

(i) "Person" has the meaning given such term by Section 7701(a)(1) of the Internal Revenue Code of 1986; and

(ii) "Employing unit" has the meaning as set forth in Section 71-5-11.

(f) This subsection shall be interpreted and applied in such a manner as to meet the minimum requirements contained in any guidance or regulations issued by the United States Department of Labor.

SECTION 6. Section 71-5-453, Mississippi Code of 1972, is amended as follows:

71-5-453. The department shall be the treasurer and custodian of the fund, and shall administer such fund in accordance with the directions of the department, and shall issue its warrants upon it in accordance with such regulations as the department shall prescribe. The department shall maintain within the fund three (3) separate accounts: (a) a clearing account, (b) an unemployment trust fund account, and (c) a benefit payment account. All monies payable to the fund, upon receipt thereof by the department, shall be immediately deposited in the clearing account. Refunds payable pursuant to Section 71-5-383 may be paid from the clearing account by the department. Transfers pursuant to Section 71-5-114 of all interest, penalties and damages collected shall be made to the

Special Employment Security Administration Fund as soon as practicable after the end of each calendar quarter. Workforce Enhancement Training contributions, \* \* \* Mississippi K-12 Workforce Development Grant Program contributions and Mississippi Works contributions shall be deposited into the Workforce Investment and Training Holding Account as described in this section. All other monies in the clearing account shall be immediately deposited with the Secretary of the Treasury of the United States of America to the Unemployment Trust Fund account for the State of Mississippi, established and maintained pursuant to Section 904 of the Social Security Act, as amended, any provisions of law in this state relating to the deposit, administration, release or disbursement of monies in the possession or custody of this state to the contrary notwithstanding. The benefit account shall consist of all monies requisitioned from this state's account in the Unemployment Trust Fund. Except as herein otherwise provided, monies in the clearing and benefit accounts may be deposited by the department, in any bank or public depository in which general funds of the state may be deposited, but no public deposit insurance charge or premium shall be paid out of the fund. The department shall be liable for the faithful performance of its duties in connection with the Unemployment Compensation Fund under this chapter. A Workforce Investment and Training Holding Account shall be established by and maintained under the control of the Mississippi Department of Employment Security. Contributions collected pursuant to the provisions in this chapter for the Workforce Enhancement Training Fund, \* \* \* Mississippi K-12 Workforce Development Grant Program Fund and the Mississippi Works Fund shall be transferred from the clearing account into the Workforce Investment and Training Holding Account on the same schedule and under the same conditions as funds transferred to the Unemployment Compensation Fund. Such funds shall remain on deposit in the holding account for a period of thirty (30) days. After such period, Workforce Enhancement Training contributions shall be transferred to the appropriate Mississippi Community College Board Treasury Account, with oversight provided by the Mississippi Office of Workforce Development, by the department. The \* \* \* Mississippi K-12 Workforce Development Grant program contributions shall be transferred to the \* \* \* Mississippi K-12 Workforce Development Grant Program Treasury Account for the Mississippi K-12 Workforce Development Grant Program Fund. The Mississippi Works contributions shall be transferred to the Mississippi Department of Employment Security Treasury Account for the Mississippi Works Fund. Such transfers shall occur within fifteen (15) days after the funds have resided in the Workforce Investment and Training Holding Account for thirty (30) days. One (1) such transfer shall be made monthly, but the department, in its discretion, may make additional transfers in any month. In the event such funds transferred are subsequently determined to be erroneously paid or collected, or if deposit of such funds is denied or rejected by the banking institution for any reason, or deposits are unable to clear drawer's account for any reason, the funds must be reimbursed by the recipient of such funds within thirty (30) days of mailing of notice by the department demanding such refund, unless funds are available in the Workforce Investment and Training Holding Account. In that event such amounts shall be immediately withdrawn from the Workforce Investment and Training Holding Account by the department and redeposited into the clearing account.

SECTION 7. Section 25-61-5, Mississippi Code of 1972, is amended as follows:

25-61-5. (1) (a) Except as otherwise provided by Sections 25-61-9, 25-61-11 \* \* \*, 25-61-11.2 and 37-153-7, all public records are hereby declared to be public property, and any person shall have the right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record of a public body in accordance with reasonable written procedures adopted by the public body concerning the cost, time, place and method of access, and public notice of the procedures shall be given by the public body, or, if a public body has not adopted written procedures, the right to inspect, copy or mechanically reproduce or obtain a reproduction of a public record of the public body shall be provided within one (1) working day after a written request for a public record is made. No public body shall adopt procedures which will authorize the public body to produce or deny production of a public record later than seven (7) working days from the date of the receipt of the request for the production of the record.

(b) If a public body is unable to produce a public record by the seventh working day after the request is made, the public body must provide a written explanation to the person making the request stating that the record requested will be produced and specifying with particularity why the records cannot be produced within the seven-day period. Unless there is mutual agreement of the parties, or the information requested is part of ongoing negotiations related to a request for competitive sealed proposals, in no event shall the date for the public body's production of the requested records be any later than fourteen (14) working days from the receipt by the public body of the original request. Production of competitive sealed proposals in accordance with requests made pursuant to this section shall be no later than seven (7) working days after the notice of intent to award is issued to the winning proposer. Persons making a request for production of competitive sealed proposals after the notice of intent to award is issued by the public body shall have a reasonable amount of time, but in no event less than seven (7) working days after the production of the competitive sealed proposals, to protest the procurement or intended award prior to contract execution. However, in any instance where a person has filed for a protective order for a competitive sealed proposal and the court has not ruled on the protective order within ninety (90) days of filing, then the public body may proceed with awarding the contract without production of competitive sealed proposals and the contract may be protested after execution.

(2) If any public record contains material which is not exempted under this chapter, the public agency shall redact the exempted material and make the nonexempted material available for examination. Such public agency shall be entitled to charge a reasonable fee for the redaction of any exempted material, not to exceed the agency's actual cost.

(3) Denial by a public body of a request for access to or copies of public records under this chapter shall be in writing and shall contain a statement of the specific exemption relied upon by the public body for the denial. Each public body shall maintain a file of all denials of requests for public records. Public bodies shall be required to preserve such denials on file for not less than three (3) years from the date such denials are made. This file shall be made available for inspection or copying, or both, during regular office hours to any person upon written request.

(4) This section shall stand repealed on July 1, 2024.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 71-5-353, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM FUND IN THE STATE TREASURY WHICH SHALL CONSIST OF FUNDS COLLECTED FROM THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM CONTRIBUTIONS AND ANY OTHER MONIES THAT MAY BE APPROPRIATED TO IT FROM THE LEGISLATURE; TO PROVIDE THAT THE STATE WORKFORCE INVESTMENT BOARD CONTRIBUTIONS THAT WERE BEING DEPOSITED INTO THE STATE WORKFORCE INVESTMENT BOARD BANK ACCOUNT SHALL NOW BE CONTRIBUTIONS FOR THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM AND DEPOSITED INTO THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM FUND; TO PROVIDE THAT ADMINISTRATIVE FEE COLLECTED FOR THE TRAINING PROVIDED USING THE MISSISSIPPI WORKFORCE ENHANCEMENT TRAINING AND MISSISSIPPI WORKS FUNDS MAY NOT BE MORE THAN FIVE PERCENT; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY SHALL BE THE FISCAL AGENT FOR ALL FUNDS APPROPRIATED TO IT FOR USE BY THE OFFICE OF WORKFORCE

DEVELOPMENT; TO CREATE A NEW SECTION THAT ESTABLISHES THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM; TO PROVIDE THAT THE PURPOSE FOR THE GRANT PROGRAM SHALL BE FOR CONSTRUCTING, REMODELING, PURCHASING OR UPGRADING EQUIPMENT OR OTHERWISE PROVIDING SUPPORT TO CAREER TECHNICAL CENTERS AT THE K-12 EDUCATION LEVEL; TO PROVIDE HOW THE PROGRAM SHALL BE FUNDED; TO PROVIDE HOW A SCHOOL MAY APPLY FOR A GRANT; TO PROVIDE THAT MAXIMUM AMOUNT OF FUNDS APPROPRIATED TO THE PROGRAM THAT MAY BE USED FOR ADMINISTERING THE PROGRAM; TO PROVIDE THE REPORTING REQUIREMENTS OF THE PROGRAM; TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO REVISE THE REPORTING REQUIREMENTS OF THE OFFICE OF WORKFORCE DEVELOPMENT; TO PROVIDE SPECIFIC POWERS AND DUTIES FOR THE OFFICE OF WORKFORCE DEVELOPMENT; TO PROVIDE TIME-LIMITED EXEMPTIONS FROM THE MISSISSIPPI PUBLIC RECORDS ACT FOR CERTAIN RECORDS AND CONFIDENTIAL CLIENT INFORMATION FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY OR LOCAL ECONOMIC DEVELOPMENT ENTITIES HELD BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO AMEND SECTIONS 71-5-355, 71-5-453 AND 27-104-7, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2376** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-21-261, Mississippi Code of 1972, is amended as follows:

43-21-261. (1) Except as otherwise provided in this section, records involving children shall not be disclosed, other than to necessary staff or officials of the youth court, a guardian ad litem appointed to a child by the court, or a Court-Appointed Special Advocate (CASA) volunteer who may be assigned in an abuse and neglect case, except pursuant to an order of the youth court specifying the person or persons to whom the records may be disclosed, the extent of the records which may be disclosed and the purpose of the disclosure. Such court orders for disclosure shall be limited to those instances in which the youth court concludes, in its discretion, that disclosure is required for the best interests of the child, the public safety, the functioning of the youth court, or to identify a person who knowingly made a false allegation of child abuse or neglect, and then only to the following persons:

- (a) The judge of another youth court or member of another youth court staff;
- (b) The court of the parties in a child custody or adoption cause in another court;
- (c) A judge of any other court or members of another court staff, including the chancery court that ordered a forensic interview;
- (d) Representatives of a public or private agency providing supervision or having custody of the child under order of the youth court;

(e) Any person engaged in a bona fide research purpose, provided that no information identifying the subject of the records shall be made available to the researcher unless it is absolutely essential to the research purpose and the judge gives prior written approval, and the child, through his or her representative, gives permission to release the information;

(f) The Mississippi Department of Employment Security, or its duly authorized representatives, for the purpose of a child's enrollment into the Job Corps Training Program as authorized by Title IV of the Comprehensive Employment Training Act of 1973 (29 USCS Section 923 et seq.). However, no records, reports, investigations or information derived therefrom pertaining to child abuse or neglect shall be disclosed;

(g) Any person pursuant to a finding by a judge of the youth court of compelling circumstances affecting the health, safety or well-being of a child and that such disclosure is in the best interests of the child or an adult who was formerly the subject of a youth court delinquency proceeding;

(h) A person who was the subject of a knowingly made false allegation of child abuse or neglect which has resulted in a conviction of a perpetrator in accordance with Section 97-35-47 or which allegation was referred by the Department of Child Protection Services to a prosecutor or law enforcement official in accordance with the provisions of Section 43-21-353(4).

Law enforcement agencies may disclose information to the public concerning the taking of a child into custody for the commission of a delinquent act without the necessity of an order from the youth court. The information released shall not identify the child or his address unless the information involves a child convicted as an adult.

(2) Any records involving children which are disclosed under an order of the youth court or pursuant to the terms of this section and the contents thereof shall be kept confidential by the person or agency to whom the record is disclosed unless otherwise provided in the order. Any further disclosure of any records involving children shall be made only under an order of the youth court as provided in this section.

(3) Upon request, the parent, guardian or custodian of the child who is the subject of a youth court cause or any attorney for such parent, guardian or custodian, shall have the right to inspect any record, report or investigation relevant to a matter to be heard by a youth court, except that the identity of the reporter shall not be released, nor the name of any other person where the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of such person. The attorney for the parent, guardian or custodian of the child, upon request, shall be provided a copy of any record, report or investigation relevant to a matter to be heard by a youth court, but the identity of the reporter must be redacted and the name of any other person must also be redacted if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life, safety or well-being of the person. A record provided to the attorney under this section must remain in the attorney's control and the attorney may not provide copies or access to another person or entity without prior consent of a court with appropriate jurisdiction.

(4) Upon request, the child who is the subject of a youth court cause shall have the right to have his counsel inspect and copy any record, report or investigation which is filed with the youth court or which is to be considered by the youth court at a hearing.

(5) (a) The youth court prosecutor or prosecutors, the county attorney, the district attorney, the youth court defender or defenders, or any attorney representing a child shall have the right to inspect and copy any law enforcement record involving children.

(b) The Department of Child Protection Services shall disclose to a county prosecuting attorney or district attorney any and all records resulting from an investigation

into suspected child abuse or neglect when the case has been referred by the Department of Child Protection Services to the county prosecuting attorney or district attorney for criminal prosecution.

(c) Agency records made confidential under the provisions of this section may be disclosed to a court of competent jurisdiction.

(d) Records involving children shall be disclosed to the Division of Victim Compensation of the Office of the Attorney General upon the division's request without order of the youth court for purposes of determination of eligibility for victim compensation benefits.

(6) Information concerning an investigation into a report of child abuse or child neglect may be disclosed by the Department of Child Protection Services without order of the youth court to any attorney, physician, dentist, intern, resident, nurse, psychologist, social worker, family protection worker, family protection specialist, child caregiver, minister, law enforcement officer, or a public or private school employee making that report pursuant to Section 43-21-353(1) if the reporter has a continuing professional relationship with the child and a need for such information in order to protect or treat the child.

(7) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court to any interagency child abuse task force established in any county or municipality by order of the youth court of that county or municipality.

(8) Names and addresses of juveniles twice adjudicated as delinquent for an act which would be a felony if committed by an adult or for the unlawful possession of a firearm shall not be held confidential and shall be made available to the public.

(9) Names and addresses of juveniles adjudicated as delinquent for murder, manslaughter, burglary, arson, armed robbery, aggravated assault, any sex offense as defined in Section 45-33-23, for any violation of Section 41-29-139(a)(1) or for any violation of Section 63-11-30, shall not be held confidential and shall be made available to the public.

(10) The judges of the circuit and county courts, and presentence investigators for the circuit courts, as provided in Section 47-7-9, shall have the right to inspect any youth court records of a person convicted of a crime for sentencing purposes only.

(11) The victim of an offense committed by a child who is the subject of a youth court cause shall have the right to be informed of the child's disposition by the youth court.

(12) A classification hearing officer of the State Department of Corrections, as provided in Section 47-5-103, shall have the right to inspect any youth court records, excluding abuse and neglect records, of any offender in the custody of the department who as a child or minor was a juvenile offender or was the subject of a youth court cause of action, and the State Parole Board, as provided in Section 47-7-17, shall have the right to inspect such records when the offender becomes eligible for parole.

(13) The youth court shall notify the Department of Public Safety of the name, and any other identifying information such department may require, of any child who is adjudicated delinquent as a result of a violation of the Uniform Controlled Substances Law.

(14) The Administrative Office of Courts shall have the right to inspect any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need



of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose.

(15) Upon a request by a youth court, the Administrative Office of Courts shall disclose all information at its disposal concerning any previous youth court intakes alleging that a child was a delinquent child, child in need of supervision, child in need of special care, truant child, abused child or neglected child, as well as any previous youth court adjudications for the same and all dispositional information concerning a child who at the time of such request comes under the jurisdiction of the youth court making such request.

(16) The Administrative Office of Courts may, in its discretion, disclose to the Department of Public Safety any or all of the information involving children contained in the office's youth court data management system known as Mississippi Youth Court Information Delivery System or "MYCIDS."

(17) The youth courts of the state shall disclose to the Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) any youth court records in order that the number of youthful offenders, abused, neglected, truant and dependent children, as well as children in need of special care and children in need of supervision, may be tracked with specificity through the youth court and adult justice system, and to utilize tracking forms for such purpose. The disclosure prescribed in this subsection shall not require a court order and shall be made in sortable, electronic format where possible. The PEER Committee may seek the assistance of the Administrative Office of Courts in seeking this information. The PEER Committee shall not disclose the identities of any youth who have been adjudicated in the youth courts of the state and shall only use the disclosed information for the purpose of monitoring the effectiveness and efficiency of programs established to assist adjudicated youth, and to ascertain the incidence of adjudicated youth who become adult offenders.

(18) In every case where an abuse or neglect allegation has been made, the confidentiality provisions of this section shall not apply to prohibit access to a child's records by any state regulatory agency, any state or local prosecutorial agency or law enforcement agency; however, no identifying information concerning the child in question may be released to the public by such agency except as otherwise provided herein.

(19) In every case of child abuse or neglect, if a child's physical condition is medically labeled as medically "serious" or "critical" or a child dies, the confidentiality provisions of this section shall not apply. In such cases, the following information may be released by the Mississippi Department of Child Protection Services: the cause of the circumstances regarding the fatality or medically serious or critical physical condition; the age and gender of the child; information describing any previous reports of child abuse or neglect investigations that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition; the result of any such investigations; and the services provided by and actions of the state on behalf of the child that are pertinent to the child abuse or neglect that led to the fatality or medically serious or critical physical condition.

(20) Any member of a foster care review board designated by the Department of Child Protection Services shall have the right to inspect youth court records relating to the abuse, neglect or child in need of supervision cases assigned to such member for review.

(21) Information concerning an investigation into a report of child abuse or child neglect may be disclosed without further order of the youth court in any administrative or due process hearing held, pursuant to Section 43-21-257, by the Department of Child Protection Services for individuals whose names will be placed on the central registry as substantiated perpetrators.

(22) The Department of Child Protection Services may disclose records involving children to the following:

(a) A foster home, residential child-caring agency or child-placing agency to the extent necessary to provide such care and services to a child;

(b) An individual, agency or organization that provides services to a child or the child's family in furtherance of the child's permanency plan to the extent necessary in providing those services;

(c) Health and mental health care providers of a child to the extent necessary for the provider to properly treat and care for the child;

(d) An educational institution or educational services provider where the child is enrolled or where enrollment is anticipated to the extent necessary for the school to provide appropriate services to the child; and

(e) Any state agency or board that administers student financial assistance programs. However, any records request under this paragraph shall be initiated by the agency or board for the purpose determining the child's eligibility for student financial assistance, and any disclosure shall be limited to the verification of the child's age during the period of time in which the child was in the department's legal custody; and

(f) Any other state agency if the disclosure is necessary to the department in fulfilling its statutory responsibilities in protecting the best interests of the child.

(23) Nothing in this section or chapter shall require youth court approval for disclosure of records involving children as defined in Section 43-21-105(u), if the disclosure is made in a criminal matter by a municipal or county prosecutor, a district attorney or statewide prosecutor, pursuant to the Mississippi Rules of Criminal Procedure and the records are disclosed under a protective order issued by the Circuit Court presiding over the criminal matter which incorporates the penalties stated in Section 43-21-267.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DISCLOSURE OF CERTAIN YOUTH COURT RECORDS SHALL NOT REQUIRE YOUTH COURT APPROVAL IN CRIMINAL MATTERS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2376** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Carter, Hill, Tate. Total--3.

Senator Blackwell called up the following House Amendment to **S. B. No. 2613** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND after line 80 by inserting the following new section, and renumbering the succeeding section.

" SECTION \*. (1) The State Department of Health, in cooperation with the Department of Archives and History and the Bureau of Building, Grounds and Real Property Management and subject to funds being made available, shall design and cause to be constructed and maintained on state-owned lands at some suitable and appropriate place in or near the City of Jackson, an Emergency Medical Services Memorial to honor those Emergency Medical Services personnel who have given their lives in the performance of their official duties and those who have made a dramatic impact on or substantial contribution to emergency medical services in Mississippi. The Department of Health shall consult with organizations and communities of interest relating to emergency medical services in designing the memorial, and the memorial shall be designed and constructed not later than July 1, 2024.

(2) The Department of Health shall form, and/or collaborate with a private foundation or nonprofit corporation to maintain the memorial in perpetuity and determine the eligibility of those persons to be included on the memorial. The foundation or nonprofit corporation shall solicit and receive funds from public and private sources and donations to carry out its responsibilities under this section."

AMEND Further on 82 by inserting before the period the following:

", and shall stand repealed on June 30, 2023"

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Senator Hopson called up the following House Amendment to **S. B. No. 3004** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2023, and ending  
June 30, 2024 ..... \$ 31,600,078.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 14,302,211.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, One Million One Hundred Fifty Thousand Dollars (\$1,150,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the Mississippi Cooperative Extension Service provide programs in the emphasis areas of Agriculture, Family and Consumer Education, Natural Resources and Environment, 4-H, and Business and Community Development in each county.

SECTION 6. No part of the funds appropriated or authorized to be expended hereby shall be spent directly or indirectly for payment of attorneys' fees for the services of any attorney who was not employed by the Mississippi Cooperative Extension Service pursuant to the express authorization of the Board of Trustees of State Institutions of Higher Learning prior to performance of such legal services.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 8. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2024 Regular Session of the Mississippi Legislature.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Agriculture	
Number of Published Information Items	300
Number of Mass Media Items	4,500
Number of Direct Educational Contacts	270,000
Average Cost per Educational Contact	13.46
Family & Consumer Education	
Number of Published Information Items	150
Number of Direct Educational Contacts	205,000
Average Cost per Educational Contact	9.34
Business & Community Dev	
Number of Direct Educational Contacts	88,000
Average Cost per Educational Contact	20.28
4-H Youth Development	
Number of Direct Educational Contacts	178,000
Average Cost per Educational Contact	11.66
Natural Resources & Environment	
Number of Published Information Items	150
Number of Mass Media Items	6,000
Number of Total Contacts (Persons Across all Delivery Methods/Events)	370,000
Average Cost per Educational Contact	27.75

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR  
FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3005** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of paying the expenses incurred in the operation and maintenance of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,812,652.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,361,059.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Four Hundred Fifty Thousand Dollars (\$450,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2024 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3006** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning to be used for the operation of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 18,610,401.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 32,764,049.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Seven Hundred Fifty Thousand Dollars (\$750,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Instruction	
..... Percent of Year 4 DVM Students Passing	
NAVLE at Graduation.....	95.00
..... Percent of DVM Graduates Reporting	
Employment in the Field within 12 Months	
.....	
of Graduation.....	95.00
Research	
Number of Grants/Contracts Awarded	
50	
..... Percent of Graduate Students Reporting	
Employment in the Field within 12 months	
.....	
of Graduation.....	95.00
Pub-service - Animal Health Ctr	
..... Number of Patient Visits to AHC (AHC	
Caseload Managed).....	36,586
..... Percent of Client Satisfaction Based on	
Surveys.....	95.00
..... Percent of Referring Veterinarian	
Satisfaction Based on Surveys.....	95.00
Pub-service - Diagnostic Lab	
Number of Lab Accessions (Test Requests)	
33,342	
Vet Research & Diagnostic Lab	
Number of Diagnostic Tests Performed	
321,000	
Academic Support	
..... Percent of Vet Campers and Parents	
Indicating "Willing to Recommend" on	
Satisfaction Surveys.....	100.00
..... Percent of Alumni who Report a	
Satisfactory Level of Engagement with	
.....	
the College on Surveys.....	98.00
Operation & Maintenance	
Number of Square Feet O&M/Custodial Services	
497,475	
..... Cost per Square Foot Maintenance and	

.....  
Custodial Services ..... 7.25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be used for the purpose of testing, programming, and personnel-related expenses for Chronic Waste Disease.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF  
VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR  
2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3007** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 50,634,313.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized out of the proceeds derived from any federal funds, grants, donations, fees, or other special source funds which are collected by or otherwise become available for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law including funds used as federal matching funds for the GEAR UP Mississippi Scholarship Program and administered by the Mississippi Office of Student



Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 4,740,000.00.

SECTION 3. None of the funds appropriated in this act shall be paid to or for the benefit of any student who applies for the first time, subsequent to July 1, 2023, for assistance through the Southeast Asia POW/MIA Grant established under the provisions of Section 37-106-41, the Public Management Graduate Internship established under the provisions of Section 37-106-43, the State Medical Education Loan established under the provisions of Section 37-106-61, the State Dental Education Loan established under the provisions of Section 37-106-63, the Graduate and Professional Degree Forgivable Loan established under the provisions of Section 37-106-65, the Health Care Professions Forgivable Loan established under the provisions of Section 37-106-67, or the Family Protection Specialist Social Worker Forgivable Loan established under the provisions of Section 37-106-69.

SECTION 4. It is the intention of the Legislature that of the funds appropriated under the provisions of Section 1 of this act, the Board of Trustees of State Institutions of Higher Learning shall expend from the support of the out-of-state graduate and professional studies program an amount not exceeding the funding necessary, contingent upon the availability of qualified applicants, for nine (9) new entering optometry students and the number of returning optometry students who received funding under the program during the preceding school year.

SECTION 5. In the allocation of funds appropriated under the provisions of Sections 1 and 2 of this act, among the student financial aid programs included herein, it is the intention of the Legislature that priority shall be given and funds shall be first allocated to all students eligible for financial aid under the provisions of Section 37-106-39, Mississippi Code of 1972.

SECTION 6. All funds provided for in this act shall be accounted for in an annual report, which shall be submitted at the next regular session of the Legislature within ten (10) days after the convening thereof. The report should detail for each grant, scholarship, or loan program the number of recipients, the total amount of awards made, and the average award amount. The report shall include the number of students at each institution receiving financial assistance and the amount of such assistance. For loan programs, the report shall also include a summary of the repayment status and method of repayment for student cohorts as well as an accounting of the receipt of funds in repayment. Furthermore, all funds received and expended shall be reported and otherwise accounted for in accordance with the provisions of Section 37-106-11, Mississippi Code of 1972, except where individual identifying information must be withheld pursuant to the Family Educational Rights and Privacy Act (FERPA), 20 USC Section 1232g 34 CFR Part 99.

No public or private institution of higher learning receiving funds under the respective provisions of this act, for the purpose of issuing scholarship grants or loans, shall issue any official transcripts for any persons who have any amount of repayment in arrears on the date such official transcript is requested.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1 of this act, an amount not to exceed Seventy Thousand Dollars (\$70,000.00) is provided for the Speech-Language Pathologists Loan Forgiveness Program established under the provisions of Section

37-106-73, Mississippi Code of 1972, and administered by the Mississippi Office of Student Financial Aid.

SECTION 11. Awards for the Higher Education Legislative Plan Grant Program, authorized by Section 37-106-75, shall be made to applicants meeting all program requirements and found to be in financial need according to the following definition:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00); or

(b) The family has annual adjusted gross income of less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00) plus Five Thousand Dollars (\$5,000.00) for each additional child under the age of twenty-one (21).

SECTION 12. Of the funds appropriated in Section 2 of this act, Two Million Dollars (\$2,000,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31 Mississippi Code of 1972. This amount shall be used for the William F. Winter and Jack Reed, Sr. Teacher Loan Repayment Program established in HB 1179, 2021 Regular Session.

SECTION 13. Of the funds appropriated in Section 2 of this act, One Million Dollars (\$1,000,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31 Mississippi Code of 1972. This amount shall be used for the Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act established in HB 1313, 2022 Regular Session.

SECTION 14. It is the intention of the Legislature that no student should receive undergraduate grant aid through more than one state-supported undergraduate grant program in the same term of enrollment. If a student is eligible for aid through multiple grant programs, the student shall be awarded from the program that awards the larger sum.

SECTION 15. It is the intention of the Legislature that all students must demonstrate eligibility at the conclusion of each term during the regular academic year in order to continue to receive state-supported aid.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, to the Mississippi Office of Student Financial Aid for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Mississippi Office of Student Financial Aid, as authorized in Senate Bill 3009, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024....

\$ 2,100,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for the following:

(a) William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program ..... \$ 1,100,000.00

(b) Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act \$ 1,000,000.00

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND

MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT  
PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR  
FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3008** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 180,875,758.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby authorized and approved for expenditure out of the proceeds derived from patient fees, student fees or any other special source funds which are collected by or otherwise become available, for the support and maintenance of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 1,662,877,883.00.

SECTION 3. With the funds appropriated and authorized for expenditure under the provisions of Sections 1 and 2 of this act, the University of Mississippi Medical Center shall maintain the School of Medicine, the School of Dentistry, the School of Nursing, the School of Health Related Professions, the School of Population Health, the Teaching Hospital and the Medical Center Service Area. The University of Mississippi Medical Center shall prepare and make available to the Legislature an accounting of expenditures for each of the divisions listed in this section at the beginning of the legislative session.

SECTION 4. Due to critical nurse shortages and staffing, it is the intention of the Legislature to enhance recognition of excellence and expand the experience factor in attracting qualified registered nurses.

SECTION 5. Of the funds appropriated in Section 1 of this act, and the funds authorized to be expended in Section 2 of this act, none may be used to provide medical services on behalf of any state agency, institution or political subdivision, except to the extent that such agency, institution or political subdivision reimburses the hospital for the cost of the services provided. Upon the rendering of medical services to any such agency, institution or political subdivision, the hospital shall issue an invoice for the charges which shall be paid within ninety (90) days. In the event that payment is not made within ninety (90) days, the hospital shall discontinue providing services to that agency, institution or political subdivision until all outstanding charges have been paid.

SECTION 6. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that the University of Mississippi Medical Center's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 8. Of the funds appropriated in Section 2 of this act, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

- (a) Education activities or scholarships \$ 6,888,029.00.

(b)	Rural Physicians Scholarship Program	\$ 340,000.00.
(c)	Rural Dentists Scholarship Program	\$ 105,000.00.
	TOTAL.....	\$ 7,333,029.00.

SECTION 9. Of the funds appropriated under the provisions of Section 2 of this act, Two Million Three Hundred Eighty Thousand Four Hundred Thirty-one Dollars (\$2,380,431.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the University of Mississippi Medical Center.

SECTION 10. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the sum of Four Hundred Twenty Thousand Dollars (\$420,000.00) is hereby provided for scholarships for the Rural Dentists Scholarship Program as described in Section 37-146-1, Mississippi Code of 1972.

SECTION 11. Of the funds appropriated in Sections 1 and 2 of this act, Two Million One Hundred Seventy Thousand Dollars (\$2,170,000.00) is hereby provided for scholarships for the Rural Physicians Scholarship Program as described in Section 37-141-1, Mississippi Code of 1972. Of this amount, Thirty-five Thousand Dollars (\$35,000.00) is provided for a Psychiatrist Scholarship as described in Section 37-144-3, Mississippi Code of 1972.

SECTION 12. Of the funds appropriated in Sections 1 and 2 of this act, Two Hundred Eighty Thousand Eight Hundred Forty-eight Dollars (\$280,848.00) is provided for the administration of the Rural Physicians Scholarship Program and the Rural Dentists Scholarship Program.

SECTION 13. Of the funds appropriated in Sections 1 and 2 of this act, One Million Three Hundred Eighty-two Thousand Two Hundred Fifty Dollars (\$1,382,250.00) is provided for the Office of Mississippi Physician Workforce as described in Section 41-123-5, Mississippi Code of 1972.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, Seven Hundred Fifty Thousand Dollars (\$750,000.00) shall be derived from the State General Fund and Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000.00) shall be derived from any special source funds collected by or otherwise become available for the support and maintenance of the University of Mississippi Medical Center for the University of Mississippi Medical Center Cancer Institute.

SECTION 16. Of the funds appropriated in Section 2 of this act, Five Hundred Ninety-five Thousand Dollars (\$595,000.00) is hereby appropriated for A Comprehensive Tobacco (ACT) Center at the University of Mississippi Medical Center.

SECTION 17. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research that kills or destroys an existing human embryo.

SECTION 18. Of the funds appropriated under the provisions of Section 1 of this act, One Million Three Hundred Forty-nine Thousand Nine Hundred Ninety-eight Dollars (\$1,349,998.00) shall be provided from General Funds and shall be provided to the Center of Excellence at the Blair E. Batson Hospital for Children for the care of abused and neglected children, and expended to improve, enlarge and/or construct the physical facilities of the Children's Safe Center and for support and maintenance of the center.

SECTION 19. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 20. Of the funds appropriated under the provisions of Section 1 of this act, Three Million Dollars (\$3,000,000.00) shall be provided to the MIND Center at the University of Mississippi Medical Center.

SECTION 21. It is the intention of the Legislature that any cash balances at the Office of Physician Workforce, the Children's Safe Center, and the MIND Center shall only be spent in support of those divisions.

SECTION 22. Of the funds appropriated in Section 1 of this act, One Million Two Hundred Thousand Dollars (\$1,200,000.00) shall be provided for the Child Health and Developmental Promotion (CHDP) Fellowship Program.

SECTION 23. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the University of Mississippi Medical Center for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Asylum Hill Project, as authorized in SB 3010, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 2,956,902.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3009** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,059,847.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Community College Board, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 94,787,148.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Three Hundred Fifty-six Thousand Dollars (\$356,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent: 45

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. Of the funds appropriated in Section 1 of this act, Five Hundred Forty-two Thousand Four Hundred Fifty-nine Dollars (\$542,459.00) is provided to the Mississippi Community College Board for the purpose of defraying the cost of the Greenville Higher Education Center.

SECTION 6. Of the funds appropriated in Section 1 of this act, Thirty-seven Thousand Six Hundred Twenty-six Dollars (\$37,626.00) is provided for geospatial site licenses.

SECTION 7. Of the funds appropriated in Section 2 of this act, Five Hundred Seventy-four Thousand Three Hundred Eighty-six Dollars (\$574,386.00) shall be derived from the out of any money in the State Treasury to the credit of the Commission on Proprietary School and College Registration, for the purpose of defraying expenses incurred in the regulation and administration of the Mississippi Proprietary School and College Registration Law and the associated expenses of the Mississippi Community College Board.

SECTION 8. Of the funds appropriated herein, up to One Million Dollars (\$1,000,000.00) shall be expended from the Work Force Carryover Fund as created by House Bill No. 1271, 1995 Regular Session.

SECTION 9. Of the funds appropriated in Sections 1 and 2 of this act, Fifty Million Eight Hundred Thirty-one Thousand Eight Hundred Two Dollars (\$50,831,802.00) is appropriated for the Workforce Education Program and Industrial Training. No funding obligation or commitment shall be made on behalf of the state for industrial training beyond the level of funding made available in this section. All industrial training program commitments made in Fiscal Year 2024 and future fiscal years shall be based only upon funds available in this section, and any proposed commitments shall be approved by the Executive Director of the Mississippi Community College Board or the Executive Director's designee prior to such commitment being finalized. Industrial training program commitments shall be made and based only upon training services provided and not for a specific funding amount. Any expenditures of funds authorized in this section are limited to obligations made July 1, 2023, or after, and shall not be expended for obligations made prior to this date.

SECTION 10. Of the funds appropriated in Section 2 of this act, Thirty Million Dollars (\$30,000,000.00) shall be derived from unemployment compensation contributions deposited into the Mississippi Workforce Enhancement Training Fund and shall be utilized exclusively by the Mississippi Community College Board for workforce training in accordance with Senate Bill No. 2027, 2010 Regular Session. It is the intention of the Legislature that the Workforce Enhancement Training Fund shall have not less than Two Million Dollars (\$2,000,000.00) set aside as a carry-forward to begin the Fiscal Year 2025 Workforce Education Program.

SECTION 11. Of the funds appropriated in Section 2 of this act, Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be derived from fees charged for the Workforce Online Training Program, and the Mississippi Virtual Community College and funds in the amount of Two Million Four Hundred Forty-four Thousand Nine Hundred Fourteen Dollars (\$2,444,914.00) shall be transferred from the Community and Junior College Education Technology Fund for the purpose of defraying the costs of the Mississippi Virtual Community College, the Workforce Online Training Program and the administrative expenses of the Mississippi Community College Board.

SECTION 12. Of the funds appropriated in of Section 2 of this act, One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be derived from fees charged for issuing duplicate transcripts and duplicate diplomas for the High School Equivalency Testing Program for the purpose of defraying the costs of administering the High School

Equivalency Testing Program of the Mississippi Community College Board, in accordance with Senate Bill No. 2626, 2002 Regular Session.

SECTION 13. Of the funds appropriated in Section 2 of this act, Thirty Million Dollars (\$30,000,000.00) shall be derived from the transfer of postsecondary vocational and technical funds from the Mississippi Department of Education to the Mississippi Community College Board for the purpose of managing the day-to-day operations of postsecondary career and technical education.

SECTION 14. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be transferred to the Executive Office of the Board of Trustees of State Institutions of Higher Learning to defray utility costs.

SECTION 15. It is the intention of the Legislature that the budget requests for administrative expenses of the Mississippi Community College Board for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE  
BOARD FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3014** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Department of Agriculture and Commerce's special fund account to the State Department of Agriculture and Commerce for the purposes of defraying the costs of prizes, premiums, judges and other actual and necessary costs of putting on the Dixie National Livestock Show at the State Fairgrounds in Jackson, Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,200,000.00.

SECTION 2. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund, not otherwise appropriated, to the State Department of Agriculture and Commerce as follows:

(a) For the support of annual roundup shows for junior exhibitors of junior steers, junior breeding cattle, beef cattle, dairy cattle, hogs, sheep and goats, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 54,066.00.

(b) To supplement the funds paid by the State Department of Agriculture and Commerce for livestock premiums at the State Fair, all livestock premiums to be paid on the American system of judging (1st, 2nd, 3rd, 4th, etc.) on all classes entered in the senior division for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 18,565.00.

(c) For the county livestock shows in offering and paying prizes or awards to competitors in the approved county livestock shows of Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 12,644.00.

Provided, however, that of the amount herein appropriated in paragraph (c), not more than One Thousand Dollars (\$1,000.00) shall be expended or used in any one (1) county of the state during each fiscal year. Provided, further, that none of the monies herein appropriated in paragraph (c) shall be used in offering or paying prizes or awards for any livestock show that is not held where there are adequate barns, pens and other facilities available for such a show.

Provided, further, in paragraph (c) that the management of such shows shall be in the hands of a county livestock association, and such association shall guarantee a minimum amount of Five Hundred Dollars (\$500.00) to be used in the paying of prizes, premiums or awards, and after said county show has been held and premiums paid, fifty percent (50%) of the amount, not exceeding One Thousand Dollars (\$1,000.00), shall be paid upon requisition to the State Department of Agriculture and Commerce.

Provided, further, in paragraph (c) that in any county which has two (2) shows with proper facilities, and a contiguous county has no such fair and desires to participate in a fair to be held in an adjoining county, each of the two (2) fairs in one (1) county may receive an equal proportion of the funds hereby appropriated, provided, both shows shall not receive an aggregate sum of more than One Thousand Dollars (\$1,000.00).

(d) For the purpose of offering awards and prizes to competitors in the five (5) district livestock shows, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 54,585.00.

(e) For the purpose of offering awards and prizes to competitors in the five (5) state dairy shows as provided in Section 69-5-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 7,066.00.

Provided, further, that no part of the money herein appropriated under the provisions of paragraphs (d) and (e) shall be used for any other purpose than to pay premium awards at said shows and state shows and expositions receiving legislative appropriation shall not conflict in dates in order that livestock exhibitors may make the circuit of shows. Provided, further, that none of the above-mentioned funds shall be paid to any district shows unless shows are held prior to roundup.

Not less than seventy-five percent (75%) of the funds herein appropriated under the provisions of paragraphs (d) and (e) shall be used in awarding prizes or premiums to 4-H Club members and Smith-Hughes School members and other boys and girls having entries in said shows.

All funds herein appropriated under the provisions of paragraphs (d) and (e) for the five (5) district livestock shows and the five (5) fall state dairy shows shall be distributed in such manner that the livestock exhibitors will each draw equal premium awards for comparable grades and placings at each of the said five (5) district spring shows and the five (5) fall state shows. The management of each district spring show and each state fall show shall submit to the State Department of Agriculture and Commerce, within fifteen (15) days after the close of each said show, a full report on the number of exhibitors at each said show, with the grades and placings of the different classes of livestock exhibited.



The State Commissioner of Agriculture and Commerce, together with a committee of three (3) to be named by the President of the Mississippi Livestock Council from that organization, shall summarize and prepare a unified list of awards for like classes in all spring district livestock shows and fall state dairy shows receiving state premium money, as authorized in paragraphs (d) and (e). The State Commissioner of Agriculture and Commerce shall approve and present a requisition to the State Fiscal Officer for the payment of the amount of funds in paragraphs (d) and (e) due each show and said State Fiscal Officer shall issue his warrant thereon, and it shall be paid by the State Treasurer.

Provided, however, as a condition of expenditure of the funds appropriated in paragraphs (d) and (e), that the board of directors of any district livestock show may, in its discretion, choose to hold its show in the fall instead of the spring. If district shows are held in both spring and fall, then all funds herein appropriated for the five (5) district livestock shows shall be distributed in such a manner that the spring livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district spring show, and the fall livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district fall show.

(f) For promotion and expenses of the winners of the Mississippi High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 11,884.00.

(g) For promotion and expenses of the winners of the Mississippi Junior High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 10,000.00

(h) For the support of the Southern Cutting Futurity Championship, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 42,730.00.

SECTION 3. Of the funds in Section 2 of this act, any funds that are remaining at the end of the fiscal year may be transferred between the different show awards and prize monies, with the exception that no county show in paragraph (c) shall receive more than One Thousand Dollars (\$1,000.00).

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3015** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 1,503,301.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Board of Animal Health, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 874,803.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	22
Time-Limited:	5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The Mississippi Board of Animal Health is authorized to accept and expend any grant, donation, or contribution from any individual, public or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations, contributions, and any carryover funds shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3019** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Ethics Commission for the fiscal year beginning July 1, 2023, and ending  
June 30, 2024 ..... \$ 681,788.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	6
Time-Limited:	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Mississippi Ethics Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail

comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature, that of the funds provided in Section 1 of this act, the Ethics Commission is hereby authorized to purchase and pay premiums for casualty insurance on passenger vehicles owned and operated by the agency.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated to the Ethics Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3021, 2022 Regular Session to provide for upgrade and expansion of the Online Statement of Economic Interest System at the Ethics Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 10,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3020** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 686,477.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Commission on Judicial Performance, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$	40,029.00.
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SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	5
Time-Limited:	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Judicial Performance Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3022** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Revenue, including the Homestead Exemption Division, the Motor Vehicle Comptroller functions, the Alcoholic Beverage Control Division Liquor Distribution Center, and The Enforcement Division for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 46,255,283.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Revenue which are collected by or otherwise become available for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 22,318,648.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 668

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It shall be the duty of the Chairman of the Mississippi Department of Revenue, and he is hereby empowered to select in the manner provided by Section 27-3-13, Mississippi Code of 1972, such employees as may be necessary to the administration of all acts relating to the exemption of homesteads and the reimbursement of tax losses to the several taxing units of the state, and to assign them to the use of the Mississippi Department of Revenue.

SECTION 5. The money herein appropriated may be used for any expenses which the commission may legally incur. Provided, however, that no part of the money herein appropriated shall be used for the payment of attorney's fees, except upon

recommendation of the Governor with the approval of the Attorney General, nor shall any of said funds be used either directly or indirectly for the purpose of paying any clerk, stenographer, assistant, deputy or other employee who may be related by blood or marriage within the third degree, computed by the rule of civil law, to the official employing or having the right of employment or selection thereof, except that when the relationship is by affinity and the person is dead through whom the relationship was established, this rule shall not apply. In the event of any such payment, then the official or person approving and making such payment shall be liable to return to the State of Mississippi and to pay into the State Treasury to the credit of the General Fund three (3) times any such amount so paid to be recovered at suit by the Attorney General.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Tax Administration	
Cost per Unit of Work (Item/Case/Call)	12.67
Cost per Call Center Call Answered	3.87
Audit	
Cost per Audit	932.14
Tax Production per Audit	5,909.09
Tax Enforcement	
Cost per Dollar Collected in Recovery Actions	0.06
General Administration	
Average Cost per Return Processed	4.95
ROI - Revenue Collected per Dollar of Expense	150.25
Property & Motor Vehicle Services	
Cost per Homestead Exemption Application	3.60
Cost per Title Issued	2.79
ABC Liquor Distribution Center	
Cost per Case Shipped	2.18
ROI - GF Dollars Returned per Dollar of Cost	14.05
Enforcement	
Number of Permits-Alcohol	2,400
Number of Permits-Medical Cannabis	130
Number of Violations-Medical Cannabis	20
Average Number of Days to Issue Permit-Alcohol	23
Average Number of Days to Issue Permit-Medical Cannabis	25
Enforcement and Permitting Cost Per Permit-Alcohol	1,387.70
Enforcement and Permitting Cost Per Permit-Medical Cannabis	4,388.44
Percent of Medical Cannabis Permits Receiving Administrative Action	5.00
Percent of Medical Cannabis Permits Receiving Criminal Action	10.00
Percent of Medical Cannabis Permits Inspected	100.00
Percent of Permit Applications Approved-Medical Cannabis	90.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Department of Revenue for the purpose of reimbursing the counties of the state, the road districts and school districts therein and the municipal separate school districts, for tax losses incurred by reason of the exemption of homes from certain ad valorem taxes under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 92,000,000.00.

SECTION 8. Each county, road district, school district and municipal separate school district which has incurred a tax loss that is reimbursable under Section 7 of this act shall be reimbursed a sum which is equivalent to the amount of tax loss produced by the application of tax rates annually fixed for maintenance and current expenses to the assessed value of homes, or so much thereof as has been lawfully authorized under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

The disbursements from the funds appropriated under the provisions of Section 7 of this act shall be based upon the certificates required of the clerks of the county boards of supervisors and of the clerks of the municipalities, which certificates shall conform strictly in every respect to the requirements of the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

All disbursements from the funds appropriated under the provisions of Section 7 of this act shall be made strictly in accordance with the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, and no disbursements other than those clearly authorized by those sections shall be made, the provisions of any other law to the contrary notwithstanding.

SECTION 9. None of the funds appropriated under the provisions of Section 7 of this act may be distributed to any county, municipality, school district or other taxing district in which the assessed valuation of the taxing district has increased as a result of reappraisal of the property of the taxing district unless the governing board of the taxing district has published a notice in a newspaper having a general circulation in the taxing district, stating the lower millage rate that would produce the same amount of revenue from ad valorem taxation on property of the taxing district that was produced in the fiscal year before the property of the taxing district was reappraised.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Revenue – License Tag Commission from any other special source funds made available to the License Tag Commission, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 4,200,000.00.

SECTION 11. None of the funds appropriated in Section 10 of this act shall be expended to purchase motor vehicle license tags made or manufactured by any department, agency or instrumentality of a state other than the State of Mississippi. None of the funds appropriated in this section shall be used for the purchase of bolts, nuts or other fastening devices for attaching said motor vehicle license tags. Provided further, that all motor vehicles belonging to any state department, agency, commission, institution or any other division of state government shall have license tags which shall bear the words "Government" at the bottom of such license tags.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Revenue shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail



comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 14. Of the funds appropriated in this act, it is the intention of the Legislature that up to Eight Hundred Eleven Thousand Seven Hundred Forty Dollars (\$811,740.00) shall be allocated as follows: to the Municipal Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) and to the Justice Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) to be supported from General Fund court assessments.

SECTION 15. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 16. With the funds appropriated herein, the Department of Revenue is authorized to make payment for expenses incurred during Fiscal Years 2021 to Hilton Garden Inn Clinton, MS, for the following amount..... \$ 2,848.00.

SECTION 17. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3024, 2022 Regular Session to provide for the funding of IT infrastructure, facility repairs, and equipment upgrades for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,300,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 18. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3024, 2022 Regular Session to provide to defray operational expenses relate to the Mississippi Medical Cannabis Act for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,800,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 19. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3024, 2022 Regular Session to comply with the provisions of SB 2844, 2022 Regular Session related to contracting with a third party entity to operate the Alcohol Beverage Control Liquor Distribution Center for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,920,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3023** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Board of Tax Appeals for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 635,097.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	6
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3024** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses incurred by the Mississippi Workers' Compensation Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,602,900.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Second Injury Fund (Fund Number 3352300000) for the purpose of making payments under the provisions of Section 71-3-73, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 50,000.00.

SECTION 3. With the funds appropriated in Section 1 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	52
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed

Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. It is the intention of the Legislature that with the funds appropriated in Section 1 of this act, the Mississippi Workers' Compensation Commission shall enter into a contract with the industrial private sector for the purpose of implementing a safety education and training program.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Adjudication	
Number of Cases Resolved at the Administrative or Commission Level within 3 Months	900
Number of Cases Resolved at the Administrative or Commission Level within 6 Months	950
Number of Cases Resolved at the Administrative or Commission Level within 9 Months	900
Number of Cases Resolved at the Administrative or Commission Level within 1 Year	900
Self-insurance	
Percent of Individual Self-Insurers Reviewed in the Past Fiscal Year	34.00
Percent of Individual Self-Insurer Reviews Conducted in the Past Fiscal Year Showing That Reserves are Insufficient to Cover Claims	5.00

Percent of Self-Insurance Groups Reviewed	100.00
Percent of Self-Insurance Group Reviews Conducted Showing That Reserves are Insufficient to Cover Claims	0.00
Medical Cost Containment	
Fee Schedule Adjustments (Cost in Millions)	35.00
Medical Cost Savings to Payers (as a % of Total Billings)	46.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the salary of the Workers' Compensation Commission members shall be equal and the salary of the commission chairman shall exceed these salaries as approved by the State Personnel Board.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Mississippi Workers' Compensation Commission for the purpose of reauthorizing the expenditure of Capital Expense Fund, as appropriated in SB 3026, 2022 Regular Session, for repairs and renovations for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 75,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3027** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Tennessee-Tombigbee Waterway Development Authority for the purposes enumerated in Section 51-27-1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 159,994.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Tennessee-Tombigbee Waterway Development Authority for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 315,200.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	3
Time-Limited:	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the Tennessee-Tombigbee Waterway Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3032** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Pharmacy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 3,880,067.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED POSITIONS:

Permanent:	20
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Licensure	
Percent of Licenses Issued within Ten Business Days	100.00
Percent of Renewals Issued within Two Business Days	100.00
Compliance	
Number of Written Complaints Received	80
Percent of Written Complaints Resolved within Six Months	100.00
Number of Investigations Conducted Due to the Diversion of Prescription Drugs, Impaired	16
Number of Investigations Conducted Due to the Pharmacists and Pharmacy Technicians	28
Recidivism Rate for Those Receiving Disciplinary Actions	20.00
Prescription Monitoring Prg	
Percent of In-State Physicians Registered to PMP	100.00
Percent of Licensed APRNs Registered to PMP	100.00
Percent of Pharmacists Registered to PMP	100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Board of Pharmacy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. It is the intention of the Legislature that the Board of Pharmacy shall have the authority to escalate and expend funds, which are comprised of special funds of the department, in an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) for the costs related to the relocation and furnishing of their office for the period beginning July 1, 2023, the fiscal year ending June 30, 2024. The escalation of those funds and/or related transfers shall be in accordance with procedures for federal fund escalations as provided in Section 27-104-21, Mississippi Code 1972, and expended for the purposes of performing such duties as set forth by law in accordance with applicable rules and regulations of the State Fiscal Officer.



SECTION 8. In accordance with the Pharmacy Benefit Prompt Pay Act, Sections 73-21-151 through 73-21-163, Mississippi Code of 1972, the Mississippi Board of Pharmacy may escalate the appropriate funds not to exceed Five Hundred Thousand Dollars (\$500,000) of its budget during the fiscal year for the purposes of conducting compliance examinations and regulatory oversight as authorized by the Act.

SECTION 9. In accordance with Section 73-21-127(h), Mississippi Code of 1972, the Mississippi Board of Pharmacy may accept and expend funds from any other state agency to defray the expenses of the Prescription Monitoring Program.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL  
YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3034** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Veterinary Examiners for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 192,617.00.

SECTION 2. Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Veterinary Examiners Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY  
EXAMINERS FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3035** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Architecture and Landscape Architecture Advisory Committee, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 353,253.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent:	2
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Board of Architecture shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE  
ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3113** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Office of Workforce Development, with the Department of Employment Security serving as the fiscal agent, for the purposes of defraying the expenses of certain programs and for certain administrative fees for the period beginning upon passage and ending June 30, 2024 ..... \$ 18,000,000.00.

SECTION 2. (1) Of the money appropriated to the Department of Employment Security under Section 1 of this act, Fifteen Million Dollars (\$15,000,000.00) shall be distributed as follows:

(a) For the Accelerate Mississippi Workforce Development Program created in House Bill No. 1006, 2022 Regular Session.

(b) For the American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act created in Senate Bill No 2371, 2023 Regular Session.

(c) To be retained by the department for program monitoring and evaluation, administrative fees, third-party accounting as needed, and the deployment of an ecosystem workforce development model by the Office of Workforce Development to support effective implementation of the activities described in this section.

(2) Of the money appropriated to the Department of Employment Security under Section 1 of this act, Three Million Dollars (\$3,000,000.00) shall be for the Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program created in Senate Bill No. 2371, 2023 Regular Session.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the Department of Employment Security.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(3) None of the funds appropriated under Section 1 of this act shall be used to pay employee premium payments.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, receiving entities shall certify to the department, and the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law. SECTION 6. This act shall take effect and be in force from and after its passage, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE DEPARTMENT OF EMPLOYMENT SECURITY SERVING AS THE FISCAL AGENT, FOR THE PURPOSES OF DEFRAYING THE EXPENSES OF CERTAIN PROGRAMS AND FOR CERTAIN ADMINISTRATIVE FEES FOR THE PERIOD BEGINNING UPON PASSAGE AND ENDING JUNE 30, 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3114** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Environmental Quality for the purpose of funding the Mississippi Municipality and County Water Infrastructure Grant Program established in Section 49-2-131, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 41,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Environmental Quality.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the

United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF FUNDING THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM FOR THE FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3115** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established in Section 41-3-16.1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 0.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time-to-time, by the United States Department of the Treasury; and

(b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time-to-time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3116** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not

otherwise appropriated, to the Department of Finance and Administration to assist destination marketing organizations in paying for marketing activities as provided in House Bill No. 419, 2023 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 30,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the State Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ASSIST DESTINATION MARKETING ORGANIZATIONS IN PAYING FOR MARKETING ACTIVITIES AS PROVIDED IN HOUSE BILL NO. 419, 2023 REGULAR SESSION, FOR THE FISCAL YEAR 2024.



Senator Hopson called up the following House Amendment to **S. B. No. 3117** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration - Office of Insurance for the purpose of reimbursing the State and School Employees' Life and Health Insurance Plan for eligible expenses incurred on or after March 3, 2021, through June 30, 2024, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 35,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR THE PURPOSE OF REIMBURSING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR ELIGIBLE EXPENSES INCURRED DURING A CERTAIN PERIOD, FOR THE FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3118** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management, for the purpose of completing capital projects at state-owned buildings and grounds for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 0.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the

United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION, BUREAU OF BUILDING, GROUNDS AND REAL PROPERTY MANAGEMENT, FOR THE PURPOSE OF COMPLETING CAPITAL PROJECTS AT STATE-OWNED BUILDINGS AND GROUNDS FOR THE FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3119** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Health for the purpose of funding the Mississippi Hospital Sustainability Grant Program established under Senate Bill No. 2372, 2023 Regular Session, for the period beginning upon the passage of this act and ending June 30, 2024 .....

\$ 83,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive

reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. None of the funds appropriated by this act shall be used to pay employee premium payments.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage, and shall stand repealed on June 30, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM ESTABLISHED UNDER SENATE BILL NO. 2372, 2023 REGULAR SESSION, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3038** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Motor Vehicle Commission, as provided by Section 63-17-51 et seq., Mississippi Code of 1972, for the purpose of defraying the expenses of said commission, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ... \$ 364,324.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	3
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3039** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Accountancy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 713,511.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	5
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure

that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds appropriated in Section 1, Forty-two Thousand Dollars (\$42,000.00) shall only be expended for investigation, testimony, and administrative hearings related to matters under the jurisdiction of the board.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY  
FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3044** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for expenses of the Executive Department, being the Governor's Office and staff, and for expenses incidental to the proper operation of the Governor's Mansion and residence of the Governor for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 2,745,438.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in Special Funds in the State Treasury to the credit of the Governor's Office for the purpose of defraying the expenses incurred by the Executive Department, being the Governor's Office and staff, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 643,646.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	39
Time-Limited:	7

Any escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Executive Department shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3046** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Mississippi Development Authority for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 21,424,025.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority or the appropriate special fund for the purpose of defraying the expenses incurred in the operation of the various divisions of the authority for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 81,178,858.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent:	168
Time-Limited:	44



With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Global Business	
Number of National Recruitment Contacts	1,000
Number of International Investment Contracts	1,800
Number of International Trade Contacts	1,000
Number of Qualified National Prospects	225
Return on Investment	10.00
Number of New Businesses - Global Contacts	15
Number of New Jobs from Global Contacts	3,000
Minority & Small Business Dev	
Number of Minority & Small Business Contacts	8,000
Number of Minority Business	
Certification Applications Processed	170
Technical Assistance to Disadvantaged	
Contacts	2,300
State Contracting with Minority Business	55,000,000.00
Financial Resources	
Number of Requests for Financing or	
Incentives	225
Existing Industry & Business	
Number of Interactions with Interested	
Businesses	3,000
Number of Qualified Contacts	750

	Number of Expansions	30
	Number of Jobs Created from Expansions	3,000
Energy	Number of Energy Efficiency & Renewable Energy Direct Contacts	10,000
Community Services	Awarded Grants and Loans for Community and Economic Development	50,000,000.00
	Number of Grants and Loans Awarded	100
Support Services	Administration as a Percent of Total Budget	9.50
Tourism	Number of Tourist Inquiries Generated	35,000
	Number of Visitors per Year	26,000,000
	Travel Revenue (\$ in Billions)	6.80
Welcome Centers	Number of Tourists Registered	2,693,460

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 5. Of the funds appropriated in Section 2 of this act, the amount of Eight Hundred Thousand Dollars (\$800,000.00) shall be provided from the Mississippi Department of Transportation to defray the expenses of the Mississippi Development Authority in operating the state welcome centers.

SECTION 6. It is the intention of the Legislature that the Mississippi Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. Of the funds appropriated in Sections 1 and 2 of this act, the amount of Four Million Eight Hundred Seventy-six Thousand Two Hundred Ninety-eight Dollars (\$4,876,298.00), or so much thereof as may be necessary, is provided for the purpose of supporting Mississippi Tourism Advertising and Promotion for Fiscal Year 2024, and shall not be expended for any type of cultural exchange program. Of the funds appropriated herein and allocated within this section, Two Hundred Ninety-nine Thousand Dollars (\$299,000.00) is provided for Tourism Grant Development Awards.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1 of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Delta National Heritage Areas.

SECTION 11. Of the funds appropriated in Section 1 of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Hills National Heritage Area.

SECTION 12. It is the intention of the Legislature that the Mississippi Development Authority is hereby authorized to escalate, budget, and expend funds from any source not to exceed Ten Million Dollars (\$10,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intention of the Legislature that the Mississippi Development Authority shall submit a notification of any General Fund Transfers out of the major category Subsidies into any other major categories to the Legislative Budget Office.

SECTION 14. Of the funds appropriated in Section 1 of this act, Twenty Thousand Twenty-five Dollars (\$20,025.00) shall be provided for the support of the Mississippi River Parkway Commission.

SECTION 15. Of the funds appropriated in Section 1 of this act, One Million Dollars (\$1,000,000.00) shall be transferred to Innovate Mississippi.

SECTION 16. Of the funds appropriated in Section 1 of this act, One Hundred Fifty-six Thousand Dollars (\$156,000.00) is provided for the Energy High School Academy, established in Section 37-69-7, Mississippi Code of 1972.

SECTION 17. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Fifty Thousand Dollars (\$50,000.00) shall be allocated to the Mississippi Book Festival.

SECTION 18. Of the funds appropriated herein, Five Hundred Thousand Dollars (\$500,000.00) shall be provided to the Mississippi Main Street Association for statewide support and operations.

SECTION 19. It is the intention of the Legislature that the Mississippi Development Authority shall provide quarterly reports on the status of Gulf Coast Restoration Fund projects to the Legislative Budget Office and the Department of Finance and Administration. It is further the intention of the Legislature that the Mississippi Development Authority shall provide the Joint Legislative Budget Committee a detailed report and other such related information on each project's expenditures with the subsequent fiscal year's budget submission.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated to the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as provided in Senate Bill No. 3048, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 798,475.00.

These funds are provided for administrative expenses at the Mississippi Development Authority as outlined in Section 57-119-7, Mississippi Code of 1972.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023 from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 21. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Air Service Development Act, as authorized in Senate Bill No. 3048, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 246,431.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023 from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 22. It is the intention of the Legislature that the Mississippi Development Authority may provide operational support to any park operated by the

United States National Park Service in Mississippi during the event of a government shutdown that materially affects the operations of such park.

SECTION 23. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 24. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3048** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Personnel Board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 4,547,675.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent: 43

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. None of the funds appropriated under the provisions of Section 1 of this act may be expended until the State Personnel Board, based on data provided by the Legislative Budget Office, determines and publishes the projected annual cost to fully fund all appropriated positions for all agencies with compliance language in their appropriation bills.

SECTION 4. It is the intention of the Legislature that the State Personnel Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3049** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Secretary of State for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 12,062,675.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Secretary of State for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 17,420,640.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 88

Time-Limited: 12

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Secretary of State that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 5. No part of the funds appropriated herein shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy, or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. Of the funds appropriated in Section 1 of this act, the Secretary of State may use funds appropriated for the purposes of defraying litigation expenses

associated with the enforcement of the Mississippi Securities Act, the Regulation of Charitable Solicitations Act, and the administration of the Public Trust.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Business Services	
Percent of Business Services Customer Phone Calls Answered	95.00
Elections	
Number of Poll Workers to Successfully Complete the Online Training Program	82
Number of Voter Registrations Updated on Secure Online Website	6,400
Percent of Poll Workers who Successfully Complete the Online Poll Manager Training on Their First Attempt	60.00
Publications	
Number of Visits to the Secretary of State's Website	9,000,000
Public Lands	
Number of Tax-Forfeited Properties Sold	2,000
Support Services	
Support Services as a Percent of Total Agency Expenditures	27.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. Of the funds appropriated in Section 1 of this act, no more than Five Hundred Thousand Dollars (\$500,000.00) is provided for paying principal and interest on bond issues for county voting systems.

SECTION 9. Of the funds appropriated in Section 2 of this act, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Land Records Maintenance Fund, for the purpose of making distributions to local governments for taxes owed during the fiscal year.

SECTION 10. Of the funds appropriated in Section 2 of this act, Four Million Two Hundred Fifteen Thousand Three Hundred Ninety-three Dollars (\$4,215,393.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Elections Support Fund, for the purpose of acquiring, upgrading, maintaining, or repairing voting equipment, systems, and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems and training election officials during the fiscal year.

SECTION 11. Of the funds appropriated in Section 2 of this act, Eleven Million Four Hundred Fifty-five Thousand Two Hundred Forty-seven Dollars (\$11,455,247.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Trust Tidelands Fund, and is authorized to be transferred by the Secretary of State to the Mississippi Department of Marine Resources.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3120** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Mississippi Department of Transportation for the purposes described in Sections 2, 3 4, and 6 for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 800,000,000.00.

SECTION 2. Of the funds appropriated in Section 1 of this act, the following sum, or so much thereof as may be necessary is appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Mississippi Department of Transportation for the purpose of defraying the expenses of those certain capacity projects as listed in the MDOT 3-year plan ..... \$ 650,000,000.00.

SECTION 3. Of the funds appropriated in Section 1 of this act, the following sum, or so much thereof as may be necessary is appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Mississippi Department of Transportation for the purposes described in Section 65-1-179.1 which is the provision of law that provides for the 2022 Emergency Road and Bridge Fund..... \$ 100,000,000.00.

SECTION 4. Of the funds appropriated in Section 1 of this act, the following sum, or so much thereof as may be necessary is appropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Mississippi Department of Transportation for the purposes described in Section 65-1-183 which is the provision of law that provides for the 2022 Infrastructure Match Fund ..... \$ 40,000,000.00.

SECTION 5. It is the intention of the Legislature that the Mississippi Department of Transportation shall expend such funds appropriated herein as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;



(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 6. Of the funds appropriated in Section 1 of this act, the following sum or so much thereof as may be necessary is appropriated out of any money in the Capital Expense Fund not otherwise appropriated to the Multi-Modal Transportation Improvement Fund created in Section 65-1-703.....

\$ 10,000,000.00.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the Capital Expense Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM CAPITAL EXPENSE FUNDS FOR THE PURPOSE OF DEFRAYING CERTAIN INFRASTRUCTURE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

Senator Hopson called up the following House Amendment to **S. B. No. 3002** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,732,833.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 335,000.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Three Hundred Thirty-five Thousand Dollars (\$335,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a matter as determined by the Treasurer's Office. These funds are provided for the following:

(a) Agency Operations ..... \$ 170,000.00.

(b) Poultry Sciences Academic Research Center ..... \$ 165,000.00.

SECTION 4. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars (\$300,000.00) is provided for the Poultry Sciences Academic Research Center.

SECTION 5. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries which are withdrawn and no longer available.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3003** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 22,961,289.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 10,419,372.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2024 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Plant Systems	
Number of Scientist FTE (Scientist Years)	38.33
Number of Research Publications	206
Percentage of Appropriated Funds and Extramural Funds	0.99
Animal Systems	
Number of Scientist FTE (Scientist Years)	22.60
Number of Research Publications	210
Percentage of Appropriated Funds and Extramural Funds	0.30
Health & Sustainable Communities	
Number of Scientist FTE (Scientist Years)	41.10
Number of Research Publications	245
Percentage of Appropriated Funds & Extramural Funds	0.27

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY  
EXPERIMENT STATION FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3017** and moved that the Senate decline to concur in the Amendment, and invite conference.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the general expenses of the operation of the Mississippi National Guard for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,506,126.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated to the Mississippi National Guard, out of any money in the State Treasury to the credit of the Camp Shelby Timber Fund No. 3700, as created by Chapter 187, Laws of 1954, as amended; the Army National Guard Programs Fund No. 3701; the Camp Shelby Base Operations Fund No. 3705; and the Air National Guard Programs Fund No. 3709, for the purpose of carrying out the provisions of applicable statutes and federal/state agreements for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 144,985,663.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 755

Time-Limited: 18

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. Of the funds appropriated under the provisions of Section 2 of this act, funds in the amount of Two Million Dollars (\$2,000,000.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of the State Education Assistance Program.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. All funds authorized to be expended herein shall be expended and otherwise accounted for in accordance with the provisions of Section 27-104-1 et seq., Mississippi Code of 1972. If not needed for other purposes, the Adjutant General is hereby expressly authorized to invest any part of or all monies herein appropriated out of the Camp Shelby Timber Fund at the highest rate of interest obtainable and credit interest accruing on such investments to the respective fund. Such monies may be invested in any short-term bonds, notes or other direct obligations of the United States of America or the State of Mississippi or any county or municipality of this state, which said county or municipal bonds have been approved by a reputable bonds attorney or have been validated by a decree of the court, and in any event the said bonds, notes or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for the refund or refunds herein provided for.

SECTION 7. Of the funds appropriated in Section 1 of this act, One Million Nine Hundred Twenty-eight Thousand Seventy-five Dollars (\$1,928,075.00) shall be provided for the support of the Youth Challenge Program at Camp Shelby.

SECTION 8. Of the funds provided under the provisions of this act, Six Hundred Twenty-six Thousand Five Hundred Five Dollars (\$626,505.00) is provided for the Armed Forces Military Museum located at Camp Shelby.

SECTION 9. Of the funds appropriated to be expended in this act, no General Funds shall be used to reimburse members and personnel of the Mississippi National Guard for the costs associated with attending authorized training. Any expenditure of funds for the purpose of compensation of such personnel and members for per diems and travel expenses shall be expended from any federal funds which are made available to the Mississippi National Guard for ancillary purposes.

SECTION 10. Of the funds provided under the provisions of this act, an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) is provided for the Sonny Montgomery Center for America's Veterans at Mississippi State University.

SECTION 11. Of the funds provided in Sections 1 and 2 of this act, Ten Thousand Dollars (\$10,000.00) is provided for the purchase of uniforms for the Youth Challenge Program staff.

SECTION 12. The Adjutant General of Mississippi is hereby authorized to transfer any part of appropriated funds, including general funds or capital expense funds, to special funds within the Mississippi Military Department, to facilitate federal grant matching requirements. Prior written notification of transfer shall be provided to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate declined to concur in the foregoing House Amendment to **S. B. No. 3017** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--None.

Absent and those not voting--Carter, Hill, Tate. Total--3.

Not Voting --DeBar. Total--1.

Senator Hopson called up the following House Amendment to **S. B. No. 3030** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Funeral Services for the purpose of defraying the expenses of said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 305,649.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	2
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Funeral Services Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3037** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Board of Registered Professional Geologists for the purpose of defraying the expenses of the board, for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 138,639.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3040** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Contractors, for the purpose of defraying the



expenses of said board, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 4,037,386.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNTS:

Permanent: 14  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds appropriated in this act, it is the intention of the Legislature that the State Board of Contractors may expend funds not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000.00) for the purpose of defraying the cost of (1) enforcement as set forth in Section 31-3-21, Mississippi Code of 1972, (2) enlisting of any private collection firm(s) to locate and collect any uncollected fines, and (3) administrative costs associated with collections. Any funds spent for this purpose shall be subject to a performance audit if requested by the Appropriations Chairmen in either the House or Senate.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3042** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Department of Banking and Consumer Finance, for the support of the State Department of Banking and Consumer Finance, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 11,531,485.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	86
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville

Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. It is the intention of the Legislature that the Department of Banking and Consumer Finance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE  
SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE  
FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3050** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Treasurer's office which are collected by or otherwise become available, to defray the expenses of the Office of the State Treasurer for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,776,111.00.

SECTION 2. Of the funds appropriated in Section 1 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 37  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed

Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Education Improvement Trust Fund No. 3219 for the purpose of investing funds for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 150,000.00.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 35,000,000.00.

It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed One Million Dollars (\$1,000,000.00) from any funds authorized for the Mississippi Prepaid Affordable College Tuition Program, for paying amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. No part of the funds appropriated herein shall be used in the payment of attorney's fees, nor shall any of said funds be used either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. It is the intention of the Legislature that the Office of the State Treasurer shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. Of the funds appropriated to the State Treasury under the provisions of Section 1, the following amounts shall be available for expenditure in the following program budgets:

(a) Mississippi Prepaid Affordable College Tuition program .....	\$ 1,854,655.00.
(b) Mississippi Affordable College Savings program.....	\$ 177,860.00.
(c) Treasury Office - Support programs.....	\$ 3,743,596.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended for purposes related to any program other than the Mississippi Prepaid Affordable College Tuition program.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3051** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying service charges to banks for acting as agents of the State of Mississippi in paying bonds and interest on the full faith and credit bonds of the state, this appropriation to be available from the effective date of this act until such bonds shall be paid or until June 30, 2024, whichever shall first occur; and for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2024..... \$ 433,923,299.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2024.....  
\$ 67,693,103.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby authorized to expend any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the revenue bonds of the State of Mississippi falling due during Fiscal Year 2024..... \$ 39,581,600.00.

SECTION 4. The several items covering maturing bonds and interest as evidenced by coupons on the bonds shall be paid out of the State Treasury as and when provided by law and according to the schedule of interest payments in the several issues of full faith and credit bonds or revenue bonds on which principal and interest is due and payable between the dates of July 1, 2023, and June 30, 2024.

SECTION 5. It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend any excess funds which become available from interest earnings on bond proceeds or from loan repayments received pursuant to bond documents. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 6. Of the funds appropriated in Section 1 of this act hereof, the sum of Five Hundred Thousand Dollars (\$500,000.00), or so much thereof as may be necessary, is herein appropriated for paying bank service charges. Itemized statements of banks making service charges shall be attached to requisitions of the State Treasurer.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2024, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3000** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning

for the purpose of support, maintenance, affirmative action plan, interest funds and repairs at the state-supported institutions of higher learning; for support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 343,869,278.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of education and general operations of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,020,511,156.00.

SECTION 3. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Ayers Endowment Interest Fund, State Treasury Fund No. 3325800000, for the purposes as set out by the courts in the Ayers Case for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Alcorn State University.....	\$ 254,700.00.
Jackson State University.....	\$ 390,600.00.
Mississippi Valley State University.....	\$ 254,700.00.
TOTAL:.....	\$900,000.00

SECTION 4. Of the funds appropriated under the provisions of Section 2, the amount of Two Million Eight Hundred Eighty-six Thousand Two Hundred Sixty-nine Dollars (\$2,886,269.00) shall be derived from unexpended balances in the Ayers program funds provided for the purpose in prior-year appropriations enacted by The Mississippi Legislature. These funds are to be allocated as follows:

Jackson State University .....	\$ 2,090,794.00.
Mississippi Valley State University .....	\$ 795,475.00.

SECTION 5. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall allocate funds to the off-campus centers based on a minimum rate of sixty-five percent (65%) of the on-campus cost of a full-time equivalent student. The on-campus distribution is to be determined without regard to the costs incurred by any one or more of them in the operation of off-campus degree-completing centers' classes. Off-campus centers which are operated jointly by two (2) or more institutions, the amount allocated to such centers shall be prorated among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall ensure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

SECTION 6. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Forty-five Thousand Dollars (\$145,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

Provided, however, that the Board of Trustees of State Institutions of Higher Learning shall develop the governing policy for faculty, course content and facilities selection on a competitive basis from all Mississippi senior colleges and universities. The Mississippi Governor's School for the Gifted and Talented shall accept not less than one (1) high school student nominee from each accredited high school in Mississippi. The nominees, selected under criteria developed and adopted by the Board of Trustees of State Institutions of Higher Learning, shall be provided a two-week tuition-free program.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of Three Hundred Forty-nine Thousand Two Hundred Dollars (\$349,200.00) shall be used for the promotion and expenses of the Teacher Corps.

SECTION 8. It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds

which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 9. Of the funds appropriated in Section 1 of this act, the following amounts shall be used as set forth:

(a) For Mississippi State University as interest on agricultural land script fund and interest on sale of university land, the sum of.....\$ 14,387.00.

(b) For the University of Mississippi as interest on original seminary fund, the sum of .....\$ 32,643.00.

(c) For the University of Mississippi as interest on 1904 land grant fund, the sum of .....\$ 9,965.00.

(d) For the University of Mississippi as interest on LaBauve Fund, the sum of \$ 1,420.00.

(e) For Mississippi University for Women as interest on funds paid into the State Treasury as proceeds of sale of land donated to the Industrial Institute and College by the United States government, the sum of .....\$ 9,389.00.

(f) For Alcorn State University as interest on land script and land sales funds, the sum of.....\$ 12,592.00.

SECTION 10. Of the funds appropriated in Section 2 of this act, the following amount shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

On-campus and off-campus support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi for the sum of .....\$ 68,873,070.00.

SECTION 11. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall first use special funds to the greatest extent possible to defray the costs of providing remediation at the state-supported institutions of higher learning.

SECTION 12. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 13. It is the intention of the Legislature that the budget requests of the institutions for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 14. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning continue to review, and eliminate when possible, duplicating programs and degrees in the existing institutions of higher learning in this state.

SECTION 15. No state appropriations or student tuition and fee receipts, except those specifically charged for the provision of the services, shall be used to support auxiliary enterprises, with the exception of intercollegiate athletics at a level designated by the board of trustees. It is the intent of the Legislature that auxiliary enterprises shall be self-supporting and that deficits not be taken from funds intended for instruction and academic programs.

SECTION 16. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 17. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 18. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the



intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Instruction	
Number of Undergraduate Degrees Awarded	12,221
Number of Graduate Degrees Awarded	4,592
Number of Degrees (Graduate & Undergraduate) Awarded in the Fields of STEM, Health and Education	5,766
Number of Undergraduate Degrees Awarded per 100 Undergraduate Full-Time Equivalent (FTE) Enrollment	20.10
Number of Graduate Degrees Awarded per 100 Graduate FTE Enrollment	44.20
Number of Students Completing 30 Hours	13,915
Number of Students Completing 60 Hours	10,132
Research	
Number of Patents Obtained by Mississippi Public Universities in Emerging Technologies	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 19. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated equally to Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi for economic development, reorganization, and relocation of efforts at those universities....\$ 2,000,000.00.

SECTION 20. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Mississippi State University - Meridian Branch.....\$ 900,000.00.

SECTION 21. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 22. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Jackson State University E-Learning Center.....\$ 485,000.00.

SECTION 23. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to the Delta State University E-Learning Center.....\$ 155,000.00.

SECTION 24. It is the intent of the Legislature that at the end of Fiscal Year 2024 any unexpended balances in Ayers programs funds established pursuant to this act shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year, and subject to Legislative appropriation.

SECTION 25. None of the State General Funds appropriated by this act shall be expended for the purpose of travel outside the United States.

SECTION 26. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation

\$ 800,000.00.

SECTION 27. Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred Ten Dollars (\$191,610.00) is provided for geospatial site licenses.

SECTION 28. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 29. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount shall be allocated to the Delta State University Delta Center for Culture and Learning..... \$ 100,000.00.

The funds allocated in this section shall only be used for the Delta Center for Culture and Learning.

SECTION 30. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to fund the Washington Center for Internships and Academic Seminars Mississippi Initiative Scholarship Program .....  
\$ 90,000.00.

This program will provide opportunities for Mississippi's university and college students to gain real-life experience working in Washington, D.C. The funding will provide scholarships at Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, and the University of Southern Mississippi. A written report shall be submitted listing the scholarship recipients by university to the Chairmen of the Senate and House Appropriations and Universities and Colleges Committees.

SECTION 31. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 32. Of the funds appropriated under the provisions of Section 1 of this act, an amount not more than One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be allocated to implement university system efficiencies, including, but not limited to, academic, space, energy and any other system projects or expenditures that would lead to improved efficiency. Such funds may also be used to draw down other funds or as matching funds.

SECTION 33. Of the funds appropriated under the provisions of Section 1 of this act, One Hundred Thousand Dollars (\$100,000.00) shall be used to defray the expenses of the Children's Center for Communication and Development at the University of Southern Mississippi.

SECTION 34. Of the funds appropriated in Section 1 of this act, the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for defraying the expenses of the DuBard School.

SECTION 35. Of the funds appropriated under the provisions of Section 1 of this act, Two Hundred Sixty-six Thousand Seven Hundred Fifty Dollars (\$266,750.00) is provided for the Southwest Mississippi Center for Culture and Learning at Alcorn State University.

SECTION 36. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Eight Hundred Fifty Thousand Dollars (\$850,000.00) is provided for the Engineer Research and Development Center in Vicksburg, Mississippi, for Research and Development opportunities in Science and Technology initiatives.

SECTION 37. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars (\$300,000.00) is provided for the Delta State University Delta Music Institute.

SECTION 38. It is the intention of the Legislature that Mississippi Valley State University is authorized to provide water or sewer service to any existing, privately owned structures that presently take water or sewer service from Mississippi Valley State University. Furthermore, Mississippi Valley State University is authorized to charge a flat or metered rate for the service provided. Mississippi Valley State

University shall not provide any water or sewer service to any new, privately owned structures.

SECTION 39. Of the funds herein appropriated, Eight Hundred Thousand Dollars (\$800,000.00) shall be provided to the Charter School Authorizer Board. Of this amount, Three Hundred Thousand Dollars (\$300,000.00) shall be provided in General Funds and Five Hundred Thousand Dollars (\$500,000.00) shall be provided in Special Funds from the Charter School Authorizer Board Fund - Fund No. 3001700000.

SECTION 40. Of the funds appropriated in Section 2 of this act, One Million Five Hundred Dollars (\$1,500,000.00), shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to Alcorn State University for STEM related programs as determined by the university.

SECTION 41. Of the funds appropriated in Section 2 of this act, One Million Dollars (\$1,000,000.00), or so much as necessary, shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the IHL research institutions for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi. It is the intent of the legislature that funds can be used for both research and upgrades to the physical space in order to perform research and entrepreneurship.

SECTION 42. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, to the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Institutions of Higher Learning, as authorized in Senate Bill 3002, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 53,478,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) Delta State University – Commercial Aviation Department to defray expenses related to the purchase of flight simulators, training equipment, and other capital improvements.....

\$ 2,478,000.00.

(b) University of Mississippi to defray expenses related to the operations of the Haley Barbour Center for the Study of American Politics ..... \$ 1,000,000.00.

(c) University of Mississippi to defray expenses related to the Healthcare Innovation Tech Hub Infrastructure, Biomedical Innovation, Nano-Bio Immuno Engineering Consortium (NIEC), Data Science and Artificial Intelligence.....\$ 15,000,000.00.

(d) University of Mississippi to defray expenses related to the UM Early Learning and Evaluation Center..... \$ 10,000,000.00.

(e) Mississippi State University to defray the expenses related to the construction, furnishing, and equipping of the Kinesiology & Autism Building, High-Performance Computing Center and/or Ballew Hall..... \$ 12,000,000.00.

(f) Mississippi University for Women to defray expenses related to the expansion of the nursing program ..... \$ 2,500,000.00.

(g) Alcorn State University to defray the expenses related to the renovation and expansion of the Davey L. Whitney Complex and Wellness Center..... \$ 3,000,000.00.

(h) Jackson State University to defray the expenses related to the repair, renovation, and/or construction of a residence hall  
\$ 5,000,000.00.

(i) Alcorn State University for STEM related programs as determined by the university..... \$ 1,500,000.00.

(j) IHL research institutions for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi..... \$ 1,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 43. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management as authorized in SB 3002, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 15,000,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for construction and/or repair and renovation projects for the Institutions of Higher Learning as allocated herein:

Alcorn State University .....	\$ 746,792.00.
Delta State University .....	\$ 599,527.00.
Jackson State University .....	\$ 1,294,884.00.
Mississippi State University (including the Forest and Wildlife Research Center and the Division of Agriculture, Forestry and Veterinary Medicine) .....	\$ 4,401,981.00.
Mississippi University for Women .....	\$ 538,804.00.
Mississippi Valley State University .....	\$ 654,339.00.
University of Mississippi .....	\$ 4,063,186.00.
University of Southern Mississippi .....	\$ 2,700,487.00.
Total .....	\$ 15,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 44. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the Institutions of Higher Learning (IHL), as authorized in SB 3002, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,000,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

Mississippi Valley State University Emergency Roof Repair .....	\$ 3,000,000.00.
University of Southern Mississippi Ocean Enterprise – Gulfport .....	\$ 5,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 45. Of the funds appropriated in Section 2 of this act, Ten Million Dollars (\$10,000,000.00) shall be derived from the Declaration of Independence Center for the Study of American Freedom Fund created in House Bill No. \_\_\_\_\_, 2023 Regular Session, which shall be expended to support the operations of the Declaration of Independence Center for the Study of American Freedom ("Center") at the University of Mississippi, subject to the conditions that the Center shall:

(a) Promote scholarly research and civic education by exploring the principles of freedom expressed in our country's founding documents;

(b) Support individual faculty members at institutions of higher learning who have been named Declaration Fellows and who actively participate in the Center's network of scholars and further the mission and principles of the Center;

(c) Support classes, activities, and internships that advance students' understanding of American freedom at both the secondary and post-secondary level of education, including support for the operation of any Freedom Studies minor that may be available for academic credit at the University of Mississippi, as well as support for all Freedom Studies courses belonging to this minor; and

(d) Continue to be governed and advised in accordance with the Center governing structure described in the last paragraph of the Center mission statement signed by the Chancellor, Provost and founding Director of the Center and received in the Office of the Chancellor on March 1, 2023.

SECTION 46. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 47. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 48. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT  
UNIVERSITIES FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3001** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Law Research Institute, Jackson State University Urban Research Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, the Stennis Institute of Government, Gulf Coast Research Laboratory, Polymer Institute, Small Business Development Center, Stennis Center for Higher Learning, the Commission for Volunteer Services, the State Court Education Program, and the executive office of the board of trustees for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 36,441,938.00.

SECTION 2. The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Mississippi State Chemical

Laboratory, Water Resources Institute, Mississippi Alcohol Safety Education Program, Stennis Institute of Government, Mississippi Law Research Institute, Mississippi Small Business Development Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, Stennis Space Center's Center for Higher Learning, Gulf Coast Research Laboratory, Polymer Institute, Jackson State University Urban Research Center, the Commission for Volunteer Services, and the executive office of the board of trustees for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 48,817,854.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 of this act hereof, the following amounts, or so much thereof as may be necessary, shall be expended by the Board of Trustees of State Institutions of Higher Learning for the purposes hereinafter set forth:

(a) From State General Funds, for the support of:

Center for Advanced Vehicular Systems for	
the sum of .....	\$ 4,551,060.00.
Supercomputer for the sum of .....	\$ 645,482.00.
Center for Manufacturing Excellence for	
the sum of .....	\$ 2,933,759.00.
Mississippi Mineral Resources Institute for	
the sum of .....	\$ 353,159.00.
State Court Education Program for the	
sum of .....	\$ 1,885,998.00.
Mississippi Law Research Institute for the	
sum of .....	\$ 865,336.00.
Executive Office of the Board of Trustees for	
the sum of .....	\$ 7,193,069.00.
Mississippi Polymer Institute for	
the sum of .....	\$ 897,811.00.
Mississippi Small Business Development	
Center for the sum of .....	\$ 314,488.00.
Stennis Space Center - Center for Higher	
Learning for the sum of .....	\$ 353,850.00.
Jackson State University Urban Research	
Center for the sum of .....	\$ 524,084.00.
Stennis Institute of Government for the	
sum of .....	\$ 762,542.00.
Commission for Volunteer Services for	
the sum of .....	\$ 990,839.00.
Gulf Coast Research Laboratory for the	
sum of .....	\$ 8,187,373.00.
Mississippi Water Resources Institute for the	
sum of .....	\$ 351,676.00.
Mississippi State Chemical Laboratory for the	
sum of .....	\$ 1,845,621.00.
Research Institute of Pharmaceutical Sciences	
for the sum of .....	\$ 3,785,791.00.

(b) From Special Funds, for the support of:

Center for Advanced Vehicular Systems for	
the sum of .....	\$ 142,782.00.
Center for Manufacturing Excellence for the	
sum of .....	\$ 142,782.00.
Mississippi Mineral Resources Institute for	
the sum of .....	\$ 672,657.00.
Mississippi State University-Alcohol Safety	
for the sum of .....	\$ 1,859,310.00.
Mississippi Law Research Institute for the	
sum of .....	\$ 1,990,795.00.
Executive Office of the Board of Trustees for	
the sum of .....	\$ 20,277,513.00.

Mississippi Small Business Development  
Center for the sum of..... \$ 3,164,390.00.  
Commission for Volunteer Services for  
the sum of ..... \$ 5,076,128.00.  
Gulf Coast Research Laboratory for the  
sum of ..... \$ 2,043,526.00.  
Mississippi State Chemical Laboratory for the  
sum of ..... \$ 498,965.00.  
Research Institute of Pharmaceutical Sciences  
for the sum of ..... \$ 12,949,006.00.

Of the funds appropriated under the provisions of Section 1 of this act and allocated to the Gulf Coast Research Laboratory, the Board of Trustees of State Institutions of Higher Learning shall allocate One Hundred Seventy-five Thousand Dollars (\$175,000.00) for Sea Grants matching for the Fiscal Year 2024.

Provided further, it is the intention of the Legislature, in the event budget reductions are imposed on the Gulf Coast Research Laboratory by the Board of Trustees of State Institutions of Higher Learning, as a result of the Governor ordering budget reductions under the provisions of Section 27-104-13 or 31-17-123, Mississippi Code of 1972, the same percent reduction will be applied to those state funds identified in this section for Sea Grant match.

It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

After the Mississippi State Chemical Laboratory has provided the maximum amount of services which may be provided free of charge under the provisions of Section 57-21-11(c), Mississippi Code of 1972, the laboratory shall not provide any additional services from the funds appropriated under the provisions of Sections 1 and 2 of this act if any charges for such services previously provided are more than ninety (90) days past due. After all such delinquent charges have been paid by a client, the laboratory may provide additional services to the client.

SECTION 4. Of the funds appropriated in Section 2 of this act and authorized for expenditure in Section 3(b) of this act, the following amounts shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

Center for Advanced Vehicular Systems.....\$ 142,782.00.  
Center for Manufacturing Excellence.....\$ 142,782.00.  
Gulf Coast Research Laboratory.....\$ 142,782.00.  
Executive Office of the Board of Trustees  
for the sum of ..... \$ 402,396.00.  
Total.....\$ 830,742.00.

SECTION 5. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the budget requests of the individual institutes, laboratories and programs consolidated in this bill for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature any institution not in compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

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Senator Hopson called up the following House Amendment to **S. B. No. 3010** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the operation and support of the public community and junior colleges for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 206,369,562.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the special funds specified herein to the Mississippi Community College Board for the operation and support of the public community and junior colleges for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 63,185,786.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Sixty-two Million Seven Hundred Eighty-five Thousand Seven Hundred Eighty-six Dollars (\$62,785,786.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, not otherwise appropriated, for the operation and support of public community and junior colleges.

SECTION 4. The funds provided in this section shall be allocated for the aid and support of the public and community junior colleges through the community college



support funding formula and shall be apportioned in accordance with the following assigned weights:

Formula Section	FTE Formula
(a) Aid to Colleges:	
Base	15% prior year appropriation
Academic	1.0
Technical	1.0
MSVCC Shared Host	.75
MSVCC Shared Provider	.25
(b) Career	1.0
(c) Associate Degree	
Nursing	1.19
(d) Associate Degree	
Allied Health	1.19

Academic, Technical, Career, Associate Degree Nursing and Associate Degree Allied Health funds shall be disbursed on the basis of prior year full-time equivalency (FTE) of hours generated during the summer, fall and spring semesters for each public community and junior college student actually enrolled and in attendance the last day of the sixth week of each semester, or its equivalent, counting only students who reside within the State of Mississippi. However, associate degree nursing students who reside outside the State of Mississippi may be counted for pay purposes.

Mississippi Virtual Community College (MSVCC) shared hosted and provided courses may qualify for incentive funding on the basis of the prior year full-time equivalency (FTE) of MSVCC shared hours generated during the summer, fall and spring semesters. In addition, all provider MSVCC semester credit hours will be included in either the academic, technical or career sections of the formula at a weight of one (1.0).

The Director of the Mississippi Community College Board, or his designee, shall audit each public community and junior college and shall determine who shall be counted in each college and shall certify the number to the Mississippi Community College Board.

If, pending determination of the enrollment of students at the public community and junior colleges entitled to participate in this appropriation, as provided for in this section, the Mississippi Community College Board shall find and determine that any such public or community junior college does not have sufficient funds on hand for payment of the necessary expenses of its operation for the period commencing July 1, 2023, until distribution of the funds appropriated hereby, then, in that event, the Mississippi Community College Board is expressly authorized to make an advance to any such public community or junior college or colleges not having sufficient operating funds for such period from the funds appropriated hereby; provided, however, that the amount of any such advance to any one (1) public community or junior college shall not exceed thirty-three percent (33%) of the amount of state-appropriated funds received by such public community or junior college during the preceding fiscal year; and provided, further, that the amount of any such advance shall be deducted from the pro rata part of the funds appropriated hereby accruing to said public community or junior college when enrollment has been ascertained and distribution of funds is made.

(a) Of the funds appropriated in Section 1 of this act, an amount not to exceed One Hundred Fifty-seven Million Five Hundred Eighty-one Thousand Four Hundred Four Dollars (\$157,581,404.00) is authorized for the aid and support of the public community colleges to be distributed through the community college support funding formula.

(b) Of the funds provided in Section 3 of this act, Forty-nine Million Eight Hundred Eighty-four Thousand Nine Hundred Forty-six Dollars (\$49,884,946.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. These funds are authorized for the

aid and support of the public community colleges to be distributed through the community college support funding formula.

SECTION 5. The following public community and junior colleges which qualify shall participate in the funds provided herein:

Coahoma Community College, Copiah-Lincoln Community College, East Central Community College, East Mississippi Community College, Hinds Community College, Holmes Community College, Itawamba Community College, Jones County Junior College, Meridian Community College, Mississippi Delta Community College, Mississippi Gulf Coast Community College, Northeast Mississippi Community College, Northwest Mississippi Community College, Pearl River Community College, and Southwest Mississippi Community College.

SECTION 6. Of the funds appropriated in Section 1 of this act, an amount not to exceed Twenty-nine Million Two Hundred Three Thousand Twenty-six Dollars (\$29,203,026.00) is authorized for the aid of the public community and junior colleges to fund life and health insurance for all employees of the public community and junior colleges.

The funds allocated in this section shall only be used to participate in the State and School Employees' Life and Health Insurance Plan and any funds appropriated in this section for this purpose, which are not expended during the fiscal year shall be carried forward for the same purposes during the next succeeding fiscal year.

SECTION 7. Of the funds appropriated in Section 2 of this act, Four Hundred Thousand Dollars (\$400,000.00) shall be derived out of any money in the State Treasury to the credit of the Insurance Carryover Fund No. 3295, for the purpose of fully funding life and health insurance through the State and School Employees' Life and Health Insurance Plan for all qualified community and junior college employees.

SECTION 8. Of the funds appropriated in Section 1 of this act, an amount not to exceed Six Million Seven Hundred Fifty Thousand Dollars (\$6,750,000.00) shall be used for the purpose of Workforce and Economic Development Support, including the operation of the Workforce Development Centers and Advanced Training Centers, providing start-up costs for new career and technical programs, and providing the necessary funding to replace outdated and obsolete equipment for existing career and technical programs at each of the public community and junior colleges.

SECTION 9. Of the funds appropriated in Section 1 of this act, One Hundred Seventy-Nine Thousand Fifty Dollars (\$179,050.00) shall be used for the purpose of defraying the cost of Sign Language Interpreter Training at the public community and junior colleges.

SECTION 10. Of the funds appropriated in Section 1 and provided in Section 2 of this act, Ten Million Dollars (\$10,000,000.00) shall be used by the Mississippi Community College Board for the purpose of defraying the cost of the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board. Seven Million Ninety-nine Thousand One Hundred Sixty Dollars (\$7,099,160.00) shall be derived from Section 1, and Two Million Nine Hundred Thousand Eight Hundred Forty Dollars (\$2,900,840.00) shall be derived from Section 3 out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 11. Of the funds appropriated in Section 1 of this act, Two Million Five Hundred Fifty-six Thousand Nine Hundred Twenty-two Dollars (\$2,556,922.00) shall be used for the purpose of defraying the cost of the Associate Degree Nursing and Allied Health Programs.

SECTION 12. Of the funds appropriated in Section 1 of this act, Three Million Dollars (\$3,000,000.00) shall be used for the purpose of continuing the dropout recovery initiative based on a successful program administered through the adult basic education program with the Mississippi Community College Board. These funds shall also be used for the purpose of enrolling low-skill adults in career pathways that combine high school equivalency, skills training and workforce credentials in an intensive program that produces adults who can compete for jobs.

Of the funds provided in this section, one-half (1/2) shall be allocated equally and the remaining one-half (1/2) shall be allocated on the basis of the prior year headcount enrollment in Adult Education, MIBEST or other career pathway programs.

The public community and junior colleges shall prepare and make available to the Legislature and the Legislative Budget Office a comprehensive report on the number of dropouts that have enrolled in a High School Equivalency and/or career program for each community and junior college during Fiscal Year 2023 on, or before, August 1, 2024.

SECTION 13. Of the funds provided in Section 3 of this act, Ten Million Dollars (\$10,000,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. These funds shall be used for the Career and Technical Advantage Program which will provide start-up costs for new career and technical programs, expansion of existing career and technical programs, and infrastructure for career and technical program equipment, lab upgrades, and renovations to sustain the programs at public community colleges. Fifteen percent (15%) of the funds appropriated in this section shall be distributed evenly to each community college. The remaining eighty-five percent (85%) of the funds shall be distributed on the basis of prior year career and technical full-time equivalency (FTE) hours generated during the summer, fall, and spring semesters for each public community college.

SECTION 14. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024
Instruction	Target
Number of Total Degrees Awarded per 100 FTE Enrollment	31.29
Number of Associate Degrees Awarded per 100 FTE Enrollment	17.11
Number of Associate of Applied Science Degrees Awarded per 100 FTE Enrollment	7.00
Number of Certificates Awarded per 100 FTE Enrollment	9.50
Percent of First-Time Entering, Part-Time Degree- Seeking Students (Fall) who Earned 24 Credit Hours by the End of Year Two	18.50
Percent of First-Time Entering, Full-Time Degree-Seeking Students (Fall) who Earned 42 Credit Hours by the End of Year Two	46.82
Percent of Associate Degree Nursing and Practical Nursing Licensure Exam Pass Rates	42.51
Percent of Total Student Success, Which Includes Graduates, Transfers, and Retention (Those Still Enrolled)	80.78
Percent of Graduates	33.50
Percent of Transfers	20.78
Percent of Retention	8.34
Percent of Students Enrolled in Career/ Technical and Health Science Graduates	23.50
Percent of In-State Job Placements of Career/ Technical and Health Science Graduates	90.10
Number of High School Equivalencies Awarded	2,320

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 15. It is the intention of the Legislature that none of the General Funds appropriated herein shall be expended for the purpose of paying salaries, wages, and fringe benefits of any public community and junior college employee who is serving as a member of the State of Mississippi Legislature.

SECTION 16. A Mississippi Prepaid Affordable College Tuition (MPACT) program beneficiary shall be considered a Mississippi resident for the purposes of participating in this appropriation regardless of the beneficiary's residence on the date of enrollment, as set out in Section 37-155-5(d)(iii), Mississippi Code of 1972.

SECTION 17. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 18. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 19. It is the intention of the Legislature that the support of the community and junior colleges shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 20. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 21. The funds disbursed under the provisions of this act shall be accounted for through the Mississippi Community College Board. No part of the amount herein appropriated shall be used by the Mississippi Community College Board for administrative or other purposes except in the manner and to the extent authorized in this act making an appropriation for the expenses of the Mississippi Community College Board.

SECTION 22. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 23. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3011** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 363,390,013.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Corrections which is collected by or otherwise becomes available for the purpose of defraying the expenses of the department, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 27,336,449.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be expended:

CENTRAL OFFICE

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 28,245,850.00
Special Funds .....	6,596,511.00
Total .....	\$ 34,842,361.00

AUTHORIZED HEADCOUNT:

Permanent:	188
Time-Limited:	8

FARMING OPERATIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 0.00
Special Funds .....	2,416,917.00
Total .....	\$ 2,416,917.00

AUTHORIZED HEADCOUNT:

Permanent:	8
Time-Limited:	0

PAROLE BOARD

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 758,402.00
Special Funds .....	0.00
Total .....	\$ 758,402.00

AUTHORIZED HEADCOUNT:

Permanent:	8
Time-Limited:	0

PRIVATE PRISONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 58,309,374.00
Special Funds .....	0.00
Total .....	\$ 58,309,374.00

AUTHORIZED HEADCOUNT:

SENATE JOURNAL  
MONDAY, MARCH 13, 2023

Permanent: 0  
Time-Limited: 0

MEDICAL SERVICES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 78,231,888.00
Special Funds .....	375,447.00
Total .....	\$ 78,607,335.00

AUTHORIZED HEADCOUNT:

Permanent: 1  
Time-Limited: 2

REGIONAL FACILITIES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 43,850,472.00
Special Funds .....	0.00
Total .....	\$ 43,850,472.00

AUTHORIZED HEADCOUNT:

Permanent: 0  
Time-Limited: 0

LOCAL CONFINEMENT

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 10,064,537.00
Special Funds .....	0.00
Total .....	\$ 10,064,537.00

AUTHORIZED HEADCOUNT:

Permanent: 0  
Time-Limited: 0

COMMUNITY CORRECTIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 28,318,194.00
Special Funds .....	12,931,359.00
Total .....	\$ 41,249,553.00

AUTHORIZED HEADCOUNT:

Permanent: 578  
Time-Limited: 83

CENTRAL MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 32,270,231.00
Special Funds .....	1,454,309.00
Total .....	\$ 33,724,540.00

AUTHORIZED HEADCOUNT:

Permanent: 635  
Time-Limited: 5

PARCHMAN

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 35,097,229.00
Special Funds .....	2,103,220.00
Total .....	\$ 37,200,449.00

AUTHORIZED HEADCOUNT:

Permanent: 701  
Time-Limited: 9

SOUTH MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 25,556,014.00
Special Funds .....	1,458,686.00
Total .....	\$ 27,014,700.00

AUTHORIZED HEADCOUNT:

Permanent: 497  
Time-Limited: 4

Marshall County Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 11,453,976.00
Special Funds .....	0.00
Total .....	\$ 11,453,976.00

AUTHORIZED HEADCOUNT:

Permanent: 153  
Time-Limited: 0

Walnut Grove Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 11,233,846.00
Special Funds .....	0.00
Total .....	\$ 11,233,846.00

AUTHORIZED HEADCOUNT:

Permanent: 170  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. The Commissioner of the Mississippi Department of Corrections is hereby authorized to transfer spending authority between and within budgets, both positions and funds, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
General Administration	
Support as a Percent of Total Budget	10.00
Number of State Prisoners per 100,000 Population (Includes Only Inmates Sentenced to More Than a Year)	594
Average Annual Incarceration Cost per Inmate	49.00
Percent of Offenders Returning to Incarceration with 3 Years of Release	34.20
Farming Operations	
Annual Income from Farm Sales	1,679,875.25
Parole Board	
Number of Inmates Paroled	4,500
Private Prisons	
Number of ABE Program Slots Available	385
Number of VOC-ED Program Slots Available	260
Number of A&D Program Slots Available	330
Medical Services	
Number of Inmate Days in a Hospital	6,572
Regional Facilities	
Number of ABE Program Slots Available	585
Number of VOC-ED Program Slots Available	700
Number of A&D Program Slots Available	445
Probation/parole	
Recidivism Rate within 12 Months of Release to Field Supervision	7.50
Recidivism Rate within 36 Months of Release to Field Supervision	19.10
Community Work Centers	
Recidivism Rate within 12 Months of Release	6.80
Recidivism Rate within 36 Months of Release	19.90
Restitution Centers	
Recidivism Rate within 12 Months	20.60
Recidivism Rate within 36 Months	28.60
Local Confinement	
Number of Inmates Housed in County Jails (Inmate Days)	511,000
Institutional Security	
Number of Assaults on Inmates per 100 Inmates	1.60
Number of Assaults on Officers per 100	



Officers	1.00
Youthful Offender School	
Recidivism Rate within 12 Months of Release	20.90
Recidivism Rate within 36 Months of Release	45.60
Evidenced Based Intervention	
Recidivism Rate for Inmates who Complete the ABE Program	20.00
Recidivism Rate for Inmates who Complete a Vocational Program	16.00
Recidivism Rate for Inmates who Complete the A&D Program	33.90
Percent of Offenders Possessing GED Certificate or High School Diploma at Time of Release	34.60
Percent of Offenders Obtaining Marketable Job Skills During Incarceration	4.20

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. Of the funds appropriated in Sections 1 and 2, none shall be expended for personnel housing under the jurisdiction of the Department of Corrections unless the department shall collect a reasonable rent, after a finding of fact as to what is a reasonable rent, and/or the cost of utilities furnished to said housing. The Department of Corrections shall not pay for the installation or monthly service of any telephone installed in a staff residence under its jurisdiction.

It is further the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane and cable services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 7. Of the funds appropriated in Sections 1 and 2, and authorized for expenditure in Section 3, payment may be authorized for court-ordered attorney fees and any accrued interest subject to the approval of the Office of the Attorney General.

SECTION 8. None of the money herein appropriated shall be paid to any person who by the provision of Section 47-5-47, Mississippi Code of 1972, as amended, is prohibited from being an employee of the Mississippi Department of Corrections. The State Department of Finance and Administration shall at least annually make a report to the Joint Legislative Committee on Performance Evaluation and Expenditure Review and to the Attorney General stating the name of any person prohibited under the provisions of Section 47-5-47, Mississippi Code of 1972, as amended, from being an employee of the Mississippi Department of Corrections who has during the preceding year received any money herein appropriated. In the event that any such person prohibited as hereinabove provided from receiving funds herein appropriated should receive any of said funds, the Attorney General shall immediately commence action to recover the monies so paid to said person and to enjoin the further employment of said person at the Mississippi Department of Corrections.

SECTION 9. It is the intent of the Legislature that all prisoners at Parchman shall work a minimum of eight (8) hours per day, excluding prisoners with a physical disability or those incarcerated in maximum security.

SECTION 10. It is the intention of the Legislature that the per diem rates paid to regional facilities shall not exceed Thirty-one Dollars (\$31.00) per inmate. All regional facilities shall continue to receive the annual three percent (3%) increase in the per diem rate as authorized in Section 47-5-933, Mississippi Code of 1972; however, in no event shall any regional facility's per diem rate exceed Thirty-one Dollars (\$31.00) per inmate.

SECTION 11. The department or its contracted medical provider will pay to a provider of a medical service for any and all incarcerated persons from a correctional or

detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of a negotiated discounted fee schedule, medical care service providers will be paid by the department or its contracted medical service provider an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications provided to any and all incarcerated persons outside of the correctional or detention facility. None of the monies appropriated herein may be used to pay for cosmetic medical procedures for any prisoner. Cosmetic medical procedure means any medical procedure performed in order to change an individual's appearance without significantly serving to prevent or treat illness or disease or to promote proper functioning of the body.

SECTION 12. It is the intention of the Legislature that the Commissioner of the Mississippi Department of Corrections shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Corrections. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund, as created in Section 47-5-158, Mississippi Code of 1972, be placed in a treasury fund effective July 1, 2023. Of the amounts appropriated in Section 2, an amount not exceeding Six Million Dollars (\$6,000,000.00) shall be available for expenditure in the Inmate Welfare Fund. Of these funds, Five Hundred Thousand Dollars (\$500,000.00) shall be used to provide for transitional housing and post release reentry programs.

SECTION 15. It is the intention of the Legislature that all funds held by the Inmate Incentive to Work Program Fund, as created in Section 47-5-371, Mississippi Code of 1972, be placed in a treasury fund effective July 1, 2023. Of the amounts appropriated in Section 2, an amount not exceeding One Million Dollars (\$1,000,000.00) shall be available for expenditure in the Inmate Incentive to Work Program Fund. The following funds shall be utilized to pay inmates who are participants in the Inmate Incentive to Work Program.

SECTION 16. It is the intention of the Legislature that the Mississippi Department of Corrections shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 17. It is the intention of the Legislature for the Mississippi Department of Corrections to manage funds budgeted and allocated. In so doing, the commissioner of the department shall have the authority to amend, extend and/or renew the term of any lease agreement or any inmate housing agreement in connection with a correctional facility. Notwithstanding any statutory limits to the contrary, such amendment, extension and/or renewal may be for a length of time up to and including ten (10) years as is necessary for the continued operations of such facilities and implementation of the department's duties and responsibilities in accordance with Title 47 of the Mississippi Code of 1972, as amended.

SECTION 18. With the funds herein appropriated, it is the intent of the Legislature that upon vouchers submitted by the board of supervisors of any county housing offenders

in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs as provided for in Section 47-5-901(3)(b), Mississippi Code of 1972, as amended by House Bill No. 585, 2014 Regular Session.

SECTION 19. With the funds herein appropriated, it is the intent of the Legislature, that for Fiscal Year 2024, the Department of Corrections shall reimburse municipalities, up to Twenty Dollars (\$20.00) a day, for the cost incurred of housing inmates in any jail facility based on time served for the conviction of larceny, shoplifting, or related convictions where the value of the property taken is Five Hundred Dollars (\$500.00) or more but is equal to or less than One Thousand Dollars (\$1,000.00). A copy of the court abstract of record and the jail docket shall be provided to show the total number of days an individual was incarcerated in said jail facility. The reimbursement shall be payable back to the municipality upon receipt of required documentation and an invoice. Total reimbursements resulting from this section shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00).

SECTION 20. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Hundred Ten Thousand Two Hundred Sixty-one Dollars (\$510,261.00) shall be allocated to Victim's Notification Programs supported by General Fund court assessments.

SECTION 22. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated to the Department of Corrections for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3013, 2022 Regular Session to provide to the Mississippi Department of Corrections for technology, equipment, and training in order to integrate, analyze, and visualize data ranging from law enforcement intelligence to administrative filings for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 1,468,042.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 23. With the funds appropriated herein, the Department of Corrections is authorized to make payments for medical expenses incurred during Fiscal Year 2021 for an amount not to exceed Seven Hundred Fifty-five Thousand One Hundred Seventy-two Dollars and Ninety-one Cents (\$755,172.91) or an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate for these services

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR  
FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3012** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 137,975,403.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Public Safety for the purpose of defraying the expenses incurred in the operation of the various divisions of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 110,476,931.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1,598

Time-Limited: 78

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. The Commissioner of Public Safety may, on a case-by-case basis, within funds available, recommend that corrective salary adjustments be made to the compensation of employees of the Department of Public Safety where an inequity was created between employees of equivalent capacity by previous application of the agency appropriation acts. Any such corrective salary adjustment plan must have prior approval by the State Personnel Board. Such adjustments will not be retroactive.

Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within funds available.

SECTION 5. It is the intention of the Legislature, that the Department of Public Safety shall receive Five Million Dollars (\$5,000,000.00) from the Mississippi Department of Transportation, for the operations of the Office of Commercial Transportation Enforcement Division that is authorized in Section 77-7-330, Mississippi Code of 1972.

SECTION 6. It is the intent of the Legislature that the local governments pay for part of the computer cost of the Mississippi Justice Information Center by maintaining their contribution to the Department of Public Safety.

SECTION 7. It is the intention of the Legislature that the Department of Public Safety designate certain employees to aid the Office of Forensics Laboratories in the billing and collecting of all fees charged for services rendered by the Office of Forensics Laboratories.

SECTION 8. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid with funds appropriated herein be transferred or assigned to any other state agency, department or officer for public relations, publicity, or publication activities of such office.

SECTION 9. It is the intention of the Legislature that the Department of Public Safety shall not issue citations for violations of speed limits on a quota basis. No funds expended under this act shall be used for such quota-based citations for violations of speed limits.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Enforcement	
Percent Increase in Enforcement Citations	7.00
Percent Decrease in Fatalities	4.00
Percent Increase in DUI Arrests (Includes Felony DUI)	5.00
Number of Criminal Investigations	72,100
Number of Highway Fatalities per 100 Million Vehicle Miles of Travel	0.90
Number of Alcohol Impaired Driving Fatalities per 100,000 Population	1.80
Number of Driving Under the Influence (DUI) Arrests per 100,000 Population	235
Percent Increase in Seatbelt/Child Restraint Citations	5.00
Driver Services	
Number of Driver's License/ID Cards Issued	635,250
Cost per License Document Produced	24.00
Number of Driver's Suspended	24,300
Number of Accident Reports Processed	1,650
Average Wait Time (Minutes)	20
Number of Documented Complaints	24
Percent Change in Wait Time	-5.00
Percent Change in Complaints	1.10
Percent Increase in Regular and Commercial Driver Licenses Issued	10.00
Support Services	
Number of Financial Transactions Processed	40,200
Number of Employees Supported	1,800

Forensic Analysis	
Number of Reports Issued (Cases)	20,000
Number of Court Testimonies (Cases)	250
Cost per Case Analyzed	518.00
Cost per Testimony	550.00
Percent of Days for Reports Issued	40.00
Dna Analysis	
Number of Known Felony Offender Samples in Database	137,429
Number of Proficiency Samples	550
Number of Casework Samples Examined	12,500
Cost per Sample	650.00
Maintain the Integrity of the CODIS Database	99.00
Forensic Pathology	
Number of Deaths Investigated	24,500
Number of Autopsies Performed SME Office	1,375
Cost per Autopsy Performed	2,000.00
Percent Change in the Number of Deaths Investigated	2.50
Percent of Coroners Educated by ME's Office	30.00
Percent Change in the Number of Autopsies Performed at SME Office	2.00
Training Academy	
Number of Basic Students to Graduate	240
Number of Basic Refresher Students to Graduate	70
Number of In-Service and Advanced Students to Graduate	2,600
Percent of Law Enforcement Officers Trained	100.00
Drug Enforcement	
Number of Drug Suspects Arrested	1,300
Number of Drug Cases Prosecuted	600
Number of Drug Organization Disrupted and/or Dismantled	4
Percent Change in Number of Drug Suspects Arrested	1.00
Percent Change in Number of Drug Cases Prosecuted	1.00
Percent Change in Number of Drug Organization Disrupted and/or Dismantled	1.00
Jail Officer Training	
Number of Jail and Youth Detention Officers Certified	300
Number of Certification Transactions	3,300
Number of Administrative Review Actions	15
Percent of Appointed Jail and Youth Detention Officers Obtaining Certification	60.00
Percent of Administrative Review Actions Taken Within One Year	1.00
Law Enforcement Training	
Number of Basic Law Enforcement Officers Certified	500
Number of Certification Transactions	2,500
Number of Training Quality Monitoring Actions	1,000
Percent of Appointed Law Enforcement Officers Obtaining Certification	75.00
Percent of Appointed Part-Time, Reserve,	

SENATE JOURNAL  
MONDAY, MARCH 13, 2023

2275

	and Auxiliary Officers Obtaining Certification	85.00
	Percent of Administrative Disciplinary Actions Taken Within One Year	3.50
Highway Safety		
	Number of Federal Applications Funded and Statewide Pgms Supported	10
	Percent Decrease in the Number of Unrestrained Passenger Vehicle Occupant Fatalities by 5%	2.00
	Percent Decrease in the Number of Fatalities in Crashes Involving a Driver or Motorcycle Operator with a BAC of .08 and Above	1.00
Justice		
	Number of Juvenile Jail/Detention Alternatives	5
	Number of Hot Spots Policing Programs Funded	0
Emerg Telecommunications Tng		
	Number of Emergency Telecommunicators Certified	400
	Number of Certification Transactions	1,600
	Percent of Appointed Emergency Telecommunicators Obtaining Certification	75.00
	Percent of Appointed Emergency Telecommunicators Obtaining Recertification	75.00
	Percent of Administrative Review Actions Taken Within One Year	1.00
Council On Aging		
	Number of Triad Programs Established	2
	Number of Training Programs Conducted	0
	Provide On-Site-Training	0
	Percent Change in the Number of Operational Triad Programs	3.00
	Percent Increase in Funding to Counties to Educate Senior Citizens	0.00
Juvenile Facility Monitoring Unit		
	Number of Facilities Inspected	125
	Number of Strategic Plans Implemented	20
	Percentage of Admin Review Actions Taken Within One Year	80.00
Homeland Security		
	Number of OHS Grants for Jurisdictions	150
	Number of First Responder Classes	150
	Percent Increase in Emergency Task Force Responder Training and Exercises	2.00
	Percent Increase in Citizen and Community Preparedness Training and Exercises	11.50
	Percent Increase in Requests for Information	2.00
	Percent Increase in National Incident Mgmt Training and Exercises	2.00
Investigations		
	Number of Human Trafficking Cases Initiated	300
	Number of Human Trafficking Arrests	55
	Number of Human Trafficking Child Recoveries	25
Capitol Police		

Number of Patrols	65
Number of Emergencies (Medical, Weather, Active Shooter, etc.)	200
Average Time to Respond to an Emergency (Minutes)	1.10
Motor Carrier	
Number of Compliance Reviews	50,000
Number of On-site Examinations at Scales	32,000
Number of Trucks Weighed	5,800,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 11. It is the intention of the Legislature that all divisions within the Mississippi Department of Public Safety shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 12. Of the funds appropriated under the provisions of Section 2 of this act, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 15. Of the funds provided herein, and in addition to the One Hundred Dollars (\$100.00) authorized in Section 45-3-7, Mississippi Code of 1972, Department of Public Safety Officers who are licensed commercial pilots shall receive an additional Nine Hundred Dollars (\$900.00), for a total of One Thousand Dollars (\$1,000.00), additional compensation for such service.

SECTION 16. It is the direction of the Legislature that all Fair Labor Standards Act (FLSA) nonexempt sworn officers of the Mississippi Highway Safety Patrol who are working one hundred seventy-one (171) hours in a twenty-eight-day work cycle be compensated based on the annual salary established by the State Personnel Board for a one-hundred-sixty-hour per month schedule divided by two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143), for an hourly rate, to be multiplied by two thousand two hundred twenty-three (2,223) or one hundred seventy-one (171) hours in a twenty-eight-day work cycle for a new annual salary. All hours worked over one hundred seventy-one (171) hours in a twenty-eight-day schedule shall be governed by the FLSA or other special compensation plan. All realignments after July 1, 2010, shall be calculated using this formula. This section shall be known as the "David R. Huggins Act."

SECTION 17. Of the funds appropriated in Sections 1 and 2 of this act, Four Hundred Ninety-five Thousand One Hundred Ninety Dollars (\$495,190.00) is appropriated out of any funds in the State Treasury to the credit of the Department of Public Safety for the purposes of paying for eleven (11) hours of compensatory time at an hourly rate based on two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143) hours per year for sworn officers who hold the rank of Lieutenant and above. The funds provided in this section to pay for the eleven (11) hours authorized in this section shall be expended only for this purpose.



SECTION 18. It is the intention of the Legislature that the Department of Public Safety shall provide an annual report to the Mississippi Legislature detailing any elected official or any other person who is not an employee of the Department of Public Safety who was transported in Highway Patrol aircraft during the fiscal year. The report shall be provided to each member of the Mississippi Legislature on or before January 15, 2024.

SECTION 19. The Commissioner of Public Safety shall have the authority to transfer any funds from any division within the Department of Public Safety to any other division of the Department of Public Safety Special Funds, including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars (\$20,000,000.00) collectively during Fiscal Year 2024. However, none of the funds appropriated by this act shall be expended unless the Department of Public Safety provides prior written notification of any transfer of funds provided in this section.

SECTION 20. The Bureau of Narcotics is authorized to expend a sum, not to exceed Five Hundred Thousand Dollars (\$500,000.00) from account No. 3371800000, for purposes of effectuating the provisions of Section 41-29-179, Mississippi Code of 1972, Section 1 of this act. Expenditures authorized by this section may include, but not be limited to, costs associated with contracting with one or more vendors, contractors or other persons or entities to create, operate and maintain the forfeiture website and to provide continuing support in relation thereto. In the event an amount less than Five Hundred Thousand (\$500,000.00) is required to effectuate the purposes of this section, the Bureau is authorized to expend the remainder of such authorized funds for the purchase of commodities, vehicles and/or other equipment necessary in the furtherance of the needs of the Bureau.

SECTION 21. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Four Million Three Hundred Twelve Thousand Six Hundred Two Dollars (\$4,312,602.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Crime Stoppers Fund.....	\$ 99,003.00.
Adult Driver Training .....	\$ 75,794.00.
Information Exchange Network Fund .....	\$ 264,007.00.
Forensics Laboratory of MS – Implied	
Consent Law Fund .....	\$ 404,795.00.
Forensics Laboratory of MS – DNA	
Identification Fund .....	\$ 629,543.00.
Law Enforcement and Firefighters Death	
Benefits Trust Fund .....	\$ 191,361.00.
Law Enforcement Standards Training – Law	
Enforcement Officers Training Fund .....	\$ 2,276,404.00.
Drug Abuse/Driver's License Reinstatement .....	\$ 13,573.00.
Federal – State Alcohol Program Fund .....	\$ 160,431.00.
MS Leadership Council on Aging Fund .....	\$ 197,691.00.

SECTION 22. It is the intention of the Legislature that the Mississippi Bureau of Narcotics, Mississippi Department of Public Safety, shall have the authority to receive, budget and expend special funds from the Drug Evidence Disposition Funds (3372000000), not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 23. Of the funds appropriated by this act, pursuant to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the duties and operations of a Statewide Human Trafficking Coordinator and a data analyst within the Bureau of Investigation in the Department of Public Safety, who shall coordinate all statewide activities and work with the Department of Child Protection Services for all victims recovered.

SECTION 24. Of the funds appropriated by this act, pursuant to Section 45-1-2(7), Mississippi Code of 1972, Two Hundred Forty-two Thousand Six Hundred Three dollars (\$242,603.00) is provided for the duties and operations associated with the Mississippi School Safety Act of 2019.

SECTION 25. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise

appropriated to the Department of Public Safety for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3014, 2022 Regular Session to at the Department of Public Safety for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 8,026,097.00.

This reappropriation is for the following purposes:

(a) Bullet Proof Vests Program..... \$ 85,362.00.

(b) Driver Services IDEMIA System..... \$ 6,700,000.00.

(c) Capital facilities, equipment, and other operational needs..... \$ 1,099,425.00.

(d) Repairs and renovations at MELOTA..... \$ 141,310.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 26. The department may subgrant a portion of the funds appropriated herein to the Jackson Police Department for eligible activities contingent upon the execution of an operational agreement between the Capitol Police and Jackson Police Department on roles and responsibilities within the Capitol Complex Improvement District.

SECTION 27. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 28. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3013** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support, Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building, for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

\$ 8,807,997.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds, which are collected by or otherwise become available for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support and Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 14,413,402.00.

The funds authorized for expenditure under the provisions of this section include subscription fees produced from the Market Bulletin and admission fees produced from the Mississippi Agriculture and Forestry Museum.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	216
Time-Limited:	13

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Beaver Control Program or from any other special source funds made available to the Beaver Control Program, to the Department of Agriculture and Commerce for the support of the Beaver Control Program for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 1,100,000.00.

Of the special funds authorized in this section, Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be derived from funds received from the Mississippi Department of Transportation and from fees charged private persons/organizations, and Two Hundred Thousand Dollars (\$200,000.00) shall be derived from funds received from the State Forestry Commission. A county in order to participate must pay up to Seven Thousand Five Hundred Dollars (\$7,500.00), and if any county wishes to pay any additional funds than provided, those funds may be used only in said county.

SECTION 5. Of the funds appropriated in Section 2 of this act, the following sum, or so much thereof as may be necessary, shall be derived from the Mississippi Department of Agriculture and Commerce - Fruit and Vegetable Revolving Fund, for the purpose of defraying the expenses of the department .....

\$ 600,000.00.

SECTION 6. Of the funds appropriated in Section 2 of this act, Seventy-four Thousand Eight Hundred Five Dollars (\$74,805.00) shall be provided for the support of the Mississippi Egg Marketing Board.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Plant Industry	
Number of Pesticide Related Inspections	2,000
Number of Marketplace Inspections in Full Compliance	205
Number of Dealer Inspections in Full Compliance	110
Number of Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance	1,200
Number of Agricultural and Non-Agricultural Record Inspections in Full Compliance	350
Percent of Marketplace Inspections in Full Compliance	85.00
Percent of Dealer Inspections in Full Compliance	96.00
Percent of Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance	93.00
Percent of Agricultural and Non-Agricultural Record Inspections in Full Compliance	95.00
Museum	
Total Attendance	125,000
Number of Students in School Groups	18,000
Number of Private Revenue Generating Functions	500
Percent Change in Number of Private Revenue Generating Functions	1.00
Percent Change in Revenue from Private Functions	1.00
Percent Increase in Attendance from Prior Year	2.00
Percent Increase of School Students in Attendance from Prior Year	2.00
Revenue Generated from Functions	312,000.00
Regulatory	
Number of Retail Motor Fuel Devices Inspected	64,500
Number of Food Sanitation Inspections	4,500
Percent of Total Retail Motor Fuel Devices Inspected	100.00
Percent of Total Retail Food Sanitation Inspections	95.00
Percent of Consumer Complaints Answered within 48 Hours	99.00
Marketing	
Number of Persons Reached by Marketing Means	1,138,150
Percent Increase of Persons Reached by Marketing Means	3.00
Administration	
Maintain Administrative Cost at 18% of	

Total Budget	25.00
Livestock Theft	
Number of Cases Investigated	200
Number of Cases Cleared	30
Percent of Cases Prosecuted	20.00
Farmer's Market	
Number of Retail Spaces Rented (Average Per Week)	35
Amount of Revenue Generated through Rental Space Rented	45,000.00
Seed Testing Lab	
Number of Days to Run Cool Test	7
Number of Official Samples Collected	2,350
Number of Days for Germination Test (Average Depending on Type of Seed)	20
Number of Hours to Evaluate TZ Test	1
Mississippi State Fairgrounds	
Number of Event Days	520
Estimated Total Attendance	1,250,000
Egg Marketing Promotion	
Percent Increase in the Number of Eggs Purchased	2.00
Cost of Outreach in Relation to Consumers Reached. (This Number is the Percent of the Budget Dedicated to Advertising)	80.00
Percent Increase of Consumption of Eggs	2.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. The funds appropriated and authorized to be expended under the provisions of this act shall be expended for the purpose of defraying all expenses incurred by the State Department of Agriculture and Commerce in the operation of all programs and activities (except operation of the State Lime Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine Inspection Stations and Fire Ant Program) authorized to be conducted and carried on by said department; including, but not limited to: the administration of the Feed, Fertilizer and Dairy Act; the Weights and Measures Act; the Meat Inspection Act of 1968; the Mississippi Pure Seed Law; and the following additional programs and activities: enforcement of the egg law; publication and distribution of the Mississippi Market Bulletin, agricultural statistics, market news service at Stoneville, Mississippi; and inspection, grading and certifying of fruits, vegetables, hay, grain, meat and meat products, milk and dairy products, pecans, seed and syrup.

SECTION 9. The Mississippi Department of Agriculture and Commerce, with the assistance of the State Department of Audit and the Department of Finance and Administration, shall establish nonbudgeted enterprise funds for all "for-profit" activities related to the Mississippi Agriculture and Forestry Museum. The funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

SECTION 10. Of the funds provided by the provisions of this act, it is the intent of the Legislature that not more than Thirty Thousand Dollars (\$30,000.00) shall be expended for the Mississippi Senior Farmers' Market Nutrition Pilot Program, which shall be established by the State Department of Agriculture and Commerce to serve senior citizens above sixty (60) years of age who fall within one hundred thirty percent (130%) of the poverty level. The Commissioner of Agriculture may promulgate rules and regulations necessary to implement the Mississippi Senior Farmers' Market Nutrition Pilot Program.

SECTION 11. Of the funds appropriated in Section 1 of this act, Four Hundred Thousand (\$400,000.00), is provided for matching funds required for the Mississippi

Healthy Food and Families Program as established in Senate Bill No. 2077, 2022 Regular Session.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the Department of Agriculture and Commerce shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 14. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Agriculture and Commerce from the proceeds collected from surety bonds posted under the "Mississippi Grain Warehouse Law" as provided by Section 75-44-1 et seq., Mississippi Code of 1972 and the "Mississippi Grain Dealers Law of 1978" as provided by Section 75-45-301 et seq., Mississippi Code of 1972 for the purpose of paying claimants under such laws from the fiscal year beginning July 1, 2023, and ending  
June 30, 2024 ..... \$ 1,100,000.00.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND  
COMMERCE FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3016** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Emergency Management Agency in accordance with the provisions of Section 33-15-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending  
June 30, 2024 ..... \$ 4,709,810.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Emergency Management Agency which is comprised of special

source funds collected by or otherwise available to the agency, for the support and maintenance of the agency for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 27,813,178.00.

SECTION 3. Of the funds appropriated in Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 109

Time-Limited: 68

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of defraying certain administrative expenses and the state share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 585,056.00.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Emergency Management Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, 6820174300, and 58202 for the purpose of defraying certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 353,776,571.00.

SECTION 6. The funds appropriated under the provisions of Sections 4 and 5 of this act are provided to defray certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including public assistance programs,

individual and family grant programs, and mitigation programs resulting from, but not being limited to, the following:

1604	Hurricane Katrina	
4175	Severe Storms, Tornadoes, Flooding - Cities of Louisville & Tupelo	
-	Hazard Mitigation	
-	Other Needs Assistance	
-	Mississippi Temporary Housing Program	
-	Pre-Disaster Response	
-	Emergency Preparedness Programs	
4429	Feb 22-March 29, 2019 Flooding	
4450	Severe Weather April 13, 2019	
4470	Severe Weather October 26, 2019	
4478	Severe Weather January 10-11, 2020	
4528	Coronavirus Pandemic	
4536	Severe Weather April 12, 2020 Easter Tornadoes	
4538	Flooding Feb 10-18, 2020 (Pearl River Flood)	
4248	Severe Storms, Tornadoes, Flooding - North Mississippi/Holly Springs	
4268	Delta Flooding	
4295	Pine Belt Tornado/Flooding	
4314	Severe Storms, Flooding in Adams, Calhoun, Carroll, Claiborne, Holmes, Jefferson, Montgomery, Webster & Yazoo Counties	
4350	Hurricane Nate	
4415	Severe Storms, Flooding & Tornado in Clarke, Covington, Forrest, Greene, Jasper, Jones, Marion, Newton, Perry & Wayne Counties	
4551	Severe Weather April 22-23, 2020	
3544	Hurricane Sally	
3548	Hurricane Delta	
4576	Hurricane Zeta	
4598	2021 Winter Storm	
3582	Water Crisis EM Dec.	

SECTION 7. None of the funds appropriated in Section 4 of this act shall be used to establish a special reserve fund in the State Treasury for disaster relief except as provided for in Section 33-15-307, Mississippi Code of 1972.

SECTION 8. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency may, upon the request of a local public emergency management organization in an area which has suffered a natural disaster, supply equipment to rural water associations to enable their continued operation when the local emergency management organization determines that such private entities provide services essential to the welfare of the community.

SECTION 9. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency shall provide enhanced training to local governments, supervisors, mayors, civil defense groups and municipal associations in disaster management.

SECTION 10. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 11. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Emergency Mgmt Preparedness	



Percent of the Affected Population Informed	100.00
Average Time to Deliver Goods & Services	48
Recovery	
Number of Ongoing Projects	20
Number of Meetings Conducted	3,700
Average Cost per Project	20,000,000.00
Percent of Recovery Objectives Complete	100.00
Mitigation	
Number of Workshops Conducted	20
Number of Ongoing Projects	16
Average Cost per Project	50,000.00
Percent Reduction in Damage Due to Natural and Man-Made Incidents	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 12. It is the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall have authority to transfer not more than Five Hundred Thousand Dollars (\$500,000.00) from any general or special fund treasury fund and major object budget category to another special or general fund treasury fund and major object budget category accordingly under the control of the Mississippi Emergency Management Agency. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that the Mississippi Emergency Management Agency shall submit a notification and summary of all state support funding on all disasters that require general funds or state support special funds to the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that from any funds appropriated in this act, the agency shall maintain a minimum of nine (9) Area Coordinators to provide daily assistance to local jurisdictions with emergency management activities as well as to provide quicker response to incidents and/or disasters. In addition, it is the intent of the Legislature that these Area Coordinators shall reside in or within fifty (50) miles of their assigned districts.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of defraying the expenses for vehicle purchases, as authorized in Senate Bill No. 3018, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024. .... \$ 75,500.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. The expenditure of the funds appropriated by this act shall be under the direction of the Governor and shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon

requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3018** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses and paying salaries of the State Veterans Affairs Board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,476,914.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board which is comprised of special source funds collected by or otherwise available to the board, for the support and maintenance of said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 3,141,619.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent:	39
Time-Limited:	25

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board, which is comprised of special source funds collected by or otherwise available to the board, for the purpose of defraying the expenses and paying salaries of the Mississippi State Veterans Homes as established in Section 35-1-19 for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 49,755,294.00.

SECTION 5. Of the funds authorized for expenditure under the provision of Section 4 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 195

Time Limited: 502

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. It is the intention of the Legislature that the Executive Director of the State Veterans Affairs Board has the authority to transfer spending authority between and within the budgets of the State Veterans Affairs Board and the Mississippi State Veterans Homes, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. The purpose of this authority is to use available cash reserves more efficiently. It is further the intention of the Legislature that the State Veterans Affairs Board shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 7. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, funds in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) are provided to defray the cost of providing care to indigent/low-income Mississippi veterans and the nonveteran surviving spouses of Mississippi veterans if the surviving spouse was a resident of a state veterans home at the time of the veteran's death and who, subsequent to the veteran's death, meets the indigent/low-income criteria established by the State Veterans Affairs Board in the state veterans homes. It is the intention of the Legislature that the provision pertaining to use of indigent/low-income surviving spouses be retroactive for any such period, prior to the effective date of this act, that a current surviving spouse may have met the criteria. This section and its provisions shall be known and cited as the "Hilton R. 'Jack' Vance Act of 1997."

SECTION 8. The State Veterans Affairs Board shall have continued authority for all actions related to the planning, development, construction, and outfitting of the Mississippi Veterans Memorial Cemeteries, pursuant to Section 35-1-41.

SECTION 9. It is the intention of the Legislature that the State Veterans Affairs Board shall maintain complete accounting and personnel records related to the

expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 10. It is the intention of the Legislature that the State Veterans Affairs Board and the Mississippi State Veterans Homes are hereby authorized to escalate, budget and expend funds from fund number 3373200000, in an amount not to exceed Five Million Dollars (\$5,000,000.00), for the purpose of operating the state veterans homes as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. With the funds appropriated herein, the Mississippi State Veterans Affairs Board is authorized to make payment for expenses incurred during Fiscal Year 2021 as follows:

Vendor	Fiscal Year	Amount
McKesson Medical-Surgical	2021	\$ 11,404.00
Halosil International	2021	\$ 1,495.12
Precision Healthcare Staffing	2021	\$ 136,024.81

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3021** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Employment Security for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,400,000.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Employment Security, or its successor, for the purpose of defraying the

expenses incurred by said department for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... \$ 138,198,117.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 389  
Time-Limited: 94

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Of the funds appropriated under the provisions of Section 2 of this act, the following sum shall be derived from money in the Unemployment Trust Fund, made available to this state under Section 903 of the Social Security Act, as amended (42 USCA Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

(a) Payment of various One-Stop Administration expenses that support the service delivery of employment and workforce information services. This includes, but is not limited to, the following activities:

(i) Staff for delivery of reemployment services to UI claimants, including group job search assistance and staff-assisted referrals to jobs.

(ii) Equipment and resources for resource rooms.

(iii) Payment for rent, utilities and maintenance of facilities, including common spaces such as resource rooms, reception areas, conference areas, etc.

(iv) Payment of shared costs for operation of local One-Stop Career Centers, including payment for One-Stop operators.

(v) Purchase of computer equipment, network equipment, telecommunications equipment, application development and other technology resources.

(vi) Training, technical assistance, and professional development of staff who deliver employment and workforce information services.

(vii) Access Improvement costs for individuals with disabilities, including remodeling or retrofitting One-Stop Career Centers and purchasing appropriate software, hardware, furniture and supplies.

(b) Administration of the Unemployment Compensation (UC) law and its public employment service (ES) offices. This includes, but is not limited to, the following uses:

- (i) ES and UI automation. This includes purchases, modifications, or automation of computer-related systems and related costs.
- (ii) UI and ES Performance Improvement costs.
- (iii) Fraud and Abuse Reduction costs.
- (iv) UI Claims Filing and Payment Methods Improvement costs.
- (v) Under the direction of the Bureau of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices. The funds in this section are authorized for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 33,047,000.00.

The funds authorized in this section shall be requisitioned by the Mississippi Department of Employment Security from the Unemployment Trust Fund maintained by the Secretary of the Treasury of the United States as needed for the payment of obligations incurred under this appropriation, and such monies shall be deposited in the Employment Security Administration Fund in accordance with the provisions of Section 71-5-457, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in this act, a sum not to exceed Two Hundred Thousand Dollars (\$200,000.00) is made available for Pathways2Possibilities from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 7. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for Office of Workforce Development for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 19,500,000.00.

SECTION 8. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available to the Office of Workforce Development for support of workforce programs, grants, and other similar activities for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 18,000,000.00.

SECTION 9. Of the funds appropriated in Section 7, Three Million Five Hundred Thousand Dollars (\$3,500,000.00) is authorized for defraying the operating expenses of the Office of Workforce Development.

SECTION 10. Of the funds appropriated in Section 7, Sixteen Million Dollars (\$16,000,000.00) is authorized for operating the Career Coaching Program at the Office of Workforce Development.

SECTION 11. Unless otherwise specifically appropriated for that purpose by the Legislature, none of the funds authorized in Section 8 shall be used for operational expenditures of the Office of Workforce Development except for reasonable administrative fees for grant oversight as provided by law.

SECTION 12. Of the funds appropriated in Section 10 of this act, the Office of Workforce Development is authorized to expend up to Three Million Dollars (\$3,000,000.00) from the State Workforce Investment Funds from the State Workforce Investment Board, collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 13. Of the funds appropriated under the provisions of Section 8 of this act, the Office of Workforce Development is authorized to expend up to Fifteen Million

Dollars (\$15,000,000.00) from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 14. Of the funds appropriated in Section 1 of this act, an amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000.00) is authorized for the Mississippi Integrated Education and Workforce State Longitudinal Data System (SLDS).

SECTION 15. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT  
SECURITY FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3025** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 222,160,008.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
\$ 422,651,516.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2 of this act, Eighteen Million Nine Hundred Fifty-one Thousand Eight Hundred Eighty-six Dollars (\$18,951,886.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the Department of Mental Health. The funds provided for in this section shall be allocated as follows:

\$ 16,797,843.00	Expenses of the Department of Mental Health, payment of Medicaid state share, or prepayment of Medicaid state share.
\$ 379,417.00	Alzheimer's disease services development and implementation of Senate Bill No. 2100, 1997 Regular Session.
\$ 636,374.00	Crisis Centers
\$ 1,138,252.00	Physician services at community mental

health centers.

\$ 18,951,886.00 TOTAL

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent: 6,299

Time-Limited: 457

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

The Department of Mental Health (DMH) is authorized to grant temporary COVID-19 adjustments to the compensation for employees in the following occupational title: Nurse Licensed Practical I, II and III; Nurse I, II, III and IV; Nurse Manager; Nurse Administrator; Nurse Chief; and for those employees who function as a nurse and are already classified in their new nurse titles as part of Project SEC2. Authority is provided for an increase of up to seventy-five percent (75%) temporary COVID adjustment pay for Fiscal Year 2024.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Services Management	
Number of On-Site Reviews Conducted by the Division of Audit	60
Number of On-Site Reviews Conducted for DMH Certified Provider Agencies	155
Mental Health Services	
Percent of Population Lacking Access to Community-Based Mental Health Care	30.00



SENATE JOURNAL  
MONDAY, MARCH 13, 2023

2293

Percent of DMH Clients Served in the Community vs. in an Institutional Setting	98.00
Increase by at Least 25% the Utilization of Alternative Placement/Treatment Options for Individuals who have had Multiple Hospitalizations and Do Not Respond to Traditional Treatment	25.00
Number served by PACT Teams and intensive case management teams	2,600
Number of Individuals Employed Through Supported Employment	300
Increase Access to Crisis Services by Tracking the Number of Calls to Mobile Crisis Response Teams	33,703
Number Referred from Mobile Crisis Response Teams to a Community Mental Health Center and Scheduled an Appointment	10,289
Number Diverted from a More Restrictive Environment Due to Mobile Crisis Response Teams	23,427
Increase the Number of Certified Peer Supt Specialists in the State	315
IDD Services	
Number of Individuals on Planning List for Home and Community-Based Services	2,800
Percent of DMH Institutionalized Clients who Could be Served in the Community	100.00
Percent of DMH Clients Served in the Community vs. in an Institutional Setting	88.00
Number of People Added from Planning List to ID/DD Waiver Services	250
Children & Youth Services	
Percent of Children with Serious Mental Illness Served by Local Multidisciplinary Assessment & Planning (MAP) Teams	2.50
Number Served by MAP Teams	860
Number of Children and Youth that are Served by Wraparound Facilitation	2,080
3% Alcohol Tax-alcohol/drug Prg	
Number of Residential Beds Made Available Statewide due to the Three Percent Tax Supplements	218
Number Receiving Residential Substance Use Disorder Treatment	800
Crisis Stabilization Units	
Average Length of Time from Mental Health Crisis to Receipt of Community Mental Health Crisis Service (Minutes)	1.50
Percent of People Receiving Mental Health Crisis Services who were Treated at Community Mental Health Centers vs. Institutions	98.00
Diversion Rate of Admissions to State Hospitals (% of People)	90.00
Number of Involuntary Admissions	1,900

Number of Voluntary Admissions	1,700
MI - Institutional Care	
Number Served Adult Acute Psychiatric	1,900
Maintain Readmission Rates within National Trends	4.00
MI - Support Services	
Support as an Overall Percent of Total Budget	5.50
IDD - Institutional Care	
Number of People Served in Residential IID Programs	697
Number of People Transitioned from Facility to ICF/IID Community Home	18
IDD - Group Homes	
Number of People Served in the 10-bed ICF/IID Community Homes	556
Percent of People Served in the Community vs. in an Institutional Setting	43.60
IDD - Community Programs	
Number of People Added from Planning List to ID/DD Waiver Services	97
Number of People Enrolled in the 1915i	1,054
IDD - Support Services	
Support as a Percent of Total Budget	4.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. The Department of Mental Health and its facilities shall have the authority, within funding and spending authority appropriated under the provisions of this act to transfer funds to the Division of Medicaid in payment of Medicaid match and designate that the funds thus transferred shall be applied to Medicaid match obligations arising in the subsequent fiscal year.

SECTION 7. Any person within the Department of Mental Health who must work on a statutory holiday or any holiday proclaimed by the Governor may, at the discretion of the Director of the Institution and the Executive Director of the Department of Mental Health and within available personnel funds, be paid "call-back pay" in lieu of "compensatory time credit."

SECTION 8. Of the funds appropriated to the "Service Budget," funds are included for the support of community mental health services for Fiscal Year 2024.

Provided, however, that none of the funds appropriated for the support of community mental health services shall be made available to any Regional Mental Health/Intellectual Disability Center which does not receive from each of its participating counties a dollar amount equivalent to what the proceeds of a three-fourths (3/4) mill tax on all taxable property in the county in Fiscal Year 1982 would have been or the amount of funds contributed to the center by the county in Fiscal Year 1984, whichever shall be greater. By means of performance contracts, the Department of Mental Health shall disburse the funds appropriated in this section for services for the mentally ill, intellectually disabled and alcohol/drug abusers. The State Board of Mental Health and the Department of Mental Health shall be responsible for selecting the types of services which shall be provided with the funds appropriated in this section, for developing and monitoring performance contracts and for holding contractors accountable for utilization of funds.

SECTION 9. Ellisville State School is authorized to draw up to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest earned on funds invested in Ellisville State School Client's Trust Fund for the purpose of supplementing the cost related to supplies, property, and equipment in direct care.

SECTION 10. The Department of Mental Health and its facilities shall have the express legal authority, within funding and spending authority appropriated under the

provisions of this act to purchase land for use by residential facilities operated by the department, either directly or by means of transferring funds to the Bureau of Building, Grounds and Real Property Management, and to transfer such funds to the Bureau of Building, Grounds, and Real Property Management for the purposes of constructing and equipping group homes for persons with mental illness, intellectual disability, and/or substance abuse; constructing and equipping such other buildings as may be required for treatment of persons with mental illness, intellectual disability, and/or substance abuse; repair and renovate existing buildings; and to construct, repair and/or renovate employee housing. Any intermediate care facilities for individuals with intellectual disabilities (ICF/IID) constructed with funds authorized in this section shall be authorized to participate in Medicaid funding available for such services.

SECTION 11. It is the intention of the Legislature that the Department of Mental Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the Executive Director of the Department of Mental Health shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Mental Health. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Mental Health shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration. None of the funds transferred with this section may be transferred to the Central Office for Personal Services.

SECTION 14. Of the funds appropriated under the provisions of this act, Twenty-three Million Three Hundred Twenty-nine Thousand Dollars (\$23,329,000.00) is provided to the Department of Mental Health to expand those community-based services that will improve the State of Mississippi's compliance with the Olmstead decision of the United States Supreme Court. Further, it is the intention of the Legislature that the Department of Mental Health shall have the authority to transfer such sums from this source as are necessary to implement or improve those community services that are more appropriately addressed by the Mississippi Department of Education and/or the Mississippi Department of Rehabilitation Services to those agencies for that purpose. Further, it is the intention of the Legislature that any sums received from this source that are not expended during the fiscal year ending June 30, 2023, by the Mississippi Department of Mental Health shall be reappropriated for the same purpose during the fiscal year ending June 30, 2024. Further, it is the intention of the Legislature that the Department of Mental Health shall account for the expenditure of these funds in sufficient detail to clearly show the purposes for which such funds were expended. The Executive Director of the Department of Mental Health shall report any such reappropriation to the Legislative Budget Office no later than fifteen (15) days after the effective date of the reappropriation.

SECTION 15. Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a Community Mental Health Center, or suitable entities, for the purpose of operating the Crisis Intervention Center at Grenada.

Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a community health center to allow Region 14 to be served at the Crisis Stabilization Unit at Gulfport.

The Department of Mental Health, with approval by the board, may also contract with suitable entities for the purpose of operating the crisis intervention centers in Batesville, Brookhaven, Cleveland, Corinth, Laurel and Newton. The department shall provide quarterly progress reports on the operation of the crisis intervention centers to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Department of Finance and Administration (DFA) shall transfer funds back to the Department of Mental Health, upon the request of the Department of Mental Health, where the funds received by DFA from the Department of Mental Health were special funds (neither general funds or bond funds) and where those funds are not required for the payment of costs already incurred on a building or repair project. For the purposes of this section, the term "special funds" includes any state source special funds, including, but not limited to, funds from the Health Care Expendable Fund. The duty of DFA to transfer funds back to the Department of Mental Health under this section applies to any funds described in this section that were transferred to DFA, regardless of the year that the transfer was made by the Department of Mental Health.

SECTION 18. It is the intention of the Legislature that the Department of Mental Health may provide, upon the availability of funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope Village for Children Program.

SECTION 19. None of the funds provided in Section 1, 2, or 3 of this act shall be used to pay Medicaid match for the thirteen (13) Community Mental Health Centers.

SECTION 20. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for community-based mental health services for juveniles in detention.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Three Million Nine Hundred Ten Thousand Seven Hundred Two Dollars (\$3,910,702.00) shall be allocated to the Crisis Intervention Mental Health Fund supported by General Fund court assessments.

SECTION 22. Of the funds appropriated in this act, the Department of Mental Health shall fund ten (10) Programs of Assertive Community Treatment (PACT) Teams and provide supportive employment for individuals with intellectual and developmental disabilities.

SECTION 23. Notwithstanding any other provision, the Department of Mental Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 24. Of the funds appropriated in Sections 1 and 2 of this act, it is the intention of the Legislature that continued funding at or above the Fiscal Year 2023 appropriated amount shall be allocated to the ID/DD Home and Community Based Waiver slots.

SECTION 25. It is the intention of the Legislature that the Department of Mental Health shall provide a report on the pilot program created to provide mental health services to former inmates of the Department of Corrections who are no longer incarcerated within a correctional institution of the Department of Corrections. This report shall be provided on December 15th of the current fiscal year to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 26. With the funds appropriated herein, the Department of Mental Health is authorized to make payment for expenses incurred during Fiscal Year 2021 as follows:

Vendor	Fiscal Year	Amount
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Kronos Incorporated 2021 \$ 8,452.88

SECTION 27. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 28. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3026** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Office of State Aid Road Construction Fund, for the purpose of defraying the expenses of the Office of State Aid Road Construction of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 189,821,822.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	52
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is authorized to be expended from funds received from the Mississippi Development Authority as reimbursements for actual expenses incurred by the Office of State Aid Road Construction for administering and providing engineering services to political subdivisions as authorized under Section 65-4-15, Mississippi Code of 1972. Any such funds shall be deposited into the Office of State Aid Roads Administrative Fund for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Thirty Million Dollars (\$30,000,000.00) is authorized to be expended for the purpose of replacement of structurally deficient bridges on the Local System Bridge Program (LSBP).

SECTION 5. It is the intention of the Legislature that the Office of State Aid Road Construction shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Administrative	
Percent of Administrative Costs as Compared to Construction Costs	4.00
Percent of State Aid Construction Funds Allocated to Counties	95.00
Number of Projects Let to Contract	175
Percent of Personnel Devoted to Construction Programs	81.00
Federal Percent of Total Project Fund Obligations	35.00
Construction	
Percent Increase in Total Miles Paved	1.00
Percent of Total State Aid Funds Available Programmed or Obligated to Projects	75.00
Number of State Aid Projects Let to Contract	75
Number of Federal Projects Let to Contract	5
Number of State Aid Projects Completed	30
Number of Federal Projects Completed	20
Average Number of Days from Initiation to Completion of a Fed Project	450
Number of Bridges Replaced or Repaired	85
Number of Structurally Deficient Bridges on the State Aid System	5,000

Average Cost of a State Aid/Federal Bridge Project	1,550,000.00
Local System Bridge	
Percent Change in Deficient LSBP Bridges	3.00
Average Number of Active LSBP Projects Per County	1.00
Percent of LSBP Funds Available Programmed or Obligated to Projects	85.00
Number of LSBP Projects Let to Contract	55
Number of LSBP Projects Completed	70
Number of LSBP Bridges Replaced or Repaired	70
Number of Eligible Deficient LSBP Bridges	5,000
Average Number of Days From Initiation to Completion of a LSBP Project	450
Percent of Counties Utilizing All of Their Available LSBP Funds	30.00
Percent of Bridges Eligible for LSBP Funds	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 7. With the funds appropriated in this act, the Office of State Aid Road Construction shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." The signage shall further state the four-year legislative term in which the project was funded.

SECTION 8. It is the intention of the Legislature to authorize the State Aid Engineer to utilize funds available to the Office of State Aid Road Construction, from any source herein appropriated or made available by the counties or any other source, to pay for costs necessary to comply with the National Bridge Inspection Standards and the Federal Highway Administration's requirements for bridge inspections and/or special studies necessary to comply with federal laws. The State Aid Engineer shall follow the same procedures as have heretofore been established by Sections 65-9-9, 65-9-15 and 65-9-17, Mississippi Code of 1972, for payment of such costs. The Office of State Aid Road Construction may accept, budget and expend these funds subject to and in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal or state funds.

SECTION 9. It is the intention of the Legislature that in the letting of contracts for which the Office of State Aid Road Construction administers and provides engineering services to political subdivisions under the Economic Development Highway Act, bids may be made from the lowest and best bidder after advertising for competitive sealed bids once in a newspaper published or having a circulation in the county or municipality where the contract will be performed, and the date published for the bid opening may be not less than seven (7) working days after the advertisement is published.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3028** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Chiropractic Examiners, for the support of said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 106,461.00.

SECTION 2. It is the intention of the Legislature that the Chiropractic Examiners Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:



AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD  
OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3029** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Dental Examiners, for the support of said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 1,047,856.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 7  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 3. Of the funds provided under the provisions of this act, an amount not to exceed Twenty-seven Thousand Dollars (\$27,000.00) shall be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE  
MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3031** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Massage Therapy Fund, for the purpose of defraying the expenses of the Mississippi State Board of Massage Therapy for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 192,736.00.

SECTION 2. It is the intention of the Legislature that the Board of Massage Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. The money herein appropriated shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3033** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Examiners for Licensed Professional Counselors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 273,865.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	2
Time-Limited:	0

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Examiners for Licensed Professional Counselors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3036** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Gaming Commission for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 8,767,648.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Gaming Commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 1,637,292.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent: 120

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Of the funds appropriated in Section 2 of this act, a portion shall be derived from the amount of forfeited property that is seized by the Gaming Commission, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the specific purpose of increasing law enforcement resources as outlined in Section 41-29-185, Mississippi Code 1972.

SECTION 5. Of the funds appropriated in Section 2 of this act, a portion shall be derived from the amount that is received by the Gaming Commission under the Gaming Control Act, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the purpose of investigating, permitting, interagency fees, and providing fingerprint analysis by the Department of Public Safety.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the Gaming Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Riverboat Gaming	
Annual State Riverboat Gaming Revenues (\$ in Billions)	2.00
Number of Casinos Regulated	26
Average Cost per Employee to Total State Riverboat Gaming Revenues	18,476,000.00
Charitable Bingo	
Number of Bingo Applications Received	30
Number of Bingo Halls Regulated	50
Average Cost per Employee to Total State Charitable Bingo Revenues	4,676,905.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code

of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3041** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,736,506.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any special funds in the State Treasury to the credit of the State Department of Audit's special fund account for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 3,880,990.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent:	154
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Finance & Compliance	
County Government Audits- Percent	
Audited by CPA Firms	65.00
County Government Audits- Percent	
Audited by OSA	35.00
Single Audit Federal Program Coverage -	
Percent Audited by CPA Firms	25.00
Single Audit Federal Program Coverage -	
Percent Audited by OSA	75.00
ACFR Opinion Units - Percent General	
Fund Assets	75.00
ACFR Opinion Units - Percent General	
Fund Reserves	75.00
Technical Assistance	
Number of Technical Assistance Inquiries	6,400
Cost per Technical Assistance Inquiry	15.00
Percent Customer Satisfaction Rating of	
70% or Higher	75.00
Investigations	
Recovered Embezzled and/or Misspent	
Funds as a Result of Investigations	
Conducted by this Office	600,000.00
Recovered Funds as a Percent of Total	
Misspent Funds	18.00
Performance Audits	
Number of Performance Audit Reports	
Completed	10
Number of Positive Changes Recommended	
in Performance Audits or Bond Monitoring	
Reports	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that Thirty Thousand Dollars (\$30,000.00) is provided for the purpose of paying fees for a CPA Review Course for the Office of the State Auditor's employees to be reimbursed over a 12-month period by the employee taking the course.

SECTION 7. It is the intention of the Legislature that the State Auditor is hereby authorized to escalate, budget and expend funds from any source made available to comply with the Single Audit Act of 1984 for the purpose of employing staff, paying related expenses, or to engage private accountants, as necessary, to comply with the provisions of the act, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. No more than One Million Dollars (\$1,000,000.00) may be provided to defray expenses incurred by the Office of the State Auditor pursuant to the rules and regulations of the United States Department of Justice Federal Equitable Sharing Program. These funds may only be used for nonbudgeted law enforcement purposes by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the State Department of Audit shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 10. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that Two Hundred Thousand Dollars (\$200,000.00) is provided for the purpose of the Accountancy Fellowship Program as provided by Section 7-7-204, et seq., Mississippi Code of 1972.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR  
2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3043** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:



SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 37,084,220.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred in the operation of the various offices of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 33,758,804.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 303

Time-Limited: 1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Tort Claims Trust Fund not otherwise appropriated, for the purpose of defraying the expenses of the Tort Claims Board in the administration of the Tort Claims Act for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 6,552,495.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 8

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed

Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Commission on the Status of Women for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 39,995.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Commission on the Status of Women for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 7,265.00.

This appropriation is made for the purpose of providing funds to defray the expense of the Mississippi Commission on the Status of Women as established pursuant to Sections 43-59-1 through 43-59-14, Mississippi Code of 1972.

SECTION 8. Of the funds appropriated under the provisions of Sections 6 and 7 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of State Property Insurance for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 13,865,258.00.

SECTION 10. Of the funds herein appropriated, it is the intention of the Legislature that two (2) of the allotted Full-Time Permanent Headcount in Section 3 of this act may be used for performing related administrative duties of the State Property Insurance Program.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing a grant to the Mississippi Home Corporation, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ... \$ 1,810,227.00.

SECTION 12. The funds appropriated in Section 11 of this act shall be targeted to individuals with disabilities or individuals with serious mental illnesses who:

(1) Are being discharged from a state psychiatric hospital after a stay of more than ninety (90) days; or, nursing facility, or intermediate care facility for individuals with intellectual disabilities after a stay of more than ninety (90) days; or

(2) Have been discharged from a state psychiatric hospital within the last two (2) years; and

(a) Had multiple hospital visits in the last year due to mental illness; or

(b) Are known to the mental health or state-housing agency to have been arrested or incarcerated in the last year due to conduct related to mental illness; or

(c) Are known to the mental health or state-housing agency to have been homeless for one (1) full year or have had four (4) or more episodes of homelessness in the last three (3) years; or

(3) Lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who is exiting an institution where he or she resided for ninety (90) days or less and who resides in an emergency shelter or a place not meant for human habitation immediately before entering that institution.

Any funds appropriated herein to hire additional staff or employ staff shall only be used to implement this housing program.

SECTION 13. It is the intention of the Legislature that an annual financial report based upon the state's fiscal year shall be provided to the Attorney General, the Chairman of Senate Appropriations, the Chairman of House Appropriations, and the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Mississippi Home Corporation (MHC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, MHC board member, or person who has been a member of the MHC within the last year.

SECTION 15. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Broadband Expansion and Accessibility of Mississippi (BEAM) as established in Sections 77-19-1 through 77-19-17, Mississippi Code of 1972, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 162,949,809.00.

SECTION 16. Of the funds appropriated under the provisions of Section 15 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 17. It is the intention of the Legislature that the Department of Finance and Administration shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 18. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 19. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 20. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is hereby expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repairs and renovation projects. The Bureau of Building, Grounds and Real Property Management of the Office of General Services shall not use any of the funds authorized in this section to pay salaries. For the purposes of this section, the Bureau of Building, Grounds and Real Property Management of the Office of General Services does not have the authority to escalate from the Capital Expense Fund or the Working Cash-Stabilization Reserve Fund.

SECTION 21. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) is authorized to be expended for the purpose of transferring funds to the Bureau of Building, Grounds and Real Property Management for the administration of projects for the repair and maintenance of state-owned buildings.

SECTION 22. A report based on expenditures incurred during the current and immediate past fiscal years shall be provided to the Legislative Budget Office each regularly scheduled legislative session. This report should reflect expenditures as a result of the operation of the Robert E. Lee Building, the Woolfolk State Office Building, the Gartin and Sillers Buildings, the Capitol Buildings, the Central High School Building, the Robert G. Clark, Jr. Building and other state buildings, and this report should contain any steps taken to reduce operating costs.

SECTION 23. It is the intention of the Legislature that no state-owned aircraft shall be utilized by any person except for official business only.

SECTION 24. Of the funds appropriated in Section 2 of this act, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is authorized to be expended to defray any shortfall in the Master Lease Purchase Program as defined in Section 31-7-10, Mississippi Code of 1972.

SECTION 25. Of the funds appropriated in Section 2 of this act, Twelve Million Dollars (\$12,000,000.00) shall be expended from the Capitol Complex Improvement District Project Fund, as established in Section 29-5-215, Mississippi Code of 1972.

SECTION 26. Notwithstanding any other provision, the agency shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 27. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 28. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 29. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3045** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Department of Information Technology Services, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 26,177,477.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Information Technology Services which are collected by or otherwise become available for the purpose of defraying expenses of the Mississippi Department of Information Technology Services as established in Section 27-104-203, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... \$ 25,252,878.00.

The funds in this section are provided to defray the costs incurred by the Department of Information Technology Services for providing telecommunication services, data center services, and/or other information technology services to state agencies.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	122
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 4. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that the Executive Director of Information Technology Services (ITS) shall have authority to transfer an amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) to the ITS Revolving Fund (3360900000). The purpose of this authority is to provide operating cash to alleviate cash flow problems in the ITS Revolving Fund. Any funds transferred during the fiscal year shall be transferred back to the State General Fund before the end of the lapse period for the fiscal year.

SECTION 5. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
\$ 11,136,475.00.

The Wireless Communication Commission shall follow all state procurement and bid laws for all contracts and consultants.

SECTION 6. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	10
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

The commission is hereby authorized to escalate federal funds and other special funds in accordance with rules and regulations of the Department of Finance and Administration.

SECTION 7. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Wireless Communication Commission (WCC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, WCC member, or person who has been a member of the WCC within the last year.

SECTION 8. It is the intention of the Legislature that the Department of Information Technology Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2024.

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Senator Hopson called up the following House Amendment to **S. B. No. 3047** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the Gulf Coast Restoration Fund, as created in Section 57-119-1 Mississippi Code of 1972, not otherwise appropriated to the Mississippi Development Authority. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 0.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3049, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024



\$37,061,356.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for projects:

(a) To assist the Gulfport Redevelopment Commission for the completion of the second and final phase of a mixed-use, downtown redevelopment project, including public use components, so as to leverage public and private investment .....	\$ 8,000,000.00
(b) To assist the City of Pass Christian with the Water Front Redevelopment Plan .....	\$ 3,000,000.00
(c) To assist the Pascagoula Redevelopment Authority with the City of Pascagoula Rail Line Development Plan.....	\$ 3,061,356.00
(d) To assist the City of Biloxi with the Popp's Ferry Extension Project .....	\$ 3,000,000.00
(e) To assist the City of Waveland with the Waveland Marina Phase I .....	\$ 2,000,000.00
(f) To assist the Ocean Springs Redevelopment Authority with City of Ocean Springs Projects .....	\$ 2,000,000.00
(g) To assist the City of Moss Point with Moss Point's Magnificent Mile 2.0 .....	\$ 2,000,000.00
(h) To assist the Hancock County Port and Harbor Commission with the Technology Park at Stennis Airport Phase I .....	\$ 2,000,000.00
(i) To assist the Pearl River County Board of Supervisors with the Pearl River County Industrial Park Project.....	\$ 1,600,000.00
(j) To assist the City of Long Beach with the Long Beach Harbor Complex Restoration .....	\$ 1,000,000.00
(k) To assist the City of Bay St. Louis with the City Public Safety Complex .....	\$ 1,000,000.00
(l) To assist the Mississippi State University Research and Technology Corporation with continued development of the Mississippi Cyber Center Project .....	\$ 1,000,000.00
(m) To assist the City of Diamondhead with the Commerce District Transportation .....	\$ 900,000.00
(n) To assist the Stone County Economic Development Partnership with the Heritage Spring Water Project .....	\$ 600,000.00
(o) To assist the Ocean Springs Collective with Ocean Springs Collective Projects .....	\$ 400,000.00
(p) To assist the Mississippi Export Railroad with Mississippi Export Projects .....	\$ 3,500,000.00
(q) To assist the Greater Biloxi Economic Development Foundation and JDLE, LLC with the Downtown Redevelopment of Barq's and Kress Buildings on Howard Avenue .....	\$ 2,000,000.00

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3049, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$49,933,055.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for projects:

(a) To assist the Mississippi State University Research and Technology Corporation with the design and construction of the Mississippi Cyber Center .....	\$ 13,500,000.00
(b) To assist the University of Southern Mississippi Ocean Enterprise .....	\$ 4,500,000.00
(c) To assist the Stone County Board of Supervisors with the Piney Wood Pellet Mill road, rail and bypass .....	\$ 2,500,000.00
(d) To assist the Gulfport Redevelopment Commission for Phase I of a planned 3-phase project of downtown redevelopment to be used on a public use project so as to leverage public and private investment. ....	\$ 2,500,000.00
(e) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development.....	\$ 6,000,000.00
(f) To assist the Pascagoula Redevelopment with downtown revitalization project.....	\$ 3,000,000.00
(g) To assist Long Beach High School with the Long Beach High School Career and Technical Education Center.....	\$ 2,500,000.00
(h) To assist the City of Diamondhead with the Town Center District – Commercial District Project \$ 2,000,000.00	
(i) To assist Stone County School District with the Stone County High School Career and Technical Education Center.....	\$ 3,200,000.00
(j) To assist the City of Gulfport with flood control and/or drainage for the Forest Heights Project.....	\$ 2,100,000.00
(k) To assist the City of Moss Point with the Interstate 10 Frontage Roads, North and South \$ 2,000,000.00	
(l) To assist the City of Picayune with the Friendship Park Revitalization Project .....	\$ 1,900,000.00
(m) To assist Pearl River Community College PRCC Aviation Aerospace Academy .....	\$ 1,900,000.00
(n) To assist the City of Bay St. Louis with the Court Street Parking facility, expansion and improvements.....	\$ 1,000,000.00
(o) To assist the Walter Anderson Museum with Phase 3 and Phase 4 .....	\$ 636,000.00
(p) To assist the City of Lucedale with Ventura Drive Improvements .....	\$ 577,000.00
(q) To assist George County with the Scott Road Project, widening and infrastructure .....	\$ 120,055.00

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3049,

2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$37,962,670.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section, the following sums are provided for projects recommended by the department and projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Power Dynamics Innovations, LLC with Equipment and Facility Upgrades .....	\$ 616,541.00
(b) To assist the City of Bay St. Louis with the Old Town Police Department.....	\$ 764,062.00
(c) To assist the City of Bay St. Louis with the Old Town Depot Revitalization District.....	\$ 490,375.00
(d) To assist the City of Diamondhead with the Commercial District Transformation Project.....	\$ 1,500,000.00
(e) To assist the Stone County School District with the Stone County High School Career and Technical Education Center .....	\$ 2,992,145.00
(f) To assist the University of Southern Mississippi with the Ocean Enterprise Phase I .....	\$ 5,942,385.00
(g) To assist the Walter Anderson Museum Creative Complex Phase I and begin Phase II.....	\$ 366,298.00
(h) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development.....	\$ 2,000,000.00
(i) To assist the Gulfport School with a STEM Exploration Lab.....	\$ 79,061.00
(j) To assist the City of Biloxi with downtown revitalization at the Saenger Theater .....	\$ 577,830.00
Of the funds reappropriated in this section, the following sums are provided for projects that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:	
(a) To assist Harrison County with the Harrison County Law Enforcement Training Academy .....	\$ 444,925.00
(b) To assist George Regional Health System with a multispecialty medical office complex .....	\$ 1,901,193.00
(c) To assist Mississippi State University Research and Technology Corporation with the design and construction of the Mississippi Cyber Center .....	\$ 3,234,176.00
(d) To assist the Port of Pascagoula with the North Rail Connector .....	\$ 6,600,000.00
(e) To assist Jackson County Economic Development Foundation with site development and related support of a defense supplier.....	\$ 377,561.00
(f) To assist the Pascagoula Redevelopment Authority with the Innovation Center .....	\$ 1,000,000.00
(g) To assist the Pascagoula Redevelopment Authority with the City Center .....	\$ 1,099,196.00
(h) To assist the Institute for Marine Mammal Studies with Educational Classrooms and Dorms .....	\$ 3,000,000.00
(i) To assist the City of Pass Christian with redevelopment and revitalization .....	\$ 750,000.00
(j) To assist the City of Long Beach with development and revitalization .....	\$ 2,000,000.00

(k) To assist the City of Long Beach  
with the Quarles House ..... \$ 2,000,000.00  
(l) To assist George County with a rail  
connection project:  
(1) George County rail and highway  
improvements for Enviva project..... \$ 125,981.00  
(2) Mississippi Export Railroad for  
the Enviva project..... \$ 100,941.00

SECTION 5. The following sum, or so much thereof as may be necessary, is  
reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise  
appropriated for the Mississippi Development Authority for the purpose of reauthorizing  
the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3049,  
2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending  
June 30, 2024 .....  
\$ 5,500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that  
may be expended under the authority of this section shall not exceed the unexpended  
balance of the funds remaining as of June 30, 2023, from the amount authorized for the  
previous fiscal year. In addition, this reappropriation shall not change the purpose for  
which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for the  
following programs:

(a) For the Mississippi Development Authority  
and the Air Service Development Incentive Program ..... \$ 2,500,000.00  
(b) For the Mississippi Development Authority  
and the Quality of Place Incentives Program ..... \$ 3,000,000.00

Of these funds, One Million Dollars (\$1,000,000.00) is provided for the  
development of a South Mississippi defense and space industry strategy for small  
companies to compete for defense related contracts to include government, industry and  
academia.

SECTION 6. The money herein appropriated shall be paid by the State  
Treasurer out of any money in the State Treasury to the credit of the proper fund or  
funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the  
State Fiscal Officer shall issue his warrants upon requisitions signed by the proper  
person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1,  
2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the  
following:

AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE  
MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE  
THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY  
APPROPRIATED FOR PROJECTS FOR FISCAL YEAR 2024.

Senator Hopson called up the following House Amendment to **S. B. No. 3052** and  
moved that the Senate decline to concur in the Amendment, and invite conference, and  
the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the  
following:

SECTION 1. The following sum, or so much of it as may be necessary, is  
reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not  
otherwise appropriated, to the Office of Workforce Development, with the Department of

Employment Security serving as the fiscal agent, as authorized in House Bill No. 1517, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 \$ 58,693,659.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1517, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 2. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Mississippi Emergency Management Agency, as authorized in Senate Bill No. 3018, 2022 Regular Session, for the purpose of defraying eligible expenses in connection with the Coronavirus Disease 2019 (COVID-19) as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 \$ 2,582,029.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 3018, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 3. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Environmental Quality, as authorized in Senate Bill No. 3056, 2022 Regular Session, for the purpose of administering the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program established in Senate Bill No. 2822, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 445,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 3056, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 4. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in House Bill No. 1518, 2022 Regular Session, for the purpose of providing funds to destination marketing organizations to assist in paying costs of certain marketing activities, providing assistance to nonprofit museums, and providing funds to Mississippi Main Street Association, as provided in House Bill No. 453, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 13,705,225.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1518, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 5. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Mississippi Association of Independent Colleges and Universities (MAICU) Grant Program Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in Senate Bill No. 3064, 2022 Regular Session, for the purpose of funding the MAICU Grant Program established in Senate Bill No. 2700, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 10,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 3064, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 6. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration, as authorized in Senate Bill No. 3064, 2022 Regular Session, for the purpose of funding the Independent Schools Infrastructure Grant Program established in Senate Bill No. 2780, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 10,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section as of June 30, 2023, shall not exceed the unexpended balance of the funds remaining from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 3064, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 7. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management, as authorized in Senate Bill No. 3062, 2022 Regular Session, for the purpose of completing capital projects at state-owned buildings or grounds that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 216,813,639.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 3062, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 8. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in House Bill No. 1614, 2022 Regular Session, for the purpose of operational expenditures needed to respond to the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 2,500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1614, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 9. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in Senate Bill No. 3060, 2022 Regular Session, for the purpose of funding the Covid-19 Hospital Expanded Capacity Program established in Senate Bill No. 2820, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .... \$ 12,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the

previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 3060, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 10. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in Senate Bill No. 3060, 2022 Regular Session, for the purpose of funding the COVID-19 Mississippi Local Provider Innovation Grant Program established in Senate Bill No. 2820, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 25,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 3060, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 11. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health, as authorized in House Bill No. 1538, 2022 Regular Session, for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established under House Bill No. 1421, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 300,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1538, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 12. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Child Protection Services, as authorized in House Bill No. 1611, 2022 Regular Session, for the purpose of defraying eligible operational expenses as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 57,600,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1611, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 13. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning, as authorized in House Bill No. 1521, 2022 Regular Session, for the purpose of providing funding for the Nursing and Respiratory Therapy Education Incentive Program created in House Bill No. 1005, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1521, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 14. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, to the University of Mississippi Medical Center, as

authorized in Senate Bill No. 3010, 2022 Regular Session, for the purpose of constructing a new nursing school at the University of Mississippi Medical Center as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .... \$ 55,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 3010, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 15. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Mental Health, as authorized in Senate Bill No. 2865, 2022 Regular Session, for the purpose of assisting with behavioral and mental health needs exacerbated by the Coronavirus Disease 2019 (COVID-19) pandemic, responding to other public health impacts, and other operational expenses as allowed under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 80,600,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 2865, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 16. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Mental Health, as authorized in Senate Bill No. 2865, 2022 Regular Session, for the purpose of providing funding to the Department of Mental Health, which shall be utilized at Community Mental Health Centers (CMHCs) or for the benefit of CMHCs to allow for investments in software, databases, telemedicine capabilities, and other information technology resources that support behavioral and mental health needs exacerbated by the Coronavirus Disease 2019 (COVID-19) pandemic, responding to other public health impacts, and other operational expenses as allowed under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 18,250,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 2865, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 17. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated to the Mississippi National Guard as authorized in Senate Bill No. 3019, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 10,391,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 3019, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 18. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not



otherwise appropriated, to the Department of Public Safety, as authorized in Senate Bill No. 3014, 2022 Regular Session, for the purpose of completing capital projects at state-owned buildings or grounds, crime prevention due to the increase in crime, and operational expenditures necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 15,535,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in Senate Bill No. 3014, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 19. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, to the Department of Public Safety, as authorized in House Bill No. 1542, 2022 Regular Session, and amended in Senate Bill No. 2664, 2023 Regular Session, for the purpose of providing funds for the Mississippi Law Enforcement and Fire Fighters Premium Pay Program as created in House Bill No. 1427, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1542, 2022 Regular Session, as amended by Senate Bill No. 2664, 2023 Regular Session, and is subject to the same conditions therein.

SECTION 20. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the District Attorney's and staff, as authorized in House Bill No. 1625, 2022 Regular Session, for the purpose of funding additional salaries and office expenses of temporary legal assistants and support personnel as authorized by Section 25-31-5(2)(g), Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 662,486.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1625, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 21. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Office of the State Public Defender, as authorized in House Bill No. 1627, 2022 Regular Session, for the purpose of funding additional salaries and office expenses for public defenders assigned to special temporary courts that supplement those authorized under Section 9-7-25, Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 172,621.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes

authorized in House Bill No. 1627, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 22. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Supreme Court – Trial Judges, as authorized in House Bill No. 1628, 2022 Regular Session, for the purpose of providing temporary Special Judges to help alleviate the backlog of adoption cases in Child Protection Services, and operational expenditures necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1628, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 23. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Supreme Court – Trial Judges, as authorized in House Bill No. 1628, 2022 Regular Session, for the purpose of funding additional special temporary courts that supplement those authorized under Section 9-7-25, Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,727,683.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1628, 2022 Regular Session, and is subject to the same conditions therein.

SECTION 24. None of the funds reappropriated in this act shall be used to pay employee premium payments, with the exception of the funds reappropriated in Section 18.

SECTION 25. (1) As used in this section, the term "agency" shall mean the entities in which funds were reappropriated in Sections 1 through 22 of this act.

(2) The agency shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(3) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria,

as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(4) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 26. The money appropriated by this act shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 27. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed from and after June 29, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING A REAPPROPRIATION TO CERTAIN AGENCIES TO  
REAUTHORIZE THE EXPENDITURE OF CORONAVIRUS STATE FISCAL  
RECOVERY FUNDS PREVIOUSLY APPROPRIATED FOR CERTAIN PROJECTS  
FOR FISCAL YEAR 2024.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Mary Lou Walters Davis, Jerry Mack Fore and Gerald Clinton Welder, Sr. of Gulfport, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jimmy L. Caraway of Hurley Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Michael Clement of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Ingeburg Erika Wilson of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Joshua Jacob Bellais of Vancleave, MS.

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Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Mr. Rogis Devon Clark of Clarksdale, MS.

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SENATE JOURNAL  
MONDAY, MARCH 13, 2023

Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Annie Ruth Jamison of Marks, MS.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Rev. Tony Roberts and Jenell Alford of Philadelphia, MS.

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Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Kenneth L. Humphrey and Leon Austin Henry, Sr. of Vicksburg, MS.

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Senators Hopson and Michel moved that when the Senate adjourns, it adjourn in memory of Betty Quinn Everett Bexley of Vicksburg, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Mary Agnes Pierce Cowart of Franklin Creek, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Charlotte Kay Swoope and William H. K. Kerstetter, II of Columbus, MS.

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Senators England and Boyd moved that when the Senate adjourns, it adjourn in memory of John Wade Bounds of Oxford, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Tony Douglas Vandiver of Blue Mountain, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 14, 2023.

The motion prevailed, and at 4:45 PM, the Senate stood in recess.

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MESSAGE FROM THE GOVERNOR  
March 13, 2023

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Mark Stuart Formby, Picayune, Mississippi, Workers' Compensation Commission as Chairman of the Commission, six year term effective March 8, 2023 and ending December 31, 2028.

Tate Reeves  
GOVERNOR

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The executive nomination in the foregoing message was referred to committee as follows:

Mark Stuart Formby, Workers' Compensation Commission as Chairman of the Commission, six year term effective March 8, 2023 and ending December 31, 2028, Insurance.

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 42:** A CONCURRENT RESOLUTION ENCOURAGING FURTHER ECONOMIC TIES AND FRIENDSHIP BETWEEN THE STATE OF MISSISSIPPI AND THE REPUBLIC OF CHINA (TAIWAN).

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 42:** Taiwan; commend friendship with the State of Mississippi and encourage further economic ties. Rules.

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REPORT OF COMMITTEE ON FINANCE

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**H. B. No. 549:** Sales Tax; exempt certain sales of property transported from this state and first used in another state. Title Sufficient. Do Pass.

**H. B. No. 1671:** Tax credits; revise certain existing and authorize additional. Title Sufficient. Do Pass As Amended.

**H. B. No. 1561:** Ad valorem taxation; revise types of new enterprises eligible for tax exemption. Title Sufficient. Do Pass As Amended.

**H. B. No. 1723:** Tax credits; authorize for business contributions to certain organizations supporting food pantries or soup kitchens. Title Sufficient. Do Pass As Amended.

HARKINS, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mary Lou Walters Davis, Jerry Mack Fore, Jenell Alford, Kenneth

L. Humphrey, Leon Austin Henry, Sr., Betty Quinn Everett Bexley, Mary Agnes Pierce Cowart, Charlotte Kay Swoope, William H. K. Kerstetter, II, John Wade Bounds, Gerald Clinton Welder, Sr., Jimmy L. Caraway, Michael Clement, Ingeburg Erika Wilson, Joshua Jacob Bellais, Mr. Rogis Devon Clark, Annie Ruth Jamison, Tony Douglas Vandiver and Rev. Tony Roberts.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR MONDAY, MARCH 13, 2023

**S. C. R. No. 566:** Rules

A CONCURRENT RESOLUTION DESIGNATING THE LAST WEEKEND IN OCTOBER 2023 AS "HONOR YOUR HOMETOWN WEEKEND IN MISSISSIPPI" TO BRING ATTENTION TO RURAL COMMUNITIES AS THE CULTURAL CENTER OF OUR STATE AND TO MEMORIALIZE THE U.S. CONGRESS TO DESIGNATE A "NATIONAL HOMETOWN WEEKEND".

By Senator(s) Branning

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SEVENTY-FIRST DAY, TUESDAY, MARCH 14, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Leslie W. Rhodes, Pastor, Helena Presbyterian Church, Moss Point, MS.

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Senator England led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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REPORT OF COMMITTEE ON VETERANS AND MILITARY AFFAIRS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 57:** Maj. Gen. James H. Lipscomb, III, Greenville, Mississippi, Veterans Home Purchase Board to represent the 2nd Congressional Dist. as it existed May 1, 1987, unexpired four year term effective Nov. 1, 2022 and ending June 30, 2023, vice Richard D. Stevens. Do Advise and Consent.

**S. N. No. 58:** Maj. Gen. James H. Lipscomb, III, Greenville, Mississippi, Veterans Home Purchase Board to represent the Second Congressional District as it existed May 1, 1987, four year term effective July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

SEYMOUR, Chairman

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Senator Harkins called up the following entitled nomination:

**S. N. No. 63:** Huey Love (Hue) Townsend, Jr., Belzoni, Mississippi, Mississippi Home Corporation as a resident of the First Supreme Court District, term effective December 30, 2022 and ending June 30, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 63 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 70:** Robert Reed (Reed) Nelson, Madison, Mississippi, Mississippi Home Corporation, remainder of six year term effective June 28, 2022 and ending April 23, 2026, representing the First Supreme Court District, vice Carl EuGene (Gene) Delcomyn.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 70 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled nomination:

**S. N. No. 66:** Brian Kendall Johnson, Madison, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year term effective upon confirmation by the Senate and ending March 31, 2026, vice Reed Nelson.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 66 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1648:** Mississippi Small Business Investment Company Act; increase the amount of tax credits that can be allocated under.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 57-115-5, Mississippi Code of 1972, is amended as follows:

57-115-5. (1) (a) The MDA must provide a standardized format for applying for the Mississippi small business investment credit authorized under this chapter, and for certification as a Mississippi small business investment company.

(b) An applicant for certification as a primary Mississippi small business investment company must:

(i) File an application with the MDA which shall include a business plan detailing:

1. The approximate percentage of designated capital the applicant will invest in qualified businesses by the second, fourth and sixth anniversaries of its allocation date;

2. The industry segments listed by the North American Industrial Classification System code and percentage of designated capital in which the applicant will invest; and

3. The number of jobs that will be created or retained as a result of the applicant's investments once all designated capital has been invested. A job



shall be considered created or retained if the job pays one hundred twenty-five percent (125%) of the state average annual wage and is maintained for at least three (3) years. The application shall project, at a minimum, that one (1) job shall be created or maintained for each One Hundred Fifty Thousand Dollars (\$150,000.00) in credits awarded to the participating investors of the Mississippi small business investment company;

(ii) Pay a nonrefundable application fee of Seven Thousand Five Hundred Dollars (\$7,500.00) at the time of filing the application;

(iii) Submit as part of its application an audited balance sheet that contains an unqualified opinion of an independent certified public accountant issued not more than thirty-five (35) days before the application date that states that the applicant has an equity capitalization of Five Hundred Thousand Dollars (\$500,000.00) or more in the form of unencumbered cash, marketable securities or other liquid assets; and

(iv) Have at least two (2) principals or persons, at least one (1) of which is primarily located in Mississippi, employed or engaged to manage the funds who each have a minimum of five (5) years of money management experience in the venture capital or private equity or lending industry.

(c) An applicant for certification as a secondary Mississippi small business investment company must:

(i) File an application with the MDA which shall include a business plan detailing:

1. The approximate percentage of designated capital the applicant will invest in qualified businesses by the second, fourth and sixth anniversaries of its allocation date;

2. The industry segments listed by the North American Industrial Classification System code and percentage of designated capital in which the applicant will invest; and

3. The number of jobs that will be created or retained as a result of the applicant's investments once all designated capital has been invested. A job shall be considered created or retained if the job pays one hundred twenty-five percent (125%) of the state average annual wage and is maintained for at least three (3) years. The application shall project, at a minimum, that one (1) job shall be created or maintained for each One Hundred Fifty Thousand Dollars (\$150,000.00) in credits awarded to the participating investors of the Mississippi small business investment company;

(ii) Pay a nonrefundable application fee of Three Thousand Seven Hundred Fifty Dollars (\$3,750.00) at the time of filing the application;

(iii) Submit as part of its application an audited balance sheet that contains an unqualified opinion of an independent certified public accountant issued not more than thirty-five (35) days before the application date that states that the applicant has an equity capitalization of One Hundred Fifty Thousand Dollars (\$150,000.00) or more in the form of unencumbered cash, marketable securities or other liquid assets;

(iv) Demonstrate that fifty percent (50%) of all secondary investment company investments have been in Mississippi, and all of the applicant's employees have lived in Mississippi for at least two (2) years prior to the application being filed, and that those who are employed or engaged to manage the funds have a minimum of three (3) years of money management experience in the venture capital or private equity or lending industry; and

(v) Submit as part of its application a signed and notarized partnership agreement letter with a certified primary Mississippi small business investment company \* \* \*.

( \* \* \*d) (i) Any participating partner or individual in a certified secondary small business investment company that successfully participated in the initial authorization and allocation of credits in 2012, and which is a partner in a submitted application for credits allocated in subsection (4)(b) of this section, while partnered with the same primary small business investment company from the previous 2012 allocation, shall have the requirements in \* \* \* paragraph (c)(iii) and (iv) of this subsection waived as having been completed through the previous allocation.

(ii) Any participating partner or individual in a certified secondary small business investment company that successfully participated in the authorization and allocation of credits in 2018, and which is a partner in a submitted application for credits allocated in subsection (4)(c) of this section, while partnered with the same primary small business investment company from the previous 2018 allocation, shall have the requirements in paragraph (c)(iii) and (iv) of this subsection waived as having been completed through the previous allocation.

( \* \* \*e) The MDA may certify partnerships, corporations, trusts, or limited liability companies, organized on a for-profit basis, which submit an application to be designated as a Mississippi small business investment company if the applicant is located, headquartered, and licensed or registered to conduct business in Mississippi, has as its primary business activity the investment of cash in qualified businesses, and meets all of the criteria of this section.

( \* \* \*f) The MDA must:

(i) Review the organizational documents of each applicant for certification and the business history of each applicant;

(ii) Determine whether the applicant has satisfied all of the requirements of this section; and

(iii) Determine whether the officers and the board of directors, general partners, trustees, managers or members are trustworthy and are thoroughly acquainted with the requirements of this chapter.

( \* \* \*g) Within forty-five (45) days after the receipt of an application, the MDA may issue the certification or refuse the certification and may communicate in detail to the applicant the grounds for refusal, including suggestions for the removal of the grounds.

( \* \* \*h) The MDA must begin accepting applications to become a Mississippi small business investment company not later than August 1, 2012, for credits allocated in subsection (4)(a) of this section, \* \* \* not later than August 1, 2018, for credits allocated in subsection (4)(b) of this section, and not later than August 1, 2023, for credits allocated in subsection (4)(c) of this section.

( \* \* \*i) Certification by the MDA and operation of a primary Mississippi small business investment company is not subject to completion of any relationship or agreement with a secondary Mississippi small business investment company, and it is not the intent of this chapter to compel any such agreement.

(2) (a) An insurance company or affiliate of an insurance company must not, directly or indirectly:

(i) Beneficially own, whether through rights, options, convertible interest, or otherwise, fifteen percent (15%) or more of the voting securities or other voting ownership interest of a Mississippi small business investment company;

(ii) Manage a Mississippi small business investment company; or

(iii) Control the direction of investments for a Mississippi small business investment company.

(b) A Mississippi small business investment company may obtain one or more guaranties, indemnities, bonds, insurance policies, or other payment undertakings for the benefit of its participating investors from any entity, except that in no case can more than one (1) participating investor of a Mississippi small business investment company on an aggregate basis with all affiliates of the participating investor, be entitled to provide guaranties, indemnities, bonds, insurance policies, or other payment undertakings in favor of the participating investors of a Mississippi small business investment company and its affiliates in this state.

(c) This subsection (2) does not preclude a participating investor, insurance company or other party from exercising its legal rights and remedies, including, without limitation, interim management of a Mississippi small business investment company, in the event that a Mississippi small business investment company is in default of its statutory obligations or its contractual obligations to a participating investor, insurance company, or other party, or from monitoring a Mississippi small business investment company to ensure its compliance with this chapter or disallowing any investments that have not been approved by the MDA.

(d) The MDA may contract with an independent third party to review, investigate, and certify that the applications comply with the provisions of this chapter.

(3) (a) At the time of its investment of designated capital a participating investor shall earn a vested credit against the participating investor's state premium tax liability in an amount equal to one hundred percent (100%) of the participating investor's investment of designated capital in a Mississippi small business investment company, subject to the limits imposed by this section.

(b) From and after January 1, 2015, a participating investor may claim the credit allocated in subsection (4)(a) of this section as follows: \* \* \* For \* \* \* each taxable year from 2015 through 2019, an amount equal to twenty percent (20%) of the participating investor's investment of designated capital \* \* \*.

(c) From and after January 1, 2021, a participating investor may claim the credit allocated in subsection (4)(b) of this section as follows:

(i) For \* \* \* each taxable year from 2021 through 2025, an amount equal to sixteen and sixty-six one-hundredths percent (16.66%) of the participating investor's investment of designated capital; and

\* \* \*

( \* \* \*ii) For the 2026 taxable year, an amount equal to sixteen and seven-tenths percent (16.7%) of the participating investor's investment of designated capital.

(d) From and after January 1, 2027, a participating investor may claim the credit allocated in subsection (4)(c) of this section as follows:

(i) For each taxable year from 2027 through 2031, an amount equal to sixteen and sixty-six one-hundredths percent (16.66%) of the participating investor's investment of designated capital; and

(ii) For the 2032 taxable year, an amount equal to sixteen and seven-tenths percent (16.7%) of the participating investor's investment of designated capital.

( \*\*e) The credit for any taxable year cannot exceed the state premium tax liability of the participating investor for the taxable year. If the amount of the credit exceeds the state premium tax liability of the participating investor for the taxable year, the excess is an investment tax credit carryover for five (5) years from the date the credit is first able to be utilized in accordance with paragraph (a) of this subsection (3).

( \*\*f) Notwithstanding any provision of this chapter to the contrary, the granting of any credits against the insurance premium tax shall not affect the insurance premium tax receipts distributed pursuant to Sections 83-1-37, 83-1-39, 83-34-39, 45-11-5 and 21-29-233, which shall take priority over all other distributions of premium tax receipts and shall be calculated based upon gross insurance premium tax liability before the application of the tax credits.

( \*\*g) A participating investor claiming a credit under this chapter is not required to pay any additional retaliatory tax under Section 27-15-123 levied as a result of claiming the credit.

( \*\*h) A participating investor is not required to reduce the amount of tax pursuant to the state premium tax liability included by the participating investor in connection with ratemaking for any insurance contract written in this state because of a reduction in the participating investor's tax liability based on the tax credit allowed under this chapter.

( \*\*i) If the taxes paid by a participating investor with respect to its state premium tax liability constitute a credit against any other tax that is imposed by this state, the participating investor's credit against the other tax shall not be reduced by virtue of the reduction in the participating investor's tax liability based on the tax credit allowed under this chapter.

( \*\*j) Final decertification of a Mississippi small business investment company under this chapter prior to such Mississippi small business investment company meeting the requirements of Section 57-115-7(1)(a)(ii), shall result in the disallowance and the recapture of all of the credits allocated to its participating investors under this chapter. Once a Mississippi small business investment company has satisfied the requirements of Section 57-115-7(1)(a)(ii), any subsequent decertification shall not cause the disallowance or recapture of any credits allocated to its participating investors under this chapter.

( \*\*k) The credits allowed under this chapter are not transferable; however, a participating investor may transfer credits to an affiliated insurance company provided it gives prior written notice of such transfer to the MDA and the Department of Revenue.

(4) (a) (i) Through January 1, 2018, the aggregate amount of investment tax credits that may be allocated to all participating investors of Mississippi small business investment companies under this section shall not exceed Fifty Million Dollars (\$50,000,000.00), and no Mississippi small business investment company, on an aggregate basis with its affiliates, may file credit allocation claims that exceed Fifty Million Dollars (\$50,000,000.00).

(ii) The Fifty Million Dollars (\$50,000,000.00) aggregate amount of investment tax credits allocated in this paragraph (a) shall be divided into a primary tax credit pool which may be applied for by certified primary Mississippi small business investment companies and a secondary tax credit pool which may be applied for by certified secondary Mississippi small business investment companies. The secondary tax credit pool shall be Three Million Five Hundred Thousand Dollars (\$3,500,000.00) of the total Fifty Million Dollars (\$50,000,000.00) aggregate amount of investment tax credits. Secondary Mississippi small business investment companies may not apply for more than One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) worth of credits on a single application. A certified secondary Mississippi small business investment company may apply for additional tax credit allocation from the secondary tax credit pool, if the credits are available, after fifty percent (50%) of its previously allocated credits are used in qualified investments.

(iii) If there are any tax credits remaining available for allocation in the secondary tax credit pool on August 1, 2013, those available tax credits shall revert to the primary tax credit pool and be made available to primary Mississippi small business investment companies according to rules and regulations promulgated by the MDA. Prior to August 1, 2013, primary Mississippi small business investment companies, including any wholly owned subsidiary company, shall be prohibited from making application to the MDA to be additionally certified as a secondary Mississippi small business investment company for purposes of the tax credits allocated in this paragraph (a) and prohibited from applying for any tax credit allocation from the secondary tax credit pool. A certified primary Mississippi small business investment company may have ownership equity in a certified secondary Mississippi small business investment company, but the equity interest owned by the certified primary Mississippi small business investment company shall not exceed forty percent (40%).

(b) (i) From and after July 1, 2018, through January 1, 2023, an additional aggregate amount of investment tax credits may be allocated to all participating investors of Mississippi small business investment companies under this section. The amount so allocated shall not exceed Forty-five Million Dollars (\$45,000,000.00), and no Mississippi small business investment company, on an aggregate basis with its affiliates, may file credit allocation claims on the additional aggregate amount of tax credits that exceed Forty-five Million Dollars (\$45,000,000.00).

(ii) The Forty-five Million Dollars (\$45,000,000.00) aggregate amount of investment tax credits allocated in this paragraph (b) shall be divided into a primary tax credit pool which may be applied for by certified primary Mississippi small business investment companies and a secondary tax credit pool which may be applied for by certified secondary Mississippi small business investment companies. The secondary tax credit pool shall be Three Million Five Hundred Thousand Dollars (\$3,500,000.00) of the total Forty-five Million Dollars (\$45,000,000.00) aggregate amount of investment tax credits. Secondary Mississippi small business investment companies may not apply for more than One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) worth of credits on a single application. A certified secondary Mississippi small business investment company may apply for additional tax credit allocation from the secondary tax credit pool, if the credits are available, after fifty percent (50%) of its previously allocated credits are used in qualified investments.

(iii) If there are any tax credits remaining available for allocation in the secondary tax credit pool on August 1, 2019, those available tax credits shall revert to the primary tax credit pool and be made available to primary Mississippi small business investment companies according to rules and regulations promulgated by the MDA. Prior to August 1, 2022, primary Mississippi small business investment companies, including any wholly owned subsidiary company, shall be prohibited from making application to the MDA to be additionally certified as a secondary Mississippi small business investment company for purposes of the tax credits allocated in this paragraph (b) and prohibited from applying for any tax credit allocation from the secondary tax credit pool. A certified primary

Mississippi small business investment company may have ownership equity in a certified secondary Mississippi small business investment company, but the equity interest owned by the certified primary Mississippi small business investment company shall not exceed forty percent (40%).

(c) (i) From and after July 1, 2023, an additional aggregate amount of investment tax credits may be allocated to all participating investors of Mississippi small business investment companies under this section. The amount so allocated shall not exceed Forty-five Million Dollars (\$45,000,000.00), and no Mississippi small business investment company, on an aggregate basis with its affiliates, may file credit allocation claims on the additional aggregate amount of tax credits that exceed Forty-five Million Dollars (\$45,000,000.00).

(ii) The Forty-five Million Dollars (\$45,000,000.00) aggregate amount of investment tax credits allocated in this paragraph (c) shall be divided into a primary tax credit pool which may be applied for by certified primary Mississippi small business investment companies and a secondary tax credit pool which may be applied for by certified secondary Mississippi small business investment companies. The secondary tax credit pool shall be Three Million Five Hundred Thousand Dollars (\$3,500,000.00) of the total Forty-five Million Dollars (\$45,000,000.00) aggregate amount of investment tax credits. Secondary Mississippi small business investment companies may not apply for more than One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) worth of credits on a single application. A certified secondary Mississippi small business investment company may apply for additional tax credit allocation from the secondary tax credit pool, if the credits are available, after fifty percent (50%) of its previously allocated credits are used in qualified investments.

(iii) If there are any tax credits remaining available for allocation in the secondary tax credit pool on August 1, 2024, those available tax credits shall revert to the primary tax credit pool and be made available to primary Mississippi small business investment companies according to rules and regulations promulgated by the MDA. Prior to August 1, 2027, primary Mississippi small business investment companies, including any wholly owned subsidiary company, shall be prohibited from making application to the MDA to be additionally certified as a secondary Mississippi small business investment company for purposes of the tax credits allocated in this paragraph (c) and prohibited from applying for any tax credit allocation from the secondary tax credit pool. A certified primary Mississippi small business investment company may have ownership equity in a certified secondary Mississippi small business investment company, but the equity interest owned by the certified primary Mississippi small business investment company shall not exceed forty percent (40%).

( \*\* \*d) Credits must be allocated to investors in the order that the credit allocation claims are filed with the MDA.

( \*\* \*e) Any credit allocation claims filed with the MDA before the initial credit allocation claim filing date will be deemed to have been filed on the initial credit allocation claim filing date. The MDA will set the initial credit allocation claim filing date to be not less than one hundred twenty (120) days and not more than one hundred fifty (150) days after the date the MDA begins accepting applications for certification. Credit allocation claims filed on the same day with the MDA must be treated as having been filed contemporaneously.

( \*\* \*f) If two (2) or more Mississippi small business investment companies file credit allocation claims with the MDA on behalf of their respective participating investors on the same day and the aggregate amount of credit allocation claims exceeds the aggregate limit of credits authorized under this subsection (4) or the lesser amount of credits that remain unallocated on that day, then the credits shall be allocated among the participating investors who filed on that day on a pro rata basis with respect to the amounts claimed. The pro rata allocation for any one (1) participating investor is the product

obtained by multiplying a fraction, the numerator of which is the amount of the credit allocation claim filed on behalf of a participating investor and the denominator of which is the total of all credit allocation claims filed on behalf of all participating investors on that day, by the aggregate limit of credits authorized under this subsection (4) or the lesser amount of credits that remain unallocated on that day.

( \*\*g) Within ten (10) business days after the MDA receives a credit allocation claim filed by a Mississippi small business investment company on behalf of one or more of its participating investors, the MDA may notify the Mississippi small business investment company of the amount of credits allocated to each of the participating investors of that Mississippi small business investment company. In the event a Mississippi small business investment company does not receive an investment of designated capital from each participating investor required to earn the amount of credits allocated to the participating investor within ten (10) business days of the Mississippi small business investment company's receipt of notice of allocation, then it shall notify the MDA on or before the next business day, and the credits allocated to the participating investor of the Mississippi small business investment company will be forfeited. The MDA may then reallocate those forfeited credits among the participating investors of the other Mississippi small business investment companies on a pro rata basis with respect to the credit allocation claims filed on behalf of the participating investors. The MDA may levy a fine of not more than Fifty Thousand Dollars (\$50,000.00) on any participating investor that does not invest the full amount of designated capital required to fund the credits allocated to it by the MDA in accordance with the credit allocation claim filed on its behalf.

( \*\*h) No participating investor, on an aggregate basis with its affiliates, may file an allocation claim for more than twenty-five percent (25%) of the maximum amount of investment tax credits authorized under this subsection (4), regardless of whether the claim is made in connection with one or more Mississippi small business investment companies.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 57-115-5, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$45,000,000.00 THE AGGREGATE AMOUNT OF INVESTMENT TAX CREDITS THAT MAY BE ALLOCATED TO PARTICIPATING INVESTORS OF MISSISSIPPI SMALL BUSINESS INVESTMENT COMPANIES UNDER THE MISSISSIPPI SMALL BUSINESS INVESTMENT COMPANY ACT; TO PROVIDE THE TAXABLE YEARS IN WHICH PARTICIPATING INVESTORS MAY CLAIM THE ADDITIONAL CREDITS SO ALLOCATED AGAINST THEIR PREMIUM TAX LIABILITY; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1648 was adopted.

YEAS AND NAYS On H. B. No. 1648. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks,

Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Blount, Chism. Total--2.

Absent and those not voting---None.

Voting Present--Hill, Sojourner. Total--2.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1668:** Income tax; revise certain provisions regarding pass-through entities.

Senator Harkins offered the following AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-26, Mississippi Code of 1972, is amended as follows:

27-7-26. (1) (a) For calendar year 2022, and for each calendar year thereafter, any partnership, S corporation or similar pass-through entity may elect to be taxed as an electing pass-through entity and pay the tax imposed under this chapter at the entity level. For the purposes of this section, the term "electing pass-through entity" means a partnership, S corporation or similar pass-through entity that has made an election pursuant to this section.

(b) A partnership, S corporation or similar pass-through entity desiring to be taxed as an electing pass-through entity shall submit the appropriate form to the department \* \* \* at any time during the tax year \* \* \* for which the entity elects to be taxed as an electing pass-through entity, or by the due date of the return for that tax year, or by the date such return is filed, whichever is latest. This election shall be binding for that taxable year and all taxable years thereafter and shall not be revoked unless the electing pass-through entity submits the appropriate form to the department at any time during a subsequent taxable year \* \* \* for which the entity elects to no longer be taxed as an electing pass-through entity, or by the due date of the return for that tax year, or by the date such return is filed, whichever is latest. Both the election to become an electing pass-through entity and the revocation of that election shall be accomplished by a vote satisfying such threshold required for taking official action as may be specified within the entity's governing documents, within the time prescribed in this subsection. If the entity's governing documents do not contain any such provisions governing the approval of official actions, such election shall be accomplished by \* \* \* a vote by or written consent of the owners, members, partners or shareholders holding greater than fifty percent (50%) of the voting control of the entity, and also, if the entity has a governing body, by a vote by or written consent of the members of the governing body, within the time prescribed in this subsection.

(c) Each owner, member, partner or shareholder of an electing pass-through entity shall report his or her pro rata or distributive share of the income of the electing pass-through entity \* \* \*, and such share shall be used in computing the taxpayer's gross income tax liability. Each owner, member, partner or shareholder of an electing pass-through entity shall be allowed a credit against the taxes imposed under this chapter in an amount equal to his or her pro rata or distributive share of tax paid by the electing pass-through entity with respect to the corresponding taxable year. Any additional income tax credits generated by the electing pass-through entity shall pass through to the owners, members, partners or shareholders on a pro-rata basis and may be claimed on the returns of those taxpayers. In the event an owner's, member's, partner's or shareholder's aggregate credits shall exceed his or her income tax liability,



such excess shall be carried forward as an overpayment or refunded at the election of such person. Any carryforward limitations applicable to credits generated by the electing pass-through entity, other than the credit provided by this section for income taxes paid by the electing pass-through entity, shall apply at the owner, member, partner or shareholder level.

(2) The adjusted basis of the owners, members or partners of an electing pass-through entity in their ownership interests in the electing pass-through entity shall be calculated without regard to the election under this section.

SECTION 2. This act shall take effect and be in force from and after January 1, 2023, and shall be applicable to any income tax returns the original due date of which are on or after such date.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-26, MISSISSIPPI CODE OF 1972, TO REVISE THE METHOD BY WHICH A PARTNERSHIP, S CORPORATION OR SIMILAR PASS-THROUGH ENTITY MAY ELECT TO BECOME AN ELECTING PASS-THROUGH ENTITY FOR INCOME TAX PURPOSES, AND BY WHICH SUCH ELECTION MAY BE REVOKED; TO INCLUDE EACH OWNER'S, MEMBER'S, PARTNER'S OR SHAREHOLDER'S PRO RATA OR DISTRIBUTIVE SHARE OF THE ELECTING PASS-THROUGH ENTITY'S INCOME IN THE COMPUTATION OF SUCH INDIVIDUAL TAXPAYER'S INCOME TAX LIABILITY; TO PROVIDE THAT THE INDIVIDUAL TAXPAYER'S CREDIT SHALL BE EQUAL TO HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF TAX DUE BEFORE APPLICATION OF ANY ENTITY-LEVEL CREDITS BY THE ELECTING PASS-THROUGH ENTITY; TO PROVIDE THAT ANY ADDITIONAL INCOME TAX CREDITS GENERATED BY AN ELECTING PASS-THROUGH ENTITY SHALL PASS THROUGH TO THE OWNERS, MEMBERS, PARTNERS OR SHAREHOLDERS ON A PRO-RATA BASIS AND MAY BE CLAIMED ON THE RETURNS OF THOSE TAXPAYERS; TO PROVIDE THAT IF AN OWNER'S, MEMBER'S, PARTNER'S OR SHAREHOLDER'S AGGREGATE INCOME TAX CREDITS EXCEED HIS OR HER INCOME TAX LIABILITY, SUCH EXCESS SHALL BE CARRIED FORWARD AS AN OVERPAYMENT OR REFUNDED AT THE ELECTION OF SUCH PERSON; TO PROVIDE THAT ANY CARRYFORWARD LIMITATIONS APPLICABLE TO CREDITS GENERATED BY THE PASS-THROUGH ENTITY, OTHER THAN THE CREDIT PROVIDED BY THIS SECTION FOR INCOME TAXES PAID BY THE PASS-THROUGH ENTITY, SHALL APPLY AT THE OWNER, MEMBER, PARTNER OR SHAREHOLDER LEVEL; AND FOR RELATED PURPOSES.

Amendment No. 1 to H. B. No. 1668 was adopted.

YEAS AND NAYS On H. B. No. 1668. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

**H. B. No. 1733:** Income tax; revise deduction for depreciation for certain expenditures and property.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This section shall be known and may be cited as the "Mississippi Full Expensing Tax Reform Act of 2023."

(2) The purpose of this section is to reform Mississippi's tax code to incentivize greater supply chain investment, job creation, wage growth and economic well-being within Mississippi, and to make Mississippi's tax code more competitive by allowing first-year full cost recovery for certain business investments.

(3) As used in this section, the following terms shall have the meanings ascribed unless the context clearly indicates otherwise:

(a) "Internal Revenue Code" or "IRC" means Title 26 of the United States Code.

(b) "Research and development experimental expenditures" has the meaning in IRC Section 174, as it existed on January 1, 2021.

(c) "Qualified property" has the meaning in IRC Section 168(k), as it existed on January 1, 2021, and applies to property placed in service after December 31, 2022.

(d) "Qualified improvement property" has the meaning in IRC Section 168(e)(6), as it existed on January 1, 2021, and applies to property placed in service after December 31, 2022.

(e) "Full expensing" and "one hundred percent (100%) bonus depreciation" are methods for taxpayers to recover their costs for certain expenditures in research and experimentation and depreciable business assets by immediately deducting the full cost of such expenditures from taxable income in the tax year in which the cost is incurred or the property is placed in service.

(4) Regarding research and development experimental expenditures:

(a) For purposes of computing income tax for tax years beginning after December 31, 2022, a taxpayer may treat research or experimental expenditures paid or incurred by the taxpayer during the tax year in connection with the taxpayer's trade or business as expenses that are not chargeable to the capital account. Expenditures so treated shall be allowed as an immediate deduction. Such expenditures shall remain allowable as a full and immediate expense deduction in the year in which the expenses are incurred, notwithstanding any changes to the Internal Revenue Code related to the depreciation of such research or experimental expenditures.

(b) A taxpayer may alternatively treat the depreciation of such research or experimental expenditures in accordance with the schedule provided in IRC Section 174.

(c) A taxpayer may make an election for any tax year if made not later than the time prescribed by law for filing the return for the tax year, including extensions thereof.

The method elected by the taxpayer, whether to take a full and immediate deduction for the expenditures or to depreciate the expenditures in accordance with IRC Section 174, is irrevocable unless the Commissioner of Revenue specifically allows a change in the method.

(d) The total amount of expenditures fully and immediately expensed and of expenditures depreciated on a schedule may not exceed one hundred percent (100%) of the cost of the property.

(5) Regarding qualified property and qualified improvement property:

(a) For purposes of computing income tax for tax years beginning after December 31, 2022, expenditures for business assets that are qualified property or qualified improvement property shall be eligible for one hundred percent (100%) bonus depreciation and may be deducted as an expense incurred by the taxpayer during the tax year during which the property is placed in service, notwithstanding any changes to federal law related to cost recovery beginning on January 1, 2023, or on any other date.

(b) A taxpayer may alternatively treat the depreciation of such business assets in accordance with the schedule provided in IRC Section 168.

(c) A taxpayer may make an election whether to take a bonus depreciation deduction for such expenditures or to depreciate the expenditures in accordance with IRC Section 168. The election may be made for any tax year if made not later than the time prescribed by law for filing the return for the tax year, including extensions thereof. The method elected by the taxpayer is irrevocable unless the Commissioner of Revenue specifically allows a change in the method.

(d) For tax years beginning after December 31, 2022, Mississippi shall conform to the full expensing provisions of IRC Section 179.

(e) The total amount of expenditures fully and immediately expensed and of expenditures depreciated on a schedule may not exceed one hundred percent (100%) of the cost of the property.

(6) The Department of Revenue shall, within ninety (90) days of the effective date of this act, develop rules for the implementation of this section.

SECTION 2. Section 27-7-17, Mississippi Code of 1972, as amended by House Bill No. 1125, 2023 Regular Session, is brought forward as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 41-137-51.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds, or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an

amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;



(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903; and

(v) The deduction for medical expenses for the provision of gender transition procedures as defined in Section 2 of House Bill No. 1125, 2023 Regular Session.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses,

Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 3. This act shall take effect and be in force from and after its passage, and shall stand repealed one (1) day before its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI FULL EXPENSING TAX REFORM ACT OF 2023; TO STATE THE PURPOSE OF THE ACT; TO PROVIDE DEFINITIONS; TO ALLOW THE FULL AND IMMEDIATE EXPENSING OF RESEARCH AND DEVELOPMENT EXPENDITURES OR, ALTERNATIVELY, THE DEPRECIATION OF SUCH EXPENDITURES ON A SCHEDULE; TO ALLOW THE FULL AND IMMEDIATE EXPENSING OF EXPENDITURES FOR QUALIFIED PROPERTY OR QUALIFIED IMPROVEMENT PROPERTY OR, ALTERNATIVELY, THE DEPRECIATION OF SUCH EXPENDITURES ON A SCHEDULE; TO DIRECT THE DEPARTMENT OF REVENUE TO DEVELOP RULES FOR THE IMPLEMENTATION OF THE ACT; TO BRING FORWARD SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1125, 2023 REGULAR SESSION, FOR THE PURPOSE OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1733 failed.

Senators Harkins and Johnson offered the following AMENDMENT NO. 2.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-17, Mississippi Code of 1972, as amended by House Bill No. 1125, 2023 Regular Session, is amended as follows:

27-7-17. In computing taxable income, there shall be allowed as deductions:

(1) Business deductions.

(a) Business expenses. All the ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, including a reasonable allowance for salaries or other compensation for personal services actually rendered; nonreimbursable traveling expenses incident to current employment, including a reasonable amount expended for meals and lodging while away from home in the pursuit of a trade or business; and rentals or other payments required to be made as a condition of the continued use or possession, for purposes of the trade or business of property to which the taxpayer has not taken or is not taking title or in which he had no equity. Expense incurred in connection with earning and distributing nontaxable income is not an allowable deduction. Limitations on entertainment expenses shall conform to the provisions of the Internal Revenue Code of 1986. There shall also be allowed a deduction for expenses as provided in Section 41-137-51.

(b) Interest. All interest paid or accrued during the taxable year on business indebtedness, except interest upon the indebtedness for the purchase of tax-free bonds,

or any stocks, the dividends from which are nontaxable under the provisions of this article; provided, however, in the case of securities dealers, interest payments or accruals on loans, the proceeds of which are used to purchase tax-exempt securities, shall be deductible if income from otherwise tax-free securities is reported as income. Investment interest expense shall be limited to investment income. Interest expense incurred for the purchase of treasury stock, to pay dividends, or incurred as a result of an undercapitalized affiliated corporation may not be deducted unless an ordinary and necessary business purpose can be established to the satisfaction of the commissioner. For the purposes of this paragraph, the phrase "interest upon the indebtedness for the purchase of tax-free bonds" applies only to the indebtedness incurred for the purpose of directly purchasing tax-free bonds and does not apply to any other indebtedness incurred in the regular course of the taxpayer's business. Any corporation, association, organization or other entity taxable under Section 27-7-23(c) shall allocate interest expense as provided in Section 27-7-23(c)(3)(l).

(c) Taxes. Taxes paid or accrued within the taxable year, except state and federal income taxes, excise taxes based on or measured by net income, estate and inheritance taxes, gift taxes, cigar and cigarette taxes, gasoline taxes, and sales and use taxes unless incurred as an item of expense in a trade or business or in the production of taxable income. In the case of an individual, taxes permitted as an itemized deduction under the provisions of subsection (3)(a) of this section are to be claimed thereunder.

(d) Business losses.

(i) Losses sustained during the taxable year not compensated for by insurance or otherwise, if incurred in trade or business, or nonbusiness transactions entered into for profit.

(ii) Limitations on losses from passive activities and rental real estate shall conform to the provisions of the Internal Revenue Code of 1986.

(e) Bad debts. Losses from debts ascertained to be worthless and charged off during the taxable year, if sustained in the conduct of the regular trade or business of the taxpayer; provided, that such losses shall be allowed only when the taxpayer has reported as income, on the accrual basis, the amount of such debt or account.

(f) Depreciation. (i) A reasonable allowance for exhaustion, wear and tear of property used in the trade or business, or rental property, and depreciation upon buildings based upon their reasonable value as of March 16, 1912, if acquired prior thereto, and upon cost if acquired subsequent to that date. In the case of new or used aircraft, equipment, engines, or other parts and tools used for aviation, allowance for bonus depreciation conforms with the federal bonus depreciation rates and reasonable allowance for depreciation under this section is no less than one hundred percent (100%).

(ii) 1. For the purposes of computing income tax for tax years beginning after December 31, 2022, a taxpayer may treat specified research or experimental expenditures that are paid or incurred by the taxpayer during the tax year in connection with the taxpayer's trade or business as expenses that are not chargeable to the capital account. Such expenditures so treated shall be allowed as an immediate deduction. Such expenditures shall remain allowable as a full and immediate expense deduction in the year in which the expenses are incurred notwithstanding any changes to the federal Internal Revenue Code related to the depreciation of such specified research or experimental expenditures. A taxpayer may alternatively treat the depreciation of such specified research or experimental expenditures in accordance with the schedule provided in 26 USCS Section 174. A taxpayer may make an election whether to take a full and immediate deduction for such expenditures and/or to depreciate the expenditures in accordance with 26 USCS Section 174. Such an election may be made for any tax year if made not later than the time prescribed by law for filing the return for such tax year,

including extensions thereof. The method so elected by the taxpayer is irrevocable unless the commissioner specifically allows a change in the method.

2. For the purpose of computing income tax for tax years beginning after December 31, 2022, expenditures for business assets that are qualified property or qualified improvement property shall be eligible for one hundred percent (100%) bonus depreciation and may be deducted as an expense incurred by the taxpayer during the tax year during which the property is placed in service, notwithstanding any changes to federal law related to cost recovery beginning on January 1, 2023, or on any other date. A taxpayer may alternatively treat the depreciation of such business assets in accordance with the schedule provided in 26 USCS Section 168. A taxpayer may make an election whether to take a bonus depreciation deduction for such expenditures and/or to depreciate the expenditures in accordance with 26 USCS Section 168. Such an election may be made for any tax year if made not later than the time prescribed by law for filing the return for such tax year, including extensions thereof. The method so elected by the taxpayer is irrevocable unless the commissioner specifically allows a change in the method.

3. In any taxable year in which any 26 USCS Section 179 property is placed in service, a taxpayer may elect to treat the cost of such property as an expense which is not chargeable to a capital account, and any cost so treated shall be allowed as a deduction for that year. Mississippi's treatment of the deduction shall conform to the provisions of 26 USCS Section 179 in effect for that year.

4. For the purposes of this subparagraph (ii), unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

a. "Qualified improvement property" means and has the same definition as such term has in 26 USCS Section 168(e)(6) as it existed on January 1, 2021, and shall apply to property placed in service after December 31, 2022.

b. "Qualified property" means and has the same definition as such term has in 26 USCS Section 168(k) as it existed on January 1, 2021, and shall apply to property placed in service after December 31, 2022.

c. "Specified research or experimental expenditures" means and has the same definition as such term has in 26 USCS Section 174 as it existed on January 1, 2021.

5. Nothing in this subparagraph (ii) shall be construed to nullify or otherwise alter the treatment of depreciation expenses for any tax year prior to 2023.

6. The total of any method or combination of methods of depreciation used under this subparagraph (ii) cannot exceed one hundred percent (100%) of the cost of the subject property.

(g) Depletion. In the case of mines, oil and gas wells, other natural deposits and timber, a reasonable allowance for depletion and for depreciation of improvements, based upon cost, including cost of development, not otherwise deducted, or fair market value as of March 16, 1912, if acquired prior to that date, such allowance to be made upon regulations prescribed by the commissioner, with the approval of the Governor.

(h) Contributions or gifts. Except as otherwise provided in paragraph (p) of this subsection or subsection (3)(a) of this section for individuals, contributions or gifts made by corporations within the taxable year to corporations, organizations, associations or institutions, including Community Chest funds, foundations and trusts created solely and exclusively for religious, charitable, scientific or educational purposes, or for the prevention of cruelty to children or animals, no part of the net earnings of which inure to the benefit of any private stockholder or individual. This deduction shall be allowed in an

amount not to exceed twenty percent (20%) of the net income. Such contributions or gifts shall be allowable as deductions only if verified under rules and regulations prescribed by the commissioner, with the approval of the Governor. Contributions made in any form other than cash shall be allowed as a deduction, subject to the limitations herein provided, in an amount equal to the actual market value of the contributions at the time the contribution is actually made and consummated.

(i) Reserve funds - insurance companies. In the case of insurance companies the net additions required by law to be made within the taxable year to reserve funds when such reserve funds are maintained for the purpose of liquidating policies at maturity.

(j) Annuity income. The sums, other than dividends, paid within the taxpayer year on policy or annuity contracts when such income has been included in gross income.

(k) Contributions to employee pension plans. Contributions made by an employer to a plan or a trust forming part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan of such employer for the exclusive benefit of some or all of his, their, or its employees, or their beneficiaries, shall be deductible from his, their, or its income only to the extent that, and for the taxable year in which, the contribution is deductible for federal income tax purposes under the Internal Revenue Code of 1986 and any other provisions of similar purport in the Internal Revenue Laws of the United States, and the rules, regulations, rulings and determinations promulgated thereunder, provided that:

(i) The plan or trust be irrevocable.

(ii) The plan or trust constitute a part of a pension plan, stock bonus plan, disability or death-benefit plan, or profit-sharing plan for the exclusive benefit of some or all of the employer's employees and/or officers, or their beneficiaries, for the purpose of distributing the corpus and income of the plan or trust to such employees and/or officers, or their beneficiaries.

(iii) No part of the corpus or income of the plan or trust can be used for purposes other than for the exclusive benefit of employees and/or officers, or their beneficiaries.

Contributions to all plans or to all trusts of real or personal property (or real and personal property combined) or to insured plans created under a retirement plan for which provision has been made under the laws of the United States of America, making such contributions deductible from income for federal income tax purposes, shall be deductible only to the same extent under the Income Tax Laws of the State of Mississippi.

(l) Net operating loss carrybacks and carryovers. A net operating loss for any taxable year ending after December 31, 1993, and taxable years thereafter, shall be a net operating loss carryback to each of the three (3) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the three (3) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the fifteen (15) taxable years following the taxable year of the loss beginning with any taxable year after December 31, 1991.

For any taxable year ending after December 31, 1997, the period for net operating loss carrybacks and net operating loss carryovers shall be the same as those established by the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder as in effect at the taxable year end or on December 31, 2000, whichever is earlier.

A net operating loss for any taxable year ending after December 31, 2001, and taxable years thereafter, shall be a net operating loss carryback to each of the two (2) taxable years preceding the taxable year of the loss. If the net operating loss for any taxable year is not exhausted by carrybacks to the two (2) taxable years preceding the taxable year of the loss, then there shall be a net operating loss carryover to each of the twenty (20) taxable years following the taxable year of the loss beginning with any taxable year after the taxable year of the loss.

The term "net operating loss," for the purposes of this paragraph, shall be the excess of the deductions allowed over the gross income; provided, however, the following deductions shall not be allowed in computing same:

(i) No net operating loss deduction shall be allowed.

(ii) No personal exemption deduction shall be allowed.

(iii) Allowable deductions which are not attributable to taxpayer's trade or business shall be allowed only to the extent of the amount of gross income not derived from such trade or business.

Any taxpayer entitled to a carryback period as provided by this paragraph may elect to relinquish the entire carryback period with respect to a net operating loss for any taxable year ending after December 31, 1991. The election shall be made in the manner prescribed by the Department of Revenue and shall be made by the due date, including extensions of time, for filing the taxpayer's return for the taxable year of the net operating loss for which the election is to be in effect. The election, once made for any taxable year, shall be irrevocable for that taxable year.

(m) Amortization of pollution or environmental control facilities. Allowance of deduction. Every taxpayer, at his election, shall be entitled to a deduction for pollution or environmental control facilities to the same extent as that allowed under the Internal Revenue Code and the rules, regulations, rulings and determinations promulgated thereunder.

(n) Dividend distributions - real estate investment trusts. "Real estate investment trust" (hereinafter referred to as REIT) shall have the meaning ascribed to such term in Section 856 of the federal Internal Revenue Code of 1986, as amended. A REIT is allowed a dividend distributed deduction if the dividend distributions meet the requirements of Section 857 or are otherwise deductible under Section 858 or 860, federal Internal Revenue Code of 1986, as amended. In addition:

(i) A dividend distributed deduction shall only be allowed for dividends paid by a publicly traded REIT. A qualified REIT subsidiary shall be allowed a dividend distributed deduction if its owner is a publicly traded REIT.

(ii) Income generated from real estate contributed or sold to a REIT by a shareholder or related party shall not give rise to a dividend distributed deduction, unless the shareholder or related party would have received the dividend distributed deduction under this chapter.

(iii) A holding corporation receiving a dividend from a REIT shall not be allowed the deduction in Section 27-7-15(4)(t).

(iv) Any REIT not allowed the dividend distributed deduction in the federal Internal Revenue Code of 1986, as amended, shall not be allowed a dividend distributed deduction under this chapter.

The commissioner is authorized to promulgate rules and regulations consistent with the provisions in Section 269 of the federal Internal Revenue Code of 1986, as amended, so as to prevent the evasion or avoidance of state income tax.

(o) Contributions to college savings trust fund accounts. Contributions or payments to a Mississippi Affordable College Savings Program account are deductible as provided under Section 37-155-113. Payments made under a prepaid tuition contract entered into under the Mississippi Prepaid Affordable College Tuition Program are deductible as provided under Section 37-155-17.

(p) Contributions of human pharmaceutical products. To the extent that a "major supplier" as defined in Section 27-13-13(2)(d) contributes human pharmaceutical products in excess of Two Hundred Fifty Million Dollars (\$250,000,000.00) as determined under Section 170 of the Internal Revenue Code, the charitable contribution limitation associated with those donations shall follow the federal limitation but cannot result in the Mississippi net income being reduced below zero.

(q) Contributions to ABLE trust fund accounts. Contributions or payments to a Mississippi Achieving a Better Life Experience (ABLE) Program account are deductible as provided under Section 43-28-13.

(2) Restrictions on the deductibility of certain intangible expenses and interest expenses with a related member.

(a) As used in this subsection (2):

(i) "Intangible expenses and costs" include:

1. Expenses, losses and costs for, related to, or in connection directly or indirectly with the direct or indirect acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property to the extent such amounts are allowed as deductions or costs in determining taxable income under this chapter;

2. Expenses or losses related to or incurred in connection directly or indirectly with factoring transactions or discounting transactions;

3. Royalty, patent, technical and copyright fees;

4. Licensing fees; and

5. Other similar expenses and costs.

(ii) "Intangible property" means patents, patent applications, trade names, trademarks, service marks, copyrights and similar types of intangible assets.

(iii) "Interest expenses and cost" means amounts directly or indirectly allowed as deductions for purposes of determining taxable income under this chapter to the extent such interest expenses and costs are directly or indirectly for, related to, or in connection with the direct or indirect acquisition, maintenance, management, ownership, sale, exchange or disposition of intangible property.

(iv) "Related member" means an entity or person that, with respect to the taxpayer during all or any portion of the taxable year, is a related entity, a component member as defined in the Internal Revenue Code, or is an entity or a person to or from whom there is attribution of stock ownership in accordance with Section 1563(e) of the Internal Revenue Code.

(v) "Related entity" means:

1. A stockholder who is an individual or a member of the stockholder's family, as defined in regulations prescribed by the commissioner, if the stockholder and the members of the stockholder's family own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

2. A stockholder, or a stockholder's partnership, limited liability company, estate, trust or corporation, if the stockholder and the stockholder's partnerships, limited liability companies, estates, trusts and corporations own, directly, indirectly, beneficially or constructively, in the aggregate, at least fifty percent (50%) of the value of the taxpayer's outstanding stock;

3. A corporation, or a party related to the corporation in a manner that would require an attribution of stock from the corporation to the party or from the party to the corporation, if the taxpayer owns, directly, indirectly, beneficially or constructively, at least fifty percent (50%) of the value of the corporation's outstanding stock under regulation prescribed by the commissioner;

4. Any entity or person which would be a related member under this section if the taxpayer were considered a corporation for purposes of this section.

(b) In computing net income, a taxpayer shall add back otherwise deductible interest expenses and costs and intangible expenses and costs directly or indirectly paid, accrued to or incurred, in connection directly or indirectly with one or more direct or indirect transactions with one or more related members.

(c) The adjustments required by this subsection shall not apply to such portion of interest expenses and costs and intangible expenses and costs that the taxpayer can establish meets one (1) of the following:

(i) The related member directly or indirectly paid, accrued or incurred such portion to a person during the same income year who is not a related member; or

(ii) The transaction giving rise to the interest expenses and costs or intangible expenses and costs between the taxpayer and related member was done primarily for a valid business purpose other than the avoidance of taxes, and the related member is not primarily engaged in the acquisition, use, maintenance or management, ownership, sale, exchange or any other disposition of intangible property.

(d) Nothing in this subsection shall require a taxpayer to add to its net income more than once any amount of interest expenses and costs or intangible expenses and costs that the taxpayer pays, accrues or incurs to a related member.

(e) The commissioner may prescribe such regulations as necessary or appropriate to carry out the purposes of this subsection, including, but not limited to, clarifying definitions of terms, rules of stock attribution, factoring and discount transactions.

(3) Individual nonbusiness deductions.

(a) The amount allowable for individual nonbusiness itemized deductions for federal income tax purposes where the individual is eligible to elect, for the taxable year, to itemize deductions on his federal return except the following:

(i) The deduction for state income taxes paid or other taxes allowed for federal purposes in lieu of state income taxes paid;



(ii) The deduction for gaming losses from gaming establishments;

(iii) The deduction for taxes collected by licensed gaming establishments pursuant to Section 27-7-901;

(iv) The deduction for taxes collected by gaming establishments pursuant to Section 27-7-903; and

(v) The deduction for medical expenses for the provision of gender transition procedures as defined in Section 2 of this act.

(b) In lieu of the individual nonbusiness itemized deductions authorized in paragraph (a), for all purposes other than ordinary and necessary expenses paid or incurred during the taxable year in carrying on any trade or business, an optional standard deduction of:

(i) Three Thousand Four Hundred Dollars (\$3,400.00) through calendar year 1997, Four Thousand Two Hundred Dollars (\$4,200.00) for the calendar year 1998 and Four Thousand Six Hundred Dollars (\$4,600.00) for each calendar year thereafter in the case of married individuals filing a joint or combined return;

(ii) One Thousand Seven Hundred Dollars (\$1,700.00) through calendar year 1997, Two Thousand One Hundred Dollars (\$2,100.00) for the calendar year 1998 and Two Thousand Three Hundred Dollars (\$2,300.00) for each calendar year thereafter in the case of married individuals filing separate returns;

(iii) Three Thousand Four Hundred Dollars (\$3,400.00) in the case of a head of family; or

(iv) Two Thousand Three Hundred Dollars (\$2,300.00) in the case of an individual who is not married.

In the case of a husband and wife living together, having separate incomes, and filing combined returns, the standard deduction authorized may be divided in any manner they choose. In the case of separate returns by a husband and wife, the standard deduction shall not be allowed to either if the taxable income of one of the spouses is determined without regard to the standard deduction.

(c) A nonresident individual shall be allowed the same individual nonbusiness deductions as are authorized for resident individuals in paragraph (a) or (b) of this subsection; however, the nonresident individual is entitled only to that proportion of the individual nonbusiness deductions as his net income from sources within the State of Mississippi bears to his total or entire net income from all sources.

(4) Nothing in this section shall permit the same item to be deducted more than once, either in fact or in effect.

(5) Notwithstanding any other provision in Title 27, Mississippi Code of 1972, there shall be allowed an income tax deduction for otherwise deductible expenses if:

(a) The payment(s) for such deductible expenses are made with the grant or loan program of the Paycheck Protection Program as authorized under (i) the Coronavirus Aid, Relief, and Economic Security (CARES) Act and the Consolidated Appropriations Act of 2021, (ii) the COVID-19 Economic Injury Disaster Loan Program, (iii) the 2020 COVID-19 Mississippi Business Assistance Act, (iv) the Rental Assistance Grant Program, (v) the Shuttered Venue Operators Grant Program and Restaurant Revitalization Fund authorized by the Economic Aid to Hard-Hit Small Businesses, Nonprofits, and Venues Act, and amended by the federal American Rescue Plan Act, and/or (vi) the Mississippi Agriculture Stabilization Act; and

(b) Such deductible expenses shall be allowed as deductions for federal income tax purposes.

SECTION 2. This act shall take effect and be in force from and after January 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1125, 2023 REGULAR SESSION, TO REVISE THE METHODS OF DEPRECIATION THAT MAY BE USED FOR CERTAIN EXPENDITURES AND PROPERTY UNDER THE STATE INCOME TAX LAW; AND FOR RELATED PURPOSES.

Amendment No. 2 to H. B. No. 1733 was adopted.

YEAS AND NAYS On H. B. No. 1733. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Harkins called up the following entitled bill:

**H. B. No. 1734:** Bonds; authorize for various purposes.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 3, Chapter 421, Laws of 2019, is amended as follows:

Section 3. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bonds means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) The Mississippi Development Authority, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for the program authorized in Section 57-1-16. Upon the adoption of a resolution by the Mississippi Development Authority declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Mississippi Development Authority shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Twenty-nine Million Dollars (\$29,000,000.00). No bonds authorized under this section shall be issued after July 1, 2023.

(b) The proceeds of bonds issued pursuant to this section shall be deposited into the ACE Fund created pursuant to Section 57-1-16. Any investment earnings on bonds issued pursuant to this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(3) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(4) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(5) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(6) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale

of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bonds shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(7) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(8) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the ACE Fund created in Section 57-1-16. The proceeds of such bonds shall be disbursed solely upon the order of the Mississippi Development Authority under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(9) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(10) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(11) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(12) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(13) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(14) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(15) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(16) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 2. Section 6, Chapter 492, Laws of 2020, which authorizes the issuance of state general obligation bonds in the amount of Ten Million Dollars (\$10,000,000.00) for the ACE Fund created in Section 57-1-16, is repealed.

SECTION 3. There is created in the State Treasury a special fund designated as the "2023 ACE Fund Supplementary Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies deposited into the fund shall be used for supplementing the ACE Fund created in Section 57-1-16 to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs it administers.

SECTION 4. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirty-one Million Dollars (\$31,000,000.00) from the Capital Expense Fund to the 2023 ACE Fund Supplementary Fund created in Section 3 of this act.

SECTION 5. Section 4, Chapter 460, Laws of 2006, is amended is follows:

Section 4. (1) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in Section 2 of this act. Upon the issuance of a certificate by the executive director of the department, declaring the necessity for the issuance of any part or all of the general

obligation bonds authorized by this section, the executive director shall deliver a certified copy of his certificate or certificates to the commission. Upon receipt of the certificate, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this act shall not exceed \* \* \* Twenty Million Seven Hundred Twenty Thousand Dollars (\$20,720,000.00).

(2) Any investment earnings on amounts deposited into the special fund created in Section 2 of this act shall be used to pay debt service on bonds issued under this act, in accordance with the proceedings authorizing issuance of the bonds.

SECTION 6. Section 1, Chapter 454, Laws of 2019, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2019 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

		AMOUNT
NAME	PROJECT	ALLOCATED
Alcorn State University .....		\$ 6,320,000.00
	Planning, repair,	
	renovation, life safety	
	and ADA code upgrades,	
	furnishing and equipping	
	of campus buildings,	
	facilities, and infrastructure	
	and continuation and	
	completion of previously	

authorized projects.....\$ 6,320,000.00

Alcorn State University/Division of  
Agriculture.....\$ 720,000.00

Phase I of repair, renovation,  
furnishing, equipping and  
expansion of and additions  
to the Child Development  
Laboratory Center.....\$ 720,000.00

Delta State University.....\$ 7,320,000.00

Planning, repair,  
renovation, life safety  
and ADA code upgrades,  
furnishing and equipping  
and expansion of and  
additions to campus  
buildings, facilities,  
and infrastructure.....\$ 7,320,000.00

Jackson State University.....\$ 6,740,000.00

Repair, renovation,  
furnishing, equipping and  
expansion of and additions  
and improvements to campus  
buildings, facilities  
and infrastructure.....\$ 6,740,000.00

Mississippi State University.....\$ 10,320,000.00

Phase II of construction,  
furnishing and equipping of  
a new building and related  
facilities to house the  
Kinesiology Department.....\$ 10,000,000.00

Preplanning of construction,  
demolition, furnishing and  
equipping of a new building  
and related facilities to  
house the College of  
Architecture, Art  
and Design.....\$ 320,000.00

Mississippi State University/Division of  
Agriculture, Forestry and Veterinary  
Medicine.....\$ \* \* \* 7,985,000.00

Repair and renovation of  
buildings and related  
facilities at the  
Sustainable Bioproducts  
Complex and repair and  
renovation of Ballew Hall  
and related facilities.....\$ \* \* \* 7,985,000.00

Mississippi University for Women.....\$ 6,645,000.00

Phase I of construction,  
furnishing and equipping of  
a new building and related  
facilities to house the  
Culinary Arts Program.....\$ 6,645,000.00

Mississippi Valley State University.....\$ 6,320,000.00

Phase I of Student Union  
improvements and planning,  
repair, renovation, life  
safety and ADA code upgrades,  
furnishing and equipping

and expansion of and  
 additions to campus  
 buildings, facilities, and  
 infrastructure.....\$ 6,320,000.00  
 University of Mississippi ..... \$ 5,320,000.00  
 Repair, renovation,  
 furnishing, equipping and  
 expansion of and additions  
 to the Data Center Building  
 and related facilities.....\$ 5,320,000.00  
 University of Mississippi Medical Center..... \$ 12,000,000.00  
 Matching funds for site  
 development, planning,  
 design, construction, repair,  
 renovation, furnishing,  
 equipping, additions  
 to and expansion of  
 Blair E. Batson Children's  
 Hospital and related  
 facilities at the  
 University of Mississippi  
 Medical Center.....\$ 12,000,000.00  
 University of Southern Mississippi ..... \$ 13,300,000.00  
 Planning, repair,  
 renovation, life safety  
 and ADA code upgrades,  
 furnishing and equipping  
 and expansion of and  
 additions to campus  
 buildings including the  
 Cook Library and Old  
 Kinesiology, other  
 facilities, and  
 infrastructure.....\$ 8,300,000.00  
 Construction of improvements,  
 upgrades and additions to  
 campus infrastructure  
 including roads and  
 streets, sidewalks,  
 parking lots and related  
 facilities.....\$ 5,000,000.00  
 University of Southern Mississippi/Gulf  
 Coast Campuses..... \$ 1,700,000.00  
 Planning, repair,  
 renovation, life safety,  
 and ADA code upgrades,  
 furnishing and equipping  
 of campus buildings,  
 facilities, and  
 infrastructure at any of  
 the coast campuses including  
 Gulf Park, Halstead and Cedar  
 Point.....\$ 1,700,000.00  
 IHL Education and Research Center ..... \$ 690,000.00  
 Repair, renovation,  
 furnishing, equipping and  
 expansion of and additions  
 and improvements to campus  
 buildings, facilities



and infrastructure.....\$ 690,000.00  
TOTAL .....\$ \* \* \* 85,380,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission.

Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Eighty-five Million Three Hundred Eighty Thousand Dollars (\$85,380,000.00). No bonds shall be issued under this section after July 1, 2023.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date

or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those

proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 7. Section 1, Chapter 492, Laws of 2020, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2020 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital

improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University .....		\$ 3,650,000.00
	Campus safety and security project, including open space development, sprinkler systems for dormitories, security camera installation, card access systems, street lighting, and emergency kiosks.....	\$ 3,650,000.00
Alcorn State University/Division of Agriculture .....		\$ 2,635,000.00
	Phase II of repair, renovation, furnishing, equipping and expansion of and additions to the Child Development Learning Center.....	\$ 2,635,000.00
Delta State University .....		\$ 3,000,000.00
	Repair, renovation, and upgrading of campus buildings and facilities.....	\$ 3,000,000.00
Jackson State University .....		\$ 5,260,000.00
	Phase III of repair, renovation, and upgrading of campus buildings, facilities, and infrastructure.....	\$ 5,260,000.00
* * *		
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine .....		\$ 7,935,000.00
	Phase II of repair and renovation, replacement and/or demolition of Ballew Hall and related facilities.....	\$ 7,535,000.00
	Pre-planning for repair and renovation of Dorman Hall and related facilities.....	\$ 400,000.00
Mississippi University for Women .....		\$ 13,000,000.00
	Phase II of construction, furnishing and equipping of a new building and related facilities to house the Culinary Arts Program.....	\$ 13,000,000.00
Mississippi Valley State University.....		\$ 13,435,000.00
	Phase II of Student Union improvements and planning, repair, renovation, life safety and ADA code upgrades, furnishing and equipping and expansion of and additions to campus buildings, facilities, and infrastructure.....	\$ 13,435,000.00

University of Mississippi .....	\$ 13,530,000.00
Phase II of repair, renovation, furnishing, equipping and expansion of and additions to the Data Center Building and related facilities.....	\$ 13,530,000.00
University of Mississippi Medical Center .....	\$ 5,680,000.00
Replacement of HVAC systems, boilers and related equipment, infrastructure and controls....	\$ 5,680,000.00
University of Southern Mississippi .....	\$ 6,500,000.00
Phase II of repair and renovation of the Kinesiology Building and related facilities.....	\$ 6,000,000.00
Pre-planning for repair and renovation of Hickman Hall and related facilities.....	\$ 500,000.00
University of Southern Mississippi/Gulf Coast Campuses.....	\$ 700,000.00
Pre-planning for design of Executive Education and Conference Center and related facilities on the Gulf Park campus.....	\$ 200,000.00
Planning, repair, renovation, life safety, and ADA code upgrades, furnishing and equipping of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus.....	\$ 500,000.00
IHL Education and Research Center .....	\$ 1,400,000.00
Replace mechanical air handlers at Jackson State University's Edsel E. Thrash Universities Center and the Mississippi Public Broadcasting Building.....	\$ 1,400,000.00
TOTAL .....	\$ *** 76,725,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Seventy-six Million Seven Hundred Twenty-five Thousand Dollars (\$76,725,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not

have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under

this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 8. Section 1, Chapter 480, Laws of 2021, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University .....		\$ 5,675,000.00
Phase I of repair and renovation of and upgrades and improvements to campus dormitories.....		\$ 5,675,000.00
Delta State University .....		\$ 10,800,000.00
Renovation and expansion of and upgrades, improvements and additions to the Robert E. Smith		



School of Nursing Building and related facilities.....\$	7,800,000.00	
Repair, renovation and upgrading of campus buildings and facilities.....\$	3,000,000.00	
Jackson State University .....		\$ 6,500,000.00
Phase III of repair, renovation and upgrading of campus buildings, facilities, and infrastructure.....\$	6,000,000.00	
Preplanning for construction, furnishing and equipping of a new dining facility and related facilities.....\$	500,000.00	
Mississippi State University .....		\$ * * * 4,820,000.00
Phase I of construction, furnishing and equipping of a new building and related facilities to house the College of Architecture, Art and Design.....\$ * * *	4,820,000.00	
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine.....\$ * * *		1,600,000.00
Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....\$ * * *	1,600,000.00	
Mississippi University for Women .....		\$ 2,750,000.00
Repair, renovation, and upgrading of campus buildings and facilities.....\$	2,750,000.00	
Mississippi Valley State University.....\$		500,000.00
Preplanning for repair, renovation, furnishing and equipping of the Charles Lackey Recreation Center.....\$	500,000.00	
University of Mississippi .....		\$ 12,000,000.00
Construction, furnishing and equipping of a new mechanical and power plant building and related facilities.....\$	12,000,000.00	
University of Mississippi Medical Center.....\$		8,000,000.00
Repair, renovation, and upgrading of campus buildings and facilities.....\$	8,000,000.00	
University of Southern Mississippi .....		\$ 10,750,000.00
Repair and renovation of Hickman Hall and related facilities.....\$	10,000,000.00	

Preplanning and construction, furnishing and equipping of a new science research facility...\$	750,000.00	
University of Southern Mississippi/Gulf Coast Campuses.....	\$ * * *	1,500,000.00
Construction, furnishing and equipping of Executive Education and Conference Center and related facilities on the Gulf Park Campus * * *, and Repair, renovation, life safety, and ADA code upgrades, furnishing and equipping of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus.....	\$ * * *	1,500,000.00
IHL Education and Research Center .....	\$	600,000.00
Planning, repair, renovation, life safety and ADA code upgrades of buildings, facilities and infrastructure, including the Paul B. Johnson Tower, Edsel E. Thrash Universities Center and the Mississippi Public Broadcasting Building.....	\$	600,000.00
TOTAL .....	\$ * * *	65,495,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection

with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Sixty-five Million Four Hundred Ninety-five Thousand Dollars (\$65,495,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and

sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 9. There is created in the State Treasury a special fund designated as the "2023 IHL Capital Projects Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine .....		\$ 2,500.00
	Repair and renovation of buildings and related facilities at the Sustainable Bioproducts Complex and repair and renovation of Ballew Hall and related facilities.....	\$ 2,500.00
Mississippi State University .....		\$ 10,000,000.00
	Phase III of construction, furnishing and equipping of a new building and related facilities to house the Kinesiology Department.....	\$ 10,000,000.00
Mississippi State University .....		\$ 10,180,000.00
	Phase I of construction, furnishing and equipping of a new building and related facilities to house the College of Architecture, Art and Design.....	\$ 10,180,000.00
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine .....		\$ 6,400,000.00
	Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....	\$ 6,400,000.00
University of Southern Mississippi/Gulf Coast Campuses .....		\$ 4,300,000.00
	Construction, furnishing and equipping of Executive Education	

and Conference Center  
and related facilities  
on the Gulf Park; and  
Repair, renovation  
life safety, and  
ADA code upgrades,  
furnishing and equipping  
of campus buildings  
and facilities  
at the Gulf Coast  
Research Laboratory,  
Halstead Campus.....\$ 4,300,000.00

TOTAL ..... \$ 30,882,500.00

SECTION 10. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirty Million Eight Hundred Eighty-two Thousand Five Hundred Dollars (\$30,882,500.00) from the Capital Expense Fund to the 2023 IHL Capital Projects Fund created in Section 9 of this act.

SECTION 11. Section 3, Chapter 492, Laws of 2020, is amended as follows:

Section 3. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2020 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this act.

(ii) 1. Except as otherwise provided, monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma .....	\$ 1,615,000.00
Copiah-Lincoln .....	1,915,000.00
East Central .....	*** 1,500,000.00
East Mississippi.....	2,125,000.00
Hinds 3,925,000.00	
Holmes.....	2,640,000.00
Itawamba .....	*** 0.00
Jones 2,340,000.00	
Meridian .....	1,955,000.00
Mississippi Delta.....	1,795,000.00
Mississippi Gulf Coast .....	3,440,000.00
Northeast Mississippi.....	2,040,000.00
Northwest Mississippi.....	3,500,000.00
Pearl River .....	2,365,000.00
Southwest Mississippi .....	*** 0.00
GRAND TOTAL.....	\$ *** 31,155,000.00

Funds disbursed to Northwest Mississippi Community College under this section shall be used by the college to assist in paying costs associated with construction, furnishing and equipping of the Northwest Mississippi Community College Performing Arts Center and related facilities and the community college shall be exempt from Department of Finance and Administration control and supervision relating to such project.

2. The Department of Finance and Administration is authorized to transfer not more than One Million Dollars (\$1,000,000.00) of available bond funds under this section or any other law to each community college requesting to be exempt from department control and supervision relating to the repair, renovation and improvement of existing facilities owned by the community colleges, including utility infrastructure projects; heating, ventilation and air conditioning systems; and the replacement of furniture and equipment. The community colleges shall comply with all applicable statutes related to the purchase of the repair, renovation and improvement of such existing facilities.

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Thirty-one Million One Hundred Fifty-five Thousand Dollars (\$31,155,000.00). No bonds shall be issued under this section after July 1, 2024.

(b) Any investment earnings on amounts deposited into the special funds created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature

absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such



resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 12. Section 2, Chapter 480, Laws of 2021, is amended as follows:

Section 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 Community and Junior Colleges Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this act.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as

recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma .....	\$ 1,601,497.00
Copiah-Lincoln .....	1,914,389.00
East Central .....	* * * 1,030,000.00
East Mississippi .....	* * * 0.00
Hinds 3,858,858.00	
Holmes .....	2,670,171.00
Itawamba .....	* * * 1,532.00
Jones 2,354,904.00	
Meridian .....	1,932,245.00
Mississippi Delta .....	1,801,892.00
Mississippi Gulf Coast .....	3,410,539.00
Northeast Mississippi .....	* * * 0.00
Northwest Mississippi .....	2,937,492.00
Pearl River .....	2,456,481.00
Southwest Mississippi .....	* * * 0.00
GRAND TOTAL .....	\$ * * * 25,970,000.00

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the community college or junior college for which any such monies are allocated under paragraph (a) of this subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Twenty-five Million Nine Hundred Seventy Thousand Dollars (\$25,970,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special funds created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 13. There is created in the State Treasury a special fund designated as the "2023 Community Colleges Capital Projects Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

East Central .....	\$ 1,078,372.00
East Mississippi.....	2,070,016.00
Itawamba .....	4,879,814.00
Northeast Mississippi.....	2,052,257.00
Southwest Mississippi .....	3,384,541.00

TOTAL ..... \$ 13,465,000.00

SECTION 14. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirteen Million Four Hundred Sixty-five Thousand Dollars (\$13,465,000.00) from the Capital Expense Fund to the 2023 Community Colleges Capital Projects Fund created in Section 13 of this act.

SECTION 15. Section 57-75-15, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars (\$77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xii) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvi) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed \* \* \* Fifteen Million One Hundred Thousand Dollars (\$15,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed \* \* \* Seventy Million Dollars (\$70,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed \* \* \* Six Million Dollars (\$6,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(dd) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall not exceed Two Hundred Forty-six Million Seven Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$246,798,550.00); however, the total amount of bonds that may be issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 First Extraordinary Session specifically for such projects. No bonds shall be issued under this paragraph after July 1, 2040.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

(i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;

(ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;

(iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;

(v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;

(vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of

such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;

(vii) Providing for the payment of interest on the bonds;

(viii) Providing debt service reserves;

(ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;

(x) For purposes authorized in paragraphs (b) and (c) of this

subsection (4);

(xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);

(xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);

(xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);

(xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;

(xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);

(xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;

(xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);

(xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing grants and loans as authorized in Section 57-75-11(tt);

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate; and

(xxiv) Providing loans, grants and other funds as authorized in Sections 57-75-11(xx) and 57-75-11(yy) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not



exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.

(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this

chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including

paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans,

there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj), Section 57-75-11(vv) and Section 57-75-11(xx) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

[From and after July 1, 2025, this section shall read as follows:]

57-75-15. (1) Upon notification to the authority by the enterprise that the state has been finally selected as the site for the project, the State Bond Commission shall have the power and is hereby authorized and directed, upon receipt of a declaration from the authority as hereinafter provided, to borrow money and issue general obligation bonds of the state in one or more series for the purposes herein set out. Upon such notification, the authority may thereafter, from time to time, declare the necessity for the issuance of general obligation bonds as authorized by this section and forward such declaration to the State Bond Commission, provided that before such notification, the authority may enter into agreements with the United States government, private companies and others that will commit the authority to direct the State Bond Commission to issue bonds for eligible undertakings set out in subsection (4) of this section, conditioned on the siting of the project in the state.

(2) Upon receipt of any such declaration from the authority, the State Bond Commission shall verify that the state has been selected as the site of the project and shall act as the issuing agent for the series of bonds directed to be issued in such declaration pursuant to authority granted in this section.

(3) (a) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(i) shall not exceed an aggregate principal amount in the sum of Sixty-seven Million Three Hundred Fifty Thousand Dollars (\$67,350,000.00).

(b) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(ii) shall not exceed Seventy-seven Million Dollars (\$77,000,000.00). The authority, with the express direction of the State Bond Commission, is authorized to expend any remaining proceeds of bonds issued under the authority of this act prior to January 1, 1998, for the purpose of financing projects as then defined in Section 57-75-5(f)(ii) or for any other projects as defined in Section 57-75-5(f)(ii), as it may be amended from time to time. No bonds shall be issued under this paragraph (b) until the State Bond Commission by resolution adopts a finding that

the issuance of such bonds will improve, expand or otherwise enhance the military installation, its support areas or military operations, or will provide employment opportunities to replace those lost by closure or reductions in operations at the military installation or will support critical studies or investigations authorized by Section 57-75-5(f)(ii).

(c) Bonds issued under the authority of this section for projects as defined in Section 57-75-5(f)(iii) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after December 31, 1996.

(d) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(iv) shall not exceed Three Hundred Fifty-one Million Dollars (\$351,000,000.00). An additional amount of bonds in an amount not to exceed Twelve Million Five Hundred Thousand Dollars (\$12,500,000.00) may be issued under the authority of this section for the purpose of defraying costs associated with the construction of surface water transmission lines for a project defined in Section 57-75-5(f)(iv) or for any facility related to the project. No bonds shall be issued under this paragraph after June 30, 2005.

(e) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(v) and for facilities related to such projects shall not exceed Thirty-eight Million Five Hundred Thousand Dollars (\$38,500,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(f) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vi) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2006.

(g) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(vii) shall not exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00). No bonds shall be issued under this paragraph after June 30, 2008.

(h) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(viii) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after June 30, 2007.

(i) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(ix) shall not exceed Five Million Dollars (\$5,000,000.00). No bonds shall be issued under this paragraph after April 1, 2005.

(j) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(x) shall not exceed Thirty-three Million Dollars (\$33,000,000.00). The amount of bonds that may be issued under this paragraph for projects defined in Section 57-75-5(f)(xii) may be reduced by the amount of any federal or local funds made available for such projects. No bonds shall be issued under this paragraph until local governments in or near the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Five Hundred Thousand Dollars (\$2,500,000.00) in the aggregate; however, this irrevocable commitment requirement may be waived by the authority upon a finding that due to the unforeseen circumstances created by Hurricane Katrina, the local governments are unable to comply with such commitment. No bonds shall be issued under this paragraph after June 30, 2008.

(k) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xi) shall not exceed Three Million Dollars (\$3,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(l) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiii) shall not exceed Twenty-four Million Dollars (\$24,000,000.00). No bonds shall be issued under this paragraph until local governments in the county in which the project is located have irrevocably committed funds to the project in an amount of not less than Two Million Dollars (\$2,000,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(m) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xiv) shall not exceed Five Hundred Thousand Dollars (\$500,000.00). No bonds shall be issued under this paragraph after June 30, 2009.

(n) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xv) shall not exceed Ten Million Dollars (\$10,000,000.00). No bonds shall be issued under this paragraph after June 30, 2011.

(o) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xvii) shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). No bonds shall be issued under this paragraph after June 30, 2010.

(p) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xviii) shall not exceed Ninety-six Million Dollars (\$96,000,000.00). No bonds shall be issued under this paragraph after June 30, 2016.

(q) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xix) shall not exceed Fifteen Million Dollars (\$15,000,000.00). No bonds shall be issued under this paragraph after June 30, 2012.

(r) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xx) shall not exceed Twenty-three Million Dollars (\$23,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(s) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxi) shall not exceed Two Hundred Ninety-three Million Nine Hundred Thousand Dollars (\$293,900,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(t) Bonds issued under the authority of this section for Tier One suppliers shall not exceed Thirty Million Dollars (\$30,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(u) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxii) shall not exceed Forty-eight Million Four Hundred Thousand Dollars (\$48,400,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(v) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiii) shall not exceed Eighty-eight Million Two Hundred Fifty Thousand Dollars (\$88,250,000.00). No bonds shall be issued under this paragraph after July 1, 2009.

(w) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxiv) shall not exceed Thirteen Million Dollars (\$13,000,000.00). No bonds shall be issued under this paragraph after July 1, 2020.

(x) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxv) shall not exceed Twenty-five Million Dollars (\$25,000,000.00). No bonds shall be issued under this paragraph after July 1, 2017.

(y) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvi) shall not exceed \* \* \* Fifteen Million One Hundred Thousand Dollars (\$15,100,000.00). No bonds shall be issued under this paragraph after July 1, 2021.

(z) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxvii) shall not exceed Fifty Million Dollars (\$50,000,000.00). No bonds shall be issued under this paragraph after April 25, 2013.

(aa) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxviii) shall not exceed \* \* \* Seventy Million Dollars (\$70,000,000.00). No bonds shall be issued under this paragraph after July 1, 2023.

(bb) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxix) shall not exceed Two Hundred Sixty-three Million Dollars (\$263,000,000.00). No bonds shall be issued under this paragraph after July 1, 2034.

(cc) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall not exceed \* \* \* Six Million Dollars (\$6,000,000.00). No bonds shall be issued under this paragraph after July 1, 2025.

(dd) Bonds issued under the authority of this section for projects defined in Section 57-75-5(f)(xxxi) shall not exceed Two Hundred Forty-six Million Seven Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$246,798,550.00); however, the total amount of bonds that may be issued under the authority of this section for projects defined in Section 57-75-5(f)(xxx) shall be reduced by the amount of any other funds authorized by the Legislature during the 2022 First Extraordinary Session specifically for such projects. No bonds shall be issued under this paragraph after July 1, 2040.

(4) (a) The proceeds from the sale of the bonds issued under this section may be applied for the following purposes:

- (i) Defraying all or any designated portion of the costs incurred with respect to acquisition, planning, design, construction, installation, rehabilitation, improvement, relocation and with respect to state-owned property, operation and maintenance of the project and any facility related to the project located within the project area, including costs of design and engineering, all costs incurred to provide land, easements and rights-of-way, relocation costs with respect to the project and with respect to any facility related to the project located within the project area, and costs associated with mitigation of environmental impacts and environmental impact studies;
- (ii) Defraying the cost of providing for the recruitment, screening, selection, training or retraining of employees, candidates for employment or replacement employees of the project and any related activity;
- (iii) Reimbursing the Mississippi Development Authority for expenses it incurred in regard to projects defined in Section 57-75-5(f)(iv) prior to November 6, 2000. The Mississippi Development Authority shall submit an itemized list of expenses it incurred in regard to such projects to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;
- (iv) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(iv)1;
- (v) Paying any warranty made by the authority regarding site work for a project defined in Section 57-75-5(f)(iv)1;
- (vi) Defraying the cost of marketing and promotion of a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii). The authority shall submit an itemized list of costs incurred for marketing and promotion of such project to the Chairmen of the Finance and Appropriations Committees of the Senate and the Chairmen of the Ways and Means and Appropriations Committees of the House of Representatives;
- (vii) Providing for the payment of interest on the bonds;
- (viii) Providing debt service reserves;
- (ix) Paying underwriters' discount, original issue discount, accountants' fees, engineers' fees, attorneys' fees, rating agency fees and other fees and expenses in connection with the issuance of the bonds;
- (x) For purposes authorized in paragraphs (b) and (c) of this subsection (4);
- (xi) Providing grants to enterprises operating projects defined in Section 57-75-5(f)(v), or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;
- (xii) Providing grant funds or loans to a public agency or an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(ii);
- (xiii) Providing grant funds or loans to an enterprise owning, leasing or operating a project defined in Section 57-75-5(f)(xiv);
- (xiv) Providing grants, loans and payments to or for the benefit of an enterprise owning or operating a project defined in Section 57-75-5(f)(xviii);
- (xv) Purchasing equipment for a project defined in Section 57-75-5(f)(viii) subject to such terms and conditions as the authority considers necessary and appropriate;
- (xvi) Providing grant funds to an enterprise developing or owning a project defined in Section 57-75-5(f)(xx);
- (xvii) Providing grants and loans for projects as authorized in Section 57-75-11(kk), (ll), (mm), (uu), (vv) or, in connection with a facility related to such a project, for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;
- (xviii) Providing grants for projects as authorized in Section 57-75-11(pp) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate;
- (xix) Providing grants and loans for projects as authorized in Section 57-75-11(qq);
- (xx) Providing grants for projects as authorized in Section 57-75-11(rr);

(xxi) Providing grants, loans and payments as authorized in Section 57-75-11(ss);

(xxii) Providing loans as authorized in Section 57-75-11(tt);

(xxiii) Providing grants as authorized in Section 57-75-11(ww) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate; and

(xxiv) Providing loans, grants and other funds as authorized in Sections 57-75-11(xx) and 57-75-11(yy) for any purposes deemed by the authority in its sole discretion to be necessary and appropriate.

Such bonds shall be issued, from time to time, and in such principal amounts as shall be designated by the authority, not to exceed in aggregate principal amounts the amount authorized in subsection (3) of this section. Proceeds from the sale of the bonds issued under this section may be invested, subject to federal limitations, pending their use, in such securities as may be specified in the resolution authorizing the issuance of the bonds or the trust indenture securing them, and the earning on such investment applied as provided in such resolution or trust indenture.

(b) (i) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to a project for which funding is provided from the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph (b)(i) shall not exceed Three Hundred Thousand Dollars (\$300,000.00) in the aggregate. Reimbursements under this paragraph (b)(i) shall satisfy any applicable federal tax law requirements.

(ii) The proceeds of bonds issued after June 21, 2002, under this section for projects described in Section 57-75-5(f)(iv) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to a project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph (b)(ii) shall not exceed One Hundred Thousand Dollars (\$100,000.00) in the aggregate. Reimbursements under this paragraph (b)(ii) shall satisfy any applicable federal tax law requirements.

(c) (i) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority in providing assistance related to the project for which funding is provided for the use of proceeds of such bonds. The Mississippi Development Authority shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project.

(ii) Except as otherwise provided in this subsection, the proceeds of bonds issued under this section for a project described in Section 57-75-5(f) may be used to reimburse reasonable actual and necessary costs incurred by the Department of Audit in providing services related to the project for which funding is provided from the use of proceeds of such bonds. The Department of Audit shall maintain an accounting of actual costs incurred for each project for which reimbursements are sought. The Department of Audit may escalate its budget and expend such funds in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds. Reimbursements under this paragraph shall not exceed Twenty-five Thousand Dollars (\$25,000.00) for each project. Reimbursements under this paragraph shall satisfy any applicable federal tax law requirements.



(5) The principal of and the interest on the bonds shall be payable in the manner hereinafter set forth. The bonds shall bear date or dates; be in such denomination or denominations; bear interest at such rate or rates; be payable at such place or places within or without the state; mature absolutely at such time or times; be redeemable before maturity at such time or times and upon such terms, with or without premium; bear such registration privileges; and be substantially in such form; all as shall be determined by resolution of the State Bond Commission except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from the date thereof and extending not more than twenty-five (25) years from the date thereof. The bonds shall be signed by the Chairman of the State Bond Commission, or by his facsimile signature, and the official seal of the State Bond Commission shall be imprinted on or affixed thereto, attested by the manual or facsimile signature of the Secretary of the State Bond Commission. Whenever any such bonds have been signed by the officials herein designated to sign the bonds, who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until the delivery of the same to the purchaser, or had been in office on the date such bonds may bear.

(6) All bonds issued under the provisions of this section shall be and are hereby declared to have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code and in exercising the powers granted by this chapter, the State Bond Commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The State Bond Commission shall act as issuing agent for the bonds, prescribe the form of the bonds, advertise for and accept bids, issue and sell the bonds on sealed bids at public sale, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of the bonds. The State Bond Commission may sell such bonds on sealed bids at public sale for such price as it may determine to be for the best interest of the State of Mississippi, but no such sale shall be made at a price less than par plus accrued interest to date of delivery of the bonds to the purchaser. The bonds shall bear interest at such rate or rates not exceeding the limits set forth in Section 75-17-101 as shall be fixed by the State Bond Commission. All interest accruing on such bonds so issued shall be payable semiannually or annually; provided that the first interest payment may be for any period of not more than one (1) year.

Notice of the sale of any bonds shall be published at least one time, the first of which shall be made not less than ten (10) days prior to the date of sale, and shall be so published in one or more newspapers having a general circulation in the City of Jackson, Mississippi, selected by the State Bond Commission.

The State Bond Commission, when issuing any bonds under the authority of this section, may provide that the bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) State bonds issued under the provisions of this section shall be the general obligations of the state and backed by the full faith and credit of the state. The Legislature shall appropriate annually an amount sufficient to pay the principal of and the interest on such bonds as they become due. All bonds shall contain recitals on their faces substantially covering the foregoing provisions of this section.

(9) The State Treasurer is authorized to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants payable out of any funds appropriated by the Legislature under this section for such purpose, in such amounts as may be necessary to pay when due the principal of and interest on all bonds issued under the provisions of this section. The State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(10) The bonds may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this chapter. Any resolution providing for the issuance of general obligation bonds under the provisions of this section shall become effective immediately upon its adoption by the State Bond Commission, and any such resolution may be adopted at any regular or special meeting of the State Bond Commission by a majority of its members.

(11) In anticipation of the issuance of bonds hereunder, the State Bond Commission is authorized to negotiate and enter into any purchase, loan, credit or other agreement with any bank, trust company or other lending institution or to issue and sell interim notes for the purpose of making any payments authorized under this section. All borrowings made under this provision shall be evidenced by notes of the state which shall be issued from time to time, for such amounts not exceeding the amount of bonds authorized herein, in such form and in such denomination and subject to such terms and conditions of sale and issuance, prepayment or redemption and maturity, rate or rates of interest not to exceed the maximum rate authorized herein for bonds, and time of payment of interest as the State Bond Commission shall agree to in such agreement. Such notes shall constitute general obligations of the state and shall be backed by the full faith and credit of the state. Such notes may also be issued for the purpose of refunding previously issued notes. No note shall mature more than three (3) years following the date of its issuance. The State Bond Commission is authorized to provide for the compensation of any purchaser of the notes by payment of a fixed fee or commission and for all other costs and expenses of issuance and service, including paying agent costs. Such costs and expenses may be paid from the proceeds of the notes.

(12) The bonds and interim notes authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided now or hereafter by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The necessary papers for such validation proceedings shall be transmitted to the State Bond Attorney, and the required notice shall be published in a newspaper published in the City of Jackson, Mississippi.

(13) Any bonds or interim notes issued under the provisions of this chapter, a transaction relating to the sale or securing of such bonds or interim notes, their transfer and the income therefrom shall at all times be free from taxation by the state or any local unit or political subdivision or other instrumentality of the state, excepting inheritance and gift taxes.

(14) All bonds issued under this chapter shall be legal investments for trustees, other fiduciaries, savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi; and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of the state and all municipalities and other political subdivisions thereof for the purpose of securing the deposit of public funds.

(15) The Attorney General of the State of Mississippi shall represent the State Bond Commission in issuing, selling and validating bonds herein provided for, and the Bond Commission is hereby authorized and empowered to expend from the proceeds derived from the sale of the bonds authorized hereunder all necessary administrative, legal and other expenses incidental and related to the issuance of bonds authorized under this chapter.

(16) There is hereby created a special fund in the State Treasury to be known as the Mississippi Major Economic Impact Authority Fund wherein shall be deposited the proceeds of the bonds issued under this chapter and all monies received by the authority to carry out the purposes of this chapter. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the fund, and the Department of Finance and Administration shall issue warrants upon requisitions signed by the director of the authority.

(17) (a) There is hereby created the Mississippi Economic Impact Authority Sinking Fund from which the principal of and interest on such bonds shall be paid by appropriation. All monies paid into the sinking fund not appropriated to pay accruing

bonds and interest shall be invested by the State Treasurer in such securities as are provided by law for the investment of the sinking funds of the state.

(b) In the event that all or any part of the bonds and notes are purchased, they shall be cancelled and returned to the loan and transfer agent as cancelled and paid bonds and notes and thereafter all payments of interest thereon shall cease and the cancelled bonds, notes and coupons, together with any other cancelled bonds, notes and coupons, shall be destroyed as promptly as possible after cancellation but not later than two (2) years after cancellation. A certificate evidencing the destruction of the cancelled bonds, notes and coupons shall be provided by the loan and transfer agent to the seller.

(c) The State Treasurer shall determine and report to the Department of Finance and Administration and Legislative Budget Office by September 1 of each year the amount of money necessary for the payment of the principal of and interest on outstanding obligations for the following fiscal year and the times and amounts of the payments. It shall be the duty of the Governor to include in every executive budget submitted to the Legislature full information relating to the issuance of bonds and notes under the provisions of this chapter and the status of the sinking fund for the payment of the principal of and interest on the bonds and notes.

(d) Any monies repaid to the state from loans authorized in Section 57-75-11(hh) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund unless the State Bond Commission, at the request of the authority, shall determine that such loan repayments are needed to provide additional loans as authorized under Section 57-75-11(hh). For purposes of providing additional loans, there is hereby created the Mississippi Major Economic Impact Authority Revolving Loan Fund and loan repayments shall be deposited into the fund. The fund shall be maintained for such period as determined by the State Bond Commission for the sole purpose of making additional loans as authorized by Section 57-75-11(hh). Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned on amounts in such fund shall be deposited to the credit of the fund.

(e) Any monies repaid to the state from loans authorized in Section 57-75-11(ii) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(f) Any monies repaid to the state from loans authorized in Section 57-75-11(jj), Section 57-75-11(vv) and Section 57-75-11(xx) shall be deposited into the Mississippi Major Economic Impact Authority Sinking Fund.

(18) (a) Upon receipt of a declaration by the authority that it has determined that the state is a potential site for a project, the State Bond Commission is authorized and directed to authorize the State Treasurer to borrow money from any special fund in the State Treasury not otherwise appropriated to be utilized by the authority for the purposes provided for in this subsection.

(b) The proceeds of the money borrowed under this subsection may be utilized by the authority for the purpose of defraying all or a portion of the costs incurred by the authority with respect to acquisition options and planning, design and environmental impact studies with respect to a project defined in Section 57-75-5(f)(xi) or Section 57-75-5(f)(xxix). The authority may escalate its budget and expend the proceeds of the money borrowed under this subsection in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

(c) The authority shall request an appropriation or additional authority to issue general obligation bonds to repay the borrowed funds and establish a date for the repayment of the funds so borrowed.

(d) Borrowings made under the provisions of this subsection shall not exceed Five Hundred Thousand Dollars (\$500,000.00) at any one time.

SECTION 16. Section 2, Chapter 522, Laws of 2011, is amended as follows:

Section 2. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the

interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2011 Mississippi Civil Rights Museum and Museum of Mississippi History Construction Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund may not be used or expended for any purpose except as authorized under this section.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of the following projects:

Preplanning, to include contracting with consultants with expertise in planning a civil rights museum and in artifact acquisition and of exhibit planning; the acquisition, storage and relocating of artifacts; exhibit design through construction documents, exhibit fabrication and exhibit installation; and designing, preplanning the construction of, and the construction, furnishing and equipping of the Mississippi Civil Rights Museum on state-owned property adjacent to the new Museum of Mississippi History located in the City of Jackson, Mississippi .....	\$ 20,000,000.00
Acquisition, storing and relocating of artifacts; exhibit design through construction, documents, exhibit fabrication and exhibit installation; and designing and preplanning the construction of the new Museum of Mississippi History on state-owned property located in the City of Jackson, Mississippi; and the construction, furnishing and equipping of Phase I of such museum; and designing, preplanning the construction of, and the construction of a parking garage and related facilities to serve the Mississippi Civil Rights Museum or the new Museum of Mississippi History .....	\$ * * * 17,996,623.00
<b>Total</b>	<b>\$ * * * 37,996,623.00</b>

(b) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in paragraph (a) of this subsection. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any monies allocated for a project described in paragraph (a) of this subsection that are in excess of that needed to complete the project may be used for other projects described in paragraph (a) of this subsection. In addition, any monies allocated for a project described in paragraph (a) of this subsection may be used for facilities that will be jointly used by each museum described in paragraph (a) of this subsection.

(3) (a) (i) Subject to the provisions of this subsection, the commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this subsection, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed \* \* \* Thirty-seven Million Nine Hundred Ninety-six Thousand Six Hundred Twenty-three Dollars (\$37,996,623.00).

(ii) Planning for the construction of both museums described in subsection (2) of this section to include the parking garage, must be completed and cost estimates must be completed for the finished museums, less exhibit furnishings/displays, prior to any bonds being issued under this section to provide funds for the construction of either museum.

(iii) No bonds may be issued under this section for the purpose of providing funds to pay any costs associated with artifacts or exhibits for either of the museums described in subsection (2) of this section until the commission is provided proof that funds from private, local and/or federal sources have been irrevocably dedicated for such purposes in an amount equal to the amount of bonds to be issued to provide funds for such purposes.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, and attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the

officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as the issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission shall sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds, and for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bond shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the state, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special fund created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The

notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes therein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers therein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 17. Chapter 464, Laws of 1999, as amended by Chapter 386, Laws of 2000, as amended by Section 2, Chapter 553, Laws of 2010, as amended by Section 44, Chapter 472, Laws of 2015, is amended as follows:

Section 1. As used in this act, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

Section 2. (1) (a) A special fund, to be designated as the "1999 Department of Wildlife, Fisheries and Parks Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state and investment earnings on amounts in the fund shall be deposited into such fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishing and/or equipping facilities and purchasing real property for public facilities for the Department of Wildlife, Fisheries and Parks for the following projects:

(i) Critical dam repairs to lakes  
in, and renovation and repair of existing facilities  
and equipping facilities at the following parks  
and fishing lakes:

Bolivar.....	\$ 500,000.00
Neshoba .....	450,000.00
Tom Bailey.....	275,000.00

SENATE JOURNAL  
TUESDAY, MARCH 14, 2023

Roosevelt.....	150,000.00
Trace .....	800,000.00
Legion.....	100,000.00
Percy Quinn.....	100,000.00
Walthall County.....	700,000.00
Tombigbee.....	100,000.00
Perry County.....	100,000.00
TOTAL.....	\$ 3,275,000.00

(ii) Repairs, renovation and construction at the following state fish hatcheries:

Turcotte .....	\$ 200,000.00
Meridian.....	250,000.00
Lyman.....	1,000,000.00
North Mississippi.....	1,000,000.00
TOTAL.....	\$ 2,450,000.00

(iii) Construction of new headquarters buildings, and renovation and repair of existing headquarters buildings as considered necessary and appropriate by the Department of Wildlife, Fisheries and Parks at the following wildlife management areas:

Tuscumbia, Yockanookany, Choctaw, Chickasaw, Calhoun, Grenada, Chickasawhay, Sunflower .....	\$ 1,550,000.00
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(iv) Construction of new, and renovation and repair of equipment sheds as considered necessary and appropriate by the Department of Wildlife, Fisheries and Parks at the following wildlife management areas:

Black Prairie, Trim Cane, Malmaison, Caney Creek, Tallahala, Bienville, Chickasawhay, Sandy Creek, Caston Creek, Little Biloxi, Old River, Upper and Lower Pascagoula, Wolf River .....	\$ 150,000.00
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(v) Construction of new facilities and storage sheds, and renovation and repair of existing facilities and storage sheds at the following state lakes:

Lamar Bruce, Simpson County, Bogue Homa, Kemper County, Jeff Davis, Bill Waller, Mary Crawford, Oktibbeha County, Tippah County, Monroe County .....	\$ 875,000.00
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(vi) Construction of lakes (including, but not limited to, construction of dams, drainage structures and spillways related to such lakes), and construction of facilities, buildings, day use areas, campsites, infrastructure, utilities, roads, boat ramps and parking for such lakes in the following counties:

Copiah County .....	\$ 3,250,000.00
George County .....	\$ 500,000.00
TOTAL.....	\$ 3,750,000.00

(vii) Repair, renovation, reconstruction or resurfacing of a certain public road in Yalobusha County beginning at Mississippi Highway 32 and extending northerly to the entrance of George Payne Cossar State



Park \$ 200,000.00  
(viii) Repair, renovation  
and restoration of Lakeland Park in Wayne  
County..... \$ 100,000.00  
(ix) Repair, renovation,  
reconstruction and resurfacing of certain  
public roads in Panola County beginning at  
the intersection of John Harmon Road and  
Mississippi Highway 315 and extending  
northerly along John Harmon Road and thence  
easterly along State Park Road to John Kyle  
State Park. Any state aid road funds or other  
funds that may be available for such road  
projects may be used to match any of the funds  
authorized under this subparagraph (ix).  
However, if no state aid road funds or other  
funds are available to match the funds made  
available under this subparagraph (ix), then  
the funds authorized under this subparagraph  
(ix) may be used for the road project along  
State Park Road, and any remaining funds may  
be used on the John Harmon Road project..... \$ 500,000.00  
(x) Paving a walking/bicycle  
path at Percy Quinn State Park ..... \$ 25,000.00  
(xi) Repair and renovation of  
manager and assistant manager residences at  
Percy Quinn State Park ..... \$ 50,000.00  
GRAND TOTAL ..... \$ \* \* \* 12,906,373.00

(c) If a project described in paragraph (b) of this subsection is completed without utilizing the full amount of the funds allocated for such project, the Department of Wildlife, Fisheries and Parks may utilize such excess funds as necessary to complete any of the other projects described in paragraph (b) of this section.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in subsection (1) of this section. Promptly after the commission has certified, by resolution duly adopted, that the projects described in subsection (1) shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this act, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(4) The Department of Finance and Administration is authorized to pay for the purchase of real estate, construction, repair, renovation, furnishing and equipping of facilities.

Section 3. (1) (a) A special fund, to be designated as the "Pat Harrison Waterway District Lake Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(b) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to:

(i) Assist the Pat Harrison Waterway District in paying the costs associated with construction of a lake in George County, Mississippi, (including, but not limited to, construction of dams, drainage structures and spillways related to such lake), and construction of facilities, buildings, day use areas, campsites, infrastructure, utilities, roads, boat ramps and parking for such lake; and

(ii) Assist the Pat Harrison Waterway District in paying expenses incurred by the district for administrative, management, legal, accounting, engineering and other costs associated with the implementation of this section. Funds provided to the Pat Harrison Waterway District under this subparagraph (ii) shall not exceed three percent (3%) of the amount of bond proceeds deposited into the special fund.

(2) Amounts deposited into such special fund shall be disbursed to pay the costs of the projects described in subsection (1) of this section. Promptly after the commission has certified, by resolution duly adopted, that the projects described in subsection (1) of this section shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this act, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

Section 4. (1) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in Sections 2 and 3 of this act. Upon the adoption of a resolution by the Department of Finance and Administration, declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as the issuing agent, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this act shall not exceed \* \* \* Fifteen Million Nine Hundred Six Thousand Three Hundred Seventy-three Dollars (\$15,906,373.00).

(2) The proceeds of the bonds issued pursuant to this act shall be deposited into the following special funds in not more than the following amounts:

(a) The 1999 Department of Wildlife, Fisheries and Parks Improvements Fund created pursuant to Section 2 of this act..... \$ \* \* \*12,906,373.00.

(b) The Pat Harrison Waterway District Lake Improvements Fund created pursuant to Section 3 of this act \$ 3,000,000.00.

(3) Any investment earnings on amounts deposited into the special funds created in Sections 2 and 3 of this act shall be used to pay debt service on bonds issued under this act, in accordance with the proceedings authorizing issuance of such bonds.

Section 5. The principal of and interest on the bonds authorized under this act shall be payable in the manner provided in this section. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of

issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

Section 6. The bonds authorized by this act shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

Section 7. All bonds and interest coupons issued under the provisions of this act have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this act, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

Section 8. The commission shall act as the issuing agent for the bonds authorized under this act, prescribe the form of the bonds, determine the appropriate method for the sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this act from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If the bonds are to be sold on sealed bids at public sale, notice of the sale of any such bond shall be published at least one (1) time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, to be selected by the commission.

The commission, when issuing any bonds under the authority of this act, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

Section 9. The bonds issued under the provisions of this act are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this section.

Section 10. Upon the issuance and sale of bonds under the provisions of this act, the commission shall transfer the proceeds of any such sale or sales to the special funds created in Sections 2 and 3 of this act in the amounts provided for in Section 4(2) of this act. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

Section 11. The bonds authorized under this act may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this act. Any

resolution providing for the issuance of bonds under the provisions of this act shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

Section 12. The bonds authorized under the authority of this act may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the manner and with the force and effect provided by Chapter 13, Title 31, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

Section 13. Any holder of bonds issued under the provisions of this act or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this act, or under such resolution, and may enforce and compel performance of all duties required by this act to be performed, in order to provide for the payment of bonds and interest thereon.

Section 14. All bonds issued under the provisions of this act shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

Section 15. Bonds issued under the provisions of this act and income therefrom shall be exempt from all taxation in the State of Mississippi.

Section 16. The proceeds of the bonds issued under this act shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

Section 17. The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this act; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

Section 18. This act shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this act shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 18. Section 3, Chapter 580, Laws of 2007, which authorizes state general obligation bonds in the amount of \$4,000,000.00 to be issued for the Grand Gulf Access Road Construction Fund, to be spent under the direction of the Mississippi Transportation Commission, is repealed.

SECTION 19. There is created in the State Treasury a special fund designated as the "2023 MDOT Road Construction Fund." The fund shall be maintained by the State Treasurer as a separate and special fund, apart from the State General Fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies deposited into the fund shall be disbursed, in the discretion of the Mississippi Department of Transportation, to assist in paying the costs of the Grand Gulf Access Road Project.

SECTION 20. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Four Million Dollars (\$4,000,000.00) from the Capital Expense Fund to the 2023 MDOT Road Construction Fund created in Section 19 of this act.

SECTION 21. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 3, CHAPTER 421, LAWS OF 2019, TO REDUCE BY \$21,000,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE ACE FUND; TO REPEAL SECTION 6, CHAPTER 492, LAWS OF 2020, WHICH AUTHORIZES THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$10,000,000.00 FOR THE ACE FUND; TO CREATE THE 2023 ACE FUND SUPPLEMENTARY FUND IN THE STATE TREASURY TO SUPPLEMENT THE ACE FUND IN REIMBURSING REASONABLE COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR THE ADMINISTRATION OF GRANT, LOAN AND FINANCIAL INCENTIVE PROGRAMS; TO TRANSFER \$31,000,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 ACE FUND SUPPLEMENTARY FUND; TO AMEND SECTION 4, CHAPTER 460, LAWS OF 2006, TO REDUCE BY \$9,280,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE DEPARTMENT OF MARINE RESOURCES EQUIPMENT AND FACILITIES FUND; TO AMEND SECTION 1, CHAPTER 454, LAWS OF 2019, TO REDUCE BY \$2,500.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF REPAIR AND RENOVATION OF BUILDINGS AND RELATED FACILITIES AT THE SUSTAINABLE BIOPRODUCTS COMPLEX AND REPAIR AND RENOVATION OF BALLEW HALL AND RELATED FACILITIES; TO AMEND SECTION 1, CHAPTER 492, LAWS OF 2020, TO REMOVE THE \$10,000,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF PHASE III OF CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING AND RELATED FACILITIES TO HOUSE THE KINESIOLOGY DEPARTMENT; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REDUCE BY \$10,180,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY IN PAYING THE COSTS OF PHASE I OF CONSTRUCTION, FURNISHING AND EQUIPPING OF A NEW BUILDING AND RELATED FACILITIES TO HOUSE THE COLLEGE OF ARCHITECTURE, ART AND DESIGN; TO REDUCE BY \$6,400,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING MISSISSIPPI STATE UNIVERSITY'S DIVISION OF AGRICULTURE, FORESTRY AND VETERINARY MEDICINE IN PAYING THE COSTS OF REPAIR AND RENOVATION OF, AND UPGRADES AND IMPROVEMENTS TO, DORMAN HALL AND RELATED FACILITIES; TO REDUCE BY \$4,300,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ASSISTING THE UNIVERSITY OF SOUTHERN MISSISSIPPI IN PAYING THE COSTS OF CONSTRUCTION, FURNISHING AND EQUIPPING OF EXECUTIVE EDUCATION AND CONFERENCE CENTER AND RELATED FACILITIES ON ITS GULF PARK CAMPUS, AND OF REPAIR, RENOVATION, LIFE SAFETY, AND ADA CODE UPGRADES, FURNISHING AND EQUIPPING OF CAMPUS BUILDINGS AND FACILITIES AT THE GULF COAST RESEARCH LABORATORY, HALSTEAD CAMPUS; TO CREATE THE 2023 IHL CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF IHL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT, IN THE AMOUNT OF THE REDUCTION FOR EACH PROJECT; TO TRANSFER \$30,882,500.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 IHL CAPITAL PROJECTS FUND; TO AMEND SECTION 3, CHAPTER 492, LAWS OF 2020, TO REDUCE BY \$320,000.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE \$2,445,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE \$1,670,000.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO AMEND SECTION 2, CHAPTER 480, LAWS OF 2021, TO REDUCE BY \$758,372.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR EAST CENTRAL COMMUNITY COLLEGE; TO REMOVE THE \$2,070,016.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED

TO BE ISSUED FOR EAST MISSISSIPPI COMMUNITY COLLEGE; TO REDUCE BY \$2,434,814.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR ITAWAMBA COMMUNITY COLLEGE; TO REMOVE THE \$2,052,257.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR NORTHEAST MISSISSIPPI COMMUNITY COLLEGE; TO REMOVE THE \$1,714,541.00 AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR SOUTHWEST MISSISSIPPI COMMUNITY COLLEGE; TO CREATE THE 2023 COMMUNITY COLLEGES CAPITAL PROJECTS FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF COMMUNITY COLLEGE CAPITAL PROJECTS FOR WHICH BONDING AUTHORITY IS REDUCED IN THIS ACT IN THE AMOUNT OF THE REDUCTION FOR EACH COMMUNITY COLLEGE; TO TRANSFER \$13,465,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 COMMUNITY COLLEGES CAPITAL PROJECTS FUND; TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO REDUCE BY \$20,000,000.00, \$60,000,000.00 AND \$5,000,000.00 THE AMOUNTS OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR PROJECTS DEFINED IN SUBPARAGRAPHS (XXVI), (XXVIII) AND (XXX), RESPECTIVELY, OF SECTION 57-75-5(F); TO AMEND SECTION 2, CHAPTER 522, LAWS OF 2011, TO REDUCE BY \$3,377.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 2011 MISSISSIPPI CIVIL RIGHTS MUSEUM AND MUSEUM OF MISSISSIPPI HISTORY CONSTRUCTION FUND; TO AMEND CHAPTER 464, LAWS OF 1999, AS LAST AMENDED BY SECTION 44, CHAPTER 472, LAWS OF 2015, TO REDUCE BY \$18,627.00 THE AMOUNT OF STATE GENERAL OBLIGATION BONDS AUTHORIZED TO BE ISSUED FOR THE 1999 DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS IMPROVEMENTS FUND; TO REPEAL SECTION 3, CHAPTER 580, LAWS OF 2007, WHICH AUTHORIZES STATE GENERAL OBLIGATION BONDS IN THE AMOUNT OF \$4,000,000.00 TO BE ISSUED FOR THE GRAND GULF ACCESS ROAD CONSTRUCTION FUND TO BE SPENT UNDER THE DIRECTION OF THE MISSISSIPPI TRANSPORTATION COMMISSION; TO CREATE THE 2023 MDOT ROAD CONSTRUCTION FUND IN THE STATE TREASURY TO ASSIST IN PAYING THE COSTS OF THE GRAND GULF ACCESS ROAD PROJECT; TO TRANSFER \$4,000,000.00 FROM THE CAPITAL EXPENSE FUND TO THE 2023 MDOT ROAD CONSTRUCTION FUND; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1734 was adopted.

YEAS AND NAYS On H. B. No. 1734. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

**H. B. No. 549:** Sales Tax; exempt certain sales of property transported from this state and first used in another state.

YEAS AND NAYS On H. B. No. 549. On motion of Senator Barnett, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins called up the following entitled bill:

**H. B. No. 1671:** Tax credits; revise certain existing and authorize additional.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.43, Mississippi Code of 1972, is amended as follows:

27-7-22.43. (1) This section shall be known and may be cited as the "Pregnancy Resource Act."

(2) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is a pregnancy resource center or crisis pregnancy center eligible to receive funding disbursed by the Choose Life Advisory Committee under Section 27-19-56.70, 27-19-56.277 and/or 27-19-56.412.

(3) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. For calendar year 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2023, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may

be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(4) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(5) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(6) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(7) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(8) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(9) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.



(b) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(10) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). However, for calendar year 2023, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00). For credits allocated during a calendar year for contributions to eligible charitable organizations, no more than fifty percent (50%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 2. Section 27-7-22.32, Mississippi Code of 1972, is amended as follows:

\* \* \*

27-7-22.32. (1) (a) There shall be allowed as a credit against the tax imposed by this chapter the amount of the qualified adoption expenses paid or incurred, not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), for each dependent child legally adopted by a taxpayer under the laws of this state during calendar year 2006 or during any calendar year thereafter through calendar year 2017, \* \* \* not to exceed Five Thousand Dollars (\$5,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state during any calendar year thereafter through calendar year 2022, and not to exceed Ten Thousand Dollars (\$10,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (a) may not claim a credit under paragraph (b) of this subsection for the adoption of the same child.

(b) There shall be allowed as a credit against the tax imposed by this chapter the amount of Five Thousand Dollars (\$5,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state through the Mississippi Department of Child Protection Services during calendar year 2018 or during any calendar year thereafter through calendar year 2022, and the amount of Ten Thousand Dollars (\$10,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state through the Mississippi Department of Child Protection Services during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (b) may not claim a credit under paragraph (a) of this subsection for the adoption of the same child.

(2) The tax credit under this section may be claimed for the taxable year in which the adoption becomes final under the laws of this state. Any tax credit claimed under this section but not used in any taxable year may be carried forward for the five (5) succeeding tax years. A tax credit is allowed under this section for any child for which an exemption is claimed during the same taxable year under Section 27-7-21(e). For the purposes of this section, the term "qualified adoption expenses" means and has the same definition as that term has in 26 USCS \* \* \* 23.

\* \* \*

SECTION 3. Section 27-7-22.39, Mississippi Code of 1972, is amended as follows:

27-7-22.39. (1) As used in this section:

(a) "Low-income residents" means persons whose household income is less than one hundred fifty percent (150%) of the federal poverty level.

(b) "Qualifying charitable organization" means a charitable organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code or is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901. The organization must spend at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits or low-income residents of this state and their households or to children who have a chronic illness or physical, intellectual, developmental or emotional disability who are residents of this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. Taxpayers choosing to make donations through an umbrella charitable organization that collects donations on behalf of member charities shall designate that the donation be directed to a member charitable organization that would qualify under this section on a stand-alone basis. Qualifying charitable organization does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

(c) "Qualifying foster care charitable organization" means a qualifying charitable organization that each operating year provides services to at least one hundred (100) qualified individuals in this state and spends at least fifty percent (50%) of its budget on services to qualified individuals in this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying foster care charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. For the purposes of this paragraph, "qualified individual" means a child in a foster care placement program established by the Department of Child Protection Services, a child placed under the Safe Families for Children model, or a child at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(d) "Services" means:

(i) Cash assistance, medical care, child care, food, clothing, shelter, and job-placement services or any other assistance that is reasonably necessary to meet immediate basic needs and that is provided and used in this state;

(ii) Job-training or education services or funding for parents, foster parents or guardians; or  
(iii) Job-training or education services or funding provided as part of a foster care independent living program.

(2) (a) Except as provided in subsections (3) and (4) of this section, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by the taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization, through calendar year 2022, not to exceed:

( \* \* \*i) the lesser of Four Hundred Dollars (\$400.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

( \*\* \*i) The lesser of Eight Hundred Dollars (\$800.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(b) Except as provided in subsections (3) and (4) of this section, from and after January 1, 2023, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by the individual taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the individual taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by this chapter, and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this paragraph but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(3) (a) A separate credit is allowed against the taxes imposed by this chapter for voluntary cash contributions during the taxable year to a qualifying foster care charitable organization. A contribution to a qualifying foster care charitable organization does not qualify for, and shall not be included in, any credit amount under subsection (2) of this section. If the voluntary cash contribution by the taxpayer is to a qualifying foster care charitable organization, through calendar year 2022, the credit shall not exceed:

( \*\* \*i) the lesser of Five Hundred Dollars (\$500.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

( \*\* \*ii) The lesser of One Thousand Dollars (\$1,000.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(b) From and after January 1, 2023, a separate credit is allowed against the taxes imposed by this chapter for voluntary cash contributions during the taxable year to a qualifying foster care charitable organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the individual taxpayer during the taxable year to a qualifying foster care charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by this chapter, and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this paragraph but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(4) Subsections (2) and (3) of this section provide separate credits against taxes imposed by this chapter depending on the recipients of the contributions. A taxpayer, including a married couple filing a joint return, in the same taxable year, may either or both:

(a) Contribute to a qualifying charitable organization, other than a qualifying foster care charitable organization, and claim a credit under subsection (2) of this section.

(b) Contribute to a qualifying foster care charitable organization and claim a credit under subsection (3) of this section.

(5) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(6) Except as otherwise provided in subsections (2) and (3) of this section, if the allowable tax credit exceeds the taxes otherwise due under this chapter on the claimant's income, or if there are no taxes due under this chapter, the taxpayer may carry forward the amount of the claim not used to offset the taxes under this chapter for not more than five (5) consecutive taxable years' income tax liability.

(7) The credit allowed by this section is in lieu of a deduction pursuant to Section 170 of the Internal Revenue Code and taken for state tax purposes.

(8) Taxpayers taking a credit authorized by this section shall provide the name of the qualifying charitable organization and the amount of the contribution to the department on forms provided by the department.

(9) A qualifying charitable organization shall provide the department with a written certification that it meets all criteria to be considered a qualifying charitable organization. The organization shall also notify the department of any changes that may affect the qualifications under this section.

(10) The charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code or verification that the organization is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901.

(b) Financial data indicating the organization's budget for the organization's prior operating year and the amount of that budget spent on services to residents of this state who either:

(i) Receive temporary assistance for needy families benefits;

(ii) Are low-income residents of this state;

(iii) Are children who have a chronic illness or physical, intellectual, developmental or emotional disability; or

(iv) Are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(c) A statement that the organization plans to continue spending at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits, who are low-income residents of this state, who are children who have a chronic illness or physical, intellectual, developmental or emotional disability or who are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements for a qualifying charitable organization or qualifying foster care charitable organization except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi shall submit a statement that it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and that one hundred percent (100%) of the voluntary cash contributions it receives from Mississippi taxpayers will be spent on services to qualified individuals in Mississippi.

(d) In the case of a foster care charitable organization, a statement that each operating year it provides services to at least one hundred (100) qualified individuals in this state.

(e) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions.

(f) Any other information that the department requires to administer this section.

(11) The department shall review each written certification and determine whether the organization meets all the criteria to be considered a qualifying charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of the qualifying charitable organizations.

(12) The aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed Three Million Dollars (\$3,000,000.00). However, for calendar year 2021, and for each calendar year thereafter, the aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed One Million Dollars (\$1,000,000.00). In addition, any tax credits not awarded under this section before June 1, 2020, may be allocated during calendar year 2020 under Section 27-7-22.41 for contributions by taxpayers to eligible charitable organizations described in Section 27-7-22.41(1)(b)(ii) as provided under such section, notwithstanding any limitation on the percentage of tax credits that may be allocated for such contributions.

(13) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(14) This section shall be repealed from and after January 1, 2025.

SECTION 4. Section 27-7-22.41, Mississippi Code of 1972, is brought forward as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract with the Mississippi Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,
2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or
3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as an educational services charitable organization that is accredited by a regional accrediting organization and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,
2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or
3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization.

An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) A statement that the funds generated from the tax credit shall be used for educational resources, staff and expenditures and/or other purposes described in this section.

(d) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the

tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars (\$5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00), for calendar year 2022, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Sixteen Million Dollars (\$16,000,000.00), and for calendar year 2023, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Eighteen Million Dollars (\$18,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than four and one-half percent (4-1/2%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 5. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible transitional home organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code that provides transitional housing for homeless persons age twenty-five (25) and under, homeless families and/or homeless and/or referred unwed pregnant women.

"Eligible transitional home organization" does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

"Eligible transitional home organization" does not include any entity that charges a fee for the services and/or benefits it provides as an eligible transitional home organization. The prohibition against charging a fee for services and/or benefits is limited to services and benefits the entity provides as an eligible transitional home organization and does not apply to any other services and/or benefits the entity may provide to persons not being served by the entity's transitional home services.

(c) "Transitional housing" means temporary housing the purpose of which is to provide homeless persons age twenty-five (25) and under, homeless families and/or



homeless and/or referred unwed pregnant women with temporary shelter and facilitate their movement to permanent housing within an amount of time that the eligible transitional home organization determines to be appropriate.

"Transitional housing" includes a program designed by the eligible transitional home organization that offers structure, supervision, support, life skills, education and training as the eligible transitional home organization determines to be appropriate for each individual and/or family to achieve and/or maintain independence.

(2) (a) (i) The tax credit authorized in this subsection shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible transitional home organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible transitional home organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A contribution to an eligible transitional home organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (3) of this section.

(iii) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible transitional home organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible transitional home organization shall provide the department with a written certification that it meets all criteria to be considered an eligible transitional home organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(d) The eligible transitional home organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) Information about the facilities that demonstrate the applicant's ability to provide housing for homeless persons age twenty-five (25) and under, homeless families, and/or homeless and/or referred unwed pregnant women;

(iii) Sufficient materials to document the program of the applicant that demonstrate that the applicant has and runs a program that offers structure, supervision, support, life skills, education and training as the eligible transitional home organization determines to be appropriate for each individual and/or family to achieve and/or maintain independence;

(iv) A statement that the organization does not charge a fee for services or benefits provided in whole or in part by its transitional housing program; and

(v) Any other information that the department requires to administer this section.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible transitional home organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible transitional home organizations.

(f) Tax credits authorized by this subsection that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(g) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(h) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00). For credits allocated during a calendar year for contributions to eligible transitional home organizations, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible transitional home organization.

(3) (a) (i) Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by an individual taxpayer during the taxable year to an eligible transitional home organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by an individual taxpayer during the taxable year to an eligible transitional home organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the

total tax liability of the taxpayer for the taxes imposed by this chapter and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(iii) A contribution to an eligible transitional home organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (2) of this section.

(iv) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible transitional home organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible transitional home organization shall provide the department with a written certification that it meets all criteria to be considered an eligible transitional home organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(d) The eligible transitional housing organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) Information about the facilities that demonstrate the applicant's ability to provide housing for homeless persons age twenty-five (25) and under, homeless families, and/or homeless and/or referred unwed pregnant women;

(iii) Sufficient materials to document the program of the applicant that demonstrate that the applicant has and runs a program that offers structure, supervision, support, life skills, education and training as the eligible transitional home organization determines to be appropriate for each individual and/or family to achieve and/or maintain independence;

(iv) A statement that the organization does not charge a fee for services or benefits provided in whole or in part by its transitional housing program; and

(v) Any other information that the department requires to administer this section.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible transitional home organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible transitional home organizations.

(f) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall

allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(g) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed One Million Dollars (\$1,000,000.00).

SECTION 6. (1) (a) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(i) "Department" means the Department of Revenue.

(ii) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and spends at least fifty percent (50%) of its budget on contracting or making other agreements or arrangements with physicians and/or nurse practitioners to provide health care services to low-income residents of this state, including those who are mothers and to their households.

"Eligible charitable organization" does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

(iii) "Low-income residents" means persons whose household income does not exceed one hundred eighty-five percent (185%) of the federal poverty level converted to a modified adjusted gross income equivalent standard.

(iv) "Nurse practitioner" means a nurse practitioner certified under Section 73-15-20, Mississippi Code of 1972.

(v) "Physician" means an individual licensed to practice medicine or osteopathic medicine under Section 73-25-1 et seq., Mississippi Code of 1972.

(2) (a) (i) The tax credit authorized in this subsection shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary

cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A contribution to an eligible charitable organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (3) of this section.

(iii) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this subsection.

(d) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(iii) Any other information that the department requires to administer this subsection.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(f) Tax credits authorized by this subsection that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(g) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the

application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(h) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed Three Million Dollars (\$3,000,000.00).

(3) (a) (i) Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by an individual taxpayer during the taxable year to an eligible charitable organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by this chapter and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(iii) A contribution to an eligible charitable organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (2) of this section.

(iv) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this subsection.

(d) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(iii) Any other information that the department requires to administer this subsection.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(f) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(g) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed One Million Dollars (\$1,000,000.00).

SECTION 7. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Employment-related expenses" means and has the same definition as such term has in 26 USCS Section 21.

(b) "Qualifying individual" means and has the same definition as such term has in 26 USCS Section 21(b)(1)(A).

(2) Subject to the provisions of this section, any taxpayer allowed to claim a federal income tax credit under 26 USCS Section 21 for employment-related expenses incurred related to one or more qualifying individuals shall be allowed a credit against the taxes imposed under this chapter in the manner prescribed in this section. The amount of the credit shall be equal to fifty percent (50%) of the amount of the federal income tax credit lawfully claimed by the taxpayer for such employment-related expenses on the taxpayer's federal income tax return. However, the amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed the total tax liability of the taxpayer for the taxes imposed under this chapter. In order to claim the credit provided for in this section, a taxpayer must claim the federal income tax credit on the taxpayer's federal income tax return and have an adjusted gross income for such return of not more than Fifty Thousand Dollars (\$50,000.00). A taxpayer must provide a copy of such return and any other information required by the department.

SECTION 8. Sections 5, 6 and 7 of this act shall be codified as new sections in Title 27, Chapter 7, Mississippi Code of 1972.

SECTION 9. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws, insurance premium tax laws or ad valorem tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws, insurance premium tax laws and ad valorem tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 10. This act shall take effect and be in force from and after January 1, 2023, and shall stand repealed on December 31, 2022.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.43, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS UNDER THE PREGNANCY RESOURCE ACT, TO INCREASE THE AMOUNT OF CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION; TO REVISE THE TAXPAYERS ELIGIBLE FOR AN AD VALOREM TAX CREDIT FOR SUCH CONTRIBUTIONS; TO AMEND SECTION 27-7-22.32, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR EXPENSES INCURRED FOR THE ADOPTION OF A CHILD, TO INCREASE THE AMOUNT OF THE CREDIT AND TO DELETE THE REVERTER ON THE PROVISION OF LAW THAT INCREASES THE MAXIMUM AMOUNT OF THE TAX CREDIT FROM \$2,500 TO \$5,000 PER CHILD AND THE PROVISION THAT AUTHORIZES AN INCOME TAX CREDIT FOR A CHILD ADOPTED THROUGH THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 27-7-22.39, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES INCOME TAX CREDITS FOR VOLUNTARY CASH CONTRIBUTIONS TO QUALIFYING CHARITABLE ORGANIZATIONS AND QUALIFYING FOSTER CARE CHARITABLE ORGANIZATIONS, TO REVISE THE AMOUNT OF CREDIT THAT A TAXPAYER IS ALLOWED TO CLAIM FOR SUCH A VOLUNTARY CASH CONTRIBUTION; TO BRING FORWARD SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN



TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY TAXPAYERS TO ELIGIBLE TRANSITIONAL HOME ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE TRANSITIONAL HOME ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR A TAX CREDIT AUTHORIZED BY THIS ACT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY TAXPAYERS TO ELIGIBLE CHARITABLE ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE CHARITABLE ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR A TAX CREDIT AUTHORIZED BY THIS ACT; TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS CLAIMING A FEDERAL INCOME TAX CREDIT FOR CERTAIN DEPENDENT CARE EXPENSES; TO PROVIDE THE AMOUNT OF THE CREDIT; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1671 was adopted.

YEAS AND NAYS On H. B. No. 1671. On motion of Senator Harkins, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Blount, Butler K. (38th), Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas. Total--10.

Absent and those not voting----None.

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Senator Harkins called up the following entitled bill:

**H. B. No. 1561:** Ad valorem taxation; revise types of new enterprises eligible for tax exemption.

Senator Harkins offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-31-101, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2025, this section shall read as follows:]

27-31-101. (1) County boards of supervisors and municipal authorities are hereby authorized and empowered, in their discretion, to grant exemptions from ad valorem

taxation, except state ad valorem taxation; however, such governing authorities shall not exempt ad valorem taxes for school district purposes on tangible property used in, or necessary to, the operation of the manufacturers and other new enterprises enumerated by classes in this section, except to the extent authorized in Sections 27-31-104 and 27-31-105(2), nor shall they exempt from ad valorem taxes the products of the manufacturers or other new enterprises or automobiles and trucks belonging to the manufacturers or other new enterprises operating on and over the highways of the State of Mississippi. The time of such exemption shall be for a period not to exceed a total of ten (10) years which shall begin on the date of completion of the new enterprise for which the exemption is granted; however, boards of supervisors and municipal authorities, in lieu of granting the exemption for one (1) period of ten (10) years, may grant the exemption in a period of less than ten (10) years. When the initial exemption period granted is less than ten (10) years, the boards of supervisors and municipal authorities may grant a subsequent consecutive period or periods to follow the initial period of exemption, provided that the total of all periods of exemption shall not exceed ten (10) years. The date of completion of the new enterprise, from which the initial period of exemption shall begin, shall be the date on which operations of the new enterprise begin. The initial request for an exemption must be made in writing by June 1 of the year immediately following the year in which the date of completion of a new enterprise occurs. If the initial request for the exemption is not timely made, the board of supervisors or municipal authorities may grant a subsequent request for the exemption and, in such case, the exemption shall begin on the anniversary date of completion of the enterprise in the year in which the request is made and may be for a period of time extending not more than ten (10) years from the date of completion of the new enterprise. Any subsequent request for the exemption must be made in writing by June 1 of the year in which it is granted.

(2) Any board of supervisors or municipal authority which has granted an exemption for a period of less than ten (10) years may grant subsequent periods of exemption to run consecutively with the initial exemption period, or a subsequently granted exemption period, but in no case shall the total of the exemption periods granted for a new enterprise exceed ten (10) years. Any consecutive period of exemption shall be granted by entry of an order by the board or the authority granting the consecutive exemption on its minutes, reflecting the granting of the consecutive exemption period and the dates upon which such consecutive exemption period begins and expires. The entry of this order granting the consecutive period of exemption shall be made before the expiration of the exemption period immediately preceding the consecutive exemption period being granted.

(3) (a) The new enterprises for which any or all of the tangible property described in paragraph (b) of this subsection (3) may be exempt from ad valorem taxation, except state ad valorem taxation, ad valorem taxes for school district purposes, and ad valorem taxes on the products thereof or on automobiles and trucks belonging thereto and operating on and over the highways of the State of Mississippi, are enumerated as and limited to the following, as determined by the Department of Revenue:

- (i) Warehouse and/or distribution centers;
- (ii) Manufacturing, processors and refineries;
- (iii) Research facilities;
- (iv) Corporate regional and national headquarters meeting minimum criteria established by the Mississippi Development Authority;
- (v) Movie industry studios meeting minimum criteria established by the Mississippi Development Authority;
- (vi) Air transportation and maintenance facilities meeting minimum criteria established by the Mississippi Development Authority;

(vii) Recreational facilities that impact tourism meeting minimum criteria established by the Mississippi Development Authority;

(viii) Data/information processing enterprises meeting minimum criteria established by the Mississippi Development Authority;

(ix) Technology intensive enterprises or facilities meeting criteria established by the Mississippi Development Authority;

(x) Health care industry facilities as defined in Section 57-117-3;

(xi) Data centers as defined in Section 57-113-21; \* \* \*

(xii) Telecommunications enterprises meeting minimum criteria established by the Mississippi Development Authority. The term "telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises \* \* \*"; and

(xiii) Controlled environment agriculture enterprises meeting minimum criteria established by the Mississippi Development Authority.

The new enterprises enumerated in this paragraph (a) do not include medical cannabis establishments as defined in the Mississippi Medical Cannabis Act.

(b) An exemption from ad valorem taxes granted under this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If an exemption is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt without any action being required to be taken by such owner, lessor or sublessor.

(4) Any exemption from ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

[From and after July 1, 2025, this section shall read as follows:]

27-31-101. (1) County boards of supervisors and municipal authorities are hereby authorized and empowered, in their discretion, to grant exemptions from ad valorem taxation, except state ad valorem taxation; however, such governing authorities shall not exempt ad valorem taxes for school district purposes on tangible property used in, or necessary to, the operation of the manufacturers and other new enterprises enumerated by classes in this section, except to the extent authorized in Sections 27-31-104 and 27-31-105(2), nor shall they exempt from ad valorem taxes the products of the manufacturers or other new enterprises or automobiles and trucks belonging to the manufacturers or other new enterprises operating on and over the highways of the State

of Mississippi. The time of such exemption shall be for a period not to exceed a total of ten (10) years which shall begin on the date of completion of the new enterprise for which the exemption is granted; however, boards of supervisors and municipal authorities, in lieu of granting the exemption for one (1) period of ten (10) years, may grant the exemption in a period of less than ten (10) years. When the initial exemption period granted is less than ten (10) years, the boards of supervisors and municipal authorities may grant a subsequent consecutive period or periods to follow the initial period of exemption, provided that the total of all periods of exemption shall not exceed ten (10) years. The date of completion of the new enterprise, from which the initial period of exemption shall begin, shall be the date on which operations of the new enterprise begin. The initial request for an exemption must be made in writing by June 1 of the year immediately following the year in which the date of completion of a new enterprise occurs. If the initial request for the exemption is not timely made, the board of supervisors or municipal authorities may grant a subsequent request for the exemption and, in such case, the exemption shall begin on the anniversary date of completion of the enterprise in the year in which the request is made and may be for a period of time extending not more than ten (10) years from the date of completion of the new enterprise. Any subsequent request for the exemption must be made in writing by June 1 of the year in which it is granted.

(2) Any board of supervisors or municipal authority which has granted an exemption for a period of less than ten (10) years may grant subsequent periods of exemption to run consecutively with the initial exemption period, or a subsequently granted exemption period, but in no case shall the total of the exemption periods granted for a new enterprise exceed ten (10) years. Any consecutive period of exemption shall be granted by entry of an order by the board or the authority granting the consecutive exemption on its minutes, reflecting the granting of the consecutive exemption period and the dates upon which such consecutive exemption period begins and expires. The entry of this order granting the consecutive period of exemption shall be made before the expiration of the exemption period immediately preceding the consecutive exemption period being granted.

(3) (a) The new enterprises for which any or all of the tangible property described in paragraph (b) of this subsection (3) may be exempt from ad valorem taxation, except state ad valorem taxation, ad valorem taxes for school district purposes, and ad valorem taxes on the products thereof or on automobiles and trucks belonging thereto and operating on and over the highways of the State of Mississippi, are enumerated as and limited to the following, as determined by the Department of Revenue:

- (i) Warehouse and/or distribution centers;
- (ii) Manufacturing, processors and refineries;
- (iii) Research facilities;
- (iv) Corporate regional and national headquarters meeting minimum criteria established by the Mississippi Development Authority;
- (v) Movie industry studios meeting minimum criteria established by the Mississippi Development Authority;
- (vi) Air transportation and maintenance facilities meeting minimum criteria established by the Mississippi Development Authority;
- (vii) Recreational facilities that impact tourism meeting minimum criteria established by the Mississippi Development Authority;
- (viii) Data/information processing enterprises meeting minimum criteria established by the Mississippi Development Authority;

(ix) Technology intensive enterprises or facilities meeting criteria established by the Mississippi Development Authority;

(x) Data centers as defined in Section 57-113-21; \* \* \*

(xi) Telecommunications enterprises meeting minimum criteria established by the Mississippi Development Authority. The term "telecommunications enterprises" means entities engaged in the creation, display, management, storage, processing, transmission or distribution for compensation of images, text, voice, video or data by wire or by wireless means, or entities engaged in the construction, design, development, manufacture, maintenance or distribution for compensation of devices, products, software or structures used in the above activities. Companies organized to do business as commercial broadcast radio stations, television stations or news organizations primarily serving in-state markets shall not be included within the definition of the term "telecommunications enterprises" \* \* \*; and

(xii) Controlled environment agriculture enterprises meeting minimum criteria established by the Mississippi Development Authority.

The new enterprises enumerated in this paragraph (a) do not include medical cannabis establishments as defined in the Mississippi Medical Cannabis Act.

(b) An exemption from ad valorem taxes granted under this section may include any or all tangible property, real or personal, including any leasehold interests therein but excluding automobiles and trucks operating on and over the highways of the State of Mississippi, used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), whether or not such property is owned, leased, subleased, licensed or otherwise obtained by such enterprise, irrespective of the taxpayer to which any such leased property is assessed for ad valorem tax purposes. If an exemption is granted pursuant to this section with respect to any leasehold interest under a lease, sublease or license of tangible property used in connection with, or necessary to, the operation of an enterprise enumerated in paragraph (a) of this subsection (3), the corresponding ownership interest of the owner, lessor and sublessor of such tangible property shall similarly and automatically be exempt without any action being required to be taken by such owner, lessor or sublessor.

(4) Any exemption from ad valorem taxes granted under this section before March 28, 2019, and consistent herewith, is hereby ratified, approved and confirmed.

SECTION 2. Section 51-7-29, Mississippi Code of 1972, is amended as follows:

51-7-29. For the purposes of this chapter, including but not limited to the construction and maintenance of works of improvement, expenses of the board of commissioners, assessment of benefits, and for repayment of bonds and interest as provided herein, the commissioners of a master water management district shall have authority to assess the lands of the district in proportion to the benefits accruing to \* \* \* such lands; provided, however, that for the purpose of providing funds with which to clean out, restore, repair and rehabilitate the whole or any part of the drainage system of \* \* \* a district or for the purpose of cooperating with the United States or any agency thereof in such works, there may be imposed a uniform assessment by the commissioners of such master water management district or, upon resolution of \* \* \* the commissioners, by the commissioners of a drainage or subdrainage district on each acre of unsubdivided land lying within the master district and a uniform assessment by lot on subdivided land lying within the master district and the records required in this chapter shall show the amount of the assessment in lieu of the amount of benefits accruing to each tract. Taxes levied hereunder are hereby declared to be taxes for maintenance purposes and shall not diminish in any manner the amount of assessed benefits in any such district which is otherwise available for the payment of any outstanding bonds of such district.

The assessments provided for in this section may be made even though evidences of indebtedness have been issued or validated or both prior thereto, but the lien of the holders of any such indebtedness shall not be impaired thereby. No assessments shall be made against lands owned by the State of Mississippi or any political subdivision thereof, or lands owned by the United States of America or any agency thereof. Such assessment shall be made in such manner as to clearly show the name of the owner and the description of the lands against which the assessment is made. When the assessment has been made, the assessment roll shall be filed with the chancery clerk and notice of such assessment shall be given in the same manner that notice is given for other purposes as provided in section 51-7-11. Such notice of assessment shall include the date which the chancellor has set for hearing of any protest of such assessment. Such protest shall affect only the assessment against the person or persons making the protest. The court on \* \* \* such date, or within thirty (30) days thereafter, shall pass upon the assessment roll; and he or she shall have the authority to approve the roll, order its revision, or modify same, within his or her discretion. After \* \* \* the roll has been approved by the court, copies thereof certified by the secretary of the board of commissioners shall be transmitted to the boards of supervisors and the tax collectors of the counties within which the lands of \* \* \* the master water management district are located, and the \* \* \* boards of supervisors \* \* \* may make the levy for taxes upon the \* \* \* lands on \* \* \* the assessment roll on such percentage basis as is requested by the board of commissioners. If any landowners or the board of commissioners are aggrieved at any assessment approved by the chancellor, they shall have the right of appeal from the order of the chancellor as provided for under section 51-7-23, but such appeal shall not stay the collection of any tax levied on such assessment. The tax collectors of the respective counties in which such lands are located shall collect the taxes at the regular times provided by law for the collection of real estate taxes, and shall remit such collections to the secretary of \* \* \* the district within thirty (30) days after expiration of the time provided for payment thereof. All provisions of law for the sale of land for delinquent ad valorem taxes shall be applicable in effecting collection of any delinquent taxes which may be due under provisions of this chapter, and suit may be maintained against any delinquent taxpayer hereunder in the manner provided by law. All liabilities and penalties pertaining to responsibilities and duties of the tax collector generally shall be applicable hereunder.

At any time within three (3) years after the completion of construction of improvements for which assessment has been made under the provisions hereof, or within six (6) months after the effective date of this section, whichever is later, any landowner or group of landowners upon whose lands the original assessment or benefits were improperly or erroneously made may file an action in the chancery court of proper jurisdiction requesting modification or removal of such assessments. Upon a hearing being had on such action the chancellor shall make such findings of fact as the evidence adduced may require and may either confirm the assessments as originally made or may order such changes therein as may be required so that the total cost of the works as constructed may be borne by those lands in the district actually benefited thereby in proportion to the benefits actually conferred thereon by such improvements except as otherwise provided in this section. Such order may be made even though evidences of indebtedness have been issued and validated prior thereto, but the lien of the holders of any such indebtedness shall not be impaired thereby.

SECTION 3. Section 51-7-23, Mississippi Code of 1972, is amended as follows:

51-7-23. Subject to the board of supervisors making the levy for taxes as requested by the board of commissioners, as set out under Section 51-7-29, any order of the chancery court in connection with a master water management district shall have the force of a judgment. Any owner of real property within the district or the board of commissioners may appeal from any such order to the supreme court within twenty (20) days after \* \* \* the order has been made; but if no appeal is taken within that time, such order shall be deemed conclusive and binding.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-31-101, MISSISSIPPI CODE OF 1972, TO INCLUDE CONTROLLED ENVIRONMENT AGRICULTURE ENTERPRISES MEETING MINIMUM CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY IN THE TYPES OF NEW ENTERPRISES FOR WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES MAY GRANT AD VALOREM TAX EXEMPTIONS; TO AMEND SECTION 51-7-29, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE BOARD OF SUPERVISORS OF ANY COUNTY, WHICH HAS A MASTER WATER MANAGEMENT DISTRICT WITHIN A COUNTY, TO IMPLEMENT A TAX ASSESSMENT THAT IS LEVIED BY THE COMMISSIONERS OF A MASTER WATER MANAGEMENT DISTRICT; TO AMEND SECTION 51-7-23, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

Committee Amendment No. 1 to H. B. No. 1561 was adopted.

YEAS AND NAYS On H. B. No. 1561. On motion of Senator Williams, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniell, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Harkins called up the following entitled bill:

**H. B. No. 1723:** Tax credits; authorize for business contributions to certain organizations supporting food pantries or soup kitchens.

Senator Johnson offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 135 by deleting the following language:

, and shall stand repealed on June 30, 2023

Committee Amendment No. 1 to H. B. No. 1723 was adopted.

YEAS AND NAYS On H. B. No. 1723. On motion of Senator Johnson, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,

Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 60, S. R. No. 61, S. R. No. 62, S. R. No. 63, S. R. No. 64, S. R. No. 65, S. R. No. 66, S. R. No. 67, S. R. No. 68, S. R. No. 69, S. R. No. 70, S. R. No. 71, S. R. No. 72, S. R. No. 73, S. R. No. 74 and H. C. R. No. 39 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. R. No. 60:** Commend NWMCC Lady Rangers volleyball team for first-ever Region 23 Championship.

**S. R. No. 61:** Commend Northwest Mississippi Community College "Rangers" Softball team for first Region 23 Title.

**S. R. No. 62:** Commend Germantown High School "Lady Mavericks" Girls Basketball Team for their first Class 6A State Championship.

**S. R. No. 63:** Commend Yazoo City High School "Indians" Boys Basketball Team for winning first 4A State Championship in 27 years.

**S. R. No. 64:** Commend Northwest Rankin High School "Cougars" Boys Basketball Team for winning its first State Championship.

**S. R. No. 65:** Recognize D'Iberville Public Works Director Mike Mullins on the occasion of his retirement and commend his public service.

**S. R. No. 66:** Observe March 21, 2023, as "Alpha Kappa Alpha Sorority Day at the Capitol."

**S. R. No. 67:** Resolutions congratulating 2022-2023 West Lauderdale High School Girls Soccer Team.

**S. R. No. 68:** Commend Sarah Lea Anglin State Games "Female Athlete of the Year."

**S. R. No. 69:** Congratulate Mr. LeeRoy Carpenter State Games "Male Athlete of the Year."

**S. R. No. 70:** Commend Jackson Prep "Patriots" Boys Basketball Team for back-to-back MAIS State Championships.

**S. R. No. 71:** Commend Louisville High School "Lady Wildcats" Girls Basketball Team for winning 4A State Championship.

**S. R. No. 72:** Congratulate Kaylee Harrison being selected as State Games "Youth Athlete of the Year."

**S. R. No. 73:** Commend Booneville High School "Lady Blue Devils" Girls Basketball Team for winning back-to-back MHSAA 3A State Championships.



**S. R. No. 74:** Commend Booneville High School "Blue Devils" Boys Basketball Team for winning back-to-back MHSAA 3A State Championships.

**H. C. R. No. 39:** Panny Flautt Mayfield; commend upon being named a 2023 Noel Polk Lifetime Achievement Award Nominee.

YEAS AND NAYS on consideration en bloc of S. R. No. 60, S. R. No. 61, S. R. No. 62, S. R. No. 63, S. R. No. 64, S. R. No. 65, S. R. No. 66, S. R. No. 67, S. R. No. 68, S. R. No. 69, S. R. No. 70, S. R. No. 71, S. R. No. 72, S. R. No. 73, S. R. No. 74 and H. C. R. No. 39. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), Jackson and Parker as co-authors of **S. R. No. 60**.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), Jackson and Parker as co-authors of **S. R. No. 61**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Michel as co-authors of **S. R. No. 62**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Hopson as co-authors of **S. R. No. 63**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 64**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Seymour as co-authors of **S. R. No. 65**.

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Unanimous consent was granted to add Senators Barnett, Blount, Butler K. (38th) and Jackson as co-authors of **S. R. No. 66**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and McCaughn as co-authors of **S. R. No. 67**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), McCaughn and Michel as co-authors of **S. R. No. 68**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), Jackson and McCaughn as co-authors of **S. R. No. 69**.

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Unanimous consent was granted to add Senators Barnett, Blount and Butler K. (38th) as co-authors of **S. R. No. 70**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 71**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and McCaughn as co-authors of **S. R. No. 72**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 73**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 74**.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2892:** City of Vicksburg; authorize to contribute to the creation, development and promotion of the Dr. Jane Ellen McAllister Museum.

YEAS AND NAYS On S. B. No. 2892. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3108:** Lowndes County; authorize to lease property for nominal consideration for nonprofit use for the benefit of disadvantaged children.

YEAS AND NAYS On S. B. No. 3108. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McMahan moved that the rules be suspended for the consideration en bloc of H. B. No. 1197, H. B. No. 1209, H. B. No. 1356 and H. B. No. 1521 and the motion prevailed.

Senator McMahan called up the following entitled Local and Private bills:

**H. B. No. 1197:** City of Baldwin; extend date of repeal on tax for hotels, motels, restaurants and convenience stores.

**H. B. No. 1209:** City of Waynesboro; extend repealer on authority to impose tax on bars, restaurants, hotels/motels, B & Bs.

**H. B. No. 1356:** City of Lexington; extend repealer on restaurant tourism tax.

**H. B. No. 1521:** City of Brandon; extend repealer on tax on sales of prepared food and drink at restaurants and bars.

YEAS AND NAYS on consideration en bloc of H. B. No. 1197, H. B. No. 1209, H. B. No. 1356 and H. B. No. 1521. On motion of Senator McMahan, the rules were suspended, foregoing numbered bills on the Local and Private Calendar were considered engrossed, each read the third time and, agreeable to the provisions of the Constitution, the yeas and nays were taken, and the bills passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

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Senator McMahan moved that the rules be suspended for the consideration en bloc of H. B. No. 1541 and H. B. No. 1542 and the motion prevailed.

Senator McMahan called up the following entitled Local and Private bills:

**H. B. No. 1541:** Tallahatchie County; authorize conveyance of public library to the Town of Webb.

**H. B. No. 1542:** Tallahatchie County; authorize conveyance of public library to the Town of Tutwiler.

YEAS AND NAYS on consideration en bloc of H. B. No. 1541 and H. B. No. 1542. On motion of Senator McMahan, the rules were suspended, foregoing numbered bills on the Local and Private Calendar were considered engrossed, each read the third time and, agreeable to the provisions of the Constitution, the yeas and nays were taken, and the bills passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk called up the following House Amendment to **S. B. No. 2853** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

#### AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "sUAS" means a small unmanned aircraft system, also called a drone, including the unmanned aircraft itself and any additional support equipment, control stations, data links, telemetry, communications and navigation equipment or any other equipment necessary to operate the unmanned aircraft.

(b) "Domestic manufacturer" means a manufacturing company incorporated and headquartered in the United States of America and whose majority ownership is comprised of American citizens and which manufactures drones at a facility in the United States of America. If such company is owned by another entity, that entity must also be an American company.

(c) "Domestic sUAS company" means a company which provides maintenance, repair, and other technical services for small unmanned aircraft systems, including drones, which is incorporated, headquartered and primarily provides such services in the United States of America.

(d) "Collision avoidance system" means a system of hardware or software designed to mitigate collision risk for drones.

(2) Beginning March 1, 2024, all small unmanned aircraft systems and drones purchased by the State of Mississippi or any agency or political subdivision thereof shall be purchased exclusively from a domestic manufacturer and shall possess collision avoidance systems. All maintenance, repair and other technical services on drones owned by the State of Mississippi or any agency or political subdivision thereof shall be performed by a domestic sUAS company. All infrastructure inspection services requiring the use of sUAS and contracted for on behalf of the State shall be performed using domestically manufactured sUAS.

(3) In public procurement under Title 31, Chapter 7, domestic manufacturers operating within the State of Mississippi shall be granted a twenty percent (20%) bid preference over non-Mississippi manufacturers and domestic sUAS companies shall be granted a twenty percent (20%) bid preference over non-Mississippi companies. Additionally, all agencies and public entities must solicit a minimum of one (1) bid from a Mississippi-based small unmanned aircraft system manufacturer.

(4) An agency may not purchase or operate a small unmanned aircraft system manufactured in the People's Republic of China. For purposes of this section, the term "manufactured" includes a small unmanned aircraft system that is assembled in a country other than the People's Republic of China but which is comprised of more than a negligible amount of parts, software, components or raw materials originating in the People's Republic of China.

(5) The provisions of this section shall not apply to a state institution of higher learning with a federally designated research center when such institution is conducting research regarding sUAS and related matters.

SECTION 2. Section 1 of this act shall be codified in Title 31, Chapter 7, Mississippi Code of 1972.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REQUIRE STATE-PURCHASED SMALL UNMANNED AIRCRAFT SYSTEMS OR DRONES TO BE MANUFACTURED IN THE UNITED STATES OF AMERICA BY AN AMERICAN-OWNED COMPANY AND TO POSSESS COLLISION AVOIDANCE SYSTEMS; TO EXEMPT STATE INSTITUTIONS OF HIGHER LEARNING FROM SUCH REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES; TO GRANT A 20% BID PREFERENCE IN PUBLIC PROCUREMENT FOR SMALL UNMANNED AIRCRAFT SYSTEMS AND RELATED SERVICES TO MISSISSIPPI MANUFACTURERS AND SERVICING COMPANIES; TO REQUIRE ALL PUBLIC AGENCIES TO SOLICIT AT LEAST ONE BID FROM A MISSISSIPPI-BASED SMALL UNMANNED AIRCRAFT SYSTEM MANUFACTURER; TO PROHIBIT STATE AGENCIES FROM PURCHASING OR OPERATING SMALL UNMANNED AIRCRAFT SYSTEMS MANUFACTURED OR ASSEMBLED FROM PARTS MANUFACTURED IN THE PEOPLE'S REPUBLIC OF CHINA; AND FOR RELATED PURPOSES.

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Senator Moran called up the following House Amendment to **S. B. No. 2530** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 52 by inserting the following language after "2023": ", and shall stand repealed on June 30, 2023".

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Senator Moran called up the following House Amendment to **S. B. No. 2544** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 615 by inserting the following language after "2023": ", and shall stand repealed on June 30, 2023".

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Senator Moran called up the following House Amendment to **S. B. No. 2551** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 156 by inserting the following language after "2023": ", and shall stand repealed on June 30, 2023".

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Senator Wiggins called up the following House Amendment to **S. B. No. 2382** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 73-3-38, Mississippi Code of 1972:

73-3-38. (1) If a lawyer, attorney at law, or counselor at law of another state is not licensed to practice law in Mississippi, a television advertisement of the person's legal services in any language must include in the advertisement the following: "NOT LICENSED TO PRACTICE LAW IN MISSISSIPPI."

(2) (a) The notice must be of conspicuous size and duration in the visual component of an advertisement; the audio portion of an advertisement must plainly include substantially the same message. The notice must be in the languages used in the advertisement.

(b) In lieu of the disclaimer required in paragraph (a) of this subsection, the advertiser may conspicuously state in both the visual and audio components of the advertisement that the person is licensed only in the specific states in which the person is licensed to practice law.

(3) Failure to comply with the provisions of this section constitutes an unfair or deceptive act under Section 75-24-5.

SECTION 2. Section 75-24-5, Mississippi Code of 1972, is amended as follows:

75-24-5. (1) Unfair methods of competition affecting commerce and unfair or deceptive trade practices in or affecting commerce are prohibited. Action may be brought under Section 75-24-5(1) only under the provisions of Section 75-24-9.

(2) Without limiting the scope of subsection (1) of this section, the following unfair methods of competition and unfair or deceptive trade practices or acts in the conduct of any trade or commerce are hereby prohibited:

- (a) Passing off goods or services as those of another;
- (b) Misrepresentation of the source, sponsorship, approval, or certification of goods or services;
- (c) Misrepresentation of affiliation, connection, or association with, or certification by another;
- (d) Misrepresentation of designations of geographic origin in connection with goods or services;
- (e) Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a person has a sponsorship, approval, status, affiliation, or connection that he does not have;
- (f) Representing that goods are original or new if they are reconditioned, reclaimed, used, or secondhand;
- (g) Representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;
- (h) Disparaging the goods, services, or business of another by false or misleading representation of fact;
- (i) Advertising goods or services with intent not to sell them as advertised;
- (j) Advertising goods or services with intent not to supply reasonably expectable public demand, unless the advertisement discloses a limitation of quantity;
- (k) Misrepresentations of fact concerning the reasons for, existence of, or amounts of price reductions;
- (l) Advertising by or on behalf of any licensed or regulated health care professional which does not specifically describe the license or qualifications of the licensed or regulated health care professional;
- (m) Charging an increased premium for reinstating a motor vehicle insurance policy that was cancelled or suspended by the insured solely for the reason that he was transferred out of this state while serving in the United States Armed Forces or on active duty in the National Guard or United States Armed Forces Reserve. It is also an unfair practice for an insurer to charge an increased premium for a new motor vehicle insurance policy if the applicant for coverage or his covered dependents were previously insured with a different insurer and canceled that policy solely for the reason that he was transferred out of this state while serving in the United States Armed Forces or on active duty in the National Guard or United States Armed Forces Reserve. For purposes of determining premiums, an insurer shall consider such persons as having maintained continuous coverage. The provisions of this paragraph (m) shall apply only to such instances when the insured does not drive the vehicle during the period of cancellation or suspension of his policy \* \* \*;

(n) Failure of an out-of-state attorney to comply with the notice provisions of Section 73-3-38.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023 and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 73-3-38, MISSISSIPPI CODE OF 1972, TO REQUIRE OUT-OF-STATE ATTORNEYS ADVERTISING ON TELEVISION TO DISCLOSE IF THEY ARE NOT LICENSED TO PRACTICE LAW IN MISSISSIPPI; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2127** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-7-75, Mississippi Code of 1972, is amended as follows:

97-7-75. (1) This section shall be known and may be cited as the "Mississippi Terroristic Threats Law."

(2) (a) A person commits the offense of making a terroristic threat when the person makes a threat to commit a crime of violence or a threat to cause bodily injury to another person if the threat does in fact cause a reasonable expectation or reasonable fear of the imminent commission of an offense and if, in making the threat, the person has the intent to:

(i) Intimidate or coerce a civilian population or segment of a civilian population \* \* \*; or

(ii) Influence or affect, by intimidation or coercion, the policy or conduct of a unit of government, educational institution, business or segment of the civilian population \* \* \*.

(b) It is not a defense to a prosecution under this section that, at the time the defendant made the terroristic threat, the defendant did not have the intent or capability to actually commit the specified offense, nor is it a defense that the threat was not made to a person who was a subject or intended victim of the threatened act.

(3) A person convicted of the offense of making a terroristic threat is guilty of a felony punishable by imprisonment in the custody of the Mississippi Department of Corrections for not more than ten (10) years.

SECTION 2. This act shall take effect and be in force from and after its passage.



Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-7-75, MISSISSIPPI CODE OF 1972, TO REVISE THE ELEMENTS OF THE OFFENSE OF MAKING A TERRORISTIC THREAT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2127** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane called up the following House Amendment to **S. B. No. 2239** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-25-11, Mississippi Code of 1972, is amended as follows:

17-25-11. (1) Certified law enforcement officers or certified part-time law enforcement officers, as defined in Section 45-6-3, who are employed by a county \* \* \*, municipality or the Mississippi Highway Patrol may wear the official uniform and may utilize the official firearm and the official vehicle issued by the employing jurisdiction while in the performance of private security services in off-duty hours. The governing authority of a municipality must approve of such use of the uniform, official weapon and vehicle by municipal law enforcement officers by act spread upon the minutes of such board and approved by the chief executive. The sheriff of a county must approve such use of the uniform, official weapon and vehicle by deputy sheriffs. The Colonel of the Mississippi Highway Patrol must approve such use of the uniform, official weapon and vehicle by highway patrol officers. Approval shall be on an employee-by-employee basis and not by general order. Any proceedings regarding application or approval and the minutes regarding same shall be a public record.

(2) Each governing board and chief executive \* \* \*, sheriff or Colonel of the Mississippi Highway Patrol shall determine before the use of the official uniform, weapon and vehicle is approved that the proposed employment is not likely to bring disrepute to the employing jurisdiction or its law enforcement agency, the officer at issue, or law enforcement generally, and that the use of the official uniform, weapon and vehicle in the discharge of the officer's private security endeavor promotes the public interest.

(3) (a) Acts and omissions of an officer in discharge of private security employment shall be deemed to be the acts and omissions of the person or entity who hires or enters

into any independent contractual service agreement with an officer for the private security services, and not the acts and omissions of the employing jurisdiction whose uniform, weapon and vehicle are approved for the private security use.

(b) The person or entity, and the person's or entity's insurer, who hires or enters into any independent contractual service agreement with an officer for private security services shall:

(i) Hold harmless the employing jurisdiction and fully indemnify the employing jurisdiction for any expense or loss, including attorney's fees and any damage to the official vehicle, which results from any action taken against the employing jurisdiction arising out of the acts or omissions of the officer in discharge of private security services while wearing the official uniform or using the official weapon or vehicle; and

(ii) Name the employing jurisdiction as a named insured on its general liability and automobile liability policies for at least the amount of recovery provided for in Section 11-46-15 for any damage to the official vehicle.

(c) If the person or entity, and the person's or entity's insurer, fails or refuses to endorse, indemnify and hold harmless the employing jurisdiction, the employing jurisdiction shall not approve the use of the official vehicle of the employing jurisdiction for private security services.

(d) Neither the state nor any subdivision thereof shall be liable for a claim or injury arising from the acts or omissions of an officer in the discharge of any private security employment duties under this section, including travel to and from private security employment duties in the official vehicle.

(4) Certified police officers performing private jobs during their off-duty hours are required to notify the appropriate law enforcement agency of the place of employment, the hours to be worked, and the type of employment.

(5) The official uniform, weapon and vehicle may be worn and utilized only at locations which are within the jurisdiction of the governmental entity whose uniform, weapon and vehicle are involved.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 17-25-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE MISSISSIPPI HIGHWAY PATROL OFFICERS TO USE THEIR OFFICIAL UNIFORM, FIREARM AND VEHICLE WHILE IN THE PERFORMANCE OF PRIVATE SECURITY SERVICES IN OFF DUTY HOURS; AND FOR RELATED PURPOSES.

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Senator Parks called up the following House Amendment to **S. B. No. 2487** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section

37-106-85, Mississippi Code of 1972:

37-106-85. Sections 37-106-85 through 37-106-93, Mississippi Code of 1972, shall be known and may be cited as the "Mississippi Dual Credit Scholarship Program Act of 2023."

SECTION 2. The following shall be codified as Section

37-106-87, Mississippi Code of 1972:

37-106-87. There is hereby created the Mississippi Dual Credit Scholarship Program, to be administered by the Mississippi Postsecondary Education Financial Assistance Board established under Section 37-106-9. The Board shall set the dates and deadlines for applying for funding for dual credit courses of eligible Mississippi high school students under the provisions of Sections 37-106-85 through 37-106-93 and award scholarships to participating institutions for those who meet the eligibility requirements provided herein.

SECTION 3. The following shall be codified as Section

37-106-89, Mississippi Code of 1972:

37-106-89. As used in this act, the following terms shall have the meaning ascribed in this section, unless context of use clearly requires otherwise:

(a) "Institution" means any postsecondary educational institution that is a public state-supported institution of higher learning, a public state-supported community or junior college, or any not-for-profit private institution of higher learning in the state. The term does not include proprietary colleges or universities.

(b) "Student" means a high school student in a public, private, charter or home-school program in Mississippi.

(c) "Board" means the Mississippi Postsecondary Education Financial Assistance Board established in Section 37-106-9, which is authorized and empowered to administer the provisions of Chapter 106, Title 37, Mississippi Code of 1972.

(d) "Director" means the individual designated by the Board of Trustees of State Institutions of Higher Learning to administer the provisions of the various financial assistance programs by promulgating the necessary rules and regulations for their effective administration.

(e) "Dual enrolled student" means a student who is enrolled in a community or junior college or state institution of higher learning while enrolled in high school, as defined in Section 37-15-37(1)(a).

(f) "Dual credit student" means a student who is enrolled in a community or junior college or state institution of higher learning while enrolled in high school and who is receiving high school and college credit for postsecondary coursework, as defined in Section 37-15-38(1)(b).

(g) "Manual" means the procedures manual for the State of Mississippi Dual Enrollment and Accelerated Programs of which the contents of the manual are

evaluated and approved by the academic officers of both the Mississippi Association of Community Colleges and the Mississippi Institutions of Higher Learning.

- (h) "Program" means the Mississippi Dual Credit Scholarship Program.

SECTION 4. The following shall be codified as Section

37-106-91, Mississippi Code of 1972:

37-106-91. (1) (a) For institutions to be eligible for participation in the program, the institution shall adhere to the guidelines prescribed in the procedures manual for the State of Mississippi Dual Enrollment and Accelerated Programs, hereinafter the "manual", and the requirements established by the Mississippi Postsecondary Education Financial Assistance Board for participating institutions set forth in this subsection.

(b) Eligibility for funding shall be incorporated into the manual, which shall outline the specific criteria for initial and continued eligibility for participation for institutions, dual enrollment students and dual credit students, respectively. The academic officers of both the Mississippi Association of Community Colleges and the Board of Trustees of State Institutions of Higher Learning shall evaluate and approve the contents of the manual each year.

(c) The board shall administer the Dual Credit Scholarship Program as outlined in the manual. Funds for the program shall be distributed by the board to the providing institution of higher education on behalf of each eligible student after the enrollment verification period. Funds shall not be distributed by the board directly to the student.

(d) Participation in the Mississippi Dual Credit Scholarship Program is optional for all institutions defined in Section 37-106-89(a). However, in order to qualify for funding, all guidelines in the manual must be followed by each institution.

(e) All participating institutions shall be reimbursed at the rate of forty percent (40%) of the average community college credit hour tuition for the current academic year.

(f) Participating institutions may elect to exclude specific centers, branch campuses, collegiate academies and middle college's within their governance or purview from participating in the Mississippi Dual Credit Scholarship Program.

(2) For students to be eligible for participation in the program, the scholarship applicant shall satisfy the student eligibility requirements prescribed in Procedures Manual for the State of Mississippi Dual Enrollment and Accelerated Programs and the requirements established for student eligibility set forth in this subsection, and accordingly as follows:

(a) Each eligible student shall be qualified for funding of up to fifteen (15) dual credit semester credit hours prior to high school graduation;

(b) If a dual credit student wishes to undertake more than fifteen (15) dual credit hours, he or she may be charged regular tuition rates or another rate, to be determined by the participating institution;

(c) Eligible students must meet the eligibility requirements as outlined in the manual;

(d) All students who meet the eligibility requirements as outlined in the manual, regardless of participation method, whether online, at a participating institution's

campus, at a high school campus, academic or career and technical education (CTE), shall meet the requirements for funding allocation to the participating institution;

(e) All Dual Credit Scholarship Program student recipients shall be required to participate in an advising component related to the Mississippi Articulation and Transfer Tool (MATT) to ensure their understanding of course transferability;

(f) Books, course materials, tools, supplies, lab fees, transportation costs and other applicable course fees shall be the responsibility of the student or high school district. Dual Credit Scholarship Program funds shall not cover these costs;

(g) Middle college students shall be qualified for the Mississippi Dual Credit Scholarship Program funding only if the institution complies with the requirements of the manual; and

(h) Students must be residents of the State of Mississippi. Resident status for the purposes of receiving assistance under this chapter shall be determined in the same manner as resident status for tuition purposes in Sections 37-103-1 through 37-103-29, with the exception of Section 37-103-17.

(3) To ensure appropriate articulation of college credits to other institutions, only the courses on the "Approved Academic Dual Credit Listing" shall be eligible for funding.

(4) (a) Early college students are not eligible for the Mississippi Dual Credit Scholarship Program funding.

(b) Dual enrolled students are excluded from participating in the Mississippi Dual Credit Scholarship Program.

SECTION 5. The following shall be codified as Section

37-106-93, Mississippi Code of 1972:

37-106-93. In addition to the criteria established in Section 37-106-91, the following program participation criteria must be adhered to:

(a) Future enrollment at the providing institution cannot be a requirement for a student to be eligible for Dual Credit Scholarship Program funds;

(b) All community college career and technical education (CTE) courses shall be eligible for funding;

(c) The board shall promulgate rules as necessary to implement and administer this section;

(d) The board shall develop rules for ensuring that expenses of the scholarship program in each fiscal year do not exceed funding for the program in that fiscal year. For that purpose, and any other provision of this section to the contrary notwithstanding, the board may limit the acceptance of scholarship applications and may limit the award amount of scholarships;

(e) If the state appropriation is insufficient to fully fund all students eligible for participation in the program in a given year, those funds shall be prorated to the student's account at the eligible participating institution by an amount to be determined by the board. The student or school district will then be responsible for the remaining balance due for the course taken at the providing institution;

(f) The board may conduct its own annual audits of any institution participating in the Mississippi Dual Credit Scholarship Program. The board may suspend

or revoke an institution's eligibility to receive future funds under the program if it finds that the institution has not complied with the provisions of the manual and the requirements established in Section 37-106-91(1);

(g) The board may conduct its own annual audits of students participating in the Mississippi Dual Credit Scholarship Program. The board may suspend or revoke a high school's eligibility to participate in the program if it finds the student or high school has not complied with the provisions of the manual and the requirements established in Section 37-106-91(2);

(h) The board is authorized to receive one percent (1.0%) of the annual amount appropriated for the program to offset the expenses of administering the program;

(i) The average community college credit hour tuition amount for the current academic year, as referenced in Section

37-106-91(1)(e), shall be provided annually by the Mississippi Community College Board to the executive director of the board;

(j) At the end of the fiscal year, any unexpended balances appropriated by the Legislature for the implementation or administration of the program provided for in Sections

37-106-85 through 37-106-93 shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year for the same purpose; and

(k) The program requires specific appropriation by the Legislature.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "MISSISSIPPI DUAL CREDIT SCHOLARSHIP PROGRAM ACT OF 2023" TO BE ADMINISTERED BY THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO DEFINE TERMINOLOGY; TO REQUIRE THE BOARD TO SET THE DATES AND DEADLINES FOR APPLYING FOR FUNDING FOR DUAL CREDIT COURSES OF ELIGIBLE MISSISSIPPI HIGH SCHOOL STUDENTS; TO PROVIDE THAT ELIGIBILITY FOR PARTICIPATION IN THE PROGRAM BY POSTSECONDARY EDUCATIONAL INSTITUTIONS AND STUDENTS ALL ARE REQUIRED TO ADHERE TO THE GUIDELINES PRESCRIBED IN THE PROCEDURES MANUAL FOR THE STATE OF MISSISSIPPI DUAL ENROLLMENT AND ACCELERATED PROGRAMS; TO PROVIDE THE RATE AT WHICH PARTICIPATING INSTITUTIONS WILL BE REIMBURSED FOR PARTICIPATING STUDENTS; TO PROVIDE ONLY THE COURSES ON THE "APPROVED ACADEMIC DUAL CREDIT LISTING" ARE ELIGIBLE FOR FUNDING IN ORDER TO ENSURE APPROPRIATE ARTICULATION OF COLLEGE CREDITS TO OTHER INSTITUTIONS; TO EXCLUDE THE PARTICIPATION OF EARLY COLLEGE STUDENTS AND DUAL ENROLLED STUDENTS FROM PARTICIPATION IN THE PROGRAM; TO PROVIDE THAT ANY UNEXPENDED BALANCES APPROPRIATED BY THE LEGISLATURE REMAINING AVAILABLE AT THE END OF THE FISCAL YEAR SHALL NOT LAPSE INTO THE STATE GENERAL FUND, BUT SHALL CARRY OVER AND BE AVAILABLE FOR EXPENDITURE IN THE SUCCEEDING FISCAL YEAR; AND FOR RELATED PURPOSES.

Senator Wiggins called up the following House Amendment to **S. B. No. 2384** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is hereby established the Mississippi Task Force on Foster Care and Adoption.

(2) The members of the task force are as follows:

- (a) The Chief Justice of the Mississippi Supreme Court or a designee;
- (b) The Executive Director of Child Protection Services or a designee;
- (c) The Attorney General or a designee;
- (d) The Chair of the House Judiciary A, or a designee;
- (e) The chair of the Senate Judiciary A Committee, or a designee;
- (f) A member appointed by the Speaker of the House of Representatives or a designee;
- (g) One (1) sitting Chancery Court judge appointed by the Chief Justice of the Mississippi Supreme Court;
- (h) One (1) sitting Youth Court judge, appointed by the Chief Justice of the Mississippi Supreme Court;
- (i) One (1) practicing attorney with expertise in youth court matters and adoptions to be named by the Mississippi Board of Bar Commissioners;
- (j) A Guardian Ad Litem to be named by the Mississippi Board of Bar Commissioners;
- (k) A member of the Office of State Public Defender appointed by the State Public Defender to represent the interests of biological parents;
- (l) A member appointed by the Governor; and
- (m) A member appointed by the Lieutenant Governor.

(2) The members must be appointed to the task force within fifteen (15) days of the effective date of this act. Vacancies on the task force shall be filled in the manner of the original appointment. Members are eligible for reappointment if upon reappointment they meet the qualifications required of a new appointee.

(3) The chairpersons of the House and Senate Judiciary A Committees shall serve as co-chair of the task force. The task force must meet within sixty (60) days of the effective date of this act upon the call of the chairpersons of the House and Senate Judiciary A Committees, and at its first meeting shall elect any officers from among its membership as it deems necessary for the efficient discharge of the task force's duties.

(4) The task force shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business. A majority of the members shall constitute a quorum for the purpose of conducting any business of the task force, and a majority vote of all members present shall be required for any recommendations to the Legislature.

(5) Members of the task force shall receive a per diem in the amount provided in Section 25-3-69 for each day engaged in the business of the task force. Members of the task force other than the legislative members shall receive reimbursement for travel expenses incurred while engaged in official business of the task force in accordance with Section 25-3-41 and the legislative members of the task force shall receive the expense allowance provided for in Section 5-1-47.

(6) The Mississippi Bar Association and the Mississippi Judicial College shall provide necessary clerical support for the meetings of the Task Force and the preparation of the report, with assistance from the clerical and legal staff of the Mississippi House of Representatives and the Senate.

(7) The task force is authorized to apply for and accept gifts, grants, subsidies and other funds from persons, corporations, foundations, the United States government or other entities, and the receipt of any gifts, grants, subsidies and funds shall be reported and otherwise accounted for in the manner provided by law. If financial subsidies are sufficient, the task force may hire additional contract staff to support its work.

(8) The duties of the task force shall be as follows:

(a) Perform a comprehensive review and draft any necessary proposed revision of adoption statutes;

(b) Review the use of "reasonable efforts" and "diligent search" in the Child Protection Services statutes and determine whether a uniform definition is needed for each term, and, if so, to draft recommended language;

(c) Draft a definition (or examples through a nonexhaustive list) of what constitutes "compelling and extraordinary reasons why termination of parental rights would not be in the best interests of the child";

(d) Draft definitions of neglect as "willful" or "nonwillful" with a proposal for different courses of action depending on the type of neglect;

(e) Review of the Guardian Ad Litem role in the Foster Care system and Termination of Parental Rights process, including the proper responsibility for payment of Guardians Ad Litem, how much they should be paid, whether more Guardians Ad Litem are needed, and whether Title IV-E funds can be used for that purpose;

(f) Review whether parent representatives should be provided, and if so, how to pay them and whether Title IV-E funds could be used to pay them;

(g) Review of the timeframes and guidelines followed once a child comes into Child Protection Services custody and how to balance the length of these timeframes, the best interests of the child, and the interest of the biological parent(s);

(h) Review of the requirement to have concurrent permanency plans, whether this is currently taking place, and, if so, whether it is effective, and, if not effective, what needs to be done to ensure the courts and Child Protection Services are pursuing concurrent plans;



(i) Review of the requirement for a psychological assessment or evaluation for each child coming into custody, whether this is necessary in every case, and, if so, how to address the major shortage of medical providers that will be able to provide the services;

(j) Review of the diagnostic and evaluation shelters, whether the number is sufficient, and whether children are staying in these facilities too long before placement;

(k) Review of the course of action when a parent tests positive for drugs or alcohol, including when a mother tests positive for drugs during labor and delivery;

(l) Review of Title IV-E funding, whether these funds are being legally maximized, how they are being used and whether there are changes that need to be made to get the most out of these federal funds;

(m) To review laws, policies and procedures in other states;

(n) To review fatherhood initiative proposals and develop proposed policies to increase fatherhood participation of absent fathers; and

(o) Any other issues related to the Mississippi foster care system or adoption that the task force finds appropriate to address.

(9) The Task Force may request the assistance of the University of Mississippi School of Law and the Mississippi College School of Law, the Mississippi Judicial College, the Mississippi Administrative Office of Courts and the proper section of the Mississippi Bar Association, or any other related organization with expertise in domestic relations.

(10) The task force shall report its findings and recommendations to the Legislature annually not later than December 1, 2023.

(11) The task force shall stand dissolved on December 31, 2023.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE MISSISSIPPI TASK FORCE ON FOSTER CARE AND ADOPTION; TO PROVIDE FOR THE APPOINTMENT OF MEMBERS OF THE TASK FORCE; TO PROVIDE THAT THE TASK FORCE WILL STUDY MISSISSIPPI'S LAWS REGARDING FOSTER CARE AND ADOPTION AND RELATED AREAS OF INQUIRY; TO PROVIDE FOR THE TASK FORCE TO CONDUCT ITS BUSINESS; TO REQUIRE THAT THE TASK FORCE WILL REPORT ITS FINDINGS AND ANY RECOMMENDATIONS TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2645** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-31-5, Mississippi Code of 1972, is brought forward as follows:

[Until January 1, 2023, this section shall read as follows:]

25-31-5. (1) The following number of full-time legal assistants are authorized in the following circuit court districts:

(a) First Circuit Court District..... nine (9)  
legal assistants.  
(b) Second Circuit Court District..... ten (10)  
legal assistants.

(c) Third Circuit Court District five (5)

legal assistants.  
(d) Fourth Circuit Court District ..... six (6)  
legal assistants.  
(e) Fifth Circuit Court District..... five (5)  
legal assistants.  
(f) Sixth Circuit Court District..... two (2)  
legal assistants.  
(g) Seventh Circuit Court District..... eleven (11)  
legal assistants.  
(h) Eighth Circuit Court District ..... three (3)  
legal assistants.  
(i) Ninth Circuit Court District ..... three (3)  
legal assistants.  
(j) Tenth Circuit Court District..... four (4)  
legal assistants.

(k) Eleventh Circuit Court District five (5)

legal assistants.  
(l) Twelfth Circuit Court District ..... five (5)  
legal assistants.  
(m) Thirteenth Circuit Court District..... four (4)  
legal assistants.  
(n) Fourteenth Circuit Court District ..... five (5)  
legal assistants.  
(o) Fifteenth Circuit Court District..... six (6)  
legal assistants.  
(p) Sixteenth Circuit Court District ..... five (5)  
legal assistants.  
(q) Seventeenth Circuit Court District..... seven (7)  
legal assistants.  
(r) Eighteenth Circuit Court District ..... two (2)  
legal assistants.  
(s) Nineteenth Circuit Court District..... six (6)  
legal assistants.  
(t) Twentieth Circuit Court District ..... six (6)  
legal assistants.  
(u) Twenty-first Circuit Court District ..... three (3)  
legal assistants.  
(v) Twenty-second Circuit Court District..... three (3)  
legal assistants.

(2) In addition to any legal assistants authorized pursuant to subsection (1) of this section, the following number of full-time legal assistants are authorized (i) in the following circuit court districts if funds are appropriated by the Legislature to adequately fund the salaries, expenses and fringe benefits of such legal assistants, or (ii) in any of the following circuit court districts in which the board of supervisors of one or more of the counties in a circuit court district adopts a resolution to pay all of the salaries, supplemental pay, expenses and fringe benefits of legal assistants authorized in such district pursuant to this subsection:

(a) First Circuit Court District.....	two (2)
legal assistants.	
(b) Second Circuit Court District.....	two (2)
legal assistants.	
(c) Third Circuit Court District.....	two (2)
legal assistants.	
(d) Fourth Circuit Court District .....	two (2)
legal assistants.	
(e) Fifth Circuit Court District.....	two (2)
legal assistants.	
(f) Sixth Circuit Court District.....	two (2)
legal assistants.	
(g) Seventh Circuit Court District.....	two (2)
legal assistants.	
(h) Eighth Circuit Court District .....	two (2)
legal assistants.	
(i) Ninth Circuit Court District .....	two (2)
legal assistants.	
(j) Tenth Circuit Court District.....	two (2)
legal assistants.	
(k) Eleventh Circuit Court District .....	two (2)
legal assistants.	
(l) Twelfth Circuit Court District .....	two (2)
legal assistants.	
(m) Thirteenth Circuit Court District.....	two (2)
legal assistants.	
(n) Fourteenth Circuit Court District .....	two (2)
legal assistants.	
(o) Fifteenth Circuit Court District.....	two (2)
legal assistants.	
(p) Sixteenth Circuit Court District.....	two (2)
legal assistants.	
(q) Seventeenth Circuit Court District.....	two (2)
legal assistants.	
(r) Eighteenth Circuit Court District .....	two (2)
legal assistants.	
(s) Nineteenth Circuit Court District.....	two (2)
legal assistants.	
(t) Twentieth Circuit Court District .....	two (2)
legal assistants.	
(u) Twenty-first Circuit Court District .....	two (2)
legal assistants.	
(v) Twenty-second Circuit Court District.....	two (2)
legal assistants.	

(3) The board of supervisors of any county may pay all or a part of the salary, supplemental pay, expenses and fringe benefits of any district attorney or legal assistant authorized in the circuit court district to which such county belongs pursuant to this section.

(4) The district attorney of any circuit court district may employ additional legal assistants or criminal investigators, or both, without regard to any limitation on the number of legal assistants authorized in this section or criminal investigators authorized

by other provisions of law to the extent that the district attorney's office receives funds from any source. Any source shall include, but is not limited to, office generated funds, funds from a county, a combination of counties, a municipality, a combination of municipalities, federal funds, private grants or foundations, or by means of an Interlocal Cooperative Agreement authorized by Section 17-13-1 which may be expended for those positions in an amount sufficient to pay all of the salary, supplemental pay, expenses and fringe benefits of the positions. Such funds may either be paid out of district attorney accounts, transferred by the district attorney to the Department of Finance and Administration or to one or more of the separate counties comprising the circuit court district, and said funds shall be disbursed to such employees in the same manner as state-funded criminal investigators and full-time legal assistants. The district attorney shall report to the board of supervisors of each county comprising the circuit court district the amount and source of the supplemental salary, expenses and fringe benefits, and the board in each county shall spread the same on its minutes. The district attorney shall also report such information to the Department of Finance and Administration which shall make such information available to the Legislative Budget Office.

(5) The district attorney shall be authorized to assign the duties of a legal assistant regardless of the source of funding for such legal assistants.

[From and after January 1, 2023, this section shall read as follows:]

25-31-5. (1) The following number of full-time legal assistants are authorized in the following circuit court districts:

- (a) First Circuit Court District.....nine (9) legal assistants.
- (b) Second Circuit Court District.....ten (10) legal assistants.
- (c) Third Circuit Court District.....five (5) legal assistants.
- (d) Fourth Circuit Court District.....six (6) legal assistants.
- (e) Fifth Circuit Court District.....five (5) legal assistants.
- (f) Sixth Circuit Court District.....two (2) legal assistants.
- (g) Seventh Circuit Court District.....eleven (11) legal assistants.
- (h) Eighth Circuit Court District.....three (3) legal assistants.
- (i) Ninth Circuit Court District.....three (3) legal assistants.
- (j) Tenth Circuit Court District.....four (4) legal assistants.
- (k) Eleventh Circuit Court District.....five (5) legal assistants.
- (l) Twelfth Circuit Court District.....five (5) legal assistants.
- (m) Thirteenth Circuit Court District.....four (4) legal assistants.
- (n) Fourteenth Circuit Court District.....five (5) legal assistants.
- (o) Fifteenth Circuit Court District.....six (6) legal assistants.
- (p) Sixteenth Circuit Court District.....five (5) legal assistants.
- (q) Seventeenth Circuit Court District.....three (3) legal assistants.
- (r) Eighteenth Circuit Court District.....two (2) legal assistants.
- (s) Nineteenth Circuit Court District.....six (6) legal assistants.
- (t) Twentieth Circuit Court District.....six (6) legal assistants.
- (u) Twenty-first Circuit Court District.....three (3) legal assistants.
- (v) Twenty-second Circuit Court District.....three (3) legal assistants.
- (w) Twenty-third Circuit Court District .....four (4)

legal assistants.

(2) In addition to any legal assistants authorized pursuant to subsection (1) of this section, the following number of full-time legal assistants are authorized (i) in the following circuit court districts if funds are appropriated by the Legislature to adequately fund the salaries, expenses and fringe benefits of such legal assistants, or (ii) in any of the following circuit court districts in which the board of supervisors of one or more of the counties in a circuit court district adopts a resolution to pay all of the salaries, supplemental pay, expenses and fringe benefits of legal assistants authorized in such district pursuant to this subsection:

- (a) First Circuit Court District.....two (2) legal assistants.
- (b) Second Circuit Court District.....two (2) legal assistants.
- (c) Third Circuit Court District.....two (2) legal assistants.
- (d) Fourth Circuit Court District.....two (2) legal assistants.
- (e) Fifth Circuit Court District.....two (2) legal assistants.

- (f) Sixth Circuit Court District.....two (2) legal assistants.
- (g) Seventh Circuit Court District.....two (2) legal assistants.
- (h) Eighth Circuit Court District.....two (2) legal assistants.
- (i) Ninth Circuit Court District.....two (2) legal assistants.
- (j) Tenth Circuit Court District.....two (2) legal assistants.
- (k) Eleventh Circuit Court District.....two (2) legal assistants.
- (l) Twelfth Circuit Court District.....two (2) legal assistants.
- (m) Thirteenth Circuit Court District.....two (2) legal assistants.
- (n) Fourteenth Circuit Court District.....two (2) legal assistants.
- (o) Fifteenth Circuit Court District.....two (2) legal assistants.
- (p) Sixteenth Circuit Court District.....two (2) legal assistants.
- (q) Seventeenth Circuit Court District.....two (2) legal assistants.
- (r) Eighteenth Circuit Court District.....two (2) legal assistants.
- (s) Nineteenth Circuit Court District.....two (2) legal assistants.
- (t) Twentieth Circuit Court District.....two (2) legal assistants.
- (u) Twenty-first Circuit Court District.....two (2) legal assistants.
- (v) Twenty-second Circuit Court District.....two (2) legal assistants.
- (w) Twenty-third Circuit Court District.....two (2) legal assistants.

(3) The board of supervisors of any county may pay all or a part of the salary, supplemental pay, expenses and fringe benefits of any district attorney or legal assistant authorized in the circuit court district to which such county belongs pursuant to this section.

(4) The district attorney of any circuit court district may employ additional legal assistants or criminal investigators, or both, without regard to any limitation on the number of legal assistants authorized in this section or criminal investigators authorized by other provisions of law to the extent that the district attorney's office receives funds from any source. Any source shall include, but is not limited to, office generated funds, funds from a county, a combination of counties, a municipality, a combination of municipalities, federal funds, private grants or foundations, or by means of an Interlocal Cooperative Agreement authorized by Section 17-13-1 which may be expended for those positions in an amount sufficient to pay all of the salary, supplemental pay, expenses and fringe benefits of the positions. Such funds may either be paid out of district attorney accounts, transferred by the district attorney to the Department of Finance and Administration or to one or more of the separate counties comprising the circuit court district, and the funds shall be disbursed to such employees in the same manner as state-funded criminal investigators and full-time legal assistants. The district attorney shall report to the board of supervisors of each county comprising the circuit court district the amount and source of the supplemental salary, expenses and fringe benefits, and the board in each county shall spread the same on its minutes. The district attorney shall also report such information to the Department of Finance and Administration which shall make such information available to the Legislative Budget Office.

(5) The district attorney shall be authorized to assign the duties of a legal assistant regardless of the source of funding for such legal assistants.

SECTION 2. Section 25-31-10, Mississippi Code of 1972, is brought forward as follows:

[Until January 1, 2023, this section shall read as follows:]

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the Third, Fifth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth and Twentieth Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Fourth, Seventh and Nineteenth Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

(5) The full and complete compensation for all public duties rendered by the criminal investigators shall be not more than Sixty-three Thousand Dollars (\$63,000.00)

per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

(6) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq., Mississippi Code of 1972. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

(7) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

[From and after January 1, 2023, this section shall read as follows:]

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the Third, Fifth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Twentieth and Twenty-third Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Fourth, Seventh and Nineteenth Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

(5) The full and complete compensation for all public duties rendered by the criminal investigators shall be not more than Sixty-three Thousand Dollars (\$63,000.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

(6) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

(7) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

SECTION 3. This act shall take effect and be in force from and after January 1, 2024, and shall stand repealed on December 31, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO BRING FORWARD SECTION 25-31-5, MISSISSIPPI CODE OF 1972, WHICH PROVIDE THE NUMBER OF ASSISTANT DISTRICT ATTORNEYS FOR ALL CIRCUIT COURT DISTRICTS, FOR PURPOSES OF AMENDMENT; TO BRING FORWARD SECTION 25-31-10, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR CRIMINAL INVESTIGATORS, FOR PURPOSES OF AMENDMENT; AND FOR RELATED PURPOSES.

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Senator Wiggins called up the following House Amendment to **S. B. No. 2075** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is established the Board of Trustees of the Mississippi Adoption Licensure Authority, which shall consist of the following members:

(a) Three (3) members selected by the commissioner of the Mississippi Department of Child Protection Services;

(b) Three (3) members selected by majority vote of the adoption agencies that are currently licensed by the Mississippi Department of Child Protection Services;

(c) Three (3) members selected by a majority vote of the residential child-caring agencies that are currently licensed with the Mississippi Department of Child Protection Services.

(2) (a) The persons initially appointed by the Commissioner of the Department of Child Protection Services and the persons initially appointed by the residential child-caring agencies shall serve terms ending June 30, 2025. The persons initially appointed by the adoption agencies shall serve a term ending June 30, 2026.

After the expiration of the initial terms, each such appointment shall be for a term of four (4) years from the expiration of the previous term, except such persons shall serve at the will and pleasure of the appointing authority.

(b) A majority of the voting members of the board shall constitute a quorum for the conduct of meetings, and all actions of the board shall require a majority vote of the voting members of the board.

(c) The board shall annually elect one (1) voting member to serve as chairman and one (1) voting member to serve as vice chairman. The vice chairman shall act as chairman in the absence or disability of the chairman, or if there is a vacancy in the office of the chairman.

(3) The members of the board shall receive a per diem as provided in Section 25-3-69, plus travel and necessary expenses incidental to the attendance at each board meeting, including mileage, as provided in Section 25-3-41.

(4) No board member shall use his official position to obtain, or attempt to obtain, pecuniary benefit for himself other than that compensation provided for by law, or to obtain, or attempt to obtain, pecuniary benefit for any relative or any business with which he is associated, as provided in Section 25-4-105.

(5) The board shall not approve any payment to any entity of which a voting member of the board is an executive, member or employee.

(6) The Mississippi Department of Child Protection Services shall provide the office space for the board to perform its duties.

SECTION 2. (1) There is hereby created in the State Treasury a special fund to be known as the "Mississippi Adoption Relief Fund". The fund shall be a continuing fund, not subject to fiscal-year limitations, and shall consist of:

(a) Monies appropriated by the Legislature;

(b) The interest accruing to the fund;

- (c) Donations or grant funds received;
- (d) Monies from licensing fees for adoption agencies; and
- (e) Monies received from such other sources as may be provided by law.

(2) The monies shall be used by the board only for the purpose of performing its duties related to the licensing and regulation of adoption agencies and adoption services provided in this act.

(3) From and after July 1, 2023, the expenses of the fund shall be defrayed by appropriation from the State General Fund and all user charges and fees authorized under this section shall be deposited into the State General Fund as authorized by law and as determined by the State Fiscal Officer.

SECTION 3. Section 43-15-103, Mississippi Code of 1972, is amended as follows:

43-15-103. As used in this article:

- (a) "Adoption agency" means any entity that provides adoption services.
- (b) "Adoption services" means any services provided by an entity that facilitates an adoption. Such services include, but are not limited to:
  - (i) Finding a person to adopt the child;
  - (ii) Placing the child temporarily or permanently in a home for adoption;
  - (iii) Solicit money or other assistance for adoption;
  - (iv) Assisting a parent in identifying or locating a person interested in adopting the parent's child, or in identifying or locating a child to be adopted;
  - (v) Adoptions;
  - (vi) Adoption counseling;
  - (vii) Financial aid for adoption;
  - (viii) Advertising in the media markets in Mississippi seeking birth mothers or their children for adoption purposes; or
  - (ix) Payment of fees for medical, legal or other services rendered in connection with the care of a mother, delivery and care of a child including, but not limited to, the mother's living expenses, or counseling for the parents and/or the child, and for the legal proceedings related to lawful adoption proceedings.
- (x) Adoption service shall not include services provided by MDCPS.

\* \* \*

(c) "Board" means the Board of Trustees of the Mississippi Adoption Licensure Authority.

( \* \* \*d) "Child" or "children" mean(s) any unmarried person or persons under the age of eighteen (18) years.



( \*\* \*e) "Child placing" means receiving, accepting or providing custody or care for any child under eighteen (18) years of age, temporarily or permanently, for the purpose of \*\* \* placing a child in a foster home or residential child-caring agency.

( \*\* \*f) "Child-placing agency" means any entity or person which places children in foster boarding homes or foster homes for temporary care \*\* \* or any other entity or person or group of persons who are engaged in providing adoption studies or foster care studies or placement services as defined by the rules of the department.

( \*\* \*g) "Department" means the Mississippi Department of Human Services.

( \*\* \*h) "Director" means the Director of the Division of Family and Children's Services.

( \*\* \*i) "Division" means the Division of Family and Children's Services within the Mississippi Department of Human Services.

( \*\* \*j) "Family boarding home" or "foster home" means a home (occupied residence) operated by any entity or person which provides residential child care to at least one (1) child but not more than six (6) children who are not related to the primary caregivers.

( \*\* \*k) "Group care home" means any place or facility operated by any entity or person which provides residential child care for at least seven (7) children but not more than twelve (12) children who are not related to the primary caregivers.

( \*\* \*l) "Licensee" means any person, agency or entity licensed under this article.

( \*\* \*m) "Maternity home" means any place or facility operated by any entity or person which receives, treats or cares for more than one (1) child or adult who is pregnant out of wedlock, either before, during or within two (2) weeks after childbirth; provided, that the licensed child-placing agencies and licensed maternity homes may use a family boarding home approved and supervised by the agency or home, as a part of their work, for as many as three (3) children or adults who are pregnant out of wedlock, and provided further, that the provisions of this definition shall not include children or women who receive maternity care in the home of a person to whom they are kin within the sixth degree of kindred computed according to civil law, nor does it apply to any maternity care provided by general or special hospitals licensed according to law and in which maternity treatment and care are part of the medical services performed and the care of children is brief and incidental.

( \*\* \*n) "Office" means the Office of Licensing within \*\* \* the Mississippi Department of Child Protection Services.

( \*\* \*o) "Person associated with a licensee" means an owner, director, member of the governing body, employee, provider of care and volunteer of a human services licensee.

( \*\* \*p) "Related" means children, step-children, grandchildren, step-grandchildren, siblings of the whole or half-blood, step-siblings, nieces or nephews of the primary care provider.

( \*\* \*q) "Residential child care" means the provision of supervision, and/or protection, and meeting the basic needs of a child for twenty-four (24) hours per day, which may include services to children in a residential setting where care, lodging, maintenance and counseling or therapy for alcohol or controlled substance abuse or for

any other emotional disorder or mental illness is provided for children, whether for compensation or not.

( \*\* \*r) "Residential child-caring agency" means any place or facility operated by any entity or person, public or private, providing residential child care, regardless of whether operated for profit or whether a fee is charged. Such residential child-caring agencies include, but are not limited to, maternity homes, runaway shelters, group homes that are administered by an agency, and emergency shelters that are not in private residence.

SECTION 4. Section 43-15-105, Mississippi Code of 1972, is amended as follows:

43-15-105. (1) The Division of Family and Children's Services shall be the licensing authority for the department, and is vested with all the powers, duties and responsibilities described in this article. The division shall make and establish rules and regulations regarding:

(a) Approving, extending, denying, suspending and revoking licenses for foster homes, residential child-caring agencies and child-placing agencies;

(b) Conditional licenses, variances from department rules and exclusions;

(c) Basic health and safety standards for licensees; and

(d) Minimum administration and financial requirements for licensees.

(2) The division shall:

(a) Define information that shall be submitted to the division with an application for a license;

(b) Establish guidelines for the administration and maintenance of client and service records, including staff qualifications, staff to client ratios;

(c) Issue licenses in accordance with this article;

(d) Conduct surveys and inspections of licensees and facilities;

(e) Establish and collect licensure fees;

(f) Investigate complaints regarding any licensee or facility;

(g) Have access to all records, correspondence and financial data required to be maintained by a licensee or facility;

(h) Have authority to interview any client, family member of a client, employee or officer of a licensee or facility; and

(i) Have authority to revoke, suspend or extend any license issued by the division.

(3) The Board of Trustees of the Mississippi Adoption Licensure Authority shall be the licensing authority for the department for all matters regarding adoptions and adoption agencies, and is vested with all the powers, duties and responsibilities described in this article. The board shall make and establish rules and regulations regarding:

(a) Approving, extending, denying, suspending and revoking licenses for adoption agencies;

(b) Conditional licenses, variances from department rules and exclusions related to adoption agencies or adoption licensure;

(c) Basic health and safety standards for licensees; and

(d) Minimum administration and financial requirements for licensees.

(4) The board shall:

(a) Define information that shall be submitted to the board with an application for a license;

(b) Establish guidelines for the administration and maintenance of client and service records, including staff qualifications and staff to client ratios;

(c) Recommend licensure in accordance with this article;

(d) Establish and collect licensure fees;

(e) Investigate complaints regarding any licensee or facility;

(f) Have access to all records, correspondence and financial data required to be maintained by a licensee or facility; and

(g) Have authority to direct the division to revoke, suspend or extend any license for adoption services issued by the division.

(5) The board shall establish reasonable fees to issue licenses under this chapter. The board, at a minimum, shall:

(a) Establish a fee for submission of an application for a license;

(b) Require annual renewal of the license with minimum requirements for such renewal;

(c) Establish a fee for renewal of the license;

(d) Deposit all fees into the "Mississippi Adoption Relief Fund";

(e) Establish a re-instatement of license fee;

(f) Require proof that the facility will be open to the public for at least thirty (30) hours a week;

(g) Require proof that the facility has a physical presence in the State of Mississippi sufficient to conduct all services necessary in the performance of adoption services;

(h) Hire a third-party entity to assist with creating licensure standards and process applications according to those standards;

(i) Require adoption agencies to have an executive director or comparable head officer that is domiciled in the State of Mississippi; and

(j) Require adoption agencies to be Mississippi nonprofit organizations.

(6) The department shall adopt and administer all licensure requirements, rules and regulations, decisions on licensure applications, license revocations, suspensions

and all promulgations, decisions and actions created and recommended by the board pursuant to the board's statutory authority.

SECTION 5. Section 43-15-107, Mississippi Code of 1972, is amended as follows:

43-15-107. (1) Except as provided in Section 43-15-111, no person, agency, firm, corporation, association or other entity, acting individually or jointly with any other person or entity, may establish, conduct or maintain foster homes, residential child-caring agencies and child-placing agencies or facility and/or engage in child placing in this state without a valid and current license issued by and under the authority of the division as provided by this article and the rules of the division. No person, agency, firm, corporation, association or other entity, acting individually or jointly with any other person or entity, whether or not they possess a child-placing agency license, may perform adoption services as defined in this article without possessing a license to perform adoption services recommended by the board and issued by the division. Any out-of-state child-placing agency that provides a full range of services, including, but not limited to, adoptions, adoption services, foster family homes, adoption counseling services or financial aid, in this state must be licensed by the division under this article.

(2) An attorney who provides legal services to a client in connection with proceedings for the adoption of a child by the client, who does not receive, accept or provide custody or care for the child for the purposes specified in Section 43-15-103(c), shall not be required to have a license under this article to provide legal services.

( \*\* \*3) No license issued under this article is assignable or transferable.

( \*\* \*4) A current license shall at all times be posted in each licensee's facility, in a place that is visible and readily accessible to the public.

( \*\* \*5) (a) Except as otherwise provided in paragraph (b) of this subsection, each license issued under this article expires at midnight (Central Standard Time) twelve (12) months from the date of issuance unless it has been:

(i) Previously revoked by the office; or

(ii) Voluntarily returned to the office by the licensee.

(b) (i) For any adoption or child-placing agency located in Mississippi that remains in good standing, the license issued under this article expires at midnight (Central Standard Time) twenty-four (24) months from the date of issuance unless it has been:

1. Previously revoked by the office; or

2. Voluntarily returned to the office by the licensee.

(ii) Any child-placing agency whose license is governed by this paragraph (b) shall submit the following information to the office annually:

1. A copy of an audit report and IRS Form 990 for the agency;

2. The agency's fee schedule; and

3. The agency's client list.

(c) A license may be renewed upon application and payment of the applicable fee, provided that the licensee meets the license requirements established by this article and the rules and regulations of the division.

( \* \* \*6) Any licensee or facility which is in operation at the time rules are made in accordance with this article shall be given a reasonable time for compliance as determined by the rules of the division. In the case of an adoption agency, the reasonable time for compliance shall be determined by the division as recommended by the board.

SECTION 6. Section 43-15-109, Mississippi Code of 1972, is amended as follows:

43-15-109. (1) An application for a license under this article shall be made to the division and shall contain information that the division determines is necessary in accordance with established rules. An application for a license for an adoption agency or to provide adoption services shall be made to the division and the division shall refer the application to the board for a determination that the application contains information that is necessary in accordance with the established rules.

(2) Information received by the office and/or the board through reports, complaints, investigations and inspections shall be classified as public in accordance with Title 25, Chapter 61, Mississippi Code of 1972, Mississippi Public Records Act.

SECTION 7. Section 43-15-111, Mississippi Code of 1972, is amended as follows:

43-15-111. The provisions of this article, do not apply to:

(a) A facility, service or program owned, provided or operated by an agency of the State of Mississippi or United States government;

(b) A facility or program operated by the Department of Corrections or a company that is registered with the Mississippi Secretary of State under an exclusive contract with the Department of Corrections;

(c) Schools and educational programs and facilities located in the State of Mississippi, the primary purpose of which is to provide a regular course of study necessary for advancement to a higher educational level or completion of a prescribed course of study, and which may, incident to such educational purposes, provide boarding facilities to the students of such programs.

(d) Any Mississippi residential child-caring agency and/or child-placing agency operated or conducted under the auspices of a religious institution and meeting the requirements or conditions of this section shall be exempt from the licensure requirements of this article under the following conditions: (i) such religious institution must have a tax-exempt status as a nonprofit religious institution in accordance with Section 501(c) of the Internal Revenue Code of 1954, as amended, or the real property owned and exclusively occupied by the religious institution must be exempt from location taxation, \* \* \* (ii) the agency or institution must be in compliance with the requirements of the Child Residential Home Notification Act, Section 43-16-1 et seq., Mississippi Code of 1972, and must not be in violation of Section 43-16-21(c) regarding the abuse and/or neglect of any child served by such home who has been adjudicated by the youth court as an abused and/or neglected child and (iii) must have a physical office in the State of Mississippi. Nothing in this paragraph shall prohibit a residential child-caring agency or child-placing agency operated by or conducted under the auspices of a religious institution from obtaining a license pursuant to this article.

(e) Placement of custody under a power of attorney executed under Section 93-31-1 et seq.

SECTION 8. Section 43-15-113, Mississippi Code of 1972, is amended as follows:

43-15-113. (1) If a license other than an adoption license is revoked, the division may grant a new license after:

(a) Satisfactory evidence is submitted to the division, evidencing that the conditions upon which revocation was based have been corrected; and

(b) Inspection and compliance with all provisions of this article and applicable rules.

(2) The division may only suspend a license for a period of time which does not exceed the current expiration date of that license.

(3) When a license has been suspended, the division may completely or partially restore the suspended license upon a determination that the:

(a) Conditions upon which the suspension was based have been completely or partially corrected; and

(b) Interests of the public will not be jeopardized by restoration of the license.

(4) If a license to perform adoption services is revoked, the board may recommend to the division to grant a new license after:

(a) Satisfactory evidence is submitted to the board, evidencing that the conditions upon which revocation was based have been corrected;

(b) Inspection and compliance with all provisions of this article and applicable rules; and

(c) Full payment of the re-instatement fee, if any charged.

(5) The board may recommend to the division the suspension of adoption agency for a period of time which does not exceed the current expiration date of that license determined to be necessary by the board.

(6) When an adoption license has been suspended, the board may recommend to the division to completely or partially restore the suspended license upon a determination that the:

(a) Conditions upon which the suspension was based have been completely or partially corrected;

(b) Interests of the public will not be jeopardized by restoration of the license; and

(c) All fees that have been assessed by the division have been paid, unless a different time for repayment has been determined by the board.

SECTION 9. Section 43-15-115, Mississippi Code of 1972, is amended as follows:

43-15-115. (1) The division may, for the purpose of ascertaining compliance with the provisions of this article and its rules and regulations, enter and inspect on a routine basis the facility of a licensee.

(2) Before conducting an inspection under subsection (1), the division shall, after identifying the person in charge:

(a) Give proper identification;

(b) Request to see the applicable license;

(c) Describe the nature and purpose of the inspection; and

(d) If necessary, explain the authority of the division to conduct the inspection and the penalty for refusing to permit the inspection.

(3) In conducting an inspection under subsection (1), the division may, after meeting the requirements of subsection (2):

(a) Inspect the physical facilities;

(b) Inspect records and documents;

(c) Interview directors, employees, clients, family members of clients and others; and

(d) Observe the licensee in operation.

(4) An inspection conducted under subsection (1) shall be during regular business hours and may be announced or unannounced.

(5) The licensee shall make copies of inspection reports available to the public upon request.

(6) The provisions of this section apply to on-site inspections and do not restrict the division from contacting family members, neighbors or other individuals, or from seeking information from other sources to determine compliance with the provisions of this article.

(7) In the event that the licensee is an adoption agency or other person or entity licensed to perform adoption services, the division may enlist the board to perform the inspection as outlined above.

SECTION 10. Section 43-15-117, Mississippi Code of 1972, is amended as follows:

43-15-117. (1) Except as provided in this article, no person, agency, firm, corporation, association or group children's home may engage in adoption services, child placing, or solicit money or other assistance for child placing, without a valid license issued by the division. No out-of-state adoption agency and/or child-placing agency that provides a full range of services, including, but not limited to, adoptions, foster family homes, adoption counseling services or other adoption services or financial aid, may operate in this state without a valid license issued by the division. No adoption agency, child-placing agency or any other person or entity shall advertise in the media markets in Mississippi seeking birth mothers or their children for adoption purposes unless the agency holds a valid and current license issued \*\*\* by the division \*\*\*. Any adoption agency, child-placing agency, physician or attorney who advertises for child placing or adoption services in Mississippi shall be required by the division to show their principal office location on all media advertising for adoption services.

(2) An attorney who provides legal services to a client in connection with proceedings for the adoption of a child by the client, who does not receive, accept or provide custody or care for the child for the purposes specified in Section 43-15-103(c), shall not be required to have a license under this article to provide those legal services.

(3) (a) No monies shall be paid or otherwise dispersed by any attorney or adoption agency to any unlicensed person or entity for any service or other such claim for payment in connection with an adoption. This does not apply to attorneys making payments that are permitted by Mississippi Rule of Professional Conduct 5.4. Nor does this apply to any

payments made by a Mississippi licensed adoption agency to its staff, employees or other such persons or entities usual and customary for operating a licensed adoption agency.

(b) A full disclosure of all fees and monies paid or otherwise dispersed in an adoption shall be made to the court of competent jurisdiction for the purpose of proving that all fees and monies otherwise dispersed in facilitating the adoption were paid in compliance with this article.

(3) An attorney, physician or other person may assist a parent in identifying or locating a person interested in adopting the parent's child, or in identifying or locating a child to be adopted. However, no payment, charge, fee, reimbursement of expense, or exchange of value of any kind, or promise or agreement to make the same, may be made for that assistance.

(4) Nothing in this section precludes payment of reasonable fees for medical, legal or other lawful services rendered in connection with the care of a mother, delivery and care of a child including, but not limited to, the mother's living expenses, or counseling for the parents and/or the child, and for the legal proceedings related to lawful adoption proceedings; and no provision of this section abrogates the right of procedures for independent adoption as provided by law.

(5) The \* \* \* department is specifically authorized to promulgate rules under the Administrative Procedures Law, Title 25, Chapter 43, Mississippi Code of 1972, to regulate fees charged by licensed child-placing agencies, if it determines that the practices of those licensed child-placing agencies demonstrates that the fees charged are excessive or that any of the agency's practices are deceptive or misleading; however, those rules regarding fees shall take into account the use of any sliding fee by an agency that uses a sliding fee procedure to permit prospective adoptive parents of varying income levels to utilize the services of those agencies or persons.

(6) The division shall promulgate rules under the Administrative Procedures Law, Title 25, Chapter 43, Mississippi Code of 1972, to require that all licensed \* \* \* adoption agencies provide written disclosures to all prospective adoptive parents of any fees or other charges for each service performed by the agency or person, and file an annual report with the division that states the fees and charges for those services, and to require them to inform the division in writing thirty (30) days in advance of any proposed changes to the fees or charges for those services.

(7) The division is specifically authorized to disclose to prospective adoptive parents or other interested persons any fees charged by any licensed child-placing agency, attorney or counseling service or counselor for all legal and counseling services provided by that licensed child-placing agency, attorney or counseling service or counselor.

SECTION 11. Section 43-15-119, Mississippi Code of 1972, is amended as follows:

43-15-119. (1) If the division finds that a violation has occurred under this article or the rules and regulations of the division, it may:

(a) Deny, suspend or revoke a license or place the licensee on probation, if the division discovers that a licensee is not in compliance with the laws, standards or regulations governing its operation, and/or it finds evidence of aiding, abetting or permitting the commission of any illegal act; or

(b) Restrict or prohibit new admissions to the licensee's program or facility, if the division discovers that a licensee is not in compliance with the laws, standards or regulations governing its operation, and/or it finds evidence of aiding, abetting or permitting the commission of any illegal act.



(2) If placed on probation, the agency or licensee shall post a copy of the notice in a conspicuous place as directed by the division and with the agency's or individual's license, and the agency shall notify the custodians of each of the children in its care in writing of the agency's status and the basis for the probation.

(3) In the event that the licensed agency is an adoption agency or other person or entity licensed to perform adoption services in this state, then the division may enlist the board to determine whether or not the licensed adoption agency or other person or entity licensed to perform adoption services in this state is in violation of the rules and regulations of this article and may enlist the board to respond in accordance with the action listed above.

SECTION 12. Section 43-15-123, Mississippi Code of 1972, is amended as follows:

43-15-123. (1) Any person, agency, association, corporation, institution, society or other organization violating \* \* \* any provisions of this article, other than a provision regarding adoption, shall be guilty of illegal placement of children and shall be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00) or by imprisonment not more than five (5) years, or both such fine and imprisonment.

(2) Any person, agency, association, corporation, institution, society or other organization violating the provisions of this article regarding adoption and/or adoption services shall be guilty of illegal placement of children and shall be punished by a fine not to exceed Fifty Thousand Dollars (\$50,000.00) or by imprisonment not more than five (5) years, or both such fine and imprisonment.

SECTION 13. Section 43-15-125, Mississippi Code of 1972, is amended as follows:

43-15-125. The Department of Human Services and/or its officers, employees, attorneys and representatives and/or the board shall not be held civilly liable for any findings, recommendations or actions taken pursuant to this article.

SECTION 14. Section 49-7-27, Mississippi Code of 1972, is amended as follows:

49-7-27. (1) The commission may revoke any hunting, trapping, or fishing privileges, license or deny any person the right to secure such license if the person has been convicted of the violation of any of the provisions of this chapter or any regulation thereunder. The revocation of the privilege, license or refusal to grant license shall be for a period of one (1) year. However, before the revocation of the privilege or license shall become effective, the executive director shall send by registered mail notice to the person or licensee, who shall have the right to a hearing or representation before the commission at the next regular meeting or a special meeting. The notice shall set out fully the ground or complaint upon which revocation of, or refusal to grant, the privilege or license is sought.

(2) Any person who is convicted for a second time during any period of twelve (12) consecutive months for violation of any of the laws with respect to game, fish or nongame fish or animals shall forfeit his privilege and any license or licenses issued to him by the commission and the commission shall not issue the person any license for a period of one (1) year from the date of forfeiture.

(3) Failure of any person to surrender his license or licenses upon demand made by the commission or by its representatives at the direction of the commission shall be a misdemeanor and shall be punishable as such.

(4) Any violator whose privilege or license has been revoked, who shall, during the period of revocation, be apprehended for hunting or fishing, shall have imposed upon him a mandatory jail term of not less than thirty (30) days nor more than six (6) months.

(5) The commission \* \* \* shall suspend any license issued to any person under this chapter for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

(6) If a person is found guilty or pleads guilty or nolo contendere to a violation of Section 49-7-95, and then appeals, the commission shall suspend or revoke the hunting privileges of that person pending the determination of his appeal.

(7) (a) If a person does not comply with a summons or a citation or does not pay a fine, fee or assessment for violating a wildlife law or regulation, the commission shall revoke the fishing, hunting, or trapping privileges of that person. When a person does not comply or fails to pay, the clerk of the court shall notify the person in writing by first class mail that if the person does not comply or pay within ten (10) days from the date of mailing, the court will notify the commission and the commission will revoke the fishing, hunting or trapping privileges of that person. The cost of notice may be added to other court costs. If the person does not comply or pay as required, the court clerk shall immediately mail a copy of the court record and a copy of the notice to the commission. After receiving notice from the court, the commission shall revoke the fishing, hunting or trapping privileges of that person.

(b) A person whose fishing, hunting or trapping privileges have been revoked under this subsection shall remain revoked until the person can show proof that all obligations of the court have been met.

(c) A person shall pay a Twenty-five Dollar (\$25.00) fee to have his privileges reinstated. The fee shall be paid to the department.

SECTION 15. Section 93-11-155, Mississippi Code of 1972, is amended as follows:

93-11-155. (1) In the manner and form prescribed by the division, all licensing entities shall provide to the division, on at least a quarterly basis, information on licensees for use in the establishment, enforcement and collection of child support obligations including, but not limited to: name, address, social security number, sex, date of birth, employer's name and address, type of license, effective date of the license, expiration date of the license, and active or inactive license status. Whenever technologically feasible, the department and licensing entities shall seek to reach agreements to provide the information required by this section by way of electronic data media, including, but not limited to, on-line access and records on magnetic/optical disk or tape. In lieu of providing the licensing information to the division as outlined above and in the discretion of the licensing entity, the division shall provide the identity of the individual who is delinquent in support payments to the licensing entity who will then match that information with their records and provide the division with all necessary information for those individuals licensed by that entity.

(2) Any \* \* \* party to whom support is due either with or without the assistance of a licensed attorney, may submit to the division the name and record of accounting showing an arrearage of an individual who is out of compliance with an order for support which is not being enforced by the division under Title IV-D, and the division shall submit

the name of such individual to the licensing entities who will match the name with their records in the same manner as provided in subsection (1) to provide the party or his or her attorney with necessary information regarding licensees. The party or attorney applying for such information shall pay a fee not to exceed Twenty-five Dollars (\$25.00) for such service.

SECTION 16. Section 93-11-157, Mississippi Code of 1972, is brought forward as follows:

93-11-157. (1) The division shall review the information received under Section 93-11-155 and any other information available to the division, and shall determine if a licensee is out of compliance with an order for support. If a licensee is out of compliance with the order for support, the division shall notify the licensee by first class mail that ninety (90) days after the licensee receives the notice of being out of compliance with the order, the licensing entity will be notified to immediately suspend the licensee's license unless the licensee pays the arrearage owing, according to the accounting records of the Mississippi Department of Human Services or the attorney representing the party to whom support is due, as the case may be, or enters into a stipulated agreement and agreed judgment establishing a schedule for the payment of the arrearage. The licensee shall be presumed to have received the notice five (5) days after it is deposited in the mail.

(2) Upon receiving the notice provided in subsection (1) of this section the licensee may:

(a) Request a review with the division; however, the issues the licensee may raise at the review are limited to whether the licensee is the person required to pay under the order for support and whether the licensee is out of compliance with the order for support; or

(b) Request to participate in negotiations with the division for the purpose of establishing a payment schedule for the arrearage.

(3) The division director or the designees of the division director may and, upon request of a licensee, shall negotiate with a licensee to establish a payment schedule for the arrearage. Payments made under the payment schedule shall be in addition to the licensee's ongoing obligation under the latest entered periodic order for support.

(4) Should the division and the licensee reach an agreement on a payment schedule for the arrearage, the division director may submit to the court a stipulated agreement and agreed judgment containing the payment schedule which, upon the court's approval, is enforceable as any order of the court. If the court does not approve the stipulated agreement and agreed judgment, the court may require a hearing on a case-by-case basis for the judicial review of the payment schedule agreement.

(5) If the licensee and the division do not reach an agreement on a payment schedule for the arrearage, the licensee may move the court to establish a payment schedule. However, this action does not stay the license suspension.

(6) The notice given to a licensee that the licensee's license will be suspended in ninety (90) days must clearly state the remedies and procedures that are available to a licensee under this section.

(7) If at the end of the ninety (90) days the licensee has an arrearage according to the accounting records of the Mississippi Department of Human Services or the attorney representing the party to whom support is due, as the case may be, and the licensee has not entered into a stipulated agreement and agreed judgment establishing a payment schedule for the arrearage, the division shall immediately notify all applicable licensing entities in writing to suspend the licensee's license, and the licensing entities shall immediately suspend the license and shall within three (3) business days notify the

licensee and the licensee's employer, where known, of the license suspension and the date of such suspension by certified mail return receipt requested. Within forty-eight (48) hours of receipt of a request in writing delivered personally, by mail or by electronic means, the department shall furnish to the licensee, licensee's attorney or other authorized representative a copy of the department's accounting records of the licensee's payment history. A licensing entity shall immediately reinstate the suspended license upon the division's notification of the licensing entities in writing that the licensee no longer has an arrearage or that the licensee has entered into a stipulated agreement and agreed judgment.

(8) Within thirty (30) days after a licensing entity suspends the licensee's license at the direction of the division under subsection (7) of this section, the licensee may appeal the license suspension to the chancery court of the county in which the licensee resides or to the Chancery Court of the First Judicial District of Hinds County, Mississippi, upon giving bond with sufficient sureties in the amount of Two Hundred Dollars (\$200.00), approved by the clerk of the chancery court and conditioned to pay any costs that may be adjudged against the licensee. Notice of appeal shall be filed in the office of the clerk of the chancery court. If there is an appeal, the appeal may, in the discretion of and on motion to the chancery court, act as a supersedeas of the license suspension. The department shall be the appellee in the appeal, and the licensing entity shall not be a party in the appeal. The chancery court shall dispose of the appeal and enter its decision within thirty (30) days of the filing of the appeal. The hearing on the appeal may, in the discretion of the chancellor, be tried in vacation. The decision of the chancery court may be appealed to the Supreme Court in the manner provided by the rules of the Supreme Court. In the discretion of and on motion to the chancery court, no person shall be allowed to practice any business, occupation or profession or take any other action under the authority of any license the suspension of which has been affirmed by the chancery court while an appeal to the Supreme Court from the decision of the chancery court is pending.

(9) If a licensee who has entered a stipulated agreement and agreed judgment for the payment of an arrearage under this section subsequently is out of compliance with an order for support, the division shall immediately notify the licensing entity to suspend the licensee's license, and the licensing entity shall immediately suspend the license without a hearing and shall within three (3) business days notify the licensee in writing of the license suspension. In the case of a license suspension under the provisions of this subsection, the procedures provided for under subsections (1) and (2) of this section are not required; however, the appeal provisions of subsection (8) of this section still apply. After suspension of the license, if the licensee subsequently enters into a stipulated agreement and agreed judgment or the licensee otherwise informs the division of compliance with the order for support, the division shall within seven (7) days notify in writing the licensing entity that the licensee is in compliance. Upon receipt of that notice from the division, a licensing entity shall immediately reinstate the license of the licensee and shall within three (3) business days notify the licensee of the reinstatement.

(10) Nothing in this section prohibits a licensee from filing a motion for the modification of an order for support or for any other applicable relief. However, no such action shall stay the license suspension procedure, except as may be allowed under subsection (8) of this section.

(11) If a license is suspended under the provisions of this section, the licensing entity is not required to refund any fees paid by a licensee in connection with obtaining or renewing a license.

(12) The requirement of a licensing entity to suspend a license under this section does not affect the power of the licensing entity to deny, suspend, revoke or terminate a license for any other reason.

(13) The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license

suspended for that purpose, shall be governed by this section and not by the general licensing and disciplinary provisions applicable to a licensing entity. Actions taken by a licensing entity in suspending a license when required by this section are not actions from which an appeal may be taken under the general licensing and disciplinary provisions applicable to the licensing entity. Any appeal of a license suspension that is required by this section shall be taken in accordance with the appeal procedure specified in subsection (8) of this section rather than any procedure specified in the general licensing and disciplinary provisions applicable to the licensing entity. If there is any conflict between any provision of this section and any provision of the general licensing and disciplinary provisions applicable to a licensing entity, the provisions of this section shall control.

(14) No license shall be suspended under this section until ninety (90) days after July 1, 1996. This ninety-day period shall be a one-time amnesty period in which any person who may be subject to license suspension under this article may comply with an order of support in order to avoid the suspension of any license.

(15) Any individual who fails to comply with a subpoena or warrant relating to paternity or child support proceedings after receiving appropriate notice may be subject to suspension or withholding of issuance of a license under this section.

SECTION 17. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "BOARD OF TRUSTEES OF THE MISSISSIPPI ADOPTION LICENSURE AUTHORITY"; TO CREATE "THE MISSISSIPPI ADOPTION RELIEF FUND"; TO AMEND SECTION 43-15-103, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITIONS OF THE ADOPTION AGENCY REGULATIONS; TO AMEND SECTION 43-15-105, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE BOARD OF TRUSTEES OF THE ADOPTION LICENSURE AUTHORITY SHALL BE THE LICENSING AGENCY FOR ADOPTIONS; TO AMEND SECTIONS 43-15-107, 43-15-109 AND 43-15-111, MISSISSIPPI CODE OF 1972, TO REVISE THE APPLICATION PROCESS FOR ADOPTION LICENSES; TO AMEND SECTION 43-15-113, MISSISSIPPI CODE OF 1972, TO ADD CONDITIONS FOR GRANTING NEW LICENSES AFTER REVOCATION OF LICENSES; TO AMEND SECTION 43-15-117, MISSISSIPPI CODE OF 1972, TO PROHIBIT AN ATTORNEY FROM SHARING ANY FEES PROVIDED FOR ADOPTION SERVICES; TO AMEND SECTION 43-15-115, MISSISSIPPI CODE OF 1972, TO REGULATE DISBURSEMENT OF MONIES BETWEEN ADOPTION AGENCIES AND ATTORNEYS; TO AMEND SECTION 43-15-119, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DIVISION TO ENLIST THE BOARD UNDER CERTAIN CIRCUMSTANCES; TO AMEND SECTIONS 43-15-123 AND 43-15-125, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING AMENDMENT; TO AMEND SECTION 49-7-27, MISSISSIPPI CODE OF 1972, TO REQUIRE THE COMMISSION ON WILDLIFE, FISHERIES AND PARKS TO SUSPEND THE LICENSE OF ANY PERSON WHO HAS NOT PAID CHILD SUPPORT; TO AMEND SECTION 93-11-155, MISSISSIPPI CODE OF 1972, TO ALLOW ANY PARTY TO SUBMIT PROOF OF ARREARAGE FOR CHILD SUPPORT; TO BRING FORWARD SECTIONS 93-11-157 AND 93-11-163, MISSISSIPPI CODE OF 1972, WHICH PROVIDE THE PROCEDURE FOR NOTIFICATION OF LICENSEES WHO HAVE NOT PAID CHILD SUPPORT; AND FOR RELATED PURPOSES.

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Senator DeBar called up the following House Amendment to **S. B. No. 2586** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 97 by inserting the following before the period: ", and shall stand repealed on June 30, 2023".

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Senator DeBar called up the following House Amendment to **S. B. No. 2749** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-6-13, Mississippi Code of 1972, is amended as follows:

37-6-13. (1) Each person serving as a member of the school board of any school district shall receive per diem in the amount of \* \* \* One Hundred Twelve Dollars (\$112.00) for no more than thirty-six (36) meetings of the school board during any one (1) fiscal year or, in his or her discretion, irrevocably may choose to receive as compensation for his or her services an annual salary \* \* \*, subject to the following provisions:

(a) For a person serving as a member of the school board of a school district with less than five thousand (5,000) students enrolled in the school district, the person shall receive an annual salary of Four Thousand Dollars (\$4,000.00);

(b) For a person serving as a member of the school board of a school district with at least five thousand (5,000) students but less than ten thousand (10,000) students enrolled in the school district, the person shall receive an annual salary of not less than Four Thousand Dollars (\$4,000.00) but not more than Five Thousand Dollars (\$5,000.00); and

(c) For a person serving as a member of the school board of a school district with greater than ten thousand (10,000) students enrolled in the school district, the person shall receive an annual salary of not less than Four Thousand Dollars (\$4,000.00) but not more than Six Thousand Dollars (\$6,000.00). This choice shall remain in force for all successive terms or periods of service of that member. The receipt of the compensation shall not entitle any member of a school board to receive or be eligible for any state employee group insurance, retirement or other fringe benefits. Each member shall be reimbursed for the necessary expenses and mileage in attending meetings of the school board. In addition to the foregoing, all members may be reimbursed for mileage and actual expenses incurred in the further performance of their duties, including attendance at any mandatory school board training session or at regional and national education meetings, when such mileage and other expenses are authorized by the board prior to the date on which they occur. Detailed vouchers shall be submitted for reimbursement for all expenses authorized by this section. Such reimbursement shall be in accordance with Section 25-3-41.

Such expenses shall be paid on order of the school board by pay certificates issued by the superintendent of the school district involved against the funds available for payment of the administrative expense of the district.

(2) (a) If a member of a school board misses twenty percent (20%) or more of the meetings of the school board during a calendar year, except for absences caused by required military duty, the member must reimburse the school district that portion of the total salary paid to the member that year which is proportionate to the number of meetings missed by the member in relation to the total number of school board meetings held during that year. For purposes of this subsection, consideration may be given only to meetings of which public notice is required.

(b) Before February 1 of each year, the president of each local school board shall submit a report to the State Board of Education containing the names of any members of the school board who missed twenty percent (20%) or more of the school board meetings during the preceding calendar year.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-6-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION OF SCHOOL BOARD MEMBERS BASED ON THE SCHOOL DISTRICTS' ENROLLMENT; AND FOR RELATED PURPOSES.

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Senator DeBar called up the following House Amendment to **S. B. No. 2812** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-17-13, Mississippi Code of 1972, is amended as follows:

37-17-13. (1) Whenever the Governor declares a state of emergency in a school district in response to a certification by the State Board of Education and the Commission on School Accreditation made under Section 37-17-6(12)(b), the State Board of Education, in addition to any actions taken under Section 37-17-6, may abolish the school district and assume control and administration of the schools formerly constituting the district, and appoint an interim superintendent to carry out this purpose under the direction of the State Board of Education. In such case, the State Board of Education shall have all powers which were held by the previously existing school board, and the previously existing superintendent of schools or county superintendent of education, including, but not limited to, those enumerated in Section 37-7-301, and the authority to request tax levies from the appropriate governing authorities for the support of the schools and to receive and expend the tax funds as provided by Section 37-57-1 et seq. and Section 37-57-105 et seq.

(2) When a school district is abolished under this section, loans from the School District Emergency Assistance Fund may be made by the State Board of Education for the use and benefit of the schools formerly constituting the district in accordance with the procedures set forth in Section 37-17-6(15) for such loans to the district. The abolition of a school district under this section shall not impair or release the property of that school district from liability for the payment of the loan indebtedness, and it shall be the duty of the appropriate governing authorities to levy taxes on the property of the district so abolished from year to year according to the terms of the indebtedness until same shall be fully paid.

(3) After a school district is abolished under this section, at such time as the State Board of Education determines that the impairments have been substantially corrected after a period of maintaining a "C" accountability rating for five (5) consecutive years, unless the State Board of Education determines that the district is eligible to return to local control in less than the five-year period, the State Board of Education shall reconstitute, reorganize or change or alter the boundaries of the previously existing district; however, no partition or assignment of territory formerly included in the abolished district to one or more other school districts may be made by the State Board of Education without the consent of the school board of the school district to which such territory is to be transferred, such consent to be spread upon its minutes. At that time, the State Board of Education, in appropriate cases, shall notify the appropriate governing authority or authorities of its action and request them to provide for the election or appointment of school board members in the manner provided by law. In the event the applicable statute provides that vacancies in an all-elected membership of the school board will be filled by appointment by the remaining members of the school board and no members of the school board remain in office, the Governor shall call a special election to fill the vacancies. In such situations, the Governor will set the date of the special election and the election will be conducted by the county election commission. The State Board of Education shall also request the governing authority or authorities to provide for the appointment of a superintendent or superintendents to govern the reconstituted, reorganized or changed district or districts, which such appointed position shall apply in all school districts including those school districts in which the position of superintendent was previously an elected office. A board member or superintendent in office at the time the Governor declares a state of emergency in a school district to be abolished shall not be eligible to serve in that office for the school district reconstituted, reorganized or changed after the Governor declares that an emergency no longer exists.

(4) As an alternative to the procedure set forth in subsection (3), in the event a local school board is abolished by the State Board of Education pursuant to this section, after the State Board of Education determines that the impairments are being substantially corrected and the responsibility of the district transformation in such district upon the conclusion of the final scholastic year in which a district has maintained a "C" accountability rating for five (5) consecutive years, unless the State Board of Education determines that the district is eligible to return to local control in less than the five-year period, the State Board of Education may appoint a new five-member board for the administration of the school district and shall notify the local county board of supervisors and/or municipal governing authority of such appointment, spreading the names of the new school board members on its minutes. The new local school board members shall be residents of the school district. The new local school board members appointed by the State Board of Education may serve in an advisory capacity to the interim superintendent for its first year of service and thereafter shall have full responsibility to administer the school district. Thirty (30) days prior to the end of the first year of office as an advisory board, each member shall draw lots to determine when the members shall rotate off the board as follows: one (1) member shall serve a one-year term of office; one (1) member shall serve a two-year term of office; one (1) member shall serve a three-year term of office; one (1) member shall serve a four-year term of office; and one (1) member shall serve a five-year term of office. At that time, the State Board of Education shall notify the appropriate board of supervisors or municipal governing authority of this action and request them to provide for the election or appointment of school board members at the



end of the terms of office in the manner provided by law, in order for the local residents of the school district to select a new school board on a phased-in basis. In such situations, the Governor will set the date of any necessary special election which shall be conducted by the county election commission. The State Board of Education shall also request the new school board to provide for the appointment of a superintendent to govern the reconstituted or reorganized school district, including those school districts in which the position of superintendent was previously an elected office. A board member or superintendent in office at the time the Governor declares a state of emergency in a school district shall not be eligible to serve in the office of school board member or superintendent for the school district reconstituted or reorganized following the district transformation period.

This subsection (4) shall stand repealed from and after July 1, \* \* \* 2026.

SECTION 2. Section 37-179-1, Mississippi Code of 1972, is amended as follows:

37-179-1. (1) For purposes of this chapter, the following terms shall have the meaning ascribed herein, unless the context clearly indicates otherwise:

(a) "District of innovation" means a district that has developed a plan of innovation in compliance with this section and has been approved by the State Board of Education to be exempted from certain administrative regulations and statutory provisions to improve the educational performance of students within the district;

(b) "Innovation" means a new or creative alternative to existing instructional and administrative practices intended to improve student learning and student performance of all students, including community schools;

(c) "School of innovation" means a school that voluntarily participates in a district of innovation plan to improve instruction, including waivers and exemptions from local school board policies, selected provisions of rules and regulations promulgated by the State Board of Education, and selected sections of the Mississippi Code of 1972, as permitted under this section and Section \* \* \* 37-179-3;

(d) "Board" means the State Board of Education;

(e) "Department" means the State Department of Education.

(f) "Community school" means a traditional district public school that partners with community-based organizations to coordinate academic, social, physical health and mental health services, to reduce barriers to learning and improve education outcomes. Community schools include all five (5) of the following:

(i) Integrated student supports coordinated by a community school director, which may include, but are not limited to:

1. Medical, dental, vision care and mental health services; or
2. Counselors to assist with housing, transportation, nutrition, or criminal justice issues;

(ii) Expanded and enriched learning time and opportunities including before school, after school, weekend and summer programs, which provide additional academic instruction, individualized academic support, enrichment activities, and learning opportunities that emphasize real-world learning and community problem solving, and which may include, but are not limited to:

1. Art, music, drama and creative writing;

2. Hands-on experience with engineering or science;
3. Tutoring and homework help; and
4. Recreational programs that enhance and are consistent with the school's curriculum;

(iii) Active family and community engagement which brings students' families and the community into the school as partners in children's education and makes the school a neighborhood hub, providing adults with educational opportunities they want, including, but not limited to:

1. English as a second language class;
2. Citizenship preparation;
3. Computer skills;
4. Art;
5. GED classes; or
6. Other programs that bring community members into the building for meetings or events;

(iv) Include, as a meaningful part of its curriculum, a Science, Technology, Engineering and Mathematics (STEM) program component commensurate and appropriate to the grade level of the school; and

(v) Collaborative leadership and practices, which build a culture of professional learning, collective trust, and shared responsibility using strategies which shall, at a minimum, include:

1. A school-based leadership team;
2. A community school director; and
3. A community-wide leadership team, which may include, but not limited to:

- A. Other leadership and governance teams;
- B. Teacher learning communities; and
- C. Other staff to manage the multiple complex, joint work of school and community organizations.

(g) "Community School Director" means a person who:

- (i) Is a full-time staff member serving one (1) eligible school;
- (ii) Is responsible for the identification, implementation and coordination of integrated student supports, expanded and enriched learning time and opportunities, family and community engagement and collaborative leadership and practices;
- (iii) Serves as a member of the school-based leadership team;

(iv) Serves as the lead for the needs and assets assessment and community school plan; and

(v) Coordinates the needs and assets assessment and stakeholder-driven approach to problem-solving and continuous improvement.

(2) The State Board of Education is authorized to approve districts of innovation for the purposes of improving students' educational performance. Districts of innovation shall be provided flexibility from selected board regulations, Title 37, Mississippi Code of 1972, and local school board policies for school administrators, teachers and staff to meet the diverse needs of students. A low-performing school or school district managing the transition of multiple schools to the community school model shall be provided a three-year transition before becoming eligible for state takeover. The initial approval of a district of innovation shall be for a five-year period. Each renewal of a district of innovation shall not exceed five (5) years and shall comply with administrative regulations promulgated by the board pursuant to subsection (4) of this section.

(3) The board shall promulgate administrative rules and regulations to prescribe the conditions and procedures to be used by a local school board to be approved as a district of innovation and shall publish the same on or before December 31, 2015.

(4) Administrative rules and regulations promulgated by the board under subsection (3) of this section shall specify:

(a) The regulatory areas which may be exempted or modified if approved by the board, except as provided in Section 37-179-3(2), and in addition to those areas identified in Section 37-179-3(3);

(b) The application, plan review, approval and amendment process for a district;

(c) Timelines for initial approval as a district of innovation, the renewal process and ongoing evaluative procedures required of the district;

(d) Acceptable documentation of a critical mass of parental, community, educator and business support and capacity to effect a change;

(e) Evidence of teacher collaboration and shared leadership within the district and the schools to be designated as schools of innovation;

(f) The process of revocation of the designation of district of innovation or school of innovation;

(g) Reporting and oversight responsibilities of the district and the State Department of Education;

(h) The financial detail relating to budgets of schools and evidence of sound fiscal management practices;

(i) Acceptable areas of emphasis for innovation;

(j) Acceptable documentation of job-embedded professional development within the proposed innovation design; and

(k) Other components deemed necessary to implement this section and Section 37-179-3.

SECTION 3. Section 37-179-3, Mississippi Code of 1972, is amended as follows:

37-179-3. (1) A district which is an applicant to be designated as a district of innovation under Section 37-179-1 shall:

(a) Establish goals and performance targets for the district of innovation proposal, which may include:

(i) Reducing socio-economic achievement gaps among groups of public school students by expanding learning experiences for students who are identified as academically low-achieving;

(ii) Increasing pupil learning through the implementation of high, rigorous standards for pupil performance;

(iii) Increasing student attendance rates as well as reducing chronic absenteeism;

(iv) Decreasing rates of student suspensions and expulsions;

( \* \* \*v) Increasing the participation of students in various curriculum components and instructional components within selected schools to enhance at each grade level;

( \* \* \*vi) Increasing the number of students who are college and career-ready and who have access to dual-enrollment courses;

(vii) Increasing student college preparation to enter secondary education in the areas of science, technology, engineering and mathematics.

( \* \* \*viii) Motivating students at different grade levels by offering more curriculum choices and student learning opportunities to parents and students within the district;

(b) Make public its goals and performance targets and, after five (5) years, share the performance target results with members of the Mississippi House and Senate Education Committees, as well as with the general public;

( \* \* \*c) Identify changes needed from a comprehensive needs and assets assessment in the district and schools to lead to better prepared students for success in college, career and life \* \* \*;

( \* \* \*d) Have a districtwide plan of innovation that describes and justifies which schools and innovative practices will be incorporated;

( \* \* \*e) Provide documentation of community, educator, parental, and the local board's support of the proposed innovations;

( \* \* \*f) Provide detailed information regarding the rationale of requests for waivers from Title 37, Mississippi Code of 1972, which relate to the elementary and secondary education of public school students, and administrative regulations, and exemptions for selected schools regarding waivers of local school board policies;

( \* \* \*g) Document the fiscal and human resources the board will provide throughout the term of the implementation of the innovations within its plan; and

( \* \* \*h) Provide other materials as required by the department in compliance with the board's administrative regulations and application procedures.

(2) The district and all schools participating in a district's innovation plan shall:

(a) Ensure the same health, safety, civil rights, and disability rights requirements as are applied to all public schools;

(b) Ensure students meet compulsory attendance requirements under Sections 37-13-91 and 37-13-92;

(c) Ensure that high school course offerings meet or exceed the minimum required under Sections 37-16-7 and 37-3-49, for high school graduation or meet early graduation requirements that may be enacted by the Mississippi Legislature;

(d) Ensure the student performance standards meet or exceed those adopted by the State Board of Education as required by Sections 37-3-49, 37-16-3 and 37-17-6, including compliance with the statewide assessment system specified in Chapter 16, Title 37, Mississippi Code of 1972;

(e) Adhere to the same financial audits, audit procedures, and audit requirements as are applied under Section 7-7-211(e);

(f) Require state and criminal background checks for staff and volunteers as required of all public school employees and volunteers within the public schools and specified in Section 37-9-17;

(g) Comply with open records and open meeting requirements under Sections 25-41-1 et seq. and 25-61-1 et seq.;

(h) Comply with purchasing requirements and limitations under Chapter 39, Title 37, Mississippi Code of 1972;

(i) Provide overall instructional time that is equivalent to or greater than that required under Sections 37-1-11 and 37-13-67, but which may include on-site instruction, distance learning, online courses, and work-based learning on nontraditional school days or hours; and

(j) Provide data to the department as deemed necessary to generate school and district reports.

(3) (a) Only schools that choose to be designated as schools of innovation shall be included in a district's application;

(b) As used in this paragraph, "eligible employees" means employees that are regularly employed at the school and those employees whose primary job duties will be affected by the plan; and

(c) Notwithstanding the provisions of paragraph (a) of this subsection, a local school board may require a school that has been identified as a persistently low-achieving school under provisions of Section 37-17-6 to participate in the district's plan of innovation.

(4) Notwithstanding any statutes to the contrary, the board may approve the requests of districts of innovation to:

(a) Use capital outlay funds for operational costs;

(b) Hire persons for classified positions in nontraditional school and district assignments who have bachelors and advanced degrees from postsecondary education institutions accredited by a regional accrediting association (Southern Association of Colleges and Schools) or by an organization affiliated with the National Commission on Accrediting;

(c) Employ teachers on extended employment contracts or extra duty contracts and compensate them on a salary schedule other than the single salary schedule;

(d) Extend the school days as is appropriate within the district with compensation for the employees as determined locally;

(e) Establish alternative education programs and services that are delivered in nontraditional hours and which may be jointly provided in cooperation with another school district or consortia of districts;

(f) Establish online classes within the district for delivering alternative classes in a blended environment to meet high school graduation requirements;

(g) Use a flexible school calendar;

(h) Convert existing schools into schools of innovation; \* \* \*

(i) Modify the formula under Section 37-151-7 for distributing support education funds for students in average daily attendance in nontraditional programming time, including alternative programs and virtual programs. Funds granted to a district shall not exceed those that would have otherwise been distributed based on average daily attendance during regular instructional days \* \* \*; and

(j) Allow community schools to seek and accept gifts, grants, donations, and funds from federal and state agencies, private foundations, organizations, or individuals for purposes related to its function as a community school.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-17-13, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISION AUTHORIZING THE STATE BOARD OF EDUCATION TO APPOINT A NEW FIVE-MEMBER BOARD FOR THE ADMINISTRATION OF A FAILING SCHOOL DISTRICT; TO AMEND SECTIONS 37-179-1 AND 37-179-3, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF EDUCATION TO APPROVE THE CREATION OF DISTRICTS OF INNOVATION; TO DEFINE CERTAIN TERMS RELATED TO "DISTRICTS OF INNOVATION"; TO LIMIT THE INITIAL APPROVAL AND SUBSEQUENT RENEWALS OF DISTRICTS OF INNOVATION TO FIVE-YEAR PERIODS; TO DIRECT THE BOARD TO PROMULGATE ADMINISTRATIVE RULES AND REGULATIONS TO PRESCRIBE THE CONDITIONS AND PROCEDURES TO BE USED BY LOCAL SCHOOL BOARDS TO BE APPROVED AS A DISTRICT OF INNOVATION; TO SPECIFY THE CRITERIA TO BE ADDRESSED BY THE ADMINISTRATIVE REGULATIONS; TO PRESCRIBE THE REQUIREMENTS FOR A DISTRICT TO BE A DISTRICT OF INNOVATION APPLICANT; TO PRESCRIBE THE STATUTORY REQUIREMENTS WITH WHICH SCHOOLS OF INNOVATION WITHIN DISTRICTS OF INNOVATION MUST COMPLY; TO IDENTIFY AREAS IN WHICH DISTRICTS OF INNOVATION MAY REQUEST APPROVAL OF PRACTICES THAT ARE DIFFERENT THAN CURRENT STATUTORY REQUIREMENTS; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2099** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-17-42, Mississippi Code of 1972, is amended as follows:

97-17-42. (1) Any person who shall, willfully and without authority, take possession of or take away a motor vehicle of any value belonging to another, with intent to either permanently or temporarily convert it or to permanently or temporarily deprive the owner of possession or ownership, and any person who knowingly shall aid and abet in the taking possession or taking away of the motor vehicle, shall be guilty of \* \* \* a felony and shall be \* \* \* fined not more than Ten Thousand Dollars (\$10,000.00), or imprisoned in the custody of the Department of Corrections for a term of not less than three (3) years but not to exceed twenty (20) years, or both.

(2) Any person convicted under this section who causes damage to any motor vehicle shall be ordered by the court to pay restitution to the owner or owners of the motor vehicle or vehicles damaged in the amount of damages caused to the vehicle and reasonable repair costs.

(3) This section shall not apply to the enforcement of a security interest in a motor vehicle.

(4) Any person who shall be convicted for a second or subsequent offense under this section shall be fined not more than Twenty Thousand Dollars (\$20,000.00), or imprisoned in the \* \* \* custody of the Department of Corrections for a term \* \* \* of not less than six (6) years but not to exceed thirty (30) years, or both.

(5) Notwithstanding any other law to the contrary, the minimum terms imposed under this section shall not be reduced or suspended nor shall such person be eligible for probation or parole before the expiration of the minimum term of incarceration.

The provisions of this subsection (5) shall not apply if the sentencing judge determines that the interests of justice would not be served by imposition of the proscribed mandatory portions of the sentence. In determining whether to apply the departure from the sentence prescribed, the court shall consider:

(a) The defendant's age at the time of the crime and the hallmark characteristics of youth, including immaturity, impetuosity, and the failure to appreciate risks and consequences.

(b) The defendant's family and home environment in which the defendant was raised, and that children generally have no control over their family and home environment.

(c) The circumstances of the crime, including the nature and extent of the defendant's participation, and the way familial and peer pressures may have affected him.

(d) Whether or not the defendant used violence or a weapon during the crime.

(e) Whether or not the crime resulted in a death or serious bodily injury of a person not a party to the crime.

(f) Whether or not the person provided information or assistance to a law enforcement agency, or its designee, which, in the opinion of the trial judge, objectively should or would have aided in the arrest or prosecution of others who participated in this crime.

(g) The possibility of rehabilitation if alternative sentencing is imposed.

The defendant and prosecution shall have adequate opportunity to develop and make a record of all information relevant to sentencing.

The court shall specify on the record and in the sentencing order the reasons for granting or denying the departure.

SECTION 2. Section 99-35-101, Mississippi Code of 1972, is amended as follows:

99-35-101. (1) Any person convicted of an offense in a circuit court may appeal the conviction and/or sentence imposed to the Supreme Court. However, where the defendant enters a plea of guilty and is sentenced consistent with an agreement between the defendant and the prosecutor, then no appeal from the circuit court to the Supreme Court shall be allowed.

(2) In reviewing a sentence pursuant to paragraph (1) of this statute, the Supreme Court shall determine if there is unjustified sentence disparity. To determine disparity the Supreme Court shall consider all evidence presented by the parties including statistical evidence or aggregate data and compare the sentence in the case being reviewed with the sentence imposed on all convicted of the same crime taking into consideration a defendant's role in the crime, the defendant's criminal history, the defendant's social history including defendant's age, race, color, religion, sex, national origin or economic status. The Supreme Court shall also consider whether the defendant's exercise of constitutional rights, particularly the right to a trial by jury, resulted in sentencing disparity.

(3) If the court determines that there is an unjustified sentence disparity the court shall remand the matter to the sentencing court for resentencing.

Section 3. Confidential informants shall be at least eighteen (18) years of age, and notified of their right to contact an attorney, and one or both parents if under the age of twenty-one (21), and all notifications shall happen at least twenty-four (24) hours before they agree to serve. Any deal, arrangement, or agreement must be detailed and in writing, and the constitutional right to contact an attorney shall not be abridged or undermined, and exercising this right shall incur no negative consequences on any deal, arrangement, or agreement regarding informant work. To protect the safety of the individuals involved, informants may make no more than one (1) sale, purchase, or transfer from any individual person.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-17-42, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE CRIME OF MOTOR VEHICLE THEFT SHALL BE A FELONY; TO REVISE THE PENALTIES FOR THE COMMISSION OF MOTOR VEHICLE THEFT; TO PROVIDE THAT THE MINIMUM TERMS IMPOSED UNDER THIS SECTION SHALL NOT BE REDUCED, SUSPENDED OR ELIGIBLE FOR PROBATION OR PAROLE UNLESS THE SENTENCING JUDGE FUNDS CERTAIN CIRCUMSTANCES; TO



AMEND SECTION 99-35-101, MISSISSIPPI CODE OF 1972, TO AUTHORIZE APPEALS OF CRIMINAL SENTENCES; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2100** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-17-70, Mississippi Code of 1972, is amended as follows:

97-17-70. (1) A person commits the crime of receiving stolen property if he intentionally possesses, receives, retains or disposes of stolen property knowing that it has been stolen or having reasonable grounds to believe it has been stolen, unless the property is possessed, received, retained or disposed of with intent to restore it to the owner.

(2) The fact that the person who stole the property has not been convicted, apprehended or identified is not a defense to a charge of receiving stolen property.

(3) (a) Evidence that the person charged under this section stole the property that is the subject of the charge of receiving stolen property is not a defense to a charge under this section; however, dual charges of both stealing and receiving the same property shall not be brought against a single defendant in a single jurisdiction.

(b) Proof that a defendant stole the property that is the subject of a charge under this section shall be prima facie evidence that the defendant had knowledge that the property was stolen.

(4) Any person who shall be convicted of receiving stolen property which exceeds One Thousand Dollars (\$1,000.00) or more, but less than Five Thousand Dollars (\$5,000.00) in value and is not a motor vehicle shall be punished by imprisonment in the custody of the State Department of Corrections for a term not exceeding five (5) years or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(5) Any person who shall be convicted of receiving stolen property which exceeds Five Thousand Dollars (\$5,000.00) or more, but less than Twenty-five Thousand Dollars (\$25,000.00) in value and is not a motor vehicle shall be punished by imprisonment in the custody of the State Department of Corrections for a term not exceeding ten (10) years or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(6) Any person who shall be convicted of receiving stolen property which exceeds Twenty-five Thousand Dollars (\$25,000.00) in value and is not a motor vehicle shall be punished by imprisonment in the custody of the State Department of Corrections for a term not less than five (5) years but not exceeding twenty (20) years or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(7) Any person who shall be convicted of receiving stolen property which does not exceed One Thousand Dollars (\$1,000.00) in value and is not a motor vehicle may be punished by imprisonment in the county jail for not more than six (6) months or by a fine of not more than One Thousand Dollars (\$1,000.00), or both, if the court finds substantial

and compelling reasons why the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both. Any person convicted of a third or subsequent offense under this subsection where the value of the property is not less than Five Hundred Dollars (\$500.00), shall be imprisoned in the Penitentiary for a term not exceeding three (3) years or fined an amount not exceeding One Thousand Dollars (\$1,000.00), or both.

(8) Any person who shall be convicted of receiving stolen property which is a motor vehicle shall be punished by imprisonment in the custody of the State Department of Corrections for a term not less than five (5) years but not exceeding twenty (20) years or by a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(9) No person convicted of receiving stolen property as described in this section is eligible for parole or for early release from the custody of the Department of Corrections until the person has served at least fifty percent (50%) of the sentence imposed by the court.

SECTION 2. Confidential informants shall be at least eighteen (18) years of age, and notified of their right to contact an attorney, and one or both parents if under the age of twenty-one (21), and all notifications shall happen at least twenty-four (24) hours before they agree to serve. Any deal, arrangement, or agreement must be detailed and in writing, and the constitutional right to contact an attorney shall not be abridged or undermined, and exercising this right shall incur no negative consequences on any deal, arrangement, or agreement regarding informant work. To protect the safety of the individuals involved, informants may make no more than one (1) sale, purchase, or transfer from any individual person.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-17-70, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT RECEIPT OF STOLEN PROPERTY VALUED AT A CERTAIN AMOUNT SHALL BE A FELONY WITH A MANDATORY MINIMUM TERM OF IMPRISONMENT; TO PROVIDE PAROLE FOR RECEIVING STOLEN PROPERTY WHEN THE PERSON HAS SERVED 50% OF THE IMPOSED SENTENCE; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2101** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-9-72, Mississippi Code of 1972, is amended as follows:

97-9-72. (1) The driver of a motor vehicle who is given a visible or audible signal by a law enforcement officer by hand, voice, emergency light or siren directing the driver to bring his motor vehicle to a stop when such signal is given by a law enforcement officer acting in the lawful performance of duty who has a reasonable suspicion to believe that the driver in question has committed a crime, and who willfully fails to obey such direction shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00) or imprisoned in the county jail for a term not to exceed six (6) months, or both.

(2) Any person who is guilty of violating subsection (1) of this section by operating a motor vehicle in such a manner as to indicate a reckless or willful disregard for the safety of persons or property, or who so operates a motor vehicle in a manner manifesting extreme indifference to the value of human life, shall be guilty of a felony, and upon conviction thereof, shall be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by commitment to the custody of the Mississippi Department of Corrections for not more than \* \* \* ten (10) years, or both.

(3) Any person who is guilty of violating subsection (1) of this section, which violation results in serious bodily injury of another, upon conviction, shall be committed to the custody of the Department of Corrections for not less than three (3) nor more than twenty (20) years of imprisonment.

(4) Any person who is guilty of violating subsection (1) of this section, which violation results in the death of another, upon conviction, shall be committed to the custody of the Department of Corrections for not less than five (5) nor more than forty (40) years.

(5) It is a defense to prosecution under this section:

(a) That the law enforcement officer was not in uniform or that no law enforcement vehicle used in the attempted stop was clearly marked as a law enforcement vehicle; or

(b) That the driver proceeded in a safe manner to a reasonably near well-lit public place before stopping.

(6) In determining whether a law enforcement officer was reckless in his or her pursuit of a suspect, a court shall consider the following factors:

(a) The length of the chase;

(b) The characteristics of the streets;

(c) The type of neighborhood;

(d) The seriousness of the suspect's offense;

(e) The experience and training of the officer;

(f) Whether the officer had available alternatives which would lead to the apprehension of the suspect besides the pursuit;

(g) The existence of police policy which prohibits pursuit under the circumstances;

(h) The presence of vehicular or pedestrian traffic;

(i) The weather conditions and visibility;

(j) Whether the officer proceeded with sirens and blue lights; and

- (k) The rate of speed of the officer in comparison to the posted speed limit.

SECTION 2. Section 97-9-73, Mississippi Code of 1972, is amended as follows:

97-9-73. (1) It shall be unlawful for any person to obstruct or resist by force, or violence, or threats, or in any other manner, his lawful arrest or the lawful arrest of another person by any state, local or federal law enforcement officer, and any person or persons so doing shall be guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail not more than six (6) months, or both.

(2) If any person commits an unlawful act under subsection (1) of this section and serious bodily harm to any state, local or federal law enforcement officer occurs, any person or persons so doing shall be guilty of a felony, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00), or by imprisonment in the custody of the Mississippi Department of Corrections for not more than two (2) years, or both.

SECTION 3. Section 97-3-117, Mississippi Code of 1972, is amended as follows:

97-3-117. (1) Whoever shall knowingly or recklessly by force or violence, whether against resistance or by sudden or stealthy seizure or snatching, or by putting in fear, or attempting to do so, or by any other means shall take a motor vehicle from another person's immediate actual possession shall be guilty of carjacking.

(a) A person who is convicted of carjacking shall be fined not more than Five Thousand Dollars (\$5,000.00) and be committed to the custody of the State Department of Corrections for not less than five (5) years nor more than fifteen (15) years.

(b) A person who is convicted of attempted carjacking shall receive the same punishment as the person who is convicted of carjacking.

(2) Whoever commits the offense of carjacking while armed with or having readily available any pistol or other firearm or imitation thereof or other dangerous or deadly weapon, including a sawed-off shotgun, shotgun, machine gun, rifle, dirk, bowie knife, butcher knife, switchblade, razor, blackjack, billy, or metallic or other false knuckles, or any object capable of inflicting death or serious bodily harm, shall be guilty of armed carjacking.

(a) Any person who is convicted of armed carjacking shall be fined not more than Ten Thousand Dollars (\$10,000.00) and be committed to the custody of the State Department of Corrections for not less than ten (10) years nor more than thirty (30) years.

(b) Any person who is convicted of attempted armed carjacking shall receive the same punishment as the person who is convicted of armed carjacking.

(3) Any person convicted of a second or subsequent offense under this section shall be fined an amount up to twice that otherwise authorized and shall be imprisoned for a term of at least twice the minimum term provided for the offense and up to twice the maximum term otherwise authorized.

(4) Notwithstanding any other law to the contrary, the minimum terms imposed under this section shall not be reduced or suspended nor shall such person be eligible for probation or parole before the expiration of the minimum term of incarceration except as otherwise provided in this subsection.

The provisions of this subsection (4) shall not apply if the sentencing judge determines that the interests of justice would not be served by imposition of the proscribed

mandatory portions of the sentence. In determining whether to apply the departure from the sentence prescribed, the court shall consider:

(a) The defendant's age at the time of the crime and the hallmark characteristics of youth, including immaturity, impetuosity, and the failure to appreciate risks and consequences.

(b) The defendant's family and home environment in which the defendant was raised, and that children generally have no control over their family and home environment.

(c) The circumstances of the crime, including the nature and extent of the defendant's participation, and the way familial and peer pressures may have affected him.

(d) Whether or not the defendant used violence or a weapon during the crime.

(e) Whether or not the crime resulted in a death or serious bodily injury of a person not a party to the crime.

(f) Whether or not the person provided information or assistance to a law enforcement agency, or its designee, which, in the opinion of the trial judge, objectively should or would have aided in the arrest or prosecution of others who participated in this crime.

(g) The possibility of rehabilitation if alternative sentencing is imposed.

The defendant and prosecution shall have adequate opportunity to develop and make a record of all information relevant to sentencing.

The court shall specify on the record and in the sentencing order the reasons for granting or denying the departure.

SECTION 4. Confidential informants shall be at least eighteen (18) years of age, and notified of their right to contact an attorney, and one or both parents if under the age of twenty-one (21), and all notifications shall happen at least twenty-four (24) hours before they agree to serve. Any deal, arrangement, or agreement must be detailed and in writing,

and the constitutional right to contact an attorney shall not be abridged or undermined, and exercising this right shall incur no negative consequences on any deal, arrangement, or agreement regarding informant work. To protect the safety of the individuals involved, informants may make no more than

one (1) sale, purchase, or transfer from any individual person.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-9-72, MISSISSIPPI CODE OF 1972, TO INCREASE PENALTIES FOR THE CRIME OF FLEEING FROM LAW ENFORCEMENT IN A MOTOR VEHICLE; TO PROVIDE THE FACTORS THAT A COURT SHALL CONSIDER WHEN DETERMINING WHETHER A LAW ENFORCEMENT OFFICER WAS RECKLESS IN HIS OR HER PURSUIT OF A SUSPECT; TO AMEND SECTION 97-9-73, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY PERSON CONVICTED OF THE CRIME OF RESISTING OR OBSTRUCTING AN ARREST

WHERE SERIOUS BODILY HARM OCCURS TO THE OFFICER SHALL BE GUILTY OF A FELONY; TO AMEND SECTION 97-3-117, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM TERM OF IMPRISONMENT FOR THE CRIMES OF CARJACKING AND ARMED CARJACKING; TO PROVIDE THAT THE MINIMUM TERMS IMPOSED UNDER THIS SECTION SHALL NOT BE REDUCED OR SUSPENDED OR ELIGIBLE FOR PROBATION OR PAROLE EXCEPT WHEN THE SENTENCING JUDGE MAKES CERTAIN FINDINGS; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2343** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 29-5-203, Mississippi Code of 1972, is amended as follows:

29-5-203. There is created the Capitol Complex Improvement District to be composed of the following described area in the City of Jackson, Mississippi, and the City of Ridgeland, Mississippi, that surrounds the State Capitol Building:

CAPITOL COMPLEX PROPOSED BOUNDARIES

- Beginning at a point on the west bank of the Pearl River determined by extending the south curb line of High Street east until it meets the bank of the Pearl River;

- Then north along the west bank of the Pearl River \* \* \* until it reaches a point on such bank determined by extending the \* \* \* north curb line of County Line Road until it meets the bank of the Pearl River;

- Then west along the north curb line of County Line Road until it reaches the west curb line of North State Street - U.S. Highway 51;

\* \* \*

- Then south along the west curb line of North State Street - U.S. Highway 51 to the north curb line of Hartfield Street;

- Then west along the north curb line of Hartfield Street to the west curb line of Oxford Avenue;

- Then south on the west curb line of Oxford Avenue to the north curb line of Mitchell Avenue which becomes Stonewall Street;

- Then west along the north curb line of Mitchell Street and then Stonewall Street until it reaches the west curb line of Livingston Road;

- Then south along the west curb line of Livingston Road until it reaches the south curb line of Woodrow Wilson Drive;

- Then east along the south curb line of Woodrow Wilson Drive to the west curb line of Bailey Avenue (which becomes Gallatin Street);
  - Then south along the west curb line of Bailey Avenue and then Gallatin Street until it reaches the north curb line of \* \* \* West Monument Street;
  - Then west and south along the north curb line of \* \* \* West Monument Street until it intersects with the north curb line of Robinson Road;
  - Then west on the north curb line of Robinson Road until it intersects with the west curb line of Prentiss Street;
  - Then south along the west curb line of Prentiss Street until it intersects with the north curb line of John R. Lynch Street on the west side of Jackson State University;
  - Then west on the north curb line of John R. Lynch Street until it reaches the west curb line of Valley Street;
  - Then south along the west curb line of Valley Street until it reaches the south curb line of Morehouse Street;
  - Then east along the south curb line of Morehouse Street until it reaches the west curb line of Dalton Street;
  - Then south along the west curb line of Dalton Street until it reaches the south curb line of Florence Avenue;
  - Then east along the south curb line of Florence Avenue until it reaches the east curb line of University Blvd. (Terry Road);
  - Then north and along the east curb line of University Blvd. until it reaches the south curb line of Hooker Street;
  - Then east along the south curb line of Hooker Street extending in a straight line to the railroad tracks;
  - Then north on the west side of such railroad tracks to the south curb line of South Street;
  - Then east along the south curb line of South Street to Town Creek;
  - Then south along Town Creek until it reaches a point of convergence with the south curb line of East Silas Brown Street determined by extending the south curb of East Silas Brown Street west to Town Creek;
  - Then east along the south curb line of East Silas Brown Street until it reaches the east curb line of Jefferson Street at the convergence of East Silas Brown Street, Old Brandon Road and Jefferson Street;
  - Then north along the east curb line of Jefferson Street to the south curb line of South Street and extend the south curb line of South Street in a straight line to the east to the western edge of I-55;
- \* \* \*
- Then north along the western edge of I-55 until it reaches the south curb line of High Street;

- Then east along the south curb line of High Street and extending such line to the Pearl River and the point of the beginning.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2346** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Legislature finds that pornography contributes to:

- (a) The hyper sexualization of teens and prepubescent children and may lead to low self-esteem, body image disorders;
- (b) An increase in problematic sexual activity at younger ages, and increased desire among adolescents to engage in risky sexual behavior;
- (c) Difficulty in forming or maintaining positive, intimate relationships, as well as promoting problematic or harmful sexual behaviors and addiction; and
- (d) A negative impact brain development and functioning, contribute to emotional and medical illnesses, shape deviant sexual arousal.

SECTION 2. The following words shall have the meanings described herein:

- (1) "Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.
- (2) "Distribute" means to issue, sell, give, provide, deliver, transfer, transmute, circulate, or disseminate by any means.
- (3) "Internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks.
- (4) "Material harmful to minors" is defined as all of the following:
  - (a) Any material that the average person, applying contemporary community standards would find, taking the material as a whole and with respect to minors, is designed to appeal to, or is designed to pander to, the prurient interest.



(b) Any of the following material that exploits, is devoted to, or principally consists of descriptions of actual, simulated, or animated display or depiction of any of the following, in a manner patently offensive with respect to minors:

(i) Pubic hair, anus, vulva, genitals, or nipple of the female breast.

(ii) Touching, caressing, or fondling of nipples, breasts, buttocks, anuses, or genitals.

(iii) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, excretory functions, exhibitions, or any other sexual act.

(c) The material taken as a whole lacks serious literary, artistic, political, or scientific value for minors.

(5) "Minor" means any person under the age of eighteen (18) years.

(6) "News-gathering organization" means any of the following:

(a) An employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this subparagraph, who can provide documentation of such employment with the newspaper, news publication, or news source.

(b) An employee of a radio broadcast station, television broadcast station, cable television operator, or wire service while operating as an employee as provided in this subparagraph, who can provide documentation of such employment.

(7) "Publish" means to communicate or make information available to another person or entity on a publicly available Internet website.

(8) "Reasonable age verification methods" include verifying that the person seeking to access the material is eighteen (18) years of age or older by using any of the following methods:

(a) Provide a digitized identification card;

(b) Require the person attempting to access the material to comply with a commercial age verification system that verifies in one or more of the following ways:

(i) Government-issued identification; or

(ii) Any commercially reasonable method that relies on public or private transactional data to verify the age of the person attempting to access the information is at least eighteen (18) years of age or older.

(9) "Substantial portion" means more than thirty-three and one-third (33 1/3) percent of total material on a website, which meets the definition of "material harmful to minors" as defined by this section.

(10) "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event. Transactional data can include, but is not limited to, records from mortgage, education, and employment entities.

SECTION 3. (1) Any commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the Internet from a website that contains a substantial portion of such material shall be held liable if the entity fails to perform

reasonable age verification methods to verify the age of individuals attempting to access the material.

(2) Any commercial entity or third party that performs the required age verification shall not retain any identifying information of the individual after access has been granted to the material.

(3) (a) Any commercial entity that is found to have violated this section shall be liable to an individual for damages resulting from a minor's accessing the material, including court costs and reasonable attorney fees as ordered by the court.

(b) A commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual shall be liable to the individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney fees as ordered by the court.

SECTION 4. (1) The provisions of this act shall not apply to any bona fide news or public interest broadcast, website video, report, or event and shall not be construed to affect the rights of any news-gathering organizations.

(2) No Internet service provider, or its affiliates or subsidiaries, search engine, or cloud service provider shall be held to have violated the provisions of this act solely for providing access or connection to or from a website or other information or content on the Internet or a facility, system, or network not under that provider's control including transmission, downloading, intermediate storage, access software, or other to the extent such provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors.

SECTION 5. Section 97-29-107, Mississippi Code of 1972, is brought forward as follows:

97-29-107. (1) Sections 97-29-101 through 97-29-109 shall not apply when the distribution or wholesale distribution of the material, performance or device was made by:

(a) A person, corporation, company, partnership, firm, association, business, establishment or other legal entity to a person associated with an institution of higher learning, either as a member of the faculty or as a matriculated student, teaching or pursuing a course of study related to such material, performance or device;

(b) A licensed physician or a licensed psychologist to a person whose receipt of such material or device was authorized in writing by such physician or psychologist in the course of medical or psychological treatment or care;

(c) A person who while acting in his capacity as an employee is employed on a full-time or part-time basis by (i) any recognized historical society or museum accorded charitable status by the federal government; (ii) any state, county or municipal public library; or (iii) any library of any public or private school, college or university in this state; or

(d) A community television antenna services system or a cable television system operating pursuant to a written agreement not in conflict with this paragraph granted by a county, municipality or other political subdivision of this state, or by an employee of such system while acting within the scope of his employment, when the signal transmitting the material or performance originates outside of the State of Mississippi.

(2) Any exemption from prosecution claimed under the provisions of this section may be raised at a pretrial hearing by motion, and the court shall determine whether sufficient evidence exists to constitute an exemption from prosecution under the

provisions of Sections 97-29-101 through 97-29-109. If the motion is sustained, the case shall be dismissed; provided, however, if the motion is not sustained then the defendant may offer into evidence at trial as an affirmative defense to conviction under Sections 97-29-101 through 97-29-109 any matter which could have been raised by the defendant in the motion to dismiss.

SECTION 6. Section 97-29-109, Mississippi Code of 1972, is brought forward as follows:

97-29-109. Any person, except one who wholesale distributes, who violates Section 97-29-101 or Section 97-29-105 shall be guilty of a misdemeanor and, upon conviction, shall, in the case of the first offense, be fined not more than Five Thousand Dollars (\$5,000.00) or imprisoned in the county jail for a term not to exceed six (6) months, or both. If the person has been previously convicted of a violation of Section 97-29-101 or Section 97-29-105 or of Section 97-5-27 or 97-5-29, Mississippi Code of 1972, then the person shall be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Ten Thousand Dollars (\$10,000.00) or imprisoned for a term not to exceed one (1) year, or both.

Any person who wholesale distributes in violation of Section 97-29-101 or Section 97-29-105 shall, upon conviction, be fined not more than Ten Thousand Dollars (\$10,000.00) or imprisoned for a term not to exceed one (1) year, or both. If the person has been previously convicted of a violation of Section 97-29-101 or Section 97-29-105 or of Section 97-5-27 or 97-5-29, Mississippi Code of 1972, then the person shall, upon conviction, be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Fifty Thousand Dollars (\$50,000.00) or imprisoned for a term not to exceed one (1) year, or both.

A corporation, company, partnership, firm, association, business, establishment, organization or other legal entity other than an individual convicted of distributing obscenity or unlawful sexual devices or wholesale distribution of obscenity or unlawful sexual devices shall be fined not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00). If such legal entity has been previously convicted of distributing obscenity or unlawful sexual devices or wholesale distribution of obscenity or unlawful sexual devices or of a violation of Section 97-5-27 or Section 97-5-29, Mississippi Code of 1972, then such legal entity shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than Fifty Thousand Dollars (\$50,000.00).

SECTION 7. The following shall be codified as Section 37-11-81, Mississippi Code of 1972:

37-11-81. (1) A school district, charter school, the Mississippi School of the Arts, the Mississippi School for Mathematics and Science, the Mississippi Virtual Public School, the Mississippi School for the Deaf and the Mississippi School for the Blind may offer digital or online resources or databases to students in kindergarten through twelfth grade only if the vendor or other person or entity providing the resources verifies that all the resources will comply with the provisions of subsection (2) of this section.

(2) A vendor or other person or entity providing digital or online resources or databases under the authority of this section must have safety policies and technology protection measures that:

(a) Prohibit and prevent a person from sending, receiving, viewing or downloading materials that are:

(i) Child pornography;

(ii) Materials that depict or promote child sexual exploitation or trafficking;

(iii) Obscene materials, as defined in this act;

(iv) Inappropriate materials depicting or dealing with matters of sex, cruelty and violence in a manner likely to be injurious or harmful to a child; or

(v) Materials that are sexually oriented, as defined in Section 97-5-27(2); and

(b) Filter or block access to obscene materials, inappropriate materials, materials that are sexually oriented or materials that depict, describe or promote child pornography or child sexual exploitation.

(c) For the purposes of this act, material is obscene, if:

(i) To the average person, applying contemporary community standards, taken as a whole, it appeals to the prurient interest, that is, a lustful, erotic, shameful, or morbid interest in nudity, sex or excretion; and

(ii) The material taken as a whole lacks serious literary, artistic, political or scientific value; and

(iii) The material depicts or describes in a patently offensive way, sexual contact specifically defined in items 1 through 5 below:

1. Acts of sexual intercourse of any kind, normal or perverted, actual or simulated;

2. Acts of masturbation;

3. Acts involving excretory functions or lewd exhibition of the genitals;

4. Acts of bestiality or the fondling of sex organs of animals; or

5. Sexual acts of flagellation, torture or other violence indicating a sadomasochistic sexual relationship.

(3) (a) The provisions of this section take precedence over any provision in a contract between a school district or school and a vendor or other person or entity providing digital or online resources or databases to the contrary. Notwithstanding any provision in a contract between a school district or school and a provider to the contrary, if a provider of digital or online resources or databases fails to comply with the requirements of this section, the school district or school shall withhold further payments, if any, to the provider pending verification of compliance.

(b) Upon a first occurrence by a provider of digital or online resources or databases of noncompliance with subsection (2) of this section and failure to verify within thirty (30) days of receiving notice of the noncompliance from a school district or school that the provider is in compliance with this section, the school district or school shall consider the provider's noncompliance to be a breach of contract.

(c) Upon a second occurrence by a provider of noncompliance with subsection (2) and failure to verify within thirty (30) days of receiving notice of the noncompliance from a school district or school that the provider is in compliance with the requirements of this section, the school district or school is entitled to a reduction in the amount of ten percent (10%) of the agreed upon price in the contract to be paid by the school district or school to the provider. The school district or school shall adjust any

future payments due to the provider under the contract accordingly to effectuate the ten percent (10%) reduction. However, if the contract price has been paid in full, or if the balance owed on the contract price is equal to less than ten percent (10%) of the contract price, the provider must return to the school district or school such amount that is required to effectuate a ten percent (10%) reduction of the contract price.

(d) Upon a third occurrence by a provider of noncompliance with subsection (2) and failure to verify within thirty (30) days of receiving notice of the noncompliance from a school district or school that the provider is in compliance with the requirements of this section, the contract must be considered terminated and the school district or school is entitled to a complete refund of the agreed upon price in the contract to be paid by the school district or school to the provider. The school district or school shall withhold any future payments that may be due to the provider, and the provider must return to the school district or school all amounts previously paid to the provider under the contract.

(4) The State Auditor may audit a school district or school's compliance with this section. A school district or school must report to the State Auditor a provider's failure to comply with subsection (2) of this section no later than thirty (30) days after the district or school learns of the provider's noncompliance.

SECTION 8. The following shall be codified as Section 39-3-25, Mississippi Code of 1972:

39-3-25. (1) A public library may offer digital or online resources or databases to persons only if the vendor or other person or entity providing the resources verifies that all the resources will comply with the provisions of subsection (2) of this section.

(2) A vendor or other person or entity providing digital or online resources or databases under the authority of this section must have safety policies and technology protection measures that:

(a) Prohibit and prevent a person from sending, receiving, viewing or downloading materials that are:

(i) Child pornography;

(ii) Materials that depict or promote child sexual exploitation or trafficking;

(iii) Obscene materials, as defined in Section 1 of this act;

(iv) Inappropriate materials depicting or dealing with matters of sex, cruelty and violence in a manner likely to be injurious or harmful to a child; or

(v) Materials that are sexually oriented, as defined in Section 97-5-27(2); and

(b) Filter or block access to obscene materials, inappropriate materials, materials that are sexually oriented or materials that depict, describe or promote child pornography or child sexual exploitation.

(3) (a) The provisions of this section take precedence over any provision in a contract between a public library and a vendor or other person or entity providing digital or online resources or databases to the contrary. Notwithstanding any provision in a contract between a public library and a provider to the contrary, if a provider of digital or online resources or databases fails to comply with the requirements of this section, the library shall withhold further payments, if any, to the provider pending verification of compliance.

(b) Upon a first occurrence by a provider of digital or online resources or databases of noncompliance with subsection (2) of this section and failure to verify within thirty (30) days of receiving notice of the noncompliance from a public library that the provider is in compliance with this section, the library shall consider the provider's noncompliance to be a breach of contract.

(c) Upon a second occurrence by a provider of noncompliance with subsection (2) and failure to verify within thirty (30) days of receiving notice of the noncompliance from a public library that the provider is in compliance with the requirements of this section, the library is entitled to a reduction in the amount of ten percent (10%) of the agreed upon price in the contract to be paid by the library to the provider. The library shall adjust any future payments due to the provider under the contract accordingly to effectuate the ten percent (10%) reduction. However, if the contract price has been paid in full, or if the balance owed on the contract price is equal to less than ten percent (10%) of the contract price, the provider must return to the library such amount that is required to effectuate a ten percent (10%) reduction of the contract price.

(d) Upon a third occurrence by a provider of noncompliance with subsection (2) and failure to verify within thirty (30) days of receiving notice of the noncompliance from a public library that the provider is in compliance with the requirements of this section, the contract must be considered terminated and the library is entitled to a complete refund of the agreed upon price in the contract to be paid by the library to the provider. The library shall withhold any future payments that may be due to the provider, and the provider must return to the library all amounts previously paid to the provider under the contract.

(4) The State Auditor may audit a public library's compliance with this section. A public library must report to the State Auditor a provider's failure to comply with subsection (2) of this section no later than thirty (30) days after the library learns of the provider's noncompliance.

SECTION 9. Section 97-5-27, Mississippi Code of 1972, is brought forward as follows:

97-5-27. (1) Any person who intentionally and knowingly disseminates sexually oriented material to any person under eighteen (18) years of age shall be guilty of a misdemeanor and, upon conviction, shall be fined for each offense not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00) or be imprisoned for not more than one (1) year in the county jail, or be punished by both such fine and imprisonment. A person disseminates sexually oriented material within the meaning of this section if he:

(a) Sells, delivers or provides, or offers or agrees to sell, deliver or provide, any sexually oriented writing, picture, record or other representation or embodiment that is sexually oriented; or

(b) Presents or directs a sexually oriented play, dance or other performance or participates directly in that portion thereof which makes it sexually oriented; or

(c) Exhibits, presents, rents, sells, delivers or provides, or offers or agrees to exhibit, present, rent or to provide any sexually oriented still or motion picture, film, filmstrip or projection slide, or sound recording, sound tape or sound track or any matter or material of whatever form which is a representation, embodiment, performance or publication that is sexually oriented.

(2) For purposes of this section, any material is sexually oriented if the material contains representations or descriptions, actual or simulated, of masturbation, sodomy, excretory functions, lewd exhibition of the genitals or female breasts, sadomasochistic

abuse (for the purpose of sexual stimulation or gratification), homosexuality, lesbianism, bestiality, sexual intercourse, or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks, or the breast or breasts of a female for the purpose of sexual stimulation, gratification or perversion.

(3) (a) A person is guilty of computer luring when:

(i) Knowing the character and content of any communication of sexually oriented material, he intentionally uses any computer communication system allowing the input, output, examination or transfer of computer data or computer programs from one (1) computer to another, to initiate or engage in such communication with a person under the age of eighteen (18); and

(ii) By means of such communication he importunes, invites or induces a person under the age of eighteen (18) years to engage in sexual intercourse, deviant sexual intercourse or sexual contact with him, or to engage in a sexual performance, obscene sexual performance or sexual conduct for his benefit.

(b) A person who engages in the conduct proscribed by this subsection (3) is presumed to do so with knowledge of the character and content of the material.

(c) In any prosecution for computer luring, it shall be a defense that:

(i) The defendant made a reasonable effort to ascertain the true age of the minor and was unable to do so as a result of actions taken by the minor; or

(ii) The defendant has taken, in good faith, reasonable, effective and appropriate actions under the circumstances to restrict or prevent access by minors to the materials prohibited, which may involve any appropriate measures to restrict minors from access to such communications, including any method which is feasible under available technology; or

(iii) The defendant has restricted access to such materials by requiring use of a verified credit card, debit account, adult access code or adult personal identification number; or

(iv) The defendant has in good faith established a mechanism such that the labeling, segregation or other mechanism enables such material to be automatically blocked or screened by software or other capabilities reasonably available to responsible adults wishing to effect such blocking or screening and the defendant has not otherwise solicited minors not subject to such screening or blocking capabilities to access that material or to circumvent any such screening or blocking.

(d) In any prosecution for computer luring:

(i) No person shall be held to have violated this subsection (3) solely for providing access or connection to or from a facility, system, or network not under that person's control, including transmission, downloading, intermediate storage, access software or other related capabilities that are incidental to providing such access or connection that do not include the creation of the content of the communication.

(ii) No employer shall be held liable for the actions of an employee or agent unless the employee's or agent's conduct is within the scope of his employment or agency or the employer, having knowledge of such conduct, authorizes or ratifies such conduct, or recklessly disregards such conduct.

(iii) The limitations provided by this paragraph (d) shall not be applicable to a person who is a conspirator with an entity actively involved in the creation or knowing distribution of communications that violate such provisions, or who knowingly

advertises the availability of such communications, nor to a person who provides access or connection to a facility, system or network engaged in the violation of such provisions that is owned or controlled by such person.

(e) Computer luring is a felony, and any person convicted thereof shall be punished by commitment to the custody of the Department of Corrections for a term not to exceed three (3) years and by a fine not to exceed Ten Thousand Dollars (\$10,000.00).

(4) Investigation and prosecution of a defendant under this section does not preclude prosecution of the defendant for a violation of other applicable criminal laws, including, but not limited to, the Mississippi Human Trafficking Act, Section 97-3-54 et seq.

SECTION 10. Section 97-5-29, Mississippi Code of 1972, is brought forward as follows:

97-5-29. (1) Any person who intentionally and knowingly places sexually oriented materials upon public display, or who knowingly and intentionally fails to take prompt action to remove such a display from property in his possession after learning of its existence shall be guilty of a misdemeanor and upon conviction shall be fined for each offense not less than Five Hundred Dollars (\$500.00) nor more than Five Thousand Dollars (\$5,000.00) or be imprisoned for not more than one (1) year in the county jail, or be punished by both such fine and imprisonment.

(2) For purposes of this section any material is sexually oriented if the material consists of representations or descriptions of actual or simulated masturbation, sodomy, excretory functions, lewd exhibition of the genitals or female breasts, sadomasochistic abuse (for the purpose of sexual stimulation or gratification), homosexuality, lesbianism, bestiality, sexual intercourse or physical contact with a person's clothed or unclothed genitals, pubic area, buttocks or the breast or breasts of a female for the purpose of sexual stimulation, gratification or perversion.

(3) A person places sexually oriented material upon public display within the meaning of this section if he places the material on or in a billboard, viewing screen, theater stage or marquee, newsstand, display rack, window, showcase, display case or other similar place, including a viewing screen in a vehicle, so that sexually oriented material is easily visible from a public street, public road or sidewalk or from areas of public businesses in which minors are normally business invitees.

SECTION 11. Section 97-5-31, Mississippi Code of 1972, is brought forward as follows:

97-5-31. As used in Sections 97-5-33 through 97-5-37, the following words and phrases shall have the meanings given to them in this section:

(a) "Child" means any individual who has not attained the age of eighteen (18) years.

(b) "Sexually explicit conduct" means actual or simulated:

(i) Oral genital contact, oral anal contact, or sexual intercourse as defined in Section 97-3-65, whether between persons of the same or opposite sex;

(ii) Bestiality;

(iii) Masturbation;

(iv) Sadistic or masochistic abuse;



(v) Lascivious exhibition of the genitals or pubic area of any person;  
or

(vi) Fondling or other erotic touching of the genitals, pubic area, buttocks, anus or breast.

(c) "Producing" means producing, directing, manufacturing, issuing, publishing or advertising.

(d) "Visual depiction" includes, without limitation, developed or undeveloped film and video tape or other visual unaltered reproductions by computer.

(e) "Computer" has the meaning given in Title 18, United States Code, Section 1030.

(f) "Simulated" means any depicting of the genitals or rectal areas that gives the appearance of sexual conduct or incipient sexual conduct.

SECTION 12. Section 97-5-33, Mississippi Code of 1972, is brought forward as follows:

97-5-33. (1) No person shall, by any means including computer, cause, solicit or knowingly permit any child to engage in sexually explicit conduct or in the simulation of sexually explicit conduct for the purpose of producing any visual depiction of such conduct.

(2) No person shall, by any means including computer, photograph, film, video tape or otherwise depict or record a child engaging in sexually explicit conduct or in the simulation of sexually explicit conduct.

(3) No person shall, by any means including computer, knowingly send, transport, transmit, ship, mail or receive any photograph, drawing, sketch, film, video tape or other visual depiction of an actual child engaging in sexually explicit conduct.

(4) No person shall, by any means including computer, receive with intent to distribute, distribute for sale, sell or attempt to sell in any manner any photograph, drawing, sketch, film, video tape or other visual depiction of an actual child engaging in sexually explicit conduct.

(5) No person shall, by any means including computer, knowingly possess or knowingly access with intent to view any photograph, drawing, sketch, film, video tape or other visual depiction of an actual child engaging in sexually explicit conduct.

(6) No person shall, by any means including computer, knowingly entice, induce, persuade, seduce, solicit, advise, coerce, or order a child to meet with the defendant or any other person for the purpose of engaging in sexually explicit conduct.

(7) No person shall by any means, including computer, knowingly entice, induce, persuade, seduce, solicit, advise, coerce or order a child to produce any visual depiction of adult sexual conduct or any sexually explicit conduct.

(8) The fact that an undercover operative or law enforcement officer posed as a child or was involved in any other manner in the detection and investigation of an offense under this section shall not constitute a defense to a prosecution under this section.

(9) For purposes of determining jurisdiction, the offense is committed in this state if all or part of the conduct described in this section occurs in the State of Mississippi or if the transmission that constitutes the offense either originates in this state or is received in this state.

SECTION 13. Section 97-5-37, Mississippi Code of 1972, is brought forward as follows:

97-5-37. The provisions of Sections 97-5-31 through 97-5-37 are supplemental to any statute relating to child abuse or neglect, obscenity, enticement of children or contributing to delinquency of a minor and acquittal or conviction pursuant to any other statute shall not be a bar to prosecution under Sections 97-5-31 through 97-5-37. Acquittal or conviction under Sections 97-5-31 through 97-5-37 shall not be a bar to prosecution and conviction under other statutes defining crimes or misdemeanors, nor to any civil or administrative remedy otherwise available.

SECTION 14. Section 97-29-101, Mississippi Code of 1972, is brought forward as follows:

97-29-101. A person commits the offense of distributing obscene materials or obscene performances when he sells, rents, leases, advertises, publishes or exhibits to any person any obscene material or obscene performance of any description knowing the obscene nature thereof, or offers to do so, or possesses such material with the intent to do so. A person commits the offense of wholesale distributing obscene materials or obscene performances when he distributes for the purpose of resale any obscene material or obscene performance of any description knowing the obscene nature thereof, or offers to do so, or possesses such material with the intent to do so. The word "knowing" as used in this section means either actual or constructive knowledge of the obscene contents of the subject matter, and a person has constructive knowledge of the obscene contents if he has knowledge of facts which would put a reasonable and prudent person on notice as to the suspect nature of the material. The character and reputation of an individual charged with an offense under Sections 97-29-101 through 97-29-109 and, if a commercial dissemination of obscene material or an obscene performance is involved, the character and reputation of the business establishment involved, may be placed in evidence by the defendant on the question of intent to violate Sections 97-29-101 through 97-29-109.

Any person, other than a city attorney, county prosecuting attorney or district attorney, who shall sign an affidavit charging an offense prescribed by this section shall file a bond in the amount of Five Hundred Dollars (\$500.00) at the time such affidavit is lodged. Such bond shall be conditioned that the affidavit was not filed frivolously, maliciously or out of ill will.

SECTION 15. Section 97-29-107, Mississippi Code of 1972, is brought forward as follows:

97-29-107. (1) Sections 97-29-101 through 97-29-109 shall not apply when the distribution or wholesale distribution of the material, performance or device was made by:

(a) A person, corporation, company, partnership, firm, association, business, establishment or other legal entity to a person associated with an institution of higher learning, either as a member of the faculty or as a matriculated student, teaching or pursuing a course of study related to such material, performance or device;

(b) A licensed physician or a licensed psychologist to a person whose receipt of such material or device was authorized in writing by such physician or psychologist in the course of medical or psychological treatment or care;

(c) A person who while acting in his capacity as an employee is employed on a full-time or part-time basis by (i) any recognized historical society or museum accorded charitable status by the federal government; (ii) any state, county or municipal public library; or (iii) any library of any public or private school, college or university in this state; or

(d) A community television antenna services system or a cable television system operating pursuant to a written agreement not in conflict with this paragraph granted by a county, municipality or other political subdivision of this state, or by an employee of such system while acting within the scope of his employment, when the signal transmitting the material or performance originates outside of the State of Mississippi.

(2) Any exemption from prosecution claimed under the provisions of this section may be raised at a pretrial hearing by motion, and the court shall determine whether sufficient evidence exists to constitute an exemption from prosecution under the provisions of Sections 97-29-101 through 97-29-109. If the motion is sustained, the case shall be dismissed; provided, however, if the motion is not sustained then the defendant may offer into evidence at trial as an affirmative defense to conviction under Sections 97-29-101 through 97-29-109 any matter which could have been raised by the defendant in the motion to dismiss.

SECTION 16. Section 97-29-109, Mississippi Code of 1972, is brought forward as follows:

97-29-109. Any person, except one who wholesale distributes, who violates Section 97-29-101 or Section 97-29-105 shall be guilty of a misdemeanor and, upon conviction, shall, in the case of the first offense, be fined not more than Five Thousand Dollars (\$5,000.00) or imprisoned in the county jail for a term not to exceed six (6) months, or both. If the person has been previously convicted of a violation of Section 97-29-101 or Section 97-29-105 or of Section 97-5-27 or 97-5-29, Mississippi Code of 1972, then the person shall be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Ten Thousand Dollars (\$10,000.00) or imprisoned for a term not to exceed one (1) year, or both.

Any person who wholesale distributes in violation of Section 97-29-101 or Section 97-29-105 shall, upon conviction, be fined not more than Ten Thousand Dollars (\$10,000.00) or imprisoned for a term not to exceed one (1) year, or both. If the person has been previously convicted of a violation of Section 97-29-101 or Section 97-29-105 or of Section 97-5-27 or 97-5-29, Mississippi Code of 1972, then the person shall, upon conviction, be fined not less than Two Thousand Five Hundred Dollars (\$2,500.00) nor more than Fifty Thousand Dollars (\$50,000.00) or imprisoned for a term not to exceed one (1) year, or both.

A corporation, company, partnership, firm, association, business, establishment, organization or other legal entity other than an individual convicted of distributing obscenity or unlawful sexual devices or wholesale distribution of obscenity or unlawful sexual devices shall be fined not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00). If such legal entity has been previously convicted of distributing obscenity or unlawful sexual devices or wholesale distribution of obscenity or unlawful sexual devices or of a violation of Section 97-5-27 or Section 97-5-29, Mississippi Code of 1972, then such legal entity shall be fined not less than Five Thousand Dollars (\$5,000.00) nor more than Fifty Thousand Dollars (\$50,000.00).

SECTION 17. If any section, paragraph, sentence, clause, phrase or any part of this act passed on or after the effective date of this act is declared to be unconstitutional or void, or if for any reason is declared to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts of this act shall be in no manner affected thereby but shall remain in full force and effect.

Unless the contrary intent shall clearly appear in the particular act in question, each and every act passed hereafter shall be read and construed as though the provisions of the first paragraph of this section form an integral part thereof, whether expressly set out therein or not.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REGULATE PORNOGRAPHIC MEDIA EXPOSURE TO CHILDREN; TO PROVIDE THE LEGISLATIVE INTENT; TO PROVIDE DEFINITIONS; TO REQUIRE COMMERCIAL ENTITIES THAT PROVIDE SUCH CONTENT TO HAVE AGE VERIFICATION SYSTEMS; TO PROVIDE LIABILITY FOR THOSE COMMERCIAL ENTITIES THAT DO NOT PROVIDE AN AGE VERIFICATION; TO BRING FORWARD SECTIONS 97-29-107 AND 97-29-109, MISSISSIPPI CODE OF 1972, WHICH PROVIDE THE EXEMPTIONS AND PENALTIES FOR DISTRIBUTION OF OBSCENE MATERIALS, FOR PURPOSES OF AMENDMENT; TO CREATE NEW SECTIONS 37-11-81 AND 39-3-25, MISSISSIPPI CODE OF 1972, TO AUTHORIZE PUBLIC SCHOOLS, CHARTER SCHOOLS, THE MISSISSIPPI SCHOOL OF THE ARTS, THE MISSISSIPPI SCHOOL FOR MATHEMATICS AND SCIENCE, THE MISSISSIPPI VIRTUAL PUBLIC SCHOOL, THE MISSISSIPPI SCHOOL FOR THE DEAF, THE MISSISSIPPI SCHOOL FOR THE BLIND AND PUBLIC LIBRARIES TO OFFER DIGITAL OR ONLINE RESOURCES OR DATABASES TO PERSONS ONLY IF THE VENDOR PROVIDING THOSE RESOURCES VERIFIES THAT IT HAS IN PLACE SAFETY POLICIES AND TECHNOLOGY PROTECTION MEASURES THAT PROHIBIT CHILDREN FROM ACCESSING AND SENDING CHILD PORNOGRAPHY, OBSCENE AND SEXUALLY ORIENTED MATERIALS AND OTHER MATERIALS HARMFUL TO CHILDREN; TO ESTABLISH MONETARY PENALTIES FOR A VENDOR THAT FAILS TO CORRECT NONCOMPLIANCE; TO REQUIRE REPORTS OF NONCOMPLIANCE TO BE MADE TO THE STATE AUDITOR; TO BRING FORWARD SECTIONS 97-5-27, 97-5-29, 97-5-31, 97-5-33, 97-5-37, 97-29-101, 97-29-107 and 97-29-109, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; TO PROVIDE SEVERABILITY IF ANY PART OF THIS ACT IS FOUND UNCONSTITUTIONAL; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2120** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Officer James White and Corporal Zach Moak Act".

SECTION 2. Section 45-9-131, Mississippi Code of 1972, is amended as follows:

45-9-131. Upon approval of the governing authority of the municipality or county, a member of any municipal or county law enforcement agency who retires under any state retirement system or the \* \* \* beneficiary of a law enforcement officer who is killed in the line of duty as designated by the law enforcement officer before his or her death or by operation of law for determination of a beneficiary, when no beneficiary is otherwise designated, may be allowed to purchase as his or her personal property one (1) sidearm

which was issued to the law enforcement officer by the law enforcement agency from which he or she retired or by whom he or she was employed at the time of death. The governing authority of the municipality or county shall determine the amount to be paid for the firearm by the retiring member of the law enforcement agency or the \* \* \* beneficiary of the law enforcement officer.

SECTION 3. Section 45-3-51, Mississippi Code of 1972, is brought forward as follows:

45-3-51. Each member of the Mississippi Highway Safety Patrol or agent of the Mississippi Bureau of Narcotics who retires under the Highway Safety Patrol Retirement System or the Public Employees' Retirement System, for superannuation or for reason of disability or a beneficiary of such member of the Highway Safety Patrol or agent of the Mississippi Bureau of Narcotics who is killed in the line of duty shall be allowed to retain, as his personal property, one (1) sidearm which was issued under authority of Section 45-3-19 or 41-29-159. Likewise, a beneficiary of any law enforcement officer killed in the line of duty shall be allowed to retain the officer's sidearm.

SECTION 4. (1) The State Department of Health, in cooperation with the Department of Archives and History and the Bureau of Building, Grounds and Real Property Management and subject to funds being made available, shall design and cause to be constructed and maintained on state-owned lands at some suitable and appropriate place in or near the City of Jackson, an Emergency Medical Services Memorial to honor those Emergency Medical Services personnel who have given their lives in the performance of their official duties and those who have made a dramatic impact on or substantial contribution to emergency medical services in Mississippi. The Department of Health shall consult with organizations and communities of interest relating to emergency medical services in designing the memorial, and the memorial shall be designed and constructed not later than July 1, 2024.

(2) The Department of Health shall form, and/or collaborate with a private foundation or nonprofit corporation to maintain the memorial in perpetuity and determine the eligibility of those persons to be included on the memorial. The foundation or nonprofit corporation shall solicit and receive funds from public and private sources and donations to carry out its responsibilities under this section.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A BENEFICIARY OF A MUNICIPAL OR COUNTY LAW ENFORCEMENT OFFICER KILLED IN THE LINE OF DUTY TO RECEIVE THE OFFICER'S SIDEARM; TO BRING FORWARD SECTION 45-3-51, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES A BENEFICIARY OF A MISSISSIPPI HIGHWAY SAFETY PATROL OFFICER OR AGENT OF THE MISSISSIPPI BUREAU OF NARCOTICS WHO IS KILLED IN THE LINE OF DUTY TO RECEIVE THE OFFICER'S SIDEARM; AND FOR RELATED PURPOSES.

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Senator Fillingane called up the following House Amendment to **S. B. No. 2297** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

## AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

## SECTION 1. Section 63-11-19, Mississippi Code of 1972, is amended as follows:

63-11-19. A chemical analysis of the person's breath, blood or urine, to be considered valid under the provisions of this section, shall have been performed according to methods approved by the Mississippi Forensics Laboratory created pursuant to Section 45-1-17 and the Commissioner of Public Safety and performed by an individual possessing a valid permit issued by the Mississippi Forensics Laboratory for making such analysis. The Mississippi Forensics Laboratory and the Commissioner of Public Safety are authorized to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the Mississippi Forensics Laboratory. The Mississippi Forensics Laboratory shall not approve the permit required herein for any law enforcement officer other than a member of the State Highway Patrol, a sheriff or his deputies, a city policeman, an officer of a state-supported institution of higher learning campus police force, a security officer appointed and commissioned pursuant to the Pearl River Valley Water Supply District Security Officer Law of 1978, a national park ranger, a national park ranger technician, a military policeman stationed at a United States military base located within this state other than a military policeman of the Army or Air National Guard or of Reserve Units of the Army, Air Force, Navy or Marine Corps, a marine law enforcement officer employed by the Department of Marine Resources, or a conservation officer employed by the Mississippi Department of Wildlife, Fisheries and Parks. The permit given a marine law enforcement officer shall authorize such officer to administer tests only for violations of Sections 59-23-1 through 59-23-7. The permit given a conservation officer shall authorize such officer to administer tests only for violations of Sections 59-23-1 through 59-23-7 and for hunting related incidents resulting in injury or death to any person by discharge of a weapon as provided under Section 49-4-31.

The Mississippi Forensics Laboratory shall make periodic, but not less frequently than quarterly, tests of the methods, machines or devices used in making chemical analysis of a person's breath as shall be necessary to ensure the accuracy thereof, and shall issue its certificate to verify the accuracy of the same. Without compromising accepted law enforcement standards and methodologies, the Mississippi Forensics Laboratory shall approve for use at least one model of intoxilyzer equipment that is readily available to law enforcement agencies throughout the state.

## SECTION 2. Section 63-11-47, Mississippi Code of 1972, is brought forward as follows:

63-11-47. The Commissioner of Public Safety, acting in concert with the Mississippi Forensics Laboratory created pursuant to Section 45-1-17, is hereby expressly authorized and directed to determine the equipment and supplies which are adequate and necessary from both a medical and law enforcement standpoint for administration of this chapter. The Commissioner of Public Safety, upon receiving such recommendation from the Mississippi Forensics Laboratory, shall recommend an equipment standard for such equipment to the Department of Finance and Administration. The Department of Finance and Administration, using such a uniform standard for said equipment, shall advertise its intention of purchasing said equipment by one (1) publication in at least one (1) newspaper having general circulation in the State of Mississippi at least ten (10) days before the purchase of such equipment and supplies,

and the advertisement shall clearly and distinctly describe the articles to be purchased, and shall receive sealed bids thereon which shall be opened in public at a time and place to be specified in the advertisement.

The Department of Finance and Administration shall accept the lowest and best bid for said equipment and supplies; in its discretion, it may reject any and all bids submitted. The lowest and best bid for said equipment and supplies accepted by the Department of Finance and Administration shall be the state-approved price of said equipment for purchase by the state, county and city governments.

Title to all such testing equipment in the state purchased hereunder shall remain in the Commissioner of Public Safety regardless of what entity pays the purchase price.

The state, counties and municipalities may purchase in the name of the Commissioner of Public Safety such equipment and supplies from other vendors of said equipment and supplies necessary to implement this chapter, provided they purchase of the same quality and standard as certified to the Department of Finance and Administration and approved by the department. However, such equipment and supplies shall not be purchased by the state, counties and municipalities unless it is at a price equivalent to or lower than that approved by the Department of Finance and Administration, pursuant to the bid procedure as outlined herein.

SECTION 3. The Mississippi Department of Public Safety Headquarters' Office, to be constructed and located in Pearl, Rankin County, Mississippi, shall be named the "David R. Huggins Headquarters of the Mississippi Department of Public Safety." The Department of Finance and Administration shall prepare or have prepared a distinctive plaque, to be approved by the Mississippi Department of Public Safety, to be placed in a prominent place within the building, that states the background, accomplishments and service to the state by Commissioner David R. Huggins. The Department of Finance and Administration, in conjunction with the Mississippi Department of Public Safety, shall erect or cause to be erected proper lettering or signage on the outdoor facade of the building displaying the official name of the building as the "David R. Huggins Headquarters of the Mississippi Department of Public Safety." Any and all funds necessary to accomplish this act will be appropriated by the Legislature for such purpose.

SECTION 4. The Mississippi State Crime Laboratory of the Mississippi Department of Public Safety located in Pearl, Rankin County, Mississippi, shall be named the "Tom Weathersby State Crime Laboratory." The Department of Finance and Administration shall prepare or have prepared a distinctive plaque, to be approved by the Mississippi Department of Public Safety and the Mississippi House of Representatives, to be placed in a prominent place within the building, that states the background, accomplishments and service to the state by the Honorable Tom Weathersby. The Department of Finance and Administration, in conjunction with the Mississippi Department of Public Safety, shall erect or cause to be erected proper lettering or signage on the outdoor facade of the building displaying the official name of the building as the "Tom Weathersby State Crime Laboratory." Any and all funds necessary to accomplish this act will be appropriated by the Legislature for such purpose.

SECTION 5. The Legislature finds that:

(a) Domestic violence is a serious issue that causes substantial damage to victims and children as well as to the community. Families experiencing domestic violence are often involved in more than one (1) court proceeding including divorce and custody cases, civil and criminal proceedings regarding domestic violence, substance abuse and child protection. Substantial state and county resources are required each year for the incarceration, supervision and treatment of batterers.

(b) Domestic abuse courts hold offenders accountable, increase victim safety, provide greater judicial monitoring, and coordinate information to provide effective interaction and use of resources among the courts, justice system personnel and community agencies. Effective case management and coordination ensures that decisions in one (1) case do not conflict with existing orders in other civil and criminal cases and provide courts with the necessary information to protect victims and families.

(c) Domestic abuse courts have proven effective in reducing recidivism and increasing victim safety. It is in the best interests of the citizens of this state to authorize the establishment of domestic abuse courts.

SECTION 6. The following shall be codified as Section 9-23-101, Mississippi Code of 1972:

9-23-101. (1) A domestic abuse court is a court focused on the safety of the victim and the accountability of the offender by:

(a) Bringing together criminal justice professionals, local social programs and intensive judicial monitoring;

(b) Linking victims to programs and services by effective collaboration with social service providers and other stakeholders to refer victims to appropriate and available community services based on risk and need;

(c) Linking eligible civil respondents to programs and services by effective collaboration with social service providers and other stakeholders to refer such individuals to appropriate and available community services based on risk and need;

(d) Linking eligible criminal defendants to programs and services by effective collaboration with social service providers and other stakeholders to refer defendants to appropriate and available community services based on risk and need; and

(e) Providing centralized monitoring of participants to ensure compliance with any civil domestic abuse protection orders or with any treatment orders or other orders issued by the court.

(2) For the purposes of this act, "domestic abuse" and "domestic violence" shall have the meanings ascribed to "abuse" by Section 93-21-3 and to "misdemeanor which is an act of domestic violence" in Section 99-3-7.

SECTION 7. The following shall be codified as Section 9-23-103, Mississippi Code of 1972:

9-23-103. Any chancery or county court may establish a domestic abuse court program. Any municipal and justice court is authorized to participate in a domestic abuse court program established in the county.

SECTION 8. The following shall be codified as Section 9-23-105, Mississippi Code of 1972:



9-23-105. (1) A domestic abuse court and accompanying services of the domestic abuse court shall be available only to individuals over whom the court has established jurisdiction.

(2) A domestic abuse court that does not have felony jurisdiction may assume jurisdiction over an individual convicted of a felony from another court within the county upon entry of an appropriate order by the criminal court referring that individual to the domestic abuse court for the purpose of participation in the domestic abuse court program.

SECTION 9. The following shall be codified as Section 9-23-107, Mississippi Code of 1972:

9-23-107. (1) The Administrative Office of Courts shall develop uniform standards for operation of a domestic abuse court. Any domestic abuse court shall operate pursuant to those standards. Such standards shall, at a minimum, include provisions for:

- (a) Establishment and coordination of the domestic abuse court;
- (b) Funding for the domestic abuse court;
- (c) Procedural matters;
- (d) Referral protocols;
- (e) Participant eligibility;
- (f) Services to be made available to participants referred to the court; and
- (g) Roles and duties of the court, which shall include, but not be limited to, assessment, referral, case management, supervision and evaluation.

(2) Any court wishing to adopt local rules for the coordination of services and to address court procedures that may vary from those established by the Administrative Office of Courts shall submit those rules to the Administrative Office of Courts for approval prior to implementation.

SECTION 10. The following shall be codified as Section 9-23-109, Mississippi Code of 1972:

9-23-109. A domestic abuse court may hire employees necessary to carry out the functions of the court, including, but not limited to, an administrator, case manager, counselor or clerical staff.

SECTION 11. The following shall be codified as Section 9-23-111, Mississippi Code of 1972:

9-23-111. Nothing herein shall be construed to guarantee any individual the right to participate in a domestic abuse court program.

SECTION 12. The following shall be codified as Section 9-23-113, Mississippi Code of 1972:

9-23-113. (1) All monies received from any source by the domestic abuse court shall be accumulated in a fund to be used only for domestic abuse court purposes. Any funds remaining in this fund at the end of a fiscal year shall not lapse into any general fund, but shall be retained in the Domestic Abuse Court

Fund for the funding of further activities by the domestic abuse court.

(2) A domestic abuse court may apply for and receive the following:

(a) Gifts, bequests and donations from private sources.

(b) Grant and contract money from governmental sources.

(c) Other forms of financial assistance approved by the court to supplement the budget of the domestic abuse court.

SECTION 13. The following shall be codified as Section 9-23-115, Mississippi Code of 1972:

9-23-115. There is created in the State Treasury a special interest-bearing fund to be known as the Domestic Abuse Court Fund. The purpose of the fund shall be to provide supplemental funding to all domestic abuse courts in the state. Monies from the fund shall be distributed by the State Treasurer upon warrants issued by the Administrative Office of Courts to assist domestic abuse courts. The fund shall be expended by the Administrative Office of Courts upon appropriation by the Legislature, and shall consist of: (a) monies appropriated by the Legislature for the purposes of funding domestic abuse courts; (b) the interest accruing to the fund; (c) monies received under the provisions of Section 99-19-73; (d) monies received from the federal government; and (e) monies received from such other sources as may be provided by law.

SECTION 14. Section 99-19-73, Mississippi Code of 1972, is amended as follows:

99-19-73. (1) Traffic violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or other penalty for any violation in Title 63, Mississippi Code of 1972, except offenses relating to the Mississippi Implied Consent Law (Section 63-11-1 et seq.) and offenses relating to vehicular parking or registration:

FUND	AMOUNT
State Court Education Fund.....	[Deleted]
State Prosecutor Education Fund.....	[Deleted]
Vulnerable Persons Training, Investigation and Prosecution Trust Fund .....	[Deleted]
Child Support Prosecution Trust Fund.....	[Deleted]
Driver Training Penalty Assessment Fund.....	[Deleted]
Law Enforcement Officers Training Fund .....	[Deleted]
Spinal Cord and Head Injury Trust Fund (for all moving violations) .....	[Deleted]
Emergency Medical Services Operating Fund.....	[Deleted]

Mississippi Leadership Council on Aging Fund .....	[Deleted]
Law Enforcement Officers and Fire Fighters	
Death Benefits Trust Fund .....	[Deleted]
Law Enforcement Officers and Fire Fighters	
Disability Benefits Trust Fund .....	[Deleted]
State Prosecutor Compensation Fund for the purpose	
of providing additional compensation for	
district attorneys and their legal assistants .....	[Deleted]
Crisis Intervention Mental Health Fund .....	[Deleted]
Intervention Court Fund .....	[Deleted]
Judicial Performance Fund .....	[Deleted]
Capital Defense Counsel Fund .....	[Deleted]
Indigent Appeals Fund .....	[Deleted]
Capital Post-Conviction Counsel Fund .....	[Deleted]
Victims of Domestic Violence Fund .....	[Deleted]
Public Defenders Education Fund .....	[Deleted]
Domestic Violence Training Fund .....	[Deleted]
Attorney General's Cyber Crime Unit .....	[Deleted]
Children's Safe Center Fund .....	[Deleted]
DuBard School for Language Disorders Fund .....	[Deleted]
Children's Advocacy Centers Fund .....	[Deleted]
Judicial System Operation Fund .....	[Deleted]
GENERAL FUND .....	\$ 90.50

(2) Implied Consent Law violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or any other penalty for any violation of the Mississippi Implied Consent Law (Section 63-11-1 et seq.):

FUND	AMOUNT
Crime Victims' Compensation Fund .....	[Deleted]
State Court Education Fund .....	[Deleted]
State Prosecutor Education Fund .....	[Deleted]
Vulnerable Persons Training,	
Investigation and Prosecution Trust Fund .....	[Deleted]
Child Support Prosecution Trust Fund .....	[Deleted]
Driver Training Penalty Assessment Fund .....	[Deleted]
Law Enforcement Officers Training Fund .....	[Deleted]
Emergency Medical Services Operating Fund .....	[Deleted]
Mississippi Alcohol Safety Education Program Fund .....	[Deleted]
Federal-State Alcohol Program Fund .....	[Deleted]
Mississippi Forensics Laboratory	
Implied Consent Law Fund .....	[Deleted]
Spinal Cord and Head Injury Trust Fund .....	[Deleted]
Capital Defense Counsel Fund .....	[Deleted]
Indigent Appeals Fund .....	[Deleted]
Capital Post-Conviction Counsel Fund .....	[Deleted]
Victims of Domestic Violence Fund .....	[Deleted]
Law Enforcement Officers and Fire Fighters	
Death Benefits Trust Fund .....	[Deleted]
Law Enforcement Officers and Fire Fighters	
Disability Benefits Trust Fund .....	[Deleted]
State Prosecutor Compensation Fund for the purpose	
of providing additional compensation for	
district attorneys and their legal assistants .....	[Deleted]
Crisis Intervention Mental Health Fund .....	[Deleted]
Intervention Court Fund .....	[Deleted]
Statewide Victims' Information and	
Notification System Fund .....	[Deleted]
Public Defenders Education Fund .....	[Deleted]

Domestic Violence Training Fund.....	[Deleted]
Attorney General's Cyber Crime Unit .....	[Deleted]
Domestic Abuse Court Fund.....	\$1.00
General Fund .....	\$243.50
***TOTAL STATE ASSESSMENT.....	\$ ***244.50

(3) Game and Fish Law violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or other penalty for any violation of the game and fish statutes or regulations of this state:

FUND	AMOUNT
State Court Education Fund.....	[Deleted]
State Prosecutor Education Fund.....	[Deleted]
Vulnerable Persons Training,	
Investigation and Prosecution Trust Fund .....	[Deleted]
Law Enforcement Officers Training Fund .....	[Deleted]
Hunter Education and Training Program Fund .....	[Deleted]
Law Enforcement Officers and Fire Fighters	
Death Benefits Trust Fund.....	[Deleted]
Law Enforcement Officers and Fire Fighters	
Disability Benefits Trust Fund .....	[Deleted]
State Prosecutor Compensation Fund for the purpose	
of providing additional compensation for district	
attorneys and their legal assistants.....	[Deleted]
Crisis Intervention Mental Health Fund.....	[Deleted]
Intervention Court Fund .....	[Deleted]
Capital Defense Counsel Fund .....	[Deleted]
Indigent Appeals Fund.....	[Deleted]
Capital Post-Conviction Counsel Fund .....	[Deleted]
Victims of Domestic Violence Fund .....	[Deleted]
Public Defenders Education Fund.....	[Deleted]
Domestic Violence Training Fund.....	[Deleted]
Attorney General's Cyber Crime Unit .....	[Deleted]
Domestic Abuse Court Fund.....	\$1.00
General Fund .....	\$89.00
***TOTAL STATE ASSESSMENT.....	\$ ***90.00

(4) [Deleted]

(5) Speeding, reckless and careless driving violations. In addition to any assessment imposed under subsection (1) or (2) of this section, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or other penalty for driving a vehicle on a road or highway:

(a) At a speed that exceeds the posted speed limit by	
at least ten (10) miles per hour but not more than twenty (20) miles per hour	
\$10.00	
(b) At a speed that exceeds the posted speed limit by at least twenty	
(20) miles per hour but not more than thirty (30) miles per hour.....	\$20.00
(c) At a speed that exceeds the posted speed limit by thirty (30) miles	
per hour or more.....	\$30.00
(d) In violation of Section 63-3-1201, which is the offense of reckless	
driving\$10.00	
(e) In violation of Section 63-3-1213, which is the offense of careless	
driving\$10.00	

All assessments collected under this subsection shall be deposited into the State General Fund.

(6) Other misdemeanors. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or other penalty for any misdemeanor violation not specified in subsection (1), (2) or (3) of this section, except offenses relating to vehicular parking or registration:

FUND	AMOUNT
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Crime Victims' Compensation Fund .....	[Deleted]
State Court Education Fund .....	[Deleted]
State Prosecutor Education Fund .....	[Deleted]
Vulnerable Persons Training, Investigation and Prosecution Trust Fund .....	[Deleted]
Child Support Prosecution Trust Fund .....	[Deleted]
Law Enforcement Officers Training Fund .....	[Deleted]
Capital Defense Counsel Fund .....	[Deleted]
Indigent Appeals Fund .....	[Deleted]
Capital Post-Conviction Counsel Fund .....	[Deleted]
Victims of Domestic Violence Fund .....	[Deleted]
State Crime Stoppers Fund .....	[Deleted]
Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund .....	[Deleted]
Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund .....	[Deleted]
State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants .....	[Deleted]
Crisis Intervention Mental Health Fund .....	[Deleted]
Intervention Court Fund .....	[Deleted]
Judicial Performance Fund .....	[Deleted]
Statewide Victims' Information and Notification System Fund .....	[Deleted]
Public Defenders Education Fund .....	[Deleted]
Domestic Violence Training Fund .....	[Deleted]
Attorney General's Cyber Crime Unit .....	[Deleted]
Information Exchange Network Fund .....	[Deleted]
Motorcycle Officer Training Fund .....	[Deleted]
Civil Legal Assistance Fund .....	[Deleted]
Justice Court Collections Fund .....	[Deleted]
Municipal Court Collections Fund .....	[Deleted]
Domestic Abuse Court Fund .....	\$1.00
General Fund .....	\$121.75
***TOTAL STATE ASSESSMENT .....	\$ ***122.75

(7) Other felonies. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment from each person upon whom a court imposes a fine or other penalty for any felony violation not specified in subsection (1), (2) or (3) of this section:

FUND	AMOUNT
Crime Victims' Compensation Fund .....	[Deleted]
State Court Education Fund .....	[Deleted]
State Prosecutor Education Fund .....	[Deleted]
Vulnerable Persons Training, Investigation and Prosecution Trust Fund .....	[Deleted]
Child Support Prosecution Trust Fund .....	[Deleted]
Law Enforcement Officers Training Fund .....	[Deleted]
Capital Defense Counsel Fund .....	[Deleted]
Indigent Appeals Fund .....	[Deleted]
Capital Post-Conviction Counsel Fund .....	[Deleted]
Victims of Domestic Violence Fund .....	[Deleted]
Criminal Justice Fund .....	[Deleted]
Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund .....	[Deleted]
Law Enforcement Officers and Fire Fighters Disability Benefits Trust Fund .....	[Deleted]
State Prosecutor Compensation Fund for the purpose of providing additional compensation for district attorneys and their legal assistants .....	[Deleted]

Crisis Intervention Mental Health Fund.....	[Deleted]
Intervention Court Fund .....	[Deleted]
Statewide Victims' Information and Notification System Fund .....	[Deleted]
Public Defenders Education Fund .....	[Deleted]
Domestic Violence Training Fund.....	[Deleted]
Attorney General's Cyber Crime Unit .....	[Deleted]
Forensics Laboratory DNA Identification System Fund.....	[Deleted]
Domestic Abuse Court Fund.....	\$1.00
General Fund .....	\$280.50
***TOTAL STATE ASSESSMENT.....	\$ ***281.50

## (8) Additional assessments on certain violations:

(a) Railroad crossing violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment in addition to all other state assessments due under this section from each person upon whom a court imposes a fine or other penalty for any violation involving railroad crossings under Section 37-41-55, 63-3-1007, 63-3-1009, 63-3-1011, 63-3-1013 or 77-9-249:

Operation Lifesaver Fund.....\$25.00

(b) Drug violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment in addition to all other state assessments due under this section from each person upon whom a court imposes a fine or other penalty for any violation of Section 41-29-139:

Drug Evidence Disposition Fund .....

Mississippi Foster Care Fund .....

(c) Motor vehicle liability insurance violations. In addition to any monetary penalties and any other penalties imposed by law, there shall be imposed and collected the following state assessment in addition to all other state assessments due under this section from each person upon whom a court imposes a fine or other penalty for any violation of Section 63-15-4(4) or Section 63-16-13(1):

## Uninsured Motorist Identification Fund:

First offense.....\$200.00

Second offense.....\$300.00

Third or subsequent offense.....\$400.00

(9) If a fine or other penalty imposed is suspended, in whole or in part, such suspension shall not affect the state assessment under this section. No state assessment imposed under the provisions of this section may be suspended or reduced by the court.

(10) (a) After a determination by the court of the amount due, it shall be the duty of the clerk of the court to promptly collect all state assessments imposed under the provisions of this section. The state assessments imposed under the provisions of this section may not be paid by personal check.

(b) It shall be the duty of the chancery clerk of each county to deposit all state assessments collected in the circuit, county and justice courts in the county on a monthly basis with the State Treasurer pursuant to appropriate procedures established by the State Auditor. The chancery clerk shall make a monthly lump-sum deposit of the total state assessments collected in the circuit, county and justice courts in the county under this section, and shall report to the Department of Finance and Administration the total number of violations under each subsection for which state assessments were collected in the circuit, county and justice courts in the county during that month.

(c) It shall be the duty of the municipal clerk of each municipality to deposit all the state assessments collected in the municipal court in the municipality on a monthly basis with the State Treasurer pursuant to appropriate procedures established by the State Auditor. The municipal clerk shall make a monthly lump-sum deposit of the total state assessments collected in the municipal court in the municipality under this section, and shall report to the Department of Finance and Administration the total number of violations under each subsection for which state assessments were collected in the municipal court in the municipality during that month.

(11) It shall be the duty of the Department of Finance and Administration to deposit on a monthly basis all state assessments into the State General Fund or proper special fund in the State Treasury. The Department of Finance and Administration shall issue regulations providing for the proper allocation of these funds.

(12) The State Auditor shall establish by regulation procedures for refunds of state assessments, including refunds associated with assessments imposed before July 1, 1990, and refunds after appeals in which the defendant's conviction is reversed. The Auditor shall provide in the regulations for certification of eligibility for refunds and may require the defendant seeking a refund to submit a verified copy of a court order or abstract by which the defendant is entitled to a refund. All refunds of state assessments shall be made in accordance with the procedures established by the Auditor."

SECTION 15. Section 9-5-81, Mississippi Code of 1972, is amended as follows:

9-5-81. The chancery court in addition to the full jurisdiction in all the matters and cases expressly conferred upon it by the Constitution shall have jurisdiction of all cases transferred to it by the circuit court or remanded to it by the Supreme Court; and such further jurisdiction, as is, in this chapter or elsewhere, provided by law. A chancery court is authorized to establish a domestic abuse court as provided in Sections 1 through 9 of this act.

SECTION 16. Section 9-9-21, Mississippi Code of 1972, is amended as follows:

9-9-21. (1) The jurisdiction of the county court shall be as follows: It shall have jurisdiction concurrent with the justice court in all matters, civil and criminal of which the justice court has jurisdiction; and it shall have jurisdiction concurrent with the circuit and chancery courts in all matters of law and equity wherein the amount of value of the thing in controversy shall not exceed, exclusive of costs and interest, the sum of Two Hundred Thousand Dollars (\$200,000.00), and the jurisdiction of the county court shall not be affected by any setoff, counterclaim or cross-bill in such actions where the amount sought to be recovered in such setoff, counterclaim or cross-bill exceeds Two Hundred Thousand Dollars (\$200,000.00). Provided, however, the party filing such setoff, counterclaim or cross-bill which exceeds Two Hundred Thousand Dollars (\$200,000.00) shall give notice to the opposite party or parties as provided in Section 13-3-83, and on motion of all parties filed within twenty (20) days after the filing of such setoff, counterclaim or cross-bill, the county court shall transfer the case to the circuit or chancery court wherein the county court is situated and which would otherwise have jurisdiction. It shall have exclusively the jurisdiction heretofore exercised by the justice court in the following matters and causes: namely, eminent domain, the partition of personal property, and actions of unlawful entry and detainer, provided that the actions of eminent domain and unlawful entry and detainer may be returnable and triable before the judge of said court in vacation. The county court shall have jurisdiction over criminal matters in the county assigned by a judge of the circuit court district in which the county is included.

(2) In the event of the establishment of a county court by an agreement between two (2) or more counties as provided in Section 9-9-3, it shall be lawful for such court sitting in one (1) county to act upon any and all matters of which it has jurisdiction as provided by law arising in the other county under the jurisdiction of said court.

(3) A county court is authorized to establish a domestic abuse court as provided in Sections 1 through 9 of this act.

SECTION 17. Section 77-15-1, Mississippi Code of 1972, is amended as follows:

77-15-1. (1) Notwithstanding any other provisions of law to the contrary, all local natural gas districts containing two (2) or more municipalities and nonmunicipal customers shall establish and maintain a board of directors composed of: (a) the mayors of each municipality within the district whose terms shall be concurrent with their terms of office as mayor; and (b) one (1) system-user from each county within the district, who shall not be a public official. The county system-user board members shall be elected by the system-users residing outside of a municipality, in the county in which such board member resides. In order to qualify as a candidate for election to the board, each person shall obtain, on a petition, twenty-five (25) signatures from system-users in the county in which such person resides. The signatures shall be of system-users residing outside of a municipality and the candidate shall be a system-user who resides outside of a municipality. The board shall call an election within fifteen (15) days after

July 1, 1989, to be held within sixty (60) days from the date such election is called. From and after July 1, 2007, the procedures for, and conduct of, the election of board members of the district shall be held in accordance with the provisions of subsection (6) of this section. Those persons elected to the board shall serve until the next general election for supervisors and the election for such board members thereafter shall be held at the same time as the supervisor elections and the terms of such board members shall be concurrent with the terms of the supervisors. The board of directors, including any mayors who serve on the board, shall be entitled to compensation as follows: (a) the chairperson of the board shall receive \* \* \* Five Hundred Fifty Dollars (\$550.00) per month, and (b) all other board members shall receive \* \* \* Five Hundred Fifty Dollars (\$550.00) per month. The chairperson and vice chairperson shall be elected by and from the entire membership of the governing board at the first meeting in July of each year. The vice chairperson shall preside over meetings as the chairperson in the absence or incapacity of the chairperson. In addition, an official meeting may be called at any time by a two-thirds (2/3) proclamation by the board membership.

(2) Two (2) board municipal/county system-user board members who reside in his or her respective county, and must be customers of the district, and who must be system-users shall be appointed as follows for his or her initial term: (a) one (1) board member from the county lying in the northern section of the district, appointed by the Lieutenant Governor; and (b) one (1) board member from the county lying in the southern section of the district, appointed by the Governor. The appointed board municipal/county system-user board members may be elected public officials.

The initial terms of the two (2) municipal/county system-user board members shall begin July 1, 2005, and shall serve until June 30, 2008, and thereafter the municipal/county system-user board members, as described in this subsection (2), shall be elected by the municipal and county system-users as follows: The successors in office to the board member who was appointed from the county lying in the northern section of the district shall be elected only by the municipal and county system-users who reside in that county and not by all of the system-users in the district. The successors in office to the board member who was appointed from the county lying in the southern section of the district shall be elected only by the municipal and county system-users who reside in that county and not by all of the system-users in the district.

The municipal/county system-user board members shall be compensated as prescribed in subsection (1) of this section.

(3) All board members shall file any required statements of economic interest with the Ethics Commission as required by law. This section shall not apply to any local natural gas district which leases its distribution system to an investor-owned utility company regulated by the Public Service Commission.

(4) From and after July 1, 2004, the Board of Directors of the Chickasawhay Natural Gas District shall discontinue distribution of any of the revenues of the district to municipalities within the district.

(5) The provisions of this section shall only apply to the Chickasawhay Natural Gas District.

(6) The provisions of this subsection shall govern the procedure for, and conduct of, any election of the board of directors of the district. The board may adopt any rules and regulations pertaining to the election of the board of directors of the district that are not inconsistent and do not conflict with the provisions of this subsection.

(a) Notice of the election of one or more members of the board of directors shall be sent by regular United States mail to each system-user not less than thirty (30) days and not more than sixty (60) days from the election date. The notice shall state the time, place and manner in which the system-users may vote for the board of directors.

(b) The election shall be held in a manner and according to procedures to be established by rules and regulations adopted by the board before the giving of notice of the election, and a printed copy of such rules and regulations shall accompany the notice.

(c) The rules and regulations for the conduct of the election shall include the following provisions:

(i) To qualify as a candidate, a person shall not be a public official and must be a county system-user and such person must submit to the board, not less



than twenty (20) days before the election, a petition containing the signatures of twenty-five (25) system-users in the county in which the candidate resides;

(ii) Notice of the nomination of qualified candidates sent by regular United States mail to the system-users at least ten (10) days before the date of the election;

(iii) The method of voting on the date of the election shall be by personal attendance at the district's office in Waynesboro, by personal attendance at the district's office in Quitman, or by proxy;

(iv) Each system-user shall have one (1) vote, provided that when a billing for service is made to more than one (1) person at a single address or location, each such person shall be limited to casting a pro rata share of the one (1) vote to which the billing address or location is entitled; and

(v) The time of the election shall be fixed between the hours of 10:00 a.m. and 6:00 p.m. on a day of the week other than Sunday.

(d) A certified public accountant appointed by the board shall count all votes, whether cast by personal attendance or by proxy, and he shall certify the results of the election to the board within ten (10) days of the election.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 63-11-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI FORENSICS LABORATORY TO APPROVE FOR USE AT LEAST ONE MODEL OF INTOXILYZER EQUIPMENT THAT IS READILY AVAILABLE TO LAW ENFORCEMENT AGENCIES THROUGHOUT THE STATE; TO BRING FORWARD SECTION 63-11-47, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE COMMISSIONER OF PUBLIC SAFETY TO DETERMINE THE EQUIPMENT AND SUPPLIES ADEQUATE AND NECESSARY FOR THE ADMINISTRATION OF THE IMPLIED CONSENT LAW, FOR PURPOSES OF POSSIBLE AMENDMENT; TO NAME THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY HEADQUARTERS' OFFICE, LOCATED IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "DAVID R. HUGGINS HEADQUARTERS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY"; TO NAME THE MISSISSIPPI STATE CRIME LABORATORY IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "TOM WEATHERSBY STATE CRIME LABORATORY"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDINGS DISPLAYING THE OFFICIAL NAMES AS THE "DAVID R. HUGGINS HEADQUARTERS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY" AND THE "TOM WEATHERSBY STATE CRIME LABORATORY"; TO CREATE NEW SECTIONS 9-23-101, 9-23-103, 9-23-105, 9-23-107, 9-23-109, 9-23-111, 9-23-113 AND 9-23-115, MISSISSIPPI CODE OF 1972, TO PROVIDE AUTHORITY FOR A CHANCERY OR COUNTY COURT TO ESTABLISH A DOMESTIC ABUSE COURT AND TO PROVIDE AUTHORITY FOR JUSTICE AND MUNICIPAL COURTS TO PARTICIPATE IN SUCH A COURT; TO DEFINE CERTAIN TERMS; TO PROVIDE FOR THE ENACTMENT OF STANDARDS OF OPERATION TO GOVERN THE OPERATION OF DOMESTIC ABUSE COURTS BY THE ADMINISTRATIVE OFFICE OF COURTS; TO CREATE THE DOMESTIC ABUSE COURT SPECIAL FUND; TO AMEND SECTION 99-19-73, MISSISSIPPI CODE OF 1972, TO PROVIDE AN ASSESSMENT TO FUND DOMESTIC ABUSE COURTS; TO AMEND SECTIONS 9-5-81 AND 9-9-21, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 77-15-1, MISSISSIPPI CODE OF 1972, TO INCREASE FROM TWO HUNDRED DOLLARS TO FIVE HUNDRED DOLLARS THE MONTHLY COMPENSATION OF THE BOARD OF DIRECTORS OF THE CHICKASAWHAY NATURAL GAS DISTRICT; TO INCREASE FROM TWO HUNDRED FIFTY DOLLARS TO FIVE HUNDRED FIFTY DOLLARS THE MONTHLY COMPENSATION OF THE CHAIRPERSON OF THE BOARD OF DIRECTORS OF THE DISTRICT; AND FOR RELATED PURPOSES.

Senator Seymour called up the following House Amendment to **S. B. No. 2187** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-19-53, Mississippi Code of 1972, is amended as follows:

27-19-53. (1) (a) (i) Any legal resident of the State of Mississippi who is a veteran of service in the Armed Forces of the United States, and who is rated as having \* \* \* one hundred percent (100%) permanent service-connected disability or at least seventy percent (70%) nonpermanent service-connected disability by the Veterans' Administration or United States Department of Veterans Affairs is privileged to purchase annually under this subsection two (2) motor vehicle license plates or tags in his or her county of legal residence, for the sum of One Dollar (\$1.00) in total cost for each plate or tag, regardless of make or model of motor vehicle. The registration year of such motor vehicle shall commence the first day of the month in which application for registration is made, as provided in Section 27-19-31. In order for a person who is rated as having at least seventy percent (70%) nonpermanent service-connected disability to renew a license plate or tag issued under this section, the person must provide an updated benefits letter from the United States Department of Veterans Affairs indicating that the person's rating has not been adjusted to less than seventy percent (70%) nonpermanent service-connected disability.

(ii) Any legal resident of the State of Mississippi who is a veteran of service in the Armed Forces of the United States, and who is rated as having \* \* \* one hundred percent (100%) permanent service-connected disability or at least seventy percent (70%) nonpermanent service-connected disability by the Veterans' Administration or United States Department of Veterans Affairs is privileged to purchase annually under this subsection one (1) motorcycle license plate or tag in his or her county of legal residence, for the sum of One Dollar (\$1.00) in total cost for each plate or tag. The registration year of such motorcycle shall commence the first day of the month in which application for registration is made, as provided in Section 27-19-31. In order for a person who is rated as having at least seventy percent (70%) nonpermanent service-connected disability to renew a license plate or tag issued under this section, the person must provide an updated benefits letter from the United States Department of Veterans Affairs indicating that the person's rating has not been adjusted to less than seventy percent (70%) nonpermanent service-connected disability.

(b) Not more than two (2) such motor vehicle license plates or tags shall be issued under this subsection to each such qualified veteran. Not more than one (1) such motorcycle license plate or tag shall be issued under this subsection to each such qualified veteran.

(c) This section pertains only to taxes or plates for private passenger motor vehicles or pickup trucks or motorcycles.

(d) Proof of ownership of a particular motor vehicle or motorcycle for which a license plate or tag is requested must be shown at time of application for such plate or tag.

(e) Vehicles and motorcycles owned by such veterans are exempt under this subsection from all ad valorem and privilege taxes; however, the surviving spouse of a deceased person who was issued a license plate or tag under this subsection shall be entitled to apply for or retain a license tag issued under this subsection and may continue annually to renew registration for two (2) motor vehicle license plates or tags and one (1) motorcycle license plate or tag under this subsection for as long as the spouse remains unmarried. In addition, if a deceased person who was eligible to be issued a license plate or tag under this subsection did not apply for or was not issued a license plate or tag, the surviving spouse of such deceased person shall be entitled to apply for and be issued a license plate or tag under this subsection and may continue annually to renew registration for two (2) motor vehicle license plates or tags and one (1) motorcycle license tag or plate under this subsection for as long as the spouse remains unmarried. At the time of application or renewal registration, a surviving spouse who desires to retain a distinctive plate or tag issued under this subsection shall file with the county tax collector a sworn statement that the spouse is unmarried. Any such vehicle or motorcycle when so registered shall be exempt from all ad valorem and privilege taxes.

(2) Any person who is entitled to obtain license tags under subsection (1) of this section may be issued one (1) additional such license tag for any other vehicle registered in his or her name upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as otherwise prescribed by law for the particular vehicle.

(3) The Department of Revenue is directed to furnish each veteran obtaining a license tag under this section an emblem, which the veteran shall attach securely to the tag, showing that the tag was issued to a disabled American veteran.

(4) A license issued under this section shall not be transferable to any other person.

(5) Any person evading or violating any of the provisions of this section, or attempting to secure benefits under this section to which he is not entitled, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand Dollars (\$1,000.00) or imprisoned in the county jail for not less than ninety (90) days, or both.

(6) From and after July 1, 2022, the special tag authorized under this section shall bear the name and emblem of each branch of the United States Armed Forces.

SECTION 2. Section 27-19-56.444, Mississippi Code of 1972, is amended as follows:

27-19-56.444. (1) Any legal resident of the State of Mississippi who is a veteran of service in the Armed Forces of the United States and is rated as having service-connected disability by the United States Department of Veterans Affairs, but who is not rated as having one hundred percent (100%) permanent service-connected disability or at least seventy percent (70%) nonpermanent service-connected disability by such department, is privileged to obtain annually under this section a distinctive license tag for any motor vehicle registered in his name upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles. The distinctive license tag so issued shall be of such color and design as the Department of Revenue may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag or plate. The registration year of such motor vehicle shall commence the first day of the month in which application for registration is made, as provided in Section 27-19-31.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue.

Proof of ownership of a particular motor vehicle for which a license tag is requested must be shown at time of application for such tag.

(3) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag. A license tag issued under this section shall not be transferable to any other person.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO REVISE THE DISABILITY RATING REQUIREMENTS FOR CERTAIN MOTOR VEHICLE AND MOTORCYCLE LICENSE PLATES AND TAGS AUTHORIZED FOR DISABLED VETERANS; TO AMEND SECTION 27-19-56.444, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

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Senator Tate called up the following House Amendment to **S. B. No. 2358** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND on line 22 by striking "(\*)" and inserting in lieu thereof "(2)".

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2358** by the following vote:

Yeas--Barrett, Blackwell, Boyd, Branning, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Tate, Whaley, Wiggins, Williams, Younger. Total--33.

Nays--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Hickman, Horhn, Jackson, Jordan, Norwood, Simmons S. (13th), Thomas, Turner-Ford. Total--13.  
Absent and those not voting--Bryan, Carter. Total--2.

Senator Simmons D. T. (12th), who would have voted nay on S. B. No. 2358, announced a pair with Senator Suber, who would have voted yea.

Senator Thompson, who would have voted yea on S. B. No. 2358, announced a pair with Senator Frazier, who would have voted nay.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Nancy Stevenson of Brandon, MS.

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Senator Horhn moved that when the Senate adjourns, it adjourn in memory of I. C. "Bobby Joe" Stubbs of Canton, MS.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mrs. Keisha Juanita Gladney McInnis and Xavier Demond Gladney of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Wade Ellison Morrison of Raymond, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Joyce Yates Britt of Madison, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Chester Lee "C. L." Williams, Sr. of Winona, MS.

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Senator Hopson moved that when the Senate adjourns, it adjourn in memory of Donny James Weaver of Vicksburg, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of William Warren Shepherd and Nancy Long Smith of Columbus, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 15, 2023.

The motion prevailed, and at 11:21 AM, the Senate stood in recess.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2696:** Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement.

**S. B. No. 2862:** Sales tax; provide industrial exemption for tangible personal property first used in another state.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 40:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING MRS. JOSEPHINE PRADIA RHYMES FOR HER OUTSTANDING COMMUNITY SERVICE AND CONTRIBUTIONS.

**H. C. R. No. 41:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE SOFTBALL TEAM AND HEAD COACH CHELSEA BRAMLETT FOR THEIR HISTORIC SEASON AND OUTSTANDING ACCOMPLISHMENTS.

**H. C. R. No. 43:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE LADY RANGERS VOLLEYBALL TEAM AND HEAD COACH ALLISON BURCHYETT FOR WINNING THE REGION 23 CHAMPIONSHIP.

**H. C. R. No. 44:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING KOSCIUSKO, MISSISSIPPI, AUTOMOBILE DEALER STEPHEN FRANKS UPON HIS NOMINATION FOR THE PRESTIGIOUS 2023 TIME DEALER OF THE YEAR AWARD AND HONORING HIS COMMUNITY SERVICE AND INDUSTRY ACCOMPLISHMENTS.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 558:** Extending condolences of Legislature to surviving family of Motown recording artist/songwriter Barrett Strong of West Point.

**S. C. R. No. 559:** Congratulate Ricky Stenhouse from Olive Branch for winning the Daytona 500.

**S. C. R. No. 561:** Designate March 2023 as "American Red Cross Month in Mississippi."

**S. C. R. No. 562:** Designate October 2023 as "Walker Montgomery National Catfishing Awareness Month in Mississippi."

**S. C. R. No. 563:** Designate March 5-11, 2023, as "National School Social Work Week in Mississippi."

**S. C. R. No. 564:** Designate March 2023 as "Brain Injury Awareness Month in Mississippi" to promote treatment and prevention.

**S. C. R. No. 565:** Recognize Walthall County Constable Raymond Gutter on his retirement and three-decade law enforcement service.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 232:** AN ACT TO AMEND SECTION 69-5-107, MISSISSIPPI CODE OF 1972, TO CANCEL THE DAIRY SHOW HELD AT VERONA IN LEE COUNTY, MISSISSIPPI, AND RELOCATE THE SHOW TO PONTOTOC IN PONTOTOC COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 922:** AN ACT TO AMEND SECTIONS 37-101-1, 37-101-91, 37-101-141, 37-101-147, 37-101-181, 37-121-3 AND 37-121-5, MISSISSIPPI CODE OF 1972, TO UPDATE REFERENCES TO ALCORN STATE UNIVERSITY AND CERTAIN OTHER STATE INSTITUTIONS OF HIGHER LEARNING IN THE MISSISSIPPI CODE TO REFLECT CURRENT NAME DESIGNATION; AND FOR RELATED PURPOSES.

**H. B. No. 1173:** AN ACT TO AMEND SECTIONS 31-7-9 AND 37-61-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE DEPARTMENT OF EDUCATION TO PROVIDE EEF CLASSROOM SUPPLY PROCUREMENT CARDS OR CREDENTIALS FOR A DIGITAL SOLUTION TO ELIGIBLE TEACHERS EMPLOYED BY CHARTER SCHOOLS; TO AMEND SECTION 37-28-55, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 395:** AN ACT TO AMEND SECTION 57-75-15, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE BY WHICH THE STATE BOND COMMISSION MAY ISSUE GENERAL OBLIGATION BONDS UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT FOR CERTAIN AUTOMOTIVE PARTS MANUFACTURING PLANT PROJECTS; AND FOR RELATED PURPOSES.

**H. B. No. 518:** AN ACT TO AMEND SECTION 41-139-1, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS OF THE COVID-19 MISSISSIPPI LOCAL PROVIDER INNOVATION GRANT PROGRAM; TO PROVIDE THAT APPLICANTS FOR GRANTS THAT WERE APPROVED AND FUNDED IN THE FIRST ROUND OF GRANTS AWARDED DURING FISCAL YEAR 2023 ARE ELIGIBLE TO APPLY FOR THE SECOND ROUND OF GRANTS AWARDED DURING FISCAL YEAR 2024; TO PROVIDE THAT GRANTS MAY BE USED FOR REIMBURSEMENT OF EXPENSES THAT WERE INCURRED BY PROVIDERS DURING THE PERIOD BEGINNING ON MARCH 3, 2021, THROUGH DECEMBER 31, 2024; TO DELETE THE REQUIREMENT THAT THE PROGRAM BE FUNDED FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE THAT THE DEPARTMENT OF HEALTH MAY EXPEND A PORTION OF THE AMOUNT APPROPRIATED FOR THE PROGRAM FOR THE EXPENSES OF ADMINISTERING THE PROGRAM; AND FOR RELATED PURPOSES.

**H. B. No. 522:** AN ACT TO REENACT SECTIONS 41-67-1 THROUGH 41-67-7, 41-67-9 THROUGH 41-67-12, 41-67-15, 41-67-19 THROUGH 41-67-29, 41-67-33 AND 41-67-37 THROUGH 41-67-41, MISSISSIPPI CODE OF 1972, WHICH ARE THE MISSISSIPPI INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEM LAW; TO AMEND REENACTED SECTION 41-67-33, MISSISSIPPI CODE OF 1972, TO CORRECT A GRAMMATICAL ERROR; TO AMEND SECTION 41-67-31, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE MISSISSIPPI INDIVIDUAL ON-SITE WASTEWATER DISPOSAL SYSTEM LAW; AND FOR RELATED PURPOSES.

**H. B. No. 787:** AN ACT TO AMEND SECTION 73-36-33, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE STATE BOARD OF REGISTRATION FOR FORESTERS TO

SUSPEND THE LICENSE OF A LICENSEE FOR FAILURE OF THE LICENSEE TO SATISFY A JUDGEMENT AGAINST SUCH LICENSEE, AND/OR THE COMPANY OR BUSINESS FOR WHICH THE LICENSEE PROVIDED SERVICES, WHICH WAS RENDERED IN CONNECTION TO THE PRACTICE OF FORESTRY; TO BRING FORWARD SECTIONS 73-36-1, 73-36-3, 73-36-5, 73-36-7, 73-36-9, 73-36-11, 73-36-13, 73-36-15, 73-36-17, 73-36-19, 73-36-21, 73-36-23, 73-36-25, 73-36-27, 73-36-29, 73-36-31, 73-36-35 AND 73-36-36, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE FORESTERS REGISTRATION LAW, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

**H. B. No. 809:** AN ACT TO AMEND SECTION 77-2-7, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE PUBLIC SERVICE COMMISSION SUBMIT TO THE GOVERNOR A LIST OF QUALIFIED CANDIDATES FOR THE POSITION OF EXECUTIVE DIRECTOR OF THE PUBLIC UTILITIES STAFF; AND FOR RELATED PURPOSES.

**H. B. No. 854:** AN ACT TO AMEND SECTION 73-54-17, MISSISSIPPI CODE OF 1972, TO REVISE THE REQUIREMENTS FOR A MARRIAGE AND FAMILY THERAPY LICENSE TO PROVIDE THAT THE APPLICANT'S DEGREE MAY BE FROM AN INSTITUTION ACCREDITED BY THE COUNCIL FOR ACCREDITATION OF COUNSELING AND RELATED EDUCATIONAL PROGRAMS (CACREP) AND TO REDUCE THE NUMBER OF CLIENT CONTACT HOURS THAT THE APPLICANT MUST HAVE COMPLETED IN A CLINICAL PRACTICUM; AND FOR RELATED PURPOSES.

**H. B. No. 979:** AN ACT TO AMEND SECTION 49-7-95, MISSISSIPPI CODE OF 1972, TO ADD FORWARD-LOOKING INFRARED (FLIR) AND THERMAL IMAGING DEVICES TO THE PROHIBITED MEANS OF TAKING GAME AT NIGHT; TO PROVIDE THAT A PERSON WHO HUNTS, TAKES OR KILLS ANY ANIMAL DURING LEGAL HUNTING HOURS, AND SUBSEQUENTLY SEARCHES FOR AND/OR RECOVERS SUCH MORTALLY WOUNDED ANIMAL WITH THE AID OF A LIGHT OR LIGHTING DEVICE, IS NOT IN VIOLATION OF THIS SECTION; TO CLARIFY THE REQUIREMENTS FOR THE USE OF TRACKING DOGS FOR THE RETRIEVAL OF WHITE-TAILED DEER SHOT AND WOUNDED DURING LEGAL HUNTING HOURS; AND FOR RELATED PURPOSES.

**H. B. No. 1030:** AN ACT TO CREATE A NEW SECTION OF LAW IN THE MOTOR VEHICLE SALES FINANCE LAW TO CLARIFY THAT EMPLOYEES OF A STATE LICENSEE MAY WORK FROM HOME OR OTHER REMOTE LOCATION SUBJECT TO CERTAIN CONDITIONS; TO REQUIRE A LICENSEE THAT ALLOWS ITS EMPLOYEES TO WORK FROM HOME OR ANOTHER REMOTE LOCATION SELECTED BY THE EMPLOYEE TO PAY A SPECIAL EXAMINATION FEE; TO PROVIDE THAT LICENSEES THAT DO NOT ALLOW REMOTE WORK ARE NOT REQUIRED TO PAY SUCH SPECIAL EXAMINATION FEE; TO AMEND SECTION 63-19-15, MISSISSIPPI CODE OF 1972, TO EXEMPT THE LICENSEE FROM INDICATION ON THE LICENSE THE LOCATIONS FROM WHICH EMPLOYEES ARE WORKING REMOTELY; TO AMEND SECTION 63-19-27, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE COMMISSIONER TO CHARGE THE LICENSEE FEES FOR SPECIAL EXAMINATIONS BASED ON THE AVERAGE DAILY COST OF ALL EXAMINERS IN THE DEPARTMENT OF BANKING AND CONSUMER FINANCE; TO BRING FORWARD SECTIONS 63-19-7, 63-19-11, 63-19-19 AND 63-19-23, MISSISSIPPI CODE OF 1972, FOR PURPOSES OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1276:** AN ACT TO AMEND SECTION 23-15-193, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE STATE OFFICERS THAT RECEIVE A MAJORITY OF VOTES CAST FOR THE OFFICE AT THE GENERAL ELECTION SHALL BE ELECTED, BUT IF NO CANDIDATE RECEIVES A MAJORITY NUMBER OF VOTES CAST AT THE ELECTION, THEN THE TWO CANDIDATES WHO RECEIVE THE HIGHEST NUMBER OF VOTES CAST SHALL HAVE THEIR NAMES PLACED ON THE BALLOT FOR THE RUNOFF ELECTION TO BE HELD THREE WEEKS LATER; TO AMEND SECTIONS 23-15-603 AND 7-3-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman



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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 40:** Josephine Pradia Rhymes; commend for her outstanding community service and contributions. Rules.

**H. C. R. No. 41:** Northwest Mississippi Community College Softball Team; commend historic season and outstanding accomplishments. Rules.

**H. C. R. No. 43:** Northwest Mississippi Community College; commend upon winning Region 23 Championship. Rules.

**H. C. R. No. 44:** Stephen Franks; commend Kosciusko, MS automobile dealer upon nomination for the prestigious 2023 Time Dealer of the Year Award. Rules.

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MESSAGE FROM THE ARCHIVES AND HISTORY BD  
March 14, 2023

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Dr. Lucius Marion (Luke) Lampton, Magnolia, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired six year term beginning January 1, 2018 and ending January 1, 2024.

Katie Blount, Director  
ARCHIVES AND HISTORY BD

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The executive nomination in the foregoing message was referred to committee as follows:

Dr. Lucius Marion (Luke) Lampton, Mississippi Department of Archives and History Board of Trustees, unexpired six year term beginning January 1, 2018 and ending January 1, 2024, Accountability, Efficiency, Transparency.

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REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1196:** City of McComb; extend date of repeal on hotel/motel tourism tax. Title Sufficient. Do Pass.

**H. B. No. 1547:** City of Pascagoula; extend repealer on hotel, motel and bed-and-breakfast tax. Title Sufficient. Do Pass.

**H. B. No. 1581:** City of Columbus; extend repealer on alcoholic beverage and restaurant tax. Title Sufficient. Do Pass.

**H. B. No. 1711:** City of Vicksburg; authorize contributions of funds and in-kind maintenance services to Beulah Cemetery. Title Sufficient. Do Pass.

**H. B. No. 1725:** Lowndes County; authorize contribution to Prairie Land Water Association using ARPA Local Fiscal Recovery Funds. Title Sufficient. Do Pass.

**H. B. No. 1726:** Lowndes County; authorize contributions to certain nonprofit organizations using ARPA Local Fiscal Recovery Funds. Title Sufficient. Do Pass.

**H. B. No. 1727:** Lowndes County; authorize contributions to any public utility/assoc. to expand, repair water/sewer infrastructure using ARPA funds. Title Sufficient. Do Pass.

**H. B. No. 1787:** Scenic Rivers Development Alliance; authorize to create special purpose entities. Title Sufficient. Do Pass.

**H. B. No. 1788:** City of Columbia; extend repeal date on hotel/motel and restaurant tourism tax. Title Sufficient. Do Pass.

**H. B. No. 1790:** Washington County; reenact and extend repeal date on hotel and motel tax supporting a sports complex. Title Sufficient. Do Pass.

**S. B. No. 2150:** Warren County; authorize to enter into lease agreement or lease-purchase arrangement for public safety purpose. Title Sufficient. Do Pass.

**S. B. No. 2520:** City of Waynesboro; extend repealer on authority to levy tax on hotels, motels, restaurants and bars. Title Sufficient. Do Pass.

**S. B. No. 2922:** DeSoto County; authorize to transfer parcel of county-owned property to City of Olive Branch for construction of animal shelter. Title Sufficient. Do Pass.

**S. B. No. 2960:** City of Grenada; extend repealer on hotel/motel & restaurant tourism tax. Title Sufficient. Do Pass.

**S. B. No. 3110:** Tunica County Utility District; delete provision of law subjecting to rate regulation by Public Service Commission. Title Sufficient. Do Pass.

**S. B. No. 3139:** Jackson County; authorize Board of Supervisors and Utility Authority to share equipment, labor, services, resources and funds. Title Sufficient. Do Pass.

**S. B. No. 3142:** Lauderdale County; extend date of repeal on authority to fund LCDF Chaplaincy program with nontax revenue generated by inmate telephone service. Title Sufficient. Do Pass.

**S. B. No. 3145:** George County; authorize to levy 3% sales tax on the sales of hotels and motels within the county and 1% tax on the sales of restaurants. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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#### REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 60:** William Malcolm (Billy) Mounger, II, Jackson, Mississippi, Commission on Wildlife, Fisheries and Parks as the representative of the Fourth Congressional District, five year term effective July 1, 2022 and ending June 30, 2027. Do Advise and Consent.

WHALEY, Chairman

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MESSAGE FROM THE LT. GOVERNOR  
March 14, 2023

I hereby submit to you for your consideration the following appointments, and request the advise and consent of the Senate, thereto viz:

Lawrence Dennis (Denny) Terrell, Kosciusko, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, three year term beginning July 1, 2022 and ending June 30, 2025.

Joe Everitt Cloyd, Ocean Springs, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, three year term beginning July 1, 2022 and ending June 30, 2025.

Mathew Wilson (Mat) Lipscomb, III, Lake Cormorant, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, four year term beginning July 1, 2022 and ending June 30, 2026.

Delbert Hosemann  
LT. GOVERNOR

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The executive nominations in the foregoing message were referred to committees as follows:

Lawrence Dennis (Denny) Terrell, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, three year term beginning July 1, 2022 and ending June 30, 2025, Wildlife, Fisheries and Parks.

Joe Everitt Cloyd, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, three year term beginning July 1, 2022 and ending June 30, 2025, Wildlife, Fisheries and Parks.

Mathew Wilson (Mat) Lipscomb, III, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, four year term beginning July 1, 2022 and ending June 30, 2026, Wildlife, Fisheries and Parks.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 544:** AN ACT TO AMEND SECTION 83-13-5, MISSISSIPPI CODE OF 1972, TO EXEMPT BUILDER'S RISK INSURANCE POLICIES FROM THE VALUED POLICY LAW; AND FOR RELATED PURPOSES.

**H. B. No. 768:** AN ACT TO AMEND SECTION 25-9-127, MISSISSIPPI CODE OF 1972, TO REQUIRE AN AGENCY REQUESTING AN EXEMPTION FROM THE MISSISSIPPI STATE PERSONNEL BOARD OVERSIGHT TO CREATE A WRITTEN PLAN DESCRIBING THE JUSTIFICATION FOR REQUESTING AN EXEMPTION AND THE ACTIONS THE AGENCY PLANS TO IMPLEMENT IF THE EXEMPTION IS GRANTED; TO REQUIRE ADDITIONAL REPORTING REQUIREMENTS FOR ANY AGENCY GRANTED AN EXEMPTION; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 1025:** AN ACT TO AMEND SECTION 61-3-19, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF AN AIRPORT AUTHORITY FINDS THAT THE FAIR MARKET VALUE OF AIRPORT PERSONAL PROPERTY IS ZERO AND THE FINDING IS ENTERED ON THE MINUTES OF THE AUTHORITY, THEN THE AUTHORITY MAY DISPOSE OF SUCH PROPERTY IN THE MANNER IT DEEMS APPROPRIATE AND IN ITS BEST INTEREST, PROVIDED THAT NO OFFICIAL OR EMPLOYEE OF THE AUTHORITY MAY DERIVE ANY PERSONAL ECONOMIC BENEFIT FROM THE DISPOSAL OF THE PERSONAL PROPERTY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Nancy Stevenson, I. C. "Bobby Joe" Stubbs, Mrs. Keisha Juanita Gladney McInnis, Xavier Demond Gladney, Wade Ellison Morrison, Joyce Yates Britt, Chester Lee "C. L." Williams, Sr., Donny James Weaver, William Warren Shepherd and Nancy Long Smith.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, MARCH 14, 2023

**S. B. No. 3146:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO CERTAIN NONPROFIT CORPORATIONS; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 3147:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO CONTRIBUTE AN AMOUNT NOT TO EXCEED \$800,000.00 FROM AVAILABLE STATE AND LOCAL FISCAL RECOVERY FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT TO PRAIRIE LAND WATER ASSOCIATION; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 3148:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO CONTRIBUTE AVAILABLE LOCAL FISCAL RECOVERY

FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT TO ANY PUBLIC UTILITY OR WATER OR SEWER ASSOCIATION OPERATING WITHIN THE COUNTY FOR THE PURPOSES OF EXPANDING OR REPAIRING WATER AND SEWER INFRASTRUCTURE WITHIN THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Younger

**S. B. No. 3149:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF OLIVE BRANCH, MISSISSIPPI, TO ACQUIRE, BUY, SELL, LEASE, COVEY OR OTHERWISE DISPOSE OF OR TRANSFER CERTAIN REAL PROPERTIES WITHIN INDUSTRIAL, TECHNOLOGICAL OR EDUCATIONAL PARKS; TO FINANCE OR OTHERWISE PROVIDE OR RECEIVE FUNDING FOR CERTAIN PROJECTS AND FACILITIES THAT PROMOTE MUNICIPAL COMMUNITY, TECHNOLOGICAL, INDUSTRIAL, EDUCATIONAL OR OTHER ECONOMIC DEVELOPMENT WITHIN THE CITY; AND FOR RELATED PURPOSES.

By Senator(s) Parker, Blackwell, McLendon

**S. C. R. No. 567:** Rules

A CONCURRENT RESOLUTION DESIGNATING APRIL 13, 2023, AS "REMAN DAY" IN MISSISSIPPI.

By Senator(s) Parks

**S. R. No. 75:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE COAHOMA COUNTY HIGH SCHOOL "RED PANTHERS" BOYS BASKETBALL TEAM AND COACH DERRICK MOORE FOR WINNING THE MHSAA CLASS 2A STATE CHAMPIONSHIP ITS FIFTH TITLE SINCE 2017.

By Senator(s) Jackson, Simmons (12th)

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SEVENTY-SECOND DAY, WEDNESDAY, MARCH 15, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Barrett, Tate. Total--2.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Eric L. Cooley, Senior Pastor, New Come and See Baptist Church, Port Gibson, MS.

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Senator Butler A. (36th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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REPORT OF COMMITTEE ON UNIVERSITIES AND COLLEGES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 62:** Dr. Erika Danielle Womack, Starkville, Mississippi, State Chemist, term beginning October 1, 2022. Do Advise and Consent.

PARKS, Chairman

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Senator McMahan called up the following entitled bill:

**H. B. No. 1662:** City of Ripley; authorize expansion of water system in Tippah County except in certificated areas other than those in the city.

YEAS AND NAYS On H. B. No. 1662. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barrett, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1712:** City of Vicksburg; authorize to contribute funds and in-kind services to Tate Cemetery.

YEAS AND NAYS On H. B. No. 1712. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England,

Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barrett, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1196:** City of McComb; extend date of repeal on hotel/motel tourism tax.

YEAS AND NAYS On H. B. No. 1196. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Barrett, Tate. Total--2.

Voting Present--Hill. Total--1.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1547:** City of Pascagoula; extend repealer on hotel, motel and bed-and-breakfast tax.

YEAS AND NAYS On H. B. No. 1547. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Barrett, Tate. Total--2.

Voting Present--Hill. Total--1.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1581:** City of Columbus; extend repealer on alcoholic beverage and restaurant tax.

YEAS AND NAYS On H. B. No. 1581. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Chism, Hill, McDaniel, Sojourner. Total--4.

Absent and those not voting--Barrett, Tate. Total--2.

Voting Present--Branning, Horhn, McLendon. Total--3.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1711:** City of Vicksburg; authorize contributions of funds and in-kind maintenance services to Beulah Cemetery.

YEAS AND NAYS On H. B. No. 1711. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barrett, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1788:** City of Columbia; extend repeal date on hotel/motel and restaurant tourism tax.

YEAS AND NAYS On H. B. No. 1788. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, Sojourner. Total--2.

Absent and those not voting--Barrett, Tate. Total--2.

Voting Present--Hill. Total--1.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2150:** Warren County; authorize to enter into lease agreement or lease-purchase arrangement for public safety purpose.

YEAS AND NAYS On S. B. No. 2150. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barrett, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2922:** DeSoto County; authorize to transfer parcel of county-owned property to City of Olive Branch for construction of animal shelter.

YEAS AND NAYS On S. B. No. 2922. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barrett, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2960:** City of Grenada; extend repealer on hotel/motel & restaurant tourism tax.

YEAS AND NAYS On S. B. No. 2960. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Barrett, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3110:** Tunica County Utility District; delete provision of law subjecting to rate regulation by Public Service Commission.

YEAS AND NAYS On S. B. No. 3110. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barrett, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3139:** Jackson County; authorize Board of Supervisors and Utility Authority to share equipment, labor, services, resources and funds.

YEAS AND NAYS On S. B. No. 3139. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barrett, Tate. Total--2.

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Senator Carter called up the following House Amendment to **S. B. No. 2102** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 77-13-3, Mississippi Code of 1972, is amended as follows:

77-13-3. The words defined in this section shall have the following meanings when found in this chapter:

(a) "Abandoned facility" means any underground utility line or underground utility facilities no longer used in the conduct of the owner/operator's business and are not intended to be used in the future.

(b) "Approximate location of underground utility lines or underground facilities" means information about an operator's underground utility lines or underground facilities which is provided to a person by an operator and must be accurate within eighteen (18) inches measured horizontally from the outside edge of each side of such operator's facility, or a strip of land eighteen (18) inches either side of the operator's field mark, or the marked width of the facility or line plus eighteen (18) inches on each side of the marked width of the facility or line.

(c) "Board" means the Underground Facilities Damage Prevention Board, created by Section 77-13-29.

(d) "Calendar day" means a twenty-four-hour period.

(e) "Commission" means the Mississippi Public Service Commission.

(f) "Damage" means the substantial weakening of structural or lateral support of underground utility lines and underground facilities, penetration or destruction of any protective coating, housing or other protective devices of an underground utility line or underground facility, and the partial or complete severance of any underground utility line or underground facility, but does not include any operator's abandoned facility.

(g) "Design Information Request" means a notification made to Mississippi 811, Incorporated, by a person providing professional services and making a request in preparation for bidding, preconstruction engineering, or other advance planning efforts that do not involve excavation. A design information services request may not be used for excavation purposes.

(h) "Emergency excavation" means excavation at times of emergency involving imminent danger to life, health or property or a customer service outage.

(i) "Excavate or excavation" means any operation in which earth, rock or other material or mass of material on or below the ground is moved or otherwise displaced by any means, except: (i) the tilling of the soil less than twenty-four (24) inches in depth for agricultural purposes; or (ii) an operation in which earth, rock or other material or mass of material on or below the ground is moved or otherwise displaced to a depth of less than twelve (12) inches on private property by the property owner without the use of mechanical excavating equipment; or (iii) an operation in which earth, rock or other material or mass of material on or below the ground is moved or otherwise displaced without the use of mechanical excavating equipment to a depth of less than twelve (12) inches on private property by an excavator who is not the property owner, except when such excavation is in a clearly marked underground facility right-of-way; or (iv) routine railroad maintenance activities conducted within the track structure, drainage ditches, or within the railroad right-of-way a distance not to exceed thirty (30) feet from the outside rail of the outermost track or tracks, provided this work is performed by railroad employees or railroad contractors and is carried out with reasonable care so as to protect any underground facilities properly installed in the railroad right-of-way by agreement with the railroad; or (v) routine activities of a cemetery, provided that for any cemetery that begins or expands after July 1, 2015, such activities occur only after initial notice is provided to Mississippi 811, Incorporated, and all affected operators have advised that there are no underground facilities within the boundaries of the subject cemetery; or (vi) routine maintenance activities carried out by or for those responsible for publicly maintained roadways and rights-of-way, provided that the activities occur entirely within the public right-of-way and

do not penetrate the earth to a depth of more than twelve (12) inches and are carried out with reasonable care so as to protect any underground facilities placed in the right-of-way. Routine maintenance activities shall be more specifically described in the rules and regulations adopted by the board; or (vii) the driving of wooden stakes by use of hand tools which do not penetrate the earth to a depth of not more than six (6) inches. The term "excavate" shall include, but not be limited to, the operations of demolition, blasting, grading, land leveling, trenching, digging, ditching, drilling, augering, tunneling, scraping, cable or pipe plowing, driving, jacking, wrecking, razing, rending, moving or removing any structure or other material or mass of material on or below the ground.

(j) "Excavator" means any person who engages directly in excavation.

(k) "Mark" means the use of stakes, paint or other clearly identifiable materials to show the field location of underground facilities in accordance with the current color code standard of the American Public Works Association, or the uncovering or exposing of underground facilities so that the excavator may readily see the location of same, or the pointing out to the excavator of certain aboveground facilities such as, but not limited to, manhole covers, valve boxes and pipe and cable risers, which indicate the location of underground facilities.

(l) "Mechanical excavating equipment" means all equipment powered by any motor, engine, or hydraulic or pneumatic device used for excavating and shall include, but not be limited to, trenchers, bulldozers, backhoes, power shovels, scrapers, draglines, clam shells, augers, drills, cable and pipe plows and other plowing-in or pulling-in equipment.

(m) "Mississippi 811, Incorporated" means a nonprofit corporation organized under the laws of the State of Mississippi that provides a service through which a person shall notify the operator(s) of underground facilities of plans to excavate and request marking of facilities.

(n) "Mississippi One-Call System, Incorporated" means "Mississippi 811, Incorporated" Whenever the term "Mississippi One-Call System, Incorporated" appears in this chapter, the term shall mean "Mississippi 811, Incorporated"

(o) "Operator" means any person who owns or operates a utility. However, the term "operator" shall not include any railroad or the Mississippi Department of Transportation.

(p) "Person" means any individual, firm, partnership, association, trustee, receiver, assignee, corporation, entity, limited liability company, utility, joint venture, municipality, state governmental unit, subdivision or instrumentality of the state, or any legal representative thereof.

(q) "Pipeline Safety Division" means the Pipeline Safety Division of the Public Service Commission.

(r) "Positive Response Information System" or "PRIS" means an automated information system operated and maintained by Mississippi 811, Incorporated, that allows excavators, locators, facility owners or operators, and other affected parties to enter and/or determine the status of a locate request.

(s) "Underground facility" means any underground utility lines and other items which shall be buried or placed below ground or submerged for use in connection with underground utility lines and including, but not be limited to, pipes, sewers, conduits, cables, valves, lines, wires, manholes, vaults, attachments and those portions of poles below the ground.

(t) "Underground utility lines" means underground or buried cable, conduit pipes and related facilities for transportation and delivery of electricity, telecommunications (including fiber optics), water, sewage, gas, mixtures of gases, petroleum, petroleum products or hazardous, flammable, toxic or corrosive liquids.

(u) "Utility" means any person who supplies, distributes or transports by means of underground utility lines or underground facilities any of the following materials or services: gas, mixture of gases, petroleum, petroleum products or hazardous, toxic, flammable or corrosive liquids, electricity, telecommunications (including fiber optics), sewage, drainage, water, steam or other substances.

(v) "Working day" means a twenty-four-hour period commencing from the time the locate request is processed or entered into the system by Mississippi 811, Incorporated, in accordance with this chapter, excluding Saturdays, Sundays and legal holidays.

(w) "Impending Emergency" means circumstances potentially dangerous to life, health, property, or loss of customer services, which would likely develop into an emergency, as defined in Section 77-13-11, if excavation is not initiated sooner than the normal notification requirements allow.

SECTION 2. Section 77-13-5, Mississippi Code of 1972, is amended as follows:

77-13-5. (1) In addition to complying with all other applicable regulations and requirements of federal, state, county and municipal authorities, no person shall engage in excavation of any kind, before meeting the notification requirements of this chapter. Under this chapter the excavator shall:

(a) Inform himself/herself of the presence and location of any underground utility lines and underground facilities in or near the area where excavation is to be conducted;

(b) Plan and conduct the excavation to avoid or minimize interference with or damage to underground utility lines and underground facilities in or near the excavation area; maintain a clearance between any underground utility line or underground facility and the cutting edge or point of any mechanical excavating equipment, taking into account the known limit of control of such cutting edge or point, as may be reasonably necessary to avoid damage to such facility; and provide such support for underground utility lines or underground facilities in and near the excavation area, including during any backfilling operations, as may be reasonably necessary for the protection of such facilities.

(c) Except as provided in Section 77-13-11, before beginning any excavation, other than an impending emergency as defined in Section 77-13-3, provide not less than \* \* \* three (3) and not more than ten (10) working days' advance written, electronic or telephonic notice of the commencement, extent, location and duration of the excavation work to Mississippi 811, Incorporated, so that Mississippi 811, Incorporated, operator(s) may locate and mark the location of underground utility lines and underground facilities in the excavation area.

The written, electronic or telephonic notice required by this paragraph (c) shall contain the name, address and telephone number of the person filing the notice of intent, the person responsible for the excavation, the starting date, anticipated duration, type of excavation to be conducted, the location of the proposed excavation and whether or not explosives are to be used.

(d) Provide advance written, electronic or telephonic notice of the commencement, extent, location and duration of the excavation work to Mississippi 811, Incorporated, for excavations required due to an impending emergency, that includes an excavation start time that is not less than twelve (12) hours from the time of notices

provided between 8:00 p.m. and 11:59 a.m., and not sooner than 8:00 a.m., on the next calendar day for notices provided between 12:00 p.m. and 7:59 p.m., so that Mississippi 811, Incorporated, operators may locate and mark the location of underground utility lines and underground facilities in the excavation area.

In addition to the written, electronic or telephonic notice information required in subsection (1)(c), the excavator shall also provide contact information for a person readily available to discuss the impending emergency excavation with operators.

(2) The markings provided by operators and the locate request number shall only be valid for a period of fourteen (14) calendar days from the date and time the locate request ticket is processed or entered into the system by Mississippi 811, Incorporated. The person responsible for the excavation project shall renew the notification with Mississippi 811, Incorporated, at least \* \* \* three (3) and not more than \* \* \* four (4) working days prior to this expiration date and shall continue to renew such notification in the same manner throughout the duration of the excavation. Such renewal notice shall be valid for a period of fourteen (14) calendar days from the date and time the renewal locate request is processed or entered into the system by Mississippi 811, Incorporated.

(3) Compliance with the notice requirements of this section shall not be required of: (a) persons plowing less than twenty-four (24) inches in depth for agricultural purposes; (b) persons who are moving or otherwise displacing, by hand, earth, rock or other material or mass of material on or below the ground at a depth of less than twelve (12) inches on property they own; and (c) persons, other than the property owner, who are moving or otherwise displacing, by hand, earth, rock or other material or mass of material on or below the ground at a depth of less than twelve (12) inches, except when such excavation is in a clearly marked underground facility right-of-way.

(4) A person may make a written, electronic or telephonic design information request to Mississippi 811, Incorporated, so that owners and operators of utilities may locate underground utility lines and underground facilities in the design information area. The design information request shall contain the name, address, and telephone number of the person making the request, the type of project planned, and a description of the area to be located with sufficient particularity to enable the utility owner or operator to ascertain the precise tract or parcel of land involved.

SECTION 3. Section 77-13-9, Mississippi Code of 1972, is amended as follows:

77-13-9. (1) Every person owning or operating underground utility lines or underground facilities shall, upon receiving advance notice of the commencement of excavation, in accordance with Section 77-13-5, make an investigation, and shall report through the use of the PRIS the status of the work performed, within \* \* \* three (3) working days from the time notice is provided in accordance with this chapter to Mississippi 811, Incorporated, to determine the approximate location of its underground utility lines or underground facilities in the area of the proposed excavation, and shall either: (a) mark the approximate location of underground utility lines and underground facilities in or near the area of the excavation, so as to enable the person engaged in excavation work to locate the lines and facilities in advance of and during the excavation work and notify the excavator through the PRIS that the facilities have been marked; (b) advise through the PRIS that it has no underground utility lines or underground facilities in the excavation area; or (c) advise through the PRIS that it can locate its underground utility lines or underground facilities in the excavation area only by excavation. If an operator can locate its underground utility lines or underground facilities in the excavation area only by excavation and has given proper notice of such, that operator shall be allowed a reasonable amount of additional time, not to exceed four (4) working days from the day the original notice was provided in accordance with this chapter, to mark the approximate location of the underground utility lines or underground facilities.

(2) In lieu of such marking, the operator may request to be present at the site upon commencement of the excavation, so long as the operator complies within \* \* \* three (3) working days of the receipt of the notice.

(3) When an excavator, upon arriving at an excavation site, sees evidence of unmarked underground utility lines or underground facilities or encounters an unmarked underground utility line or underground facility on an excavation site after excavation has commenced where notice of intent has been made in accordance with the provisions of this chapter, that excavator must immediately contact Mississippi 811, Incorporated. All operator(s) thus notified must contact the excavator within \* \* \* two (2) hours and inform the excavator of any of their known underground facilities, active or abandoned, at the site of the excavation.

(4) When marking the approximate location of the facilities, the operator shall follow the color code designated and described herein, unless otherwise provided for by specific administrative rule or regulation promulgated pursuant to this chapter, namely:

UTILITY OR TYPE OF FACILITY	GROUP IDENTIFYING COLOR
Electric	Safety Red
Petroleum Product/Hazardous/ Flammable/Corrosive/Toxic Materials, Product and Steam Lines, Gas or Gaseous Material	High Visibility Safety Yellow
Telecommunications (including fiber optics) and CATV	Safety Alert Orange
Potable Water	Safety Precaution Blue
Reclaimed Water, Irrigation, Slurry Lines	Purple
Sewer and Drain Lines	Safety Green
Temporary Survey Markings	High Visibility Pink
Proposed Excavation	White

(5) All utility facilities installed by owners or operators of utilities on or after January 1, 2010, shall be installed in such manner that the utility facility may be located by using a generally accepted electronic locating method.

(6) Except for emergency excavations, if, before the expiration of the \* \* \* three (3) working days' waiting period, all identified facility owners or operators have responded to the locate request and all have indicated that their facilities are either not in conflict or have been marked as indicated through the use of the PRIS, then the person planning to perform excavation or blasting shall be authorized to commence work, subject to the other requirements of this section, without waiting the full \* \* \* three (3) working days.

(7) Upon receiving a design information request, the utility owner or operator shall within seven (7) working days from the time notice is provided in accordance with this chapter to Mississippi 811, Incorporated, respond by one (1) of the following methods: (a) marking the approximate location of its underground utility lines and underground facilities in the area in accordance with subsection (1) of this section; (b) providing to the person making the design information request the best available description of its underground utility lines and underground facilities in the area which may include drawings or other records maintained by the utility owner or operator; or (c) allowing the person making the design information request or any other authorized person to inspect or copy the drawings or other records for all underground utility lines and utility facilities in the area.

(8) Every person owning or operating underground utility lines or underground facilities shall, upon receiving advance notice of the commencement of impending emergency excavation, make an investigation, and report through the use of the PRIS the status of the work performed, prior to the noticed time of excavation provided to Mississippi 811, Incorporated, to determine the approximate location of its underground utility lines or underground facilities in the area of the proposed excavation, and shall either:

(a) Mark the approximate location of underground utility lines and underground facilities in or near the area of the excavation, so as to enable the person engaged in excavation work to locate the lines and facilities in advance of and during the excavation work, and notify the excavator through the PRIS that the facilities have been marked; or

(b) Advise through the PRIS that it has no underground utility lines or underground facilities in the excavation area.

SECTION 4. Section 77-13-11, Mississippi Code of 1972, is amended as follows:

77-13-11. (1) The advance notice provisions of this chapter shall not apply to any person making an emergency excavation at times of emergency involving an imminent danger to life, health or property or a customer service outage. However, every person who shall engage in such emergency excavation shall take all necessary and reasonable precautions to avoid or minimize interference with or damage to existing underground utility lines and underground facilities in and near the excavation area, and shall notify Mississippi 811, Incorporated, of the specifically designated emergency excavation as promptly as reasonably possible \* \* \* so that operators may locate and mark the location of underground utility lines and underground facilities in the specifically designated emergency excavation area. In the event of damage to or dislocation of any underground utility lines or underground facilities caused by any such emergency excavation work, the person responsible for the excavation shall immediately notify the operator of the damaged or dislocated underground facilities of the damage or dislocation.

(2) An imminent danger to life, health, property or customer service exists whenever there is a substantial likelihood that injury, loss of life, health or customer services, or substantial property loss could result before the person responsible for the excavation or demolition can fully comply with the notification and response procedures required in Sections 77-13-7 and 77-13-17.

(3) Any misrepresentation of either an emergency excavation or an impending emergency as defined in Section 77-13-3, shall constitute a violation of this act.

SECTION 5. Section 77-13-7, Mississippi Code of 1972, is amended as follows:

77-13-7. (1) Each person responsible for any excavation that results in damage to an underground utility line or underground facility, immediately upon discovery of such damage, shall notify Mississippi 811, Inc., and notify all operators of such damaged line or facility of the location of the damage and shall allow the operator reasonable time to



accomplish any necessary repairs before completing the excavation in the immediate area of the damage to such line or facility.

(2) Each person responsible for any excavation that results in damage to an underground pipeline or underground facility permitting the escape of any hazardous, flammable, toxic or corrosive gas or liquid shall, immediately upon discovery of such damage, call 911 and then notify Mississippi 811, Inc., and the operator and take other action as may reasonably be necessary to protect persons and property and to minimize the hazards, until arrival of the operator's personnel and the police or fire departments.

(3) Except where the excavator has fully complied with the provisions of Section 77-13-5 and subsections (1) and (2) of this section, each person responsible for excavation that results in damage to an underground line or underground facility, except the property owner, unless the property owner is the excavator, shall be responsible for any and all costs and expenses incurred by the operator in restoring, correcting, repairing or replacing the damaged line or facility.

(4) In the event that an operator brings a lawsuit to enforce compliance with this section, then the prevailing party in any such lawsuit shall be awarded its legal costs, expenses, and fees, including reasonable attorney's fees, incurred in connection with such lawsuit. If more than one (1) party is found to be responsible, the costs, expenses, and fees, including reasonable attorney's fees, shall be equitably apportioned among the responsible parties.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 77-13-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "IMPENDING EMERGENCY"; TO AMEND SECTION 77-13-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE PRE-EXCAVATION ADVANCE NOTIFICATION PERIOD FROM TWO WORKING DAYS TO THREE WORKING DAYS; TO REQUIRE EXCAVATORS TO PROVIDE ADVANCE NOTICE OF THE COMMENCEMENT, EXTENT, LOCATION AND DURATION OF THE EXCAVATION WORK TO MISSISSIPPI 811, INCORPORATED FOR EXCAVATIONS REQUIRED DUE TO AN IMPENDING EMERGENCY, THAT INCLUDES AN EXCAVATION START TIME AT LEAST TWELVE HOURS PRIOR TO EXCAVATION; TO REQUIRE EXCAVATORS TO PROVIDE CONTACT INFORMATION FOR A PERSON READILY AVAILABLE TO DISCUSS THE IMPENDING EMERGENCY EXCAVATION WITH OPERATORS; TO INCREASE THE DAYS THAT THE PERSON RESPONSIBLE FOR THE EXCAVATION PROJECT IS REQUIRED TO RENEW NOTIFICATION WITH MISSISSIPPI 811, INCORPORATED, FROM AT LEAST TWO DAYS AND NOT MORE THAN THREE DAYS, TO AT LEAST THREE DAYS AND NOT MORE THAN FOUR DAYS PRIOR TO THE NOTIFICATION EXPIRATION DATE; TO AMEND SECTION 77-13-9, MISSISSIPPI CODE OF 1972, TO INCREASE THE DAYS FROM TWO DAYS TO THREE DAYS THAT A PERSON OWNING OR OPERATING UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES SHALL MAKE AN INVESTIGATION AND REPORT THROUGH THE USE OF THE PRIS THE STATUS OF THE WORK PERFORMED FROM THE TIME NOTICE IS PROVIDED TO MISSISSIPPI 811; TO DECREASE THE HOURS FROM FOUR HOURS TO TWO HOURS THAT OPERATORS MUST CONTACT THE EXCAVATOR TO INFORM HIM OR HER OF ANY KNOWN UNDERGROUND FACILITIES AT THE SITE OF THE EXCAVATION; TO REQUIRE THAT A PERSON OWNING OR OPERATING UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES SHALL, UPON RECEIVING ADVANCE NOTICE OF THE COMMENCEMENT OF IMPENDING EMERGENCY EXCAVATION MAKE AN INVESTIGATION AND REPORT THROUGH PRIS THE STATUS OF THE WORK PERFORMED, PRIOR TO THE NOTICED TIME OF EXCAVATION PROVIDED TO

MISSISSIPPI 811, INCORPORATED, AND EITHER MARK THE APPROXIMATE LOCATION OF UNDERGROUND UTILITY LINES AND UNDERGROUND FACILITIES IN OR NEAR THE AREA OF THE EXCAVATION, OR ADVISE THROUGH PRIS THAT IT HAS NO UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES IN THE EXCAVATION AREA; TO AMEND SECTION 77-13-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY MISREPRESENTATION OF AN EMERGENCY EXCAVATION OR OF AN IMPENDING EMERGENCY CONSTITUTES A VIOLATION OF THIS ACT; TO AMEND SECTION 77-13-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF AN OPERATOR BRINGS A LAWSUIT TO ENFORCE THE PROVISIONS OF THIS SECTION, THE PREVAILING PARTY SHALL BE AWARDED LEGAL COSTS, EXPENSES AND FEES; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2102** by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barrett, Tate. Total--2.

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Senator Carter called up the following House Amendment to **S. B. No. 2103** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 75-55-5, Mississippi Code of 1972, is amended as follows:

75-55-5. \* \* \* The words, terms and phrases as used in this chapter shall have the following meanings, unless the context requires otherwise:

(a) The term "commissioner" means the Commissioner of the Mississippi Department of Agriculture and Commerce, or his agents and employees.

(b) The term "State Chemist" means the Director of the Mississippi State Chemical Laboratory, or his agents and employees.

(c) The term "ASTM" means an international voluntary consensus standards organization formed for the development of standards on characteristics and performance of materials, products, systems, and services, and the promotion of related knowledge.

(d) The term "person" shall include any individual, firm, copartnership, joint venture, association, corporation, estate, trust or any other group or combination acting as a unit, and the plural as well as the singular number, unless the intention to give a more limited meaning is disclosed by the context.

(e) The term "illuminating oil" shall include coal oil, kerosene or other petroleum products used for illuminating purposes.

(f) The term "lubricating oil" means all petroleum-based oils or synthetic lubricants intended for use in the crankcase of an internal combustion engine, either spark ignition or diesel type. The purpose of the lubricating oil is to reduce friction between two (2) solid surfaces moving relative to one another.

(g) The term "gasoline pump" shall include pumps, meters and all measuring devices used for measuring gasoline and all oxygenated blended fuels; the term "diesel fuel pump" shall include pumps, meters and all measuring devices used for measuring diesel fuel; the term "kerosene pump" shall include pumps, meters and all measuring devices used for measuring kerosene; the term "liquefied compressed gas pump" shall include pumps, meters and all measuring devices used for measuring liquefied compressed gas.

(h) The term "gasoline" shall include (i) all products commonly or commercially known or sold as gasoline (excluding casing head and absorption or natural gasoline) regardless of their classification or uses; and (ii) a volatile mixture of liquid hydrocarbons, generally containing small amounts of additives, suitable for use as a fuel in spark ignition, internal combustion engines.

(i) The term "commercial gasoline" shall mean a liquid suitable for use as a fuel in spark ignition combustion engines, and shall be free of undissolved water, suspended matter and of any harmful ingredient or component and which, in addition, meets the following test requirements as set out in ASTM D4814, and it shall be the intent of this chapter that the state specifications may be kept current with ASTM D4814 as illustrated below:

(i) Corrosion ASTM D130. A clean copper strip shall not show more than extremely slight discoloration equivalent to ASTM Strip No. 1, when submerged in the gasoline for three (3) hours at one hundred twenty-two degrees (122°) Fahrenheit, as determined by ASTM D130.

(ii) Distillation range. For each month the distillation range shall be that specified by the vapor pressure class requirement for that month. Distillation temperature limits shall be consistent with the corresponding vapor pressure class during the months affected by federal or state regulation which restrict vapor pressure. If the vapor pressure limit is between two (2) classes, the distillation temperature limits of the least restrictive class shall be acceptable. The method of test shall be ASTM D86.

(iii) Residue. The residue, after evaporation, shall not exceed two percent (2%), as determined by ASTM D86.

(iv) Gum test. The gum shall not exceed five (5) milligrams per one hundred (100) milliliters, after the extraction of the residue with n-heptane, as determined by ASTM D381.

(v) Sulphur. The sulphur content shall not exceed ten one-hundredths percent (0.10%) for unleaded gasoline or fifteen one-hundredths percent (0.15%) for leaded gasoline, as determined by ASTM D2622 or D4045.

(vi) Vapor pressure. The vapor pressure during the months of July and August shall not exceed ten (10) pounds per square inch at one hundred degrees (100°) Fahrenheit, and during the months of November, December, January, February and March shall not exceed thirteen and one-half (13-1/2) pounds per square inch at one hundred degrees (100°) Fahrenheit.

The vapor pressure during the remaining months of the year shall not exceed eleven and five-tenths (11.5) pounds per square inch at one hundred degrees (100°) Fahrenheit. The method of determination shall be ASTM D4953. Federal or state regulation restricting vapor pressure to lower levels shall preempt these standards during the applicable months.

(vii) Vapor liquid equilibrium. A maximum value of twenty (20) for the vapor liquid equilibrium test during the months July and August shall be obtained at a temperature of one hundred thirty-three degrees (133°) Fahrenheit; for the months of November, December, January, February and March it shall be obtained at a temperature of one hundred sixteen degrees (116°) Fahrenheit; for the other months of the year it shall be obtained at one hundred twenty-four degrees (124°) Fahrenheit. The method of determination shall be ASTM D2533 or ASTM D4814, appendix X2.

(viii) Lead specifications. The unleaded gasoline shall contain less than five hundredths (0.05) gram of lead per gallon, and the leaded gasoline shall contain a minimum of five hundredths (0.05) gram of lead and less than four and two-tenths (4.2) grams of lead per gallon. The method of analysis should be ASTM D3237, (Atomic Absorption Spectrometry), ASTM D2599 (X-ray Spectrometry) or ASTM D2547 (Volumetric Chromate).

(ix) Classification.

1. "Leaded premium grade gasoline" shall have an  $(R + M)/2$  octane antiknock index of at least ninety-three (93). The research octane number shall be at least ninety-six (96).

2. "Unleaded premium grade gasoline" shall have an  $(R + M)/2$  octane antiknock index of at least ninety-one (91). The research octane number shall be at least ninety-four (94).

3. "Mid-grade unleaded gasoline" shall have an  $(R + M)/2$  octane antiknock index of at least eighty-nine (89). The research octane number shall be at least ninety-two (92).

4. "Leaded regular grade gasoline" shall have an  $(R + M)/2$  octane antiknock index of at least eighty-nine (89). The research octane number shall be at least ninety (90).

5. "Unleaded regular grade gasoline" shall have an  $(R + M)/2$  octane antiknock index of at least eighty-seven (87). The research octane number shall be at least ninety (90), and the motor octane number shall be at least eighty-two (82).

6. "Third-grade gasoline" shall have an  $(R + M)/2$  octane antiknock of not more than eighty-seven (87).

The methods of octane determination shall be ASTM D2699 for the research octane number (R) and ASTM D2700 for the motor octane number (M), or ASTM D2885 for both the research octane number and the motor octane number. The  $(R + M)/2$  octane antiknock index shall be the average of the research and motor octane numbers. All retail pumps or delivery devices shall be labeled with the appropriate  $(R + M)/2$  octane antiknock index in accordance with the Federal Trade Commission Octane Posting and Certification Regulation 306. No commercial gasoline shall be colored mahogany.

(j) The term "oxygenated fuel" means a liquid fuel which is a homogeneous blend of hydrocarbons and oxygenates. The term "oxygenate" means an oxygen containing ashless organic compound which may be used as a fuel supplement or additive and includes alcohols and ethers. "Gasoline-oxygenate blend" means a blend consisting

primarily of gasoline and a substantial amount of one or more oxygenates. This definition includes, but is not limited to, the following designations:

(i) "Gasohol" meaning any motor fuel containing a nominal ten (10) volume percent anhydrous denatured alcohol and ninety (90) volume percent unleaded gasoline, regardless of other name, label or designation.

(ii) "Leaded gasohol" meaning any motor fuel containing a nominal ten (10) volume percent anhydrous, denatured ethanol and ninety (90) volume percent leaded gasoline, regardless of other name, label or designation.

(iii) Any gasoline-oxygenate blend which meets the United States Environmental Protection Agency's "substantially similar" rule, Section 211(f)(1) of the Clean Air Act, 42 USCS 7545(f)(1).

(iv) Any gasoline-oxygenate blend for which there is an existing Clean Air Act waiver issued by the United States Environmental Protection Agency.

(k) "Alcohol blended fuel" means gasohol or leaded gasohol.

(l) "Anhydrous, denatured ethyl alcohol (ethanol)" means normal two hundred (200) proof ethanol to which has been added a maximum of five (5) volumes of approved denaturant(s) to one hundred (100) volumes of ethanol and containing not more than one and twenty-five hundredths percent (1.25%) water by weight as determined by ASTM E203.

(m) "Approved denaturant(s)" means materials used for denaturing ethyl alcohol for use as a motor fuel which have been approved by the United States Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, and both the State Chemist and the Commissioner of Agriculture and Commerce. Gasoline-oxygenate blends shall meet the specifications set forth in the most recent edition of the Annual Book of ASTM standards and supplements thereto, and revisions thereof, except where amended or modified by the Commissioner and State Chemist.

(n) The term "oil" as used in this chapter shall include diesel fuel, kerosene, fuel oil, distillate, gas oil, tractor fuel or any other product other than gasoline, as defined in this chapter, which is usable as fuel in an internal combustion engine, and any product which, on distillation in accordance with the method of test of the American Society for Testing and Materials shows not more than ten percent (10%) recovered when the thermometer shows two hundred sixty-one degrees (261°) Fahrenheit; and not more than ninety-five percent (95%) recovered when the thermometer shows four hundred sixty-five degrees (465°) Fahrenheit or more; provided that nothing in this paragraph shall be construed to include oils received or sold as lubricants when such oils cannot be used as a fuel in internal combustion engines.

(o) "Diesel fuel" is any petroleum product intended for use or offered for sale as a fuel for engines in which the fuel is injected into the combustion chamber and ignited by pressure without the presence of an electric spark.

Specifications: The fuel oils herein specified shall be hydrocarbon oils free from acids, grit and fibrous or other foreign material. Three (3) grades of such oils are specified and these shall conform to the detailed requirements in the current American Society for Testing and Materials Specifications for Diesel Fuel Oils (ASTM D975), except for the sulphur content of Grade 2-D. All tests shall be in accordance with the applicable American Society for Testing and Materials method as set forth in the current ASTM Designation D975. Diesel fuel requirements are listed below:

		Grade 1-D	Grade 2-D	Grade 4-D Flash point,
degrees F. D93	Min. 100	Min. 125	Min. 130	

## Water &amp; sediment,

% by volume, D1796	Max. 0.05	Max. 0.05	Max. 0.5
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## Carbon residue on 10%

residium, % D524	Max. 0.15	Max. 0.35	_____
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Ash, % by weight, D482	Max. 0.01	Max. 0.01	Max. 0.1
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## Distillation, 90% point,

degrees F., D86	_____	Min. 540	_____
		Max. 550	Max. 640 _____

## Viscosity @ 100 degrees F.

## kinematic-centistokes

D445	Min. 1.3	Min. 2.0	Min. 5.5
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or	Max. 2.4	Max. 4.1	Max. 24.0
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## Viscosity @ 100 degrees F.

Saybolt Universal Sec. _____	Min. 32.6	Min. 45	
	Max. 34.4	Max. 40.1	Max. 125

Sulphur, % by weight, D129	Max. 0.5	Max. 1.0	Max. 2.0
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Copper strip corrosion, D130	Max. No. 3	Max. No. 3	_____
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Cetane number, D613 or D976	Min. 40	Min. 40	Min. 30
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(p) The word "kerosene" shall include lamp oil, illuminating oil and coal oil which shall conform to the detailed requirements set forth in the current American Society for Testing and Materials Specification for Kerosene (ASTM D3699). All tests shall be in accordance with the applicable American Society for Testing and Material Methods as set forth in ASTM D3699. The detailed requirements are listed below:

(i) The oil shall be free of water and suspended matter.

(ii) The color shall not be darker than number plus sixteen (16) on the Saybolt scale, as determined by ASTM D156.

(iii) The flash point shall, by ASTM D56, not be lower than one hundred degrees (100°) Fahrenheit when determined in Tagliabue closed type tester, as determined by ASTM D56.

(iv) The sulphur content shall not exceed four one-hundredths percent (0.04%) for No. 1-K kerosene and thirty one-hundredths percent (0.30%) for No. 2-K kerosene. The method of determination shall be ASTM D1266. No. 1-K kerosene is a special low-sulphur grade kerosene suitable for use in nonflue-connected kerosene burner appliances and in wick-fed illuminating lamps. No. 2-K kerosene is suitable for use in flue-connected burner appliances and in wick-fed illuminating lamps.

(v) The distillation ten percent (10%) point shall not be higher than four hundred one degrees (401°) Fahrenheit, as determined by ASTM D86.

(vi) The distillation end point shall not be higher than five hundred seventy-two degrees (572°) Fahrenheit, as determined by ASTM D86.

(vii) The oil shall not show a cloud point at five degrees (5°) Fahrenheit, as determined by ASTM D2500.

(viii) The oil shall burn freely and steadily for sixteen (16) hours, as determined by ASTM D187.

(ix) The gravity shall not be less than degrees API 41, as determined by ASTM D1298.

(x) The corrosion test results shall be No. 1 Maximum in a three-hour at two hundred twelve degrees (212°) Fahrenheit test, as determined by ASTM D130.

(q) Racing gasoline means any gasoline which is sold for racing purposes. Racing gasoline may be sold from retail dispensing equipment under the following conditions:

(i) The product brand name and octane number shall be registered with the Commissioner of Agriculture and Commerce and the State Chemist.

(ii) The manufacturer shall forward a list of marketers selling these product(s) and the product(s) being sold by each marketer.

(iii) Marketers shall register their retail outlets by location and provide a list of the product(s) sold for each retail outlet.

(iv) The dispensing equipment shall contain a conspicuous sign stating that the fuel is racing gasoline. The dispensing equipment shall not contain any kind of representation indicating that the product is suitable for vehicles other than for racing.

(v) The dispensing equipment shall be dedicated to and isolated from any other motor fuel dispensing equipment in a manner that a vehicle cannot access both the commercial gasoline and the racing gasoline at the same time.

(vi) Any violation shall result in revocation of the approval to market and/or confiscation of the product.

(vii) The Commissioner of Agriculture and Commerce (the "commissioner") and the State Chemist are hereby given authority to change the specifications set forth in this section to comply with the currently recommended ASTM or federally required specifications.

\* \* \*

SECTION 2. Section 75-55-37, Mississippi Code of 1972, is amended as follows:

75-55-37. (1) The commissioner or his duly appointed representatives shall have the right to request an inspection of any pump, truck, or other equipment, and if upon such inspection any such pump, truck, or other equipment is found to be inaccurate to the extent that a test thereof shows a deficiency of more than twenty-five (25) cubic inches on a five (5) gallon measurement, or if the right to inspect any such pump, truck, or other equipment is refused or denied the commissioner, or his duly authorized representatives, he or they shall have the right to immediately close and lock said pump and other equipment or to

seal same with the commissioner's seal. If such pump, truck, or other equipment is found to be inaccurate but the deficiency is twenty-five (25) cubic inches or less on a five (5) gallon measurement, then the commissioner or his representative shall give the owner or operator thereof forty-eight (48) hours within which to correct such inaccuracy and if such person fails or refuses to correct same within said period then the commissioner or his representative shall have the right to lock and seal such pump or other equipment in the same manner as provided above.

It shall be prima facie presumed upon any refusal to allow the right to inspect that the pump, truck, or other equipment sought to be inspected is inaccurate to the extent set forth above, or is operating in violation of this chapter. When any such pump or other equipment is locked or sealed, it may not be unlocked or the seal thereon broken except in the presence of a mechanic or other person called for the purpose of repairing the inaccuracy in the machinery of such pump or other equipment, and such inaccuracy shall be immediately thereafter repaired, and the pump or other equipment properly regulated. The commissioner may, in his discretion, require an affidavit from the mechanic repairing such pump or other equipment, or any other proof which he may deem advisable to the effect that said pump was unlocked or the seal thereon broken in the presence of such mechanic, and that the inaccuracies therein were thereupon completely repaired or regulated.

When a state or factory seal is broken on the measuring adjustment device on a retail pump, it shall be the duty of the station operator to notify the commissioner by United States mail, within twenty-four (24) hours, after the breaking of said seal. After the commissioner has received written notice as herein provided and he or his agent has resealed the measuring adjustment device on the pump or pumps at this station, it shall be unlawful for the owner or operator of the station or any of his employees to break a state or factory seal on the measuring adjustment device on any pump at the station during the ensuing ninety (90) days without the prior approval of the commissioner or his agent.

The State of Mississippi shall have a lien on all pumps, trucks, and other equipment used by any distributor, or other person, in the operation of his business for any tax or penalty due the State of Mississippi because of any violation of this chapter. Such lien shall be paramount to any and all private liens and all the provisions set out in Chapter 7, Title 85, Mississippi Code of 1972, shall be applicable herein for the purpose of securing the enforcement of said lien, and particularly the right to secure the issuance of a writ of summons and seizure and proceedings had and done after the issuance of said writ shall be applicable. Provided, however, that the commissioner shall not be required to give any bond in any such case.

Any person or officer, agent or employee thereof who shall violate any provision of this chapter shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine not exceeding One Hundred Dollars (\$100.00) for the first offense and not less than One Hundred Dollars (\$100.00) nor more than Two Hundred Dollars (\$200.00) for each subsequent offense or imprisonment in the county jail for a period not to exceed ninety (90) days or both.

(2) If a person who, by himself, by his agent, or as the servant or agent of another person commits a violation of this chapter, the commissioner or his designee may impose any, all or a combination of the following penalties:

(a) A stop sale order for any engine fuel, nonengine fuel, automotive lubricant or any other petroleum product not in compliance with this chapter. A remand of the stop sale order may be issued if the engine fuel, nonengine fuel, automotive lubricant or petroleum product is brought into full compliance with this chapter. The stop sale order may be appealed to the commissioner or his designee within twenty (20) days from the receipt of the order.

(b) A warning letter for violations of this chapter.



(c) A civil penalty of not more than Three Thousand Dollars (\$3,000.00) per violation. A person may request an administrative hearing within thirty (30) days of receipt of the notice of the penalty. The commissioner or his designee shall conduct a hearing after giving reasonable notice to the person. The decision may be appealed to the Circuit Court of the First Judicial District of Hinds County.

(3) If the person has exhausted his administrative appeals, he shall pay the civil penalty within thirty (30) days after the effective date of the final decision. If the person fails to pay the penalty, the commissioner may bring a civil action in any court of competent jurisdiction to recover the penalty.

(4) The commissioner is authorized to suspend, revoke and/or permanently deny a registration under the Petroleum Products Inspection Law of Mississippi to any person, firm, corporation or other organization determined to be guilty of two (2) or more violations per location, per year, of the Petroleum Products Inspection Law of Mississippi and the rules and regulations in force pursuant thereto.

(5) In lieu of, or in addition to, the penalties provided above, the commissioner and the State Chemist shall have the power to institute and maintain in the name of the state any and all proceedings necessary or appropriate to enforce the provisions of the Petroleum Products Inspection Law of Mississippi and the rules and regulations in force pursuant thereto, in the appropriate circuit, chancery, county or justice court in which venue may lie. The commissioner and the State Chemist may obtain mandatory or prohibitory injunctive relief, whether temporary or permanent, and it shall not be necessary for the state to post a bond or prove that no adequate remedy is available at law.

(6) All penalties assessed by the commissioner under this section shall be deposited in the State General Fund.

\* \* \*

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 75-55-5 AND 75-55-37, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THOSE SECTIONS OF LAW WHICH PROVIDE DEFINITIONS AND PENALTIES UNDER THE PETROLEUM PRODUCTS INSPECTION LAW OF MISSISSIPPI; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2103** by the following vote:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barrett, Tate. Total--2.

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Senator Chassaniol called up the following House Amendment to **S. B. No. 2359** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Main Street Revitalization Grant Program Act."

SECTION 2. The Mississippi Main Street Revitalization Grant Program Act will authorize the Legislature, as well as the Department of Finance and Administration through appropriations by the Legislature, to make grants available to selected Main Street Designated Community programs for projects leading to the revitalization of Mississippi's downtowns.

SECTION 3. (1) For the purposes of this section:

(a) "Eligible recipient" means a Main Street Designated Community that is a good-standing member of the MMSA, has obtained Section 501(c)(3) tax-exempt status or Section 501(c)(6) tax-exempt status from the Internal Revenue Service and possesses matching funds to match twenty percent (20%) of the total project cost. A Main Street Designated Community will be ineligible for a grant under this section, if their community was a recipient of a grant under this section in the previous year.

(b) "Main Street Designated Community" means a local Main Street program that has achieved and maintained Designated Community status by the MMSA.

(c) "Matching funds" means cash funds that are either in the applicant's possession or proposed by a match partner and clearly identified in a support letter and are reserved for the proposed project. No state funds may be included in determining the amount of the match.

(d) "MMSA" means the Mississippi Main Street Association.

(2) The MMSA shall accept applications from eligible recipients, prioritize their applications and submit a list of suggested recipients to the Legislature no later than December 1 of each year. Beginning with the 2024 Regular Session of the Legislature, and each Regular Session thereafter, the Legislature shall review the submitted list and determine the projects for which to award grants to eligible recipients through the Department of Finance and Administration in an appropriation bill. The MMSA will consider projects in relation to the following criteria:

- (a) The demonstration of local financial need;
- (b) Projects that demonstrate high local impact;
- (c) Projects that produce a high level of public benefit;
- (d) Projects that demonstrate best practices in preservation;
- (e) Projects that will have local administration and implementation capacity;
- (f) The distribution of geographic size and location of the project;

(g) Projects that will be completed on time; and

(h) Whether the community in which the project is located has not received funding under this section for the previous year.

(3) The Department of Finance and Administration shall provide grant funds to the Main Street Designated Communities under this section on a reimbursement basis, not to exceed Five Hundred Thousand Dollars (\$500,000.00) per community each year, and grantees shall not receive compensation for their required twenty percent (20%) local match. Main Street Designated Communities with a population of less than ten thousand (10,000), shall be required to have a local cash match of ten percent (10%) for the first One Hundred Thousand Dollars (\$100,000.00) requested, then will be required to have a local cash match of twenty percent (20%) for any amount over One Hundred Thousand Dollars (\$100,000.00).

(4) Eligible costs for the expenditure of grant funds include the acquisition of land and any improvements thereon, preservation of historic downtown structures and sites, and initiatives that will produce a revitalization to the economy of the historic downtown areas.

(5) Grants may be awarded for prospective purchases or for acquisitions of which the applicant has closed. In the latter case, the applicant shall demonstrate:

(a) The closing occurred no more than twelve (12) months prior to the date of application for the grant; and

(b) The subject purchase was made to help preserve and revitalize the location and economy of a historic downtown community.

(6) Any eligible organization making an acquisition of downtown property or interest therein pursuant to this section shall grant to the Mississippi Department of Archives and History or other holder a perpetual easement placing reasonable restrictions on the use or development of the land. In cases where the easement is granted to a holder other than the Mississippi Department of Archives and History, all terms and conditions of the easement shall be reviewed by and found by the Mississippi Department of Archives and History to accomplish the perpetual preservation of the historic downtown property. Such other holder shall demonstrate to the department that it has the capacity and expertise to manage and enforce the terms of the easement.

(7) Grantees must adhere to Mississippi state procedures and guidelines relating to the implementation and financing of the approved project. Grantees must also submit any and all audit and financial statements as required by the State of Mississippi.

(8) Nothing in this section shall preclude the subsequent transfer or assignment by a state agency or other owner or holder of any property interest acquired pursuant to this section to the State of Mississippi, the county, city, town or municipality in which the land is located, for the purpose of further preserving, improving, or maintaining the downtown property. The Department of Finance and Administration shall facilitate transfers and assignments of any such interests held by the department.

(9) There is created in the State Treasury a special fund to be known as the "Mississippi Main Street Revitalization Grant Program Fund," which shall consist of funds made available by the Legislature in any manner, funds received as grants, endowments or gifts from the federal government, its agencies and instrumentalities, and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the

fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, for the purposes provided in this section.

(10) The Department of Finance and Administration shall administer the fund and establish guidelines for the expenditure of grant funds and reports relating to the expenditure of grant funds. The department may utilize no more than two percent (2%) of the amount of funds deposited into the Mississippi Main Street Revitalization Grant Fund for administrative expenses in carrying out its duties under this section.

(11) To carry out this act, the Department of Finance and Administration may enter into cooperative agreements with entities in the public and private sectors, including:

- (a) Colleges and universities;
- (b) Historical societies;
- (c) State and local agencies; and
- (d) Nonprofit organizations.

(12) To develop cooperative land-use strategies and conduct activities that facilitate the conservation of the historic, cultural, natural and scenic resources, the Department of Finance and Administration may require that recipients seek and secure technical assistance from the MMSA, to the extent that a recipient of technical assistance is engaged in the protection, interpretation or commemoration of historically significant property in the area in and around the historic downtown site. The MMSA will provide administrative support to local Main Street grantees to ensure proper grant administration and project implementation.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM ACT; TO PROVIDE THAT THE MISSISSIPPI MAIN STREET ASSOCIATION SHALL ACCEPT APPLICATIONS FROM MAIN STREET PROGRAMS IN THIS STATE FOR DOWNTOWN REVITALIZATION PROJECTS; TO PROVIDE THAT THE MISSISSIPPI MAIN STREET ASSOCIATION SHALL PRIORITIZE SUCH APPLICATIONS AND SUBMIT A LIST OF SUGGESTED RECIPIENTS TO THE LEGISLATURE NO LATER THAN DECEMBER 1 OF EACH YEAR AND THAT THE LEGISLATURE SHALL REVIEW THE SUBMITTED LIST AND DETERMINE THE PROJECTS FOR WHICH TO AWARD GRANTS THROUGH THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN AN APPROPRIATION BILL; TO CREATE THE "MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR GRANTS UNDER THIS ACT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FUND; AND FOR RELATED PURPOSES.

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Senator DeBar called up the following House Amendment to **S. B. No. 2079** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 45-9-181, Mississippi Code of 1972:

45-9-181. (1) This section shall be known and may be cited as the "Mississippi School Safety Guardian Act."

(2) For purposes of this section:

(a) "Department" means the Department of Public Safety.

(b) "Governing body" means with respect to any public school district or public charter school, the local school board or charter school board, as applicable; with respect to any private school, the board or other governing body of the private school as provided in the charter, bylaws, or other governing documents of the school.

(c) "Program" means a school safety guardian program established by the governing body of a school in accordance with this act.

(d) "School" means any public or private educational institution within the State of Mississippi and includes any elementary or secondary school.

(e) "Training program" means the School Safety Guardian Training Program established in subsection (3) of this act.

(3) There is hereby established the School Safety Guardian Program in the Office of Homeland Security within the department. The department shall administer the program through the Office of Homeland Security. In consultation with the Mississippi Department of Education, the department shall establish the program and promulgate rules, regulations, and establish training requirements.

(4) The governing body of a school, in consultation with school administrators and the department, may establish a program under this act. The governing body of a school shall designate employees to participate in the training program developed by the department by which designated and trained school employees are authorized to carry concealed firearms for the protection of the students, employees and others on the campus of the school. The scope and purpose of each program shall include responding to an active shooter situation or other situation that would cause death or bodily harm on the school campus or in the immediate vicinity of the school campus. The school safety guardian's weapon shall always remain under his or her physical control on campus.

(5) A designated school safety guardian is immune from civil liability for any action taken by the school safety guardian if the action in question occurs during the reasonable exercise of and within the course and scope of the designated School Safety Guardian's official duties. School Safety Guardians are charged with these duties and must act in accordance with these duties to maintain their immunity. If a School Safety Guardian is found to have failed to carry out their official duties, the immunity described in this subsection shall be waived.

(6) (a) Except as otherwise provided in this subsection, School Safety Guardians shall be paid a monthly stipend in an amount not less than One Hundred Dollars (\$100.00), but not more than Five Hundred Dollars (\$500.00) by the school district, however no funds received by school districts under the Elementary and Secondary

Education Act (ESEA) shall be used to pay the stipends authorized under this subsection in accordance with the prohibition on the use of such funds as prescribed in Section 13401 of the Bipartisan Safer Communities Act, Public Law 117-159, 117th Congress of the United States, which amends the ESEA (20 USCS Section 7906 (Supp. 2022).

(b) The stipend described in paragraph (a) of this subsection shall not be construed to apply to personnel hired by a third-party vendor in subsection (11).

(7) To be eligible for the immunity provided in this section:

(a) The program, at a minimum, shall require that each designated member of the program who is not a law enforcement officer, as defined in Section 45-6-3, possess a firearms license issued under Section 45-9-101 and the endorsement authorized in Section 97-37-7; has completed instructional training through a law enforcement training academy approved department not less than once every twelve (12) months; and has been CPR and First Aid certified; and

(b) The identities of any person designated by the school's governing body to serve as a School Safety Guardian must be documented at the time of the designation and shall be communicated to school administrators and local law enforcement.

(8) The department may authorize Mississippi law enforcement training academies to offer the training program to the governing body of a school.

(a) The training program, at a minimum, must include:

- (i) An instructional course developed by the department;
- (ii) A criminal background check;
- (iii) A psychological screening;
- (iv) A shooting proficiency test; and
- (v) An annual recertification training.

(b) A law enforcement training academy may provide School Safety Guardian training to any employee of a school or school district who:

- (i) Holds a license to carry a concealed handgun issued under Section 45-9-101;
- (ii) Has an endorsement authorized by Section 97-37-7; and
- (iii) Has current certification in CPR and First Aid.

(c) The department may establish a fee in an amount that is sufficient to cover the costs of the training program under this section to be paid to the training academy by the governing body of the school.

(d) The department may adopt rules to administer this section, including a method to identify license holders who have completed a School Safety Guardian training certification course and setting a fee to be charged by the department for the issuance or reissuance of identification of the license holder as being certified.

(e) The department shall adopt rules and regulations that require review of the firearms training policies and procedures of school districts that authorized its employees to carry concealed firearms before the effective date of this act. Upon review of such rules and regulations, if the department determines that such district's policies and

procedures conform to the department's training standards under the authority of this act, the department shall approve such district's policies and procedures and all employees of such school district shall receive all authority and protections provided by this act to carry concealed firearms. However, if the department determines that such district's policies and procedures fail to conform to the department's training standards under the authority of this act, the employees of the district shall be required to comply with the requirements under this act to carry concealed firearms.

(9) A person who is indicted or charged with a violation of criminal law while acting as a School Safety Guardian may assert as a defense, in addition to any other defense available, that, at the time of the action in question, the person was a certified School Safety Guardian, was then actually engaged in the performance of the person's duties as a School Safety Guardian, and had met the requirements of this section at the time of the action in question.

(10) Records relating to the identities of any person designated by the school's governing body to serve as a School Safety Guardian shall be exempt from the provisions of the Mississippi Public Records Act of 1983.

(11) The governing body of a school may contract with a third-party vendor to authorize such vendor to provide personnel who will participate in the School Safety Guardian Program, provided that each participant shall meet all requirements adopted/created by the department to act as a School Safety Guardian.

SECTION 2. Section 45-1-2, Mississippi Code of 1972, is amended as follows:

45-1-2. (1) The Executive Director of the Department of Public Safety shall be the Commissioner of Public Safety.

(2) The Commissioner of Public Safety shall establish the organizational structure of the Department of Public Safety, which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law including, but not limited to:

- (a) Office of Public Safety Planning;
- (b) Office of Mississippi Highway Safety Patrol;
- (c) Office of Mississippi Bureau of Investigation (to be directed by a Lieutenant Colonel of the Mississippi Highway Safety Patrol);
- (d) Office of Forensic Laboratories, which includes the Mississippi Forensics Laboratory and the Office of the State Medical Examiner;
- (e) Office of Law Enforcement Officers' Training Academy;
- (f) Office of Support Services;
- (g) Office of Narcotics, which shall be known as the Bureau of Narcotics;
- (h) Office of Homeland Security;
- (i) Office of Capitol Police;
- (j) Office of Driver Service Bureau; and
- (k) Office of Commercial Transportation Enforcement Division.

(3) The department shall be headed by a commissioner, who shall be appointed by and serve at the pleasure of the Governor. The appointment of the commissioner shall be made with the advice and consent of the Senate. The commissioner shall have, at a minimum, a bachelor's degree from an accredited college or university.

(4) Notwithstanding any provision of law to the contrary, the commissioner shall appoint heads of offices, who shall serve at the pleasure of the commissioner. The commissioner shall have the authority to organize the offices established by subsection (2) of this section as deemed appropriate to carry out the responsibilities of the department. The commissioner may assign to the appropriate offices such powers and duties as deemed appropriate to carry out the department's lawful functions. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The commissioner shall appoint, from within the Department of Public Safety, a statewide safety training officer who shall serve at the pleasure of the commissioner and whose duty it shall be to perform public training for both law enforcement and private persons throughout the state concerning proper emergency response to the mentally ill, terroristic threats or acts, domestic conflict, other conflict resolution, and such other matters as the commissioner may direct.

(6) The commissioner, after consultation with the Mississippi Association of Chiefs of Police and the Mississippi Sheriffs' Association, shall be responsible for establishing guidelines for response to active shooter situations and any related jurisdictional issues.

( \*\* \*7) The commissioner shall establish within the department the Mississippi Office of Homeland Security for the purpose of seeing that the laws are faithfully executed and for the purpose of investigating cyber-related crimes and suppressing crimes of violence and acts of intimidation and terror. The commissioner is hereby authorized to employ within the Office of Homeland Security a director, investigators and other qualified personnel as he may deem necessary to make investigation of cyber-related crimes, crimes of violence and acts of terrorism or intimidation, to aid in the arrest and prosecution of persons charged with such cyber-related crimes, crimes of violence, acts of terrorism or intimidation, or threats of violence and to perform other duties as necessary to accomplish these purposes. Investigators and other law enforcement personnel employed by the commissioner shall have full power to investigate, apprehend, and arrest persons committing cyber-related crimes, acts of violence, intimidation, or terrorism anywhere in the state, and shall be vested with the power of police officers in the performance of such duties as provided herein. Such investigators and other personnel shall perform their duties under the direction of the commissioner, or his designee. The commissioner shall be authorized to offer and pay suitable rewards to other persons for aiding in such investigation and in the apprehension and conviction of persons charged with cyber-related crimes, acts of violence, or threats of violence, or intimidation, or acts of terrorism.

( \*\* \*8) The commissioner shall establish within the Office of Homeland Security a Mississippi Analysis and Information Center (MSAIC Fusion Center) which shall be the highest priority for the allocation of available federal resources for statewide information sharing, including the deployment of personnel and connectivity with federal data systems. Subject to appropriation therefor, the Mississippi Fusion Center shall employ three (3) regional analysts dedicated to analyzing and resolving potential threats identified by the agency's statewide social media intelligence platform and the dissemination of school safety information.

SECTION 3. Section 97-3-15, Mississippi Code of 1972, is amended as follows:

97-3-15. (1) The killing of a human being by the act, procurement or omission of another shall be justifiable in the following cases:



(a) When committed by public officers, or those acting by their aid and assistance, in obedience to any judgment of a competent court;

(b) When necessarily committed by public officers, or those acting by their command in their aid and assistance, in overcoming actual resistance to the execution of some legal process, or to the discharge of any other legal duty;

(c) When necessarily committed by public officers, or those acting by their command in their aid and assistance, in retaking any felon who has been rescued or has escaped;

(d) When necessarily committed by public officers, or those acting by their command in their aid and assistance, in arresting any felon fleeing from justice;

(e) When committed by any person in resisting any attempt unlawfully to kill such person or to commit any felony upon him, or upon or in any dwelling, in any occupied vehicle, in any place of business, in any place of employment or in the immediate premises thereof in which such person shall be;

(f) When committed in the lawful defense of one's own person or any other human being, where there shall be reasonable ground to apprehend a design to commit a felony or to do some great personal injury, and there shall be imminent danger of such design being accomplished;

(g) When necessarily committed in attempting by lawful ways and means to apprehend any person for any felony committed;

(h) When necessarily committed in lawfully suppressing any riot or in lawfully keeping and preserving the peace; \* \* \*

(i) When necessarily committed in the performance of duty as a member of a church or place of worship security program as described in Section 45-9-171 \* \* \*; and

(j) When necessarily committed in the performance of duty as a member of a School Safety Guardian Program as described in Section 45-9-181.

(2) (a) As used in subsection (1)(c) and (d) of this section, the term "when necessarily committed" means that a public officer or a person acting by or at the officer's command, aid or assistance is authorized to use such force as necessary in securing and detaining the felon offender, overcoming the offender's resistance, preventing the offender's escape, recapturing the offender if the offender escapes or in protecting himself or others from bodily harm; but such officer or person shall not be authorized to resort to deadly or dangerous means when to do so would be unreasonable under the circumstances. The public officer or person acting by or at the officer's command may act upon a reasonable apprehension of the surrounding circumstances; however, such officer or person shall not use excessive force or force that is greater than reasonably necessary in securing and detaining the offender, overcoming the offender's resistance, preventing the offender's escape, recapturing the offender if the offender escapes or in protecting himself or others from bodily harm.

(b) As used in subsection (1)(c) and (d) of this section, the term "felon" shall include an offender who has been convicted of a felony and shall also include an offender who is in custody, or whose custody is being sought, on a charge or for an offense which is punishable, upon conviction, by death or confinement in the Penitentiary.

(c) As used in subsections (1)(e) and (3) of this section, "dwelling" means a building or conveyance of any kind that has a roof over it, whether the building or conveyance is temporary or permanent, mobile or immobile, including a tent, that is designed to be occupied by people lodging therein at night, including any attached porch.

(3) A person who uses defensive force shall be presumed to have reasonably feared imminent death or great bodily harm, or the commission of a felony upon him or another or upon his dwelling, or against a vehicle which he was occupying, or against his business or place of employment or the immediate premises of such business or place of employment, if the person against whom the defensive force was used, was in the process of unlawfully and forcibly entering, or had unlawfully and forcibly entered, a dwelling, occupied vehicle, business, place of employment or the immediate premises thereof or if that person had unlawfully removed or was attempting to unlawfully remove another against the other person's will from that dwelling, occupied vehicle, business, place of employment or the immediate premises thereof and the person who used defensive force knew or had reason to believe that the forcible entry or unlawful and forcible act was occurring or had occurred. This presumption shall not apply if the person against whom defensive force was used has a right to be in or is a lawful resident or owner of the dwelling, vehicle, business, place of employment or the immediate premises thereof or is the lawful resident or owner of the dwelling, vehicle, business, place of employment or the immediate premises thereof or if the person who uses defensive force is engaged in unlawful activity or if the person is a law enforcement officer engaged in the performance of his official duties.

(4) A person who is not the initial aggressor and is not engaged in unlawful activity shall have no duty to retreat before using deadly force under subsection (1)(e) or (f) of this section if the person is in a place where the person has a right to be, and no finder of fact shall be permitted to consider the person's failure to retreat as evidence that the person's use of force was unnecessary, excessive or unreasonable.

(5) (a) The presumptions contained in subsection (3) of this section shall apply in civil cases in which self-defense or defense of another is claimed as a defense.

(b) The court shall award reasonable attorney's fees, court costs, compensation for loss of income, and all expenses incurred by the defendant in defense of any civil action brought by a plaintiff if the court finds that the defendant acted in accordance with subsection (1)(e) or (f) of this section. A defendant who has previously been adjudicated "not guilty" of any crime by reason of subsection (1)(e) or (f) of this section shall be immune from any civil action for damages arising from the same conduct.

SECTION 4. Section 97-37-9, Mississippi Code of 1972, is amended as follows:

97-37-9. Any person indicted or charged for a violation of Section 97-37-1 may show as a defense:

(a) That he was threatened, and had good and sufficient reason to apprehend a serious attack from any enemy, and that he did so apprehend; or

(b) That he was traveling and was not a tramp, or was setting out on a journey and was not a tramp; or

(c) That he was a law enforcement or peace officer in the discharge of his duties; or

(d) That he was at the time in the discharge of his duties as a mail carrier; or

(e) That he was at the time engaged in transporting valuables for an express company or bank; or

(f) That he was a member of the Armed Forces of the United States, National Guard, State Militia, Emergency Management Corps, guard or patrolman in a state or municipal institution while in the performance of his official duties; or

(g) That he was in lawful pursuit of a felon; or

(h) That he was lawfully engaged in legitimate sports; or

(i) That at the time he was a company guard, bank guard, watchman, or other person enumerated in Section 97-37-7, and was then actually engaged in the performance of his duties as such, and then held a valid permit from the sheriff, the commissioner of public safety, or a valid permit issued by the Secretary of State prior to May 1, 1974, to carry the weapon; and the burden of proving either of said defenses shall be on the accused; or

(j) That at the time he or she was a member of a church or place of worship security program, and was then actually engaged in the performance of his or her duties as such and met the requirements of Section 45-9-171 \* \* \* or;

(k) That at the time he or she was certified under a School Safety Guardian Program, and was then actually engaged in the performance of his or her duties under the program and met the requirements of Section 45-9-181.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 45-9-181, MISSISSIPPI CODE OF 1972, TO ENACT THE MISSISSIPPI SCHOOL SAFETY GUARDIAN ACT; TO DEFINE TERMS; TO ESTABLISH THE SCHOOL SAFETY GUARDIAN TRAINING PROGRAM WITHIN THE OFFICE OF HOMELAND SECURITY WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AUTHORIZE THE GOVERNING BODY OF A SCHOOL TO ESTABLISH A SCHOOL SAFETY GUARDIAN PROGRAM; TO PROVIDE CIVIL IMMUNITY UNDER CERTAIN CIRCUMSTANCES FOR SCHOOL SAFETY GUARDIANS WHO COMPLY WITH THE ACT; TO EXEMPT THE IDENTITY OF SCHOOL SAFETY GUARDIANS FROM PUBLIC DISCLOSURE; TO PROVIDE MINIMUM REQUIREMENT FOR THE TRAINING PROGRAM; TO ENACT STANDARDS; TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO DIRECT THE COMMISSIONER TO ESTABLISH GUIDELINES FOR ACTIVE SHOOTER SITUATIONS; TO AMEND SECTION 97-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM THE INSTANCES OF JUSTIFIABLE HOMICIDE; TO AMEND SECTION 97-37-9, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFENSES TO A CHARGE OF UNLAWFULLY CARRYING OF A CONCEALED WEAPON; AND FOR RELATED PURPOSES.

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Senator Harkins called up the following House Amendment to **S. B. No. 2696** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.43, Mississippi Code of 1972, is amended as follows:

27-7-22.43. (1) This section shall be known and may be cited as the "Pregnancy Resource Act."

(2) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is a pregnancy resource center or crisis pregnancy center eligible to receive funding disbursed by the Choose Life Advisory Committee, Choose Life Mississippi or any successor entity under Section 27-19-56.70, 27-19-56.277 and/or 27-19-56.412.

(3) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. For calendar year 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2023, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(4) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(5) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(6) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(7) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(8) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(9) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(10) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). However, for calendar year 2023, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00). For credits allocated during a calendar year for contributions to eligible charitable organizations, no more than fifty percent (50%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 2. Section 27-7-22.32, Mississippi Code of 1972, is amended as follows:

\* \* \*

27-7-22.32. (1) (a) There shall be allowed as a credit against the tax imposed by this chapter the amount of the qualified adoption expenses paid or incurred, not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), for each dependent child legally adopted by a taxpayer under the laws of this state during calendar year 2006 or during

any calendar year thereafter through calendar year 2017, \* \* \* not to exceed Five Thousand Dollars (\$5,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state during any calendar year thereafter through calendar year 2022, and not to exceed Ten Thousand Dollars (\$10,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (a) may not claim a credit under paragraph (b) of this subsection for the adoption of the same child.

(b) There shall be allowed as a credit against the tax imposed by this chapter the amount of Five Thousand Dollars (\$5,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state through the Mississippi Department of Child Protection Services during calendar year 2018 or during any calendar year thereafter through calendar year 2022, and the amount of Ten Thousand Dollars (\$10,000.00) for each dependent child legally adopted by a taxpayer under the laws of this state through the Mississippi Department of Child Protection Services during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (b) may not claim a credit under paragraph (a) of this subsection for the adoption of the same child.

(2) The tax credit under this section may be claimed for the taxable year in which the adoption becomes final under the laws of this state. Any tax credit claimed under this section but not used in any taxable year may be carried forward for the five (5) succeeding tax years. A tax credit is allowed under this section for any child for which an exemption is claimed during the same taxable year under Section 27-7-21(e). For the purposes of this section, the term "qualified adoption expenses" means and has the same definition as that term has in 26 USCS \* \* \* 23.

\* \* \*

SECTION 3. Section 27-7-22.39, Mississippi Code of 1972, is amended as follows:

27-7-22.39. (1) As used in this section:

(a) "Low-income residents" means persons whose household income is less than one hundred fifty percent (150%) of the federal poverty level.

(b) "Qualifying charitable organization" means a charitable organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code or is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901. The organization must spend at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits or low-income residents of this state and their households or to children who have a chronic illness or physical, intellectual, developmental or emotional disability who are residents of this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. Taxpayers choosing to make donations through an umbrella charitable organization that collects donations on behalf of member charities shall designate that the donation be directed to a member charitable organization that would qualify under this section on a stand-alone basis. Qualifying charitable organization does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

(c) "Qualifying foster care charitable organization" means a qualifying charitable organization that each operating year provides services to at least one hundred

(100) qualified individuals in this state and spends at least fifty percent (50%) of its budget on services to qualified individuals in this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying foster care charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. For the purposes of this paragraph, "qualified individual" means a child in a foster care placement program established by the Department of Child Protection Services, a child placed under the Safe Families for Children model, or a child at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(d) "Services" means:

(i) Cash assistance, medical care, child care, food, clothing, shelter, and job-placement services or any other assistance that is reasonably necessary to meet immediate basic needs and that is provided and used in this state;

(ii) Job-training or education services or funding for parents, foster parents or guardians; or (iii) Job-training or education services or funding provided as part of a foster care independent living program.

(2) (a) Except as provided in subsections (3) and (4) of this section, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by the taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization, through calendar year 2022, not to exceed:

( \*\* \*i) The lesser of Four Hundred Dollars (\$400.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

( \*\* \*ii) The lesser of Eight Hundred Dollars (\$800.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(b) Except as provided in subsections (3) and (4) of this section, from and after January 1, 2023, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by the individual taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the individual taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by this chapter and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this paragraph but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(3) (a) A separate credit is allowed against the taxes imposed by this chapter for voluntary cash contributions during the taxable year to a qualifying foster care charitable organization. A contribution to a qualifying foster care charitable organization does not qualify for, and shall not be included in, any credit amount under subsection (2) of this section. If the voluntary cash contribution by the taxpayer is to a qualifying foster care charitable organization, through calendar year 2022, the credit shall not exceed:

( \*\* \*i) The lesser of Five Hundred Dollars (\$500.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

( \* \* \*ii) The lesser of One Thousand Dollars (\$1,000.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(b) From and after January 1, 2023, a separate credit is allowed against the taxes imposed by this chapter for voluntary cash contributions during the taxable year to a qualifying foster care charitable organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the individual taxpayer during the taxable year to a qualifying foster care charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by this chapter and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this paragraph but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(4) Subsections (2) and (3) of this section provide separate credits against taxes imposed by this chapter depending on the recipients of the contributions. A taxpayer, including a married couple filing a joint return, in the same taxable year, may either or both:

(a) Contribute to a qualifying charitable organization, other than a qualifying foster care charitable organization, and claim a credit under subsection (2) of this section.

(b) Contribute to a qualifying foster care charitable organization and claim a credit under subsection (3) of this section.

(5) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(6) Except as otherwise provided in subsections (2) and (3) of this section, if the allowable tax credit exceeds the taxes otherwise due under this chapter on the claimant's income, or if there are no taxes due under this chapter, the taxpayer may carry forward the amount of the claim not used to offset the taxes under this chapter for not more than five (5) consecutive taxable years' income tax liability.

(7) The credit allowed by this section is in lieu of a deduction pursuant to Section 170 of the Internal Revenue Code and taken for state tax purposes.

(8) Taxpayers taking a credit authorized by this section shall provide the name of the qualifying charitable organization and the amount of the contribution to the department on forms provided by the department.

(9) A qualifying charitable organization shall provide the department with a written certification that it meets all criteria to be considered a qualifying charitable organization. The organization shall also notify the department of any changes that may affect the qualifications under this section.

(10) The charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code or verification that the organization is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901.



(b) Financial data indicating the organization's budget for the organization's prior operating year and the amount of that budget spent on services to residents of this state who either:

(i) Receive temporary assistance for needy families benefits;

(ii) Are low-income residents of this state;

(iii) Are children who have a chronic illness or physical, intellectual, developmental or emotional disability; or

(iv) Are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(c) A statement that the organization plans to continue spending at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits, who are low-income residents of this state, who are children who have a chronic illness or physical, intellectual, developmental or emotional disability or who are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements for a qualifying charitable organization or qualifying foster care charitable organization except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi shall submit a statement that it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and that one hundred percent (100%) of the voluntary cash contributions it receives from Mississippi taxpayers will be spent on services to qualified individuals in Mississippi.

(d) In the case of a foster care charitable organization, a statement that each operating year it provides services to at least one hundred (100) qualified individuals in this state.

(e) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions.

(f) Any other information that the department requires to administer this section.

(11) The department shall review each written certification and determine whether the organization meets all the criteria to be considered a qualifying charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of the qualifying charitable organizations.

(12) The aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed Three Million Dollars (\$3,000,000.00). However, for calendar year 2021, and for each calendar year thereafter, the aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed One Million Dollars (\$1,000,000.00). In addition, any tax credits not awarded under this section before June 1, 2020, may be allocated during calendar year 2020 under Section 27-7-22.41 for contributions by taxpayers to eligible charitable organizations described in Section

27-7-22.41(1)(b)(ii) as provided under such section, notwithstanding any limitation on the percentage of tax credits that may be allocated for such contributions.

(13) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(14) This section shall be repealed from and after January 1, 2025.

SECTION 4. Section 27-7-22.41, Mississippi Code of 1972, is brought forward as follows:

27-7-22.41. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is:

(i) Licensed by or under contract with the Mississippi Department of Child Protection Services and provides services for:

1. The prevention and diversion of children from custody with the Department of Child Protection Services,

2. The safety, care and well-being of children in custody with the Department of Child Protection Services, or

3. The express purpose of creating permanency for children through adoption; or

(ii) Certified by the department as an educational services charitable organization that is accredited by a regional accrediting organization and provides services to:

1. Children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model, or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services,

2. Children who have a chronic illness or physical, intellectual, developmental or emotional disability, or

3. Children eligible for free or reduced price meals programs under Section 37-11-7, or selected for participation in the Promise Neighborhoods Program sponsored by the U.S. Department of Education.

(2) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution to an eligible charitable organization for which a credit is claimed under this section does not qualify for and shall not be included in any credit that may be claimed under Section 27-7-22.39.

(c) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(3) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(4) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. An eligible charitable organization must also provide the department with written documented proof of its license and/or written contract with the Mississippi Department of Child Protection Services. The organization shall also notify the department of any changes that may affect eligibility under this section.

(5) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) A statement that the funds generated from the tax credit shall be used for educational resources, staff and expenditures and/or other purposes described in this section.

(d) Any other information that the department requires to administer this section.

(6) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization

and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(7) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(8) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) A taxpayer who applied for a tax credit under this section during calendar year 2020, but who was unable to be awarded the credit due to the limit on the aggregate amount of credits authorized for calendar year 2020, shall be given priority for tax credits authorized to be allocated to taxpayers under this section by Section 27-7-22.39.

(c) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(9) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Five Million Dollars (\$5,000,000.00), and not more than fifty percent (50%) of tax credits allocated during a calendar year may be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section. However, for calendar year 2021, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00), for calendar year 2022, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Sixteen Million Dollars (\$16,000,000.00), and for calendar year 2023, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Eighteen Million Dollars (\$18,000,000.00). For calendar year 2021, and for each calendar year thereafter, fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section and fifty percent (50%) of the tax credits allocated during a calendar year shall be allocated for contributions to eligible charitable organizations described in subsection

(1)(b)(ii) of this section. For calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(i) of this section, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization. Except as otherwise provided in this section, for calendar year 2021, and for each calendar year thereafter, for credits allocated during a calendar year for contributions to eligible charitable organizations described in subsection (1)(b)(ii) of this section, no more than four and one-half percent (4-1/2%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 5. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible transitional home organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code that provides transitional housing for homeless persons age twenty-five (25) and under, homeless families and/or homeless and/or referred unwed pregnant women.

"Eligible transitional home organization" does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

"Eligible transitional home organization" does not include any entity that charges a fee for the services and/or benefits it provides as an eligible transitional home organization. The prohibition against charging a fee for services and/or benefits is limited to services and benefits the entity provides as an eligible transitional home organization and does not apply to any other services and/or benefits the entity may provide to persons not being served by the entity's transitional home services.

(c) "Transitional housing" means temporary housing the purpose of which is to provide homeless persons age twenty-five (25) and under, homeless families and/or homeless and/or referred unwed pregnant women with temporary shelter and facilitate their movement to permanent housing within an amount of time that the eligible transitional home organization determines to be appropriate.

"Transitional housing" includes a program designed by the eligible transitional home organization that offers structure, supervision, support, life skills, education and training as the eligible transitional home organization determines to be appropriate for each individual and/or family to achieve and/or maintain independence.

(2) (a) (i) The tax credit authorized in this subsection shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible transitional home organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible transitional home organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A contribution to an eligible transitional home organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (3) of this section.

(iii) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible transitional home organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible transitional home organization shall provide the department with a written certification that it meets all criteria to be considered an eligible transitional home organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(d) The eligible transitional home organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) Information about the facilities that demonstrate the applicant's ability to provide housing for homeless persons age twenty-five (25) and under, homeless families, and/or homeless and/or referred unwed pregnant women;

(iii) Sufficient materials to document the program of the applicant that demonstrate that the applicant has and runs a program that offers structure, supervision, support, life skills, education and training as the eligible transitional home organization determines to be appropriate for each individual and/or family to achieve and/or maintain independence;

(iv) A statement that the organization does not charge a fee for services or benefits provided in whole or in part by its transitional housing program; and

(v) Any other information that the department requires to administer this section.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible transitional home organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible transitional home organizations.

(f) Tax credits authorized by this subsection that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(g) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty

(30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(h) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00). For credits allocated during a calendar year for contributions to eligible transitional home organizations, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible transitional home organization.

(3) (a) (i) Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by an individual taxpayer during the taxable year to an eligible transitional home organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by an individual taxpayer during the taxable year to an eligible transitional home organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by this chapter and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(iii) A contribution to an eligible transitional home organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (2) of this section.

(iv) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible transitional home organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible transitional home organization shall provide the department with a written certification that it meets all criteria to be considered an eligible transitional home organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(d) The eligible transitional housing organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) Information about the facilities that demonstrate the applicant's ability to provide housing for homeless persons age twenty-five (25) and under, homeless families, and/or homeless and/or referred unwed pregnant women;

(iii) Sufficient materials to document the program of the applicant that demonstrate that the applicant has and runs a program that offers structure, supervision, support, life skills, education and training as the eligible transitional home organization determines to be appropriate for each individual and/or family to achieve and/or maintain independence;

(iv) A statement that the organization does not charge a fee for services or benefits provided in whole or in part by its transitional housing program; and

(v) Any other information that the department requires to administer this section.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible transitional home organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible transitional home organizations.

(f) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(g) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed One Million Dollars (\$1,000,000.00).



SECTION 6. (1) (a) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(i) "Department" means the Department of Revenue.

(ii) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and spends at least

fifty percent (50%) of its budget on contracting or making other agreements or arrangements with physicians and/or nurse practitioners to provide health care services to low-income residents of this state including those who are mothers and to their households.

"Eligible charitable organization" does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

(iii) "Low-income residents" means persons whose household income does not exceed one hundred eighty-five percent (185%) of the federal poverty level converted to a modified adjusted gross income equivalent standard.

(iv) "Nurse practitioner" means a nurse practitioner certified under Section 73-15-20, Mississippi Code of 1972.

(v) "Physician" means an individual licensed to practice medicine or osteopathic medicine under Section 73-25-1 et seq., Mississippi Code of 1972.

(2) (a) (i) The tax credit authorized in this subsection shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A contribution to an eligible charitable organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (3) of this section.

(iii) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable

organization. The organization shall also notify the department of any changes that may affect eligibility under this subsection.

(d) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(iii) Any other information that the department requires to administer this subsection.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(f) Tax credits authorized by this subsection that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(g) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(h) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed Three Million Dollars (\$3,000,000.00).

(3) (a) (i) Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by an individual taxpayer during the taxable year to an eligible charitable organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by this chapter and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(iii) A contribution to an eligible charitable organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (2) of this section.

(iv) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this subsection.

(d) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(iii) Any other information that the department requires to administer this subsection.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(f) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application.

However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(g) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed One Million Dollars (\$1,000,000.00).

SECTION 7. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Employment-related expenses" means and has the same definition as such term has in 26 USCS Section 21.

(b) "Qualifying individual" means and has the same definition as such term has in 26 USCS Section 21(b)(1)(A).

(2) Subject to the provisions of this section, any taxpayer allowed to claim a federal income tax credit under 26 USCS Section 21 for employment-related expenses incurred related to one (1) or more qualifying individuals shall be allowed a credit against the taxes imposed under this chapter in the manner prescribed in this section. The amount of the credit shall be equal to fifty percent (50%) of the amount of the federal income tax credit lawfully claimed by the taxpayer for such employment-related expenses on the taxpayer's federal income tax return. However, the amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed the total tax liability of the taxpayer for the taxes imposed under this chapter. In order to claim the credit provided for in this section, a taxpayer must claim the federal income tax credit on the taxpayer's federal income tax return and have an adjusted gross income for such return of not more than Fifty Thousand Dollars (\$50,000.00). A taxpayer must provide a copy of such return and any other information required by the department.

SECTION 8. Sections 5, 6, and 7 of this act shall be codified as new sections in Chapter 7, Title 27, Mississippi Code of 1972.

SECTION 9. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws, insurance premium tax laws or ad valorem tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws, insurance premium tax laws and ad valorem tax laws are expressly continued in full force, effect and operation for the purpose of the

assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 10. This act shall take effect and be in force from and after January 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.43, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS UNDER THE PREGNANCY RESOURCE ACT, TO INCREASE THE AMOUNT OF CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION; TO REFLECT THE CHANGE OF THE NAME OF THE CHOOSE LIFE ADVISORY COMMITTEE TO CHOOSE LIFE MISSISSIPPI; TO REVISE THE TAXPAYERS ELIGIBLE FOR AN AD VALOREM TAX CREDIT FOR SUCH CONTRIBUTIONS; TO AMEND SECTION 27-7-22.32, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR EXPENSES INCURRED FOR THE ADOPTION OF A CHILD, TO INCREASE THE AMOUNT OF THE CREDIT AND TO DELETE THE REVERTER ON THE PROVISION OF LAW THAT INCREASES THE MAXIMUM AMOUNT OF THE TAX CREDIT FROM \$2,500 TO \$5,000 PER CHILD AND THE PROVISION THAT AUTHORIZES AN INCOME TAX CREDIT FOR A CHILD ADOPTED THROUGH THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 27-7-22.39, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES INCOME TAX CREDITS FOR VOLUNTARY CASH CONTRIBUTIONS TO QUALIFYING CHARITABLE ORGANIZATIONS AND QUALIFYING FOSTER CARE CHARITABLE ORGANIZATIONS, TO REVISE THE AMOUNT OF CREDIT THAT A TAXPAYER IS ALLOWED TO CLAIM FOR SUCH A VOLUNTARY CASH CONTRIBUTION; TO BRING FORWARD SECTION 27-7-22.41, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS, FOR THE PURPOSES OF POSSIBLE AMENDMENT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY TAXPAYERS TO ELIGIBLE TRANSITIONAL HOME ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE TRANSITIONAL HOME ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR A TAX CREDIT AUTHORIZED BY THIS ACT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY TAXPAYERS TO ELIGIBLE CHARITABLE ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE CHARITABLE ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR A TAX CREDIT AUTHORIZED BY THIS ACT; TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS CLAIMING A FEDERAL INCOME TAX CREDIT FOR CERTAIN DEPENDENT CARE EXPENSES; TO PROVIDE THE AMOUNT OF THE CREDIT; AND FOR RELATED PURPOSES.

Senator Harkins called up the following House Amendment to **S. B. No. 2862** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-65-101, Mississippi Code of 1972, is amended as follows:

27-65-101. (1) The exemptions from the provisions of this chapter which are of an industrial nature or which are more properly classified as industrial exemptions than any other exemption classification of this chapter shall be confined to those persons or property exempted by this section or by the provisions of the Constitution of the United States or the State of Mississippi. No industrial exemption as now provided by any other section except Section 57-3-33 shall be valid as against the tax herein levied. Any subsequent industrial exemption from the tax levied hereunder shall be provided by amendment to this section. No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21.

The tax levied by this chapter shall not apply to the following:

(a) Sales of boxes, crates, cartons, cans, bottles and other packaging materials to manufacturers and wholesalers for use as containers or shipping materials to accompany goods sold by said manufacturers or wholesalers where possession thereof will pass to the customer at the time of sale of the goods contained therein and sales to anyone of containers or shipping materials for use in ships engaged in international commerce.

(b) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) to a manufacturer for use directly in manufacturing or processing a product for sale or rental or repairing or reconditioning vessels or barges of fifty (50) tons load displacement and over. For the purposes of this exemption, electricity used directly in the electrolysis process in the production of sodium chlorate shall be considered a raw material. This exemption shall not apply to any property used as fuel except to the extent that such fuel comprises by-products which have no market value.

(c) The gross proceeds of sales of dry docks, offshore drilling equipment for use in oil or natural gas exploration or production, vessels or barges of fifty (50) tons load displacement and over, when the vessels or barges are sold by the manufacturer or builder thereof. In addition to other types of equipment, offshore drilling equipment for use in oil or natural gas exploration or production shall include aircraft used predominately to transport passengers or property to or from offshore oil or natural gas exploration or production platforms or vessels, and engines, accessories and spare parts for such aircraft.

(d) Sales to commercial fishermen of commercial fishing boats of over five (5) tons load displacement and not more than fifty (50) tons load displacement as registered with the United States Coast Guard and licensed by the Mississippi Commission on Marine Resources.

(e) The gross income from repairs to vessels and barges engaged in foreign trade or interstate transportation.

(f) Sales of petroleum products to vessels or barges for consumption in marine international commerce or interstate transportation businesses.

(g) Sales and rentals of rail rolling stock (and component parts thereof) for ultimate use in interstate commerce and gross income from services with respect to manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof).

(h) Sales of raw materials, catalysts, processing chemicals, welding gases or other industrial processing gases (except natural gas) used or consumed directly in manufacturing, repairing, cleaning, altering, reconditioning or improving such rail rolling stock (and component parts thereof). This exemption shall not apply to any property used as fuel.

(i) Sales of machinery or tools or repair parts therefor or replacements thereof, fuel or supplies used directly in manufacturing, converting or repairing ships, vessels or barges of three thousand (3,000) tons load displacement and over, but not to include office and plant supplies or other equipment not directly used on the ship, vessel or barge being built, converted or repaired. For purposes of this exemption, "ships, vessels or barges" shall not include floating structures described in Section 27-65-18.

(j) Sales of tangible personal property to persons operating ships in international commerce for use or consumption on board such ships. This exemption shall be limited to cases in which procedures satisfactory to the commissioner, ensuring against use in this state other than on such ships, are established.

(k) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-51-5, which are located in a county or portion thereof designated as an enterprise zone pursuant to Sections 57-51-1 through 57-51-15.

(l) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-54-5.

(m) Income from storage and handling of perishable goods by a public storage warehouse.

(n) The value of natural gas lawfully injected into the earth for cycling, repressuring or lifting of oil, or lawfully vented or flared in connection with the production of oil; however, if any gas so injected into the earth is sold for such purposes, then the gas so sold shall not be exempt.

(o) The gross collections from self-service commercial laundering, drying, cleaning and pressing equipment.

(p) Sales of materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the building, or any addition thereon, to be used therein, to qualified companies, certified as such by the Mississippi Development Authority under Section 57-53-1.

(q) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Three areas (as such term is defined in Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph (q). The exemption provided in this paragraph (q) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(r) (i) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company establishing or transferring its national or regional headquarters from within or outside the State of Mississippi and creating a minimum of twenty (20) jobs at the new headquarters in this state. The exemption provided in this subparagraph (i) shall not apply to sales for any company that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (i).

(ii) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of the building, addition or improvement thereon, to be used therein, for any company expanding or making additions after January 1, 2013, to its national or regional headquarters within the State of Mississippi and creating a minimum of twenty (20) new jobs at the headquarters as a result of the expansion or additions. The exemption provided in this subparagraph (ii) shall not apply to sales for any company that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act. The Department of Revenue shall establish criteria and prescribe procedures to determine if a company qualifies as a national or regional headquarters for the purpose of receiving the exemption provided in this subparagraph (ii).

(s) The gross proceeds from the sale of semitrailers, trailers, boats, travel trailers, motorcycles, all-terrain cycles and rotary-wing aircraft if exported from this state within forty-eight (48) hours and registered and first used in another state.

(t) Gross income from the storage and handling of natural gas in underground salt domes and in other underground reservoirs, caverns, structures and formations suitable for such storage.

(u) Sales of machinery and equipment to nonprofit organizations if the organization:

(i) Is tax exempt pursuant to Section 501(c)(4) of the Internal Revenue Code of 1986, as amended;

(ii) Assists in the implementation of the contingency plan or area contingency plan, and which is created in response to the requirements of Title IV, Subtitle B of the Oil Pollution Act of 1990, Public Law 101-380; and

(iii) Engages primarily in programs to contain, clean up and otherwise mitigate spills of oil or other substances occurring in the United States coastal and tidal waters.



For purposes of this exemption, "machinery and equipment" means any ocean-going vessels, barges, booms, skimmers and other capital equipment used primarily in the operations of nonprofit organizations referred to herein.

(v) Sales or leases of materials and equipment to approved business enterprises as provided under the Growth and Prosperity Act.

(w) From and after July 1, 2001, sales of pollution control equipment to manufacturers or custom processors for industrial use. For the purposes of this exemption, "pollution control equipment" means equipment, devices, machinery or systems used or acquired to prevent, control, monitor or reduce air, water or groundwater pollution, or solid or hazardous waste as required by federal or state law or regulation.

(x) Sales or leases to a manufacturer of motor vehicles or powertrain components operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi) or Section 57-75-5(f)(xxii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacture of motor vehicles or motor vehicle parts or used to provide climate control for manufacturing areas.

(y) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(iv)1, Section 57-75-5(f)(xxi), Section 57-75-5(f)(xxii) or Section 57-75-5(f)(xxviii) and any other sales or leases required to establish or operate such project.

(z) Sales of component materials and equipment to a business enterprise as provided under Section 57-64-33.

(aa) The gross income from the stripping and painting of commercial aircraft engaged in foreign or interstate transportation business.

(bb) [Repealed]

(cc) Sales or leases to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) of machinery and equipment; special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal and natural gas used directly in the manufacturing/production operations of the project or used to provide climate control for manufacturing/production areas.

(dd) Sales or leases of component materials, machinery and equipment used in the construction of a building, or any addition or improvement thereon to an enterprise owning or operating a project that has been designated by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xviii) and any other sales or leases required to establish or operate such project.

(ee) Sales of parts used in the repair and servicing of aircraft not registered in Mississippi engaged exclusively in the business of foreign or interstate transportation to businesses engaged in aircraft repair and maintenance.

(ff) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any

addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), meeting minimum criteria established by the Mississippi Development Authority. The exemption provided in this paragraph (ff) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(gg) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the facility or any addition or improvement thereto, to technology intensive enterprises for industrial purposes in Tier Three areas (as such areas are designated in accordance with Section 57-73-21), as certified by the Department of Revenue. For purposes of this paragraph, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology intensive enterprise.

(hh) Sales of component materials used in the replacement, reconstruction or repair of a building or facility that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises or companies that were eligible for the exemptions authorized in paragraph (q), (r), (ff) or (gg) of this subsection during initial construction of the building that was destroyed or damaged, which enterprises or companies are certified by the Department of Revenue as being eligible for the exemption granted in this paragraph.

(ii) Sales of software or software services transmitted by the Internet to a destination outside the State of Mississippi where the first use of such software or software services by the purchaser occurs outside the State of Mississippi.

(jj) Gross income of public storage warehouses derived from the temporary storage of raw materials that are to be used in an eligible facility as defined in Section 27-7-22.35.

(kk) Sales of component building materials and equipment for initial construction of facilities or expansion of facilities as authorized under Sections 57-113-1 through 57-113-7 and Sections 57-113-21 through 57-113-27.

(ll) Sales and leases of machinery and equipment acquired in the initial construction to establish facilities as authorized in Sections 57-113-1 through 57-113-7.

(mm) Sales and leases of replacement hardware, software or other necessary technology to operate a data center as authorized under Sections 57-113-21 through 57-113-27.

(nn) Sales of component materials used in the construction of a building, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of the construction of the facility, to be used in the facility, to permanent business enterprises operating a facility producing renewable crude oil from biomass harvested or produced, in whole or in part, in Mississippi, which businesses meet minimum criteria established by the Mississippi Development Authority. As used in this paragraph, the term "biomass" shall have the meaning ascribed to such term in Section 57-113-1.

(oo) Sales of supplies, equipment and other personal property to an organization that is exempt from taxation under Section 501(c)(3) of the Internal Revenue

Code and is the host organization coordinating a professional golf tournament played or to be played in this state and the supplies, equipment or other personal property will be used for purposes related to the golf tournament and related activities.

(pp) Sales of materials used in the construction of a health care industry facility, as defined in Section 57-117-3, or any addition or improvement thereon, and sales of any machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition thereon, to be used therein, to qualified businesses, as defined in Section 57-117-3. This paragraph shall be repealed from and after July 1, 2025.

(qq) Sales or leases to a manufacturer of automotive parts operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxviii) of machinery and equipment; or repair parts therefor or replacements thereof; repair services thereon; fuel, supplies, electricity, coal, nitrogen and natural gas used directly in the manufacture of automotive parts or used to provide climate control for manufacturing areas.

(rr) Gross collections derived from guided tours on any navigable waters of this state, which include providing accommodations, guide services and/or related equipment operated by or under the direction of the person providing the tour, for the purposes of outdoor tourism. The exemption provided in this paragraph (rr) does not apply to the sale of tangible personal property by a person providing such tours.

(ss) Retail sales of truck-tractors and semitrailers used in interstate commerce and registered under the International Registration Plan (IRP) or any similar reciprocity agreement or compact relating to the proportional registration of commercial vehicles entered into as provided for in Section 27-19-143.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales or leases to an enterprise and its affiliates operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxix) of:

(i) All personal property and fixtures, including without limitation, sales or leases to the enterprise and its affiliates of:

1. Manufacturing machinery and equipment;
2. Special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes;
3. Component building materials, machinery and equipment used in the construction of buildings, and any other additions or improvements to the project site for the project;
4. Nonmanufacturing furniture, fixtures and equipment (inclusive of all communications, computer, server, software and other hardware equipment); and
5. Fuel, supplies (other than nonmanufacturing consumable supplies and water), electricity, nitrogen gas and natural gas used directly in the manufacturing/production operations of such project or used to provide climate control for manufacturing/production areas of such project;

(ii) All replacements of, repair parts for or services to repair items described in subparagraph (i) 1, 2 and 3 of this paragraph; and

(iii) All services taxable pursuant to Section 27-65-23 required to establish, support, operate, repair and/or maintain such project.

(vv) Sales or leases to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxx) of:

(i) Purchases required to establish and operate the project, including, but not limited to, sales of component building materials, machinery and equipment required to establish the project facility and any additions or improvements thereon; and

(ii) Machinery, special tools (such as dies, molds, and jigs) or repair parts thereof, or replacements and lease thereof, repair services thereon, fuel, supplies and electricity, coal and natural gas used in the manufacturing process and purchased by the enterprise owning or operating the project for the benefit of the project.

(ww) Sales of component materials used in the construction of a building, or any expansion or improvement thereon, sales of machinery and/or equipment to be used therein, and sales of processing machinery and equipment which is permanently attached to the ground or to a permanent foundation which is not by its nature intended to be housed in a building structure, no later than three (3) months after initial startup, expansion or improvement of a permanent enterprise solely engaged in the conversion of natural sand into proppants used in oil and gas exploration and development with at least ninety-five percent (95%) of such proppants used in the production of oil and/or gas from horizontally drilled wells and/or horizontally drilled recompletion wells as defined in Sections 27-25-501 and 27-25-701.

(xx) (i) Sales or leases to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxxi), for a period ending no later than one (1) year following completion of the construction of the facility or facilities comprising such project of all personal property and fixtures, including without limitation, sales or leases to the enterprise and its affiliates of:

1. Manufacturing machinery and equipment;
2. Special tooling such as dies, molds, jigs and similar items treated as special tooling for federal income tax purposes;
3. Component building materials, machinery and equipment used in the construction of buildings, and any other additions or improvements to the project site for the project;
4. Nonmanufacturing furniture, fixtures and equipment (inclusive of all communications, computer, server, software and other hardware equipment);
5. Replacements of, repair parts for or services to repair items described in this subparagraph (i) 1, 2 and 3; and
6. All services taxable pursuant to Section 27-65-23 required to establish, support, operate, repair and/or maintain such project; and

(ii) Sales or leases to an enterprise operating a project that has been certified by the Mississippi Major Economic Impact Authority as a project as defined in Section 57-75-5(f)(xxxi) of electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel, biomass, nitrogen or other atmospheric or other industrial gases used directly by the enterprise in the manufacturing/production operations of its

project or used to provide climate control for manufacturing/production areas (which manufacturing/production areas shall be apportioned based on square footage). As used in this paragraph, the term "biomass" shall have the meaning ascribed to such term in Section 57-113-1.

(yy) The gross proceeds from the sale of any item of tangible personal property by the manufacturer or custom processor thereof, if such item is shipped, transported or exported from this state and first used in another state, whether such shipment, transportation or exportation is made by the seller, purchaser or any third party acting on behalf of such party. For purposes of this exemption, any instruction to, training of, or inspection by the purchaser with respect to the item prior to shipment, transportation or exportation of the item shall not constitute a first use of such item within this state.

(2) Sales of component materials used in the construction of a building, or any addition or improvement thereon, sales of machinery and equipment to be used therein, and sales of manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, not later than three (3) months after the initial start-up date, to permanent business enterprises engaging in manufacturing or processing in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter. The exemption provided in this subsection (2) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(3) Sales of component materials used in the construction of a facility, or any addition or improvement thereon, and sales or leases of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to a permanent business enterprise operating a data/information enterprise in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses meet minimum criteria established by the Mississippi Development Authority, shall be exempt from one-half (1/2) of the taxes imposed on such transaction under this chapter. The exemption provided in this subsection (3) shall not apply to sales to any business enterprise that is a medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(4) Sales of component materials used in the construction of a facility, or any addition or improvement thereto, and sales of machinery and equipment not later than three (3) months after the completion of construction of the facility, or any addition or improvement thereto, to be used in the building or any addition or improvement thereto, to technology-intensive enterprises for industrial purposes in Tier Two areas and Tier One areas (as such areas are designated in accordance with Section 57-73-21), which businesses are certified by the Department of Revenue as being eligible for the exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter. For purposes of this subsection, an enterprise must meet the criteria provided for in Section 27-65-17(1)(f) in order to be considered a technology-intensive enterprise.

(5) (a) For purposes of this subsection:

(i) "Telecommunications enterprises" shall have the meaning ascribed to such term in Section 57-73-21;

(ii) "Tier One areas" mean counties designated as Tier One areas pursuant to Section 57-73-21;

(iii) "Tier Two areas" mean counties designated as Tier Two areas pursuant to Section 57-73-21;

(iv) "Tier Three areas" mean counties designated as Tier Three areas pursuant to Section 57-73-21; and

(v) "Equipment used in the deployment of broadband technologies" means any equipment capable of being used for or in connection with the transmission of information at a rate, prior to taking into account the effects of any signal degradation, that is not less than three hundred eighty-four (384) kilobits per second in at least one (1) direction, including, but not limited to, asynchronous transfer mode switches, digital subscriber line access multiplexers, routers, servers, multiplexers, fiber optics and related equipment.

(b) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier One areas and used in the deployment of broadband technologies shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

(c) Sales of equipment to telecommunications enterprises after June 30, 2003, and before July 1, 2025, that is installed in Tier Two and Tier Three areas and used in the deployment of broadband technologies shall be exempt from the taxes imposed on such transactions under this chapter.

(6) Sales of component materials used in the replacement, reconstruction or repair of a building that has been destroyed or sustained extensive damage as a result of a disaster declared by the Governor, sales of machinery and equipment to be used therein to replace machinery or equipment damaged or destroyed as a result of such disaster, including, but not limited to, manufacturing or processing machinery and equipment which is permanently attached to the ground or to a permanent foundation and which is not by its nature intended to be housed within a building structure, to enterprises that were eligible for the partial exemptions provided for in subsections (2), (3) and (4) of this section during initial construction of the building that was destroyed or damaged, which enterprises are certified by the Department of Revenue as being eligible for the partial exemption granted in this subsection, shall be exempt from one-half (1/2) of the taxes imposed on such transactions under this chapter.

SECTION 2. Section 27-65-111, Mississippi Code of 1972, is amended as follows:

27-65-111. The exemptions from the provisions of this chapter which are not industrial, agricultural or governmental, or which do not relate to utilities or taxes, or which are not properly classified as one (1) of the exemption classifications of this chapter, shall be confined to persons or property exempted by this section or by the Constitution of the United States or the State of Mississippi. No exemptions as now provided by any other section, except the classified exemption sections of this chapter set forth herein, shall be valid as against the tax herein levied. Any subsequent exemption from the tax levied hereunder, except as indicated above, shall be provided by amendments to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21.

The tax levied by this chapter shall not apply to the following:

(a) Sales of tangible personal property and services to hospitals or infirmaries owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are subject to and governed by Sections 41-7-123 through 41-7-127.

Only sales of tangible personal property or services which are ordinary and necessary to the operation of such hospitals and infirmaries are exempted from tax.

(b) Sales of daily or weekly newspapers, and periodicals or publications of scientific, literary or educational organizations exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1954, as it exists as of March 31, 1975, and subscription sales of all magazines.

(c) Sales of coffins, caskets and other materials used in the preparation of human bodies for burial.

(d) Sales of tangible personal property for immediate export to a foreign country.

(e) Sales of tangible personal property to an orphanage, old men's or ladies' home, supported wholly or in part by a religious denomination, fraternal nonprofit organization or other nonprofit organization.

(f) Sales of tangible personal property, labor or services taxable under Sections 27-65-17, 27-65-19 and 27-65-23, to a YMCA, YWCA, a Boys' or Girls' Club owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual.

(g) Sales to elementary and secondary grade schools, junior and senior colleges owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are exempt from state income taxation, provided that this exemption does not apply to sales of property or services which are not to be used in the ordinary operation of the school, or which are to be resold to the students or the public.

(h) The gross proceeds of retail sales and the use or consumption in this state of drugs and medicines:

(i) Prescribed for the treatment of a human being by a person authorized to prescribe the medicines, and dispensed or prescription filled by a registered pharmacist in accordance with law; or

(ii) Furnished by a licensed physician, surgeon, dentist or podiatrist to his own patient for treatment of the patient; or

(iii) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician, surgeon, dentist or podiatrist; or

(iv) Sold to a licensed physician, surgeon, podiatrist, dentist or hospital for the treatment of a human being; or

(v) Sold to this state or any political subdivision or municipal corporation thereof, for use in the treatment of a human being or furnished for the treatment of a human being by a medical facility or clinic maintained by this state or any political subdivision or municipal corporation thereof.

"Medicines," as used in this paragraph (h), shall mean and include any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease and which is commonly recognized as a substance or preparation intended for such use; provided that "medicines" do not include any auditory, prosthetic, ophthalmic or ocular device or appliance, any dentures or parts thereof or any artificial limbs or their replacement parts, articles which are in the nature of splints, bandages, pads, compresses, supports, dressings, instruments, apparatus, contrivances, appliances, devices or other

mechanical, electronic, optical or physical equipment or article or the component parts and accessories thereof, or any alcoholic beverage or any other drug or medicine not commonly referred to as a prescription drug.

Notwithstanding the preceding sentence of this paragraph (h), "medicines" as used in this paragraph (h), shall mean and include sutures, whether or not permanently implanted, bone screws, bone pins, pacemakers and other articles permanently implanted in the human body to assist the functioning of any natural organ, artery, vein or limb and which remain or dissolve in the body.

The exemption provided in this paragraph (h) shall not apply to medical cannabis sold in accordance with the provisions of the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

"Hospital," as used in this paragraph (h), shall have the meaning ascribed to it in Section 41-9-3, Mississippi Code of 1972.

Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on prescription within the meaning of this paragraph (h).

(i) Retail sales of automobiles, trucks and truck-tractors if exported from this state within forty-eight (48) hours and registered and first used in another state.

(j) Sales of tangible personal property or services to the Salvation Army and the Muscular Dystrophy Association, Inc.

(k) From July 1, 1985, through December 31, 1992, retail sales of "alcohol-blended fuel" as such term is defined in Section 75-55-5. The gasoline-alcohol blend or the straight alcohol eligible for this exemption shall not contain alcohol distilled outside the State of Mississippi.

(l) Sales of tangible personal property or services to the Institute for Technology Development.

(m) The gross proceeds of retail sales of food and drink for human consumption made through vending machines serviced by full-line vendors from and not connected with other taxable businesses.

(n) The gross proceeds of sales of motor fuel.

(o) Retail sales of food for human consumption purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, from and after October 1, 1987, or from and after the expiration of any waiver granted pursuant to federal law, the effect of which waiver is to permit the collection by the state of tax on such retail sales of food for human consumption purchased with food stamps.

(p) Sales of cookies for human consumption by the Girl Scouts of America no part of the net earnings from which sales inures to the benefit of any private group or individual.

(q) Gifts or sales of tangible personal property or services to public or private nonprofit museums of art.

(r) Sales of tangible personal property or services to alumni associations of state-supported colleges or universities.



(s) Sales of tangible personal property or services to National Association of Junior Auxiliaries, Inc., and chapters of the National Association of Junior Auxiliaries, Inc.

(t) Sales of tangible personal property or services to domestic violence shelters which qualify for state funding under Sections 93-21-101 through 93-21-113.

(u) Sales of tangible personal property or services to the National Multiple Sclerosis Society, Mississippi Chapter.

(v) Retail sales of food for human consumption purchased with food instruments issued the Mississippi Band of Choctaw Indians under the Women, Infants and Children Program (WIC) funded by the United States Department of Agriculture.

(w) Sales of tangible personal property or services to a private company, as defined in Section 57-61-5, which is making such purchases with proceeds of bonds issued under Section 57-61-1 et seq., the Mississippi Business Investment Act.

(x) The gross collections from the operation of self-service, coin-operated car washing equipment and sales of the service of washing motor vehicles with portable high-pressure washing equipment on the premises of the customer.

(y) Sales of tangible personal property or services to the Mississippi Technology Alliance.

(z) Sales of tangible personal property to nonprofit organizations that provide foster care, adoption services and temporary housing for unwed mothers and their children if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(aa) Sales of tangible personal property to nonprofit organizations that provide residential rehabilitation for persons with alcohol and drug dependencies if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(bb) (i) Retail sales of an article of clothing or footwear designed to be worn on or about the human body and retail sales of school supplies if the sales price of the article of clothing or footwear or school supply is less than One Hundred Dollars (\$100.00) and the sale takes place during a period beginning at 12:01 a.m. on the last Friday in July and ending at 12:00 midnight the following Saturday. This paragraph (bb) shall not apply to:

1. Accessories including jewelry, handbags, luggage, umbrellas, wallets, watches, briefcases, garment bags and similar items carried on or about the human body, without regard to whether worn on the body in a manner characteristic of clothing;

2. The rental of clothing or footwear; and

3. Skis, swim fins, roller blades, skates and similar items worn on the foot.

(ii) For purposes of this paragraph (bb), "school supplies" means items that are commonly used by a student in a course of study. The following is an all-inclusive list:

1. Backpacks;

2. Binder pockets;

3. Binders;
4. Blackboard chalk;
5. Book bags;
6. Calculators;
7. Cellophane tape;
8. Clays and glazes;
9. Compasses;
10. Composition books;
11. Crayons;
12. Dictionaries and thesauruses;
13. Dividers;
14. Erasers;
15. Folders: expandable, pocket, plastic and manila;
16. Glue, paste and paste sticks;
17. Highlighters;
18. Index card boxes;
19. Index cards;
20. Legal pads;
21. Lunch boxes;
22. Markers;
23. Notebooks;
24. Paintbrushes for artwork;
25. Paints: acrylic, tempera and oil;
26. Paper: loose-leaf ruled notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board and construction paper;
27. Pencil boxes and other school supply boxes;
28. Pencil sharpeners;
29. Pencils;
30. Pens;

31. Protractors;
32. Reference books;
33. Reference maps and globes;
34. Rulers;
35. Scissors;
36. Sheet music;
37. Sketch and drawing pads;
38. Textbooks;
39. Watercolors;
40. Workbooks; and
41. Writing tablets.

(iii) From and after January 1, 2010, the governing authorities of a municipality, for retail sales occurring within the corporate limits of the municipality, may suspend the application of the exemption provided for in this paragraph (bb) by adoption of a resolution to that effect stating the date upon which the suspension shall take effect. A certified copy of the resolution shall be furnished to the Department of Revenue at least ninety (90) days prior to the date upon which the municipality desires such suspension to take effect.

(cc) The gross proceeds of sales of tangible personal property made for the sole purpose of raising funds for a school or an organization affiliated with a school.

As used in this paragraph (cc), "school" means any public or private school that teaches courses of instruction to students in any grade from kindergarten through Grade 12.

(dd) Sales of durable medical equipment and home medical supplies when ordered or prescribed by a licensed physician for medical purposes of a patient. As used in this paragraph (dd), "durable medical equipment" and "home medical supplies" mean equipment, including repair and replacement parts for the equipment or supplies listed under Title XVIII of the Social Security Act or under the state plan for medical assistance under Title XIX of the Social Security Act, prosthetics, orthotics, hearing aids, hearing devices, prescription eyeglasses, oxygen and oxygen equipment. Payment does not have to be made, in whole or in part, by any particular person to be eligible for this exemption. Purchases of home medical equipment and supplies by a provider of home health services or a provider of hospice services are eligible for this exemption if the purchases otherwise meet the requirements of this paragraph.

(ee) Sales of tangible personal property or services to Mississippi Blood Services.

(ff) (i) Subject to the provisions of this paragraph (ff), retail sales of firearms, ammunition and hunting supplies if sold during the annual Mississippi Second Amendment Weekend holiday beginning at 12:01 a.m. on the last Friday in August and ending at 12:00 midnight the following Sunday. For the purposes of this paragraph (ff), "hunting supplies" means tangible personal property used for hunting, including, and limited to, archery equipment, firearm and archery cases, firearm and archery

accessories, hearing protection, holsters, belts and slings. Hunting supplies does not include animals used for hunting.

(ii) This paragraph (ff) shall apply only if one or more of the following occur:

1. Title to and/or possession of an eligible item is transferred from a seller to a purchaser; and/or

2. A purchaser orders and pays for an eligible item and the seller accepts the order for immediate shipment, even if delivery is made after the time period provided in subparagraph (i) of this paragraph (ff), provided that the purchaser has not requested or caused the delay in shipment.

(gg) Sales of nonperishable food items to charitable organizations that are exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and operate a food bank or food pantry or food lines.

(hh) Sales of tangible personal property or services to the United Way of the Pine Belt Region, Inc.

(ii) Sales of tangible personal property or services to the Mississippi Children's Museum or any subsidiary or affiliate thereof operating a satellite or branch museum within this state.

(jj) Sales of tangible personal property or services to the Jackson Zoological Park.

(kk) Sales of tangible personal property or services to the Hattiesburg Zoo.

(ll) Gross proceeds from sales of food, merchandise or other concessions at an event held solely for religious or charitable purposes at livestock facilities, agriculture facilities or other facilities constructed, renovated or expanded with funds for the grant program authorized under Section 18, Chapter 530, Laws of 1995.

(mm) Sales of tangible personal property and services to the Diabetes Foundation of Mississippi and the Mississippi Chapter of the Juvenile Diabetes Research Foundation.

(nn) Sales of potting soil, mulch, or other soil amendments used in growing ornamental plants which bear no fruit of commercial value when sold to commercial plant nurseries that operate exclusively at wholesale and where no retail sales can be made.

(oo) Sales of tangible personal property or services to the University of Mississippi Medical Center Research Development Foundation.

(pp) Sales of tangible personal property or services to Keep Mississippi Beautiful, Inc., and all affiliates of Keep Mississippi Beautiful, Inc.

(qq) Sales of tangible personal property or services to the Friends of Children's Hospital.

(rr) Sales of tangible personal property or services to the Pinecrest Weekend Backpacks for Kids located in Corinth, Mississippi.

(ss) Sales of hearing aids when ordered or prescribed by a licensed physician, audiologist or hearing aid specialist for the medical purposes of a patient.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales of tangible personal property or services to the Junior League of Jackson.

(vv) Sales of tangible personal property or services to the Mississippi's Toughest Kids Foundation for use in the construction, furnishing and equipping of buildings and related facilities and infrastructure at Camp Kamassa in Copiah County, Mississippi. This paragraph (vv) shall stand repealed on July 1, 2025.

(ww) Sales of tangible personal property or services to MS Gulf Coast Buddy Sports, Inc.

(xx) Sales of tangible personal property or services to Biloxi Lions, Inc.

(yy) Sales of tangible personal property or services to Lions Sight Foundation of Mississippi, Inc.

(zz) Sales of tangible personal property and services to the Goldring/Woldenberg Institute of Southern Jewish Life (ISJL).

(aaa) Sales of coins, currency, and bullion. For the purposes of this paragraph (aaa), the following words and phrases shall have the meanings ascribed in this paragraph (aaa) unless the context clearly indicates otherwise:

(i) "Bullion" means a bar, ingot, or coin:

1. Manufactured, in whole or in part, of gold, silver, platinum, or palladium;
2. That was or is used solely as a medium of exchange, security, or commodity by any state, the United States Government, or a foreign nation; and
3. Sold based on the intrinsic value of the bar, ingot, or coin as a precious metal or collectible item rather than its form or representative value as a medium of exchange.

(ii) "Coin or currency" means a coin or currency:

1. Manufactured, in whole or in part, of gold, silver, other metal, or paper;
2. That was or is used solely as a medium of exchange, security, or commodity by any state, the United States Government, or a foreign nation; and
3. Sold based on the intrinsic value of the coin or currency as a precious metal or collectible item rather than its form or representative value as a medium of exchange.

"Coin or currency" does not include a coin or currency that has been incorporated into jewelry.

(bbb) (i) Sales of books at the Mississippi Book Festival if sold during a period beginning at 9:00 a.m. on Friday during the festival and ending at 12:00 noon the following Sunday; and

(ii) Sales of books by any new bookstore in this state at such a bookstore if sold during a period corresponding with the Mississippi Book Festival and beginning at 9:00 a.m. on Friday during the festival and ending at 12:00 noon the following Sunday. For the purposes of this subparagraph (ii), the term "new bookstore" means a business that sells physical books and other merchandise and for which:

1. The inventory of physical books and all other merchandise consists of more than sixty percent (60%) new physical books, and

2. The inventory of physical books consists of more than sixty percent (60%) new physical books.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE STATE SALES TAX THE GROSS PROCEEDS FROM THE SALE OF ANY ITEM OF TANGIBLE PERSONAL PROPERTY BY THE MANUFACTURER OR CUSTOM PROCESSOR THEREOF, IF SUCH ITEM IS SHIPPED, TRANSPORTED OR EXPORTED FROM THIS STATE AND FIRST USED IN ANOTHER STATE, WHETHER SUCH SHIPMENT, TRANSPORTATION OR EXPORTATION IS MADE BY THE SELLER, PURCHASER OR ANY THIRD PARTY ACTING ON BEHALF OF SUCH PARTY; TO SPECIFY THAT, FOR PURPOSES OF THE EXEMPTION, ANY INSTRUCTION TO, TRAINING OF, OR INSPECTION BY THE PURCHASER WITH RESPECT TO THE ITEM PRIOR TO SHIPMENT, TRANSPORTATION OR EXPORTATION OF THE ITEM SHALL NOT CONSTITUTE A FIRST USE OF SUCH ITEM WITHIN THIS STATE; TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF COINS, CURRENCY AND BULLION; TO EXEMPT FROM SALES TAXATION SALES OF BOOKS AT THE MISSISSIPPI BOOK FESTIVAL IF SOLD DURING A PERIOD BEGINNING AT 9:00 A.M. ON FRIDAY DURING THE FESTIVAL AND ENDING AT 12:00 NOON THE FOLLOWING SUNDAY; TO EXEMPT FROM SALES TAXATION SALES OF BOOKS AT CERTAIN BOOKSTORES IN THIS STATE IF SOLD DURING A PERIOD CORRESPONDING WITH THE MISSISSIPPI BOOK FESTIVAL AND BEGINNING AT 9:00 A.M. ON FRIDAY DURING THE FESTIVAL AND ENDING AT 12:00 NOON THE FOLLOWING SUNDAY; AND FOR RELATED PURPOSES.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of William Chuck Cochran of Booneville, MS.

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Senators Hopson, Wiggins and DeBar moved that when the Senate adjourns, it adjourn in memory of Brooks Anderson Bradley of Vicksburg, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Edna "Cissy" Wisner of Natchez, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 16, 2023.

The motion prevailed, and at 11:01 AM, the Senate stood in recess.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. C. R. No. 561:** A CONCURRENT RESOLUTION DESIGNATING MARCH 2023 AS "AMERICAN RED CROSS MONTH IN MISSISSIPPI" IN SUPPORT OF ITS CRITICAL HUMANITARIAN MISSION.

**S. C. R. No. 562:** A CONCURRENT RESOLUTION TO DESIGNATE OCTOBER 2023 AS "WALKER MONTGOMERY NATIONAL CATFISHING AWARENESS MONTH IN MISSISSIPPI" TO BRING ATTENTION TO THE VICTIMS OF CATFISHING ON SOCIAL MEDIA AND TO DIRECT THE STATE BOARD OF MENTAL HEALTH TO DEVELOP RECOMMENDATIONS TO THE LEGISLATURE.

**S. C. R. No. 564:** A CONCURRENT RESOLUTION TO DESIGNATE MARCH 2023 AS "BRAIN INJURY AWARENESS MONTH IN MISSISSIPPI" TO PROMOTE AWARENESS OF THE EXTENT, CONSEQUENCES, CAUSES, TREATMENTS AND PREVENTION OF ACQUIRED BRAIN INJURIES.

Joseph Thomas, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 249:** MS Medical Cannabis Act; extend repealers to certain state laws for Departments of Health and Revenue in connection with.

**H. B. No. 256:** Mississippi Boll Weevil Management Corporation; extend repealer on requirement that audits be submitted by November 15.

**H. B. No. 259:** Medical radiation technologists; delete repealers on registration statutes.

**H. B. No. 280:** Foreign governments; prohibit sale of agricultural lands to.

**H. B. No. 281:** Law enforcement officers killed in line of duty; clarify that beneficiaries may receive sidearm of.

**H. B. No. 363:** Mississippi Department of Agriculture and Commerce; technical amendments related to certain powers and duties.

**H. B. No. 484:** Petroleum Products Inspection Law; delete repealer on definitions and penalties under.

**H. B. No. 538:** Pat Harrison Waterway District; provide county withdrawal from district not effective until close of FY in which county obligations met.

**H. B. No. 540:** Personal and professional services; require the Department of Finance and Administration to conduct solicitations of for certain agencies.

**H. B. No. 584:** Qualified Health Center Grant Program; clarify that amount specified for grants under is minimum amount to be issued.

**H. B. No. 1071:** Uniform Controlled Substances Act; revise schedules.

**H. B. No. 1158:** Medical Cannabis Act; revise certain provisions of.

**H. B. No. 1222:** The Mississippi Collaborative Response to Mental Health Act; create.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEES ON  
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 2004:** Town of Duck Hill; authorize governing authorities to levy tourism tax. Title Sufficient. Do Pass.

**S. B. No. 2152:** City of Byram; authorize governing authorities to levy parks and recreation tax on restaurants. Title Sufficient. Committee Substitute. Do Pass.

**S. B. No. 2519:** Town of Monticello; authorize tourism tax on restaurants, hotels and motels. Title Sufficient. Do Pass.

**S. B. No. 3143:** City of Lucedale; authorize to levy tax upon sales of restaurants for the purposes of funding parks and recreation. Title Sufficient. Do Pass.

MCMAHAN, Chairman  
HARKINS, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2530:** "Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate.  
Senators Moran, Thompson, DeLano.

**S. B. No. 2544:** Regulation of oyster beds and water bottoms by the MS Department of Marine Resources; bring forward authority.  
Senators Moran, Thompson, England.

**S. B. No. 2551:** Department of Marine Resources, Office of Marine Patrol; cooperate with federal law enforcement.  
Senators Moran, England, Thompson.

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The President announced the appointment of the following conferees on the part of the Senate:



**S. B. No. 2339:** Provision of law establishing energy efficiency standards for building construction; extend repealer on.  
Senators Carter, Younger, Parks.

**S. B. No. 2495:** State inmates; require MDOC to pay increased rate to house inmates in county jails.  
Senators Barnett, Sparks, DeBar.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 454:** AN ACT TO AMEND SECTION 63-3-519, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE USE OF RADAR SPEED DETECTION EQUIPMENT BY MUNICIPAL LAW ENFORCEMENT OFFICERS IN ANY MUNICIPALITY WHERE THE COUNTY SEAT IS LOCATED IN THE MUNICIPALITY AND WHERE THERE IS LOCATED A PUBLIC COMMUNITY COLLEGE IN SUCH MUNICIPALITY; AND FOR RELATED PURPOSES.

**H. B. No. 1225:** AN ACT TO AMEND SECTIONS 77-3-705, 77-3-707, 77-3-709, 77-3-713, 77-3-715, 77-3-717, 77-3-721, 77-3-725, 77-3-727, 77-3-731, 77-3-733 AND 77-3-735, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI TELEPHONE SOLICITATION ACT, TO TRANSFER THE STATE'S TELEPHONE SOLICITATION ADMINISTRATIVE, INVESTIGATIVE, AND ENFORCEMENT RESPONSIBILITIES AND DUTIES FROM THE MISSISSIPPI PUBLIC SERVICE COMMISSION TO THE MISSISSIPPI ATTORNEY GENERAL; TO REMOVE THE DEFINITION OF THE TERM "COMMISSION"; TO DEFINE THE TERM "DO NOT CALL REGISTRY"; TO REMOVE ALL REFERENCES TO THE PUBLIC SERVICE COMMISSION, AND INSERT THE ATTORNEY GENERAL IN LIEU THEREOF; TO REMOVE THE REPEALER OF JULY 1, 2024, ON THE PROVISION OF LAW RELATING TO EXPENSES OF THE AGENCY AND FEES COLLECTED; TO REMOVE THE REQUIREMENT FOR A HEARING, AND PENALTY FOR FAILURE TO APPEAR FOR A HEARING; TO PROVIDE THE COURT WHERE THE ATTORNEY GENERAL MAY BRING AN ACTION TO ENFORCE THIS ACT; TO PROVIDE FOR THE UTILIZATION OF A SINGLE DO NOT CALL REGISTRY; TO CLARIFY THAT THE DO NOT CALL REGISTRY IS A FEDERAL REGISTRY; TO BRING FORWARD SECTIONS 77-3-701, 77-3-703, 77-3-711, 77-3-719, 77-3-723 AND 77-3-729, WHICH RELATE TO THE MISSISSIPPI TELEPHONE SOLICITATION ACT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 77-3-601, 77-3-603, 77-3-605, 77-3-607, 77-3-609, 77-3-611, 77-3-613, 77-3-615, 77-3-617 AND 77-3-619, MISSISSIPPI CODE OF 1972, WHICH RELATE TO UNSOLICITED RESIDENTIAL TELEPHONIC SALES CALLS, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTIONS 77-3-801, 77-3-803, 77-3-805, 77-3-807 AND 77-3-809, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE CALLER ID ANTI-SPOOFING ACT, FOR PURPOSES OF POSSIBLE AMENDMENT; TO BRING FORWARD SECTION 23-15-875, MISSISSIPPI CODE OF 1972, WHICH RELATES TO LANGUAGE UTTERED OR PUBLISHED REGARDING THE INTEGRITY OF A CANDIDATE FOR OFFICE, FOR PURPOSES OF POSSIBLE AMENDMENT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2523:** AN ACT TO AMEND SECTIONS 69-33-1, 69-33-3 AND 69-33-9, MISSISSIPPI CODE OF 1972, TO REVISE THE CRIMINAL AND CIVIL PENALTIES FOR VIOLATING THE PROVISIONS OF THE PECAN HARVESTING LAW; TO BRING FORWARD SECTIONS 69-33-5 AND 69-33-7, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

**S. B. No. 2615:** AN ACT TO AMEND SECTIONS 25-15-3 AND 25-9-120, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS TO AUTHORIZE CONTRACT WORKERS EMPLOYED BY THE STATE OR OTHER GOVERNMENT ENTITIES TO PURCHASE THE BASE PLAN OF THE STATE AND SCHOOL EMPLOYEES' HEALTH INSURANCE PLAN IF SUCH PERSON PAYS THE FULL PRICE OF SUCH PLAN WITHOUT CONTRIBUTION FROM THEIR EMPLOYER; TO REQUIRE SUCH GOVERNMENT ENTITIES TO OFFER THIS TO ANY CONTRACT PERSONNEL WHO WORK AT LEAST 130 HOURS PER MONTH; AND FOR RELATED PURPOSES.

**S. C. R. No. 558:** A CONCURRENT RESOLUTION EXTENDING THE CONDOLENCES OF THE MISSISSIPPI LEGISLATURE TO THE SURVIVING FAMILY OF ORIGINAL MOTOWN RECORDING ARTIST AND SONGWRITER BARRETT STRONG FROM WEST POINT, MISSISSIPPI, AND REMEMBERING HIS MUSICAL LEGACY.

Joseph Thomas, Chairman

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 271:** Appropriation; Health Department for distributing funds to hospitals under the Health Care Impact Grant Program.

Representatives Read,Mims,Bounds

**H. B. No. 272:** Appropriation; Health Department for Local Provider Innovation Grant Program.

Representatives Read,Mims,Bounds

**H. B. No. 273:** Health Care Impact Grant Program; establish to provide grants to hospitals and nursing facilities.

Representatives Mims,McGee,White

**H. B. No. 366:** Sam G. Polles State Office Building; designate the MS Dept. of Wildlife Central Office Building as.

Representatives Weathersby,Holloway,Morgan

**H. B. No. 517:** Guide and outfitter services licenses; revise annual fee for both residents and nonresidents.

Representatives Kinkade,Barnett,Mangold

**H. B. No. 557:** MS Rural Dentists Scholarship Program; increase number of students who may be admitted into annually.

Representatives Mims,McGee,Powell

**H. B. No. 588:** MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming code sections.

Representatives Bell (21st),White,Ford (73rd)

**H. B. No. 602:** District Attorneys; increase the operating allowance of.

Representatives Read,Cockerham,Hood

**H. B. No. 604:** New programs funded with ARPA funds; revise certain provisions and bring forward sections of.

Representatives Read,Oliver,Cockerham

**H. B. No. 769:** Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as.

Representatives Weathersby,Holloway,Lancaster

**H. B. No. 770:** Mississippi Office of Space and Technology; create to be administered by MDA, which shall staff.

Representatives Scoggin,Hobgood-Wilkes,Oliver

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 1601:** Appropriation; Optometry, Board of.

Representatives Read,Oliver,Mangold

**H. B. No. 1602:** Appropriation; Physical Therapy Board.

Representatives Read,Oliver,Mangold

**H. B. No. 1603:** Appropriation; Psychology, Board of.

Representatives Read,Oliver,Mangold

**H. B. No. 1604:** Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

Representatives Read,Oliver,Mangold

**H. B. No. 1605:** Appropriation; Insurance, Department of.

Representatives Read, Oliver, Hale

**H. B. No. 1606:** Appropriation; Fire Academy.

Representatives Read, Oliver, Hale

**H. B. No. 1607:** Appropriation; Public Employees' Retirement System.

Representatives Read, Oliver, White

**H. B. No. 1608:** Appropriation; Real Estate Appraiser Licensing and Certification Board.

Representatives Read, Oliver, Horan

**H. B. No. 1609:** Appropriation: Real Estate Commission.

Representatives Read, Oliver, Horan

**H. B. No. 1610:** Appropriation; Legislative expenses.

Representatives Read, White, Bennett

**H. B. No. 1611:** Appropriation; Arts Commission.

Representatives Read, Bennett, Haney

**H. B. No. 1612:** Appropriation; Archives and History, Department of.

Representatives Read, Bennett, Ladner

**H. B. No. 1613:** Appropriation; Education, Department of.

Representatives Read, Bennett, Eure

**H. B. No. 1614:** Appropriation; Educational Television, Authority for.

Representatives Read, Bennett, Haney

**H. B. No. 1615:** Appropriation; Library Commission.

Representatives Read, Bennett, Ladner

**H. B. No. 1616:** Appropriation; Environmental Quality, Department of.

Representatives Read, Bounds, Mangold

**H. B. No. 1617:** Appropriation; Wildlife, Fisheries and Parks, Department of.

Representatives Read, Bounds, Mangold

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 1618:** Appropriation; Grand Gulf Military Monument Commission.

Representatives Read,Bounds,Mangold

**H. B. No. 1619:** Appropriation; Oil and Gas Board.

Representatives Read,Bounds,Mangold

**H. B. No. 1620:** Appropriation; Public Service Commission.

Representatives Read,Bounds,Eure

**H. B. No. 1621:** Appropriation; Public Utilities Staff.

Representatives Read,Bounds,Eure

**H. B. No. 1622:** Appropriation; Human Services, Department of.

Representatives Read,Mims,Bounds

**H. B. No. 1623:** Appropriation; Rehabilitation Services, Department of.

Representatives Read,Mims,Bounds

**H. B. No. 1624:** Appropriation; Medicaid, Division of.

Representatives Read,Hood,Mims

**H. B. No. 1625:** Appropriation: Child Protection Services, Department of.

Representatives Read,Mims,Bounds

**H. B. No. 1626:** Appropriation; Health, Department of.

Representatives Read,Mims,Scoggin

**H. B. No. 1627:** Appropriation; Foresters, Board of Registration for.

Representatives Read,Pigott,Mangold

**H. B. No. 1628:** Appropriation; Forestry Commission.

Representatives Read,Pigott,Mangold

**H. B. No. 1629:** Appropriation; Soil and Water Conservation Commission.

Representatives Read,Pigott,Mangold

**H. B. No. 1630:** Appropriation; Pat Harrison Waterway District.

Representatives Read,Ladner,Haney

**H. B. No. 1631:** Appropriation; Pearl River Valley Water Supply District.

Representatives Read,Ladner,Bennett

**H. B. No. 1632:** Appropriation; Port Authority, State.

Representatives Read,Ladner,Bennett

**H. B. No. 1633:** Appropriation; Tombigbee River Valley Water Management District.

Representatives Read,Ladner,Arnold

**H. B. No. 1634:** Appropriation; Yellow Creek State Inland Port Authority.

Representatives Read,Ladner,Arnold

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 1635:** Appropriation; Veterans' Home Purchase Board.

Representatives Read,Barton,Oliver

**H. B. No. 1636:** Appropriation; Marine Resources, Department of.

Representatives Read,Eure,Ladner

**H. B. No. 1637:** Appropriation; District attorneys and staff.

Representatives Read,Cockerham,Hines

**H. B. No. 1638:** Appropriation; Capital Post-Conviction Counsel, Office of.

Representatives Read,Cockerham,Turner

**H. B. No. 1639:** Appropriation; State Public Defender, Office of.

Representatives Read,Cockerham,Boyd (19th)

**H. B. No. 1640:** Appropriation; Supreme Court, Court of Appeals and trial judges services.

Representatives Read,Cockerham,White

**H. B. No. 1641:** Appropriation; Attorney General.

Representatives Read,Cockerham,White

**H. B. No. 1642:** Appropriation; Transportation, Department of.

Representatives Read,Busby,Arnold

**H. B. No. 1643:** Appropriation, Reappropriation, DFA - Bureau of Building - FY2024.

Representatives Read, Barton, Hale

**H. B. No. 1644:** Appropriations; additional for various state agencies for FY 2023 and FY 2024.

Representatives Read, Oliver, Barton

**H. B. No. 1715:** Appropriation; Health Department for funding the ARPA Rural Water Associations Infrastructure Grant Program.

Representatives Read, Oliver, Mims

**H. B. No. 1717:** Appropriation; DFA - Office of Insurance for reimbursing the State Health Plan for eligible expenses incurred.

Representatives Read, Oliver, Barton

**H. B. No. 1718:** Appropriation; DFA Bureau of Building for completing capital projects at state-owned buildings and grounds.

Representatives Read, Oliver, Barton

**H. B. No. 1719:** Appropriation; DFA to assist destination marketing organizations in paying for marketing activities.

Representatives Read, Oliver, Currie

**H. B. No. 1722:** Appropriation; UMMC for construction, repair and renovation of the School of Dentistry.

Representatives Read, Oliver, White

Andrew Ketchings, Clerk of the House of Representatives

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March 15, 2023

TO THE MISSISSIPPI SENATE:

GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2224

I am returning Senate Bill 2224: "AN ACT TO AUTHORIZE THE COMMISSIONER OF INSURANCE TO ADOPT RULES AND REGULATIONS TO EXAMINE AND ADDRESS ANY INEQUALITIES REGARDING PROVIDER REIMBURSEMENT RATES PAID BY AN INSURER, SUBCONTRACTOR, OTHER PAYOR OR BY THIRD-PARTY ADMINISTRATORS; TO PROVIDE THAT FAILURE TO COMPLY WITH RULES AND REGULATIONS ADOPTED BY THE COMMISSIONER MAY RESULT IN A FINE NOT TO EXCEED \$10,000.00 PER VIOLATION; TO ADD A FOUR-YEAR REPEALER TO THE SECTION; TO AMEND SECTION 83-9-5, MISSISSIPPI CODE OF 1972, TO CLARIFY REQUIREMENTS FOR A CLEAN CLAIM; TO PROVIDE THAT THE COMMISSIONER OF INSURANCE MAY ADOPT RULES AND REGULATIONS

NECESSARY TO ENSURE COMPLIANCE WITH THE SECTION; AND FOR RELATED PURPOSES.”

Throughout the last decade, we have seen an accelerated attempt to erode the free market in exchange for bureaucratic control over all aspects of our lives. It is typically justified by our country's political power structure, and their commitment to “equity” at any cost. We are typically asked to hand power to a small cadre of government officials in order to achieve equity, and they are given unprecedented power in order to pursue this goal.

Senate Bill 2224 seeks to give the Mississippi Commissioner of Insurance the unprecedented power to unilaterally “examine and address any inequities or irregularities regarding provider reimbursement rates paid by an insurer . . . or other payor regarding covered services received by covered persons in this state.” Such power would bestow on the Commissioner the unchecked authority to review the reimbursement rates set by contract between healthcare providers and third-party payors and arbitrarily mandate that a higher rate be paid under the threat of a \$10,000 penalty for each service provided at a perceived inequitable rate. In short, SB 2224 would empower the Commissioner to invalidate the terms of contracts between private parties and make the Commissioner the rate czar for healthcare in Mississippi. The grant of such authority would violate multiple provisions of the United States and Mississippi Constitutions and inevitably result in an increase in already too-high insurance premiums paid by hardworking Mississippians and Mississippi businesses who are participants in the private insurance market.

Article 3, Section 16 of the Mississippi Constitution of 1890 states “laws impairing the obligation of contracts, shall not be passed.” This constitutional prohibition is mandated by Article 1, Section 10, Clause 1 of the United States Constitution: “No state shall . . . pass any . . . Law impairing the Obligation of Contracts.” The Framers adopted the Contracts Clause to curb the practice of colonial legislatures adopting laws that undermined the sanctity of private agreements and impair the free market. Senate Bill 2224 not only authorizes the Commissioner to impair the rights set by contract through invalidating bargained-for reimbursement rates, but it also allows the Commissioner to effectively amend private contracts by demanding the resetting of reimbursement rates under threat of fine and in the name of equity. Such interference in the contractual relationship between private parties is expressly barred by both the United States and Mississippi Constitutions.

Additionally, Senate Bill 2224 violates Due Process as it sets an indefinite and arbitrary “inequities” and “irregularities” standard of review. Article 3, Section 14 of the Mississippi Constitution, echoing the Fourteenth Amendment to the United States Constitution states “No person shall be deprived of life, liberty, or property except by due process of law.” To comply with the requirements of the Due Process Clause, a statute must define an offense with sufficient definiteness that ordinary people can understand what conduct is prohibited and in a manner that does not encourage arbitrary and discriminatory enforcement. SB 2224 does not provide either a statutory definition or an objective criteria to define the “inequities” and “irregularities” standard. In the absence of such a definition or objective criteria, SB 2224 fails to provide notice to healthcare payors of conduct that will violate the statute and is thus arbitrary and capricious. Further, SB 2224 fails to provide any mechanism to seek appellate review by any payor aggrieved by the imposition of any fine by the Commissioner. While righting perceived “inequities” no doubt provides a definite standard to those who seek to redistribute wealth and further burden hard working Mississippians and Mississippi business that purchase insurance in the private market, such an arbitrary standard plainly violates Due Process.

Next, the application of a \$10,000 fine per violation has the potential to violate Article 3, Section 28 of the Mississippi Constitution prohibiting “excessive fines”. Specifically, such a fine when applied to alleged inequities in reimbursement rates for frequent and routine lab tests, screenings or office procedures would lead to millions of dollars in fines, an amount grossly disproportionate to the gravity of any offense committed by the payor. Prudence dictates that such an exorbitant fine per violation should only be assessed after a regulatory agency puts a party on notice of a potential violation, not retroactively to all prior alleged violations.

In addition to these constitutional infirmities, by its plain terms Senate Bill 2224 gives the Commissioner the authority to review and adjust reimbursement rates paid by



Medicare and Mississippi Medicaid, each a “payor” of healthcare services in Mississippi. The Federal government, through the Centers for Medicare and Medicaid (“CMS”) sets reimbursement rates for all services and equipment provided to Medicare recipients. I am unaware of any provision of Federal law that would authorize a state to review Medicare reimbursement rates and fine CMS for paying inequitable rates. Further, Mississippi Medicaid’s reimbursement rates are set by the State Plan subject to comment by the Mississippi Legislature and approval by CMS. Cloaking the Commissioner with authority to reset Medicaid reimbursement rates and impose a \$10,000 penalty for each claim paid at an “inequitable” rate would dramatically increase the cost of the Medicaid program to the State. Mississippi taxpayers already shoulder a heavy enough tax burden funding the state share of Medicaid to provide coverage to nearly 900,000 Mississippians. SB 2224 has the potential to unwisely increase this tax burden beyond the breaking point in the name of equity.

While one Insurance Commissioner may apply such a tool conservatively and restrain himself from playing kingmaker, another may be far less just. We should not concentrate such an unprecedented, vague and overwhelming authority in the hands of a single government office merely because we believe its current elected officeholder to be an upstanding individual.

While Senate Bill 2224 was no doubt motivated by the recent and highly publicized contractual impasse between a large healthcare provider and the largest private insurer in the state, that impasse was ultimately resolved the way all disputes between sophisticated parties should be resolved in a free market—through hard-fought negotiations and a bargained for contract. SB 2224 would imprudently and unconstitutionally inject the State into matters of private contract. For nearly two hundred and fifty years, America’s free market economy has been a shining beacon and the envy of the world. If history has taught us anything, it is that Adam Smith’s invisible hand is to be preferred over the heavy hand of government regulators to deliver the best possible economic outcomes.

In sum, because Senate Bill 2224 violates multiple provisions of the United States and Mississippi Constitutions and will no doubt increase the already too high premiums paid by Mississippians and Mississippi businesses that participate in the private insurance market in the name of equity, I am vetoing Senate Bill 2224.

Respectfully submitted,  
TATE REEVES  
GOVERNOR

March 15, 2023

TO THE MISSISSIPPI SENATE:

GOVERNOR’S VETO MESSAGE FOR SENATE BILL 2622

I am returning Senate Bill 2622: “AN ACT TO ENACT THE MISSISSIPPI PRIOR AUTHORIZATION REFORM ACT; TO ESTABLISH THE LEGISLATIVE FINDINGS OF THE ACT; TO PROVIDE THE APPLICABILITY AND SCOPE OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAINTAIN A COMPLETE LIST OF SERVICES FOR WHICH PRIOR AUTHORIZATIONS ARE REQUIRED; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE ANY CURRENT PRIOR AUTHORIZATION REQUIREMENTS AND RESTRICTIONS READILY ACCESSIBLE AND POSTED ON ITS WEBSITE; TO SET REQUIREMENTS FOR THE CLINICAL REVIEW CRITERIA OF HEALTH INSURANCE ISSUERS; TO PROHIBIT HEALTH INSURANCE ISSUERS FROM DENYING A CLAIM FOR FAILURE TO OBTAIN PRIOR AUTHORIZATION IF THE PRIOR AUTHORIZATION REQUIREMENT WAS NOT IN EFFECT ON THE DATE OF SERVICE ON THE CLAIM; TO REQUIRE HEALTH INSURERS TO MAKE CERTAIN PRIOR AUTHORIZATION STATISTICS AVAILABLE ON THEIR WEBSITE; TO REQUIRE HEALTH INSURANCE ISSUERS TO MAKE AVAILABLE A STANDARDIZED ELECTRONIC PRIOR AUTHORIZATION REQUEST TRANSACTION PROCESS BY

JANUARY 1, 2024; TO REQUIRE ALL HEALTH CARE PROFESSIONALS AND HEALTH CARE PROVIDERS TO USE THAT PROCESS NOT LATER THAN JANUARY 1, 2026; TO ESTABLISH CERTAIN REQUIREMENTS ON HEALTH INSURANCE ISSUERS FOR PRIOR AUTHORIZATIONS IN NONURGENT CIRCUMSTANCES AND URGENT CIRCUMSTANCES; TO PROVIDE CERTAIN QUALIFICATIONS OF PHYSICIANS QUALIFIED TO MAKE ADVERSE DETERMINATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO GIVE CERTAIN NOTIFICATIONS WHEN MAKING AN ADVERSE DETERMINATION; TO ESTABLISH THE QUALIFICATIONS FOR PERSONNEL WHO REVIEW APPEALS OF PRIOR AUTHORIZATIONS; TO REQUIRE HEALTH INSURANCE ISSUERS TO PERIODICALLY REVIEW ITS PRIOR AUTHORIZATION REQUIREMENTS AND TO CONSIDER REMOVAL OF THESE REQUIREMENTS IN CERTAIN CASES; TO PROVIDE THAT A HEALTH INSURANCE ISSUER MAY NOT REVOKE OR FURTHER LIMIT, CONDITION OR RESTRICT A PREVIOUSLY ISSUED PRIOR AUTHORIZATION WHILE IT REMAINS VALID UNDER THIS ACT UNLESS CERTAIN EXCLUSIONS ARE APPLICABLE; TO PROVIDE HOW LONG PRIOR AUTHORIZATION APPROVALS SHALL BE VALID; TO PROVIDE HOW LONG THE PRIOR AUTHORIZATIONS FOR CHRONIC CONDITIONS SHALL BE VALID; TO ESTABLISH THE PROCEDURE FOR THE CONTINUITY OF PRIOR APPROVALS FROM PREVIOUS HEALTH INSURANCE ISSUERS TO CURRENT ISSUERS; TO PROVIDE THAT A FAILURE BY A HEALTH INSURANCE ISSUER TO COMPLY WITH THE DEADLINES AND OTHER REQUIREMENTS SPECIFIED IN THIS ACT SHALL RESULT IN ANY HEALTH CARE SERVICES SUBJECT TO REVIEW TO BE AUTOMATICALLY DEEMED AUTHORIZED BY THE HEALTH INSURANCE ISSUER OR ITS CONTRACTED PRIVATE REVIEW AGENT; TO AUTHORIZE THE DEPARTMENT OF HEALTH TO ISSUE CEASE AND DESIST ORDERS TO HEALTH INSURANCE ISSUERS OR PRIVATE REVIEW AGENTS; TO AUTHORIZE THE STATE DEPARTMENT OF HEALTH TO IMPOSE UPON A PRIVATE REVIEW AGENT, HEALTH BENEFIT PLAN OR HEALTH INSURANCE ISSUER AN ADMINISTRATIVE FINE NOT TO EXCEED \$10,000 PER VIOLATION OF THE ACT; TO REQUIRE HEALTH INSURANCE ISSUERS TO REPORT TO THE DEPARTMENT CERTAIN DATA; TO REQUIRE HEALTH INSURANCE ISSUERS TO NOTIFY THE COMMISSIONER OF INSURANCE OF SUSPECTED SUBMISSIONS OF FALSE REQUESTS FOR PRIOR AUTHORIZATION; TO REQUIRE THE COMMISSIONER TO HAVE AN ADMINISTRATIVE HEARING ON SUCH MATTERS TO RESOLVE THE ISSUE; TO AMEND SECTION 41-83-31, MISSISSIPPI CODE OF 1972, TO CONFORM AND TO SET CERTAIN QUALIFICATIONS AND TIME CONSTRAINTS FOR PHYSICIANS MAKING ADVERSE DETERMINATIONS THROUGH ANY PROGRAM OF UTILIZATION REVIEW; TO AMEND SECTION 83-9-6.3, MISSISSIPPI CODE OF 1972, TO CONFORM WITH THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES."

Prior authorization is the process utilized to determine if the cost of a particular medical procedure or service, or medication is covered under an insurance plan. Senate Bill 2622, titled "Mississippi Prior Authorization Reform Act" seeks to implement a "transparent", "fair" and "consistent" process for obtaining prior authorization, a worthy goal. Specifically, SB 2622 mandates that a health insurer make numerous disclosures regarding (a) what services require prior authorization, (b) the process for obtaining prior authorization, and (c) the clinical review criteria to be applied, and prohibits any changes to these disclosures upon less than sixty (60) days' notice. Further, SB 2622 requires the use of a standardized electronic portal for submission and processing of requests for prior authorization and provides that determinations be made in two (2) working days for nonurgent circumstances and twenty-four (24) hours for urgent circumstances. Additionally, SB 2622 requires health insurers to utilize a physician having "experience treating and managing patients with the medical condition or disease for which the" prior authorization is requested to review such requests, and utilize a second physician with similar credentials to consider the appeal of any denial of a request. SB 2622 also prohibits the revocation or limitation of prior authorization in certain circumstances, and limits the validity of prior authorization to a maximum of six (6) months, with a twelve (12) month limitation for chronic conditions. The effect of any health insurer failing to comply with these requirements "shall result in any health care services subject to review to be automatically deemed authorized," and subject the insurer to the jurisdiction of the

Mississippi Department of Health who may issue a cease-and-desist order, require a corrective action plan and impose a fine in the amount of up to \$10,000 per violation. In addition, SB 2622 requires health insurers report significant statistical data to the Department of Health. Finally, SB 2622 gives the Mississippi Department of Insurance the authority to conduct an administrative proceeding regarding any reported false or fraudulent requests for prior authorization submitted to a health insurer.

Reforming the prior authorization process is a very worthy goal, and I support efforts very similar to those in this bill. Almost every Mississippian knows someone who has fought with an insurance company over coverage for a medical procedure or medication that has been recommended for a loved one. Anyone who has been in that position has experienced extreme frustration and is keenly aware that reform is necessary to bring transparency, uniformity and timeliness to the prior authorization process. I commend the Mississippi Legislature for their efforts to reform the prior authorization process, and I agree that the current system could be dramatically improved through the use of required notices regarding the procedures to seek prior authorization, submission of requests through a uniform electronic portal, review of requests by qualified physicians, and the adoption of rules that place tight timelines on the prior authorization process. While Senate Bill 2622 accomplishes many of these laudable goals, a few correctable flaws in the bill have the potential to create significant negative unintended consequences.

First, regulatory authority over all insurance companies in the state, including health insurers has long been vested in the Mississippi Department of Insurance. The Department of Insurance employs a staff of highly competent professionals with decades of experience in regulating the insurance industry. This industry-specific knowledge would enable the Department of Insurance to be in the best position to efficiently adopt rules and regulations to ensure compliance with the Prior Authorization Reform Act. The Mississippi Department of Health has no experience regulating insurance companies.

Moreover, the Mississippi Department of Insurance, unlike the Mississippi Department of Health, is not a healthcare provider. For decades the Mississippi Department of Health has provided healthcare services to Mississippians through county health departments, and it is the stated goal of the newly appointed State Health Officer to expand the services provided by the Department of Health at county health departments. Thus, Senate Bill 2622 has the potential to create an untenable situation in which the Mississippi Department of Health would be called on to make a determination on a request for prior authorization for a procedure or medication being recommended by a medical provider employed by the Department of Health and providing care at a county health department. In short, empowering the agency with regulatory authority over the insurance industry and avoiding the potential for future conflicts of interest dictates that oversight over the Prior Authorization Reform Act should be placed with the Mississippi Department of Insurance, not the Mississippi Department of Health.

Second, under existing law, the Mississippi Department of Insurance plays no role in investigating suspected healthcare fraud. In fact, federal law dictates that if the Mississippi Department of Medicaid becomes aware of any incidents of fraud or abuse, the Department is required to refer the case to the Mississippi Attorney General's Medicaid Fraud Control Unit. If such incidents of fraud or abuse are substantiated, the Mississippi Attorney General's Office has civil and criminal enforcement authority. Moreover, state District Attorneys and the United States Attorney have jurisdiction to investigate and prosecute other healthcare fraud. Despite this existing framework to address healthcare fraud, Senate Bill 2622 creates an administrative procedure for the Mississippi Department of Insurance to receive referrals of information regarding alleged fraud by healthcare providers in connection with false or fraudulent prior authorization requests, and empowers the Department of Insurance to conduct "an administrative hearing on the matter to resolve the issue." The Mississippi Department of Insurance has no jurisdiction to prosecute healthcare fraud, and such an administrative process could frustrate and hinder criminal investigations by the Attorney General, District Attorney or United States Attorney, the bodies that possess criminal prosecutorial authority. Healthcare fraud cases are complex and may take years to investigate. During such time, it is imperative that such investigations remain confidential. Thus, the administrative hearing process created by SB 2622 would have the unintended effect of jeopardizing criminal investigations of suspected fraud in connection with prior authorization requests.

Third, Senate Bill 2622 negatively impacts the current prior authorization process in two significant, unintended ways. First, it limits parties to an insurance contract from agreeing that the validity of a prior authorization determination may extend beyond six months (or 12 months for a chronic condition). To avoid unnecessary administrative expense, the parties to an insurance contract should retain the right to agree to extend a prior authorization beyond six months. Second, Senate Bill 2622 requires a minimum of 60 days' notice in advance of amending any prior authorization requirement. While on its face such a limitation might seem like good policy, in the real world it could have the effect of interrupting access to medication. For example, when a preferred medication becomes scarce or unavailable due to supply issues, the 60-day notice provision would preclude an insurer from immediately making a change in its prior authorization schedule to provide access to a substitute drug. Similarly, if a new drug came to market, an insurer would be hampered by the 60-day notice period to adopt criteria to approve the use of the new drug. A statutory exception for medical necessity should be added to this 60-day notice period.

Fourth, Senate Bill 2622 mandates that health insurers utilize a team of qualified physician specialists to evaluate requests for prior authorization on a very short timeframe and places heavy reporting obligations on health insurers. Such new obligations will significantly increase operating costs, and such increases will be passed on through increased premiums to be borne by Mississippians and Mississippi businesses. It is likely that these expected increased costs led the Legislature to exclude the Mississippi State and School Employees' Life and Health Insurance Plan from SB 2622. Such an exclusion, however, begs the question, if imposing these additional burdens and resulting additional costs on health insurers to improve the prior authorization process is good policy, why was the largest group health insurance plan in the state (covering 190,000 state employees, including the members of the Legislature) excluded? I believe the Legislature should reexamine the additional regulatory burdens placed on health insurers, specifically through the lens of whether they will cause the cost of health insurance for many Mississippians to increase.

Finally, unlike the State Employees Health Insurance Plan, Medicaid is not a health insurance company. Rather, Medicaid is a welfare program that provides access to healthcare for low-income Mississippians. Medicaid operates under the supervision of the Federal government and in accordance with federal law and CMS rules and regulations. Prior to the introduction of Senate Bill 2622, the Biden-Harris Administration announced a proposed rule to place new requirements on Medicaid programs to streamline processes relating to prior authorization, improve healthcare data exchange, and add more interoperability of the prior authorization process. The requirements of SB 2622 are inconsistent with many of the standards proposed by the Federal government. If Medicaid is subject to the requirements of SB 2622, it will be required to follow two separate standards, resulting in inefficiencies and increased costs. Moreover, Medicaid managed care entities are prohibited by Miss. Code Ann. § 43-13-117(h) from adopting prior authorization requirements that are more stringent than the processes utilized by the Mississippi Division of Medicaid. Prudence dictates that because Medicaid's prior authorization process is under the watchful eye of the Federal government, it should be exempted from duplicative and contrary state law requirements. If we choose not to exempt Medicaid, we must—at the very least—provide the vast additional resources necessary to comply with this new prior authorization scheme. New staff will be required, and it will be a Herculean effort for the state to either comply on the quick timeline required or face fines and cover otherwise ineligible services. Whichever way we decide, the Legislature would be forced to pour much more money into this agency—and I do not want to put anyone in that position.

In sum, while I agree that reform of the prior authorization process is much needed, and I commend the efforts of the Legislature to bring transparency and consistency to the process, a few correctable flaws in Senate Bill 2622 have the potential to create significant negative unintended consequences. As a result, I am vetoing Senate Bill 2622.

Respectfully submitted,  
TATE REEVES  
GOVERNOR

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MESSAGE FROM THE GOVERNOR  
March 15, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2003:** Highways; dedicate a section of Highway 12 to G. Louis Jones. (March 14, 2023, 10:34 AM)

**S. B. No. 2077:** Charitable Organizations; Raise audit threshold for contributions to \$750,000.00, and use a cash basis only. (March 14, 2023, 10:34 AM)

**S. B. No. 2149:** City of Guntown; authorize the use of side by side vehicles on certain public roads. (March 14, 2023, 10:53 AM)

**S. B. No. 2164:** Real property owned by school districts; allow to be sold for development. (March 14, 2023, 10:56 AM)

**S. B. No. 2197:** Veteran service officers; authorize certain action on behalf of a veteran under a power of attorney, provide immunity to. (March 14, 2023, 10:58 AM)

**S. B. No. 2298:** Bail agents; revise procedure for determining in municipal and justice courts. (March 14, 2023, 11:01 AM)

**S. B. No. 2309:** MDAH property; authorize DFA to clarify donation if certain lands in Claiborne County to U.S. Park Service. (March 14, 2023, 10:35 AM)

**S. B. No. 2312:** County-owned real estate; establish competitive bidding process for lease or sale. (March 14, 2023, 10:36 AM)

**S. B. No. 2336:** Prevention of overdoses; authorize administration of opioid antagonists by certain persons, provide immunity to. (March 14, 2023, 11:10 AM)

**S. B. No. 2337:** Conspiracy; revise statute of limitations. (March 14, 2023, 11:13 AM)

**S. B. No. 2360:** Agricultural high schools; revise board membership. (March 14, 2023, 11:13 AM)

**S. B. No. 2392:** Fees for county garbage collection; revise provision related to. (March 14, 2023, 11:14 AM)

**S. B. No. 2420:** Public Funds Offender Registry; create. (March 14, 2023, 11:17 AM)

**S. B. No. 2485:** Early Intervention Act for Infants and Toddlers; add certain individuals to definition of qualified personnel. (March 14, 2023, 11:18 AM)

**S. B. No. 2545:** Highways; dedicate a section of Highway 35 to Constable Raye Hawkins. (March 14, 2023, 10:38 AM)

**S. B. No. 2546:** Highways; dedicate a section of Highway 51 to Deputy Joe Kenneth Cosby. (March 14, 2023, 11:20 AM)

SENATE JOURNAL  
WEDNESDAY, MARCH 15, 2023

**S. B. No. 2547:** Highways; dedicate a section of Highway 315 to Nolan Mettetal. (March 14, 2023, 11:21 AM)

**S. B. No. 2602:** Highway Memorials; designate segment of Highway 25 to Kash McGraw and Bridge to Stacey Ricks. (March 14, 2023, 10:39 AM)

**S. B. No. 2647:** Real estate licensee; revise liability. (March 14, 2023, 11:26 AM)

**S. B. No. 2652:** Mississippi Vulnerable Person Abuse Registry; create. (March 14, 2023, 10:41 AM)

**S. B. No. 2663:** Mississippi Historic Site Preservation Fund; revise grant eligibility and require annual report. (March 14, 2023, 10:45 AM)

**S. B. No. 2703:** Driver's license fees; waive for applicants in MDCPS custody. (March 14, 2023, 10:46 AM)

**S. B. No. 2723:** Former First Christian Church property within the Capitol Complex; authorize DFA to purchase. (March 14, 2023, 10:49 AM)

**S. B. No. 2728:** Statewide master agreements and utilization of information technology acquisitions made by other entities; authorize. (March 14, 2023, 10:50 AM)

**S. B. No. 2734:** County boards of supervisors; permit to expend federal funds during the last term of office of such board. (March 14, 2023, 10:51 AM)

**S. B. No. 2751:** Sixteenth Section lands; no law, ordinance or regulation shall prohibit school districts from using for educational facilities. (March 14, 2023, 11:32 AM)

**S. B. No. 2890:** Lee County; authorize annual contributions to Sanctuary Hospice House. (March 14, 2023, 11:33 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE COM. OF DEPT. OF REVENUE  
March 15, 2023

I hereby submit to you for your consideration the following appointment, and request the advise and consent of the Senate, thereto viz:

Russell James (Rusty) Hanna, Louisville, Mississippi, Appeals Board of the Mississippi Transportation Commission, four year term beginning July 1, 2023 and ending June 30, 2027.

Chris Graham, Commissioner  
DEPT. OF REVENUE

The executive nomination in the foregoing message was referred to committee as follows:

Russell James (Rusty) Hanna, Appeals Board of the Mississippi Transportation Commission, four year term beginning July 1, 2023 and ending June 30, 2027, Highways and Transportation.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2376:** AN ACT TO AMEND SECTION 43-21-261, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DISCLOSURE OF CERTAIN YOUTH COURT RECORDS SHALL NOT REQUIRE YOUTH COURT APPROVAL IN CRIMINAL MATTERS; AND FOR RELATED PURPOSES.

**S. C. R. No. 559:** A CONCURRENT RESOLUTION OFFERING THE SINCEREST CONGRATULATIONS OF THE LEGISLATURE TO RICKY STENHOUSE, JR., FROM OLIVE BRANCH, MISSISSIPPI, FOR WINNING THE 2023 DAYTONA 500 AFTER A RECORD 212 LAPS.

**S. C. R. No. 563:** A CONCURRENT RESOLUTION DESIGNATING MARCH 5-11, 2023, AS "NATIONAL SCHOOL SOCIAL WORK WEEK IN MISSISSIPPI" AND EXPRESSING THE IMPORTANCE OF SCHOOL SOCIAL WORK PROGRAMS.

**S. C. R. No. 565:** A CONCURRENT RESOLUTION RECOGNIZING WALTHALL COUNTY CONSTABLE RAYMOND GUTTER OF TYLERTOWN, MISSISSIPPI, ON THE OCCASION OF HIS RETIREMENT AND COMMENDING HIS THREE-DECADE CAREER OF EFFECTIVE LAW ENFORCEMENT SERVICE TO HIS COUNTY AND STATE.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 280:** AN ACT TO CREATE A STUDY COMMITTEE FOR THE PURPOSE OF STUDYING THE PURCHASING, ACQUIRING, LEASING OR HOLDING AN INTEREST IN AGRICULTURAL LAND BY FOREIGN GOVERNMENT; TO PROVIDE THE NINE MEMBERS OF THE STUDY COMMITTEE; TO PROVIDE THE INFORMATION THAT THE STUDY COMMITTEE SHALL STUDY, TO REQUIRE A REPORT TO BE PROVIDED TO THE LEGISLATURE BY DECEMBER 1, 2023; AND FOR RELATED PURPOSES.

**H. B. No. 1209:** AN ACT TO AMEND CHAPTER 942, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF WAYNESBORO, MISSISSIPPI, TO IMPOSE A SPECIAL TAX UPON THE GROSS PROCEEDS DERIVED FROM THE SALES OF BARS AND RESTAURANTS AS WELL AS UPON THE GROSS PROCEEDS DERIVED FROM THE SALES OF HOTELS, MOTELS AND BED-AND-BREAKFAST ROOM RENTALS; AND FOR RELATED PURPOSES.

**H. B. No. 1521:** AN ACT TO AMEND CHAPTER 946, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 922, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 941, LOCAL AND PRIVATE LAWS OF 2016, AS AMENDED BY CHAPTER 935, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2028, ON THE LAW THAT AUTHORIZES THE CITY OF BRANDON, MISSISSIPPI, TO IMPOSE A TAX UPON THE SALE OF PREPARED FOOD AND BEVERAGES IN RESTAURANTS AND BARS WITHIN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1541:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF TALLAHATCHIE COUNTY, MISSISSIPPI, TO CONVEY TO THE GOVERNING AUTHORITIES OF THE TOWN OF WEBB, MISSISSIPPI, CERTAIN PROPERTY USED

OR FORMERLY USED AS A PUBLIC LIBRARY IN THE TOWN; AND FOR RELATED PURPOSES.

**H. B. No. 1542:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF TALLAHATCHIE COUNTY, MISSISSIPPI, TO CONVEY TO THE TOWN OF TUTWILER, MISSISSIPPI, CERTAIN PROPERTY USED OR FORMERLY USED AS A PUBLIC LIBRARY IN THE TOWN; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. C. R. No. 39:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING MRS. PANNY FLAUTT MAYFIELD UPON BEING NAMED A 2023 NOEL POLK LIFETIME ACHIEVEMENT AWARD NOMINEE.

Joseph Thomas, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of William Chuck Cochran, Brooks Anderson Bradley and Edna "Cissy" Wisner.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, MARCH 15, 2023

**S. B. No. 3150:** Local and Private; Finance

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF KOSCIUSKO, MISSISSIPPI, TO LEVY AN ADDITIONAL SALES TAX OF NOT MORE THAN 1% UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY, INCLUDING THE REFURBISHMENT OF THE JUNIOR HIGH SCHOOL AUDITORIUM TO INCLUDE A PERFORMING ARTS CENTER AND A MUSEUM COMPONENT; TO PROVIDE THAT AN ELECTION BE HELD ON THE FIRST TUESDAY AFTER THE FIRST MONDAY IN NOVEMBER 2023 ON THE QUESTION OF THE LEVYING OF SUCH TAX; TO PROVIDE THAT THE TAX SHALL BE SUBJECT TO REAUTHORIZATION BY THE VOTERS AT EACH MUNICIPAL GENERAL ELECTION; AND FOR RELATED PURPOSES.

By Senator(s) Chassaniol

**S. B. No. 3151:** Local and Private

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF RANKIN COUNTY, MISSISSIPPI, TO CONTRIBUTE AN AMOUNT NOT TO EXCEED \$750,000.000 FROM AVAILABLE COUNTY FUNDS TO TRUSTMARK PARK FOR ECONOMIC DEVELOPMENT AND TOURISM PURPOSES; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. B. No. 3152:** Local and Private

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF PEARL, MISSISSIPPI, TO CONTRIBUTE AN AMOUNT NOT TO EXCEED \$1,500,000.00 TO TRUSTMARK PARK; AND FOR RELATED PURPOSES.



By Senator(s) Kirby

**S. B. No. 3153:** Local and Private

AN ACT TO AMEND CHAPTER 951, LOCAL AND PRIVATE LAWS OF 2018, AS LAST AMENDED BY CHAPTER 923, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2027, ON THE LAW THAT AUTHORIZES THE CITY OF PEARL, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF THE SALES OF HOTELS, MOTELS AND RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM, PARKS AND RECREATION IN THE CITY; AND FOR RELATED PURPOSES.

By Senator(s) Kirby

**S. R. No. 76:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE PASCAGOULA RESURRECTION CATHOLIC SCHOOL "EAGLES" BASEBALL TEAM AND COACH JOHNNY OLSEN FOR WINNING THEIR FIRST EVER MHSAA 1A STATE BASEBALL CHAMPIONSHIP.

By Senator(s) England, Wiggins

**S. R. No. 77:** Rules

A RESOLUTION COMMEMORATING THE QUARTOSEPTCENTENNIAL (175TH) ANNIVERSARY OF BEULAH BAPTIST CHURCH IN MYRTLE, MISSISSIPPI, THE "LIGHTHOUSE ON THE HILL."

By Senator(s) Chism

**S. R. No. 78:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE MCEVANS SCHOOL "WARRIORS" BOYS BASKETBALL TEAM AND COACH ERIC HENRY FOR WINNING THE MHSAA CLASS 1A STATE CHAMPIONSHIP.

By Senator(s) Simmons (13th)

**S. R. No. 79:** Rules

A RESOLUTION CONGRATULATING SENATOR DERRICK SIMMONS FOR BEING RECOGNIZED AS "LEGISLATOR OF THE YEAR" BY THE NATIONAL BLACK CAUCUS OF STATE LEGISLATORS.

By Senator(s) Frazier, Norwood, Jackson, Jordan, Horhn, Thomas, Butler (38th), Barnett, Butler (36th), Turner-Ford, Hickman, Simmons (13th)

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SEVENTY-THIRD DAY, THURSDAY, MARCH 16, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Parks, Tate. Total--2.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Chris Floyd, Lead Pastor, Broadmoor Baptist Church, Meridian, MS.

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Senator Moran led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2140:** National Security on State Devices and Networks Act; create.  
Senators DeLano, Williams, Boyd.

**S. B. No. 2612:** Construction; bring forward code sections concerning local permitting and State Board of Contractors licensing.  
Senators Hill, Simmons (12th), Suber.

**S. B. No. 2729:** Limitation of liability requirements for information technology contracts; clarify.  
Senators DeLano, Williams, Hopson.

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#### REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 5:** Tammy Renee' Phillips, Brandon, Mississippi, State Board of Banking Review, five year term effective May 23, 2022 and ending February 22, 2027, representing an At-Large position. Do Advise and Consent.

**S. N. No. 6:** Philip Roger Blaylock, Madison, Mississippi, State Board of Banking Review, five year term effective June 29, 2022 and ending March 23, 2027, representing the First Supreme Court District, vice Sarah Beth Wilson. Do Advise and Consent.

**S. N. No. 14:** Timothy Clifton (Tim) Allred, Meridian, Mississippi, State Board of Contractors, five year term beginning July 1, 2022 and ending June 30, 2027, representing the Residential Builder, vice David Smith. Do Advise and Consent.

**S. N. No. 15:** Norris Lee Carson, Carthage, Mississippi, State Board of Contractors, five year term beginning September 14, 2022 and ending June 30, 2026, representing a Road Contractor. Do Advise and Consent.

**S. N. No. 22:** Sandra Tingle Chancellor, Madison, Mississippi, State Board of Funeral Service as the Funeral Director Licensed representative from the First Supreme Court District, four year term effective July 6, 2022 and ending June 20, 2026, vice David Allen Ray. Do Advise and Consent.

**S. N. No. 23:** David Chadwick (Chad) Riemann, Gulfport, Mississippi, State Board of Funeral Service as the Funeral Dir. Licensed representative from the 2nd Supreme Court Dist., four year term effective July 1, 2022 and ending June 30, 2026, vice Jeffrey O'Keefe, Sr.. Do Advise and Consent.

**S. N. No. 67:** Ora Lee (O.L.) Sims, II, Hattiesburg, Mississippi, State Board of Contractors as the Water and Sewer Contractor, five year term beginning July 1, 2022 and ending June 30, 2027. Do Advise and Consent.

CAUGHMAN, Chairman

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Senator McMahan called up the following entitled bill:

**H. B. No. 1725:** Lowndes County; authorize contribution to Prairie Land Water Association using ARPA Local Fiscal Recovery Funds.

YEAS AND NAYS On H. B. No. 1725. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Parks, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1787:** Scenic Rivers Development Alliance; authorize to create special purpose entities.

YEAS AND NAYS On H. B. No. 1787. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Parks, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3145:** George County; authorize to levy 3% sales tax on the sales of hotels and motels within the county and 1% tax on the sales of restaurants.

YEAS AND NAYS On S. B. No. 3145. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Parks, Tate. Total--2.

Voting Present--McLendon. Total--1.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2004:** Town of Duck Hill; authorize governing authorities to levy tourism tax.

YEAS AND NAYS On S. B. No. 2004. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Parks, Tate. Total--2.

Voting Present--McLendon. Total--1.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2152:** City of Byram; authorize governing authorities to levy parks and recreation tax on restaurants.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2152. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Parks, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2519:** Town of Monticello; authorize tourism tax on restaurants, hotels and motels.

YEAS AND NAYS On S. B. No. 2519. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Parks, Tate. Total--2.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3143:** City of Lucedale; authorize to levy tax upon sales of restaurants for the purposes of funding parks and recreation.

YEAS AND NAYS On S. B. No. 3143. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Parks, Tate. Total--2.

Voting Present--McLendon. Total--1.

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Senator Chassaniol called up the following House Amendment to **S. B. No. 2139** and moved that the Senate do concur in the Amendment:

## AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

## SECTION 1. (1) The Legislature finds that:

(a) Public Law 114-196 established the United States Semiquincentennial Commission and its nonprofit partner, the America250 Foundation, to collaborate with affiliates at the local, territorial, state, tribal, regional, national and international levels to educate, engage and unite Americans throughout a commemorative period beginning in 2020 to officially conclude in 2027, culminating in the celebration of the 250th Anniversary of the signing of the Declaration of Independence on July 4, 2026, and of the 250th Anniversary of the founding of the United States of America;

(b) As of December 1, 2021, eighteen (18) states have established organizations to support the America250 initiative by planning and implementing programs that honor the history and culture of the United States, including special events, public art displays, museum exhibitions and educational curriculums, and the United States Semiquincentennial Commission expects the widest participation to occur through state and local projects and events; and

(c) It is altogether appropriate during this commemorative period to participate in a celebration of this magnitude and salute our state heroes, groups, artists, industries, agriculture, historic sites and other contributions to the fabric and history of our nation.

(2) There is hereby created a Mississippi USA Semiquincentennial Commission, hereinafter referred to as the "commission," to plan, promote and implement appropriate public celebrations and official events, programs and commemorations.

(3) The commission is authorized to cooperate with the United States Semiquincentennial Commission and the America250 Foundation and other national and state organizations engaged in commemoration and celebration of the semiquincentennial, and other national, regional, state and local public and private organizations with compatible purposes.

(4) The commission shall designate and coordinate events and programs with respect to the formal semiquincentennial celebration and commemoration and promote and encourage through those events, programs, digital and printed media, symposia, and educational outreach all of the following:

(a) Awareness and understanding of the principles of the Declaration of Independence, of the winning of American independence in the American Revolutionary War, and of the establishment of America's system of constitutional self-government;

(b) Teaching students and increasing public knowledge and appreciation of the breadth of American history and the centuries-long quest for "liberty and justice for all," to include sharing the stories and contributions of the various people who have populated the land, from indigenous peoples, explorers, British colonists, seekers of religious freedom, enslaved African Americans and many others who are part of America's stories;

(c) Advancing the cause of liberty and American self-government and of the meaning of "E Pluribus Unum" ("from many, one") through promoting civic knowledge and practice, including America's "Charters of Freedom" (the Declaration of Independence,

the Constitution and the Bill of Rights) and the constitutional features of self-government emphasizing the roles of active and engaged good citizens;

(d) Emphasizing the service and sacrifices of veterans of all generations who have secured and preserved American independence and freedom and encouraging Mississippians to honor them; and

(e) Celebratory and commemorative events and activities throughout the State of Mississippi and its eighty-two (82) counties and its two hundred ninety-nine (299) incorporated municipalities celebrating our state's arts, culture, sports, entertainment, innovation, science, entrepreneurship, parks, preservation and youth.

(5) The commission shall be composed of the following members:

(a) The Governor's First Lady, or her designee;

(b) The Lieutenant Governor, or his designee;

(c) The Speaker of the House of Representatives, or his designee;

(d) Three (3) members appointed by the Governor, one (1) of whom shall be an indigenous person, to serve terms concurrent with that of the Governor;

(e) Two (2) members appointed by the Lieutenant Governor to serve terms concurrent with that of the Lieutenant Governor;

(f) One (1) member appointed by the Speaker of the House of Representatives to serve a term concurrent with that of the Speaker;

(g) The Director of the Division of Tourism of the Mississippi Development Authority, or his designee;

(h) The Executive Director of the Mississippi Tourism Association, or her designee;

(i) The Director of the Mississippi Department of Archives and History, or her designee; and

(j) The Executive Director of the Mississippi Arts Commission, or his designee.

(6) Appointments shall be made within thirty (30) days after the passage of this act by the Legislature, and the First Lady shall serve as chairwoman for a term concurrent with the gubernatorial term. Within fifteen (15) days thereafter, on a day to be designated by the First Lady, the commission shall meet and organize for business by adopting internal organizational procedures necessary for the commission's efficient operation, including officers, committees and subcommittees, quorum requirements, and policies for any commission staff. Each member of the commission shall designate necessary staff of his or her respective agency, department or business entity, as the case may be, to provide administrative support to assist the commission in performing its duties and responsibilities. In the selection of its officers and the adoption of rules, resolutions and reports, an affirmative vote of a majority of the commission shall be required. All members shall be notified in writing of all meetings, such notices to be transmitted as appropriate at least five (5) days before the date on which a meeting is to be held. The commission shall meet and conduct business at least quarterly each year. Commission meetings shall be open to the public, and opportunity for public comment shall be made available.

(7) Commission members shall receive no compensation for their services. No commission member may incur per diem, travel or other expenses unless previously

authorized by vote at a meeting of the commission, which action shall be recorded in the official minutes of the meeting. Legislative members of the commission shall be paid from the contingent expense funds of their respective houses in the same manner as provided for committee meetings when the Legislature is not in session; however, no per diem or expense for attending meetings of the commission will be paid while the Legislature is in session. Nonlegislative members shall be paid from any funds made available for that purpose to the commission or their respective agencies, departments or business entities.

(8) No elected public official or public employee serving on the commission shall be involved in soliciting any private funds or gifts for the commission.

(9) The First Lady, with concurrence of the commission, may designate the chief executive officer of an agency or nonprofit organization created or chartered by legislative act, or another qualified individual, to serve as the executive officer and secretary of the commission. The executive officer shall serve without additional compensation but may be reimbursed for expenses as provided for state employees. He or she shall exercise such powers delegated by the commission, including the right to apply for, receive, accept, deposit and administer pursuant to commission authorization any federal, state or local public or private funds given for express use by the commission for semiquincentennial purposes.

(10) The First Lady, with the concurrence of the commission, shall constitute one or more advisory committees to advise the commission. The committees may include such representatives as the respective executive officer, or his or her designee, of the Mississippi Department of Education, the Mississippi Institutions of Higher Learning, the Mississippi Community College Board, the Mississippi Military Department or the Mississippi Veterans Affairs Board, or representatives of presidents of Mississippi's public colleges and universities, historically black colleges and universities, community colleges, associations and organizations of city or county officials, or state historical, educational, patriotic, civic, religious, military, veterans, community improvement and other organizations.

(11) To effectuate the purposes of this section, any department, division, board, bureau, commission or agency of the state or of any political subdivision thereof shall, at the request of the chair of the commission or her designee, provide to the commission such facilities, assistance and data as will enable the committee properly to carry out its task. All departments, boards, agencies, officers and institutions of the state and of all subdivisions thereof shall cooperate with the commission in carrying out its purposes under this section. The commission shall encourage various state agencies and organizations to work cooperatively to promote the semiquincentennial.

(12) The commission is authorized and empowered to accept and expend grants and private donations from any source, including federal, state, public and private entities, and may create a supporting nonprofit organization, supervised and controlled by the commission through majority board control and representation, to accept and expend on behalf of the commission such grants and private donations, to encourage the broadest volunteer participation of public and private partners and organizations, and to assist the commission to carry out its functions. Any expenditures by the commission shall be authorized by a majority vote of the nonlegislative members of the commission.

(13) There is hereby created in the State Treasury the Mississippi Semiquincentennial Celebration Fund. Any appropriations, funds or donations received by the commission shall be deposited into this special fund. The fund shall be maintained by the State Treasurer as a special fund, separate and apart from the State General Fund. Unexpended amounts remaining in this special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the special fund. Monies in the fund shall be expended by the Department of Finance and Administration after receipt of requisitions submitted by the appropriate person designated by the commission. Monies



in the special fund may be used by the commission in carrying out its responsibilities under this section.

(14) The commission shall make an annual written report and make any recommendations to the Governor and Legislature at least thirty (30) days prior to the convening of each Regular Session of the Legislature, beginning in 2024 and continuing through its final report in 2027. The commission shall consider and recommend ways for the state to commemorate the semiquincentennial through state and local legacy projects for the state at large and for counties and municipalities, as well as ways to enhance educational programs and extended learning offered by local boards of education, the Department of Education, relevant state agencies and departments, and two-year and four-year institutions of higher education, including historically black colleges and universities.

(15) This section shall stand repealed on June 30, 2027.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH A MISSISSIPPI USA SEMIQUINCENTENNIAL COMMISSION TO DEVELOP PROGRAMS FOR OBSERVING THE 250TH ANNIVERSARY OF THE UNITED STATES OF AMERICA; TO AUTHORIZE COOPERATION WITH THE UNITED STATES SEMIQUINCENTENNIAL COMMISSION AND THE AMERICA250 FOUNDATION AND OTHER PUBLIC AND PRIVATE ORGANIZATIONS; TO DESIGNATE SPECIFIC OBJECTIVES OF THE COMMISSION; TO PROVIDE FOR THE MEMBERSHIP AND ORGANIZATION OF THE COMMISSION; TO PROVIDE FOR REIMBURSEMENT OF EXPENSES; TO PROHIBIT SOLICITATION OF FUNDS BY MEMBERS WHO ARE ELECTED OFFICIALS OR PUBLIC EMPLOYEES; TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE OFFICER AND SECRETARY TO THE COMMISSION; TO PROVIDE FOR ADVISORY COMMITTEES; TO ENCOURAGE THE COOPERATION OF STATE AGENCIES AND POLITICAL SUBDIVISIONS; TO EMPOWER THE COMMISSION TO ACCEPT AND EXPEND FUNDS FROM PRIVATE AND PUBLIC SOURCES FOR THIS CELEBRATION; TO CREATE THE MISSISSIPPI SEMIQUINCENTENNIAL CELEBRATION FUND IN THE STATE TREASURY; TO REQUIRE AN ANNUAL REPORT OF THE COMMISSION TO THE GOVERNOR AND LEGISLATURE; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2139** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Parks, Tate. Total--2.

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Senator Harkins called up the following House Amendment to **S. B. No. 2449** and moved that the Senate do concur in the Amendment:

## AMENDMENT NO. 2:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-65-3, Mississippi Code of 1972, is amended as follows:

27-65-3. The words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them herein.

(a) "Tax Commission" or "department" means the Department of Revenue of the State of Mississippi.

(b) "Commissioner" means the Commissioner of Revenue of the Department of Revenue.

(c) "Person" means and includes any individual, firm, copartnership, joint venture, association, corporation, promoter of a temporary event, estate, trust or other group or combination acting as a unit, and includes the plural as well as the singular in number. "Person" shall include husband or wife, or both, where joint benefits are derived from the operation of a business taxed hereunder. "Person" shall also include any state, county, municipal or other agency or association engaging in a business taxable under this chapter.

(d) "Tax year" or "taxable year" means either the calendar year or the taxpayer's fiscal year.

(e) "Taxpayer" means any person liable for or having paid any tax to the State of Mississippi under the provisions of this chapter. A taxpayer is required to obtain a sales tax permit under Section 27-65-27 before engaging in business in this state. If a taxpayer fails to obtain a sales tax permit before engaging in business in this state, the taxpayer shall pay the retail rate on all purchases of tangible personal property and/or services in this state, even if purchased for resale. Upon obtaining a sales tax permit, a previously unregistered taxpayer shall file sales tax returns for all tax periods during which he engaged in business in this state without a sales tax permit, and report and pay the sales tax accruing from his operation during this period and any applicable penalties and interest. On such return, the taxpayer may take a credit for any sales taxes paid during the period he operated without a sales tax permit on a purchase that would have constituted a wholesale sale if the taxpayer had a sales tax permit at the time of the purchase and if proper documentation exists to substantiate a wholesale sale. This credit may also be allowed in any audit of the taxpayer. Any penalties and interest owed by the taxpayer on the return or in an audit for a period during which he operated without a sales tax permit may be determined based on the sales tax accruing from the taxpayer's operation for that period after the taking of this credit.

(f) "Sale" or "sales" includes the barter or exchange of property as well as the sale thereof for money or other consideration, and every closed transaction by which the title to taxable property passes shall constitute a taxable event.

"Sale" shall also include the passing of title to property for a consideration of coupons, trading stamps or by any other means when redemption is subsequent to the original sale by which the coupon, stamp or other obligation was created.

The situs of a sale for the purpose of distributing taxes to municipalities shall be the same as the location of the business from which the sale is made except that:

(i) Retail sales along a route from a vehicle or otherwise by a transient vendor shall take the situs of delivery to the customer.

(ii) The situs of wholesale sales of tangible personal property taxed at wholesale rates, the amount of which is allowed as a credit against the sales tax liability of the retailer, shall be the same as the location of the business of the retailer receiving the credit.

(iii) The situs of wholesale sales of tangible personal property taxed at wholesale rates, the amount of which is not allowed as a credit against the sales tax liability of the retailer, shall have a rural situs.

(iv) Income received from the renting or leasing of property used for transportation purposes between cities or counties shall have a rural situs.

(g) "Delivery charges" shall mean and include any expenses incurred by a seller in acquiring merchandise for sale in the regular course of business commonly known as "freight-in" or "transportation costs-in." "Delivery charges" also include any charges made by the seller for delivery of property sold to the purchaser.

(h) "Gross proceeds of sales" means the value proceeding or accruing from the full sale price of tangible personal property, including installation charges, without any deduction for delivery charges, cost of property sold, other expenses or losses, or taxes of any kind except those expressly exempt by this chapter.

"Gross proceeds of sales" includes consideration received by the seller from third parties if:

(i) The seller actually received consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(ii) The seller has an obligation to pass the price reduction or discount through to the purchaser;

(iii) The amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(iv) One (1) of the following criteria is met:

1. The purchaser presents a coupon, certificate or other documentation to the seller to claim a price reduction or discount where the coupon, certificate or documentation is authorized, distributed or granted by a third party with the understanding that the third party will reimburse any seller to whom the coupon, certificate or documentation is presented;

2. The purchaser identified himself or herself to the seller as a member of a group or organization entitled to a price reduction or discount (a "preferred customer" card that is available to any patron does not constitute membership in such a group); or

3. The price reduction or discount is identified as a third-party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate or other documentation presented by the purchaser.

Where a trade-in is taken as part payment on tangible personal property sold, "gross proceeds of sales" shall include only the difference received between the selling price of the tangible personal property and the amount allowed for a trade-in of property

of the same kind. When the trade-in is subsequently sold, the selling price thereof shall be included in "gross proceeds of sales."

"Gross proceeds of sales" shall include the value of any goods, wares, merchandise or property purchased at wholesale or manufactured, and any mineral or natural resources produced, which are withdrawn or used from an established business or from the stock in trade for consumption or any other use in the business or by the owner. However, "gross proceeds of sales" does not include meals prepared by a restaurant and provided at no charge to employees of the restaurant or donated to a charitable organization that regularly provides food to the needy and the indigent and which has been granted exemption from the federal income tax as an organization described in Section 501(c)(3) of the Internal Revenue Code of 1986.

"Gross proceeds of sales" shall not include bad check or draft service charges as provided for in Section 97-19-57.

"Gross proceeds of sales" does not include finance charges, carrying charges or any other addition to the selling price as a result of deferred payments by the purchaser.

(i) "Gross income" means the total charges for service or the total receipts (actual or accrued) derived from trades, business or commerce by reason of the investment of capital in the business engaged in, including the sale or rental of tangible personal property, compensation for labor and services performed, and including the receipts from the sales of property retained as toll, without any deduction for rebates, cost of property sold, cost of materials used, labor costs, interest paid, losses or any expense whatever.

"Gross income" shall also include the cost of property given as compensation when the property is consumed by a person performing a taxable service for the donor.

However, "gross income" or "gross proceeds of sales" shall not be construed to include the value of goods returned by customers when the total sale price is refunded either in cash or by credit, or cash discounts allowed and taken on sales. Cash discounts shall not include the value of trading stamps given with a sale of property.

(j) "Tangible personal property" means personal property perceptible to the human senses or by chemical analysis as opposed to real property or intangibles and shall include property sold on an installed basis which may become a part of real or personal property. "Tangible personal property" shall also include computer software but shall not include electronically stored or maintained data.

(k) "Installation charges" shall mean and include the charge for the application of tangible personal property to real or personal property without regard to whether or not it becomes a part of the real property or retains its personal property classification. It shall include, but not be limited to, sales in place of roofing, tile, glass, carpets, drapes, fences, awnings, window air-conditioning units, gasoline pumps, window guards, floor coverings, carports, store fixtures, aluminum and plastic siding, tombstones and similar personal property.

(l) "Newspaper" means a periodical which:

(i) Is not published primarily for advertising purposes and has not contained more than seventy-five percent (75%) advertising in more than one-half (1/2) of its issues during any consecutive twelve-month period excluding separate advertising supplements inserted into but separately identifiable from any regular issue or issues;

(ii) Has been established and published continuously for at least twelve (12) months;

(iii) Is regularly issued at stated intervals no less frequently than once a week, bears a date of issue, and is numbered consecutively; provided, however, that publication on legal holidays of this state or of the United States and on Saturdays and Sundays shall not be required, and failure to publish not more than two (2) regular issues in any calendar year shall not exclude a periodical from this definition;

(iv) Is issued from a known office of publication, which shall be the principal public business office of the newspaper and need not be the place at which the periodical is printed and a newspaper shall be deemed to be "published" at the place where its known office of publication is located;

(v) Is formed of printed sheets; provided, however, that a periodical that is reproduced by the stencil, mimeograph or hectograph process shall not be considered to be a "newspaper"; and

(vi) Is originated and published for the dissemination of current news and intelligence of varied, broad and general public interest, announcements and notices, opinions as editorials on a regular or irregular basis, and advertising and miscellaneous reading matter.

The term "newspaper" shall include periodicals which are designed primarily for free circulation or for circulation at nominal rates as well as those which are designed for circulation at more than a nominal rate.

The term "newspaper" shall not include a publication or periodical which is published, sponsored by, is directly supported financially by, or is published to further the interests of, or is directed to, or has a circulation restricted, in whole or in part, to any particular sect, denomination, labor or fraternal organization or other special group or class or citizens.

For purposes of this paragraph, a periodical designed primarily for free circulation or circulation at nominal rates shall not be considered to be a newspaper unless such periodical has made an application for such status to the department in the manner prescribed by the department and has provided to the department documentation satisfactory to the department showing that such periodical meets the requirements of the definition of the term "newspaper." However, if such periodical has been determined to be a newspaper under action taken by the department on or before April 11, 1996, such periodical shall be considered to be a newspaper without the necessity of applying for such status. A determination by the Department of Revenue that a publication is a newspaper shall be limited to the application of this chapter and shall not establish that the publication is a newspaper for any other purpose.

(m) "MPC" or "Material Purchase Certificate" means a certificate for which a person that is liable for the tax levy under Section 27-65-21 can apply and obtain from the commissioner, and when issued, entitles the holder to purchase materials and services that are to become a component part of a structure to be erected or repaired with no tax due. Any person taxable under Section 27-65-21 who obtains an MPC for a project and purchases materials and services in this state that are to become a component part of a structure being erected or repaired in the project and at any time pays sales tax on these purchases may, after obtaining the MPC for the project, take a credit against his sales taxes for the sales tax paid on these purchases if proper documentation exists to substantiate the payment of the sales tax on the purchase of component materials and services. This credit may also be allowed in any audit of the taxpayer. Any penalties and interest owed by the taxpayer on the return or in the audit where this credit is taken may be determined based on the sales tax due after the taking of this credit.

SECTION 2. Section 27-65-7, Mississippi Code of 1972, is amended as follows:

27-65-7. "Retailer" shall apply to a person making retail sales through vending machines, by maintaining a store, or operating as a transient vendor, or renting or leasing tangible personal property. Retailer also includes persons who facilitate the sale of services or tangible personal property that belongs to a third party.

"Retail sales" shall mean and include all sales of tangible personal property physically or electronically delivered or located within this state except those defined herein as wholesale and those made to a wholesaler, jobber, manufacturer or custom processor for resale or for further processing.

"Retail sale" shall include the value of any tangible personal property manufactured or purchased at wholesale which is withdrawn from the business or stock in trade and is used or consumed within this state in the business or by the owner or by any other person, whether or not in the regular course of business or trade.

"Retail sale" shall also include a sale invoiced to a retailer but delivered to another person who pays for the merchandise upon taking possession.

"Retail sale" shall also include a sale made or facilitated by a person regularly engaged in the sale or facilitation of sales of services or tangible personal property. "Retail sale" does not include a sale by a third-party food delivery service that delivers food from an unrelated restaurant to a customer, regardless of whether the customer orders and pays for the food through the delivery service or whether the delivery service adds fees or upcharges to the price of the food.

Computer software maintained on a server located outside the state and accessible for use only via the Internet is not a taxable retail sale.

SECTION 3. Section 27-65-19, Mississippi Code of 1972, is amended as follows:

27-65-19. (1) (a) (i) Except as otherwise provided in this subsection, upon every person selling to consumers, electricity, current, power, potable water, steam, coal, natural gas, liquefied petroleum gas or other fuel, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross income of the business. Provided, gross income from sales to consumers of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for residential heating, lighting or other residential noncommercial or nonagricultural use, and sales of potable water for residential, noncommercial or nonagricultural use shall be excluded from taxable gross income of the business. Provided further, upon every such seller using electricity, current, power, potable water, steam, coal, natural gas, liquefied petroleum gas or other fuel for nonindustrial purposes, there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the cost or value of the product or service used.

(ii) Gross income from sales to a church that is exempt from federal income taxation under 26 USCS Section 501(c)(3) of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for heating, lighting or other use, and sales of potable water to such a church shall be excluded from taxable gross income of the business if the electricity, current, power, natural gas, liquefied petroleum gas or potable water is utilized on property that is primarily used for religious or educational purposes.

(b) (i) There is hereby levied, assessed and shall be collected a tax equal to one and one-half percent (1-1/2%) of the gross income of the business from the sale of naturally occurring carbon dioxide and anthropogenic carbon dioxide lawfully injected into the earth for:

1. Use in an enhanced oil recovery project, including, but not limited to, use for cycling, repressuring or lifting of oil; or
2. Permanent sequestration in a geological formation.

(ii) The one and one-half percent (1-1/2%) rate provided for in this subsection shall apply to electricity, current, power, steam, coal, natural gas, liquefied petroleum gas or other fuel that is sold to a producer of oil and gas for use directly in enhanced oil recovery using carbon dioxide and/or the permanent sequestration of carbon dioxide in a geological formation.

(c) The one and one-half percent (1-1/2%) rate provided for in this subsection shall not apply to sales of fuel for automobiles, trucks, truck-tractors, buses, farm tractors or airplanes.

(d) (i) Upon every person providing services in this state, there is hereby levied, assessed and shall be collected:

1. A tax equal to seven percent (7%) of the gross income received from all charges for intrastate telecommunications services.

2. A tax equal to seven percent (7%) of the gross income received from all charges for interstate telecommunications services.

3. A tax equal to seven percent (7%) of the gross income received from all charges for international telecommunications services.

4. A tax equal to seven percent (7%) of the gross income received from all charges for ancillary services.

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Sales of computer software, computer software services, specified digital products, or other products delivered electronically, including, but not limited to, music, games, reading materials or ring tones, shall be taxed as provided in other sections of this chapter.

(ii) A person, upon proof that he has paid a tax in another state on an event described in subparagraph (i) of this paragraph (d), shall be allowed a credit against the tax imposed in this paragraph (d) on interstate telecommunications service charges to the extent that the amount of such tax is properly due and actually paid in such other state and to the extent that the rate of sales tax imposed by and paid in such other state does not exceed the rate of sales tax imposed by this paragraph (d).

(iii) Charges by one (1) telecommunications provider to another telecommunications provider holding a permit issued under Section 27-65-27 for services that are resold by such other telecommunications provider, including, but not limited to, access charges, shall not be subject to the tax levied pursuant to this paragraph (d).

(iv) For purposes of this paragraph (d):

1. "Telecommunications service" means the electronic transmission, conveyance or routing of voice, data, audio, video or any other information or signals to a point, or between points. The term "telecommunications service" includes such transmission, conveyance or routing in which computer processing applications are used to act on the form, code or protocol of the content for purposes of transmission, conveyance or routing without regard to whether such service is referred to as voice over Internet protocol services or is classified by the Federal Communications Commission as enhanced or value added. The term "telecommunications service" shall not include:

a. Data processing and information services that allow data to be generated, acquired, stored, processed or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information;

- b. Installation or maintenance of wiring or equipment on a customer's premises;
- c. Tangible personal property;
- d. Advertising, including, but not limited to, directory advertising;
- e. Billing and collection services provided to third parties;
- f. Internet access service;
- g. Radio and television audio and video programming services regardless of the medium, including the furnishing of transmission, conveyance and routing of such services by the programming service provider. Radio and television audio and video programming services shall include, but not be limited to, cable service as defined in 47 USCS 522(6) and audio and video programming services delivered by commercial mobile radio service providers, as defined in 47 CFR 20.3;
- h. Ancillary services; or
- i. Digital products delivered electronically, including, but not limited to, computer software, computer software services, electronically stored or maintained data, music, video, reading materials, specified digital products, or ring tones.

2. "Ancillary services" means services that are associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service and voice mail service.

a. "Conference bridging" means an ancillary service that links two (2) or more participants of an audio or video conference call and may include the provision of a telephone number. Conference bridging does not include the telecommunications services used to reach the conference bridge.

b. "Detailed telecommunications billing service" means an ancillary service of separately stating information pertaining to individual calls on a customer's billing statement.

c. "Directory assistance" means an ancillary service of providing telephone number information and/or address information.

d. "Vertical service" means an ancillary service that is offered in connection with one or more telecommunications services, which offers advanced calling features that allow customers to identify callers and to manage multiple calls and call connections, including conference bridging services.

e. "Voice mail service" means an ancillary service that enables the customer to store, send or receive recorded messages. Voice mail service does not include any vertical services that the customer may be required to have in order to utilize the voice mail service.

3. "Intrastate" means telecommunications service that originates in one (1) United States state or United States territory or possession, and terminates in the same United States state or United States territory or possession.



4. "Interstate" means a telecommunications service that originates in one (1) United States state or United States territory or possession, and terminates in a different United States state or United States territory or possession.

5. "International" means a telecommunications service that originates or terminates in the United States and terminates or originates outside the United States, respectively.

(v) For purposes of paragraph (d), the following sourcing rules shall apply:

1. Except for the defined telecommunications services in item 3 of this subparagraph, the sales of telecommunications services sold on a call-by-call basis shall be sourced to:

a. Each level of taxing jurisdiction where the call originates and terminates in that jurisdiction, or

b. Each level of taxing jurisdiction where the call either originates or terminates and in which the service address is also located.

2. Except for the defined telecommunications services in item 3 of this subparagraph, a sale of telecommunications services sold on a basis other than a call-by-call basis, is sourced to the customer's place of primary use.

3. The sale of the following telecommunications services shall be sourced to each level of taxing jurisdiction as follows:

a. A sale of mobile telecommunications services other than air-to-ground radiotelephone service and prepaid calling service is sourced to the customer's place of primary use as required by the Mobile Telecommunication Sourcing Act.

A. A home service provider shall be responsible for obtaining and maintaining the customer's place of primary use. The home service provider shall be entitled to rely on the applicable residential or business street address supplied by such customer, if the home service provider's reliance is in good faith; and the home service provider shall be held harmless from liability for any additional taxes based on a different determination of the place of primary use for taxes that are customarily passed on to the customer as a separate itemized charge. A home service provider shall be allowed to treat the address used for purposes of the tax levied by this chapter for any customer under a service contract in effect on August 1, 2002, as that customer's place of primary use for the remaining term of such service contract or agreement, excluding any extension or renewal of such service contract or agreement. Month-to-month services provided after the expiration of a contract shall be treated as an extension or renewal of such contract or agreement.

B. If the commissioner determines that the address used by a home service provider as a customer's place of primary use does not meet the definition of the term "place of primary use" as defined in subitem a.A. of this item 3, the commissioner shall give binding notice to the home service provider to change the place of primary use on a prospective basis from the date of notice of determination; however, the customer shall have the opportunity, prior to such notice of determination, to demonstrate that such address satisfies the definition.

C. The department has the right to collect any taxes due directly from the home service provider's customer that has failed to provide an address that meets the definition of the term "place of primary use" which resulted in a failure of tax otherwise due being remitted.

b. A sale of postpaid calling service is sourced to the origination point of the telecommunications signal as first identified by either:

A. The seller's telecommunications system; or

B. Information received by the seller from its service provider, where the system used to transport such signals is not that of the seller.

c. A sale of a prepaid calling service or prepaid wireless calling service shall be subject to the tax imposed by this paragraph if the sale takes place in this state. If the customer physically purchases a prepaid calling service or prepaid wireless calling service at the vendor's place of business, the sale is deemed to take place at the vendor's place of business. If the customer does not physically purchase the service at the vendor's place of business, the sale of a prepaid calling card or prepaid wireless calling card is deemed to take place at the first of the following locations that applies to the sale:

A. The customer's shipping address, if the sale involves a shipment;

B. The customer's billing address;

C. Any other address of the customer that is known by the vendor; or

D. The address of the vendor, or alternatively, in the case of a prepaid wireless calling service, the location associated with the mobile telephone number.

4. A sale of a private communication service is sourced as follows:

a. Service for a separate charge related to a customer channel termination point is sourced to each level of jurisdiction in which such customer channel termination point is located.

b. Service where all customer termination points are located entirely within one (1) jurisdiction or levels of jurisdiction is sourced in such jurisdiction in which the customer channel termination points are located.

c. Service for segments of a channel between two (2) customer channel termination points located in different jurisdictions and which segments of a channel are separately charged is sourced fifty percent (50%) in each level of jurisdiction in which the customer channel termination points are located.

d. Service for segments of a channel located in more than one (1) jurisdiction or levels of jurisdiction and which segments are not separately billed is sourced in each jurisdiction based on the percentage determined by dividing the number of customer channel termination points in such jurisdiction by the total number of customer channel termination points.

5. A sale of ancillary services is sourced to the customer's place of primary use.

(vi) For purposes of subparagraph (v) of this paragraph (d):

1. "Air-to-ground radiotelephone service" means a radio service, as that term is defined in 47 CFR 22.99, in which common carriers are authorized to offer and provide radio telecommunications service for hire to subscribers in aircraft.

2. "Call-by-call basis" means any method of charging for telecommunications services where the price is measured by individual calls.

3. "Communications channel" means a physical or virtual path of communications over which signals are transmitted between or among customer channel termination points.

4. "Customer" means the person or entity that contracts with the seller of telecommunications services. If the end user of telecommunications services is not the contracting party, the end user of the telecommunications service is the customer of the telecommunications service. Customer does not include a reseller of telecommunications service or for mobile telecommunications service of a serving carrier under an agreement to serve the customer outside the home service provider's licensed service area.

5. "Customer channel termination point" means the location where the customer either inputs or receives the communications.

6. "End user" means the person who utilizes the telecommunications service. In the case of an entity, "end user" means the individual who utilizes the service on behalf of the entity.

7. "Home service provider" has the meaning ascribed to such term in Section 124(5) of Public Law 106-252 (Mobile Telecommunications Sourcing Act).

8. "Mobile telecommunications service" has the meaning ascribed to such term in Section 124(7) of Public Law 106-252 (Mobile Telecommunications Sourcing Act).

9. "Place of primary use" means the street address representative of where the customer's use of the telecommunications service primarily occurs, which must be the residential street address or the primary business street address of the customer. In the case of mobile telecommunications services, the place of primary use must be within the licensed service area of the home service provider.

10. "Post-paid calling service" means the telecommunications service obtained by making a payment on a call-by-call basis either through the use of a credit card or payment mechanism such as a bank card, travel card, credit card or debit card, or by charge made to a telephone number which is not associated with the origination or termination of the telecommunications service. A post-paid calling service includes a telecommunications service, except a prepaid wireless calling service that would be a prepaid calling service except it is not exclusively a telecommunications service.

11. "Prepaid calling service" means the right to access exclusively telecommunications services, which must be paid for in advance and which enables the origination of calls using an access number or authorization code, whether manually or electronically dialed, and that is sold in predetermined units or dollars of which the number declines with use in a known amount.

12. "Prepaid wireless calling service" means a telecommunications service that provides the right to utilize mobile wireless service as well as other nontelecommunications services, including the download of digital products delivered electronically, content and ancillary service, which must be paid for in advance

that is sold in predetermined units or dollars of which the number declines with use in a known amount.

13. "Private communication service" means a telecommunications service that entitles the customer to exclusive or priority use of a communications channel or group of channels between or among termination points, regardless of the manner in which such channel or channels are connected, and includes switching capacity, extension lines, stations and any other associated services that are provided in connection with the use of such channel or channels.

14. "Service address" means:

a. The location of the telecommunications equipment to which a customer's call is charged and from which the call originates or terminates, regardless of where the call is billed or paid.

b. If the location in subitem a of this item 14 is not known, the origination point of the signal of the telecommunications services first identified by either the seller's telecommunications system or in information received by the seller from its service provider, where the system used to transport such signals is not that of the seller.

c. If the location in subitems a and b of this item 14 are not known, the location of the customer's place of primary use.

(vii) 1. For purposes of this subparagraph (vii), "bundled transaction" means a transaction that consists of distinct and identifiable properties or services which are sold for a single nonitemized price but which are treated differently for tax purposes.

2. In the case of a bundled transaction that includes telecommunications services, ancillary services, Internet access, or audio or video programming services taxed under this chapter in which the price of the bundled transaction is attributable to properties or services that are taxable and nontaxable, the portion of the price that is attributable to any nontaxable property or service shall be subject to the tax unless the provider can reasonably identify that portion from its books and records kept in the regular course of business.

3. In the case of a bundled transaction that includes telecommunications services, ancillary services, Internet access, audio or video programming services subject to tax under this chapter in which the price is attributable to properties or services that are subject to the tax but the tax revenue from the different properties or services are dedicated to different funds or purposes, the provider shall allocate the price among the properties or services:

a. By reasonably identifying the portion of the price attributable to each of the properties and services from its books and records kept in the regular course of business; or

b. Based on a reasonable allocation methodology approved by the department.

4. This subparagraph (vii) shall not create a right of action for a customer to require that the provider or the department, for purposes of determining the amount of tax applicable to a bundled transaction, allocate the price to the different portions of the transaction in order to minimize the amount of tax charged to the customer. A customer shall not be entitled to rely on the fact that a portion of the price is attributable to properties or services not subject to tax unless the provider elects, after receiving a written request from the customer in the form required by the provider, to provide verifiable data based upon the provider's books and records that are kept in the regular course of

business that reasonably identifies the portion of the price attributable to the properties or services not subject to the tax.

(2) Persons making sales to consumers of electricity, current, power, natural gas, liquefied petroleum gas or other fuel for residential heating, lighting or other residential noncommercial or nonagricultural use or sales of potable water for residential, noncommercial or nonagricultural use shall indicate on each statement rendered to customers that such charges are exempt from sales taxes.

(3) There is hereby levied, assessed and shall be paid on transportation charges on shipments moving between points within this state when paid directly by the consumer, a tax equal to the rate applicable to the sale of the property being transported. Such tax shall be reported and paid directly to the Department of Revenue by the consumer.

SECTION 4. Section 27-65-23, Mississippi Code of 1972, is amended as follows:

27-65-23. Upon every person engaging or continuing in any of the following businesses or activities there is hereby levied, assessed and shall be collected a tax equal to seven percent (7%) of the gross income of the business, except as otherwise provided:

Air-conditioning installation or repairs;

Automobile, motorcycle, boat or any other vehicle repairing or servicing;

Billiards, pool or domino parlors;

Bowling or tenpin alleys;

Burglar and fire alarm systems or services;

Car washing — automatic, self-service, or manual;

Computer software \* \* \* services actually performed within this state;

Cotton compresses or cotton warehouses;

Custom creosoting or treating, custom planing, custom sawing;

Custom meat processing;

Electricians, electrical work, wiring, all repairs or installation of electrical equipment;

Elevator or escalator installing, repairing or servicing;

Film developing or photo finishing;

Foundries, machine or general repairing;

Furniture repairing or upholstering;

Grading, excavating, ditching, dredging or landscaping;

Hotels (as defined in Section 41-49-3), motels, tourist courts or camps, trailer parks;

Insulating services or repairs;

Jewelry or watch repairing;

Laundrying, cleaning, pressing or dyeing;

Marina services;

Mattress renovating;

Office and business machine repairing;

Parking garages and lots;

Plumbing or pipe fitting;

Public storage warehouses (There shall be no tax levied on gross income of a public storage warehouse derived from the temporary storage of tangible personal property in this state pending shipping or mailing of the property to another state.);

Refrigerating equipment repairs;

Radio or television installing, repairing, or servicing;

Renting or leasing personal property used within this state;

Services performed in connection with geophysical surveying, exploring, developing, drilling, producing, distributing, or testing of oil, gas, water and other mineral resources;

Shoe repairing;

Storage lockers;

Telephone answering or paging services;

Termite or pest control services;

Tin and sheet metal shops;

TV cable systems, subscription TV services, and other similar activities;

Vulcanizing, repairing or recapping of tires or tubes;

Welding; and

Woodworking or wood-turning shops.

Income from services taxed herein performed for electric power associations in the ordinary and necessary operation of their generating or distribution systems shall be taxed at the rate of one percent (1%).

Income from services taxed herein performed on materials for use in track or track structures to a railroad whose rates are fixed by the Interstate Commerce Commission or the Mississippi Public Service Commission shall be taxed at the rate of three percent (3%).

Income from renting or leasing tangible personal property used within this state shall be taxed at the same rates as sales of the same property.

Persons doing business in this state who rent transportation equipment with a situs within or without the state to common, contract or private commercial carriers are taxed

on that part of the income derived from use within this state. If specific accounting is impracticable, a formula may be used with approval of the commissioner.

A lessor may deduct from the tax computed on the rental income from tangible personal property a credit for sales or use tax paid to this state at the time of purchase of the specific personal property being leased or rented until such credit has been exhausted.

Charges for custom processing and repairing services may be excluded from gross taxable income when the property on which the service was performed is delivered to the customer in another state either by common carrier or in the seller's equipment.

When a taxpayer performs \*\*\* services covered by this section, which are performed both in intrastate and interstate commerce, \*\*\* the taxpayer may utilize any reasonable formulae of apportionment which will apportion to this state, for taxation, that portion of the services which are performed within the State of Mississippi.

SECTION 5. Section 27-65-93, Mississippi Code of 1972, is amended as follows:

27-65-93. (1) The commissioner shall, from time to time, promulgate rules and regulations, not inconsistent with the provisions of the sales tax law, for making returns and for the ascertainment, assessment and collection of the tax imposed by the sales tax law as he may deem necessary to enforce its provisions; and, upon request, he shall furnish any taxpayer with a copy of the rules and regulations.

(2) All forms, necessary for the enforcement of the sales tax law, shall be prescribed, printed and furnished by the commissioner.

(3) The commissioner may adopt rules and regulations providing for the issuance of permits to manufacturers, utilities, construction contractors, companies receiving bond financing through the Mississippi Business Finance Corporation or the Mississippi Development Authority, and other taxpayers as determined by the commissioner, and the commissioner shall adopt rules and regulations providing for the issuance of a permit to any qualified business or industry, which is certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act and awarded any mFlex tax incentive amount for such qualified business's or industry's qualified economic development project, certified as such by the Mississippi Development Authority pursuant to the Mississippi Flexible Tax Incentive Act, to purchase tangible personal property taxed under Section 27-65-17, items taxed under Section 27-65-18, items taxed under Section 27-65-19, services taxed under Section 27-65-23, items taxed under Section 27-65-24, and items taxed under Section 27-65-26 without the payment to the vendor of the tax imposed by the sales and use tax laws, and providing for persons to report and pay the tax directly to the commissioner in instances where the commissioner determines that these provisions will facilitate and expedite the collection of the tax at the proper rates which may be due on purchases by the permittee. Under the provisions of this chapter, the vendor is relieved of collecting and remitting the taxes specified hereunder and the person holding the permit shall become liable for such taxes instead of the seller. The full enforcement provisions of the sales tax law shall apply in the collection of the tax from the permittee.

The commissioner shall adopt rules and regulations providing for the issuance of a permit to and at the election of purchasers and users of computer software or computer software services to purchase such items and services without the payment to the vendor of the tax imposed by the sales and use tax laws, and providing for persons to report and pay the tax directly to the commissioner. Under the provisions of this chapter, the vendor is relieved of collecting and remitting the taxes specified hereunder and the person holding the permit shall become liable for such taxes instead of the seller. The full enforcement provisions of the sales tax law shall apply in the collection of the tax from the permittee.

SECTION 6. (1) For purposes of this chapter the following definitions shall apply:

(a) "Computer software" shall mean any computer program or routine, or any set of one (1) or more programs or routines, which are used or intended to cause one (1) or more computers, pieces of computer-related peripheral equipment, automatic processing equipment, or any combination thereof, to perform a task or set of tasks. Computer software may be contained in or on magnetic tapes, discs or other tangible or electronic media or downloaded online. "Computer software" does not include charges for the use of or right to use physical computer equipment, infrastructure, servers, platforms and other tangible computer devices, including but not limited to items commonly referred to as "platform as a service" or "infrastructure as a service."

(b) "Computer software service" shall mean the technical design and programming of computer software and includes installing, configuring, debugging, modifying, testing, or troubleshooting computer hardware, networks, programs or computer software. Computer software service does not include the following non-exclusive list of services:

(i) The use of or right to use physical computer equipment, infrastructure, servers, platforms and other tangible computer devices, including but not limited to items commonly referred to as "platform as a service" or "infrastructure as a service";

(ii) Information and data processing services;

(iii) Services that use a computer, computer equipment, or computer software as a tool to perform or complete that service;

(iv) Internet access services or charges;

(v) Payment processing or banking services;

(vi) Real estate listing or pricing services;

(vii) Electronic advertising and marketing services; and,

(viii) Social media services.

(c) "Information and data processing services" include but are not limited to automated or non-automated services where the primary object of the service is the systematic performance of operations by the service provider to enter, store, sort, analyze, aggregate, classify, manipulate, convert, retrieve, extract, and/or compile the required information into an appropriate form, usable information, or report. Information and data processing services include but are not limited to the following services:

(i) Check or payment processing services;

(ii) Image processing services;

(iii) Form processing services;

(iv) Billing services;

(v) Transcription services;

(vi) Word processing services;

(vii) Survey processing services;



- (viii) Payroll processing services;
- (ix) Claim processing services;
- (x) Research database services; and
- (xi) Accounting and tax compliance services.

(2) If a single license fee or other payment encompasses taxable computer software and/or computer software services, along with other nontaxable items or services, the seller, service provider, user, or consumer may allocate such fee or payment between the taxable and nontaxable items based on a reasonable allocation of the payment to each separately identifiable item or service encompassed by the fee or payment, if properly supported by the books and records of the seller, service provider, user, or consumer. If such information is not available from a seller or service provider, or such information is not otherwise obtainable after reasonable efforts by the user or consumer, the user or consumer may make such allocation based on the best information available to the user or consumer if properly supported by the books and records of the user or consumer. There shall be no presumption that the entire fee or payment is taxable because it encompasses both taxable and nontaxable elements. If the commissioner shall challenge or contest the allocation method utilized by a seller, service provider, user, or consumer, the commissioner must establish by a preponderance of the evidence (a) that the allocation method utilized by the seller, service provider, user, or consumer was not a reasonable method of allocation and (b) that the allocation method proposed by the commissioner is the most reasonable of all available or alternative methods.

(3) If a single license fee or other payment encompasses taxable computer software and/or computer software services both within and without this state, the seller, service provider, user, or consumer may apportion to this state, for taxation, that portion of the license fee or payment attributable to computer software located within the state or to computer software services which are actually performed within the State of Mississippi. Such allocation may be made on the following safe harbor methods, if applicable to the circumstances, each of which shall be deemed to be a reasonable method if properly supported by the books and records of the seller, service provider, user, or consumer:

(a) With respect to computer software physically loaded, stored, or maintained both within and without the state:

(i) Based on the specific identification of the locations within and without Mississippi that the software is loaded, stored, or maintained;

(ii) Based on a ratio calculated by reference to the number of computers or devices within and without Mississippi on which the software is loaded, stored, or maintained;

(iii) Based on a ratio calculated by reference to the number of persons actually using the computer software within and without Mississippi; or

(iv) Based on a ratio calculated by reference to the number of persons licensed to use the computer software within and without Mississippi.

(b) With respect to computer software services actually performed within and without the state:

(i) Based on the specific amount of time spent by each person performing the services while physically within the state; or

(ii) Based on a ratio calculated by reference to the actual time spent within and without Mississippi by all persons performing the services.

If none of the above safe harbor allocation methods fairly reflect the allocation of taxable computer software or computer software services to the state, the seller, service provider, user, or consumer may make such allocation based on the best information available to such person if properly supported by the books and records of the seller, service provider, user, or consumer. If the commissioner shall challenge or contest the allocation method utilized by a seller, service provider, user, or consumer, the commissioner must establish by a preponderance of the evidence 1. that the allocation method utilized by the seller, service provider, user, or consumer was not a reasonable method of allocation and 2. that the allocation method proposed by the commissioner is the most reasonable of all available or alternative methods.

(4) Notwithstanding any other provision in this chapter or Chapter 67, Title 27, Mississippi Code of 1972, and for purposes of the tax levied in this chapter and the tax levied in Chapter 67, Mississippi Code of 1972, computer software or computer software services provided by one (1) legal entity to another commonly owned, related, or affiliated entity shall be treated as nontaxable transfers between different segments of one (1) legal entity, with proper credit allowed for Mississippi sales or use tax paid and/or credit for sales or use tax paid to another state as provided in this section or in Section 27-67-7, regardless of which affiliated entity paid the sales or use tax for which credit is taken. Nothing in this subsection shall be interpreted to exclude from taxation the purchase or payment by such organization to a third party seller or provider for any computer software or computer software services otherwise taxable under this chapter or Chapter 67, Title 27, Mississippi Code of 1972.

(5) A taxpayer, upon proof that a sales or use tax was paid to another state or local taxing jurisdiction on any computer software or computer software service that is taxable under this chapter or Chapter 67, Title 27, Mississippi Code of 1972, shall be allowed a credit against the tax imposed under this chapter or Chapter 67, Title 27, Mississippi Code of 1972, on such computer software or computer software service to the extent that the amount of the other tax was actually paid in the other state or local taxing jurisdiction, and to the extent that the rate of sales or use tax imposed by and paid in the other state or local taxing jurisdiction does not exceed the rate of sales or use tax imposed under this chapter or Chapter 67, Title 27, Mississippi Code of 1972.

SECTION 7. Section 27-67-3, Mississippi Code of 1972, is amended as follows:

27-67-3. Whenever used in this article, the words, phrases and terms shall have the meaning ascribed to them as follows:

(a) "Tax Commission" or "department" means the Department of Revenue of the State of Mississippi.

(b) "Commissioner" means the Commissioner of Revenue of the Department of Revenue.

(c) "Person" means any individual, firm, partnership, joint venture, association, corporation, estate, trust, receiver, syndicate or any other group or combination acting as a unit and includes the plural as well as the singular in number. "Person" shall also include husband or wife, or both, where joint benefits are derived from the operation of a business taxed hereunder or where joint benefits are derived from the use of property taxed hereunder.

(d) "Taxpayer" means any person liable for the payment of any tax hereunder, or liable for the collection and payment of the tax.

(e) "Sale" or "purchase" means the exchange of properties for money or other consideration, and the barter of properties or products. Every closed transaction by which title to, or possession of, tangible personal property or specified digital products

passes shall constitute a taxable event. A transaction whereby the possession of property or products is transferred but the seller retains title as security for payment of the selling price shall be deemed a sale.

(f) "Purchase price" or "sales price" means the total amount for which tangible personal property or specified digital product is purchased or sold, valued in money, including installation and service charges, and freight charges to the point of use within this state, without any deduction for cost of property or products sold, expenses or losses, or taxes of any kind except those exempt by the sales tax law. "Purchase price" or "sales price" shall not include cash discounts allowed and taken or merchandise returned by customers when the total sales price is refunded either in cash or by credit, and shall not include amounts allowed for a trade-in of similar property or products. "Purchase price" or "sales price" does not include finance charges, carrying charges or any other addition to the selling price as a result of deferred payments by the purchaser.

(g) "Lease" or "rent" means any agreement entered into for a consideration that transfers possession or control of tangible personal property or specified digital products to a person for use within this state.

(h) "Value" means the estimated or assessed monetary worth of a thing or property. The value of property or products transferred into this state for sales promotion or advertising shall be an amount not less than the cost paid by the transferor or donor. The value of property or products which have been used in another state shall be determined by its cost less straight line depreciation provided that value shall never be less than twenty percent (20%) of the cost or other method acceptable to the commissioner. On property or products imported by the manufacturer thereof for rental or lease within this state, value shall be the manufactured cost of the property and freight to the place of use in Mississippi.

(i) "Tangible personal property" means personal property perceptible to the human senses or by chemical analysis, as opposed to real property or intangibles. "Tangible personal property" shall include printed, mimeographed, multigraphed matter, or material reproduced in any other manner, and books, catalogs, manuals, publications or similar documents covering the services of collecting, compiling or analyzing information of any kind or nature. However, reports representing the work of persons such as lawyers, accountants, engineers and similar professionals shall not be included. "Tangible personal property" shall also include tangible advertising or sales promotion materials such as, but not limited to, displays, brochures, signs, catalogs, price lists, point of sale advertising materials and technical manuals. Tangible personal property shall also include computer software \* \* \*.

(j) "Person doing business in this state," "person maintaining a place of business within this state," or any similar term means any person having within this state an office, a distribution house, a salesroom or house, a warehouse, or any other place of business, or owning personal property located in this state used by another person, or installing personal property in this state. This definition also includes any person selling or taking orders for any tangible personal property, either personally, by mail or through an employee representative, salesman, commission agent, canvasser, solicitor or independent contractor or by any other means from within the state. "Person doing business in this state" also includes any marketplace facilitator, marketplace seller, or remote seller with sales that exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) in any consecutive twelve-month period. A sale made through a marketplace facilitator is a sale of the marketplace facilitator and not the sale of a marketplace seller for purposes of determining whether a person exceeds Two Hundred Fifty Thousand Dollars (\$250,000.00) in sales.

Any person doing business under the terms of this article by reason of coming under any one or more of the qualifying provisions listed above shall be considered as doing business on all transactions involving sales to persons within this state.

(k) "Use" or "consumption" means the first use or intended use within this state of tangible personal property or specified digital product and shall include rental or loan by owners or use by lessees or other persons receiving benefits from use of the property or product. "Use" or "consumption" shall include the benefit realized or to be realized by persons importing or causing to be imported into this state tangible advertising or sales promotion materials.

(l) "Storage" means keeping tangible personal property or specified digital product in this state for subsequent use or consumption in this state.

(m) "Specified digital products" shall have the meaning ascribed to such term in Section 27-65-26.

(n) "Marketplace facilitator" means any person who facilitates a retail sale by a seller by:

(i) Listing or advertising for sale by the retailer in any forum, tangible personal property, services or digital goods that are subject to tax under this chapter; and

(ii) Either directly or indirectly through agreements or arrangements with third parties collecting payment from the customer and transmitting that payment to the retailer regardless of whether the marketplace provider receives compensation or other consideration in exchange for its service.

(o) "Marketplace seller" means a seller that makes sales through any physical or electronic marketplace owned, operated, or controlled by a marketplace facilitator, even if such seller would not have been required to collect and remit sales tax had the sale not been made through such marketplace.

(p) "Remote seller" means a person, other than a marketplace facilitator, that does not maintain a place of business in this state and that through a forum sells tangible personal property, taxable services or specified digital products, the sale or use of which is subject to the tax imposed by this chapter.

(q) "Computer software" shall have the meaning ascribed to such term in Section 6 of this act.

SECTION 8. Section 27-67-5, Mississippi Code of 1972, is amended as follows:

27-67-5. There is hereby levied, assessed and shall be collected from every person a tax for the privilege of using, storing or consuming, within this state, any tangible personal property or specified digital product possession of which is acquired in any manner.

(a) The use tax hereby imposed and levied shall be collected at the same rates as imposed under Section 27-65-20, and Sections 27-65-17, 27-65-18, 27-65-19, 27-65-24, 27-65-25 and 27-65-26 computed on the purchase or sales price, or value, as defined in this article.

(b) It shall be the duty of the tax collectors of the several counties, or the commissioner, as the case may be, to collect, remit and account for the tax on the use of all vehicles licensed or registered by the State of Mississippi for the first time, except when the Mississippi use tax was collected by an authorized out-of-state dealer at the time of purchase, or when the use thereof was exempt by Section 27-67-7. The tax collector or the commissioner shall give to the person registering the vehicle a receipt in a form prescribed and furnished by the Department of Revenue for the amount of tax collected.

The tax collector or the commissioner is expressly prohibited from issuing a license tag to any applicant without collecting the tax levied by this article, unless positive proof is filed, together with the application for the license tag, that the Mississippi tax has been paid, or that the sale was exempt by Section 27-67-7.

Persons not engaging and continuing in business so as to be registered for payment of sales and/or use tax may pay use tax due on the first use of boats, airplanes, equipment or other tangible personal property and specified digital products to county tax collectors who are hereby authorized to accept such payments on behalf of the commissioner. Receipts for all such payments shall be given to taxpayers in a form prescribed and furnished by the Department of Revenue.

County tax collectors and the commissioner shall be liable for the tax they are required hereby to collect, and taxes which are in fact collected under authority of this section; and failure to properly collect or maintain proper records shall not relieve them of liability for payment to the commissioner. Deficiencies in collection or payment shall be assessed against the tax collector or the commissioner in the same manner and subject to the same penalties and provisions for appeal as are deficiencies assessed against taxpayers.

A dealer authorized to collect and remit the tax to the Department of Revenue shall give to the purchaser a receipt for the payment of the tax, in a form prescribed and furnished by the commissioner, which shall serve as proof of payment to the tax collector of the county in which the license is to be issued.

Each tax collector of the several counties shall, on or before the twentieth day of each month, file a report with and pay to the commissioner all funds collected under the provisions of this article, less a commission of five percent (5%) which shall be retained by the tax collector as a commission for collecting such tax and be deposited in the county general fund. The report required to be filed shall cover all collections made during the calendar month next preceding the date on which the report is due and filed.

Any error in the report and remittance to the commissioner may be adjusted on a subsequent report. If the error was in the collection by the tax collector, it shall be adjusted through the tax collector with the taxpayer before credit is allowed by the commissioner.

All information relating to the collection of use tax by tax collectors and such records as the commissioner may require shall be preserved in the tax collector's office for a period of three (3) years for audit by the commissioner.

Computer software maintained on a server located outside the state and accessible for use only via the Internet is not a taxable use, storage or consumption under this chapter.

SECTION 9. Section 6 of this act shall be codified as a new section in Chapter 65, Title 27, Mississippi Code of 1972.

SECTION 10. Nothing in this act shall affect or defeat any refund claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the laws of this state for any tax period beginning before the date on which this act becomes effective, whether such refund claims, assessments, appeals, suits or actions have been begun or filed before the date on which this act becomes effective or are begun or filed thereafter; and the provisions of the tax laws of this state in effect prior to the effective date of this act are expressly continued in full force, effect and operation for the purpose of any refund claim, assessment, appeal, suit, right or cause of action for taxes paid, due or accrued under the laws of this state for any tax period beginning before the date on which this act becomes effective, for the collection and enrollment of liens for any taxes due or accrued for any tax period beginning before the date on which this act becomes effective and for the execution of any warrant under such laws for a tax period beginning

before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws in regard to any tax period beginning prior to the date on which this act becomes effective.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-65-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TANGIBLE PERSONAL PROPERTY" UNDER THE STATE SALES TAX LAW; TO AMEND SECTION 27-65-7, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "RETAIL SALE" UNDER THE STATE SALES TAX LAW; TO AMEND SECTION 27-65-19, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TELECOMMUNICATIONS SERVICE" FOR PURPOSES OF THE SALES TAX IMPOSED ON TELECOMMUNICATIONS SERVICES; TO PROVIDE THAT SALES OF COMPUTER SOFTWARE, COMPUTER SOFTWARE SERVICES, SPECIFIED DIGITAL PRODUCTS, OR OTHER PRODUCTS DELIVERED ELECTRONICALLY, SHALL BE TAXED AS PROVIDED IN OTHER SECTIONS OF THE STATE SALES TAX LAW; TO AMEND SECTION 27-65-23, MISSISSIPPI CODE OF 1972, TO EXCLUDE COMPUTER SOFTWARE SALES FROM THE SALES TAX IMPOSED ON VARIOUS SERVICES; TO PROVIDE THAT THE SALES TAX IMPOSED ON COMPUTER SOFTWARE SERVICES APPLIES TO SUCH SERVICES THAT ARE ACTUALLY PERFORMED WITHIN THIS STATE; TO PROVIDE THAT WHEN A TAXPAYER PERFORMS SERVICES COVERED BY THIS SECTION, WHICH ARE PERFORMED BOTH IN INTRASTATE AND INTERSTATE COMMERCE, THE TAXPAYER MAY UTILIZE ANY REASONABLE FORMULAE OF APPORTIONMENT WHICH WILL APPORTION TO THIS STATE, FOR TAXATION, THAT PORTION OF THE SERVICES WHICH ARE PERFORMED WITHIN THIS STATE; TO AMEND SECTION 27-65-93, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSIONER OF REVENUE SHALL ADOPT RULES AND REGULATIONS PROVIDING FOR THE ISSUANCE OF A PERMIT TO PURCHASERS AND USERS OF COMPUTER SOFTWARE OR COMPUTER SOFTWARE SERVICES TO PURCHASE SUCH ITEMS AND SERVICES WITHOUT THE PAYMENT TO THE VENDOR OF SALES TAX AND USE TAX; TO DEFINE THE TERMS "COMPUTER SOFTWARE", "COMPUTER SOFTWARE SERVICE" AND "INFORMATION AND DATA PROCESSING SERVICES" UNDER THE STATE SALES TAX LAW; TO PROVIDE FOR THE ALLOCATION OF TAXABLE AND NONTAXABLE PORTIONS OF COMPUTER SOFTWARE AND COMPUTER SOFTWARE SERVICE IN BUNDLED TRANSACTIONS; TO PROVIDE FOR THE APPORTIONMENT OF THE USE OF TAXABLE COMPUTER SOFTWARE AND COMPUTER SOFTWARE SERVICES BOTH WITHIN AND WITHOUT THIS STATE; TO PROVIDE THAT FOR PURPOSES OF SALES TAX AND USE TAX, COMPUTER SOFTWARE OR COMPUTER SOFTWARE SERVICES PROVIDED BY ONE LEGAL ENTITY TO ANOTHER COMMONLY OWNED, RELATED, OR AFFILIATED ENTITY SHALL BE TREATED AS NONTAXABLE TRANSFERS BETWEEN DIFFERENT SEGMENTS OF ONE LEGAL ENTITY, WITH PROPER CREDIT ALLOWED FOR MISSISSIPPI SALES OR USE TAX PAID AND CREDIT FOR SALES OR USE TAX PAID TO ANOTHER STATE AS PROVIDED IN THE STATE SALES TAX LAW OR STATE USE TAX LAW, REGARDLESS OF WHICH AFFILIATED ENTITY PAID THE SALES OR USE TAX FOR WHICH CREDIT IS TAKEN; TO PROVIDE THAT A TAXPAYER THAT HAS PAID A SALES TAX OR USE TAX TO ANOTHER STATE OR LOCAL TAXING JURISDICTION ON COMPUTER SOFTWARE OR COMPUTER SOFTWARE THAT IS TAXABLE IN THIS STATE SHALL BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED IN THIS STATE ON SUCH COMPUTER SOFTWARE OR COMPUTER SOFTWARE SERVICE TO THE EXTENT THAT THE AMOUNT OF THE OTHER TAX IS PROPERLY DUE AND ACTUALLY PAID IN THE OTHER STATE OR LOCAL TAXING JURISDICTION AND TO THE EXTENT THAT THE RATE OF SALES TAX IMPOSED BY AND PAID IN THE OTHER STATE OR LOCAL TAXING

JURISDICTION DOES NOT EXCEED THE RATE OF SALES TAX OR USE TAX IMPOSED IN THIS STATE; TO AMEND SECTION 27-67-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM TANGIBLE PERSONAL PROPERTY UNDER THE STATE USE TAX LAW; TO DEFINE THE TERM "COMPUTER SOFTWARE" UNDER THE STATE USE TAX LAW; TO AMEND SECTION 27-67-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COMPUTER SOFTWARE MAINTAINED ON A SERVER LOCATED OUTSIDE THE STATE AND ACCESSIBLE FOR USE ONLY VIA THE INTERNET IS NOT A TAXABLE USE, STORAGE OR CONSUMPTION UNDER THE STATE USE TAX LAW; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2449** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Parks, Tate. Total--2.

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Senator Seymour moved that the rules be suspended for the consideration en bloc of S. N. No. 54, S. N. No. 55, S. N. No. 56, S. N. No. 75, S. N. No. 57 and S. N. No. 58 and the motion prevailed.

Senator Seymour called up the following entitled nominations:

**S. N. No. 54:** Colonel Deborah Walley (Deb) Coleman, Brandon, Mississippi, State Veterans Affairs Board as an At-Large member, five year term effective June 1, 2022 and ending May 31, 2027.

**S. N. No. 55:** John Scott (Hoss) Ladner, Gulfport, Mississippi, State Veterans Affairs Board, five year term effective July 14, 2022 and ending May 31, 2027, representing the 5th Congressional District, vice General James H. Garner.

**S. N. No. 56:** Brig. Gen. (Ret.) Norman Gene Hortman, Jr., Hattiesburg, Mississippi, Veterans Home Purchase Board to represent the state at large, four year term beginning July 1, 2022 and ending June 30, 2026.

**S. N. No. 75:** Rodney Harris, Clinton, Mississippi, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed May 1, 1987, unexpired four year term effective October 4, 2022 and ending June 30, 2024, vice Thomas Henry Watts.

**S. N. No. 57:** Maj. Gen. James H. Lipscomb, III, Greenville, Mississippi, Veterans Home Purchase Board to represent the 2nd Congressional Dist. as it existed May 1, 1987, unexpired four year term effective Nov. 1, 2022 and ending June 30, 2023, vice Richard D. Stevens.

**S. N. No. 58:** Maj. Gen. James H. Lipscomb, III, Greenville, Mississippi, Veterans Home Purchase Board to represent the Second Congressional District as it existed May 1, 1987, four year term effective July 1, 2023 and ending June 30, 2027.

YEAS AND NAYS on consideration en bloc of S. N. No. 54, S. N. No. 55, S. N. No. 56, S. N. No. 75, S. N. No. 57 and S. N. No. 58. On motion of Senator Seymour, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Parks, Tate. Total--2.

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Senator Whaley called up the following entitled nomination:

**S. N. No. 60:** William Malcolm (Billy) Mounger, II, Jackson, Mississippi, Commission on Wildlife, Fisheries and Parks as the representative of the Fourth Congressional District, five year term effective July 1, 2022 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 60 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Parks, Tate. Total--2.

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Senator Carter entered a motion to reconsider the vote whereby the Senate concurred in the House Amendment to **S. B. No. 2103**.

**S. B. No. 2103:** Definitions and penalties regarding regulation of gasoline and petroleum products; extend repealer on.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Mrs. Roberta Patrick of Tchula, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Stance Davis, Jr. of Waynesboro, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Leslie Floyd of Natchez, MS.



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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 4:00 PM, Monday, March 20, 2023.

The motion prevailed, and at 10:51 AM, the Senate stood in recess.

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 45:** A CONCURRENT RESOLUTION COMMENDING THE MEMBERS OF PHI THETA KAPPA'S ALL-MISSISSIPPI ACADEMIC AND WORKFORCE TEAM ON THE OCCASION OF "MISSISSIPPI PHI THETA KAPPA DAY."

**H. C. R. No. 46:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE POPLARVILLE HIGH SCHOOL HORNETS CHEERLEADING TEAM FOR WINNING THEIR FIRST EVER UCA NATIONAL HIGH SCHOOL CHEERING CHAMPIONSHIP IN THE SMALL VARSITY NON-TUMBLING GAME DAY DIVISION II.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 1716:** Appropriation; DEQ for funding the MS Municipality and County Water Infrastructure Grant Program.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 603:** State budget; bring forward sections relating to.

Representatives Read, Oliver, Cockerham

**H. B. No. 771:** HELP Grant and MTAG Programs; revise level of funding provided to eligible students.

Representatives Scoggin, Darnell, Oliver

**H. B. No. 834:** Assistant District Attorneys and criminal investigators; increase authorized number of.

Representatives Read,Cockerham,Hood

**H. B. No. 923:** Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as.

Representatives Weathersby,Holloway,Newman

**H. B. No. 1048:** "Universal Changing Tables Installation Incentive Grant Program Act"; establish to be administered by Mississippi Department of Rehabilitation Services.

Representatives Weathersby,Holloway,Crawford

**H. B. No. 1089:** State budget; revise provisions of several FY 23 bills and create special funds.

Representatives Read,Oliver,Cockerham

**H. B. No. 1286:** Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center".

Representatives Weathersby,Holloway,Crudup

**H. B. No. 1310:** Elections; revise provisions related to the integrity of.

Representatives Wallace,Eubanks,Powell

**H. B. No. 1593:** Appropriation; Athletic Commission.

Representatives Read,Oliver,Mangold

**H. B. No. 1594:** Appropriation; Auctioneers Commission.

Representatives Read,Oliver,Mangold

**H. B. No. 1595:** Appropriation; Barber Examiners, Board of.

Representatives Read,Oliver,Mangold

**H. B. No. 1596:** Appropriation; Cosmetology, Board of.

Representatives Read,Oliver,Mangold

**H. B. No. 1597:** Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

Representatives Read,Oliver,Mangold

**H. B. No. 1598:** Appropriation; Medical Licensure, Board of.

Representatives Read,Oliver,Mims

**H. B. No. 1599:** Appropriation; Nursing, Board of.

Representatives Read,Oliver,Mims

**H. B. No. 1600:** Appropriation; Nursing Home Administrators, Board of.

Representatives Read, Oliver, Mangold

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENVIRONMENT PROT, CONS AND WATER RES

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 21:** Brenda Joyce Lathan, Columbus, Mississippi, Mississippi Commission on Environmental Quality to represent the Second Congressional District, seven year term effective July 1, 2022 and ending June 30, 2029. Do Advise and Consent.

MCDANIEL, Chairman

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REPORT OF COMMITTEE ON PORTS AND MARINE RESOURCES

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 24:** Ronald N. (Ronnie) Daniels, Jr., Pass Christian, Mississippi, Mississippi Advisory Commission on Marine Resources, four year term effective July 1, 2022 and ending June 30, 2026, representing the Charter Boat Operator. Do Advise and Consent.

**S. N. No. 25:** Jonathan Scott McLendon, Biloxi, Mississippi, Mississippi Advisory Commission on Marine Resources as the Commercial Seafood Processor representative, four year term effective May 10, 2022 and ending June 30, 2024. Do Advise and Consent.

MORAN, Chairman

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 45:** Phi Theta Kappa All-Mississippi Academic and Workforce Team; commend on occasion of "Mississippi Phi Theta Kappa Day". Rules.

**H. C. R. No. 46:** Poplarville High School; commend upon winning their first UCA National High School Cheering Championship. Rules.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 484:** AN ACT TO AMEND SECTIONS 75-55-5 AND 75-55-37, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THOSE SECTIONS OF LAW WHICH PROVIDE DEFINITIONS AND PENALTIES UNDER THE PETROLEUM PRODUCTS INSPECTION LAW OF MISSISSIPPI; TO AMEND SECTION 57-43-17, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SOUTHERN RAIL COMMISSION TO PREPARE GRANT APPLICATIONS RELATED TO THE ESTABLISHMENT OR MAINTENANCE OF PASSENGER RAIL SERVICE, ENTER INTO OPERATING AND OTHER CONTRACTUAL AGREEMENTS WITH PROVIDERS OF PASSENGER RAIL SERVICE, AND ENTER INTO AGREEMENTS WITH OWNERS OR OPERATORS OF RAILWAY TRACKS IN ORDER TO PROVIDE FOR UPGRADES NECESSARY TO ESTABLISH OR MAINTAIN PASSENGER RAIL SERVICE; AND FOR RELATED PURPOSES.

**H. B. No. 549:** AN ACT TO AMEND SECTION 27-65-101, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF TANGIBLE PERSONAL PROPERTY BY THE MANUFACTURER OR CUSTOM PROCESSOR THEREOF IF SUCH PROPERTY IS SHIPPED, TRANSPORTED OR EXPORTED FROM THIS STATE AND FIRST USED IN ANOTHER STATE, WHETHER SUCH SHIPMENT, TRANSPORTATION OR EXPORTATION IS MADE BY THE SELLER, PURCHASER, OR ANY THIRD PARTY ACTING ON BEHALF OF SUCH PARTY; AND FOR RELATED PURPOSES.

**H. B. No. 1071:** AN ACT TO AMEND SECTION 41-29-113, MISSISSIPPI CODE OF 1972, TO INCLUDE THIRTEEN SUBSTANCES AS SCHEDULE I CONTROLLED SUBSTANCES BECAUSE THESE DRUGS HAVE NO LEGITIMATE MEDICAL USE AND HAVE A HIGH POTENCY WITH GREAT POTENTIAL TO CAUSE HARM; TO AMEND SECTION 41-29-119, MISSISSIPPI CODE OF 1972, TO INCLUDE SERDEXMETHYLPHENIDATE AS A SCHEDULE IV CONTROLLED SUBSTANCE BECAUSE THE DRUG HAS A CURRENTLY ACCEPTED MEDICAL USE AND A LOW POTENTIAL FOR ABUSE THAT MAY LEAD TO LIMITED PHYSICAL DEPENDENCE OR PSYCHOLOGICAL DEPENDENCE RELATIVE TO THE DRUGS OR OTHER SUBSTANCES IN SCHEDULE III; AND FOR RELATED PURPOSES.

**H. B. No. 1356:** AN ACT TO AMEND CHAPTER 926, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF LEXINGTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM AND PARKS AND RECREATION WITHIN THE CITY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1703:** Coahoma County; authorize reserve and trust fund trustees to use certain amount of fund to supplement county general fund. Title Sufficient. Do Pass.

**S. B. No. 3140:** City of Gautier; authorize to enter into public/private partnership for construction of an inclusion playground. Title Sufficient. Do Pass.

**S. B. No. 3141:** Kemper County; authorize board of supervisors to expand scope of authority of Gas District to become county utility district. Title Sufficient. Committee Substitute. Do Pass.

MCMAHAN, Chairman

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REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 3148:** Lowndes County; authorize Board of Supervisors to contribute available funds to public utilities and water/sewer associations. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2127:** AN ACT TO AMEND SECTION 97-7-75, MISSISSIPPI CODE OF 1972, TO REVISE THE ELEMENTS OF THE OFFENSE OF MAKING A TERRORISTIC THREAT; AND FOR RELATED PURPOSES.

**S. B. No. 2358:** AN ACT TO PROHIBIT BALLOT HARVESTING; TO PROVIDE EXCEPTIONS FOR CERTAIN INSTANCES WHERE BALLOT COLLECTION DOES NOT CONSTITUTE BALLOT HARVESTING; TO PROVIDE PENALTIES AS PROVIDED IN SECTION 97-13-37 FOR INDIVIDUALS FOUND GUILTY OF IMPROPERLY COLLECTING BALLOTS; AND FOR RELATED PURPOSES.

**S. B. No. 2634:** AN ACT TO AMEND SECTION 97-5-3, MISSISSIPPI CODE OF 1972, TO ALLOW CHARGES AGAINST A PARENT WHO SHALL DESERT OR WILLFULLY NEGLECT OR REFUSE TO PROVIDE SUPPORT AND MAINTENANCE OF HIS OR HER CHILD WHEN THAT CHILD IS UNDER 21 YEARS OF AGE; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 256:** AN ACT TO AMEND SECTION 69-37-17, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE PROVISION OF LAW THAT REQUIRES THE MISSISSIPPI BOLL WEEVIL MANAGEMENT CORPORATION TO SUBMIT THE ANNUAL AUDIT OF ITS ACCOUNTS TO THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE NO LATER THAN NOVEMBER 15; AND FOR RELATED PURPOSES.

**H. B. No. 363:** AN ACT TO AMEND SECTION 69-5-31, MISSISSIPPI CODE OF 1972, TO EXEMPT OR MAINTAIN CONFIDENTIALITY OF PERSONAL IDENTIFYING INFORMATION OF LAW ENFORCEMENT OFFICERS HIRED BY THE DEPARTMENT; TO AMEND SECTION 69-42-1, MISSISSIPPI CODE OF 1972, TO DELETE THE REQUIREMENT FOR PRODUCTION OF ANNUAL REPORTS; TO AMEND SECTION 69-46-3, MISSISSIPPI CODE OF 1972, TO PROVIDE ADDITIONAL MEETING VENUES FOR THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES BOARD

MEETINGS; TO AMEND SECTION 75-45-311, MISSISSIPPI CODE OF 1972, TO REPEAL SECTIONS 69-41-1, 69-41-3, 69-41-5, 69-41-7, 69-41-9, 69-41-11, 69-41-13 AND 69-41-19, MISSISSIPPI CODE OF 1972, WHICH ARE PROVISIONS ESTABLISHING AND GOVERNING THE ADMINISTRATION OF THE "MISSISSIPPI AGRIBUSINESS COUNCIL ACT OF 1993"; AND FOR RELATED PURPOSES.

**H. B. No. 538:** AN ACT TO AMEND SECTION 51-15-118, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2526, 2023 REGULAR SESSION, TO PROVIDE THAT FOR ANY PARTICIPATING COUNTY IN THE PAT HARRISON WATERWAY DISTRICT THAT IS WITHDRAWING FROM THE DISTRICT, SUCH WITHDRAWAL SHALL NOT BECOME EFFECTIVE UNTIL THE CLOSE OF THE FISCAL YEAR IN WHICH THE COUNTY HAS SATISFIED CERTAIN OBLIGATIONS WITH THE DISTRICT; TO AMEND SECTION 51-15-119, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2526, 2023 REGULAR SESSION, TO REQUIRE THE BOARD OF DIRECTORS OF THE DISTRICT TO PROVIDE TO THE CHAIRMEN OF THE HOUSE AND SENATE APPROPRIATIONS COMMITTEES CERTAIN ANNUAL PLANS CONCERNING THE DISTRICT; AND FOR RELATED PURPOSES.

**H. B. No. 584:** AN ACT TO AMEND SECTION 41-99-5, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT THE AMOUNT SPECIFIED FOR CARE GRANTS UNDER THE MISSISSIPPI QUALIFIED HEALTH CENTER GRANT PROGRAM IS THE MINIMUM AMOUNT OF GRANTS TO BE ISSUED; TO PROVIDE THAT NO QUALIFIED HEALTH CENTER SHALL RECEIVE CARE GRANTS UNDER THIS PROGRAM IN EXCESS OF 10% OF AVAILABLE FUNDS PER CALENDAR YEAR; AND FOR RELATED PURPOSES.

**H. B. No. 1197:** AN ACT TO AMEND CHAPTER 1017, LOCAL AND PRIVATE LAWS OF 2004, AS LAST AMENDED BY CHAPTER 902, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE REPEAL DATE FROM JULY 1, 2023, TO JULY 1, 2027, ON THE AUTHORITY OF THE GOVERNING AUTHORITIES OF THE CITY OF BALDWIN TO LEVY A TAX UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS AND SALES OF PREPARED FOOD AT CONVENIENCE STORES, WHICH SHALL BE USED TO PROMOTE TOURISM AND TO ENCOURAGE RETIRED PERSONS TO REMAIN IN OR RELOCATE TO THE BALDWIN AREA; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2858:** Mississippi Small Business Investment Company Act; increase the amount of investment tax credits that can be allocated under.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE GOVERNOR March 16, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2203:** Public land in Rankin County; authorize DFA to assign property to state agencies and establish new Veterans Nursing Home. (March 16, 2023, 1:55 PM)

**S. B. No. 2212:** Recipients of Medicaid; extend postpartum coverage up to 12 months. (March 16, 2023, 2:00 PM)

**S. B. No. 2306:** Flood and drainage control districts; revise number of directors for certain municipalities. (March 16, 2023, 8:00 AM)

**S. B. No. 2347:** Hospital police department; authorize for certain private entities. (March 16, 2023, 1:57 PM)

**S. B. No. 2698:** Ad valorem tax; extend time for partial exemption and fee-in-lieu of ad valorem tax agreement for certain renewable energy projects. (March 16, 2023, 1:58 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 4:** Tianeptine; include in Schedule I controlled substance list.

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mrs. Roberta Patrick, Stance Davis, Jr. and Leslie Floyd.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR THURSDAY, MARCH 16, 2023

**S. B. No. 3154:** Local and Private; Finance

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF TUNICA COUNTY, MISSISSIPPI, TO DESIGNATE AND ALLOCATE COUNTY TAX REVENUE GENERATED BY SPORTS GAMING TO THE TUNICA COUNTY SCHOOL DISTRICT FOR THE PURPOSES OF FINANCING THE CONSTRUCTION OF A NEW SCHOOL FACILITY WITHIN THE COUNTY; AND FOR RELATED PURPOSES.

By Senator(s) Jackson

**S. C. R. No. 568:** Rules

A CONCURRENT RESOLUTION RECOGNIZING ENTERGY MISSISSIPPI ON THE OCCASION OF ITS 100TH ANNIVERSARY AND COMMENDING THE CIVIC CONTRIBUTIONS OF THIS LEADING CORPORATE CITIZEN.

By Senator(s) Frazier

**S. R. No. 80:** Rules

A RESOLUTION EXTENDING THE DEEP AND HEARTFELT SYMPATHY OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY AND FRIENDS OF JANE

MILLER PHILO, WHO WAS LONGTIME EXECUTIVE DIRECTOR OF THE GULF COAST CENTER FOR NONVIOLENCE, NAMED IN HER HONOR.

By Senator(s) DeLano

**S. R. No. 81: Rules**

A RESOLUTION COMMEMORATING THE 25TH ANNIVERSARY OF THE "GOOD FRIDAY AGREEMENT" (April 10, 1998-April 10, 2023) WHICH NEGOTIATED A DEVOLVED INDEPENDENT GOVERNMENT IN NORTHERN IRELAND AND TO EXPRESS THE SUPPORT OF THE MISSISSIPPI SENATE FOR THE CITIZENS OF NORTHERN IRELAND ON THIS AUSPICIOUS OCCASION.

By Senator(s) McCaughn, Blackwell

**S. R. No. 82: Rules**

A RESOLUTION COMMENDING AND CONGRATULATING THE 2022 BELMONT HIGH SCHOOL "LADY CARDINALS" VOLLEYBALL TEAM AND COACH STEPHANIE CLEVELAND FOR WINNING BACK-TO-BACK MHSAA 2A STATE CHAMPIONSHIPS.

By Senator(s) Sparks

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SEVENTY-SEVENTH DAY, MONDAY, MARCH 20, 2023

The Senate met at 4:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Lt. Colonel Chris Cooksey, Mississippi National Guard.

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Senator Hopson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.



The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2073:** Age of majority; lower to 18 for securing loans and entering contracts for real property.

Senators Wiggins, McCaughn, Hill.

**S. B. No. 2075:** Birth certificate; adoptee may obtain certified copy of original after age 21.

Senators Wiggins, McCaughn, Turner-Ford.

**S. B. No. 2079:** Mississippi School Protection Act; enact to allow armed educators.

Senators DeBar, Hill, Polk.

**S. B. No. 2082:** Child support; administratively suspend obligations for incarcerated individuals.

Senators Wiggins, Barnett, England.

**S. B. No. 2099:** Motor vehicle theft; revise penalty for.

Senators Fillingane, England, McCaughn.

**S. B. No. 2100:** Receiving stolen property; revise the crime of.

Senators Fillingane, England, Wiggins.

**S. B. No. 2101:** Criminal law; revise crimes of fleeing a law enforcement officer, resisting arrest and carjacking.

Senators Fillingane, England, Barnett.

**S. B. No. 2187:** Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating.

Senators Seymour, DeLano, Harkins.

**S. B. No. 2239:** State law enforcement officers; authorize use of uniforms, weapons and vehicles off duty while performing security services.

Senators Fillingane, England, Barnett.

**S. B. No. 2297:** Forensics laboratory; require approval of model of intoxilyzer equipment that is readily available to law enforcement agencies.

Senators Fillingane, Thompson, DeBar.

**S. B. No. 2335:** Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee.

Senators Parker, Boyd, Younger.

**S. B. No. 2343:** Capitol police; revise jurisdiction of.

Senators Fillingane, England, Wiggins.

**S. B. No. 2346:** Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification.

Senators Fillingane, Wiggins, Hill.

**S. B. No. 2353:** Elections; increase wage range for poll workers.

Senators Tate, Blount, Chassaniol.

**S. B. No. 2371:** American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act; create.

Senators Parker, McMahan, Chassaniol.

**S. B. No. 2379:** Code books; revise number required to be ordered from publisher.  
Senators Wiggins, Boyd, Turner-Ford.

**S. B. No. 2382:** Out-of-state lawyers; required to disclose whether licensed to practice law in Mississippi in television ads.  
Senators Wiggins, Simmons (12th), Barrett.

**S. B. No. 2384:** Foster Care and Adoption Task Force; create.  
Senators Wiggins, Boyd, Branning.

**S. B. No. 2487:** Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish.  
Senators Parks, Hopson, DeBar.

**S. B. No. 2534:** Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides.  
Senators Whaley, Suber, Seymour.

**S. B. No. 2586:** Computer science curriculum; clarify terminology to specify who may provide instruction in.  
Senators DeBar, DeLano, Polk.

**S. B. No. 2595:** ARPA Workforce Development and Retention Act; provide expiration date of grant funds.  
Senators Parker, Sparks, Michel.

**S. B. No. 2613:** Nonemergency transportation providers; extend date by which providers may provide service without a permit.  
Senators Blackwell, Parker, Blount.

**S. B. No. 2645:** Circuit court districts; increase number of assistant district attorneys and criminal investigators.  
Senators Wiggins, DeBar, Hopson.

**S. B. No. 2749:** School board members; increase pay.  
Senators DeBar, Hopson, Polk.

**S. B. No. 2781:** Mississippi Access to Maternal Assistance Program; create and provide for duties and responsibilities.  
Senators Wiggins, Boyd, Branning.

**S. B. No. 2810:** Office of Workforce Development; amend certain provisions relating to.  
Senators Parker, England, Younger.

**S. B. No. 2812:** Board for administration of certain failing school district; extend date of repeal.  
Senators DeBar, Blount, Polk.

**S. B. No. 2853:** Small unmanned aircraft systems; require state purchase and servicing of from American companies only.  
Senators Polk, Whaley, Williams.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2692:** Bonds; repeal authorization for unissued bonds and replace with cash funds.

Senators Harkins, Johnson, Horhn.

**S. B. No. 2695:** Tourism Project Incentive Program; extend deadline for MDA issuance of certificates approving participants.

Senators Harkins, Chassaniol, McMahan.

**S. B. No. 2696:** Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement.

Senators Harkins, Boyd, Parker.

**S. B. No. 2841:** Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag.

Senators Harkins, DeLano, Thompson.

**S. B. No. 2842:** Use tax; revise standards for municipality's eligibility to receive monies from special infrastructure assistance fund.

Senators Harkins, Johnson, DeLano.

**S. B. No. 2862:** Sales tax; provide industrial exemption for tangible personal property first used in another state.

Senators Harkins, Johnson, Barnett.

**S. B. No. 2887:** State Treasurer; modify certain provisions concerning the deposit and investment of excess state funds.

Senators Harkins, Johnson, Sparks.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 366:** Sam G. Polles State Office Building; designate the MS Dept. of Wildlife Central Office Building as.

Senators Turner-Ford, McCaughn, Barrett.

**H. B. No. 517:** Guide and outfitter services licenses; revise annual fee for both residents and nonresidents.

Senators Whaley, Suber, Seymour.

**H. B. No. 557:** MS Rural Dentists Scholarship Program; increase number of students who may be admitted into annually.

Senators Bryan, Parker, Blackwell.

**H. B. No. 588:** MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming code sections.

Senators Parker, Younger, England.

**H. B. No. 604:** New programs funded with ARPA funds; revise certain provisions and bring forward sections of.

Senators Hopson, Polk, Williams.

**H. B. No. 769:** Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as.

Senators Whaley, Suber, Sparks.

**H. B. No. 770:** Mississippi Office of Space and Technology; create to be administered by MDA, which shall staff.  
Senators Parker, Barrett, DeLano.

**H. B. No. 917:** Mississippi Worker's Comp commission office building; place under the supervision and care of DFA.  
Senators Turner-Ford, Hopson, Seymour.

**H. B. No. 1034:** State Veterans Affairs Board; revise composition of.  
Senators Seymour, DeLano, McMahan.

**H. B. No. 1084:** Insurance agents; revise the continuing education requirements of those who are 65 and have been licensed for 20 years.  
Senators Michel, Kirby, McLendon.

**H. B. No. 1310:** Elections; revise provisions related to the integrity of.  
Senators Tate, Parker, Fillingane.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2102:** AN ACT TO AMEND SECTION 77-13-3, MISSISSIPPI CODE OF 1972, TO DEFINE THE TERM "IMPENDING EMERGENCY"; TO AMEND SECTION 77-13-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE PRE-EXCAVATION ADVANCE NOTIFICATION PERIOD FROM TWO WORKING DAYS TO THREE WORKING DAYS; TO REQUIRE EXCAVATORS TO PROVIDE ADVANCE NOTICE OF THE COMMENCEMENT, EXTENT, LOCATION AND DURATION OF THE EXCAVATION WORK TO MISSISSIPPI 811, INCORPORATED FOR EXCAVATIONS REQUIRED DUE TO AN IMPENDING EMERGENCY, THAT INCLUDES AN EXCAVATION START TIME AT LEAST TWELVE HOURS PRIOR TO EXCAVATION; TO REQUIRE EXCAVATORS TO PROVIDE CONTACT INFORMATION FOR A PERSON READILY AVAILABLE TO DISCUSS THE IMPENDING EMERGENCY EXCAVATION WITH OPERATORS; TO INCREASE THE DAYS THAT THE PERSON RESPONSIBLE FOR THE EXCAVATION PROJECT IS REQUIRED TO RENEW NOTIFICATION WITH MISSISSIPPI 811, INCORPORATED, FROM AT LEAST TWO DAYS AND NOT MORE THAN THREE DAYS, TO AT LEAST THREE DAYS AND NOT MORE THAN FOUR DAYS PRIOR TO THE NOTIFICATION EXPIRATION DATE; TO AMEND SECTION 77-13-9, MISSISSIPPI CODE OF 1972, TO INCREASE THE DAYS FROM TWO DAYS TO THREE DAYS THAT A PERSON OWNING OR OPERATING UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES SHALL MAKE AN INVESTIGATION AND REPORT THROUGH THE USE OF THE PRIS THE STATUS OF THE WORK PERFORMED FROM THE TIME NOTICE IS PROVIDED TO MISSISSIPPI 811; TO DECREASE THE HOURS FROM FOUR HOURS TO TWO HOURS THAT OPERATORS MUST CONTACT THE EXCAVATOR TO INFORM HIM OR HER OF ANY KNOWN UNDERGROUND FACILITIES AT THE SITE OF THE EXCAVATION; TO REQUIRE THAT A PERSON OWNING OR OPERATING UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES SHALL, UPON RECEIVING ADVANCE NOTICE OF THE COMMENCEMENT OF IMPENDING EMERGENCY EXCAVATION MAKE AN INVESTIGATION AND REPORT THROUGH PRIS THE STATUS OF THE WORK PERFORMED, PRIOR TO THE NOTICED TIME OF EXCAVATION PROVIDED TO MISSISSIPPI 811, INCORPORATED, AND EITHER MARK THE APPROXIMATE LOCATION OF UNDERGROUND UTILITY LINES AND UNDERGROUND FACILITIES

IN OR NEAR THE AREA OF THE EXCAVATION, OR ADVISE THROUGH PRIS THAT IT HAS NO UNDERGROUND UTILITY LINES OR UNDERGROUND FACILITIES IN THE EXCAVATION AREA; TO AMEND SECTION 77-13-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY MISREPRESENTATION OF AN EMERGENCY EXCAVATION OR OF AN IMPENDING EMERGENCY CONSTITUTES A VIOLATION OF THIS ACT; TO AMEND SECTION 77-13-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF AN OPERATOR BRINGS A LAWSUIT TO ENFORCE THE PROVISIONS OF THIS SECTION, THE PREVAILING PARTY SHALL BE AWARDED LEGAL COSTS, EXPENSES AND FEES; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 388:** Income tax; revise local governmental entities that may collect debt by a setoff against a debtor's refund.

**H. B. No. 1101:** Corporations and LLCs; authorize determination notices and certificates of administrative dissolution to be served by email to registered agent.

**H. B. No. 1115:** Durable legal custody; clarify jurisdiction for.

**H. B. No. 1157:** Vehicle rental; require those engaged in to disclose total charges, including all additional mandatory charges.

**H. B. No. 1168:** Municipal special sales tax; revise use of revenue for certain.

**H. B. No. 1169:** Income tax; revise method of collecting delinquent tax from public officers and employees.

**H. B. No. 1561:** Ad valorem taxation; revise types of new enterprises eligible for tax exemption.

**H. B. No. 1668:** Income tax; revise certain provisions regarding pass-through entities.

**H. B. No. 1723:** Tax credits; authorize for business contributions to certain organizations supporting food pantries or soup kitchens.

**H. B. No. 1733:** Income tax; revise deduction for depreciation for certain expenditures and property.

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2372:** Mississippi Hospital Sustainability Grant Program; establish and provide eligibility for funds.

Senators Hopson, Blackwell, Polk.

**S. B. No. 2444:** ARPA programs; bring forward provisions related to for possible amendment.

Senators Hopson, Polk, Blackwell.

**S. B. No. 2446:** Appropriations; revise certain transfers, fund authority, and FY2023 appropriations.

Senators Hopson, Polk, DeBar.

**S. B. No. 2454:** Budget; bring forward code sections related to and provide for transfers.

Senators Hopson, Polk, DeBar.

**S. B. No. 2511:** Destination marketing organizations; bring forward provision related to.

Senators Hopson, Polk, DeBar.

**S. B. No. 2616:** Real Estate Commission; decrease fees charged by.

Senators Hopson, Michel, DeBar.

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2023 and FY2024.

Senators Hopson, DeBar, Blackwell.

**S. B. No. 3000:** Appropriation; IHL - General support.

Senators Hopson, Parks, Polk.

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs.

Senators Hopson, Parks, Williams.

**S. B. No. 3002:** Appropriation; IHL - Alcorn State - Agricultural programs.

Senators Hopson, Parks, Butler (36th).

**S. B. No. 3003:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

Senators Hopson, Parks, McCaughn.

**S. B. No. 3004:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

Senators Hopson, Parks, Suber.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

Senators Hopson, Parks, McCaughn.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

Senators Hopson, Parks, Williams.

**S. B. No. 3007:** Appropriation; IHL - Student Financial Aid.

Senators Hopson, Parks, Parker.

**S. B. No. 3008:** Appropriation; IHL - University of Mississippi Medical Center.

Senators Hopson, Parks, Polk.

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

Senators Hopson, Frazier, McLendon.

**S. B. No. 3010:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

Senators Hopson, Frazier, Michel.

**S. B. No. 3011:** Appropriation; Corrections, Department of.

Senators Hopson, Wiggins, Hickman.

**S. B. No. 3012:** Appropriation; Public Safety, Department of.

Senators Hopson, Wiggins, DeBar.

**S. B. No. 3013:** Appropriation; Agriculture and Commerce, Department of.

Senators Hopson, DeLano, Suber.

**S. B. No. 3014:** Appropriation; Fair and Coliseum Commission - Livestock shows.

Senators Hopson, DeLano, McCaughn.

**S. B. No. 3015:** Appropriation; Animal Health, Board of.

Senators Hopson, DeLano, Butler (38th).

**S. B. No. 3016:** Appropriation; Emergency Management Agency.

Senators Hopson, DeLano, Polk.

**S. B. No. 3017:** Appropriation; Military Department.

Senators Hopson, DeLano, Tate.

**S. B. No. 3018:** Appropriation; Veterans Affairs Board.

Senators Hopson, DeLano, Seymour.

**S. B. No. 3019:** Appropriation; Ethics Commission.

Senators Hopson, Norwood, Branning.

**S. B. No. 3020:** Appropriation; Judicial Performance Commission.

Senators Hopson, Norwood, Branning.

**S. B. No. 3021:** Appropriation; Employment Security, Department of.

Senators Hopson, Michel, Parker.

**S. B. No. 3022:** Appropriation; Revenue, Department of.

Senators Hopson, Michel, McCaughn.

**S. B. No. 3023:** Appropriation; Tax Appeals Board.

Senators Hopson, Michel, Hickman.

**S. B. No. 3024:** Appropriation; Workers' Compensation Commission.

Senators Hopson, Michel, Turner-Ford.

**S. B. No. 3025:** Appropriation; Mental Health, Department of.

Senators Hopson, Hill, Michel.

**S. B. No. 3026:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

Senators Hopson, Branning, Polk.

**S. B. No. 3027:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.

Senators Hopson, Sparks, Parks.

**S. B. No. 3028:** Appropriation; Chiropractic Examiners, Board of.

Senators Hopson, Butler (36th), Suber.

**S. B. No. 3029:** Appropriation; Dental Examiners, Board of.  
Senators Hopson, Butler (36th), Suber.

**S. B. No. 3030:** Appropriation; Funeral Services Board.  
Senators Hopson, Butler (36th), Suber.

**S. B. No. 3031:** Appropriation; Massage Therapy, Board of.  
Senators Hopson, Butler (36th), Suber.

**S. B. No. 3032:** Appropriation; Pharmacy, Board of.  
Senators Hopson, Butler (36th), Wiggins.

**S. B. No. 3033:** Appropriation; Counselors, Board of Examiners for Licensed Professional.  
Senators Hopson, Butler (36th), Frazier.

**S. B. No. 3034:** Appropriation; Veterinary Examiners, Board of.  
Senators Hopson, Butler (36th), Turner-Ford.

**S. B. No. 3035:** Appropriation; Architecture, Board of.  
Senators Hopson, Turner-Ford, DeLano.

**S. B. No. 3036:** Appropriation; Gaming Commission.  
Senators Hopson, Turner-Ford, Polk.

**S. B. No. 3037:** Appropriation; Geologists, Board of Registered Professional.  
Senators Hopson, Turner-Ford, DeLano.

**S. B. No. 3038:** Appropriation; Motor Vehicle Commission.  
Senators Hopson, Turner-Ford, Wiggins.

**S. B. No. 3039:** Appropriation; Accountancy, Board of Public.  
Senators Hopson, Turner-Ford, DeLano.

**S. B. No. 3040:** Appropriation; Contractors, Board of.  
Senators Hopson, Turner-Ford, Polk.

**S. B. No. 3041:** Appropriation; Audit, Department of.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3042:** Appropriation; Banking and Consumer Finance, Department of.  
Senators Hopson, Polk, Caughman.

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3044:** Appropriation; Governor's Office and Mansion.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3045:** Appropriation; Information Technology Services, Department of.  
Senators Hopson, Polk, Williams.

**S. B. No. 3046:** Appropriation; Development Authority, Mississippi.  
Senators Hopson, Polk, Parker.

**S. B. No. 3047:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.  
Senators Hopson, Polk, Wiggins.



**S. B. No. 3048:** Appropriation; Personnel Board.  
Senators Hopson, Polk, Simmons (13th).

**S. B. No. 3049:** Appropriation; Secretary of State.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3050:** Appropriation; Treasurer's Office.  
Senators Hopson, Polk, Michel.

**S. B. No. 3051:** Appropriation; Debt Service-Gen. Obli.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3052:** Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies.  
Senators Hopson, Polk, DeBar.

**S. B. No. 3113:** Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds.  
Senators Hopson, Polk, Parker.

**S. B. No. 3114:** Appropriation; additional to DEQ for Mississippi Municipality and County Water Infrastructure Grant Program, ARPA funds.  
Senators Hopson, Polk, Blackwell.

**S. B. No. 3115:** Appropriation; additional to DOH for ARPA Rural Water Associations Infrastructure Grant Program.  
Senators Hopson, Polk, Hill.

**S. B. No. 3116:** Appropriation; additional to DFA for destination marketing organizations and Main Street Association, ARPA funds.  
Senators Hopson, Polk, DeBar.

**S. B. No. 3117:** Appropriation; additional for DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan, ARPA funds.  
Senators Hopson, Polk, Michel.

**S. B. No. 3118:** Appropriation; additional to DFA - Bureau of Buildings, ARPA funds.  
Senators Hopson, Polk, DeBar.

**S. B. No. 3119:** Appropriation; additional to DOH for Mississippi Hospital Sustainability Grant Program, ARPA funds.  
Senators Hopson, Blackwell, Polk.

**S. B. No. 3120:** Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses.  
Senators Hopson, Branning, DeBar.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 271:** Appropriation; Health Department for distributing funds to hospitals under the Health Care Impact Grant Program.  
Senators Hopson, Blackwell, Polk.

**H. B. No. 272:** Appropriation; Health Department for Local Provider Innovation Grant Program.  
Senators Hopson, Polk, Hill.

**H. B. No. 273:** Health Care Impact Grant Program; establish to provide grants to hospitals and nursing facilities.  
Senators Hopson, Blackwell, Polk.

**H. B. No. 602:** District Attorneys; increase the operating allowance of.  
Senators Hopson, Wiggins, Norwood.

**H. B. No. 603:** State budget; bring forward sections relating to.  
Senators Hopson, Polk, Harkins.

**H. B. No. 834:** Assistant District Attorneys and criminal investigators; increase authorized number of.  
Senators Hopson, Wiggins, Blackwell.

**H. B. No. 1048:** "Universal Changing Tables Installation Incentive Grant Program Act"; establish to be administered by Mississippi Department of Rehabilitation Services.  
Senators Hopson, DeBar, Hill.

**H. B. No. 1089:** State budget; revise provisions of several FY 23 bills and create special funds.  
Senators Hopson, Polk, DeBar.

**H. B. No. 1593:** Appropriation; Athletic Commission.  
Senators Hopson, Turner-Ford, DeLano.

**H. B. No. 1594:** Appropriation; Auctioneers Commission.  
Senators Hopson, Turner-Ford, DeLano.

**H. B. No. 1595:** Appropriation; Barber Examiners, Board of.  
Senators Hopson, Jackson, Suber.

**H. B. No. 1596:** Appropriation; Cosmetology, Board of.  
Senators Hopson, Jackson, England.

**H. B. No. 1597:** Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.  
Senators Hopson, Jackson, Chism.

**H. B. No. 1598:** Appropriation; Medical Licensure, Board of.  
Senators Hopson, Jackson, Blackwell.

**H. B. No. 1599:** Appropriation; Nursing, Board of.  
Senators Hopson, Jackson, Seymour.

**H. B. No. 1600:** Appropriation; Nursing Home Administrators, Board of.  
Senators Hopson, Jackson, Seymour.

**H. B. No. 1601:** Appropriation; Optometry, Board of.  
Senators Hopson, Jackson, Hill.

**H. B. No. 1602:** Appropriation; Physical Therapy Board.  
Senators Hopson, Jackson, McLendon.

**H. B. No. 1603:** Appropriation; Psychology, Board of.  
Senators Hopson, Jackson, DeLano.

**H. B. No. 1604:** Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.  
Senators Hopson, Turner-Ford, DeLano.

**H. B. No. 1605:** Appropriation; Insurance, Department of.  
Senators Hopson, Michel, Wiggins.

**H. B. No. 1606:** Appropriation; Fire Academy.  
Senators Hopson, Michel, Blackwell.

**H. B. No. 1607:** Appropriation; Public Employees' Retirement System.  
Senators Hopson, Polk, Wiggins.

**H. B. No. 1608:** Appropriation; Real Estate Appraiser Licensing and Certification Board.  
Senators Hopson, Michel, Wiggins.

**H. B. No. 1609:** Appropriation: Real Estate Commission.  
Senators Hopson, Michel, Wiggins.

**H. B. No. 1610:** Appropriation; Legislative expenses.  
Senators Hopson, Polk, DeBar.

**H. B. No. 1611:** Appropriation; Arts Commission.  
Senators Hopson, Moran, Williams.

**H. B. No. 1612:** Appropriation; Archives and History, Department of.  
Senators Hopson, Michel, Norwood.

**H. B. No. 1613:** Appropriation; Education, Department of.  
Senators Hopson, DeBar, McCaughn.

**H. B. No. 1614:** Appropriation; Educational Television, Authority for.  
Senators Hopson, DeBar, Norwood.

**H. B. No. 1615:** Appropriation; Library Commission.  
Senators Hopson, DeBar, Michel.

**H. B. No. 1616:** Appropriation; Environmental Quality, Department of.  
Senators Hopson, Moran, Polk.

**H. B. No. 1617:** Appropriation; Wildlife, Fisheries and Parks, Department of.  
Senators Hopson, DeLano, Whaley.

**H. B. No. 1618:** Appropriation; Grand Gulf Military Monument Commission.  
Senators Hopson, Moran, Suber.

**H. B. No. 1619:** Appropriation; Oil and Gas Board.  
Senators Hopson, Turner-Ford, Polk.

**H. B. No. 1620:** Appropriation; Public Service Commission.  
Senators Hopson, DeLano, McCaughn.

**H. B. No. 1621:** Appropriation; Public Utilities Staff.  
Senators Hopson, DeLano, DeBar.

**H. B. No. 1622:** Appropriation; Human Services, Department of.  
Senators Hopson, Blackwell, Wiggins.

**H. B. No. 1623:** Appropriation; Rehabilitation Services, Department of.  
Senators Hopson, Blackwell, McLendon.

**H. B. No. 1624:** Appropriation; Medicaid, Division of.  
Senators Hopson, Blackwell, Wiggins.

**H. B. No. 1625:** Appropriation; Child Protection Services, Department of.  
Senators Hopson, Blackwell, Wiggins.

**H. B. No. 1626:** Appropriation; Health, Department of.  
Senators Hopson, Hill, Branning.

**H. B. No. 1627:** Appropriation; Foresters, Board of Registration for.  
Senators Hopson, Turner-Ford, McCaughn.

**H. B. No. 1628:** Appropriation; Forestry Commission.  
Senators Hopson, Turner-Ford, McCaughn.

**H. B. No. 1629:** Appropriation; Soil and Water Conservation Commission.  
Senators Hopson, Moran, Younger.

**H. B. No. 1630:** Appropriation; Pat Harrison Waterway District.  
Senators Hopson, Branning, Tate.

**H. B. No. 1631:** Appropriation; Pearl River Valley Water Supply District.  
Senators Hopson, Branning, Michel.

**H. B. No. 1632:** Appropriation; Port Authority, State.  
Senators Hopson, Branning, Wiggins.

**H. B. No. 1633:** Appropriation; Tombigbee River Valley Water Management  
District.  
Senators Hopson, Branning, Parks.

**H. B. No. 1634:** Appropriation; Yellow Creek State Inland Port Authority.  
Senators Hopson, Branning, Butler (38th).

**H. B. No. 1635:** Appropriation; Veterans' Home Purchase Board.  
Senators Hopson, DeLano, Seymour.

**H. B. No. 1636:** Appropriation; Marine Resources, Department of.  
Senators Hopson, Moran, Polk.

**H. B. No. 1637:** Appropriation; District attorneys and staff.  
Senators Hopson, Norwood, McCaughn.

**H. B. No. 1638:** Appropriation; Capital Post-Conviction Counsel, Office of.  
Senators Hopson, Norwood, McCaughn.

**H. B. No. 1639:** Appropriation; State Public Defender, Office of.  
Senators Hopson, Norwood, McCaughn.

**H. B. No. 1640:** Appropriation; Supreme Court, Court of Appeals and trial judges  
services.  
Senators Hopson, Norwood, Sparks.

**H. B. No. 1641:** Appropriation; Attorney General.  
Senators Hopson, Norwood, DeBar.

**H. B. No. 1642:** Appropriation; Transportation, Department of.  
Senators Hopson, Branning, Polk.

**H. B. No. 1643:** Appropriation, Reappropriation, DFA - Bureau of Building -  
FY2024.  
Senators Hopson, Polk, Williams.

**H. B. No. 1644:** Appropriations; additional for various state agencies for FY 2023  
and FY 2024.  
Senators Hopson, DeBar, Blackwell.

**H. B. No. 1715:** Appropriation; Health Department for funding the ARPA Rural  
Water Associations Infrastructure Grant Program.  
Senators Hopson, Polk, Hill.

**H. B. No. 1717:** Appropriation; DFA - Office of Insurance for reimbursing the State  
Health Plan for eligible expenses incurred.  
Senators Hopson, Polk, Michel.

**H. B. No. 1718:** Appropriation; DFA Bureau of Building for completing capital  
projects at state-owned buildings and grounds.  
Senators Hopson, Polk, DeBar.

**H. B. No. 1719:** Appropriation; DFA to assist destination marketing organizations  
in paying for marketing activities.  
Senators Hopson, Polk, DeBar.

**H. B. No. 1722:** Appropriation; UMMC for construction, repair and renovation of  
the School of Dentistry.  
Senators Hopson, Polk, Frazier.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF  
THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the  
following:

**S. B. No. 2372:** Mississippi Hospital Sustainability Grant Program; establish and  
provide eligibility for funds.

Representatives Read,Mims,Bounds

**S. B. No. 2444:** ARPA programs; bring forward provisions related to for possible  
amendment.

Representatives Read,Oliver,Cockerham

**S. B. No. 2446:** Appropriations; revise certain transfers, fund authority, and  
FY2023 appropriations.

Representatives Read,Oliver,Cockerham

**S. B. No. 2454:** Budget; bring forward code sections related to and provide for  
transfers.

Representatives Read, Oliver, Cockerham

**S. B. No. 2616:** Real Estate Commission; decrease fees charged by.

Representatives Read, Oliver, Ladner

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2023 and FY2024.

Representatives Read, Oliver, Hale

**S. B. No. 3000:** Appropriation; IHL - General support.

Representatives Read, White, Scoggin

**S. B. No. 3002:** Appropriation; IHL - Alcorn State - Agricultural programs.

Representatives Read, White, Scoggin

**S. B. No. 3003:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

Representatives Read, White, Scoggin

**S. B. No. 3004:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

Representatives Read, White, Scoggin

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

Representatives Read, White, Scoggin

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

Representatives Read, White, Scoggin

**S. B. No. 3007:** Appropriation; IHL - Student Financial Aid.

Representatives Read, White, Scoggin

**S. B. No. 3008:** Appropriation; IHL - University of Mississippi Medical Center.

Representatives Read, White, Scoggin

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

Representatives Read, Barton, Scoggin

**S. B. No. 3010:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

Representatives Read, Barton, Scoggin

**S. B. No. 3011:** Appropriation; Corrections, Department of.

Representatives Read,Horan,Cockerham

**S. B. No. 3012:** Appropriation; Public Safety, Department of.

Representatives Read,Cockerham,Bennett

**S. B. No. 3013:** Appropriation; Agriculture and Commerce, Department of.

Representatives Read,Pigott,Mangold

**S. B. No. 3014:** Appropriation; Fair and Coliseum Commission - Livestock shows.

Representatives Read,Pigott,Mangold

**S. B. No. 3015:** Appropriation; Animal Health, Board of.

Representatives Read,Pigott,Mangold

**S. B. No. 3016:** Appropriation; Emergency Management Agency.

Representatives Read,Bennett,Eure

**S. B. No. 3017:** Appropriation; Military Department.

Representatives Read,Barton,Oliver

**S. B. No. 3018:** Appropriation; Veterans Affairs Board.

Representatives Read,Barton,Oliver

**S. B. No. 3019:** Appropriation; Ethics Commission.

Representatives Read,Cockerham,Young

**S. B. No. 3020:** Appropriation; Judicial Performance Commission.

Representatives Read,Cockerham,Eure

**S. B. No. 3021:** Appropriation; Employment Security, Department of.

Representatives Read,Oliver,Hale

**S. B. No. 3022:** Appropriation; Revenue, Department of.

Representatives Read,Bounds,White

**S. B. No. 3023:** Appropriation; Tax Appeals Board.

Representatives Read,Bounds,White

**S. B. No. 3024:** Appropriation; Workers' Compensation Commission.

Representatives Read,Oliver,Hale

**S. B. No. 3025:** Appropriation; Mental Health, Department of.

Representatives Read,Mims,Bounds

**S. B. No. 3026:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

Representatives Read, Busby, Arnold

**S. B. No. 3027:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.

Representatives Read, Ladner, Arnold

**S. B. No. 3028:** Appropriation; Chiropractic Examiners, Board of.

Representatives Read, Oliver, Hale

**S. B. No. 3029:** Appropriation; Dental Examiners, Board of.

Representatives Read, Oliver, Hale

**S. B. No. 3030:** Appropriation; Funeral Services Board.

Representatives Read, Barton, Hale

**S. B. No. 3031:** Appropriation; Massage Therapy, Board of.

Representatives Read, Oliver, Hale

**S. B. No. 3032:** Appropriation; Pharmacy, Board of.

Representatives Read, Oliver, Hale

**S. B. No. 3033:** Appropriation; Counselors, Board of Examiners for Licensed Professional.

Representatives Read, Oliver, Hale

**S. B. No. 3034:** Appropriation; Veterinary Examiners, Board of.

Representatives Read, Oliver, Pigott

**S. B. No. 3035:** Appropriation; Architecture, Board of.

Representatives Read, Oliver, Turner

**S. B. No. 3036:** Appropriation; Gaming Commission.

Representatives Read, Eure, Bennett

**S. B. No. 3037:** Appropriation; Geologists, Board of Registered Professional.

Representatives Read, Oliver, Turner

**S. B. No. 3038:** Appropriation; Motor Vehicle Commission.

Representatives Read, Oliver, Turner

**S. B. No. 3039:** Appropriation; Accountancy, Board of Public.

Representatives Read, Oliver, Turner



**S. B. No. 3040:** Appropriation; Contractors, Board of.

Representatives Read, Oliver, Turner

**S. B. No. 3041:** Appropriation; Audit, Department of.

Representatives Read, Bounds, Mangold

**S. B. No. 3042:** Appropriation; Banking and Consumer Finance, Department of.

Representatives Read, Oliver, Turner

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of.

Representatives Read, Barton, Hale

**S. B. No. 3044:** Appropriation; Governor's Office and Mansion.

Representatives Read, White, Bennett

**S. B. No. 3045:** Appropriation; Information Technology Services, Department of.

Representatives Read, Bounds, Eure

**S. B. No. 3046:** Appropriation; Development Authority, Mississippi.

Representatives Read, Bennett, Eure

**S. B. No. 3047:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

Representatives Read, Bennett, Eure

**S. B. No. 3048:** Appropriation; Personnel Board.

Representatives Read, White, Turner

**S. B. No. 3049:** Appropriation; Secretary of State.

Representatives Read, Bennett, Ladner

**S. B. No. 3050:** Appropriation; Treasurer's Office.

Representatives Read, Oliver, White

**S. B. No. 3051:** Appropriation; Debt Service-Gen. Obli.

Representatives Read, Oliver, White

**S. B. No. 3113:** Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds.

Representatives Read, Oliver, Bell (21st)

**S. B. No. 3114:** Appropriation; additional to DEQ for Mississippi Municipality and County Water Infrastructure Grant Program, ARPA funds.

Representatives Read, Oliver, Bounds

**S. B. No. 3115:** Appropriation; additional to DOH for ARPA Rural Water Associations Infrastructure Grant Program.

Representatives Read, Oliver, Mims

**S. B. No. 3116:** Appropriation; additional to DFA for destination marketing organizations and Main Street Association, ARPA funds.

Representatives Read, Oliver, Currie

**S. B. No. 3117:** Appropriation; additional for DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan, ARPA funds.

Representatives Read, Oliver, Barton

**S. B. No. 3118:** Appropriation; additional to DFA - Bureau of Buildings, ARPA funds.

Representatives Read, Oliver, Barton

**S. B. No. 3119:** Appropriation; additional to DOH for Mississippi Hospital Sustainability Grant Program, ARPA funds.

Representatives Read, Oliver, Mims

**S. B. No. 3120:** Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses.

Representatives Read, Busby, Arnold

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2530:** "Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate.

Representatives Ladner, Felsher, Crawford

**S. B. No. 2544:** Regulation of oyster beds and water bottoms by the MS Department of Marine Resources; bring forward authority.

Representatives Ladner, Felsher, Crawford

**S. B. No. 2551:** Department of Marine Resources, Office of Marine Patrol; cooperate with federal law enforcement.

Representatives Ladner, Felsher, Crawford

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 4:** AN ACT TO AMEND SECTION 41-29-117, MISSISSIPPI CODE OF 1972, TO INCLUDE TIANEPTINE AS A SCHEDULE III DRUG; AND FOR RELATED PURPOSES.

**H. B. No. 249:** AN ACT TO AMEND SECTION 25-9-107, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE PROVISION OF LAW EXCLUDING FROM THE STATE SERVICE THOSE EMPLOYEES OF THE STATE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE WHOSE EMPLOYMENT IS SOLELY RELATED TO THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 25-43-1.103, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THOSE DEPARTMENTS' EXEMPTION FROM THE MISSISSIPPI ADMINISTRATIVE PROCEDURES LAW FOR PURPOSES RELATED TO THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTIONS 25-53-1 AND 25-53-5 (AS AMENDED BY SENATE BILL NO. 2728, 2023 REGULAR SESSION), MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THOSE DEPARTMENTS' EXEMPTION FOR PURPOSES RELATED TO THE MISSISSIPPI MEDICAL CANNABIS ACT FROM THE BID AND CONTRACT REQUIREMENTS OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE EXEMPTION FOR THOSE DEPARTMENTS' PERSONAL AND PROFESSIONAL SERVICE CONTRACTS RELATING TO THE MISSISSIPPI MEDICAL CANNABIS ACT FROM THE REQUIREMENTS OF THE PUBLIC PROCUREMENT REVIEW BOARD; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE EXEMPTION FROM STATE BID REQUIREMENTS FOR PURCHASES MADE BY THOSE DEPARTMENTS IN CONNECTION WITH THEIR RESPONSIBILITIES UNDER THE MISSISSIPPI MEDICAL CANNABIS ACT; TO INCLUDE SERVICES PROVIDED BY THE MISSISSIPPI INDUSTRIES FOR THE BLIND IN THE EXCEPTIONS FROM BIDDING REQUIREMENTS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 259:** AN ACT TO AMEND SECTION 41-58-1, MISSISSIPPI CODE OF 1972, TO PROVIDE THE DEFINITION OF NUCLEAR MEDICINE; TO REVISE THE DEFINITION OF NUCLEAR MEDICINE TECHNOLOGIST; TO EXTEND THE DATE OF REPEAL ON THE SECTION; TO AMEND SECTION 41-58-3, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE SECTION; TO AMEND SECTION 41-58-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE SECTION; TO ENACT INTO LAW THE OCCUPATIONAL THERAPY LICENSURE COMPACT AND PROVIDE THAT THE STATE OF MISSISSIPPI ENTERS THE COMPACT WITH OTHER STATES THAT JOIN IN THE COMPACT; TO AMEND SECTIONS 73-24-3, 73-24-7, 73-24-9, 73-24-15, 73-24-17, 73-24-19, 73-24-23, 73-24-24, 73-24-25, 73-24-27 AND 73-24-29, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 281:** AN ACT TO AMEND SECTION 45-9-131, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A LAW ENFORCEMENT OFFICER WHO IS EMPLOYED BY A STATE AGENCY, BOARD OR COMMISSION TO PURCHASE HIS OR HER ISSUED

SIDEARM AS PERSONAL PROPERTY FOR FAIR MARKET VALUE UPON THE OFFICER'S RETIREMENT; TO AUTHORIZE THE PURCHASE OF THE SIDEARM FOR AN AGREED UPON PRICE BY THE NEXT OF KIN OF A LAW ENFORCEMENT OFFICER WHO IS KILLED IN THE LINE OF DUTY; AND FOR RELATED PURPOSES.

**H. B. No. 540:** AN ACT TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONDUCT PERSONAL AND PROFESSIONAL SERVICES SOLICITATIONS IN EXCESS OF \$75,000.00 FOR THE DEPARTMENT OF MARINE RESOURCES, THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS, THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY AND THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 27-104-103, MISSISSIPPI CODE OF 1972, TO REVISE THE POWER AND DUTIES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO CONFORM; AND FOR RELATED PURPOSES.

**H. B. No. 1196:** AN ACT TO AMEND CHAPTER 916, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 910, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 945, LOCAL AND PRIVATE LAWS OF 2017, AS AMENDED BY CHAPTER 918, LOCAL AND PRIVATE LAWS OF 2021, TO EXTEND THE DATE OF REPEAL TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF MCCOMB, MISSISSIPPI, TO IMPOSE A TOURISM TAX WITHIN THE CITY, AND TO EXPEND THE PROCEEDS OF THE TAX TO PROMOTE TOURISM, PARKS AND RECREATION; AND FOR RELATED PURPOSES.

**H. B. No. 1222:** AN ACT TO CREATE "THE MISSISSIPPI COLLABORATIVE RESPONSE TO MENTAL HEALTH ACT"; TO REQUIRE EACH MUNICIPAL AND COUNTY LAW ENFORCEMENT AGENCY TO PROVIDE MENTAL HEALTH FIRST-AID TRAINING THAT IS EVIDENCE-BASED AND APPROVED BY THE DEPARTMENT OF MENTAL HEALTH; TO REQUIRE EACH MUNICIPAL AND COUNTY LAW ENFORCEMENT AGENCY TO HAVE AT LEAST ONE CRISIS INTERVENTION TRAINED OFFICER BY A CERTAIN DATE; TO PROVIDE THAT AN AGENCY WHICH EMPLOYS LESS THAN FIVE LAW ENFORCEMENT OFFICERS MAY EXECUTE AN AGREEMENT WITH ONE OR MORE LAW ENFORCEMENT AGENCIES TO HAVE A CRISIS INTERVENTION TEAM OFFICER SERVE AS THE OFFICER FOR THAT AGENCY; TO CREATE NEW SECTION 41-21-77.1, MISSISSIPPI CODE OF 1972, TO REQUIRE COURT LIAISONS FOR CERTAIN COUNTIES; TO AMEND SECTION 41-4-3, MISSISSIPPI CODE OF 1972, TO REVISE THE TERMS OF THE MEMBERS OF THE STATE BOARD OF MENTAL HEALTH; TO AMEND SECTION 41-19-31, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISION WHICH REGULATED REGIONAL COMMISSIONS TO THIS ACT; TO AMEND SECTION 41-19-33, MISSISSIPPI CODE OF 1972, TO REQUIRE EACH REGIONAL COMMISSION TO EMPLOY OR CONTRACT WITH AN ACCOUNTANT TO MANAGE ITS FINANCES; TO REQUIRE THE ACCOUNTANT TO PROVIDE AN ANNUAL AUDIT IN ADDITION TO OTHER DUTIES; TO PROVIDE QUALIFICATIONS FOR MEMBERS OF THE BOARD; TO AMEND SECTION 41-19-35, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MEMBERS OF THE REGIONAL COMMISSION SHALL SERVE AT THE WILL AND PLEASURE OF THE APPOINTING BOARD OF SUPERVISORS; TO REQUIRE THE COMMISSIONERS TO ATTEND CERTAIN TRAININGS AS A CONDITION TO REMAINING A COMMISSIONER; TO REQUIRE REMOVAL OF ANY COMMISSIONER WHO FAILS TO ATTEND CERTAIN TRAININGS PROVIDED BY THE DEPARTMENT OF MENTAL HEALTH UNLESS ALTERNATE ARRANGEMENTS ARE MADE; TO AMEND SECTION 41-21-77, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CHANCERY CLERK TO MAINTAIN A RECORD FOR THE NUMBER OF PERSONS ORDERED FOR ADMISSION TO A TREATMENT FACILITY, THE NUMBER OF HEARINGS TO DETERMINE WHETHER A PERSON SHOULD BE ADMITTED AND THE NUMBER OF AFFIDAVITS FILED FOR PURPOSES OF ADMITTING A PERSON TO A TREATMENT FACILITY; TO AMEND SECTION 41-4-7, MISSISSIPPI CODE OF 1972, TO REVISE THE POWERS AND DUTIES OF THE STATE BOARD OF MENTAL HEALTH; TO REQUIRE LAW ENFORCEMENT OFFICERS TO TRANSPORT PERSONS IN CRISIS TO THE APPROPRIATE HEALTHCARE FACILITY AT THE REQUEST OF THE CRISIS INTERVENTION TEAM; TO PROVIDE THAT ON OR BEFORE DECEMBER 1, 2023,

EACH COUNTY SHALL REPORT TO THE DEPARTMENT OF MENTAL HEALTH DATA RELATING TO THE PLACEMENT OF INDIVIDUALS BOTH BEFORE AN INVOLUNTARY CIVIL COMMITMENT PROCEEDING, AND AFTER A HEARING WHERE AN INVOLUNTARY COMMITMENT ORDER HAS BEEN ENTERED; TO PROVIDE THAT AFTER MAKING EXPENDITURES OF AT LEAST \$2,500,000.00 EACH YEAR TO PROVIDE FUNDING FOR COUNTY AND MUNICIPAL LAW ENFORCEMENT TRAINING AND COURT LIAISONS, THE DEPARTMENT OF MENTAL HEALTH MAY EXPEND ANY ADDITIONAL FUNDS TO PROVIDE GRANTS TO COMMUNITY MENTAL HEALTH CENTERS FOR THE PURPOSE OF INCREASING HOUSING FOR PATIENTS; TO PROVIDE THAT THE DEPARTMENT OF MENTAL HEALTH SHALL HAVE ALL POWERS NECESSARY TO IMPLEMENT AND ADMINISTER THE PROGRAM, AND THE DEPARTMENT SHALL PROMULGATE RULES AND REGULATIONS NECESSARY FOR THE IMPLEMENTATION OF THE ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1547:** AN ACT TO AMEND CHAPTER 1005, LOCAL AND PRIVATE LAWS OF 2004, AS LAST AMENDED BY CHAPTER 939, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2027, ON THE PROVISION OF LAW AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY OF PASCAGOULA, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS DERIVED FROM HOTEL, MOTEL AND BED-AND-BREAKFAST ROOM RENTALS IN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1581:** AN ACT TO AMEND CHAPTER 901, LOCAL AND PRIVATE LAWS OF 2019 TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2033, ON THE PROVISIONS OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITY OF THE CITY OF COLUMBUS, MISSISSIPPI, TO LEVY A TAX ON RETAIL SALES OF BEER, ALCOHOLIC BEVERAGES AND PREPARED FOOD SOLD BY RESTAURANTS WITHIN THE CITY; AND FOR RELATED PURPOSES.

**H. B. No. 1662:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF RIPLEY, MISSISSIPPI, TO EXPAND ITS WATER DISTRIBUTION THROUGHOUT TIPPAAH COUNTY, MISSISSIPPI, EXCLUDING ALL OTHER CERTIFIED AREAS OTHER THAN THE CITY OF RIPLEY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**H. B. No. 1711:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE FUNDS TO AND PROVIDE IN-KIND SERVICES FOR MAINTENANCE TO THE BEULAH CEMETERY; TO PROVIDE THAT COMMUNITY SERVICE OR INMATE LABOR MAY BE USED FOR SUCH MAINTENANCE; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1712:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE FUNDS TO AND/OR PROVIDE IN-KIND SERVICES FOR THE MAINTENANCE OF TATE CEMETERY; AND FOR RELATED PURPOSES.

**H. B. No. 1716:** AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE PURPOSE OF FUNDING THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD BEGINNING ON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

**H. B. No. 1788:** AN ACT TO AMEND CHAPTER 924, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2028, ON THE ACT AUTHORIZING THE GOVERNING AUTHORITIES OF THE CITY

OF COLUMBIA, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2858:** AN ACT TO AMEND SECTION 57-115-5, MISSISSIPPI CODE OF 1972, TO INCREASE BY \$45,000,000.00 THE AGGREGATE AMOUNT OF INVESTMENT TAX CREDITS THAT MAY BE ALLOCATED TO PARTICIPATING INVESTORS OF MISSISSIPPI SMALL BUSINESS INVESTMENT COMPANIES UNDER THE MISSISSIPPI SMALL BUSINESS INVESTMENT COMPANY ACT; TO PROVIDE THE TAXABLE YEARS IN WHICH PARTICIPATING INVESTORS MAY CLAIM THE ADDITIONAL CREDITS SO ALLOCATED AGAINST THEIR PREMIUM TAX LIABILITY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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INTRODUCTIONS FOR FRIDAY, MARCH 17, 2023

**S. R. No. 83:** Rules

A RESOLUTION EXTENDING THE DEEP AND HEARTFELT SYMPATHY OF THE MISSISSIPPI SENATE TO THE SURVIVING FAMILY ON THE PASSING OF VETERAN MOUND BAYOU TEACHER ANNA JACKSON WASHINGTON-LEE WHO WAS THE FIRST AFRICAN-AMERICAN EDUCATOR AT PARKS ELEMENTARY SCHOOL IN CLEVELAND, MISSISSIPPI.

By Senator(s) Simmons (13th)

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 388:** AN ACT TO AMEND SECTION 27-7-805, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERMS "CLAIMANT LOCAL GOVERNMENT," "LOCAL GOVERNMENT" AND "MEMBER ORGANIZATION" FOR PURPOSES OF THE SECTIONS OF LAW THAT AUTHORIZE COUNTIES AND MUNICIPALITIES TO SUBMIT CERTAIN DEBTS OWED TO THEM TO THE DEPARTMENT OF REVENUE FOR COLLECTION THROUGH A SETOFF AGAINST THE DEBTORS' MISSISSIPPI INCOME TAX REFUND; AND FOR RELATED PURPOSES.

**H. B. No. 1101:** AN ACT TO AMEND SECTIONS 79-4-14.21 AND 79-29-823, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO SERVE DETERMINATION NOTICES AND CERTIFICATES OF ADMINISTRATIVE DISSOLUTION ON CORPORATIONS AND LIMITED LIABILITY COMPANIES BY EMAIL TO THE REGISTERED AGENT OF A CORPORATION OR LIMITED LIABILITY COMPANY AS INDICATED BY THE ENTITY; AND FOR RELATED PURPOSES.

**H. B. No. 1115:** AN ACT TO AMEND SECTION 43-21-609, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF YOUTH COURT REGARDING DURABLE

LEGAL CUSTODY; TO AMEND SECTION 43-21-613, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL DISPOSITIONS AND MODIFICATIONS OF DURABLE LEGAL CUSTODY TO BE REVIEWED BY YOUTH COURT; AND FOR RELATED PURPOSES.

**H. B. No. 1157:** AN ACT TO CREATE SECTION 75-24-8, MISSISSIPPI CODE OF 1972, TO REQUIRE PERSONS OR ENTITIES ENGAGED IN THE RENTAL OF MOTOR VEHICLES TO DISCLOSE THE TOTAL CHARGES FOR THE ENTITY RENTAL, INCLUDING ALL ADDITIONAL MANDATORY CHARGES; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**H. B. No. 1158:** AN ACT TO AMEND SECTION 41-137-5, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A PRACTITIONER TO ASSIST A PATIENT IN REGISTERING FOR A REGISTRY IDENTIFICATION CARD WITH THE DEPARTMENT OF HEALTH AFTER THE PRACTITIONER HAS ISSUED A WRITTEN CERTIFICATION TO THE PATIENT; TO PROVIDE THAT THE REQUIREMENTS OF THIS SECTION SHALL NOT APPLY TO A PERSON WHO IS AUTHORIZED TO PURCHASE TOPICAL CANNABIS, AND SUCH PERSONS MAY POSSESS AND USE SUCH PRODUCTS WITHOUT BEING IN VIOLATION OF THIS CHAPTER; TO PROHIBIT ANY STATE AGENCY, DEPARTMENT, POLITICAL SUBDIVISION OR BOARD FROM REQUIRING A PRACTITIONER TO REQUIRE A PATIENT TO SUBMIT TO A DRUG TEST AS A CONDITION TO RECEIVING A CERTIFICATION FOR A REGISTRY IDENTIFICATION CARD; TO PROVIDE THAT A PRACTITIONER SHALL NOT BE REQUIRED TO HAVE ANY ADDITIONAL QUALIFICATIONS TO BE AUTHORIZED TO CERTIFY A QUALIFYING PATIENT FOR A REGISTRY IDENTIFICATION CARD; TO PROVIDE THAT A PRACTITIONER SHALL NOT BE REQUIRED TO BE REGISTERED TO CERTIFY PATIENTS WITH ANY STATE AGENCY OR BOARD OTHER THAN THE MDOH; TO PROVIDE THAT QUALIFYING PATIENTS MAY MAKE A FOLLOW-UP VISIT WITH A DIFFERENT PRACTITIONER THAN THE PRACTITIONER WHO ORIGINALLY ISSUED THEIR WRITTEN CERTIFICATION, PROVIDED THAT SUCH PRACTITIONER IS OTHERWISE REGISTERED AND ACTING WITHIN THEIR SCOPE OF PRACTICE AND THE PROVISIONS OF THE LAW; TO AMEND SECTION 41-137-23, MISSISSIPPI CODE OF 1972, TO REQUIRE MDOH TO VERIFY THE INFORMATION CONTAINED IN A REGISTRY IDENTIFICATION CARD APPLICATION OR RENEWAL AND APPROVE OR DENY AN APPLICATION OR RENEWAL WITHIN TEN DAYS OF RECEIVING A COMPLETED APPLICATION OR RENEWAL APPLICATION; TO PROVIDE THAT A MEDICAL CANNABIS WRITTEN CERTIFICATION ISSUED BY A PRACTITIONER SHALL BE VALID FOR THE SIX MONTHS IMMEDIATELY PRECEDING THE DATE OF APPLICATION; TO AMEND SECTION 41-137-35, MISSISSIPPI CODE OF 1972, TO CAP THE CANNABIS CULTIVATION FACILITY TIER 6 TO NOT MORE THAN 150,000 SQUARE FEET; TO AUTHORIZE AN INDIVIDUAL OR BUSINESS ENTITY TO HAVE AN OWNERSHIP OR ECONOMIC INTEREST IN A MEDICAL CANNABIS TESTING FACILITY AND A CANNABIS TRANSPORTATION ENTITY; TO PROVIDE THAT MDOH MAY CONTRACT WITH A PRIVATE LABORATORY FOR THE PURPOSE OF CONDUCTING COMPLIANCE TESTING OVERSIGHT OF MEDICAL CANNABIS; TO AMEND SECTION 41-137-39, MISSISSIPPI CODE OF 1972, TO REQUIRE A PROSPECTIVE EMPLOYEE TO UNDERGO A FINGERPRINT-BASED BACKGROUND CHECK BY THE DEPARTMENT OF PUBLIC SAFETY; TO REQUIRE A SUBSEQUENT BACKGROUND CHECK TO BE CONDUCTED ON PROSPECTIVE EMPLOYEES IF THEY DO NOT START EMPLOYMENT WITH AN ENTITY FOR SIX MONTHS; TO AUTHORIZE ANY TOPICAL CANNABIS PRODUCT THAT IS PURCHASED BY A DISPENSARY FROM A LICENSED PROCESSOR, AND THAT IS NOT INGESTED BY THE LIVER, TO BE SOLD TO A CARDHOLDER OR ANY PERSON OVER THE AGE OF TWENTY-ONE WHO IS NOT A CARDHOLDER; TO AMEND SECTION 41-137-41, MISSISSIPPI CODE OF 1972, TO AUTHORIZE DISPENSARY WEBSITES TO DISPLAY PICTURES OF THE PRODUCTS THAT THE DISPENSARY SELLS; TO PROHIBIT A STATE AGENCY OR BOARD FROM IMPLEMENTING ANY RULE, REGULATION, POLICY OR REQUIREMENT THAT IS CONTRARY TO THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 41-137-47, MISSISSIPPI CODE OF 1972, TO AUTHORIZE LICENSING AGENCIES TO DENY THE APPLICATION OF ANY APPLICANT WHO

FAILS TO MEET THE QUALIFICATIONS FOR OBTAINING SUCH LICENSE; TO ESTABLISH CERTAIN APPEAL PROCEDURES FOR DENIALS; TO PROVIDE THAT ANY ONGOING INVESTIGATION BY A LICENSING AGENCY UNDER THIS SECTION SHALL BE CONSIDERED CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 41-137-49, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ADDRESSES OF PROSPECTIVE AND LICENSED MEDICAL CANNABIS ESTABLISHMENTS, EXCEPT FOR MEDICAL CANNABIS DISPENSARIES, SHALL BE CONSIDERED CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 41-137-59, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE JUDICIAL REVIEW OF AN APPEAL FROM A FINAL DECISION OR ORDER OF AN AGENCY UNDER THE PROVISIONS OF THE MEDICAL CANNABIS ACT SHALL BE BASED ON THE RECORD MADE BEFORE THE AGENCY; TO AMEND SECTION 41-137-63, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL FOR THE MEDICAL CANNABIS ADVISORY COMMITTEE; TO AMEND SECTION 41-29-153, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CONTROLLED SUBSTANCES AND RAW MATERIALS WHICH HAVE BEEN USED IN VIOLATION OF THE MEDICAL CANNABIS ACT MAY BE SUBJECT TO FORFEITURE; TO EMPOWER LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF REVENUE OR MISSISSIPPI DEPARTMENT OF HEALTH ACTING WITH THEIR DUTIES IN ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT TO SEIZE SUCH SUBJECTS; TO AMEND SECTION 41-29-154, MISSISSIPPI CODE OF 1972, TO EMPOWER LAW ENFORCEMENT OFFICERS OF THE MISSISSIPPI DEPARTMENT OF REVENUE OR MISSISSIPPI DEPARTMENT OF HEALTH ACTING WITH THEIR DUTIES IN ACCORDANCE WITH THE MISSISSIPPI MEDICAL CANNABIS ACT TO DESTROY ANY CONTROLLED SUBSTANCES OR PARAPHERNALIA SEIZED UNDER THEIR AUTHORITY; TO AMEND SECTION 25-53-1, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL THAT ALLOWS AN EXEMPTION TO ITS OVERSIGHT FOR THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO AMEND SECTION 25-53-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2728, 2023 REGULAR SESSION, TO EXTEND THE DATE OF REPEAL THAT ALLOWS AN EXEMPTION TO ITS PROCUREMENT PROCEDURES FOR THE DEPARTMENT OF HEALTH AND THE DEPARTMENT OF REVENUE FOR THE PURPOSES OF IMPLEMENTING, ADMINISTERING AND ENFORCING THE PROVISIONS OF THE MISSISSIPPI MEDICAL CANNABIS ACT; TO CREATE NEW SECTION 73-21-127.1, MISSISSIPPI CODE OF 1972, TO REQUIRE THE PRESCRIPTION MONITORING PROGRAM TO ISSUE AN ANNUAL REPORT TO THE LEGISLATURE THAT INDICATES THE NUMBER OF OPIOID PRESCRIPTIONS THAT WERE PROVIDED TO PATIENTS DURING THAT YEAR; TO AMEND SECTION 41-137-3, MISSISSIPPI CODE OF 1972, TO ADD THE DEFINITION OF THE TERMS ARTIFICIALLY DERIVED CANNABINOID, CANNABINOID AND CANNABIS WASTE; TO AMEND SECTION 41-137-57, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IN ANY COUNTY OR MUNICIPALITY IN WHICH REAL PROPERTY IS OWNED, LEASED OR OTHERWISE CONTROLLED BY A WATERWAY DISTRICT OR WATER MANAGEMENT DISTRICT CREATED IN TITLE 51, MISSISSIPPI CODE OF 1972, THE DECISION OF THE COUNTY OR MUNICIPALITY TO OPT OUT OR OPT IN OF ALLOWING MEDICAL CANNABIS ENTITIES SHALL BE BINDING ON ALL REAL PROPERTY IN SUCH DISTRICT; TO PROVIDE THAT THE ORDINANCES OF A COUNTY OR MUNICIPALITY RELATED TO THE PROVISIONS OF THE MEDICAL CANNABIS LAW SHALL BE APPLICABLE TO ALL REAL PROPERTY WITHIN THE BOUNDARIES OF THE COUNTY OR MUNICIPALITY IN SUCH DISTRICT; AND FOR RELATED PURPOSES.

**H. B. No. 1168:** AN ACT TO AMEND SECTION 27-65-241, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE LEVY OF A MUNICIPAL SPECIAL SALES TAX IN CERTAIN MUNICIPALITIES, TO PROVIDE THAT IF A MUNICIPALITY LEVYING A TAX UNDER THIS SECTION FAILS TO COMPLY WITH CERTAIN AUDIT OR REPORTING REQUIREMENTS AND DOES NOT REMEDY THE NONCOMPLIANCE WITHIN THIRTY



DAYS AFTER RECEIVING WRITTEN NOTICE OF NONCOMPLIANCE, THE DEPARTMENT OF REVENUE SHALL WITHHOLD PAYMENTS OTHERWISE PAYABLE TO THE MUNICIPALITY UNDER THIS SECTION UNTIL THE DEPARTMENT RECEIVES WRITTEN NOTICE THAT THE MUNICIPALITY HAS COMPLIED WITH SUCH REQUIREMENTS; TO PROVIDE A MONTHLY REPORTING REQUIREMENT TO THE MEMBERS OF THE COMMISSION; TO REQUIRE CERTAIN EXPENDITURES FROM THE SPECIAL MUNICIPAL FUND TO BE REIMBURSED TO SUCH FUND; AND FOR RELATED PURPOSES.

**H. B. No. 1169:** AN ACT TO AMEND SECTION 27-7-45, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT IF ANY OFFICER OR EMPLOYEE OF THE STATE OR A POLITICAL SUBDIVISION THEREOF DOES NOT PAY STATE INCOME TAX BY AUGUST 15 AFTER SUCH INCOME TAX BECOMES DUE AND PAYABLE, THE OFFICER OR EMPLOYEE MAY ELECT TO HAVE TWENTY-FIVE PERCENT, INSTEAD OF THE FULL AMOUNT, OF HIS WAGES, SALARY OR OTHER COMPENSATION WITHHELD AND PAID TO THE DEPARTMENT OF REVENUE IN SATISFACTION OF SUCH INCOME TAX, INTEREST AND PENALTY, IF ANY, UNTIL PAID IN FULL; TO AMEND SECTION 7-7-43, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 1561:** AN ACT TO AMEND SECTION 27-31-101, MISSISSIPPI CODE OF 1972, TO INCLUDE CONTROLLED ENVIRONMENT AGRICULTURE ENTERPRISES MEETING MINIMUM CRITERIA ESTABLISHED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY IN THE TYPES OF NEW ENTERPRISES FOR WHICH COUNTY BOARDS OF SUPERVISORS AND MUNICIPAL GOVERNING AUTHORITIES MAY GRANT AD VALOREM TAX EXEMPTIONS; TO AMEND SECTION 51-7-29, MISSISSIPPI CODE OF 1972, TO REMOVE THE REQUIREMENT THAT THE BOARD OF SUPERVISORS OF ANY COUNTY, WHICH HAS A MASTER WATER MANAGEMENT DISTRICT WITHIN A COUNTY, TO IMPLEMENT A TAX ASSESSMENT THAT IS LEVIED BY THE COMMISSIONERS OF A MASTER WATER MANAGEMENT DISTRICT; TO AMEND SECTION 51-7-23, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 1668:** AN ACT TO AMEND SECTION 27-7-26, MISSISSIPPI CODE OF 1972, TO REVISE THE METHOD BY WHICH A PARTNERSHIP, S CORPORATION OR SIMILAR PASS-THROUGH ENTITY MAY ELECT TO BECOME AN ELECTING PASS-THROUGH ENTITY FOR INCOME TAX PURPOSES, AND BY WHICH SUCH ELECTION MAY BE REVOKED; TO INCLUDE EACH OWNER'S, MEMBER'S, PARTNER'S OR SHAREHOLDER'S PRO RATA OR DISTRIBUTIVE SHARE OF THE ELECTING PASS-THROUGH ENTITY'S INCOME IN THE COMPUTATION OF SUCH INDIVIDUAL TAXPAYER'S INCOME TAX LIABILITY; TO PROVIDE THAT THE INDIVIDUAL TAXPAYER'S CREDIT SHALL BE EQUAL TO HIS OR HER PRO RATA OR DISTRIBUTIVE SHARE OF TAX DUE BEFORE APPLICATION OF ANY ENTITY-LEVEL CREDITS BY THE ELECTING PASS-THROUGH ENTITY; TO PROVIDE THAT ANY ADDITIONAL INCOME TAX CREDITS GENERATED BY AN ELECTING PASS-THROUGH ENTITY SHALL PASS THROUGH TO THE OWNERS, MEMBERS, PARTNERS OR SHAREHOLDERS ON A PRO-RATA BASIS AND MAY BE CLAIMED ON THE RETURNS OF THOSE TAXPAYERS; TO PROVIDE THAT IF AN OWNER'S, MEMBER'S, PARTNER'S OR SHAREHOLDER'S AGGREGATE INCOME TAX CREDITS EXCEED HIS OR HER INCOME TAX LIABILITY, SUCH EXCESS SHALL BE CARRIED FORWARD AS AN OVERPAYMENT OR REFUNDED AT THE ELECTION OF SUCH PERSON; TO PROVIDE THAT ANY CARRYFORWARD LIMITATIONS APPLICABLE TO CREDITS GENERATED BY THE PASS-THROUGH ENTITY, OTHER THAN THE CREDIT PROVIDED BY THIS SECTION FOR INCOME TAXES PAID BY THE PASS-THROUGH ENTITY, SHALL APPLY AT THE OWNER, MEMBER, PARTNER OR SHAREHOLDER LEVEL; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1723:** AN ACT TO AUTHORIZE A CREDIT AGAINST INCOME AND INSURANCE PREMIUM TAXES FOR VOLUNTARY CASH CONTRIBUTIONS BY CERTAIN BUSINESS ENTERPRISES TO CERTAIN TAX-EXEMPT ORGANIZATIONS PURCHASING, WAREHOUSING AND DELIVERING FOOD DIRECTLY TO FOOD PANTRIES OR SOUP KITCHENS IN MORE THAN FIVE MISSISSIPPI COUNTIES ON A MONTHLY BASIS; TO AUTHORIZE A CREDIT AGAINST AD VALOREM TAXES ON REAL PROPERTY FOR SUCH CONTRIBUTIONS BY CERTAIN BUSINESS ORGANIZATIONS NOT OPERATING AS CORPORATIONS; TO LIMIT THE AMOUNT OF THE CREDIT; TO ALLOW EXCESS AMOUNTS OF THE CREDIT TO BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS; AND FOR RELATED PURPOSES.

**H. B. No. 1733:** AN ACT TO AMEND SECTION 27-7-17, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1125, 2023 REGULAR SESSION, TO REVISE THE METHODS OF DEPRECIATION THAT MAY BE USED FOR CERTAIN EXPENDITURES AND PROPERTY UNDER THE STATE INCOME TAX LAW; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Senator McMahan called up the following entitled bill:

**H. B. No. 1727:** Lowndes County; authorize contributions to any public utility/assoc. to expand, repair water/sewer infrastructure using ARPA funds.

Senator McMahan moved that **H. B. No. 1727** be recommitted to Local and Private, and the motion prevailed.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2520:** City of Waynesboro; extend repealer on authority to levy tax on hotels, motels, restaurants and bars.

Senator McMahan moved that **S. B. No. 2520** be recommitted to Local and Private, and the motion prevailed.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3140:** City of Gautier; authorize to enter into public/private partnership for construction of an inclusion playground.

YEAS AND NAYS On S. B. No. 3140. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3141:** Kemper County; authorize board of supervisors to expand scope of authority of Gas District to become county utility district.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 3141. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3148:** Lowndes County; authorize Board of Supervisors to contribute available funds to public utilities and water/sewer associations.

YEAS AND NAYS On S. B. No. 3148. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Polk called up the following House Amendment to **S. B. No. 2512** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 20 by deleting the following language: ", and shall stand repealed on June 30, 2023.

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Senator Caughman called up the following House Amendment to **S. B. No. 2218** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act, the following words and phrases have the following meanings, unless the context clearly indicates otherwise:

(a) "Agreement" means a written contractual agreement between the restaurant, the restaurant owner and the third-party delivery service.

(b) "Consumer" means a person, business, or other entity that places an order for restaurant products through the third-party delivery platform.

(c) "Logo" means the logo, motto, or any identifiable symbols attributed and easily identified as belonging to a specific restaurant.

(d) "Restaurant" means and includes a restaurant or entity with a food permit as listed with the Mississippi Department of Health.

(e) "Third-party delivery platform" means the online communication platform of the third-party delivery service on which a consumer can view and search the menus of restaurants and place an order for restaurant products through internet-enabled technology and digital media, including websites and consumer applications accessible through smart phones and other mobile devices.

(f) "Third-party delivery service" means a company, organization, or other entity, other than a restaurant, that is licensed to do business in this state and provides limited delivery services to a consumer.

SECTION 2. (1) In the absence of an agreement, a third-party delivery service shall not advertise, promote, or otherwise convey any relationship with a restaurant and restaurant owner, or use the menu, logo or intellectual property belonging to a restaurant and restaurant owner on the third-party delivery platform.

(2) A restaurant whose menu, logo or intellectual property is used by a third-party delivery service in violation of this act shall have the right to bring an action in a court of competent jurisdiction.

(3) Upon a finding by a court of competent jurisdiction that a third-party delivery service used the menu, logo or intellectual property of a restaurant and restaurant owner in violation of this act, the court may impose a civil penalty in an amount not to exceed Two Thousand Five Hundred Dollars (\$2,500.00), or the amount of the restaurant's actual damages, whichever is greater.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE DEFINITIONS RELATING TO THIRD-PARTY DELIVERY SERVICES THAT ADVERTISE, PROMOTE OR CONVEY ANY RELATIONSHIP WITH A RESTAURANT OR USE THE MENU, LOGO OR INTELLECTUAL PROPERTY BELONGING TO A RESTAURANT ON THE THIRD-PARTY DELIVERY PLATFORM; TO PROHIBIT THIRD-PARTY DELIVERY SERVICES FROM USING THE MENU, LOGO OR ANY INTELLECTUAL PROPERTY OF A RESTAURANT WITHOUT AN AGREEMENT; TO PROHIBIT AN INDEMNITY CLAUSE IN SUCH AGREEMENT; TO PROVIDE A RIGHT TO BRING ACTION RELATING TO THIRD-PARTY DELIVERY SERVICES THAT USE THE MENU, LOGO OR INTELLECTUAL PROPERTY OF A RESTAURANT IN VIOLATION OF THIS ACT; TO PROVIDE PENALTIES RELATING TO THIRD-PARTY DELIVERY SERVICES THAT USE THE MENU, LOGO OR INTELLECTUAL PROPERTY OF A RESTAURANT IN VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2218** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.  
Nays--McCaughn. Total--1.  
Absent and those not voting----None.

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Senator Hopson called up the following House Amendment to **S. B. No. 2664** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND by deleting Section 10 and renumbering the succeeding sections.

AMEND FURTHER the title by deleting all of the language beginning after the semicolon on line 30 through the semicolon on line 33.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2664** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.  
Nays--None.  
Absent and those not voting----None.

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Senator McMahan entered a motion to reconsider the vote whereby **S. B. No. 3141** passed the Senate.

**S. B. No. 3141:** Kemper County; authorize board of supervisors to expand scope of authority of Gas District to become county utility district.

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Senator Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Llewellyn Tate of Greenville, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Sammy Ray Benefield, Sr. and David Samuel Newbill, Jr. of McHenry Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Robert Keith Townsend of Hurley Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Jane Miller Philo of Ocean Springs, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Aldora Arcement Ross of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Thomas "Tommy" Dimitry of St. Martin Community, MS.

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Senators McCaughn and Hopson moved that when the Senate adjourns, it adjourn in memory of Joe Kennedy of Newton, MS.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Allen Francis "Frank" Harrison and James Elliot "Jim" Foster, Sr. of Gautier, MS.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Raymond J. Carter of Biloxi, MS.

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Senator DeBar moved that when the Senate adjourns, it adjourn in memory of Gary L. Eubanks of Lucedale, MS.

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Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Frederick Joseph Heindl, Sr. of Leakesville, MS.

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Senator DeLano moved that when the Senate adjourns, it adjourn in memory of Robert Fishman of Ocean Springs, MS.

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Senators Horhn, Norwood, Frazier and Blount moved that when the Senate adjourns, it adjourn in memory of James "Dead Eye" Coleman of Jackson, MS.

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Senators Norwood and Horhn moved that when the Senate adjourns, it adjourn in memory of Fanny Ingram of Chicago, ILL.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Andy Skelton of Amory, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of John Quinn Bolls, Sr., Barbara Elizabeth Bush Gatlin and Marilyn Shoemaker McGehee of Jackson, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of William Harvey "Bill" Eddy of Auburn, AL.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Gregory Tindle, Sr. of Meadville, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Charles S. Eidt of Natchez, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Alford Burton Brock of New Albany, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM or the last Committee Report is filed, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 21, 2023.

The motion prevailed, and at 4:36 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**S. C. R. No. 566:** Designate last weekend in October 2023 as "Honor Your Hometown Weekend in Mississippi". Title Sufficient. Do Be Adopted.

**S. C. R. No. 568:** Recognize Entergy Mississippi on the occasion of its 100th Anniversary. Title Sufficient. Do Be Adopted.

**S. C. R. No. 569:** Supporting the Mississippi Clean Hydrogen Hub application. Title Sufficient. Do Be Adopted.

**S. R. No. 76:** Commend Resurrection Catholic "Eagles" Baseball Team and Coach Johnny Olsen for first ever 1A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 77:** Commemorate the 175th Anniversary of Beulah Baptist Church in Myrtle, Mississippi. Title Sufficient. Do Be Adopted.

**S. R. No. 78:** Commend McEvans School "Warriors" Boys Basketball Team for winning MHSAA Class 1A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 79:** Congratulate Senator Derrick Simmons for being recognized as "Legislator of the Year" by the NBCSL. Title Sufficient. Do Be Adopted.

**S. R. No. 80:** Extend sympathy on the passing of Jane Miller Philo, Executive Director of the Gulf Coast Center for Nonviolence. Title Sufficient. Do Be Adopted.

**S. R. No. 81:** Commemorate the 25th Anniversary of the "Good Friday Agreement" in Northern Ireland. Title Sufficient. Do Be Adopted.

**S. R. No. 82:** Commend Belmont High School "Lady Cardinals" Girls Volleyball Team for winning back-to-back State Championships. Title Sufficient. Do Be Adopted.

**S. R. No. 83:** Mourn the passing of veteran educator Mrs. Anna Jackson Washington-Lee of Mound Bayou. Title Sufficient. Do Be Adopted.

**S. R. No. 84:** Commend "Lady Hornets" Girls Basketball Team for back-to-back Class 2A State Championships. Title Sufficient. Do Be Adopted.

**S. R. No. 85:** Congratulate MRA star basketball point guard Josh Hubbard for breaking the all-time scoring record in Mississippi. Title Sufficient. Do Be Adopted.

**S. R. No. 86:** Recognize Mayflower Cafe as downtown Jackson tradition and commend for many years of service to Jackson community. Title Sufficient. Do Be Adopted.

**H. C. R. No. 40:** Josephine Pradia Rhymes; commend for her outstanding community service and contributions. Title Sufficient. Do Be Adopted.

**H. C. R. No. 41:** Northwest Mississippi Community College Softball Team; commend historic season and outstanding accomplishments. Title Sufficient. Do Be Adopted.

**H. C. R. No. 42:** Taiwan; commend friendship with the State of Mississippi and encourage further economic ties. Title Sufficient. Do Be Adopted.

**H. C. R. No. 43:** Northwest Mississippi Community College; commend upon winning Region 23 Championship. Title Sufficient. Do Be Adopted.

**H. C. R. No. 44:** Stephen Franks; commend Kosciusko, MS automobile dealer upon nomination for the prestigious 2023 Time Dealer of the Year Award. Title Sufficient. Do Be Adopted.

**H. C. R. No. 45:** Phi Theta Kappa All-Mississippi Academic and Workforce Team; commend on occasion of "Mississippi Phi Theta Kappa Day". Title Sufficient. Do Be Adopted.

**H. C. R. No. 46:** Poplarville High School; commend upon winning their first UCA National High School Cheering Championship. Title Sufficient. Do Be Adopted.



KIRBY, Chairman

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REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**S. R. No. 75:** Commend Coahoma County High School "Red Panthers" Boys Basketball for winning Class 2A State Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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REPORT OF COMMITTEE ON ENERGY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 12:** Robert Paul Mosley, Sr., Clarke County, Mississippi, Commercial Mobile Radio Service Board as the Mississippi Association of Supervisors representative, four year term effective July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 13:** Trebia Leigh Rodgers, Grenada, Mississippi, Commercial Mobile Radio Service Board, remainder of a four year term effective May 4, 2022 and ending June 30, 2023, representing the Northern Public Service Commission District, vice Tanya Felder. Do Advise and Consent.

**S. N. No. 39:** David Andrew Scott, Sr., Jackson, Mississippi, State Oil and Gas Board, six year term effective May 23, 2022 and ending April 7, 2028, representing the First Supreme Court District. Do Advise and Consent.

**S. N. No. 48:** Charles Jim Beckett, Bruce, Mississippi, Executive Director of the Mississippi Public Utilities Staff, remainder of six year term beginning September 23, 2022 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 64:** Melissa Ann Bryant, Pinola, Mississippi, Commercial Mobile Radio Service Board as a representative for the National Emergency Numbering Association; Southern Public Service Com. District, four year term effective July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

CARTER, Chairman

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REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 3151:** Rankin County; authorize to contribute county funds to Trustmark Park for economic development and tourism purposes. Title Sufficient. Do Pass As Amended.

**S. B. No. 3152:** City of Pearl; authorize to contribute municipal funds to minor league baseball stadium for economic development and tourism purposes. Title Sufficient. Do Pass As Amended.

**S. B. No. 3153:** City of Pearl; extend repealer on hotel/motel & restaurant tourism tax. Title Sufficient. Do Pass.

**S. B. No. 3146:** Lowndes County; authorize to contribute Local Fiscal Recovery Funds to certain nonprofits. Title Sufficient. Do Pass As Amended.

MCMAHAN, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 1286:** Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center".  
Senators Turner-Ford, Hopson, McCaughn.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:15 PM in memory of Llewellyn Tate, Sammy Ray Benefield, Sr., Raymond J. Carter, Gary L. Eubanks, Frederick Joseph Heindl, Sr., Robert Fishman, James "Dead Eye" Coleman, Fanny Ingram, Andy Skelton, John Quinn Bolls, Sr., Barbara Elizabeth Bush Gatlin, Marilyn Shoemaker McGehee, David Samuel Newbill, Jr., William Harvey "Bill" Eddy, Gregory Tindle, Sr., Charles S. Eidt, Robert Keith Townsend, Jane Miller Philo, Aldora Arcement Ross, Thomas "Tommy" Dimitry, Joe Kennedy, James Elliot "Jim" Foster, Sr., Alfard Burton Brock and Allen Francis "Frank" Harrison.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR MONDAY, MARCH 20, 2023

**S. C. R. No. 569:** Rules

A CONCURRENT RESOLUTION SUPPORTING THE MISSISSIPPI CLEAN HYDROGEN HUB AND URGING THE GOVERNMENT OF THE UNITED STATES TO SELECT MISSISSIPPI'S APPLICATION TO BE A HYDROGEN HUB.

By Senator(s) Carter, Kirby

**S. R. No. 84:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE LAKE HIGH SCHOOL "LADY HORNETS" GIRLS BASKETBALL TEAM AND HEAD COACH HOLLY MONCRIEF FOR WINNING BACK-TO-BACK MHSAA CLASS 2A STATE CHAMPIONSHIPS WHICH IS THE FOURTH STATE TITLE IN SCHOOL HISTORY.

By Senator(s) McCaughn

**S. R. No. 85:** Rules

A RESOLUTION EXTENDING THE SINCEREST CONGRATULATIONS OF THE MISSISSIPPI SENATE TO MADISON-RIDGELAND ACADEMY BASKETBALL FOUR-STAR POINT-GUARD JOSH HUBBARD FOR BREAKING THE ALL-TIME SCORING RECORD FOR BOYS BASKETBALL IN MISSISSIPPI.

By Senator(s) Michel, Norwood

**S. R. No. 86: Rules**

A RESOLUTION RECOGNIZING THE MAYFLOWER CAFE AS A DOWNTOWN JACKSON TRADITION AND COMMENDING IT FOR ITS MANY YEARS OF SERVICE TO THE JACKSON COMMUNITY.

By Senator(s) McMahan, Kirby, Michel

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SEVENTY-EIGHTH DAY, TUESDAY, MARCH 21, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Pro Tempore Kirby presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend David Conley, Pastor, Liberty Church of Christ, Dennis, MS.

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Senator Sparks led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator Michel moved that the rules be suspended for the consideration en bloc of S. C. R. No. 566, S. C. R. No. 568, S. C. R. No. 569, S. R. No. 76, S. R. No. 77, S. R. No. 78, S. R. No. 79, S. R. No. 80, S. R. No. 81, S. R. No. 82, S. R. No. 83, S. R. No. 84, S. R. No. 85, S. R. No. 86, H. C. R. No. 40, H. C. R. No. 41,

H. C. R. No. 42, H. C. R. No. 43, H. C. R. No. 44, H. C. R. No. 45, H. C. R. No. 46 and S. R. No. 75 and the motion prevailed.

Senator Michel called up the following entitled resolutions:

**S. C. R. No. 566:** Designate last weekend in October 2023 as "Honor Your Hometown Weekend in Mississippi".

**S. C. R. No. 568:** Recognize Entergy Mississippi on the occasion of its 100th Anniversary.

**S. C. R. No. 569:** Supporting the Mississippi Clean Hydrogen Hub application.

**S. R. No. 76:** Commend Resurrection Catholic "Eagles" Baseball Team and Coach Johnny Olsen for first ever 1A State Championship.

**S. R. No. 77:** Commemorate the 175th Anniversary of Beulah Baptist Church in Myrtle, Mississippi.

**S. R. No. 78:** Commend McEvans School "Warriors" Boys Basketball Team for winning MHSAA Class 1A State Championship.

**S. R. No. 79:** Congratulate Senator Derrick Simmons for being recognized as "Legislator of the Year" by the NBCSL.

**S. R. No. 80:** Extend sympathy on the passing of Jane Miller Philo, Executive Director of the Gulf Coast Center for Nonviolence.

**S. R. No. 81:** Commemorate the 25th Anniversary of the "Good Friday Agreement" in Northern Ireland.

**S. R. No. 82:** Commend Belmont High School "Lady Cardinals" Girls Volleyball Team for winning back-to-back State Championships.

**S. R. No. 83:** Mourn the passing of veteran educator Mrs. Anna Jackson Washington-Lee of Mound Bayou.

**S. R. No. 84:** Commend "Lady Hornets" Girls Basketball Team for back-to-back Class 2A State Championships.

**S. R. No. 85:** Congratulate MRA star basketball point guard Josh Hubbard for breaking the all-time scoring record in Mississippi.

**S. R. No. 86:** Recognize Mayflower Cafe as downtown Jackson tradition and commend for many years of service to Jackson community.

**H. C. R. No. 40:** Josephine Pradia Rhymes; commend for her outstanding community service and contributions.

**H. C. R. No. 41:** Northwest Mississippi Community College Softball Team; commend historic season and outstanding accomplishments.

**H. C. R. No. 42:** Taiwan; commend friendship with the State of Mississippi and encourage further economic ties.

**H. C. R. No. 43:** Northwest Mississippi Community College; commend upon winning Region 23 Championship.

**H. C. R. No. 44:** Stephen Franks; commend Kosciusko, MS automobile dealer upon nomination for the prestigious 2023 Time Dealer of the Year Award.

**H. C. R. No. 45:** Phi Theta Kappa All-Mississippi Academic and Workforce Team; commend on occasion of "Mississippi Phi Theta Kappa Day".

**H. C. R. No. 46:** Poplarville High School; commend upon winning their first UCA National High School Cheering Championship.

**S. R. No. 75:** Commend Coahoma County High School "Red Panthers" Boys Basketball for winning Class 2A State Championship.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 566, S. C. R. No. 568, S. C. R. No. 569, S. R. No. 76, S. R. No. 77, S. R. No. 78, S. R. No. 79, S. R. No. 80, S. R. No. 81, S. R. No. 82, S. R. No. 83, S. R. No. 84, S. R. No. 85, S. R. No. 86, H. C. R. No. 40, H. C. R. No. 41, H. C. R. No. 42, H. C. R. No. 43, H. C. R. No. 44, H. C. R. No. 45, H. C. R. No. 46 and S. R. No. 75. On motion of Senator Michel, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Unanimous consent was granted to add Senators Butler K. (38th), McCaughn, Simmons D. T. (12th) and Thomas as co-authors of **S. C. R. No. 566**.

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Unanimous consent was granted to add Senators Butler K. (38th), Caughman, England, Simmons D. T. (12th) and Thomas as co-authors of **S. C. R. No. 568**.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. C. R. No. 569**.

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Unanimous consent was granted to add Senators Butler K. (38th) and Seymour as co-authors of **S. R. No. 76**.

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Unanimous consent was granted to add Senators Butler K. (38th) and Thomas as co-authors of **S. R. No. 77**.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. R. No. 78**.

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Unanimous consent was granted to add Senators Blackwell, Blount, Butler K. (38th), England, Hopson, Thomas and Thompson as co-authors of **S. R. No. 79**.

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Unanimous consent was granted to add Senators Butler K. (38th), England and Seymour as co-authors of **S. R. No. 80**.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. R. No. 82**.

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Unanimous consent was granted to add Senators Butler K. (38th) and Thomas as co-authors of **S. R. No. 83**.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. R. No. 84**.

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Unanimous consent was granted to add Senators Butler K. (38th), Caughman and Thomas as co-authors of **S. R. No. 85**.

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Unanimous consent was granted to add Senators Blount, Butler K. (38th), England, Hopson, McCaughn and Thomas as co-authors of **S. R. No. 86**.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of **S. R. No. 75**.

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On motion of Senator Michel, and with unanimous consent of the Senate, the Secretary was directed to release immediately all foregoing Rules Resolutions.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3065:** Bolivar County; authorize to contribute up to \$5,000.00 annually to the Fannie Lou Hamer Breast Cancer Foundation.

YEAS AND NAYS On S. B. No. 3065. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Polk. Total--1.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

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On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3065.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3109:** Warren County; authorize board of supervisors to contribute funds to certain nonprofit corporations.

YEAS AND NAYS On S. B. No. 3109. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Hill, Polk. Total--2.

Absent and those not voting----None.

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On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3109.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1726:** Lowndes County; authorize contributions to certain nonprofit organizations using ARPA Local Fiscal Recovery Funds.

Senator McMahan moved that **H. B. No. 1726** be recommitted to Local and Private, and the motion prevailed.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3142:** Lauderdale County; extend date of repeal on authority to fund LCDF Chaplaincy program with nontax revenue generated by inmate telephone service.

YEAS AND NAYS On S. B. No. 3142. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Polk. Total--1.

Absent and those not voting----None.

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On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3142.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3151:** Rankin County; authorize to contribute county funds to Trustmark Park for economic development and tourism purposes.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND by deleting on lines 14 and 15 "July 1, 2027" and inserting in lieu thereof the following "December 31, 2035"

Amendment No. 1 to S. B. No. 3151 was adopted.

YEAS AND NAYS On S. B. No. 3151. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

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On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3151.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3152:** City of Pearl; authorize to contribute municipal funds to minor league baseball stadium for economic development and tourism purposes.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND on lines 12 and 13 by deleting "July 1, 2027" and inserting in lieu thereof "December 31, 2035"

Amendment No. 1 to S. B. No. 3152 was adopted.

YEAS AND NAYS On S. B. No. 3152. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:



Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Hill. Total--1.

Absent and those not voting----None.

Voting Present--McDaniel, Sojourner. Total--2.

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On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3152.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3153:** City of Pearl; extend repealer on hotel/motel & restaurant tourism tax.

YEAS AND NAYS On S. B. No. 3153. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

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On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3153.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3146:** Lowndes County; authorize to contribute Local Fiscal Recovery Funds to certain nonprofits.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND on line 48 by deleting "2027" and inserting in lieu thereof "2024".

Amendment No. 1 to S. B. No. 3146 was adopted.

YEAS AND NAYS On S. B. No. 3146. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, England, Fillingane, Frazier, Hickman, Hopson, Horhn,

Jackson, Johnson, Jordan, Kirby, McDaniel, McMahan, Moran, Norwood, Parks, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Barrett, Boyd, Branning, Chism, DeLano, Harkins, Hill, McCaughn, McLendon, Polk, Seymour, Sparks, Thompson. Total--13.

Absent and those not voting----None.

Voting Present--Blackwell, Michel, Parker. Total--3.

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Senator McMahan called up the motion to reconsider the vote whereby **S. B. No. 3141** passed the Senate and moved that it be reconsidered:

**S. B. No. 3141:** Kemper County; authorize board of supervisors to expand scope of authority of Gas District to become county utility district.

The foregoing motion prevailed.

YEAS AND NAYS On S. B. No. 3141. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

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On motion of Senator McMahan, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 3141.

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Senator Bryan called up the following House Amendment to **S. B. No. 2575** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 83-9-10, Mississippi Code of 1972:

83-9-10. (1) For purposes of this section, the terms "alternative delivery systems" and "covered benefits" shall have the same definitions as provided in Section 83-9-37.

(2) All alternative delivery systems and all group health insurance policies, plans or programs regulated by the State of Mississippi shall provide covered benefits for medical treatment provided by the county health departments of the State Department of Health in the same manner as other providers.

(3) Alternative delivery systems and group health insurance policies, plans or programs regulated by the State of Mississippi shall not deny the State Department of Health the right to participate as a contract provider.

(4) Nothing in this section shall prohibit alternative delivery systems and group health insurance policies, plans or programs regulated by the State of Mississippi from being able to negotiate an appropriate fee schedule for medical treatment provided by the county health departments of the State Department of Health.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 83-9-10, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL ALTERNATIVE DELIVERY SYSTEMS AND ALL GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI TO PROVIDE COVERED BENEFITS FOR MEDICAL TREATMENT PROVIDED BY THE COUNTY HEALTH DEPARTMENTS OF THE STATE DEPARTMENT OF HEALTH IN THE SAME MANNER AS OTHER PROVIDERS; TO PROHIBIT ALTERNATIVE DELIVERY SYSTEMS AND GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI FROM DENYING THE STATE DEPARTMENT OF HEALTH THE RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER; TO PROVIDE THAT ALTERNATIVE DELIVERY SYSTEMS AND GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI MAY NEGOTIATE AN APPROPRIATE FEE SCHEDULE FOR MEDICAL TREATMENT PROVIDED BY THE COUNTY HEALTH DEPARTMENTS OF THE STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2575** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following House Amendment to **S. B. No. 2167** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 133 by striking "its passage" and inserting in lieu thereof, the following:

"July 1, 2023, and shall stand repealed on June 30, 2023."

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Donald Joseph Olsen of Pascagoula, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Willie Lawrence Necaise, Jr. and Bertie Faye Cameron Necaise of Kiln, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Nathan Cuevas of Pass Christian, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Carolyn Ann Scarborough of Long Beach, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Joann Cuevas Malley Melton of Gulfport, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Michael Crawford of Diamondhead, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Matthew Harrison Marks and Dorothy Gillette Garrity of Natchez, MS.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 1306:** Elections; revise certain provisions about names of candidates appearing on the ballot, judicial candidate's annual report and fraudulent absentee voter applications.

Andrew Ketchings, Clerk of the House of Representatives

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#### FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 47:** A CONCURRENT RESOLUTION COMMENDING THE ESSIE B. AND WILLIAM EARL GLENN FOUNDATION FOR BETTER LIVING ON THE OCCASION OF HOSTING ITS FOURTH COMMUNITY FOCUSED ADVERSE CHILDHOOD

EXPERIENCES TRAUMA AWARENESS SYMPOSIUM AND RECOGNIZING APRIL 20, 2023, AS ADVERSE CHILDHOOD EXPERIENCES (ACES) TRAUMA AWARENESS DAY.

**H. C. R. No. 48:** A CONCURRENT RESOLUTION SUPPORTING THE MISSISSIPPI CLEAN HYDROGEN HUB AND URGING THE GOVERNMENT OF THE UNITED STATES OF AMERICA TO SELECT MISSISSIPPI'S APPLICATION TO BE A HYDROGEN HUB.

**H. C. R. No. 49:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SUCCESS OF THE BALDWIN CAREER ADVANCEMENT CENTER'S 2023 QUIZ BOWL TEAM DURING THE 2023 MISSISSIPPI SKILLSUSA QUIZ BOWL COMPETITION UPON WINNING FIRST PLACE.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Blackwell moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 22, 2023.

The motion prevailed, and at 11:42 AM, the Senate stood in recess.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2099:** Motor vehicle theft; revise penalty for.

Representatives Bain, Horan, Porter

**S. B. No. 2100:** Receiving stolen property; revise the crime of.

Representatives Bain, Horan, Porter

**S. B. No. 2101:** Criminal law; revise crimes of fleeing a law enforcement officer, resisting arrest and carjacking.

Representatives Bain, Horan, Porter

**S. B. No. 2239:** State law enforcement officers; authorize use of uniforms, weapons and vehicles off duty while performing security services.

Representatives Bain, Ford (73rd), Owen

**S. B. No. 2297:** Forensics laboratory; require approval of model of intoxilyzer equipment that is readily available to law enforcement agencies.

Representatives Bain, Barnett, Porter

**S. B. No. 2335:** Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee.

Representatives Lamar,Steverson,Powell

**S. B. No. 2339:** Provision of law establishing energy efficiency standards for building construction; extend repealer on.

Representatives Powell,Hale,Crudup

**S. B. No. 2343:** Capitol police; revise jurisdiction of.

Representatives Bain,Yates,Ford (73rd)

**S. B. No. 2346:** Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification.

Representatives Bain,Ford (73rd),Newman

**S. B. No. 2353:** Elections; increase wage range for poll workers.

Representatives Wallace,Shanks,Newman

**S. B. No. 2371:** American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act; create.

Representatives Bell (21st),Felsher,Anthony

**S. B. No. 2384:** Foster Care and Adoption Task Force; create.

Representatives Cockerham,Tullos,Hood

**S. B. No. 2487:** Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish.

Representatives Scoggin,McCarty,Barton

**S. B. No. 2495:** State inmates; require MDOC to pay increased rate to house inmates in county jails.

Representatives Horan,Yates,Felsher

**S. B. No. 2511:** Destination marketing organizations; bring forward provision related to.

Representatives Currie,Barton,Oliver

**S. B. No. 2534:** Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides.

Representatives Kinkade,Barnett,Hale

**S. B. No. 2595:** ARPA Workforce Development and Retention Act; provide expiration date of grant funds.

Representatives Bell (21st),Felsher,Anthony

**S. B. No. 2612:** Construction; bring forward code sections concerning local permitting and State Board of Contractors licensing.

Representatives Lamar,Steverson,Barnett

**S. B. No. 2613:** Nonemergency transportation providers; extend date by which providers may provide service without a permit.

Representatives Hood,McGee,Deweese

**S. B. No. 2692:** Bonds; repeal authorization for unissued bonds and replace with cash funds.

Representatives Lamar,Steverson,Massengill

**S. B. No. 2695:** Tourism Project Incentive Program; extend deadline for MDA issuance of certificates approving participants.

Representatives Lamar,Steverson,Massengill

**S. B. No. 2696:** Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement.

Representatives Lamar,Steverson,Powell

**S. B. No. 2781:** Mississippi Access to Maternal Assistance Program; create and provide for duties and responsibilities.

Representatives Mims,McGee,McLean

**S. B. No. 2810:** Office of Workforce Development; amend certain provisions relating to.

Representatives Bell (21st),Felsher,Anthony

**S. B. No. 2841:** Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag.

Representatives Lamar,Steverson,Zuber

**S. B. No. 2842:** Use tax; revise standards for municipality's eligibility to receive monies from special infrastructure assistance fund.

Representatives Lamar,Steverson,Massengill

**S. B. No. 2853:** Small unmanned aircraft systems; require state purchase and servicing of from American companies only.

Representatives Busby,Massengill,McGee

**S. B. No. 2862:** Sales tax; provide industrial exemption for tangible personal property first used in another state.

Representatives Lamar,Steverson,Massengill

**S. B. No. 2887:** State Treasurer; modify certain provisions concerning the deposit and investment of excess state funds.

Representatives Lamar,Steverson,Roberson

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 252:** Festival wine permits; extend repealers on authority to issue and certain provisions relating to.

Representatives Lamar,Steverson,Zuber

**H. B. No. 261:** Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations.

Representatives Lamar,Steverson,Roberson

**H. B. No. 266:** Department of Public Safety Headquarters Office; name in honor of Commissioner David R. Huggins.

Representatives Bain,Miles,Bailey (23rd)

**H. B. No. 400:** Election crimes; revise the penalties for certain.

Representatives Bain,Owen,Ford (73rd)

**H. B. No. 405:** Bribery of a candidate; revise statute of limitations.

Representatives Bain,Sanford,Newman

**H. B. No. 419:** Tourism; provide assistance to destination marketing organization.

Representatives Currie,Barton,Oliver

**H. B. No. 510:** Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents.

Representatives Cockerham,Yancey,Felsher

**H. B. No. 529:** Department of Public Safety; revise various provisions.

Representatives Bain,Miles,Roberson

**H. B. No. 535:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Representatives Lamar,Steverson,Zuber

**H. B. No. 685:** Deeds to married couples; create a rebuttable presumption of joint tenancy with rights of survivorship.

Representatives Cockerham,Reynolds,Brown (20th)

**H. B. No. 698:** Municipal water, wastewater and sewer services; require equity based billing based on use of.



Representatives Bounds,Anderson (122nd),Yates

**H. B. No. 704:** Television series production; provide incentives for certain.

Representatives Currie,Creekmore IV,Oliver

**H. B. No. 795:** Shoplifting; require to calculate total price of all shoplifting items for fine.

Representatives Bain,Owen,McCarty

**H. B. No. 799:** Inmate Welfare Fund; increase portion of the fund that is utilized to fund Inmate Incentive to Work Program.

Representatives Horan,Rushing,Clark

**H. B. No. 912:** Firearm suppressors; authorizing manufacture and possession in Mississippi and prohibit enforcement of federal laws governing.

Representatives Bain,Barnett,Owen

**H. B. No. 995:** Rape; revise elements for the crime of and remove spousal exception.

Representatives Cockerham,Scoggin,Clark

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize.

Representatives Lamar,Bain,Banks

**H. B. No. 1029:** United States Space Force; provide that reference to "Armed Forces" and "Uniformed Services" in Mississippi law shall include members of.

Representatives Carpenter,Goodin,Rushing

**H. B. No. 1039:** Occupational licensing; revise certain provisions relating to members of the military to include veterans.

Representatives Carpenter,Faulkner,Sanders

**H. B. No. 1110:** Second Amendment Financial Privacy Act; create.

Representatives Bain,Owen,Barnett

**H. B. No. 1111:** County court jurisdiction for termination of parental rights; authorize for both involuntary and voluntary termination.

Representatives Cockerham,White,Reynolds

**H. B. No. 1136:** Distinctive motor vehicle license tag; authorize issuance to supporters of the Mississippi Road Builders Association.

Representatives Lamar,Steverson,Zuber

**H. B. No. 1140:** Beer, light wine and light spirit products; revise manufacturers prohibited from having interest in wholesalers or distributors.

Representatives Lamar,Steverson,Zuber

**H. B. No. 1149:** Path to permanency; provide for children in Child Protection Services.

Representatives Cockerham,Tullos,Yancey

**H. B. No. 1216:** Circuit judges and chancellors; increase office operating and expense allowances and support staff funding.

Representatives Cockerham,Reynolds,Hood

**H. B. No. 1315:** Pornographic media materials; regulate access to minors and require age verification.

Representatives Bain,Ford (73rd),Newman

**H. B. No. 1318:** Baby drop-off and safe haven; revise provisions that regulate.

Representatives Cockerham,Felsher,Tullos

**H. B. No. 1342:** Adoption procedures; regulate by creating a licensure authority.

Representatives Cockerham,Tullos,Hood

**H. B. No. 1671:** Tax credits; revise certain existing and authorize additional.

Representatives Lamar,Steverson,Powell

**H. B. No. 1734:** Bonds; authorize for various purposes.

Representatives Lamar,Steverson,Massengill

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Hale as a conferee, the Speaker has named a new conferee on the following:

**S. B. No. 3021:** Appropriation; Employment Security, Department of.

Representatives Read and Oliver remain as conferees and the Speaker has named Representative Bell (21st) to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Arnold as a conferee, the Speaker has named a new conferee on the following:

**S. B. No. 3026:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

Representatives Read and Busby remain as conferees and the Speaker has named Representative Mangold to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Bounds as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 271:** Appropriation; Health Department for distributing funds to hospitals under the Health Care Impact Grant Program.

Representatives Read and Mims remain as conferees and the Speaker has named Representative White to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative White as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 588:** MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming code sections.

Representatives Bell (21st) and Ford (73rd) remain as conferees and the Speaker has named Representative Felsher to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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## MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Arnold as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 1642:** Appropriation; Transportation, Department of.

Representatives Read and Busby remain as conferees and the Speaker has named Representative Mangold to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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## MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Oliver as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 1644:** Appropriations; additional for various state agencies for FY 2023 and FY 2024.

Representatives Read and Barton remain as conferees and the Speaker has named Representative Cockerham to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2167:** Early Intervention Task Force; establish.  
Senators Bryan, Johnson, Boyd.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 698:** Municipal water, wastewater and sewer services; require equity based billing based on use of.  
Senators Carter, Michel, Parks.

**H. B. No. 799:** Inmate Welfare Fund; increase portion of the fund that is utilized to fund Inmate Incentive to Work Program.  
Senators Barnett, Sparks, Wiggins.

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize.  
Senators Wiggins, Michel, Parker.

**H. B. No. 1039:** Occupational licensing; revise certain provisions relating to members of the military to include veterans.  
Senators Bryan, Polk, DeBar.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 261:** Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations.

Senators Harkins, Johnson, England.

**H. B. No. 535:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Senators Harkins, Carter, Chassaniol.

**H. B. No. 1136:** Distinctive motor vehicle license tag; authorize issuance to supporters of the Mississippi Road Builders Association.

Senators Harkins, Thompson, Thomas.

**H. B. No. 1140:** Beer, light wine and light spirit products; revise manufacturers prohibited from having interest in wholesalers or distributors.

Senators Harkins, Chassaniol, Kirby.

**H. B. No. 1671:** Tax credits; revise certain existing and authorize additional.

Senators Harkins, Hopson, Polk.

**H. B. No. 1734:** Bonds; authorize for various purposes.

Senators Harkins, Hopson, Polk.

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#### MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Ladner as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 1636:** Appropriation; Marine Resources, Department of.

Representatives Read and Eure remain as conferees and the Speaker has named Representative Bennett to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 29:** William Eugene (Gene) Loper, MD, Ridgeland, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, vice Daniel Edney, MD. Do Advise and Consent.

**S. N. No. 30:** William David McClendon, MD, Ocean Springs, Mississippi, Mississippi State Board of Medical Licensure to represent the Second Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028. Do Advise and Consent.

**S. N. No. 85:** Renia Dotson, MD, Greenville, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, vice Charles Miles, MD. Do Advise and Consent.

**S. N. No. 31:** Dr. James David (Jim) Herzog, Oxford, Mississippi, Board of Mental Health, seven year term effective July 1, 2022 and ending June 30, 2029, representing Ph.D. Clinical Psychologist. Do Advise and Consent.

**S. N. No. 32:** Tommy Ray (T.J.) Adams, Jr., Fulton, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 33:** Sandra Susan Culpepper, Poplarville, Mississippi, Mississippi Board of Nursing as an LPN, four year term effective July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 34:** Carley Tigrett Walker, Madison, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term effective November 28, 2022 and ending June 30, 2026, vice Shirley Jackson. Do Advise and Consent.

**S. N. No. 72:** Jane Marie (Janie) Clanton, RN, Meadville, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

**S. N. No. 3:** Paulette Jackson, Jackson, Mississippi, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, term effective August 25, 2022 and the appointee shall serve at the will and pleasure of the Governor. Do Advise and Consent.

**S. N. No. 10:** Susan Neely Berry, D.C., Flora, Mississippi, Mississippi State Board of Chiropractic Examiners, remainder of a five year term effective June 28, 2022 and ending April 20, 2026, representing the state at large, vice Arthur Jack Hall. Do Advise and Consent.

**S. N. No. 16:** Dr. Kimberly Elam Sallis, Oxford, Mississippi, MS State Board of Examiners for Licensed Professional Counselors, five year term effective July 1, 2021 and ending June 30, 2026, representing the First Congressional District. Do Advise and Consent.

**S. N. No. 17:** Dr. Richard Almon Strebeck, Long Beach, Mississippi, MS State Board of Examiners for Licensed Professional Counselors, five year term effective July 1, 2022 and ending June 30, 2027, representing the At-Large position. Do Advise and Consent.

**S. N. No. 18:** Dr. Melissa Hawkins Windham, Meridian, Mississippi, MS State Board of Examiners for Licensed Professional Counselors, five year term beginning July 1, 2022 and ending June 30, 2027, representing the Third Congressional District, vice Steven Stafford. Do Advise and Consent.

**S. N. No. 19:** Alexa Le'Kia Lampkin, DMD, Ridgeland, Mississippi, MS State Board of Dental Examiners to represent the dentist member of the Board from the state at-large, remainder of six year term beginning July 1, 2022 and ending June 30, 2026, vice Roy L. Irons, DDS. Do Advise and Consent.

**S. N. No. 26:** Martha Hobdy (Marty) Bell, Madison, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, remainder of a four-year term effective upon confirmation by the Senate and ending June 30, 2025. Do Advise and Consent.

**S. N. No. 35:** William Chadwick Blackard, Madison, Mississippi, State BD of Nursing Home Administrators as Nursing Home Administrator, remainder of four year term effective upon confirmation by the Senate and ending June 5, 2025, representing the 1st Supreme Ct. Dist.. Do Advise and Consent.

**S. N. No. 36:** Robin C. (Rob) Skelton, Rienzi, Mississippi, MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, unexpired four year term effective May 23, 2022 and ending June 25, 2022, vice Stanley C. Maynard. Do Advise and Consent.

**S. N. No. 37:** Robin C. (Rob) Skelton, Rienzi, Mississippi, MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, four year term effective June 26, 2022 and ending June 25, 2026. Do Advise and Consent.

**S. N. No. 47:** Dock Austin Daniel, Madison, Mississippi, Mississippi Board of Physical Therapy, four year term beginning July 14, 2022 and ending June 30, 2026, representing a Consumer At-Large, vice Melanie Woodrick. Do Advise and Consent.

**S. N. No. 50:** Wilmetta Valerie S. Burnett, LSW, Brandon, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective August 25, 2022 and ending June 30, 2024, vice Erin P. Pittman. Do Advise and Consent.

**S. N. No. 52:** Gerard D. Tarrant, Biloxi, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists, second full four year term effective July 28, 2022 and ending June 30, 2026, representing the Licensed Marriage and Family Therapist. Do Advise and Consent.

**S. N. No. 80:** David Kennon (DK) Curtis, Sr., DMD, Columbus, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District One, six year term beginning February 22, 2023 and ending June 30, 2028. Do Advise and Consent.

**S. N. No. 88:** William Jeffrey Hinton, Ph.D., Petal, Mississippi, BD of Examiners for Social Workers & Marriage & Family Therapists as a Lic. Marriage & Family Therapist, unexpired four year term effective Oct. 7, 2022 and ending June 30, 2024. Do Advise and Consent.

**S. N. No. 27:** Tracy Hunt White, Hazlehurst, Mississippi, Mississippi State Board of Massage Therapy as the Licensed Health Professional in a field other than Massage Therapy, four year term effective July 1, 2022 and ending June 30, 2026, vice Kathryn Renee Walker. Do Advise and Consent.

BRYAN, Chairman

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#### REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 38:** Micah Ray Walker, M.D., Madison, Mississippi, MS State Board of Nursing Home Administrators as the licensed and practicing medical doctor or physician, four year term effective July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

BRYAN, Chairman

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## MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Newman as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 917:** Mississippi Worker's Comp commission office building; place under the supervision and care of DFA.

Representatives Weathersby and Holloway remain as conferees and the Speaker has named Representative Oliver to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Donald Joseph Olsen, Willie Lawrence Necaise, Jr., Bertie Faye Cameron Necaise, Nathan Cuevas, Carolyn Ann Scarborough, Joann Cuevas Malley Melton, Michael Crawford, Matthew Harrison Marks and Dorothy Gillette Garrity.

Eugene S. Clarke, Secretary of the Senate

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## NO INTRODUCTIONS FOR TUESDAY, MARCH 21, 2023

## SEVENTY-NINTH DAY, WEDNESDAY, MARCH 22, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Tate. Total--1.

The Secretary announced a quorum present.

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The invocation was delivered by Dr. CJ Rhodes, Senior Pastor, Mt. Helm Church, Jackson, MS.

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Senator Blount led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 41:** Dr. Hilary Melby Parrish, Vicksburg, Mississippi, State Board of Optometry, remainder of five year term effective October 4, 2022 and ending June 30, 2024, representing the 4th Congressional Dist. as it existed Jan. 1, 1980, vice Dr. Rebecca Cox Patton. Do Advise and Consent.

**S. N. No. 42:** Dr. Kimberly Johnson Ragan, Madison, Mississippi, MS State Board of Optometry to represent the Third Congressional District as it existed in 1980, remainder of five year term effective upon confirmation by the Senate and ending June 19, 2026. Do Advise and Consent.

**S. N. No. 46:** Alvin Craig (Craig) Sartin, Long Beach, Mississippi, Board of Pharmacy, five year term beginning July 1, 2022 and ending June 30, 2027, representing the Fifth Congressional District (Post 5), vice Larry Calvert. Do Advise and Consent.

BRYAN, Chairman

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Senator McMahan called up the following entitled bill:

**H. B. No. 1528:** Benton County; authorize to contract with and/or contribute to the Institute of Community Services, Inc.

YEAS AND NAYS On H. B. No. 1528. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Tate. Total--1.

Voting Present--Hill, Polk. Total--2.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1703:** Coahoma County; authorize reserve and trust fund trustees to use certain amount of fund to supplement county general fund.

YEAS AND NAYS On H. B. No. 1703. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Tate. Total--1.

Voting Present--Hill. Total--1.

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Senator McMahan entered a motion to reconsider the vote whereby **S. B. No. 3146** passed the Senate.

**S. B. No. 3146:** Lowndes County; authorize to contribute Local Fiscal Recovery Funds to certain nonprofits.

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Senator McMahan moved that the rules be suspended for the immediate consideration of **S. B. No. 3146**, and the motion prevailed.

Senator McMahan called up the motion to reconsider the vote whereby **S. B. No. 3146** passed the Senate and moved that it be reconsidered:

**S. B. No. 3146:** Lowndes County; authorize to contribute Local Fiscal Recovery Funds to certain nonprofits.

The foregoing motion prevailed.

Senator McMahan offered the following AMENDMENT NO. 2.

AMEND by inserting the following language after line 46 and renumbering subsequent subsections accordingly:

(10) No funds contributed under this act shall be used by the recipient nonprofit for any salaries or personnel bonuses.

Amendment No. 2 to S. B. No. 3146 was adopted.

YEAS AND NAYS On S. B. No. 3146. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, Fillingane, Frazier, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McMahan, Michel, Moran, Norwood, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--41.  
Nays--Branning, DeLano, England, Harkins, Polk, Sparks, Thompson. Total--7.  
Absent and those not voting--Tate. Total--1.  
Voting Present--Blackwell, McLendon, Parker. Total--3.

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Unanimous consent was granted to add Senator Turner-Ford as co-author of **S. B. No. 3146**.

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Senator Bryan called up the following House Amendment to **S. B. No. 2323** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-13-35, Mississippi Code of 1972, is amended as follows:

41-13-35. (1) The board of trustees of any community hospital shall have full authority to appoint an administrator, who shall not be a member of the board of trustees, and to delegate reasonable authority to such administrator for the operation and maintenance of such hospital and all property and facilities otherwise appertaining thereto.

(2) The board of trustees shall have full authority to select from its members, officers and committees and, by resolution or through the board bylaws, to delegate to such officers and committees reasonable authority to carry out and enforce the powers and duties of the board of trustees during the interim periods between regular meetings of the board of trustees; provided, however, that any such action taken by an officer or committee shall be subject to review by the board, and actions may be withdrawn or nullified at the next subsequent meeting of the board of trustees if the action is in excess of delegated authority.

(3) The board of trustees shall be responsible for governing the community hospital under its control and shall make and enforce staff and hospital bylaws and/or rules and regulations necessary for the administration, government, maintenance and/or expansion of such hospitals. The board of trustees shall keep minutes of its official business and shall comply with Section 41-9-68.

(4) The decisions of \* \* \* the board of trustees of the community hospital shall be valid and binding unless expressly prohibited by applicable statutory or constitutional provisions.

(5) The \* \* \* powers and duties of the board of trustees shall specifically include, but not be limited to, the following \* \* \*:

(a) To deposit and invest funds of the community hospital in accordance with Section 27-105-365;

(b) To establish such equitable wage and salary programs and other employment benefits as may be deemed expedient or proper, and in so doing, to expend reasonable funds for such employee salary and benefits. Allowable employee programs shall specifically include, but not be limited to, medical benefit, life, accidental death and dismemberment, disability, retirement and other employee coverage plans. The hospital may offer and fund such programs directly or by contract with any third party and shall be authorized to take all actions necessary to implement, administer and operate such plans, including payroll deductions for such plans;

(c) To authorize employees to attend and to pay actual expenses incurred by employees while engaged in hospital business or in attending recognized educational or professional meetings;

(d) To enter into loan or scholarship agreements with employees or students to provide educational assistance where such student or employee agrees to work for a stipulated period of time for the hospital;

(e) To devise and implement employee incentive programs;

(f) To recruit and financially assist physicians and other health care practitioners in establishing, or relocating practices within the service area of the community hospital including, without limitation, direct and indirect financial assistance, loan agreements, agreements guaranteeing minimum incomes for a stipulated period from opening of the practice and providing free office space or reduced rental rates for office space where such recruitment would directly benefit the community hospital and/or the health and welfare of the citizens of the service area;

(g) To contract by way of lease, lease-purchase or otherwise, with any agency, department or other office of government or any individual, partnership, corporation, owner, other board of trustees, or other health care facility, for the providing of property, equipment or services by or to the community hospital or other entity or regarding any facet of the construction, management, funding or operation of the community hospital or any division or department thereof, or any related activity, including, without limitation, shared management expertise or employee insurance and retirement programs, and to terminate \* \* \* those contracts when deemed in the best interests of the community hospital;

(h) To file suit on behalf of the community hospital to enforce any right or claims accruing to the hospital and to defend and/or settle claims against the community hospital and/or its board of trustees;

(i) To sell or otherwise dispose of any chattel property of the community hospital by any method deemed appropriate by the board where such disposition is consistent with the hospital purposes or where such property is deemed by the board to be surplus or otherwise unneeded;

(j) To let contracts for the construction, remodeling, expansion or acquisition, by lease or purchase, of hospital or health care facilities, including real property, within the service area for community hospital purposes where such may be done with operational funds without encumbering the general funds of the county or municipality, provided that any contract for the purchase or lease of real property must \* \* \* have the prior approval of the owner;

(k) To borrow money and enter other financing arrangements for community hospital and related purposes and to grant security interests in hospital equipment and other hospital assets and to pledge a percentage of hospital revenues as security for such financings where needed; provided that the owner shall specify by resolution the maximum borrowing authority and maximum percent of revenue \* \* \* that may be pledged by the board of trustees during any given fiscal year;

(l) To expend hospital funds for public relations or advertising programs;

(m) To offer the following inpatient and outpatient services, after complying with applicable health planning, licensure statutes and regulations, whether or not heretofore offered by such hospital or other similar hospitals in this state and whether or not heretofore authorized to be offered, long-term care, extended care, home care, after-hours clinic services, ambulatory surgical clinic services, preventative health care services including wellness services, health education, rehabilitation and diagnostic and treatment services; to promote, develop, operate and maintain a center providing care or residential facilities for the aged, convalescent or handicapped; and to promote, develop and institute any other services having an appropriate place in the operation of a hospital offering complete community health care;

(n) To promote, develop, acquire, operate and maintain on a nonprofit basis, or on a profit basis if the community hospital's share of profits is used solely for community hospital and related purposes in accordance with this chapter, either separately or jointly with one or more other hospitals or health-related organizations, facilities and equipment for providing goods, services and programs for hospitals, other health care providers, and other persons or entities in need of such goods, services and programs and, in doing so, to provide for contracts of employment or contracts for services and ownership of property on terms that will protect the public interest;

(o) To establish and operate medical offices, child care centers, wellness or fitness centers and other facilities and programs which the board determines are appropriate in the operation of a community hospital for the benefit of its employees, personnel and/or medical staff which shall be operated as an integral part of the hospital and which may, in the direction of the board of trustees, be offered to the general public. If such programs are not established in existing facilities or constructed on real estate previously acquired by the owners, the board of trustees shall also have authority to acquire, by lease or purchase, such facilities and real property within the service area, whether or not adjacent to existing facilities, provided that any contract for the purchase of real property shall be ratified by the owner. The trustees shall lease any such medical offices to members of the medical staff at rates deemed appropriate and may, in its discretion, establish rates to be paid for the use of other facilities or programs by its employees or personnel or members of the public whom the trustees may determine may properly use such other facilities or programs;

(p) Provide, at its discretion, ambulance service and/or to contract with any third party, public or private, for the providing of such service;

(q) Establish a fair and equitable system for the billing of patients for care or users of services received through the community hospital, which in the exercise of the board of trustees' prudent fiscal discretion, may allow for rates to be classified according to the potential usage by an identified group or groups of patients of the community hospital's services and may allow for standard discounts where the discount is designed to reduce the operating costs or increase the revenues of the community hospital. Such billing system may also allow for the payment of charges by means of a credit card or similar device and allow for payment of administrative fees as may be regularly imposed by a banking institution or other credit service organization for the use of such cards;

(r) To establish as an organizational part of the hospital or to aid in establishing as a separate entity from the hospital, hospital auxiliaries designed to aid the hospital, its patients, and/or families and visitors of patients, and when the auxiliary is established as a separate entity from the hospital, the board of trustees may cooperate with the auxiliary in its operations as the board of trustees deems appropriate; \* \* \*

(s) To make any agreements or contracts with the federal government or any agency thereof, the State of Mississippi or any agency thereof, and any county, city,

town, supervisors district or election district within this state, jointly or separately, for the maintenance of charity facilities \* \* \*;

(t) To acquire hospitals, health care facilities and other health care-related operations and assets, through direct purchase, merger, consolidation, lease or other means;

(u) To enter into joint ventures, joint-operating agreements or similar arrangements with other public or private health care-related organizations, or with for-profit or nonprofit corporations, for-profit or nonprofit limited liability companies or other similar organizations, either directly or through a nonprofit corporation formed or owned by the community hospital, for the joint operation of all or part of the community hospital, or the joint operation of any health care facilities or health care services, and in doing so, to convey the community hospital's assets, service lines or facilities to the joint venture or to any other organization or entity for fair market value, and to provide for contracts of employment or contracts for services and ownership of property that will protect the public interest;

(v) To form, establish, fund and operate nonprofit corporations, nonprofit limited liability companies, state-sponsored entities or other similar organizations, either directly or through a nonprofit corporation formed by the community hospital, which are jointly owned with other public or private hospitals, for-profit or nonprofit corporations, or other health care-related organizations, for the purpose of conducting activities within or outside of the community hospital's service area for the benefit of the community hospital, including, but not limited to, joint hospital acquisitions, group purchasing, clinically integrated networks, payor contracting, and joint requests for federal and state grants and funding;

(w) To make capital contributions, loans, debt or equity financing to or for any joint venture or similar arrangement in which the community hospital, or any nonprofit corporation formed, leased or owned by the community hospital, has or acquires an ownership interest, and to guarantee loans and any other obligations for such purposes;

(x) To establish arrangements for the community hospital to participate in financial integration and/or clinical integration or clinically integrated networks with a joint venture, with other public or private or nonprofit health-related organizations, or through a joint-operating agreement;

(y) To have an ownership interest in, make capital contributions to, and assume financial risk under, accountable care organizations or similar organizations;

(z) To enter into any contract for a term of any length, regardless of whether the length or term of the contract exceeds the term of the board of trustees of the community hospital;

(aa) To elect some, any or all of the members of the board of directors of any nonprofit corporation of which the community hospital is a member;

(bb) To create, establish, acquire, operate or support subsidiaries and affiliates, either for-profit or nonprofit or other similar entity, to assist the community hospital in fulfilling its purposes;

(cc) To create, establish or support nonaffiliated for-profit or nonprofit corporations or other similar lawful business organizations that operate and have as their purposes the furtherance of the community hospital's purposes;

(dd) Without limiting the generality of any provisions of this section, to accomplish and facilitate the creation, establishment, acquisition, operation or support of any such subsidiary, affiliate, nonaffiliated corporation or other lawful business

organization, by means of loans of funds, acquisition or transfer of assets, leases of real or personal property, gifts and grants of funds or guarantees of indebtedness of such subsidiaries, affiliates and nonaffiliated corporations;

(ee) To exercise all powers granted under this section in such a manner as the community hospital, through its board of trustees, may determine to be consistent with the purposes of this chapter, including the state action immunity provided by this section from state and federal antitrust laws to the fullest extent possible, notwithstanding that as a consequence of such exercise of such powers it engages in activities that may be deemed "anticompetitive" or which displace competition within the meaning or contemplation of the antitrust laws of this state or of the United States;

(ff) The board of trustees shall not sell, purchase, convey, lease, or enter into agreements that have the effect of selling, purchasing, conveying, or leasing any real property or enter into management agreements, merger agreements, joint ventures, joint-operating agreements or similar arrangements that transfer control of any real property or the operations of a community hospital described in this subsection without the prior approval of the owners of the real property.

(6) No board of trustees of any community hospital may accept any grant of money or other thing of value from any not-for-profit or for-profit organization established for the purpose of supporting health care in the area served by the facility unless two-thirds (2/3) of the trustees vote to accept the grant.

(7) No board of trustees, individual trustee or any other person who is an agent or servant of the trustees of any community hospital shall have any personal financial interest in any not-for-profit or for-profit organization which, regardless of its stated purpose of incorporation, provides assistance in the form of grants of money or property to community hospitals or provides services to community hospitals in the form of performance of functions normally associated with the operations of a hospital.

(8) The Legislature finds and declares as follows:

(a) The needs of the residents of Mississippi can best be served by community hospitals having the legal, financial and operational flexibility to take full advantage of opportunities and challenges presented by the evolving health care environment and to take whatever actions are necessary to enable the community hospitals' continuation as health care systems that provide the finest possible quality of care consistent with reasonable costs.

(b) In this environment, the community hospitals must have the ability to respond to changing conditions by having the power to develop efficient and cost-effective methods and structures to provide for health care needs, while maintaining a public mission and character. In addition, community hospitals in Mississippi are political subdivisions of the state. Accordingly, the Legislature finds that there is a compelling interest in establishing a structure and process for a community hospital to adapt to this dynamic environment, to operate efficiently, to offer competitive health care services, to respond more effectively to new developments and regulatory changes in the health care area, and to continue to serve and promote the health, wellness and welfare of the citizens of Mississippi. The acquisition, operation and financing of hospitals and other health care facilities by the community hospitals are declared to be for a public and governmental purpose and a matter of public necessity.

(c) The geographic areas served by community hospitals include rural populations and other groups that experience significant health disparities. Health disparities are differences in health status when compared to the population overall, often characterized by indicators such as higher incidence of disease and/or disability, increased mortality rates, and lower life expectancies. Rural risk factors for health disparities include geographic isolation, lower socioeconomic status, higher rates of

health risk behaviors and limited access to health care specialists and subspecialists. As a result of these health disparities, the residents of areas served by community hospitals have high rates of mortality and morbidity, heart disease, cancer, diabetes and other illnesses. The areas also include a high percentage of uninsured individuals and Medicaid patients, which are medically underserved groups. Community hospitals have demonstrated their ability to provide high quality health care and to improve health conditions and outcomes as well as access to care. This act will significantly strengthen the ability of community hospitals to serve the health care needs of the residents of their service areas.

(d) The community hospitals' investment of significant public assets and their efforts to provide high quality health care services to medically underserved populations are jeopardized by potential limits on the ability of community hospitals to collaborate and consolidate with other public, private, for-profit and nonprofit health care facilities and providers. The Legislature expressly finds that the benefits of collaboration and consolidation by the community hospitals outweigh any adverse impact on competition. The benefits of the community hospitals' efforts to collaborate and consolidate include, but are not limited to, preserving and expanding needed health care services in its service area; consolidating unneeded or duplicative health care services; enhancing the quality of, and expanding access to, health care delivered to medically underserved and rural populations; and lowering costs and improving the efficiency of the health care services it delivers. Based on the findings contained in this section, the Legislature affirmatively expresses a policy to allow community hospitals to consolidate with other public, private, for-profit or nonprofit hospitals, health care facilities and providers and to engage in collaborative activities consistent with their health care purposes, notwithstanding that those consolidations and collaborations may have the effect of displacing competition in the provision of hospital or other health care-related services. In engaging in such consolidations and collaborations with other public, private, for-profit or nonprofit hospitals, health care facilities and providers, the community hospital shall be considered to be acting pursuant to clearly articulated state policy as established in this section and shall not be subject to federal or state antitrust laws while so acting. With respect to the consolidations, collaborative activities and other activities contemplated in this section, the community hospital and the public, private, for-profit or nonprofit entities with which it consolidates, collaborates, or enters into any of the transactions set forth in this act, shall be immune from liability under the federal and state antitrust laws and those activities are provided with state action immunity from federal and state antitrust laws to the fullest extent possible.

SECTION 2. Section 41-13-29, Mississippi Code of 1972, is amended as follows:

41-13-29. (1) (a) The owners are authorized to appoint trustees for the purpose of operating and governing community hospitals. The owner of a community hospital may remove a trustee after appointment for good cause shown, upon a unanimous vote of all members of the governing board of the owner that appointed the trustee, or upon a majority vote of the governing board of the owner that appointed the trustee after a recommendation from the board of trustees of the hospital that the trustee be removed. To be eligible for appointment, an appointee must be an adult legal resident of the county which has an ownership interest in the community hospital or the county in which the municipality or other political subdivision holding the ownership interest in the community hospital is located. The authority to appoint trustees shall not apply to leased facilities, unless specifically reserved by the owner in the applicable lease agreement.

(b) The board of trustees shall consist of not more than seven (7) members nor less than five (5) members, except where specifically authorized by statute, and shall be appointed by the respective owners on a pro rata basis comparable to the ownership interests in the community hospital. Where the community hospital is owned solely by a county, or any supervisors districts, judicial districts or election district of a county, or by a municipality, the trustees shall be residents of the owning entity.



(c) Trustees for municipally owned community hospitals shall be appointed by the governing authority of the municipality. Trustees for a community hospital owned by a county shall be appointed by the board of supervisors with each supervisor having the right to nominate one (1) trustee from his district or from the county at large. Appointments exceeding five (5) in number shall be from the county at large. Trustees for a community hospital owned solely by supervisors districts, judicial districts or election district of a county, shall be appointed by the board of supervisors of the county from nominees submitted by the supervisor or supervisors representing the owner district or districts.

(2) (a) Initially the board of trustees shall be appointed as follows: one (1) for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, one (1) for a term of four (4) years, and one (1) for a term of five (5) years. Appointments exceeding five (5) in number shall be for terms of four (4) and five (5) years, respectively. Thereafter, all terms shall be for five (5) years. No community hospital trustee holding office on July 1, 1982, shall be affected by this provision, but the terms shall be filled at the expiration thereof according to the provisions of this section; provided, however, that any other specific appointment procedures presently authorized shall likewise not be affected by the terms hereof. Any vacancy on the board of trustees shall be filled within ninety (90) days by appointment by the applicable owner for the remainder of the unexpired term.

(b) From and after January 1, 2016, to be eligible for appointment, an appointee must have no felony convictions, possess at least a high school diploma or the equivalent, owe no outstanding debt to the community hospital, and not be a plaintiff in any pending lawsuit against the community hospital. The appointee may not own an interest in, or be an officer or employee of, a company or business that provides goods or services in direct competition with the community hospital, nor may the appointee's spouse own an interest in, or be an officer of, such company or business.

(3) (a) Any community hospital erected, owned, maintained and operated by any county located in the geographical center of the State of Mississippi and in which State Highways No. 12 and No. 35 intersect, shall be operated by a board of trustees of five (5) members who have the qualifications set forth in this section to be appointed by the board of supervisors from the county at large, one (1) for a term of one (1) year, one (1) for a term of two (2) years, one (1) for a term of three (3) years, one (1) for a term of four (4) years, and one (1) for a term of five (5) years. Thereafter all trustees shall be appointed from the county at large for a period of five (5) years.

(b) Any community hospital erected, owned, maintained and operated by any county situated in the Yazoo-Mississippi Delta Levee District and bordering on the Mississippi River and having a population of not less than forty-five thousand (45,000) and having an assessed valuation of not less than Thirty Million Dollars (\$30,000,000.00) for the year 1954, shall be operated by a board of trustees which may consist of not more than eleven (11) members who have the qualifications set forth in this section.

(c) Any hospital erected, owned, maintained and operated by any county having two (2) judicial districts, which is traversed by U.S. Interstate Highway 59, which intersects Highway 84 therein, shall be operated by a board of trustees which shall consist of seven (7) members who have the qualifications set forth in this section. The first seven (7) members appointed under authority of this paragraph shall be appointed by the board of supervisors for terms as follows:

Each supervisor of Supervisors Districts One and Two shall nominate and the board of supervisors shall appoint one (1) person from each \* \* \* such beat for a one-year term. Each supervisor of Supervisors Districts Three and Four shall nominate and the board of supervisors shall appoint one (1) person from each beat for a two-year term. The supervisor of Supervisors District Five shall nominate and the board of supervisors shall appoint one (1) person from the beat for a three-year term. The medical staff at the

hospital shall submit a list of four (4) nominees and the supervisors shall appoint two (2) trustees from the list of nominees, one (1) for a three-year term and one (1) for a one-year term. Thereafter, as the terms of the board of trustee members authorized by this paragraph expire, all but the trustee originally appointed from the medical staff nominees for a one-year term shall be appointed by the board of supervisors for terms of three (3) years. The term of the trustee originally appointed from the medical staff nominees by the board of supervisors for a term of one (1) year shall remain a term of one (1) year and shall thereafter be appointed for a term of one (1) year. The two (2) members appointed from medical staff nominees shall be appointed from a list of two (2) nominees for each position to be submitted by the medical staff of the hospital for each vacancy to be filled. It is the intent of the Legislature that the board of trustees which existed prior to July 1, 1985, was abolished by amendment to this section under Section 5, Chapter 511, Laws of 1985, and the amendment authorized the appointment of a new board of trustees on or after July 1, 1985, in the manner provided in this paragraph. Any member of the board of trustees which existed before July 1, 1985, who has the qualifications set forth in this section shall be eligible for reappointment subject to the provisions of this paragraph.

(d) Any community hospital erected, owned, maintained and operated by any county bordering on the Mississippi River having two (2) judicial districts, wherein U.S. Highway 61 and Mississippi Highway 8 intersect, lying wholly within a levee district, shall be operated by a board of trustees which may consist of not more than nine (9) members who have the qualifications set forth in this section.

(e) Any community hospital system owned, maintained and operated by any county bordering on the Gulf of Mexico and the State of Alabama shall be operated by a board of trustees constituted as follows: seven (7) members shall be selected as provided in subsection (1) of this section and two (2) advisors who shall be the chiefs of staff at those hospitals which are a part of the hospital system; the members must have the qualifications set forth in this section. The term of the chiefs of staff on the board of trustees shall coincide with their service as chiefs of staff at their respective hospitals.

(4) Any community hospital owned, maintained and operated by any county wherein Mississippi Highways 16 and 19 intersect, having a land area of five hundred sixty-eight (568) square miles, and having a population in excess of twenty-three thousand seven hundred (23,700) according to the 1980 federal decennial census, shall be operated by a board of trustees of five (5) members who have the qualifications set forth in this section, one (1) of whom shall be elected by the qualified electors of each supervisors district of the county in the manner provided herein. Each member so elected shall be a resident and qualified elector of the district from which he is elected. The first elected members of the board of trustees shall be elected at the regular general election held on November 4, 1986. At the election, the members of the board from Supervisors Districts One and Two shall be elected for a term of six (6) years; members of the board from Supervisors Districts Three and Four shall be elected for a term of two (2) years; and the member of the board from Supervisors District Five shall be elected for a term of four (4) years. Each subsequent member of the board shall be elected for a term of six (6) years at the same time as the general election in which the member of the county board of education representing the same supervisors district is elected. All members of the board shall take office on the first Monday of January following the date of their election. The terms of all seven (7) appointed members of the board of trustees holding office on the effective date of this act (Laws 1986, Chapter 462) shall expire on the date that the first elected members of the board take office. The board of trustees provided for herein shall not lease or sell the community hospital property under its jurisdiction unless the board of supervisors of the county calls for an election on the proposition and a majority voting in the election shall approve the lease or sale.

The members of the board of trustees provided for in this subsection shall be compensated a per diem and reimbursed for their expenses and mileage in the same amount and subject to the same restrictions provided for members of the county board of education in Section 37-5-21 and may, at the discretion of the board, choose to participate

in any hospital medical benefit plan which may be in effect for hospital employees. Any member of the board of trustees choosing to participate in the plan shall pay the full cost of his participation in the plan so that no expenditure of hospital funds is required.

The name of any qualified elector who is a candidate for the community hospital board of trustees shall be placed on the ballot used in the general elections by the county election commissioners, if the candidate files with the county election commissioners, not more than ninety (90) days and not less than thirty (30) days before the date of the general election, a petition of nomination signed by not less than fifty (50) qualified electors of the county residing within each supervisors district. The candidate in each supervisors district who receives the highest number of votes cast in the district shall be declared elected.

(5) A board of trustees provided for herein may, in its discretion, where funds are available, compensate each trustee per diem in at least the amount established by Section 25-3-69 up to the maximum amount of not more than \* \* \* Two Hundred Fifty Dollars (\$250.00) for each meeting of the board of trustees or meeting of a committee established by the board of trustees where the trustee was in attendance, and in addition thereto provide meals at the meetings and compensate each member attending travel expenses at the rate authorized by Section 25-3-41 for actual mileage traveled to and from the place of meeting.

(6) The owner which appointed a trustee may likewise remove him from office by majority vote for failure to attend at least fifty percent (50%) of the regularly scheduled meetings of the board during the twelve-month period preceding the vote, or for violation of any statute relating to the responsibilities of his office, based upon the recommendation of a majority of the remaining trustees.

(7) For community hospitals located in a county having a population of less than one hundred thousand (100,000) according to the most recent federal decennial census, the members of the board of trustees, administrator and any other officials of the community hospital as may be deemed necessary or proper by the board of trustees shall be under bond in an amount not less than Ten Thousand Dollars (\$10,000.00) nor more than One Hundred Thousand Dollars (\$100,000.00) with some surety company authorized to do business in the State of Mississippi to faithfully perform the duties of his office. For community hospitals located in a county having a population of one hundred thousand (100,000) or more according to the most recent federal decennial census, the bond shall be in an amount not less than Fifty Thousand Dollars (\$50,000.00) nor more than Five Hundred Thousand Dollars (\$500,000.00). Premiums for the bonds shall be paid from funds of the community hospital.

(8) The members of the board of trustees of a community hospital may, at the discretion of the board, choose to participate in any hospital medical benefit plan or health insurance plan, whether self-funded or otherwise, which may be in effect for hospital employees. Any member of the board of trustees choosing to participate in such plan shall pay the same amount for his or her participation in the plan as hospital employees are required to pay for their participation in such plan.

SECTION 3. Section 37-115-50, Mississippi Code of 1972, is amended as follows:

37-115-50. For purposes of Sections 37-115-50 \* \* \* through 37-115-50.3, the following terms shall have the following meanings:

(a) "Academic medical center" means the teaching, research, and clinical facilities and services provided, established, or operated by a public university under Chapter 115, Title 37, Mississippi Code of 1972.

(b) "Health sciences school" means any school of medicine, dentistry, nursing, pharmacy and any other health care-related educational program operated or provided by an academic medical center in this state.

(c) "Health care collaborative" means any consolidation or collaboration involving the academic medical center and any other public, private, for-profit or nonprofit health care facilities and providers.

SECTION 4. The following shall be codified as Section 37-115-50.2, Mississippi Code of 1972:

37-115-50.2. (1) The Legislature finds and declares all of the following:

(a) The academic medical center and health care collaboratives organized under Section 37-115-50.1, together with the Board of Trustees of State Institutions of Higher Learning under which the academic medical center operates, are each (acting individually and collectively) performing essential public functions on behalf of the state, and other governmental entities in the state.

(b) The needs of the residents of Mississippi can best be served by the academic medical center and health care collaboratives having the legal, financial and operational flexibility to take full advantage of opportunities and challenges presented by the evolving health care environment and to take whatever actions are necessary to enable the academic medical center and health care collaboratives' continuation as a health system that provides the finest possible quality of care consistent with reasonable costs and that serves the health care needs of uninsured, underinsured residents in addition to its scientific and educational missions.

(c) In this environment, the academic medical center and its health care collaboratives must have the ability to respond to changing conditions by having the power to develop efficient and cost-effective methods and structures to provide for health care needs, while maintaining a public mission and character. In addition, the academic medical center is an institution of the state. Accordingly, the Legislature finds that there is a compelling interest in establishing a structure and process for the academic medical center to adapt to this dynamic environment, to operate efficiently, to offer competitive health care services, to respond more effectively to new developments and regulatory changes in the health care area, and to continue to serve and promote the health, wellness and welfare of the citizens of Mississippi. The acquisition, operation and financing of hospitals and other health care facilities by the academic medical are declared to be for a public and governmental purpose and a matter of public necessity.

(d) The geographic areas served by the academic medical center and its health care collaboratives include rural populations and other groups that experience significant health disparities. Health disparities are differences in health status when compared to the population overall, often characterized by indicators such as higher incidence of disease and/or disability, increased mortality rates, and lower life expectancies. Rural risk factors for health disparities include geographic isolation, lower socioeconomic status, higher rates of health risk behaviors, and limited access to health care specialists and subspecialists. As a result of these health disparities, the residents of areas served by the academic medical center and its health care collaboratives have high rates of mortality and morbidity, heart disease, cancer, and other illnesses. The areas also include a high percentage of uninsured individuals and Medicaid patients, which are medically underserved groups. The academic medical center and its health care collaboratives have demonstrated their ability to provide high quality health care and to improve health conditions and outcomes as well as access to care. This section and Section 37-115-50.3 will significantly strengthen the ability of the academic medical center and its health care collaboratives to serve the health care needs of the residents of their service areas.

(e) The investment of significant public assets by the academic medical center, the academic medical center's investment in health care collaboratives and their collective efforts to provide high quality health care services to medically underserved

populations are jeopardized by potential limits on the ability of the academic medical center and its health care collaboratives to collaborate and consolidate with other public, private and nonprofit health care facilities and providers. The Legislature expressly finds that the benefits of collaboration and consolidation by the academic medical center and its health care collaboratives outweigh any adverse impact on competition. The benefits of the academic medical center and its health care collaboratives efforts to collaborate and consolidate include, but are not limited to, preserving and expanding needed health care services in its service areas; consolidating unneeded or duplicative health care services; enhancing the quality of, and expanding access to, health care delivered to medically underserved and rural populations; and lowering costs and improving the efficiency of the health care services it delivers. Based on the findings contained in this section, the Legislature affirmatively expresses a policy to allow the academic medical center and health care collaboratives to consolidate with hospitals, health care facilities and other health care providers and to engage in collaborative activities consistent with their health care purposes, notwithstanding that those consolidations and collaborations may have the effect of displacing competition in the provision of hospital or other health care related services. In engaging in such consolidations and collaborations with other hospitals, health care facilities and providers, the academic medical center and its health care collaboratives (acting individually or collectively) shall be considered to be acting pursuant to clearly articulated state policy as established in this section and shall not be subject to federal or state antitrust laws while so acting. With respect to the consolidations, collaborative activities and other activities contemplated in this section and Section 37-115-50.3, the academic medical center and its health care collaboratives (acting individually or collectively) and the public, private or nonprofit entities with which it (or they) consolidate(s), collaborate(s), or enter(s) into any of the transactions set forth in this section and Section 37-115-50.3, shall be immune from liability under the federal and state antitrust laws and those activities are provided with state action immunity from federal and state antitrust laws to the fullest extent possible.

(f) In furtherance of the findings and authorizations contained in paragraph (e) of this section, if a court of competent jurisdiction were to find that any of the activities of the academic medical center and its health care collaboratives (acting individually or collectively) authorized under this section or Section 37-115-50.3 would be immune from the application of state and federal antitrust laws under the state action antitrust immunity doctrine pursuant to applicable jurisprudence only if such activities were subject to what has come to be known in relevant antitrust jurisprudence as "active supervision" by the state, the Legislature finds that the academic medical center and its health care collaboratives are subject to direct and indirect supervision of the Board of Trustees of State Institutions of Higher Learning, which supervision has been, is currently, and is required to continue to be actively exercised by such constitutional body of state government such that, even if such judicial requirement were applied to the academic medical center and its health care collaboratives with respect to application of the state action antitrust immunity doctrine, the academic medical center and each of its health care collaboratives (acting individually or collectively), when exercising its powers under this section and Section 37-115-50.3, shall enjoy immunity from the application of state and federal antitrust laws.

SECTION 5. The following shall be codified as Section 37-115-50.3, Mississippi Code of 1972:

37-115-50.3 (1) In addition to all powers granted in Section 37-115-50.1, subject to any required approval of the Board of Trustees of State Institutions of Higher Learning, the academic medical center and its health care collaboratives (acting individually or collectively) shall be empowered under this section:

(a) To acquire hospitals, health care facilities and other health care-related operations and assets, through direct purchase, merger, consolidation, lease or other means;

(b) To form, establish, fund and operate nonprofit corporations, nonprofit limited liability companies, state-sponsored entities or other similar organizations, either directly or through a nonprofit corporation formed by the academic medical center and its health care collaboratives (acting individually or collectively), which are jointly owned with other public or private hospitals, for-profit or nonprofit corporations, or other health care-related organizations, for the purpose of conducting activities within or outside of the service area the academic medical center or its health care collaboratives for the benefit of the academic medical center and its health care collaboratives including, but not limited to, joint hospital acquisitions, group purchasing, clinically integrated networks, payor contracting, and joint requests for federal and state grants and funding;

(c) To make capital contributions, loans, debt or equity financing to or for any joint venture or similar arrangement in which the academic medical center and its health care collaboratives (acting individually or collectively), or any nonprofit corporation formed or owned by the academic medical center or one of its health care collaboratives, has or acquires an ownership interest, and to guarantee loans and any other obligations for such purposes;

(d) To have an ownership interest in, make capital contributions to, and assume financial risk under, accountable care organizations or similar organizations;

(e) To enter into any contract for a term of any length, regardless of whether the length or term of the contract exceeds the term of the board of trustees of a health care collaborative;

(f) To create, establish, acquire, operate or support subsidiaries and affiliates, either for-profit or nonprofit, to assist the academic medical center and its health care collaboratives (acting individually or collectively) in fulfilling its purposes;

(g) To create, establish or support nonaffiliated for-profit or nonprofit corporations or other lawful business organizations that operate and have as their purposes the furtherance of the purposes of the academic medical center and its health care collaboratives (acting individually or collectively);

(h) Without limiting the generality of any provisions of this section, to accomplish and facilitate the creation, establishment, acquisition, operation or support of any such subsidiary, affiliate, nonaffiliated corporation or other lawful business organization, by means of loans of funds, acquisition or transfer of assets, leases of real or personal property, gifts and grants of funds or guarantees of indebtedness of such subsidiaries, affiliates and nonaffiliated corporations; and

(i) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning (where applicable), to exercise all powers granted under this section in such a manner as the academic medical center and its health care collaboratives (acting individually or collectively) may determine to be consistent with the purposes of Sections 37-115-50 through 37-115-50.3, including the state action immunity provided by Section 37-115-50.2 from state and federal antitrust laws to the fullest extent possible, notwithstanding that as a consequence of such exercise of such powers it engages in activities that may be deemed "anticompetitive" or which displace competition within the meaning or contemplation of the antitrust laws of this state or of the United States.

SECTION 6. It is the intent of the Legislature that this act be liberally construed so as to give effect to the intent, purposes and findings described in this act.

SECTION 7. Section 75-21-13, Mississippi Code of 1972, is amended as follows:

75-21-13. (1) No corporation shall acquire directly or indirectly, the whole or any part of the capital stock of any competing corporation doing business in this state, nor directly or indirectly acquire the franchise, plant or equipment of any other competing

corporation doing business in this state if such other corporation be engaged in the same kind of business and be a competitor therein, where the effect of such acquisition of stock, franchise, plant or equipment may be to substantially lessen competition or to restrain trade or competition in the state, or any community thereof, or tend to create a monopoly of any line of commerce and will be inimical to public welfare. This section shall not apply to corporations purchasing such stock in payment of an indebtedness, and not using the same by voting, or otherwise, to bring about or attempting to bring about, the substantial lessening of competition. Provided, however, that fire and marine insurance corporations may own stock in other insurance companies and may be licensed to do business in this state, or authorized to continue business in this state, but the state insurance commissioner may refuse permission to any company to be licensed in the first instance or he may subsequently revoke the license of any company if it appears after notice and hearing that to permit one (1) insurance corporation owning stock in a competing corporation to continue to do business in this state would be injurious to, or contrary to the public interest.

(2) The provisions of this chapter shall not apply to:

(a) Any action taken by a board of trustees of a community hospital if acting in accordance with Section 41-13-35(5)(t) through (ff), including, but not limited to, entering into agreements, collaboratives, mergers and other similar arrangements with other public or private health care-related organizations, or with for-profit or nonprofit corporations, or other similar organizations;

(b) Any action taken by the academic medical center and its health care collaboratives if acting in accordance with Sections 37-115-50 through 37-115-50.3, including, but not limited to, entering into agreements, collaboratives, mergers and other similar arrangements with other public or private health care-related organizations, or with for-profit or nonprofit corporations, or other similar organizations; or

(c) Any action taken by a private hospital as defined in Section 41-9-305 if acting in accordance with Section 41-9-301 through 41-9-311.

SECTION 8. Section 41-9-301, Mississippi Code of 1972, is amended as follows:

41-9-301. Sections 41-9-301 through 41-9-311 shall be known and may be cited as the "Rural and Private Hospitals Health Availability Act."

SECTION 9. Section 41-9-303, Mississippi Code of 1972, is amended as follows:

41-9-303. The Legislature finds and declares the following:

(a) In rural areas, access to health care is limited and the quality of health care is adversely affected by inadequate reimbursement and collection rates and difficulty in recruiting and retaining skilled health professionals.

(b) There is limited, if any, overlap in the geographic service areas of Mississippi rural hospitals.

(c) Rural hospitals' financial stability is threatened by patient migration to general acute care and specialty hospitals in urban areas.

(d) The availability of quality health care in rural areas is essential to the economic and social viability of rural communities.

(e) Cooperative agreements among rural hospitals would improve the availability and quality of health care for Mississippians in rural areas and enhance the likelihood that rural hospitals can remain open.

(f) Cooperative agreements among private hospitals can improve the availability and quality of health care for Mississippians and enhance the overall likelihood that hospitals in the state remain operational and continue to serve their communities.

SECTION 10. Section 41-9-305, Mississippi Code of 1972, is amended as follows:

41-9-305. For the purposes of Sections 41-9-301 through 41-9-311, the following terms shall have the following meanings:

(a) "Act" means the Rural and Private Hospitals Health Availability Act.

(b) "Affected person," with respect to any application for a certificate of public advantage, means:

(i) The applicant(s);

(ii) Any person residing within the geographic service area of an applicant;

(iii) Health care purchasers who reimburse health care facilities located in the geographic service area of an applicant;

(iv) Any other person furnishing goods or services to, or in competition with, an applicant; or

(v) Any other person who has notified the department in writing of his interest in applications for certificates of public advantage and has a direct economic interest in the decision.

Notwithstanding the foregoing, persons from other states who would otherwise be considered "affected persons" are not included, unless that other state provides for similar involvement of persons from Mississippi in a similar process in that state.

(c) "Board" means the State Board of Health established under Section \* \* \* 41-3-1.1.

(d) "Certificate of public advantage" means the formal written approval, including any conditions or modifications of a cooperative agreement by the department.

(e) "Cooperative agreement" means a contract, business or financial arrangement, or any other activities or practices among two (2) or more rural hospitals, or involving any private hospital in a rural or nonrural area, for the sharing, allocation, or referral of patients; the sharing or allocation of personnel, instructional programs, support services and facilities, medical, diagnostic or laboratory facilities, procedures, equipment or other health care services; the acquisition or merger of assets among or by two (2) or more rural hospitals, or involving any private hospital in a rural or nonrural area, including agreements to negotiate jointly with respect to price or other competitive terms with suppliers. The term "cooperative agreement" includes any amendments thereto with respect to which a certificate of public advantage has been issued or applied for or with respect to which a certificate of public advantage is not required, unless the context clearly requires otherwise.

(f) "Department" means the State Department of Health created under Section 41-3-15.

(g) "Hospital" has the meaning set forth in Section 41-9-3.

(h) "Private hospital" means any for-profit or nonprofit hospital or hospital system controlled by private parties or in which private parties hold a majority interest.



(i) "Rural area" means an area with a population density of less than one hundred (100) individuals per square mile; a municipality or county with a population of less than seven thousand five hundred (7,500) individuals; or an area defined by the most recent United States Census as rural.

( \*\*j) "Rural hospital" means a private or community hospital having at least one (1) but no more than seventy-five (75) licensed acute-care beds that is located in a rural area.

( \*\*k) "State" means the State of Mississippi.

( \*\*l) "State Health Officer" means the State Health Officer elected by the State Board of Health under Section \*\* 41-3-5.1.

The use of a singular term in this section includes the plural of that term, and the use of a plural term in this section includes the singular of that term, unless the context clearly requires another connotation.

SECTION 11. Section 41-9-307, Mississippi Code of 1972, is amended as follows:

41-9-307. (1) A rural hospital and any corporation, partnership, joint venture or any other entity, all of whose principals are rural hospitals, may negotiate and enter into cooperative agreements with other such persons in the state, subject to receipt of a certificate of public advantage governing the agreement as provided in this act.

(2) Any private hospital, whether in a rural or nonrural area, and any other corporation, partnership, joint venture or any other entity may negotiate and enter into cooperative agreements with other such persons in the state, subject to receipt of a certificate of public advantage governing the agreement as provided in this act.

(3) Parties to a cooperative agreement may apply to the department for a certificate of public advantage governing that cooperative agreement. The application must include an executed written copy of the cooperative agreement and describe the nature and scope of the cooperation in the agreement and any consideration passing to any party under the agreement. Within thirty (30) days of receipt of the application, the department may request additional information as may be necessary to complete the application. The applicant has thirty (30) days from the date of the request to submit the additional information. If the applicant fails to submit the requested information within the thirty-day period, or any extension of time granted by the department, the application is deemed withdrawn. The department may require an application fee from the submitting parties sufficient to cover the cost of processing the application.

( \*\*4) The department shall review the application in accordance with the standards set forth in subsection ( \*\*5) of this section. The department shall give notice of the application to members of the public who reside in the service areas of the applicant hospitals, which may be provided through newspapers of general circulation or public information channels. If requested by an affected person within thirty (30) days of the giving of the public notice, the department may hold a public hearing in accordance with the rules adopted by the board. The department shall grant or deny the application within sixty (60) days after receipt of a completed application or from the date of the public hearing, if one is held, and that decision, along with any conditions of approval, must be in writing and must set forth the basis for the decision. The department may establish conditions for approval that are reasonably necessary to ensure that the cooperative agreement and the activities engaged under it are consistent with the intent of this act and to ensure that the activity is appropriately supervised and regulated by the state. The department shall furnish a copy of the decision to the applicants and any affected persons who have asked in writing to be notified.

( \*\* \*5) The department shall issue a certificate of public advantage for a cooperative agreement if it determines that:

(a) Each of the parties to the cooperative agreement is a rural hospital or is a corporation, partnership, joint venture or other entity all of whose principals are rural hospitals, or a private hospital is a party to the cooperative agreement;

(b) The geographic service area of the rural hospitals or private hospitals who are parties to the agreement do not overlap significantly; and

(c) The cooperative agreement is likely to result in one or more of the following benefits:

(i) Enhancement of the quality of hospital and hospital-related care provided to Mississippi citizens;

(ii) Preservation of hospital facilities and health care in rural and nonrural areas;

(iii) Gains in the cost-efficiency of services provided by the hospitals involved;

(iv) Encouragement of cost-sharing among the hospitals involved;

(v) Improvements in the utilization of hospital resources and equipment; or

(vi) Avoidance or reduction of duplication of hospital resources or expenses, including administrative expenses.

( \*\* \*6) The department shall actively monitor and regulate agreements approved under this act, and may do so through conditions of approval of a certificate of public advantage, and may request information whenever necessary to ensure that the agreements remain in compliance with the conditions of approval. The department may charge an annual fee to cover the cost of monitoring and regulating these agreements. During the time the certificate is in effect, a report on the activities under the cooperative agreement must be filed with the department every two (2) years. The department shall review the report in order to determine that the cooperative agreement continues to comply with the terms of the certificate of public advantage.

( \*\* \*7) The department shall revoke a certificate of public advantage by giving written notice to each party to a cooperative agreement with respect to which the certificate is being revoked, if it finds that:

(a) The cooperative agreement or activities undertaken by it are not in substantial compliance with the terms of the application or the conditions of approval;

(b) The likely benefits resulting from the cooperative agreement no longer exist; or

(c) The department's approval was obtained as a result of intentional material misrepresentation to the department or as the result of coercion, threats or intimidation toward any party to the cooperative agreement.

( \*\* \*8) The department shall maintain on file all cooperative agreements for which certificates of public advantage remain in effect. A party to a cooperative agreement who terminates or withdraws from the agreement shall notify the department within fifteen (15) days of the termination or withdrawal. If all parties terminate their participation in the

cooperative agreement, the department shall revoke the certificate of public advantage for the agreement.

( \*\* \*9) The parties to a cooperative agreement with respect to which a certificate of advantage is in effect must notify the department of any proposed amendment to the cooperative agreement, including an amendment to add an additional party but excluding an amendment to remove or to reflect the withdrawal of a party, before the amendment takes effect. The parties must apply to the department for a certificate of public advantage governing the amendment and the department shall consider and rule on the application in accordance with the procedures applicable to cooperative agreements generally.

( \*\* \*10) The department may promulgate rules and regulations in accordance with the Administrative Procedures Law as in effect from time to time to implement the provisions of this act, including any fees and application costs associated with the monitoring and oversight of cooperative agreements approved under this act.

( \*\* \*11) A dispute among the parties to a cooperative agreement concerning its meaning or terms is governed by the principles of contract law or any other applicable law.

SECTION 12. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-13-35, MISSISSIPPI CODE OF 1972, TO CLARIFY AND EXPAND THE POWERS AND DUTIES OF THE BOARDS OF TRUSTEES OF COMMUNITY HOSPITALS AND TO PROVIDE THAT ANY CONSOLIDATION OR COLLABORATION INVOLVING A COMMUNITY HOSPITAL AND OTHER PUBLIC, PRIVATE OR NONPROFIT HOSPITALS, HEALTH CARE FACILITIES OR PROVIDERS SHALL BE IMMUNE FROM LIABILITY UNDER THE FEDERAL AND STATE ANTITRUST OR COMPETITION LAWS TO THE FULLEST EXTENT ALLOWED BY LAW; TO AMEND SECTION 41-13-29, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM PER DIEM PAYABLE TO TRUSTEES; TO AMEND SECTION 37-115-50, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACADEMIC MEDICAL CENTER AND ITS HEALTH CARE COLLABORATIVES ACTING INDIVIDUALLY OR JOINTLY SHALL BE IMMUNIZED FROM LIABILITY UNDER THE FEDERAL AND STATE ANTITRUST OR COMPETITION LAWS TO THE FULLEST EXTENT ALLOWED BY LAW; TO CREATE NEW SECTION 37-115-50.2, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN LEGISLATIVE FINDINGS AND DECLARATIONS RELATED TO THE ACT; TO CREATE NEW SECTION 37-115-50.3, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN POWERS TO THE ACADEMIC MEDICAL CENTER AND ITS HEALTH CARE COLLABORATIVES SUBJECT TO ANY REQUIRED APPROVAL OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 75-21-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO AMEND SECTIONS 41-9-301, 41-9-303, 41-9-305 AND 41-9-307, MISSISSIPPI CODE OF 1972, TO INCLUDE PRIVATE HOSPITALS IN THE RURAL HEALTH AVAILABILITY ACT AND RENAME THE ACT AS THE "RURAL AND PRIVATE HOSPITALS HEALTH AVAILABILITY ACT;" TO PROVIDE THAT PRIVATE HOSPITALS, WHETHER IN A RURAL OR NONRURAL AREA, AND ANY OTHER ENTITY MAY NEGOTIATE AND ENTER INTO COOPERATIVE AGREEMENTS, SUBJECT TO RECEIPT OF A CERTIFICATE OF PUBLIC ADVANTAGE GOVERNING THE AGREEMENT THAT IS APPROVED BY THE STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2323** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator Bryan called up the following House Amendment to **S. B. No. 2750** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

AMEND by deleting Section 2 and inserting in lieu thereof the following:

"SECTION 2. This act shall take effect and be in force from and after July 1, 2023."

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2750** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator Polk called up the following House Amendment to **S. B. No. 2053** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 36 by inserting the following language after "2023":

", and shall stand repealed on June 30, 2023".

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Senator Polk called up the following House Amendments to **S. B. No. 2054** and moved that the Senate decline to concur in the Amendments, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 55 by inserting the following language after the word "appointed":  
"unless circumstances exist that justify the absence".

AMENDMENT NO. 2:

AMEND by adding the following at the end of the effective date section before the period: ", and shall stand repealed on June 30, 2023".

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Senator Bryan called up the following House Amendment to **S. B. No. 2369** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-1-1, Mississippi Code of 1972, is amended as follows:

43-1-1. (1) The Department of Human Services shall be the State Department of Public Welfare and shall retain all powers and duties as granted to the State Department of Public Welfare. Wherever the term "State Department of Public Welfare" or "State Board of Public Welfare" appears in any law, the same shall mean the Department of Human Services. The Executive Director of Human Services may assign to the appropriate offices such powers and duties deemed appropriate to carry out the lawful functions of the department.

(2) This section shall stand repealed on July 1, \* \* \* 2026.

SECTION 2. Section 43-1-2, Mississippi Code of 1972, is amended as follows:

43-1-2. (1) There is created the Mississippi Department of Human Services, whose offices shall be located in Jackson, Mississippi, and which shall be under the policy direction of the Governor.

(2) The chief administrative officer of the department shall be the Executive Director of Human Services. The Governor shall appoint the Executive Director of Human Services with the advice and consent of the Senate, and he shall serve at the will and pleasure of the Governor, and until his successor is appointed and qualified. The Executive Director of Human Services shall possess the following qualifications:

(a) A bachelor's degree from an accredited institution of higher learning and ten (10) years' experience in management, public administration, finance or accounting; or

(b) A master's or doctoral degree from an accredited institution of higher learning and five (5) years' experience in management, public administration, finance or accounting.

Those qualifications shall be certified by the State Personnel Board.

(3) There shall be a Joint Oversight Committee of the Department of Human Services composed of the respective Chairmen of the Senate Public Health and Welfare Committee, the Senate Appropriations Committee, the House Public Health and Human Services Committee and the House Appropriations Committee, three (3) members of the

Senate appointed by the Lieutenant Governor to serve at the will and pleasure of the Lieutenant Governor, and three (3) members of the House of Representatives appointed by the Speaker of the House to serve at the will and pleasure of the Speaker. The chairmanship of the committee shall alternate for twelve-month periods between the Senate members and the House members, on May 1 of each year, with the Chairman of the Senate Public Health and Welfare Committee serving as chairman beginning in even-numbered years, and the Chairman of the House Public Health and Human Services Committee serving as chairman beginning in odd-numbered years. The committee shall meet once each quarter, or upon the call of the chairman at such times as he deems necessary or advisable, and may make recommendations to the Legislature pertaining to any matter within the jurisdiction of the Mississippi Department of Human Services. The appointing authorities may designate an alternate member from their respective houses to serve when the regular designee is unable to attend such meetings of the oversight committee. For attending meetings of the oversight committee, such legislators shall receive per diem and expenses which shall be paid from the contingent expense funds of their respective houses in the same amounts as provided for committee meetings when the Legislature is not in session; however, no per diem and expenses for attending meetings of the committee will be paid while the Legislature is in session. No per diem and expenses will be paid except for attending meetings of the oversight committee without prior approval of the proper committee in their respective houses.

(4) The Department of Human Services shall provide the services authorized by law to every individual determined to be eligible therefor, and in carrying out the purposes of the department, the executive director is authorized:

(a) To formulate the policy of the department regarding human services within the jurisdiction of the department;

(b) To adopt, modify, repeal and promulgate, after due notice and hearing, and where not otherwise prohibited by federal or state law, to make exceptions to and grant exemptions and variances from, and to enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction, all of which shall be binding upon the county departments of human services;

(c) To apply for, receive and expend any federal or state funds or contributions, gifts, devises, bequests or funds from any other source;

(d) Except as limited by Section 43-1-3, to enter into and execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the programs of the department; and

(e) To discharge such other duties, responsibilities and powers as are necessary to implement the programs of the department.

(5) The executive director shall establish the organizational structure of the Mississippi Department of Human Services which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law, including, but not limited to:

(a) \* \* \* Office of Youth Services;

( \* \* \*b) Office of Economic \* \* \* Programs;

( \* \* \*c) Office of Child Support Enforcement; or

( \*\* \*d) Office of Field Operations to administer any state or county level programs under the purview of the Mississippi Department of Human Services, with the exception of programs \* \* \* that fall under \* \* \* paragraph (a) \* \* \* of this subsection.

(6) The Executive Director of Human Services shall appoint heads of offices, bureaus and divisions, as defined in Section 7-17-11, who shall serve at the pleasure of the executive director. The salary and compensation of such office, bureau and division heads shall be subject to the rules and regulations adopted and promulgated by the State Personnel Board as created under Section 25-9-101 et seq. The executive director shall have the authority to organize offices as deemed appropriate to carry out the responsibilities of the department. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(7) This section shall stand repealed on July 1, \* \* \* 2026.

SECTION 3. Section 43-1-3, Mississippi Code of 1972, is amended as follows:

43-1-3. Notwithstanding the authority granted under subsection (4)(d) of Section 43-1-2, the Department of Human Services or the Executive Director of Human Services shall not be authorized to delegate, privatize or otherwise enter into a contract with a private entity for the operation of any office, bureau or division of the department, as defined in Section 7-17-11, without specific authority to do so by general act of the Legislature. However, nothing in this section shall be construed to invalidate (a) any contract of the department that is in place and operational before January 1, 1994; or (b) the continued renewal of any such contract with the same entity upon the expiration of the contract; or (c) the execution of a contract with another legal entity as a replacement of any such contract that is expiring, provided that the replacement contract is substantially the same as the expiring contract. Nothing in this section shall prohibit the Department of Human Services or the Executive Director of Human Services from entering into any contract with vendors or contractors intended to improve performance, reduce costs or increase efficiency, so long as the contract remains under the supervision or control of an office, bureau or division of the department, and provided that no county office of the department may be closed unless the Legislature specifically authorizes its closure in advance of the closure.

This section shall stand repealed on July 1, \* \* \* 2026.

SECTION 4. Section 43-1-5, Mississippi Code of 1972, is amended as follows:

43-1-5. It shall be the duty of the Department of Human Services to:

(1) Establish and maintain programs not inconsistent with the terms of this chapter and the rules, regulations and policies of the Department of Human Services, and publish the rules and regulations of the department pertaining to such programs.

(2) Make such reports in such form and containing such information as the federal government may, from time to time, require, and comply with such provisions as the federal government may, from time to time, find necessary to assure the correctness and verification of such reports.

(3) Within ninety (90) days after the end of each fiscal year, and at each regular session of the Legislature, make and publish one (1) report to the Governor and to the Legislature, showing for the period of time covered, in each county and for the state as a whole:

(a) The total number of recipients;

(b) The total amount paid to them in cash;

- (c) The maximum and the minimum amount paid to any recipients in any one (1) month;
- (d) The total number of applications;
- (e) The number granted;
- (f) The number denied;
- (g) The number cancelled;
- (h) The amount expended for administration of the provisions of this chapter;
- (i) The amount of money received from the federal government, if any;
- (j) The amount of money received from recipients of assistance and from their estates and the disposition of same;
- (k) Such other information and recommendations as the Governor may require or the department shall deem advisable;
- (l) The number of state-owned automobiles purchased and operated during the year by the department, the number purchased and operated out of funds appropriated by the Legislature, the number purchased and operated out of any other public funds, the miles traveled per automobile, the total miles traveled, the average cost per mile and depreciation estimate on each automobile;
- (m) The cost per mile and total number of miles traveled by department employees in privately owned automobiles, for which reimbursement is made out of state funds;
- (n) Each association, convention or meeting attended by any department employees, the purposes thereof, the names of the employees attending and the total cost to the state of such convention, association or meeting;
- (o) How the money appropriated to the institutions under the jurisdiction of the department has been expended during the preceding year, beginning and ending with the fiscal year of each institution, exhibiting the salaries paid to officers and employees of the institutions, and each and every item of receipt and expenditure;
- (p) The activities of each office within the Department of Human Services and recommendations for improvement of the services to be performed by each division.

Each report shall be balanced and shall begin with the balance at the end of the preceding fiscal year, and if any property belonging to the state or the institution is used for profit, such report shall show the expenses incurred in managing the property and the amount received from the same. Such reports shall also show a summary of the gross receipts and gross disbursements for each fiscal year and shall show the money on hand at the beginning of the fiscal period of each division and institution of the department.

This section shall stand repealed on July 1, \* \* \* 2026.

SECTION 5. Section 43-27-20, Mississippi Code of 1972, is amended as follows:

43-27-20. (a) Within the \* \* \* Division of Youth Services there shall be \* \* \* an Office of Community Services, which shall be headed by a director appointed by and responsible to the Director of the \* \* \* Division of Youth Services. \* \* \* Each director shall hold a master's degree in social work or a related field and shall have no less than three



(3) years' experience in social services, or in lieu of such degree and experience, \* \* \* the director shall have a minimum of eight (8) years' experience in social work or a related field. \* \* \* Each director shall employ and assign the community workers to serve in the various areas in the state and any other supporting personnel necessary to carry out the duties of the \* \* \* Office of Community Services.

(b) The Director of the \* \* \* Office of Community Services shall assign probation and aftercare workers to the youth court or family court judges of the various court districts upon the request of the individual judge on the basis of caseload and need, when funds are available. \* \* \* The Director of the \* \* \* Office of Community Services is authorized to assign a youth services counselor to \* \* \* various court districts upon the approval of the \* \* \* appropriate judge \* \* \* and the Director of the Division of Youth Services. \* \* \*

(c) Any counties or cities which, on July 1, 1973, have court counselors or similar personnel may continue using this personnel or may choose to come within the statewide framework.

(d) A probation and aftercare worker may be transferred by the division from one (1) court to another after consultation with the judge or judges in the court to which the employee is currently assigned.

(e) The \* \* \* Office of Community Services shall have such duties as the \* \* \* Division of Youth Services shall assign to it which shall include, but not be limited to, the following:

( \* \* \*i) Preparing the social, educational and home-life history and other diagnostic reports on the child for the benefit of the court or the training school; however, this provision shall not abridge the power of the court to require similar services from other agencies, according to law.

( \* \* \*ii) Serving in counseling capacities with the youth or family courts.

( \* \* \*iii) Serving as probation agents for the youth or family courts.

( \* \* \*iv) Serving, advising and counseling of children \* \* \* under the control of the Division of \* \* \* Youth Services as may be necessary to the placement of the children in their proper environment \* \* \* upon release and the placement of children in suitable jobs where necessary and proper.

( \* \* \*v) Supervising and guiding of children released or conditionally released from institutions under the control of the Division of \* \* \* Youth Services.

\* \* \*

( \* \* \*vi) Coordinating the activities of supporting community agencies which aid in the social adjustment of children released from the institution and in an aftercare program.

( \* \* \*vii) Providing \* \* \* linkage and/or referral for services leading to the rehabilitation of delinquents, either within the division or through cooperative arrangements with other appropriate agencies.

( \* \* \*viii) Providing counseling and supervision for any child under ten (10) years of age who has been brought to the attention of the court when other suitable personnel is not available and upon request of the court concerned.

( \* \* \*ix) Supervising the completion of aftercare programs \* \* \* and/or making revocation investigations at the request of the court.

( \*\* \*x) \*\* \* Implementing a Standardized Risk Assessment Tool for use in the community.

( \*\* \*xi) \*\* \* Developing and implementing a graduated sanctions policy for use within the community.

(e) This section shall stand repealed on July 1, \*\* \* 2026.

SECTION 6. Notwithstanding any other provision of law to the contrary, an employee of the Department of Human Services whose employment was effectuated, in whole or in part, with funds received from a grant or contract issued by the State of Mississippi or the United States of America, who was terminated from such employment, shall be prohibited from receiving employment from any other agency, department or institution of the state that uses funds from the same grant or contract to employ personnel.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 43-1-1, 43-1-2, 43-1-3, 43-1-5 AND 43-27-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALERS ON CERTAIN STATUTES RELATING TO THE ADMINISTRATION OF THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES; TO UPDATE THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT AND THE DUTIES OF THE OFFICE OF COMMUNITY SERVICES WITHIN THE DIVISION OF YOUTH SERVICES OF THE DEPARTMENT; TO PROVIDE THAT CERTAIN EMPLOYEES OF THE DEPARTMENT OF HUMAN SERVICES WHO ARE TERMINATED FROM EMPLOYMENT SHALL BE PROHIBITED FROM RECEIVING EMPLOYMENT FROM ANOTHER STATE AGENCY, DEPARTMENT OR INSTITUTION; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2369** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Hill. Total--1.

Absent and those not voting--Tate. Total--1.

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Senator Polk called up the following House Amendment to **S. B. No. 2514** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by adding the following at the end of the effective date section before the period:

", and shall stand repealed on June 30, 2023"

---

Senator Polk called up the following House Amendment to **S. B. No. 2844** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND by adding the following at the end of the effective date section before the period: ", and shall stand repealed on June 30, 2023".

---

Senator Polk called up the following House Amendment to **S. B. No. 2673** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Effective July 1, 2023, the Mississippi Real Estate Appraiser Licensing and Certification Board shall be separated from the Mississippi Real Estate Commission ("commission") and shall thereafter operate as an independent board to be known as the Mississippi Real Estate Appraisal Board ("board").

(2) The Mississippi Real Estate Commission and the Mississippi Real Estate Appraisal Board shall cooperate on the orderly transfer of functions and resources as provided under this act to ensure that by July 1, 2023, the Mississippi Real Estate Appraisal Board shall be fully functional and independent from the Real Estate Commission.

(3) The Mississippi Real Estate Commission and the Mississippi Real Estate Appraisal Board shall comply with the provisions of Section 5-11-1 et seq., regarding the transfer of agency functions.

(4) (a) The Mississippi State Personnel Board shall provide assistance to the commission and the board to ensure that all authorized positions of the Mississippi Real Estate Appraiser Licensing and Certification Board are identified and properly assigned to the Mississippi Real Estate Appraisal Board by July 1, 2023.

(b) The Department of Finance and Administration shall assist the Mississippi Real Estate Appraisal Board in identifying office space appropriate to meet its needs in a state-owned office building if possible, and shall further provide any temporary accounting or other assistance to the board to assist the board in becoming operational and independent.

(c) The Department of Information Technology Services shall provide assistance to the Mississippi Real Estate Appraisal Board to ensure that any and all computer systems, web pages and other information technology communications systems are operational by July 1, 2023.

(d) Beginning on July 1, 2023, wherever the terms "Mississippi Real Estate Appraiser Licensing and Certification Board" or "board," when referring to the Mississippi

Real Estate Appraiser Licensing and Certification Board, appear in any law, rule, regulation or document the same shall be construed to mean the Mississippi Real Estate Appraisal Board.

SECTION 2. Section 73-34-3, Mississippi Code of 1972, is amended as follows:

73-34-3. As used in this chapter, the following terms and phrases shall have the following meanings unless the context clearly indicates otherwise:

(a) "Appraisal" means an analysis, opinion or conclusion prepared by a real estate appraiser relating to the nature, quality, value or utility of specified interests in, or aspects of, identified real estate or identified real property performed in accordance with the Uniform Standards for Professional Appraisal Practice. An appraisal may be classified by the nature of the assignment into either a valuation assignment or an evaluation assignment. The term "valuation assignment" means an analysis, opinion or conclusion prepared by a real estate appraiser that estimates the value of an identified parcel of real estate or identified real property at a particular point in time. The term "evaluation assignment" means an analysis, opinion or conclusion prepared by a real estate appraiser that relates to the nature, quality or utility of identified real estate or identified real property.

(b) "Appraisal report" means any communication, written or oral, of an appraisal. For the purposes of this chapter, the testimony of an appraiser dealing with the appraiser's analyses, conclusions or opinions concerning identified real property is deemed to be an oral appraisal report.

(c) "Board" means the Mississippi Real Estate \* \* \* Appraisal Board that is established under the provisions of this chapter.

(d) "Certified appraisal report" means an appraisal report given or signed and certified as such by a state certified real estate appraiser. When a state certified real estate appraiser identifies an appraisal report as "certified," such state certified real estate appraiser must indicate which type of certification he holds. The certification of an appraisal report by a state certified real estate appraiser represents to the public that it meets the appraisal standards established under this chapter.

\* \* \*

( \* \* \*e) "Licensed real estate appraiser" means a person who holds a current, valid appraisal license issued to him under the provisions of this chapter.

( \* \* \*f) "Real estate or real property" means an identified parcel or tract of land, with improvements, and includes easements, rights-of-way, undivided or future interest, or similar rights in a tract of land, but does not include mineral rights, timber rights, growing crops, water rights, or similar interests severable from the land when the transaction does not involve the associated parcel or tract of land.

( \* \* \*g) "Real estate appraisal activity" means the act or process of making an appraisal of real estate or real property and preparing an appraisal report.

( \* \* \*h) "Real estate appraiser" means a person who engages in real estate appraisal activity for a fee or other valuable consideration.

( \* \* \*i) "Real property" means one or more defined interests, benefits or rights inherent in the ownership of real estate.

( \* \* \*j) "State certified real estate appraiser" means a person who holds a current, valid license as a real estate appraiser issued to him under the provisions of this chapter for certified real estate appraisers.

( \*\* \*k) "Appraisal management company" or "AMC" means, in connection with valuing properties collateralizing mortgage loans or mortgages incorporated into a securitization, any external third party that oversees a network or panel of more than fifteen (15) certified or licensed appraisers in this state or twenty-five (25) or more nationally within a given year, that is authorized either by a creditor of a consumer credit transaction secured by a consumer's principal dwelling or by an underwriter of or other principal in the secondary mortgage markets to:

(i) Recruit, select, and retain appraisers;

(ii) Contract with licensed and certified appraisers to perform appraisal assignments;

(iii) Manage the process of having an appraisal performed, including providing administrative duties such as receiving appraisal orders and appraisal reports, submitting completed appraisal reports to creditors and underwriters, collecting fees from creditors and underwriters for services

provided, and reimbursing appraisers for services performed; or

(iv) Review and verify the work of appraisers.

( \*\* \*l) "Appraisal review" means the act or process of developing and communicating an opinion about the quality of another appraiser's work that was performed as part of an appraisal assignment, except that a quality control examination of an appraisal shall not be an appraisal review.

( \*\* \*m) "Appraiser" means an individual who holds a license or certification as an appraiser and is expected to perform valuation services competently and in a manner that is independent, impartial and objective.

( \*\* \*n) "Appraiser panel" means a network, list or roster of licensed or certified appraisers approved by an AMC to perform appraisals as independent contractors for the AMC.

( \*\* \*o) "Controlling person" means:

(i) An officer or director, or owner of greater than a ten percent (10%) interest, of a corporation, partnership or other business entity, seeking to act as an appraisal management company in this state;

(ii) An individual employed, appointed, or authorized by an appraisal management company that has the authority to enter into a contractual relationship with other persons for the performance of services requiring registration as an appraisal management company and has the authority to enter

into agreements with appraisers for the performance of appraisals; or

(iii) An individual who possesses, directly or indirectly, the power to direct or cause the direction of

the management or policies of an appraisal management company.

( \*\* \*p) "Federal financial institutions regulatory agencies" means the Board of Governors of the Federal Reserve System, the Federal Deposit Insurance Corporation, the Office of the Comptroller of the Currency, the Office of Thrift Supervision, and the National Credit Union Administration.

( \*\*q) "Federally related transaction" means any real estate-related financial transaction which a federal financial institutions regulatory agency or the Resolution Trust Corporation engages in, contracts for, or regulates, and which requires the services of an appraiser.

( \*\*r) "Person" means an individual, firm, partnership, limited partnership, limited liability company, association, corporation, or other group engaged in joint-business activities, however organized.

( \*\*s) "Quality control examination" means an examination of an appraisal report for compliance and completeness, including grammatical, mathematical, typographical or other similar errors.

( \*\*t) "Real estate-related financial transaction" means any transaction involving:

(i) The sale, lease, purchase, auction, investment in or exchange of real property, including interests in

property, or the financing thereof;

(ii) The refinancing of real property or interests in real property; and

(iii) The use of real property or interests in property as security for a loan or investment, including

mortgage-backed securities.

( \*\*u) "Uniform Standards of Professional Appraisal Practice" means the current standards of the appraisal profession, developed for appraisers and users of appraisal services by the Appraisal Standards Board of the Appraisal Foundation.

( \*\*v) "USPAP" means the Uniform Standards of Professional Appraisal Practice.

( \*\*w) "Appraisal Foundation" means the Appraisal Foundation, as defined by 12 USC Section 3350, or its successor.

( \*\*x) "Appraisal Standards Board" means the Appraisal Standards Board of the Appraisal Foundation, or its successor.

( \*\*y) "Appraisal Subcommittee" means the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, or its successor.

( \*\*z) "Appraiser Qualifications Board" means the Appraiser Qualifications Board of the Appraisal Foundation, or its successor.

( \*\*aa) "Supervisory appraiser" means a supervisory appraiser as defined by the Appraiser Qualifications Board.

( \*\*bb) "Trainee appraiser" means a trainee appraiser as defined by the Appraiser Qualifications Board.

SECTION 3. Section 73-34-5, Mississippi Code of 1972, is amended as follows:

73-34-5. (1) Except as otherwise provided for in this section, it shall be unlawful for anyone to engage in real estate appraisal activity in this state without first obtaining one (1) of the three (3) real estate appraiser licenses as provided in this chapter.

(a) Any person who is engaged in real estate appraisal activity on July 1, 1990, shall continue through June 30, 1991, to be subject to the provisions of the Real Estate Brokers License Law of 1954, but, thereafter, all real estate appraisal activity shall be governed by and licensed pursuant to the provisions of this chapter. However, if the United States Congress or the Appraisal Subcommittee of the Federal Financial Institutions Examination Council extends the effective date for the use of certified or licensed appraisers in federally related transactions, then the above date of June 30, 1991, shall be extended to the date immediately preceding such extended effective date. In addition, if such Appraisal Subcommittee waives any requirement relating to certification or licensing of persons to perform appraisals in Mississippi, then such waiver shall also be effective in Mississippi under the Real Estate Appraiser Licensing and Certification Act and such requirement shall be waived by the Real Estate \* \* \* Appraisal Board until the waiver is terminated by the Appraisal Subcommittee. The Mississippi Real Estate \* \* \* Appraisal Board shall waive or modify statutory minimum requirements for hours of courses of study and provide by regulation for applicants who desire to do so to challenge the examinations, or one or some of them, by taking an examination on such courses without actually taking such courses, if such waivers or modifications are allowed or allowable under law or regulations adopted and promulgated by the United States Congress or the Appraisal Subcommittee of the Federal Financial Institutions Examination Council.

(b) The provisions of this chapter shall not apply to any director, officer or salaried employee of commercial banks, savings banks, credit unions, and savings and loan associations, when engaged in appraisal or evaluation activities for and on behalf of such financial institution unless there is a fee charged for the appraisal or evaluation; provided that a federal statute, rule or regulation does not require such appraisal or evaluation activities to be performed by a state licensed appraiser.

(c) This section shall not be construed to apply to individuals who do not render significant professional assistance in arriving at a real estate appraisal analysis, opinion or conclusion. Examples of the type of assistance which are not considered "significant professional assistance" under this section include the following: (i) assistance in obtaining the data upon which the appraisal is based; (ii) assistance in the physical preparation of the appraisal report (such as taking photographs, preparing charts, maps or graphs, or typing or printing the report); and (iii) any other assistance that does not directly involve the exercise of judgment in arriving at the analysis, opinions or conclusions concerning real estate or real property set forth in the appraisal report.

(2) The provisions of this chapter shall not apply to:

(a) Any state, county, or municipal public officers or their salaried employees while performing their duties as such;

(b) The employees of private firms engaged pursuant to Section 27-35-165(2)(a) who perform work under the direction of the county tax assessor; or

(c) Private consultants hired pursuant to Section 27-35-165(2)(b) and all personnel employed or otherwise engaged by private consultants to appraise property who perform work under the direction of the county tax assessor.

(3) No license shall be issued under the provisions of this chapter to a corporation, partnership, firm or group.

(4) The provisions of this chapter shall not apply to individuals performing timber cruises, valuation on timberland real estate appraisals for nonfederally related transactions.

(5) The provisions of this chapter shall not apply to real estate licensees who are on active status and who perform a broker price opinion pursuant to Section 73-35-4.

SECTION 4. Section 73-34-7, Mississippi Code of 1972, is amended as follows:

73-34-7. (1) (a) There is hereby established \*\*\* a board to be known as the Mississippi Real Estate \*\*\* Appraisal Board, which shall consist of \*\*\* five (5) members. \*\*\*

\*\*\*

(\*\*\*b) \*\*\* The five (5) members shall be appointed by the Governor, with the advice and consent of the Senate, one (1) from each congressional district as such district existed on July 1, 2004, and one (1) from the state at large. The provisions of this paragraph (\*\*\*) shall not affect persons who are members of the \*\*\* board as of \*\*\* January 1, 2023. Such member(s) shall serve out their respective terms, upon the expiration of which the provisions of this paragraph (\*\*\*) shall take effect. Nothing provided herein shall be construed as prohibiting the reappointment of any member of the \*\*\* board.

(\*\*\*c) At least \*\*\* two (2) members shall be certified general real estate appraisers \*\*\* and at least two (2) members shall be \*\*\* certified residential real estate appraisers. Not more than two (2) positions on the board shall be filled with appointees who hold membership in the same professional appraisal organization. \*\*\* Each member shall serve for a term of four (4) years. Upon the expiration of a member's term, such member shall continue to serve until the appointment and qualification of a successor. \*\*\* No person shall be appointed as a member of the board for more than \*\*\* three (3) consecutive terms. The Governor may remove an appointed member for cause.

(2) The board shall meet not less than twice a calendar year. Written notice shall be given to each member of the time and place of each meeting of the board at least ten (10) days prior to the scheduled date of the meeting.

(3) A quorum of the board shall be three (3) voting members \*\*\* , and at least one (1) present member must be a licensed certified general real estate appraiser or a certified residential real estate appraiser. Appointed members of the board are entitled to mileage and actual expenses as authorized by Section 25-3-41 and per diem as provided by Section 25-3-69 \*\*\* .

(4) The board shall elect a chairman and such other officers as it deems necessary. Such officers shall serve as such for terms established by the board.

SECTION 5. Section 73-34-9, Mississippi Code of 1972, is amended as follows:

73-34-9. (1) The \*\*\* board shall have the following powers and duties:

(a) To receive applications for licensure as a real estate appraiser and applications for registration as an appraisal management company under this chapter; to establish appropriate administrative procedures for the processing of those applications; to approve or disapprove applications for licensing or registration under this chapter; to issue licenses to qualified applicants under the provisions of this chapter; and to maintain a registry of the names and addresses of individuals who are currently licensed under this chapter.

(b) To administer licensing examinations in the places and at the times as may be required to carry out its responsibilities under this chapter.

\*\*\*

(\*\*\*c) To collect all licensing fees required or permitted by this chapter.



( \*\*d) To take appropriate action upon a decision and the related findings of fact made by the board if, after an administrative hearing, the board (i) determines that a licensed appraiser or a licensed state certified real estate appraiser under this chapter has violated the standards of appraisal practice or ethical rules established under Section 73-34-37, or has committed one or more of the acts that are prohibited by Section 73-34-35, and (ii) recommends that the license of the appraiser be suspended or revoked, that renewal be denied, or that some other disciplinary action be taken.

( \*\*e) To solicit bids and enter into contracts \*\*.

( \*\*f) To promote research and conduct studies relating to the profession of real estate appraising and sponsor real estate appraisal educational activities.

( \*\*g) To adopt rules and regulations for the administration of this chapter that are not inconsistent with the provisions of this chapter or the Constitution and laws of Mississippi or of the United States.

( \*\*h) To employ an \*\* administrator or director who shall keep a record of all proceedings, transactions, communications and official acts of the \*\* board and perform any other duties as the \*\* board may require.

( \*\*i) To employ an appropriate staff to investigate allegations that licensed appraisers or licensed state certified real estate appraisers under this chapter failed to comply with the terms or provisions of this chapter.

( \*\*j) To employ any other professional, clerical and technical assistance as may be necessary to properly administer the work of this chapter.

\*\*\*

( \*\*k) To be responsible for matters relating to real estate appraisal standards, real estate appraiser qualifications, testing standards \*\* and appraisal management companies and enforce the same through its disciplinary functions.

( \*\*l) To hold meetings; to hold public hearings and administrative hearings; and to prepare examination specifications for licensed appraisers and licensed state certified appraisers.

( \*\*m) To enable the board to carry out its responsibilities under this chapter with respect to licensing and registering, the board shall have:

(i) The power to compel the attendance of witnesses;

(ii) The power to require a licensed appraiser or an applicant for licensure to produce books, appraisal documents, records and other papers;

(iii) The power to administer oaths; and

(iv) The power to take testimony and receive evidence concerning all matters within its jurisdiction.

These powers may be exercised directly by the board in such manner as the board shall determine.

( \*\*n) To establish appropriate administrative procedures for disciplinary proceedings conducted under the provisions of this chapter.

( \*\*o) To keep a record of its proceedings and issue an annual report of its activities.

( \*\*p) To further define by rule or regulation, and with respect to each of the categories of licensed appraiser, the type of educational experience, appraisal experience and equivalent experience that will meet the statutory requirements of this chapter and of the Appraiser Qualifications Board.

( \*\*q) To approve or disapprove applications for licensing or registration under this chapter.

( \*\*r) To suspend or revoke licenses or registrations under the disciplinary proceedings provided for in this chapter.

( \*\*s) To present an annual budget to the Mississippi Legislature for approval. \*\*

( \*\*t) To implement all requirements directed by the Appraiser Qualifications Board, Appraisal Subcommittee of the Federal Financial Institutions Examination Council or their designated agent.

( \*\*u) To make rules and regulations providing for an inactive license or registration status and for the reactivation thereof.

( \*\*v) To make rules and regulations necessary to implement its powers and duties under this chapter.

( \*\*w) To do all other things necessary to carry out the provisions of this chapter.

( \*\*x) To adopt rules consistent with the provisions of this chapter which may be reasonably necessary to implement, administer, and enforce the provisions of this chapter.

( \*\*y) To provide for at least one (1) member of the board to represent the appraisal management company industry.

( \*\*z) To establish the standard for measuring residential properties up to four (4) family buildings as promulgated by the American National Standards Institute or as provided in the American Measurement Standard Manual. The board shall require appraisals required to use those standards to indicate on the appraisal or separately appended document which standard was used.

( \*\*aa) To conduct surveys as necessary.

( \*\*2) The members of the \*\* board shall be immune from any civil action or criminal prosecution for initiating or assisting in any lawful investigation of the actions of, or participating in any disciplinary proceeding concerning, an appraiser licensed under this chapter, provided that the action is taken without malicious intent and in the reasonable belief that the action was taken in accordance with the powers and duties vested in the members of the \*\* board under this chapter.

SECTION 6. Section 73-34-13, Mississippi Code of 1972, is amended as follows:

73-34-13. Applications for one (1) of the appraisal licenses, applications for renewal, applications to take an examination, and applications for registration as an appraisal management company shall be made in writing to the \*\* board on approved forms.

The payment of the appropriate fee, as fixed under Section 73-34-45, must accompany all applications for licensure and renewal thereof, all applications to take an examination and all applications for registration as an appraisal management company. At the time of filing an application for licensure under this chapter, for renewal, or for registration as an appraisal management company, each applicant shall sign a pledge to comply with the standards of professional appraisal practices that are established from time to time for licensed appraisers and for licensed certified real estate appraisers under this chapter. Each applicant shall also certify that he understands the types of misconduct, as set forth in this chapter, for which disciplinary proceedings may be initiated against a licensed appraiser or a licensed certified real estate appraiser.

Each application or filing made under this section shall include the last four (4) digits of the applicant's social security number \* \* \*.

SECTION 7. Section 73-34-17, Mississippi Code of 1972, is amended as follows:

73-34-17. To qualify to be a licensed real estate appraiser, an applicant must:

(a) Successfully complete the number and type of classroom hours or other educational qualifications that meet or exceed the qualifications required by the Appraiser Qualifications Board.

(b) Provide evidence satisfactory to the board that the applicant has completed the number of hours of experience in performing appraisals over the specified number of calendar years that meet or exceed the number of hours of experience over the specified number of calendar years as required by the Appraiser Qualifications Board.

(c) Pass any examination administered by the \* \* \* board or its designated agent that is consistent with other requirements of this chapter and approved by the Appraiser Qualifications Board when such approval is required.

(d) Be trustworthy and competent to transact the business of real estate appraising.

(e) Comply with such other requirements as may be prescribed by the board.

The courses of study referred to in paragraph (a) above must (i) be conducted by an accredited university, college or junior college; (ii) be conducted by an approved appraisal society, institute or association; or (iii) be conducted by such other school as may be approved by the board; or (iv) consist of courses relating to appraisal education \* \* \*.

SECTION 8. Section 73-34-27, Mississippi Code of 1972, is amended as follows:

73-34-27. To obtain a renewal of any of the real estate appraisal licenses or a renewal of any registration issued under this chapter, the holder of a current, valid license or registration shall make application and pay the prescribed fee to the \* \* \* board not earlier than one hundred twenty (120) days nor later than the expiration date, as defined in Section 73-34-25, of the license then held. Each application for renewal shall be accompanied by evidence, in the form prescribed by the board, of having completed the continuing education requirements for renewal specified in this chapter.

If a licensed appraiser or licensed certified real estate appraiser under this chapter fails to renew his license, or an appraisal management company fails to renew its registration before its expiration or within any period of extension granted under this chapter, that person or company may obtain a renewal of their license or registration by satisfying all of the requirements for renewal and filing an application for renewal,

accompanied by a late renewal fee, within sixty (60) days of the date that the license or registration expired.

From and after January 1, 2015, all applicants for a real estate appraisal license renewal shall undergo a fingerprint-based criminal history records check of the Mississippi central criminal database and the Federal Bureau of Investigation criminal history database pursuant to the provisions of Section 73-34-14.

SECTION 9. Section 73-34-35, Mississippi Code of 1972, is amended as follows:

73-34-35. (1) An application for licensure or renewal may be denied, and the rights of any licensed appraiser or licensed certified real estate appraiser may be revoked or suspended, or the holder of the license may be otherwise disciplined, in accordance with the provisions of this chapter for any of the following acts or omissions:

(a) Failing to meet the minimum qualifications for licensure established under this chapter;

(b) Procuring or attempting to procure licensure under this chapter by knowingly making a false statement, submitting false information or making a material misrepresentation in an application filed with the \* \* \* board or procuring or attempting to procure licensure through any form of fraud or misrepresentation;

(c) Paying money other than the fees provided for by this chapter to any member or employee of the \* \* \* board to procure licensure under this chapter;

(d) An act or omission in the practice of real estate appraising which constitutes dishonesty, fraud or misrepresentation with the intent to substantially benefit the licensee or another person or with the intent to substantially injure another person;

(e) Entry of a final civil or criminal judgment against a licensee on grounds of fraud, misrepresentation or deceit;

(f) Conviction, including a conviction based upon a plea or finding of guilty, of a crime which is substantially related to the qualifications, functions or duties of a person developing real estate appraisals and communicating real estate appraisals to others;

(g) Engaging in the business of real estate appraising under an assumed or fictitious name not properly registered in this state;

(h) Paying a finder's fee or a referral fee;

(i) Making a false or misleading statement in that portion of a written appraisal report that deals with professional qualifications or in any testimony concerning professional qualifications;

(j) Issuing an appraisal on any real property in which the appraiser has an interest through fee simple ownership, leasehold, rental agreement or auction agreement;

(k) Taking a listing for the sale of a property within ninety (90) days of appraising such property, except as may be otherwise agreed upon by all parties and disclosed in the listing agreement; or

(l) Any act or conduct, whether the same or of a different character than specified above, which constitutes or demonstrates bad faith, incompetency or untrustworthiness; or dishonest, fraudulent or improper dealing; or any other violation of the provisions of this chapter and of rules and regulations established by the board.

(2) In accordance with the laws of this state, and to the extent permitted by any applicable federal legislation or regulation, the board may censure an appraisal management company, conditionally or unconditionally suspend or revoke any registration issued under this chapter, or deny renewal of any registration issued under this chapter, or levy fines or impose civil penalties not to exceed Five Thousand Dollars (\$5,000.00), if after appropriate investigation the board concludes that an appraisal management company is attempting to perform, has performed, or has attempted to perform any of the following acts:

- (a) Committed any act in violation of this chapter;
- (b) Violated any rule or regulation adopted by the board in the interest of the public and consistent with the provisions of this chapter; or
- (c) Procured a registration for itself or any other person by fraud, misrepresentation or deceit.

(3) In order to promote voluntary compliance, encourage appraisal management companies to correct errors promptly, and ensure a fair and consistent approach to enforcement, the board is authorized to impose fines or civil penalties that are reasonable in light of the nature, extent and severity of the violation. The board is also authorized to take action against an appraisal management company's registration, if at all, only after less

severe sanctions have proven insufficient to ensure behavior consistent with this chapter. When deciding whether to impose a sanction permitted by subsection (2), determining the sanction that is most appropriate in a specific instance, or making any other discretionary decision regarding the enforcement of this chapter, the board shall consider whether an appraisal management company:

- (a) Has an effective program reasonably designed to ensure compliance with this chapter;
- (b) Has taken prompt and appropriate steps to correct and prevent the recurrence of any detected violations; and
- (c) Has independently reported to the board any significant violations or potential violations of this chapter, before an imminent threat of disclosure or investigation and within a reasonably prompt time after becoming aware of their occurrence.

(4) In addition to the reasons specified in subsection (1) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 10. Section 73-34-41, Mississippi Code of 1972, is amended as follows:

73-34-41. The \* \* \* board may investigate \* \* \* the actions of an individual licensed or entity registered under this chapter or an applicant for licensure, renewal or registration. Upon compliance with the procedural requirements set forth in this chapter, the board may revoke or suspend the license or otherwise discipline a licensed appraiser, licensed certified real estate appraiser or registered appraisal management company, or deny an application or registration, for any of the acts or omissions set forth in Section 73-34-35.

Upon receipt of information indicating that a licensed appraiser, licensed certified real estate appraiser or a registered appraisal management company may have committed a violation under Section 73-34-35, the board may, upon compliance with the procedural requirements set forth in this chapter, revoke or suspend the license or otherwise discipline the licensee or registrant, or deny an application or registration, for any of the acts or omissions set forth in Section 73-34-35.

Upon receipt of information indicating that a licensed appraiser, licensed certified real estate appraiser or registered appraisal management company may have committed a violation under Section 73-34-35, the \*\*\* board \*\*\* may cause one or more of the investigators on its staff to make an investigation of the facts to determine whether or not there is evidence of any such violation. If technical assistance is required, a staff investigator may consult with not more than two (2) of the voting members of the board. If a voting member of the board is consulted and renders assistance in an investigation, such member shall be excused from service on the board in connection with any administrative hearing that results from such investigation.

In any investigation made by the \*\*\* board's investigative staff, the board shall have the power to compel the attendance of witnesses and the production of books, appraisal documents, records and other papers, the power to administer oaths, and the power to take testimony and receive evidence concerning all matters within its jurisdiction.

If an investigation indicates that a licensed appraiser, licensed certified real estate appraiser or registered appraisal management company has committed a violation under Section 73-34-35, a formal complaint shall be prepared by the \*\*\* board staff \*\*\* and served upon such real estate appraiser or appraisal management company in accordance with the rules of the board. This complaint shall require the accused party to file an answer to the complaint within twenty (20) days of the date of service.

In responding to a complaint filed by the staff of the \*\*\* board, the accused party may admit the allegations of the complaint, deny the allegations of the complaint, or otherwise plead. Failure to make a timely response shall be deemed an admission of the allegations of the complaint.

Upon completion of the investigation of the complaint, the board shall set a date, time and place for an administrative hearing on the complaint.

SECTION 11. Section 73-34-45, Mississippi Code of 1972, is amended as follows:

73-34-45. (1) The \*\*\* board shall charge and collect appropriate fees for its services under this chapter. The fees charged shall not exceed the amounts indicated below and shall be set by the board.

Application and examination.....	\$225.00
Application only.....	\$175.00
Initial and renewal license.....	\$325.00
Delinquent renewal penalty.....	100% of renewal fee
For each change of address.....	\$ 25.00
For each duplicate license.....	\$ 25.00
To change status as a licensee between active/inactive	\$ 25.00
For each bad check received by the *** board.....	\$ 25.00

(2) (a) The board shall establish the fee to be paid by each appraisal management company making application for registration under this chapter that is sufficient for the administration regulation and enforcement of the provisions of the Mississippi Appraisal Management Company Registration Act (Section 73-34-101 et seq.), but in no case shall the fee for initial registration be more than \* \* \* One Thousand Five Hundred Dollars (\$1,500.00) \* \* \*.

(b) The board may establish a similar fee, not to exceed \* \* \* One Thousand Five Hundred Dollars (\$1,500.00) \* \* \*, for the renewal of any registration, and a delinquent renewal penalty not to exceed one hundred percent (100%) of the renewal fee.

(3) The board by rule shall establish and collect from each appraisal management company (AMC) registered under this chapter the national registry fee required by the Appraisal Subcommittee for each person who is on the appraisal panel of the company and licensed or certified as an appraiser in this state.

(a) Unless exempted under provisions of this chapter or federal law/regulation, the board shall collect from each appraisal management company operating in this state:

(i) The national registry fee required by the Appraisal Subcommittee;

(ii) Information necessary for the board to determine the national registry fee as required by the Appraisal Subcommittee;

(iii) A fee in an amount that is sufficient for the administration of this subsection as established by board rule; and

(iv) Any other information required by state or federal law.

(b) The board shall deposit the national registry fees collected under this section into an account maintained only for purposes of collecting and disbursing the national registry fees collected pursuant to this subsection.

(c) The national registry fees collected under this section shall be transmitted to the Appraisal Subcommittee regularly as required by the Appraisal Subcommittee and federal law.

(d) The board may adopt such rules and regulations necessary to implement the requirements of this subsection.

(4) The board may charge additional fees for its services which the board deems appropriate to carry out its intent and purpose. These additional fees shall not exceed the cost of rendering the service.

(5) Except for those fees collected by the board as required for disbursement to national registries, all fees charged and collected under this chapter shall be paid by the \* \* \* board at least once a week, accompanied by a detailed statement thereof, to the credit of the fund known as the "Real Estate Appraisal License Fund," hereby created in the State Treasury. All monies which are collected under this chapter shall be paid into and credited to the fund for the use of the board in carrying out the provisions of this chapter, including the payment of salaries and expenses, printing an annual directory of licensees, and for educational purposes. \* \* \* The \* \* \* board shall prepare an annual statement of income and expenses related to its appraisal-related administrative function.

SECTION 12. Section 73-34-47, Mississippi Code of 1972, is amended as follows:

73-34-47. The \*\*\* board shall issue to each licensed appraiser or licensed certified real estate appraiser under this chapter a license evidencing such licensure. The \*\*\* board shall \*\*\* also issue a pocket card in such size and form as the board approves.

A license issued under this chapter shall bear a license number assigned by the \*\*\* board. When signing an appraisal report or certified appraisal report, the licensee shall place such appraiser's license number adjacent to or immediately below the title of "licensed appraiser" or "licensed certified residential real estate appraiser" or "licensed certified general real estate appraiser" or "licensed timberland appraiser." Such license number shall also be used in all statements of qualification, contracts or other instruments used by the license holder when reference is made to such license holder's status as a licensed appraiser or licensed certified real estate appraiser.

The license must bear the current physical address of the licensee's place of business, which shall be a room either in his or her home or an office elsewhere, to be used for the transaction of the appraisal business. In case of removal from the designated address, the licensee shall make application to the \*\*\* board before removal, or within ten (10) days after removal, designating the new location of such office, whereupon the \*\*\* board shall forthwith issue a new license for the new location.

Licenses and pocket cards shall remain the property of the state; and, upon any suspension or revocation of a license pursuant to this chapter, the individual holding the related license and pocket card shall immediately return such license and pocket card to the \*\*\* board.

The \*\*\* board shall maintain and keep open for public inspection during office hours a complete and properly indexed record of all applications for licensure received and licenses issued, renewed, revoked, cancelled or suspended under the provisions of this chapter. A copy of any such record, except pending investigation files, shall be made available to the public, upon application to the \*\*\* board, at such reasonable price per copy as may be fixed by the \*\*\* board.

SECTION 13. Section 73-34-49, Mississippi Code of 1972, is amended as follows:

73-34-49. The \*\*\* board shall prepare and issue at least once each calendar year a roster showing the name and place of business of each real estate appraiser currently licensed and appraisal management company registered under the provisions of this chapter. A copy of the roster shall be made available to the public, upon application to the \*\*\* board, at a reasonable price per copy as may be fixed by the \*\*\* board. The \*\*\* board shall send a copy of this list to the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, or its designated agent.

SECTION 14. Section 73-34-51, Mississippi Code of 1972, is amended as follows:

73-34-51. (1) Each applicant for licensure under this chapter who is not a resident of this state shall submit, with his application, an irrevocable consent that legal action arising out of his activities as a real estate appraiser in this state may be commenced against him in the proper court of any county of this state in which a cause of action may arise or in which the plaintiff may reside by service of process or pleading authorized by laws of this state, by the Secretary of State, or by the \*\*\* administrator or director of the board. The consent shall stipulate that the service of process or pleading shall be taken in all courts to be valid and binding as if personal service had been made upon the nonresident licensee in this state. The consent shall be duly acknowledged. Every nonresident licensee shall consent to have any hearings conducted by the board pursuant to Section 73-34-35 at a place designated by the board.

(2) Any service of process or pleading shall be served on the \*\*\* Mississippi Real Estate \*\*\* Appraisal Board by filing duplicate copies, one (1) of which shall be filed in the



office of the board and the other forwarded by certified mail to the last-known principal address of the nonresident licensee against whom the process or pleading is directed.

(3) If, in the determination of the board, another state or territory or the District of Columbia is deemed to have substantially equivalent licensure laws for real estate appraisers, an applicant for licensure in this state who is licensed under the law of such other state, territory or district may obtain a license as a real estate appraiser in this state upon such terms and conditions as may be determined by the board provided that disciplinary proceedings are not pending against such applicant in his state of licensure. The issuance of a license by reciprocity to a military-trained applicant, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

SECTION 15. Section 73-34-103, Mississippi Code of 1972, is amended as follows:

73-34-103. (1) It is unlawful for a person to directly or indirectly engage or attempt to engage in business as an appraisal management company in this state or to advertise or hold itself out as engaging in or conducting business as an appraisal management company in this state without first obtaining a registration issued by the Mississippi Real Estate \* \* \* Appraisal Board under the provisions of this chapter.

( \* \* \*2) An applicant for registration as an appraisal management company in this state shall submit to the \* \* \* board an application on a form or forms prescribed by the board accompanied by an original or certified copy of a surety bond payable to the State of Mississippi in the amount of Twenty Thousand Dollars (\$20,000.00) for the use, benefit and indemnity of any person who suffers any damage or loss as a result of the appraisal management company's breach of contract or of any obligation arising therefrom or any violation of law.

\* \* \*

( \* \* \*3) An application for the registration required by subsection (1) of this section shall, at a minimum, include:

(a) The name of the person seeking registration and the fictitious name or names under which he does business in any state;

(b) The business address of the entity seeking registration;

(c) The phone contact information of the entity seeking registration;

(d) If the person is not a corporation that is domiciled in this state, the name and contact information for the person's agent for service of process in this state;

(e) The name, address, and contact information for any individual or any corporation, partnership, or other business entity that owns ten percent (10%) or more of the appraisal management company;

(f) The name, address, and contact information for one (1) controlling person designated as the main contact for all communication between the appraisal management company and the \* \* \* board;

(g) A certification that the person has a system and process in place to verify that a person being added to the appraiser panel of the appraisal management company holds a license in good standing in this state under the Real Estate Appraiser Licensing and Certification Act if a license or certification is required to perform appraisals;

(h) A certification that the person requires appraisers completing appraisals at its request to comply with the Uniform Standards of Professional Appraisal Practice (USPAP), including the requirements for geographic and product competence;

(i) A certification that the person has a system in place to verify that only licensed or certified appraisers are used for federally related transactions;

(j) A certification that the person has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under Section 129E of the Truth in Lending Act, including the requirements for payment of a reasonable and customary fee to appraisers when the appraisal

management company is providing services for a consumer credit transaction secured by the principal dwelling of a consumer;

(k) A certification that the person maintains a detailed record of each service request that it receives

and the appraiser that performs the residential real estate appraisal services for the appraisal management company;

(l) An irrevocable Consent to Service of Process required under Section 73-34-107;

(m) Any other information required by the board which is reasonably necessary to implement Sections 73-34-101 through 73-34-131.

(3) An application for the renewal of a registration shall include substantially similar information required for the initial registration as noted in subsection (2), as determined by the board.

(4) A registration granted by the \* \* \* board under the provisions of Sections 73-34-101 through 73-34-131 shall be valid for one (1) year from the date on which it is issued.

(5) This section shall stand repealed on July 1, \* \* \* 2027.

SECTION 16. Section 73-34-107, Mississippi Code of 1972, is amended as follows:

73-34-107. Each person applying for a registration as an appraisal management company that is not domiciled in this state shall complete an irrevocable uniform consent to service of process \* \* \*.

SECTION 17. Section 73-34-113, Mississippi Code of 1972, is amended as follows:

73-34-113. (1) An appraisal management company doing business in this state as an appraisal management company shall not:

(a) Knowingly employ any individual to perform appraisal services, who has had a license or certificate to act as an appraiser in this state or in any other state, refused, denied, cancelled, surrendered in lieu of revocation, or revoked; or

(b) Knowingly enter into any independent contractor arrangement for the performance of appraisal services, in verbal, written, or other form, with any individual who has had a license or certificate to act as an appraiser in this state or in any other state, refused, denied, cancelled, surrendered in

lieu of revocation, or revoked.

(2) Before assigning appraisal orders, the appraisal management company shall have a system in place to verify that a person being added to the appraiser panel holds the appropriate appraiser credential in good standing.

(3) Each appraisal management company doing business as an appraisal management company shall certify to the \* \* \* board on an annual basis on a form prescribed by the \* \* \* board that the appraisal management company has systems in place to verify that:

(a) An individual on the appraiser panel has not had a license or certification as an appraiser refused, denied, cancelled, revoked or surrendered in lieu of a pending revocation in the previous twelve (12) months; and

(b) Only licensed or certified appraisers are used to complete appraisal assignments in connection with federally related transactions.

SECTION 18. Section 73-34-117, Mississippi Code of 1972, is amended as follows:

73-34-117. (1) Each appraisal management company doing business in this state shall certify to the \* \* \* board on an annual basis that it requires appraisers completing appraisals at its request to comply with the Uniform Standards of Professional Appraisal Practice, including the requirements for geographic and product competence.

(2) Each appraisal management company doing business in this state shall certify to the \* \* \* board on an annual basis that it has a system in place to require that appraisals are conducted independently and free from inappropriate influence and coercion as required by the appraisal independence standards established under Section 129E of the Truth in Lending Act, including the requirement that fee appraisers be compensated at a customary and reasonable rate when the appraisal management company is providing services for a consumer credit transaction secured by the principal dwelling of a consumer.

(3) Each appraisal management company doing business in this state shall certify to the \* \* \* board on an annual basis that it has a system in place requiring payment to an independent contract appraiser for the completion of an appraisal service within thirty (30) days after the appraiser provides the completed appraisal report to the appraisal management company, except in cases involving a bona fide breach of contract, substandard performance of services, or alternate payment terms agreed upon by the appraiser and the appraisal management company.

(4) An appraisal management company shall not prohibit an appraiser from reporting the fee paid to the appraiser in the body of the appraisal report, however an appraisal management company may require an appraiser to present any such disclosure in a specified format and location.

SECTION 19. Section 73-34-129, Mississippi Code of 1972, is amended as follows:

73-34-129. (1) (a) \* \* \* An appraisal management company may not remove an appraiser from its appraiser panel, or otherwise refuse to assign requests for real estate appraisal services to an independent appraiser without:

(b) Notifying the appraiser in writing of the reasons why the appraiser is being removed from the appraiser panel of the appraisal management company;

(c) If the appraiser is being removed from the panel for illegal conduct, violation of USPAP, or a violation of state licensing standards, notifying the appraiser of the nature of the alleged conduct or violation;

(d) Providing an opportunity for the appraiser to respond to the notification of the appraisal management company.

(2) An appraiser who is removed from the appraiser panel of an appraisal management company for alleged illegal conduct, violation of USPAP, or violation of state licensing standards, may file a complaint with the board for a review of the decision of the appraisal management company. The scope of the \*\*\* board's review in any such case is limited to determining whether the appraisal management company has complied with subsection (1) and whether illegal conduct, a violation of USPAP, or a violation of state licensing standards has occurred.

(3) If an appraiser files a complaint against an appraisal management company under subsection (2), the \*\*\* board shall adjudicate the complaint within one hundred eighty (180) days.

(4) If after opportunity for hearing and review, the \*\*\* board determines that an appraisal management company acted improperly in removing the appraiser from the appraiser panel, or that the appraiser did not commit a violation of law, a violation of USPAP, or a violation of state licensing standards, the \*\*\* board shall:

(i) Provide written findings to the involved parties;

(ii) Provide an opportunity for the appraisal management company and/or the appraiser to respond to the findings; and

(iii) Make recommendations for action.

SECTION 20. Section 73-34-131, Mississippi Code of 1972, is amended as follows:

73-34-131. The conduct of adjudicatory proceedings in accordance with applicable state laws for violations of Sections 73-34-101 through 73-34-131 is vested in the \*\*\* board, such that:

(a) Before censuring any registrant, or suspending or revoking any registration, the \*\*\* board shall notify the registrant in writing of any charges made at least twenty (20) days before the date set for the hearing and shall afford the registrant an opportunity to be heard in person or by counsel.

(b) The written notice shall be satisfied by personal service on the controlling person of the registrant, or the registrant's agent for service of process in this state, or by sending the notice by certified mail, return receipt requested to the controlling person of the registrant to the registrant's

address on file with the \*\*\* board.

(c) The hearing on the charges shall be at a time and place prescribed by the \*\*\* board and in accordance with the applicable state laws.

(d) The \*\*\* board may make findings of fact and shall deliver or mail such findings to the registrant charged with an offense under Sections 73-34-101 through 73-34-131.

SECTION 21. Section 39-21-3, Mississippi Code of 1972, is amended as follows:

39-21-3. (1) A facility to house the Mississippi Craft Center may be located within the corporate limits of Ridgeland, Mississippi.

(2) Consideration for the purchase of the property described in subsection (1) of this section necessary for the construction of the facility to house the Mississippi Craft Center shall not exceed the average of the fair market price for such real property as determined by two (2) professional property appraisers selected by the Department of Finance and Administration and certified and licensed by the Mississippi Real Estate \* \* \* Appraisal Board. Appraisal fees shall be paid by the Department of Finance and Administration from the proceeds of the bonds issued pursuant to Chapter 501, Laws of 1997.

SECTION 22. Section 29-1-209, Mississippi Code of 1972, is amended as follows:

29-1-209. (1) It is expressly provided and stipulated that the land which is conveyed pursuant to Sections 29-1-205 and 29-1-209 shall be used in the furtherance of the work of the organization and with the understanding that if or when the property is no longer used exclusively for that purpose that the title to the property and all improvements, rights and appurtenances thereon shall revert to and be vested in the State of Mississippi, under the following condition: Consideration for the reversion of any improvements constructed on the property by the organization shall be paid by the State of Mississippi to the organization from any funds appropriated or otherwise made available for such purpose. Consideration for such reversion shall be the average of the fair market value of such improvements as determined by two (2) professional property appraisers, one (1) of whom to be selected by the Department of Finance and Administration and one (1) of whom to be selected by the organization, who are certified and licensed by the Mississippi Real Estate \* \* \* Appraisal Board. Appraisal fees shall be paid by the selecting party. Fair consideration shall also be paid by the State of Mississippi for any payments made by the nationally recognized organization to the state for the purchase of such property.

(2) It is expressly provided that the land which is conveyed pursuant to Sections 29-1-205 and 29-1-209 shall automatically revert to and be vested in the state if construction of the national headquarters has not commenced within two (2) years from the conveyance of such property.

SECTION 23. Section 73-35-4, Mississippi Code of 1972, is amended as follows:

73-35-4. (1) A person licensed under this chapter may prepare a broker's price opinion and charge and collect a fee for such opinion if:

(a) The license of that licensee is active and in good standing; and

(b) The broker's price opinion meets the requirements of subsections (3) and (4) of this section.

(2) Notwithstanding any provision to the contrary, a person licensed under this chapter may prepare a broker's price opinion for:

(a) An existing or potential seller for the purposes of listing and selling a parcel of real property;

(b) An existing or potential buyer of a parcel of real property;

(c) A third party making decisions or performing due diligence related to the potential listing, offering, sale, exchange, option, lease or acquisition price of a parcel of real property; or

(d) An existing or potential lienholder or other third party for any purpose other than as the basis to determine the value of a parcel of real property, for a mortgage loan origination, including first and second mortgages, refinances, or equity lines of credit.

(e) The provisions of this subsection do not preclude the preparation of a broker's price opinion to be used in conjunction with or in addition to an appraisal.

(3) A broker's price opinion prepared under the authority granted in this section shall be in writing and shall conform to the standards and guidelines published by a nationally recognized association of providers of broker price opinions. The Mississippi Real Estate Commission shall promulgate regulations that are consistent with, but not limited to, the standards and guidelines of a nationally recognized association of providers of broker price opinions.

(4) A broker's price opinion shall be in writing and contain the following:

(a) A statement of the intended purpose of the price opinion;

(b) A brief description of the subject property and property interest to be priced;

(c) The basis of reasoning used to reach the conclusion of the price, including the applicable market data and/or capitalization computation;

(d) Any assumptions or limiting conditions;

(e) A disclosure of any existing or contemplated interest of the broker or salesperson issuing the opinion;

(f) The effective date of the price opinion;

(g) The name and signature of the broker or salesperson issuing the price opinion;

(h) The name of the real estate brokerage firm for which the broker or salesperson is acting;

(i) The signature date;

(j) A disclaimer stating that, "This opinion is not an appraisal of the market value of the property, and may not be used in lieu of an appraisal. If an appraisal is desired, the services of a licensed or certified appraiser must be obtained. This opinion may not be used by any party as the primary basis to determine the value of a parcel of real property for a mortgage loan origination, including first and second mortgages, refinances or equity lines of credit."; and

(k) A certification that the licensee is covered by errors and omissions insurance, to the extent required by state law, for all liability associated with the preparation of the broker's price opinion.

(5) If a broker's price opinion is submitted electronically or on a form supplied by the requesting party:

(a) A signature required by paragraph (g) of subsection (4) may be an electronic signature, as defined in Section 75-12-3.

(b) A signature required by paragraph (g) of subsection (4) and the disclaimer required by paragraph (j) of subsection (4) may be transmitted in a separate attachment if the electronic format or form supplied by the requesting party does not allow

additional comments to be written by the licensee. The electronic format or the form supplied by the requesting party must:

(i) Reference the existence of a separate attachment; and

(ii) Include a statement that the broker's price opinion is not complete without the attachment.

(6) Notwithstanding any provisions to the contrary, a person licensed pursuant to this chapter may not prepare a broker's price opinion for any purpose in lieu of an appraisal when an appraisal is required by federal or state statute. A broker's price opinion which estimates value or worth of a parcel of real estate rather than sales price shall be deemed to be an appraisal and may not be prepared by a licensed broker or sales agent under the authority of their \* \* \* license but may only be prepared by a duly licensed appraiser and must meet the regulations promulgated by the Mississippi Real Estate \* \* \* Appraisal Board. A broker's price opinion may not under any circumstances be referred to as a valuation or appraisal.

SECTION 24. Section 93-11-64, Mississippi Code of 1972, is amended as follows:

93-11-64. (1) The Department of Human Services and its divisions, and any agency, office or registry established by the department, or which works in conjunction with the department, or is authorized to supply information to the department, may use social security numbers for the purpose of locating parents or alleged parents, establishing parentage, and establishing the amount of, modifying, or enforcing child support obligations.

(2) This section requires that the Social Security number of:

(a) Except as otherwise provided in Section 73-34-13, any applicant for a state-issued license be recorded on the application;

(b) Any individual who is subject to a divorce decree, support order, or paternity determination or acknowledgment be placed in the records relating to the matter; and

(c) Any individual who has died be placed in the records relating to the death and be recorded on the death certificate.

SECTION 25. Section 1 of this act shall be codified in Title 73, Chapter 34, Mississippi Code of 1972.

SECTION 26. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD SHALL BE SEPARATED FROM THE MISSISSIPPI REAL ESTATE COMMISSION AND BECOME THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD; TO PROVIDE FOR THE TRANSITION OF FUNCTIONS AND RESOURCES SO THAT BY JULY 1, 2023, THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD SHALL BE FULLY FUNCTIONAL AND INDEPENDENT FROM THE MISSISSIPPI REAL ESTATE COMMISSION; TO REQUIRE THE MISSISSIPPI STATE PERSONNEL BOARD, THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES TO PROVIDE SUPPORT DURING THE TRANSITION; TO AMEND SECTIONS 73-34-3 AND 73-34-5, MISSISSIPPI CODE OF 1972, TO CONFORM; TO

AMEND SECTION 73-34-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MEMBERSHIP OF THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD SHALL CONSIST OF FIVE MEMBERS TO BE APPOINTED BY THE GOVERNOR, FOUR OF WHOM SHALL BE FROM THE CONGRESSIONAL DISTRICTS AS THEY EXISTED ON JULY 1, 2004, AND ONE FROM THE STATE-AT-LARGE; TO AMEND SECTION 73-34-9, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ONLY THE LAST FOUR DIGITS OF AN APPLICANT'S SOCIAL SECURITY NUMBER SHALL BE REQUIRED TO GO ON THE LICENSE APPLICATION; TO AMEND SECTIONS 73-34-17, 73-34-27, 73-34-35, 73-34-41, 73-34-45, 73-34-47, 73-34-49 AND 73-34-51, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-103, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE FROM JULY 1, 2026, UNTIL JULY 1, 2027, AND TO CONFORM; TO AMEND SECTIONS 73-34-107, 73-34-113 AND 73-34-117, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-129, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT ALLOWS AN APPRAISAL MANAGEMENT COMPANY TO REMOVE AN APPRAISER FROM ITS APPRAISER PANEL WITHIN THE FIRST NINETY DAYS AFTER AN INDEPENDENT APPRAISER IS FIRST ADDED TO THE APPRAISER PANEL OF AN APPRAISAL MANAGEMENT COMPANY, AND TO CONFORM; TO AMEND SECTIONS 73-34-131, 39-21-3, 29-1-209, 73-35-4 AND 93-11-64, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

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Senator Polk called up the following House Amendment to **S. B. No. 2538** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

AMEND on line 1017 by deleting the word "its passage" and inserting in lieu thereof the following:

"July 1, 2023, and shall stand repealed on June 30, 2023".

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Senator Wiggins called up the following House Amendment to **S. B. No. 2090** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 73-11-51, Mississippi Code of 1972, is amended as follows:

73-11-51. (1) No person shall engage in the business or practice of funeral service, including embalming, and/or funeral directing or hold himself out as transacting or practicing or being entitled to transact or practice funeral service, including embalming, and/or funeral directing in this state unless duly licensed under the provisions of this chapter.

(2) The board is authorized and empowered to examine applicants for licenses for the practice of funeral service and funeral directing and shall issue the proper license to



those persons who successfully pass the applicable examination and otherwise comply with the provisions of this chapter.

(3) To be licensed for the practice of funeral directing under this chapter, a person must furnish satisfactory evidence to the board that he or she:

(a) Is at least eighteen (18) years of age;

(b) Has a high school diploma or the equivalent thereof;

(c) Has served as a resident trainee for not less than \* \* \* twelve (12) months under the supervision of a person licensed for the practice of funeral service or funeral directing in this state;

(d) Has successfully passed a written and/or oral examination as prepared or approved by the board; and

(e) Is of good moral character.

(4) To be licensed for the practice of funeral service under this chapter, a person must furnish satisfactory evidence to the board that he or she:

(a) Is at least eighteen (18) years of age;

(b) Has a high school diploma or the equivalent thereof;

(c) Has successfully completed twelve (12) months or more of academic and professional instruction from an institution accredited by the United States Department of Education for funeral service education and have a certificate of completion from an institution accredited by the American Board of Funeral Service Education or any other successor recognized by the United States Department of Education for funeral service education;

(d) Has served as a resident trainee for not less than twelve (12) months, either before or after graduation from an accredited institution mentioned above, under the supervision of a person licensed for the practice of funeral service in this state and in an establishment licensed in this state;

(e) Has successfully passed the National Conference of Funeral Examiners examination and/or such other examination as approved by the board; and

(f) Is of good moral character.

(5) All applications for examination and license for the practice of funeral service or funeral directing shall be upon forms furnished by the board and shall be accompanied by an examination fee, a licensing fee and a nonrefundable application fee in amounts fixed by the board in accordance with Section 73-11-56. The fee for an initial license, however, may be prorated in proportion to the period of time from the date of issuance to the date of biennial license renewal prescribed in subsection (8) of this section. All applications for examination shall be filed with the board office at least sixty (60) days before the date of examination. A candidate shall be deemed to have abandoned the application for examination if he does not appear on the scheduled date of examination unless such failure to appear has been approved by the board.

(6) The practice of funeral service or funeral directing must be engaged in at a licensed funeral establishment, at least one (1) of which is listed as the licensee's place of business; and no person, partnership, corporation, association or other organization shall open or maintain a funeral establishment at which to engage in or conduct or hold himself or itself out as engaging in the practice of funeral service or funeral directing until

such establishment has complied with the licensing requirements of this chapter. A license for the practice of funeral service or funeral directing shall be used only at licensed funeral establishments; however, this provision shall not prevent a person licensed for the practice of funeral service or funeral directing from conducting a funeral service at a church, a residence, public hall, lodge room or cemetery chapel, if such person maintains a fixed licensed funeral establishment of his own or is in the employ of or an agent of a licensed funeral establishment.

(7) Any person holding a valid, unrevoked and unexpired nonreciprocal license in another state or territory having requirements greater than or equal to those of this state as determined by the board may apply for a license to practice in this state by filing with the board a certified statement from the secretary of the licensing board of the state or territory in which the applicant holds his license certifying to his qualifications and good standing with that board. He/she must also successfully pass a written and/or oral examination on the Mississippi Funeral Service licensing law and rules and regulations as prepared or approved by the board, and must pay a nonrefundable application fee set by the board. If the board finds that the applicant has fulfilled aforesaid requirements and has fulfilled substantially similar requirements of those required for a Mississippi licensee, the board shall grant such license upon receipt of a fee in an amount equal to the renewal fee set by the board for a license for the practice of funeral service or funeral directing, as the case may be, in this state. The board may issue a temporary funeral service or funeral directing work permit before a license is granted, before the next regular meeting of the board, if the applicant for a reciprocal license has complied with all requirements, rules and regulations of the board. The temporary permit will expire at the next regular meeting of the board. The issuance of a license or temporary permit by reciprocity to a military-trained applicant, military spouse or person who establishes residence in this state shall be subject to the provisions of Section 73-50-1 or 73-50-2, as applicable.

(8) (a) Except as provided in Section 33-1-39, any person holding a license for the practice of funeral service or funeral directing may have the same renewed for a period of two (2) years by making and filing with the board an application on or before the due date. Payment of the renewal fee shall be in an amount set by the board in accordance with Section 73-11-56. The board shall mail the notice of renewal and the due date for the payment of the renewal fee to the last-known address of each licensee at least thirty (30) days before that date. It is the responsibility of the licensee to notify the board in writing of any change of address. An application will be considered late if the application and proper fees are not in the board's office or postmarked by the due date. Failure of a license holder to receive the notice of renewal shall not exempt or excuse a license holder from the requirement of renewing the license on or before the license expiration date.

(b) If the renewal fee is not paid on or postmarked by the due date, the license of such person shall by operation of law automatically expire and become void without further action of the board. The board may reinstate such license if application for licensure is made within a period of five (5) years, upon payment of the renewal fee for the current year, all renewal fees in arrears, and a reinstatement fee. After a period of five (5) years, the licensee must make application, pay the current renewal fee, all fees in arrears, and pass a written and/or oral examination as prepared or approved by the board.

(9) No license shall be assignable or valid for any person other than the original licensee.

(10) The board may, in its discretion, if there is a major disaster or emergency where human death is likely to occur, temporarily authorize the practice of funeral directing and funeral service by persons licensed to practice in another state but not licensed to practice in this state. Only persons licensed in this state, however, may sign death certificates.

(11) Any funeral service technology or mortuary science program accredited by the American Board of Funeral Service Education in the State of Mississippi, as well as

students enrolled in such a program, shall be exempt from licensing under this chapter when embalming or otherwise preparing a deceased human body for disposition as part of a student practicum experience, when the student is directly supervised by an instructor or preceptor who holds a current funeral service license. This exemption shall apply to practicum experiences performed at an accredited institution of funeral service technology or mortuary science program or at a duly licensed funeral establishment or commercial mortuary service. Nothing in this subsection shall be construed to allow any funeral service technology or mortuary science program, or those students enrolled in such a program, to engage in practicum experiences for remuneration.

(12) Each application or filing made under this section shall include the social security number(s) of the applicant in accordance with Section 93-11-64.

SECTION 2. Section 73-11-53, Mississippi Code of 1972, is amended as follows:

73-11-53. (1) The State Board of Funeral Service is authorized to establish a trainee and apprenticeship program whereby persons desiring to apprentice as a funeral service or funeral director trainee may be issued a resident traineeship certificate to practice funeral directing or funeral service under the direct on-premises supervision of a sponsoring Mississippi licensed funeral director or funeral service practitioner.

(2) A person desiring to become a resident trainee for the practice of funeral service or funeral directing shall make application to the board. Such application shall be verified by the licensee under whom the applicant is serving, and shall be accompanied by a nonrefundable application fee in an amount set by the board in accordance with Section 73-11-56. When the board is satisfied as to the qualifications of an applicant, it shall issue a certificate of resident traineeship.

(3) The board shall have the power to suspend or revoke a certificate of a resident traineeship for violation of any provision of this chapter.

(4) A resident trainee must serve the apprenticeship in a funeral establishment that is licensed by the State of Mississippi and the preceptor must be a Mississippi licensed funeral service practitioner or funeral director who is employed by a Mississippi licensed funeral establishment and actively practicing within the State of Mississippi. The funeral service trainee and apprenticeship program shall be completed within no less than twelve (12) months or more than eighteen (18) months under the direct supervision of a funeral director or funeral service licensee of the board. The funeral director trainee and apprenticeship program shall be completed within no less than \* \* \* twelve (12) months or more than \* \* \* eighteen (18) months under the direct supervision of a funeral director or funeral service licensee of the board. \* \* \*

(5) A resident trainee may serve under the supervision of more than one (1) preceptor under conditions established by board rules and regulations. The board may also adopt rules that will allow training at more than one (1) funeral establishment under special circumstances.

(6) A resident traineeship certificate shall be valid for one (1) year. The board may renew a resident traineeship certificate if the trainee applies for renewal on a form provided by the board, shows that the training activity continues to satisfy applicable requirements and pays a renewal fee as set by the board. The fee and application will be considered late if the fee and application are not in the office or show a postmark of December 31. Applications received late may be reinstated by the payment of a renewal fee, a reinstatement fee and other applicable fees. Failure to receive a renewal notice does not exempt a resident trainee from the required renewal of his/her traineeship.

(7) A resident trainee shall not advertise or hold himself out as a funeral director, funeral service practitioner, embalmer or use any other title or abbreviation indicating that the trainee is a funeral director, funeral service practitioner or embalmer. A resident

trainee does not have the rights and duties of a funeral director or funeral service licensee and is only authorized to act under the direct supervision of the approved preceptor.

SECTION 3. Section 73-11-57, Mississippi Code of 1972, is brought forward as follows:

73-11-57. (1) The board, upon satisfactory proof at proper hearing and in accordance with the provisions of this chapter and the regulations of the board, may suspend, revoke, or refuse to issue or renew any license under this chapter, reprimand or place the holder of a license on a term of probation, and/or take any other action in relation to a license as the board may deem proper under the circumstances upon any of the following grounds:

(a) The employment of fraud or deception in applying for a license or in passing the examination provided for in this chapter;

(b) The erroneous issuance of a license to any person;

(c) The conviction of a felony by any court in this state or any federal court or by the court of any other state or territory of the United States; having been convicted of or pled guilty to a felony in the courts of this state or any other state, territory or country which would prevent a person from holding elected office. Conviction, as used in this paragraph, shall include a deferred conviction, deferred prosecution, deferred sentence, finding or verdict of guilty, an admission of guilty, or a plea of nolo contendere;

(d) The practice of embalming under a false name or without a license for the practice of funeral service;

(e) The impersonation of another funeral service or funeral directing licensee;

(f) The permitting of a person other than a funeral service or funeral directing licensee to make arrangements for a funeral and/or form of disposition;

(g) Violation of any provision of this chapter or any rule or regulation of the board;

(h) Having had a license for the practice of funeral service or funeral directing suspended or revoked in any jurisdiction, having voluntarily surrendered his license in any jurisdiction, having been placed on probation in any jurisdiction, having been placed under disciplinary order(s) or other restriction in any manner for funeral directing and/or funeral service, or operating a funeral establishment (a certified copy of the order of suspension, revocation, probation or disciplinary action shall be prima facie evidence of such action);

(i) Solicitation of dead human bodies by the licensee, his agents, assistants or employees, whether such solicitation occurs after death or when death is imminent; if the person solicited has made known a desire not to receive the communication, or if the solicitation involves coercion, duress or harassment, or if the solicitation takes place at the residence of the client or prospective client and is uninvited by the client or prospective client and has not been previously agreed to by the client or prospective client; however, this shall not be deemed to prohibit general advertising;

(j) Employment directly or indirectly of any apprentice, agent, assistant, employee, or other person, on a part-time or full-time basis or on commission, for the purpose of calling upon individuals or institutions by whose influence dead human bodies may be turned over to a particular funeral establishment;

(k) Failure to give full cooperation to the board and/or its designees, agents or other representatives in the performance of official duties of the board. Such failure to cooperate includes, but is not limited to:

(i) Not furnishing any relevant papers or documents requested by or for the board;

(ii) Not furnishing, in writing, an adequate explanation covering the matter contained in a complaint filed with the board;

(iii) Not responding without cause to subpoenas issued by the board, whether or not the licensee is the party charged in any proceeding before the board;

(iv) Not reasonably providing access, as directed by the board for its authorized agents or representatives seeking to perform reviews or inspections at facilities or places utilized by the license holder in the practice of funeral service or funeral directing and/or in performing any other activity regulated by the board under this chapter;

(v) Failure to provide information within the specified time allotted and as required by the board and/or its representatives or designees;

(vi) Failure to cooperate with the board or its designees or representatives in the investigation of any alleged misconduct or interfering with a board investigation by willful misrepresentation of facts;

(vii) Deceiving or attempting to deceive the board regarding any matter under investigation, including altering or destroying any records; and

(viii) Failure, without good cause, to cooperate with any request by the board to appear before it;

(l) Knowingly performing any act that in any way assists an unlicensed person to practice funeral service or funeral directing;

(m) Knowingly making a false statement on death certificates;

(n) Conviction of a crime involving moral turpitude;

(o) Violating any statute, ordinance, rule or regulation of the state or any of its boards, agencies or political subdivisions affecting the registration of deaths or the handling, custody, care or transportation of dead human bodies; or

(p) Unprofessional conduct in the practice of funeral service or funeral directing which includes, but is not limited to:

(i) Retaining a dead human body for the payment of a fee for the performance of services that are not authorized;

(ii) Knowingly performing any act which in any way assists an unlicensed person to practice funeral service or funeral directing;

(iii) Being guilty of any dishonorable conduct likely to deceive, defraud or harm the public;

(iv) Any act or omission in the practice of funeral service or directing which constitutes dishonesty, fraud or misrepresentation with the intent to benefit the licensee, another person or funeral establishment, or with the intent to substantially injure another person, licensee or funeral establishment; or

(v) Any act or conduct, whether the same or of a different character than specified above, which constitutes or demonstrates bad faith, incompetency or untrustworthiness; or dishonest, fraudulent or improper dealing; or any other violation of the provisions of this chapter, the rules and regulations established by the board or any rule or regulation promulgated by the Federal Trade Commission relative to the practice of funeral service or funeral directing.

(2) Any person, including a member of the board, may initiate a complaint against a licensee of the board by filing with the board a written complaint on a form prescribed by the board.

(a) Upon receipt of a properly verified complaint, the board shall send a copy of the complaint to the affected licensee by certified mail to the address of such licensee appearing of record with the board. The licensee shall answer the complaint in writing within twenty (20) days after receipt of the complaint. The licensee shall mail a copy of his, her or its response to the board and the complainant. Upon receipt of the licensee's response or lapse of twenty (20) days, the board is authorized to investigate a complaint that appears to show the existence of any of the causes or grounds for disciplinary action as provided in Section 73-11-57. Upon finding reasonable cause to believe that the charges are not frivolous, unfounded or filed in bad faith, the board may, in its discretion, cause a hearing to be held, at a time and place fixed by the board, regarding the charges that a violation of this chapter has occurred. The board shall order a hearing for the licensee to appear and show cause why he/she should not be disciplined for a violation of this chapter.

(b) The board shall give the complainant and the affected licensee twenty (20) days' notice of any hearing upon a complaint. Such notice shall be by United States certified mail.

(c) Any party appearing before the board may be accompanied by counsel.

(d) Before commencing a hearing, the chairman or designee of the board shall determine if all parties are present and ready to proceed. If the complainant fails to attend a hearing without good cause shown, the complaint shall be dismissed summarily and all fees and expenses of convening the hearing shall be assessed to, and paid by, the complainant. If any affected licensee fails to appear for a hearing without good cause shown, such licensee shall be presumed to have waived his right to appear before the board and be heard.

(e) Upon the chair's determination that all parties are ready to proceed, the chair or designee shall call the hearing to order and the complainant and the licensee may give opening statements. The board may order the sequestration of nonparty witnesses.

(f) The complainant shall then present his, her or its complaint. The licensee, any counsel and any member or designee of the board may ask questions of witnesses.

(g) The licensee shall then present his, her or its case in rebuttal. The complainant, any counsel and any member or designee of the board may ask questions of witnesses.

(h) At the completion of the evidence, all parties may give closing statements.

(i) At the conclusion of the hearing, the board may either decide the issue at that time or take the case under advisement for further deliberation. The board shall render its decision not more than ninety (90) days after the close of the hearing and shall forward the decision to the last-known business or residence address of the parties.

(3) The board, on its own motion, may file a formal complaint against a licensee.

(4) The board may temporarily suspend a license under this chapter without any hearing, simultaneously with the institution of proceedings under this section, if it finds that the evidence in support of the board's determination is clear, competent and unequivocal and that the licensee's continuation in practice would constitute an imminent danger to public health and safety.

(5) The board may, upon satisfactory proof that the applicant or licensee has been guilty of any of the offenses above enumerated, take the action authorized by this section against an applicant or licensee of the board upon a majority vote of the board members, after a hearing thereon. The board is vested with full power and authority to hold and conduct such hearings, compel the attendance of witnesses and the production of books, records and documents, issue subpoenas therefor, administer oaths, examine witnesses, and do all things necessary to properly conduct such hearings. The board may waive the necessity of a hearing if the person accused of a violation admits that he has been guilty of such offense. Any person who has been refused a license or whose license has been revoked or suspended may, within thirty (30) days after the decision of the board, file with the board a written notice stating that he feels himself aggrieved by such decision and may appeal therefrom to the circuit court of the county and judicial district of residence of the person, or if the person is a nonresident of the State of Mississippi, to the Circuit Court of the First Judicial District of Hinds County. The circuit court shall determine the action of the board was in accord or consistent with law, or was arbitrary, unwarranted or an abuse of discretion. The appeal shall be perfected upon filing notice of the appeal with the circuit court and by the prepayment of all costs, including the cost of the preparation of the record of the proceedings by the board. An appeal from the circuit court judgment or decree may be reviewed by the Supreme Court as is provided by law for other appeals. An appeal of a decision or order of the board does not act as a supersedeas.

(6) In addition to any other power that it has, the board may, upon finding that an applicant or licensee has committed any of the violations listed in Section 73-11-57(1), impose a monetary penalty as follows:

(a) For the first violation of any of the subparagraphs of subsection (1) of this section, a monetary penalty of not more than Five Hundred Dollars (\$500.00).

(b) For the second violation of any of the subparagraphs of subsection (1) of this section, a monetary penalty of not more than One Thousand Dollars (\$1,000.00).

(c) For the third and any subsequent violation of any of the subparagraphs of subsection (1) of this section, a monetary penalty of not more than Five Thousand Dollars (\$5,000.00).

(d) For any violation of any of the subparagraphs of subsection (1) of this section, those reasonable costs that are expended by the board in the investigation and conduct of a proceeding for licensure revocation or suspension, including, but not limited to, the cost of process service, court reporters, expert witnesses and investigators.

(7) The power and authority of the board to assess and levy such monetary penalties hereunder shall not be affected or diminished by any other proceeding, civil or criminal, concerning the same violation or violations except as provided in this section.

(8) A licensee shall have the right of appeal from the assessment and levy of a monetary penalty as provided in this section under the same conditions as a right of appeal is provided elsewhere for appeals from an adverse ruling, order or decision of the board.

(9) Any monetary penalty assessed and levied under this section shall not take effect until after the time for appeal shall have expired.

(10) A monetary penalty assessed and levied under this section shall be paid to the board by the licensee upon the expiration of the period allowed for appeal of such penalties under this section or may be paid sooner if the licensee elects.

With the exception of subsection (5)(d) of this section, monetary penalties collected by the board under this section shall be deposited in the State Treasury to the credit of the State Board of Funeral Service. Any monies collected by the board under subsection (5)(d) of this section shall be deposited into the special fund operating account of the board.

(11) When payment of a monetary penalty assessed and levied by the board against a licensee in accordance with this section is not paid by the licensee when due under this section, the board shall have power to institute and maintain proceedings in its name for enforcement of payment in the chancery court of the county and judicial district of residence of the licensee, or if the licensee is a nonresident of the State of Mississippi, in the Chancery Court of the First Judicial District of Hinds County, Mississippi.

(12) In any administrative or judicial proceeding in which the board prevails, the board shall have the right to recover reasonable attorney fees.

(13) In addition to the reasons specified in subsection (1) of this section, the board shall be authorized to suspend the license of any licensee for being out of compliance with an order for support, as defined in Section 93-11-153. The procedure for suspension of a license for being out of compliance with an order for support, and the procedure for the reissuance or reinstatement of a license suspended for that purpose, and the payment of any fees for the reissuance or reinstatement of a license suspended for that purpose, shall be governed by Section 93-11-157 or 93-11-163, as the case may be. Actions taken by the board in suspending a license when required by Section 93-11-157 or 93-11-163 are not actions from which an appeal may be taken under this section. Any appeal of a license suspension that is required by Section 93-11-157 or 93-11-163 shall be taken in accordance with the appeal procedure specified in Section 93-11-157 or 93-11-163, as the case may be, rather than the procedure specified in this section. If there is any conflict between any provision of Section 93-11-157 or 93-11-163 and any provision of this chapter, the provisions of Section 93-11-157 or 93-11-163, as the case may be, shall control.

SECTION 4. The following shall be codified as Section 73-11-57.2, Mississippi Code of 1972:

73-11-57.2 (1) No person or entity shall engage in any activity for which a license is required under this chapter, without holding such licensure in good standing.

(2) A person may not be, act as, or advertise or hold himself or herself out to be a funeral service, a funeral director, or a certified crematory operator unless he or she is currently licensed by the board.

(3) When the board has reasonable cause to believe that any person or entity not licensed under this chapter has violated any provision of this chapter or any rule adopted under this chapter, the board may issue an administrative complaint to such person or entity, alleging violation of this chapter and providing notice therein of intent by the board to order such person to cease and desist from the alleged violation of this chapter, to take corrective action, including payment of restitution to persons adversely affected by the violation, to pay the board's reasonable costs of investigation and prosecution, or to impose a fine of up to Five Thousand Dollars (\$5,000.00) upon such person for each violation of this chapter alleged in the administrative complaint.

When issuing an administrative complaint to such person or entity, the board shall order a hearing for the subject individual or entity to appear and show cause why he/she should



not be disciplined for a violation of this chapter. Any party appearing before the board may be accompanied by counsel. The board is vested with full power and authority to hold and conduct such hearings, compel the attendance of witnesses and the production of books, records and documents, issue subpoenas therefor, administer oaths, examine witnesses, and do all things necessary to properly conduct such hearings.

(4) Where the board determines that an emergency exists regarding any violation of this chapter by any unlicensed person or entity, the board may issue and serve an emergency order upon such unlicensed person or entity. Such an emergency order may impose such prohibitions and requirements as are reasonably necessary to protect the public health, safety and welfare. Such emergency order shall be effective on the date of service on the unlicensed person or entity.

(a) For the purpose of enforcing such an emergency order, the board may file in circuit court for an injunction or other order seeking enforcement of the emergency order. The court shall issue its injunction or other order enforcing the emergency order pending administrative resolution of the matter under subsection (3) of this section, unless the court determines that such action would work a manifest injustice under the circumstances. Venue for judicial actions under this section shall be, at the election of the board, in the Circuit Court of Rankin County or in a circuit court of a county where the respondent resides or has a place of business.

(b) After serving an emergency order on any person or entity, the board shall within ten (10) days issue and serve upon the same person or entity an administrative complaint as set forth in subsection (3) of this section, except that, absent order of a court to the contrary, the emergency order will be effective throughout the pendency of proceedings under subsection (3) of this section.

(5) For the purpose of this section, the violation of this chapter by a person who is not licensed under this chapter or by any person who aids and abets the unlicensed activity shall be presumed to be irreparable harm to the public health, safety, or welfare.

(6) Any administrative complaint or emergency order under this section may be served in person by a board employee or by certified mail, return receipt requested, to the subject's place of residence or business, or by other means authorized by law.

(7) An aggrieved party shall have the right of appeal from the assessment and levy of a monetary penalty as provided in this section under the same conditions as a right of appeal is provided elsewhere for appeals from an adverse ruling, order or decision of the board.

SECTION 5. Section 73-11-58, Mississippi Code of 1972, is amended as follows:

73-11-58. (1) Residents of the state shall have the right to direct their own disposition without interference from others, regardless of their relationship. This right of self-authorization can be executed through the use of the Self-Directed Disposition Authorization document. This document shall supersede the wishes and rights commonly executed by the next of kin. If a decedent has left no written authorization for the cremation and/or disposition of the decedent's body as permitted by law, any of the following persons, in the order of priority listed below, may authorize any lawful manner of disposition of the decedent's body by completion of a written instrument:

(a) The person designated by the decedent as authorized to direct disposition pursuant to Public Law No. 109-163, Section 564, as listed on the decedent's United States Department of Defense Record of Emergency Data, DD Form 93, or its successor form, if the decedent died during military service, as provided in 10 USC Section 1481(a)(1) through (8), in any branch of the United States Armed Forces, United States Reserve Forces or National Guard.

- (b) The surviving spouse.
  - (c) A surviving child who is at least eighteen (18) years of age.
  - (d) A grandchild who is at least eighteen (18) years of age.
  - (e) Either surviving parent.
  - (f) A surviving sibling who is at least eighteen (18) years of age.
  - (g) A person acting as a representative of the decedent under a signed authorization of the decedent.
  - (h) The guardian of the person of the decedent at the time of the decedent's death, if a guardian has been appointed.
  - (i) A person in the class of the next degree of kinship, in descending order, who, under state law, would inherit the decedent's estate if the decedent died intestate and who is at least eighteen (18) years of age.
  - (j) A person who has exhibited special care and concern for the decedent and is willing and able to make decisions about the cremation and disposition.
  - (k) In the case of individuals who have donated their bodies to science or whose death occurred in a nursing home or private institution and in which the institution is charged with making arrangements for the final disposition of the decedent, a representative of the institution may serve as the authorizing agent in the absence of any of the above.
  - (l) In the absence of any of the above, any person willing to assume responsibility for the cremation and disposition of the decedent.
  - (m) In the case of indigents or any other individuals whose final disposition is the responsibility of the state or any of its instrumentalities, a public administrator, medical examiner, coroner, state-appointed guardian, or any other public official charged with arranging the final disposition of the decedent may serve as the authorizing agent.
- (2) The provisions of subsection (1) of this section shall not apply to any listed person, regardless of priority, when that person has been finally adjudicated by a court of competent jurisdiction to be at fault for the decedent's death, whether that liability be criminal or civil. Such persons shall be barred and precluded from deciding the disposition of the decedent's body.
- (a) Upon motion by the state or any person listed in subsection (1) of this section in the chancery court of the county of the decedent's residence, the chancellor shall designate the next available person listed in subsection (1) of this section and such person may then authorize any lawful manner of disposition of the decedent's body by completion of a written instrument.
  - (b) If a criminal prosecution arising from the decedent's death is actively ongoing at the time of the disposition of the decedent's remains, the chancellor may request a bond be filed with the court in the sum of Five Thousand Dollars (\$5,000.00) by the moving party before granting the motion.
- ( \* \* \*3) No funeral establishment shall accept a dead human body from any public officer or employee or from the official of any institution, hospital or nursing home, or from a physician or any person having a professional relationship with a decedent, without having first made due inquiry as to the desires of the persons who have the legal authority to direct the disposition of the decedent's body. If any persons are found, their authority

and directions shall govern the disposal of the remains of the decedent. Any funeral establishment receiving the remains in violation of this subsection shall make no charge for any service in connection with the remains before delivery of the remains as stipulated by the persons having legal authority to direct the disposition of the body. This section shall not prevent any funeral establishment from charging and being reimbursed for services rendered in connection with the removal of the remains of any deceased person in case of accidental or violent death and rendering necessary professional services required until the persons having legal authority to direct the disposition of the body have been notified.

( \*\* \*4) A person who does not exercise his or her right to dispose of the decedent's body under subsection (1) of this section within five (5) days \* \* \* from the date of the death shall be deemed to have waived his or her right to authorize disposition of the decedent's body or contest disposition in accordance with this section. If, during the aforesaid time period, the funeral director, funeral service practitioner and/or funeral establishment has been provided contrary written consent from members of the same class with the highest priority as to the disposition of the decedent's body, the licensed funeral director or service practitioner or funeral establishment shall act in accordance with the directive of the greatest number of consents received from members of the class. If that number is equal, the funeral director or funeral service practitioner and/or the funeral establishment shall act in accordance with the earlier consent unless the person(s) providing the later consent is granted an order from a court of competent jurisdiction in which the funeral establishment is located, and such order will be filed and paid for by the family of the deceased within twenty (20) days from the date of death.

( \*\* \*5) If no consent for the embalming, cremation or other disposition of a dead human body from any of the relatives or interested persons or institutions listed above in subsection (1) of this section is received within ten (10) days of the decedent's death, the coroner for, or other person designated by, the county in which the funeral establishment is located is authorized to sign the consent authorizing the disposition of the decedent's remains.

( \*\* \*6) If none of the parties listed above in subsection (1) of this section is financially capable of providing for the cremation, embalming or disposition of a dead human body, the coroner for, or other person designated by, the county in which the funeral establishment is located is authorized to sign the consent authorizing the disposition of the decedent's remains.

( \*\* \*7) The licensed funeral director, funeral service practitioner or funeral establishment shall have authority to control the disposition of the remains of a decedent and proceed to recover the costs for the disposition when: (a) none of the persons or parties described above in subsection (1)(a) through (l) assume responsibility for the disposition of the remains, and (b) the coroner or other public official designated in subsection (1)(m) fails to assume responsibility for disposition of the remains within seven (7) days after having been given written notice of the facts. Written notice may be made by personal delivery, United States mail, facsimile or transmission. The method of disposition must be in the least costly and most environmentally sound manner that complies with law, and that does not conflict with known wishes of the decedent.

( \*\* \*8) A funeral director, funeral service and/or funeral establishment licensee acting in accordance with this section, or attempting in good faith to act in accordance with this section, shall not be subject to criminal prosecution or civil liability for carrying out the otherwise lawful instructions of the person or persons described in this section.

( \*\* \*9) The liability for the reasonable cost of the final disposition of the remains of the decedent devolves upon the individual or entity authorizing the disposition and/or upon the estate of the decedent and, in cases when the county board of supervisors has the right to control the disposition of the remains under this section, upon the county in which the death occurred.

SECTION 6. Section 73-11-69, Mississippi Code of 1972, is amended as follows:

73-11-69. (1) No person or party shall conduct, maintain, manage or operate a crematory unless a license for each such crematory has been issued by the board and is conspicuously displayed in such crematory.

(2) The operator of a crematory facility shall issue a certificate of cremation to the family of each person cremated in the facility. In addition, the operator of the crematory facility shall maintain a log of all cremations performed in the facility, and this log shall match the certificates of cremation that have been issued by the facility.

(3) No operator of a crematory facility shall knowingly represent that an urn or temporary container contains the recovered cremated remains of specific decedent or of body parts removed from a specific decedent when it does not. This subsection does not prohibit the making of such a representation because of the presence in the recovered cremated remains of de minimis amounts of the cremated remains of another decedent or of body parts.

(4) The board shall inspect each licensed crematory facility during each licensure period, and at such other times as necessary, to verify that the crematory facility is in compliance with the requirements of this section. Any person who operates a crematory facility in this state without a license, or any person who otherwise violates any provision of this section, is guilty of a felony. Upon conviction for a violation of this section, in addition to any penalty that may be imposed by the court, the board may revoke the person's crematory facility license.

(5) If the retort of a crematory becomes in need of repair, then the operator of the crematory shall notify the board in writing and by telephone within forty-eight (48) hours of discovery of the need to repair, and no cremation shall be made from the time of discovery until satisfactory proof is provided to the board that the repair has been made.

(6) The board may promulgate such rules and regulations as deemed necessary for the proper licensure and regulation of crematory facilities in this state. Such rules and regulations shall include, but not be limited to, the following: crematory facility requirements, identification of deceased human beings, cremation process, processing of remains, commingling of human remains, disposition of cremated remains, removal of human remains and proper documentation requirements as prescribed by state agencies.

(7) Any crematory or funeral establishment may dispose of any remains unclaimed by the family after twelve (12) months after cremation by scattering or burial \* \* \*.

(8) The crematory retort operator must be a certified crematory operator as defined in Section 73-11-41.

(9) No crematory facility licensed by the board shall be used for the cremation of deceased animals.

(10) A crematory may be constructed on or adjacent to any cemetery, on or adjacent to any funeral establishment, or at any other location consistent with local zoning regulations.

SECTION 7. Section 73-11-71, Mississippi Code of 1972, is amended as follows:

73-11-71. (1) Upon the completion of each cremation, and insofar as is practicable, all of the recoverable residue of the cremation process shall be removed from the crematory and placed in a separate container so that the residue may not be commingled with the cremated remains of other persons. Cremated remains of a dead

human shall not be divided or separated without the prior written consent from the person entitled to control the disposition of the cremated remains.

(2) Written acknowledgement from the person entitled to control the disposition of the cremated remains shall be obtained by the person with whom arrangements are made for disposition of the remains on a form that includes, but is not limited to, the following information:

"The human body burns with the casket, container or other material in the cremation chamber. Some bone fragments are not combustible at the incineration temperature and, as a result, remain in the cremation chamber. During the cremation, the contents of the chamber may be moved to facilitate incineration. The chamber is composed of ceramic or other material which disintegrates slightly during each cremation and the produce of that disintegration is commingled with the cremated remains. Nearly all of the contents of the cremation chamber, consisting of the cremated remains, disintegrated chamber material, and small amounts of residue from previous cremations, are removed together and crushed, pulverized or ground to facilitate inurnment or scattering. Some residue remains in the cracks and uneven places of the chamber. Periodically, the accumulation of this residue is removed and interred or scattered in a dedicated cemetery property or appropriate area."

The acknowledgment shall be filed and retained for at least three (3) years by the person who disposes of or interrs the remains.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 73-11-51, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSING REQUIREMENTS FOR FUNERAL DIRECTORS TO REQUIRE APPLICANTS TO HAVE SERVED AS A RESIDENT TRAINEE FOR NOT LESS THAN TWELVE MONTHS UNDER THE SUPERVISION OF A LICENSED FUNERAL DIRECTOR; TO AMEND SECTION 73-11-53, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE FUNERAL DIRECTOR TRAINEE AND APPRENTICESHIP PROGRAM; TO BRING FORWARD SECTION 73-11-57, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE NEW SECTION 73-11-57.2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON OR ENTITY SHALL ENGAGE IN ANY ACTIVITY FOR WHICH A LICENSE IS REQUIRED UNDER THE CHAPTER WITHOUT HOLDING SUCH LICENSE IN GOOD STANDING; TO PROVIDE THAT A PERSON MAY NOT BE, ACT AS, OR ADVERTISE OR HOLD HIMSELF OR HERSELF OUT TO BE A FUNERAL SERVICE, A FUNERAL DIRECTOR, OR A CERTIFIED CREMATORY OPERATOR UNLESS HE OR SHE IS CURRENTLY LICENSED BY THE BOARD; TO AUTHORIZE THE BOARD OF FUNERAL SERVICE TO ISSUE ADMINISTRATIVE COMPLAINTS TO ANY PERSON OR ENTITY WHO IT BELIEVES HAS VIOLATED PROVISIONS OF THE LAW; TO ALLOW THE BOARD TO IMPOSE A FINE OF UP TO \$5,000.00 FOR VIOLATIONS OF THE CHAPTER; TO AUTHORIZE THE BOARD TO HOLD AND CONDUCT HEARINGS ON SUBJECT VIOLATIONS; TO AUTHORIZE THE BOARD TO ISSUE AN EMERGENCY ORDER UPON AN UNLICENSED PERSON OR ENTITY; TO EMPOWER THE BOARD TO FILE FOR AN INJUNCTION SEEKING ENFORCEMENT OF THE EMERGENCY ORDER; TO PROVIDE THAT AN AGGRIEVED PARTY MAY APPEAL FROM THE ASSESSMENT AND LEVY OF A MONETARY PENALTY; TO AMEND SECTION 73-11-58, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE DISPOSITION OF DECEDENT'S BODIES BY FUNERAL SERVICE PRACTITIONERS; TO PRECLUDE AT-FAULT PARTIES FROM DECIDING THE DISPOSITION OF A DECEDENT'S REMAINS; TO AMEND SECTION 73-11-69, MISSISSIPPI CODE OF 1972, TO REVISE THE NOTICE REQUIREMENT

BEFORE A CREMATORY OR FUNERAL ESTABLISHMENT MAY DISPOSE OF UNCLAIMED REMAINS; TO AMEND SECTION 73-11-71, MISSISSIPPI CODE OF 1972, TO REVISE THE WRITTEN ACKNOWLEDGMENT FORM THAT IS OBTAINED FROM THE PERSON ENTITLED TO CONTROL THE DISPOSITION OF CREMATED REMAINS; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2090** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator Carter called up the following entitled nomination:

**S. N. No. 12:** Robert Paul Mosley, Sr., Clarke County, Mississippi, Commercial Mobile Radio Service Board as the Mississippi Association of Supervisors representative, four year term effective July 1, 2022 and ending June 30, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 12 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator Carter called up the following entitled nomination:

**S. N. No. 48:** Charles Jim Beckett, Bruce, Mississippi, Executive Director of the Mississippi Public Utilities Staff, remainder of six year term beginning September 23, 2022 and ending June 30, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 48 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.  
Absent and those not voting--Tate. Total--1.  
Voting Present--Hill, Simmons D. T. (12th). Total--2.

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Senator Carter called up the following entitled nomination:

**S. N. No. 64:** Melissa Ann Bryant, Pinola, Mississippi, Commercial Mobile Radio Service Board as a representative for the National Emergency Numbering Association; Southern Public Service Com. District, four year term effective July 1, 2022 and ending June 30, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 64 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.  
Absent and those not voting--Tate. Total--1.

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Senator Bryan moved that the rules be suspended for the consideration en bloc of S. N. No. 29, S. N. No. 30, S. N. No. 85, S. N. No. 31, S. N. No. 32, S. N. No. 33, S. N. No. 34, S. N. No. 72, S. N. No. 3, S. N. No. 10, S. N. No. 16, S. N. No. 17, S. N. No. 18, S. N. No. 19, S. N. No. 26, S. N. No. 35, S. N. No. 36, S. N. No. 37, S. N. No. 47, S. N. No. 50, S. N. No. 52, S. N. No. 80, S. N. No. 88, S. N. No. 27 and S. N. No. 38 and the motion prevailed.

Senator Bryan called up the following entitled nominations:

**S. N. No. 29:** William Eugene (Gene) Loper, MD, Ridgeland, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, vice Daniel Edney, MD.

**S. N. No. 30:** William David McClendon, MD, Ocean Springs, Mississippi, Mississippi State Board of Medical Licensure to represent the Second Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028.

**S. N. No. 85:** Renia Dotson, MD, Greenville, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, vice Charles Miles, MD.

**S. N. No. 31:** Dr. James David (Jim) Herzog, Oxford, Mississippi, Board of Mental Health, seven year term effective July 1, 2022 and ending June 30, 2029, representing Ph.D. Clinical Psychologist.

**S. N. No. 32:** Tommy Ray (T.J.) Adams, Jr., Fulton, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective July 1, 2022 and ending June 30, 2026.

**S. N. No. 33:** Sandra Susan Culpepper, Poplarville, Mississippi, Mississippi Board of Nursing as an LPN, four year term effective July 1, 2022 and ending June 30, 2026.

**S. N. No. 34:** Carley Tigrett Walker, Madison, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term effective November 28, 2022 and ending June 30, 2026, vice Shirley Jackson.

**S. N. No. 72:** Jane Marie (Janie) Clanton, RN, Meadville, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective July 1, 2022 and ending June 30, 2026.

**S. N. No. 3:** Paulette Jackson, Jackson, Mississippi, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, term effective August 25, 2022 and the appointee shall serve at the will and pleasure of the Governor.

**S. N. No. 10:** Susan Neely Berry, D.C., Flora, Mississippi, Mississippi State Board of Chiropractic Examiners, remainder of a five year term effective June 28, 2022 and ending April 20, 2026, representing the state at large, vice Arthur Jack Hall.

**S. N. No. 16:** Dr. Kimberly Elam Sallis, Oxford, Mississippi, MS State Board of Examiners for Licensed Professional Counselors, five year term effective July 1, 2021 and ending June 30, 2026, representing the First Congressional District.

**S. N. No. 17:** Dr. Richard Almon Strebeck, Long Beach, Mississippi, MS State Board of Examiners for Licensed Professional Counselors, five year term effective July 1, 2022 and ending June 30, 2027, representing the At-Large position.

**S. N. No. 18:** Dr. Melissa Hawkins Windham, Meridian, Mississippi, MS State Board of Examiners for Licensed Professional Counselors, five year term beginning July 1, 2022 and ending June 30, 2027, representing the Third Congressional District, vice Steven Stafford.

**S. N. No. 19:** Alexa Le'Kia Lampkin, DMD, Ridgeland, Mississippi, MS State Board of Dental Examiners to represent the dentist member of the Board from the state at-large, remainder of six year term beginning July 1, 2022 and ending June 30, 2026, vice Roy L. Irons, DDS.

**S. N. No. 26:** Martha Hobdy (Marty) Bell, Madison, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, remainder of a four-year term effective upon confirmation by the Senate and ending June 30, 2025.

**S. N. No. 35:** William Chadwick Blackard, Madison, Mississippi, State BD of Nursing Home Administrators as Nursing Home Administrator, remainder of four year term effective upon confirmation by the Senate and ending June 5, 2025, representing the 1st Supreme Ct. Dist..

**S. N. No. 36:** Robin C. (Rob) Skelton, Rienzi, Mississippi, MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, unexpired four year term effective May 23, 2022 and ending June 25, 2022, vice Stanley C. Maynard.

**S. N. No. 37:** Robin C. (Rob) Skelton, Rienzi, Mississippi, MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, four year term effective June 26, 2022 and ending June 25, 2026.

**S. N. No. 47:** Dock Austin Daniel, Madison, Mississippi, Mississippi Board of Physical Therapy, four year term beginning July 14, 2022 and ending June 30, 2026, representing a Consumer At-Large, vice Melanie Woodrick.



**S. N. No. 50:** Wilmetta Valerie S. Burnett, LSW, Brandon, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective August 25, 2022 and ending June 30, 2024, vice Erin P. Pittman.

**S. N. No. 52:** Gerard D. Tarrant, Biloxi, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists, second full four year term effective July 28, 2022 and ending June 30, 2026, representing the Licensed Marriage and Family Therapist.

**S. N. No. 80:** David Kennon (DK) Curtis, Sr., DMD, Columbus, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District One, six year term beginning February 22, 2023 and ending June 30, 2028.

**S. N. No. 88:** William Jeffrey Hinton, Ph.D., Petal, Mississippi, BD of Examiners for Social Workers & Marriage & Family Therapists as a Lic. Marriage & Family Therapist, unexpired four year term effective Oct. 7, 2022 and ending June 30, 2024.

**S. N. No. 27:** Tracy Hunt White, Hazlehurst, Mississippi, Mississippi State Board of Massage Therapy as the Licensed Health Professional in a field other than Massage Therapy, four year term effective July 1, 2022 and ending June 30, 2026, vice Kathryn Renee Walker.

**S. N. No. 38:** Micah Ray Walker, M.D., Madison, Mississippi, MS State Board of Nursing Home Administrators as the licensed and practicing medical doctor or physician, four year term effective July 1, 2022 and ending June 30, 2026.

YEAS AND NAYS on consideration en bloc of S. N. No. 29, S. N. No. 30, S. N. No. 85, S. N. No. 31, S. N. No. 32, S. N. No. 33, S. N. No. 34, S. N. No. 72, S. N. No. 3, S. N. No. 10, S. N. No. 16, S. N. No. 17, S. N. No. 18, S. N. No. 19, S. N. No. 26, S. N. No. 35, S. N. No. 36, S. N. No. 37, S. N. No. 47, S. N. No. 50, S. N. No. 52, S. N. No. 80, S. N. No. 88, S. N. No. 27 and S. N. No. 38. On motion of Senator Bryan, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Ilene Rose Melrose of Pascagoula, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of John Thomas Norman, Jr. and Frances Marie Williams Smith of Bogue Chitto, MS.

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SENATE JOURNAL  
WEDNESDAY, MARCH 22, 2023

Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Enoch B. Magee of Brookhaven, MS.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Patsy Hutcherson Carr of Monticello, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Emile Louis Guedon of Church Hill, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of James Franks, Sr. of Natchez, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM, at which time the Senate would then adjourn until 10:00 AM, Thursday, March 23, 2023.

The motion prevailed, and at 11:37 AM, the Senate stood in recess.

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MESSAGE FROM THE GOVERNOR  
March 22, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2102:** Excavations; provide for impending emergencies and extend notification period for. (March 21, 2023, 2:18 PM)

**S. B. No. 2127:** Terroristic threats; revise elements of. (March 21, 2023, 1:44 PM)

**S. B. No. 2376:** Youth court; clarify that disclosure of certain records in criminal matters do not require youth court approval. (March 21, 2023, 1:49 PM)

**S. B. No. 2523:** Pecan Harvesting Law; revise penalties for violating. (March 21, 2023, 1:51 PM)

**S. B. No. 2615:** Contract personnel; authorize to purchase base plan of the State and School Employees' Health Insurance Plan. (March 21, 2023, 1:52 PM)

**S. B. No. 2634:** Child support; allow criminal charges three years after the child turns twenty-one. (March 21, 2023, 1:53 PM)

**S. B. No. 2858:** Mississippi Small Business Investment Company Act; increase the amount of investment tax credits that can be allocated under. (March 21, 2023, 2:20 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
March 22, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2358:** Ballot harvesting; ban. (March 22, 2023, 9:30 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2150:** Warren County; authorize to enter into lease agreement or lease-purchase arrangement for public safety purpose.

**S. B. No. 2922:** DeSoto County; authorize to transfer parcel of county-owned property to City of Olive Branch for construction of animal shelter.

**S. B. No. 2960:** City of Grenada; extend repealer on hotel/motel & restaurant tourism tax.

**S. B. No. 3108:** Lowndes County; authorize to lease property for nominal consideration for nonprofit use for the benefit of disadvantaged children.

**S. B. No. 3110:** Tunica County Utility District; delete provision of law subjecting to rate regulation by Public Service Commission.

**S. B. No. 3139:** Jackson County; authorize Board of Supervisors and Utility Authority to share equipment, labor, services, resources and funds.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 606:** The Mobile/Online Betting Task Force; authorize.

**H. B. No. 1003:** Mississippi Fully Autonomous Vehicle Enabling (MS FAVE) Act of 2023; establish to regulate operation of autonomous vehicle on public roads.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 2892:** City of Vicksburg; authorize to contribute to the creation, development and promotion of the Dr. Jane Ellen McAllister Museum.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 568:** Recognize Entergy Mississippi on the occasion of its 100th Anniversary.

Andrew Ketchings, Clerk of the House of Representatives

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#### FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 53:** A CONCURRENT RESOLUTION HONORING AND CELEBRATING THE 75TH ANNIVERSARY OF INDEPENDENCE OF THE STATE OF ISRAEL.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1725:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE PRAIRIE LAND WATER ASSOCIATION; TO PROVIDE THAT SUCH CONTRIBUTION MAY BE MADE BY UTILIZING CERTAIN LOCAL FISCAL RECOVERY FUNDS THAT HAVE BEEN RECEIVED BY THE COUNTY THROUGH THE AMERICAN RESCUE PLAN ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1787:** AN ACT TO AMEND SECTION 903, LOCAL AND PRIVATE LAWS OF 2018, TO AUTHORIZE THE SCENIC RIVERS DEVELOPMENT ALLIANCE (SRDA) TO CREATE SPECIAL PURPOSE ENTITIES; TO DEFINE THE TERM "SPECIAL PURPOSE ENTITY"; TO PROVIDE THAT THE CONTROL, OPERATION, MANAGEMENT AND GOVERNANCE OF ANY SPECIAL PURPOSE ENTITY SHALL REMAIN IN THE SRDA ALLIANCE; TO AUTHORIZE ANY SPECIAL PURPOSE ENTITY, CREATED BY THE SRDA ALLIANCE, TO PERFORM CERTAIN ACTS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. C. R. No. 46:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE POPLARVILLE HIGH SCHOOL HORNETS CHEERLEADING TEAM FOR WINNING THEIR FIRST EVER UCA NATIONAL HIGH SCHOOL CHEERING CHAMPIONSHIP IN THE SMALL VARSITY NON-TUMBLING GAME DAY DIVISION II.  
Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2139:** AN ACT TO ESTABLISH A MISSISSIPPI USA SEMIQUINCENTENNIAL COMMISSION TO DEVELOP PROGRAMS FOR OBSERVING THE 250TH ANNIVERSARY OF THE UNITED STATES OF AMERICA; TO AUTHORIZE COOPERATION WITH THE UNITED STATES SEMIQUINCENTENNIAL COMMISSION AND THE AMERICA250 FOUNDATION AND OTHER PUBLIC AND PRIVATE ORGANIZATIONS; TO DESIGNATE SPECIFIC OBJECTIVES OF THE COMMISSION; TO PROVIDE FOR THE MEMBERSHIP AND ORGANIZATION OF THE COMMISSION; TO PROVIDE FOR REIMBURSEMENT OF EXPENSES; TO PROHIBIT SOLICITATION OF FUNDS BY MEMBERS WHO ARE ELECTED OFFICIALS OR PUBLIC EMPLOYEES; TO PROVIDE FOR THE APPOINTMENT OF AN EXECUTIVE OFFICER AND SECRETARY TO THE COMMISSION; TO PROVIDE FOR ADVISORY COMMITTEES; TO ENCOURAGE THE COOPERATION OF STATE AGENCIES AND POLITICAL SUBDIVISIONS; TO EMPOWER THE COMMISSION TO ACCEPT AND EXPEND FUNDS FROM PRIVATE AND PUBLIC SOURCES FOR THIS CELEBRATION; TO CREATE THE MISSISSIPPI SEMIQUINCENTENNIAL CELEBRATION FUND IN THE STATE TREASURY; TO REQUIRE AN ANNUAL REPORT OF THE COMMISSION TO THE GOVERNOR AND LEGISLATURE; AND FOR RELATED PURPOSES.  
Joseph Thomas, Chairman

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1325:** AN ACT TO AMEND CHAPTER 935, LOCAL AND PRIVATE LAWS OF 2016, AS AMENDED BY CHAPTER 960, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2030, TO JULY 1, 2034, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF BRANDON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FROM HOTELS AND MOTELS WITHIN THE CITY

FOR THE PURPOSE OF FUNDING AN AMPHITHEATRE AND OTHER ANCILLARY IMPROVEMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1667:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF FLORENCE, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED THREE PERCENT UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND TO LEVY A TAX THAT SHALL NOT EXCEED TWO PERCENT UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF FUNDING THE CITY'S PARKS AND RECREATION DEPARTMENT; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**H. B. No. 1697:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF FARMINGTON, MISSISSIPPI, TO ALLOW THE OPERATION OF LOW-SPEED VEHICLES AND GOLF CARTS ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE CITY; TO REQUIRE INDIVIDUALS OPERATING A LOW-SPEED VEHICLE OR GOLF CART TO HAVE A VALID DRIVER'S LICENSE OR TEMPORARY DRIVER'S LICENSE PERMIT; TO REQUIRE CERTAIN REGISTRATION OF SUCH LOW-SPEED VEHICLE OR GOLF CART; AND FOR RELATED PURPOSES.

**H. B. No. 1792:** AN ACT TO AMEND CHAPTER 854, LOCAL AND PRIVATE LAWS OF 1986, TO REVISE THE DEFINITION OF "HOTEL" AND "MOTEL" UNDER THE CITY OF STARKVILLE, MISSISSIPPI'S MOTEL-HOTEL TAX; TO PROVIDE FOR AN INDIRECT REFERENDUM ON THE CONTINUATION OF THE LEVYING OF SUCH TAX; AND FOR RELATED PURPOSES.

**H. B. No. 1793:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF SUNFLOWER COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO PHILADELPHIA TRANSIT; AND FOR RELATED PURPOSES.

**H. B. No. 1794:** AN ACT TO AMEND CHAPTER 903, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF CHARLESTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

**H. B. No. 1795:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE EDUCATION ASSOCIATION OF EAST OKTIBBEHA COUNTY SCHOOLS; AND FOR RELATED PURPOSES.

**H. B. No. 1796:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE J.L. KING CENTER; AND FOR RELATED PURPOSES.

**H. B. No. 1797:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO MAINTAIN CAMP SEMINOLE ROAD; AND FOR RELATED PURPOSES.

**H. B. No. 1798:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO BRICKFIRE PROJECT; AND FOR RELATED PURPOSES.

**H. B. No. 1799:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO SALLY KATE WINTERS FAMILY SERVICES; AND FOR RELATED PURPOSES.

**H. B. No. 1800:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE HOLMES COUNTY LONG-TERM RECOVERY COMMITTEE; AND FOR RELATED PURPOSES.

**H. B. No. 1805:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, AS OWNERS OF SINGING RIVER HEALTH SYSTEM, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE DEVELOPMENT OF THE SINGING RIVER HEALTHCARE WORKFORCE ACADEMY; TO AUTHORIZE THE BOARD OF SUPERVISORS TO LEASE THE SINGING RIVER HEALTHCARE WORKFORCE ACADEMY TO THE PURCHASER OF SINGING RIVER HEALTH SYSTEM OR OTHER PERSONS; AND FOR RELATED PURPOSES.

**H. B. No. 1816:** AN ACT TO AMEND CHAPTER 957, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL TO JULY 1, 2028, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF CLINTON, MISSISSIPPI, TO IMPOSE AN ADDITIONAL TOURISM TAX OF ONE PERCENT ON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS WITHIN THE CITY FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM, PARKS AND RECREATION; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2218:** AN ACT TO PROVIDE DEFINITIONS RELATING TO THIRD-PARTY DELIVERY SERVICES THAT ADVERTISE, PROMOTE OR CONVEY ANY RELATIONSHIP WITH A RESTAURANT OR USE THE MENU, LOGO OR INTELLECTUAL PROPERTY BELONGING TO A RESTAURANT ON THE THIRD-PARTY DELIVERY PLATFORM; TO PROHIBIT THIRD-PARTY DELIVERY SERVICES FROM USING THE MENU, LOGO OR ANY INTELLECTUAL PROPERTY OF A RESTAURANT WITHOUT AN AGREEMENT; TO PROHIBIT AN INDEMNITY CLAUSE IN SUCH AGREEMENT; TO PROVIDE A RIGHT TO BRING ACTION RELATING TO THIRD-PARTY DELIVERY SERVICES THAT USE THE MENU, LOGO OR INTELLECTUAL PROPERTY OF A RESTAURANT IN VIOLATION OF THIS ACT; TO PROVIDE PENALTIES RELATING TO THIRD-PARTY DELIVERY SERVICES THAT USE THE MENU, LOGO OR INTELLECTUAL PROPERTY OF A RESTAURANT IN VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 923:** Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as.  
Senators Whaley, Suber, Sparks.

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#### MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Newman as a conferee, the Speaker has named a new conferee on the following:

**H. B. No. 1034:** State Veterans Affairs Board; revise composition of.

Representatives Carpenter and Hines remain as conferees and the Speaker has named Representative Rushing to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 47:** The Essie B. and William Earl Glenn Foundation; commend on occasion of its fourth symposium for Adverse Childhood Experiences Trauma Awareness Day. Rules.

**H. C. R. No. 48:** Mississippi Clean Hydrogen Hub; urge the federal government to designate Mississippi as. Rules.

**H. C. R. No. 49:** Baldwyn Career Advancement Center; commend 2023 SkillsUSA Quiz Bowl Team upon winning first place in state competition. Rules.

**H. C. R. No. 53:** Israel; commend 75th anniversary of independence of. Rules.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2053:** Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists.  
Senators Polk, Thompson, Turner-Ford.

**S. B. No. 2054:** Appointed state officers; provide for the removal of for certain forms of willful neglect.  
Senators Polk, Blackwell, Branning.

**S. B. No. 2514:** Secretary of State; clarify authority to transfer land records to Department of Archives and History.  
Senators Polk, Parker, Blount.

**S. B. No. 2538:** Mississippi Regional Pre-Need Disaster Clean Up Act; create.  
Senators Polk, Hill, Williams.

**S. B. No. 2673:** Mississippi Real Estate Appraisal Board; make independent from Mississippi Real Estate Commission.  
Senators Polk, Thompson, Parks.

**S. B. No. 2844:** Bureau of Fleet Management; revise duties thereof.  
Senators Polk, Blackwell, Hill.

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MESSAGE FROM THE HOUSE



MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Powell as a conferee, the Speaker has named a new conferee on the following:

**S. B. No. 2335:** Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee.

Representatives Lamar and Steverson remain as conferees and the Speaker has named Representative Massengill to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2079:** Mississippi School Protection Act; enact to allow armed educators.

Representatives Bain, Horan, Ford (73rd)

**S. B. No. 2167:** Early Intervention Task Force; establish.

Representatives Bennett, McCarty, Felsher

**S. B. No. 2187:** Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating.

Representatives Lamar, Steverson, Carpenter

**S. B. No. 2586:** Computer science curriculum; clarify terminology to specify who may provide instruction in.

Representatives Bennett, McCarty, Felsher

**S. B. No. 2645:** Circuit court districts; increase number of assistant district attorneys and criminal investigators.

Representatives Bain, Yates, Newman

**S. B. No. 2749:** School board members; increase pay.

Representatives Bennett, McCarty, Owen

**S. B. No. 2812:** Board for administration of certain failing school district; extend date of repeal.

Representatives Bennett, McCarty, Roberson

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs.

Representatives Read, Oliver, Scoggin

**S. B. No. 3052:** Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies.

Representatives Read, Oliver, Mims

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 485:** Sexual assault evidence kit; regulate the processing of.

Representatives Cockerham, Blackmon, Lamar

**H. B. No. 677:** County veteran service officers; revise certain qualifications for.

Representatives Carpenter, Newman, Hulum

**H. B. No. 817:** Early Learning Collaborative; increase minimum funding levels for full-day and half-day programs.

Representatives Bennett, McCarty, Felsher

Andrew Ketchings, Clerk of the House of Representatives

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#### REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1325:** City of Brandon; extend repealer on hotels/motel to fund amphitheater and other ancillary improvements. Local and Private.

**H. B. No. 1667:** City of Florence; authorize a tax on restaurants and hotels/motels. Local and Private; Finance.

**H. B. No. 1697:** City of Farmington; authorize the use of low-speed vehicles and golf carts on certain public streets with certain restrictions. Local and Private.

**H. B. No. 1792:** City of Starkville; revise the definitions of the terms "hotel" and "motel" under the city's motel-hotel tax. Local and Private.

**H. B. No. 1793:** Neshoba County; authorize contribution to Philadelphia Transit. Local and Private.

**H. B. No. 1794:** City of Charleston; extend date of repeal on restaurant tourism tax. Local and Private.

**H. B. No. 1795:** Oktibbeha County; authorize contributions to the Education Association of East Oktibbeha County Schools. Local and Private.

**H. B. No. 1796:** Oktibbeha County; authorize contributions to the J.L. King Center. Local and Private.

**H. B. No. 1797:** Oktibbeha County; authorize contributions to maintain Camp Seminole Road. Local and Private.

**H. B. No. 1798:** Oktibbeha County; authorize contribution to Brickfire Project. Local and Private.

**H. B. No. 1799:** Oktibbeha County; authorize contributions to Sally Kate Winters Family Services. Local and Private.

**H. B. No. 1800:** Holmes County; authorize contributions to the Holmes County Long-Term Recovery Committee. Local and Private.

**H. B. No. 1805:** Jackson County; authorize to enter a MOU with DFA regarding Singing River Health System and healthcare workforce academy. Local and Private.

**H. B. No. 1816:** City of Clinton; extend repeal date on additional tourism tax on hotels and motels. Local and Private.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 485:** Sexual assault evidence kit; regulate the processing of.  
Senators Wiggins, England, Boyd.

**H. B. No. 510:** Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents.  
Senators Wiggins, Boyd, Barrett.

**H. B. No. 685:** Deeds to married couples; create a rebuttable presumption of joint tenancy with rights of survivorship.  
Senators Wiggins, McCaughn, Branning.

**H. B. No. 1029:** United States Space Force; provide that reference to "Armed Forces" and "Uniformed Services" in Mississippi law shall include members of.  
Senators Seymour, DeLano, McMahan.

**H. B. No. 1111:** County court jurisdiction for termination of parental rights; authorize for both involuntary and voluntary termination.  
Senators Wiggins, Boyd, Barrett.

**H. B. No. 1149:** Path to permanency; provide for children in Child Protection Services.  
Senators Wiggins, Boyd, Branning.

**H. B. No. 1216:** Circuit judges and chancellors; increase office operating and expense allowances and support staff funding.  
Senators Wiggins, Simmons (12th), Hopson.

**H. B. No. 1318:** Baby drop-off and safe haven; revise provisions that regulate.  
Senators Wiggins, Boyd, Branning.

**H. B. No. 1342:** Adoption procedures; regulate by creating a licensure authority.  
Senators Wiggins, England, Kirby.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 266:** Department of Public Safety Headquarters Office; name in honor of Commissioner David R. Huggins.  
Senators Fillingane, Sparks, Parks.

**H. B. No. 400:** Election crimes; revise the penalties for certain.  
Senators Fillingane, England, DeBar.

**H. B. No. 405:** Bribery of a candidate; revise statute of limitations.  
Senators Fillingane, England, Thompson.

**H. B. No. 529:** Department of Public Safety; revise various provisions.  
Senators Fillingane, England, Hickman.

**H. B. No. 771:** HELP Grant and MTAG Programs; revise level of funding provided to eligible students.  
Senators Parks, Boyd, Williams.

**H. B. No. 795:** Shoplifting; require to calculate total price of all shoplifting items for fine.  
Senators Fillingane, Suber, Hill.

**H. B. No. 912:** Firearm suppressors; authorizing manufacture and possession in Mississippi and prohibit enforcement of federal laws governing.  
Senators Fillingane, McCaughn, Thompson.

**H. B. No. 995:** Rape; revise elements for the crime of and remove spousal exception.  
Senators Fillingane, Sparks, Wiggins.

**H. B. No. 1315:** Pornographic media materials; regulate access to minors and require age verification.  
Senators Fillingane, Wiggins, Hill.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 40:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING MRS. JOSEPHINE PRADIA RHYMES FOR HER OUTSTANDING COMMUNITY SERVICE AND CONTRIBUTIONS.

**H. C. R. No. 41:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE SOFTBALL TEAM AND HEAD COACH CHELSEA BRAMLETT FOR THEIR HISTORIC SEASON AND OUTSTANDING ACCOMPLISHMENTS.

**H. C. R. No. 42:** A CONCURRENT RESOLUTION ENCOURAGING FURTHER ECONOMIC TIES AND FRIENDSHIP BETWEEN THE STATE OF MISSISSIPPI AND THE REPUBLIC OF CHINA (TAIWAN).

**H. C. R. No. 43:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE NORTHWEST MISSISSIPPI COMMUNITY COLLEGE LADY RANGERS VOLLEYBALL TEAM AND HEAD COACH ALLISON BURCHYETT FOR WINNING THE REGION 23 CHAMPIONSHIP.

**H. C. R. No. 44:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING KOSCIUSKO, MISSISSIPPI, AUTOMOBILE DEALER STEPHEN FRANKS UPON HIS NOMINATION FOR THE PRESTIGIOUS 2023 TIME DEALER OF THE YEAR AWARD AND HONORING HIS COMMUNITY SERVICE AND INDUSTRY ACCOMPLISHMENTS.

**H. C. R. No. 45:** A CONCURRENT RESOLUTION COMMENDING THE MEMBERS OF PHI THETA KAPPA'S ALL-MISSISSIPPI ACADEMIC AND WORKFORCE TEAM ON THE OCCASION OF "MISSISSIPPI PHI THETA KAPPA DAY."

Joseph Thomas, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Ilene Rose Melrose, Frances Marie Williams Smith, Enoch B. Magee, John Thomas Norman, Jr., Patsy Hutcherson Carr, James Franks, Sr. and Emile Louis Guedon.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR WEDNESDAY, MARCH 22, 2023

**S. R. No. 87:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING MISSISSIPPI UNIVERSITY FOR WOMEN BASKETBALL PLAYER CONLEY LANGFORD UPON BEING RECOGNIZED AS 2022-2023 "STUDENT ATHLETE OF THE YEAR" PRESENTED BY THE UNITED STATES COLLEGIATE ATHLETIC ASSOCIATION (USCAA), THE FIRST PLAYER IN MUW'S HISTORY TO RECEIVE THIS PRESTIGIOUS AWARD.

By Senator(s) Suber

**S. R. No. 88:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE INGOMAR ATTENDANCE CENTER "LADY FALCONS" GIRLS BASKETBALL TEAM AND HEAD COACH TRENT ADAIR FOR WINNING THE MHSAA CLASS 1A STATE CHAMPIONSHIP WHICH IS THEIR SECOND IN THREE YEARS AND TWELFTH STATE TITLE OVERALL.

By Senator(s) Whaley

**S. R. No. 89:** Rules

A RESOLUTION SUPPORTING THE EFFORTS OF THE FEDERAL GOVERNMENT IN ENDING THE HIV EPIDEMIC IN THE STATE OF MISSISSIPPI.

By Senator(s) Hickman

**S. R. No. 90:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING DR. JANIE BROWN OF LAUREL MIDDLE SCHOOL ELEMENTARY SCHOOL IN HATTIESBURG, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2023 BY CURRICULUM ASSOCIATES.

By Senator(s) Barnett

**S. R. No. 91:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING KIANA PENDELTON, PRINCIPAL OF LAUREL MAGNET SCHOOL OF THE ARTS IN LAUREL, MISSISSIPPI, FOR BEING NAMED THE CURRICULUM ASSOCIATES CLASS OF EXTRAORDINARY EDUCATORS PROGRAM 2023 INSPIRE AWARD WINNER.

By Senator(s) Barnett

**S. R. No. 92:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING ANTHONY HAMORSKY OF HAWKINS ELEMENTARY SCHOOL IN HATTIESBURG, MISSISSIPPI, FOR BEING NAMED AN EXTRAORDINARY EDUCATOR FOR 2023 BY CURRICULUM ASSOCIATES.

By Senator(s) Barnett

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EIGHTIETH DAY, THURSDAY, MARCH 23, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Bishop Andrew George, Pastor, Hands of God Worship Center, Newton, MS.

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Senator Barnett led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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**INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:**

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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**REPORT OF COMMITTEE ON ENROLLED BILLS**

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2449:** AN ACT TO AMEND SECTION 27-65-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TANGIBLE PERSONAL PROPERTY" UNDER THE STATE SALES TAX LAW; TO AMEND SECTION 27-65-7, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "RETAIL SALE" UNDER THE STATE SALES TAX LAW; TO AMEND SECTION 27-65-19, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "TELECOMMUNICATIONS SERVICE" FOR PURPOSES OF THE SALES TAX IMPOSED ON TELECOMMUNICATIONS SERVICES; TO PROVIDE THAT SALES OF COMPUTER SOFTWARE, COMPUTER SOFTWARE SERVICES, SPECIFIED DIGITAL PRODUCTS, OR OTHER PRODUCTS DELIVERED ELECTRONICALLY, SHALL BE TAXED AS PROVIDED IN OTHER SECTIONS OF THE STATE SALES TAX LAW; TO AMEND SECTION 27-65-23, MISSISSIPPI CODE OF 1972, TO EXCLUDE COMPUTER SOFTWARE SALES FROM THE SALES TAX IMPOSED ON VARIOUS SERVICES; TO PROVIDE THAT THE SALES TAX IMPOSED ON COMPUTER SOFTWARE SERVICES APPLIES TO SUCH SERVICES THAT ARE ACTUALLY PERFORMED WITHIN THIS STATE; TO PROVIDE THAT WHEN A TAXPAYER PERFORMS SERVICES COVERED BY THIS SECTION, WHICH ARE PERFORMED BOTH IN INTRASTATE AND INTERSTATE COMMERCE, THE TAXPAYER MAY UTILIZE ANY REASONABLE FORMULAE OF APPORTIONMENT WHICH WILL APPORTION TO THIS STATE, FOR TAXATION, THAT PORTION OF THE SERVICES WHICH ARE PERFORMED WITHIN THIS STATE; TO AMEND SECTION 27-65-93, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSIONER OF REVENUE SHALL ADOPT RULES AND REGULATIONS PROVIDING FOR THE ISSUANCE OF A PERMIT TO PURCHASERS AND USERS OF COMPUTER SOFTWARE OR COMPUTER SOFTWARE SERVICES TO PURCHASE SUCH ITEMS AND SERVICES WITHOUT THE PAYMENT TO THE VENDOR OF SALES TAX AND USE TAX; TO DEFINE THE TERMS "COMPUTER SOFTWARE", "COMPUTER SOFTWARE SERVICE" AND "INFORMATION AND DATA PROCESSING SERVICES" UNDER THE STATE SALES TAX LAW; TO PROVIDE FOR THE ALLOCATION OF TAXABLE AND NONTAXABLE PORTIONS OF COMPUTER SOFTWARE AND COMPUTER SOFTWARE SERVICE IN BUNDLED TRANSACTIONS; TO PROVIDE FOR THE APPORTIONMENT OF THE USE OF TAXABLE COMPUTER SOFTWARE AND COMPUTER SOFTWARE SERVICES BOTH WITHIN AND WITHOUT THIS STATE; TO PROVIDE THAT FOR PURPOSES OF SALES TAX AND USE TAX, COMPUTER SOFTWARE OR COMPUTER SOFTWARE SERVICES PROVIDED BY ONE LEGAL ENTITY TO ANOTHER COMMONLY OWNED, RELATED, OR AFFILIATED ENTITY SHALL BE TREATED AS NONTAXABLE TRANSFERS BETWEEN DIFFERENT SEGMENTS OF ONE LEGAL ENTITY, WITH PROPER CREDIT ALLOWED FOR MISSISSIPPI SALES OR USE TAX PAID AND CREDIT FOR SALES OR USE TAX PAID TO ANOTHER STATE AS PROVIDED IN THE STATE SALES TAX LAW OR STATE USE TAX LAW, REGARDLESS OF WHICH AFFILIATED ENTITY PAID THE SALES OR USE TAX FOR WHICH CREDIT IS TAKEN; TO PROVIDE THAT A TAXPAYER THAT HAS PAID A SALES TAX OR USE TAX TO ANOTHER STATE OR LOCAL TAXING JURISDICTION ON COMPUTER SOFTWARE OR COMPUTER SOFTWARE SERVICE THAT IS TAXABLE IN THIS STATE SHALL BE ALLOWED A CREDIT AGAINST THE TAX IMPOSED IN THIS STATE ON SUCH COMPUTER SOFTWARE OR COMPUTER SOFTWARE SERVICE TO THE EXTENT THAT THE AMOUNT OF THE OTHER TAX IS PROPERLY DUE AND ACTUALLY PAID IN THE OTHER STATE OR LOCAL TAXING JURISDICTION AND TO THE EXTENT THAT THE RATE OF SALES TAX IMPOSED BY AND PAID IN THE OTHER STATE OR LOCAL TAXING JURISDICTION DOES NOT EXCEED THE RATE OF SALES TAX OR USE TAX IMPOSED IN THIS STATE; TO AMEND SECTION 27-67-3, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM TANGIBLE PERSONAL PROPERTY UNDER THE STATE USE TAX LAW; TO DEFINE THE TERM "COMPUTER SOFTWARE" UNDER THE STATE USE TAX LAW; TO AMEND SECTION 27-67-5, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT COMPUTER SOFTWARE MAINTAINED ON A SERVER LOCATED OUTSIDE THE STATE AND ACCESSIBLE

FOR USE ONLY VIA THE INTERNET IS NOT A TAXABLE USE, STORAGE OR CONSUMPTION UNDER THE STATE USE TAX LAW; AND FOR RELATED PURPOSES.

**S. B. No. 2664:** AN ACT TO AMEND SECTIONS 1 AND 4, CHAPTER 103, LAWS OF 2022, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY FOR THE FISCAL YEAR 2023 TO PROVIDE THAT THE APPROPRIATION OF FUNDS FOR THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM SHALL BE FROM THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN SUM FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; TO AMEND SECTION 7, CHAPTER 9, LAWS OF 2022, TO REVISE THE APPROPRIATION TO THE BOARD OF PSYCHOLOGY FOR FISCAL YEAR 2023 TO REVISE THE AMOUNT OF FUNDS PROVIDED FOR THE ADMINISTRATIVE SUPPORT OF THE MISSISSIPPI AUTISM BOARD; TO AMEND SECTION 15, CHAPTER 74, LAWS OF 2022, TO REVISE THE APPROPRIATION TO THE AUTHORITY FOR EDUCATIONAL TELEVISION FOR FISCAL YEAR 2023 TO CORRECT AN INACCURATE REFERENCE TO THE GENERAL FUND; TO AMEND SECTION 1, CHAPTER 81, LAWS OF 2022, TO REVISE THE APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR FISCAL YEAR 2023 TO CLARIFY THAT THE FUNDS APPROPRIATED SHALL BE FOR REIMBURSING THE PLAN FOR CERTAIN ELIGIBLE EXPENSES; TO AMEND SECTION 1, CHAPTER 482, LAWS OF 2022, TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER CERTAIN SUMS TO THE 2022 MS PORTS IMPROVEMENTS FUND AND THE 2022 MS LAND, WATER AND TIMBER RESOURCES FUND; TO CREATE NEW SECTION 57-1-732, MISSISSIPPI CODE OF 1972, TO CREATE THE 2022 MS PORTS IMPROVEMENTS FUND AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR VARIOUS PURPOSES; TO CREATE NEW SECTION 69-46-9, MISSISSIPPI CODE OF 1972, TO CREATE THE 2022 MS LAND, WATER AND TIMBER RESOURCES FUND AS A SPECIAL FUND IN THE STATE TREASURY TO BE ADMINISTERED BY THE MISSISSIPPI LAND, WATER AND TIMBER RESOURCES BOARD FOR VARIOUS PURPOSES; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON EDUCATION ENHANCEMENT FUNDS DIRECTED TO TRANSFER TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO AMEND SECTION 27-103-127, MISSISSIPPI CODE OF 1972, TO CREATE THE AERONAUTICS, RAIL, AND OTHER PROGRAM WITHIN THE DEPARTMENT OF TRANSPORTATION BUDGET; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN SUM DURING FISCAL YEAR 2023 FROM THE GENERAL EDUCATION EEF FUND TO THE EDUCATIONAL FACILITIES REVOLVING LOAN FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN SUM DURING FISCAL YEAR 2023 FROM THE MISSISSIPPI VETERANS AFFAIRS GRANT FUND TO THE MISSISSIPPI VETERANS' HOME FUND; AND FOR RELATED PURPOSES.

**S. B. No. 3139:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY AND THE JACKSON COUNTY UTILITY AUTHORITY TO SHARE EQUIPMENT, LABOR, SERVICES, RESOURCES, AND FUNDS UPON SUCH TERMS AND CONDITIONS AS THEY MAY MUTUALLY AGREE; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 817:** Early Learning Collaborative; increase minimum funding levels for full-day and half-day programs.



Senators DeBar, Wiggins, Polk.

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REPORT OF COMMITTEE ON BUSINESS AND FINANCIAL INSTITUTIONS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 49:** James David McAfee Griffith, Cleveland, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board, four year term beginning January 1, 2023 and ending December 31, 2026, representing the 2nd Congressional District. Do Advise and Consent.

**S. N. No. 83:** Kimberly Janice (Kim) Bedford, Pontotoc, Mississippi, State Board of Funeral Service as a Funeral Director representative from the 3rd Supreme Court District, four year term effective February 23, 2023 and ending January 23, 2027. Do Advise and Consent.

**S. N. No. 79:** Ricky Jude Cox, Gulfport, Mississippi, State Board of Banking Review, five year term effective March 24, 2023 and ending March 23, 2028, representing the 2nd Supreme Court District. Do Advise and Consent.

**S. N. No. 84:** Samuel Bryan (Sammy) Reed, Tupelo, Mississippi, State Board of Funeral Service as a Licensed Funeral Service representative from the 3rd Supreme Court District, four year term effective February 22, 2023 and ending January 23, 2027. Do Advise and Consent.

CAUGHMAN, Chairman

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Senator McMahan called up the following entitled bill:

**H. B. No. 1790:** Washington County; reenact and extend repeal date on hotel and motel tax supporting a sports complex.

YEAS AND NAYS On H. B. No. 1790. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

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Senator DeBar called up the following House Amendment to **S. B. No. 2333** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. As used in this act, the term "seizure action plan" means a written, individualized health plan designed to acknowledge and prepare for the health care needs of a student or employee diagnosed with a seizure disorder.

SECTION 2. (1) (a) Beginning on July 1, 2024, the local school board of each public school district shall have at least one (1) school employee or vendor at each school who has met the training requirements necessary to administer or assist with the self-administration of a seizure rescue medication or medication prescribed to treat seizure disorder symptoms as approved by the United States Food and Drug Administration and any successor agency.

(b) For those assigned the duties under paragraph (a) of this subsection, the training provided shall include instructions in administering seizure medications as well as the recognition of the signs and symptoms of seizures and the appropriate steps to be taken to respond to these symptoms.

(c) The presence of a registered nurse employed full time by a school who assumes responsibility for the administration of seizure medications may fulfill requirements of paragraphs (a) and (b) of this subsection.

(d) The Mississippi Department of Education shall provide webinar training at no cost and shall make such training available to all public and charter schools in the state. Public and charter schools shall provide training to all relevant personnel who have direct contact and supervision of children, on the recognition of the signs and symptoms of seizures and the appropriate steps for seizure first aid.

(e) A local school district shall be permitted to use any adequate and appropriate training program or guidelines for training of school personnel in the seizure disorder care tasks covered under this section.

(2) (a) Before administering a seizure rescue medication or medication prescribed to treat seizure disorder symptoms, the student's parent, guardian or responsible adult shall:

(i) Provide the school with a written authorization to administer the medication at school;

(ii) Provide a written statement from the person's health care practitioner, which shall contain the following information:

1. Full name;
2. The name and purpose of the medication;
3. The prescribed dosage;
4. The route of administration;
5. The frequency that the medication may be administered;

and

administered;

6. The circumstances under which the medication may be

(iii) Provide the prescribed medication to the school in its unopened, sealed package with the label affixed by the dispensing pharmacy intact.

(b) In addition to the statements required in paragraph (a) of this subsection, the parent or guardian, or adult shall collaborate with school personnel to create a seizure action plan.

(3) The statements and seizure action plan required in subsection (2) of this section shall be kept on file in the office of the school nurse or school administrator.

(4) The permission for the administration of any of the medications authorized under subsection (1)(a) of this section shall be effective for the school year in which it is granted and shall be renewed each following school year upon fulfilling the requirements of subsections (2) through (4) of this section.

(5) The requirements of this section shall apply only to schools that have an adult employee or enrolled student who has a seizure disorder, a seizure rescue medication or medication prescribed to treat seizure disorder symptoms approved by the United States Food and Drug Administration and any successor agency prescribed by the student's health care provider.

SECTION 3. A school district, school district employee or agent acting in good faith and in substantial compliance with the student's individual health plan and the instructions of the student's licensed health care professional, that provides assistance or services under this act shall be immune from criminal prosecution and shall not be liable in any criminal action for civil damages in his or her individual, marital, governmental, corporate or other capacities as a result of the services provided under this act to students with epilepsy or seizure disorders.

SECTION 4. The provisions of Sections 4 through 8 of this act shall be known and may be cited as the "Mental Awareness Program for School Act."

SECTION 5. Section 37-3-89, Mississippi Code of 1972, is amended as follows:

37-3-89. (1) The State Board of Education, acting through the Commission on Teacher and Administrator Education, Certification and Licensure and Development, shall require each educator preparation program in the state, as a condition for approval, to include a course or courses on school discipline or classroom management, including mental disturbance awareness and trauma-informed approaches as defined in subsection (2) of this section, as a required part of the teacher education program. All school discipline or classroom management courses offered by a teacher education program shall be approved by the Educator License Commission.

(2) "Mental disturbance awareness and trauma-informed approaches" means incorporating principles of mental disturbance awareness, trauma awareness and trauma-informed practices, as recommended by the federal Department of Health and Human Services' Substance Abuse and Mental Health Services Administration, in a school in order to foster a safe learning environment for all students and staff, and to ensure that each student is well-known by at least one (1) adult in the school setting.

SECTION 6. Section 37-9-79, Mississippi Code of 1972, is amended as follows:

37-9-79. (1) Beginning with the 2014-2015 school year, the assignment of K-12 Professional School Counselors to the particular schools within the district shall be at the discretion of the local school board with the following restrictions:

(a) As funds and qualified personnel become available, every public school district and public charter school shall employ at least one (1) school counselor in each school;

(b) As funds and qualified personnel become available, it shall be the goal that each public school district and public charter school shall provide at least one (1) school counselor for every two hundred fifty (250) students, including, but not limited to, the school counselor required in paragraph (a) of this subsection;

(c) If funds or qualified personnel are not available each public school district and public charter school shall employ at least one (1) school counselor who shall serve the entire school district, and who shall proportionately allocate his or her service, on a rotational basis, to each school in the school district or each public charter school under the jurisdiction of a single charter governing board. Additionally, in the event that a mental disturbance or trauma-inducing incident occurs at any school in the school district or charter district on a date the school counselor is not scheduled in assigned service rotation at that school, the school counselor shall be temporarily assigned to the school where the incident occurred, until such time that the school counselor, building principal and district superintendent or charter administrator reasonably conclude that the trauma has been mitigated.

( \*\* \*d) Except as otherwise provided under subsection (6) of this section, no individual shall be employed as a professional school counselor without a minimum of a master's degree in \*\* \* counseling, or in an emergency situation, an appropriate certification as determined by the Commission on Teacher and Administrator Education, Certification and Licensure and Development; and

( \*\* \*e) Professional school counselors shall provide the following comprehensive counseling services:

(i) Academic, \*\* \* social, emotional and college-and-career readiness counseling;

(ii) Use multiple student data sources to help students make informed academic and career choices;

(iii) Career and educational counseling;

(iv) Individual and group counseling (large/small);

(v) Crisis intervention and preventive counseling;

(vi) Referrals to community agencies;

(vii) Educational consultations and collaboration with teachers, administrators, parents and community leaders;

(viii) Educational and career placement services;

(ix) Follow-up counseling services;

(x) Conflict resolution; and

(xi) Professional school counselors must spend a minimum of eighty percent (80%) of their \*\* \* time to the delivery of services to students \*\* \*. Delivery of services is the direct service provided to students, parents, school staff and the community which are interaction between professional school counselors and students. These direct services may include the delivery of the following:

1. School counseling core curriculum: This curriculum is designed to help students attain the desired competencies and to provide all students with the knowledge, attitudes and skills appropriate for their developmental level. The school

counseling core curriculum is delivered throughout the school's overall curriculum and may be presented by professional school counselors in collaboration with other professional educators and other resources. Collaborative efforts may be implemented to enhance the services provided.

2. Individual student planning: Professional school counselors coordinate ongoing systemic activities or individual/group sessions designed to assist students in establishing personal/social goals and developing future career plans.

3. Responsive services: Responsive services are designed to meet students' immediate needs and concerns in regard to social/personal issues. Responsive services may include counseling in individual, small-group settings, \* \* \* crisis responses, mentally disturbance awareness or trauma-informed approaches as defined in Section 37-3-89(2).

4. Indirect Student Services: Indirect services are provided on behalf of students as a result of the school counselors' interactions with others including referrals for additional assistance, consultation and collaboration with parents, teachers, other educators and community organizations.

(2) Professional school counselors shall abide by \* \* \* a relevant national counseling code of ethics.

(3) A professional school counselor or administrator shall facilitate at each school the creation of a trauma-informed team to identify students whose learning, behavior and relationships have been impacted by trauma. The trauma-informed team may consist of school administrators, school counselors, teachers, mental health services providers, family resource and youth service coordinators, school nurses and any other school or district personnel.

(4) Each school counselor providing services pursuant to this section, in collaboration with the trauma-informed team members described in this section, shall provide at least one (1) hour of in-person or virtual annual training, guidance and assistance to administrators, teachers and staff on:

(a) Recognizing symptoms of mentally induced disturbance or trauma in students; and

(b) Utilizing responses, interventions and strategies to support the learning needs of those students.

(5) (a) School districts may employ, contract or otherwise work collaboratively with mental health service providers, including community mental health centers, other organizations providing relevant training for educators and school personnel, or other school districts to assist with the development and implementation of mental awareness and trauma-informed approaches and a trauma-informed team.

(b) School districts and public charter schools may enter in a memorandum of agreement (MOA) with the Consortium for Career Development in Social Work Education, or other similar nationally recognized consortium career services professionals representing and/or serving social work education, which partner with colleges and universities serving social work students in the State of Mississippi, including, but not limited to, Delta State University, Jackson State University, Mississippi State University and the University of Mississippi. Through the use of the MOA the consortium shall establish a program in collaboration with the Social Work Departments of the participating colleges and universities to:

(i) Provide students pursuing master's degrees in social work, counseling or psychology with internship placement opportunities in school districts or charter schools to assist in providing counseling services to schools in need;

(ii) Provide students pursuing master's degrees in social work, counseling or psychology with practical workplace experience; and

(iii) Pair such students with local consortium-member mentees who will offer professional guidance and constructive observation and feedback.

(6) Local school districts and each public charter school shall report the number and placement of school counselors in the district to the State Department of Education no later than November 1, 2023, and each subsequent year thereafter. The report shall include the source of funding for each position, as well as a summary of the job duties of each counselor and the approximate percent of time devoted to duties over the course of the year.

( \*\* \*7) The State Department of Education may adopt regulations regarding the activities of the professional school counselor as are not inconsistent with this section.

SECTION 7. The following shall be codified as Section 37-9-80, Mississippi Code of 1972:

37-9-80. (1) On or before July 1, 2023, the State Department of Education, in collaboration with the State Department of Mental Health, shall make available a toolkit to assist school districts and public charter schools in

implementing trauma-informed teams as described in Section 37-9-79(3). The toolkit shall include a template for local boards of education and public charter schools to develop a plan to incorporate mental disturbance awareness and trauma-informed approaches in schools.

(2) On or before July 1, 2025, each local board of education and public charter school shall develop a plan for implementing trauma-informed teams and mental disturbance awareness and trauma-informed approaches in its schools. These plans shall be submitted to the State Department of Education and the State Department of Mental Health, which may collaborate to provide feedback to school districts on the plans. Plans shall include, but not be limited to, strategies for:

(a) Enhancing mental disturbance and trauma awareness throughout the school community and provide services designed to foster a safe school environment for students;

(b) Developing trauma-informed discipline policies and practices, which may include consultation with the school counselor or school-based mental health services provider when a student is recommended for suspension for ten (10) or more days, expulsion or attendance at an alternative school; and

(c) Collaborating with appropriate and relevant school, public safety, and community organizations to create procedures for notification of trauma-exposed students.

SECTION 8. Section 37-173-1, Mississippi Code of 1972, is amended as follows:

37-173-1. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Board" means the State Board of Education.

(b) "Department" means the State Department of Education.

(c) "Dyslexia" means a specific learning disability that is neurological in origin, characterized by difficulties with accurate and fluent word recognition and poor spelling and decoding abilities, which typically result from a deficit in the phonological component of language that is often unexpected in relation to other cognitive abilities and the provision of effective classroom instruction, and secondary consequences which may include problems in reading comprehension and reduced reading experience that can impede growth of vocabulary and background knowledge.

(d) "Dyslexia therapy" means an appropriate specialized dyslexia instructional program that is delivered by a Mississippi Department of Education licensed dyslexia therapist or certified academic language therapist, which is scientific, research-based, Orton-Gillingham based, and is offered in a small group setting to teach students the components of reading instruction which include:

(i) Phonemic awareness to enable students to detect, segment, blend and manipulate sounds in spoken language;

(ii) Graphophonemic knowledge (phonics) for teaching the letter-sound plan of English;

(iii) The entire structure of the English language that encompasses morphology, semantics, syntax and pragmatics;

(iv) Linguistic instruction directed toward proficiency and fluency with the patterns of language so that words and sentences are carriers of meaning; and

(v) Strategies that students use for decoding, encoding, word recognition, fluency and comprehension.

These components shall be taught using instructional approaches that include explicit, direct instruction which is systematic, sequential and cumulative, following a logical plan of presenting the alphabetic principle commensurate with the students' needs, with no assumption of prior skills or language knowledge; individualized to meet the specific learning needs of each individual student in a small group setting; intensive, highly concentrated instruction that maximizes student engagement and uses specialized methods and materials; meaning-based instruction directed toward purposeful reading and writing, with an emphasis on comprehension and composition; and multisensory instruction that incorporates the simultaneous use of two (2) or more sensory pathways during teacher presentations and student practice.

(e) "Dyslexia therapist" means a professional who has completed training in a department approved Orton-Gillingham based dyslexia therapy training program attaining a AA license in dyslexia therapy \* \* \*, a professional participating in a state approved dyslexia therapy training program to attain a AA license in dyslexia therapy or a certified academic language therapist.

(f) "Mississippi Dyslexia Therapy Scholarship for Students with Dyslexia Program" means a scholarship to provide the option to attend a public school other than the one to which assigned, or to provide a scholarship to a nonpublic school of choice, for students in Grade 1 through Grade 12 diagnosed with dyslexia in order to receive comprehensive multisensory dyslexia therapy delivered by holders of an appropriate license in dyslexia therapy issued by the department.

(g) "School" means any public or state accredited nonpublic special purpose school that provides a specific learning environment that provides comprehensive dyslexia therapy instruction delivered by dyslexia therapists licensed by the department

providing highly qualified education and intervention services to children diagnosed with the primary learning disability of dyslexia.

SECTION 9. Section 37-173-9, Mississippi Code of 1972, is amended as follows:

37-173-9. (1) (a) The parent or legal guardian is not required to accept the offer of enrolling in another public school in lieu of requesting a Mississippi Dyslexia Therapy Scholarship to a nonpublic school. However, if the parent or legal guardian chooses the public school option, the student may continue attending a public school chosen by the parent or legal guardian until the student completes Grade 12.

(b) If the parent or legal guardian chooses a public school within the district, the school district shall provide transportation to the public school selected by the parent or legal guardian. However, if the parent or legal guardian chooses a public school in another district, the parent or legal guardian is responsible to provide transportation to the school of choice.

These provisions do not prohibit a parent or legal guardian of a student diagnosed with dyslexia, at any time, from choosing the option of a Mississippi Dyslexia Therapy Scholarship which would allow the student to attend another public school or nonpublic special purpose school.

(2) If the parent or legal guardian chooses the nonpublic school option and the student is accepted by the nonpublic school pending the availability of a space for the student, the parent or legal guardian of the student must notify the department thirty (30) days before the first scholarship payment and before entering the nonpublic school in order to be eligible for the scholarship when a space becomes available for the student in the nonpublic school.

(3) The parent or legal guardian of a student may choose, as an alternative, to enroll the student in and transport the student to a public school in an adjacent school district which has available space and has a program with dyslexia services that provide daily dyslexia therapy sessions delivered by a department licensed dyslexia therapist or certified academic language therapist, and that school district shall accept the student and report the student for purposes of the district's funding under the Mississippi Adequate Education Program.

SECTION 10. Section 37-173-21, Mississippi Code of 1972, is amended as follows:

37-173-21. (1) The State Board of Education in conjunction with each nonpublic school and local school board operating under the provisions of this chapter, may:

(a) Extend the school day or length of the scholastic year;

(b) Develop and establish a curriculum that is consistent with the Mississippi Curriculum Framework in the subject areas of mathematics, social studies, science, music, art and physical education; and

(c) Select, purchase and use textbooks, literature and other instructional materials that would improve educational attainment by students in the school, subject to the approval of the board.

(2) The qualified personnel to facilitate the educational process of learning and instruction for children with dyslexia who attend the schools shall consist of the following:

(a) An administrator or director with additional training in the characteristics of dyslexia;



- (b) A dyslexia therapist licensed by the department in dyslexia therapy;
- (c) Dyslexia therapists in training participating in a department approved dyslexia therapy graduate internship program; and
- (d) Licensed elementary teachers under the supervision of a state department licensed dyslexia therapist or certified academic language therapist qualified instructor.

SECTION 11. Section 37-106-71, Mississippi Code of 1972, is amended as follows:

37-106-71. (1) There is established the Mississippi Dyslexia Education Forgivable Loan Program for the purpose of identifying and recruiting qualified university and college students from the state for schooling in education with a focus on dyslexia therapy.

(2) The receipt of a forgivable loan under the program shall be solely limited to those students who are enrolled in or who have been accepted for enrollment into a master's degree program of study for dyslexia therapy at any public or private institution of higher learning within the State of Mississippi at the time an application for a forgivable loan is filed with the board.

(3) The annual amount of the forgivable loan award shall be equal to the total cost for tuition, materials and fees at the college or university in which the student is enrolled. Awards made to nonresidents of the state shall not include any amount assessed by the college or university for out-of-state tuition.

(4) Upon completion of the master's program and licensure requirements, a forgivable loan recipient who has not been previously licensed by the State Department of Education shall render service in an instructional or clinical capacity as a licensed dyslexia therapist in a public school district in the state or an eligible nonpublic school as defined by Section 37-173-1 and meets the criteria established in Section 37-173-17, not to exceed five (5) recipients rendering instructional or clinical services in a nonpublic school at any time.

(5) Repayment and conversion terms shall be the same as those outlined in Section 37-106-53.

(6) The board shall prepare and submit a report to the Legislature by January 1, 2015, and annually thereafter, outlining in detail the number of participants who have received forgivable loans under the program, the record of service provided by those recipients as they transition out of the degree program into the public school districts of this state, and the projection for expanding the program to include more participants annually as determined by the need for such qualified professionals in the public school setting. Additionally, the report shall include a summary of allocations and expenditures for the administration of the program and the total amount of funds issued to recipients of forgivable loans from the inception of the program until such time as the report has been prepared and submitted to the Legislature.

(7) The Mississippi Dyslexia Education Forgivable Loan Program shall be administered in the same manner as the Critical Needs Teacher Forgivable Loan Program established under Section 37-106-55 and shall be incorporated into the Critical Needs Teacher Forgivable Loan Program for all purposes.

(8) Funding for the establishment and continued operation of the Mississippi Dyslexia Education Forgivable Loan Program shall be administered by the board through a special fund established within the Critical Needs Teacher Forgivable Loan Program. The board may accept and receive monetary gifts and donations from any source, public or private, which such funds shall be deposited in the special fund for the benefit of the

Mississippi Dyslexia Education Forgivable Loan Program with the Critical Needs Teacher Forgivable Loan Program.

(9) No more than twenty (20) students per cohort shall be selected annually to be admitted into the program for receipt of forgivable loans beginning with the 2013-2014 academic year. However, forgivable loans awarded under the program shall be provided only to students who have been accepted into a Dyslexia Therapy Master's Degree Cohort Program approved by the State Department of Education that provides instructional training as required under Chapter 173, Title 37, Mississippi Code of 1972, for dyslexia therapy in preparation of those cohort students for AA licensure by the department.

(10) As part of the Mississippi Dyslexia Education Forgivable Loan Program, the State Department of Education is authorized and directed, subject to the availability of funds specifically appropriated therefor by the Legislature, to provide financial assistance for the recruitment, placement and employment of qualified licensed dyslexia therapy professionals identified under Section 37-173-15(1)(b), Mississippi Code of 1972, in order to provide dyslexia screening, evaluation and therapy services to the students attending school in the school district. Said funding may be used to purchase curriculum materials and supplies for dyslexia therapy services. Said funding shall be provided to public school districts upon application therefor regardless of the financial need of the school district in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) annually, and subject to specific appropriation therefor by the Legislature. In order to qualify for such funds, the school district shall meet the following criteria:

(a) Use licensed dyslexia therapists, certified academic language therapist or individuals participating in an approved training program resulting in State Department of Education licensure to provide dyslexia therapy to students diagnosed with dyslexia;

(b) Use daily Orton-Gillingham-based therapy;

(c) Have school leadership trained in dyslexia; and

(d) Have a current School Program Verification and Assurances form on file with the State Department of Education, Office of Curriculum and Instruction. Procedures and standards for the application for such funds shall be established by regulations developed and issued by the State Board of Education.

SECTION 12. Section 37-41-1, Mississippi Code of 1972, is amended as follows:

37-41-1. (1) The State Board of Education is authorized, empowered and directed to promulgate rules and regulations relating to the transportation of students enrolled in the public school districts, including rules and regulations for:

(a) Setting standards for public school district bus routes;

(b) Setting standards for public school district buses;

(c) Setting standards for public school district bus drivers;

(d) Formulating procedure for selecting public school district bus drivers;

(e) Formulating courses of training for public school district bus drivers and mechanics, and assist in administering and financing such courses;

(f) Providing operation procedure for public school district buses to insure safety of pupils;

(g) Formulating specifications for use in purchasing public school district buses; getting bids on public school district buses; equipment and supplies; and fixing

prices based upon said bids which school districts may not exceed in purchasing said equipment;

(h) Formulating specifications for use by school districts in purchasing used school buses; and

(i) Providing a system of records and reports for the purpose of carrying out the provisions of Sections 37-41-1 through 37-41-51, and providing the superintendent of schools with a sufficient supply of report forms.

All rules and regulations adopted and promulgated by the State Board of Education relating to school district bus drivers shall also be applicable to drivers of privately owned buses transporting public school district children.

All rules and regulations adopted and promulgated by the State Board of Education pursuant to the authority conferred by this section shall be spread at large upon the minutes of the State Board of Education and copies thereof shall be furnished to all school boards not less than thirty (30) days prior to the effective date of such rules and regulations.

Except for subsection (2) of this section, the provisions of this chapter are applicable to school districts and the transportation of students enrolled in public school districts. Charter schools authorized by the Mississippi Charter School Authorizer Board are exempt from the provisions of this chapter.

(2) The driver of every school transportation vehicle used to transport pupils must be trained and certified in first aid and cardiopulmonary resuscitation (CPR). The State Board of Education and Mississippi Charter School Authorizer Board shall enforce this subsection.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT BEGINNING ON JULY 1, 2024, EACH PUBLIC SCHOOL BOARD SHALL HAVE AT LEAST ONE EMPLOYEE OR VENDOR AT EACH SCHOOL WHO HAS MET THE TRAINING REQUIREMENTS NECESSARY TO ADMINISTER SEIZURE RESCUE MEDICATION FOR PERSONS EXPERIENCING SEIZURE DISORDER SYMPTOMS; TO REQUIRE TRAINING FOR SUCH PERSON TO BE CONSISTENT WITH GUIDELINES DEVELOPED BY THE EPILEPSY FOUNDATION OF AMERICA OR SIMILAR SUCCESSOR ORGANIZATION; TO REQUIRE THE PARENTS, LEGAL GUARDIANS OR OTHER RESPONSIBLE ADULT OF CHILDREN WHO EXPERIENCE SEIZURE DISORDER SYMPTOMS TO PROVIDE WRITTEN AUTHORIZATION TO THE SCHOOL FOR THE ADMINISTRATION OF NECESSARY MEDICATION, ALONG WITH A WRITTEN STATEMENT FROM THE CHILD'S MEDICAL PROVIDER; TO REQUIRE THE WRITTEN STATEMENT AND THE CHILD'S SEIZURE ACTION PLAN TO BE KEPT ON FILE BY THE SCHOOL NURSE OR SCHOOL ADMINISTRATOR; TO EXEMPT SCHOOL EMPLOYEES ACTING IN GOOD FAITH AND IN SUBSTANTIAL COMPLIANCE WITH A STUDENT'S INDIVIDUAL HEALTH PLAN TO RENDER ASSISTANCE TO A CHILD EXPERIENCING A SEIZURE EPISODE FROM CIVIL AND CRIMINAL LIABILITY; TO CREATE THE MENTAL AWARENESS PROGRAM FOR SCHOOLS; TO AMEND SECTION 37-3-89, MISSISSIPPI CODE OF 1972, TO REQUIRE MENTAL AWARENESS AND TRAUMA-INFORMED APPROACHES IN EDUCATOR PREPARATION PROGRAMS; TO DEFINE TRAUMA-INFORMED APPROACHES; TO AMEND SECTION 37-9-79, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT PUBLIC SCHOOL DISTRICTS AND PUBLIC

CHARTER SCHOOLS SHALL HAVE AT LEAST ONE SCHOOL COUNSELOR OR MENTAL HEALTH SERVICES PROVIDER PER 250 STUDENTS; TO AUTHORIZE UNDERFUNDED AND UNDERSTAFFED SCHOOLS TO EMPLOY ONE SCHOOL COUNSELOR TO SERVICE ALL THE SCHOOLS IN THE EMPLOYING SCHOOL DISTRICT; TO PROVIDE FOR THE DISTRIBUTION OF TIME AND DUTIES WITHIN SUCH DISTRICTS; TO REQUIRE SCHOOL COUNSELORS OR SCHOOL-BASED MENTAL HEALTH SERVICES PROVIDERS TO CREATE A TRAUMA-INFORMED TEAM FOR EACH SCHOOL; TO REQUIRE SCHOOL DISTRICTS AND PUBLIC CHARTER SCHOOLS TO REPORT THE NUMBER AND PLACEMENT OF SCHOOL COUNSELORS IN THE DISTRICT TO THE DEPARTMENT OF EDUCATION; TO AUTHORIZE SCHOOL DISTRICTS TO ENTER INTO A MEMORANDUM OF AGREEMENT WITH A NATIONALLY RECOGNIZED SOCIAL WORK CONSORTIUM AND CERTAIN STATE INSTITUTIONS OF HIGHER LEARNING TO PLACE MASTER'S LEVEL GRADUATE STUDENTS INTO SCHOOLS AS SCHOOL COUNSELORS UNDER A SUPERVISED INTERNSHIP PROGRAM; TO CREATE NEW SECTION 37-9-80, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF EDUCATION, IN COLLABORATION WITH THE DEPARTMENT OF MENTAL HEALTH, TO CREATE A TOOLKIT TO ASSIST SCHOOLS IN IMPLEMENTING TRAUMA-INFORMED APPROACHES; TO AMEND SECTION 37-173-1, 37-173-9 AND 37-173-21, MISSISSIPPI CODE OF 1972, TO EXPAND THE DYSLEXIA THERAPY SCHOLARSHIP FOR STUDENTS WITH DYSLEXIA PROGRAM BY MAKING CERTIFIED ACADEMIC LANGUAGE THERAPISTS (CALT) ELIGIBLE TO BE EMPLOYED BY SCHOOL DISTRICTS TO PROVIDE DYSLEXIA THERAPY SERVICES; TO AMEND SECTION 37-106-71, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO AMEND SECTION 37-41-1, MISSISSIPPI CODE OF 1972, TO REQUIRE SCHOOL BUS DRIVERS TO BE TRAINED AND CERTIFIED IN FIRST AID AND CARDIOPULMONARY RESUSCITATION (CPR); AND FOR RELATED PURPOSES.

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Senator DeBar called up the following House Amendment to **S. B. No. 2361** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Released-Time Moral Instruction Act of 2023."

SECTION 2. (1) Each local school board may provide for released-time moral instruction of pupils enrolled in the schools under its jurisdiction, in the manner provided in subsections (2) through (7) of this section.

(2) Each local school board may authorize a complete survey of all the pupils attending the public schools within the district and determine those pupils who desire released-time moral instruction and have received the consent of a parent or legal guardian for the instruction.

(3) The boards of education which adopt such released-time moral instruction policy shall allow pupils who have expressed a desire for released-time moral instruction and who have received the required parental consent specified in subsection (2) to be excused for at least one (1) hour, one (1) day each week to attend their respective places

of worship or some other suitable place to receive released-time moral instruction in accordance with the religious faith or preference of the pupils. No such instruction may be provided or facilitated on school premises.

(4) Each local school board may make arrangements with the persons in charge of the released-time moral instruction as the board deems necessary and advisable.

(5) Pupils who attend the classes for released-time moral instruction at the time specified and for the period fixed shall be credited with the time spent as if they had been in actual attendance in school, and the time shall be calculated as part of the actual school day required by Section 37-13-67. The pupil shall not be penalized for any school work missed during the specified time.

(6) Any pupil who does not participate in the released-time moral instruction shall remain in school during the time when the instruction is being given, and shall continue in the regular course of study by taking any academic or elective course as decided upon by the student, his or her parent and the professional school counselor for the instruction of that pupil for the duration of each academic year.

(7) Released-time moral instruction shall be given without expense to any local school board beyond the cost of the original survey.

SECTION 3. Section 37-13-91, Mississippi Code of 1972, is amended as follows:

37-13-91. (1) This section shall be referred to as the "Mississippi Compulsory School Attendance Law."

(2) The following terms as used in this section are defined as follows:

(a) "Parent" means the father or mother to whom a child has been born, or the father or mother by whom a child has been legally adopted.

(b) "Guardian" means a guardian of the person of a child, other than a parent, who is legally appointed by a court of competent jurisdiction.

(c) "Custodian" means any person having the present care or custody of a child, other than a parent or guardian of the child.

(d) "School day" means not less than five and one-half (5-1/2) and not more than eight (8) hours of actual teaching in which both teachers and pupils are in regular attendance for scheduled schoolwork.

(e) "School" means any public school, including a charter school, in this state or any nonpublic school in this state which is in session each school year for at least one hundred eighty (180) school days, except that the "nonpublic" school term shall be the number of days that each school shall require for promotion from grade to grade.

(f) "Compulsory-school-age child" means a child who has attained or will attain the age of six (6) years on or before September 1 of the calendar year and who has not attained the age of seventeen (17) years on or before September 1 of the calendar year; and shall include any child who has attained or will attain the age of five (5) years on or before September 1 and has enrolled in a full-day public school kindergarten program.

(g) "School attendance officer" means a person employed by the State Department of Education pursuant to Section 37-13-89.

(h) "Appropriate school official" means the superintendent of the school district, or his designee, or, in the case of a nonpublic school, the principal or the headmaster.

(i) "Nonpublic school" means an institution for the teaching of children, consisting of a physical plant, whether owned or leased, including a home, instructional staff members and students, and which is in session each school year. This definition shall include, but not be limited to, private, church, parochial and home instruction programs.

(3) A parent, guardian or custodian of a compulsory-school-age child in this state shall cause the child to enroll in and attend a public school or legitimate nonpublic school for the period of time that the child is of compulsory school age, except under the following circumstances:

(a) When a compulsory-school-age child is physically, mentally or emotionally incapable of attending school as determined by the appropriate school official based upon sufficient medical documentation.

(b) When a compulsory-school-age child is enrolled in and pursuing a course of special education, remedial education or education for handicapped or physically or mentally disadvantaged children.

(c) When a compulsory-school-age child is being educated in a legitimate home instruction program.

The parent, guardian or custodian of a compulsory-school-age child described in this subsection, or the parent, guardian or custodian of a compulsory-school-age child attending any charter school or nonpublic school, or the appropriate school official for any or all children attending a charter school or nonpublic school shall complete a "certificate of enrollment" in order to facilitate the administration of this section.

The form of the certificate of enrollment shall be prepared by the Office of Compulsory School Attendance Enforcement of the State Department of Education and shall be designed to obtain the following information only:

(i) The name, address, telephone number and date of birth of the compulsory-school-age child;

(ii) The name, address and telephone number of the parent, guardian or custodian of the compulsory-school-age child;

(iii) A simple description of the type of education the compulsory-school-age child is receiving and, if the child is enrolled in a nonpublic school, the name and address of the school; and

(iv) The signature of the parent, guardian or custodian of the compulsory-school-age child or, for any or all compulsory-school-age child or children attending a charter school or nonpublic school, the signature of the appropriate school official and the date signed.

The certificate of enrollment shall be returned to the school attendance officer where the child resides on or before September 15 of each year. Any parent, guardian or custodian found by the school attendance officer to be in noncompliance with this section shall comply, after written notice of the noncompliance by the school attendance officer, with this subsection within ten (10) days after the notice or be in violation of this section. However, in the event the child has been enrolled in a public school within fifteen (15) calendar days after the first day of the school year as required in subsection (6), the parent or custodian may, at a later date, enroll the child in a legitimate nonpublic school or

legitimate home instruction program and send the certificate of enrollment to the school attendance officer and be in compliance with this subsection.

For the purposes of this subsection, a legitimate nonpublic school or legitimate home instruction program shall be those not operated or instituted for the purpose of avoiding or circumventing the compulsory attendance law.

(4) An "unlawful absence" is an absence for an entire school day or during part of a school day by a compulsory-school-age child, which absence is not due to a valid excuse for temporary nonattendance. For purposes of reporting absenteeism under subsection (6) of this section, if a compulsory-school-age child has an absence that is more than thirty-seven percent (37%) of the instructional day, as fixed by the school board for the school at which the compulsory-school-age child is enrolled, the child must be considered absent the entire school day. Days missed from school due to disciplinary suspension shall not be considered an "excused" absence under this section. This subsection shall not apply to children enrolled in a nonpublic school.

Each of the following shall constitute a valid excuse for temporary nonattendance of a compulsory-school-age child enrolled in a noncharter public school, provided satisfactory evidence of the excuse is provided to the superintendent of the school district, or his designee:

(a) An absence is excused when the absence results from the compulsory-school-age child's attendance at an authorized school activity with the prior approval of the superintendent of the school district, or his designee. These activities may include field trips, athletic contests, student conventions, musical festivals and any similar activity.

(b) An absence is excused when the absence results from illness or injury which prevents the compulsory-school-age child from being physically able to attend school.

(c) An absence is excused when isolation of a compulsory-school-age child is ordered by the county health officer, by the State Board of Health or appropriate school official.

(d) An absence is excused when it results from the death or serious illness of a member of the immediate family of a compulsory-school-age child. The immediate family members of a compulsory-school-age child shall include children, spouse, grandparents, parents, brothers and sisters, including stepbrothers and stepsisters.

(e) An absence is excused when it results from a medical or dental appointment of a compulsory-school-age child.

(f) An absence is excused when it results from the attendance of a compulsory-school-age child at the proceedings of a court or an administrative tribunal if the child is a party to the action or under subpoena as a witness.

(g) An absence may be excused if the religion to which the compulsory-school-age child or the child's parents adheres, requires or suggests the observance of a religious event. The approval of the absence is within the discretion of the superintendent of the school district, or his designee, but approval should be granted unless the religion's observance is of such duration as to interfere with the education of the child. Additionally, students may be excused by school districts which have adopted a policy allowing students' voluntary participation in an approved released-time moral instruction program.

(h) An absence may be excused when it is demonstrated to the satisfaction of the superintendent of the school district, or his designee, that the purpose of the

absence is to take advantage of a valid educational opportunity such as travel, including vacations or other family travel. Approval of the absence must be gained from the superintendent of the school district, or his designee, before the absence, but the approval shall not be unreasonably withheld.

(i) An absence may be excused when it is demonstrated to the satisfaction of the superintendent of the school district, or his designee, that conditions are sufficient to warrant the compulsory-school-age child's nonattendance. However, no absences shall be excused by the school district superintendent, or his designee, when any student suspensions or expulsions circumvent the intent and spirit of the compulsory attendance law.

(j) An absence is excused when it results from the attendance of a compulsory-school-age child participating in official organized events sponsored by the 4-H or Future Farmers of America (FFA). The excuse for the 4-H or FFA event must be provided in writing to the appropriate school superintendent by the Extension Agent or High School Agricultural Instructor/FFA Advisor.

(k) An absence is excused when it results from the compulsory-school-age child officially being employed to serve as a page at the State Capitol for the Mississippi House of Representatives or Senate.

(5) Any parent, guardian or custodian of a compulsory-school-age child subject to this section who refuses or willfully fails to perform any of the duties imposed upon him or her under this section or who intentionally falsifies any information required to be contained in a certificate of enrollment, shall be guilty of contributing to the neglect of a child and, upon conviction, shall be punished in accordance with Section 97-5-39.

Upon prosecution of a parent, guardian or custodian of a compulsory-school-age child for violation of this section, the presentation of evidence by the prosecutor that shows that the child has not been enrolled in school within eighteen (18) calendar days after the first day of the school year of the public school which the child is eligible to attend, or that the child has accumulated twelve (12) unlawful absences during the school year at the public school in which the child has been enrolled, shall establish a prima facie case that the child's parent, guardian or custodian is responsible for the absences and has refused or willfully failed to perform the duties imposed upon him or her under this section. However, no proceedings under this section shall be brought against a parent, guardian or custodian of a compulsory-school-age child unless the school attendance officer has contacted promptly the home of the child and has provided written notice to the parent, guardian or custodian of the requirement for the child's enrollment or attendance.

(6) If a compulsory-school-age child has not been enrolled in a school within fifteen (15) calendar days after the first day of the school year of the school which the child is eligible to attend or the child has accumulated five (5) unlawful absences during the school year of the public school in which the child is enrolled, the school district superintendent, or his designee, shall report, within two (2) school days or within five (5) calendar days, whichever is less, the absences to the school attendance officer. The State Department of Education shall prescribe a uniform method for schools to utilize in reporting the unlawful absences to the school attendance officer. The superintendent, or his designee, also shall report any student suspensions or student expulsions to the school attendance officer when they occur.

(7) When a school attendance officer has made all attempts to secure enrollment and/or attendance of a compulsory-school-age child and is unable to effect the enrollment and/or attendance, the attendance officer shall file a petition with the youth court under Section 43-21-451 or shall file a petition in a court of competent jurisdiction as it pertains to parent or child. Sheriffs, deputy sheriffs and municipal law enforcement officers shall be fully authorized to investigate all cases of nonattendance and unlawful absences by compulsory-school-age children, and shall be authorized to file a petition with the youth



court under Section 43-21-451 or file a petition or information in the court of competent jurisdiction as it pertains to parent or child for violation of this section. The youth court shall expedite a hearing to make an appropriate adjudication and a disposition to ensure compliance with the Compulsory School Attendance Law, and may order the child to enroll or re-enroll in school. The superintendent of the school district to which the child is ordered may assign, in his discretion, the child to the alternative school program of the school established pursuant to Section 37-13-92.

(8) The State Board of Education shall adopt rules and regulations for the purpose of reprimanding any school superintendents who fail to timely report unexcused absences under the provisions of this section.

(9) Notwithstanding any provision or implication herein to the contrary, it is not the intention of this section to impair the primary right and the obligation of the parent or parents, or person or persons in loco parentis to a child, to choose the proper education and training for such child, and nothing in this section shall ever be construed to grant, by implication or otherwise, to the State of Mississippi, any of its officers, agencies or subdivisions any right or authority to control, manage, supervise or make any suggestion as to the control, management or supervision of any private or parochial school or institution for the education or training of children, of any kind whatsoever that is not a public school according to the laws of this state; and this section shall never be construed so as to grant, by implication or otherwise, any right or authority to any state agency or other entity to control, manage, supervise, provide for or affect the operation, management, program, curriculum, admissions policy or discipline of any such school or home instruction program.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "RELEASED-TIME MORAL INSTRUCTION ACT OF 2023"; TO AUTHORIZE LOCAL SCHOOL BOARDS TO PERMIT THE RELEASED-TIME MORAL INSTRUCTION OF PUPILS; TO PERMIT SCHOOL BOARDS TO COMPLETE A SURVEY TO DETERMINE PUPILS WITHIN THE SCHOOL DISTRICT WHO DESIRE RELEASED-TIME MORAL INSTRUCTION AND WHO HAVE RECEIVED CONSENT FROM THEIR PARENT OR LEGAL GUARDIAN FOR SUCH INSTRUCTION; TO REQUIRE SCHOOL BOARDS TO ALLOW THOSE STUDENTS DESIRING RELEASED-TIME MORAL INSTRUCTION TO PARTICIPATE IN OFF-SITE RELIGIOUS INSTRUCTION FOR AT LEAST ONE HOUR, ONE DAY EACH WEEK; TO PROHIBIT THE SCHOOL DISTRICT FROM PROVIDING OR FACILITATING RELEASED-TIME MORAL INSTRUCTION ON SCHOOL PREMISES; TO PERMIT LOCAL SCHOOL BOARDS TO MAKE ARRANGEMENTS WITH THE PERSONS IN CHARGE OF THE RELEASED-TIME MORAL INSTRUCTION AS THE BOARD DEEMS NECESSARY AND ADVISABLE; TO PROVIDE THAT STUDENTS SHALL NOT BE PENALIZED OR CONSIDERED ABSENT FROM THE SCHOOL FOR PURPOSES OF ATTENDING RELEASED-TIME MORAL INSTRUCTION; TO PROVIDE THAT STUDENTS WHO DO NOT PARTICIPATE IN RELEASED-TIME MORAL INSTRUCTION SHALL CONTINUE IN THE REGULAR COURSE OF DAILY INSTRUCTION; TO PROVIDE THAT RELEASED-TIME MORAL INSTRUCTION SHALL BE GIVEN WITHOUT EXPENSE TO ANY LOCAL SCHOOL BOARD BEYOND THE COST OF THE ORIGINAL SURVEY; TO AMEND SECTION 37-13-91, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; AND FOR RELATED PURPOSES.

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Senator Whaley called up the following House Amendment to **S. B. No. 2556** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-1-15, Mississippi Code of 1972, is amended as follows:

49-1-15. (1) All appointments of conservation officers shall be under rules adopted and promulgated by the commission. No person shall be appointed from and after July 1, 2001, unless he meets the following requirements:

(a) Is at least twenty-one (21) years of age; and

(b) Has successfully completed sixty-four (64) semester hours at an accredited community college or university or has an associate degree from an accredited community college or has passed the Law Enforcement Academy and has at least \* \* \* two (2) years experience in law enforcement.

(2) Each applicant, prior to entering into performance of his duties, at the expense of the department, shall attend and complete an appropriate curriculum in the field of law enforcement at the Mississippi Law Enforcement Officers' Training Academy or other training academy whose curriculum complies with requirements of the Board on Law Enforcement Officer Standards and Training. Conservation officers shall, on a periodic basis, be required to successfully complete additional advanced courses in law enforcement in order that they will be properly improved and trained in the modern, technical advances of law enforcement.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-1-15, MISSISSIPPI CODE OF 1972, TO CLARIFY QUALIFICATIONS FOR APPOINTMENT AS A CONSERVATION OFFICER; AND FOR RELATED PURPOSES.

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Senator DeBar called up the following House Amendment to **S. B. No. 2585** and moved that the Senate decline to concur in the Amendment, and invite conference, and the motion prevailed.

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-106-36, Mississippi Code of 1972, is amended as follows:

37-106-36. (1) There is established the "William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program."

(2) Subject to the availability of funds, an eligible applicant for an initial award must have:

(a) Graduated from a baccalaureate degree-granting institution of higher learning which is regionally accredited by the Southern Association of Colleges and Schools (SACS) or a comparable accreditation body;

(b) Signed a contract as a full-time \* \* \* teacher in a public school district in Mississippi;

(c) Obtained a standard five-year license or a nontraditional five-year alternate route license. Persons with provisional emergency licenses shall not be eligible applicants; and

(d) Outstanding qualifying undergraduate or graduate educational loans, which may include the principal, interest and related expenses such as the required interest premium on the unpaid balances of government and commercial loans obtained by the recipient for undergraduate educational expense.

(3) Persons who have received funds from other forgivable loan programs established for teachers under Mississippi law, or who are presently in default or delinquent on any federal, state, local or commercial qualifying educational loan, shall not be eligible for this program.

(4) Provided that initial recipients remain eligible under the provisions of subsection (2) of this section, they may retain eligibility for two (2) additional awards, subject to the availability of funds.

(5) Initial recipients shall be selected on a first-come, first-served basis of all eligible applicants, \* \* \* subject to the availability of funds. In the second and \* \* \* third years of an applicant's continued eligibility, priority consideration shall first be given to renewal applicants. \* \* \* The State Financial Aid Board shall develop rules for ensuring that expenses of the program in a fiscal year do not exceed funding for the program in that fiscal year. For that purpose, and any other provision of this section to the contrary notwithstanding, the State Financial Aid Board may limit the acceptance of applications and may limit the number of awards.

( \* \* \*6) Among \* \* \* teacher recipients, priority consideration shall be given to persons who are teaching in a public school district designated as a geographical critical teacher shortage area by the State Board of Education.

( \* \* \*7) Awards for recipients who have signed a contract to teach in a public school district that is not designated as a geographical critical teacher shortage area shall be as follows:

(a) One Thousand Five Hundred Dollars (\$1,500.00) for the \* \* \* initial award;

(b) Two Thousand Five Hundred Dollars (\$2,500.00) for the second \* \* \* award; and

(c) Three Thousand Five Hundred Dollars (\$3,500.00) for the third \* \* \* award.

( \*\* \*8) Awards for recipients who have signed a contract to teach in a public school district that is designated as a geographical critical teacher shortage area shall be as follows:

(a) Four Thousand Dollars (\$4,000.00) for the \*\* \* initial award;

(b) Five Thousand Dollars (\$5,000.00) for the second \*\* \* award, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education; and

(c) Six Thousand Dollars (\$6,000.00) for the third \*\* \* award, provided the recipient continues to teach in the same public school district or another public school district designated a geographical shortage area by the State Board of Education.

( \*\* \*9) An \*\* \* initial recipient who moves to another public school district shall be eligible to receive an award based on the amount allowed under the program in the new district where the teacher is employed.

( \*\* \*10) Awards shall be granted on a year-to-year basis, and recipients shall have no obligation to seek a future award.

( \*\* \*11) Awards shall be paid annually, after the expiration of the one-year teaching contract for which the award was granted, to the recipient's lender or loan service provider, and shall be applied to the outstanding balance. Monies paid on the recipient's behalf toward qualifying undergraduate or graduate educational loans prior to receiving payment of the award shall not be eligible for repayment through the program.

( \*\* \*12) During the teaching year for which the award is granted, a recipient must at all times keep the State Financial Aid Board informed of any changes to the recipient's current contact information and employment status.

( \*\* \*13) Recipients who fail to maintain a standard or nontraditional license or fail to fulfill the one-year teaching contract on which the award was based shall forfeit any right to the award.

( \*\* \*14) The State Financial Aid Board, in collaboration with the State Board of Education, shall track recipients of an award under this program through \*\* \* the fourth year after receiving their initial award, unless the recipient shall leave teaching in a public school district at an earlier date. Data collected shall include recipients' undergraduate or graduate institution, school district, subject area/grade level in teaching and any other pertinent information necessary to determine the efficacy of the program in retaining teachers \*\* \*.

( \*\* \*15) The State Financial Aid Board shall promulgate regulations necessary for the proper administration of this section, including rules for ensuring that expenses of the program in a fiscal year do not exceed funding for the program in that fiscal year.

( \*\* \*16) There is established in the State Treasury a special fund to be designated the "William F. Winter and Jack Reed, Sr., Loan Repayment Program Fund," into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the loan repayment program established herein. Money in the fund at the end of the fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund.

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SECTION 2. This act shall be known, and may be cited as the "Mississippi Successful Techniques Resulting in Delivering Excellence in Education and Employability (STRIDE) Scholarship Program."

SECTION 3. There is created the Mississippi Successful Techniques Resulting in Delivering Excellence in Education and Employability (STRIDE) Scholarship Program, which such program shall consist of:

- (a) The Mississippi STRIDE College Scholarship Program provided for under Section 4 of this act;
- (b) The Mississippi STRIDE Opportunity Scholarship Program provided for under Section 5 of this act; and
- (c) The Mississippi STRIDE Graduation Scholarship Program provided for under Section 6 of this act.

SECTION 4. (1) Dual-credit courses at a Mississippi public community or junior college shall be funded by the Mississippi STRIDE College Scholarship Fund, which shall be administered by the Mississippi Community College Board. The board shall develop rules and regulations to implement the program for participating public community and junior colleges that provide dual-credit and dual-enrollment opportunities to students in Grades 9 through 12 who meet certain qualifications. The Mississippi Community College Board shall create a platform for interested students to apply online for the scholarships. Funding from approved scholarships shall be awarded to the credit of the public community or junior college providing the dual-credit instruction. Public community and junior colleges shall be the sole provider of dual-credit for students participating in the program. Funding for this program will be administered through a special fund established at the Mississippi Community College Board.

(2) Subject to appropriation, for the 2023-2024 academic year, each academic dual-credit student scholarship shall be funded at One Hundred Fifty Dollars (\$150.00) per semester hour of credit, and for each academic year thereafter, the public community and junior colleges shall adjust the per semester credit hour rate based on system-wide actual tuition costs.

(3) All eligible public high school students shall be approved for participation in the Mississippi STRIDE College Scholarship Program, subject to the following criteria:

(a) All dual-credit standards including, but not limited to, academic and eligibility requirements, course requirements, faculty and institutional qualifications and Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) accreditation criteria as provided in the Procedures Manual for the State of Mississippi Dual-enrollment and Accelerated Programs, jointly adopted by the Board of Trustees of State Institutions of Higher Learning and the Mississippi Community College Board, or a subsequent document, must be adhered to.

(b) Students participating in the program must reside within the State of Mississippi.

(c) Students participating in the program are responsible for books, supplies and transportation costs.

(4) Scholarship funds shall be dispersed on a first-come, first-served basis with minimum funding for each student being sufficient to take at least one (1) semester course per academic year.

(5) If a student fails to successfully complete a course paid for by the Mississippi STRIDE College Scholarship Program, the student must pay for and successfully earn

credit or complete one (1) like course before being eligible for additional course participation. Repeated and remedial courses or examinations are not eligible for funding through the program.

SECTION 5. (1) Career technical education and workforce training courses at a Mississippi public community or junior college shall be funded by the Mississippi STRIDE Opportunity Scholarship Fund, which shall be administered by the Mississippi Community College Board. The board shall develop rules and regulations to implement the program for participating public community and junior colleges that provide dual-credit and dual-enrollment opportunities to students in Grades 9 through 12 who meet certain qualifications. The Mississippi Community College Board shall create a platform for interested students to apply online for the scholarships. Funding from approved scholarships shall be awarded to the credit of the public community or junior college providing the dual-credit instruction. Public community and junior colleges shall be the sole provider of dual credit for students participating in the program. Funding for this program will be administered through a special fund established at the Mississippi Community College Board.

(2) Subject to appropriation, each career and technical dual-credit student scholarship shall be funded at Two Hundred Fifty Dollars (\$250.00) per semester hour of credit beginning in the 2023-2024 academic year.

(3) All eligible public high school students shall be approved for participation in the Mississippi STRIDE Opportunity Scholarship Program, subject to the following criteria:

(a) All dual-credit standards including, but not limited to, career and technical eligibility requirements, course requirements, faculty and institutional qualifications and Southern Association of Colleges and Schools Commission on Colleges (SACSCOC) accreditation criteria as provided in the Procedures Manual for the State of Mississippi Dual-enrollment and Accelerated Programs, jointly adopted by the Board of Trustees of State Institutions of Higher Learning and the Mississippi Community College Board, or a subsequent document, must be adhered to.

(b) In addition, eligible courses must:

(i) Lead to an industry-recognized certificate, license or degree as approved by the Mississippi Office of Workforce Development;

(ii) Be courses that are not otherwise available at the student's high school; and

(iii) Allow high school-aged students to participate.

(c) Laboratories designed for providing instruction in career and technical courses must meet community and junior colleges' standards of quality.

(d) Students participating in the program must reside within the State of Mississippi.

(e) Students participating in the program are responsible for books, tools, supplies and transportation costs.

(4) Scholarship funds shall be dispersed on a first-come, first-served basis with minimum funding for each student being sufficient to take at least one (1) semester course per academic year.

(5) If a student fails to successfully complete a course paid for by the Mississippi STRIDE Opportunity Scholarship Program, the student must pay for and successfully earn credit or complete one (1) like course before being eligible for additional course

participation. Repeated and remedial courses or examinations are not eligible for funding through the program.

SECTION 6. Public school personnel shall assist parents in the process of enrolling students in such courses. Each participating student's high school transcript at the public school at which the student is enrolled shall include the credits earned and grades received by the student for any dual-credit courses taken pursuant to this section. For an eligible course to be transcribed as meeting the requirements of a core subject as identified in administrative rule, the course must meet the approved content standards for the applicable subject and grade level.

SECTION 7. (1) Mississippi STRIDE Graduation courses for Mississippi public school students shall be funded by the Mississippi STRIDE Graduation Scholarship Fund, which shall be administered by the State Board of Education. The State Board of Education shall create a platform for interested students to apply online for the scholarships and to enroll in courses. Funding from approved scholarships shall be awarded to the credit of participating educational providers. Funding for this program will be administered through a special fund at the State Board of Education.

(2) All eligible public school students in Grades 7 through 12 who reside in the State of Mississippi shall be approved for participation in the Mississippi STRIDE Graduation Scholarship Program. Students participating in the program are responsible for books, tools, supplies and transportation costs.

(3) Scholarship funds shall be dispersed on a first-come, first-served basis and may be used for:

- (a) Overload courses;
- (b) Challenge courses;
- (c) Learn to Earn courses, including apprenticeships, internships, and alternative learning courses;
- (d) College entrance examinations;
- (e) Preliminary college entrance examinations;
- (f) Career technical certificate and licensing examinations that lead to an industry-recognized certificate, license or degree as approved by the Mississippi Office of Workforce Development;
- (g) Postsecondary credit-bearing examinations, including advanced placement (AP); international baccalaureate (IB); Cambridge International; and college-level examination program (CLEP).

(4) Each local school board shall set forth criteria by which a student may take an overload course. A student must take and successfully be completing a full credit load within a given school year to be eligible for funding of an overload course. An overload course must be taken for high school credit to be eligible for funding. The scholarship distribution for an overload course may not exceed Two Hundred Twenty-five Dollars (\$225.00) per overload course. To qualify as an eligible overload course for the program, the course must:

- (a) Be offered by an accredited provider; and
- (b) Be taught by an individual certified to teach the grade and subject area of the course in Mississippi.

(5) Each local school board shall set forth criteria by which a student may challenge a course. If a student successfully meets the criteria set forth by the board of the public school, then the student shall be counted as having completed all required coursework for that course. The public school shall be funded for such students based upon either actual hours of attendance or the course that the student has successfully passed, whichever is more advantageous to the public school, up to the maximum of one (1) full-time student.

(6) The State Department of Education shall maintain a list of eligible college entrance examinations and preliminary college entrance examinations and costs, provided that a student may not use funds provided under this section to take the same examination more than once. Eligible costs include the cost of the examination, proctor fees, and administrative fees. Eligible examinations include the SAT, PSAT, ACT and other similar examinations identified by the department.

(7) Mississippi STRIDE Graduation Scholarships may not be used to pay an amount that exceeds the price to the student of such courses and examinations pursuant to the limitations stated in this section. These monies shall not supplant existing program funds. No later than December 1, 2023, the State Department of Education shall annually report to the Education Committees of the Senate and the House of Representatives details regarding the number of students benefiting from assistance with the cost of overload courses, challenge courses, Learn to Earn courses and examinations. The report shall include the number of credits awarded and amounts paid pursuant to this section during the previous school year. The report also shall be provided to the other members of the Legislature upon request and posted on the department's website for the general public to view.

(8) Public schools, shall be reimbursed, as applicable, up to the stated limits, within one hundred twenty-five (125) days of receiving the necessary data upon which reimbursements may be paid for overload courses, challenge courses and Learn to Earn courses. The submission method and timelines of reimbursement data shall be determined by the State Board of Education. Payments will be made only for activity occurring and reported within each fiscal year.

(9) Average daily attendance shall be counted as normal for students participating in dual-credit courses pursuant to this section.

(10) If a student fails to successfully complete a course paid for by the Mississippi STRIDE Graduation Scholarship Program, the student must pay for and successfully earn credit or complete one (1) like course before being eligible for additional course participation. Repeated and remedial courses or examinations are not eligible for funding through the program.

(11) If a student fails to take an examination paid for by the Mississippi STRIDE Graduation Scholarship Program, the student must pay for and pass the test before being eligible for additional participation in the program.

(12) Public school personnel shall assist parents in the process of enrolling students in overload, challenge and Learn to Earn courses. Each participating student's high school transcript at the public school at which the student is enrolled shall include the credits earned and grades received by the student for these courses taken pursuant to this section. For an eligible course to be transcribed as meeting the requirements of a core subject as identified in administrative rule, the course must meet the approved content standards for the applicable subject and grade level.

SECTION 8. The State Board of Education shall promulgate rules to implement the provisions of this chapter so as to maximize participation in the Mississippi Successful Techniques Resulting in Delivering Excellence in Education and Employability (STRIDE) Scholarship Program.



SECTION 9. Public schools shall establish timelines and requirements for participation in the Mississippi Successful Techniques Resulting in Delivering Excellence in Education and Employability (STRIDE) Scholarship Program, including implementing procedures for the appropriate transcription of credits, reporting of program participation and financial transaction requirements. Public schools shall make reasonable efforts to ensure that any student who considers participating in the program also considers the challenges and time necessary to succeed in the program, and schools shall make reasonable efforts to include guidance on how the student's participation in the program contributes to prospective college and career pathways. Such efforts shall be performed prior to a student's participation in the program and throughout the student's involvement in the program.

SECTION 10. Section 37-71-7, Mississippi Code of 1972, is amended as follows:

37-71-7. \* \* \*

( \* \* \*1) Each local school board \* \* \* shall adopt an Extended Learning Opportunities policy to include alternative educational opportunities for course credit that recognizes learning opportunities outside of the traditional classroom through apprenticeships, internships or pre-apprenticeships, and grants elective credit for those alternative learning opportunities. \* \* \* The policy shall:

(a) Provide for an application process for entities to submit proposals for alternative educational opportunities that will qualify for elective course credit;

(b) Define which entities are eligible to submit applications for alternative educational opportunities, which such entities shall include, but not be limited to:

(i) Nonprofit organizations;

(ii) Businesses with established locations in the state;

(iii) Trade associations;

(iv) Parents of students involved in programs that may otherwise qualify for alternative educational opportunities; (v) Teachers involved in programs outside of the traditional classroom; and

(vi) School personnel involved in programs outside of the traditional classroom \* \* \*;

(c) Provide for the criteria used to evaluate the alternative educational opportunity;

(d) Describe any communication and collaboration needed with local school districts to implement alternative educational opportunities \* \* \*;

(e) Place requirements on the entity such as background checks for key personnel and minimum accountability standards; and

(f) Provide a process for student credit transfer.

( \* \* \*2) The local school board is authorized to approve or deny an application for an alternative educational opportunity. \* \* \*

( \* \* \*3) The State Department of Education shall have the authority to audit approved alternative educational programs at any time. If the audit results in findings that

an approved program is not meeting the provisions of this chapter \* \* \*, then the local school board shall disqualify the program immediately.

SECTION 11. Section 37-71-9, Mississippi Code of 1972, is amended as follows:

37-71-9. \* \* \*

\* \* \* The State Department of Education shall provide an annual report detailing the progress that has been made in each school district in providing alternative courses, programs and opportunities or apprenticeships. The report shall be provided to the Chairmen of the Senate and House Education Committees no later than December 1 of each year, beginning December 1, \* \* \* 2023. The report also shall be provided to the other members of the Legislature upon request and posted on the department's website for the general public to view.

SECTION 12. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-106-36, MISSISSIPPI CODE OF 1972, TO REVISE THE AWARD CRITERIA OF THE WILLIAM F. WINTER AND JACK REED, SR., TEACHER LOAN REPAYMENT PROGRAM; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD SHALL DEVELOP RULES FOR ENSURING THAT EXPENSES OF THE PROGRAM IN A FISCAL YEAR DO NOT EXCEED FUNDING FOR THE PROGRAM IN THAT FISCAL YEAR; TO PROVIDE THAT THE STATE FINANCIAL AID BOARD MAY LIMIT THE ACCEPTANCE OF APPLICATIONS AND MAY LIMIT THE NUMBER OF AWARDS; TO ESTABLISH THE "MISSISSIPPI SUCCESSFUL TECHNIQUES RESULTING IN DELIVERING EXCELLENCE IN EDUCATION AND EMPLOYABILITY (STRIDE) SCHOLARSHIP PROGRAM" FOR THE PURPOSE OF ESTABLISHING AND MAKING SCHOLARSHIPS AVAILABLE TO STUDENTS WHO BECOME ELIGIBLE TO PARTICIPATE IN THE PROGRAM FOR COSTS ASSOCIATED WITH DUAL-CREDIT AND DUAL-ENROLLMENT OPTION, CAREER AND TECHNICAL EDUCATION COURSES THAT LEAD TO INDUSTRY CERTIFICATION AND OVERLOAD COURSES; TO ESTABLISH THE MINIMUM QUALIFICATIONS FOR EACH SUBSIDIARY SCHOLARSHIP PROGRAM, TO PROVIDE THAT THE PROGRAMS SHALL BE RESPECTIVELY ADMINISTERED BY THE MISSISSIPPI COMMUNITY COLLEGE BOARD AND THE STATE BOARD OF EDUCATION; TO AMEND SECTIONS 37-71-7 AND 37-71-9, MISSISSIPPI CODE OF 1972, TO CLARIFY PROVISIONS OF THE "MISSISSIPPI LEARN TO EARN ACT" PERTAINING TO APPLICATION PROCEDURES IN A MANNER CONSISTENT WITH THE IMPLEMENTATION OF THE "MISSISSIPPI SUCCESSFUL TECHNIQUES RESULTING IN DELIVERING EXCELLENCE IN EDUCATION AND EMPLOYABILITY (STRIDE) SCHOLARSHIP PROGRAM"; AND FOR RELATED PURPOSES.

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Senator McMahan called up the following House Amendment to **S. B. No. 2892** and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The governing authorities of the City of Vicksburg, Mississippi, are hereby authorized and empowered, in their discretion, to contribute available funds in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) annually to the creation, development and promotion of the Dr. Jane Ellen McAllister Museum, a nonprofit museum, to be located at 1403 Main Steet in Vicksburg, Mississippi, which shall provide economic benefits to the city through tourism while commemorating the accomplishments of Dr. Jane McAllister, the first African American woman to earn a doctorate degree.

(2) In addition to the authority granted under subsection (1) of this section, the governing authorities are authorized to apply for grants to assist with funding for the museum.

(3) This section shall be repealed from and after July 1, 2027.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE AVAILABLE FUNDS TO THE CREATION, DEVELOPMENT AND PROMOTION OF THE DR. JANE ELLEN MCALLISTER MUSEUM FOR THE PURPOSES OF TOURISM AND ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the foregoing House Amendment to **S. B. No. 2892** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Parks called up the following entitled nomination:

**S. N. No. 62:** Dr. Erika Danielle Womack, Starkville, Mississippi, State Chemist, term beginning October 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 62 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McDaniel called up the following entitled nomination:

**S. N. No. 21:** Brenda Joyce Lathan, Columbus, Mississippi, Mississippi Commission on Environmental Quality to represent the Second Congressional District, seven year term effective July 1, 2022 and ending June 30, 2029.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 21 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Jordan, Norwood, Thomas. Total--3.

Absent and those not voting----None.

Voting Present--Hickman, Simmons D. T. (12th). Total--2.

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Senator Moran called up the following entitled nomination:

**S. N. No. 24:** Ronald N. (Ronnie) Daniels, Jr., Pass Christian, Mississippi, Mississippi Advisory Commission on Marine Resources, four year term effective July 1, 2022 and ending June 30, 2026, representing the Charter Boat Operator.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 24 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Moran called up the following entitled nomination:

**S. N. No. 25:** Jonathan Scott McLendon, Biloxi, Mississippi, Mississippi Advisory Commission on Marine Resources as the Commercial Seafood Processor representative, four year term effective May 10, 2022 and ending June 30, 2024.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 25 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.  
Voting Present--Seymour. Total--1.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Edith Martin Markham of Columbus, MS.

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Senator Horhn moved that when the Senate adjourns, it adjourn in memory of Alvin Kirby Green, Jr. of Jackson, MS.

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Senator Polk moved that the Senate stand in recess until 5:00 PM or the last Committee Report is filed, at which time the Senate would then adjourn until 10:00 AM, Friday, March 24, 2023.

The motion prevailed, and at 10:42 AM, the Senate stood in recess.

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2333:** Public schools; require staff training to assist with seizures.  
Senators DeBar, Boyd, Polk.

**S. B. No. 2361:** Mississippi Modified School Calendar Grant Program; establish and provide eligibility criteria.  
Senators DeBar, Polk, Hopson.

**S. B. No. 2556:** Qualifications for appointment as a conservation officer; clarify.  
Senators Whaley, Suber, Younger.

**S. B. No. 2585:** William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; revise provisions of.  
Senators DeBar, Blount, Johnson.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 566:** Designate last weekend in October 2023 as "Honor Your Hometown Weekend in Mississippi".

**S. C. R. No. 569:** Supporting the Mississippi Clean Hydrogen Hub application.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 1264:** School districts; authorize to provide feminine hygiene products for female students in Grades 6-12.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 50:** A CONCURRENT RESOLUTION URGING THE CENTERS FOR DISEASE CONTROL AND PREVENTION TO INCLUDE NEW IMMUNIZATION TECHNOLOGIES FOR RESPIRATORY SYNCYTIAL VIRUS IN THE VACCINES FOR CHILDREN PROGRAM.

**H. C. R. No. 51:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING BAPTIST MEMORIAL HOSPITAL-GOLDEN TRIANGLE UPON RECEIVING AN "A" RATING FOR TEN CONSECUTIVE YEARS.

**H. C. R. No. 52:** A CONCURRENT RESOLUTION RECOGNIZING THE INTREPID LEADERSHIP, JUDICIOUS ADVOCACY AND SELFLESSLY ZEALOUS COMMITMENT OF THE HONORABLE SENATOR ANGELA TURNER-FORD PROVIDED DURING HER TERM AS CHAIRPERSON OF THE MISSISSIPPI LEGISLATIVE BLACK CAUCUS.

**H. C. R. No. 54:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE CALEDONIA HIGH SCHOOL CAVALIERS VOLLEYBALL TEAM AND HEAD COACH SAMANTHA BROOKS FOR WINNING THEIR FIRST EVER MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 4A STATE VOLLEYBALL CHAMPIONSHIP.

**H. C. R. No. 55:** A CONCURRENT RESOLUTION COMMENDING CHIEF GARY PONTHEUX, JR., FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE IN LAW ENFORCEMENT AND CONGRATULATING HIM UPON HIS RETIREMENT.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2073:** Age of majority; lower to 18 for securing loans and entering contracts for real property.

Representatives Cockerham, Reynolds, Felsher

**S. B. No. 2075:** Birth certificate; adoptee may obtain certified copy of original after age 21.

Representatives Cockerham,Tullos,Hood

**S. B. No. 2140:** National Security on State Devices and Networks Act; create.

Representatives Cockerham,Yancey,Aguirre

**S. B. No. 2379:** Code books; revise number required to be ordered from publisher.

Representatives Cockerham,Reynolds,Watson

**S. B. No. 2382:** Out-of-state lawyers; required to disclose whether licensed to practice law in Mississippi in television ads.

Representatives Cockerham,Reynolds,Oliver

**S. B. No. 2729:** Limitation of liability requirements for information technology contracts; clarify.

Representatives Cockerham,Felsher,Brown (20th)

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2082:** Child support; administratively suspend obligations for incarcerated individuals.

Representatives Cockerham,Tullos,Reynolds

Andrew Ketchings, Clerk of the House of Representatives

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#### FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1807:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF EUPORA, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED TWO PERCENT UPON THE GROSS SALES OF HOTELS, MOTELS AND AIRBNBS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS; TO PROVIDE THAT SUCH TAX SHALL BE UTILIZED FOR THE PURPOSE OF PROVIDING FUNDING TO IMPROVE PARKS AND RECREATIONAL FACILITIES WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**H. B. No. 1811:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO GERALD LAIRD OF JEFFERSON DAVIS COUNTY, MISSISSIPPI.

**H. B. No. 1812:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO RAHMOND WILLIAMS OF HINDS COUNTY.

**H. B. No. 1813:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO CORNELIUS CLAYTON OF MONROE COUNTY, MISSISSIPPI.

**H. B. No. 1815:** AN ACT TO RESTORE THE RIGHT OF SUFFRAGE TO MARY GREEN OF HINDS COUNTY.

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2150:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF WARREN COUNTY, MISSISSIPPI, TO ENTER INTO A LEASE AGREEMENT OR LEASE-PURCHASE ARRANGEMENT FOR A TERM NOT TO EXCEED 30 YEARS FOR THE PURPOSE OF PROVIDING FUNDS TO ACQUIRE, MAINTAIN, CONSTRUCT OR EQUIP A PUBLIC BUILDING OR BUILDINGS AND RELATED FACILITIES FOR USE AS A LAW ENFORCEMENT AND PUBLIC SAFETY FACILITY OR JAIL FACILITY; AND FOR RELATED PURPOSES.

**S. B. No. 2575:** AN ACT TO CREATE NEW SECTION 83-9-10, MISSISSIPPI CODE OF 1972, TO REQUIRE ALL ALTERNATIVE DELIVERY SYSTEMS AND ALL GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI TO PROVIDE COVERED BENEFITS FOR MEDICAL TREATMENT PROVIDED BY THE COUNTY HEALTH DEPARTMENTS OF THE STATE DEPARTMENT OF HEALTH IN THE SAME MANNER AS OTHER PROVIDERS; TO PROHIBIT ALTERNATIVE DELIVERY SYSTEMS AND GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI FROM DENYING THE STATE DEPARTMENT OF HEALTH THE RIGHT TO PARTICIPATE AS A CONTRACT PROVIDER; TO PROVIDE THAT ALTERNATIVE DELIVERY SYSTEMS AND GROUP HEALTH INSURANCE POLICIES, PLANS OR PROGRAMS REGULATED BY THE STATE OF MISSISSIPPI MAY NEGOTIATE AN APPROPRIATE FEE SCHEDULE FOR MEDICAL TREATMENT PROVIDED BY THE COUNTY HEALTH DEPARTMENTS OF THE STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

**S. B. No. 2922:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF DESOTO COUNTY, MISSISSIPPI, TO TRANSFER A PARCEL OF COUNTY-OWNED PROPERTY TO THE CITY OF OLIVE BRANCH, MISSISSIPPI; AND FOR RELATED PURPOSES.

**S. B. No. 2960:** AN ACT TO AMEND CHAPTER 879, LOCAL AND PRIVATE LAWS OF 1992, AS LAST AMENDED BY CHAPTER 927, LOCAL AND PRIVATE LAWS OF 2022, TO EXTEND THE DATE OF REPEAL FROM SEPTEMBER 30, 2023, TO SEPTEMBER 30, 2027, ON THE PROVISION OF LAW THAT ESTABLISHES THE GRENADA TOURISM COMMISSION AND AUTHORIZES THE IMPOSITION OF A TOURIST AND CONVENTION TAX, TOGETHER WITH AN ADDITIONAL TAX ON HOTELS, MOTELS AND RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO CONSTRUCT, FINANCE AND OPERATE A SPORTS PARK; AND FOR RELATED PURPOSES.

**S. B. No. 3110:** AN ACT TO AMEND CHAPTER 958, LOCAL AND PRIVATE LAWS OF 1996, AS AMENDED BY CHAPTER 917, LOCAL AND PRIVATE LAWS OF



1997, AS AMENDED BY CHAPTER 1028, LOCAL AND PRIVATE LAWS OF 1999, AS AMENDED BY CHAPTER 12, LOCAL AND PRIVATE LAWS OF 2006 FIRST EXTRAORDINARY SESSION, TO DELETE THE PROVISION OF LAW SUBJECTING THE TUNICA COUNTY UTILITY DISTRICT TO RATE REGULATION BY THE PUBLIC SERVICE COMMISSION; AND FOR RELATED PURPOSES.

**S. C. R. No. 568:** A CONCURRENT RESOLUTION RECOGNIZING ENTERGY MISSISSIPPI ON THE OCCASION OF ITS 100TH ANNIVERSARY AND COMMENDING THE CIVIC CONTRIBUTIONS OF THIS LEADING CORPORATE CITIZEN.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 3108:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO LEASE FOR NOMINAL CONSIDERATION PROPERTY OWNED BY THE COUNTY TO THE PALMER HOME FOR CHILDREN FOR NONPROFIT USE FOR THE BENEFIT OF DISADVANTAGED CHILDREN; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 606:** AN ACT TO CREATE THE MOBILE-ONLINE SPORTS BETTING TASK FORCE; TO PROVIDE THE PURPOSES OF THE TASK FORCE; TO DESIGNATE THE CO-CHAIRS OF THE TASK FORCE; TO PROVIDE FOR THE APPOINTED MEMBERS TO THE TASK FORCE; TO PROVIDE FOR A REPORT; AND FOR RELATED PURPOSES.

**H. B. No. 1003:** AN ACT TO ESTABLISH THE MISSISSIPPI FULLY AUTONOMOUS VEHICLE ENABLING (MS FAVE) ACT OF 2023; TO DEFINE TERMINOLOGY USED HEREIN; TO AUTHORIZE THE OPERATION OF FULLY AUTONOMOUS VEHICLES ON THE PUBLIC ROADS OF THIS STATE WITHOUT A HUMAN DRIVER PROVIDED THAT THE AUTOMATED DRIVING SYSTEM IS ENGAGED AND CERTAIN CONDITIONS ARE MET; TO SPECIFY THE CONDITIONS TO BE SATISFIED BEFORE A FULLY AUTONOMOUS VEHICLE MAY OPERATE UPON THE PUBLIC ROADS OF THIS STATE; TO REQUIRE THE OPERATOR OF A FULLY AUTONOMOUS VEHICLE TO SUBMIT A LAW ENFORCEMENT INTERACTION PLAN TO THE DEPARTMENT OF PUBLIC SAFETY; TO PROVIDE THAT AN AUTOMATED DRIVING SYSTEM INSTALLED ON A MOTOR VEHICLE IS CONSIDERED THE DRIVER OR OPERATOR, FOR THE PURPOSE OF ASSESSING COMPLIANCE WITH APPLICABLE UNIFORM TRAFFIC LAWS; TO STIPULATE THAT BEFORE OPERATING A FULLY AUTONOMOUS VEHICLE ON PUBLIC ROADS IN THIS STATE WITHOUT A HUMAN DRIVER, SATISFACTORY PROOF OF FINANCIAL RESPONSIBILITY MUST BE FILED WITH THE DEPARTMENT OF PUBLIC SAFETY; TO PRESCRIBE THE PROCEDURES TO BE FOLLOWED WHEN A FULLY AUTONOMOUS VEHICLE IS INVOLVED IN AN ACCIDENT; TO PERMIT THE OPERATION OF AN ON-DEMAND AUTONOMOUS VEHICLE NETWORK IN COMPLIANCE WITH THE OPERATION OF TRANSPORTATION NETWORK COMPANIES, TAXIS OR ANY OTHER GROUND TRANSPORTATION FOR-HIRE OF PASSENGERS; TO REQUIRE FULLY AUTONOMOUS VEHICLES TO BE

REGISTERED AND TITLED WITH THE DEPARTMENT OF REVENUE; TO PROVIDE FOR THE MANUAL HUMAN OPERATION OF VEHICLES EQUIPPED WITH AN AUTOMATED DRIVING SYSTEM; TO AUTHORIZE THE OPERATION OF FULLY AUTONOMOUS VEHICLES THAT ARE CLASSIFIED AS COMMERCIAL MOTOR VEHICLES; TO EXEMPT FULLY AUTONOMOUS VEHICLES DESIGNED TO BE OPERATED EXCLUSIVELY BY AUTOMATED DRIVING SYSTEMS FROM CERTAIN VEHICLE EQUIPMENT REQUIREMENTS; TO PROHIBIT UNAUTHORIZED STATE AGENCIES, POLITICAL SUBDIVISIONS OF THE STATE, OR LOCAL GOVERNING AUTHORITY FROM RESTRICTING THE OPERATION OF FULLY AUTONOMOUS VEHICLES OR IMPOSING TAXES, FEES AND OTHER REQUIREMENTS UPON FULLY AUTONOMOUS VEHICLES; TO AMEND SECTIONS 63-1-203, 63-3-103, 63-15-49, 63-15-51, 63-15-53, 63-21-3 AND 63-21-9, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PRECEDING PROVISIONS; TO BRING FORWARD SECTIONS 63-1-5, 63-3-401, 63-3-405, 63-3-411, 63-3-413, 63-3-619, 63-5-53, 63-7-9, 63-15-37, 63-15-39, 63-15-41, 63-15-43, 63-19-3, 63-21-11, 63-21-15 AND 63-21-17, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1306:** AN ACT TO AMEND SECTION 23-15-211, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE STATE BOARD OF ELECTION COMMISSIONERS TO REMOVE THE DUTY OF THE BOARD TO REMOVE THE NAMES OF CANDIDATES FROM THE BALLOT FOR FAILURE TO COMPLY WITH CAMPAIGN FINANCE FILING REQUIREMENTS; TO AMEND SECTION 23-15-811, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON SHALL BE QUALIFIED TO APPEAR ON THE BALLOT IF, BY THE TIME THE CANDIDATE IS APPROVED TO APPEAR ON THE BALLOT FOR THE OFFICE SOUGHT, HE OR SHE HAS FAILED TO FILE ALL REPORTS REQUIRED TO BE FILED WITHIN THE LAST FIVE YEARS; TO AMEND SECTION 23-15-807, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CANDIDATES FOR JUDICIAL OFFICE SHALL NOT BE REQUIRED TO FILE AN ANNUAL REPORT IN AN ELECTION YEAR BUT SHALL FILE ONE IN OTHER YEARS; TO AMEND SECTION 23-15-753, MISSISSIPPI CODE OF 1972, TO PROVIDE A PENALTY FOR ANY PERSON WHO FRAUDULENTLY REQUESTS OR SUBMITS AN ABSENTEE BALLOT APPLICATION FOR ANY VOTER; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**S. C. R. No. 567:** Designate April 13, 2023, as "Reman Day" in Mississippi. Title Sufficient. Do Be Adopted.

**S. C. R. No. 570:** Recognize leadership of Senator Angela Turner-Ford as Chair of the Mississippi Legislative Black Caucus (MLBC). Title Sufficient. Do Be Adopted.

**S. R. No. 87:** Commend MUW Basketball player Conley Langford as 2022-2023 "Student Athlete of the Year" by the USCAA. Title Sufficient. Do Be Adopted.

**S. R. No. 88:** Commend Ingomar Attendance Center "Lady Falcons" Girls Basketball Team for winning Class 1A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 89:** Support the efforts of federal government in ending HIV Epidemic in Mississippi. Title Sufficient. Do Be Adopted.

**S. R. No. 90:** Commend Dr. Janie Brown of Laurel Middle School for "Extraordinary Educator" Award. Title Sufficient. Do Be Adopted.

**S. R. No. 91:** Commend Kiana Pendelton for Extraordinary Educator. Title Sufficient. Do Be Adopted.

**S. R. No. 92:** Commend Anthony Hamorsky as Extraordinary Educator for 2023 Curriculum Associates. Title Sufficient. Do Be Adopted.

**H. C. R. No. 47:** The Essie B. and William Earl Glenn Foundation; commend on occasion of its fourth symposium for Adverse Childhood Experiences Trauma Awareness Day. Title Sufficient. Do Be Adopted.

**H. C. R. No. 48:** Mississippi Clean Hydrogen Hub; urge the federal government to designate Mississippi as. Title Sufficient. Do Be Adopted.

**H. C. R. No. 49:** Baldwyn Career Advancement Center; commend 2023 SkillsUSA Quiz Bowl Team upon winning first place in state competition. Title Sufficient. Do Be Adopted.

**H. C. R. No. 53:** Israel; commend 75th anniversary of independence of. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1811:** Suffrage; restore to Gerald Laird of Jefferson Davis County. Judiciary, Division B.

**H. B. No. 1812:** Suffrage; restore to Rahmond Williams of Hinds County. Judiciary, Division B.

**H. B. No. 1813:** Suffrage; restore to Cornelius Clayton of Monroe County. Judiciary, Division B.

**H. B. No. 1815:** Suffrage; restore to Mary Green of Hinds County. Judiciary, Division B.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 1110:** Second Amendment Financial Privacy Act; create. Senators Caughman, Johnson, McMahan.

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REPORT OF COMMITTEE ON FINANCE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

SENATE JOURNAL  
THURSDAY, MARCH 23, 2023

**S. N. No. 86:** Harry Moore (Harry) Walker, Jackson, Mississippi, Mississippi Home Corporation as a representative of the First Supreme Court District, six year term effective June 27, 2022 and ending April 23, 2028. Do Advise and Consent.

**S. N. No. 91:** Gerard Raymond Gibert, Ridgeland, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective March 8, 2023 and ending December 31, 2027. Do Advise and Consent.

HARKINS, Chairman

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REPORT OF COMMITTEES ON  
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 3150:** City of Kosciusko; authorize election for restaurant tax to fund tourism and parks and recreation. Title Sufficient. Do Pass As Amended.

MCMAHAN, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEE ON FORESTRY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 81:** George Martin (George) Hopper, Ph.D., Starkville, Mississippi, Mississippi Forestry Commission as an At-Large representative, six year term effective March 20, 2023 and ending March 19, 2029. Do Advise and Consent.

**S. N. No. 82:** Patricia Ann (Pat) Thomasson, Philadelphia, Mississippi, Mississippi Forestry Commission as an At-Large representative, six year term effective February 22, 2023 and ending January 19, 2029. Do Advise and Consent.

MCCAUGHN, Chairman

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1807:** City of Eupora; authorize tourism tax on hotels/motels/Airbnbs and restaurants. Local and Private; Finance.

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 50:** Respiratory syncytial virus; urge CDC to include in the Vaccines for Children program. Rules.

**H. C. R. No. 51:** Baptist Memorial Hospital-Golden Triangle; commend upon receiving "A" rating for 10 consecutive years. Rules.

**H. C. R. No. 52:** Honorable Senator Angela Turner-Ford; commend and recognize intrepid leadership as chairperson of the MLBC. Rules.

**H. C. R. No. 54:** Caledonia High School Volleyball Team; commend upon winning MHSAA Class 4A State Volleyball Championship. Rules.

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#### REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 43:** David Edward Holman, Bay St. Louis, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 14, 2022 and ending June 30, 2025, representing the Fourth Congressional District as it existed July 1, 2022. Do Advise and Consent.

**S. N. No. 44:** Drew Thomas St. John, II, Madison, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 6, 2022 and ending June 30, 2026, representing the Third Congressional District as it existed July 1, 2022. Do Advise and Consent.

**S. N. No. 73:** Dason Colin (Colin) Maloney, Tupelo, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 6, 2022 and ending June 30, 2026, representing the First Congressional District as it existed July 1, 2022. Do Advise and Consent.

WHALEY, Chairman

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#### REPORT OF COMMITTEE ON JUDICIARY, DIVISION B

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**S. B. No. 2095:** Suffrage; restore suffrage to Vedo Kyles. Title Sufficient. Do Pass.

**S. B. No. 3053:** Suffrage; restore to Edward Carter. Title Sufficient. Do Pass.

**S. B. No. 3054:** Suffrage; restore to Larry Sills. Title Sufficient. Do Pass.

**S. B. No. 3055:** Suffrage; restore to Jessica Compton. Title Sufficient. Do Pass.

**H. B. No. 1811:** Suffrage; restore to Gerald Laird of Jefferson Davis County. Title Sufficient. Do Pass.

**H. B. No. 1812:** Suffrage; restore to Rahmond Williams of Hinds County. Title Sufficient. Do Pass.

**H. B. No. 1813:** Suffrage; restore to Cornelius Clayton of Monroe County. Title Sufficient. Do Pass.

FILLINGANE, Chairman

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#### REPORT OF COMMITTEE ON HIGHWAYS AND TRANSPORTATION

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 78:** Homer Rex Germany, Union, Mississippi, Commercial Transportation Enforcement Division Appeals Board as the board member representing the Mississippi Dept. of Public Safety, remainder of a four year term effective immediately and ending June 30, 2025. Do Advise and Consent.

**S. N. No. 97:** Russell James (Rusty) Hanna, Louisville, Mississippi, Appeals Board of the Mississippi Transportation Commission, four year term beginning July 1, 2023 and ending June 30, 2027. Do Advise and Consent.

BRANNING, Chairman

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#### REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**S. B. No. 2963:** City of McComb; extend repealer on hotel/motel tourism tax. Title Sufficient. Committee Substitute. Do Pass.

**H. B. No. 1325:** City of Brandon; extend repealer on hotels/motel to fund amphitheater and other ancillary improvements. Title Sufficient. Do Pass.

**H. B. No. 1697:** City of Farmington; authorize the use of low-speed vehicles and golf carts on certain public streets with certain restrictions. Title Sufficient. Do Pass As Amended.

**H. B. No. 1792:** City of Starkville; revise the definitions of the terms "hotel" and "motel" under the city's motel-hotel tax. Title Sufficient. Do Pass.

**H. B. No. 1793:** Neshoba County; authorize contribution to Philadelphia Transit. Title Sufficient. Do Pass.

**H. B. No. 1794:** City of Charleston; extend date of repeal on restaurant tourism tax. Title Sufficient. Do Pass.

**H. B. No. 1795:** Oktibbeha County; authorize contributions to the Education Association of East Oktibbeha County Schools. Title Sufficient. Do Pass.

**H. B. No. 1796:** Oktibbeha County; authorize contributions to the J.L. King Center. Title Sufficient. Do Pass.

**H. B. No. 1797:** Oktibbeha County; authorize contributions to maintain Camp Seminole Road. Title Sufficient. Do Pass.

**H. B. No. 1798:** Oktibbeha County; authorize contribution to Brickfire Project. Title Sufficient. Do Pass.

**H. B. No. 1799:** Oktibbeha County; authorize contributions to Sally Kate Winters Family Services. Title Sufficient. Do Pass.

**H. B. No. 1800:** Holmes County; authorize contributions to the Holmes County Long-Term Recovery Committee. Title Sufficient. Do Pass.

**H. B. No. 1805:** Jackson County; authorize to enter a MOU with DFA regarding Singing River Health System and healthcare workforce academy. Title Sufficient. Do Pass As Amended.

**H. B. No. 1816:** City of Clinton; extend repeal date on additional tourism tax on hotels and motels. Title Sufficient. Do Pass As Amended.

MCMAHAN, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 677:** County veteran service officers; revise certain qualifications for. Senators Seymour, McMahan, Chassaniol.

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 55:** Chief Gary Ponthieux, Jr.; commend for many years of public service in law enforcement and congratulate upon retirement. Rules.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Alvin Kirby Green, Jr. and Edith Martin Markham.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR THURSDAY, MARCH 23, 2023

**S. C. R. No. 570:** Rules

A CONCURRENT RESOLUTION RECOGNIZING THE LEADERSHIP, ADVOCACY AND COMMITMENT OF THE HONORABLE SENATOR ANGELA TURNER-FORD PROVIDED DURING HER TERM AS CHAIRPERSON OF THE MISSISSIPPI LEGISLATIVE BLACK CAUCUS.

By Senator(s) Blackmon, Barnett, Butler (36th), Butler (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons (12th), Simmons (13th), Thomas

**S. R. No. 93:** Rules

A RESOLUTION REMEMBERING THE LEGACY OF WILLIE JOHNSON AS THE FIRST AFRICAN AMERICAN FIRE CHIEF OF STARKVILLE, MISSISSIPPI.

By Senator(s) Williams, Hickman

**S. R. No. 94:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE MARSHALL ACADEMY "PATRIOTS" BOYS BASEBALL TEAM AND HEAD COACH BRUCE BRANCH FOR WINNING THEIR FIRST MAIS 4A VARSITY BASEBALL CHAMPIONSHIP IN 50 YEARS IN A VICTORY DEDICATED TO THE MEMORY OF COACH'S BABY GIRL, JANIE, WHO WAS THE TEAM'S INSPIRATION ("JANIE STRONG").

By Senator(s) Whaley

**S. R. No. 95:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE MARSHALL ACADEMY "LADY PATRIOTS" FAST-PITCH SOFTBALL TEAM AND "COACH OF THE YEAR" CARLTON GIBSON FOR WINNING THE 2022 MAIS 4A STATE CHAMPIONSHIP WHICH WAS THEIR FOURTH STATE CHAMPIONSHIP IN SCHOOL HISTORY.

By Senator(s) Whaley

**S. R. No. 96:** Rules

A RESOLUTION OFFERING THE SINCEREST CONGRATULATIONS OF THE MISSISSIPPI SENATE TO OXFORD HIGH SCHOOL SENIOR WINNIE WILSON IN RECOGNITION OF BEING NAMED "MISSISSIPPI'S 2023 HIGH SCHOOL JOURNALIST OF THE YEAR".

By Senator(s) Boyd

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EIGHTY-FIRST DAY, FRIDAY, MARCH 24, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Absent--Tate. Total--1.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Hilton Harrell, Pastor, Pleasant Grove East McComb Baptist Church, McComb, MS.

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Senator Butler K. (38th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2323:** AN ACT TO AMEND SECTION 41-13-35, MISSISSIPPI CODE OF 1972, TO CLARIFY AND EXPAND THE POWERS AND DUTIES OF THE BOARDS OF TRUSTEES OF COMMUNITY HOSPITALS AND TO PROVIDE THAT ANY CONSOLIDATION OR COLLABORATION INVOLVING A COMMUNITY HOSPITAL AND OTHER PUBLIC, PRIVATE OR NONPROFIT HOSPITALS, HEALTH CARE FACILITIES OR PROVIDERS SHALL BE IMMUNE FROM LIABILITY UNDER THE FEDERAL AND STATE ANTITRUST OR COMPETITION LAWS TO THE FULLEST EXTENT ALLOWED BY LAW; TO AMEND SECTION 41-13-29, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM PER DIEM PAYABLE TO TRUSTEES; TO AMEND SECTION 37-115-50, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE ACADEMIC MEDICAL CENTER AND ITS HEALTH CARE COLLABORATIVES ACTING INDIVIDUALLY OR JOINTLY SHALL BE IMMUNIZED FROM LIABILITY UNDER THE FEDERAL AND STATE ANTITRUST OR COMPETITION LAWS TO THE FULLEST EXTENT ALLOWED BY LAW; TO CREATE NEW SECTION 37-115-50.2, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN LEGISLATIVE FINDINGS AND DECLARATIONS RELATED TO THE ACT; TO CREATE NEW SECTION 37-115-50.3, MISSISSIPPI CODE OF 1972, TO PROVIDE CERTAIN POWERS TO THE ACADEMIC MEDICAL CENTER AND ITS HEALTH CARE COLLABORATIVES SUBJECT TO ANY REQUIRED APPROVAL OF THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING; TO AMEND SECTION 75-21-13, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THE ACT; TO AMEND SECTIONS 41-9-301, 41-9-303, 41-9-305 AND 41-9-307, MISSISSIPPI CODE OF 1972, TO INCLUDE PRIVATE HOSPITALS IN THE RURAL HEALTH AVAILABILITY ACT AND RENAME THE ACT AS THE "RURAL AND PRIVATE HOSPITALS HEALTH AVAILABILITY ACT;" TO PROVIDE THAT PRIVATE HOSPITALS, WHETHER IN A RURAL OR NONRURAL AREA, AND ANY OTHER ENTITY MAY NEGOTIATE AND ENTER INTO COOPERATIVE AGREEMENTS, SUBJECT TO RECEIPT OF A CERTIFICATE OF PUBLIC ADVANTAGE GOVERNING THE AGREEMENT THAT IS APPROVED BY THE STATE DEPARTMENT OF HEALTH; AND FOR RELATED PURPOSES.

**S. B. No. 2369:** AN ACT TO AMEND SECTIONS 43-1-1, 43-1-2, 43-1-3, 43-1-5 AND 43-27-20, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALERS ON CERTAIN STATUTES RELATING TO THE ADMINISTRATION OF THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES; TO UPDATE THE ORGANIZATIONAL STRUCTURE OF THE DEPARTMENT AND THE DUTIES OF THE OFFICE OF COMMUNITY SERVICES WITHIN THE DIVISION OF YOUTH SERVICES OF THE DEPARTMENT; TO PROVIDE THAT CERTAIN EMPLOYEES OF THE DEPARTMENT OF HUMAN SERVICES WHO ARE TERMINATED FROM EMPLOYMENT SHALL BE PROHIBITED FROM RECEIVING EMPLOYMENT FROM ANOTHER STATE AGENCY, DEPARTMENT OR INSTITUTION; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2750:** AN ACT TO CREATE NEW SECTION 41-60-34, MISSISSIPPI CODE OF 1972, TO ESTABLISH THE AUTOMATED EXTERNAL DEFIBRILLATORS IN PUBLIC AND CHARTER SCHOOLS GRANT PROGRAM TO BE ADMINISTERED BY THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF PROVIDING FUNDS TO ENTITIES TO SUPPLY AEDS IN PUBLIC AND CHARTER SCHOOLS; TO REQUIRE THE DEPARTMENT TO PROMULGATE RULES AND REGULATIONS FOR THE PROGRAM; TO SET CERTAIN REQUIREMENTS OF THE PROGRAM; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**S. B. No. 2359:** Tourism; Mississippi Main Street Revitalization Grant Program.  
Senators Chassaniol, Boyd, Hopson.

**S. B. No. 2512:** Counties; authorize to designate ARPA funds to rural water and sewer associations and municipalities for infrastructure projects.  
Senators Polk, Hill, Younger.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 704:** Television series production; provide incentives for certain.  
Senators Chassaniol, Harkins, Horhn.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 567, S. R. No. 87, S. R. No. 88, S. R. No. 89, S. R. No. 90, S. R. No. 91, S. R. No. 92, H. C. R. No. 47, H. C. R. No. 48, H. C. R. No. 49 and H. C. R. No. 53 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 567:** Designate April 13, 2023, as "Reman Day" in Mississippi.

**S. R. No. 87:** Commend MUW Basketball player Conley Langford as 2022-2023 "Student Athlete of the Year" by the USCAA.

**S. R. No. 88:** Commend Ingomar Attendance Center "Lady Falcons" Girls Basketball Team for winning Class 1A State Championship.

**S. R. No. 89:** Support the efforts of federal government in ending HIV Epidemic in Mississippi.

**S. R. No. 90:** Commend Dr. Janie Brown of Laurel Middle School for "Extraordinary Educator" Award.

**S. R. No. 91:** Commend Kiana Pendelton as Extraordinary Educator for 2023 Curriculum Associates.

**S. R. No. 92:** Commend Anthony Hamorsky as Extraordinary Educator for 2023 Curriculum Associates.

**H. C. R. No. 47:** The Essie B. and William Earl Glenn Foundation; commend on occasion of its fourth symposium for Adverse Childhood Experiences Trauma Awareness Day.

**H. C. R. No. 48:** Mississippi Clean Hydrogen Hub; urge the federal government to designate Mississippi as.

**H. C. R. No. 49:** Baldwyn Career Advancement Center; commend 2023 SkillsUSA Quiz Bowl Team upon winning first place in state competition.

**H. C. R. No. 53:** Israel; commend 75th anniversary of independence of.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 567, S. R. No. 87, S. R. No. 88, S. R. No. 89, S. R. No. 90, S. R. No. 91, S. R. No. 92, H. C. R. No. 47, H. C. R. No. 48, H. C. R. No. 49 and H. C. R. No. 53. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Unanimous consent was granted to add Senator Barnett as co-author of **S. C. R. No. 567.**

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Unanimous consent was granted to add Senator Barnett as co-author of **S. R. No. 87.**

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Unanimous consent was granted to add Senator Barnett as co-author of **S. R. No. 88.**

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Unanimous consent was granted to add Senator Barnett as co-author of **S. R. No. 89.**

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Senator Kirby moved that the rules be suspended for the immediate consideration of **S. C. R. No. 570**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**S. C. R. No. 570:** Recognize leadership of Senator Angela Turner-Ford as Chair of the Mississippi Legislative Black Caucus (MLBC).

YEAS AND NAYS On S. C. R. No. 570. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Unanimous consent was granted to add Senator Blount as co-author of **S. C. R. No. 570**.

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Senator McMahan called up the following entitled bill:

**S. B. No. 3150:** City of Kosciusko; authorize election for restaurant tax to fund tourism and parks and recreation.

Senator McMahan offered the following COMMITTEE AMENDMENT NO. 1.

AMEND after line 127 by inserting the following language:

(6) This section shall stand repealed on July 1, 2027.

Committee Amendment No. 1 to S. B. No. 3150 was adopted.

YEAS AND NAYS On S. B. No. 3150. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Tate. Total--1.  
Voting Present--Hill. Total--1.

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Senator McMahan called up the following entitled bill:

**S. B. No. 2963:** City of McComb; extend repealer on hotel/motel tourism tax.

On motion of Senator McMahan, the Committee Substitute was adopted for consideration.

YEAS AND NAYS On S. B. No. 2963. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Tate. Total--1.

Voting Present--England, Hill, Polk, Seymour. Total--4.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1325:** City of Brandon; extend repealer on hotels/motel to fund amphitheater and other ancillary improvements.

YEAS AND NAYS On H. B. No. 1325. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Tate. Total--1.

Voting Present--Hill. Total--1.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1697:** City of Farmington; authorize the use of low-speed vehicles and golf carts on certain public streets with certain restrictions.

Senator McMahan offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on lines 35 and 36 by striking "financial responsibility as required under Section 63-15-1 et seq., Mississippi Code of 1972" and inserting in lieu thereof the following:

insurance, including at least Fifty Thousand Dollars (\$50,000.00) of liability insurance

Committee Amendment No. 1 to H. B. No. 1697 was adopted.

YEAS AND NAYS On H. B. No. 1697. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Chism, McDaniel, Sojourner, Sparks. Total--4.

Absent and those not voting--Tate. Total--1.

Voting Present--Hill, McCaughn. Total--2.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1792:** City of Starkville; revise the definitions of the terms "hotel" and "motel" under the city's motel-hotel tax.

YEAS AND NAYS On H. B. No. 1792. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, Hill, McDaniel, Sojourner. Total--4.

Absent and those not voting--Tate. Total--1.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1793:** Neshoba County; authorize contribution to Philadelphia Transit.

YEAS AND NAYS On H. B. No. 1793. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1794:** City of Charleston; extend date of repeal on restaurant tourism tax.

YEAS AND NAYS On H. B. No. 1794. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Tate. Total--1.

Voting Present--Hill. Total--1.

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Senator McMahan moved that the rules be suspended for the consideration en bloc of H. B. No. 1795, H. B. No. 1796, H. B. No. 1797, H. B. No. 1798 and H. B. No. 1799 and the motion prevailed.

Senator McMahan called up the following entitled Local and Private bills:

**H. B. No. 1795:** Oktibbeha County; authorize contributions to the Education Association of East Oktibbeha County Schools.

**H. B. No. 1796:** Oktibbeha County; authorize contributions to the J.L. King Center.

**H. B. No. 1797:** Oktibbeha County; authorize contributions to maintain Camp Seminole Road.

**H. B. No. 1798:** Oktibbeha County; authorize contribution to Brickfire Project.

**H. B. No. 1799:** Oktibbeha County; authorize contributions to Sally Kate Winters Family Services.

YEAS AND NAYS on consideration en bloc of H. B. No. 1795, H. B. No. 1796, H. B. No. 1797, H. B. No. 1798 and H. B. No. 1799. On motion of Senator McMahan, the rules were suspended, foregoing numbered bills on the Local and Private Calendar were considered engrossed, each read the third time and, agreeable to the provisions of the Constitution, the yeas and nays were taken, and the bills passed, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Tate. Total--1.

Voting Present--Hill, Polk. Total--2.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1800:** Holmes County; authorize contributions to the Holmes County Long-Term Recovery Committee.

YEAS AND NAYS On H. B. No. 1800. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Tate. Total--1.

Voting Present--Polk. Total--1.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1805:** Jackson County; authorize to enter a MOU with DFA regarding Singing River Health System and healthcare workforce academy.

Senator McMahan offered the following COMMITTEE AMENDMENT NO. 1.

AMEND by inserting the following section after line 210 and renumber subsequent section(s) accordingly:

SECTION 13. This act shall stand repealed on July 1, 2033.

FURTHER, AMEND on line 212 by striking "its passage" and inserting lieu thereof the following:

July 1, 2023, and shall stand repealed on June 30, 2023

Committee Amendment No. 1 to H. B. No. 1805 failed.

Senator McMahan offered the following AMENDMENT NO. 2.

AMEND on lines 108 and 109 by striking ", which shall be binding on any successor board,"



FURTHER, AMEND on line 111 after the period by inserting the following:

Any such lease shall not exceed a term of up to fifteen (15) years and may be subsequently renewed for additional terms not to exceed fifteen (15) years.

Amendment No. 2 to H. B. No. 1805 was adopted.

YEAS AND NAYS On H. B. No. 1805. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1816:** City of Clinton; extend repeal date on additional tourism tax on hotels and motels.

Senator McMahan offered the following COMMITTEE AMENDMENT NO. 1.

AMEND on line 117 by deleting "2028" and inserting in lieu thereof "2027"

Committee Amendment No. 1 to H. B. No. 1816 was adopted.

YEAS AND NAYS On H. B. No. 1816. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting--Tate. Total--1.

Voting Present--Hill. Total--1.

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Senator Barnett called up the following entitled bill:

**H. B. No. 799:** Inmate Welfare Fund; increase portion of the fund that is utilized to fund Inmate Incentive to Work Program.

Senator Barnett moved that the Conference Committee Report on **H. B. No. 799** be recommitted for further conference and the motion prevailed.

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Senator Barnett offered the following report of the Conference Committee on **S. B. No. 2495** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2495: State inmates; require MDOC to pay increased rate to house inmates in county jails.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-901, Mississippi Code of 1972, is amended as follows:

47-5-901. (1) (a) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his sentence in the county jail of the county wherein such person was convicted if the Commissioner of Corrections determines that physical space is not available for confinement of such person in the state correctional institutions. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. The commissioner shall certify in writing that space is not available to the sheriff or other officer having custody of the person. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(b) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his or her sentence in the county jail of the county wherein such person was convicted if the sheriff or president of the board of supervisors, requests such inmate or inmates. Upon such request, the department may allow such inmate or inmates to serve all or any part of such inmate's or inmates' sentence(s), as the case may be, in the county of conviction of the inmate or inmates or the county of request of a sheriff or board of supervisors outside the county of conviction. Such determination shall be promptly made by the Department of Corrections

upon receipt of notice of the conviction of such person. Whenever a request is denied for an inmate or inmates, then the commissioner shall certify in writing to the sentencing court, sheriff, or president of the board of supervisors of a county, as the case may be, that such inmate or inmates does not qualify to serve the sentence or sentences in the county jail. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(2) If state prisoners are housed in county jails due to a lack of capacity at state correctional institutions, the Department of Corrections shall determine the cost for food and medical attention for such prisoners. The cost of feeding and housing offenders confined in such county jails shall be based on actual costs or contract price per prisoner. In order to maximize the potential use of county jail space, the Department of Corrections is encouraged to negotiate a reasonable per day cost per prisoner, which in no event may exceed \* \* \* Twenty-five Dollars (\$25.00) per day per offender, except as authorized in Section 47-5-909(2).

(3) (a) Upon vouchers submitted by the board of supervisors of any county housing persons due to lack of space at state institutions, the Department of Corrections shall pay to such county, out of any available funds, the actual cost of food, or contract price per prisoner, not to exceed \* \* \* Twenty-five Dollars (\$25.00) per day per offender, except as authorized in Section 47-5-909(2), as determined under subsection (2) of this section for each day an offender is so confined beginning the day that the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the department, whichever is earlier, and will terminate on the date on which the offender is released or otherwise removed from the custody of the county jail. The department, or its contracted medical provider, will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of negotiated discounted fee schedule, medical care service providers will be paid by the department, or its contracted medical service provider, an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. The board of supervisors of any county shall not be liable for any cost associated with medical attention for prisoners who are pretrial detainees or for prisoners who have been convicted that exceeds the Mississippi Medicaid reimbursement rate or the reimbursement provided by the Department of Corrections, whichever is greater. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications. Such payment shall be placed in the county general fund and shall be expended only for food and medical attention for such persons.

(b) Upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs provided in paragraph (a).

(c) If the probation or parole of an offender is revoked, the additional cost of housing the offender pending the revocation hearing shall be assessed as part of the offender's court cost and shall be remitted to the department.

(4) A person, on order of the sentencing court, may serve not more than twenty-four (24) months of his sentence in a county jail if the person is classified in accordance with Section 47-5-905 and the county jail is an approved county jail for housing state inmates under federal court order. The sheriff of the county shall have the right to petition the Commissioner of Corrections to remove the inmate from the county jail. The county shall be reimbursed in accordance with subsection (2) of this section.

(5) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions

against any action brought by any person who was committed to a county jail under the provisions of this section.

(6) This section does not create in the Department of Corrections, or its employees or agents, any new liability, express or implied, nor shall it create in the Department of Corrections any administrative authority or responsibility for the construction, funding, administration or operation of county or other local jails or other places of confinement which are not staffed and operated on a full-time basis by the Department of Corrections. The correctional system under the jurisdiction of the Department of Corrections shall include only those facilities fully staffed by the Department of Corrections and operated by it on a full-time basis.

(7) An offender returned to a county for post-conviction proceedings shall be subject to the provisions of Section 99-19-42 and the county shall not receive the per-day allotment for such offender after the time prescribed for returning the offender to the Department of Corrections as provided in Section 99-19-42.

SECTION 2. Section 47-5-909, Mississippi Code of 1972, is amended as follows:

47-5-909. (1) It is the policy of the Legislature that all inmates be removed from county jails as early as practicable. Sections 47-5-901 through 47-5-907 are temporary measures to help alleviate the immediate operating capacity limitations at correctional facilities and are not permanent measures to be included in the long-term operating capacity of the correctional system.

(2) Notwithstanding any other provision of law, to expedite the removal of inmates from county jails as early as practicable, absent a contract negotiated between the Department of Corrections and the county jail, the Department of Corrections shall pay county jails for housing state offenders out of any available funds as follows:

(a) Twenty-five Dollars (\$25.00) per day per offender for days one (1) through thirty (30);

(b) Thirty Dollars (\$30.00) per day per offender for days thirty-one (31) through sixty (60); and

(c) Thirty-four Dollars (\$34.00) per day per offender for days sixty-one (61) or greater when:

(i) An offender remains in the county jail after the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the Department of Corrections, whichever is earlier; or

(ii) An offender remains in the county jail after being revoked from parole or probation or is sentenced to a technical violation center.

(3) The Department of Corrections is additionally responsible for all medical costs related to offenders housed at county jails under subsection (2) of this section.

SECTION 3. Section 99-19-42, Mississippi Code of 1972, is amended as follows:

99-19-42. Any offender in the custody of the Department of Corrections who is summoned to a county by court order for any post-conviction proceeding shall have such proceeding heard during the term of court in which the offender is returned to the custody of a county. If the offender's case is not heard during such term of court, the offender shall be returned to the facility of the Department of Corrections from which he was summoned. If the offender is not returned within one (1) week of the end of the term of court, the county housing the offender shall not receive the \* \* \* Twenty-five Dollars (\$25.00)

allowed under Section 47-5-901, except as authorized in Section 47-5-909(2), for housing state offenders after the one-week time period required for returning the offender to the Department of Corrections.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-909, MISSISSIPPI CODE OF 1972, TO EXPEDITE THE REMOVAL OF INMATES FROM COUNTY JAILS BY DIRECTING THE DEPARTMENT OF CORRECTIONS TO PAY COUNTY JAILS FOR HOUSING STATE OFFENDERS; TO AMEND SECTION 99-19-42, MISSISSIPPI CODE OF 1972, TO INCREASE THE RATE OF PAY FOR HOUSING STATE OFFENDERS IN COUNTY JAILS; TO AMEND SECTION 47-5-901 TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Juan Barnett	Kevin Horan
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Daniel H. Sparks	Shanda Yates
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Dennis DeBar, Jr.	Kevin Felsher
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2495** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting--Tate. Total--1.

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Senator Hickman entered a motion to reconsider the vote whereby **S. N. No. 21** was confirmed by the Senate.

**S. N. No. 21:** Brenda Joyce Lathan, Columbus, Mississippi, Mississippi Commission on Environmental Quality to represent the Second Congressional District, seven year term effective July 1, 2022 and ending June 30, 2029.

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Senator McMahan entered a motion to reconsider the vote whereby **H. B. No. 1792** passed the Senate.

**H. B. No. 1792:** City of Starkville; revise the definitions of the terms "hotel" and "motel" under the city's motel-hotel tax.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Mildred Perkins Pumphrey of West Point, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Patricia Dean Filgo of Madison, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Leroy Spring of Smithdale, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Travis E. Freeman of Natchez, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Lonnie "Sonny" Rodgers of Vidalia, LA.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Michael C. Furr of Jackson, AL.

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Senator Wiggins moved that when the Senate adjourns, it adjourn in memory of Jane Burks of Pascagoula, MS.

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Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Saturday, March 25, 2023.

The motion prevailed, and at 11:14 AM, the Senate stood in recess.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 252:** Festival wine permits; extend repealers on authority to issue and certain provisions relating to.  
Senators Chassaniol, Johnson, Thompson.

**H. B. No. 419:** Tourism; provide assistance to destination marketing organization.  
Senators Chassaniol, Hopson, Boyd.

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Newman as a conferee, the Speaker has named a new conferee on the following:

**S. B. No. 2645:** Circuit court districts; increase number of assistant district attorneys and criminal investigators.

Representatives Bain and Yates remain as conferees and the Speaker has named Representative Read to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 2004:** Town of Duck Hill; authorize governing authorities to levy tourism tax.

**S. B. No. 2152:** City of Byram; authorize governing authorities to levy parks and recreation tax on restaurants.

**S. B. No. 2519:** Town of Monticello; authorize tourism tax on restaurants, hotels and motels.

**S. B. No. 3109:** Warren County; authorize board of supervisors to contribute funds to certain nonprofit corporations.

**S. B. No. 3140:** City of Gautier; authorize to enter into public/private partnership for construction of an inclusion playground.

**S. B. No. 3141:** Kemper County; authorize board of supervisors to expand scope of authority of Gas District to become county utility district.

**S. B. No. 3142:** Lauderdale County; extend date of repeal on authority to fund LCDF Chaplaincy program with nontax revenue generated by inmate telephone service.

**S. B. No. 3143:** City of Lucedale; authorize to levy tax upon sales of restaurants for the purposes of funding parks and recreation.

**S. B. No. 3145:** George County; authorize to levy 3% sales tax on the sales of hotels and motels within the county and 1% tax on the sales of restaurants.

**S. B. No. 3146:** Lowndes County; authorize to contribute Local Fiscal Recovery Funds to certain nonprofits.

**S. B. No. 3148:** Lowndes County; authorize Board of Supervisors to contribute available funds to public utilities and water/sewer associations.

**S. B. No. 3151:** Rankin County; authorize to contribute county funds to Trustmark Park for economic development and tourism purposes.

**S. B. No. 3152:** City of Pearl; authorize to contribute municipal funds to minor league baseball stadium for economic development and tourism purposes.

**S. B. No. 3153:** City of Pearl; extend repealer on hotel/motel & restaurant tourism tax.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. B. No. 1819:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF EUPORA, MISSISSIPPI, TO CONVEY CERTAIN REAL PROPERTY THAT IS LOCATED IN THE CITY'S INDUSTRIAL PARK; AND FOR RELATED PURPOSES.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following WITH ACCOMPANYING AMENDMENT:

**S. B. No. 3065:** Bolivar County; authorize to contribute up to \$5,000.00 annually to the Fannie Lou Hamer Breast Cancer Foundation.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2053:** Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists.

Representatives Boyd (19th), Sanford, Turner

**S. B. No. 2054:** Appointed state officers; provide for the removal of for certain forms of willful neglect.

Representatives Boyd (19th), Tubb, Turner

**S. B. No. 2333:** Public schools; require staff training to assist with seizures.

Representatives Bennett, McCarty, Owen

**S. B. No. 2359:** Tourism; Mississippi Main Street Revitalization Grant Program.



Representatives Currie,Felsher,Eure

**S. B. No. 2361:** Mississippi Modified School Calendar Grant Program; establish and provide eligibility criteria.

Representatives Bennett,McCarty,Roberson

**S. B. No. 2514:** Secretary of State; clarify authority to transfer land records to Department of Archives and History.

Representatives Boyd (19th),Robinson,Hobgood-Wilkes

**S. B. No. 2538:** Mississippi Regional Pre-Need Disaster Clean Up Act; create.

Representatives Boyd (19th),Hobgood-Wilkes,Sanford

**S. B. No. 2585:** William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; revise provisions of.

Representatives Bennett,McCarty,Porter

**S. B. No. 2673:** Mississippi Real Estate Appraisal Board; make independent from Mississippi Real Estate Commission.

Representatives Boyd (19th),Turner,Tubb

**S. B. No. 2844:** Bureau of Fleet Management; revise duties thereof.

Representatives Boyd (19th),Tubb,Young

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 1365:** Assistant teacher salaries; prohibit school districts from using any state-funded increase to substitute the local contribution.

Representatives Bennett,McCarty,McLean

**H. B. No. 1369:** MAEP; determine cost of using Average Daily Membership (ADM) in lieu of ADA with 90% threshold attendance trigger.

Representatives Bennett,McCarty,Owen

**H. B. No. 1390:** Abstinence education; delete repealer on school board requirement to adopt a policy on abstinence-only or abstinence-plus.

Representatives Bennett,McLean,Yancey

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEES ON  
LOCAL AND PRIVATE AND FINANCE

Mr. President: The above-named committees, having had under consideration the following, favorably report same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1667:** City of Florence; authorize a tax on restaurants and hotels/motels. Title Sufficient. Do Pass.

**H. B. No. 1807:** City of Eupora; authorize tourism tax on hotels/motels/Airbnbs and restaurants. Title Sufficient. Do Pass.

MCMAHAN, Chairman  
HARKINS, Chairman

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REPORT OF COMMITTEE ON ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 2:** Arnold Edward (T.J.) Taylor, Jr., Madison, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired six year term beginning January 1, 2020 and ending January 1, 2026, vice Edmond Hughes. Do Advise and Consent.

**S. N. No. 76:** Norman Paul Katool, Madison, Mississippi, Public Procurement Review Board, four year term effective July 1, 2023 and will expire June 30, 2027. Do Advise and Consent.

**S. N. No. 69:** Charles William (Bill) Cook, Jr., Oxford, Mississippi, Information Technology Services Authority, five year term beginning July 1, 2022 and ending June 30, 2027. Do Advise and Consent.

**S. N. No. 93:** Dr. Lucius Marion (Luke) Lampton, Magnolia, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired six year term beginning January 1, 2018 and ending January 1, 2024. Do Advise and Consent.

POLK, Chairman

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REPORT OF COMMITTEE ON PUBLIC HEALTH AND WELFARE

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 40:** Dr. Lori Lynn Blackmer, Picayune, Mississippi, MS State Board of Optometry to represent the Fifth Congressional District as it existed in 1980, five year term beginning July 6, 2022 and ending June 30, 2027. Do Advise and Consent.

**S. N. No. 4:** Patricia Robinson Nelson, Yazoo City, Mississippi, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, term effective August 25, 2022 and appointee shall serve at the will and pleasure of the Governor. Do Advise and Consent.

**S. N. No. 7:** Clelly Ray Farmer, Poplarville, Mississippi, State Board of Barber Examiners, remainder of a four year term effective June 28, 2022 and ending June 30, 2024, representing the 4th Congressional District. Do Advise and Consent.

BRYAN, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1264:** AN ACT TO AUTHORIZE SCHOOL DISTRICTS TO MAKE FEMININE HYGIENE PRODUCTS AVAILABLE, AT NO COST TO STUDENTS, IN THE BATHROOMS OR OFFICES OF THE SCHOOL NURSE IN SCHOOL BUILDINGS FOR STUDENTS IN GRADE 6 THROUGH GRADE 12; AND FOR RELATED PURPOSES.

**H. B. No. 1528:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF BENTON COUNTY, MISSISSIPPI, TO CONTRACT WITH AND/OR CONTRIBUTE TO THE INSTITUTE OF COMMUNITY SERVICES, INC. (ICS), ALSO KNOWN AS HEAD START; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 1703:** AN ACT TO AMEND CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2013, AS AMENDED BY CHAPTER 909, LOCAL AND PRIVATE LAWS OF 2014, AS AMENDED BY CHAPTER 918, LOCAL AND PRIVATE LAWS OF 2019, WHICH ESTABLISHES THE COAHOMA COUNTY RESERVE AND TRUST FUND, TO AUTHORIZE THE COAHOMA COUNTY BOARD OF SUPERVISORS, WHICH IS THE TRUSTEE OF THE FUND, TO UTILIZE A CERTAIN AMOUNT OF THE FUND TO SUPPLEMENT THE COUNTY GENERAL FUND DURING FISCAL YEAR 2022-2023, DUE TO THE NONPAYMENT OF A CERTAIN LEASE; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2090:** AN ACT TO AMEND SECTION 73-11-51, MISSISSIPPI CODE OF 1972, TO REVISE THE LICENSING REQUIREMENTS FOR FUNERAL DIRECTORS TO REQUIRE APPLICANTS TO HAVE SERVED AS A RESIDENT TRAINEE FOR NOT LESS THAN TWELVE MONTHS UNDER THE SUPERVISION OF A LICENSED

FUNERAL DIRECTOR; TO AMEND SECTION 73-11-53, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE FUNERAL DIRECTOR TRAINEE AND APPRENTICESHIP PROGRAM; TO BRING FORWARD SECTION 73-11-57, MISSISSIPPI CODE OF 1972, FOR THE PURPOSE OF POSSIBLE AMENDMENT; TO CREATE NEW SECTION 73-11-57.2, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT NO PERSON OR ENTITY SHALL ENGAGE IN ANY ACTIVITY FOR WHICH A LICENSE IS REQUIRED UNDER THE CHAPTER WITHOUT HOLDING SUCH LICENSE IN GOOD STANDING; TO PROVIDE THAT A PERSON MAY NOT BE, ACT AS, OR ADVERTISE OR HOLD HIMSELF OR HERSELF OUT TO BE A FUNERAL SERVICE, A FUNERAL DIRECTOR, OR A CERTIFIED CREMATORY OPERATOR UNLESS HE OR SHE IS CURRENTLY LICENSED BY THE BOARD; TO AUTHORIZE THE BOARD OF FUNERAL SERVICE TO ISSUE ADMINISTRATIVE COMPLAINTS TO ANY PERSON OR ENTITY WHO IT BELIEVES HAS VIOLATED PROVISIONS OF THE LAW; TO ALLOW THE BOARD TO IMPOSE A FINE OF UP TO \$5,000.00 FOR VIOLATIONS OF THE CHAPTER; TO AUTHORIZE THE BOARD TO HOLD AND CONDUCT HEARINGS ON SUBJECT VIOLATIONS; TO AUTHORIZE THE BOARD TO ISSUE AN EMERGENCY ORDER UPON AN UNLICENSED PERSON OR ENTITY; TO EMPOWER THE BOARD TO FILE FOR AN INJUNCTION SEEKING ENFORCEMENT OF THE EMERGENCY ORDER; TO PROVIDE THAT AN AGGRIEVED PARTY MAY APPEAL FROM THE ASSESSMENT AND LEVY OF A MONETARY PENALTY; TO AMEND SECTION 73-11-58, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN TIME REQUIREMENTS RELATED TO THE DISPOSITION OF DECEDENT'S BODIES BY FUNERAL SERVICE PRACTITIONERS; TO PRECLUDE AT-FAULT PARTIES FROM DECIDING THE DISPOSITION OF A DECEDENT'S REMAINS; TO AMEND SECTION 73-11-69, MISSISSIPPI CODE OF 1972, TO REVISE THE NOTICE REQUIREMENT BEFORE A CREMATORY OR FUNERAL ESTABLISHMENT MAY DISPOSE OF UNCLAIMED REMAINS; TO AMEND SECTION 73-11-71, MISSISSIPPI CODE OF 1972, TO REVISE THE WRITTEN ACKNOWLEDGMENT FORM THAT IS OBTAINED FROM THE PERSON ENTITLED TO CONTROL THE DISPOSITION OF CREMATED REMAINS; AND FOR RELATED PURPOSES.

**S. C. R. No. 569:** A CONCURRENT RESOLUTION SUPPORTING THE MISSISSIPPI CLEAN HYDROGEN HUB AND URGING THE GOVERNMENT OF THE UNITED STATES TO SELECT MISSISSIPPI'S APPLICATION TO BE A HYDROGEN HUB.

Joseph Thomas, Chairman

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 1365:** Assistant teacher salaries; prohibit school districts from using any state-funded increase to substitute the local contribution.  
Senators DeBar, Boyd, Polk.

**H. B. No. 1369:** MAEP; determine cost of using Average Daily Membership (ADM) in lieu of ADA with 90% threshold attendance trigger.  
Senators DeBar, Polk, Boyd.

**H. B. No. 1390:** Abstinence education; delete repealer on school board requirement to adopt a policy on abstinence-only or abstinence-plus.  
Senators DeBar, Wiggins, Polk.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2512:** Counties; authorize to designate ARPA funds to rural water and sewer associations and municipalities for infrastructure projects.

Representatives Bounds, Anderson (122nd), Rushing

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. B. No. 1819:** City of Eupora; authorize conveyance of certain property located within city's industrial park. Local and Private.

Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 5:00 PM in memory of Mildred Perkins Pumphrey, Patricia Dean Filgo, Leroy Spring, Travis E. Freeman, Lonnie "Sonny" Rodgers, Michael C. Furr and Jane Burks.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR FRIDAY, MARCH 24, 2023

**S. C. R. No. 571:** Rules

A CONCURRENT RESOLUTION HONORING AND CELEBRATING THE 75TH ANNIVERSARY OF INDEPENDENCE OF THE STATE OF ISRAEL.  
By Senator(s) Kirby

**S. R. No. 97:** Rules

A RESOLUTION TO ACKNOWLEDGE THAT MARCH 30, 2023, IS "NATIONAL DOCTORS DAY" IN MISSISSIPPI, AND TO RECOGNIZE THE SERVICE OF THE "DOCTORS OF THE DAY" SERVING THE MISSISSIPPI LEGISLATURE DURING THE 2023 REGULAR SESSION.  
By Senator(s) Kirby

**S. R. No. 98:** Rules

A RESOLUTION RECOGNIZING THE OUTSTANDING LEADERSHIP AND SERVICE OF LONGTIME DEAN OF MISSISSIPPI STATE UNIVERSITY COLLEGE OF VETERINARY MEDICINE DR. KENT HOBLET ON THE OCCASION OF HIS RETIREMENT.  
By Senator(s) McCaughn, Suber, Younger, Harkins, Williams, England, Seymour, DeLano, Whaley

**S. R. No. 99:** Rules

A RESOLUTION COMMENDING WOMEN FOR PROGRESS OF MISSISSIPPI, INC., FOR 45 YEARS OF PUBLIC SERVICE TO THE CITIZENS OF THE STATE OF MISSISSIPPI.  
By Senator(s) Frazier

## EIGHTY-SECOND DAY, SATURDAY, MARCH 25, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Pro Tempore Kirby presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Absent--Butler A. (36th), Caughman, Fillingane, McDaniel, Tate. Total--5.

The Secretary announced a quorum present.

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Leave of absence was granted to Senator Butler A. (36th).

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The invocation was delivered by Senator Sparks.

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Senator Norwood led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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## INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1667:** City of Florence; authorize a tax on restaurants and hotels/motels.

YEAS AND NAYS On H. B. No. 1667. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Chassaniol, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Moran,

Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--44.

Nays--Chism, Sojourner. Total--2.

Absent and those not voting--Butler A. (36th), Caughman, Fillingane, McDaniel,  
Tate. Total--5.

Voting Present--McLendon. Total--1.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1807:** City of Eupora; authorize tourism tax on hotels/motels/Airbnbs and restaurants.

YEAS AND NAYS On H. B. No. 1807. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Chassaniol, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--44.

Nays--Chism, Sojourner. Total--2.

Absent and those not voting--Butler A. (36th), Caughman, Fillingane, McDaniel,  
Tate. Total--5.

Voting Present--McLendon. Total--1.

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Senator McMahan called up the motion to reconsider the vote whereby **H. B. No. 1792** passed the Senate and moved that it be reconsidered:

**H. B. No. 1792:** City of Starkville; revise the definitions of the terms "hotel" and "motel" under the city's motel-hotel tax.

The foregoing motion prevailed.

Senator McMahan offered the following AMENDMENT NO. 1.

AMEND on line 13 by inserting the following language before the period:

, where such establishment has at least four (4) rooms in a singular location or has at least four (4) rooms in the aggregate if not in a singular location

Amendment No. 1 to H. B. No. 1792 was adopted.

YEAS AND NAYS On H. B. No. 1792. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Chassaniol, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th),

Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--44.

Nays--Chism, Sojourner. Total--2.

Absent and those not voting--Butler A. (36th), Caughman, Fillingane, McDaniel,  
Tate. Total--5.

Voting Present--McLendon. Total--1.

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Senator McMahan called up the following House Amendment to **S. B. No. 3065**  
and moved that the Senate do concur in the Amendment:

AMENDMENT NO. 1:

Amend by striking all after the enacting clause and inserting in lieu thereof the  
following:

SECTION 1. (1) The Board of Supervisors of Bolivar County, Mississippi, in its  
sole discretion, is authorized to contribute annually from the general fund of the county an  
amount not to exceed Fifteen Thousand Dollars (\$15,000.00) to the Fannie Lou Hamer  
Breast Cancer Foundation.

(2) In addition to the contribution prescribed in subsection (1) of this section, the  
board, in its sole discretion, is authorized to contribute annually from the general fund of  
the county a sum not to exceed Fifty Thousand Dollars (\$50,000.00) to the Bolivar County  
Community Action Agency, Inc.

(3) This section shall be repealed from and after July 1, 2025.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the  
following:

AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF BOLIVAR  
COUNTY, MISSISSIPPI, TO CONTRIBUTE UP TO \$15,000.00 ANNUALLY TO THE  
FANNIE LOU HAMER BREAST CANCER FOUNDATION FROM THE GENERAL FUND  
OF THE COUNTY; AS WELL AS CONTRIBUTE AN ANNUAL AMOUNT NOT TO  
EXCEED \$50,000.00 TO THE BOLIVAR COUNTY COMMUNITY ACTION AGENCY,  
INC., AND FOR RELATED PURPOSES.

YEAS AND NAYS. The yeas and nays being taken, the Senate concurred in the  
foregoing House Amendment to **S. B. No. 3065** by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler  
K. (38th), Carter, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins,  
Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon,  
McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th),  
Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley,  
Wiggins, Williams, Younger. Total--46.

Nays--Polk. Total--1.

Absent and those not voting--Butler A. (36th), Caughman, Fillingane, McDaniel,  
Tate. Total--5.

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Senator Harkins called up the following entitled bill:

**S. B. No. 2841:** Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag.

Senator Harkins moved that the Conference Committee Report on **S. B. No. 2841** be recommitted for further conference and the motion prevailed.

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Senator Seymour offered the following report of the Conference Committee on **S. B. No. 2187** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2187: Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-19-53, Mississippi Code of 1972, is amended as follows:

27-19-53. (1) (a) (i) Any legal resident of the State of Mississippi \* \* \* who is rated as having \* \* \* one hundred percent (100%) permanent service-connected disability or at least seventy percent (70%) nonpermanent service-connected disability by the Veterans' Administration or United States Department of Veterans Affairs is privileged to purchase annually under this subsection two (2) motor vehicle license plates or tags in his or her county of legal residence, for the sum of One Dollar (\$1.00) in total cost for each plate or tag, regardless of make or model of motor vehicle. The registration year of such motor vehicle shall commence the first day of the month in which application for registration is made, as provided in Section 27-19-31. In order for a person who is rated as having at least seventy percent (70%) nonpermanent service-connected disability to renew a license plate or tag issued under this section, the person must provide an updated benefits letter from the United States Department of Veterans Affairs indicating that the person's rating has not been adjusted to less than seventy percent (70%) nonpermanent service-connected disability.

(ii) Any legal resident of the State of Mississippi \* \* \* who is rated as having \* \* \* one hundred percent (100%) permanent service-connected disability or at least seventy percent (70%) nonpermanent service-connected disability by the Veterans' Administration or United States Department of Veterans Affairs is privileged to purchase annually under this subsection one (1) motorcycle license plate or tag in his or her county of legal residence, for the sum of One Dollar (\$1.00) in total cost for each plate or tag. The registration year of such motorcycle shall commence the first day of the month in which application for registration is made, as provided in Section 27-19-31. In order for a person who is rated as having at least seventy percent (70%) nonpermanent service-connected disability to renew a license plate or tag issued under this section, the person must provide an updated benefits letter from the United States Department of Veterans Affairs indicating that the person's rating has not been adjusted to less than seventy percent (70%) nonpermanent service-connected disability.

(b) Not more than two (2) such motor vehicle license plates or tags shall be issued under this subsection to each such qualified \* \* \* person. Not more than one (1) such motorcycle license plate or tag shall be issued under this subsection to each such qualified \* \* \* person.

(c) This section pertains only to taxes or plates for private passenger motor vehicles or pickup trucks or motorcycles.

(d) Proof of ownership of a particular motor vehicle or motorcycle for which a license plate or tag is requested must be shown at time of application for such plate or tag.

(e) Vehicles and motorcycles owned by such \* \* \* person are exempt under this subsection from all ad valorem and privilege taxes; however, the surviving spouse of a deceased person who was issued a license plate or tag under this subsection shall be entitled to apply for or retain a license tag issued under this subsection and may continue annually to renew registration for two (2) motor vehicle license plates or tags and one (1) motorcycle license plate or tag under this subsection for as long as the spouse remains unmarried. In addition, if a deceased person who was eligible to be issued a license plate or tag under this subsection did not apply for or was not issued a license plate or tag, the surviving spouse of such deceased person shall be entitled to apply for and be issued a license plate or tag under this subsection and may continue annually to renew registration for two (2) motor vehicle license plates or tags and one (1) motorcycle license tag or plate under this subsection for as long as the spouse remains unmarried. At the time of application or renewal registration, a surviving spouse who desires to retain a distinctive plate or tag issued under this subsection shall file with the county tax collector a sworn statement that the spouse is unmarried. Any such vehicle or motorcycle when so registered shall be exempt from all ad valorem and privilege taxes.

(2) Any person who is entitled to obtain license tags under subsection (1) of this section may be issued one (1) additional such license tag for any other vehicle registered in his or her name upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as otherwise prescribed by law for the particular vehicle.

(3) The Department of Revenue is directed to furnish each \* \* \* person obtaining a license tag under this section an emblem, which the \* \* \* person shall attach securely to the tag, showing that the tag was issued to a disabled American veteran.

(4) A license issued under this section shall not be transferable to any other person.

(5) Any person evading or violating any of the provisions of this section, or attempting to secure benefits under this section to which he is not entitled, shall be guilty of a misdemeanor and, upon conviction, shall be fined not less than One Thousand

Dollars (\$1,000.00) or imprisoned in the county jail for not less than ninety (90) days, or both.

(6) From and after July 1, 2022, the special tag authorized under this section shall bear the name and emblem of each branch of the United States Armed Forces.

SECTION 2. Section 27-19-56.444, Mississippi Code of 1972, is amended as follows:

27-19-56.444. (1) Any legal resident of the State of Mississippi who \* \* \* is rated as having service-connected disability by the United States Department of Veterans Affairs, but who is not rated as having one hundred percent (100%) permanent service-connected disability or at least seventy percent (70%) nonpermanent service-connected disability by such department, is privileged to obtain annually under this section a distinctive license tag for any motor vehicle registered in his or her name upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles. The distinctive license tag so issued shall be of such color and design as the Department of Revenue may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag or plate. The registration year of such motor vehicle shall commence the first day of the month in which application for registration is made, as provided in Section 27-19-31.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. Proof of ownership of a particular motor vehicle for which a license tag is requested must be shown at time of application for such tag.

(3) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag. A license tag issued under this section shall not be transferable to any other person.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO REVISE THE DISABILITY RATING REQUIREMENTS FOR CERTAIN MOTOR VEHICLE AND MOTORCYCLE LICENSE PLATES AND TAGS AUTHORIZED FOR DISABLED VETERANS; TO AMEND SECTION 27-19-56.444, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

Joseph M. Seymour

Josh Harkins

CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Steverson

Lester Carpenter

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2187** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Butler A. (36th), Caughman, Fillingane, McDaniel, Tate. Total--5.

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Senator Moran offered the following report of the Conference Committee on **S. B. No. 2530** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2530: "Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Philip Moran

Mike Thompson

Scott DeLano

CONFEREES FOR THE HOUSE

Timmy Ladner

Kevin Felsher

Carolyn Crawford

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2530** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons

S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--None.

Absent and those not voting--Butler A. (36th), Caughman, Fillingane, McDaniel, Tate. Total--5.

Voting Present--McCaughn. Total--1.

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Senator Moran called up the following entitled bill:

**S. B. No. 2544:** Regulation of oyster beds and water bottoms by the MS Department of Marine Resources; bring forward authority.

Senator Moran moved that the Conference Committee Report on **S. B. No. 2544** be recommitted for further conference and the motion prevailed.

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Senator Moran offered the following report of the Conference Committee on **S. B. No. 2551** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2551: Department of Marine Resources, Office of Marine Patrol; cooperate with federal law enforcement.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

Philip Moran

Jeremy England

Mike Thompson

CONFEREES FOR THE HOUSE

Timmy Ladner

Kevin Felsher

Carolyn Crawford

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2551** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon,

McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Butler A. (36th), Caughman, Fillingane, McDaniel, Tate. Total--5.

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Senator Bryan moved that the rules be suspended for the consideration en bloc of S. N. No. 41, S. N. No. 42 and S. N. No. 46 and the motion prevailed.

Senator Bryan called up the following entitled nominations:

**S. N. No. 41:** Dr. Hilary Melby Parrish, Vicksburg, Mississippi, State Board of Optometry, remainder of five year term effective October 4, 2022 and ending June 30, 2024, representing the 4th Congressional Dist. as it existed Jan. 1, 1980, vice Dr. Rebecca Cox Patton.

**S. N. No. 42:** Dr. Kimberly Johnson Ragan, Madison, Mississippi, MS State Board of Optometry to represent the Third Congressional District as it existed in 1980, remainder of five year term effective upon confirmation by the Senate and ending June 19, 2026.

**S. N. No. 46:** Alvin Craig (Craig) Sartin, Long Beach, Mississippi, Board of Pharmacy, five year term beginning July 1, 2022 and ending June 30, 2027, representing the Fifth Congressional District (Post 5), vice Larry Calvert.

YEAS AND NAYS on consideration en bloc of S. N. No. 41, S. N. No. 42 and S. N. No. 46. On motion of Senator Bryan, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Butler A. (36th), Caughman, Fillingane, McDaniel, Tate. Total--5.

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On motion of Senator Bryan, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. N. No. 41, S. N. No. 42 and S. N. No. 46.

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Senator McCaughn moved that the rules be suspended for the consideration en bloc of S. N. No. 81 and S. N. No. 82 and the motion prevailed.

Senator McCaughn called up the following entitled nominations:

**S. N. No. 81:** George Martin (George) Hopper, Ph.D., Starkville, Mississippi, Mississippi Forestry Commission as an At-Large representative, six year term effective March 20, 2023 and ending March 19, 2029.

**S. N. No. 82:** Patricia Ann (Pat) Thomasson, Philadelphia, Mississippi, Mississippi Forestry Commission as an At-Large representative, six year term effective February 22, 2023 and ending January 19, 2029.

YEAS AND NAYS on consideration en bloc of S. N. No. 81 and S. N. No. 82. On motion of Senator McCaughn, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Chassaniol, Chism, DeBar, DeLano, England, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--None.

Absent and those not voting--Butler A. (36th), Caughman, Fillingane, McDaniel, Tate. Total--5.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Eileen Verdegan of Saucier Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Wilma (Myrick) Dowdy of Hurley Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Kaylee Olivia Welton of East Central Community, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Gerald Wayne Suarez of Biloxi, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Hayes Alexander Sellers of Baton Rouge, LA.

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Senator Branning moved that when the Senate adjourns, it adjourn in memory of Mildred Sistrunk of Walnut Grove, MS.

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Senator Polk moved that the Senate stand in recess until 8:00 PM or the last Conference Report is filed, at which time the Senate would then adjourn until 3:00 PM, Sunday, March 26, 2023.

The motion prevailed, and at 10:42 AM, the Senate stood in recess.

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MESSAGE FROM THE HOUSE

MR. PRESIDENT: I am directed by the House of Representatives to inform the Senate that due to the RESIGNATION of Representative Bounds as a conferee, the Speaker has named a new conferee on the following:

**S. B. No. 2372:** Mississippi Hospital Sustainability Grant Program; establish and provide eligibility for funds.

Representatives Read and Mims remain as conferees and the Speaker has named Representative White to the vacancy.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has DECLINED TO CONCUR IN THE SENATE AMENDMENT on the following and requests a conference with the Senate in an effort to adjust the differences between the two Houses and the Speaker has NAMED CONFEREES as follows:

**H. B. No. 521:** Length of Service Award Program; authorize for the recruitment and retention of volunteer firefighters.

Representatives Zuber, Ford (54th), Busby

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2495:** State inmates; require MDOC to pay increased rate to house inmates in county jails.

**S. B. No. 2544:** Regulation of oyster beds and water bottoms by the MS Department of Marine Resources; bring forward authority.

**S. B. No. 2841:** Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 400:** Election crimes; revise the penalties for certain.



**H. B. No. 1029:** United States Space Force; provide that reference to "Armed Forces" and "Uniformed Services" in Mississippi law shall include members of.

Adopted: 03/24/23

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 8:00 PM in memory of Eileen Verdegan, Wilma (Myrick) Dowdy, Kaylee Olivia Welton, Gerald Wayne Suarez, Hayes Alexander Sellers and Mildred Sistrunk.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR SATURDAY, MARCH 25, 2023

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EIGHTY-THIRD DAY, SUNDAY, MARCH 26, 2023

The Senate met at 3:00 PM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Senator Frazier.

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Senator Hill led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator Hopson called up the following entitled bill:

**H. B. No. 271:** Appropriation; Health Department for distributing funds to hospitals under the Health Care Impact Grant Program.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 271** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 272:** Appropriation; Health Department for Local Provider Innovation Grant Program.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 272** be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1593** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1593: Appropriation; Athletic Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Athletic Commission Fund, for the purpose of defraying the expenses of the Mississippi Athletic Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 139,641.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi Athletic Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. With the funds appropriated herein, the Chairman of the Commission shall be the ex officio recorder of permits and licenses and for his service as such shall receive an annual salary equal to Forty Thousand Dollars (\$40,000.00).

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2024.

## CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Vince Mangold

## CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Angela Turner-Ford  
Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1593** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1594** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

## MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1594: Appropriation; Auctioneers Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Auctioneers Commission for the purpose of defraying the expenses of the commission, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 117,462.00.

SECTION 2. It is the intention of the Legislature that the Mississippi Auctioneers Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their

appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Angela Turner-Ford  
Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1594** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1595** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1595: Appropriation; Barber Examiners, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Barber Examiners, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 344,410.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 7  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures						FY2024
						Target
Examination						
Number		of		Examinations		Given
410						
Licensure & Regulation						
Average	Time	of	Processing	In	State	Licenses
0.00						
.....Average Time of Processing Out of State						
.....Licenses						0.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 4. It is the intention of the Legislature that the State Board of Barber Examiners shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail

comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE  
PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER  
EXAMINERS FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Robert L. Jackson  
Benjamin Suber

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1595** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1596** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1596: Appropriation; Cosmetology, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Board of Cosmetology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 1,013,260.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 13  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. The State Board of Cosmetology shall not be authorized to expend any funds appropriated by this act after October 1, 2019, unless the board has adopted and implemented each of the following policies, which shall be conditions upon the receipt and expenditure of those funds:

(a) A policy that the board will not issue any licenses for the practice of wigology and will issue licenses and certifications only as provided under the cosmetology licensure law; and

(b) A policy that allows any person who holds a wig specialist license issued by the board before July 1, 2014, to continue his or her practice as it existed before July 1, 2014, and allows any person who holds a wig salon license issued by the board before July 1, 2014, to continue operating a wig salon under the statutory requirements as they existed before July 1, 2014, and provides that any such person will be eligible to receive a certificate of registration issued by the board.



SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures				FY2024 Target
Exam Administration				
Number	of	Students		Tested
1,500				
Cost	per	Licensing		Examination
400.00				
School Coordination				
Number	of	School		Permits
41				
Establishment Inspections				
			Percent of Establishments, by Type	
(Salons & Schools), That are Inspected				
Each Year				80.00
			Number of Average Violations per	
Inspection by Type				3
Number	of	Documented	Complaints	Received
15				
			Percent of Documented Complaints	
Resolved within Six Months				100.00
			Percent of School Audits Resulting in	
Disciplinary Actions				3.00
Licensure & Information Support				
			Percent of Completed Applications	
Processed within Ten Business Days, by				
Type (Practitioners, Instructors)				100.00
			Number of Business Days from Date of	
Completed Applications of New Salon &				
School to Initial Inspection				14
			Collect & Report the Percent of License	
Renewals Issued within Seven Business				
Days, Ten Business Days for Schools				100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 5. It is the intent of this legislation to provide the funds for the board to meet when necessary, but under no circumstances shall it meet more than sixty-two (62) days a year.

SECTION 6. It is the intention of the Legislature that the State Board of Cosmetology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall

be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Robert L. Jackson

Jeremy England

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1596** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1597** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1597: Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Examiners for Social Workers and Marriage and Family Therapists for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 269,688.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Board of Examiners for Social Workers and Marriage and Family Therapists shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and

whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated under the provisions of Section 1, Five Thousand Five Hundred Dollars (\$5,500.00) is provided for the upgrade and maintenance of the Board's Licensing and Regulatory System (LARS) to a CLOUD based system.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Robert L. Jackson

Kathy L. Chism

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1597** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1598** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1598: Appropriation; Medical Licensure, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Medical Licensure, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 4,047,338.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 30  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Licensure	
Percent of Licensees who Renew Online	100.00
Percent of Individual License Renewals	
Issued within Seven Business Days	100.00
Investigative	

Recidivism Rate for Those Receiving	
Disciplinary Actions	4.00
Number of Documented Complaints Received	300
Percent of Documented Complaints	
Resolved within Seven Business Days	15.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 4. It is the intention of the Legislature that the State Board of Medical Licensure shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds provided under the provisions of this act, and as approved by the Mississippi State Board of Medical Licensure (the Board), at the direction of the Board the Executive Director may negotiate and enter into a grant agreement to provide funding in an amount not to exceed Six Hundred Thousand Dollars (\$600,000) for the Mississippi Physician Health Program.

SECTION 7. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Thirty Thousand Dollars (\$130,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expense of the Mississippi Prescription Monitoring Program.

SECTION 8. It is the intention of the Legislature that the funds are appropriated here in accordance with a signed Memorandum of Understanding with the Mississippi Department of Health to assist with the implementation of the Medical Cannabis Act for registering and monitoring compliance with the rules and regulations of the Act.

SECTION 9. It is further the intention of the Legislature that, for Fiscal Year 2024, the board shall be allowed to recover all costs from a holder of a license who has been found by the board in violation of statute after notice and a hearing as provided by law. The expenses must be direct costs associated with the investigation and conduct of a proceeding for licensure revocation, suspension or restriction.

SECTION 10. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Sam C. Mims, V

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Robert L. Jackson  
Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1598** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1599** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1599: Appropriation; Nursing, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Board of Nursing, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .. \$ 5,062,992.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 41  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal

Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds provided for herein, One Million Five Hundred Sixty Thousand Dollars (\$1,560,000.00) shall be provided for the Office of Nursing Workforce (ONW). In accordance with Section 73-15-18(1), Mississippi Code of 1972, the Mississippi Board of Nursing is designated as the state agency responsible for the administration and supervision of the Nursing Workforce Program as an educational curriculum. The mission of the Office of Nursing Workforce is to carry out the scope of service and leadership tasks required of the profession by promoting a strong educational infrastructure between nursing practice and nursing education.

SECTION 4. Of the funds provided under the provisions of this act, an amount not to exceed One Hundred Five Thousand Dollars (\$105,000.00) may be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 5. It is the intention of the Legislature that the funds are appropriated here in accordance with a signed Memorandum of Understanding with the Mississippi Department of Health to assist with the implementation of the Medical Cannabis Act for registering and monitoring compliance with the rules and regulations of the Act.

SECTION 6. It is the intention of the Legislature that the Mississippi Board of Nursing shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023.



Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Sam C. Mims, V

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Robert L. Jackson

Joseph M. Seymour

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1599** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1600** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1600: Appropriation; Nursing Home Administrators, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 205,454.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be

utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that the Mississippi State Board of Nursing Home Administrators deposit all revenue generated into a special fund in the State Treasury to the credit of the Mississippi State Board of Nursing Home Administrators and that all interest earned or deposited to the fund shall remain in the fund and not be paid into the State General Fund of Mississippi.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Robert L. Jackson  
Joseph M. Seymour

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1600** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1601** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1601: Appropriation; Optometry, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Board of Optometry, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 254,784.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for

increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the State Board of Optometry shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The Board of Optometry shall have the authority to escalate and expend funds, which are comprised of special funds of the department, in an amount not to exceed Fifty Thousand Dollars (\$50,000.00) for the costs related to the relocation and furnishing of their office for the period beginning July 1, 2023, and ending June 30, 2024.

The escalation of those funds and/or related transfers shall be in accordance with procedures for federal fund escalations as provided in Section 27-104-21, Mississippi Code 1972, and expended for the purposes of performing such duties as set forth by law in accordance with applicable rules and regulations of the State Fiscal Officer.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Robert L. Jackson

Angela Burks Hill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1601** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1602** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1602: Appropriation; Physical Therapy Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Physical Therapy, for the purpose of defraying the expenses of the Mississippi State Board of Physical Therapy for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 327,141.00.

SECTION 2. With the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for

promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Physical Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Robert L. Jackson  
Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1602** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1603** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1603: Appropriation; Psychology, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Psychology, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 159,793.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal

Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Psychology shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. Of the funds appropriated in Section 1, Thirteen Thousand Dollars (\$13,000.00) is provided for the administrative support of the Mississippi Autism Board as prescribed by Section 73-75-11, Mississippi Code of 1972.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2024.



CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Robert L. Jackson  
Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1603** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1604** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1604: Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registration for Professional Engineers and Land Surveyors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 556,525.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 5  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the

responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the State Board of Registration for Professional Engineers and Land Surveyors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Angela Turner-Ford

Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1604** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1605:** Appropriation; Insurance, Department of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1605** be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1606** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1606: Appropriation; Fire Academy.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Fire Academy for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,338,768.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Fire Academy which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ \$235,000.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 60

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for

promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Training	
Number of Students Trained	15,000
Average Cost per Student Trained	440.49

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 5. It is the intention of the Legislature that the State Fire Academy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the State Fire Academy for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of a state match to purchase a specialty rescue truck, as

authorized in House Bill No. 1594, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 75,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 9. Of the funds appropriated in Section 2, One Hundred Sixty Thousand Dollars (\$160,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the completion of dorm rooms at the State Fire Academy.

SECTION 10. Of the funds appropriated in Section 2, Seventy-five Thousand Dollars (\$75,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided as matching funds to purchase vehicles.

SECTION 11. It is the intention of the Legislature that the State Fire Academy is hereby authorized to pay invoices submitted by Aramark Uniform for reimbursement for prior fiscal year commodities in an amount not to exceed Five Thousand Six Hundred Fourteen Dollars (\$5,614.00).

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE  
STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
STATE FIRE ACADEMY FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	J. Walter Michel
Jeff Hale	Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1606** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1607** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1607: Appropriation; Public Employees' Retirement System.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Administrative Expense Account of the Public Employees' Retirement System for the purpose of defraying the administrative expenses of the Board of Trustees of the Public Employees' Retirement System, or out of any money in the State Treasury to the credit of the Retirement System Building Account of the Public Employees' Retirement System for the purpose of maintenance and general operation of the Retirement System Building, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 19,603,302.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 167

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Board of Trustees of the Public Employees' Retirement System shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal

Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. In accordance with the purposes of this article, there shall be established in the State Treasury the Public Employees' Retirement System Building Repair and Maintenance Fund, into which shall be deposited all funds collected as rental income from the building owned by the system located at 301 North President Street, Jackson, Mississippi. At the end of each fiscal year, any and all unexpended funds shall be transferred to the Administrative Budget Fund of the system.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 1, no more than Three Million Five Hundred Thirty-eight Thousand Dollars (\$3,538,000.00) is provided for the purpose of defraying those expenses associated with maintaining, upgrading and operating the computer system.

SECTION 7. The Public Employees' Retirement System is further authorized, in its discretion, to expend funds for the purchase of service pins for employees of the Public Employees' Retirement System.

SECTION 8. Of the funds appropriated in Section 1, no more than Three Hundred Thousand Dollars (\$300,000.00) is provided, only for the explicit purpose of building maintenance and repair.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Jason White	Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1607** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1610** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1610: Appropriation; Legislative expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries, mileage, insurance, matching funds and the daily expense allowance of the members of the Legislature for the Regular Session of 2024 and providing contingent funds for the House of Representatives and Senate for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the House of Representatives..... \$ 5,257,750.00.

For Contingent Fund for the

House of Representatives ..... \$ 8,251,159.00.

Out of the above amount appropriated for the Contingent Fund for the House of Representatives, not more than Fifteen Thousand Dollars (\$15,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For salaries, mileage, insurance,

matching funds and daily

expense allowance of members

of the Senate..... \$ 2,345,814.00.

For Contingent Fund for the Senate ..... \$ 6,151,979.00.

Out of the above amount appropriated for the Contingent Fund for the Senate, not more than Ten Thousand Dollars (\$10,000.00) shall be expended for defraying the expenses of and for the use of the members of the Mississippi Commission on Interstate Cooperation, as created under Section 5-5-1 et seq., Mississippi Code of 1972.

For the joint legislative operations of the House of

Representatives and the Senate..... \$ 1,236,408.00.

For the expenses of the Joint Legislative

Budget Committee..... \$ 4,765,732.00.

For the expenses of the Joint Legislative

Committee on Performance Evaluation

and Expenditure Review..... \$ 2,615,599.00.



For the expenses of the Joint Legislative  
Reapportionment Committee ..... \$ 280,212.00.  
For the expenses of the Joint Legislative  
Code Committee..... \$ 400,000.00.

The Joint Legislative Reapportionment Committee shall prepare, publish and provide semiannual reports to each member of the Legislature and such reports shall provide a line-by-line detailed accounting of all receipts and expenditures of any and all monies appropriated by the Legislature to the Joint Legislative Reapportionment Committee. Any meetings of the Joint Legislative Reapportionment Committee shall be held in state offices or at publicly owned facilities.

SECTION 2. The following sums, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the monthly expense allowance of the members of the Legislature, as provided in Section 5-1-41, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

For the House of Representatives..... \$ 2,392,922.00.  
For the Senate ..... \$ 1,039,050.00.

SECTION 3. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying the state's share of various assessments for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ 448,878.00.

Of the funds authorized in this section, the following distribution shall be made:

Southern States Energy Board..... \$ 29,077.00.  
Interstate Cooperation..... \$ 341,556.00.

National Conference of Commissioners  
on Uniform State Laws..... \$ 39,845.00.  
The Energy Council ..... \$ 38,400.00.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the joint operations of the House of Representatives and the Senate not otherwise appropriated, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 50,000.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the House of Representatives for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1597, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Senate for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1597, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 7. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the joint operations of the House of Representatives and the Senate for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1597, 2022 Regular Session, for the fiscal year beginning July 1, 2023 and ending June 30, 2024 .....

\$ 500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 8. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Reapportionment Committee for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1597, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 20,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 9. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Budget Committee for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1597 2022 Regular Session, for the fiscal year beginning July 1, 2023 and ending June 30, 2024 ..... \$ 300,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Joint Legislative Budget Committee for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1597, 2022 Regular Session to defray expenses of the Committee for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 3,867,500.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. The following sum, or so much thereof as may be necessary, is hereby reappropriated out of any money in the State General Fund not otherwise appropriated, for the Joint Legislative Committee on Performance Evaluation and Expenditure Review for the purpose of reauthorizing the expenditure of State General Funds, as authorized in HB 1597, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 12. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Joint Legislative Budget Committee for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 350,000.00.

SECTION 13. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, for the purpose of defraying the expenses of the Joint Legislative Committee on

Performance Evaluation and Expenditure Review for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 1,000,000.00.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this Legislature for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. None of the funds appropriated under the provisions of this act may be used to pay or reimburse any expenses of out-of-state travel for any member or employee of the House of Representatives without prior approval of the House Management Committee or for any member or employee of the Senate without prior approval of the Senate Rules Committee.

SECTION 16. Of the funds provided herein, the Clerk of the Mississippi House of Representatives and the Secretary of the Mississippi Senate may transfer funds between accounts for their respective chambers which are administered by the Mississippi House of Representatives and the Mississippi Senate.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Jason White	John A. Polk
Richard Bennett	Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1610** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1611:** Appropriation; Arts Commission.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1611** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1612:** Appropriation; Archives and History, Department of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1612** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1613:** Appropriation; Education, Department of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1613** be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1614** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

**H. B. No. 1614:** Appropriation; Educational Television, Authority for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Authority for Educational Television for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 4,680,452.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Authority for Educational Television which is comprised of special source funds collected by or otherwise available to the Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 12,287,177.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent:	80
Time-Limited:	7

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed

Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Funds appropriated herein shall first be used for the continuation of a full and complete broadcast schedule of educational and instructional, professional growth, and public service programs, with the production of new films and programs to be secondary thereto.

SECTION 5. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Two Million One Hundred Eighteen Thousand Nine Hundred Sixty-six Dollars (\$2,118,966.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, are derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.. \$ 2,000,000.00.

These funds are provided for tower maintenance and upgrades.

SECTION 8. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid or equipment purchased with funds appropriated hereby be transferred or assigned to any other state agency, department or officer for public relations, publicity or publication activities of such office.

SECTION 9. It is the intention of the Legislature that the Mississippi Authority for Educational Television shall have the authority to expend funds in the Capital Equipment

Replacement Revolving Fund, in accordance with Section 37-63-17, Mississippi Code of 1972, for the purpose of purchasing technical equipment for operating the educational radio and television facilities.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Content Operations	
Number of Locally Produced TV Programs	150
Number of Locally Produced Radio Programs	1,092
Number of Monthly Average Number of Web Site Users	4,500
Number of New Programs Produced and Broadcast Related to Fit to Eat Programming	13
Percent Increase in Visitors Viewing the Healthy Living Related Items on MPB Site	31.00
Percent of Radio Broadcasts & TV Alerts During Times of Emergency	100.00
Education Services	
Percent Increase in Users Using MPB Education Online Resources for Pre-K Children and Families	15.00
Number of Students Served by the Digital Education Network (DEN) Classroom	2,000
Number of School Districts Participating in the DEN Classroom	30
Number of Teachers Taking e-Learning Courses	1,200
Number of Teacher Continuing Education Units (CEUs) Provided by e-Learning Courses Offered	400
Percent Increase of Visitors to the MPB Education Website	15.00
Number of Rotary Clubs Sponsoring with MPB	20
Number of Early Childhood Educators Attending MPB Resource Workshops Involving PBS and MPB Programs/Content	250
Number of Childcare Centers Using PBS Content	30
Number of Parents Participating in Parents Are Teachers Too (PATT) Initiative	300
Technical Services	
Number of Transmitters On Air	8
On-Air Reliability	99.95
Number of IT Help Desk Orders Filled	600
Administration	
Number of Community Engagements/Outreach Events Including Virtual Engagements	125
Number of State Agency Partners	40
New Grant Dollars Acquired	75,000.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be paid to the Executive Office of the State Board of Institutions of Higher Learning to defray utility costs.

SECTION 13. It is the intention of the Legislature that the Authority for Educational Television may fund a program to focus on the manufacturing industry in Mississippi.

SECTION 14. Mississippi Authority for Educational Television is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Two Million Dollars (\$2,000,000.00).

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, for the Educational Television Authority for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Educational Television Authority, as authorized in House Bill No. 1601, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 3,048,822.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

- (a) Tower maintenance and upgrades ..... \$ 1,999,794.00.
- (b) Digitalization of 49 Years of Educational  
Content and Mississippi History ..... \$ 700,000.00.
- (c) Production of a Medgar Evers  
documentary ..... \$ 349,028.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Educational Television Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds as authorized in House Bill No. 1601, 2022 Regular Session provide for tower maintenance and upgrades for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,135,044.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL  
TELEVISION FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Richard Bennett  
Greg Haney

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Dennis DeBar, Jr.  
Sollie B. Norwood

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference  
Committee on **H. B. No. 1614** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler  
A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,  
England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,  
Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,  
Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,  
Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams,  
Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1615:** Appropriation; Library Commission.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1615**  
be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1616:** Appropriation; Environmental Quality, Department of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1616**  
be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1617:** Appropriation; Wildlife, Fisheries and Parks, Department of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1617**  
be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1618:** Appropriation; Grand Gulf Military Monument Commission.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1618**  
be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1619** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1619: Appropriation; Oil and Gas Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Oil and Gas Board which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

\$ 7,839,186.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	34
Time-Limited:	Full Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the State Oil and Gas Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. The State Oil and Gas Board shall have the authority to receive, budget and expend funds from any source not to exceed Two Hundred Thousand Dollars (\$200,000.00) for the Comprehensive Data Management Program in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

C. Scott Bounds

Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Angela Turner-Ford

John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1619** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1620:** Appropriation; Public Service Commission.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1620** be recommitted for further conference and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1621** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1621: Appropriation; Public Utilities Staff.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Public Utilities Staff for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

..... \$ 2,551,071.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	27
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Public Utilities Staff shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

C. Scott Bounds

Casey Eure

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Scott DeLano

Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1621** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1622:** Appropriation; Human Services, Department of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1622** be recommitted for further conference and the motion prevailed.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of H. B. No. 1623, H. B. No. 1624, H. B. No. 1625 and H. B. No. 1626 and the motion prevailed.

Senator Hopson called up the following measures:

**H. B. No. 1623:** Appropriation; Rehabilitation Services, Department of.

**H. B. No. 1624:** Appropriation; Medicaid, Division of.

**H. B. No. 1625:** Appropriation: Child Protection Services, Department of.

**H. B. No. 1626:** Appropriation; Health, Department of.

Senator Hopson moved that the Conference Committee Reports on **H. B. No. 1623, H. B. No. 1624, H. B. No. 1625 and H. B. No. 1626** be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1627** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1627: Appropriation; Foresters, Board of Registration for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Registered Foresters Fund, for the purpose of defraying the expenses of the State Board of Registration for Foresters for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... \$ 44,129.00.

SECTION 2. It is the intention of the Legislature that the State Board of Registration for Foresters shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Bill Pigott

Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Angela Turner-Ford

Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1627** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**H. B. No. 1628:** Appropriation; Forestry Commission.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1628** be recommitted for further conference and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1629** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

**H. B. No. 1629:** Appropriation; Soil and Water Conservation Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the State Soil and Water Conservation Commission for the purpose of defraying the administrative expenses of the commission and carrying out the provisions of Section 69-27-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 595,511.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Soil and Water Conservation Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 24,819,687.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	9
Time-Limited:	6

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the State Soil and Water Conservation Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is

further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. The State Soil and Water Conservation Commission is authorized to retain all funds generated from the sale of equipment. Any funds made available from the sale of equipment shall be deposited into the special fund in the State Treasury to the credit of the Soil and Water Conservation Commission and shall be used solely for the purpose of purchasing equipment.

SECTION 6. The State Soil and Water Conservation Commission is authorized to receive, budget and expend any proceeds derived from the sale of bonds authorized in Section 69-27-331 et seq., Mississippi Code of 1972. All expenditures shall be in accordance with conditions provided in Section 69-27-331 et seq., Mississippi Code of 1972.

SECTION 7. Of the funds appropriated under the provisions of Section 2, Forty-seven Thousand One Hundred Seventy-seven Dollars (\$47,177.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for a Siphon System for the maintenance of draining watershed lakes across the State of Mississippi.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION  
FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Bill Pigott  
Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Philip Moran  
Chuck Younger

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1629** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,



Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1630** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1630: Appropriation; Pat Harrison Waterway District.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Pat Harrison Waterway District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 8,042,825.00.

SECTION 2. Of the funds approved for expenditure under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 58

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Pat Harrison Waterway District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. Of the funds appropriated in Section 1, Seven Hundred Thousand Dollars (\$700,000.00), is authorized to be expended to defray the cost of park facilities repairs only. These repairs are to include bath houses and cabins and to exclude any Flint Creek Horse Trail repairs.

SECTION 5. Of the funds appropriated in Section 1, Four Hundred Eighty Thousand Dollars (\$480,000.00), is authorized to be expended to defray the cost of the Little Black Creek Dam repairs.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 8. The Pat Harrison Waterway District shall provide a report on completed park facilities repairs. This report shall be provided to the Legislature by December 1, 2023, and shall include photos of stated repairs. The Pat Harrison Waterway District shall provide the Joint Legislative Budget Committee a copy of this report with the subsequent fiscal year's budget submission.

SECTION 9. The Pat Harrison Waterway District shall provide an annual five-year plan containing a prioritized list detailing the purposes, goals and projected costs of projects which it intends to implement or is in the process of implementing. This report shall be provided to the Legislature on or before July 15 of each year as required in Section 51-15-119(2). The Pat Harrison Waterway District shall provide the Joint Legislative Budget Committee a copy of this report with the current year's budget submission.

SECTION 10. The Pat Harrison Waterway District shall provide an annual audit of the district operations. This report shall be provided to the Legislature as required in Section 51-15-119(3). The Pat Harrison Waterway District shall provide the Joint Legislative Budget Committee a copy of this report with the current year's budget submission.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Timmy Ladner  
Greg Haney

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Jenifer B. Branning  
Jeff Tate

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1630** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1631** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1631: Appropriation; Pearl River Valley Water Supply District.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any special source funds which are received by or otherwise become available to the Pearl River Valley Water Supply District, for the purpose of defraying the expenses of the district for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 22,759,440.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	116
Time-Limited:	1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may

consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Pearl River Valley Water Supply District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein approved for expenditure, except and less an amount approved by the State Fiscal Officer which shall be sufficient to cover disbursements for current operations, shall be deposited at interest with any official depository of the state at a rate of interest numerically not less than one percent (1%) below the bank discount rate on United States Treasury bills of comparable maturity as determined by the State Treasurer.

SECTION 6. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following condition: the District shall waive traffic control fees for any vehicle displaying a "REZ" tag.

SECTION 7. None of the funds appropriated for expenditure under this act may be expended by Pearl River Valley Water Supply District until the district agrees to comply with the following conditions: (1) If any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open, these events shall be exempt from the district's lottery system for host events at the reservoir and given priority of any and all date options available. (2) If any local governmental or nonprofit entity wins the bid for such events, the district shall waive the daily launch fees or any other special event fees for the ESPN Bass Masters Classic or the FLW Major

Open. (3) The Catch A Dream Foundation Bass Classic shall be held on the first Sunday in May unless any local governmental or nonprofit entity wins the bid for the ESPN Bass Masters Classic or the FLW Major Open on that date. The Catch A Dream Foundation Bass Classic shall be exempt from the district's lottery system for host events at the reservoir and given priority for the first Sunday in May. The district shall waive the daily launch fees or any other special event fees for the Classic.

SECTION 8. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 9. Funds are provided herein out of the Ross Barnett Reservoir Dredging Fund for dredging and other related activities to remove sediments and debris from the bottom of the Ross Barnett Reservoir.

SECTION 10. Of the funds appropriated under the provisions of Section 1, Two Million Three Hundred Thousand Dollars (\$2,300,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office.

These funds are provided for the replacement of the Waterwood Well.

SECTION 11. The funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law or in accordance with the provisions of a valid trust indenture.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE  
PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY  
WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Timmy Ladner

Richard Bennett

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Jenifer B. Branning

J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1631** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1632** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1632: Appropriation; Port Authority, State.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Mississippi State Port Authority at Gulfport, for the purpose of defraying the expenses of the authority for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 76,354,323.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 39

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, One Hundred Thirty-five Thousand Dollars (\$135,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the Mississippi State Port Authority at Gulfport shall only expend funds on activities directly related to the operation of the state port.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money appropriated under the provisions of Section 1 shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Timmy Ladner  
Richard Bennett

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Jenifer B. Branning  
Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1632** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1633** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1633: Appropriation; Tombigbee River Valley Water Management District.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Tombigbee River Valley Water Management District, for the purpose of paying bond maturities, accrued interest, maintenance expenses, project development costs, and any other authorized expenses of the water management district, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 8,972,651.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent: 17  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be

utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Tombigbee River Valley Water Management District shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. All monies in possession of the district in excess of necessary operating funds shall be deposited with a bank or banks selected by the board of directors of the district. These funds shall be deposited in such bank or banks and in such manner that interest earned shall be at least equal to interest earnings on state funds deposited by the State Treasury.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:



AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE  
PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY  
WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Timmy Ladner	Jenifer B. Branning
William Tracy Arnold	Rita Potts Parks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1633** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1634** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1634: Appropriation; Yellow Creek State Inland Port Authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is authorized and approved for expenditure out of any funds which are received by or otherwise become available to the Yellow Creek State Inland Port Authority, for the purpose of defraying the expenses of the Authority for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 13,930,000.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 17

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Yellow Creek State Inland Port Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of

detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. Of the funds appropriated herein, Fifty Thousand Dollars (\$50,000.00) is provided for salary increase for the purpose of funding overtime, callback or standby pay.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein approved for expenditure shall be disbursed upon bank checks signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE  
PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE  
INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Timmy Ladner

William Tracy Arnold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Jenifer B. Branning

Kelvin Butler

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1634** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1635** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1635: Appropriation; Veterans' Home Purchase Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Veterans' Home Purchase Board's revolving fund, for the purpose of defraying the expenses of the Veterans' Home Purchase Board and making new home loans as authorized by law for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 74,697,126.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	19
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Veterans' Home Purchase Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The Veterans' Home Purchase Board is hereby authorized to escalate, budget and expend funds from any source, not to exceed Ten Million Dollars (\$10,000,000.00), for the purpose of making new home loans as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Manly Barton  
Karl Oliver

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Scott DeLano  
Joseph M. Seymour

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1635** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1636:** Appropriation; Marine Resources, Department of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1636** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1637:** Appropriation; District attorneys and staff.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1637** be recommitted for further conference and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1638** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1638: Appropriation; Capital Post-Conviction Counsel, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
...\$ 2,015,303.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Office of Capital Post-Conviction Counsel, for the purpose of defraying the expenses of the Office of Capital Post-Conviction Counsel of the State of Mississippi for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 215,258.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	9
Time-Limited:	0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Office of Capital Post-Conviction Counsel shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Angela Cockerham	Sollie B. Norwood
Jerry R. Turner	Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1638** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of H. B. No. 1639, H. B. No. 1641 and H. B. No. 1642 and the motion prevailed.

Senator Hopson called up the following measures:

**H. B. No. 1639:** Appropriation; State Public Defender, Office of.

**H. B. No. 1641:** Appropriation; Attorney General.

**H. B. No. 1642:** Appropriation; Transportation, Department of.

Senator Hopson moved that the Conference Committee Reports on **H. B. No. 1639**, **H. B. No. 1641** and **H. B. No. 1642** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1640:** Appropriation; Supreme Court, Court of Appeals and trial judges services.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1640** be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1643** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1643: Appropriation, Reappropriation, DFA - Bureau of Building - FY2024.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3393100000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, for the purpose of reauthorizing the expenditure of funds previously appropriated for construction and/or repair and renovation projects at various state agencies and institutions, as authorized in HB No. 1603, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 90,392,052.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of special funds for construction and/or repair and renovation projects at various state agencies and institutions that had been authorized by the Legislature in prior fiscal years.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 3390200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; SB 3015, 2017 Regular Session; SB 2911, 2016 Regular Session; SB 2902, 2014 Regular Session; and SB 2896, 2013 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 408,730.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at various state agencies and institutions.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 3390300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 60,000,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in prior fiscal years for construction and/or repair and renovation projects at the Institutions of Higher Learning and Community and Junior Colleges and various state agencies and institutions.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the

previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 4. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493C00000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; HB 1666, 2019 Regular Session; HB 1616, 2018 Regular Session; and SB 3015, 2017 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024....  
\$ 244,551.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in prior fiscal years for upgrades and renovation of the water treatment facility at the Alcorn State University and related purposes.

Notwithstanding the amount reappropriated under the provisions of this section, in no event shall the amount expended exceed the unexpended balance as of June 30, 2023, or change the purpose of which the funds were originally authorized. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 5. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 6493200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; and HB 1667, 2019 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 87,069.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for improvements for the Law Enforcement Officer's Training Academy.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 6. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session; HB 1391, 2021 Regular Session; HB 1705, 2020 Regular Session; and SB 3049, 2019 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 667,169.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense funds for construction and/or repair, renovation, and improvements of state-owned properties, universities and community colleges that had been authorized by the Legislature in a prior fiscal year.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 7. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in any special fund in the State Treasury to the credit of Fund 6493500000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603; 2022 Regular Session and SB 2948, 2021 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,031,055.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year



for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 8. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493600000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session and SB 2948, 2021 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 37,144,402.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 9. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6493700000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1603, 2022 Regular Session and HB 1550, 2022 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 39,400,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for construction, repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6494300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in SB 3045, 2022 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024...\$ 10,850,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Capital Expense Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611300000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1353, 2022

Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 35,000,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 12. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611310000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024...\$ 9,890,350.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611320000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 35,250,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611330000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 70,890,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 6611340000 to the Department of Finance and Administration, acting through the Bureau

of Building, Grounds and Real Property Management, as authorized in HB 1353, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 2,994,191.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds previously appropriated by the Legislature in the prior fiscal year for repair, renovation, and improvements of state-owned properties, universities and community colleges.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023 from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3391200000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in Senate Bill 3045, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 \$9,000,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds escalated by the Department of Finance and Administration, Bureau of Building in the prior fiscal year for construction and/or repair, renovation, and improvement of state-owned properties, universities, and community colleges per authorization in Senate Bill 3045, 2022 Regular Session. Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the State Treasury to the credit of Fund No. 3391100000 to the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, as authorized in Senate Bill 3045, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 \$8,700,000.00.

This reappropriation is made for the purpose of reauthorizing the expenditure of Special Funds escalated by the Department of Finance and Administration, Bureau of Building in the prior fiscal year for construction and/or repair, renovation, and improvement of state-owned properties, universities, and community colleges per authorization in Senate Bill 3045, 2022 Regular Session. Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 18. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repair and renovation projects.

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF CAPITAL

EXPENSES AND SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR  
CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS  
STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2024.

## CONFEREES FOR THE HOUSE

John Read  
Manly Barton  
Jeff Hale

## CONFEREES FOR THE SENATE

W. Briggs Hopson III  
John A. Polk  
Bart Williams

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1643** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1644** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

## MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1644: Appropriations; additional for various state agencies for FY 2023 and FY 2024.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements, or other costs incurred by the Office of the Attorney General for the period beginning July 1, 2022, and ending June 30, 2023 ..... \$ 216,452.00

Of the funds appropriated in this section, the following amounts are provided:

(a) United States Environmental Protection Agency and the State of Mississippi; Chemfax Inc., Superfund Site, Gulfport, Harrison County, Mississippi; Docket Number CERCLA-04-2014-3756

\$ 21,452.00.

(b) Flowers v. Evans, et al; United States District Court for the Northern District of Mississippi, Cause No. 4:21-CV-NBB-JMV ..... \$ 195,000.00.

SECTION 2. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, to defray the expenses of paying for certain outside legal assistance, expert witness fees, court fees, judgments and settlement agreements, or other costs incurred by the Office of the Attorney General for the period beginning upon passage and ending June 30, 2024..... \$ 1,112,942.00

Of the funds appropriated in this section, the following amounts are provided:

(a) Olivia Y., et al v. Tate Reeves as Governor of the State of Mississippi and the Department of Human Services; United States District Court for the Southern District of Mississippi, Jackson Division, Cause No. 3:03cv251(L)(N)..... \$ 140,000.00.

(b) United States v. State of Mississippi; United States District Court for the Southern District of Mississippi Cause No. 3:16-CV-00622-CWR-FKB .... \$ 272,942.00.

(c) Bosarge, et al. v. Daniel P. Edney, in his official capacity as the State Health Officer; Lynn Fitch, in her official capacity as Attorney General of Mississippi, et al.; United States District Court for the Southern District of Mississippi Cause No. 1:22-CV-00233. \$ 100,000.00.

(d) Mississippi State Conference of the National Conference for the Advancement of Colored People, et al. v. State Board of Election Commissioners, et al.; United States District Court for the Southern District of Mississippi Cause No. 3:22-CV-734 ..... \$ 450,000.00.

(e) Gowdy v. Mississippi Industries for the Blind et al.; United States District Court for the Southern District of Mississippi Cause No. 3:20-CV-00835..... \$ 150,000.00.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, to defray the expenses of the State Department of Health for the period beginning January 1, 2023, and ending December 31, 2023 ..... \$ 1,103,950.00.

This additional appropriation is provided for defraying the costs of legal expenses.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, to defray the expenses of the Department of Corrections for the period beginning July 1, 2022, and ending June 30, 2023 .....\$ 23,865,997.00.

This additional appropriation is for the purpose of defraying the expenses of the medical program.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, to defray the expenses of the Department of Corrections for the period beginning July 1, 2022, and ending June 30, 2023 .....\$ 1,596,594.00.

This additional appropriation is for the purpose of defraying the expenses of the Regional Facilities.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, to defray the expenses of the Department of Corrections for the period beginning July 1, 2022, and ending June 30, 2023 .....\$ 2,873,765.00.

This additional appropriation is for the purpose of defraying the expenses of private prisons.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Emergency Management Agency and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Emergency Management Agency for the period beginning July 1, 2022, and ending June 30, 2023 ..... \$ 6,518,942.00.

This additional appropriation is for the purpose of reimbursing the Hazard Mitigation Fund for expenses associated with the City of Jackson Water Crisis.

SECTION 8. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Department of Agriculture and Commerce and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Agriculture and Commerce for the period beginning July 1, 2022, and ending June 30, 2023 ..... \$ 400,985.00.

This additional appropriation is for the purpose of agency operations.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, to defray the expenses of the Supreme Court Trial Judges for the period beginning July 1, 2022, and ending June 30, 2023 .....\$ 335,000.00.

This additional appropriation is for the purpose of defraying the cost of special judges.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, to defray the expenses of the Mississippi Ethics Commission for the period beginning July 1, 2022, and ending June 30, 2023.....\$ 24,961.00.

This additional appropriation is for the purpose of agency operations.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Department of Banking and Consumer Finance and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Banking and Consumer Finance for the period beginning July 1, 2022, and ending June 30, 2023 ..... \$ 1,316,969.00.

This additional appropriation is for the purpose of agency operations.

SECTION 12. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Department of Child Protection Services and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Child Protection Services for the period beginning July 1, 2022, and ending June 30, 2023 ..... \$ 12,000,000.00.

This additional appropriation is for the purpose of agency operations.

SECTION 13. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Governor's Office-Division of Medicaid and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Governor's Office-Division of Medicaid for the period beginning July 1, 2022, and ending June 30, 2023 ..... \$ 245,955,527.00.

This additional appropriation is for the purpose of agency operations.

SECTION 14. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Mississippi Department of Wildlife, Fisheries, and Parks and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Wildlife, Fisheries, and Parks for the period beginning July 1, 2022, and ending June 30, 2023 ..... \$ 10,000,000.00.

This additional appropriation is for the purpose of agency operations.

SECTION 15. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION OF GENERAL FUNDS AND SPECIAL FUNDS FOR FISCAL YEARS 2023 AND 2024 TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL; MISSISSIPPI DEPARTMENT OF HEALTH; THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY; THE DEPARTMENT OF AGRICULTURE AND COMMERCE; THE MISSISSIPPI SUPREME COURT ADMINISTRATIVE OFFICE OF COURTS; THE MISSISSIPPI ETHICS COMMISSION; AND THE ETHICS COMMISSION; THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE; THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID; AND THE MISSISSIPPI DEPARTMENT OF WILDLIFE FISHERIES AND PARKS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Read  
Angela Cockerham  
Manly Barton

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Dennis DeBar, Jr.  
Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1644** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of H. B. No. 1715, H. B. No. 1717, H. B. No. 1718, H. B. No. 1719, H. B. No. 1722, S. B. No. 2961, S. B. No. 3000, S. B. No. 3001, S. B. No. 3002, S. B. No. 3003, S. B. No. 3004, S. B. No. 3005, S. B. No. 3006, S. B. No. 3007, S. B. No. 3008, S. B. No. 3009, S. B. No. 3010, S. B. No. 3011, S. B. No. 3012 and S. B. No. 3013 and the motion prevailed.

Senator Hopson called up the following measures:

**H. B. No. 1715:** Appropriation; Health Department for funding the ARPA Rural Water Associations Infrastructure Grant Program.

**H. B. No. 1717:** Appropriation; DFA - Office of Insurance for reimbursing the State Health Plan for eligible expenses incurred.

**H. B. No. 1718:** Appropriation; DFA Bureau of Building for completing capital projects at state-owned buildings and grounds.

**H. B. No. 1719:** Appropriation; DFA to assist destination marketing organizations in paying for marketing activities.

**H. B. No. 1722:** Appropriation; UMMC for construction, repair and renovation of the School of Dentistry.

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2023 and FY2024.

**S. B. No. 3000:** Appropriation; IHL - General support.

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3002:** Appropriation; IHL - Alcorn State - Agricultural programs.

**S. B. No. 3003:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

**S. B. No. 3004:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

**S. B. No. 3007:** Appropriation; IHL - Student Financial Aid.

**S. B. No. 3008:** Appropriation; IHL - University of Mississippi Medical Center.

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

**S. B. No. 3010:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

**S. B. No. 3011:** Appropriation; Corrections, Department of.

**S. B. No. 3012:** Appropriation; Public Safety, Department of.

**S. B. No. 3013:** Appropriation; Agriculture and Commerce, Department of.

Senator Hopson moved that the Conference Committee Reports on **H. B. No. 1715**, **H. B. No. 1717**, **H. B. No. 1718**, **H. B. No. 1719**, **H. B. No. 1722**, **S. B. No. 2961**, **S. B. No. 3000**, **S. B. No. 3001**, **S. B. No. 3002**, **S. B. No. 3003**, **S. B. No. 3004**, **S. B. No. 3005**, **S. B. No. 3006**, **S. B. No. 3007**, **S. B. No. 3008**, **S. B. No. 3009**, **S. B. No. 3010**, **S. B. No. 3011**, **S. B. No. 3012** and **S. B. No. 3013** be recommitted for further conference and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3014** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

**S. B. No. 3014:** Appropriation; Fair and Coliseum Commission - Livestock shows.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the State Department of Agriculture and Commerce's special fund account to the State Department of Agriculture and Commerce for the purposes of defraying the costs of prizes, premiums, judges and other actual and necessary costs of putting on the Dixie National Livestock Show at the State Fairgrounds in Jackson, Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,200,000.00.

SECTION 2. The following sums, or so much thereof as may be necessary, are appropriated out of any money in the State General Fund, not otherwise appropriated, to the State Department of Agriculture and Commerce as follows:

(a) For the support of annual roundup shows for junior exhibitors of junior steers, junior breeding cattle, beef cattle, dairy cattle, hogs, sheep and goats, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 54,066.00.

(b) To supplement the funds paid by the State Department of Agriculture and Commerce for livestock premiums at the State Fair, all livestock premiums to be paid



on the American system of judging (1st, 2nd, 3rd, 4th, etc.) on all classes entered in the senior division for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 18,565.00.

(c) For the county livestock shows in offering and paying prizes or awards to competitors in the approved county livestock shows of Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 12,644.00.

Provided, however, that of the amount herein appropriated in paragraph (c), not more than One Thousand Dollars (\$1,000.00) shall be expended or used in any one (1) county of the state during each fiscal year. Provided, further, that none of the monies herein appropriated in paragraph (c) shall be used in offering or paying prizes or awards for any livestock show that is not held where there are adequate barns, pens and other facilities available for such a show.

Provided, further, in paragraph (c) that the management of such shows shall be in the hands of a county livestock association, and such association shall guarantee a minimum amount of Five Hundred Dollars (\$500.00) to be used in the paying of prizes, premiums or awards, and after said county show has been held and premiums paid, fifty percent (50%) of the amount, not exceeding One Thousand Dollars (\$1,000.00), shall be paid upon requisition to the State Department of Agriculture and Commerce.

Provided, further, in paragraph (c) that in any county which has two (2) shows with proper facilities, and a contiguous county has no such fair and desires to participate in a fair to be held in an adjoining county, each of the two (2) fairs in one (1) county may receive an equal proportion of the funds hereby appropriated, provided, both shows shall not receive an aggregate sum of more than One Thousand Dollars (\$1,000.00).

(d) For the purpose of offering awards and prizes to competitors in the five (5) district livestock shows, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 54,585.00.

(e) For the purpose of offering awards and prizes to competitors in the five (5) state dairy shows as provided in Section 69-5-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 7,066.00.

Provided, further, that no part of the money herein appropriated under the provisions of paragraphs (d) and (e) shall be used for any other purpose than to pay premium awards at said shows and state shows and expositions receiving legislative appropriation shall not conflict in dates in order that livestock exhibitors may make the circuit of shows. Provided, further, that none of the above-mentioned funds shall be paid to any district shows unless shows are held prior to roundup.

Not less than seventy-five percent (75%) of the funds herein appropriated under the provisions of paragraphs (d) and (e) shall be used in awarding prizes or premiums to 4-H Club members and Smith-Hughes School members and other boys and girls having entries in said shows.

All funds herein appropriated under the provisions of paragraphs (d) and (e) for the five (5) district livestock shows and the five (5) fall state dairy shows shall be distributed in such manner that the livestock exhibitors will each draw equal premium awards for comparable grades and placings at each of the said five (5) district spring shows and the five (5) fall state shows. The management of each district spring show and each state fall show shall submit to the State Department of Agriculture and Commerce, within fifteen (15) days after the close of each said show, a full report on the number of exhibitors at each said show, with the grades and placings of the different classes of livestock exhibited.

The State Commissioner of Agriculture and Commerce, together with a committee of three (3) to be named by the President of the Mississippi Livestock Council from that organization, shall summarize and prepare a unified list of awards for like classes in all spring district livestock shows and fall state dairy shows receiving state premium money, as authorized in paragraphs (d) and (e). The State Commissioner of Agriculture and Commerce shall approve and present a requisition to the State Fiscal Officer for the payment of the amount of funds in paragraphs (d) and (e) due each show and said State Fiscal Officer shall issue his warrant thereon, and it shall be paid by the State Treasurer.

Provided, however, as a condition of expenditure of the funds appropriated in paragraphs (d) and (e), that the board of directors of any district livestock show may, in its discretion, choose to hold its show in the fall instead of the spring. If district shows are held in both spring and fall, then all funds herein appropriated for the five (5) district livestock shows shall be distributed in such a manner that the spring livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district spring show, and the fall livestock exhibitors will each draw equal premium awards for comparable grades and placings at each district fall show.

(f) For promotion and expenses of the winners of the Mississippi High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 11,884.00.

(g) For promotion and expenses of the winners of the Mississippi Junior High School Rodeo for attending the national finals, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 10,000.00

(h) For the support of the Southern Cutting Futurity Championship, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 42,730.00.

SECTION 3. Of the funds in Section 2 of this act, any funds that are remaining at the end of the fiscal year may be transferred between the different show awards and prize monies, with the exception that no county show in paragraph (c) shall receive more than One Thousand Dollars (\$1,000.00).

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Scott DeLano

Tyler McCaughn

CONFEREES FOR THE HOUSE

John Read

Bill Pigott

Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3014** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3015:** Appropriation; Animal Health, Board of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3015** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3016:** Appropriation; Emergency Management Agency.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3016** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3017:** Appropriation; Military Department.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3017** be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3018** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3018: Appropriation; Veterans Affairs Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses and paying salaries of the State Veterans Affairs Board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,540,473.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board which is comprised of special source funds collected by or otherwise available to the board, for the support and maintenance of said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 11,375,142.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 of this act and authorized for expenditure under the provisions of Section 2 of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent: 40  
Time-Limited: 25

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the operating expenses and paying salaries of the Mississippi State Veterans Homes as established in Section 35-1-19 for the fiscal year beginning July 1, 2023, and ending June 30, 2024....\$ 6,000,000.00.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Veterans Affairs Board, which is comprised of special source funds collected by or otherwise available to the board, for the purpose of defraying the expenses and paying salaries of the Mississippi State Veterans Homes as established in Section 35-1-19 for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 63,720,649.00.

SECTION 6. Of the funds appropriated under the provisions of Section 4 and authorized for expenditure under the provision of Section 5 of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent: 195  
Time Limited: 502

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 7. It is the intention of the Legislature that the Executive Director of the State Veterans Affairs Board has the authority to transfer spending authority between and within the budgets of the State Veterans Affairs Board and the Mississippi State Veterans Homes, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. The purpose of this authority is to use available cash reserves more efficiently. It is further the intention of the Legislature that the State Veterans Affairs Board shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 8. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, funds in the amount of Two Hundred Fifty Thousand Dollars (\$250,000.00) are provided to defray the cost of providing care to indigent/low-income Mississippi veterans and the nonveteran surviving spouses of Mississippi veterans if the surviving spouse was a resident of a state veterans home at the time of the veteran's death and who, subsequent to the veteran's death, meets the indigent/low-income criteria established by the State Veterans Affairs Board in the state veterans homes. It is the intention of the Legislature that the provision pertaining to use of indigent/low-income surviving spouses be retroactive for any such period, prior to the effective date of this act, that a current surviving spouse may have met the criteria. This section and its provisions shall be known and cited as the "Hilton R. 'Jack' Vance Act of 1997."

SECTION 9. The State Veterans Affairs Board shall have continued authority for all actions related to the planning, development, construction, and outfitting of the Mississippi Veterans Memorial Cemeteries, pursuant to Section 35-1-41.

SECTION 10. It is the intention of the Legislature that the State Veterans Affairs Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 11. It is the intention of the Legislature that the State Veterans Affairs Board and the Mississippi State Veterans Homes are hereby authorized to escalate, budget and expend funds from fund number 3373200000, in an amount not to exceed Five Million Dollars (\$5,000,000.00), for the purpose of operating the state veterans homes as authorized by law, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. Of the funds appropriated in Section 2 of this act, Six Million Two Hundred Thousand Dollars (\$6,200,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the Mississippi State Veterans Affairs Board as a state match to relocate the Veterans Home in Jackson to state-owned property.

SECTION 14. Of the funds appropriated in Section 2, Two Million Dollars (\$2,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303,

Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the Mississippi State Veterans Affairs Board for the purchase and repair of critical infrastructure at the State Veterans Homes.

SECTION 15. Of the funds appropriated in Section 5, Six Million Dollars (\$6,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for start-up and stand-up operating costs at the Tradition State Veterans Home.

SECTION 16. With the funds appropriated herein, the Mississippi State Veterans Affairs Board is authorized to make payment for expenses incurred during Fiscal Year 2021 as follows:

Vendor	Fiscal Year	Amount
McKesson Medical-Surgical	2021	\$ 11,404.00
Halosil International	2021	\$ 1,495.12
Precision Healthcare Staffing	2021	\$ 136,024.81

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Scott DeLano	Manly Barton
Joseph M. Seymour	Karl Oliver

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3018** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting---None.  
Voting Present--Frazier, Horhn. Total--2.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3019** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3019: Appropriation; Ethics Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Ethics Commission for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 715,151.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Ethics Commission, for the purpose of defraying the expenses of the Ethics Commission of the State of Mississippi for the fiscal year beginning July 1, 2023, and ending June 30, 2024  
\$ 14,536.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6  
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Mississippi Ethics Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature, that of the funds provided in Section 1 of this act, the Ethics Commission is hereby authorized to purchase and pay premiums for casualty insurance on passenger vehicles owned and operated by the agency.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated to the Ethics Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3021, 2022 Regular Session to provide for upgrade and expansion of the Online Statement of Economic Interest System at the Ethics Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 10,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 9. Of the funds appropriated under the provisions of Section 2 of this act, Fourteen Thousand Five Hundred Thirty-Six Dollars (\$14,536.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for IT equipment and related costs at the Ethics Commission.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Sollie B. Norwood	Angela Cockerham
Jenifer B. Branning	Charles Young, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3019** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3020** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3020: Appropriation; Judicial Performance Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 704,263.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the



Commission on Judicial Performance, for the purpose of defraying the expenses of the Commission on Judicial Performance of the State of Mississippi for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 40,029.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 5  
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that the Judicial Performance Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE  
STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Sollie B. Norwood	Angela Cockerham
Jenifer B. Branning	Casey Eure

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3020** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**S. B. No. 3021:** Appropriation; Employment Security, Department of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3021** be recommitted for further conference and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3022** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3022: Appropriation; Revenue, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Revenue, including the Homestead Exemption Division, the Motor Vehicle Comptroller functions, the Alcoholic Beverage Control Division Liquor Distribution Center, and The Enforcement Division for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 55,210,731.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Revenue which are collected by or otherwise become available for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 23,418,648.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 668

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no

employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It shall be the duty of the Chairman of the Mississippi Department of Revenue, and he is hereby empowered to select in the manner provided by Section 27-3-13, Mississippi Code of 1972, such employees as may be necessary to the administration of all acts relating to the exemption of homesteads and the reimbursement of tax losses to the several taxing units of the state, and to assign them to the use of the Mississippi Department of Revenue.

SECTION 5. The money herein appropriated may be used for any expenses which the commission may legally incur. Provided, however, that no part of the money herein appropriated shall be used for the payment of attorney's fees, except upon recommendation of the Governor with the approval of the Attorney General, nor shall any of said funds be used either directly or indirectly for the purpose of paying any clerk, stenographer, assistant, deputy or other employee who may be related by blood or marriage within the third degree, computed by the rule of civil law, to the official employing or having the right of employment or selection thereof, except that when the relationship is by affinity and the person is dead through whom the relationship was established, this rule shall not apply. In the event of any such payment, then the official or person approving and making such payment shall be liable to return to the State of Mississippi and to pay into the State Treasury to the credit of the General Fund three (3) times any such amount so paid to be recovered at suit by the Attorney General.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Tax Administration	
Cost per Unit of Work (Item/Case/Call)	12.67
Cost per Call Center Call Answered	3.87
Audit	
Cost per Audit	932.14
Tax Production per Audit	5,909.09
Tax Enforcement	
Cost per Dollar Collected in Recovery Actions	0.06
General Administration	
Average Cost per Return Processed	4.95

ROI - Revenue Collected per Dollar of Expense	150.25
Property & Motor Vehicle Services	
Cost per Homestead Exemption Application	3.60
Cost per Title Issued	2.79
Abc Liquor Distribution Center	
Cost per Case Shipped	2.48
ROI - GF Dollars Returned per Dollar of Cost	11.32
Enforcement	
Number of Permits-Alcohol	2,400
Number of Permits-Medical Cannabis	130
Number of Violations-Medical Cannabis	20
Average Number of Days to Issue Permit-Alcohol	23
Average Number of Days to Issue Permit-Medical Cannabis	25
Enforcement and Permitting Cost Per Permit-Alcohol	1,387.70
Enforcement and Permitting Cost Per Permit-Medical Cannabis	4,388.44
Percent of Medical Cannabis Permits Receiving Administrative Action	5.00
Percent of Medical Cannabis Permits Receiving Criminal Action	10.00
Percent of Medical Cannabis Permits Inspected	100.00
Percent of Permit Applications Approved-Medical Cannabis	90.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Department of Revenue for the purpose of reimbursing the counties of the state, the road districts and school districts therein and the municipal separate school districts, for tax losses incurred by reason of the exemption of homes from certain ad valorem taxes under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 92,000,000.00.

SECTION 8. Each county, road district, school district and municipal separate school district which has incurred a tax loss that is reimbursable under Section 7 of this act shall be reimbursed a sum which is equivalent to the amount of tax loss produced by the application of tax rates annually fixed for maintenance and current expenses to the assessed value of homes, or so much thereof as has been lawfully authorized under the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

The disbursements from the funds appropriated under the provisions of Section 7 of this act shall be based upon the certificates required of the clerks of the county boards of supervisors and of the clerks of the municipalities, which certificates shall conform strictly in every respect to the requirements of the provisions of Section 27-33-1 et seq., Mississippi Code of 1972.

All disbursements from the funds appropriated under the provisions of Section 7 of this act shall be made strictly in accordance with the provisions of Section 27-33-1 et seq., Mississippi Code of 1972, and no disbursements other than those clearly authorized by those sections shall be made, the provisions of any other law to the contrary notwithstanding.

SECTION 9. None of the funds appropriated under the provisions of Section 7 of this act may be distributed to any county, municipality, school district or other taxing district in which the assessed valuation of the taxing district has increased as a result of reappraisal of the property of the taxing district unless the governing board of the taxing

district has published a notice in a newspaper having a general circulation in the taxing district, stating the lower millage rate that would produce the same amount of revenue from ad valorem taxation on property of the taxing district that was produced in the fiscal year before the property of the taxing district was reappraised.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Revenue – License Tag Commission from any other special source funds made available to the License Tag Commission, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 11,300,000.00.

SECTION 11. None of the funds appropriated in Section 10 of this act shall be expended to purchase motor vehicle license tags made or manufactured by any department, agency or instrumentality of a state other than the State of Mississippi. None of the funds appropriated in this section shall be used for the purchase of bolts, nuts or other fastening devices for attaching said motor vehicle license tags. Provided further, that all motor vehicles belonging to any state department, agency, commission, institution or any other division of state government shall have license tags which shall bear the words "Government" at the bottom of such license tags.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Revenue shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 14. Of the funds appropriated in this act, it is the intention of the Legislature that up to Eight Hundred Eleven Thousand Seven Hundred Forty Dollars (\$811,740.00) shall be allocated as follows: to the Municipal Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) and to the Justice Court Collections Program Four Hundred Five Thousand Eight Hundred Seventy Dollars (\$405,870.00) to be supported from General Fund court assessments.

SECTION 15. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 16. With the funds appropriated herein, the Department of Revenue is authorized to make payment for expenses incurred during Fiscal Years 2021 to Hilton Garden Inn Clinton, MS, for the following amount..... \$ 2,848.00.

SECTION 17. The following sum, or so much thereof as may be necessary, is reapportioned out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3024, 2022 Regular Session to provide for the funding of IT infrastructure, facility repairs, and equipment upgrades for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 1,300,000.00.

Notwithstanding the amount reapportioned under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reapportionation shall not change the purpose for which the funds were originally authorized.

SECTION 18. The following sum, or so much thereof as may be necessary, is reapportioned out of any money in the Capital Expense Fund not otherwise appropriated

for the Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3024, 2022 Regular Session to provide to defray operational expenses relate to the Mississippi Medical Cannabis Act for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,800,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 19. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Revenue for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3024, 2022 Regular Session to comply with the provisions of SB 2844, 2022 Regular Session related to contracting with a third party entity to operate the Alcohol Beverage Control Liquor Distribution Center for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,920,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 20. Of the funds appropriated under the provisions of Section 2, One Million One-Hundred Thousand Dollars (\$1,100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for the replacement of computer hardware and other equipment.

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

J. Walter Michel

Tyler McCaughn

CONFEREES FOR THE HOUSE

John Read

C. Scott Bounds

Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3022** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3023** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3023: Appropriation; Tax Appeals Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Board of Tax Appeals for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 647,571.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 6

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for

salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
J. Walter Michel	C. Scott Bounds
Rod Hickman	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3023** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3024** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3024: Appropriation; Workers' Compensation Commission.



We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses incurred by the Mississippi Workers' Compensation Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,994,664.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Second Injury Fund (Fund Number 3352300000) for the purpose of making payments under the provisions of Section 71-3-73, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 50,000.00.

SECTION 3. With the funds appropriated in Section 1 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	55
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that with the funds appropriated in Section 1 of this act, the Mississippi Workers' Compensation Commission shall enter into a contract with the industrial private sector for the purpose of implementing a safety education and training program.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Adjudication	
Number of Cases Resolved at the Administrative or Commission Level within 3 Months	900
Number of Cases Resolved at the Administrative or Commission Level within 6 Months	950
Number of Cases Resolved at the Administrative or Commission Level within 9 Months	900
Number of Cases Resolved at the Administrative or Commission Level within 1 Year	900
Self-insurance	
Percent of Individual Self-Insurers Reviewed in the Past Fiscal Year	34.00
Percent of Individual Self-Insurer Reviews Conducted in the Past Fiscal Year Showing That Reserves are Insufficient to Cover Claims	5.00
Percent of Self-Insurance Groups Reviewed	100.00
Percent of Self-Insurance Group Reviews Conducted Showing That Reserves are Insufficient to Cover Claims	0.00
Medical Cost Containment	
Fee Schedule Adjustments (Cost in Millions)	35.00
Medical Cost Savings to Payers (as a % of Total Billings)	46.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the salary of the Workers' Compensation Commission members shall be equal and the salary of the commission chairman shall exceed these salaries as approved by the State Personnel Board.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Mississippi Workers' Compensation Commission for the purpose of reauthorizing the expenditure of Capital Expense Fund, as appropriated in SB 3026, 2022 Regular Session, for infrastructure improvements to the Commission's building, including but not limited to ADA compliance for the fiscal year beginning July 1, 2023, and ending June 30, 2024 \$ 75,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAID THE EXPENSES OF THE  
MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2024.  
CONFEREES FOR THE SENATE                      CONFEREES FOR THE HOUSE

W. Briggs Hopson III	John Read
J. Walter Michel	Karl Oliver
Angela Turner-Ford	Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3024** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Harkins. Total--1.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3025:** Appropriation; Mental Health, Department of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3025** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3026:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3026** be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3027** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3027: Appropriation; Tennessee-Tombigbee Waterway Development Authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Tennessee-Tombigbee Waterway Development Authority for the purposes enumerated in Section 51-27-1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 164,016.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Tennessee-Tombigbee Waterway Development Authority for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 355,879.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent:	3
Time-Limited:	0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the Tennessee-Tombigbee Waterway Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE  
WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN  
SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Daniel H. Sparks	Timmy Ladner
Rita Potts Parks	William Tracy Arnold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3027** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3028** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3028: Appropriation; Chiropractic Examiners, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Chiropractic Examiners, for the support of said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 106,461.00.

SECTION 2. It is the intention of the Legislature that the Chiropractic Examiners Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Albert Butler	Karl Oliver
Benjamin Suber	Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3028** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3029** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3029: Appropriation; Dental Examiners, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi

State Board of Dental Examiners, for the support of said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 1,157,582.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 8  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds provided under the provisions of this act, an amount not to exceed Twenty-seven Thousand Dollars (\$27,000.00) shall be allocated to the Mississippi Board of Pharmacy to defray the expenses of the Mississippi Prescription Monitoring Program.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE  
MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Albert Butler

Benjamin Suber

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3029** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3030** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3030: Appropriation; Funeral Services Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Funeral Services for the purpose of defraying the expenses of said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 307,166.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be



utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Funeral Services Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2024.

## CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Albert Butler  
Benjamin Suber

## CONFEREES FOR THE HOUSE

John Read  
Manly Barton  
Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3030** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3031** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3031: Appropriation; Massage Therapy, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Massage Therapy Fund, for the purpose of defraying the expenses of the Mississippi State Board of Massage Therapy for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 192,736.00.

SECTION 2. It is the intention of the Legislature that the Board of Massage Therapy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. The money herein appropriated shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Albert Butler	Karl Oliver
Benjamin Suber	Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3031** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3032** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3032: Appropriation; Pharmacy, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Pharmacy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 4,223,072.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED POSITIONS:

Permanent:	20
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for

increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Licensure	
Percent of Licenses Issued within Ten Business Days	100.00
Percent of Renewals Issued within Two Business Days	100.00
Compliance	
Number of Written Complaints Received	80
Percent of Written Complaints Resolved within Six Months	100.00
Number of Investigations Conducted Due to the Diversion of Prescription Drugs, Impaired	16
Number of Investigations Conducted Due to the Pharmacists and Pharmacy Technicians	28
Recidivism Rate for Those Receiving Disciplinary Actions	20.00
Prescription Monitoring Prg	
Percent of In-State Physicians Registered to PMP	100.00
Percent of Licensed APRNs Registered to PMP	100.00
Percent of Pharmacists Registered to PMP	100.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Board of Pharmacy shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds appropriated in Section 1, the Board of Pharmacy shall have the authority to expend Three Hundred Thousand Dollars (\$300,000.00) for the costs related to the relocation and furnishing of their office.

SECTION 8. In accordance with the Pharmacy Benefit Prompt Pay Act, Sections 73-21-151 through 73-21-163, Mississippi Code of 1972, the Mississippi Board of Pharmacy may escalate the appropriate funds not to exceed Five Hundred Thousand Dollars (\$500,000.00) of its budget during the fiscal year for the purposes of conducting compliance examinations and regulatory oversight as authorized by the Act.

SECTION 9. In accordance with Section 73-21-127(h), Mississippi Code of 1972, the Mississippi Board of Pharmacy may accept and expend funds from any other state agency to defray the expenses of the Prescription Monitoring Program.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL  
YEAR 2024.

CONFEREES FOR THE SENATE  
W. Briggs Hopson III  
Albert Butler  
Brice Wiggins

CONFEREES FOR THE HOUSE  
John Read  
Karl Oliver  
Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3032** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3033** and moved that the Report do be adopted:

# REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3033: Appropriation; Counselors, Board of Examiners for Licensed Professional.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Examiners for Licensed Professional Counselors, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 276,716.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	2
Time-Limited:	0

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi State Board of Examiners for Licensed Professional Counselors shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE  
W. Briggs Hopson III  
Albert Butler  
Hillman Terome Frazier

CONFEREES FOR THE HOUSE  
John Read  
Karl Oliver  
Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3033** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3034** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3034: Appropriation; Veterinary Examiners, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. That the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Veterinary Examiners for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 200,296.00.

SECTION 2. Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. It is the intention of the Legislature that the Veterinary Examiners Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY  
EXAMINERS FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Albert Butler

Angela Turner-Ford

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Bill Pigott

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3034** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3035** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3035: Appropriation; Architecture, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Board of Architecture and Landscape Architecture Advisory Committee, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 358,242.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2

Time-Limited: 0



With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Board of Architecture shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE  
ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Angela Turner-Ford	Karl Oliver
Scott DeLano	Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3035** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3036** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3036: Appropriation; Gaming Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Gaming Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 9,022,834.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Gaming Commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 1,637,292.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent:	120
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the

State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Of the funds appropriated in Section 2 of this act, a portion shall be derived from the amount of forfeited property that is seized by the Gaming Commission, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the specific purpose of increasing law enforcement resources as outlined in Section 41-29-185, Mississippi Code 1972.

SECTION 5. Of the funds appropriated in Section 2 of this act, a portion shall be derived from the amount that is received by the Gaming Commission under the Gaming Control Act, which shall be deposited into a special fund created by the Department of Finance and Administration and may be expended by the commission for the purpose of investigating, permitting, interagency fees, and providing fingerprint analysis by the Department of Public Safety.

SECTION 6. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 7. It is the intention of the Legislature that the Gaming Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 8. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2024

Performance Measures	Target
Riverboat Gaming	
Annual State Riverboat Gaming Revenues	
(\$ in Billions)	2.00
Number of Casinos Regulated	26.00
Average Cost per Employee to Total State	
Riverboat Gaming Revenues	18,476,000.00
Charitable Bingo	
Number of Bingo Applications Received	30.00
Number of Bingo Halls Regulated	50.00
Average Cost per Employee to Total State	
Charitable Bingo Revenues	4,676,905.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. Of the funds appropriated in Section 1, it is the intention of the Legislature that Seventy-five Thousand Dollars (\$75,000.00) is authorized to be transferred to the nonprofit organization, Mississippi Council on Compulsive Gambling, which provides crisis intervention and support services.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Angela Turner-Ford	Casey Eure
John A. Polk	Richard Bennett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3036** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Carter. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3037** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3037: Appropriation; Geologists, Board of Registered Professional.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Board of Registered Professional Geologists for the purpose of defraying the expenses of the board, for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 140,568.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality

and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Angela Turner-Ford	Karl Oliver
Scott DeLano	Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3037** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3038** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3038: Appropriation; Motor Vehicle Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Motor Vehicle Commission, as provided by Section 63-17-51 et seq., Mississippi Code of 1972, for the purpose of defraying the expenses of said commission, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ... \$ 369,868.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Angela Turner-Ford	Karl Oliver
Brice Wiggins	Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3038** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3039** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3039: Appropriation; Accountancy, Board of Public.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Accountancy, for the purpose of defraying the expenses incurred by said board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 730,208.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent:	5
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.



Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated in Section 1, Forty-two Thousand Dollars (\$42,000.00) shall only be expended for investigation, testimony, and administrative hearings related to matters under the jurisdiction of the board.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY  
FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE  
W. Briggs Hopson III  
Angela Turner-Ford  
Scott DeLano

CONFEREES FOR THE HOUSE  
John Read  
Karl Oliver  
Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3039** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,

Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3040** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3040: Appropriation; Contractors, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi State Board of Public Contractors, for the purpose of defraying the expenses of said board, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 4,218,897.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNTS:

Permanent: 17

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated in this act, it is the intention of the Legislature that the State Board of Contractors may expend funds not to exceed Two Million Three Hundred Thousand Dollars (\$2,300,000.00) for the purpose of defraying the cost of (1) enforcement as set forth in Section 31-3-21, Mississippi Code of 1972, (2) enlisting of any private collection firm(s) to locate and collect any uncollected fines, and (3) administrative costs associated with collections. Any funds spent for this purpose shall be subject to a performance audit if requested by the Appropriations Chairmen in either the House or Senate.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE  
STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE  
BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Angela Turner-Ford	Karl Oliver
John A. Polk	Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3040** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3041** and moved that the Report do be adopted:

# REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3041: Appropriation; Audit, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,889,918.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any special funds in the State Treasury to the credit of the State Department of Audit's special fund account for the purpose of paying salaries and defraying the expenses of the State Department of Audit in making the audits and investigations of public offices of the state and counties as provided by Section 7-7-201 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 4,871,879.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent:	164
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Finance & Compliance	
County Government Audits- Percent	
Audited by CPA Firms	65.00
County Government Audits- Percent	
Audited by OSA	35.00
Single Audit Federal Program Coverage -	
Percent Audited by CPA Firms	25.00
Single Audit Federal Program Coverage -	
Percent Audited by OSA	75.00
ACFR Opinion Units - Percent General	
Fund Assets	75.00
ACFR Opinion Units - Percent General	
Fund Reserves	75.00
Technical Assistance	
Number of Technical Assistance Inquiries	6,400
Cost per Technical Assistance Inquiry	15.00
Percent Customer Satisfaction Rating of	
70% or Higher	75.00
Investigations	
Recovered Embezzled and/or Misspent	
Funds as a Result of Investigations	
Conducted by this Office	600,000.00
Recovered Funds as a Percent of Total	
Misspent Funds	18.00
Performance Audits	
Number of Performance Audit Reports	
Completed	10.00
Number of Positive Changes Recommended	
in Performance Audits or Bond Monitoring	
Reports	25.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that Thirty Thousand Dollars (\$30,000.00) is provided for the purpose of paying fees for a CPA Review Course for the Office of the State Auditor's employees to be reimbursed over a 12-month period by the employee taking the course.

SECTION 7. It is the intention of the Legislature that the State Auditor is hereby authorized to escalate, budget and expend funds from any source made available to comply with the Single Audit Act of 1984 for the purpose of employing staff, paying

related expenses, or to engage private accountants, as necessary, to comply with the provisions of the act, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 8. No more than One Million Dollars (\$1,000,000.00) may be provided to defray expenses incurred by the Office of the State Auditor pursuant to the rules and regulations of the United States Department of Justice Federal Equitable Sharing Program. These funds may only be used for nonbudgeted law enforcement purposes by the Office of the State Auditor.

SECTION 9. It is the intention of the Legislature that the State Department of Audit shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 10. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that Two Hundred Thousand Dollars (\$200,000.00) is provided for the purpose of the Accountancy Fellowship Program as provided by Section 7-7-204, et seq., Mississippi Code of 1972.

SECTION 11. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 12. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR  
2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	C. Scott Bounds
Kevin Blackwell	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3041** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3042** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE  
MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3042: Appropriation; Banking and Consumer Finance, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the State Department of Banking and Consumer Finance, for the support of the State Department of Banking and Consumer Finance, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 11,790,886.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	81
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Department of Banking and Consumer Finance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE  
SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE  
FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Chris Caughman

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3042** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson called up the following entitled bill:

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3043** be recommitted for further conference and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3044** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:



We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3044: Appropriation; Governor's Office and Mansion.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for expenses of the Executive Department, being the Governor's Office and staff, and for expenses incidental to the proper operation of the Governor's Mansion and residence of the Governor for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 3,111,321.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in Special Funds in the State Treasury to the credit of the Governor's Office for the purpose of defraying the expenses incurred by the Executive Department, being the Governor's Office and staff, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 646,265.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 39

Time-Limited: 7

Any escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the Executive Department shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2024.

## CONFEREES FOR THE SENATE

W. Briggs Hopson III  
John A. Polk  
Kevin Blackwell

## CONFEREES FOR THE HOUSE

John Read  
Jason White  
Richard Bennett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3044** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3045** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3045: Appropriation; Information Technology Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated for the purpose of defraying the expenses of the Mississippi Department of Information Technology Services, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 26,440,476.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Information Technology Services which are collected by or otherwise become available for the purpose of defraying expenses of the Mississippi Department of Information Technology Services as established in Section 27-104-203, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 25,252,878.00.

The funds in this section are provided to defray the costs incurred by the Department of Information Technology Services for providing telecommunication services, data center services, and/or other information technology services to state agencies.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent: 127  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the

State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that the Executive Director of Information Technology Services (ITS) shall have authority to transfer an amount not to exceed Seven Hundred Fifty Thousand Dollars (\$750,000.00) to the ITS Revolving Fund (3360900000). The purpose of this authority is to provide operating cash to alleviate cash flow problems in the ITS Revolving Fund. Any funds transferred during the fiscal year shall be transferred back to the State General Fund before the end of the lapse period for the fiscal year.

SECTION 5. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of defraying the expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

\$ 11,352,814.00.

The Wireless Communication Commission shall follow all state procurement and bid laws for all contracts and consultants.

SECTION 6. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Wireless Communication Commission which are collected by or otherwise become available for the purpose of defraying expenses of the Wireless Communication Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

\$ 11,000,000.00.

SECTION 7. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 10

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the

State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

The commission is hereby authorized to escalate federal funds and other special funds in accordance with rules and regulations of the Department of Finance and Administration.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Wireless Communication Commission (WCC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, WCC member, or person who has been a member of the WCC within the last year.

SECTION 9. It is the intention of the Legislature that the Department of Information Technology Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds appropriated under the provisions of Section 6, Eleven Million Dollars (\$11,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section

27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the completion of the statewide refurbishment of the Mississippi Wireless Information Network (MSWIN) system.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Wireless Communication Commission for the purpose of reauthorizing the expenditure of Capital Expense Fund, as appropriated in SB 3047, 2022 Regular Session, for the statewide refurbishment of the Mississippi Wireless Information Network (MSWIN) system for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 3,904,644.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION  
TECHNOLOGY SERVICES FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE                      CONFEREES FOR THE HOUSE

W. Briggs Hopson III

John Read

John A. Polk

C. Scott Bounds

Bart Williams

Casey Eure

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3045** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3046:** Appropriation; Development Authority, Mississippi.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3046** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3047:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3047** be recommitted for further conference and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3048** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3048: Appropriation; Personnel Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Personnel Board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 4,911,468.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 45

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. None of the funds appropriated under the provisions of Section 1 of this act may be expended until the State Personnel Board, based on data provided by the Legislative Budget Office, determines and publishes the projected annual cost to fully fund all appropriated positions for all agencies with compliance language in their appropriation bills.

SECTION 4. It is the intention of the Legislature that the State Personnel Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Jason White
Sarita Simmons	Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3048** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3049:** Appropriation; Secretary of State.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3049** be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3050** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3050: Appropriation; Treasurer's Office.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the State Treasurer's office which are collected by or otherwise become available, to defray the expenses of the Office of the State Treasurer for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,280,736.00.

SECTION 2. Of the funds appropriated in Section 1 of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent:	37
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of



Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Education Improvement Trust Fund No. 3219 for the purpose of investing funds for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 150,000.00.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Prepaid Affordable College Tuition Trust Fund for the purpose of paying all amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 35,000,000.00.

It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend an amount not to exceed One Million Dollars (\$1,000,000.00) from any funds authorized for the Mississippi Prepaid Affordable College Tuition Program, for paying amounts due for prepaid tuition contracts of the Mississippi Prepaid Affordable College Tuition Program. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 5. No part of the funds appropriated herein shall be used in the payment of attorney's fees, nor shall any of said funds be used either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. It is the intention of the Legislature that the Office of the State Treasurer shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under the provisions of this act and that such records shall be in the same format and level of details as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. Of the funds appropriated to the State Treasury under the provisions of Section 1, the following amounts shall be available for expenditure in the following program budgets:

(a) Mississippi Prepaid Affordable College Tuition program .....\$  
1,854,655.00.

(b) Mississippi Affordable College Savings

program..... \$ 177,860.00.  
(c) Treasury Office - Support  
programs..... \$ 4,248,221.00.

Further, no funds to the credit of the Mississippi Prepaid Affordable College Tuition Administrative Fund shall be expended for purposes related to any program other than the Mississippi Prepaid Affordable College Tuition program.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Karl Oliver
J. Walter Michel	Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3050** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3052** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3052: Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1 with the following exception(s):  
AMEND on line 367 by changing "\$172,621.00" to "\$238,532.00"

FURTHER, AMEND by adding the following new section after line 414 and renumber subsequent sections accordingly:

SECTION \*. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Mississippi Postsecondary Education Financial Assistance

Board, as authorized in House Bill No. 1521, 2022 Regular Session, as amended by Senate Bill 2373, 2023 Regular Session for the purpose of providing funding for the Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 6,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1521, 2022 Regular Session, as amended by Senate Bill No. 2373, 2023 Regular Session, and is subject to the same conditions therein.

FURTHER, AMEND on line 417 by changing "18" to "19"

FURTHER, AMEND on line 420 by changing "22" to "24"

FURTHER, AMEND on lines 476-477 by deleting ", and shall stand repealed from and after June 29, 2022"

2. That the House concur in the above exception(s).

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
John A. Polk  
Dennis DeBar, Jr.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Sam C. Mims, V

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3052** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended for the consideration en bloc of S. B. No. 3113, S. B. No. 3115, S. B. No. 3116, S. B. No. 3117, S. B. No. 3118, S. B. No. 3119 and S. B. No. 3120 and the motion prevailed.

Senator Hopson called up the following measures:

**S. B. No. 3113:** Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds.

**S. B. No. 3115:** Appropriation; additional to DOH for ARPA Rural Water Associations Infrastructure Grant Program.

**S. B. No. 3116:** Appropriation; additional to DFA for destination marketing organizations and Main Street Association, ARPA funds.

**S. B. No. 3117:** Appropriation; additional for DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan, ARPA funds.

**S. B. No. 3118:** Appropriation; additional to DFA - Bureau of Buildings, ARPA funds.

**S. B. No. 3119:** Appropriation; additional to DOH for Mississippi Hospital Sustainability Grant Program, ARPA funds.

**S. B. No. 3120:** Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses.

Senator Hopson moved that the Conference Committee Reports on **S. B. No. 3113**, **S. B. No. 3115**, **S. B. No. 3116**, **S. B. No. 3117**, **S. B. No. 3118**, **S. B. No. 3119** and **S. B. No. 3120** be recommitted for further conference and the motion prevailed.

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Senator Johnson moved that the rules be suspended for the consideration en bloc of **H. B. No. 261**, **H. B. No. 1671**, **H. B. No. 1734** and **S. B. No. 2696** and the motion prevailed.

Senator Johnson called up the following measures:

**H. B. No. 261:** Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations.

**H. B. No. 1671:** Tax credits; revise certain existing and authorize additional.

**H. B. No. 1734:** Bonds; authorize for various purposes.

**S. B. No. 2696:** Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement.

Senator Johnson moved that the Conference Committee Reports on **H. B. No. 261**, **H. B. No. 1671**, **H. B. No. 1734** and **S. B. No. 2696** be recommitted for further conference and the motion prevailed.

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Senator Turner-Ford offered the following report of the Conference Committee on **H. B. No. 917** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

**H. B. No. 917:** Mississippi Worker's Comp commission office building; place under the supervision and care of DFA.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.

CONFEREES FOR THE HOUSE

Tom Weathersby

Gregory Holloway, Sr.

Karl Oliver

CONFEREES FOR THE SENATE

Angela Turner-Ford

W. Briggs Hopson III

Joseph M. Seymour

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 917** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Carter offered the following report of the Conference Committee on **S. B. No. 2339** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2339: Provision of law establishing energy efficiency standards for building construction; extend repealer on.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1 with the following exception(s):

AMEND on line 91 by deleting the following:

, and shall stand repealed on June 30, 2023

2. That the House concur in the above exception(s).

## CONFEREES FOR THE SENATE

## CONFEREES FOR THE HOUSE

Joel R. Carter, Jr.

Brent Powell

Chuck Younger

Jeff Hale

Rita Potts Parks

Ronnie C. Crudup

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2339** was adopted:

Yeas--Barnett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Barrett, Tate. Total--2.

Senator Parker offered the following report of the Conference Committee on **S. B. No. 2595** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2595: ARPA Workforce Development and Retention Act; provide expiration date of grant funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

David Parker

Donnie Bell

Daniel H. Sparks

Kevin Felsher

J. Walter Michel

Otis Anthony

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2595** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parker offered the following report of the Conference Committee on **S. B. No. 2810** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2810: Office of Workforce Development; amend certain provisions relating to.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-153-1, Mississippi Code of 1972, is reenacted as follows:

37-153-1. This article shall be known and may be cited as the "Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004."

SECTION 2. Section 37-153-3, Mississippi Code of 1972, is reenacted as follows:

37-153-3. It is the intent of the Legislature by the passage of Chapter 572, Laws of 2004, to establish one (1) comprehensive workforce development system in the State of Mississippi that is focused on achieving results, using resources efficiently and ensuring that workers and employers can easily access needed services. This system shall reflect a consolidation of the Mississippi Workforce Development Advisory Council and the Mississippi State Workforce Investment Act Board. The purpose of Chapter 572, Laws of 2004, is to provide workforce activities, through a statewide system that maximizes cooperation among state agencies, that increase the employment, retention and earnings of participants, and increase occupational skill attainment by participants and as a result, improve the quality of the workforce, reduce welfare dependency and enhance the productivity and competitiveness of the State of Mississippi.

SECTION 3. Section 37-153-5, Mississippi Code of 1972, is reenacted as follows:

37-153-5. For purposes of this article, the following words and phrases shall have the meanings respectively ascribed in this section unless the context clearly indicates otherwise:

(a) "State board" or "board" means the Mississippi State Workforce Investment Board.

(b) "District councils" means the Local Workforce Development Councils.

(c) "Local workforce investment board" means the board that oversees the workforce development activities of local workforce areas under the federal Workforce Investment Act.

(d) "Office" means the Mississippi Office of Workforce Development, housed at the Department of Finance and Administration.

SECTION 4. Section 37-153-7, Mississippi Code of 1972, is reenacted as follows:

37-153-7. (1) There is created the Mississippi Office of Workforce Development and the Mississippi State Workforce Investment Board, which shall serve as the advisory board for the office. The Mississippi State Workforce Investment Board shall be composed of thirty-one (31) voting members, of which a majority shall be representatives of business and industry in accordance with the federal Workforce Innovation and Opportunity Act, or any successive acts.

(2) The members of the State Workforce Investment Board shall include:

(a) The Governor, or his designee;

(b) Nineteen (19) members, appointed by the Governor, of whom:

(i) A majority shall be representatives of businesses in the state, who:

1. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local board described in Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and Opportunity Act. At least two (2) of the members appointed under this item 1. shall be small business owners, chief executives or operating officers of businesses with less than fifty (50) employees;



2. Represent businesses, including small businesses, or organizations representing businesses, which provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in high-demand industry sectors or occupations in the state; and

3. Are appointed from among individuals nominated by state business organizations and business trade associations;

(ii) Not less than twenty percent (20%) shall consist of representatives of the workforce within the state, which:

1. Includes labor organization representatives who have been nominated by state labor federations;

2. Includes a labor organization member or training director from an apprenticeship program in the state, which shall be a joint labor-management apprenticeship program if such a program exists in the state;

3. May include representatives of community-based organizations, including organizations serving veterans or providing or supporting competitive, integrated employment for individuals with disabilities, who have demonstrated experience and expertise in addressing employment, training or education needs of individuals with barriers to employment; and

4. May include representatives of organizations, including organizations serving out-of-school youth, who have demonstrated experience or expertise in addressing the employment, training or education needs of eligible youth;

(iii) The balance shall include government representatives, including the lead state officials with primary responsibility for core programs, and chief elected officials (collectively representing both cities and counties, where appropriate);

(c) Two (2) representatives of businesses in the state appointed by the Lieutenant Governor;

(d) Two (2) representatives of businesses in the state appointed by the Governor from a list of three (3) recommendations from the Speaker of the House; and

(e) The following state officials:

(i) The Executive Director of the Mississippi Department of Employment Security;

(ii) The Executive Director of the Department of Rehabilitation Services;

(iii) The State Superintendent of Public Education;

(iv) The Executive Director of the Mississippi Development Authority;

(v) The Executive Director of the Mississippi Community College Board;

(vi) The President of the Community College Association; and

(vii) The Commissioner of the Institutions of Higher Learning.

(f) One (1) senator, appointed by the Lieutenant Governor, and one (1) representative, appointed by the Speaker of the House, shall serve on the state board in a nonvoting capacity.

(g) The Governor may appoint additional members if required by the federal Workforce Innovation and Opportunity Act, or any successive acts.

(h) Members of the board shall serve a term of four (4) years, and shall not serve more than three (3) consecutive terms.

(i) The membership of the board shall reflect the diversity of the State of Mississippi.

(j) The Governor shall designate the Chairman of the Mississippi State Workforce Investment Board from among the business and industry voting members of the board, and a quorum of the board shall consist of a majority of the voting members of the board.

(k) The voting members of the board who are not state employees shall be entitled to reimbursement of their reasonable expenses in the manner and amount specified in Section 25-3-41 and shall be entitled to receive per diem compensation as authorized in Section 25-3-69.

(3) Members of the state board may be recalled by their appointing authority for cause, including a felony conviction, fraudulent or dishonest acts or gross abuse of discretion, failure to meet board member qualifications, or chronic failure to attend board meetings.

(4) The Mississippi Department of Employment Security shall establish limits on administrative costs for each portion of Mississippi's workforce development system consistent with the federal Workforce Investment Act or any future federal workforce legislation.

(5) The Mississippi State Workforce Investment Board shall have the following duties. These duties are intended to be consistent with the scope of duties provided in the federal Workforce Innovation and Opportunity Act, amendments and successor legislation to this act, and other relevant federal law:

(a) Through the office, develop and submit to the Governor, Lieutenant Governor and Speaker of the House a strategic plan for an integrated state workforce development system that aligns resources and structures the system to more effectively and efficiently meet the demands of Mississippi's employers and job seekers. This plan will comply with the federal Workforce Investment Act of 1998, as amended, the federal Workforce Innovation and Opportunity Act of 2014 and amendments and successor legislation to these acts;

(b) Assist the Governor, Lieutenant Governor and Speaker of the House in the development and continuous improvement of the statewide workforce investment system that shall include:

(i) Development of linkages in order to assure coordination and nonduplication among programs and activities; and

(ii) Review local workforce development plans that reflect the use of funds from the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser Act and the amendment or successor legislation to the acts, and the Mississippi Comprehensive Workforce Training and Education Consolidation Act;

(c) Recommend to the office the designation of local workforce investment areas as required in Section 116 of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014. There shall be four (4) workforce investment areas that are generally aligned with the planning and development district structure in Mississippi. Planning and development districts will serve as the fiscal agents to manage Workforce Investment Act funds, oversee and support the local workforce investment boards aligned with the area and the local programs and activities as delivered by the one-stop employment and training system. The planning and development districts will perform this function through the provisions of the county cooperative service districts created under Sections 19-3-101 through 19-3-115; however, planning and development districts currently performing this function under the Interlocal Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may continue to do so;

(d) Assist the Governor in the development of an allocation formula for the distribution of funds for adult employment and training activities and youth activities to local workforce investment areas;

(e) Recommend comprehensive, results-oriented measures that shall be applied to all of Mississippi's workforce development system programs;

(f) Assist the Governor in the establishment and management of a one-stop employment and training system conforming to the requirements of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, as amended, recommending policy for implementing the Governor's approved plan for employment and training activities and services within the state. In developing this one-stop career operating system, the Mississippi State Workforce Investment Board, in conjunction with local workforce investment boards, shall:

(i) Design broad guidelines for the delivery of workforce development programs;

(ii) Identify all existing delivery agencies and other resources;

(iii) Define appropriate roles of the various agencies to include an analysis of service providers' strengths and weaknesses;

(iv) Determine the best way to utilize the various agencies to deliver services to recipients; and

(v) Develop a financial plan to support the delivery system that shall, at a minimum, include an accountability system;

(g) To provide authority, in accordance with any executive order of the Governor, for developing the necessary collaboration among state agencies at the highest level for accomplishing the purposes of this article;

(h) To monitor the effectiveness of the workforce development centers and WIN job centers;

(i) To advise the Governor, public schools, community/junior colleges and institutions of higher learning on effective school-to-work transition policies and programs that link students moving from high school to higher education and students moving between community colleges and four-year institutions in pursuit of academic and technical skills training;

(j) To work with industry to identify barriers that inhibit the delivery of quality workforce education and the responsiveness of educational institutions to the needs of industry;

(k) To provide periodic assessments on effectiveness and results of the overall Mississippi comprehensive workforce development system and district councils;

(l) Develop broad statewide development goals, including a goal to raise the state's labor force participation rate;

(m) Perform a comprehensive review of Mississippi's workforce development efforts, including the amount spent and effectiveness of programs supported by state or federal money; and

(n) To assist the Governor in carrying out any other responsibility required by the federal Workforce Investment Act of 1998, as amended and the Workforce Innovation and Opportunity Act, successor legislation and amendments.

(6) The Mississippi State Workforce Investment Board shall coordinate all training programs and funds within its purview, consistent with the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, amendments and successor legislation to these acts, and other relevant federal law.

Each state agency director responsible for workforce training activities shall advise the Mississippi Office of Workforce Development and the State Workforce Investment Board of appropriate federal and state requirements. Each state agency, department and institution shall report any monies received for workforce training activities or career and technical education and a detailed itemization of how those monies were spent to the state board. The board shall compile the data and provide a report of the monies and expenditures to the Chairs of the House and Senate Appropriations Committee, the Chair of the House Workforce Development Committee and the Chair of the Senate Economic and Workforce Development Committee by October 1 of each year. Each such state agency director shall remain responsible for the actions of his agency; however, each state agency and director shall work cooperatively to fulfill the state's goals.

(7) The State Workforce Investment Board shall establish an executive committee, which shall consist of the following State Workforce Investment Board members:

(a) The Chair of the State Workforce Investment Board;

(b) Two (2) business representatives currently serving on the state board selected by the Governor;

(c) The two (2) business representatives currently serving on the state board appointed by the Lieutenant Governor;

(d) The two (2) business representatives currently serving on the state board appointed by the Governor from a list of three (3) recommendations from the Speaker of the House;

(e) The two (2) legislators, who shall serve in a nonvoting capacity, one (1) of whom shall be appointed by the Lieutenant Governor from the membership of the Mississippi Senate and one (1) of whom shall be appointed by the Speaker of the House of Representatives from the membership of the Mississippi House of Representatives.

(8) The executive committee shall select an executive director of the Office of Workforce Development, with the advice and consent of a majority of the State Workforce Investment Board. The executive committee shall seek input from economic development organizations across the state when selecting the executive director. The executive director shall:

(a) Be a person with extensive experience in development of economic, human and physical resources, and promotion of industrial and commercial development.

The executive director shall have a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce or economic development;

(b) Perform the functions necessary for the daily operation and administration of the office, with oversight from the executive committee and the State Workforce Investment Board, to fulfill the duties of the state board as described in Chapter 476, Laws of 2020;

(c) Hire staff needed for the performance of his or her duties under Chapter 476, Laws of 2020. The executive director, with approval from the executive committee, shall set the compensation of any hired employees from any funds made available for that purpose;

(d) Enter any part of the Mississippi Community College Board, individual community and junior colleges, or other workforce training facilities operated by the state or its subdivisions;

(e) Serve at the will and pleasure of the executive committee;

(f) Promulgate rules and regulations, subject to oversight by the executive committee, not inconsistent with this article, as may be necessary to enforce the provisions in Chapter 476, Laws of 2020; and

(g) Perform any other actions he or she, in consultation with the executive committee, deems necessary to fulfill the duties under Chapter 476, Laws of 2020.

(9) The Office of Workforce Development and Mississippi Community College Board shall collaborate in the administration and oversight of the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, as described in Section 71-5-353. The executive director shall maintain complete and exclusive operational control of the office's functions.

(10) The office shall file an annual report with the Governor, Secretary of State, President of the Senate, Secretary of the Senate, Speaker of the House, and Clerk of the House not later than October 1 of each year regarding all funds approved by the office to be expended on workforce training during the prior calendar year. The report shall include:

(a) Information on the performance of the Mississippi Workforce Enhancement Training Fund and the Mississippi Works Fund, in terms of adding value to the local and state economy, the contribution to future growth of the state economy, and movement toward state goals, including increasing the labor force participation rate; and

(b) With respect to specific workforce training projects:

(i) The location of the training;

(ii) The amount allocated to the project;

(iii) The purpose of the project;

(iv) The specific business entity that is the beneficiary of the project;

and

(v) The number of employees intended to be trained and actually trained, if applicable, in the course of the project.

(c) All information concerning a proposed project which is provided to the executive director shall be kept confidential. Such confidentiality shall not limit disclosure under the Mississippi Public Records Act of 1983 of records describing the nature, quantity, cost or other pertinent information related to the activities of, or services performed using, the Mississippi Workforce Enhancement Training Fund or the Mississippi Works Fund.

(11) Nothing in Chapter 476, Laws of 2020 [Senate Bill No. 2564] shall void or otherwise interrupt any contract, lease, grant or other agreement previously entered into by the State Workforce Investment Board, Mississippi Community College Board, individual community or junior colleges, or other entities.

SECTION 5. Section 37-153-9, Mississippi Code of 1972, is reenacted as follows:

37-153-9. (1) In accordance with the federal Workforce Investment Act of 1998, there shall be established, for each of the four (4) state workforce areas prescribed in Section 37-153-3 (2)(c), a local workforce investment board to set policy for the portion of the state workforce investment system within the local area and carry out the provisions of the Workforce Investment Act.

(2) Each community college district shall have an affiliated District Workforce Development Council. The district council shall be composed of a diverse group of fifteen (15) persons appointed by the board of trustees of the affiliated public community or junior college. The members of each district council shall be selected from persons recommended by the chambers of commerce, employee groups, industrial foundations, community organizations and local governments located in the community college district of the affiliated community college with one (1) appointee being involved in basic literacy training. However, at least eight (8) members of each district council shall be chief executive officers, plant managers that are representatives of employers in that district or service sector executives. The District Workforce Development Council affiliated with each respective community or junior college shall advise the president of the community or junior college on the operation of its workforce development center/one-stop center.

The Workforce Development Council shall have the following advisory duties:

(a) To develop an integrated and coordinated district workforce investment strategic plan that:

(i) Identifies workforce investment needs through job and employee assessments of local business and industry;

(ii) Sets short-term and long-term goals for industry-specific training and upgrading and for general development of the workforce; and

(iii) Provides for coordination of all training programs, including ABE/High School Equivalency Diploma, Skills Enhancement and Industrial Services, and shall work collaboratively with the State Literacy Resource Center;

(b) To coordinate and integrate delivery of training as provided by the workforce development plan;

(c) To assist business and industry management in the transition to a high-powered, quality organization;

(d) To encourage continuous improvement through evaluation and assessment; and

(e) To oversee development of an extensive marketing plan to the employer community.

SECTION 6. Section 37-153-11, Mississippi Code of 1972, is reenacted as follows:

37-153-11. (1) There are created workforce development centers to provide assessment, training and placement services to individuals needing retraining, training and upgrading for small business and local industry. Each workforce development center shall be affiliated with a separate public community or junior college district and shall coordinate with the Office of Workforce Development.

(2) Each workforce development center shall be staffed and organized locally by the affiliated community college. The workforce development center shall serve as staff to the affiliated district council.

(3) Each workforce development center, working in concert with its affiliated district council, shall offer and arrange services to accomplish the purposes of this article, including, but not limited to, the following:

(a) For individuals needing training and retraining:

(i) Recruiting, assessing, counseling and referring to training or jobs;

(ii) Preemployment training for those with no experience in the private enterprise system;

(iii) Basic literacy skills training and high school equivalency education;

(iv) Vocational and technical training, full-time or part-time; and

(v) Short-term skills training for educationally and economically disadvantaged adults in cooperation with federally established employment and training programs;

(b) For specific small businesses, industries or firms within the district:

(i) Job analysis, testing and curriculum development;

(ii) Development of specific long-range training plans;

(iii) Industry or firm-related preemployment training;

(iv) Workplace basic skills and literacy training;

(v) Customized skills training;

(vi) Assistance in developing the capacity for total quality management training;

(vii) Technology transfer information and referral services to business of local applications of new research in cooperation with the University Research Center, the state's universities and other laboratories; and

(viii) Development of business plans;

(c) For public schools within the district technical assistance to secondary schools in curriculum coordination, development of tech prep programs, instructional development and resource coordination; and

(d) For economic development, a local forum and resource center for all local industrial development groups to meet and promote regional economic development.

(4) Each workforce development center shall compile and make accessible to the Office of Workforce Development and Mississippi State Workforce Investment Board necessary information for use in evaluating outcomes of its efforts and in improving the quality of programs at each community college, and shall include information on literacy initiatives. Each workforce development center shall, through an interagency management information system, maintain records on new small businesses, placement, length of time on the job after placement and wage rates of those placed in a form containing such information as established by the state council.

(5) The Mississippi Community College Board is authorized to designate one or more workforce development centers at the request of affiliated community or junior colleges to provide skills training to individuals to enhance their ability to be employed in the motion picture industry in this state.

SECTION 7. Section 37-153-13, Mississippi Code of 1972, is reenacted as follows:

37-153-13. The Mississippi Community College Board, in collaboration with the Office of Workforce Development, is designated as the primary support agency to the workforce development centers. The Mississippi Community College Board, in collaboration with the Office of Workforce Development, may exercise the following powers:

(a) To provide the workforce development centers the assistance necessary to accomplish the purposes of this article;

(b) To provide the workforce development centers consistent standards and benchmarks to guide development of the local workforce development system and to provide a means by which the outcomes of local services can be measured;

(c) To develop the staff capacity to provide, broker or contract for the provision of technical assistance to the workforce development centers, including, but not limited to:

(i) Training local staff in methods of recruiting, assessment and career counseling;

(ii) Establishing rigorous and comprehensive local preemployment training programs;

(iii) Developing local institutional capacity to deliver total quality management training;

(iv) Developing local institutional capacity to transfer new technologists into the marketplace;

(v) Expanding the Skills Enhancement Program and improving the quality of adult literacy programs; and

(vi) Developing data for strategic planning;

(d) To collaborate with the Mississippi Development Authority, Office of Workforce Development, individual community and junior colleges, and other economic development and educational organizations and political subdivisions to increase the economic development potential and the state's labor force participation rate;



(e) To administer presented and approved certification programs by the community colleges for tax credits and partnership funding for corporate training;

(f) To create and maintain an evaluation team that examines which kinds of curricula and programs and what forms of quality control of training are most productive so that the knowledge developed at one (1) institution of education can be transferred to others;

(g) To develop internal capacity to provide services and to contract for services from universities and other providers directly to local institutions;

(h) To develop and administer an incentive certification program;

(i) To develop and hire staff and purchase equipment necessary to accomplish the goals set forth in this section; and

(j) To collaborate, partner and contract for services with community-based organizations and disadvantaged businesses in the delivery of workforce training and career information especially to youth, as defined by the federal Workforce Investment Act, and to those adults who are in low income jobs or whose individual skill levels are so low as to be unable initially to be aided by a workforce development center. Community-based organizations and disadvantaged businesses must meet performance-based certification requirements set by the Mississippi Community College Board, in collaboration with the Office of Workforce Development.

SECTION 8. Section 37-153-15, Mississippi Code of 1972, is reenacted as follows:

37-153-15. (1) As used in this article:

(a) The words "industry certification" mean a process through which students are assessed by an independent, third-party certifying entity using predetermined standards for knowledge, skills and competencies, resulting in the award of a credential that is nationally recognized and must be at least one (1) of the following:

(i) Within an industry that addresses a critical local, regional or statewide economic need;

(ii) Linked to an occupation that is included in the State Department of Employment Security's occupations in high-demand list; or

(iii) Linked to an occupation that is identified as emerging.

(b) The words "qualifying industry certification" mean an industry certification that is linked to an occupation with wages of at least seventy percent (70%) of the median state income unless the industry certification is stackable to another postsecondary or professional credential which is linked to an occupation which meets the wage criterion.

(2) The State Workforce Investment Board shall provide the State Board of Education annually with a list of qualifying industry certifications. If the occupations identified in the list are not substantially the same as those occupations identified in the prior year, the State Board of Education shall provide reasonable notice of the changes to school districts.

(3) Beginning in fiscal year 2019-2020 and subject to available funding, the Department of Education shall pay a career and technical education incentive grant to the public school for each student enrolled in the public school who earns a qualifying industry certification. The amount per student for the career and technical education incentive grant shall be Six Hundred Dollars (\$600.00). If the statewide sum of the career and

technical education incentive grants awarded pursuant to this section exceeds the amount of available funds appropriated for the grants, the grants per student shall be reduced proportionately to cover all eligible grants under this section. Any costs accrued during one (1) fiscal year may be claimed and reimbursed in the following fiscal year.

(4) The grants may be used for qualifying industry certification examination fees, professional development for teachers in career and technical education programs under this section, student instructional support for programs that lead to qualifying industry certifications, or to increase access to qualifying industry certifications. Any grants awarded under this section may not be used to supplant funds provided for the basic operation of the career and technical education programs.

(5) On or before October 1 of each year, the Department of Education, working in collaboration with the Office of Workforce Development and any other entities as necessary, shall submit a report to the Governor, the Lieutenant Governor, the Speaker of the House of Representatives, the Chairmen of the House and Senate Education Committees, the Chairman of the House Workforce Development Committee and the Chairman of the Senate Economic and Workforce Development Committee on the following:

(a) The number of students who enrolled in a career and technical education course or program that leads to a qualifying industry certification.

(b) The number of students who earned a qualifying industry certification by certification.

(c) The amount of career and technical education incentive grants awarded by the school.

(d) The amount of career and technical education incentive grants awarded per student.

(e) Aggregated demographic data on the students who earned a qualifying industry certification, including the qualifying industry certifications earned by rural and urban students.

SECTION 9. Section 37-153-17, Mississippi Code of 1972, is reenacted and amended as follows:

37-153-17. Sections 37-153-1, 37-153-3, 37-153-5, 37-153-7, 37-153-9, 37-153-11, 37-153-13 and 37-153-15 shall stand repealed on July 1, \* \* \* 2026.

SECTION 10. Section 71-5-5, Mississippi Code of 1972, is reenacted as follows:

71-5-5. The Legislature finds and declares that the existence and continued operation of a federal tax upon employers, against which some portion of the contributions required under this chapter may be credited, will protect Mississippi employers from undue disadvantages in their competition with employers in other states. If at any time, upon a formal complaint to the Governor, he shall find that Title IX of the Social Security Act has been amended or repealed by Congress or has been held unconstitutional by the Supreme Court of the United States, and that, as a result thereof, the provisions of this chapter requiring Mississippi employers to pay contributions will subject them to a serious competitive disadvantage in relation to employers in other states, he shall publish such findings and proclaim that the operation of the provisions of this chapter requiring the payment of contributions and benefits shall be suspended for a period of not more than six (6) months. The Department of Employment Security shall thereupon requisition from the Unemployment Trust Fund all monies therein standing to its credit, and shall deposit such monies, together with any other monies in the Unemployment Compensation Fund,

as a special fund in any banks or public depositories in this state in which general funds of the state may be deposited.

In all other cases, and unless the Governor shall issue such proclamation, this chapter shall remain in full force and effect.

If within the aforesaid six-month period the Governor shall find that other federal legislation has been enacted which avoids the competitive disadvantage herein described, he shall forthwith publicly so proclaim, and upon the date of such proclamation, the provisions of this chapter requiring the payment of contributions and benefits shall again become fully operative as of the date of such suspension with the same effect as if such suspension had not occurred. If within such six-month period no such other federal legislation is enacted or the Legislature of this state has not otherwise prescribed, the Department of Employment Security shall, under regulations prescribed by it, refund, without interest, to each employer by whom contributions have been paid his pro rata share of the total contributions paid under this chapter. Any interest or earnings of the fund shall be available to the Department of Employment Security to pay for the costs of making such refunds. When the Department of Employment Security shall have executed the duties herein prescribed and performed such other acts as are incidental to the termination of its duties under this chapter, the Governor shall, by public proclamation, declare that the provisions of this chapter, in their entirety, shall cease to be operative.

SECTION 11. Section 71-5-11, Mississippi Code of 1972, is reenacted as follows:

71-5-11. As used in this chapter, unless the context clearly requires otherwise:

A. "Base period" means the first four (4) of the last five (5) completed calendar quarters immediately preceding the first day of an individual's benefit year.

B. "Benefit year" with respect to any individual means the period beginning with the first day of the first week with respect to which he or she first files a valid claim for benefits, and ending with the day preceding the same day of the same month in the next calendar year; and, thereafter, the period beginning with the first day of the first week with respect to which he or she next files his or her valid claim for benefits, and ending with the day preceding the same day of the same month in the next calendar year. Any claim for benefits made in accordance with Section 71-5-515 shall be deemed to be a "valid claim" for purposes of this subsection if the individual has been paid the wages for insured work required under Section 71-5-511(e).

C. "Contributions" means the money payments to the State Unemployment Compensation Fund required by this chapter.

D. "Calendar quarter" means the period of three (3) consecutive calendar months ending on March 31, June 30, September 30, or December 31.

E. "Department" or "commission" means the Mississippi Department of Employment Security, Office of the Governor.

F. "Executive director" means the Executive Director of the Mississippi Department of Employment Security, Office of the Governor, appointed under Section 71-5-107.

G. "Employing unit" means this state or another state or any instrumentalities or any political subdivisions thereof or any of their instrumentalities or any instrumentality of more than one (1) of the foregoing or any instrumentality of any of the foregoing and one or more other states or political subdivisions, any Indian tribe as defined in Section 3306(u) of the Federal Unemployment Tax Act (FUTA), which includes any subdivision, subsidiary or business enterprise wholly owned by such Indian tribe, any individual or type of organization, including any partnership, association, trust, estate, joint-stock company, insurance company, or corporation, whether domestic or foreign, or the receiver, trustee

in bankruptcy, trustee or successor thereof, or the legal representative of a deceased person, which has or had in its employ one or more individuals performing services for it within this state. All individuals performing services within this state for any employing unit which maintains two (2) or more separate establishments within this state shall be deemed to be employed by a single employing unit for all the purposes of this chapter. Each individual employed to perform or to assist in performing the work of any agent or employee of an employing unit shall be deemed to be employed by such employing unit for all purposes of this chapter, whether such individual was hired or paid directly by such employing unit or by such agent or employee, provided the employing unit had actual or constructive knowledge of the work. All individuals performing services in the employ of an elected fee-paid county official, other than those related by blood or marriage within the third degree computed by the rule of the civil law to such fee-paid county official, shall be deemed to be employed by such county as the employing unit for all the purposes of this chapter. For purposes of defining an "employing unit" which shall pay contributions on remuneration paid to individuals, if two (2) or more related corporations concurrently employ the same individual and compensate such individual through a common paymaster which is one (1) of such corporations, then each such corporation shall be considered to have paid as remuneration to such individual only the amounts actually disbursed by it to such individual and shall not be considered to have paid as remuneration to such individual such amounts actually disbursed to such individual by another of such corporations.

H. "Employer" means:

(1) Any employing unit which,

(a) In any calendar quarter in either the current or preceding calendar year paid for service in employment wages of One Thousand Five Hundred Dollars (\$1,500.00) or more, except as provided in paragraph (9) of this subsection, or

(b) For some portion of a day in each of twenty (20) different calendar weeks, whether or not such weeks were consecutive, in either the current or the preceding calendar year had in employment at least one (1) individual (irrespective of whether the same individual was in employment in each such day), except as provided in paragraph (9) of this subsection;

(2) Any employing unit for which service in employment, as defined in subsection I(3) of this section, is performed;

(3) Any employing unit for which service in employment, as defined in subsection I(4) of this section, is performed;

(4) (a) Any employing unit for which agricultural labor, as defined in subsection I(6) of this section, is performed;

(b) Any employing unit for which domestic service in employment, as defined in subsection I(7) of this section, is performed;

(5) Any individual or employing unit which acquired the organization, trade, business, or substantially all the assets thereof, of another which at the time of such acquisition was an employer subject to this chapter;

(6) Any individual or employing unit which acquired its organization, trade, business, or substantially all the assets thereof, from another employing unit, if the employment record of the acquiring individual or employing unit subsequent to such acquisition, together with the employment record of the acquired organization, trade, or business prior to such acquisition, both within the same calendar year, would be sufficient to constitute an employing unit as an employer subject to this chapter under paragraph (1) or (3) of this subsection;

(7) Any employing unit which, having become an employer under paragraph (1), (3), (5) or (6) of this subsection or under any other provisions of this chapter, has not, under Section 71-5-361, ceased to be an employer subject to this chapter;

(8) For the effective period of its election pursuant to Section 71-5-361(3), any other employing unit which has elected to become subject to this chapter;

(9) (a) In determining whether or not an employing unit for which service other than domestic service is also performed is an employer under paragraph (1) or (4)(a) of this subsection, the wages earned or the employment of an employee performing domestic service, shall not be taken into account;

(b) In determining whether or not an employing unit for which service other than agricultural labor is also performed is an employer under paragraph (1) or (4)(b) of this subsection, the wages earned or the employment of an employee performing services in agricultural labor, shall not be taken into account. If an employing unit is determined an employer of agricultural labor, such employing unit shall be determined an employer for purposes of paragraph (1) of this subsection;

(10) All entities utilizing the services of any employee leasing firm shall be considered the employer of the individuals leased from the employee leasing firm. Temporary help firms shall be considered the employer of the individuals they provide to perform services for other individuals or organizations.

I. "Employment" means and includes:

(1) Any service performed, which was employment as defined in this section and, subject to the other provisions of this subsection, including service in interstate commerce, performed for wages or under any contract of hire, written or oral, express or implied.

(2) Services performed for remuneration for a principal:

(a) As an agent-driver or commission-driver engaged in distributing meat products, vegetable products, fruit products, bakery products, beverages (other than milk), or laundry or dry-cleaning services;

(b) As a traveling or city salesman, other than as an agent-driver or commission-driver, engaged upon a full-time basis in the solicitation on behalf of, and the transmission to, a principal (except for sideline sales activities on behalf of some other person) of orders from wholesalers, retailers, contractors, or operator of hotels, restaurants, or other similar establishments for merchandise for resale or supplies for use in their business operations.

However, for purposes of this subsection, the term "employment" shall include services described in paragraphs (2)(a) and (b) of this subsection, only if:

(i) The contract of service contemplates that substantially all of the services are to be performed personally by such individual;

(ii) The individual does not have a substantial investment in facilities used in connection with the performance of the services (other than in facilities for transportation); and

(iii) The services are not in the nature of a single transaction that is not part of a continuing relationship with the person for whom the services are performed.

(3) Service performed in the employ of this state or any of its instrumentalities or any political subdivision thereof or any of its instrumentalities or any instrumentality of more than one (1) of the foregoing or any instrumentality of any of the foregoing and one or more other states or political subdivisions or any Indian tribe as defined in Section 3306(u) of the Federal Unemployment Tax Act (FUTA), which includes any subdivision, subsidiary or business enterprise wholly owned by such Indian tribe; however, such service is excluded from "employment" as defined in the Federal Unemployment Tax Act by Section 3306(c)(7) of that act and is not excluded from "employment" under paragraph (5) of this subsection.

(4) (a) Services performed in the employ of a religious, charitable, educational, or other organization, but only if the service is excluded from "employment" as defined in the Federal Unemployment Tax Act, 26 USCS Section 3306(c)(8), and

(b) The organization had four (4) or more individuals in employment for some portion of a day in each of twenty (20) different weeks, whether or not such weeks were consecutive, within the current or preceding calendar year, regardless of whether they were employed at the same moment of time.

(5) For the purposes of paragraphs (3) and (4) of this subsection, the term "employment" does not apply to service performed:

(a) In the employ of:

(i) A church or convention or association of churches; or

(ii) An organization which is operated primarily for religious purposes and which is operated, supervised, controlled, or principally supported by a church or convention or association of churches; or

(b) By a duly ordained, commissioned, or licensed minister of a church in the exercise of his or her ministry, or by a member of a religious order in the exercise of duties required by such order; or

(c) In the employ of a governmental entity referred to in paragraph (3) of this subsection, if such service is performed by an individual in the exercise of duties:

(i) As an elected official;

(ii) As a member of a legislative body, or a member of the judiciary, of a state or political subdivision or a member of an Indian tribal council;

(iii) As a member of the State National Guard or Air National Guard;

(iv) As an employee serving on a temporary basis in case of fire, storm, snow, earthquake, flood or similar emergency;

(v) In a position which, under or pursuant to the laws of this state or laws of an Indian tribe, is designated as:

1. A major nontenured policy-making or advisory position, or

2. A policy-making or advisory position the performance of the duties of which ordinarily does not require more than eight (8) hours per week; or

(d) In a facility conducted for the purpose of carrying out a program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, or providing remunerative work for individuals who because of their impaired physical or mental capacity cannot be readily absorbed in the competitive labor market, by an individual receiving such rehabilitation or remunerative work; or

(e) By an inmate of a custodial or penal institution; or

(f) As part of an unemployment work-relief or work-training program assisted or financed, in whole or in part, by any federal agency or agency of a state or political subdivision thereof or of an Indian tribe, by an individual receiving such work relief or work training, unless coverage of such service is required by federal law or regulation.

(6) Service performed by an individual in agricultural labor as defined in paragraph (15)(a) of this subsection when:

(a) Such service is performed for a person who:

(i) During any calendar quarter in either the current or the preceding calendar year paid remuneration in cash of Twenty Thousand Dollars (\$20,000.00) or more to individuals employed in agricultural labor, or

(ii) For some portion of a day in each of twenty (20) different calendar weeks, whether or not such weeks were consecutive, in either the current or the preceding calendar year, employed in agricultural labor ten (10) or more individuals, regardless of whether they were employed at the same moment of time.

(b) For the purposes of this paragraph (6) any individual who is a member of a crew furnished by a crew leader to perform service in agricultural labor for any other person shall be treated as an employee of such crew leader:

(i) If such crew leader holds a valid certificate of registration under the Farm Labor Contractor Registration Act of 1963; or substantially all the members of such crew operate or maintain tractors, mechanized harvesting or crop dusting equipment, or any other mechanized equipment, which is provided by such crew leader; and

(ii) If such individual is not an employee of such other person within the meaning of paragraph (1) of this subsection.

(c) For the purpose of subsection 1(6), in the case of any individual who is furnished by a crew leader to perform service in agricultural labor for any other person and who is not treated as an employee of such crew leader under paragraph (6)(b) of this subsection:

(i) Such other person and not the crew leader shall be treated as the employer of such individual; and

(ii) Such other person shall be treated as having paid cash remuneration to such individual in an amount equal to the amount of cash remuneration paid to such individual by the crew leader (either on his or her own behalf or on behalf of such other person) for the service in agricultural labor performed for such other person.

(d) For the purposes of this paragraph (6) the term "crew leader" means an individual who:

(i) Furnishes individuals to perform service in agricultural labor for any other person;

(ii) Pays (either on his or her own behalf or on behalf of such other person) the individuals so furnished by him or her for the service in agricultural labor performed by them; and

(iii) Has not entered into a written agreement with such other person under which such individual is designated as an employee of such other person.

(7) The term "employment" shall include domestic service in a private home, local college club or local chapter of a college fraternity or sorority performed for an employing unit which paid cash remuneration of One Thousand Dollars (\$1,000.00) or more in any calendar quarter in the current or the preceding calendar year to individuals employed in such domestic service. For the purpose of this subsection, the term "employment" does not apply to service performed as a "sitter" at a hospital in the employ of an individual.

(8) An individual's entire service, performed within or both within and without this state, if:

(a) The service is localized in this state; or

(b) The service is not localized in any state but some of the service is performed in this state; and

(i) The base of operations or, if there is no base of operations, the place from which such service is directed or controlled is in this state; or

(ii) The base of operations or place from which such service is directed or controlled is not in any state in which some part of the service is performed, but the individual's residence is in this state.

(9) Services not covered under paragraph (8) of this subsection and performed entirely without this state, with respect to no part of which contributions are required and paid under an unemployment compensation law of any other state or of the federal government, shall be deemed to be employment subject to this chapter if the individual performing such services is a resident of this state and the department approves the election of the employing unit for whom such services are performed that the entire service of such individual shall be deemed to be employment subject to this chapter.

(10) Service shall be deemed to be localized within a state if:

(a) The service is performed entirely within such state; or

(b) The service is performed both within and without such state, but the service performed without such state is incidental to the individual's service within the state; for example, is temporary or transitory in nature or consists of isolated transactions.

(11) The services of an individual who is a citizen of the United States, performed outside the United States (except in Canada), in the employ of an American employer (other than service which is deemed "employment" under the provisions of paragraph (8), (9) or (10) of this subsection or the parallel provisions of another state's law), if:

(a) The employer's principal place of business in the United States is located in this state; or

(b) The employer has no place of business in the United States; but

(i) The employer is an individual who is a resident of this state;

or



(ii) The employer is a corporation which is organized under the laws of this state; or

(iii) The employer is a partnership or a trust and the number of the partners or trustees who are residents of this state is greater than the number who are residents of any one (1) other state; or

(c) None of the criteria of subparagraphs (a) and (b) of this paragraph are met but the employer has elected coverage in this state or, the employer having failed to elect coverage in any state, the individual has filed a claim for benefits, based on such service, under the law of this state; or

(d) An "American employer," for purposes of this paragraph, means a person who is:

(i) An individual who is a resident of the United States; or

(ii) A partnership if two-thirds (2/3) or more of the partners are residents of the United States; or

(iii) A trust if all of the trustees are residents of the United States; or

(iv) A corporation organized under the laws of the United States or of any state.

(12) All services performed by an officer or member of the crew of an American vessel on or in connection with such vessel, if the operating office from which the operations of such vessel operating on navigable waters within, or within and without, the United States are ordinarily and regularly supervised, managed, directed and controlled, is within this state, notwithstanding the provisions of paragraph (8) of this subsection.

(13) Service with respect to which a tax is required to be paid under any federal law imposing a tax against which credit may be taken for contributions required to be paid into a state unemployment fund, or which as a condition for full tax credit against the tax imposed by the Federal Unemployment Tax Act, 26 USCS Section 3301 et seq., is required to be covered under this chapter, notwithstanding any other provisions of this subsection.

(14) Services performed by an individual for wages shall be deemed to be employment subject to this chapter unless and until it is shown to the satisfaction of the department that such individual has been and will continue to be free from control and direction over the performance of such services both under his or her contract of service and in fact; and the relationship of employer and employee shall be determined in accordance with the principles of the common law governing the relation of master and servant.

(15) The term "employment" shall not include:

(a) Agricultural labor, except as provided in paragraph (6) of this subsection. The term "agricultural labor" includes all services performed:

(i) On a farm or in a forest in the employ of any employing unit in connection with cultivating the soil, in connection with cutting, planting, deadening, marking or otherwise improving timber, or in connection with raising or harvesting any agricultural or horticultural commodity, including the raising, shearing, feeding, caring for, training, and management of livestock, bees, poultry, fur-bearing animals and wildlife;

(ii) In the employ of the owner or tenant or other operator of a farm, in connection with the operation, management, conservation, improvement or maintenance of such farm and its tools and equipment, or in salvaging timber or clearing land of brush and other debris left by a hurricane, if the major part of such service is performed on a farm;

(iii) In connection with the production or harvesting of naval stores products or any commodity defined in the Federal Agricultural Marketing Act, 12 USCS Section 1141j(f), or in connection with the raising or harvesting of mushrooms, or in connection with the ginning of cotton, or in connection with the operation or maintenance of ditches, canals, reservoirs, or waterways not owned or operated for profit, used exclusively for supplying and storing water for farming purposes;

(iv) (A) In the employ of the operator of a farm in handling, planting, drying, packing, packaging, processing, freezing, grading, storing or delivering to storage or to market or to a carrier for transportation to market, in its unmanufactured state, any agricultural or horticultural commodity; but only if such operator produced more than one-half (1/2) of the commodity with respect to which such service is performed;

(B) In the employ of a group of operators of farms (or a cooperative organization of which such operators are members) in the performance of service described in subitem (A), but only if such operators produced more than one-half (1/2) of the commodity with respect to which such service is performed;

(C) The provisions of subitems (A) and (B) shall not be deemed to be applicable with respect to service performed in connection with commercial canning or commercial freezing or in connection with any agricultural or horticultural commodity after its delivery to a terminal market for distribution for consumption;

(v) On a farm operated for profit if such service is not in the course of the employer's trade or business;

(vi) As used in paragraph (15)(a) of this subsection, the term "farm" includes stock, dairy, poultry, fruit, fur-bearing animals, and truck farms, plantations, ranches, nurseries, ranges, greenhouses, or other similar structures used primarily for the raising of agricultural or horticultural commodities, and orchards.

(b) Domestic service in a private home, local college club, or local chapter of a college fraternity or sorority, except as provided in paragraph (7) of this subsection, or service performed as a "sitter" at a hospital in the employ of an individual.

(c) Casual labor not in the usual course of the employing unit's trade or business.

(d) Service performed by an individual in the employ of his or her son, daughter, or spouse, and service performed by a child under the age of twenty-one (21) in the employ of his or her father or mother.

(e) Service performed in the employ of the United States government or of an instrumentality wholly owned by the United States; except that if the Congress of the United States shall permit states to require any instrumentalities of the United States to make payments into an unemployment fund under a state unemployment compensation act, then to the extent permitted by Congress and from and after the date as of which such permission becomes effective, all of the provisions of this chapter shall be applicable to such instrumentalities and to services performed by employees for such instrumentalities in the same manner, to the same extent, and on the same terms as to all other employers and employing units. If this state should not be certified under the Federal Unemployment Tax Act, 26 USCS Section 3304(c), for any year, then the

payment required by such instrumentality with respect to such year shall be deemed to have been erroneously collected and shall be refunded by the department from the fund in accordance with the provisions of Section 71-5-383.

(f) Service performed in the employ of an "employer" as defined by the Railroad Unemployment Insurance Act, 45 USCS Section 351(a), or as an "employee representative" as defined by the Railroad Unemployment Insurance Act, 45 USCS Section 351(f), and service with respect to which unemployment compensation is payable under an unemployment compensation system for maritime employees, or under any other unemployment compensation system established by an act of Congress; however, the department is authorized and directed to enter into agreements with the proper agencies under such act or acts of Congress, which agreements shall become effective ten (10) days after publication thereof in the manner provided in Section 71-5-117 for general rules, to provide reciprocal treatment to individuals who have, after acquiring potential rights to benefits under this chapter, acquired rights to unemployment compensation under such act or acts of Congress or who have, after acquiring potential rights to unemployment compensation under such act or acts of Congress, acquired rights to benefits under this chapter.

(g) Service performed in any calendar quarter in the employ of any organization exempt from income tax under the Internal Revenue Code, 26 USCS Section 501(a) (other than an organization described in 26 USCS Section 401(a)), or exempt from income tax under 26 USCS Section 521 if the remuneration for such service is less than Fifty Dollars (\$50.00).

(h) Service performed in the employ of a school, college, or university if such service is performed:

(i) By a student who is enrolled and is regularly attending classes at such school, college or university, or

(ii) By the spouse of such a student if such spouse is advised, at the time such spouse commences to perform such service, that

(A) The employment of such spouse to perform such service is provided under a program to provide financial assistance to such student by such school, college, or university, and

(B) Such employment will not be covered by any program of unemployment insurance.

(i) Service performed by an individual under the age of twenty-two (22) who is enrolled at a nonprofit or public educational institution which normally maintains a regular faculty and curriculum and normally has a regularly organized body of students in attendance at the place where its educational activities are carried on, as a student in a full-time program taken for credit at such institution, which combines academic instruction with work experience, if such service is an integral part of such program and such institution has so certified to the employer, except that this subparagraph shall not apply to service performed in a program established for or on behalf of an employer or group of employers.

(j) Service performed in the employ of a hospital, if such service is performed by a patient of the hospital, as defined in subsection M of this section.

(k) Service performed as a student nurse in the employ of a hospital or a nurses' training school by an individual who is enrolled and is regularly attending classes in a nurses' training school chartered or approved pursuant to state law; and services performed as an intern in the employ of a hospital by an individual who has

completed a four-year course in a medical school chartered or approved pursuant to state law.

(l) Service performed by an individual as an insurance agent or as an insurance solicitor, if all such service performed by such individual is performed for remuneration solely by way of commission.

(m) Service performed by an individual in the delivery or distribution of newspapers or shopping news, not including delivery or distribution to any point for subsequent delivery or distribution, except those employed by political subdivisions, state and local governments, nonprofit organizations and Indian tribes, as defined by this chapter, or any other entities for which coverage is required by federal statute and regulation.

(n) If the services performed during one-half (1/2) or more of any pay period by an employee for the employing unit employing him or her constitute employment, all the services of such employee for such period shall be deemed to be employment; but if the services performed during more than one-half (1/2) of any such pay period by an employee for the employing unit employing him or her do not constitute employment, then none of the services of such employee for such period shall be deemed to be employment. As used in this subsection, the term "pay period" means a period (of not more than thirty-one (31) consecutive days) for which a payment of remuneration is ordinarily made to the employee by the employing unit employing him or her.

(o) Service performed by a barber or beautician whose work station is leased to him or her by the owner of the shop in which he or she works and who is compensated directly by the patrons he or she serves and who is free from direction and control by the lessor.

(p) Service performed by a "direct seller" if:

(i) Such person is engaged in the trade or business of selling (or soliciting the sale of) consumer products to any buyer on a buy-sell basis, a deposit-commission basis, or any similar basis which the department prescribes by regulations, for resale (by the buyer or any other person) in the home or otherwise than in a permanent retail establishment; or such person is engaged in the trade or business of selling (or soliciting the sale of) consumer products in the home or otherwise than in a permanent retail establishment;

(ii) Substantially all the remuneration (whether or not paid in cash) for the performance of the services described in item (i) of this subparagraph is directly related to sales or other output (including the performance of services) rather than to the number of hours worked; and

(iii) The services performed by the person are performed pursuant to a written contract between such person and the person for whom the services are performed and such contract provides that the person will not be treated as an employee with respect to such services for federal tax purposes.

J. "Employment office" means a free public employment office or branch thereof, operated by this state or maintained as a part of the state controlled system of public employment offices.

K. "Public employment service" means the operation of a program that offers free placement and referral services to applicants and employers, including job development.

L. "Fund" means the Unemployment Compensation Fund established by this chapter, to which all contributions required and from which all benefits provided under this chapter shall be paid.

M. "Hospital" means an institution which has been licensed, certified, or approved by the State Department of Health as a hospital.

N. "Institution of higher learning," for the purposes of this section, means an educational institution which:

(1) Admits as regular students only individuals having a certificate of graduation from a high school, or the recognized equivalent of such a certificate;

(2) Is legally authorized in this state to provide a program of education beyond high school;

(3) Provides an educational program for which it awards a bachelor's or higher degree, or provides a program which is acceptable for full credit toward such a degree, a program of postgraduate or postdoctoral studies, or a program of training to prepare students for gainful employment in a recognized occupation;

(4) Is a public or other nonprofit institution;

(5) Notwithstanding any of the foregoing provisions of this subsection, all colleges and universities in this state are institutions of higher learning for purposes of this section.

O. "Re-employment assistance" means money payments payable to an individual as provided in this chapter and in accordance with Section 3304(a)(4) and 3306(h) of the Federal Unemployment Tax Act and Section 303(a)(5) of the Social Security Act, with respect to his or her unemployment through no fault of his or her own. Wherever the terms "benefits" or "unemployment benefits" appear in this chapter, they shall mean re-employment assistance.

P. (1) "State" includes, in addition to the states of the United States of America, the District of Columbia, Commonwealth of Puerto Rico and the Virgin Islands.

(2) The term "United States" when used in a geographical sense includes the states, the District of Columbia, Commonwealth of Puerto Rico and the Virgin Islands.

(3) The provisions of paragraphs (1) and (2) of this subsection P, as including the Virgin Islands, shall become effective on the day after the day on which the United States Secretary of Labor approves for the first time under Section 3304(a) of the Internal Revenue Code of 1954 an unemployment compensation law submitted to the secretary by the Virgin Islands for such approval.

Q. "Unemployment."

(1) An individual shall be deemed "unemployed" in any week during which he or she performs no services and with respect to which no wages are payable to him or her, or in any week of less than full-time work if the wages payable to him or her with respect to such week are less than his or her weekly benefit amount as computed and adjusted in Section 71-5-505. This definition shall exclude individuals receiving voluntary payments from employers, from any source, that are in lieu of the worker's regular wages. However, individuals receiving voluntary payments of less than their set full weekly wage, as well as individuals who do not work a specified number of hours each week resulting in inconsistent weekly wages, and who are receiving voluntary payments for partial wage substitution, may be considered "unemployed," but would be required to report the gross amount of the voluntary payments to be treated as wages so the appropriate deductions to the weekly benefit amount can be made. The department shall prescribe regulations applicable to unemployed individuals, making such distinctions in the procedure as to total unemployment, part-total unemployment, partial unemployment of individuals attached to

their regular jobs, and other forms of short-time work, as the department deems necessary.

(2) An individual's week of total unemployment shall be deemed to commence only after his registration with an employment office, except as the department may by regulation otherwise prescribe.

(3) Unemployment shall not include administrative leave for any week with respect to which:

(a) An employer has designated their employee as being on official administrative leave;

(b) The administrative leave is for a specified period of time;

(c) There is no apparent permanent job separation; and

(d) The employee has received compensation equal to his or her standard compensation.

(4) If the individual on official administrative leave, as designated by the employer, does not receive full compensation in line with his or her standard hours or salary, the individual may be eligible for unemployment insurance benefits as partially unemployed for the wages they are missing.

(5) Any individual on official administrative leave is required to report all compensation received.

R. (1) "Wages" means all remuneration for personal services, including commissions and bonuses and the cash value of all remuneration in any medium other than cash, except that "wages," for purposes of determining employer's coverage and payment of contributions for agricultural and domestic service means cash remuneration only. Wages shall include payments from employers, from any source, and for any reason, that are in lieu of the employee's regular wages. The reasonable cash value of remuneration in any medium other than cash shall be estimated and determined in accordance with rules prescribed by the department; however, that the term "wages" shall not include:

(a) The amount of any payment made to, or on behalf of, an employee under a plan or system established by an employer which makes provision for his or her employees generally or for a class or classes of his or her employees (including any amount paid by an employer for insurance or annuities, or into a fund, to provide for any such payment), on account of:

(i) Retirement, or

(ii) Sickness or accident disability, or

(iii) Medical or hospitalization expenses in connection with sickness or actual disability, or

(iv) Death, provided the employee:

(A) Has not the option to receive, instead of provision for such death benefit, any part of such payment or, if such death benefit is insured, any part of the premiums (or contributions to premiums) paid by his or her employer, and

(B) Has not the right, under the provisions of the plan or system or policy of insurance providing for such death benefit, to assign such benefit

or to receive a cash consideration in lieu of such benefit, either upon his or her withdrawal from the plan or system providing for such benefit or upon termination of such plan or system or policy of insurance or of his or her employment with such employer;

(b) Dismissal payments which the employer is not legally required to make;

(c) Payment by an employer (without deduction from the remuneration of an employee) of the tax imposed by the Internal Revenue Code, 26 USCS Section 3101;

(d) From and after January 1, 1992, the amount of any payment made to or on behalf of an employee for a "cafeteria" plan, which meets the following requirements:

(i) Qualifies under Section 125 of the Internal Revenue Code;

(ii) Covers only employees;

(iii) Covers only noncash benefits;

(iv) Does not include deferred compensation plans.

(2) [Not enacted].

S. "Week" means calendar week or such period of seven (7) consecutive days as the department may by regulation prescribe. The department may by regulation prescribe that a week shall be deemed to be in, within, or during any benefit year which includes any part of such week.

T. "Insured work" means "employment" for "employers."

U. The term "includes" and "including," when used in a definition contained in this chapter, shall not be deemed to exclude other things otherwise within the meaning of the term defined.

V. "Employee leasing arrangement" means any agreement between an employee leasing firm and a client, whereby specified client responsibilities such as payment of wages, reporting of wages for unemployment insurance purposes, payment of unemployment insurance contributions and other such administrative duties are to be performed by an employee leasing firm, on an ongoing basis.

W. "Employee leasing firm" means any entity which provides specified duties for a client company such as payment of wages, reporting of wages for unemployment insurance purposes, payment of unemployment insurance contributions and other administrative duties, in connection with the client's employees, that are directed and controlled by the client and that are providing ongoing services for the client.

X. (1) "Temporary help firm" means an entity which hires its own employees and provides those employees to other individuals or organizations to perform some service, to support or supplement the existing workforce in special situations such as employee absences, temporary skill shortages, seasonal workloads and special assignments and projects, with the expectation that the worker's position will be terminated upon the completion of the specified task or function.

(2) "Temporary employee" means an employee assigned to work for the clients of a temporary help firm.

Y. For the purposes of this chapter, the term "notice" shall include any official communication, statement or other correspondence required under the administration of this chapter, and sent by the department through the United States Postal Service or electronic or digital transfer, via modem or the Internet.

SECTION 12. Section 71-5-19, Mississippi Code of 1972, is reenacted as follows:

71-5-19. (1) Whoever makes a false statement or representation knowing it to be false, or knowingly fails to disclose a material fact, to obtain or increase any benefit or other payment under this chapter or under an employment security law of any other state, of the federal government or of a foreign government, either for himself or for any other person, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment for not longer than thirty (30) days, or by both such fine and imprisonment; and each such false statement or representation or failure to disclose a material fact shall constitute a separate offense.

(2) Any employing unit, any officer or agent of an employing unit or any other person who makes a false statement or representation knowing it to be false, or who knowingly fails to disclose a material fact, to prevent or reduce the payment of benefits to any individual entitled thereto, or to avoid becoming or remaining subject hereto, or to avoid or reduce any contribution or other payment required from any employing unit under this chapter, or who willfully fails or refuses to make any such contribution or other payment, or to furnish any reports required hereunder or to produce or permit the inspection or copying of records as required hereunder, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for not longer than sixty (60) days, or by both such fine and imprisonment; and each such false statement, or representation, or failure to disclose a material fact, and each day of such failure or refusal shall constitute a separate offense. In lieu of such fine and imprisonment, the employing unit or representative, or both employing unit and representative, if such representative is an employing unit in this state and is found to be a party to such violation, shall not be eligible for a contributions rate of less than five and four-tenths percent (5.4%) for the tax year in which such violation is discovered by the department and for the next two (2) succeeding tax years.

(3) Any person who shall willfully violate any provision of this chapter or any other rule or regulation thereunder, the violation of which is made unlawful or the observance of which is required under the terms of this chapter and for which a penalty is neither prescribed herein nor provided by any other applicable statute, shall be punished by a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for not longer than sixty (60) days, or by both such fine and imprisonment; and each day such violation continues shall be deemed to be a separate offense. In lieu of such fine and imprisonment, the employing unit or representative, or both employing unit and representative, if such representative is an employing unit in this state and is found to be a party to such violation, shall not be eligible for a contributions rate of less than five and four-tenths percent (5.4%) for the tax year in which the violation is discovered by the department and for the next two (2) succeeding tax years.

(4) (a) An overpayment of benefits occurs when a person receives benefits under this chapter:

(i) While any conditions for the receipt of benefits imposed by this chapter were not fulfilled in his case;

(ii) While he was disqualified from receiving benefits; or

(iii) When such person receives benefits and is later found to be disqualified or ineligible for any reason, including, but not limited to, a redetermination or



reversal by the department or the courts of a previous decision to award such person benefits.

(b) Any person receiving an overpayment shall, in the discretion of the department, be liable to have such sum deducted from any future benefits payable to him under this chapter and shall be liable to repay to the department for the Unemployment Compensation Fund a sum equal to the overpayment amount so received by him; and such sum shall be collectible in the manner provided in Sections 71-5-363 through 71-5-383 for the collection of past-due contributions. In addition to Sections 71-5-363 through 71-5-383, the following shall apply to cases involving damages for overpaid unemployment benefits which have been obtained and/or received through fraud as defined by department regulations and laws governing the department. By definition, fraud can include failure to report earnings while filing for unemployment benefits. In the event of fraud, a penalty of twenty percent (20%) of the amount of the overpayment shall be assessed. Three-fourths (3/4) of that twenty percent (20%) penalty shall be deposited into the unemployment trust fund and shall be used only for the purpose of payment of unemployment benefits. The remainder of that twenty percent (20%) penalty shall be deposited into the Special Employment Security Administrative Fund. Interest on the overpayment balance shall accrue at a rate of one percent (1%) per month on the unpaid balance until repaid and shall be deposited into the Special Employment Security Administration Fund. All interest, penalties and damages deposited into the Special Employment Security Administration Fund shall be used by the department for administration of the Mississippi Department of Employment Security.

(c) Any such judgment against such person for collection of such overpayment shall be in the form of a seven-year renewable lien. Unless action be brought thereon prior to expiration of the lien, the department must refile the notice of the lien prior to its expiration at the end of seven (7) years. There shall be no limit upon the number of times the department may refile notices of liens for collection of overpayments.

(d) All warrants issued by the department for the collection of any unemployment tax or for an overpayment of benefits imposed by statute and collected by the department shall be used to levy on salaries, compensation or other monies due the delinquent employer or claimant. No such warrant shall be issued until after the delinquent employer or claimant has exhausted all appeal rights associated with the debt. The warrants shall be served by mail or by delivery by an agent of the department on the person or entity responsible or liable for the payment of the monies due the delinquent employer or claimant. Once served, the employer or other person owing compensation due the delinquent employer or claimant shall pay the monies over to the department in complete or partial satisfaction of the liability. An answer shall be made within thirty (30) days after service of the warrant in the form and manner determined satisfactory by the department. Failure to pay the money over to the department as required by this section shall result in the served party being personally liable for the full amount of the monies owed and the levy and collection process may be issued against the party in the same manner as other debts owed to the department. Except as otherwise provided by this section, the answer, the amount payable under the warrant and the obligation of the payor to continue payment shall be governed by the garnishment laws of this state but shall be payable to the department.

(5) The department, by agreement with another state or the United States, as provided under Section 303(g) of the Social Security Act, may recover any overpayment of benefits paid to any individual under the laws of this state or of another state or under an unemployment benefit program of the United States. Any overpayments subject to this subsection may be deducted from any future benefits payable to the individual under the laws of this state or of another state or under an unemployment program of the United States.

SECTION 13. Section 71-5-101, Mississippi Code of 1972, is reenacted as follows:

71-5-101. There is established the Mississippi Department of Employment Security, Office of the Governor. The Department of Employment Security shall be the Mississippi Employment Security Commission and shall retain all powers and duties as granted to the Mississippi Employment Security Commission. Wherever the term "Employment Security Commission" appears in any law, the same shall mean the Mississippi Department of Employment Security, Office of the Governor. The Executive Director of the Department of Employment Security may assign to the appropriate offices such powers and duties deemed appropriate to carry out the lawful functions of the department.

SECTION 14. Section 71-5-107, Mississippi Code of 1972, is reenacted as follows:

71-5-107. The department shall administer this chapter through a full-time salaried executive director, to be appointed by the Governor, with the advice and consent of the Senate. He shall be responsible for the administration of this chapter under authority delegated to him by the Governor.

SECTION 15. Section 71-5-109, Mississippi Code of 1972, is reenacted as follows:

71-5-109. There is created a Board of Review consisting of three (3) members to be appointed by the executive director. The executive director shall designate one (1) member of the Board of Review as chairman. Each member shall be paid a salary or per diem at a rate to be determined by the executive director, and such expenses as may be allowed by the executive director. All salaries, per diem and expenses of the Board of Review shall be paid from the Employment Security Administration Fund.

SECTION 16. Section 71-5-111, Mississippi Code of 1972, is reenacted as follows:

71-5-111. There is created in the State Treasury a special fund to be known as the Employment Security Administration Fund. All monies which are deposited or paid into this fund are appropriated and made available to the department. All monies in this fund shall be expended solely for the purpose of defraying the cost of administration of this chapter, and for no other purpose whatsoever. The fund shall consist of all monies appropriated by this state and all monies received from the United States of America, or any agency thereof, or from any other source for such purpose. Notwithstanding any provision of this section, all monies requisitioned and deposited in this fund pursuant to Section 71-5-457 shall remain part of the Employment Security Administration Fund and shall be used only in accordance with the conditions specified in that section. All monies in this fund shall be deposited, administered and disbursed in the same manner and under the same conditions and requirements as is provided by law for other special funds in the State Treasury. The State Treasurer shall be liable on his official bond for the faithful performance of his duties in connection with the Employment Security Administration Fund under this chapter.

SECTION 17. Section 71-5-112, Mississippi Code of 1972, is reenacted as follows:

71-5-112. All funds received by the Mississippi Department of Employment Security shall clear through the State Treasury as provided and required by Sections 71-5-111 and 71-5-453. All expenditures from the administration fund of the department authorized by Section 71-5-111 shall be expended only pursuant to appropriation approved by the Legislature and as provided by law.

SECTION 18. Section 71-5-113, Mississippi Code of 1972, is reenacted as follows:

71-5-113. All monies received from the Social Security Board or its successors for the administration of this chapter shall be expended solely for the purposes and in the amounts found necessary by the Social Security Board or its successors for the proper and efficient administration of this chapter.

It shall be the duty of the department to take appropriate action with respect to the replacement, within a reasonable time, of any monies received from the Social Security Board, or its successors, for the administration of this chapter, and monies used to match grants pursuant to the provisions of the Wagner-Peyser Act, which the board, or its successors, find, because of any action or contingency, have been lost or have been expended for purposes other than, or in amounts in excess of those found necessary by the Social Security Board, or its successors, for the proper administration of this chapter. Funds which have been expended by the department or its agents in accordance with the budget approved by the Social Security Board, or its successors, or in accordance with the general standards and limitations promulgated by the Social Security Board, or its successors, prior to such expenditure (where proposed expenditures have not been specifically disapproved by the Social Security Board, or its successors), shall not be deemed to require replacement. To effectuate the purposes of this paragraph, it shall be the duty of the department to take such action to safeguard the expenditure of the funds referred to herein as it deems necessary. In the event of a loss of such funds or an improper expenditure thereof as herein defined, it shall be the duty of the department to notify the Governor of any such loss or improper expenditure and submit to him a request for an appropriation in the amount thereof. The Governor shall transmit to the next regular session of the Legislature following such notification, the department's request for an appropriation in an amount necessary to replace funds which have been lost or improperly expended as defined above. Such request of the department for an appropriation shall not be subject to the provisions of Sections 27-103-101 through 27-103-139. The Legislature recognizes its obligation to replace such funds as may be necessary and shall make necessary appropriations in accordance with such requests.

SECTION 19. Section 71-5-114, Mississippi Code of 1972, is reenacted as follows:

71-5-114. There is created in the State Treasury a special fund, to be known as the "Special Employment Security Administration Fund," into which shall be deposited or transferred all interest, penalties and damages collected on and after July 1, 1982, pursuant to Sections 71-5-363 through 71-5-379 and all interest and penalties required to be deposited into the fund pursuant to Section 71-5-19(4)(b). Interest, penalties and damages collected on delinquent payments deposited during any calendar quarter in the clearing account in the Unemployment Trust Fund shall, as soon as practicable after the close of such calendar quarter, be transferred to the Special Employment Security Administration Fund. All monies in this fund shall be deposited, administered and disbursed in the same manner and under the same conditions and requirements as is provided by law for other special funds in the State Treasury. The State Treasurer shall be liable on his official bond for the faithful performance of his duties in connection with the Special Employment Security Administration Fund under this chapter. Those monies may be expended for any programs for which the department has administrative responsibility but shall not be expended or made available for expenditure in any manner which would permit their substitution for (or permit a corresponding reduction in) federal funds which would, in the absence of those monies, be available to finance expenditures for the administration of the state unemployment compensation and employment service laws or any other laws directing the administration of any programs for which the department has the administrative responsibility. Nothing in this section shall prevent those monies in this fund from being used as a revolving fund to cover expenditures necessary and proper under the law for which federal funds have been duly requested but not yet received, subject to the charging of such expenditures against such funds when necessary. The monies in this fund may be used by the department for the payment of costs of administration of the employment security laws of this state which are found not to be or not to have been properly and validly chargeable against funds obtained from federal sources. All monies in this Special Employment Security Administration Fund shall be continuously available to the department for expenditure in accordance with the provisions of this chapter, and shall not lapse at any time. The monies in this fund are specifically made available to replace, as contemplated by Section 71-5-113, expenditures from the Employment Security Administration Fund established by Section

71-5-111, which have been found, because of any action or contingency, to have been lost or improperly expended.

The department, whenever it is of the opinion that the money in the Special Employment Security Administration Fund is more than ample to pay for all foreseeable needs for which such special fund is set up, may, by written order, order the transfer therefrom to the Unemployment Compensation Fund of such amount of money in the Special Employment Security Administration Fund as it deems proper, and the same shall thereupon be immediately transferred to the Unemployment Compensation Fund.

SECTION 20. Section 71-5-115, Mississippi Code of 1972, is reenacted as follows:

71-5-115. It shall be the duty of the executive director to administer this chapter; and the executive director shall have the power and authority to adopt, amend or rescind such rules and regulations, to employ such persons, make such expenditures, require such reports, make such investigations, and take such other action as he deems necessary or suitable to that end. Such rules and regulations shall be effective upon publication in the manner, not inconsistent with the provisions of this chapter, which the executive director shall prescribe. The executive director shall determine the department's own organization and methods of procedure in accordance with the provisions of this chapter, and shall have an official seal which shall be judicially noticed. Not later than the first day of February in each year, the executive director shall submit to the Governor a report covering the administration and operation of this chapter during the preceding fiscal year and shall make such recommendations for amendments to this chapter as the executive director deems proper. Whenever the executive director believes that a change in contribution or benefit rates will become necessary to protect the solvency of the fund, he shall promptly so inform the Governor and the Legislature, and make recommendations with respect thereto.

SECTION 21. Section 71-5-117, Mississippi Code of 1972, is reenacted as follows:

71-5-117. General rules may be adopted, amended or rescinded by the executive director only after public hearing or opportunity to be heard thereon, of which proper notice has been given. General rules shall become effective ten (10) days after filing with the Secretary of State and publication in one or more newspapers of general circulation in this state. Regulations may be adopted, amended or rescinded by the executive director and shall become effective in the manner and at the time prescribed by the executive director.

SECTION 22. Section 71-5-119, Mississippi Code of 1972, is reenacted as follows:

71-5-119. The department shall cause to be available for distribution to the public the text of this chapter, its regulations and general rules, its reports to the Governor, and any other material it deems relevant and suitable, and shall furnish the same to any person upon application therefor.

SECTION 23. Section 71-5-121, Mississippi Code of 1972, is reenacted as follows:

71-5-121. Subject to other provisions of this chapter, the executive director is authorized to appoint, fix the compensation, and prescribe the duties and powers of such officers, accountants, attorneys, experts and other persons as may be necessary in the performance of department duties; however, all personnel who were former members of the Armed Forces of the United States of America shall be given credit regardless of rate, rank or commission. All positions shall be filled by persons selected and appointed on a nonpartisan merit basis, in accordance with Section 25-9-101 et seq., that provides for a state service personnel system. The executive director shall not employ any person who is an officer or committee member of any political party organization. The executive director may delegate to any such person so appointed such power and authority as he deems reasonable and proper for the effective administration of this chapter, and may in

his discretion bond any person handling monies or signing checks hereunder. The veteran status of an individual shall be considered and preference given in accordance with the provisions of the State Personnel Board.

The department and its employees are exempt from Sections 25-15-101 and 25-15-103.

The department may use federal granted funds to provide such group health, life, accident and hospitalization insurance for its employees as may be agreed upon by the department and the federal granting authorities.

The department shall adopt a "layoff formula" to be used wherever it is determined that, because of reduced workload, budget reductions or in order to effect a more economical operation, a reduction in force shall occur in any group.

In establishing this formula, the department shall give effect to the principle of seniority and shall provide that seniority points may be added for disabled veterans and veterans, with due regard to the efficiency of the service. Any such layoff formula shall be implemented according to the policies, rules and regulations of the State Personnel Board.

SECTION 24. Section 71-5-123, Mississippi Code of 1972, is reenacted as follows:

71-5-123. The executive director shall retain all powers and duties as granted to the state advisory council appointed by the former Employment Security Commission. The executive director may appoint local advisory councils, composed in each case of an equal number of employer representatives and employee representatives who may fairly be regarded as representative because of their vocation, employment or affiliations, and of such members representing the general public as the executive director may designate. Such councils shall aid the department in formulating policies and discussing problems related to the administration of this chapter and in assuring impartiality and freedom from political influence in the solution of such problems. Members of the advisory councils shall receive a per diem in accordance with Section 25-3-69 for attendance upon meetings of the council, and shall be reimbursed for actual and necessary traveling expenses. The per diem and expenses herein authorized shall be paid from the Employment Security Administration Fund.

SECTION 25. Section 71-5-125, Mississippi Code of 1972, is reenacted as follows:

71-5-125. The department shall take all appropriate steps to reduce and prevent unemployment; to encourage and assist in the adoption of practical methods of vocational training, retraining and vocational guidance; to investigate, recommend, advise and assist in the establishment and operation, by municipalities, counties, school districts and the state, of reserves for public works to be used in times of business depression and unemployment; to promote the reemployment of unemployed workers throughout the state in every other way that may be feasible; and to these ends to carry on and publish the results of investigation and research studies.

SECTION 26. Section 71-5-127, Mississippi Code of 1972, is reenacted as follows:

71-5-127. (1) Any information or records concerning an individual or employing unit obtained by the department pursuant to the administration of this chapter or any other federally funded programs for which the department has responsibility shall be private and confidential, except as otherwise provided in this article or by regulation. Information or records may be released by the department when the release is required by the federal government in connection with, or as a condition of funding for, a program being administered by the department.

(2) Each employing unit shall keep true and accurate work records, containing such information as the department may prescribe. Such records shall be open to inspection and be subject to being copied by the department or its authorized representatives at any reasonable time and as often as may be necessary. The department, Board of Review and any referee may require from any employing unit any sworn or unsworn reports with respect to persons employed by it which they or any of them deem necessary for the effective administration of this chapter. Information, statements, transcriptions of proceedings, transcriptions of recordings, electronic recordings, letters, memoranda, and other documents and reports thus obtained or obtained from any individual pursuant to the administration of this chapter shall, except to the extent necessary for the proper administration of this chapter, be held confidential and shall not be published or be opened to public inspection (other than to public employees in the performance of their public duties) in any manner revealing the individual's or employing unit's identity.

(3) Any claimant or his legal representative at a hearing before an appeal tribunal or the Board of Review shall be supplied with information from such records to the extent necessary for the proper presentation of his claim in any proceeding pursuant to this chapter.

(4) Any employee or member of the Board of Review or any employee of the department who violates any provisions of this section shall be fined not less than Twenty Dollars (\$20.00) nor more than Two Hundred Dollars (\$200.00), or imprisoned for not longer than ninety (90) days, or both.

(5) The department may make the state's records relating to the administration of this chapter available to the Railroad Retirement Board, and may furnish the Railroad Retirement Board, at the expense of such board, such copies thereof as the Railroad Retirement Board deems necessary for its purposes. The department may afford reasonable cooperation with every agency of the United States charged with the administration of any unemployment insurance law.

SECTION 27. Section 71-5-129, Mississippi Code of 1972, is reenacted as follows:

71-5-129. Records hereinafter designated, which are found by the department to be useless, may be disposed of in accordance with approved records control schedules.

(a) Records which have been preserved by it for not less than three (3) years:

(1) Initial claims for benefits,

(2) Continued claims for benefits,

(3) Correspondence and master index cards in connection with such claims for benefits, and

(4) Individual wage slips filed by employers subject to the provisions of the Unemployment Compensation Law.

(b) Records which have been preserved by it for not less than six (6) months after becoming inactive:

(1) Work applications,

(2) Cross-index cards for work applications,

(3) Test records,

- (4) Employer records,
- (5) Work orders,
- (6) Clearance records,
- (7) Counseling records,
- (8) Farm placement records, and
- (9) Correspondence relating to all such records.

Nothing herein contained shall be construed as authorizing the destruction or disposal of basic fiscal records reflecting the financial operations of the department and no records may be destroyed without the approval of the Director of the Department of Archives and History.

SECTION 28. Section 71-5-131, Mississippi Code of 1972, is reenacted as follows:

71-5-131. All letters, reports, communications, or any other matters, either oral or written, from the employer or employee to each other or to the department or any of its agents, representatives or employees, which shall have been written, sent, delivered or made in connection with the requirements and administration of this chapter shall be absolutely privileged and shall not be made the subject matter or basis of any suit for slander or libel in any court of the State of Mississippi unless the same be false in fact and maliciously written, sent, delivered or made for the purpose of causing a denial of benefits under this chapter.

SECTION 29. Section 71-5-133, Mississippi Code of 1972, is reenacted as follows:

71-5-133. In any case where an employing unit or any officer, member or agent thereof, or any other person having possession of the records thereof, shall fail or refuse upon demand by the department or its duly appointed agents to produce or permit the examination or copying of any book, paper, account, record or other data pertaining to payrolls or employment or ownership of interests or stock in any employing unit, or bearing upon the correctness of any report, or for the purpose of making a report as required by this chapter where none has been made, then and in that event the department or its duly authorized agents may, by the issuance of a subpoena, require the attendance of such employing unit or any officer, member or agent thereof, or any other person having possession of the records thereof, and take testimony with respect to any such matter and may require any such person to produce any books or records specified in such subpoena. The department or its authorized agents at any such hearing shall have power to administer oaths to any such person or persons. When any person called as a witness by a subpoena signed by the department or its agents and served upon him by the sheriff of a county of which such person is a resident, or wherein is located the principal office of such employing unit or wherein such records are located or kept, shall fail to obey such subpoena to appear before the department or its authorized agent, or shall refuse to testify or to answer any questions or to produce any book, record, paper or other data when required to do so, such failure or refusal shall be reported to the Attorney General, who shall thereupon institute proceedings by the filing of a petition in the name of the State of Mississippi, on the relation of the department, in the circuit court or other court of competent jurisdiction of the county where such witness resides, or wherein such records are located or kept, to compel the obedience of such witness. Such petition shall set forth the facts and circumstances of the demand for and refusal or failure to permit the examination or copying of such records, or the failure or refusal of such witness to testify in answer to such subpoena or to produce the records so required by such subpoena. Such court, upon the filing and docketing of such petition, shall thereupon promptly issue an order to the defendants named in the petition to produce forthwith in such court, or at a place in such county designated in such order for the examination or copying by the

department or its duly appointed agents, the records, books or documents so described, and to testify concerning matters described in such petition. Unless such defendants to such petition shall appear in the court upon a day specified in such order, which day shall be not more than ten (10) days after the date of issuance of such order, and offer, under oath, good and sufficient reasons why such examination or copying should not be permitted, or why such subpoena should not be obeyed, such court shall thereupon deliver to the department or its agents, for examination or copying, the records, books and documents so described in the petition and so produced in such court, and shall order the defendants to appear in answer to the subpoena of the department or its agents, and to testify concerning matters inquired about by the department. Any employing unit or any officer, member or agent thereof, or any other person having possession of the records thereof, who shall willfully disobey such order of the court after the same shall have been served upon him shall be guilty of indirect contempt of such court from which such order shall have issued, and may be adjudged in contempt of the court and punished therefor as provided by law.

SECTION 30. Section 71-5-135, Mississippi Code of 1972, is reenacted as follows:

71-5-135. If any employing unit fails to make any report required by this chapter, the department or its authorized agents shall give notice to such employing unit to make and file such report within fifteen (15) days from the date of such notice. If such employing unit, by its proper members, officers or agents, shall fail or refuse to make and file such reports within such time, then and in that event such report shall be made by the department or its authorized agents from the best information available, and the amount of contributions due shall be computed thereon; and such report shall be prima facie correct for the purposes of this chapter.

SECTION 31. Section 71-5-137, Mississippi Code of 1972, is reenacted as follows:

71-5-137. In the discharge of the duties imposed by this chapter, the department, any referee, the members of the Board of Review, and any duly authorized representative of any of them shall have power to administer oaths and affirmations, to take depositions, certify to official acts, and issue subpoenas to compel the attendance of witnesses and the production of books, papers, correspondence, memoranda and other records deemed necessary as evidence in connection with a disputed claim or the administration of this chapter.

SECTION 32. Section 71-5-139, Mississippi Code of 1972, is reenacted as follows:

71-5-139. In case of contumacy or refusal to obey a subpoena issued to any person, any court in this state within the jurisdiction of which the inquiry is carried on, or within the jurisdiction of which the person guilty of contumacy or refusal to obey is found or resides or transacts business, upon application by the department, the Board of Review, any referee, or any duly authorized representative of any of them, shall have jurisdiction to issue to such person an order requiring such person to appear before the department, the Board of Review, any referee, or any duly authorized representative of any of them, there to produce evidence if so ordered or there to give testimony touching the matter under investigation or in question. Any failure to obey such order of the court may be punished by the court as a contempt thereof. Any person who shall, without just cause, fail or refuse to attend and testify or to answer any lawful inquiry or to produce books, papers, correspondence, memoranda and other records if it is in his power so to do, in obedience to a subpoena of the department, the Board of Review, any referee, or any duly authorized representative of any of them, shall be punished by a fine of not more than Two Hundred Dollars (\$200.00), or by imprisonment for not longer than sixty (60) days, or by both such fine and imprisonment; and each day such violation continues shall be deemed to be a separate offense.

SECTION 33. Section 71-5-141, Mississippi Code of 1972, is reenacted as follows:



71-5-141. No person shall be excused from attending and testifying or from producing books, papers, correspondence, memoranda and other records before the department, the Board of Review, any referee, or any duly authorized representative of any of them, or in obedience to the subpoena of any of them in any cause or proceeding before the department, the Board of Review or an appeal tribunal, on the ground that the testimony or evidence, documentary or otherwise, required of him may tend to incriminate him or subject him to a penalty or forfeiture; but no individual shall be prosecuted or subjected to any penalty or forfeiture for or on account of any transaction, matter or thing concerning which he is compelled, after having claimed his privilege against self-incrimination, to testify or produce evidence, documentary or otherwise, except that such individual so testifying shall not be exempt from prosecution and punishment for perjury committed in so testifying.

SECTION 34. Section 71-5-143, Mississippi Code of 1972, is reenacted as follows:

71-5-143. In the administration of this chapter, the department shall cooperate, to the fullest extent consistent with the provisions of this chapter, with the Social Security Board created by the Social Security Act, approved August 14, 1935, as amended; shall make such reports in such form and containing such information as the Social Security Board may from time to time require, and shall comply with such provisions as the Social Security Board may from time to time find necessary to assure the correctness and verification of such reports; and shall comply with the reasonable, valid and lawful regulations prescribed by the Social Security Board pursuant to and under the authority of the Social Security Act, governing the expenditures of such sums as may be allotted and paid to this state under Title III of the Social Security Act, as amended, for the purpose of assisting in the administration of this chapter.

Upon request therefor, the department shall furnish to any agency of the United States charged with the administration of public works, or assistance through public employment, the name, address, ordinary occupation and employment status of each recipient of benefits, and such recipient's rights to further benefits under this chapter.

SECTION 35. Section 71-5-201, Mississippi Code of 1972, is reenacted as follows:

71-5-201. The Mississippi State Employment Service is established in the Mississippi Department of Employment Security, Office of the Governor. The department, in the conduct of such service, shall establish and maintain free public employment offices in such number and in such places as may be necessary for the proper administration of this article and for the purpose of performing such functions as are within the purview of the act of Congress entitled "An act to provide for the establishment of a national employment system and for cooperation with the states in the promotion of such system, and for other purposes" (29 USCS Section 49 et seq.). Any existing free public employment offices maintained by the state but not heretofore under the jurisdiction of the department shall be transferred to the jurisdiction of the department, and upon such transfer all duties and powers conferred upon any other department, agency or officers of this state relating to the establishment, maintenance and operation of free public employment offices shall be vested in the department. The Mississippi State Employment Service shall be administered by the department, which is charged with the duty to cooperate with any official or agency of the United States having powers or duties under the provisions of the act of Congress, as amended, and to do and perform all things necessary to secure to this state the benefits of that act of Congress, as amended, in the promotion and maintenance of a system of public employment offices. The provisions of that act of Congress, as amended, are accepted by this state, in conformity with 29 USCS Section 49c, and this state will observe and comply with the requirements thereof. The department is designated and constituted the agency of this state for the purposes of that act. The department may cooperate with or enter into agreements with the Railroad Retirement Board or veteran's organization with respect to the establishment, maintenance and use of free employment service facilities.

SECTION 36. Section 71-5-357, Mississippi Code of 1972, is reenacted as follows:

71-5-357. Benefits paid to employees of nonprofit organizations shall be financed in accordance with the provisions of this section. For the purpose of this section, a nonprofit organization is an organization (or group of organizations) described in Section 501(c)(3) of the Internal Revenue Code of 1954 which is exempt from income tax under Section 501(a) of such code (26 USCS Section 501).

(a) Any nonprofit organization which, under Section 71-5-11, subsection H(3), is or becomes subject to this chapter shall pay contributions under the provisions of Sections 71-5-351 through 71-5-355 unless it elects, in accordance with this paragraph, to pay to the department for the unemployment fund an amount equal to the amount of regular benefits and one-half (1/2) of the extended benefits paid, that is attributable to service in the employ of such nonprofit organization, to individuals for weeks of unemployment which begin during the effective period of such election.

(i) Any nonprofit organization which becomes subject to this chapter may elect to become liable for payments in lieu of contributions for a period of not less than twelve (12) months, beginning with the date on which such subjectivity begins, by filing a written notice of its election with the department not later than thirty (30) days immediately following the date of the determination of such subjectivity.

(ii) Any nonprofit organization which makes an election in accordance with subparagraph (i) of this paragraph will continue to be liable for payments in lieu of contributions unless it files with the department a written termination notice not later than thirty (30) days prior to the beginning of the tax year for which such termination shall first be effective.

(iii) Any nonprofit organization which has been paying contributions under this chapter may change to a reimbursable basis by filing with the department, not later than thirty (30) days prior to the beginning of any tax year, a written notice of election to become liable for payments in lieu of contributions. Such election shall not be terminable by the organization for that and the next tax year.

(iv) The department may for good cause extend the period within which a notice of election or a notice of termination must be filed, and may permit an election to be retroactive.

(v) The department, in accordance with such regulations as it may prescribe, shall notify each nonprofit organization of any determination which it may make of its status as an employer, of the effective date of any election which it makes and of any termination of such election. Such determinations shall be subject to reconsideration, appeal and review in accordance with the provisions of Sections 71-5-351 through 71-5-355.

(b) Payments in lieu of contributions shall be made in accordance with the provisions of subparagraph (i) of this paragraph.

(i) At the end of each calendar quarter, or at the end of any other period as determined by the department, the department shall bill each nonprofit organization (or group of such organizations) which has elected to make payments in lieu of contributions, for an amount equal to the full amount of regular benefits plus one-half (1/2) of the amount of extended benefits paid during such quarter or other prescribed period that is attributable to service in the employ of such organization.

(ii) Payment of any bill rendered under subparagraph (i) of this paragraph shall be made not later than forty-five (45) days after such bill was delivered to the nonprofit organization, unless there has been an application for review and redetermination in accordance with subparagraph (v) of this paragraph.

1. All of the enforcement procedures for the collection of delinquent contributions contained in Sections 71-5-363 through 71-5-383 shall be applicable in all respects for the collection of delinquent payments due by nonprofit organizations who have elected to become liable for payments in lieu of contributions.

2. If any nonprofit organization is delinquent in making payments in lieu of contributions, the department may terminate such organization's election to make payments in lieu of contributions as of the beginning of the next tax year, and such termination shall be effective for the balance of such tax year.

(iii) Payments made by any nonprofit organization under the provisions of this paragraph shall not be deducted or deductible, in whole or in part, from the remuneration of individuals in the employ of the organization.

(iv) Payments due by employers who elect to reimburse the fund in lieu of contributions as provided in this paragraph may not be noncharged under any condition. The reimbursement must be on a dollar-for-dollar basis (One Dollar (\$1.00) reimbursement for each dollar paid in benefits) in every case, so that the trust fund shall be reimbursed in full, such reimbursement to include, but not be limited to, benefits or payments erroneously or incorrectly paid, or paid as a result of a determination of eligibility which is subsequently reversed, or paid as a result of claimant fraud. However, political subdivisions who are reimbursing employers may elect to pay to the fund an amount equal to five-tenths percent (.5%) through December 31, 2010, and shall pay twenty-five one-hundredths percent (.25%) thereafter of the taxable wages paid during the calendar year with respect to employment, and those employers who so elect shall be relieved of liability for reimbursement of benefits paid under the same conditions that benefits are not charged to the experience-rating record of a contributing employer as provided in Section 71-5-355(2)(b)(ii) other than Clause 5 thereof. Benefits paid in such circumstances for which reimbursing employers are relieved of liability for reimbursement shall not be considered attributable to service in the employment of such reimbursing employer.

(v) The amount due specified in any bill from the department shall be conclusive on the organization unless, not later than fifteen (15) days after the bill was delivered to it, the organization files an application for redetermination by the department, setting forth the grounds for such application or appeal. The department shall promptly review and reconsider the amount due specified in the bill and shall thereafter issue a redetermination in any case in which such application for redetermination has been filed. Any such redetermination shall be conclusive on the organization unless, not later than fifteen (15) days after the redetermination was delivered to it, the organization files an appeal to the Circuit Court of the First Judicial District of Hinds County, Mississippi, in accordance with the provisions of law with respect to review of civil causes by certiorari.

(vi) Past-due payments of amounts in lieu of contributions shall be subject to the same interest and penalties that, pursuant to Section 71-5-363, apply to past-due contributions.

(c) Each employer that is liable for payments in lieu of contributions shall pay to the department for the fund the amount of regular benefits plus the amount of one-half (1/2) of extended benefits paid are attributable to service in the employ of such employer. If benefits paid to an individual are based on wages paid by more than one (1) employer and one or more of such employers are liable for payments in lieu of contributions, the amount payable to the fund by each employer that is liable for such payments shall be determined in accordance with the provisions of subparagraph (i) or subparagraph (ii) of this paragraph.

(i) If benefits paid to an individual are based on wages paid by one or more employers that are liable for payment in lieu of contributions and on wages paid by one or more employers who are liable for contributions, the amount of benefits payable

by each employer that is liable for payments in lieu of contributions shall be an amount which bears the same ratio to the total benefits paid to the individual as the total base period wages paid to the individual by such employer bear to the total base period wages paid to the individual by all of his base period employers.

(ii) If benefits paid to an individual are based on wages paid by two (2) or more employers that are liable for payments in lieu of contributions, the amount of benefits payable by each such employer shall be an amount which bears the same ratio to the total benefits paid to the individual as the total base period wages paid to the individual by such employer bear to the total base period wages paid to the individual by all of his base period employers.

(d) In the discretion of the department, any nonprofit organization that elects to become liable for payments in lieu of contributions shall be required to execute and file with the department a surety bond approved by the department, or it may elect instead to deposit with the department money or securities. The amount of such bond or deposit shall be determined in accordance with the provisions of this paragraph.

(i) The amount of the bond or deposit required by paragraph (d) shall be equal to two and seven-tenths percent (2.7%) thereafter to December 31, 2010, and one and thirty-five one-hundredths percent (1.35%) thereafter, of the organization's taxable wages paid for employment as defined in Section 71-5-11, subsection I(4), for the four (4) calendar quarters immediately preceding the effective date of the election, the renewal date in the case of a bond, or the biennial anniversary of the effective date of election in the case of a deposit of money or securities, whichever date shall be most recent and applicable. If the nonprofit organization did not pay wages in each of such four (4) calendar quarters, the amount of the bond or deposit shall be as determined by the department.

(ii) Any bond deposited under paragraph (d) shall be in force for a period of not less than two (2) tax years and shall be renewed with the approval of the department at such times as the department may prescribe, but not less frequently than at intervals of two (2) years as long as the organization continues to be liable for payments in lieu of contributions. The department shall require adjustments to be made in a previously filed bond as it deems appropriate. If the bond is to be increased, the adjusted bond shall be filed by the organization within thirty (30) days of the date notice of the required adjustment was delivered to it. Failure by any organization covered by such bond to pay the full amount of payments in lieu of contributions when due, together with any applicable interest and penalties provided in paragraph (b)(v) of this section, shall render the surety liable on the bond to the extent of the bond, as though the surety was such organization.

(iii) Any deposit of money or securities in accordance with paragraph (d) shall be retained by the department in an escrow account until liability under the election is terminated, at which time it shall be returned to the organization, less any deductions as hereinafter provided. The department may deduct from the money deposited under paragraph (d) by a nonprofit organization, or sell the securities it has so deposited, to the extent necessary to satisfy any due and unpaid payments in lieu of contributions and any applicable interest and penalties provided for in paragraph (b)(v) of this section. The department shall require the organization, within thirty (30) days following any deduction from a money deposit or sale of deposited securities under the provisions hereof, to deposit sufficient additional money or securities to make whole the organization's deposit at the prior level. Any cash remaining from the sale of such securities shall be a part of the organization's escrow account. The department may, at any time, review the adequacy of the deposit made by any organization. If, as a result of such review, it determines that an adjustment is necessary, it shall require the organization to make additional deposit within thirty (30) days of notice of its determination or shall return to it such portion of the deposit as it no longer considers necessary,

whichever action is appropriate. Disposition of income from securities held in escrow shall be governed by the applicable provisions of the state law.

(iv) If any nonprofit organization fails to file a bond or make a deposit, or to file a bond in an increased amount, or to increase or make whole the amount of a previously made deposit as provided under this subparagraph, the department may terminate such organization's election to make payments in lieu of contributions, and such termination shall continue for not less than the four (4) consecutive calendar-quarter periods beginning with the quarter in which such termination becomes effective; however, the department may extend for good cause the applicable filing, deposit or adjustment period by not more than thirty (30) days.

(v) Group account shall be established according to regulations prescribed by the department.

(e) Any employer which elects to make payments in lieu of contributions into the Unemployment Compensation Fund as provided in this paragraph shall not be liable to make such payments with respect to the benefits paid to any individual whose base period wages include wages for previously uncovered services as defined in Section 71-5-511(e) to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566.

SECTION 37. Section 71-5-359, Mississippi Code of 1972, is reenacted and amended as follows:

71-5-359. (1) The Department of Finance and Administration shall, in the manner provided in subsection ( \* \* \*2) of this section, pay, upon notice issued by the department, to the department for the Unemployment Compensation Fund an amount equal to the regular benefits and one-half (1/2) of the extended benefits paid that are attributable to service in the employ of a state agency. The amount required to be reimbursed by a certain agency shall be billed to the Department of Finance and Administration and shall be paid from the Employment Compensation Revolving Fund pursuant to subsection ( \* \* \*2) of this section not later than thirty (30) days after such bill was sent, unless there has been an application for review and redetermination in accordance with Section 71-5-357(b)(v).

\* \* \*

( \* \* \*2) Each agency of state government shall deposit monthly for a period of twenty-four (24) months an amount equal to one-twelfth of one percent (1/12 of 1%) of the first Six Thousand Dollars (\$6,000.00) paid to each employee thereof during the next preceding year into the Employment Compensation Revolving Fund that is created in the State Treasury. The Department of Finance and Administration shall determine the percentage to be applied to the amount of covered wages paid in order to maintain a balance in the revolving fund of not less than the amount determined by an actuary through an annual actuarial evaluation. The State Treasurer shall invest all funds in the Employment Compensation Revolving Fund and all interest earned shall be credited to the Employment Compensation Revolving Fund.

The reimbursement of benefits paid by the Mississippi Department of Employment Security shall be paid by the Department of Finance and Administration from the Employment Compensation Revolving Fund upon notice from the department; and the Department of Finance and Administration shall issue warrants or may contract for the performance of the duties prescribed by \* \* \* this subsection, and other duties necessarily related thereto.

( \* \* \*3) Any political subdivision of this state shall pay to the department for the unemployment compensation fund an amount equal to the regular benefits and the extended benefits paid that are attributable to service in the employ of such political

subdivision unless it elects to make contributions to the unemployment fund as provided in subsection ( \*\* \*8) of this section. The amount required to be reimbursed shall be billed and shall be paid as provided in Section 71-5-357, with respect to similar payments for nonprofit organizations.

( \*\* \*4) Each political subdivision, unless it elects to make contributions to the unemployment compensation fund as provided in subsection ( \*\* \*8) of this section, shall establish a revolving fund and deposit an amount equal to two percent (2%) of the first Six Thousand Dollars (\$6,000.00) paid to each employee thereof during the next preceding year. However, the department shall by regulation establish a procedure to allow reimbursing political subdivisions to elect to maintain the balance in the revolving fund as required under this subsection or to annually execute a surety bond to be approved by the department in an amount not less than two percent (2%) of the covered wages paid during the next preceding year.

( \*\* \*5) In the event any political subdivision becomes delinquent in payments due under this chapter, upon due notice, and upon certification of the delinquency by the department to the Department of Finance and Administration, the Department of Revenue, the Department of Environmental Quality and the Department of Insurance, or any of them, or any other agencies of the State of Mississippi that may be indebted to such delinquent political subdivision, such agencies shall direct the issuance of warrants which in the aggregate shall be the amount of such delinquency payable to the department and drawn upon any funds in the State Treasury which may be available to such political subdivision in satisfaction of any such delinquency. This remedy shall be in addition to any other collection remedies in this chapter or otherwise provided by law.

( \*\* \*6) Payments made by any political subdivision under the provisions of this section shall not be deducted or deductible, in whole or in part, from the remuneration of individuals in the employ of the organization.

( \*\* \*7) Any governmental entity shall not be liable to make payments to the unemployment fund with respect to the benefits paid to any individual whose base period wages include wages for previously uncovered services as defined in Section 71-5-511, subsection (e), to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566.

( \*\* \*8) Any political subdivision of this state may elect to make contributions to the unemployment fund instead of making reimbursement for benefits paid as provided in subsections ( \*\* \*3) and ( \*\* \*4) of this section. A political subdivision which makes this election shall so notify the department, not later than three (3) months after it is officially organized or is otherwise established, and shall be subject to the provisions of Section 71-5-351, with regard to the payment of contributions. A political subdivision which makes this election shall pay contributions equal to two percent (2%) of taxable wages through calendar year 2010, and one percent (1%) of taxable wages thereafter paid by it during each calendar quarter it is subject to this chapter. The department shall by regulation establish a procedure to allow political subdivisions the option periodically to elect either the reimbursement or the contribution method of financing unemployment compensation coverage.

SECTION 38. Section 71-5-451, Mississippi Code of 1972, is reenacted as follows:

71-5-451. There is established as a special fund, separate and apart from all public monies or funds of this state, an Unemployment Compensation Fund, which shall be administered by the department exclusively for:

- (a) All contributions collected under this chapter;
- (b) Interest earned upon any monies in the fund;

(c) Any property or securities acquired through the use of monies belonging to the fund;

(d) All earnings of such property or securities;

(e) All monies credited to this state's account in the Unemployment Trust Fund pursuant to the Social Security Act, 42 USCS, Section 1104; and

(f) By way of reimbursement in accordance with Section 204 of the Federal-State Extended Unemployment Compensation Act of 1970 (84 Stat. 711). All monies in the fund shall be mingled and undivided.

SECTION 39. Section 71-5-457, Mississippi Code of 1972, is reenacted as follows:

71-5-457. (1) Except as otherwise provided in subsection (5), money credited to the account of this state in the Unemployment Trust Fund by the Secretary of the Treasury of the United States of America pursuant to the Social Security Act, 42 USCS Section 1103, may be requisitioned and used for the payment of expenses incurred for the administration of this law pursuant to a specific appropriation by the Legislature, provided that the expenses are incurred and the money is requisitioned after the enactment of an appropriation law which:

(a) Specifies the purposes for which such money is appropriated and the amounts appropriated therefor;

(b) Limits the period within which such money may be obligated to a period ending not more than two (2) years after the date of the enactment of the appropriation law; and

(c) Limits the amount which may be obligated during a twelve-month period beginning on July 1 and ending on the next June 30 to an amount which does not exceed the amount by which:

(i) The aggregate of the amounts credited to the account of this state pursuant to the Social Security Act, 42 USCS Section 1103, during the same twelve-month period and the thirty-four (34) preceding twelve-month periods exceeds.

(ii) The aggregate of the amounts obligated pursuant to this section and charged against the amounts credited to the account of this state during such thirty-five (35) twelve-month periods.

For the purposes of this section, amounts obligated during any such twelve-month period shall be charged against equivalent amounts which were first credited and which are not already so charged; except that no amount obligated for administration during any such twelve-month period may be charged against any amount credited during such a twelve-month period earlier than the thirty-fourth preceding such period.

(2) Money credited to the account of this state pursuant to the Social Security Act, 42 USCS Section 1103, may not be withdrawn or used except for the payment of benefits and for the payment of expenses for the administration of this law and of public employment offices pursuant to this section.

(3) Money appropriated as provided herein for the payment of expenses of administration shall be requisitioned as needed for the payment of obligations incurred under such appropriation and, upon requisition, shall be deposited in the Employment Security Administration Fund, from which such payments shall be made. Money so deposited shall, until expended, remain a part of the Unemployment Compensation Fund and, if it will not be expended, shall be returned promptly to the account of this state in the Unemployment Trust Fund.

(4) The thirty-five-year limitation provided in this section is no longer in force, effective October 1, 1991.

(5) Notwithstanding subsection (1), monies credited with respect to federal fiscal years 1999, 2000 and 2001 shall be used by the department solely for the administration of the unemployment compensation program.

SECTION 40. Section 71-5-511, Mississippi Code of 1972, is reenacted as follows:

71-5-511. An unemployed individual shall be eligible to receive benefits with respect to any week only if the department finds that:

(a) (i) He has registered for work at and thereafter has continued to report to the department in accordance with such regulations as the department may prescribe; except that the department may, by regulation, waive or alter either or both of the requirements of this subparagraph as to such types of cases or situations with respect to which it finds that compliance with such requirements would be oppressive or would be inconsistent with the purposes of this chapter; and

(ii) He participates in reemployment services, such as job search assistance services, if, in accordance with a profiling system established by the department, it has been determined that he is likely to exhaust regular benefits and needs reemployment services, unless the department determines that:

1. The individual has completed such services; or

2. There is justifiable cause for the claimant's failure to participate in such services.

(b) He has made a claim for benefits in accordance with the provisions of Section 71-5-515 and in accordance with such regulations as the department may prescribe thereunder.

(c) He is able to work, available for work and actively seeking work.

(d) He has been unemployed for a waiting period of one (1) week. No week shall be counted as a week of unemployment for the purposes of this paragraph:

(i) Unless it occurs within the benefit year which includes the week with respect to which he claims payment of benefits;

(ii) If benefits have been paid with respect thereto;

(iii) Unless the individual was eligible for benefits with respect thereto, as provided in Sections 71-5-511 and 71-5-513, except for the requirements of this paragraph.

(e) For weeks beginning on or before July 1, 1982, he has, during his base period, been paid wages for insured work equal to not less than thirty-six (36) times his weekly benefit amount; he has been paid wages for insured work during at least two (2) quarters of his base period; and he has, during that quarter of his base period in which his total wages were highest, been paid wages for insured work equal to not less than sixteen (16) times the minimum weekly benefit amount. For benefit years beginning after July 1, 1982, he has, during his base period, been paid wages for insured work equal to not less than forty (40) times his weekly benefit amount; he has been paid wages for insured work during at least two (2) quarters of his base period, and he has, during that quarter of his base period in which his total wages were highest, been paid wages for insured work equal to not less than twenty-six (26) times the minimum weekly benefit



amount. For purposes of this paragraph, wages shall be counted as "wages for insured work" for benefit purposes with respect to any benefit year only if such benefit year begins subsequent to the date on which the employing unit by which such wages were paid has satisfied the conditions of Section 71-5-11, subsection H, or Section 71-5-361, subsection (3), with respect to becoming an employer.

(f) No individual may receive benefits in a benefit year unless, subsequent to the beginning of the next preceding benefit year during which he received benefits, he performed service in "employment" as defined in Section 71-5-11, subsection I, and earned remuneration for such service in an amount equal to not less than eight (8) times his weekly benefit amount applicable to his next preceding benefit year.

(g) Benefits based on service in employment defined in Section 71-5-11, subsection I(3) and I(4), and Section 71-5-361, subsection (4) shall be payable in the same amount, on the same terms, and subject to the same conditions as compensation payable on the basis of other service subject to this chapter, except that benefits based on service in an instructional, research or principal administrative capacity in an institution of higher learning (as defined in Section 71-5-11, subsection N) with respect to service performed prior to January 1, 1978, shall not be paid to an individual for any week of unemployment which begins during the period between two (2) successive academic years, or during a similar period between two (2) regular terms, whether or not successive, or during a period of paid sabbatical leave provided for in the individual's contract, if the individual has a contract or contracts to perform services in any such capacity for any institution or institutions of higher learning for both such academic years or both such terms.

(h) Benefits based on service in employment defined in Section 71-5-11, subsection I(3) and I(4), shall be payable in the same amount, on the same terms and subject to the same conditions as compensation payable on the basis of other service subject to this chapter, except that:

(i) With respect to service performed in an instructional, research or principal administrative capacity for an educational institution, benefits shall not be paid based on such services for any week of unemployment commencing during the period between two (2) successive academic years, or during a similar period between two (2) regular but not successive terms, or during a period of paid sabbatical leave provided for in the individual's contract, to any individual, if such individual performs such services in the first of such academic years or terms and if there is a contract or a reasonable assurance that such individual will perform services in any such capacity for any educational institution in the second of such academic years or terms, and provided that paragraph (g) of this section shall apply with respect to such services prior to January 1, 1978. In no event shall benefits be paid unless the individual employee was terminated by the employer.

(ii) With respect to services performed in any other capacity for an educational institution, benefits shall not be paid on the basis of such services to any individual for any week which commences during a period between two (2) successive academic years or terms, if such individual performs such services in the first of such academic years or terms and there is a reasonable assurance that such individual will perform such services in the second of such academic years or terms, except that if compensation is denied to any individual under this subparagraph and such individual was not offered an opportunity to perform such services for the educational institution for the second of such academic years or terms, such individual shall be entitled to a retroactive payment of compensation for each week for which the individual filed a timely claim for compensation and for which compensation was denied solely by reason of this clause. In no event shall benefits be paid unless the individual employee was terminated by the employer.

(iii) With respect to services described in subparagraphs (i) and (ii) of this paragraph (h), benefits shall not be payable on the basis of services in any such capacities to any individual for any week which commences during an established and customary vacation period or holiday recess if such individual performs such services in the first of such academic years or terms, or in the period immediately before such vacation period or holiday recess, and there is a reasonable assurance that such individual will perform such services in the period immediately following such vacation period or holiday recess.

(iv) With respect to any services described in subparagraphs (i) and (ii) of this paragraph (h), benefits shall not be payable on the basis of services in any such capacities as specified in subparagraphs (i), (ii) and (iii) of this paragraph (h) to any individual who performed such services in an educational institution while in the employ of an educational service agency. For purposes of this paragraph, the term "educational service agency" means a governmental agency or governmental entity which is established and operated exclusively for the purpose of providing such services to one or more educational institutions.

(v) With respect to services to which Sections 71-5-357 and 71-5-359 apply, if such services are provided to or on behalf of an educational institution, benefits shall not be payable under the same circumstances and subject to the same terms and conditions as described in subparagraphs (i), (ii), (iii) and (iv) of this paragraph (h).

(i) Subsequent to December 31, 1977, benefits shall not be paid to any individual on the basis of any services substantially all of which consist of participating in sports or athletic events or training or preparing to so participate, for any week which commences during the period between two (2) successive sports seasons (or similar periods) if such individual performs such services in the first of such seasons (or similar periods) and there is a reasonable assurance that such individual will perform such services in the later of such seasons (or similar periods).

(j) (i) Subsequent to December 31, 1977, benefits shall not be payable on the basis of services performed by an alien, unless such alien is an individual who was lawfully admitted for permanent residence at the time such services were performed, was lawfully present for purposes of performing such services, or was permanently residing in the United States under color of law at the time such services were performed (including an alien who was lawfully present in the United States as a result of the application of the provisions of Section 203(a)(7) or Section 212(d)(5) of the Immigration and Nationality Act).

(ii) Any data or information required of individuals applying for benefits to determine whether benefits are not payable to them because of their alien status shall be uniformly required from all applicants for benefits.

(iii) In the case of an individual whose application for benefits would otherwise be approved, no determination that benefits to such individual are not payable because of his alien status shall be made, except upon a preponderance of the evidence.

(k) An individual shall be deemed prima facie unavailable for work, and therefore ineligible to receive benefits, during any period which, with respect to his employment status, is found by the department to be a holiday or vacation period.

(l) A temporary employee of a temporary help firm is considered to have left the employee's last work voluntarily without good cause connected with the work if the temporary employee does not contact the temporary help firm for reassignment on completion of an assignment. A temporary employee is not considered to have left work voluntarily without good cause connected with the work under this paragraph unless the temporary employee has been advised in writing:

(i) That the temporary employee is obligated to contact the temporary help firm on completion of assignments; and

(ii) That unemployment benefits may be denied if the temporary employee fails to do so.

SECTION 41. Section 71-5-513, Mississippi Code of 1972, is reenacted as follows:

71-5-513. A. An individual shall be disqualified for benefits:

(1) (a) For the week, or fraction thereof, which immediately follows the day on which he left work voluntarily without good cause, if so found by the department, and for each week thereafter until he has earned remuneration for personal services performed for an employer, as in this chapter defined, equal to not less than eight (8) times his weekly benefit amount, as determined in each case; however, marital, filial and domestic circumstances and obligations shall not be deemed good cause within the meaning of this subsection. Pregnancy shall not be deemed to be a marital, filial or domestic circumstance for the purpose of this subsection.

(b) For the week, or fraction thereof, which immediately follows the day on which he was discharged for misconduct connected with his work, if so found by the department, and for each week thereafter until he has earned remuneration for personal services performed for an employer, as in this chapter defined, equal to not less than eight (8) times his weekly benefit amount, as determined in each case.

(c) The burden of proof of good cause for leaving work shall be on the claimant, and the burden of proof of misconduct shall be on the employer.

(2) For the week, or fraction thereof, with respect to which he willfully makes a false statement, a false representation of fact, or willfully fails to disclose a material fact for the purpose of obtaining or increasing benefits under the provisions of this law, if so found by the department, and such individual's maximum benefit allowance shall be reduced by the amount of benefits so paid to him during any such week of disqualification; and additional disqualification shall be imposed for a period not exceeding fifty-two (52) weeks, the length of such period of disqualification and the time when such period begins to be determined by the department, in its discretion, according to the circumstances in each case.

(3) If the department finds that he has failed, without good cause, either to apply for available suitable work when so directed by the employment office or the department, to accept suitable work when offered him, or to return to his customary self-employment (if any) when so directed by the department, such disqualification shall continue for the week in which such failure occurred and for not more than the twelve (12) weeks which immediately follow such week, as determined by the department according to the circumstances in each case.

(a) In determining whether or not any work is suitable for an individual, the department shall consider among other factors the degree of risk involved to his health, safety and morals, his physical fitness and prior training, his experience and prior earnings, his length of unemployment and prospects for securing local work in his customary occupation, and the distance of the available work from his residence; however, offered employment paying the minimum wage or higher, if such minimum or higher wage is that prevailing for his customary occupation or similar work in the locality, shall be deemed to be suitable employment after benefits have been paid to the individual for a period of eight (8) weeks.

(b) Notwithstanding any other provisions of this chapter, no work shall be deemed suitable and benefits shall not be denied under this chapter to any

otherwise eligible individual for refusing to accept new work under any of the following conditions:

(i) If the position offered is vacant due directly to a strike, lockout or other labor dispute;

(ii) If the wages, hours or other conditions of the work offered are substantially unfavorable or unreasonable to the individual's work. The department shall have the sole discretion to determine whether or not there has been an unfavorable or unreasonable condition placed on the individual's work. Moreover, the department may consider, but shall not be limited to a consideration of, whether or not the unfavorable condition was applied by the employer to all workers in the same or similar class or merely to this individual;

(iii) If as a condition of being employed the individual would be required to join a company union or to resign from or refrain from joining any bona fide labor organization;

(iv) If unsatisfactory or hazardous working conditions exist that could result in a danger to the physical or mental well-being of the worker. In any such determination the department shall consider, but shall not be limited to a consideration of, the following: the safety measures used or the lack thereof and the condition of equipment or lack of proper equipment. No work shall be considered hazardous if the working conditions surrounding a worker's employment are the same or substantially the same as the working conditions generally prevailing among workers performing the same or similar work for other employers engaged in the same or similar type of activity.

(c) Pursuant to Section 303(1) of the Social Security Act (42 USCS 503), the department may conduct drug tests of applicants for unemployment compensation for the unlawful use of controlled substances as a condition for receiving such compensation, if such applicant:

(i) Was terminated from employment with the claimant's most recent employer, as defined by Mississippi law, because of the unlawful use of controlled substances; or

(ii) Is an individual for whom suitable work, as defined by Mississippi law, is only available in an occupation (as determined under regulations issued by the U.S. Secretary of Labor) that requires drug testing.

The department may deny unemployment compensation to any applicant based on the result of a drug test conducted by the department in accordance with this subsection. A positive drug test result shall be deemed by the department to be a failure to accept suitable work, and shall subject the applicant to the disqualification provisions set forth in this subsection A(3). During the disqualification period imposed by the department under this subsection, the individual may provide information to end the disqualification period early by submitting acceptable proof to the department of a negative test result from a testing facility approved by the department.

(iii) Pursuant to the provisions set forth in this subsection A(3)(c), the department shall have the authority to institute a random drug testing program for all individuals who meet the requirements set forth in this section. Moreover, the department shall have the authority to create the necessary regulations, policies rules, guidelines and procedures to implement such a program.

Any term or provision set forth in this subsection A(3)(c) that otherwise conflicts with federal or state law shall be disregarded but shall not, in any way, affect the remaining provisions.

(4) For any week with respect to which the department finds that his total unemployment is due to a stoppage of work which exists because of a labor dispute at a factory, establishment or other premises at which he is or was last employed; however, this subsection shall not apply if it is shown to the satisfaction of the department:

(a) He is unemployed due to a stoppage of work occasioned by an unjustified lockout, if such lockout was not occasioned or brought about by such individual acting alone or with other workers in concert; or

(b) He is not participating in or directly interested in the labor dispute which caused the stoppage of work; and

(c) He does not belong to a grade or class of workers of which, immediately before the commencement of stoppage, there were members employed at the premises at which the stoppage occurs, any of whom are participating in or directly interested in the dispute.

If in any case separate branches of work which are commonly conducted as separate businesses in separate premises are conducted in separate departments of the same premises, each such department shall, for the purposes of this subsection, be deemed to be a separate factory, establishment or other premises.

(5) For any week with respect to which he has received or is seeking unemployment compensation under an unemployment compensation law of another state or of the United States. However, if the appropriate agency of such other state or of the United States finally determines that he is not entitled to such unemployment compensation benefits, this disqualification shall not apply. Nothing in this subsection contained shall be construed to include within its terms any law of the United States providing unemployment compensation or allowances for honorably discharged members of the Armed Forces.

(6) For any week with respect to which he is receiving or has received remuneration in the form of payments under any governmental or private retirement or pension plan, system or policy which a base-period employer is maintaining or contributing to or has maintained or contributed to on behalf of the individual; however, if the amount payable with respect to any week is less than the benefits which would otherwise be due under Section 71-5-501, he shall be entitled to receive for such week, if otherwise eligible, benefits reduced by the amount of such remuneration. However, on or after the first Sunday immediately following July 1, 2001, no social security payments, to which the employee has made contributions, shall be deducted from unemployment benefits paid for any period of unemployment beginning on or after the first Sunday following July 1, 2001. This one hundred percent (100%) exclusion shall not apply to any other governmental or private retirement or pension plan, system or policy. If benefits payable under this section, after being reduced by the amount of such remuneration, are not a multiple of One Dollar (\$1.00), they shall be adjusted to the next lower multiple of One Dollar (\$1.00).

(7) For any week with respect to which he is receiving or has received remuneration in the form of a back pay award, or other compensation allocable to any week, whether by settlement or otherwise. Any benefits previously paid for weeks of unemployment with respect to which back pay awards, or other such compensation, are made shall constitute an overpayment and such amounts shall be deducted from the award by the employer prior to payment to the employee, and shall be transmitted promptly to the department by the employer for application against the overpayment and credit to the claimant's maximum benefit amount and prompt deposit into the fund; however, the removal of any charges made against the employer as a result of such previously paid benefits shall be applied to the calendar year and the calendar quarter in which the overpayment is transmitted to the department, and no attempt shall be made to relate such a credit to the period to which the award applies. Any amount of overpayment

so deducted by the employer and not transmitted to the department shall be subject to the same procedures for collection as is provided for contributions by Sections 71-5-363 through 71-5-381. Any amount of overpayment not deducted by the employer shall be established as an overpayment against the claimant and collected as provided above. It is the purpose of this paragraph to assure equity in the situations to which it applies, and it shall be construed accordingly.

B. Notwithstanding any other provision in this chapter, no otherwise eligible individual shall be denied benefits for any week because he is in training with the approval of the department; nor shall such individual be denied benefits with respect to any week in which he is in training with the approval of the department by reason of the application of provisions in Section 71-5-511, subsection (c), relating to availability for work, or the provisions of subsection A(3) of this section, relating to failure to apply for, or a refusal to accept, suitable work.

C. Notwithstanding any other provisions of this chapter, no otherwise eligible individual shall be denied benefits for any week because he or she is in training approved under Section 236(a)(1) of the Trade Act of 1974, nor shall such individual be denied benefits by reason of leaving work to enter such training, provided the work left is not suitable employment, or because of the application to any such week in training of provisions in this law (or any applicable federal unemployment compensation law), relating to availability for work, active search for work or refusal to accept work.

For purposes of this section, the term "suitable employment" means with respect to an individual, work of a substantially equal or higher skill level than the individual's past adversely affected employment (as defined for purposes of the Trade Act of 1974), and wages for such work at not less than eighty percent (80%) of the individual's average weekly wage as determined for the purposes of the Trade Act of 1974.

D. Notwithstanding any other provisions of this chapter, no otherwise eligible individual shall be denied benefits for any week in which they are engaged in the Self-Employment Assistance Program established in Section 71-5-545 by reason of the application of Section 71-5-511(c), relating to availability for work, or the provisions of subsection A(3) of this section, relating to failure to apply for, or a refusal to accept, suitable work.

E. Any individual who is receiving benefits may participate in an approved training program under the Mississippi Employment Security Law to gain skills that may lead to employment while continuing to receive benefits. Authorization for participation of a recipient of unemployment benefits in such a program must be granted by the department and continuation of participation must be certified weekly by the participant recipient. While participating in such program approved by the department, availability and work search requirements will be waived. No individual will be allowed to participate in this program for more than twelve (12) weeks in any benefit year. Such participation shall not be considered employment for any purposes and shall not accrue benefits or wage credits. Participation in this training program shall meet the definition set forth in the U.S. Fair Labor Standards Act.

SECTION 42. Section 71-5-517, Mississippi Code of 1972, is reenacted as follows:

71-5-517. Upon the taking of a claim by the department, an initial determination thereon shall be made promptly and shall include a determination with respect to whether or not benefits are payable, the week with respect to which benefits shall commence, the weekly benefit amount payable and the maximum duration of benefits. In any case in which the payment or denial of benefits will be determined by the provisions of subsection A(4) of Section 71-5-513, the examiner shall promptly transmit all the evidence with respect to that subsection to the department, which, on the basis of evidence so submitted and such additional evidence as it may require, shall make an initial determination with respect thereto. An initial determination may for good cause be reconsidered. The

claimant, his most recent employing unit and all employers whose experience-rating record would be charged with benefits pursuant to such determination shall be promptly notified of such initial determination or any amended initial determination and the reason therefor. Benefits shall be denied or, if the claimant is otherwise eligible, promptly paid in accordance with the initial determination or amended initial determination. The jurisdiction of the department over benefit claims which have not been appealed shall be continuous. The claimant or any party to the initial determination or amended initial determination may file an appeal from such initial determination or amended initial determination within fourteen (14) days after notification thereof, or after the date such notification was sent to his last known address.

Notwithstanding any other provision of this section, benefits shall be paid promptly in accordance with a determination or redetermination, or the decision of an appeal tribunal, the Board of Review or a reviewing court upon the issuance of such determination, redetermination or decision in favor of the claimant (regardless of the pendency of the period to apply for reconsideration, file an appeal, or petition for judicial review, as the case may be, or the pendency of any such application, filing or petition), unless and until such determination, redetermination or decision has been modified or reversed by a subsequent redetermination or decision, in which event benefits shall be paid or denied in accordance with such modifying or reversing redetermination or decision. Any benefits finally determined to have been erroneously paid may be set up as an overpayment to the claimant and must be liquidated before any future benefits can be paid to the claimant. If, subsequent to such initial determination or amended initial determination, benefits with respect to any week for which a claim has been filed are denied for reasons other than matters included in the initial determination or amended initial determination, the claimant shall be promptly notified of the denial and the reason therefor and may appeal therefrom in accordance with the procedure herein described for appeals from initial determination or amended initial determination.

SECTION 43. Section 71-5-519, Mississippi Code of 1972, is reenacted as follows:

71-5-519. Unless such appeal is withdrawn, an appeal tribunal appointed by the executive director, after affording the parties reasonable opportunity for fair hearing, shall affirm, modify or reverse the findings of fact and initial determination or amended initial determination. The parties shall be duly notified of such tribunal's decision, together with its reasons therefor, which shall be deemed to be the final decision of the executive director unless, within fourteen (14) days after the date of notification of such decision, further appeal is initiated pursuant to Section 71-5-523.

SECTION 44. Section 71-5-523, Mississippi Code of 1972, is reenacted as follows:

71-5-523. The Board of Review may on its own motion affirm, modify, or set aside any decision of an appeal tribunal on the basis of the evidence previously submitted in such case, or direct the taking of additional evidence, or may permit any of the parties to such decision to initiate further appeals before it. The Board of Review shall permit such further appeal by any of the parties to a decision of an appeal tribunal which is not unanimous, and by the examiner whose decision has been overruled or modified by an appeal tribunal. The Board of Review may remove to itself or transfer to another appeal tribunal the proceedings on any claim pending before an appeal tribunal. Any proceedings so removed to the Board of Review shall be heard by a quorum thereof in accordance with the requirements of Section 71-5-519 and within fifteen (15) days after notice of appeal has been received by the executive director. No notice of appeal shall be deemed to be received by the executive director, within the meaning of this section, until all prior appeals pending before the Board of Review have been heard. The Board of Review shall, within four (4) days after its decision, so notify the parties to any proceeding of its findings and decision.

SECTION 45. Section 71-5-525, Mississippi Code of 1972, is reenacted as follows:

71-5-525. The manner in which appealed claims shall be presented and the conduct of hearings and appeals shall be in accordance with regulations prescribed by the Board of Review for determining the rights of the parties, whether or not such regulations conform to common law or statutory rules of evidence and other technical rules of procedure. A full and complete record shall be kept of all proceedings in connection with an appealed claim. The department's entire file relative to the appealed claim shall be a part of such record and shall be considered as evidence. All testimony at any hearing upon an appealed claim shall be recorded, but need not be transcribed unless the claim is further appealed.

SECTION 46. Section 71-5-529, Mississippi Code of 1972, is reenacted as follows:

71-5-529. Any decision of the Board of Review, in the absence of an appeal therefrom as herein provided, shall become final ten (10) days after the date of notification; and judicial review thereof shall be permitted only after any party claiming to be aggrieved thereby has exhausted his administrative remedies as provided by this chapter. The department shall be deemed to be a party to any judicial action involving any such decision, and may be represented in any such judicial action by any qualified attorney employed by the department and designated by it for that purpose or, at the department's request, by the Attorney General.

SECTION 47. Section 71-5-531, Mississippi Code of 1972, is reenacted as follows:

71-5-531. Within ten (10) days after the decision of the Board of Review has become final, any party aggrieved thereby may secure judicial review thereof by commencing an action, in the circuit court of the county in which the plaintiff resides, against the department for the review of such decision, in which action any other party to the proceeding before the Board of Review shall be made a defendant. In cases wherein the plaintiff is not a resident of the State of Mississippi, such action may be filed in the circuit court of the county in which the employer resides, the county in which the cause of action arose, or in the county of employment. In such action, a petition which need not be verified, but which shall state the grounds upon which a review is sought, shall be served upon the department or upon such person as the department may designate, and such service shall be deemed completed service on all parties; but there shall be left with the party so served as many copies of the petition as there are defendants, and the department shall forthwith mail one (1) such copy to each such defendant. With its answer, the department shall certify and file with said court all documents and papers and a transcript of all testimony taken in the matter, together with the Board of Review's findings of fact and decision therein. The department may also, in its discretion, certify to such court questions of law involved in any decision. In any judicial proceedings under this section, the findings of the Board of Review as to the facts, if supported by evidence and in the absence of fraud, shall be conclusive, and the jurisdiction of the court shall be confined to questions of law. Such actions, and the questions so certified, shall be heard in a summary manner and shall be given precedence over all other civil cases. An appeal may be taken from the decision of the circuit court of the county in which the plaintiff resides to the Supreme Court of Mississippi, in the same manner, but not inconsistent with the provisions of this chapter, as is provided in civil cases. It shall not be necessary, in any judicial proceeding under this section, to enter exceptions to the rulings of the Board of Review, and no bond shall be required for entering such appeal. Upon the final determination of such judicial proceeding, the Board of Review shall enter an order in accordance with such determination. A petition for judicial review shall not act as a supersedeas or stay unless the Board of Review shall so order.

SECTION 48. Section 71-5-541, Mississippi Code of 1972, is reenacted as follows:

71-5-541. A. (1) In the administration of this chapter, the department shall cooperate with the Department of Labor to the fullest extent consistent with the provisions of this chapter and shall take such action, through the adoption of appropriate rules, regulations, administrative methods and standards, as may be necessary to secure to this



state and its citizens all advantages available under the provisions of the Social Security Act that relate to unemployment compensation, the Federal Unemployment Tax Act, the Wagner-Peyser Act and the Federal-State Extended Unemployment Compensation Act of 1970, all as amended.

(2) In the administration of the provisions of this section, which are enacted to conform with the requirements of the Federal-State Extended Unemployment Compensation Act of 1970, as amended, the department shall take such actions as may be necessary:

(a) To ensure that the provisions are so interpreted and applied as to meet the requirements of such federal act as interpreted by the United States Department of Labor; and

(b) To secure to this state the full reimbursement of the federal share of extended benefits paid under this chapter that are reimbursable under the federal act; and also

(c) To limit the amount of extended benefits paid as may be necessary so that the reimbursement of the federal share of extended benefits paid shall remain at one-half (1/2) of the total extended benefits paid.

B. As used in this section, unless the context clearly requires otherwise:

(1) "Extended benefit period" means a period which:

(a) Begins with the third week after a week for which there is a state "on" indicator; and

(b) Ends with either of the following weeks, whichever occurs later:

(i) The third week after the first week for which there is a state "off" indicator; or

(ii) The thirteenth consecutive week of such period.

No extended benefit period may begin by reason of a state "on" indicator before the fourteenth week following the end of a prior extended benefit period which was in effect with respect to this state.

(2) For weeks beginning after September 25, 1982, there is a "state 'on' indicator" for a week if the rate of insured unemployment under this chapter for the period consisting of such week and the immediately preceding twelve (12) weeks:

(a) Equaled or exceeded one hundred twenty percent (120%) of the average of such rates for the corresponding period of thirteen (13) weeks ending in each of the preceding two (2) calendar years; and

(b) Equaled or exceeded five percent (5%).

The determination of whether there has been a state "on" or "off" indicator beginning or ending any extended benefit period shall be made under this subsection as if (i) paragraph (2) did not contain subparagraph (a) thereof, and (ii) the figure "5" contained in subparagraph (b) thereof were "6"; except that, notwithstanding any such provision of this subsection, any week for which there would otherwise be a "state 'on' indicator" shall continue to be such week and shall not be determined to be a week for which there is a "state 'off' indicator."

(3) There is a "state 'off' indicator" for a week if, for the period consisting of such week and the immediately preceding twelve (12) weeks, either subparagraph (a) or (b) of paragraph (2) was not satisfied.

(4) "Rate of insured unemployment," for purposes of paragraphs (2) and (3) of this subsection, means the percentage derived by dividing:

(a) The average number of continued weeks claimed for regular state compensation in this state for weeks of unemployment with respect to the most recent period of thirteen (13) consecutive weeks, as determined by the department on the basis of its reports to the United States Secretary of Labor; by

(b) The average monthly employment covered under this chapter for the first four (4) of the most recent six (6) completed calendar quarters ending before the end of such period of thirteen (13) weeks.

(5) "Regular benefits" means benefits payable to an individual under this chapter or under any other state law (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 USCS Section 8501-8525) other than extended benefits.

(6) "Extended benefits" means benefits (including benefits payable to federal civilian employees and to ex-servicemen pursuant to 5 USCS Section 8501-8525) payable to an individual under the provisions of this section for weeks of unemployment in his eligibility period.

(7) "Eligibility period" of an individual means the period consisting of the weeks in his benefit year which begin in an extended benefit period and, if his benefit year ends within such extended benefit period, any weeks thereafter which begin in such period.

(8) "Exhaustee" means an individual who, with respect to any week of unemployment in his eligibility period:

(a) Has received, prior to such week, all of the regular benefits that were available to him under this chapter or any other state law (including dependents' allowances and benefits payable to federal civilian employees and ex-servicemen under 5 USCS Section 8501-8525) in his current benefit year that includes such week.

For the purposes of this subparagraph, an individual shall be deemed to have received all of the regular benefits that were available to him although, as a result of a pending appeal with respect to wages that were not considered in the original monetary determination in his benefit year, he may subsequently be determined to be entitled to added regular benefits; or

(b) Has no, or insufficient, wages on the basis of which he could establish a new benefit year that would include such week, his benefit year having expired prior to such week; and

(c) (i) Has no right to unemployment benefits or allowances, as the case may be, under the Railroad Unemployment Insurance Act, the Trade Expansion Act of 1962, the Automotive Products Trade Act of 1965, and such other federal laws as are specified in regulations issued by the United States Secretary of Labor; and

(ii) Has not received and is not seeking unemployment benefits under the Unemployment Compensation Law of the Virgin Islands or of Canada; but if he is seeking such benefits and the appropriate agency finally determines that he is not entitled to benefits under such law, he is considered an exhaustee; however, the reference in this subsection to the Virgin Islands shall be inapplicable effective on the day

on which the United States Secretary of Labor approves under Section 3304(a) of the Internal Revenue Code of 1954, an unemployment compensation law submitted to the Secretary by the Virgin Islands for approval.

(9) "State law" means the unemployment insurance law of any state, approved by the United States Secretary of Labor under Section 3304 of the Internal Revenue Code of 1954 (26 USCS Section 3304).

C. Except when the result would be inconsistent with the other provisions of this section, as provided in the regulations of the department, the provisions of this chapter which apply to claims for, or the payment of, regular benefits shall apply to claims for, and the payment of, extended benefits.

D. An individual shall be eligible to receive extended benefits with respect to any week of unemployment in his eligibility period only if the department finds that with respect to such week:

(1) He is an "exhaustee" as defined in subsection B(8) of this section.

(2) He has satisfied the requirements of this chapter for the receipt of regular benefits that are applicable to individuals claiming extended benefits, including not being subject to a disqualification for the receipt of benefits.

(3) For a week beginning after September 25, 1982, he has, during his base period, been paid wages for insured work equal to not less than forty (40) times his weekly benefit amount; he has been paid wages for insured work during at least two (2) quarters of his base period, and he has, during that quarter of his base period in which his total wages were highest, been paid wages for insured work equal to not less than twenty-six (26) times the minimum weekly benefit amount.

E. The weekly extended benefit amount payable to an individual for a week of total unemployment in his eligibility period shall be an amount equal to the weekly benefit amount payable to him during his applicable benefit year; however, benefits paid to individuals during eligibility periods beginning before October 1, 1983, shall be computed to the next higher multiple of One Dollar (\$1.00), if not a multiple of One Dollar (\$1.00); and benefits paid to individuals during eligibility periods beginning on or after October 1, 1983, shall be computed to the next lower multiple of One Dollar (\$1.00), if not a multiple of One Dollar (\$1.00). In no event shall the weekly extended benefit amount payable to an individual be more than two (2) times the amount of the reimbursement of the federal share of extended benefits paid.

F. (1) The total extended benefit amount payable to any eligible individual with respect to his applicable benefit year shall be the least of the following amounts:

(a) Fifty percent (50%) of the total amount of regular benefits which were payable to him under this chapter in his applicable benefit year; however, benefits paid to individuals during eligibility periods beginning before October 1, 1983, shall be computed to the next higher multiple of One Dollar (\$1.00), if not a multiple of One Dollar (\$1.00), and benefits paid to individuals during eligibility periods beginning on or after October 1, 1983, shall be computed to the next lower multiple of One Dollar (\$1.00), if not a multiple of One Dollar (\$1.00); or

(b) Thirteen (13) times his weekly benefit amount which was payable to him under this chapter for a week of total unemployment in the applicable benefit year.

(2) The total extended benefits otherwise payable to an individual who is filing an interstate claim under the interstate benefit payment plan shall not exceed two (2) weeks whenever an extended benefit period is not in effect for such week in the state where the claim is filed.

(3) In no event shall the total extended benefit amount payable to any eligible individual with respect to his applicable benefit year be more than two (2) times the amount of the reimbursement of the federal share of extended benefits paid.

G. (1) Whenever an extended benefit period is to become effective in this state as a result of a state "on" indicator, or an extended benefit period is to be terminated in this state as a result of state "off" indicators, the department shall make an appropriate public announcement.

(2) Computations required by the provisions of subsection B(4) shall be made by the department, in accordance with regulations prescribed by the United States Secretary of Labor.

H. Extended benefits paid under the provisions of this section which are not reimbursable from federal funds shall be charged to the experience-rating record of base period employers.

I. (1) Notwithstanding the provisions of subsections C and D of this section, an individual shall be disqualified for receipt of extended benefits if the department finds that during any week of his eligibility period:

(a) He has failed either to apply for or to accept an offer of suitable work (as defined under paragraph (3)) to which he was referred by the department; or

(b) He has failed to furnish tangible evidence that he has actively engaged in a systematic and sustained effort to find work, unless such individual is not actively engaged in seeking work because such individual is:

(i) Before any court of the United States or any state pursuant to a lawfully issued summons to appear for jury duty;

(ii) Hospitalized for treatment of an emergency or a life-threatening condition.

The entitlement to benefits of any individual who is determined not to be actively engaged in seeking work in any week for the foregoing reasons shall be decided pursuant to the able and available requirements in Section 71-5-511 without regard to the disqualification provisions otherwise applicable under Section 71-5-541. The conditions prescribed in clauses (i) and (ii) of this subparagraph (b) must be applied in the same manner to individuals filing claims for regular benefits.

(2) Such disqualification shall begin with the week in which such failure occurred and shall continue until he has been employed in each of eight (8) subsequent weeks (whether or not consecutive) and has earned remuneration for personal services performed for an employer, as in this chapter defined, equal to not less than eight (8) times his weekly extended benefit amount.

(3) For the purpose of subparagraph (a) of paragraph (1) the term "suitable work" means any work which is within the individual's capabilities to perform, if:

(a) The gross average weekly remuneration payable for the work exceeds the sum of the individual's weekly extended benefit amount plus the amount, if any, of supplemental unemployment benefits (as defined in Section 501(c)(17)(D) of the Internal Revenue Code of 1954) payable to such individual for such week;

(b) The wages payable for the work equal the higher of the minimum wages provided by Section 6(a)(1) of the Fair Labor Standards Act of 1938 (without regard to any exemption), or the state or local minimum wage; and

(c) The position was offered to the individual in writing or was listed with the state employment service; and

(d) Such work otherwise meets the definition of "suitable work" for regular benefits contained in Section 71-5-513A(4) to the extent that such criteria of suitability are not inconsistent with the provisions of this paragraph (3); and

(e) The individual cannot furnish satisfactory evidence to the department that his prospects for obtaining work in his customary occupation within a reasonably short period are good. If such evidence is deemed satisfactory for this purpose, the determination of whether any work is suitable with respect to such individual shall be made in accordance with the definition of suitable work contained in Section 71-5-513A(4) without regard to the definition specified by this paragraph (3).

(4) Notwithstanding any provisions of subsection I to the contrary, no work shall be deemed to be suitable work for an individual which does not accord with the labor standard provisions set forth herein under Section 71-5-513A(4).

(5) The employment service shall refer any claimant entitled to extended benefits under this section to any suitable work which meets the criteria prescribed in paragraph (3).

(6) An individual shall be disqualified for extended benefits for the week, or fraction thereof, which immediately follows the day on which he left work voluntarily without good cause (as defined in Section 71-5-513A(1)), was discharged for misconduct connected with his work, or refused suitable work (except as provided in subsection I of this section), and for each week thereafter until he has earned remuneration for personal services performed for an employer, as in this chapter defined, equal to not less than eight (8) times his weekly benefit amount, as determined in each case.

(7) The provisions of paragraphs I(1) through (6) of this section shall not apply to claims for weeks of unemployment beginning after March 6, 1993, and before January 1, 1995, and during that period the provisions of this chapter applicable to claims for regular compensation shall apply.

J. Notwithstanding any other provisions of this chapter, if the benefit year of any individual ends within an extended benefit period, the remaining balance of extended benefits that such individual would, but for this section, be entitled to receive in that extended benefit period, with respect to weeks of unemployment beginning after the end of the benefit year, shall be reduced (but not below zero) by the product of the number of weeks for which the individual received any amounts as trade readjustment allowances within that benefit year, multiplied by the individual's weekly benefit amount for extended benefits.

SECTION 49. Section 73-30-25, Mississippi Code of 1972, is reenacted as follows:

73-30-25. It is not the intent of this article to regulate against members of other duly regulated professions in this state who do counseling in the normal course of the practice of their own profession. This article does not apply to:

(a) Any person registered, certified or licensed by the state to practice any other occupation or profession while rendering counseling services in the performance of the occupation or profession for which he or she is registered, certified or licensed;

(b) Certified school counselors when they are practicing counseling within the scope of their employment;

(c) Certified vocational counselors when they are practicing vocational counseling within the scope of their employment;

(d) [Deleted]

(e) Student interns or trainees in counseling pursuing a course of study in counseling in a regionally or nationally accredited institution of higher learning or training institution if activities and services constitute a part of the supervised course of study, provided that such persons be designated a counselor intern;

(f) [Deleted]

(g) [Deleted]

(h) Duly ordained ministers or clergy while functioning in their ministerial capacity and duly accredited Christian Science practitioners;

(i) Professional employees of regional mental health centers, state mental hospitals, vocational rehabilitation institutions, youth court counselors and employees of the Mississippi Department of Employment Security or other governmental agency so long as they practice within the scope of their employment;

(j) Professional employees of alcohol or drug abuse centers or treatment facilities, whether privately or publicly funded, so long as they practice within the scope of their employment;

(k) Private employment counselors;

(l) Any nonresident temporarily employed in this state to render counseling services for not more than thirty (30) days in any year, if in the opinion of the board the person would qualify for a license under this article and if the person holds any license required for counselors in his or her home state or country; and

(m) [Deleted]

SECTION 50. Section 43-1-30, Mississippi Code of 1972, is reenacted as follows:

43-1-30. (1) There is created the Mississippi TANF Implementation Council. It shall serve as the independent, single state advisory and review council for assuring Mississippi's compliance with the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), as amended. The council shall further cooperation between government, education and the private sector in meeting the needs of the TANF program. It shall also further cooperation between the business and labor communities, education and training delivery systems, and between businesses in developing highly skilled workers for high skill, high paying jobs in Mississippi.

(2) The council shall be comprised of thirteen (13) public members and certain ex officio nonvoting members. All public members of the council shall be appointed as follows by the Governor:

Ten (10) members shall be representatives from business and industry, provided that no fewer than five (5) members are from the manufacturing and industry sector who are also serving as members of private industry councils established within the state, and one (1) member may be a representative of a nonprofit organization. Three (3) members shall be recipients or former recipients of TANF assistance appointed from the state at large.

The ex officio nonvoting members of the council shall consist of the following, or their designees:

- Services; (a) The Executive Director of the Mississippi Department of Human
- Security; (b) The Executive Director of the Mississippi Department of Employment
- (c) The Executive Director of the Mississippi Development Authority;
- (d) The State Superintendent of Public Education;
- (e) The Director of the Mississippi Community College Board;
- (f) The Executive Director of the Division of Medicaid;
- (g) The Commissioner of the Mississippi Department of Corrections; and
- (h) The Director of the Mississippi Cooperative Extension Service.

(3) The Governor shall designate one (1) public member to serve as chairman of the council for a term of two (2) years and until a successor as chairman is appointed and qualified.

(4) The term of office for public members appointed by the Governor shall be four (4) years and until their successors are appointed and qualified.

(5) Any vacancy shall be filled for the unexpired term by the Governor in the manner of the original appointment, unless otherwise specified in this section.

(6) Public members shall receive a per diem as authorized in Section 25-3-69, for each day actually engaged in meetings of the council, and shall be reimbursed for mileage and necessary expenses incurred in the performance of their duties, as provided in Section 25-3-41.

(7) The council shall:

(a) Annually review and recommend policies and programs to the Governor and the Legislature that will implement and meet federal requirements under the TANF program.

(b) Annually review and recommend policies and programs to the Governor and to the Legislature that will enable citizens of Mississippi to acquire the skills necessary to maximize their economic self-sufficiency.

(c) Review the provision of services and the use of funds and resources under the TANF program, and under all state-financed job training and job retraining programs, and advise the Governor and the Legislature on methods of coordinating such provision of services and use of funds and resources consistent with the laws and regulations governing such programs.

(d) Assist in developing outcome and output measures to measure the success of the Department of Human Services' efforts in implementing the TANF program. These recommendations shall be made to the Department of Human Services at such times as required in the event that the department implements new programs to comply with the TANF program requirements.

(e) Collaborate with the Mississippi Development Authority, local planning and development districts and local industrial development boards, and shall develop an economic development plan for the creation of manufacturing jobs in each of the counties

in the state that has an unemployment rate of ten percent (10%) or more, which shall include, but not be limited to, procedures for business development, entrepreneurship and financial and technical assistance.

(8) A majority of the members of the council shall constitute a quorum for the conduct of meetings and all actions of the council shall be by a majority of the members present at a meeting.

(9) The council shall adopt rules and regulations as it deems necessary to carry out its responsibilities under this section and under applicable federal human resources programs.

(10) The council may make and enter into contracts and interagency agreements as may be necessary and proper.

(11) The council is authorized to commit and expend monies appropriated to it by the Legislature for its authorized purposes. The council is authorized to solicit, accept and expend public and private gifts, grants, awards and contributions related to furtherance of its statutory duties.

(12) Funds for the operations of the council shall be derived from federal funds for the operation of state councils pursuant to applicable federal human resources programs and from such other monies appropriated to it by the Legislature.

SECTION 51. Section 43-17-5, Mississippi Code of 1972, is reenacted as follows:

43-17-5. (1) The amount of Temporary Assistance for Needy Families (TANF) benefits which may be granted for any dependent child and a needy caretaker relative shall be determined by the county department with due regard to the resources and necessary expenditures of the family and the conditions existing in each case, and in accordance with the rules and regulations made by the Department of Human Services which shall not be less than the Standard of Need in effect for 1988, and shall be sufficient when added to all other income (except that any income specified in the federal Social Security Act, as amended, may be disregarded) and support available to the child to provide such child with a reasonable subsistence compatible with decency and health. The first family member in the dependent child's budget may receive an amount not to exceed Two Hundred Dollars (\$200.00) per month; the second family member in the dependent child's budget may receive an amount not to exceed Thirty-six Dollars (\$36.00) per month; and each additional family member in the dependent child's budget an amount not to exceed Twenty-four Dollars (\$24.00) per month. The maximum for any individual family member in the dependent child's budget may be exceeded for foster or medical care or in cases of children with an intellectual disability or a physical disability. TANF benefits granted shall be specifically limited only (a) to children existing or conceived at the time the caretaker relative initially applies and qualifies for such assistance, unless this limitation is specifically waived by the department, or (b) to a child born following a twelve-consecutive-month period of discontinued benefits by the caretaker relative.

(2) TANF benefits in Mississippi shall be provided to the recipient family by an online electronic benefits transfer system.

(3) The Department of Human Services shall deny TANF benefits to the following categories of individuals, except for individuals and families specifically exempt or excluded for good cause as allowed by federal statute or regulation:

(a) Families without a minor child residing with the custodial parent or other adult caretaker relative of the child;



(b) Families which include an adult who has received TANF assistance for sixty (60) months after the commencement of the Mississippi TANF program, whether or not such period of time is consecutive;

(c) Families not assigning to the state any rights a family member may have, on behalf of the family member or of any other person for whom the family member has applied for or is receiving such assistance, to support from any other person, as required by law;

(d) Families who fail to cooperate in establishing paternity or obtaining child support, as required by law;

(e) Any individual who has not attained eighteen (18) years of age, is not married to the head of household, has a minor child at least twelve (12) weeks of age in his or her care, and has not successfully completed a high school education or its equivalent, if such individual does not participate in educational activities directed toward the attainment of a high school diploma or its equivalent, or an alternative educational or training program approved by the department;

(f) Any individual who has not attained eighteen (18) years of age, is not married, has a minor child in his or her care, and does not reside in a place or residence maintained by a parent, legal guardian or other adult relative or the individual as such parent's, guardian's or adult relative's own home;

(g) Any minor child who has been, or is expected by a parent or other caretaker relative of the child to be, absent from the home for a period of more than thirty (30) days;

(h) Any individual who is a parent or other caretaker relative of a minor child who fails to notify the department of the absence of the minor child from the home for the thirty-day period specified in paragraph (g), by the end of the five-day period that begins with the date that it becomes clear to the individual that the minor child will be absent for the thirty-day period;

(i) Any individual who fails to comply with the provisions of the Employability Development Plan signed by the individual which prescribe those activities designed to help the individual become and remain employed, or to participate satisfactorily in the assigned work activity, as authorized under subsection (6)(c) and (d), or who does not engage in applicant job search activities within the thirty-day period for TANF application approval after receiving the advice and consultation of eligibility workers and/or caseworkers of the department providing a detailed description of available job search venues in the individual's county of residence or the surrounding counties;

(j) A parent or caretaker relative who has not engaged in an allowable work activity once the department determines the parent or caretaker relative is ready to engage in work, or once the parent or caretaker relative has received TANF assistance under the program for twenty-four (24) months, whether or not consecutive, whichever is earlier;

(k) Any individual who is fleeing to avoid prosecution, or custody or confinement after conviction, under the laws of the jurisdiction from which the individual flees, for a crime, or an attempt to commit a crime, which is a felony under the laws of the place from which the individual flees, or who is violating a condition of probation or parole imposed under federal or state law;

(l) Aliens who are not qualified under federal law;

(m) For a period of ten (10) years following conviction, individuals convicted in federal or state court of having made a fraudulent statement or representation with

respect to the individual's place of residence in order to receive TANF, food stamps or Supplemental Security Income (SSI) assistance under Title XVI or Title XIX simultaneously from two (2) or more states;

(n) Individuals who are recipients of federal Supplemental Security Income (SSI) assistance; and

(o) Individuals who are eighteen (18) years of age or older who are not in compliance with the drug testing and substance use disorder treatment requirements of Section 43-17-6.

(4) (a) Any person who is otherwise eligible for TANF benefits, including custodial and noncustodial parents, shall be required to attend school and meet the monthly attendance requirement as provided in this subsection if all of the following apply:

(i) The person is under age twenty (20);

(ii) The person has not graduated from a public or private high school or obtained a High School Equivalency Diploma equivalent;

(iii) The person is physically able to attend school and is not excused from attending school; and

(iv) If the person is a parent or caretaker relative with whom a dependent child is living, child care is available for the child.

The monthly attendance requirement under this subsection shall be attendance at the school in which the person is enrolled for each day during a month that the school conducts classes in which the person is enrolled, with not more than two (2) absences during the month for reasons other than the reasons listed in paragraph (e)(iv) of this subsection. Persons who fail to meet participation requirements in this subsection shall be subject to sanctions as provided in paragraph (f) of this subsection.

(b) As used in this subsection, "school" means any one (1) of the following:

(i) A school as defined in Section 37-13-91(2);

(ii) A vocational, technical and adult education program; or

(iii) A course of study meeting the standards established by the State Department of Education for the granting of a declaration of equivalency of high school graduation.

(c) If any compulsory-school-age child, as defined in Section 37-13-91(2), to which TANF eligibility requirements apply is not in compliance with the compulsory school attendance requirements of Section 37-13-91(6), the superintendent of schools of the school district in which the child is enrolled or eligible to attend shall notify the county department of human services of the child's noncompliance. The Department of Human Services shall review school attendance information as provided under this paragraph at all initial eligibility determinations and upon subsequent report of unsatisfactory attendance.

(d) The signature of a person on an application for TANF benefits constitutes permission for the release of school attendance records for that person or for any child residing with that person. The department shall request information from the child's school district about the child's attendance in the school district's most recently completed semester of attendance. If information about the child's previous school attendance is not available or cannot be verified, the department shall require the child to meet the monthly attendance requirement for one (1) semester or until the information is

obtained. The department shall use the attendance information provided by a school district to verify attendance for a child. The department shall review with the parent or caretaker relative a child's claim that he or she has a good cause for not attending school.

A school district shall provide information to the department about the attendance of a child who is enrolled in a public school in the district within five (5) working days of the receipt of a written request for that information from the department. The school district shall define how many hours of attendance count as a full day and shall provide that information, upon request, to the department. In reporting attendance, the school district may add partial days' absence together to constitute a full day's absence.

If a school district fails to provide to the department the information about the school attendance of any child within fifteen (15) working days after a written request, the department shall notify the Department of Audit within three (3) working days of the school district's failure to comply with that requirement. The Department of Audit shall begin audit proceedings within five (5) working days of notification by the Department of Human Services to determine the school district's compliance with the requirements of this subsection (4). If the Department of Audit finds that the school district is not in compliance with the requirements of this subsection, the school district shall be penalized as follows: The Department of Audit shall notify the State Department of Education of the school district's noncompliance, and the Department of Education shall reduce the calculation of the school district's average daily attendance (ADA) that is used to determine the allocation of Mississippi Adequate Education Program funds by the number of children for which the district has failed to provide to the Department of Human Services the required information about the school attendance of those children. The reduction in the calculation of the school district's ADA under this paragraph shall be effective for a period of one (1) year.

(e) A child who is required to attend school to meet the requirements under this subsection shall comply except when there is good cause, which shall be demonstrated by any of the following circumstances:

(i) The minor parent is the caretaker of a child less than twelve (12) weeks old; or

(ii) The department determines that child care services are necessary for the minor parent to attend school and there is no child care available; or

(iii) The child is prohibited by the school district from attending school and an expulsion is pending. This exemption no longer applies once the teenager has been expelled; however, a teenager who has been expelled and is making satisfactory progress towards obtaining a High School Equivalency Diploma equivalent shall be eligible for TANF benefits; or

(iv) The child failed to attend school for one or more of the following reasons:

1. Illness, injury or incapacity of the child or the minor parent's child;

2. Court-required appearances or temporary incarceration;

3. Medical or dental appointments for the child or minor parent's child;

4. Death of a close relative;

5. Observance of a religious holiday;

6. Family emergency;
7. Breakdown in transportation;
8. Suspension; or
9. Any other circumstance beyond the control of the child, as defined in regulations of the department.

(f) Upon determination that a child has failed without good cause to attend school as required, the department shall provide written notice to the parent or caretaker relative (whoever is the primary recipient of the TANF benefits) that specifies:

(i) That the family will be sanctioned in the next possible payment month because the child who is required to attend school has failed to meet the attendance requirement of this subsection;

(ii) The beginning date of the sanction, and the child to whom the sanction applies;

(iii) The right of the child's parents or caretaker relative (whoever is the primary recipient of the TANF benefits) to request a fair hearing under this subsection.

The child's parent or caretaker relative (whoever is the primary recipient of the TANF benefits) may request a fair hearing on the department's determination that the child has not been attending school. If the child's parents or caretaker relative does not request a fair hearing under this subsection, or if, after a fair hearing has been held, the hearing officer finds that the child without good cause has failed to meet the monthly attendance requirement, the department shall discontinue or deny TANF benefits to the child thirteen (13) years old, or older, in the next possible payment month. The department shall discontinue or deny twenty-five percent (25%) of the family grant when a child six (6) through twelve (12) years of age without good cause has failed to meet the monthly attendance requirement. Both the child and family sanction may apply when children in both age groups fail to meet the attendance requirement without good cause. A sanction applied under this subsection shall be effective for one (1) month for each month that the child failed to meet the monthly attendance requirement. In the case of a dropout, the sanction shall remain in force until the parent or caretaker relative provides written proof from the school district that the child has reenrolled and met the monthly attendance requirement for one (1) calendar month. Any month in which school is in session for at least ten (10) days during the month may be used to meet the attendance requirement under this subsection. This includes attendance at summer school. The sanction shall be removed the next possible payment month.

(5) All parents or caretaker relatives shall have their dependent children receive vaccinations and booster vaccinations against those diseases specified by the State Health Officer under Section 41-23-37 in accordance with the vaccination and booster vaccination schedule prescribed by the State Health Officer for children of that age, in order for the parents or caretaker relatives to be eligible or remain eligible to receive TANF benefits. Proof of having received such vaccinations and booster vaccinations shall be given by presenting the certificates of vaccination issued by any health care provider licensed to administer vaccinations, and submitted on forms specified by the State Board of Health. If the parents without good cause do not have their dependent children receive the vaccinations and booster vaccinations as required by this subsection and they fail to comply after thirty (30) days' notice, the department shall sanction the family's TANF benefits by twenty-five percent (25%) for the next payment month and each subsequent payment month until the requirements of this subsection are met.

(6) (a) If the parent or caretaker relative applying for TANF assistance is work eligible, as determined by the Department of Human Services, the person shall be

required to engage in an allowable work activity once the department determines the parent or caretaker relative is determined work eligible, or once the parent or caretaker relative has received TANF assistance under the program for twenty-four (24) months, whether or not consecutive, whichever is earlier. No TANF benefits shall be given to any person to whom this section applies who fails without good cause to comply with the Employability Development Plan prepared by the department for the person, or who has refused to accept a referral or offer of employment, training or education in which he or she is able to engage, subject to the penalties prescribed in paragraph (e) of this subsection. A person shall be deemed to have refused to accept a referral or offer of employment, training or education if he or she:

(i) Willfully fails to report for an interview with respect to employment when requested to do so by the department; or

(ii) Willfully fails to report to the department the result of a referral to employment; or

(iii) Willfully fails to report for allowable work activities as prescribed in paragraphs (c) and (d) of this subsection.

(b) The Department of Human Services shall operate a statewide work program for TANF recipients to provide work activities and supportive services to enable families to become self-sufficient and improve their competitive position in the workforce in accordance with the requirements of the federal Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (Public Law 104-193), as amended, and the regulations promulgated thereunder, and the Deficit Reduction Act of 2005 (Public Law 109-171), as amended. Within sixty (60) days after the initial application for TANF benefits, the TANF recipient must participate in a job search skills training workshop or a job readiness program, which shall include resume writing, job search skills, employability skills and, if available at no charge, the General Aptitude Test Battery or its equivalent. All adults who are not specifically exempt shall be referred by the department for allowable work activities. An adult may be exempt from the mandatory work activity requirement for the following reasons:

(i) Incapacity;

(ii) Temporary illness or injury, verified by physician's certificate;

(iii) Is in the third trimester of pregnancy, and there are complications verified by the certificate of a physician, nurse practitioner, physician assistant, or any other licensed health care professional practicing under a protocol with a licensed physician;

(iv) Caretaker of a child under twelve (12) months, for not more than twelve (12) months of the sixty-month maximum benefit period;

(v) Caretaker of an ill or incapacitated person, as verified by physician's certificate;

(vi) Age, if over sixty (60) or under eighteen (18) years of age;

(vii) Receiving treatment for substance abuse, if the person is in compliance with the substance abuse treatment plan;

(viii) In a two-parent family, the caretaker of a severely disabled child, as verified by a physician's certificate; or

(ix) History of having been a victim of domestic violence, which has been reported as required by state law and is substantiated by police reports or court

records, and being at risk of further domestic violence, shall be exempt for a period as deemed necessary by the department but not to exceed a total of twelve (12) months, which need not be consecutive, in the sixty-month maximum benefit period. For the purposes of this subparagraph (ix), "domestic violence" means that an individual has been subjected to:

1. Physical acts that resulted in, or threatened to result in, physical injury to the individual;
2. Sexual abuse;
3. Sexual activity involving a dependent child;
4. Being forced as the caretaker relative of a dependent child to engage in nonconsensual sexual acts or activities;
5. Threats of, or attempts at, physical or sexual abuse;
6. Mental abuse; or
7. Neglect or deprivation of medical care.

(c) For all families, all adults who are not specifically exempt shall be required to participate in work activities for at least the minimum average number of hours per week specified by federal law or regulation, not fewer than twenty (20) hours per week (thirty-five (35) hours per week for two-parent families) of which are attributable to the following allowable work activities:

- (i) Unsubsidized employment;
- (ii) Subsidized private employment;
- (iii) Subsidized public employment;
- (iv) Work experience (including work associated with the refurbishing of publicly assisted housing), if sufficient private employment is not available;
- (v) On-the-job training;
- (vi) Job search and job readiness assistance consistent with federal TANF regulations;
- (vii) Community service programs;
- (viii) Vocational educational training (not to exceed twelve (12) months with respect to any individual);
- (ix) The provision of child care services to an individual who is participating in a community service program;
- (x) Satisfactory attendance at high school or in a course of study leading to a high school equivalency certificate, for heads of household under age twenty (20) who have not completed high school or received such certificate;
- (xi) Education directly related to employment, for heads of household under age twenty (20) who have not completed high school or received such equivalency certificate.

(d) The following are allowable work activities which may be attributable to hours in excess of the minimum specified in paragraph (c) of this subsection:

(i) Job skills training directly related to employment;

(ii) Education directly related to employment for individuals who have not completed high school or received a high school equivalency certificate;

(iii) Satisfactory attendance at high school or in a course of study leading to a high school equivalency, for individuals who have not completed high school or received such equivalency certificate;

(iv) Job search and job readiness assistance consistent with federal TANF regulations.

(e) If any adult or caretaker relative refuses to participate in allowable work activity as required under this subsection (6), the following full family TANF benefit penalty will apply, subject to due process to include notification, conciliation and a hearing if requested by the recipient:

(i) For the first violation, the department shall terminate the TANF assistance otherwise payable to the family for a two-month period or until the person has complied with the required work activity, whichever is longer;

(ii) For the second violation, the department shall terminate the TANF assistance otherwise payable to the family for a six-month period or until the person has complied with the required work activity, whichever is longer;

(iii) For the third violation, the department shall terminate the TANF assistance otherwise payable to the family for a twelve-month period or until the person has complied with the required work activity, whichever is longer;

(iv) For the fourth violation, the person shall be permanently disqualified.

For a two-parent family, unless prohibited by state or federal law, Medicaid assistance shall be terminated only for the person whose failure to participate in allowable work activity caused the family's TANF assistance to be sanctioned under this paragraph (e), unless an individual is pregnant, but shall not be terminated for any other person in the family who is meeting that person's applicable work requirement or who is not required to work. Minor children shall continue to be eligible for Medicaid benefits regardless of the disqualification of their parent or caretaker relative for TANF assistance under this subsection (6), unless prohibited by state or federal law.

(f) Any person enrolled in a two-year or four-year college program who meets the eligibility requirements to receive TANF benefits, and who is meeting the applicable work requirements and all other applicable requirements of the TANF program, shall continue to be eligible for TANF benefits while enrolled in the college program for as long as the person meets the requirements of the TANF program, unless prohibited by federal law.

(g) No adult in a work activity required under this subsection (6) shall be employed or assigned (i) when any other individual is on layoff from the same or any substantially equivalent job within six (6) months before the date of the TANF recipient's employment or assignment; or (ii) if the employer has terminated the employment of any regular employee or otherwise caused an involuntary reduction of its workforce in order to fill the vacancy so created with an adult receiving TANF assistance. The Mississippi Department of Employment Security, established under Section 71-5-101, shall appoint one or more impartial hearing officers to hear and decide claims by employees of

violations of this paragraph (g). The hearing officer shall hear all the evidence with respect to any claim made hereunder and such additional evidence as he may require and shall make a determination and the reason therefor. The claimant shall be promptly notified of the decision of the hearing officer and the reason therefor. Within ten (10) days after the decision of the hearing officer has become final, any party aggrieved thereby may secure judicial review thereof by commencing an action, in the circuit court of the county in which the claimant resides, against the department for the review of such decision, in which action any other party to the proceeding before the hearing officer shall be made a defendant. Any such appeal shall be on the record which shall be certified to the court by the department in the manner provided in Section 71-5-531, and the jurisdiction of the court shall be confined to questions of law which shall render its decision as provided in that section.

(7) The Department of Human Services may provide child care for eligible participants who require such care so that they may accept employment or remain employed. The department may also provide child care for those participating in the TANF program when it is determined that they are satisfactorily involved in education, training or other allowable work activities. The department may contract with Head Start agencies to provide child care services to TANF recipients. The department may also arrange for child care by use of contract or vouchers, provide vouchers in advance to a caretaker relative, reimburse a child care provider, or use any other arrangement deemed appropriate by the department, and may establish different reimbursement rates for child care services depending on the category of the facility or home. Any center-based or group home child care facility under this subsection shall be licensed by the State Department of Health pursuant to law. When child care is being provided in the child's own home, in the home of a relative of the child, or in any other unlicensed setting, the provision of such child care may be monitored on a random basis by the Department of Human Services or the State Department of Health. Transitional child care assistance may be continued if it is necessary for parents to maintain employment once support has ended, unless prohibited under state or federal law. Transitional child care assistance may be provided for up to twenty-four (24) months after the last month during which the family was eligible for TANF assistance, if federal funds are available for such child care assistance.

(8) The Department of Human Services may provide transportation or provide reasonable reimbursement for transportation expenses that are necessary for individuals to be able to participate in allowable work activity under the TANF program.

(9) Medicaid assistance shall be provided to a family of TANF program participants for up to twenty-four (24) consecutive calendar months following the month in which the participating family would be ineligible for TANF benefits because of increased income, expiration of earned income disregards, or increased hours of employment of the caretaker relative; however, Medicaid assistance for more than twelve (12) months may be provided only if a federal waiver is obtained to provide such assistance for more than twelve (12) months and federal and state funds are available to provide such assistance.

(10) The department shall require applicants for and recipients of public assistance from the department to sign a personal responsibility contract that will require the applicant or recipient to acknowledge his or her responsibilities to the state.

(11) The department shall enter into an agreement with the State Personnel Board and other state agencies that will allow those TANF participants who qualify for vacant jobs within state agencies to be placed in state jobs. State agencies participating in the TANF work program shall receive any and all benefits received by employers in the private sector for hiring TANF recipients. This subsection (11) shall be effective only if the state obtains any necessary federal waiver or approval and if federal funds are available therefor. Not later than September 1, 2021, the department shall prepare a report, which shall be provided to the Chairmen of the House and Senate Public Health Committees



and to any other member of the Legislature upon request, on the history, status, outcomes and effectiveness of the agreements required under this subsection.

(12) Any unspent TANF funds remaining from the prior fiscal year may be expended for any TANF allowable activities.

(13) The Mississippi Department of Human Services shall provide TANF applicants information and referral to programs that provide information about birth control, prenatal health care, abstinence education, marriage education, family preservation and fatherhood. Not later than September 1, 2021, the department shall prepare a report, which shall be provided to the Chairmen of the House and Senate Public Health Committees and to any other member of the Legislature upon request, on the history, status, outcomes and effectiveness of the information and referral requirements under this subsection.

(14) No new TANF program requirement or restriction affecting a person's eligibility for TANF assistance, or allowable work activity, which is not mandated by federal law or regulation may be implemented by the Department of Human Services after July 1, 2004, unless such is specifically authorized by an amendment to this section by the Legislature.

SECTION 52. Section 43-19-45, Mississippi Code of 1972, is reenacted as follows:

43-19-45. (1) The Child Support Unit shall establish a state parent locator service for the purpose of locating absent and nonsupporting parents and alleged parents, which will utilize all appropriate public and private locator sources. In order to carry out the responsibilities imposed under Sections 43-19-31 through 43-19-53, the Child Support Unit may secure, by administrative subpoena from the customer records of public utilities and cable television companies, the names and addresses of individuals and the names and addresses of employers of such individuals that would enable the location of parents or alleged parents who have a duty to provide support and maintenance for their children. The Child Support Unit may also administratively subpoena any and all financial information, including account numbers, names and social security numbers of record for assets, accounts, and account balances from any individual, financial institution, business or other entity, public or private, needed to establish, modify or enforce a support order. No entity complying with an administrative subpoena to supply the requested information of whatever nature shall be liable in any civil action or proceeding on account of such compliance. Full faith and credit shall be given to all uniform administrative subpoenas issued by other state child support units. The recipient of an administrative subpoena shall supply the Child Support Unit, other state and federal IV-D agencies, its attorneys, investigators, probation officers, county or district attorneys in this state, all information relative to the location, employment, employment-related benefits including, but not limited to, availability of medical insurance, income and property of such parents and alleged parents and with all information on hand relative to the location and prosecution of any person who has, by means of a false statement or misrepresentation or by impersonation or other fraudulent device, obtained Temporary Assistance for Needy Families (TANF) to which he or she was not entitled, notwithstanding any provision of law making such information confidential. The Mississippi Department of Information Technology Services and any other agency in this state using the facilities of the Mississippi Department of Information Technology Services are directed to permit the Child Support Unit access to their files, inclusive of those maintained for other state agencies, for the purpose of locating absent and nonsupporting parents and alleged parents, except to the extent that any such access would violate any valid federal statute or regulation issued pursuant thereto. The Child Support Unit, other state and federal IV-D agencies, its attorneys, investigators, probation officers, or county or district attorneys, shall use such information only for the purpose of investigating or enforcing the support liability of such absent parents or alleged parents or for the prosecution of other persons mentioned herein. Neither the Child Support Unit nor those authorities shall use the information, or disclose it, for any other purpose. All records maintained pursuant to the provisions of Sections 43-19-31 through 43-19-53 shall be confidential and shall be

available only to the Child Support Unit, other state and federal IV-D agencies, the attorneys, investigators and other staff employed or under contract under Sections 43-19-31 through 43-19-53, district or county attorneys, probation departments, child support units in other states, and courts having jurisdiction in paternity, support or abandonment proceedings. The Child Support Unit may release to the public the name, photo, last-known address, arrearage amount and other necessary information of a parent who has a judgment against him for child support and is currently in arrears in the payment of this support. Such release may be included in a "Most Wanted List" or other media in order to solicit assistance.

(2) The Child Support Unit shall have the authority to secure information from the records of the Mississippi Department of Employment Security that may be necessary to locate absent and nonsupporting parents and alleged parents under the provisions of Sections 43-19-31 through 43-19-53. Upon request of the Child Support Unit, all departments, boards, bureaus and agencies of the state shall provide to the Child Support Unit verification of employment or payment and the address and social security number of any person designated as an absent or nonsupporting parent or alleged parent. In addition, upon request of the Child Support Unit, the Mississippi Department of Employment Security, or any private employer or payor of any income to a person designated as an absent or nonsupporting parent or alleged parent, shall provide to the Child Support Unit verification of employment or payment and the address and social security number of the person so designated. Full faith and credit shall be given to such notices issued by child support units in other states. All such records and information shall be confidential and shall not be used for any purposes other than those specified by Sections 43-19-31 through 43-19-53. The violation of the provisions of this subsection shall be unlawful and any person convicted of violating the provisions of this subsection shall be guilty of a misdemeanor and shall pay a fine of not more than Two Hundred Dollars (\$200.00).

(3) Federal and state IV-D agencies shall have access to the state parent locator service and any system used by the Child Support Unit to locate an individual for purposes relating to motor vehicles or law enforcement. No employer or other source of income who complies with this section shall be liable in any civil action or proceeding brought by the obligor or obligee on account of such compliance.

SECTION 53. Section 43-19-46, Mississippi Code of 1972, is reenacted as follows:

43-19-46. (1) Each employer paying wages, salary or commission and doing business in Mississippi shall report to the Directory of New Hires within the Mississippi Department of Human Services:

(a) The hiring of any person who resides or works in this state to whom the employer anticipates paying wages, salary or commission; and

(b) The hiring or return to work of any employee who was laid off, furloughed, separated, granted leave without pay or was terminated from employment.

(2) Employers shall report, by mailing or by other means authorized by the Department of Human Services, a copy of the employee's W-4 form or its equivalent that will result in timely reporting. Each employer shall submit reports within fifteen (15) days of the hiring, rehiring or return to work of the employee. The report shall contain:

(a) The employee's name, address, social security number and the date of birth;

(b) The employer's name, address, and federal and state withholding tax identification numbers; and

(c) The date upon which the employee began or resumed employment, or is scheduled to begin or otherwise resume employment.

(3) The department shall retain the information, which shall be forwarded to the federal registry of new hires.

(4) The Department of Human Services may operate the program, may enter into a mutual agreement with the Mississippi Department of Employment Security or the Department of Revenue, or both, for the operation of the Directory of New Hires Program, or the Department of Human Services may contract for that service, in which case the department shall maintain administrative control of the program.

(5) In cases in which an employer fails to report information, as required by this section, an administratively levied civil penalty in an amount not to exceed Five Hundred Dollars (\$500.00) shall apply if the failure is the result of a conspiracy between the employer and employee to not supply the required report or to supply a false or incomplete report. The penalty shall otherwise not exceed Twenty-five Dollars (\$25.00). Appeal shall be as provided in Section 43-19-58.

SECTION 54. Section 57-62-5, Mississippi Code of 1972, is reenacted as follows:

[For businesses or industries that received or applied for incentive payments prior to July 1, 2005, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business;

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment;

(c) "Full-time job" means a job of at least thirty-five (35) hours per week;

(d) "Estimated direct state benefits" means the tax revenues projected by the MDA to accrue to the state as a result of the qualified business or industry;

(e) "Estimated direct state costs" means the costs projected by the MDA to accrue to the state as a result of the qualified business or industry;

(f) "Estimated net direct state benefits" means the estimated direct state benefits less the estimated direct state costs;

(g) "Net benefit rate" means the estimated net direct state benefits computed as a percentage of gross payroll, provided that:

(i) Except as otherwise provided in this paragraph (g), the net benefit rate may be variable and shall not exceed four percent (4%) of the gross payroll; and shall be set in the sole discretion of the MDA;

(ii) In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits;

(h) "Gross payroll" means wages for new direct jobs of the qualified business or industry; and

(i) "MDA" means the Mississippi Development Authority.

[For businesses or industries that received or applied for incentive payments from and after July 1, 2005, but prior to July 1, 2010, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which:

(i) Is a data/information processing enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred percent (100%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than two hundred (200) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than one hundred (100) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21);

(ii) Is a manufacturing or distribution enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, invests not less than Twenty Million Dollars (\$20,000,000.00) in land, buildings and equipment, and creates not less than fifty (50) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than twenty (20) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21);

(iii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the

qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than twenty-five (25) new direct jobs if the enterprise is located in a Tier One or Tier Two area (as such areas are designated in accordance with Section 57-73-21), or which creates not less than ten (10) new jobs if the enterprise is located in a Tier Three area (as such areas are designated in accordance with Section 57-73-21). An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business; or

(iv) Is a research and development or a technology intensive enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than ten (10) new direct jobs.

An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business.

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter. "New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment.

(c) "Full-time job" or "full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Estimated direct state benefits" means the tax revenues projected by the MDA to accrue to the state as a result of the qualified business or industry.

(e) "Estimated direct state costs" means the costs projected by the MDA to accrue to the state as a result of the qualified business or industry.

(f) "Estimated net direct state benefits" means the estimated direct state benefits less the estimated direct state costs.

(g) "Net benefit rate" means the estimated net direct state benefits computed as a percentage of gross payroll, provided that:

(i) Except as otherwise provided in this paragraph (g), the net benefit rate may be variable and shall not exceed four percent (4%) of the gross payroll; and shall be set in the sole discretion of the MDA;

(ii) In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits.

(h) "Gross payroll" means wages for new direct jobs of the qualified business or industry.

(i) "MDA" means the Mississippi Development Authority.

[For businesses or industries that apply for incentive payments from and after July 1, 2010, this section shall read as follows:]

57-62-5. As used in this chapter, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Qualified business or industry" means any corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which:

(i) Is a data/information processing enterprise meeting minimum criteria established by the MDA that provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred percent (100%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than two hundred (200) new direct jobs;

(ii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser, and creates not less than twenty-five (25) new direct jobs; or

(iii) Is a corporation, limited liability company, partnership, sole proprietorship, business trust or other legal entity and subunits or affiliates thereof, pursuant to rules and regulations of the MDA, which is a manufacturer that:

1. Provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred ten percent (110%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser;

2. Has a minimum of five thousand (5,000) existing employees as of the last day of the previous calendar year; and

3. MDA determines will create not less than three thousand (3,000) new direct jobs within forty-eight (48) months of the date the MDA determines that the applicant is qualified to receive incentive payments.

An establishment shall not be considered to be a qualified business or industry unless it offers, or will offer within one hundred eighty (180) days of the date it receives the first incentive payment pursuant to the provisions of this chapter, a basic health benefits plan to the individuals it employs in new direct jobs in this state which is approved by the MDA. Qualified business or industry does not include retail business or gaming business, or any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) "New direct job" means full-time employment in this state in a qualified business or industry that has qualified to receive an incentive payment pursuant to this chapter, which employment did not exist in this state:

(i) Before the date of approval by the MDA of the application of the qualified business or industry pursuant to the provisions of this chapter.; or

(ii) Solely with respect to any farm equipment manufacturer that locates its North American headquarters to Mississippi between January 1, 2018, and December 31, 2020, before a specific date determined by the MDA that falls on or after the date that the MDA first issues to such farm equipment manufacturer one or more written commitments or offers of any incentives in connection with the new headquarters project and related facilities expected to result in the creation of such new job.

"New direct job" shall include full-time employment in this state of employees who are employed by an entity other than the establishment that has qualified to receive an incentive payment and who are leased to the qualified business or industry, if such employment did not exist in this state before the date of approval by the MDA of the application of the establishment.

(c) "Full-time job" or "full-time employment" means a job of at least thirty-five (35) hours per week.

(d) "Gross payroll" means wages for new direct jobs of the qualified business or industry.

(e) "MDA" means the Mississippi Development Authority.

SECTION 55. Section 57-62-9, Mississippi Code of 1972, is reenacted as follows:

[For businesses or industries that received or applied for incentive payments prior to July 1, 2005, this section shall read as follows:]

57-62-9. (1) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to the net benefit rate multiplied by the actual gross payroll of new direct jobs for a calendar quarter as verified by the Mississippi Department of Employment Security, but not to exceed the amount of money previously paid into the fund by the employer. A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of

Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)<sup>1</sup> and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) In order to qualify to receive such payments, the establishment applying shall be required to:

(a) Be engaged in a qualified business or industry;

(b) Provide an average salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for this requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) The business or industry must create and maintain a minimum of ten (10) full-time jobs in counties that have an average unemployment rate over the previous



twelve-month period which is at least one hundred fifty percent (150%) of the most recently published state unemployment rate, as determined by the Mississippi Department of Employment Security or in Tier Three counties as determined under Section 57-73-21. In all other counties, the business or industry must create and maintain a minimum of twenty-five (25) full-time jobs. The criteria for this requirement shall be based on the designation of the county at the time of the application. The threshold established upon the application will remain constant for the duration of the project. The business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) The MDA shall determine if the applicant is qualified to receive incentive payments. If the applicant is determined to be qualified by the MDA, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for a period not to exceed ten (10) years and to estimate the amount of gross payroll for the period. If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for the appropriate additional period and to estimate the amount of gross payroll for the additional period. In conducting such cost/benefit analysis, the MDA shall consider quantitative factors, such as the anticipated level of new tax revenues to the state along with the cost to the state of the qualified business or industry, and such other criteria as deemed appropriate by the MDA, including the adequacy of retirement benefits that the business or industry provides to individuals it employs in new direct jobs in this state. In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the estimated net direct state benefits. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax rates in Section 27-7-5 that were in effect before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment," as such term is used in this chapter, shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

[For businesses or industries that received or applied for incentive payments from and after July 1, 2005, but prior to July 1, 2010, this section shall read as follows:]

57-62-9. (1) (a) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to the net benefit rate multiplied by the actual gross payroll of new direct jobs for a calendar quarter as verified by the Mississippi Department of Employment Security, but not to exceed:

(i) Ninety percent (90%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred seventy-five percent (175%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser;

(ii) Eighty percent (80%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred twenty-five percent (125%) but less than one hundred seventy-five percent (175%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser; or

(iii) Seventy percent (70%) of the amount of money previously paid into the fund by the employer if the employer provides an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of less than one hundred twenty-five percent (125%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) (a) In order to qualify to receive such payments, the establishment applying shall be required to meet the definition of the term "qualified business or industry";

(b) The criteria for the average annual salary requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) The business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) (a) The MDA shall determine if the applicant is qualified to receive incentive payments.

(b) If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct a cost/benefit analysis to determine the estimated net direct state benefits and the net benefit rate applicable for the appropriate additional period and to estimate the amount of gross payroll for the additional period. In conducting such cost/benefit analysis, the MDA shall consider quantitative factors, such as the anticipated level of new tax revenues to the state along with the cost to the state of the qualified business or industry, and such other criteria as deemed appropriate by the MDA, including the adequacy of retirement benefits that the business or industry provides to individuals it employs in new direct jobs in this state. In no event shall incentive payments, cumulatively, exceed the estimated net direct state benefits. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the estimated net direct state benefits. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax rates in Section 27-7-5 that were in effect before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment," as such term is used in this

chapter, shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

[For businesses or industries that apply for incentive payments from and after July 1, 2010, this section shall read as follows:]

57-62-9. (1) (a) Except as otherwise provided in this section, a qualified business or industry that meets the qualifications specified in this chapter may receive quarterly incentive payments for a period not to exceed ten (10) years from the Department of Revenue pursuant to the provisions of this chapter in an amount which shall be equal to ninety percent (90%) of the amount of actual income tax withheld for employees with new direct jobs, but in no event more than four percent (4%) of the total annual salary paid for new direct jobs during such period, excluding benefits which are not subject to Mississippi income taxes.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may elect the date upon which the ten-year period will begin. Such date may not be later than sixty (60) months after the date the business or industry applied for incentive payments.

(c) A qualified business or industry as defined in Section 57-62-5(a)(iii) may elect the date upon which the ten-year period will begin and may elect to begin receiving incentive payments as early as the second quarter after that date. Incentive payments will be calculated on all jobs above the existing number of jobs as of the date the MDA determines that the applicant is qualified to receive incentive payments. In the event that the qualified business or industry falls below the number of existing jobs at the time of determination that the applicant is qualified to receive the incentive payment, the incentive payment shall cease until the qualified business or industry once again exceeds that number. If after forty-eight (48) months, the qualified business or industry has failed to create at least three thousand (3,000) new direct jobs, incentive payments shall cease and the qualified business or industry shall not be qualified to receive further incentive payments.

(2) (a) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 may apply to the MDA to receive incentive payments for an additional period not to exceed five (5) years beyond the expiration date of the initial ten-year period if:

(i) The qualified business or industry creates at least three thousand (3,000) new direct jobs within five (5) years after the date the business or industry commences commercial production;

(ii) Within five (5) years after the date the business or industry commences commercial production, the average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (a) for four (4) consecutive calendar quarters.

(b) A qualified business or industry that is a project as defined in Section 57-75-5(f)(iv)1 and qualified to receive incentive payments for the additional period

provided in paragraph (a) of this subsection (2) may apply to the MDA to receive incentive payments for an additional period not to exceed ten (10) years beyond the expiration date of the additional period provided in paragraph (a) of this subsection (2) if:

(i) The qualified business or industry creates at least four thousand (4,000) new direct jobs after qualifying for the additional incentive period provided in paragraph (a) of this subsection (2) but before the expiration of the additional period. For purposes of determining whether the business or industry meets the minimum jobs requirement of this subparagraph (i), the number of jobs the business or industry created in order to meet the minimum jobs requirement of paragraph (a) of this subsection (2) shall be subtracted from the minimum jobs requirement of this subparagraph (i);

(ii) The average annual wage of the jobs is at least one hundred fifty percent (150%) of the most recently published state average annual wage or the most recently published average annual wage of the county in which the qualified business or industry is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The criteria for the average annual wage requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of creation of the minimum number of jobs, and the threshold established at that time will remain constant for the duration of the additional period; and

(iii) The qualified business or industry meets and maintains the job and wage requirements of subparagraphs (i) and (ii) of this paragraph (b) for four (4) consecutive calendar quarters.

(3) In order to receive incentive payments, an establishment shall apply to the MDA. The application shall be on a form prescribed by the MDA and shall contain such information as may be required by the MDA to determine if the applicant is qualified.

(4) (a) In order to qualify to receive such payments, the establishment applying shall be required to meet the definition of the term "qualified business or industry";

(b) The criteria for the average annual salary requirement shall be based upon the state average annual wage or the average annual wage of the county whichever is appropriate, at the time of application, and the threshold established upon application will remain constant for the duration of the project;

(c) Except as otherwise provided for a qualified business or industry as defined in Section 57-62-5(a)(iii), the business or industry must meet its job creation commitment within twenty-four (24) months of the application approval. However, if the qualified business or industry is applying for incentive payments for an additional period under subsection (2) of this section, the business or industry must comply with the applicable job and wage requirements of subsection (2) of this section.

(5) (a) The MDA shall determine if the applicant is qualified to receive incentive payments.

(b) If the applicant is determined to be qualified to receive incentive payments for an additional period under subsection (2) of this section, the MDA shall conduct an analysis to estimate the amount of gross payroll for the appropriate additional period. Incentive payments, cumulatively, shall not exceed ninety percent (90%) of the amount of actual income tax withheld for employees with new direct jobs, but in no event more than four percent (4%) of the total annual salary paid for new direct jobs during the additional period, excluding benefits which are not subject to Mississippi income taxes. Once the qualified business or industry is approved by the MDA, an agreement shall be deemed to exist between the qualified business or industry and the State of Mississippi, requiring the continued incentive payment, together with any amount due pursuant to

subsection (8) of this section, if applicable, to be made as long as the qualified business or industry retains its eligibility.

(6) Upon approval of such an application, the MDA shall notify the Department of Revenue and shall provide it with a copy of the approved application and the minimum job and salary requirements. The Department of Revenue may require the qualified business or industry to submit such additional information as may be necessary to administer the provisions of this chapter. The qualified business or industry shall report to the Department of Revenue periodically to show its continued eligibility for incentive payments. The qualified business or industry may be audited by the Department of Revenue to verify such eligibility. In addition, the State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

(7) If the qualified business or industry is located in an area that has been declared by the Governor to be a disaster area and as a result of the disaster the business or industry is unable to create or maintain the full-time jobs required by this section:

(a) The Commissioner of Revenue may extend the period of time that the business or industry may receive incentive payments for a period of time not to exceed two (2) years;

(b) The Commissioner of Revenue may waive the requirement that a certain number of jobs be maintained for a period of time not to exceed twenty-four (24) months; and

(c) The MDA may extend the period of time within which the jobs must be created for a period of time not to exceed twenty-four (24) months.

(8) Notwithstanding any other provision of this section to the contrary, from and after January 1, 2023, if the amount of the incentive payment that a qualified business or industry is eligible to receive under this chapter is less than the amount that the incentive payment would have been if the payment had been calculated using any applicable income tax rates in Section 27-7-5 that were in effect before January 1, 2023, then the qualified business or industry also shall receive a grant equal to the difference between such two (2) amounts. Further, the term "incentive payment," as such term is used in this chapter, shall be deemed to not refer to or otherwise include any grant payment payable to a qualified business or industry pursuant to this subsection.

SECTION 56. Section 57-75-5, Mississippi Code of 1972, is reenacted as follows:

57-75-5. Words and phrases used in this chapter shall have meanings as follows, unless the context clearly indicates a different meaning:

(a) "Act" means the Mississippi Major Economic Impact Act as originally enacted or as hereafter amended.

(b) "Authority" means the Mississippi Major Economic Impact Authority created pursuant to the act.

(c) "Bonds" means general obligation bonds, interim notes and other evidences of debt of the State of Mississippi issued pursuant to this chapter.

(d) "Facility related to the project" means and includes any of the following, as the same may pertain to the project within the project area: (i) facilities to provide potable and industrial water supply systems, sewage and waste disposal systems and water, natural gas and electric transmission systems to the site of the project; (ii) airports, airfields and air terminals; (iii) rail lines; (iv) port facilities; (v) highways, streets and other roadways; (vi) public school buildings, classrooms and instructional facilities, training

facilities and equipment, including any functionally related facilities; (vii) parks, outdoor recreation facilities and athletic facilities; (viii) auditoriums, pavilions, campgrounds, art centers, cultural centers, folklore centers and other public facilities; (ix) health care facilities, public or private; and (x) fire protection facilities, equipment and elevated water tanks.

(e) "Person" means any natural person, corporation, association, partnership, limited liability company, receiver, trustee, guardian, executor, administrator, fiduciary, governmental unit, public agency, political subdivision, or any other group acting as a unit, and the plural as well as the singular.

(f) "Project" means:

(i) Any industrial, commercial, research and development, warehousing, distribution, transportation, processing, mining, United States government or tourism enterprise together with all real property required for construction, maintenance and operation of the enterprise with an initial capital investment of not less than Three Hundred Million Dollars (\$300,000,000.00) from private or United States government sources together with all buildings, and other supporting land and facilities, structures or improvements of whatever kind required or useful for construction, maintenance and operation of the enterprise; or with an initial capital investment of not less than One Hundred Fifty Million Dollars (\$150,000,000.00) from private or United States government sources together with all buildings and other supporting land and facilities, structures or improvements of whatever kind required or useful for construction, maintenance and operation of the enterprise and which creates at least one thousand (1,000) net new full-time jobs; or which creates at least one thousand (1,000) net new full-time jobs which provides an average salary, excluding benefits which are not subject to Mississippi income taxation, of at least one hundred twenty-five percent (125%) of the most recently published average annual wage of the state as determined by the Mississippi Department of Employment Security. "Project" shall include any addition to or expansion of an existing enterprise if such addition or expansion has an initial capital investment of not less than Three Hundred Million Dollars (\$300,000,000.00) from private or United States government sources, or has an initial capital investment of not less than One Hundred Fifty Million Dollars (\$150,000,000.00) from private or United States government sources together with all buildings and other supporting land and facilities, structures or improvements of whatever kind required or useful for construction, maintenance and operation of the enterprise and which creates at least one thousand (1,000) net new full-time jobs; or which creates at least one thousand (1,000) net new full-time jobs which provides an average salary, excluding benefits which are not subject to Mississippi income taxation, of at least one hundred twenty-five percent (125%) of the most recently published average annual wage of the state as determined by the Mississippi Department of Employment Security. "Project" shall also include any ancillary development or business resulting from the enterprise, of which the authority is notified, within three (3) years from the date that the enterprise entered into commercial production, that the project area has been selected as the site for the ancillary development or business.

(ii) 1. Any major capital project designed to improve, expand or otherwise enhance any active duty or reserve United States armed services bases and facilities or any major Mississippi National Guard training installations, their support areas or their military operations, upon designation by the authority that any such base was or is at risk to be recommended for closure or realignment pursuant to the Defense Base Closure and Realignment Act of 1990, as amended, or other applicable federal law; or any major development project determined by the authority to be necessary to acquire or improve base properties and to provide employment opportunities through construction of projects as defined in Section 57-3-5, which shall be located on or provide direct support service or access to such military installation property in the event of closure or reduction of military operations at the installation.



2. Any major study or investigation related to such a facility, installation or base, upon a determination by the authority that the study or investigation is critical to the expansion, retention or reuse of the facility, installation or base.

3. Any project as defined in Section 57-3-5, any business or enterprise determined to be in the furtherance of the public purposes of this act as determined by the authority or any facility related to such project each of which shall be, directly or indirectly, related to any military base or other military-related facility no longer operated by the United States armed services or the Mississippi National Guard.

(iii) Any enterprise to be maintained, improved or constructed in Tishomingo County by or for a National Aeronautics and Space Administration facility in such county.

(iv) 1. Any major capital project with an initial capital investment from private sources of not less than Seven Hundred Fifty Million Dollars (\$750,000,000.00) which will create at least three thousand (3,000) jobs meeting criteria established by the Mississippi Development Authority.

2. "Project" shall also include any ancillary development or business resulting from an enterprise operating a project as defined in item 1 of this paragraph (f)(iv), of which the authority is notified, within three (3) years from the date that the enterprise entered into commercial production, that the state has been selected as the site for the ancillary development or business.

(v) Any manufacturing, processing or industrial project determined by the authority, in its sole discretion, to contribute uniquely and significantly to the economic growth and development of the state, and which meets the following criteria:

1. The project shall create at least two thousand (2,000) net new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law.

2. The project and any facility related to the project shall include a total investment from private sources of not less than Sixty Million Dollars (\$60,000,000.00), or from any combination of sources of not less than Eighty Million Dollars (\$80,000,000.00).

(vi) Any real property owned or controlled by the National Aeronautics and Space Administration, the United States government, or any agency thereof, which is legally conveyed to the State of Mississippi or to the State of Mississippi for the benefit of the Mississippi Major Economic Impact Authority, its successors and assigns pursuant to Section 212 of Public Law 104-99, enacted January 26, 1996 (110 Stat. 26 at 38).

(vii) Any major capital project related to the establishment, improvement, expansion and/or other enhancement of any active duty military installation and having a minimum capital investment from any source or combination of sources other than the State of Mississippi of at least Forty Million Dollars (\$40,000,000.00), and which will create at least four hundred (400) military installation related full-time jobs, which jobs may be military jobs, civilian jobs or a combination of military and civilian jobs. The authority shall require that binding commitments be entered into requiring that the minimum requirements for the project provided for in this subparagraph shall be met not later than July 1, 2008.

(viii) Any major capital project with an initial capital investment from any source or combination of sources of not less than Ten Million Dollars (\$10,000,000.00) which will create at least eighty (80) full-time jobs which provide an

average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred thirty-five percent (135%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(ix) Any regional retail shopping mall with an initial capital investment from private sources in excess of One Hundred Fifty Million Dollars (\$150,000,000.00), with a square footage in excess of eight hundred thousand (800,000) square feet, which will create at least seven hundred (700) full-time jobs with an average hourly wage of Eleven Dollars (\$11.00) per hour. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(x) Any major capital project with an initial capital investment from any source or combination of sources of not less than Seventy-five Million Dollars (\$75,000,000.00) which will create at least one hundred twenty-five (125) full-time jobs which provide an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least one hundred thirty-five percent (135%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located as determined by the Mississippi Department of Employment Security, whichever is the greater. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xi) Any potential major capital project that the authority has determined is feasible to recruit.

(xii) Any project built according to the specifications and federal provisions set forth by the National Aeronautics and Space Administration Center Operations Directorate at Stennis Space Center for the purpose of consolidating common services from National Aeronautics and Space Administration centers in human resources, procurement, financial management and information technology located on land owned or controlled by the National Aeronautics and Space Administration, which will create at least four hundred seventy (470) full-time jobs.

(xiii) Any major capital project with an initial capital investment from any source or combination of sources of not less than Ten Million Dollars (\$10,000,000.00) which will create at least two hundred fifty (250) full-time jobs. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xiv) Any major pharmaceutical facility with a capital investment of not less than Fifty Million Dollars (\$50,000,000.00) made after July 1, 2002, through four (4) years after the initial date of any loan or grant made by the authority for such project, which will maintain at least seven hundred fifty (750) full-time employees. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xv) Any pharmaceutical manufacturing, packaging and distribution facility with an initial capital investment from any local or federal sources of not less than Five Hundred Thousand Dollars (\$500,000.00) which will create at least ninety (90) full-time jobs. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xvi) Any major industrial wood processing facility with an initial capital investment of not less than One Hundred Million Dollars (\$100,000,000.00) which will create at least one hundred twenty-five (125) full-time jobs which provide an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least Thirty Thousand Dollars (\$30,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xvii) Any technical, engineering, manufacturing-logistic service provider with an initial capital investment of not less than One Million Dollars (\$1,000,000.00) which will create at least ninety (90) full-time jobs. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xviii) Any major capital project with an initial capital investment from any source or combination of sources other than the State of Mississippi of not less than Six Hundred Million Dollars (\$600,000,000.00) which will create at least four hundred fifty (450) full-time jobs with an average annual salary, excluding benefits which are not subject

to Mississippi income taxes, of at least Seventy Thousand Dollars (\$70,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xix) Any major coal and/or petroleum coke gasification project with an initial capital investment from any source or combination of sources other than the State of Mississippi of not less than Eight Hundred Million Dollars (\$800,000,000.00), which will create at least two hundred (200) full-time jobs with an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least Forty-five Thousand Dollars (\$45,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xx) Any planned mixed use development located on not less than four thousand (4,000) acres of land that will consist of commercial, recreational, resort, tourism and residential development with a capital investment from private sources of not less than Four Hundred Seventy-five Million Dollars (\$475,000,000.00) in the aggregate in any one (1) or any combination of tourism projects that will create at least three thousand five hundred (3,500) jobs in the aggregate. For the purposes of this paragraph (f)(xx), the term "tourism project" means and has the same definition as that term has in Section 57-28-1. In order to meet the minimum capital investment required under this paragraph (f)(xx), at least Two Hundred Thirty-seven Million Five Hundred Thousand Dollars (\$237,500,000.00) of such investment must be made not later than June 1, 2015, and the remainder of the minimum capital investment must be made not later than June 1, 2017. In order to meet the minimum number of jobs required to be created under this paragraph (f)(xx), at least one thousand seven hundred fifty (1,750) of such jobs must be created not later than June 1, 2015, and the remainder of the jobs must be created not later than June 1, 2017. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxi) Any enterprise owning or operating an automotive manufacturing and assembly plant and its affiliates for which construction begins after March 2, 2007, and not later than December 1, 2007, with an initial capital investment from private sources of not less than Five Hundred Million Dollars (\$500,000,000.00) which will create at least one thousand five hundred (1,500) jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxii) Any enterprise owning or operating a major powertrain component manufacturing and assembly plant for which construction begins after May 11, 2007, and not later than December 1, 2007, with an initial capital investment from private sources of not less than Three Hundred Million Dollars (\$300,000,000.00) which will create at least five hundred (500) new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law, and the requirement that the average annual wages and taxable benefits of such jobs shall be at least one hundred twenty-five percent (125%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxiii) Any biological and agricultural defense project operated by an agency of the government of the United States with an initial capital investment of not less than Four Hundred Fifty Million Dollars (\$450,000,000.00) from any source other than the State of Mississippi and its subdivisions, which will create at least two hundred fifty (250) new full-time jobs. All jobs created by the project must be held by persons eligible for employment in the United States under applicable state and federal law.

(xxiv) Any enterprise owning or operating an existing tire manufacturing plant which adds to such plant capital assets of not less than Twenty-five Million Dollars (\$25,000,000.00) after January 1, 2009, and that maintains at least one thousand two hundred (1,200) full-time jobs in this state at one (1) location with an average annual salary, excluding benefits which are not subject to Mississippi income taxes, of at least Forty-five Thousand Dollars (\$45,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxv) Any enterprise owning or operating a facility for the manufacture of composite components for the aerospace industry which will have an investment from private sources of not less than One Hundred Seventy-five Million Dollars (\$175,000,000.00) by not later than December 31, 2015, and which will result in the full-time employment at the project site of not less than two hundred seventy-five (275) persons by December 31, 2011, and not less than four hundred twenty-five (425) persons by December 31, 2013, and not less than eight hundred (800) persons by December 31, 2017, all with an average annual compensation, excluding benefits which are not subject to Mississippi income taxes, of at least Fifty-three Thousand Dollars (\$53,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxvi) Any enterprise owning or operating a facility for the manufacture of pipe which will have an investment from any source other than the State of Mississippi and its subdivisions of not less than Three Hundred Million Dollars (\$300,000,000.00) by not later than December 31, 2015, and which will create at least five hundred (500) new full-time jobs within five (5) years after the start of commercial production and maintain such jobs for at least ten (10) years, all with an average annual compensation, excluding benefits which are not subject to Mississippi income taxes, of at least Thirty-two Thousand Dollars (\$32,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxvii) Any enterprise owning or operating a facility for the manufacture of solar panels which will have an investment from any source other than the State of Mississippi and its subdivisions of not less than One Hundred Thirty-two Million Dollars (\$132,000,000.00) by not later than December 31, 2015, and which will create at least five hundred (500) new full-time jobs within five (5) years after the start of commercial production and maintain such jobs for at least ten (10) years, all with an average annual compensation, excluding benefits which are not subject to Mississippi income taxes, of at least Thirty-four Thousand Dollars (\$34,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

(xxviii) 1. Any enterprise owning or operating an automotive parts manufacturing plant and its affiliates for which construction begins after June 1, 2013, and not later than June 30, 2014, with an initial capital investment of not less than Three Hundred Million Dollars (\$300,000,000.00) which will create at least five hundred (500) new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law, and the requirement that the average annual wages and taxable benefits of such jobs shall be at least one hundred ten percent (110%) of the most recently published average annual wage of the state or the most recently published average annual wage of the county in which the project is located as determined by the Mississippi Department of Employment Security, whichever is the lesser. The authority shall require that binding commitments be entered into requiring that:

a. The minimum requirements for the project provided for in this subparagraph shall be met; and

b. That if such commitments are not met, all or a portion of the funds provided by the state for the project as determined by the authority shall be repaid.

2. It is anticipated that the project defined in this subparagraph (xxviii) will expand in three (3) additional phases, will create an additional five hundred

(500) full-time jobs meeting the above criteria in each phase, and will invest an additional Three Hundred Million Dollars (\$300,000,000.00) per phase.

(xxix) Any enterprise engaged in the manufacture of tires or other related rubber or automotive products for which construction of a plant begins after January 1, 2016, and is substantially completed no later than December 31, 2022, and for which such enterprise commits to an aggregate capital investment by such enterprise and its affiliates of not less than One Billion Four Hundred Fifty Million Dollars (\$1,450,000,000.00) and the creation thereby of at least two thousand five hundred (2,500) new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law, and the requirement that the average annual salary or wage, excluding the value of any benefits which are not subject to Mississippi income tax, of such jobs shall be at least Forty Thousand Dollars (\$40,000.00). The authority shall require that binding commitments be entered into requiring that:

1. Minimum requirements for investment and jobs for the project shall be met; and

2. If such requirements are not met, all or a portion of the funds provided by the state for the project may, as determined by the authority, be subject to repayment by such enterprise and/or its affiliates, together with any penalties or damages required by the authority in connection therewith.

(xxx) Any enterprise owning or operating a maritime fabrication and assembly facility for which construction begins after February 1, 2016, and concludes not later than December 31, 2018, with an initial capital investment in land, buildings and equipment not less than Sixty-eight Million Dollars (\$68,000,000.00) and will create not less than one thousand (1,000) new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law, and the requirement that the average annual compensation, excluding benefits which are not subject to Mississippi income taxes, of at least Forty Thousand Dollars (\$40,000.00). The authority shall require that binding commitments be entered into requiring that:

1. The minimum requirements for the project provided for in this subparagraph shall be met; and

2. If such commitments are not met, all or a portion of the funds provided by the state for the project may, as determined by the authority, be subject to repayment by such enterprise, together with any penalties or damages required by the authority in connection therewith.

(xxxi) Each of the projects defined in this paragraph (f)(xxxi)1 and 2 that are undertaken by affiliated enterprises, together with any or all of the projects defined in this paragraph (f)(xxxi)3 and/or 4 if they are undertaken by the same or other enterprises affiliated with those enterprises that undertake projects defined in this paragraph (f)(xxxi)1 and 2:

1. An enterprise engaged in the manufacturing and production of recycled flat-rolled aluminum or related products for which construction of recycled aluminum flat-rolled mill begins after January 1, 2023, and is substantially completed no later than December 31, 2026; and

2. An enterprise engaged in the manufacturing and production of biocarbon from biomass for which construction of the biocarbon manufacturing facility begins after December 1, 2022, and is substantially completed no later than December

31, 2026; provided that such series of projects may additionally, but shall not be required to, include:

3. Any other affiliated enterprise that undertakes the development and operation of a new industrial or commercial facility in the state, excluding any area or areas designated by the authority in a written agreement between such enterprise or any affiliate thereof, for which the construction of any such facility begins after January 1, 2023, and is substantially completed no later than December 31, 2029; and/or

4. An enterprise engaged in the development and operation of port activities (e.g., the loading and unloading of barges, rail cars and trucks, the storage and handling of materials, and other port-related operations) in support of all or any of the enterprises enumerated in this paragraph (f)(xxxi)1, 2 and 3, or otherwise in support of an existing electric arc furnace steel mill producing flat-rolled steel and related products; and for which the parent enterprise of such affiliated enterprises enumerated in this paragraph (f)(xxxi)1, 2, 3 and/or 4 commits to an aggregate, collective capital investment by one or more or any combination of such enterprises and their affiliates, as well as by any co-located customers, of not less than Two Billion Five Hundred Million Dollars (\$2,500,000,000.00) and the creation thereby of at least one thousand (1,000) new full-time jobs meeting criteria established by the authority, which criteria shall include, but not be limited to, the requirement that such jobs must be held by persons eligible for employment in the United States under applicable state and federal law, and the requirement that the average annual salary or wage, excluding the value of any benefits which are not subject to Mississippi income tax, of such jobs shall be at least Ninety-three Thousand Dollars (\$93,000.00). The authority shall require that binding commitments be entered into requiring that:

a. Minimum requirements for investment and jobs for such affiliated projects shall be met; and

b. If such requirements are not collectively met, all or a portion of the funds provided by the state for such affiliated projects may, as determined by the authority, be subject to repayment by such enterprises and/or their affiliates, together with any penalties or damages required by the authority in connection therewith.

For purposes of this paragraph (f)(xxxi), A. a co-located customer shall mean a person who locates and operates any new manufacturing, processing, warehousing and/or distribution facility within the project area for the project defined in this paragraph (f)(xxxi)1 and utilizes, directly or indirectly, in its operations any aluminum or related products produced by such project, and B. an affiliated enterprise or an affiliate means a related business entity which shares a common direct or indirect ownership with the enterprise owning or operating a project as defined in this paragraph (f)(xxxi)1, 2, 3 or 4. References in the act to a project, as defined by this paragraph (f)(xxxi) shall mean any one of, any combination or all of the projects as defined in this paragraph (f)(xxxi)1, 2, 3 or 4.

(g) (i) "Project area" means the project site, together with any area or territory within the state lying within sixty-five (65) miles of any portion of the project site whether or not such area or territory be contiguous; however, for the project defined in paragraph (f)(iv) of this section the term "project area" means any area or territory within the state. The project area shall also include all territory within a county if any portion of such county lies within sixty-five (65) miles of any portion of the project site. "Project site" means the real property on which the principal facilities of the enterprise will operate. The provisions of this subparagraph (i) shall not apply to a project as defined in paragraph (f)(xxi) of this section.

(ii) For the purposes of a project as defined in paragraph (f)(xxi) of this section, the term "project area" means the acreage authorized in the certificate of



convenience and necessity issued by the Mississippi Development Authority to a regional economic development alliance under Section 57-64-1 et seq.

(iii) For the purposes of a project as defined in paragraph (f)(xxxi)1 of this section, the term "project area" means the acreage specified by the authority in written agreement with the enterprise undertaking such project and/or an affiliate thereof.

(h) "Public agency" means:

(i) Any department, board, commission, institution or other agency or instrumentality of the state;

(ii) Any city, town, county, political subdivision, school district or other district created or existing under the laws of the state or any public agency of any such city, town, county, political subdivision or district or any other public entity created or existing under local and private legislation;

(iii) Any department, commission, agency or instrumentality of the United States of America; and

(iv) Any other state of the United States of America which may be cooperating with respect to location of the project within the state, or any agency thereof.

(i) "State" means State of Mississippi.

(j) "Fee-in-lieu" means a negotiated fee to be paid by the project in lieu of any franchise taxes imposed on the project by Chapter 13, Title 27, Mississippi Code of 1972. The fee-in-lieu shall not be less than Twenty-five Thousand Dollars (\$25,000.00) annually. A fee-in-lieu may be negotiated with an enterprise operating an existing project defined in paragraph (f)(iv)1 of this section; however, a fee-in-lieu shall not be negotiated for other existing enterprises that fall within the definition of the term "project."

(k) (i) "Affiliate" means a subsidiary or related business entity which shares a common direct or indirect ownership with the enterprise owning or operating a project as defined in paragraph (f)(xxi), paragraph (f)(xxviii) or paragraph (f)(xxix) of this section. The subsidiary or related business must provide services directly related to the core activities of the project.

(ii) For the purposes of a project as defined in paragraph (f)(xxxi) of this section, an "affiliated enterprise" or an "affiliate" means a related business entity which shares a common direct or indirect ownership with the enterprise owning or operating a project as defined in paragraph (f)(xxxi)1, 2, 3 or 4 of this section.

(l) "Tier One supplier" means a supplier of a project as defined in paragraph (f)(xxi) of this section that is certified by the enterprise owning the project and creates a minimum of fifty (50) new full-time jobs.

SECTION 57. Section 57-80-7, Mississippi Code of 1972, is reenacted as follows:

57-80-7. (1) From and after December 31, 2000, the following counties may apply to the MDA for the issuance of a certificate of public convenience and necessity:

(a) Any county of this state which has an annualized unemployment rate that is at least two hundred percent (200%) of the state's unemployment rate as of December 31 of any year after December 31, 2000, as determined by the Mississippi Department of Employment Security's most recently published data;

(b) Any county of this state in which thirty percent (30%) or more of the population of the county is at or below the federal poverty level according to the official

data compiled by the United States Census Bureau as of August 30, 2000, for counties that apply before December 31, 2002, or the most recent official data compiled by the United States Census Bureau for counties that apply from and after December 31, 2002; or

(c) Any county of this state having an eligible supervisors district.

(2) The application, at a minimum, must contain (a) the Mississippi Department of Employment Security's most recently published figures that reflect the annualized unemployment rate of the applying county as of December 31 or the most recent official data by the United States Census Bureau required by subsection (1) of this section, as the case may be, and (b) an order or resolution of the county consenting to the designation of the county as a growth and prosperity county.

(3) Any municipality of a designated growth and prosperity county or within an eligible supervisors district and not more than eight (8) miles from the boundary of the county that meets the criteria of subsection (1)(b) of this section may by order or resolution of the municipality consent to participation in the Growth and Prosperity Program.

(4) No incentive or tax exemption shall be given under this chapter without the consent of the affected county or municipality.

SECTION 58. Section 69-2-5, Mississippi Code of 1972, is reenacted as follows:

69-2-5. (1) The Mississippi Cooperative Extension Service shall act as a clearinghouse for the dissemination of information regarding programs and services which may be available to help those persons and businesses which have been adversely affected by the present emergency in the agricultural community. The Cooperative Extension Service shall develop a plan of assistance which shall identify all programs and services available within the state which can be of assistance to those affected by the present emergency. The Department of Agriculture and Commerce, Department of Finance and Administration, Department of Human Services, Department of Mental Health, State Department of Health, Board of Trustees of State Institutions of Higher Learning, Mississippi Community College Board, Research and Development Center, Mississippi Development Authority, Department of Employment Security, Office of the Governor, Board of Vocational and Technical Education, Mississippi Authority for Educational Television, and other agencies of the state which have programs and services that can be of assistance to those affected by the present emergency, shall provide information regarding their programs and services to the Cooperative Extension Service for use in the clearinghouse. The types of programs and services shall include, but not be limited to, financial counseling, farm and small business management, employment services, labor market information, job retraining, vocational and technical training, food stamp programs, personal counseling, health services, and free or low cost legal services. The clearinghouse shall provide a single contact point to provide program information and referral services to individuals interested or needing services from state-funded assistance programs affecting agriculture, horticulture, aquaculture and other agribusinesses or related industries. Such assistance information shall identify all monies available under the Small Business Financing Act, the Business Investment Act, the Emerging Crops Fund legislation and any other sources which may be used singularly or combined, to provide a comprehensive financing package. The provisions of this section in establishing a single contact point for information and referral services shall not be construed to authorize the hiring of additional personnel.

(2) The Cooperative Extension Service may accept monetary or in-kind contributions, gifts and grants for the establishment or operation of the clearinghouse.

(3) The Cooperative Extension Service shall establish a method for the dissemination of information to those who can be benefited by the existing programs and services of the state.

(4) The Cooperative Extension Service shall file an annual report with the Governor, Lieutenant Governor and Speaker of the House of Representatives regarding the efforts which have been made in the clearinghouse operation. The report shall also recommend any additional measures, including legislation, which may be needed or desired in providing programs and benefits to those affected by the agricultural emergency.

SECTION 59. Section 7-1-355, Mississippi Code of 1972, is reenacted as follows:

7-1-355. (1) The Mississippi Department of Employment Security, Office of the Governor, is designated as the sole administrator of all programs for which the state is the prime sponsor under Title 1(B) of Public Law 105-220, Workforce Investment Act of 1998, and the regulations promulgated thereunder, and may take all necessary action to secure to this state the benefits of that legislation. The Mississippi Department of Employment Security, Office of the Governor, may receive and disburse funds for those programs that become available to it from any source.

(2) The Mississippi Department of Employment Security, Office of the Governor, shall establish guidelines on the amount and/or percentage of indirect and/or administrative expenses by the local fiscal agent or the Workforce Development Center operator. The Mississippi Department of Employment Security, Office of the Governor, shall develop an accountability system and make an annual report to the Legislature before December 31 of each year on Workforce Investment Act activities. The report shall include, but is not limited to, the following:

(a) The total number of individuals served through the Workforce Development Centers and the percentage and number of individuals for which a quarterly follow-up is provided;

(b) The number of individuals who receive core services by each center;

(c) The number of individuals who receive intensive services by each center;

(d) The number of Workforce Investment Act vouchers issued by the Workforce Development Centers including:

(i) A list of schools and colleges to which these vouchers were issued and the average cost per school of the vouchers; and

(ii) A list of the types of programs for which these vouchers were issued;

(e) The number of individuals placed in a job through Workforce Development Centers;

(f) The monies and the amount retained for administrative and other costs received from Workforce Investment Act funds for each agency or organization that Workforce Investment Act funds flow through as a percentage and actual dollar amount of all Workforce Investment Act funds received.

SECTION 60. Section 60, Chapter 572, Laws of 2004, as amended by Section 58, Chapter 30, Laws of the First Extraordinary Session of 2008, as amended by Section 58, Chapter 559, Laws of 2010 Regular Session, as amended by Section 59, Chapter 471, Laws of 2011, as amended by Section 58, Chapter 515, Laws of 2012, as amended by Section 58, Chapter 451, Laws of 2019, as amended by Section 7, Chapter 476, Laws of 2020, is amended as follows:

Section 60. Sections 8 through 59 of this act shall stand repealed on July 1, \* \* \* 2027.

SECTION 61. Section 25-1-98, Mississippi Code of 1972, is amended as follows:

25-1-98. (1) (a) In addition to any other times required by statute, all state offices shall be open and staffed for the normal conduct of business from 8:00 a.m. until 5:00 p.m., Monday through Friday, except on legal holidays as set forth in Section 3-3-7. The Governor may designate certain state offices and institutions as providers of essential services and require that they be open and staffed on legal holidays. The Board of Directors of the Mississippi Industries for the Blind may, in its discretion, require that its offices and operations be open and staffed on legal holidays. Employees required to work on legal holidays shall earn compensatory leave under the provisions of Section 25-3-92. No employee shall receive additional vacation or sick leave benefits for working on a legal holiday, nor shall this section be construed to authorize any additional compensation as an alternative to the accrual of compensatory leave except as specifically provided for in a legislative appropriation. The provisions of this section shall not be construed to limit the hours of operation of any agency or to abrogate any action taken during hours other than those stated, nor shall these provisions apply to any offices that do not customarily stay open five (5) days a week. The provisions of this section shall not apply to the military department of the State of Mississippi or to the armories, field training sites, air bases or other installations of the Mississippi National Guard.

(b) A workday for a state employee in a full-time employment position shall be eight (8) hours in duration at a minimum exclusive of time off for meals. The appointing authority shall develop work schedules which ensure that each full-time employee works a full workday and shall provide the State Auditor with a copy of the regular work schedule of the appointing authority.

(2) An appointing authority of any state service agency within the meaning of Section 25-9-107 may authorize telework for one or more of its employees in accordance with a telework policy, approved by the State Personnel Board, as provided in subsection (3) of this section.

(3) In order to implement a telework policy for one or more of its employees, an appointing authority shall:

(a) Determine whether or not telework is in the best interest of the agency. In doing so, the appointing authority \* \* \* may seek guidance from the State Personnel Board in determining what forms of work activities can be effectively and efficiently managed through a telework arrangement;

(b) Establish procedures to protect any information that is privileged or confidential under state or federal law;

(c) Require all teleworking employees to sign a telework agreement that includes their work schedule, provides for supervisory oversight through the review of work product and deliverables on a regular basis, requires the protection of privileged or confidential information that is managed remotely on an agency computer or other devices, establishes protocols for accessibility to coworkers and clients, workplace safety, and any other matters deemed appropriate by the appointing authority; and

(d) Establish work schedules that ensure that some personnel are at the appointing authority's offices to provide direct contact with the public.

(4) For purposes of subsections (2) and (3) of this section, the term "telework" shall mean a work flexibility arrangement under which an employee performs duties, responsibilities, or other authorized activities from an approved worksite other than the location from which the employee would otherwise work.

(5) All agencies that allow employees to telework shall report to the State Personnel Board the names of the employees, their job titles, office schedule and telework schedule, who are performing telework for their agencies. On or before December 31 of each year, the State Personnel Board shall make a report related to the utilization of telework policies to the Chairmen of the House and Senate Appropriations Committees, the Accountability, Efficiency and Transparency Committees, and the Joint Legislative Committee on Performance Evaluation and Expenditure Review.

(6) The State Personnel Board may promulgate rules for the administration of this section which shall be binding upon state service agencies within the meaning of Section 25-9-107.

(7) Subsections (2) through (6) of this section shall stand repealed on July 1, \* \* \* 2025.

SECTION 62. Section 71-5-355, Mississippi Code of 1972, is amended as follows:

71-5-355. (1) As used in this section, the following words and phrases shall have the following meanings, unless the context clearly requires otherwise:

(a) "Tax year" means any period beginning on January 1 and ending on December 31 of a year.

(b) "Computation date" means June 30 of any calendar year immediately preceding the tax year during which the particular contribution rates are effective.

(c) "Effective date" means January 1 of the tax year.

(d) Except as hereinafter provided, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H, plus the total of all remuneration paid by such employer excluded from the definition of wages by Section 71-5-351. For the computation of modified rates, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H.

(e) For the computation of modified rates, "eligible employer" means an employer whose experience-rating record has been chargeable with benefits throughout the thirty-six (36) consecutive calendar-month period ending on the computation date, except that any employer who has not been subject to the Mississippi Employment Security Law for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement shall be an eligible employer if his or her experience-rating record has been chargeable throughout not less than the twelve (12) consecutive calendar-month period ending on the computation date. No employer shall be considered eligible for a contribution rate less than five and four-tenths percent (5.4%) with respect to any tax year, who has failed to file any two (2) quarterly reports within the qualifying period by September 30 following the computation date. No employer or employing unit shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which the employing unit is found by the department to be in violation of Section 71-5-19(2) or (3) and for the next two (2) succeeding tax years. No representative of such employing unit who was a party to a violation as described in Section 71-5-19(2) or (3), if such representative was or is an employing unit in this state, shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which such violation was detected by the department and for the next two (2) succeeding tax years.

(f) With respect to any tax year, "reserve ratio" means the ratio which the total amount available for the payment of benefits in the Unemployment Compensation Fund, excluding any amount which has been credited to the account of this state under

Section 903 of the Social Security Act, as amended, and which has been appropriated for the expenses of administration pursuant to Section 71-5-457 whether or not withdrawn from such account, on October 31 (close of business) of each calendar year bears to the aggregate of the taxable payrolls of all employers for the twelve (12) calendar months ending on June 30 next preceding.

(g) "Modified rates" means the rates of employer unemployment insurance contributions determined under the provisions of this chapter and the rates of newly subject employers, as provided in Section 71-5-353.

(h) For the computation of modified rates, "qualifying period" means a period of not less than the thirty-six (36) consecutive calendar months ending on the computation date throughout which an employer's experience-rating record has been chargeable with benefits; except that with respect to any eligible employer who has not been subject to this article for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement, "qualifying period" means the period ending on the computation date throughout which his or her experience-rating record has been chargeable with benefits, but in no event less than the twelve (12) consecutive calendar-month period ending on the computation date throughout which his or her experience-rating record has been so chargeable.

(i) The "exposure criterion" (EC) is defined as the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits as of November 16 of each calendar year or the next working day if November 16 falls on a holiday or a weekend, divided by the total wages, exclusive of wages paid by all state agencies, all political subdivisions, reimbursable nonprofit corporations, and tax-exempt public service employment, for the twelve-month period ending June 30 immediately preceding such date. The EC shall be computed to four (4) decimal places and rounded up if any fraction remains. Notwithstanding any other provision contained herein, the date for determining the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits for the calendar years 2020 and 2021 shall be December 31.

(j) The "cost rate criterion" (CRC) is defined as follows: Beginning with January 1974, the benefits paid for the twelve-month period ending December 1974 are summed and divided by the total wages for the twelve-month period ending on June 30, 1975. Similar ratios are computed by subtracting the earliest month's benefit payments and adding the benefits of the next month in the sequence and dividing each sum of twelve (12) months' benefits by the total wages for the twelve-month period ending on the June 30 which is nearest to the final month of the period used to compute the numerator. If December is the final month of the period used to compute the numerator, then the twelve-month period ending the following June 30 will be used for the denominator. Benefits and total wages used in the computation of the cost rate criterion shall exclude all benefits and total wages applicable to state agencies, political subdivisions, reimbursable nonprofit corporations, and tax-exempt PSE employment.

The CRC shall be computed as the average for the highest monthly value of the cost rate criterion computations during each of the economic cycles since the calendar year 1974 as defined by the National Bureau of Economic Research. The CRC shall be computed to four (4) decimal places and any remainder shall be rounded up.

The CRC shall be adjusted only through annual computations and additions of future economic cycles.

(k) "Size of fund index" (SOFI) is defined as the ratio of the exposure criterion (EC) to the cost rate criterion (CRC). The target size of fund index will be fixed at 1.0. If the insured unemployment rate (IUR) exceeds a four and five-tenths percent (4.5%) average for the most recent completed July to June period, the target SOFI will be .8 and will remain at that level until the computed SOFI (the average exposure criterion of

the current year and the preceding year divided by the average cost rate criterion) equals 1.0 or the average IUR falls to four and five-tenths percent (4.5%) or less for any period July to June. However, if the IUR falls below two and five-tenths percent (2.5%) for any period July to June the target SOFI shall be 1.2 until such time as the computed SOFI is equal to or greater than 1.0 or the IUR is equal to or greater than two and five-tenths percent (2.5%), at which point the target SOFI shall return to 1.0.

(l) No employer's unemployment contribution general experience rate plus individual unemployment experience rate shall exceed five and four-tenths percent (5.4%). Accrual rules shall apply for purposes of computing contribution rates including associated functions.

(m) The term "general experience rate" has the same meaning as the minimum tax rate.

(2) Modified rates:

(a) For any tax year, when the reserve ratio on the preceding November 16, in the case of any tax year, equals or exceeds three percent (3%), the modified rates, as hereinafter prescribed, shall be in effect. In computation of this reserve ratio, any remainder shall be rounded down.

(b) Modified rates shall be determined for the tax year for each eligible employer on the basis of his or her experience-rating record in the following manner:

(i) The department shall maintain an experience-rating record for each employer. Nothing in this chapter shall be construed to grant any employer or individuals performing services for him or her any prior claim or rights to the amounts paid by the employer into the fund.

(ii) Benefits paid to an eligible individual shall be charged against the experience-rating record of his or her base period employers in the proportion to which the wages paid by each base period employer bears to the total wages paid to the individual by all the base period employers, provided that benefits shall not be charged to an employer's experience-rating record if the department finds that the individual:

1. Voluntarily left the employ of such employer without good cause attributable to the employer or to accept other work;

2. Was discharged by such employer for misconduct connected with his or her work;

3. Refused an offer of suitable work by such employer without good cause, and the department further finds that such benefits are based on wages for employment for such employer prior to such voluntary leaving, discharge or refusal of suitable work, as the case may be;

4. Had base period wages which included wages for previously uncovered services as defined in Section 71-5-511(e) to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566;

5. Extended benefits paid under the provisions of Section 71-5-541 which are not reimbursable from federal funds shall be charged to the experience-rating record of base period employers;

6. Is still working for such employer on a regular part-time basis under the same employment conditions as hired. Provided, however, that benefits

shall be charged against an employer if an eligible individual is paid benefits who is still working for such employer on a part-time "as-needed" basis;

7. Was hired to replace a United States serviceman or servicewoman called into active duty and was laid off upon the return to work by that serviceman or servicewoman, unless such employer is a state agency or other political subdivision or instrumentality of the state;

8. Was paid benefits during any week while in training with the approval of the department, under the provisions of Section 71-5-513B, or for any week while in training approved under Section 236(a)(1) of the Trade Act of 1974, under the provisions of Section 71-5-513C;

9. Is not required to serve the one-week waiting period as described in Section 71-5-505(2). In that event, only the benefits paid in lieu of the waiting period week may be noncharged; or

10. Was paid benefits as a result of a fraudulent claim, provided notification was made to the Mississippi Department of Employment Security in writing or by email by the employer, within ten (10) days of the mailing of the notice of claim filed to the employer's last-known address.

(iii) Notwithstanding any other provision contained herein, an employer shall not be noncharged when the department finds that the employer or the employer's agent of record was at fault for failing to respond timely or adequately to the request of the department for information relating to an unemployment claim that was subsequently determined to be improperly paid, unless the employer or the employer's agent of record shows good cause for having failed to respond timely or adequately to the request of the department for information. For purposes of this subparagraph "good cause" means an event that prevents the employer or employer's agent of record from timely responding, and includes a natural disaster, emergency or similar event, or an illness on the part of the employer, the employer's agent of record, or their staff charged with responding to such inquiries when there is no other individual who has the knowledge or ability to respond. Any agency error that resulted in a delay in, or the failure to deliver notice to, the employer or the employer's agent of record shall also be considered good cause for purposes of this subparagraph.

(iv) The department shall compute a benefit ratio for each eligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record during the period his or her experience-rating record has been chargeable, but not less than the twelve (12) consecutive calendar-month period nor more than the thirty-six (36) consecutive calendar-month period ending on the computation date, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date. Such benefit ratio shall be computed to the tenth of a percent (.1%), rounding any remainder to the next higher tenth.

(v) 1. The unemployment insurance contribution rate for each eligible employer shall be the sum of two (2) rates: his or her individual experience rate in the range from zero percent (0%) to five and four-tenths percent (5.4%), plus a general experience rate. In no event shall the resulting unemployment insurance rate be in excess of five and four-tenths percent (5.4%), however, it is the intent of this section to provide the ability for employers to have a tax rate, the general experience rate plus the individual experience rate, of up to five and four-tenths percent (5.4%).

2. The employer's individual experience rate shall be equal to his or her benefit ratio as computed under paragraph (b)(iv) of this subsection (2).



3. The general experience rate shall be determined in the following manner: The department shall determine annually, for the thirty-six (36) consecutive calendar-month period ending on the computation date, the amount of benefits which were not charged to the record of any employer and of benefits which were ineffectively charged to the employer's experience-rating record. For the purposes of this item 3, the term "ineffectively charged benefits" shall include:

a. The total of the amounts of benefits charged to the experience-rating records of all eligible employers which caused their benefit ratios to exceed five and four-tenths percent (5.4%);

b. The total of the amounts of benefits charged to the experience-rating records of all ineligible employers which would cause their benefit ratios to exceed five and four-tenths percent (5.4%) if they were eligible employers; and

c. The total of the amounts of benefits charged or chargeable to the experience-rating record of any employer who has discontinued his or her business or whose coverage has been terminated within such period; provided, that solely for the purposes of determining the amounts of ineffectively charged benefits as herein defined, a "benefit ratio" shall be computed for each ineligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record throughout the period ending on the computation date, during which his or her experience-rating record has been chargeable with benefits, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date; and provided further, that such benefit ratio shall be computed to the tenth of one percent (.1%) and any remainder shall be rounded to the next higher tenth.

The ratio of the sum of these amounts (subsection (2)(b)(v)3a, b and c) to the taxable wages paid during the same period divided by all eligible employers whose benefit ratio did not exceed five and four-tenths percent (5.4%), computed to the next higher tenth of one percent (.1%), shall be the general experience rate; however, the general experience rate for rate year 2014 shall be two tenths of one percent (.2%) and to that will be added the employer's individual experience rate for the total unemployment insurance rate.

4. a. Except as otherwise provided in this item 4, the general experience rate shall be adjusted by use of the size of fund index factor. This factor may be positive or negative, and shall be determined as follows: From the target SOFI, as defined in subsection (1)(k) of this section, subtract the simple average of the current and preceding years' exposure criterions divided by the cost rate criterion, as defined in subsection (1)(j) of this section. The result is then multiplied by the product of the CRC, as defined in subsection (1)(j) of this section, and total wages for the twelve-month period ending June 30 divided by the taxable wages for the twelve-month period ending June 30. This is the percentage positive or negative added to the general experience rate. The sum of the general experience rate and the trust fund adjustment factor shall be multiplied by fifty percent (50%) and this product shall be computed to one (1) decimal place, and rounded to the next higher tenth.

b. Notwithstanding the minimum rate provisions as set forth in subsection (1)(l) of this section, the general experience rate of all employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only.

5. The general experience rate shall be zero percent (0%) unless the general experience ratio for any tax year as computed and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%) is an amount equal to or greater than two-tenths of one percent (.2%), then the general experience rate shall be the computed general experience ratio and adjusted on the basis of the trust fund

adjustment factor and reduced by fifty percent (50%); however, in no case shall the sum of the general experience plus the individual experience unemployment insurance rate exceed five and four-tenths percent (5.4%). For rate years subsequent to 2014, Mississippi Workforce Enhancement Training contribution rate, and/or State Workforce Investment contribution rate, and/or Mississippi Works contribution rate, when in effect, shall be added to the unemployment contribution rate, regardless of whether the addition of this contribution rate causes the total contribution rate for the employer to exceed five and four-tenths percent (5.4%).

6. The department shall include in its annual rate notice to employers a brief explanation of the elements of the general experience rate, and shall include in its regular publications an annual analysis of benefits not charged to the record of any employer, and of the benefit experience of employers by industry group whose benefit ratio exceeds four percent (4%), and of any other factors which may affect the size of the general experience rate.

7. Notwithstanding any other provision contained herein, the general experience rate for calendar year 2021 shall be zero percent (0%). Charges attributed to each employer's individual experience rate for the period March 8, 2020, through June 30, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2021 and the two (2) subsequent tax rate years. Moreover, charges attributed to each employer's individual experience rate for the period July 1, 2020, through December 31, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2022 and the two (2) subsequent tax rate years. Furthermore, noncharges as defined hereinabove caused by the COVID-19 pandemic will not be used for the purposes of calculating the general experience rate.

(vi) When any employing unit in any manner succeeds to or acquires the organization, trade, business or substantially all the assets thereof of an employer, excepting any assets retained by such employer incident to the liquidation of his or her obligations, whether or not such acquiring employing unit was an employer within the meaning of Section 71-5-11, subsection H, prior to such acquisition, and continues such organization, trade or business, the experience-rating and payroll records of the predecessor employer shall be transferred as of the date of acquisition to the successor employer for the purpose of rate determination.

(vii) When any employing unit succeeds to or acquires a distinct and severable portion of an organization, trade or business, the experience-rating and payroll records of such portion, if separately identifiable, shall be transferred to the successor upon:

1. The mutual consent of the predecessor and the successor;
2. Approval of the department;
3. Continued operation of the transferred portion by the successor after transfer; and
4. The execution and the filing with the department by the predecessor employer of a waiver relinquishing all rights to have the experience-rating and payroll records of the transferred portion used for the purpose of determining modified rates of contribution for such predecessor.

(viii) If the successor was an employer subject to this chapter prior to the date of acquisition, it shall continue to pay unemployment insurance contributions at the rate applicable to it from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date of acquisition, it

shall pay unemployment insurance contributions at the rate applicable to the predecessor or, if more than one (1) predecessor and the same rate is applicable to both, the rate applicable to the predecessor or predecessors, from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date the acquisition occurred and simultaneously acquires the businesses of two (2) or more employers to whom different rates of unemployment insurance contributions are applicable, it shall pay unemployment insurance contributions from the date of the acquisition until the end of the current tax year at a rate computed on the basis of the combined experience-rating and payroll records of the predecessors as of the computation date for such tax year. In all cases the rate of unemployment insurance contributions applicable to such successor for each succeeding tax year shall be computed on the basis of the combined experience-rating and payroll records of the successor and the predecessor or predecessors.

(ix) The department shall notify each employer quarterly of the benefits paid and charged to his or her experience-rating record; and such notification, in the absence of an application for redetermination filed within thirty (30) days after the date of such notice, shall be final, conclusive and binding upon the employer for all purposes. A redetermination, made after notice and opportunity for a fair hearing, by a hearing officer designated by the department who shall consider and decide these and related applications and protests; and the finding of fact in connection therewith may be introduced into any subsequent administrative or judicial proceedings involving the determination of the rate of unemployment insurance contributions of any employer for any tax year, and shall be entitled to the same finality as is provided in this subsection with respect to the findings of fact in proceedings to redetermine the contribution rate of an employer.

(x) The department shall notify each employer of his or her rate of contribution as determined for any tax year as soon as reasonably possible after September 1 of the preceding year. Such determination shall be final, conclusive and binding upon such employer unless, within thirty (30) days after the date of such notice to his or her last-known address, the employer files with the department an application for review and redetermination of his or her contribution rate, setting forth his or her reasons therefor. If the department grants such review, the employer shall be promptly notified thereof and shall be afforded an opportunity for a fair hearing by a hearing officer designated by the department who shall consider and decide these and related applications and protests; but no employer shall be allowed, in any proceeding involving his or her rate of unemployment insurance contributions or contribution liability, to contest the chargeability to his or her account of any benefits paid in accordance with a determination, redetermination or decision pursuant to Sections 71-5-515 through 71-5-533 except upon the ground that the services on the basis of which such benefits were found to be chargeable did not constitute services performed in employment for him or her, and then only in the event that he or she was not a party to such determination, redetermination, decision or to any other proceedings provided in this chapter in which the character of such services was determined. The employer shall be promptly notified of the denial of this application or of the redetermination, both of which shall become final unless, within ten (10) days after the date of notice thereof, there shall be an appeal to the department itself. Any such appeal shall be on the record before said designated hearing officer, and the decision of said department shall become final unless, within thirty (30) days after the date of notice thereof to the employer's last-known address, there shall be an appeal to the Circuit Court of the First Judicial District of Hinds County, Mississippi, in accordance with the provisions of law with respect to review of civil causes by certiorari.

(3) Notwithstanding any other provision of law, the following shall apply regarding assignment of rates and transfers of experience:

(a) (i) If an employer transfers its trade or business, or a portion thereof, to another employer and, at the time of the transfer, there is substantially common ownership, management or control of the two (2) employers, then the unemployment

experience attributable to the transferred trade or business shall be transferred to the employer to whom such business is so transferred. The rates of both employers shall be recalculated and made effective on January 1 of the year following the year the transfer occurred.

(ii) If, following a transfer of experience under subparagraph (i) of this paragraph (a), the department determines that a substantial purpose of the transfer of trade or business was to obtain a reduced liability of unemployment insurance contributions, then the experience-rating accounts of the employers involved shall be combined into a single account and a single rate assigned to such account.

(b) Whenever a person who is not an employer or an employing unit under this chapter at the time it acquires the trade or business of an employer, the unemployment experience of the acquired business shall not be transferred to such person if the department finds that such person acquired the business solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions. Instead, such person shall be assigned the new employer rate under Section 71-5-353, unless assignment of the new employer rate results in an increase of less than two percent (2%), in which case such person would be assigned the new employer rate plus an additional two percent (2%) penalty for the rate year. In determining whether the business was acquired solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions, the department shall use objective factors which may include the cost of acquiring the business, whether the person continued the business enterprise of the acquired business, how long such business enterprise was continued, or whether a substantial number of new employees were hired for performance of duties unrelated to the business activity conducted prior to acquisition.

(c) (i) If a person knowingly violates or attempts to violate paragraph (a) or (b) of this subsection or any other provision of this chapter related to determining the assignment of a contribution rate, or if a person knowingly advises another person in a way that results in a violation of such provision, the person shall be subject to the following penalties:

1. If the person is an employer, then such employer shall be assigned the highest rate assignable under this chapter for the rate year during which such violation or attempted violation occurred and the three (3) rate years immediately following this rate year. However, if the person's business is already at such highest rate for any year, or if the amount of increase in the person's rate would be less than two percent (2%) for such year, then the person's tax rate shall be increased by two percent (2%) for such year. The penalty rate will apply to the successor business as well as the related entity from which the employees were transferred in an effort to obtain a lower rate of unemployment insurance contributions.

2. If the person is not an employer, such person shall be subject to a civil money penalty of not more than Five Thousand Dollars (\$5,000.00). Each such transaction for which advice was given and each occurrence or reoccurrence after notification being given by the department shall be a separate offense and punishable by a separate penalty. Any such fine shall be deposited in the penalty and interest account established under Section 71-5-114.

(ii) For purposes of this paragraph (c), the term "knowingly" means having actual knowledge of or acting with deliberate ignorance or reckless disregard for the prohibition involved.

(iii) For purposes of this paragraph (c), the term "violates or attempts to violate" includes, but is not limited to, intent to evade, misrepresentation or willful nondisclosure.

(iv) In addition to the penalty imposed by subparagraph (i) of this paragraph (c), any violation of this subsection may be punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5) years, or by both such fine and imprisonment. This subsection shall prohibit prosecution under any other criminal statute of this state.

(d) The department shall establish procedures to identify the transfer or acquisition of a business for purposes of this subsection.

(e) For purposes of this subsection:

(i) "Person" has the meaning given such term by Section 7701(a)(1) of the Internal Revenue Code of 1986; and

(ii) "Employing unit" has the meaning as set forth in Section 71-5-11.

(f) This subsection shall be interpreted and applied in such a manner as to meet the minimum requirements contained in any guidance or regulations issued by the United States Department of Labor.

SECTION 63. The following shall be codified as Section 71-5-146, Mississippi Code of 1972:

71-5-146. (1) The Mississippi Department of Employment Security shall have the authority to fingerprint and conduct a background investigation on every employee, contractor and subcontractor who:

(a) Has access to Federal Tax Information (FTI); or

(b) Is otherwise required by state or federal law or regulations to undergo a background investigation.

(2) The department shall have the authority to enact policies and procedures that allow designated department employees to:

(a) Access and review state and federal criminal history records;

(b) Fingerprint individuals identified in subsection (1) of this section;

(c) Forward the fingerprints to the Federal Bureau of Investigation (FBI) for a fingerprint-based national criminal history record check for the purpose of establishing and ensuring that background investigation requirements for all department employees, contractors and subcontractors that have access to FTI are consistent with the Internal Revenue Service background investigation requirements for access to FTI, including, but not limited to, IRS Publication 1075; and

(d) Develop additional background policies and procedures as required by state or federal law or regulations.

SECTION 64. Section 62 of this act shall take effect and be in force from and after January 1, 2023, and the remainder of this act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REENACT SECTIONS 37-153-1, 37-153-3, 37-153-5, 37-153-7, 37-153-9, 37-153-11, 37-153-13, 37-153-15 AND 37-153-17 MISSISSIPPI CODE OF

1972, WHICH CONSTITUTE THE MISSISSIPPI COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; TO AMEND REENACTED SECTION 37-153-17, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE MISSISSIPPI COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; TO REENACT SECTIONS 71-5-5, 71-5-11 AND 71-5-19, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI EMPLOYMENT SECURITY LAW; TO REENACT SECTIONS 71-5-101 THROUGH 71-5-143, MISSISSIPPI CODE OF 1972, WHICH TRANSFER THE POWERS AND RESPONSIBILITIES OF THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION TO THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY IN THE OFFICE OF THE GOVERNOR AND PRESCRIBE THE DEPARTMENT'S POWERS AND DUTIES; TO REENACT SECTION 71-5-201, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE MISSISSIPPI STATE EMPLOYMENT SERVICE WITHIN THE DEPARTMENT OF EMPLOYMENT SECURITY; TO REENACT SECTIONS 71-5-357 AND 71-5-359, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBE REGULATIONS GOVERNING NONPROFIT ORGANIZATIONS, STATE AGENCIES AND POLITICAL SUBDIVISIONS UNDER THE EMPLOYMENT SECURITY LAW; TO AMEND REENACTED SECTION 71-5-359, MISSISSIPPI CODE OF 1972, TO REMOVE DUPLICATIVE LANGUAGE; TO REENACT SECTIONS 71-5-451 AND 71-5-457, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE UNEMPLOYMENT COMPENSATION FUND AND THE UNEMPLOYMENT TRUST FUND; TO REENACT SECTIONS 71-5-511, 71-5-513, 71-5-517, 71-5-519, 71-5-523, 71-5-525, 71-5-529, 71-5-531 AND 71-5-541, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PAYMENT OF UNEMPLOYMENT COMPENSATION BENEFITS; TO REENACT SECTION 73-30-25, MISSISSIPPI CODE OF 1972, WHICH EXCLUDES CERTAIN PROFESSIONALS FROM REGULATION UNDER THE LAWS GOVERNING LICENSED PROFESSIONAL COUNSELORS; TO REENACT SECTION 43-1-30, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TANF IMPLEMENTATION COUNCIL AND PRESCRIBES ITS POWERS AND DUTIES; TO REENACT SECTION 43-17-5, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES THE AMOUNT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BENEFITS WHICH MAY BE GRANTED TO RECIPIENTS; TO REENACT SECTION 43-19-45, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE CHILD SUPPORT UNIT ESTABLISHED BY THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A STATE PARENT LOCATOR SERVICE; TO REENACT SECTION 43-19-46, MISSISSIPPI CODE OF 1972, WHICH REQUIRES EMPLOYERS TO SUBMIT CERTAIN INFORMATION RELATING TO NEWLY HIRED EMPLOYEES TO THE DIRECTORY OF NEW HIRES WITHIN THE DEPARTMENT OF HUMAN SERVICES; TO REENACT SECTIONS 57-62-5 AND 57-62-9, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI ADVANTAGE JOBS ACT; TO REENACT SECTION 57-75-5, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS USED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO REENACT SECTION 57-80-7, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE GROWTH AND PROSPERITY ACT; TO REENACT SECTION 69-2-5, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES CERTAIN DUTIES OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE RELATING TO THE DISSEMINATION OF INFORMATION TO THE AGRICULTURAL COMMUNITY; TO REENACT SECTION 7-1-355, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF EMPLOYMENT SECURITY, OFFICE OF THE GOVERNOR, TO MAKE AN ANNUAL REPORT TO THE LEGISLATURE ON WORKFORCE INVESTMENT ACTIVITIES; TO AMEND SECTION 60, CHAPTER 572, LAWS OF 2004, AS LAST AMENDED BY SECTION 7, CHAPTER 476, LAWS OF 2020, TO EXTEND THE DATE OF REPEAL ON THOSE STATUTES REENACTED BY THIS ACT; TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE AUTHORITY OF STATE SERVICE AGENCIES TO ALLOW TELEWORK IN ACCORDANCE WITH A POLICY APPROVED BY THE STATE PERSONNEL BOARD; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE NONCHARGES CAUSED BY THE COVID-19 PANDEMIC SHALL NOT BE USED FOR THE PURPOSES OF CALCULATING THE GENERAL EXPERIENCE RATE; TO CREATE NEW SECTION 71-5-146, MISSISSIPPI CODE OF 1972, TO AUTHORIZE

THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO FINGERPRINT AND CONDUCT BACKGROUND INVESTIGATIONS ON CERTAIN EMPLOYEES, CONTRACTORS AND SUBCONTRACTORS, AND TO ENACT POLICIES AND PROCEDURES REGARDING THE SAME; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

David Parker

Donnie Bell

Jeremy England

Kevin Felsher

Chuck Younger

Otis Anthony

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2810** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Caughman moved that the rules be suspended for the consideration en bloc of S. N. No. 5, S. N. No. 6, S. N. No. 14, S. N. No. 15, S. N. No. 22, S. N. No. 23 and S. N. No. 67 and the motion prevailed.

Senator Caughman called up the following entitled nominations:

**S. N. No. 5:** Tammy Renee' Phillips, Brandon, Mississippi, State Board of Banking Review, five year term effective May 23, 2022 and ending February 22, 2027, representing an At-Large position.

**S. N. No. 6:** Philip Roger Blaylock, Madison, Mississippi, State Board of Banking Review, five year term effective June 29, 2022 and ending March 23, 2027, representing the First Supreme Court District, vice Sarah Beth Wilson.

**S. N. No. 14:** Timothy Clifton (Tim) Allred, Meridian, Mississippi, State Board of Contractors, five year term beginning July 1, 2022 and ending June 30, 2027, representing the Residential Builder, vice David Smith.

**S. N. No. 15:** Norris Lee Carson, Carthage, Mississippi, State Board of Contractors, five year term beginning September 14, 2022 and ending June 30, 2026, representing a Road Contractor.

**S. N. No. 22:** Sandra Tingle Chancellor, Madison, Mississippi, State Board of Funeral Service as the Funeral Director Licensed representative from the First Supreme

Court District, four year term effective July 6, 2022 and ending June 20, 2026, vice David Allen Ray.

**S. N. No. 23:** David Chadwick (Chad) Riemann, Gulfport, Mississippi, State Board of Funeral Service as the Funeral Dir. Licensed representative from the 2nd Supreme Court Dist., four year term effective July 1, 2022 and ending June 30, 2026, vice Jeffrey O'Keefe, Sr..

**S. N. No. 67:** Ora Lee (O.L.) Sims, II, Hattiesburg, Mississippi, State Board of Contractors as the Water and Sewer Contractor, five year term beginning July 1, 2022 and ending June 30, 2027.

YEAS AND NAYS on consideration en bloc of S. N. No. 5, S. N. No. 6, S. N. No. 14, S. N. No. 15, S. N. No. 22, S. N. No. 23 and S. N. No. 67. On motion of Senator Caughman, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Carter called up the following entitled nomination:

**S. N. No. 39:** David Andrew Scott, Sr., Jackson, Mississippi, State Oil and Gas Board, six year term effective May 23, 2022 and ending April 7, 2028, representing the First Supreme Court District.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 39 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Whaley moved that the rules be suspended for the consideration en bloc of S. N. No. 43, S. N. No. 44 and S. N. No. 73 and the motion prevailed.

Senator Whaley called up the following entitled nominations:

**S. N. No. 43:** David Edward Holman, Bay St. Louis, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 14, 2022 and ending June 30, 2025, representing the Fourth Congressional District as it existed July 1, 2022.



**S. N. No. 44:** Drew Thomas St. John, II, Madison, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 6, 2022 and ending June 30, 2026, representing the Third Congressional District as it existed July 1, 2022.

**S. N. No. 73:** Dason Colin (Colin) Maloney, Tupelo, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 6, 2022 and ending June 30, 2026, representing the First Congressional District as it existed July 1, 2022.

YEAS AND NAYS on consideration en bloc of S. N. No. 43, S. N. No. 44 and S. N. No. 73. On motion of Senator Whaley, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Polk moved that the rules be suspended for the consideration en bloc of S. N. No. 2, S. N. No. 76, S. N. No. 69 and S. N. No. 93 and the motion prevailed.

Senator Polk called up the following entitled nominations:

**S. N. No. 2:** Arnold Edward (T.J.) Taylor, Jr., Madison, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired six year term beginning January 1, 2020 and ending January 1, 2026, vice Edmond Hughes.

**S. N. No. 76:** Norman Paul Katool, Madison, Mississippi, Public Procurement Review Board, four year term effective July 1, 2023 and will expire June 30, 2027.

**S. N. No. 69:** Charles William (Bill) Cook, Jr., Oxford, Mississippi, Information Technology Services Authority, five year term beginning July 1, 2022 and ending June 30, 2027.

**S. N. No. 93:** Dr. Lucius Marion (Luke) Lampton, Magnolia, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired six year term beginning January 1, 2018 and ending January 1, 2024.

YEAS AND NAYS on consideration en bloc of S. N. No. 2, S. N. No. 76, S. N. No. 69 and S. N. No. 93. On motion of Senator Hill, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Barnett entered a motion to reconsider the vote whereby the Conference Report on **S. B. No. 2495** was adopted by the Senate.

Senator Barnett moved that the rules be suspended for the immediate consideration of **S. B. No. 2495**, and the motion prevailed.

Senator Barnett called up the motion to reconsider the vote whereby the Conference Report on **S. B. No. 2495** was adopted by the Senate and moved that it be reconsidered:

**S. B. No. 2495:** State inmates; require MDOC to pay increased rate to house inmates in county jails.

The foregoing motion prevailed.

Senator Barnett moved that the Conference Committee Report on **S. B. No. 2495** be recommitted for further conference and the motion prevailed.

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Senator McCaughn entered a motion to reconsider the vote whereby the Conference Report on **S. B. No. 2530** was adopted by the Senate.

**S. B. No. 2530:** "Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate.

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Senator Caughman moved that when the Senate adjourns, it adjourn in memory of Doyle Cole of Braxton, MS.

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Senator Parker moved that when the Senate adjourns, it adjourn in memory of Richard "Sarge" Lytle of Southaven, MS.

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Senator Blackwell moved that when the Senate adjourns, it adjourn in memory of Alyssa Marie White of Lonoke, AR.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Clyde Pinson Ballard, Jr. and R. Fran Flood of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Bobby Eugene Jones of Yazoo City, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Glen Goldman of Natchez, MS.

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Senator Chassaniol moved that when the Senate adjourns, it adjourn in memory of Danny Munford, Helen Wood Munford and JaDarrion Murphy of Summerfield, MS.

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Senator Tate moved that when the Senate adjourns, it adjourn in memory of Maedelle Patton Covert of Meridian, MS.

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**S. C. R. No. 571:** Israel; commend 75th Anniversary of independence of. Title Sufficient. Do Be Adopted.

**S. R. No. 93:** Remember the legacy of Willie Johnson, Starkville's first African American Fire Chief. Title Sufficient. Do Be Adopted.

**S. R. No. 94:** Commend Marshall Academy "Patriots" Boys Baseball Team and Coach Bruce Branch for winning 4A Championship dedicated to his daughter Janie. Title Sufficient. Do Be Adopted.

**S. R. No. 95:** Commend Marshall Academy "Lady Patriots" Fast-Pitch Softball Team for winning the 2022 MAIS 4A State Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 96:** Congratulate Oxford High School Senior Winnie Wilson as "Mississippi 2023 High School Journalist of the Year". Title Sufficient. Do Be Adopted.

**S. R. No. 97:** Acknowledge March 30, 2023, as "National Doctors Day" in Mississippi. Title Sufficient. Do Be Adopted.

**S. R. No. 98:** Recognize outstanding leadership of longtime MSU College of Veterinary Medicine Dean Kent Hoblet on his retirement. Title Sufficient. Do Be Adopted.

**S. R. No. 99:** Commend Women for Progress of Mississippi, Inc., for public service. Title Sufficient. Do Be Adopted.

**S. R. No. 100:** Celebrating the 100th Anniversary of the Prentiss County Farm Bureau. Title Sufficient. Do Be Adopted.

**H. C. R. No. 51:** Baptist Memorial Hospital-Golden Triangle; commend upon receiving "A" rating for 10 consecutive years. Title Sufficient. Do Be Adopted.

**H. C. R. No. 52:** Honorable Senator Angela Turner-Ford; commend and recognize intrepid leadership as chairperson of the MLBC. Title Sufficient. Do Be Adopted.

**H. C. R. No. 54:** Caledonia High School Volleyball Team; commend upon winning MHSAA Class 4A State Volleyball Championship. Title Sufficient. Do Be Adopted.

**H. C. R. No. 55:** Chief Gary Ponthieux, Jr.; commend for many years of public service in law enforcement and congratulate upon retirement. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

## MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2335:** Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee.

**S. B. No. 2692:** Bonds; repeal authorization for unissued bonds and replace with cash funds.

**S. B. No. 2696:** Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2023 and FY2024.

**S. B. No. 3000:** Appropriation; IHL - General support.

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3002:** Appropriation; IHL - Alcorn State - Agricultural programs.

**S. B. No. 3003:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

**S. B. No. 3004:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

**S. B. No. 3007:** Appropriation; IHL - Student Financial Aid.

**S. B. No. 3008:** Appropriation; IHL - University of Mississippi Medical Center.

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

**S. B. No. 3010:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

**S. B. No. 3011:** Appropriation; Corrections, Department of.

**S. B. No. 3012:** Appropriation; Public Safety, Department of.

**S. B. No. 3013:** Appropriation; Agriculture and Commerce, Department of.

**S. B. No. 3016:** Appropriation; Emergency Management Agency.

**S. B. No. 3017:** Appropriation; Military Department.

**S. B. No. 3021:** Appropriation; Employment Security, Department of.

**S. B. No. 3025:** Appropriation; Mental Health, Department of.

**S. B. No. 3026:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of.

**S. B. No. 3046:** Appropriation; Development Authority, Mississippi.

**S. B. No. 3047:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

**S. B. No. 3049:** Appropriation; Secretary of State.

**S. B. No. 3113:** Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds.

**S. B. No. 3115:** Appropriation; additional to DOH for ARPA Rural Water Associations Infrastructure Grant Program.

**S. B. No. 3116:** Appropriation; additional to DFA for destination marketing organizations and Main Street Association, ARPA funds.

**S. B. No. 3117:** Appropriation; additional for DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan, ARPA funds.

**S. B. No. 3118:** Appropriation; additional to DFA - Bureau of Buildings, ARPA funds.

**S. B. No. 3119:** Appropriation; additional to DOH for Mississippi Hospital Sustainability Grant Program, ARPA funds.

**S. B. No. 3120:** Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 271:** Appropriation; Health Department for distributing funds to hospitals under the Health Care Impact Grant Program.

**H. B. No. 272:** Appropriation; Health Department for Local Provider Innovation Grant Program.

**H. B. No. 1605:** Appropriation; Insurance, Department of.

**H. B. No. 1611:** Appropriation; Arts Commission.

**H. B. No. 1612:** Appropriation; Archives and History, Department of.

**H. B. No. 1613:** Appropriation; Education, Department of.

**H. B. No. 1615:** Appropriation; Library Commission.

**H. B. No. 1616:** Appropriation; Environmental Quality, Department of.

**H. B. No. 1617:** Appropriation; Wildlife, Fisheries and Parks, Department of.

**H. B. No. 1618:** Appropriation; Grand Gulf Military Monument Commission.

**H. B. No. 1620:** Appropriation; Public Service Commission.

**H. B. No. 1622:** Appropriation; Human Services, Department of.

**H. B. No. 1623:** Appropriation; Rehabilitation Services, Department of.

**H. B. No. 1624:** Appropriation; Medicaid, Division of.

**H. B. No. 1625:** Appropriation: Child Protection Services, Department of.

**H. B. No. 1626:** Appropriation; Health, Department of.

**H. B. No. 1628:** Appropriation; Forestry Commission.

**H. B. No. 1636:** Appropriation; Marine Resources, Department of.

**H. B. No. 1637:** Appropriation; District attorneys and staff.

**H. B. No. 1639:** Appropriation; State Public Defender, Office of.

**H. B. No. 1640:** Appropriation; Supreme Court, Court of Appeals and trial judges services.

**H. B. No. 1641:** Appropriation; Attorney General.

**H. B. No. 1642:** Appropriation; Transportation, Department of.

**H. B. No. 1715:** Appropriation; Health Department for funding the ARPA Rural Water Associations Infrastructure Grant Program.

**H. B. No. 1717:** Appropriation; DFA - Office of Insurance for reimbursing the State Health Plan for eligible expenses incurred.

**H. B. No. 1718:** Appropriation; DFA Bureau of Building for completing capital projects at state-owned buildings and grounds.

**H. B. No. 1719:** Appropriation; DFA to assist destination marketing organizations in paying for marketing activities.

**H. B. No. 1722:** Appropriation; UMMC for construction, repair and renovation of the School of Dentistry.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 261:** Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations.

**H. B. No. 799:** Inmate Welfare Fund; increase portion of the fund that is utilized to fund Inmate Incentive to Work Program.

**H. B. No. 1671:** Tax credits; revise certain existing and authorize additional.

**H. B. No. 1734:** Bonds; authorize for various purposes.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Monday, March 27, 2023.

The motion prevailed, and at 5:04 PM, the Senate stood in recess.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has GRANTED THE REQUEST OF THE SENATE FOR A CONFERENCE and the Speaker has named conferees on the following:

**S. B. No. 2556:** Qualifications for appointment as a conservation officer; clarify.

Representatives Kinkade,Hale,Mangold

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. B. No. 3150:** City of Kosciusko; authorize election for restaurant tax to fund tourism and parks and recreation.

Andrew Ketchings, Clerk of the House of Representatives

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**REPORT OF COMMITTEE ON EDUCATION**

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 1:** Marcy Moya Scoggins, Madison, Mississippi, Mississippi Charter School Authorizer Board, term effective immediately and ending August 30, 2025. Do Advise and Consent.

**S. N. No. 8:** Candace Denise Robins, Raymond, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, unexpired three year term effective May 12, 2022 and ending August 31, 2023, vice Mark C. Baker, Sr.. Do Advise and Consent.

**S. N. No. 9:** Candace Denise Robins, Raymond, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, three year term effective September 1, 2023 and ending August 31, 2026. Do Advise and Consent.

DEBAR, Chairman

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 11:58 PM in memory of Doyle Cole, Richard "Sarge" Lytle, Maedelle Patton Covert, Alyssa Marie White, Clyde Pinson Ballard, Jr., R. Fran Flood, Bobby Eugene Jones, Glen Goldman, Helen Wood Munford, Danny Munford and JaDarrion Murphy.

Eugene S. Clarke, Secretary of the Senate

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**INTRODUCTIONS FOR SUNDAY, MARCH 26, 2023**

**S. C. R. No. 572:** Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON SENATE CONCURRENT RESOLUTION NO. 533, 2023 REGULAR SESSION.

By Senator(s) DeBar

**S. R. No. 100:** Rules

A RESOLUTION CELEBRATING THE 100TH ANNIVERSARY OF THE PRENTISS COUNTY FARM BUREAU AND COMMEMORATING ITS HISTORY AND CONTRIBUTIONS TO AGRICULTURE IN OUR STATE.

By Senator(s) Sparks, Barnett, Butler (38th), McCaughn

**S. R. No. 101:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE COLUMBUS CHRISTIAN ACADEMY "RAMS" GIRLS BASKETBALL TEAM AND "COACH OF THE YEAR" BILLY THOMAS FOR WINNING THE 2023 MAIS CLASS 2A STATE CHAMPIONSHIP.

By Senator(s) Younger

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EIGHTY-FOURTH DAY, MONDAY, MARCH 27, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Reverend Clint Bourn, Senior Pastor, First Pentecostal Church of Sumrall, Sumrall, MS.

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Senator Fillingane led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2004:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF DUCK HILL, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF THE SALES OF RESTAURANTS AND SALES OF PREPARED FOOD AT CONVENIENCE STORES, WHICH SHALL BE USED TO PROMOTE TOURISM, PARKS AND RECREATION WITHIN THE TOWN; TO PROVIDE FOR AN ELECTION ON THE QUESTION OF IMPLEMENTING THE TAX; AND FOR RELATED PURPOSES.

**S. B. No. 2152:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF BYRAM, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS DERIVED FROM THE SALES OF RESTAURANTS; TO PROVIDE THAT SUCH TAX SHALL BE IN AN AMOUNT NOT TO EXCEED 2% FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE, CONSTRUCT, FINANCE, OPERATE, EQUIP, LEASE AND MAINTAIN NEW AND EXISTING PARKS AND RECREATION FACILITIES AND EQUIPMENT WITHIN THE CITY; TO PROVIDE FOR A REFERENDUM ON WHETHER

SUCH TAX MAY BE LEVIED; TO PROVIDE FOR THE ISSUANCE AND REPAYMENT OF DEBT RELATED TO PARKS AND RECREATION WITHIN THE CITY FROM THE PROCEEDS OF THE TAX; AND FOR RELATED PURPOSES.

**S. B. No. 2519:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE TOWN OF MONTICELLO, MISSISSIPPI; TO LEVY A TAX UPON THE GROSS PROCEEDS OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF FOOD AND BEVERAGES AT RESTAURANTS WITHIN THE TOWN; AND FOR RELATED PURPOSES.

**S. B. No. 3109:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF WARREN COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO CERTAIN NONPROFIT CORPORATIONS; AND FOR RELATED PURPOSES.

**S. B. No. 3140:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF GAUTIER, MISSISSIPPI, TO ENTER INTO A PUBLIC AND PRIVATE PARTNERSHIP WITH UNLIMITED PLAY, INC., FOR THE CONSTRUCTION OF AN INCLUSION PLAYGROUND; AND FOR RELATED PURPOSES.

**S. B. No. 3141:** AN ACT TO AMEND CHAPTER 948, LOCAL AND PRIVATE LAWS OF 2014, TO AUTHORIZE THE BOARD OF SUPERVISORS OF KEMPER COUNTY, MISSISSIPPI, TO EXPAND THE SCOPE OF AUTHORITY OF THE KEMPER COUNTY GAS DISTRICT TO BECOME A COUNTY UTILITY DISTRICT WITH THE AUTHORITY TO ADMINISTER ADDITIONAL PUBLIC UTILITY SERVICES, INCLUDING, BUT NOT LIMITED TO, THE PROVISION OF DRINKING WATER; TO REVISE THE NAME OF THE KEMPER COUNTY GAS DISTRICT TO BE THE KEMPER COUNTY UTILITY DISTRICT; AND FOR RELATED PURPOSES.

**S. B. No. 3142:** AN ACT TO AMEND CHAPTER 943, LOCAL AND PRIVATE LAWS OF 2011, AS LAST AMENDED BY CHAPTER 937, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2026, ON THE PROVISION OF LAW AUTHORIZING THE BOARD OF SUPERVISORS OF LAUDERDALE COUNTY, MISSISSIPPI, TO FUND THE LAUDERDALE COUNTY DETENTION FACILITY'S GOOD NEWS JAIL AND PRISON MINISTRY CHAPLAIN AND CHAPLAINCY PROGRAM FROM NONTAX REVENUE GENERATED BY THE INMATE TELEPHONE SERVICE; AND FOR RELATED PURPOSES.

**S. B. No. 3143:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF LUCEDALE, MISSISSIPPI, TO IMPOSE A TAX OF UP TO 1% TO BE LEVIED ON THE GROSS PROCEEDS DERIVED FROM THE SALES OF PREPARED FOOD AND DRINK AT RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS FOR PARKS AND RECREATION CAPITAL IMPROVEMENTS; TO PROVIDE FOR A REFERENDUM ON WHETHER SUCH TAX SHALL BE LEVIED; AND FOR RELATED PURPOSES.

**S. C. R. No. 566:** A CONCURRENT RESOLUTION DESIGNATING THE LAST WEEKEND IN OCTOBER 2023 AS "HONOR YOUR HOMETOWN WEEKEND IN MISSISSIPPI" TO BRING ATTENTION TO RURAL COMMUNITIES AS THE CULTURAL CENTER OF OUR STATE AND TO MEMORIALIZE THE U.S. CONGRESS TO DESIGNATE A "NATIONAL HOMETOWN WEEKEND".

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 2892:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF VICKSBURG, MISSISSIPPI, TO CONTRIBUTE AVAILABLE FUNDS TO THE CREATION, DEVELOPMENT AND PROMOTION OF THE DR. JANE ELLEN MCALLISTER MUSEUM FOR THE PURPOSES OF TOURISM AND ECONOMIC DEVELOPMENT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3145:** AN ACT TO AMEND CHAPTER 982, LOCAL AND PRIVATE LAWS OF 2007, TO AUTHORIZE THE BOARD OF SUPERVISORS OF GEORGE COUNTY, MISSISSIPPI, TO IMPOSE A TAX OF UP TO 3% TO BE LEVIED ON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS WITHIN THE COUNTY, TO IMPOSE A TAX OF UP TO 1% ON THE GROSS PROCEEDS DERIVED FROM THE SALES OF PREPARED FOODS AND BEVERAGES AT RESTAURANTS WITHIN THE COUNTY, AND TO EXPEND THE PROCEEDS OF SUCH TAXES TO FUND A SPORTS FACILITY AND RECREATIONAL CAPITAL IMPROVEMENT PROJECT IN PARTNERSHIP WITH THE CITY OF LUCEDALE UNDER TITLE 27, CHAPTER 65; TO PROVIDE FOR AN ELECTION ON WHETHER SUCH TAXES WILL BE LEVIED; AND FOR RELATED PURPOSES.

**S. B. No. 3146:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO CERTAIN NONPROFIT CORPORATIONS; AND FOR RELATED PURPOSES.

**S. B. No. 3148:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF LOWNDES COUNTY, MISSISSIPPI, TO CONTRIBUTE AVAILABLE LOCAL FISCAL RECOVERY FUNDS RECEIVED UNDER THE AMERICAN RESCUE PLAN ACT TO ANY PUBLIC UTILITY OR WATER OR SEWER ASSOCIATION OPERATING WITHIN THE COUNTY FOR THE PURPOSES OF EXPANDING OR REPAIRING WATER AND SEWER INFRASTRUCTURE WITHIN THE COUNTY; AND FOR RELATED PURPOSES.

**S. B. No. 3151:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF RANKIN COUNTY, MISSISSIPPI, TO CONTRIBUTE AN AMOUNT NOT TO EXCEED \$750,000.00 FROM AVAILABLE COUNTY FUNDS TO TRUSTMARK PARK FOR ECONOMIC DEVELOPMENT AND TOURISM PURPOSES; AND FOR RELATED PURPOSES.

**S. B. No. 3152:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF PEARL, MISSISSIPPI, TO CONTRIBUTE AN AMOUNT NOT TO EXCEED \$750,000.00 TO TRUSTMARK PARK; AND FOR RELATED PURPOSES.

**S. B. No. 3153:** AN ACT TO AMEND CHAPTER 951, LOCAL AND PRIVATE LAWS OF 2018, AS LAST AMENDED BY CHAPTER 923, LOCAL AND PRIVATE LAWS OF 2020, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2024, TO JULY 1, 2027, ON THE LAW THAT AUTHORIZES THE CITY OF PEARL, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF THE SALES OF HOTELS, MOTELS AND RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM, PARKS AND RECREATION IN THE CITY; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1325:** AN ACT TO AMEND CHAPTER 935, LOCAL AND PRIVATE LAWS OF 2016, AS AMENDED BY CHAPTER 960, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2030, TO JULY 1, 2034, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF

THE CITY OF BRANDON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF ROOM RENTALS FROM HOTELS AND MOTELS WITHIN THE CITY FOR THE PURPOSE OF FUNDING AN AMPHITHEATRE AND OTHER ANCILLARY IMPROVEMENTS; AND FOR RELATED PURPOSES.

**H. B. No. 1793:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF NESHOMA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO PHILADELPHIA TRANSIT; AND FOR RELATED PURPOSES.

**H. B. No. 1794:** AN ACT TO AMEND CHAPTER 903, LOCAL AND PRIVATE LAWS OF 2019, TO EXTEND THE DATE OF REPEAL FROM JULY 1, 2023, TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF CHARLESTON, MISSISSIPPI, TO LEVY A TAX UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF PROVIDING FUNDS FOR THE PROMOTION OF TOURISM AND PARKS AND RECREATION; AND FOR RELATED PURPOSES.

**H. B. No. 1795:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE EDUCATION ASSOCIATION OF EAST OKTIBBEHA COUNTY SCHOOLS; AND FOR RELATED PURPOSES.

**H. B. No. 1796:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE J.L. KING CENTER; AND FOR RELATED PURPOSES.

**H. B. No. 1797:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO MAINTAIN CAMP SEMINOLE ROAD; AND FOR RELATED PURPOSES.

**H. B. No. 1798:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO BRICKFIRE PROJECT; AND FOR RELATED PURPOSES.

**H. B. No. 1799:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF OKTIBBEHA COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO SALLY KATE WINTERS FAMILY SERVICES; AND FOR RELATED PURPOSES.

**H. B. No. 1800:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF HOLMES COUNTY, MISSISSIPPI, TO CONTRIBUTE FUNDS TO THE HOLMES COUNTY LONG-TERM RECOVERY COMMITTEE; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 1790:** AN ACT TO REENACT AND AMEND CHAPTER 951, LOCAL AND PRIVATE LAWS OF 2011, AS AMENDED BY CHAPTER 925, LOCAL AND PRIVATE LAWS OF 2015, AS AMENDED BY CHAPTER 912, LOCAL AND PRIVATE LAWS OF 2017, TO EXTEND UNTIL JULY 1, 2027, THE REPEAL DATE ON THE LAW THAT AUTHORIZES THE BOARD OF SUPERVISORS OF WASHINGTON COUNTY, MISSISSIPPI, TO IMPOSE A TAX ON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS WITHIN THE COUNTY TO ESTABLISH A SPORTS COMPLEX FOR YOUTH WITHIN THE COUNTY; TO PROHIBIT THE COUNTY FROM PLACING THE SPORTS COMPLEX UNDER ANY LEASE UNTIL DEBTS PERTAINING TO THE COMPLEX ARE SATISFIED; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 47:** A CONCURRENT RESOLUTION COMMENDING THE ESSIE B. AND WILLIAM EARL GLENN FOUNDATION FOR BETTER LIVING ON THE OCCASION OF HOSTING ITS FOURTH COMMUNITY FOCUSED ADVERSE CHILDHOOD EXPERIENCES TRAUMA AWARENESS SYMPOSIUM AND RECOGNIZING APRIL 20, 2023, AS ADVERSE CHILDHOOD EXPERIENCES (ACES) TRAUMA AWARENESS DAY.

**H. C. R. No. 48:** A CONCURRENT RESOLUTION SUPPORTING THE MISSISSIPPI CLEAN HYDROGEN HUB AND URGING THE GOVERNMENT OF THE UNITED STATES OF AMERICA TO SELECT MISSISSIPPI'S APPLICATION TO BE A HYDROGEN HUB.

**H. C. R. No. 49:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE SUCCESS OF THE BALDWIN CAREER ADVANCEMENT CENTER'S 2023 QUIZ BOWL TEAM DURING THE 2023 MISSISSIPPI SKILLSUSA QUIZ BOWL COMPETITION UPON WINNING FIRST PLACE.

**H. C. R. No. 53:** A CONCURRENT RESOLUTION HONORING AND CELEBRATING THE 75TH ANNIVERSARY OF INDEPENDENCE OF THE STATE OF ISRAEL.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**S. C. R. No. 572:** Legislature; suspend deadlines for SCR No. 533, 2023 Regular Session. Title Sufficient. Do Be Adopted.

**S. R. No. 101:** Commend Columbus Christian Academy "Rams" Girls Basketball Team for winning MAIS Class 2A State Championship. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. C. R. No. 571, S. R. No. 93, S. R. No. 94, S. R. No. 95, S. R. No. 96, S. R. No. 97, S. R. No. 98, S. R. No. 99, S. R. No. 100, H. C. R. No. 51, H. C. R. No. 52, H. C. R. No. 54 and H. C. R. No. 55 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. C. R. No. 571:** Israel; commend 75th Anniversary of independence of.

**S. R. No. 93:** Remember the legacy of Willie Johnson, Starkville's first African American Fire Chief.

**S. R. No. 94:** Commend Marshall Academy "Patriots" Boys Baseball Team and Coach Bruce Branch for winning 4A Championship dedicated to his daughter Janie.

**S. R. No. 95:** Commend Marshall Academy "Lady Patriots" Fast-Pitch Softball Team for winning the 2022 MAIS 4A State Championship.

**S. R. No. 96:** Congratulate Oxford High School Senior Winnie Wilson as "Mississippi 2023 High School Journalist of the Year".

**S. R. No. 97:** Acknowledge March 30, 2023, as "National Doctors Day" in Mississippi.

**S. R. No. 98:** Recognize outstanding leadership of longtime MSU College of Veterinary Medicine Dean Kent Hoblet on his retirement.

**S. R. No. 99:** Commend Women for Progress of Mississippi, Inc., for public service.

**S. R. No. 100:** Celebrating the 100th Anniversary of the Prentiss County Farm Bureau.

**H. C. R. No. 51:** Baptist Memorial Hospital-Golden Triangle; commend upon receiving "A" rating for 10 consecutive years.

**H. C. R. No. 52:** Honorable Senator Angela Turner-Ford; commend and recognize intrepid leadership as chairperson of the MLBC.

**H. C. R. No. 54:** Caledonia High School Volleyball Team; commend upon winning MHSAA Class 4A State Volleyball Championship.

**H. C. R. No. 55:** Chief Gary Ponthieux, Jr.; commend for many years of public service in law enforcement and congratulate upon retirement.

YEAS AND NAYS on consideration en bloc of S. C. R. No. 571, S. R. No. 93, S. R. No. 94, S. R. No. 95, S. R. No. 96, S. R. No. 97, S. R. No. 98, S. R. No. 99, S. R. No. 100, H. C. R. No. 51, H. C. R. No. 52, H. C. R. No. 54 and H. C. R. No. 55. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Unanimous consent was granted to add Senators Barnett, England, Frazier and McCaughn as co-authors of **S. C. R. No. 571**.

Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and Simmons D. T. (12th) as co-authors of **S. R. No. 93**.

Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 94**.

Unanimous consent was granted to add Senators Barnett, Blackwell and Butler K. (38th) as co-authors of **S. R. No. 95**.

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Unanimous consent was granted to add Senators Barnett and Butler K. (38th) as co-authors of **S. R. No. 96**.

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Unanimous consent was granted to add Senators Barnett, Blackwell, Butler K. (38th), Hopson and McCaughn as co-authors of **S. R. No. 97**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th), England, Frazier, Hopson and Simmons D. T. (12th) as co-authors of **S. R. No. 98**.

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Unanimous consent was granted to add Senators Barnett, Blount, Butler K. (38th) and Simmons D. T. (12th) as co-authors of **S. R. No. 99**.

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Unanimous consent was granted to add Senators Barnett, Butler K. (38th) and McCaughn as co-authors of **S. R. No. 100**.

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Senator Kirby moved that the rules be suspended for the immediate consideration of **S. C. R. No. 572**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**S. C. R. No. 572:** Legislature; suspend deadlines for SCR No. 533, 2023 Regular Session.

YEAS AND NAYS On S. C. R. No. 572. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Hill, Johnson, Polk, Thompson. Total--4.

Absent and those not voting---None.

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On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately all foregoing Rules Resolutions.

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Senator McDaniel called up the motion to reconsider the vote whereby **S. N. No. 21** was confirmed by the Senate and moved that it be reconsidered:

**S. N. No. 21:** Brenda Joyce Lathan, Columbus, Mississippi, Mississippi Commission on Environmental Quality to represent the Second Congressional District, seven year term effective July 1, 2022 and ending June 30, 2029.

The foregoing motion prevailed.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 21 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Hopson moved that the rules be suspended for the immediate consideration of **S. B. No. 3052**, and the motion prevailed.

Senator Hopson moved to reconsider the vote whereby the Conference Report on **S. B. No. 3052** was adopted by the Senate.

The foregoing motion prevailed.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3052** be recommitted for further conference and the motion prevailed.

**S. B. No. 3052:** Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1608** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1608: Appropriation; Real Estate Appraiser Licensing and Certification Board.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate Appraisal License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Appraiser Licensing and Certification Board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 497,130.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized for the Mississippi Real Estate Appraiser Licensing and Certification Board:

AUTHORIZED HEADCOUNT:

Permanent: 4

Time-Limited: 0



With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi Real Estate Appraiser Licensing and Certification Board shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Kevin Horan

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
J. Walter Michel  
Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1608** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1609** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1609: Appropriation: Real Estate Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Real Estate License Fund, for the purpose of defraying the expenses of the Mississippi Real Estate Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 1,788,066.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized for the Mississippi Real Estate Commission:

AUTHORIZED HEADCOUNT:

Permanent:	16
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for

promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that the Mississippi Real Estate Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 6. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION FOR FISCAL YEAR 2024.

## CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Kevin Horan

## CONFEREES FOR THE SENATE

W. Briggs Hopson III  
J. Walter Michel  
Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1609** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3051** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3051: Appropriation; Debt Service-Gen. Obli.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying service charges to banks for acting as agents of the State of Mississippi in paying bonds and interest on the full faith and credit bonds of the state, this appropriation to be available from the effective date of this act until such bonds shall be paid or until June 30, 2024, whichever shall first occur; and for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2024..... \$ 437,396,754.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the full faith and credit bonds of the State of Mississippi falling due during Fiscal Year 2024..... \$ 13,425,250.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is hereby authorized to expend any money in the State Treasury which is comprised of special source funds and interest earnings on bond proceeds for the purpose of paying maturing bonds and interest on the revenue bonds of the State of Mississippi falling due during Fiscal Year 2024..... \$ 39,581,600.00.

SECTION 4. The several items covering maturing bonds and interest as evidenced by coupons on the bonds shall be paid out of the State Treasury as and when provided by law and according to the schedule of interest payments in the several issues of full faith and credit bonds or revenue bonds on which principal and interest is due and payable between the dates of July 1, 2023, and June 30, 2024.

SECTION 5. It is the intention of the Legislature that the State Treasurer is hereby authorized to accept, budget and expend any excess funds which become

available from interest earnings on bond proceeds or from loan repayments received pursuant to bond documents. Such funds shall be escalated in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 6. Of the funds appropriated in Section 1 of this act hereof, the sum of Five Hundred Thousand Dollars (\$500,000.00), or so much thereof as may be necessary, is herein appropriated for paying bank service charges. Itemized statements of banks making service charges shall be attached to requisitions of the State Treasurer.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2024, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2024.

CONFEREES FOR THE SENATE  
W. Briggs Hopson III  
John A. Polk  
Kevin Blackwell

CONFEREES FOR THE HOUSE  
John Read  
Karl Oliver  
Jason White

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3051** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 3015:** Appropriation; Animal Health, Board of.

**S. B. No. 3052:** Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Johnson moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 10:40 AM, the Senate stood in recess.

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The Senate resumed business at 11:17 AM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON LOCAL AND PRIVATE

Mr. President: The above-named committee, having had under consideration the following, favorably reports same for the reason that the relief sought cannot be obtained by invoking the jurisdiction of the courts and by reason the local nature cannot be reached by a general law:

**H. B. No. 1819:** City of Eupora; authorize conveyance of certain property located within city's industrial park. Title Sufficient. Do Pass.

MCMAHAN, Chairman

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1310:** Elections; revise provisions related to the integrity of.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Harkins offered the following report of the Conference Committee on **H. B. No. 261** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 261: Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Thomas "Trey" Lamar, III

Josh Harkins

Jody Steverson

Rob Roberson

Jeremy England

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 261** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1671** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1671: Tax credits; revise certain existing and authorize additional.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.43, Mississippi Code of 1972, is amended as follows:

27-7-22.43. (1) This section shall be known and may be cited as the "Pregnancy Resource Act."

(2) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and is a pregnancy resource center or crisis pregnancy center eligible to receive funding disbursed by the Choose Life Advisory Committee, Choose Life Mississippi or any successor entity under Section 27-19-56.70, 27-19-56.277 and/or 27-19-56.412. To be considered an "eligible charitable organization" a pregnancy resource center or crisis pregnancy center must meet the following criteria:

(i) Certify that no more than ten percent (10%) of the contributions received under this section will be spent on administrative purposes;

(ii) File annually with the Secretary of State the organization's publicly available Internal Revenue Service filings.

(3) (a) The tax credit authorized in this section shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this section, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. For calendar year 2022, for a taxpayer that is not operating as a corporation, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. From and after January 1, 2023, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. However, for credits allocated under this section on or after January 1, 2023, the amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this section but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(b) A contribution for which a credit is claimed under this section may not be used as a deduction by the taxpayer for state income tax purposes.

(4) Taxpayers taking a credit authorized by this section shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(5) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(6) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:



(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(b) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(c) Any other information that the department requires to administer this section.

(7) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(8) Tax credits authorized by this section that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(9) (a) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(b) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(10) The aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Three Million Five Hundred Thousand Dollars (\$3,500,000.00). However, for calendar year 2023, and for each calendar year thereafter, the aggregate amount of tax credits that may be allocated by the department under this section during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00). For credits allocated during a calendar year for contributions to eligible charitable organizations, no more than \* \* \* twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible charitable organization.

SECTION 2. Section 27-7-22.39, Mississippi Code of 1972, is amended as follows:

27-7-22.39. (1) As used in this section:

(a) "Low-income residents" means persons whose household income is less than one hundred fifty percent (150%) of the federal poverty level.

(b) "Qualifying charitable organization" means a charitable organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code or is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901. The organization must spend at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits or low-income residents of this state and their households or to children who have a chronic illness or physical, intellectual, developmental or emotional disability who are residents of this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. Taxpayers choosing to make donations through an umbrella charitable organization that collects donations on behalf of member charities shall designate that the donation be directed to a member charitable organization that would qualify under this section on a stand-alone basis. Qualifying charitable organization does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

(c) "Qualifying foster care charitable organization" means a qualifying charitable organization that each operating year provides services to at least one hundred (100) qualified individuals in this state and spends at least fifty percent (50%) of its budget on services to qualified individuals in this state. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal Revenue Code and that meets all other requirements of this paragraph except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi may be a qualifying foster care charitable organization if it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and it certifies to the department that one hundred percent (100%) of the voluntary cash contributions from the taxpayer will be spent on services to qualified individuals in Mississippi. For the purposes of this paragraph, "qualified individual" means a child in a foster care placement program established by the Department of Child Protection Services, a child placed under the Safe Families for Children model, or a child at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(d) "Services" means:

(i) Cash assistance, medical care, child care, food, clothing, shelter, and job-placement services or any other assistance that is reasonably necessary to meet immediate basic needs and that is provided and used in this state;

(ii) Job-training or education services or funding for parents, foster parents or guardians; or  
(iii) Job-training or education services or funding provided as part of a foster care independent living program.

(2) (a) Except as provided in subsections (3) and (4) of this section, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by the taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization, not to exceed:

( \*\* \*i) Through calendar year 2022, the lesser of Four Hundred Dollars (\$400.00) or the amount of the contribution in any taxable year for a single individual or a head of household; and for calendar year 2023 and each calendar year thereafter, the lesser of One Thousand Two Hundred Dollars (\$1,200.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

( \*\* \*ii) Through calendar year 2022, the lesser of Eight Hundred Dollars (\$800.00) or the amount of the contribution in any taxable year for a married couple filing a joint return; and for calendar year 2023 and each calendar year thereafter, the lesser of Two Thousand Four Hundred Dollars (\$2,400.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(b) From and after January 1, 2023, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the individual taxpayer during the taxable year to a qualifying charitable organization, other than a qualifying foster care charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this paragraph but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(3) (a) A separate credit is allowed against the taxes imposed by this chapter for voluntary cash contributions during the taxable year to a qualifying foster care charitable organization. A contribution to a qualifying foster care charitable organization does not qualify for, and shall not be included in, any credit amount under subsection (2) of this section. If the voluntary cash contribution by the taxpayer is to a qualifying foster care charitable organization, the credit shall not exceed:

( \*\* \*i) Through calendar year 2022, the lesser of Five Hundred Dollars (\$500.00) or the amount of the contribution in any taxable year for a single individual or a head of household; and for calendar year 2023 and each calendar year thereafter, the lesser of One Thousand Five Hundred Dollars (\$1,500.00) or the amount of the contribution in any taxable year for a single individual or a head of household.

( \*\* \*ii) Through calendar year 2022, the lesser of One Thousand Dollars (\$1,000.00) or the amount of the contribution in any taxable year for a married couple filing a joint return; and for calendar year 2023 and each calendar year thereafter, the lesser of Three Thousand Dollars (\$3,000.00) or the amount of the contribution in any taxable year for a married couple filing a joint return.

(b) From and after January 1, 2023, a credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the individual taxpayer during the taxable year to a qualifying foster care charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this paragraph but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(4) Subsections (2) and (3) of this section provide separate credits against taxes imposed by this chapter depending on the recipients of the contributions. A taxpayer, including a married couple filing a joint return, in the same taxable year, may either or both:

(a) Contribute to a qualifying charitable organization, other than a qualifying foster care charitable organization, and claim a credit under subsection (2) of this section.

(b) Contribute to a qualifying foster care charitable organization and claim a credit under subsection (3) of this section.

(5) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(6) Except as otherwise provided in subsections (2) and (3) of this section, if the allowable tax credit exceeds the taxes otherwise due under this chapter on the claimant's income, or if there are no taxes due under this chapter, the taxpayer may carry forward the amount of the claim not used to offset the taxes under this chapter for not more than five (5) consecutive taxable years' income tax liability.

(7) The credit allowed by this section is in lieu of a deduction pursuant to Section 170 of the Internal Revenue Code and taken for state tax purposes.

(8) Taxpayers taking a credit authorized by this section shall provide the name of the qualifying charitable organization and the amount of the contribution to the department on forms provided by the department.

(9) A qualifying charitable organization shall provide the department with a written certification that it meets all criteria to be considered a qualifying charitable organization. The organization shall also notify the department of any changes that may affect the qualifications under this section.

(10) The charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(a) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code or verification that the organization is a designated community action agency that receives community services block grant program monies pursuant to 42 USC 9901.

(b) Financial data indicating the organization's budget for the organization's prior operating year and the amount of that budget spent on services to residents of this state who either:

(i) Receive temporary assistance for needy families benefits;

(ii) Are low-income residents of this state;

(iii) Are children who have a chronic illness or physical, intellectual, developmental or emotional disability; or

(iv) Are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services.

(c) A statement that the organization plans to continue spending at least fifty percent (50%) of its budget on services to residents of this state who receive temporary assistance for needy families benefits, who are low-income residents of this state, who are children who have a chronic illness or physical, intellectual, developmental or emotional disability or who are children in a foster care placement program established by the Department of Child Protection Services, children placed under the Safe Families for Children model or children at significant risk of entering a foster care placement program established by the Department of Child Protection Services. A charitable organization that is exempt from federal income tax under Section 501(c)(3) of the Internal

Revenue Code and that meets all other requirements for a qualifying charitable organization or qualifying foster care charitable organization except that it does not spend at least fifty percent (50%) of its overall budget in Mississippi shall submit a statement that it spends at least fifty percent (50%) of its Mississippi budget on services to qualified individuals in Mississippi and that one hundred percent (100%) of the voluntary cash contributions it receives from Mississippi taxpayers will be spent on services to qualified individuals in Mississippi.

(d) In the case of a foster care charitable organization, a statement that each operating year it provides services to at least one hundred (100) qualified individuals in this state.

(e) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions.

(f) Any other information that the department requires to administer this section.

(11) The department shall review each written certification and determine whether the organization meets all the criteria to be considered a qualifying charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of the qualifying charitable organizations.

(12) The aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed Three Million Dollars (\$3,000,000.00). However, for calendar year 2021, and for each calendar year thereafter, the aggregate amount of tax credits that may be awarded under this section in any calendar year shall not exceed One Million Dollars (\$1,000,000.00). In addition, any tax credits not awarded under this section before June 1, 2020, may be allocated during calendar year 2020 under Section 27-7-22.41 for contributions by taxpayers to eligible charitable organizations described in Section

27-7-22.41(1)(b)(ii) as provided under such section, notwithstanding any limitation on the percentage of tax credits that may be allocated for such contributions.

(13) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this section in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this section.

(14) This section shall be repealed from and after January 1, 2025.

SECTION 3. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Department" means the Department of Revenue.

(b) "Eligible transitional home organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code that provides transitional housing for homeless persons age twenty-five (25) and under, homeless families and/or homeless and/or referred unwed pregnant women.

"Eligible transitional home organization" does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

"Eligible transitional home organization" does not include any entity that charges a fee for the services and/or benefits it provides as an eligible transitional home organization. The prohibition against charging a fee for services and/or benefits is limited to services and benefits the entity provides as an eligible transitional home organization and does not apply to any other services and/or benefits the entity may provide to persons not being served by the entity's transitional home services.

(c) "Transitional housing" means temporary housing the purpose of which is to provide homeless persons age twenty-five (25) and under, homeless families and/or homeless and/or referred unwed pregnant women with temporary shelter and facilitate their movement to permanent housing within an amount of time that the eligible transitional home organization determines to be appropriate.

"Transitional housing" includes a program designed by the eligible transitional home organization that offers structure, supervision, support, life skills, education and training as the eligible transitional home organization determines to be appropriate for each individual and/or family to achieve and/or maintain independence.

(2) (a) (i) The tax credit authorized in this subsection shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible transitional home organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible transitional home organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A contribution to an eligible transitional home organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (3) of this section.

(iii) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible transitional home organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible transitional home organization shall provide the department with a written certification that it meets all criteria to be considered an eligible transitional

home organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(d) The eligible transitional home organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) Information about the facilities that demonstrate the applicant's ability to provide housing for homeless persons age twenty-five (25) and under, homeless families, and/or homeless and/or referred unwed pregnant women;

(iii) Sufficient materials to document the program of the applicant that demonstrate that the applicant has and runs a program that offers structure, supervision, support, life skills, education and training as the eligible transitional home organization determines to be appropriate for each individual and/or family to achieve and/or maintain independence;

(iv) A statement that the organization does not charge a fee for services or benefits provided in whole or in part by its transitional housing program; and

(v) Any other information that the department requires to administer this section.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible transitional home organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible transitional home organizations.

(f) Tax credits authorized by this subsection that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(g) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes.

The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(h) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed Ten Million Dollars (\$10,000,000.00). For credits allocated during a calendar year for contributions to eligible transitional home organizations, no more than twenty-five percent (25%) of such credits may be allocated for contributions to a single eligible transitional home organization.

(3) (a) (i) Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by an individual taxpayer during the taxable year to an eligible transitional home organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by an individual taxpayer during the taxable year to an eligible transitional home organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by this chapter and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(iii) A contribution to an eligible transitional home organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (2) of this section.

(iv) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible transitional home organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible transitional home organization shall provide the department with a written certification that it meets all criteria to be considered an eligible transitional home organization. The organization shall also notify the department of any changes that may affect eligibility under this section.

(d) The eligible transitional housing organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) Information about the facilities that demonstrate the applicant's ability to provide housing for homeless persons age twenty-five (25) and under, homeless families, and/or homeless and/or referred unwed pregnant women;

(iii) Sufficient materials to document the program of the applicant that demonstrate that the applicant has and runs a program that offers structure, supervision,



support, life skills, education and training as the eligible transitional home organization determines to be appropriate for each individual and/or family to achieve and/or maintain independence;

(iv) A statement that the organization does not charge a fee for services or benefits provided in whole or in part by its transitional housing program; and

(v) Any other information that the department requires to administer this section.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible transitional home organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible transitional home organizations.

(f) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(g) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed One Million Dollars (\$1,000,000.00).

SECTION 4. (1) (a) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(i) "Department" means the Department of Revenue.

(ii) "Eligible charitable organization" means an organization that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and spends at least

fifty percent (50%) of its budget on contracting or making other agreements or arrangements with physicians and/or nurse practitioners to provide health care services

to low-income residents of this state including those who are mothers and to their households.

"Eligible charitable organization" does not include any entity that provides, pays for or provides coverage of abortions or that financially supports any other entity that provides, pays for or provides coverage of abortions.

(iii) "Low-income residents" means persons whose household income does not exceed one hundred eighty-five percent (185%) of the federal poverty level converted to a modified adjusted gross income equivalent standard.

(iv) "Nurse practitioner" means a nurse practitioner certified under Section 73-15-20, Mississippi Code of 1972.

(v) "Physician" means an individual licensed to practice medicine or osteopathic medicine under Section 73-25-1 et seq., Mississippi Code of 1972.

(2) (a) (i) The tax credit authorized in this subsection shall be available only to a taxpayer who is a business enterprise engaged in commercial, industrial or professional activities and operating as a corporation, limited liability company, partnership or sole proprietorship. Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by Sections 27-7-5, 27-15-103, 27-15-109 and 27-15-123, for voluntary cash contributions made by a taxpayer during the taxable year to an eligible charitable organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A contribution to an eligible charitable organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (3) of this section.

(iii) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this subsection.

(d) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(iii) Any other information that the department requires to administer this subsection.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(f) Tax credits authorized by this subsection that are earned by a partnership, limited liability company, S corporation or other similar pass-through entity, shall be allocated among all partners, members or shareholders, respectively, either in proportion to their ownership interest in such entity or as the partners, members or shareholders mutually agree as provided in an executed document.

(g) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(h) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed Three Million Dollars (\$3,000,000.00).

(3) (a) (i) Except as otherwise provided in this subsection, a credit is allowed against the taxes imposed by this chapter for voluntary cash contributions by an individual taxpayer during the taxable year to an eligible charitable organization. A credit is also allowed against ad valorem taxes assessed and levied on real property for voluntary cash contributions made by the taxpayer during the taxable year to an eligible charitable organization. The amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by this chapter and an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property. Any tax credit claimed under this subsection but not used in any taxable year may be carried forward for five (5) consecutive years from the close of the tax year in which the credits were earned.

(ii) A husband and wife who file separate returns for a taxable year in which they could have filed a joint return may each claim only one-half (1/2) of the tax credit that would have been allowed for a joint return.

(iii) A contribution to an eligible charitable organization for which a credit is claimed under this subsection does not qualify for and shall not be included in any credit that may be claimed under subsection (2) of this section.

(iv) A contribution for which a credit is claimed under this subsection may not be used as a deduction by the taxpayer for state income tax purposes.

(b) Taxpayers taking a credit authorized by this subsection shall provide the name of the eligible charitable organization and the amount of the contribution to the department on forms provided by the department.

(c) An eligible charitable organization shall provide the department with a written certification that it meets all criteria to be considered an eligible charitable organization. The organization shall also notify the department of any changes that may affect eligibility under this subsection.

(d) The eligible charitable organization's written certification must be signed by an officer of the organization under penalty of perjury. The written certification shall include the following:

(i) Verification of the organization's status under Section 501(c)(3) of the Internal Revenue Code;

(ii) A statement that the organization does not provide, pay for or provide coverage of abortions and does not financially support any other entity that provides, pays for or provides coverage of abortions;

(iii) Any other information that the department requires to administer this subsection.

(e) The department shall review each written certification and determine whether the organization meets all the criteria to be considered an eligible charitable organization and notify the organization of its determination. The department may also periodically request recertification from the organization. The department shall compile and make available to the public a list of eligible charitable organizations.

(f) (i) A taxpayer shall apply for credits with the department on forms prescribed by the department. In the application the taxpayer shall certify to the department the dollar amount of the contributions made or to be made during the calendar year. Within thirty (30) days after the receipt of an application, the department shall allocate credits based on the dollar amount of contributions as certified in the application. However, if the department cannot allocate the full amount of credits certified in the application due to the limit on the aggregate amount of credits that may be awarded under this subsection in a calendar year, the department shall so notify the applicant within thirty (30) days with the amount of credits, if any, that may be allocated to the applicant in the calendar year. Once the department has allocated credits to a taxpayer, if the contribution for which a credit is allocated has not been made as of the date of the allocation, then the contribution must be made not later than sixty (60) days from the date of the allocation. If the contribution is not made within such time period, the allocation shall be cancelled and returned to the department for reallocation. Upon final documentation of the contributions, if the actual dollar amount of the contributions is lower than the amount estimated, the department shall adjust the tax credit allowed under this subsection.

(ii) For the purposes of using a tax credit against ad valorem taxes assessed and levied on real property, a taxpayer shall present to the appropriate tax collector the tax credit documentation provided to the taxpayer by the Department of Revenue, and the tax collector shall apply the tax credit against such ad valorem taxes. The tax collector shall forward the tax credit documentation to the Department of Revenue along with the amount of the tax credit applied against ad valorem taxes, and the department shall disburse funds to the tax collector for the amount of the tax credit applied against ad valorem taxes. Such payments by the Department of Revenue shall be made from current tax collections.

(g) The aggregate amount of tax credits that may be allocated by the department under this subsection during a calendar year shall not exceed One Million Dollars (\$1,000,000.00).

SECTION 5. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Employment-related expenses" means and has the same definition as such term has in 26 USCS Section 21.

(b) "Qualifying individual" means and has the same definition as such term has in 26 USCS Section 21(b)(1)(A).

(2) Subject to the provisions of this section, any taxpayer allowed to claim a federal income tax credit under 26 USCS Section 21 for employment-related expenses incurred related to one (1) or more qualifying individuals shall be allowed a credit against the taxes imposed under this chapter in the manner prescribed in this section. The amount of the credit shall be equal to twenty-five percent (25%) of the amount of the federal income tax credit lawfully claimed by the taxpayer for such employment-related expenses on the taxpayer's federal income tax return. However, the amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to an amount not to exceed the total tax liability of the taxpayer for the taxes imposed under this chapter. In order to claim the credit provided for in this section, a taxpayer must claim the federal income tax credit on the taxpayer's federal income tax return and have an adjusted gross income for such return of not more than Fifty Thousand Dollars (\$50,000.00). A taxpayer must provide a copy of such return and any other information required by the department.

SECTION 6. Sections 3, 4, and 5 of this act shall be codified as new sections in Chapter 7, Title 27, Mississippi Code of 1972.

SECTION 7. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the income tax laws, insurance premium tax laws or ad valorem tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the income tax laws, insurance premium tax laws and ad valorem tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 8. This act shall take effect and be in force from and after January 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.43, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS UNDER THE PREGNANCY RESOURCE ACT, TO REVISE THE DEFINITION OF THE TERM "ELIGIBLE CHARITABLE ORGANIZATION"; TO REVISE CERTAIN PROVISIONS REGARDING THE AMOUNT OF CREDIT THAT MAY BE UTILIZED BY A TAXPAYER DURING A TAXABLE YEAR AND TO INCREASE THE AMOUNT OF CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION; TO REVISE THE TAXPAYERS ELIGIBLE FOR AN AD VALOREM TAX CREDIT FOR SUCH CONTRIBUTIONS; TO AMEND SECTION 27-7-22.32, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR EXPENSES INCURRED FOR THE ADOPTION OF A CHILD, TO INCREASE THE AMOUNT OF THE CREDIT AND TO DELETE THE REVERTER ON THE PROVISION OF LAW THAT INCREASES THE MAXIMUM AMOUNT OF THE TAX CREDIT FROM \$2,500 TO \$5,000 PER CHILD AND THE PROVISION THAT AUTHORIZES AN INCOME TAX CREDIT FOR A CHILD ADOPTED THROUGH THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 27-7-22.39, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES INCOME TAX CREDITS FOR VOLUNTARY CASH CONTRIBUTIONS TO QUALIFYING CHARITABLE ORGANIZATIONS AND QUALIFYING FOSTER CARE CHARITABLE ORGANIZATIONS, TO REVISE THE AMOUNT OF CREDIT THAT A TAXPAYER IS ALLOWED TO CLAIM FOR SUCH A VOLUNTARY CASH CONTRIBUTION; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY TAXPAYERS TO ELIGIBLE TRANSITIONAL HOME ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE TRANSITIONAL HOME ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR A TAX CREDIT AUTHORIZED BY THIS ACT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY TAXPAYERS TO ELIGIBLE CHARITABLE ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE CHARITABLE ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR A TAX CREDIT AUTHORIZED BY THIS ACT; TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS CLAIMING A FEDERAL INCOME TAX CREDIT FOR CERTAIN DEPENDENT CARE EXPENSES; TO PROVIDE THE AMOUNT OF THE CREDIT; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

John Thomas "Trey" Lamar, III

Jody Stevenson

Brent Powell

## CONFEREES FOR THE SENATE

Josh Harkins

W. Briggs Hopson III

John A. Polk

On request of Senator Harkins, unanimous consent was granted to make the following correction in **H. B. No. 1671**:

Unanimous consent of the House and Senate is requested to make the following changes to House Bill No. 1671:

- On lines 57 through 60 delete:

"eligible to receive funding disbursed by the Choose Life Advisory Committee, Choose Life Mississippi or any successor entity under Section 27-19-56.70, 27-19-56.277 and/or 27-19-56.412"

- On line 63 change "ten percent (10%)" to "twenty percent (20%)"

- On lines 91 through 98 delete:

"However, for credits allocated under this section on or after January 1, 2023, the amount of credit that may be utilized by a taxpayer in a taxable year shall be limited to (i) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for the taxes imposed by such sections of law and (ii) an amount not to exceed fifty percent (50%) of the total tax liability of the taxpayer for ad valorem taxes assessed and levied on real property."

- On line 186 insert the following before the period:

"; however, credits not allocated before June 1 may be allocated without regard to such restriction for the same calendar year"

- Amend the title on lines 11 through 18 by deleting"

"TO AMEND SECTION 27-7-22.32, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES AN INCOME TAX CREDIT FOR EXPENSES INCURRED FOR THE ADOPTION OF A CHILD, TO INCREASE THE AMOUNT OF THE CREDIT AND TO DELETE THE REVERTER ON THE PROVISION OF LAW THAT INCREASES THE MAXIMUM AMOUNT OF THE TAX CREDIT FROM \$2,500 TO \$5,000 PER CHILD AND THE PROVISION THAT AUTHORIZES AN INCOME TAX CREDIT FOR A CHILD ADOPTED THROUGH THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES;"

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1671** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--40.

Nays--Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Turner-Ford. Total--12.

Absent and those not voting----None.

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Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2862** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2862: Sales tax; provide industrial exemption for tangible personal property first used in another state.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-65-111, Mississippi Code of 1972, is amended as follows:

27-65-111. The exemptions from the provisions of this chapter which are not industrial, agricultural or governmental, or which do not relate to utilities or taxes, or which are not properly classified as one (1) of the exemption classifications of this chapter, shall be confined to persons or property exempted by this section or by the Constitution of the United States or the State of Mississippi. No exemptions as now provided by any other section, except the classified exemption sections of this chapter set forth herein, shall be valid as against the tax herein levied. Any subsequent exemption from the tax levied hereunder, except as indicated above, shall be provided by amendments to this section.

No exemption provided in this section shall apply to taxes levied by Section 27-65-15 or 27-65-21.

The tax levied by this chapter shall not apply to the following:

(a) Sales of tangible personal property and services to hospitals or infirmaries owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are subject to and governed by Sections 41-7-123 through 41-7-127.

Only sales of tangible personal property or services which are ordinary and necessary to the operation of such hospitals and infirmaries are exempted from tax.

(b) Sales of daily or weekly newspapers, and periodicals or publications of scientific, literary or educational organizations exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code of 1954, as it exists as of March 31, 1975, and subscription sales of all magazines.



(c) Sales of coffins, caskets and other materials used in the preparation of human bodies for burial.

(d) Sales of tangible personal property for immediate export to a foreign country.

(e) Sales of tangible personal property to an orphanage, old men's or ladies' home, supported wholly or in part by a religious denomination, fraternal nonprofit organization or other nonprofit organization.

(f) Sales of tangible personal property, labor or services taxable under Sections 27-65-17, 27-65-19 and 27-65-23, to a YMCA, YWCA, a Boys' or Girls' Club owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual.

(g) Sales to elementary and secondary grade schools, junior and senior colleges owned and operated by a corporation or association in which no part of the net earnings inures to the benefit of any private shareholder, group or individual, and which are exempt from state income taxation, provided that this exemption does not apply to sales of property or services which are not to be used in the ordinary operation of the school, or which are to be resold to the students or the public.

(h) The gross proceeds of retail sales and the use or consumption in this state of drugs and medicines:

(i) Prescribed for the treatment of a human being by a person authorized to prescribe the medicines, and dispensed or prescription filled by a registered pharmacist in accordance with law; or

(ii) Furnished by a licensed physician, surgeon, dentist or podiatrist to his own patient for treatment of the patient; or

(iii) Furnished by a hospital for treatment of any person pursuant to the order of a licensed physician, surgeon, dentist or podiatrist; or

(iv) Sold to a licensed physician, surgeon, podiatrist, dentist or hospital for the treatment of a human being; or

(v) Sold to this state or any political subdivision or municipal corporation thereof, for use in the treatment of a human being or furnished for the treatment of a human being by a medical facility or clinic maintained by this state or any political subdivision or municipal corporation thereof.

"Medicines," as used in this paragraph (h), shall mean and include any substance or preparation intended for use by external or internal application to the human body in the diagnosis, cure, mitigation, treatment or prevention of disease and which is commonly recognized as a substance or preparation intended for such use; provided that "medicines" do not include any auditory, prosthetic, ophthalmic or ocular device or appliance, any dentures or parts thereof or any artificial limbs or their replacement parts, articles which are in the nature of splints, bandages, pads, compresses, supports, dressings, instruments, apparatus, contrivances, appliances, devices or other mechanical, electronic, optical or physical equipment or article or the component parts and accessories thereof, or any alcoholic beverage or any other drug or medicine not commonly referred to as a prescription drug.

Notwithstanding the preceding sentence of this paragraph (h), "medicines" as used in this paragraph (h), shall mean and include sutures, whether or not permanently implanted, bone screws, bone pins, pacemakers and other articles permanently implanted

in the human body to assist the functioning of any natural organ, artery, vein or limb and which remain or dissolve in the body.

The exemption provided in this paragraph (h) shall not apply to medical cannabis sold in accordance with the provisions of the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder.

"Hospital," as used in this paragraph (h), shall have the meaning ascribed to it in Section 41-9-3, Mississippi Code of 1972.

Insulin furnished by a registered pharmacist to a person for treatment of diabetes as directed by a physician shall be deemed to be dispensed on prescription within the meaning of this paragraph (h).

(i) Retail sales of automobiles, trucks and truck-tractors if exported from this state within forty-eight (48) hours and registered and first used in another state.

(j) Sales of tangible personal property or services to the Salvation Army and the Muscular Dystrophy Association, Inc.

(k) From July 1, 1985, through December 31, 1992, retail sales of "alcohol-blended fuel" as such term is defined in Section 75-55-5. The gasoline-alcohol blend or the straight alcohol eligible for this exemption shall not contain alcohol distilled outside the State of Mississippi.

(l) Sales of tangible personal property or services to the Institute for Technology Development.

(m) The gross proceeds of retail sales of food and drink for human consumption made through vending machines serviced by full-line vendors from and not connected with other taxable businesses.

(n) The gross proceeds of sales of motor fuel.

(o) Retail sales of food for human consumption purchased with food stamps issued by the United States Department of Agriculture, or other federal agency, from and after October 1, 1987, or from and after the expiration of any waiver granted pursuant to federal law, the effect of which waiver is to permit the collection by the state of tax on such retail sales of food for human consumption purchased with food stamps.

(p) Sales of cookies for human consumption by the Girl Scouts of America no part of the net earnings from which sales inures to the benefit of any private group or individual.

(q) Gifts or sales of tangible personal property or services to public or private nonprofit museums of art.

(r) Sales of tangible personal property or services to alumni associations of state-supported colleges or universities.

(s) Sales of tangible personal property or services to National Association of Junior Auxiliaries, Inc., and chapters of the National Association of Junior Auxiliaries, Inc.

(t) Sales of tangible personal property or services to domestic violence shelters which qualify for state funding under Sections 93-21-101 through 93-21-113.

(u) Sales of tangible personal property or services to the National Multiple Sclerosis Society, Mississippi Chapter.

(v) Retail sales of food for human consumption purchased with food instruments issued the Mississippi Band of Choctaw Indians under the Women, Infants and Children Program (WIC) funded by the United States Department of Agriculture.

(w) Sales of tangible personal property or services to a private company, as defined in Section 57-61-5, which is making such purchases with proceeds of bonds issued under Section 57-61-1 et seq., the Mississippi Business Investment Act.

(x) The gross collections from the operation of self-service, coin-operated car washing equipment and sales of the service of washing motor vehicles with portable high-pressure washing equipment on the premises of the customer.

(y) Sales of tangible personal property or services to the Mississippi Technology Alliance.

(z) Sales of tangible personal property to nonprofit organizations that provide foster care, adoption services and temporary housing for unwed mothers and their children if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(aa) Sales of tangible personal property to nonprofit organizations that provide residential rehabilitation for persons with alcohol and drug dependencies if the organization is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code.

(bb) (i) Retail sales of an article of clothing or footwear designed to be worn on or about the human body and retail sales of school supplies if the sales price of the article of clothing or footwear or school supply is less than One Hundred Dollars (\$100.00) and the sale takes place during a period beginning at 12:01 a.m. on the last Friday in July and ending at 12:00 midnight the following Saturday. This paragraph (bb) shall not apply to:

1. Accessories including jewelry, handbags, luggage, umbrellas, wallets, watches, briefcases, garment bags and similar items carried on or about the human body, without regard to whether worn on the body in a manner characteristic of clothing;

2. The rental of clothing or footwear; and

3. Skis, swim fins, roller blades, skates and similar items worn on the foot.

(ii) For purposes of this paragraph (bb), "school supplies" means items that are commonly used by a student in a course of study. The following is an all-inclusive list:

1. Backpacks;
2. Binder pockets;
3. Binders;
4. Blackboard chalk;
5. Book bags;
6. Calculators;

7. Cellophane tape;
8. Clays and glazes;
9. Compasses;
10. Composition books;
11. Crayons;
12. Dictionaries and thesauruses;
13. Dividers;
14. Erasers;
15. Folders: expandable, pocket, plastic and manila;
16. Glue, paste and paste sticks;
17. Highlighters;
18. Index card boxes;
19. Index cards;
20. Legal pads;
21. Lunch boxes;
22. Markers;
23. Notebooks;
24. Paintbrushes for artwork;
25. Paints: acrylic, tempera and oil;
26. Paper: loose-leaf ruled notebook paper, copy paper, graph paper, tracing paper, manila paper, colored paper, poster board and construction paper;
27. Pencil boxes and other school supply boxes;
28. Pencil sharpeners;
29. Pencils;
30. Pens;
31. Protractors;
32. Reference books;
33. Reference maps and globes;
34. Rulers;
35. Scissors;

- 36. Sheet music;
- 37. Sketch and drawing pads;
- 38. Textbooks;
- 39. Watercolors;
- 40. Workbooks; and
- 41. Writing tablets.

(iii) From and after January 1, 2010, the governing authorities of a municipality, for retail sales occurring within the corporate limits of the municipality, may suspend the application of the exemption provided for in this paragraph (bb) by adoption of a resolution to that effect stating the date upon which the suspension shall take effect. A certified copy of the resolution shall be furnished to the Department of Revenue at least ninety (90) days prior to the date upon which the municipality desires such suspension to take effect.

(cc) The gross proceeds of sales of tangible personal property made for the sole purpose of raising funds for a school or an organization affiliated with a school.

As used in this paragraph (cc), "school" means any public or private school that teaches courses of instruction to students in any grade from kindergarten through Grade 12.

(dd) Sales of durable medical equipment and home medical supplies when ordered or prescribed by a licensed physician for medical purposes of a patient. As used in this paragraph (dd), "durable medical equipment" and "home medical supplies" mean equipment, including repair and replacement parts for the equipment or supplies listed under Title XVIII of the Social Security Act or under the state plan for medical assistance under Title XIX of the Social Security Act, prosthetics, orthotics, hearing aids, hearing devices, prescription eyeglasses, oxygen and oxygen equipment. Payment does not have to be made, in whole or in part, by any particular person to be eligible for this exemption. Purchases of home medical equipment and supplies by a provider of home health services or a provider of hospice services are eligible for this exemption if the purchases otherwise meet the requirements of this paragraph.

(ee) Sales of tangible personal property or services to Mississippi Blood Services.

(ff) (i) Subject to the provisions of this paragraph (ff), retail sales of firearms, ammunition and hunting supplies if sold during the annual Mississippi Second Amendment Weekend holiday beginning at 12:01 a.m. on the last Friday in August and ending at 12:00 midnight the following Sunday. For the purposes of this paragraph (ff), "hunting supplies" means tangible personal property used for hunting, including, and limited to, archery equipment, firearm and archery cases, firearm and archery accessories, hearing protection, holsters, belts and slings. Hunting supplies does not include animals used for hunting.

(ii) This paragraph (ff) shall apply only if one or more of the following occur:

1. Title to and/or possession of an eligible item is transferred from a seller to a purchaser; and/or

2. A purchaser orders and pays for an eligible item and the seller accepts the order for immediate shipment, even if delivery is made after the time period provided in subparagraph (i) of this paragraph (ff), provided that the purchaser has not requested or caused the delay in shipment.

(gg) Sales of nonperishable food items to charitable organizations that are exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code and operate a food bank or food pantry or food lines.

(hh) Sales of tangible personal property or services to the United Way of the Pine Belt Region, Inc.

(ii) Sales of tangible personal property or services to the Mississippi Children's Museum or any subsidiary or affiliate thereof operating a satellite or branch museum within this state.

(jj) Sales of tangible personal property or services to the Jackson Zoological Park.

(kk) Sales of tangible personal property or services to the Hattiesburg Zoo.

(ll) Gross proceeds from sales of food, merchandise or other concessions at an event held solely for religious or charitable purposes at livestock facilities, agriculture facilities or other facilities constructed, renovated or expanded with funds for the grant program authorized under Section 18, Chapter 530, Laws of 1995.

(mm) Sales of tangible personal property and services to the Diabetes Foundation of Mississippi and the Mississippi Chapter of the Juvenile Diabetes Research Foundation.

(nn) Sales of potting soil, mulch, or other soil amendments used in growing ornamental plants which bear no fruit of commercial value when sold to commercial plant nurseries that operate exclusively at wholesale and where no retail sales can be made.

(oo) Sales of tangible personal property or services to the University of Mississippi Medical Center Research Development Foundation.

(pp) Sales of tangible personal property or services to Keep Mississippi Beautiful, Inc., and all affiliates of Keep Mississippi Beautiful, Inc.

(qq) Sales of tangible personal property or services to the Friends of Children's Hospital.

(rr) Sales of tangible personal property or services to the Pinecrest Weekend Snackpacks for Kids located in Corinth, Mississippi.

(ss) Sales of hearing aids when ordered or prescribed by a licensed physician, audiologist or hearing aid specialist for the medical purposes of a patient.

(tt) Sales exempt under the Facilitating Business Rapid Response to State Declared Disasters Act of 2015 (Sections 27-113-1 through 27-113-9).

(uu) Sales of tangible personal property or services to the Junior League of Jackson.

(vv) Sales of tangible personal property or services to the Mississippi's Toughest Kids Foundation for use in the construction, furnishing and equipping of buildings and related facilities and infrastructure at Camp Kamassa in Copiah County, Mississippi. This paragraph (vv) shall stand repealed on July 1, 2025.

(ww) Sales of tangible personal property or services to MS Gulf Coast Buddy Sports, Inc.

(xx) Sales of tangible personal property or services to Biloxi Lions, Inc.

(yy) Sales of tangible personal property or services to Lions Sight Foundation of Mississippi, Inc.

(zz) Sales of tangible personal property and services to the Goldring/Woldenberg Institute of Southern Jewish Life (ISJL).

(aaa) Sales of coins, currency, and bullion. For the purposes of this paragraph (aaa), the following words and phrases shall have the meanings ascribed in this paragraph (aaa) unless the context clearly indicates otherwise:

(i) "Bullion" means a bar, ingot, or coin:

1. Manufactured, in whole or in part, of gold, silver, platinum, or palladium;

2. That was or is used solely as a medium of exchange, security, or commodity by any state, the United States Government, or a foreign nation; and

3. Sold based on the intrinsic value of the bar, ingot, or coin as a precious metal or collectible item rather than its form or representative value as a medium of exchange.

(ii) "Coin or currency" means a coin or currency:

1. Manufactured, in whole or in part, of gold, silver, other metal, or paper;

2. That was or is used solely as a medium of exchange, security, or commodity by any state, the United States Government, or a foreign nation; and

3. Sold based on the intrinsic value of the coin or currency as a precious metal or collectible item rather than its form or representative value as a medium of exchange.

"Coin or currency" does not include a coin or currency that has been incorporated into jewelry.

SECTION 2. Nothing in this act shall affect or defeat any claim, assessment, appeal, suit, right or cause of action for taxes due or accrued under the sales tax laws before the date on which this act becomes effective, whether such claims, assessments, appeals, suits or actions have been begun before the date on which this act becomes effective or are begun thereafter; and the provisions of the sales tax laws are expressly continued in full force, effect and operation for the purpose of the assessment, collection and enrollment of liens for any taxes due or accrued and the execution of any warrant under such laws before the date on which this act becomes effective, and for the imposition of any penalties, forfeitures or claims for failure to comply with such laws.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF COINS, CURRENCY AND BULLION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Josh Harkins	John Thomas "Trey" Lamar, III
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Chris Johnson	Jody Steverson
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Juan Barnett	Steve Massengill
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2862** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 400:** Election crimes; revise the penalties for certain.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:42 AM, the Senate stood in recess.

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The Senate resumed business at 1:30 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:



**S. B. No. 3065:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF BOLIVAR COUNTY, MISSISSIPPI, TO CONTRIBUTE UP TO \$15,000.00 ANNUALLY TO THE FANNIE LOU HAMER BREAST CANCER FOUNDATION FROM THE GENERAL FUND OF THE COUNTY; AS WELL AS CONTRIBUTE AN ANNUAL AMOUNT NOT TO EXCEED \$50,000.00 TO THE BOLIVAR COUNTY COMMUNITY ACTION AGENCY, INC., AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1667:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF FLORENCE, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED THREE PERCENT UPON THE GROSS SALES OF HOTELS AND MOTELS DERIVED FROM ROOM RENTALS AND TO LEVY A TAX THAT SHALL NOT EXCEED TWO PERCENT UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS FOR THE PURPOSE OF FUNDING THE CITY'S PARKS AND RECREATION DEPARTMENT; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

**H. B. No. 1807:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF EUPORA, MISSISSIPPI, TO LEVY A TAX THAT SHALL NOT EXCEED TWO PERCENT UPON THE GROSS SALES OF HOTELS, MOTELS AND AIRBNBS DERIVED FROM ROOM RENTALS AND UPON THE GROSS PROCEEDS OF SALES OF RESTAURANTS; TO PROVIDE THAT SUCH TAX SHALL BE UTILIZED FOR THE PURPOSE OF PROVIDING FUNDING TO IMPROVE PARKS AND RECREATIONAL FACILITIES WITHIN THE CITY; TO REQUIRE AN ELECTION BE HELD ON THE QUESTION OF WHETHER SUCH TAX MAY BE LEVIED; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON INSURANCE

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 92:** Mark Stuart Formby, Picayune, Mississippi, Workers' Compensation Commission as Chairman of the Commission, six year term effective March 8, 2023 and ending December 31, 2028. Do Advise and Consent.

MICHEL, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that a motion to reconsider has been entered in the House on the following:

**S. B. No. 3150:** City of Kosciusko; authorize election for restaurant tax to fund tourism and parks and recreation.

The HOUSE REQUESTS RETURN OF SAME.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 1:38 PM, the Senate stood in recess.

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The Senate resumed business at 1:41 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 1792:** City of Starkville; revise the definitions of the terms "hotel" and "motel" under the city's motel-hotel tax.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Harkins moved that the rules be suspended to move to calendar item 87, **H. B. No. 1734**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1734** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

**H. B. No. 1734:** Bonds; authorize for various purposes.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-67-31, Mississippi Code of 1972, is amended as follows:

27-67-31. All administrative provisions of the sales tax law, and amendments thereto, including those which fix damages, penalties and interest for failure to comply with the provisions of said sales tax law, and all other requirements and duties imposed upon taxpayer, shall apply to all persons liable for use taxes under the provisions of this article. The commissioner shall exercise all power and authority and perform all duties with respect to taxpayers under this article as are provided in said sales tax law, except where there is conflict, then the provisions of this article shall control.

The commissioner may require transportation companies to permit the examination of waybills, freight bills, or other documents covering shipments of tangible personal property into this state.

On or before the fifteenth day of each month, the amount received from taxes, damages and interest under the provisions of this article during the preceding month shall be paid and distributed as follows:

(a) On or before July 15, 1994, through July 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited in the School Ad Valorem Tax Reduction Fund created pursuant to Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total use tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Four Million Dollars (\$4,000,000.00). Thereafter, the amounts diverted under this paragraph (a) during the fiscal year in excess of Four Million Dollars (\$4,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(b) On or before July 15, 1994, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Education Enhancement Fund created pursuant to Section 37-61-33.

(c) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter, the revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(d) On or before July 15, 1997, and on or before the fifteenth day of each succeeding month thereafter and after the deposits required by paragraphs (a) and (b) of this section are made, the remaining revenue collected under the provisions of this article imposed and levied as a result of Section 27-65-17(1) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund created pursuant to Section 27-51-105.

(e) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1). On or before August 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(1).

(f) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, seven and one-half percent (7-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, eleven and one-fourth percent (11-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2). On or before August 15, 2022, and each succeeding month thereafter, fifteen percent (15%) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the special fund created in Section 27-67-35(2).

(g) On or before August 15, 2019, and each succeeding month thereafter through July 15, 2020, Four Hundred Sixteen Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$416,666.67) or one and one-fourth percent (1-1/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2021, Eight Hundred Thirty-three Thousand Three Hundred Thirty-three Dollars and Thirty-four Cents (\$833,333.34) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2021, and each succeeding month thereafter through July 15, 2022, One Million Two Hundred Fifty Thousand Dollars (\$1,250,000.00) or three and three-fourths percent (3-3/4%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2022, and each succeeding month thereafter through July 15, 2023, One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or five percent (5%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. On or before August 15, 2023, and each succeeding month thereafter, (i) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13, and (ii) One Million Six Hundred Sixty-six

Thousand Six Hundred Sixty-six Dollars and Sixty-seven Cents (\$1,666,666.67) or two and one-half percent (2-1/2%) of the total use tax revenue collected during the preceding month under the provisions of this article, whichever is the greater amount, shall be deposited into the State Aid Road Fund created in Section 65-9-17.

(h) On or before August 15, 2020, and each succeeding month thereafter through July 15, 2022, One Million Dollars (\$1,000,000.00) of the total use tax revenue collected during the preceding month under the provisions of this article shall be deposited into the Local System Bridge Replacement and Rehabilitation Fund created in Section 65-37-13. Amounts deposited into the Local System Bridge Replacement and Rehabilitation Fund under this paragraph (h) shall be in addition to amounts deposited into the fund under paragraph (g) of this section.

(i) The remainder of the amount received from taxes, damages and interest under the provisions of this article shall be paid into the General Fund of the State Treasury by the commissioner.

SECTION 2. Section 65-9-17, Mississippi Code of 1972, is amended as follows:

65-9-17. (1) When any county shall have met the requirements of this chapter and shall have become eligible for state aid, the State Aid Engineer, as soon as practicable, shall notify such county in writing of such eligibility and that its proportionate part of any state funds allocated to it for state aid may be utilized for construction in the manner provided by law, and such notice shall also be given in writing to the Department of Finance and Administration and to the State Treasurer.

(2) State aid funds shall be allocated to each county for use on state aid system roads or roads on the Local System Road Program in accordance with the provisions of Section 27-65-75.

(3) State aid funds may be credited to a county in advance of the normal accrual to finance certain state aid improvements, subject to the approval of the State Aid Engineer and subject further to the following limitations:

(a) That the maximum amount of state aid funds that may be advanced to any county shall not exceed ninety percent (90%) of the state aid funds estimated to accrue to such county during the remainder of the term of office of the board of supervisors of such county.

(b) That no advance credit of funds will be made to any county when the unobligated balance in the State Aid Road Fund is less than One Million Dollars (\$1,000,000.00).

(c) That such advance crediting of funds be effected by the State Aid Engineer at the time of the approval of the plans and specifications for the proposed improvements.

It is the intent of this provision to utilize to the fullest practicable extent the balance of state aid funds on hand at all times.

(4) State aid funds shall be available to such county to the following extent and in the following manner:

(a) On state aid projects, other than those on or off the federal aid secondary system to be partially financed with federal funds, state aid funds credited to such county in the State Aid Road Fund shall be available to cover the cost of such project. Upon the awarding of a contract for such state aid project, the board of supervisors of any county will, by an official order of the board, authorize the State Aid Engineer to set up the project fund for such project from that county's state aid fund in the State Treasury. The amount

of the project fund will cover the estimated cost of the project, including the contractor's payments and any other costs authorized under this chapter to be paid from state aid funds. Withdrawals from the project fund will be made by requisitions prepared by the State Aid Engineer, based on estimates and other supporting statements and documents prepared or approved by the county engineer, such requisitions, accompanied by such estimates and statements, to be directed to the Department of Finance and Administration, which will issue warrants in payment thereof. Requisitions may be drawn to cover the final cost of the project accepted by the boards of supervisors of the counties affected and the State Aid Engineer, even though such cost exceeds the aforesaid estimated project fund. Whenever, in the opinion of the State Aid Engineer, it should appear that any such estimate or statement of account has been improperly allowed or that any road construction project is not proceeding in accordance with the plans, specifications and standards set up therefor, then, in such event, due notice in writing shall be given the board of supervisors of such county and the contractor on such project, if any, stating the reason why such account should not have been allowed or why such project is not progressing satisfactorily; and if, within thirty (30) days from the date of such notice in writing, such error or default is not corrected to the satisfaction of the State Aid Engineer, all state aid funds theretofore allocated to such eligible county shall be immediately withdrawn and notice given the Department of Finance and Administration and the State Treasurer that such county has become ineligible therefor. Such county shall remain ineligible until it again becomes eligible by satisfying the State Aid Engineer as to its eligibility.

(b) On state aid projects on the federal aid secondary system which are to be partially financed with federal funds, state aid funds credited to such county in the State Aid Road Fund shall be available to cover the sponsor's share of the cost of such project. At the same time, the State Treasurer, on order from the board of supervisors, shall transfer an amount up to one hundred percent (100%) of such cost from the credit of such county in the State Aid Road Fund to the credit of such county in the State Highway Fund, earmarked for such project.

(c) State aid road funds credited to a county in the State Aid Road Fund shall also be available to cover the sponsor's cost of any other project of such county which is partially financed with federal funds available through federal "safer off-system" road funds and/or other federal road funds allocated to the counties as provided for in accordance with Section 65-9-29(2). On order from the board of supervisors of such county, the State Treasurer shall transfer an amount up to one hundred percent (100%) of such cost from the credit of such county in the State Aid Road Fund to the credit of such county in the State Highway Fund, earmarked for such project.

(d) Up to one-third (1/3) of state aid road funds credited to a county in the State Aid Road Fund may be available to match federal bridge replacement monies or other federal funds, or both, to construct, replace, inspect or post bridges and to conduct pavement management surveys on county roads which are not on the state aid system. To implement such projects, the State Treasurer shall, as requested in an order from the board of supervisors of the county, make transfers out of the credit of such county in the State Aid Road Fund.

(e) Up to twenty-five percent (25%) of the state aid road funds credited to a county in the State Aid Road Fund may be available for projects authorized under the Local System Road Program. Withdrawals from the fund for the Local System Road Program will be made by requisitions prepared by the State Aid Engineer, based on estimates and other supporting statements and documents prepared or approved by the county engineer; such requisitions, accompanied by such estimates and statements, to be directed to the Department of Finance and Administration, which will issue warrants in payment thereof. Requisitions may be drawn to cover the final cost of the local system road project accepted by the boards of supervisors of the counties affected and the State Aid Engineer even though such cost exceeds the aforesaid estimated project fund. Whenever, in the opinion of the State Aid Engineer, it should appear that any such

estimate or statement of account has been improperly allowed or that any road construction project is not proceeding in accordance with the plans, specifications and standards set up therefor, then, in such event, due notice in writing shall be given the board of supervisors of such county and the contractor on such project, if any, stating the reason why such account should not have been allowed or why such project is not progressing satisfactorily; and if, within thirty (30) days from the date of such notice in writing, such error or default is not corrected to the satisfaction of the State Aid Engineer, all state aid funds theretofore allocated to such eligible county shall be immediately withdrawn and notice given the Department of Finance and Administration and the State Treasurer that such county has become ineligible therefor. Such county shall remain ineligible until it again becomes eligible by satisfying the State Aid Engineer as to its eligibility.

(5) The State Treasurer is hereby authorized to continue to receive and deposit all funds from the federal government made available by it, either by existing law or by any law which may be passed hereafter, to the credit of the State Highway Fund, and the Treasurer shall notify the commission of the amounts so received.

All accounts against the above-mentioned funds shall be certified to by the Executive Director of the Mississippi Department of Transportation, who shall request the Department of Finance and Administration to issue its warrant on the State Treasurer for the amount of the accounts; and the Treasurer shall pay same if sufficient funds are available, all in the manner prescribed herein or as may be required by law.

(6) The board of supervisors of each county is hereby authorized and empowered to pay funds into the State Treasury in the manner above set out, and to use and expend such funds for the purposes set out in this chapter. For the purpose of providing such funds, the board of supervisors is hereby authorized and empowered to use and expend any county road and bridge funds, including revenue received from any gasoline taxes paid to such county, or any funds available in the General Fund, or to issue road and bridge bonds of such county in any lawful amount in the manner and method and subject to the restrictions, limitations and conditions, and payable from the same sources of revenue, now provided by law.

(7) (a) In addition any other provisions of this section, funds deposited into the State Aid Road Fund under Section 27-67-31(g) shall be used under this chapter to prioritize the timely repair and replacement of deficient state aid system bridges. Each county shall be allocated a percentage of such funds as they become available, which percentage shall be based:

(i) One-half (1/2) on the proportion that the total number of state aid system bridges in the county bears to the total number of state aid system bridges in all counties of the state; and

(ii) One-half (1/2) on the proportion that the total square footage of deck area of all state aid system bridges in the county bears to the total square footage of deck area of all state aid system bridges in all counties of the state.

(b) For the purposes of this subsection, (i) the term "deficient bridge" means a bridge with a condition rating of fair or less for its deck, superstructure or substructure, as determined by National Bridge Inspection Standards and that is included on the latest annual bridge inventory prepared by the Office of State Aid Road Construction and (ii) the term "state aid system bridge" means a bridge that is included on the latest annual official bridge inventory prepared by the Office of State Aid Road Construction, excluding bridges on the local bridge system and the rural major collector system.

SECTION 3. Section 19-11-27, Mississippi Code of 1972, is amended as follows:

19-11-27. No board of supervisors of any county shall expend from, or contract an obligation against, the budget estimates for road and bridge construction, maintenance and equipment, made and published by it during the last year of the term of office of such board, between the first day of October and the first day of the following January, a sum exceeding one-fourth (1/4) of such item of the budget made and published by it, except in cases of emergency. The clerk of any county is prohibited from issuing any warrant contrary to the provisions of this section. No board of supervisors nor any member thereof shall buy any machinery or equipment in the last six (6) months of their or his term unless or until he has been elected at the general election of that year. The provisions of this section shall not apply to (i) projects of any type that receive monies from the Local System Bridge Replacement and Rehabilitation Program, the Emergency Road and Bridge Repair Fund, the 2018 Transportation and Infrastructure Improvement Fund or the Gulf Coast Restoration Fund and (ii) to expenditures on deficient bridges in the State Aid Road System or the Local System Road Program that have been deemed to be a deficient bridge as defined in Section 65-37-3 or a deficient state aid system bridge as defined in Section 65-9-17(7), as the case may be, or to a contract, lease or lease-purchase contract executed pursuant to the bidding requirements in Section 31-7-13 and approved by a unanimous vote of the board. Such unanimous vote shall include a statement indicating the board's proclamation that the award of the contract is essential to the efficiency and economy of the operation of the county government.

SECTION 4. Section 57-73-23, Mississippi Code of 1972, is amended as follows:

57-73-23. (1) A fifty percent (50%) income tax credit shall be granted to any employer providing dependent care for employees during the employee's work hours, and to any employer who provides a child care stipend of at least six thousand dollars (\$6,000.00) to a licensed or registered entity providing dependent child care in the State of Mississippi for an employee's children during the employee's work hours.

(2) In order for an employer who provides a child care stipend under this section to be eligible for the tax credit, the employer shall certify to the Department of Revenue:

(a) The names of the employees on whose behalf the stipend is paid; and

(b) The amount of the stipend paid on behalf of each of those employees;

(c) The licensed or registered entity receiving the child care stipend from the employer on behalf of the employee, including the entity's federal identification number and license and registration number; and

(d) Such other information as may be required by the Department of Revenue to ensure that credits under this section are granted only to employers who provide stipends to a licensed or registered entity providing dependent care in the State of Mississippi for an employee's children during the employee's work hours.

(3) For an employer contracting with a licensed or registered entity to provide dependent care for its employees during the employee's work hours, the credit is applied to the net cost of any contract executed by the employer for another entity to provide dependent care; or, if the employer elects to provide dependent care itself, the credit is applied to expenses of dependent care staff, learning and recreational materials and equipment, and the construction and maintenance of a facility; or, if the employer elects to provide a child care stipend to a licensed or registered entity providing dependent care in the State of Mississippi for the employee's children during the employee's work hours, the credit is applied to the amount of the stipend provided. Additional eligible expenses include net costs assumed by the employer which increase the quality, availability and affordability of dependent care in the community used by employees during the employee's work hours. This cost is net of any reimbursement. A deduction shall not be allowed for any expenses which serve as the basis for an income tax credit. The credits



allowed under this section shall not be used by any business enterprise or corporation other than the business enterprise actually qualifying for the credits.

Credit may be carried forward for the five (5) successive years if the amount allowable as credit exceeds income tax liability in a tax year; however, thereafter, if the amount allowable as a credit exceeds the tax liability, the amount of excess shall not be refundable or carried forward to any other taxable year.

The facility must have an average daily enrollment for the taxable year of no less than six (6) children who are twelve (12) years of age or less and be licensed according to the regulations governing licensure of child care facilities in Mississippi; or must serve five (5) or fewer children and/or elderly adults in a family child care/elder care home approved by the Department of Health for participation in the United States Department of Agriculture child and adult nutrition program; or must serve children over twelve (12) years of age but less than eighteen (18) years of age in either a community-based facility or a facility at the employment site; or must serve adult relatives of employees in either a community-based elder care facility or a facility at the employment site; or must serve children or adult dependents having physical, emotional or mental disabilities in either a community-based facility or a facility at the employment site.

Employers will be certified as eligible for the tax credit by the \* \* \* State Department of Health for programs serving children twelve (12) years of age or younger and for programs serving elderly adults and by the \* \* \* Department of Revenue for programs serving other dependents older than twelve (12) years of age.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO REVISE THE PORTION OF STATE USE TAX REVENUE DEPOSITED INTO THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION FUND; TO PROVIDE THAT A PORTION OF STATE USE TAX REVENUE SHALL BE DEPOSITED INTO THE STATE AID ROAD FUND; TO AMEND SECTION 65-9-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUCH MONIES DEPOSITED INTO THE STATE AID ROAD FUND SHALL BE USED TO PRIORITIZE THE TIMELY REPAIR AND REPLACEMENT OF DEFICIENT STATE AID SYSTEM BRIDGES; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO ALLOW COUNTY BOARDS OF SUPERVISORS TO EXPEND MONIES ON CERTAIN DEFICIENT BRIDGES DURING THE LAST TERM OF OFFICE OF SUCH BOARDS; TO AMEND SECTION 57-73-23, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INCOME TAX CREDIT FOR EMPLOYERS THAT PROVIDE A CHILD CARE STIPEND TO BE USED FOR CHILD CARE DURING EMPLOYEES' WORK HOURS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Thomas "Trey" Lamar, III

Josh Harkins

Jody Steverson

W. Briggs Hopson III

Steve Massengill

John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1734** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins moved that the rules be suspended to move to calendar item 88, **S. B. No. 2692**, and the motion prevailed.

Senator Harkins called up the following entitled bill:

**S. B. No. 2692:** Bonds; repeal authorization for unissued bonds and replace with cash funds.

Senator Harkins moved that the Conference Committee Report on **S. B. No. 2692** be recommitted for further conference and the motion prevailed.

Senator Harkins moved that the rules be suspended to move to calendar item 90, **S. B. No. 2696**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2696** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2696: Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-7-22.32, Mississippi Code of 1972, is amended as follows:

\* \* \*

27-7-22.32. (1) (a) There shall be allowed as a credit against the tax imposed by this chapter the amount of the qualified adoption expenses paid or incurred, \* \* \* not to

exceed Five Thousand Dollars (\$5,000.00), for each dependent child residing outside Mississippi but legally adopted by a taxpayer under the laws of this state during calendar year 2023 or during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (a) may not claim a credit under paragraph (b) of this subsection for the adoption of the same child.

(b) There shall be allowed as a credit against the tax imposed by this chapter the amount of \* \* \* Ten Thousand Dollars (\$10,000.00) for each dependent child residing in Mississippi and legally adopted by a taxpayer under the laws of this state \* \* \* during calendar year \* \* \* 2023 or during any calendar year thereafter. A taxpayer claiming a credit under this paragraph (b) may not claim a credit under paragraph (a) of this subsection for the adoption of the same child.

(2) The tax credit under this section may be claimed for the taxable year in which the adoption becomes final under the laws of this state. Any tax credit claimed under this section but not used in any taxable year may be carried forward for the five (5) succeeding tax years. A tax credit is allowed under this section for any child for which an exemption is claimed during the same taxable year under Section 27-7-21(e). For the purposes of this section, the term "qualified adoption expenses" means and has the same definition as that term has in \* \* \* 26 USCA 23.

\* \* \*

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-7-22.32, MISSISSIPPI CODE OF 1972, TO REVISE THE TERMS OF THE INCOME TAX CREDIT FOR DEPENDENT CHILDREN LEGALLY ADOPTED UNDER THE LAWS OF THIS STATE; TO ALLOW A CREDIT IN THE AMOUNT OF THE QUALIFIED ADOPTION EXPENSES PAID OR INCURRED, NOT TO EXCEED \$5,000.00, FOR EACH DEPENDENT CHILD RESIDING OUTSIDE MISSISSIPPI; TO ALLOW A CREDIT IN THE AMOUNT OF \$10,000.00 FOR EACH DEPENDENT CHILD RESIDING IN MISSISSIPPI; TO REMOVE THE REVERTER EFFECTIVE JANUARY 1, 2024, WHICH WOULD LOWER TO \$2,500.00 THE MAXIMUM AMOUNT OF THE CREDIT PER CHILD ADOPTED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
Josh Harkins	John Thomas "Trey" Lamar, III
Nicole Boyd	Jody Steverson
David Parker	Brent Powell

On request of Senator Harkins, unanimous consent was granted to make the following correction in **S. B. No. 2696**:

Unanimous Consent for Senate Bill No. 2696, 2023 Regular Session

AMEND on line 43 by striking "July" and inserting in lieu thereof "January".

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2696** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins moved that the rules be suspended to move to calendar item 91, **S. B. No. 2841**, and the motion prevailed.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2841** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2841: Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-19-31, Mississippi Code of 1972, is amended as follows:

27-19-31. (1) The Department of Revenue is authorized and directed to establish and maintain a vehicle registration renewal system whereby the license tag attached upon a motor vehicle or trailer may be issued for five (5) years with the approval of the License Tag Commission, except for motor vehicles registered in excess of ten thousand (10,000) pounds gross vehicle weight, and motor vehicles in a fleet registered under Section 27-19-66, apportioned vehicles, rental and commercial trailers and buses, which shall be issued for a period of time determined by the Department of Revenue. During each intervening year of the period for which license tags are issued, the Department of Revenue shall issue up to two (2) license decals, in lieu of the license tags, the month and year in which the license tag expires shall be specified on one (1) of the decals so issued. Motor vehicles in a corporate fleet registered under Section 27-19-66, trailers in a fleet

registered under Section 27-19-66.1, and apportioned vehicles shall not be issued decals specifying the month and year of expiration.

Any series of tags may be cancelled by the commissioner with the approval of the License Tag Commission and a new series of tags issued.

(2) (a) The license decals issued in lieu of the license tags shall indicate the month and the last two (2) figures of the year for which such license shall expire. The license decals shall be attached to the license tag of the motor vehicle or trailer, and when so attached shall be deemed to be the license tag for the ensuing registration year. The month and year decal shall be attached in an upright position in the lower right corner of the license tag. Decals specifying the month and year of expiration shall not be required to be attached to license tags on motor vehicles in a corporate fleet registered under Section 27-19-66, trailers in a fleet registered under Section 27-19-66.1, or apportioned vehicles.

Except as otherwise provided in this paragraph, the registration year shall be a period of one (1) year commencing on the first day of the month following the month in which the vehicle was acquired. Beginning October 1, 1982, original registrations of motor vehicles, except motor vehicles registered in excess of ten thousand (10,000) pounds gross vehicle weight, apportioned vehicles and buses, may be made and shall be prorated for a period of from six (6) to eleven (11) months according to regulations established by the Department of Revenue to reduce a disproportionate number of registrations for a particular month. Beginning July 1, 1995, original registrations and renewal registrations of motor vehicles in corporate fleets registered under Section 27-19-66, shall be prorated according to regulations established by the Department of Revenue so as to cause the registration of such fleet motor vehicles to coincide with the anniversary month for corporate fleets established by the Department of Revenue. Beginning July 1, 2011, original registrations and renewal registrations of trailers in trailer fleets registered under Section 27-19-66.1 shall be prorated according to regulations established by the Department of Revenue so as to cause the registration of such trailers to coincide with the anniversary month for trailer fleets established by the Department of Revenue. Where a vehicle is registered for a period less than twelve (12) months, the anniversary month shall be the month of the expiration of the original license tag.

Beginning July 1, 1996, original registrations and renewal registrations of motor vehicles in individual fleets registered under Section 27-19-66 shall be prorated according to regulations established by the Department of Revenue so as to cause the registration of such fleet motor vehicles to coincide with the anniversary month for individual fleets established by the county tax collector. Where a vehicle is registered for a period less than twelve (12) months, the anniversary month shall be the month of the expiration of the original license tag.

The Department of Revenue, with the approval of the License Tag Commission, shall so specify the area or areas on the license tag where the license decals shall be attached. The number of the license tag shall be written across its face, and the number of the tag shall represent the registration number; and upon all the tags for private passenger vehicles the word "MISSISSIPPI" shall be written across the top of the tag in capital letters sufficiently large to be easily read, but upon all other tags such word may be abbreviated. The number of the license tag shall not exceed seven (7) letters, numbers or a combination of such letters and numbers. Also, on all tags sold and issued, an appropriate place will be provided thereon to place license decals indicating the expiration date of the tag. For the purposes of this section and Section 27-19-32, Mississippi Code of 1972, the term "decal," "decals" or "license decal" shall mean a tab, sticker or other similar device attached to a license tag which validates same for a stated period of time. One (1) license tag and up to two (2) license decals shall be furnished for all vehicles and shall be fastened immovably twelve (12) inches or more above the ground, at the rear of the vehicle under or over the rear light, with the number in upright position so that it will be plainly visible and legible at all times, and at night at a distance of sixty (60) feet. In

the case of tractors or other motor vehicles drawing or pulling trailers, semitrailers or farm implements, the tag shall be fastened upon such vehicle twelve (12) inches or more above the ground, upon the front or back of such vehicle, with the number in an upright position. Such license plate, all characters and any legally affixed decals shall not be defaced, covered or obstructed from view by any object, decal, sticker, paint, marking or license plate bracket or holder. Any person who defaces, covers or obstructs any portion of a license tag with any sticker, decoration, paint, marking, license plate bracket or holder or any other thing or device, in such a manner that the characters and any legally affixed decals on the tag cannot be read, shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than Twenty-five Dollars (\$25.00). However, it shall not be unlawful for the county name to be partially or completely obstructed from view by any object, decal, sticker or license plate bracket or holder. Unless the license tag with current decals is fastened to the vehicle as herein provided, the said vehicle shall be regarded as operating without a license tag, and the owner or operator shall be liable for the penalties herein provided.

In addition to the above requirements, license tags for private passenger vehicles shall have a county designation thereon referencing the name of the county in which such vehicle is registered.

Law enforcement officers of this state shall remove from a motor vehicle or trailer any license tag and/or decals which are so defaced that proper identification cannot be reasonably made. The officer shall issue to the driver of such vehicle a tag permit which shall be valid for a period of five (5) days. Each person receiving such tag permit shall purchase, within five (5) days from the date of the issuance of the permit, a new tag and/or decals for the fee set forth in Section 27-19-37, Mississippi Code of 1972, for a substitute tag.

Any person who has a license tag or decals on a vehicle which may be so defaced that proper identification cannot be reasonably made may remove such and purchase another license tag and/or decals for the same fee required for a substitute tag. If any license tag shall deteriorate due to age so that identification cannot be reasonably made, the owner may surrender such tag to the issuing authority and be issued a new tag and like decals at no cost.

(b) Beginning January 1, 2024, an owner of a private carrier of passengers or motorcycle may choose a tag with a black background and a white pinstripe border. "Mississippi" shall be printed at the top, and the name of the county shall be printed at the bottom. The application and the additional fee of Thirty-eight Dollars and Twenty-five Cents (\$38.25), less Two Dollars (\$2.00) to be remitted to the Department of Revenue License Tag Acquisition Fund created in Section 27-19-179, shall be remitted to the department on a monthly basis as prescribed by the department. The remaining Thirty-six Dollars and Twenty-five Cents (\$36.25) of the additional fee shall be deposited to the credit of the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund established in Section 45-2-1. In all other respects, tags issued under this paragraph (b) shall follow the guidelines for tags issued under paragraph (a) of this subsection.

(3) The Department of Revenue is authorized to promulgate appropriate rules and regulations to govern the use and display of license decals and to publish a summary thereof which shall be available to state officials and the public upon request.

SECTION 2. Section 27-19-11, Mississippi Code of 1972, is amended as follows:

27-19-11. (1) On each carrier of property, for each commercial motor vehicle, truck-tractor or road tractor, and on each bus, there is hereby levied an annual highway privilege tax in accordance with the following schedule, except that the gross vehicle weight of buses shall be the gross weight of the vehicle plus one hundred fifty (150) pounds per each regular seat.

RATE OF TAX			
GROSS WEIGHT OF VEHICLE NOT TO EXCEED IN POUNDS	COMMON AND CONTRACT CARRIERS OF PROPERTY	PRIVATE COMMERCIAL AND NONCOMMERCIAL CARRIERS OF PROPERTY	PRIVATE CARRIERS OF PROPERTY
0000 - 6000	\$ 7.20	\$ 7.20	\$ 7.20
6001 - 10000	33.60	25.20	16.80
10001 - 16000	78.40	70.70	39.20
16001 - 20000	156.00	129.00	78.00
20001 - 26000	228.00	192.00	114.00
26001 - 30000	300.00	247.00	150.00
30001 - 36000	384.00	318.00	192.00
36001 - 40000	456.00	378.00	228.00
40001 - 42000	504.00	420.00	264.00
42001 - 44000	528.00	444.00	276.00
44001 - 46000	552.00	456.00	282.00
46001 - 48000	588.00	492.00	300.00
48001 - 50000	612.00	507.00	312.00
50001 - 52000	660.00	540.00	336.00
52001 - 54000	684.00	564.00	348.00
54001 - 56000	708.00	588.00	360.00
56001 - 58000	756.00	624.00	384.00
58001 - 60000	780.00	642.00	396.00
60001 - 62000	828.00	828.00	420.00
62001 - 64000	852.00	852.00	432.00
64001 - 66000	900.00	900.00	482.00
66001 - 68000	936.00	936.00	504.00
68001 - 70000	972.00	972.00	516.00

70001 - 72000	996.00	996.00	528.00
72001 - 74000	1,128.00	1,128.00	576.00
74001 - 76000	1,248.00	1,248.00	612.00
76001 - 78000	1,380.00	1,380.00	720.00
78001 - 80000	1,512.00	1,512.00	864.00
80001 - 84000	1,776.00	1,776.00	1,152.00

The purchase of the license tag exceeding 80,000 gross vehicle weight is limited to the transport of products as provided for harvest permits as defined in Section 27-19-81(4). Such license tag shall be a "HP" license tag with weight allowance printed on the cab card only.

In addition to the above levied annual highway privilege tax on vehicles with a gross weight exceeding ten thousand (10,000) pounds, there is levied and shall be collected an additional privilege tax in the amount of One Thousand Eight Hundred Seventy-five Dollars (\$1,875.00) for each current or later year model vehicle based upon a licensed weight of eighty-four thousand (84,000) pounds. This additional privilege tax shall be reduced by the amount of One Hundred Seventy-five Dollars (\$175.00) for each year of age to a minimum of Fifty Dollars (\$50.00) and further reduced by the ratio of licensed weight to the maximum weight of eighty-four thousand (84,000) pounds. During the first year only, the privilege tax monies collected under the provisions of this paragraph shall be distributed to the various counties of the state on the basis of the ratio of the last year of annual ad valorem taxes collected by such counties on such vehicles to the total ad valorem taxes collected by all counties on such vehicles in the same year. In all subsequent years, the distribution to the counties shall be made on the basis of the ratio of the number of motor vehicles registered in excess of ten thousand (10,000) pounds, in each taxing district in each county, to the total number of such vehicles registered statewide. The counties shall then distribute these proceeds as they would if these collections were ad valorem taxes.

From the privilege tax monies collected under this section, Three Million Seven Hundred Thirty-two Thousand Four Hundred Three Dollars and Eleven Cents (\$3,732,403.11) shall be earmarked and set aside to be apportioned and paid to the counties of the state in the manner provided by Section 27-19-159, Mississippi Code of 1972. Any excess privilege tax monies collected under this section shall be deposited into the State Highway Fund for the construction, maintenance and reconstruction of highways and roads of the State of Mississippi or the payment of interest and principal on bonds authorized by the 1972 Regular Session of the Legislature for construction and reconstruction of highways.

No privilege license shall be issued for any period of time for less than One Dollar (\$1.00). Any person making application for the license tag under this section is required to sign an affidavit attesting to facts indicating the applicability of this section. Proof of purchase of valid harvest permit for the vehicle must be presented at time of purchase of the license tag.

The annual highway privilege tax imposed on operators engaged exclusively in the transportation of household goods shall be the same as the tax imposed upon private commercial carriers by this section. In determining the amount of privilege taxes due under the provisions of this section, there shall be allowed a maximum tolerance of five hundred (500) pounds on all classes of carriers except carriers of liquefied compressed gases and in the case of carriers of liquefied compressed gases there shall be allowed a maximum tolerance of two thousand (2,000) pounds.



Any owner or operator who operates a motor vehicle on the public highways, with a license tag attached to it which was issued for another or different vehicle, shall be liable for the privilege tax on said vehicle for twelve (12) months plus a penalty thereon of twenty-five percent (25%).

Carriers of property duly registered and licensed in another state and being used to transport farm harvesting machinery or equipment to and from a particular county in this state may, upon adoption of a resolution by the board of supervisors of the county where such machinery or equipment is being exclusively used in harvesting farm crops within the county, be exempt from the taxes herein levied when the resolution is filed with the Department of Revenue. However, the exemption shall not exceed a period of forty (40) days for any annual period without a second resolution of approval by the board of supervisors who shall have the authority to extend the exemption not to exceed an additional period of twenty (20) days during any annual period.

A private commercial carrier of property hauling interstate may purchase a common and contract carrier of property license plate at the prescribed fee to allow the carrier to lease on a one-way basis per trip without qualifying with the Public Service Commission.

(2) Beginning January 1, 2024, an owner of a carrier of property whose gross vehicle weight does not exceed ten thousand (10,000) pounds may choose a license tag with a black background and a white pinstripe border. "Mississippi" shall be printed at the top, and the name of the county shall be printed at the bottom. The application and the additional fee of Thirty-eight Dollars and Twenty-five Cents (\$38.25), less Two Dollars (\$2.00) to be remitted to the Department of Revenue License Tag Acquisition Fund created in Section 27-19-179, shall be remitted to the department on a monthly basis as prescribed by the department. The remaining Thirty-six Dollars and Twenty-five Cents (\$36.25) of the additional fee shall be deposited to the credit of the Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund established in Section 45-2-1. In all other respects, tags issued under this subsection (2) shall follow the guidelines for tags issued under subsection (1) of this section.

SECTION 3. This act shall take effect and be in force from and after January 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-19-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OWNER OF A PRIVATE CARRIER OF PASSENGERS OR MOTORCYCLE MAY CHOOSE A REGULAR LICENSE TAG WITH A BLACK BACKGROUND AND A WHITE PINSTRIPE BORDER, WITH "MISSISSIPPI" PRINTED AT THE TOP AND THE NAME OF THE COUNTY PRINTED AT THE BOTTOM; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAG; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAG; TO AMEND SECTION 27-19-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OWNER OF A CARRIER OF PROPERTY WHOSE GROSS VEHICLE WEIGHT DOES NOT EXCEED 10,000 POUNDS MAY CHOOSE A LICENSE TAG WITH A BLACK BACKGROUND AND A WHITE PINSTRIPE BORDER, WITH "MISSISSIPPI" PRINTED AT THE TOP AND THE NAME OF THE COUNTY PRINTED AT THE BOTTOM; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAG; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAG; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE SENATE

## CONFEREES FOR THE HOUSE

Josh Harkins

John Thomas "Trey" Lamar, III

Scott DeLano

Jody Steverson

Mike Thompson

Henry Zuber III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2841** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parker offered the following report of the Conference Committee on **H. B. No. 588** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 588: MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming code sections.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 71-5-353, Mississippi Code of 1972, is amended as follows:

71-5-353. (1) (a) Each employer shall pay unemployment insurance contributions equal to five and four-tenths percent (5.4%) of taxable wages paid by him each calendar year, except as may be otherwise provided in Section 71-5-361 and except that each newly subject employer shall pay unemployment insurance contributions at the rate of one percent (1%) of taxable wages, for his first year of liability, one and one-tenth percent (1.1%) of taxable wages for his second year of liability, and one and two-tenths percent (1.2%) of taxable wages for his third and subsequent years of liability unless the employer's experience-rating record has been chargeable throughout at least the twelve (12) consecutive calendar months ending on the most recent computation date at the time the rate for a year is determined; thereafter the employer's contribution rate shall be determined in accordance with the provisions of Section 71-5-355.

(b) Notwithstanding the newly subject employer contribution rate provided for in paragraph (a) of this subsection, the contribution rate of all newly subject employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only. The contribution rate of all newly subject employers shall be reduced by three one-hundredths of one percent (.03%) for calendar year 2014 only. For purposes of this chapter, "newly subject employers" means employers whose unemployment insurance experience-rating record has not been chargeable throughout at least the twelve (12) consecutive calendar months ending on the most recent computation date at the time the contribution rate for a year is determined.

(2) (a) (i) There is hereby created in the Treasury of the State of Mississippi special funds to be known as the "Mississippi Workforce Enhancement Training Fund" \* \* \*, the "Mississippi Works Fund" and the "Mississippi Office of Workforce Development Fund" which consist of funds collected pursuant to subsection (3) of this section and any other monies that may be appropriated to the funds from the Legislature.

(ii) Special funds collected shall initially be deposited into the Mississippi Department of Employment Security bank account for clearing contribution collections and subsequently appropriate amounts shall be transferred to the Mississippi Workforce Investment and Training Fund Holding Account described in Section 71-5-453. In the event any employer pays an amount insufficient to cover the total contributions due, the amounts due shall be satisfied in the following order:

1. Unemployment contributions;
2. Mississippi Workforce Enhancement Training contributions, \* \* \* Mississippi Office of Workforce Development contributions and the Mississippi Works contributions, known collectively as the Mississippi Workforce Investment and Training contributions, on a pro rata basis;
3. Interest and damages; then
4. Legal and processing costs.

The amount of unemployment insurance contributions due for any period will be the amount due according to the actual computations unless the employer is participating in the MLPP. In that event, the amount due is the MLPP amount computed by the department.

Cost of collection and administration of the Mississippi Workforce Enhancement Training contribution, the \* \* \* Mississippi Office of Workforce Development contribution and the Mississippi Works contribution shall be allocated based on a plan approved by the United States Department of Labor (USDOL). The Mississippi Community College Board shall pay the cost of collecting the Mississippi Workforce Enhancement Training contributions, the \* \* \* Office of Workforce Development shall pay the cost of collecting the \* \* \* Mississippi Office of Workforce Development contributions and the Mississippi

Department of Employment Security shall pay the cost of collecting the Mississippi Works contributions. Payments shall be made semiannually with the cost allocated to each based on a USDOL approved plan on a pro rata basis, for periods ending in June and December of each year. Payment shall be made by each organization to the department no later than sixty (60) days after the billing date. Cost shall be allocated under the USDOL's approved plan and in the same ratio as each contribution type represents to the total authorized by subparagraph (ii)2 of this paragraph to be collected for the period.

(b) Mississippi Workforce Enhancement Training contributions and \* \* \* Mississippi Office of Workforce Development contributions shall be distributed \* \* \* for calendar years \* \* \* after calendar year 2014 as follows, ninety-three and seventy-five one-hundredths percent (93.75%) shall be distributed to the Mississippi Workforce Enhancement Training Fund and the remainder shall be distributed to the \* \* \* Mississippi Office of Workforce Development Fund;

\* \* \*

(c) All contributions collected for the State Workforce Enhancement Training Fund, the \* \* \* Mississippi Office of Workforce Development Fund and the Mississippi Works Fund will be initially deposited into the Mississippi Department of Employment Security bank account for clearing contribution collections and subsequently transferred to the Workforce Investment and Training Holding Account and will be held by the Mississippi Department of Employment Security in such account for a period of not less than thirty (30) days. After such period, the Mississippi Workforce Enhancement Training contributions shall be transferred to the Mississippi Community College Board Treasury Account, with oversight provided by the Mississippi Office of Workforce Development, the \* \* \* Mississippi Office of Workforce Development contributions shall be transferred to the Mississippi Office of Workforce Development Treasury Account and the Mississippi Works contributions shall be transferred to the Mississippi Department of Employment Security Mississippi Works Treasury Account. The Mississippi Office of Workforce Development contributions and the Mississippi Works contributions shall be transferred in the same ratio as each contribution type represents to the total authorized by paragraph (a)(ii)2 of this subsection to be collected for the period and within the time frame determined by the department; however, except in cases of extraordinary circumstances, these funds shall be transferred within fifteen (15) days. Interest earnings or interest credits on deposit amounts in the Workforce Investment and Training Holding Account shall be retained in the account to pay the banking costs of the account. If after the period of twelve (12) months interest earnings less banking costs exceeds Ten Thousand Dollars (\$10,000.00), such excess amounts shall be transferred to the respective accounts within thirty (30) days following the end of each calendar year on the basis described in paragraph (b) of this subsection. Interest earnings and/or interest credits for the \* \* \* Mississippi Office of Workforce Development funds shall be used for the payment of banking costs and excess amounts shall be used in accordance with the rules and regulations of the \* \* \* Mississippi Office of Workforce Development expenditure policies.

(d) All enforcement procedures for the collection of delinquent unemployment contributions contained in Sections 71-5-363 through 71-5-383 shall be applicable in all respects for collections of delinquent unemployment insurance contributions designated for the Unemployment Compensation Fund, the Mississippi Workforce Enhancement Training Fund, the \* \* \* Mississippi Office of Workforce Development Fund and the Mississippi Works Fund.

(e) (i) Except as otherwise provided for in this subparagraph (i), all monies deposited into the Mississippi Workforce Enhancement Training Fund Treasury Account shall be directed by the Mississippi Office of Workforce Development, in collaboration with the Mississippi Community College Board, in accordance with the Workforce Training Act of 1994 (Section 37-153-1 et seq.) and under policies approved by the Mississippi Office of Workforce Development for the following purposes: to provide training in collaboration with the Mississippi Community College Board and individual community and junior

colleges to employers and employees in order to enhance employee productivity. Such training may be subject to a minimal administrative fee of not more than five percent (5%) to be paid from the Mississippi Workforce Enhancement Training Fund as established by the Office of Workforce Development. The initial priority of these funds shall be for the benefit of existing businesses located within the state. Employers may request training for existing employees and/or newly hired employees from the Mississippi Office of Workforce Development. The office, in consultation with the Mississippi Community College Board, will be responsible for approving the training. A portion of the funds collected for the Mississippi Workforce Enhancement Training Fund shall be used for the development of performance measures to measure the effectiveness of the use of the Mississippi Workforce Enhancement Training Fund dollars. These performance measures shall be uniform for all training projects and shall be reported to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature. Nothing in this section or elsewhere in law shall be interpreted as giving the Office of Workforce Development or State Workforce Investment Board authority to direct the Mississippi Community College Board or individual community or junior colleges on how to expend other funds, aside from funds appropriated to the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, appropriated or received for workforce training. The Mississippi Office of Workforce Development, Mississippi Community College Board, individual community or junior colleges, State Workforce Investment Board and other agencies implementing or coordinating state-funded workforce development programs under state law shall cooperate with each other to promote effective workforce training in Mississippi, under the direction of the office. Any subsequent changes to these performance measures shall also be reported to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature. A performance report for each training project and community college, based upon these measures, shall be submitted annually to the Governor, Lieutenant Governor, Speaker of the House, and members of the Legislature.

(ii) Except as otherwise provided in this paragraph (e), all funds deposited into the \* \* \* Mississippi Office of Workforce Development Fund shall be used for any of the following purposes: administration of State Workforce Investment Board business, the Office of Workforce Development, grants related to training, the Mississippi K-12 Workforce Development Grant Program, and other projects as determined appropriate by the \* \* \* Office of Workforce Development. Any funds remaining in the State Workforce Investment board bank account on June 30, 2023, shall be transferred to the Mississippi Office of Workforce Development Fund.

(iii) All funds deposited into the Mississippi Department of Employment Security Mississippi Works Fund shall be disbursed exclusively by the Executive Director of the Mississippi Department of Employment Security, in accordance with the rules and regulations promulgated by the Office of Workforce Development, in support of workforce training activities approved by the Mississippi Office of Workforce Development in support of economic development activities. Funds allocated by the executive director under this subparagraph (iii) shall only be utilized for the training of unemployed persons, for immediate training needs for the net new jobs created by an employer, for the retention of jobs, to create a work-ready applicant pool of Mississippians with credentials and/or postsecondary education in accordance with the state's Workforce Investment and Opportunity Act plan, or for the support of local economic and community development activities related to workforce development in the state. The Mississippi Office of Workforce Development, in collaboration with the Mississippi Public Community College System and its partners, shall be the primary entity to facilitate training. Training conducted utilizing these Mississippi Works funds may be subject to a minimal administrative fee of not more than five percent (5%) to be paid from the Mississippi Works Fund as authorized by the Mississippi Office of Workforce Development. All costs associated with the administration of these funds shall be reimbursed to the Mississippi Department of Employment Security from the Mississippi Works Fund.

(iv) 1. The Department of Employment Security shall be the fiscal agent for the receipt and disbursement of all funds remaining in the State Workforce Investment Board bank account, subject to the administrative oversight of the Office of Workforce Development. The Mississippi Department of Employment Security shall be the fiscal agent for all funds appropriated to it for use by the Office of Workforce Development.

2. \* \* \* The Office of Workforce Development, in coordination with the Mississippi Department of Employment Security as fiscal agent, shall ensure that any funds expended for contractual services rendered to the Office of Workforce Development over Five Thousand Dollars (\$5,000.00) shall be paid only to service providers who have been selected on a competitive basis. Any contract for services entered into using funds \* \* \* appropriated to the Mississippi Department of Employment Security for the Office of Workforce Development shall meet the requirements \* \* \* established in policies approved by the State Workforce Investment Board's executive committee deemed to be practical, feasible and in the public interest.

3. Any commodities over Five Thousand Dollars (\$5,000.00) procured for the office \* \* \* to further its purpose shall be procured competitively, in accordance with office policies approved by the State Workforce Investment Board's executive committee deemed to be practical, feasible and in the public interest.

\* \* \*

(3) (a) (i) Mississippi Workforce Enhancement Training contributions and \* \* \* Mississippi Office of Workforce Development contributions shall be collected \* \* \* for calendar years \* \* \* after calendar year 2016 \* \* \* at a rate of twenty one-hundredths percent (.20%), based upon taxable wages, of which fifteen one-hundredths percent (.15%) shall be the Workforce Enhancement Training contribution, one-hundredths of one percent (.01%) shall be the \* \* \* Mississippi Office of Workforce Development contribution and four one-hundredths percent (.04%) shall be the Mississippi Works contribution. The Mississippi Works contribution shall be collected for calendar years in which the general experience ratio, adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%), results in a general experience rate of less than two-tenths percent (.2%). In all other years the Mississippi Works contribution shall not be in effect.

( \* \* \*ii) The Mississippi Workforce Enhancement Training Fund contribution, the \* \* \* Mississippi Office of Workforce Development Fund contribution and the Mississippi Works contribution shall be in addition to the general experience rate plus the individual experience rate of all employers but shall not be charged to reimbursing or rate-paying political subdivisions or institutions of higher learning, or reimbursing nonprofit organizations, as described in Sections 71-5-357 and 71-5-359.

(b) All Mississippi Workforce Enhancement Training contributions, \* \* \* Mississippi Office of Workforce Development contributions and Mississippi Works contributions collected shall be deposited initially into the Mississippi Department of Employment Security bank account for clearing contribution collections and shall within two (2) business days be transferred to the Workforce Investment and Training Holding Account. Any Mississippi Workforce Enhancement Training Fund and/or \* \* \* Mississippi Office of Workforce Development Fund and/or Mississippi Works Fund transactions from the Mississippi Department of Employment Security bank account for clearing contribution collections that are deposited into the Workforce Investment and Training Fund Holding Account and are not honored by a financial institution will be transferred back to the Mississippi Department of Employment Security bank account for clearing contribution collections out of funds in the Mississippi Workforce Investment and Training Fund Holding Account.

(c) Suspension of the Workforce Enhancement Training Fund contributions required pursuant to this chapter shall occur if the insured unemployment rate exceeds

an average of five and five-tenths percent (5.5%) for the three (3) consecutive months immediately preceding the effective date of the new rate year following such occurrence and shall remain suspended throughout the duration of that rate year. Such suspension shall continue until such time as the three (3) consecutive months immediately preceding the effective date of the next rate year that has an insured unemployment rate of less than an average of four and five-tenths percent (4.5%). Upon such occurrence, reactivation shall be effective upon the first day of the rate year following the event that lifts suspension and shall be in effect for that year and shall continue until such time as a subsequent suspension event as described in this chapter occurs.

(d) Notwithstanding any other provision contained herein, contribution collections for the \*\*\* Mississippi Office of Workforce Development Fund, Mississippi Works Fund and Mississippi Workforce Enhancement Training Fund shall not be suspended, under any circumstances, for tax rate year 2021, and the resulting contribution rate of twenty one-hundredths percent (.20%) shall be added to the employer's general and individual experience rate to obtain the total unemployment insurance rate for 2021.

(4) All collections due or accrued prior to any suspension of the Mississippi Workforce Enhancement Training Fund will be collected based upon the law at the time the contributions accrued, regardless of when they are actually collected.

SECTION 2. (1) The Office of Workforce Development shall establish and administer the Mississippi K-12 Workforce Development Grant Program for the purpose of constructing, remodeling, purchasing or upgrading equipment or otherwise providing support to career technical centers at the K-12 education level. The grant program shall be funded from any funds available to the Office of Workforce Development.

(2) The Office of Workforce Development shall prescribe the terms and conditions of the grant program. To be eligible to receive a grant from the Office of Workforce Development under the grant program, a school at the K-12 education level shall provide the following information:

(a) The number of students enrolled in the workforce development program for which the funds will be used;

(b) The purpose of the program;

(c) Whether the program fits into the ecosystem for the training needs in the area;

(d) Evidence of the school's local involvement with industry partners in the area; and

(e) Any other information that the office determines is necessary.

(3) The Office of Workforce Development may use a maximum of five percent (5%) of funds for the program for the administration of the program.

(4) The Office of Workforce Development shall comply with the reporting requirements provided in Section 37-153-7. Each school that received grants from the program shall assist the office in completing the reporting requirement.

SECTION 3. Section 37-153-7, Mississippi Code of 1972, is amended as follows:

37-153-7. (1) There is created the Mississippi Office of Workforce Development and the Mississippi State Workforce Investment Board, which shall serve as the advisory board for the office. The Mississippi State Workforce Investment Board shall be composed of thirty-one (31) voting members, of which a majority shall be representatives

of business and industry in accordance with the federal Workforce Innovation and Opportunity Act, or any successive acts.

(2) The members of the State Workforce Investment Board shall include:

(a) The Governor, or his designee;

(b) Nineteen (19) members, appointed by the Governor, of whom:

(i) A majority shall be representatives of businesses in the state, who:

1. Are owners of businesses, chief executives or operating officers of businesses, or other business executives or employers with optimum policymaking or hiring authority, and who, in addition, may be members of a local board described in Section 3122(b)(2)(A)(i) of the federal Workforce Innovation and Opportunity Act. At least two (2) of the members appointed under this item 1. shall be small business owners, chief executives or operating officers of businesses with less than fifty (50) employees;

2. Represent businesses, including small businesses, or organizations representing businesses, which provide employment opportunities that, at a minimum, include high-quality, work-relevant training and development in high-demand industry sectors or occupations in the state; and

3. Are appointed from among individuals nominated by state business organizations and business trade associations;

(ii) Not less than twenty percent (20%) shall consist of representatives of the workforce within the state, which:

1. Includes labor organization representatives who have been nominated by state labor federations;

2. Includes a labor organization member or training director from an apprenticeship program in the state, which shall be a joint labor-management apprenticeship program if such a program exists in the state;

3. May include representatives of community-based organizations, including organizations serving veterans or providing or supporting competitive, integrated employment for individuals with disabilities, who have demonstrated experience and expertise in addressing employment, training or education needs of individuals with barriers to employment; and

4. May include representatives of organizations, including organizations serving out-of-school youth, who have demonstrated experience or expertise in addressing the employment, training or education needs of eligible youth;

(iii) The balance shall include government representatives, including the lead state officials with primary responsibility for core programs, and chief elected officials (collectively representing both cities and counties, where appropriate);

(c) Two (2) representatives of businesses in the state appointed by the Lieutenant Governor;

(d) Two (2) representatives of businesses in the state appointed by the Governor from a list of three (3) recommendations from the Speaker of the House; and

(e) The following state officials:



(i) The Executive Director of the Mississippi Department of Employment Security;

(ii) The Executive Director of the Department of Rehabilitation Services;

(iii) The State Superintendent of Public Education;

(iv) The Executive Director of the Mississippi Development Authority;

(v) The Executive Director of the Mississippi Community College Board;

(vi) The President of the Community College Association; and

(vii) The Commissioner of the Institutions of Higher Learning.

(f) One (1) senator, appointed by the Lieutenant Governor, and one (1) representative, appointed by the Speaker of the House, shall serve on the state board in a nonvoting capacity.

(g) The Governor may appoint additional members if required by the federal Workforce Innovation and Opportunity Act, or any successive acts.

(h) Members of the board shall serve a term of four (4) years, and shall not serve more than three (3) consecutive terms.

(i) The membership of the board shall reflect the diversity of the State of Mississippi.

(j) The Governor shall designate the Chairman of the Mississippi State Workforce Investment Board from among the business and industry voting members of the board, and a quorum of the board shall consist of a majority of the voting members of the board.

(k) The voting members of the board who are not state employees shall be entitled to reimbursement of their reasonable expenses in the manner and amount specified in Section 25-3-41 and shall be entitled to receive per diem compensation as authorized in Section 25-3-69.

(3) Members of the state board may be recalled by their appointing authority for cause, including a felony conviction, fraudulent or dishonest acts or gross abuse of discretion, failure to meet board member qualifications, or chronic failure to attend board meetings.

(4) The Mississippi Department of Employment Security shall establish limits on administrative costs for each portion of Mississippi's workforce development system consistent with the federal Workforce Investment Act or any future federal workforce legislation.

(5) The Mississippi State Workforce Investment Board shall have the following duties. These duties are intended to be consistent with the scope of duties provided in the federal Workforce Innovation and Opportunity Act, amendments and successor legislation to this act, and other relevant federal law:

(a) Through the office, develop and submit to the Governor, Lieutenant Governor and Speaker of the House a strategic plan for an integrated state workforce development system that aligns resources and structures the system to more effectively and efficiently meet the demands of Mississippi's employers and job seekers. This plan

will comply with the federal Workforce Investment Act of 1998, as amended, the federal Workforce Innovation and Opportunity Act of 2014 and amendments and successor legislation to these acts;

(b) Assist the Governor, Lieutenant Governor and Speaker of the House in the development and continuous improvement of the statewide workforce investment system that shall include:

(i) Development of linkages in order to assure coordination and nonduplication among programs and activities; and

(ii) Review local workforce development plans that reflect the use of funds from the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, the Wagner-Peyser Act and the amendment or successor legislation to the acts, and the Mississippi Comprehensive Workforce Training and Education Consolidation Act;

(c) Recommend to the office the designation of local workforce investment areas as required in Section 116 of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014. There shall be four (4) workforce investment areas that are generally aligned with the planning and development district structure in Mississippi. Planning and development districts will serve as the fiscal agents to manage Workforce Investment Act funds, oversee and support the local workforce investment boards aligned with the area and the local programs and activities as delivered by the one-stop employment and training system. The planning and development districts will perform this function through the provisions of the county cooperative service districts created under Sections 19-3-101 through 19-3-115; however, planning and development districts currently performing this function under the Interlocal Cooperation Act of 1974, Sections 17-13-1 through 17-13-17, may continue to do so;

(d) Assist the Governor in the development of an allocation formula for the distribution of funds for adult employment and training activities and youth activities to local workforce investment areas;

(e) Recommend comprehensive, results-oriented measures that shall be applied to all of Mississippi's workforce development system programs;

(f) Assist the Governor in the establishment and management of a one-stop employment and training system conforming to the requirements of the federal Workforce Investment Act of 1998 and the Workforce Innovation and Opportunity Act of 2014, as amended, recommending policy for implementing the Governor's approved plan for employment and training activities and services within the state. In developing this one-stop career operating system, the Mississippi State Workforce Investment Board, in conjunction with local workforce investment boards, shall:

(i) Design broad guidelines for the delivery of workforce development programs;

(ii) Identify all existing delivery agencies and other resources;

(iii) Define appropriate roles of the various agencies to include an analysis of service providers' strengths and weaknesses;

(iv) Determine the best way to utilize the various agencies to deliver services to recipients; and

(v) Develop a financial plan to support the delivery system that shall, at a minimum, include an accountability system;

(g) To provide authority, in accordance with any executive order of the Governor, for developing the necessary collaboration among state agencies at the highest level for accomplishing the purposes of this article;

(h) To monitor the effectiveness of the workforce development centers and WIN job centers;

(i) To advise the Governor, public schools, community/junior colleges and institutions of higher learning on effective school-to-work transition policies and programs that link students moving from high school to higher education and students moving between community colleges and four-year institutions in pursuit of academic and technical skills training;

(j) To work with industry to identify barriers that inhibit the delivery of quality workforce education and the responsiveness of educational institutions to the needs of industry;

(k) To provide periodic assessments on effectiveness and results of the overall Mississippi comprehensive workforce development system and district councils;

(l) Develop broad statewide development goals, including a goal to raise the state's labor force participation rate;

(m) Perform a comprehensive review of Mississippi's workforce development efforts, including the amount spent and effectiveness of programs supported by state or federal money; and

(n) To assist the Governor in carrying out any other responsibility required by the federal Workforce Investment Act of 1998, as amended and the Workforce Innovation and Opportunity Act, successor legislation and amendments.

(6) The Mississippi State Workforce Investment Board shall coordinate all training programs and funds within its purview, consistent with the federal Workforce Investment Act, Workforce Innovation and Opportunity Act, amendments and successor legislation to these acts, and other relevant federal law.

Each state agency director responsible for workforce training activities shall advise the Mississippi Office of Workforce Development and the State Workforce Investment Board of appropriate federal and state requirements. Each state agency, department and institution shall report any monies received for workforce training activities or career and technical education and a detailed itemization of how those monies were spent to the state board. The board shall compile the data and provide a report of the monies and expenditures to the Chairs of the House and Senate Appropriations Committee, the Chair of the House Workforce Development Committee and the Chair of the Senate Economic and Workforce Development Committee by October 1 of each year. Each such state agency director shall remain responsible for the actions of his agency; however, each state agency and director shall work cooperatively to fulfill the state's goals.

(7) The State Workforce Investment Board shall establish an executive committee, which shall consist of the following State Workforce Investment Board members:

(a) The Chair of the State Workforce Investment Board;

(b) Two (2) business representatives currently serving on the state board selected by the Governor;

(c) The two (2) business representatives currently serving on the state board appointed by the Lieutenant Governor;

(d) The two (2) business representatives currently serving on the state board appointed by the Governor from a list of three (3) recommendations from the Speaker of the House;

(e) The two (2) legislators, who shall serve in a nonvoting capacity, one (1) of whom shall be appointed by the Lieutenant Governor from the membership of the Mississippi Senate and one (1) of whom shall be appointed by the Speaker of the House of Representatives from the membership of the Mississippi House of Representatives.

(8) The executive committee shall select an executive director of the Office of Workforce Development, with the advice and consent of a majority of the State Workforce Investment Board. The executive committee shall seek input from economic development organizations across the state when selecting the executive director. The executive director shall:

(a) Be a person with extensive experience in development of economic, human and physical resources, and promotion of industrial and commercial development. The executive director shall have a bachelor's degree from a state-accredited institution and no less than eight (8) years of professional experience related to workforce or economic development;

(b) Perform the functions necessary for the daily operation and administration of the office, with oversight from the executive committee and the State Workforce Investment Board, to fulfill the duties of the state board as described in Chapter 476, Laws of 2020;

(c) Hire staff needed for the performance of his or her duties under Chapter 476, Laws of 2020. The executive director, with approval from the executive committee, shall set the compensation of any hired employees from any funds made available for that purpose;

(d) Enter any part of the Mississippi Community College Board, individual community and junior colleges, or other workforce training facilities operated by the state or its subdivisions;

(e) Serve at the will and pleasure of the executive committee;

(f) Promulgate rules and regulations, subject to oversight by the executive committee, not inconsistent with this article, as may be necessary to enforce the provisions in Chapter 476, Laws of 2020; and

(g) Perform any other actions he or she, in consultation with the executive committee, deems necessary to fulfill the duties under Chapter 476, Laws of 2020.

(9) The Office of Workforce Development and Mississippi Community College Board shall collaborate in the administration and oversight of the Mississippi Workforce Enhancement Training Fund and Mississippi Works Fund, as described in Section 71-5-353. The executive director shall maintain complete and exclusive operational control of the office's functions.

(10) The office shall file an annual and a quarterly report with the Governor, Secretary of State, President of the Senate, \* \* \* Speaker of the House, \* \* \* Chairman of the House Workforce Development Committee and Chairman of the Senate Economic and Workforce Development Committee. The annual report shall be filed not later than October 1 of each year regarding all funds approved by the office to be expended on workforce training during the prior calendar year. The quarterly and annual reports shall include:

(a) Information on the performance of the Mississippi Workforce Enhancement Training Fund and the Mississippi Works Fund, in terms of adding value to the local and state economy, the contribution to future growth of the state economy, and movement toward state goals, including increasing the labor force participation rate; \* \* \*

(b) With respect to specific workforce training projects:

(i) The location of the training;

(ii) The amount allocated to the project;

(iii) The purpose of the project;

(iv) The specific business entity that is the beneficiary of the project; \* \* \*

(v) The number of employees intended to be trained and actually trained, if applicable, in the course of the project \* \* \*; and

(vi) The types of funds used for the project;

(c) With respect to the grants that have been awarded under the Mississippi K-12 Workforce Development Grant Program created in Section 2 of this act:

(i) The entity that was awarded the grant;

(ii) The amount allocated to the grant;

(iii) The purpose of the grant; and

(iv) How the grant has been used since it was awarded; and

(d) With respect to the office's authority to select tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office:

(i) The policies that the office has adopted or amended on the process for the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office;

(ii) The eligible entities that the office determined may provide services, such as companies, nonprofit organizations, or other similar groups;

(iii) Any tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, that have been selected by the office; and

(iv) What entity received the benefit of the tools and resources that were selected.

(e) All information concerning a proposed project which is provided to the executive director shall be kept confidential. Except as provided in subsections (13) and (14), such confidentiality shall not limit disclosure under the Mississippi Public Records Act of 1983 of records describing the nature, quantity, cost or other pertinent information related to the activities of, or services performed using, the Mississippi Workforce Enhancement Training Fund or the Mississippi Works Fund.

(11) In addition to other powers and duties provided in this section, the Office of Workforce Development shall also have the following powers and duties:

(a) Direct access to accounting and banking statements for all funds under its direction to ensure accurate and efficient management of funds and to improve internal control;

(b) The ability to enter into nondisclosure agreements to effectively support economic development activities and the proprietary nature of customized training for existing and new industry;

(c) To adopt and promulgate such rules and regulations as may be necessary or desirable for the purpose of implementing the Mississippi K-12 Workforce Development Grant Program created in Section 2 of this act;

(d) To receive contributions, donations, gifts, bequests of money, other forms of financial assistance and property, equipment, materials or manpower from persons, foundations, trust funds, corporations, organizations and other sources, public or private, made to the office, and may expend or use the same in accordance with the conditions prescribed by the donor, provided that no such condition is contrary to any provision of law;

(e) To contract with state agencies, governing authorities or economic and workforce development entities for shared programmatic efforts and support service or joint employment of personnel in order to further the office's purposes;

(f) To determine, subject to appropriation, the need for and, if desired, the selection of tools and resources, including necessary online platforms and similar systems in furtherance of the mission of the office, through processes established in policies adopted by the office that are deemed to be practical, feasible and in the public interest. These processes shall outline eligible entities that may provide such services, such as companies, nonprofit organizations, or other similar groups and shall ensure the office determines metrics for success, including deliverables as required by the office;

(g) To implement the career coaching program provided for in Section 37-73-3;

(h) To provide career coaches with access to technology to develop customized career pathways and connect students with post-secondary and employment opportunities matching their skills and interests; and

(i) To implement and oversee programs providing support to community and junior colleges for training needs that may arise when new businesses locate in Mississippi, to include providing support to existing industries that may lose employees as a result of the new business.

Through December 31, 2024, the provisions of Section 27-104-7 related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the office.

( \*\* \*12) Nothing in Chapter 476, Laws of 2020 [Senate Bill No. 2564] shall void or otherwise interrupt any contract, lease, grant or other agreement previously entered into by the State Workforce Investment Board, Mississippi Community College Board, individual community or junior colleges, or other entities.

(13) Any records of the office which contain client information from the Mississippi Development Authority or local economic development entities concerning development projects shall be exempt from the provisions of the Mississippi Public Records Act of 1983 for a period of two (2) years after receipt of the information by the office. Confidential client information as described in this section shall not include the information which must

be disclosed by the certified applicant related to a qualified economic development project in the annual report described in Section 57-1-759.

(14) Confidential client information in public records held by the office shall be exempt from the provisions of the Mississippi Public Records Act of 1983 during any period of review and negotiation on a project proposal facilitated by the Mississippi Development Authority or local economic development entities and for a period of thirty (30) days after approval, disapproval or abandonment of the proposal not to exceed one (1) year.

SECTION 4. Section 27-104-7, Mississippi Code of 1972, as amended by House Bill No. 249, House Bill No. 540 and Senate Bill No. 2887, 2023 Regular Session, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an

officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be



accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

- (i) Black: having origins in any of the black racial groups of Africa;
  - (ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;
  - (iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;
  - (iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or
  - (v) Female;
- (e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;
- (f) Except as otherwise provided in subparagraph (xv) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:
- (i) Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c) \* \* \*;
  - (ii) Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services \* \* \*;
  - (iii) Any personal service contracts entered into by the individual state institutions of higher learning \* \* \*;
  - (iv) Any personal service contracts entered into by the Mississippi Department of Transportation \* \* \*;
  - (v) Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department of Human Services determines would be useful in establishing and operating the Department of Child Protection Services \* \* \*;
  - (vi) Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019 \* \* \*;
  - (vii) Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission \* \* \*;
  - (viii) Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services \* \* \*;

(ix) Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories \* \* \*;

(x) Any personal or professional service contract entered into by the Mississippi Department of Health \* \* \* or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, \* \* \* 2026;

(xi) Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services \* \* \*;

(xii) Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022 \* \* \*;

(xiii) Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026 \* \* \*;

(xiv) And any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act; and

(xv) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars (\$75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars (\$75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (xv) shall stand repealed on June 30, 2027.

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;
4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and
5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that

submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust

funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

Nothing in this section shall impair or limit the authority of the State Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

\* \* \*

(9) Through December 31, 2024, the provisions of this section related to rental agreements or leasing of real property for the purpose of conducting agency business shall not apply to the Office of Workforce Development created in Section 37-153-7.

SECTION 5. Section 71-5-355, Mississippi Code of 1972, as amended by Senate Bill No. 2810, 2023 Regular Session, is amended as follows:

71-5-355. (1) As used in this section, the following words and phrases shall have the following meanings, unless the context clearly requires otherwise:

(a) "Tax year" means any period beginning on January 1 and ending on December 31 of a year.

(b) "Computation date" means June 30 of any calendar year immediately preceding the tax year during which the particular contribution rates are effective.

(c) "Effective date" means January 1 of the tax year.

(d) Except as hereinafter provided, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H, plus the total of all remuneration paid by such employer excluded from the definition of wages by Section 71-5-351. For the computation of modified rates, "payroll" means the total of all wages paid for employment by an employer as defined in Section 71-5-11, subsection H.

(e) For the computation of modified rates, "eligible employer" means an employer whose experience-rating record has been chargeable with benefits throughout the thirty-six (36) consecutive calendar-month period ending on the computation date, except that any employer who has not been subject to the Mississippi Employment Security Law for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement shall be an eligible employer if his or her experience-rating record has been chargeable throughout not less than the twelve (12) consecutive calendar-month period ending on the computation date. No employer shall be considered eligible for a contribution rate less than five and four-tenths percent (5.4%) with respect to any tax year, who has failed to file any two (2) quarterly reports within the qualifying period by September 30 following the computation date. No employer or employing unit shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which the employing unit is found by the department to be in violation of Section 71-5-19(2) or (3) and for the next two (2) succeeding tax years. No representative of such employing unit who was a party to a violation as described in Section 71-5-19(2) or (3), if such representative was or is an employing unit in this state, shall be eligible for a contribution rate of less than five and four-tenths percent (5.4%) for the tax year in which such violation was detected by the department and for the next two (2) succeeding tax years.

(f) With respect to any tax year, "reserve ratio" means the ratio which the total amount available for the payment of benefits in the Unemployment Compensation Fund, excluding any amount which has been credited to the account of this state under Section 903 of the Social Security Act, as amended, and which has been appropriated for

the expenses of administration pursuant to Section 71-5-457 whether or not withdrawn from such account, on October 31 (close of business) of each calendar year bears to the aggregate of the taxable payrolls of all employers for the twelve (12) calendar months ending on June 30 next preceding.

(g) "Modified rates" means the rates of employer unemployment insurance contributions determined under the provisions of this chapter and the rates of newly subject employers, as provided in Section 71-5-353.

(h) For the computation of modified rates, "qualifying period" means a period of not less than the thirty-six (36) consecutive calendar months ending on the computation date throughout which an employer's experience-rating record has been chargeable with benefits; except that with respect to any eligible employer who has not been subject to this article for a period of time sufficient to meet the thirty-six (36) consecutive calendar-month requirement, "qualifying period" means the period ending on the computation date throughout which his or her experience-rating record has been chargeable with benefits, but in no event less than the twelve (12) consecutive calendar-month period ending on the computation date throughout which his or her experience-rating record has been so chargeable.

(i) The "exposure criterion" (EC) is defined as the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits as of November 16 of each calendar year or the next working day if November 16 falls on a holiday or a weekend, divided by the total wages, exclusive of wages paid by all state agencies, all political subdivisions, reimbursable nonprofit corporations, and tax-exempt public service employment, for the twelve-month period ending June 30 immediately preceding such date. The EC shall be computed to four (4) decimal places and rounded up if any fraction remains. Notwithstanding any other provision contained herein, the date for determining the cash balance of the Unemployment Compensation Fund which is available for the payment of benefits for the calendar years 2020 and 2021 shall be December 31.

(j) The "cost rate criterion" (CRC) is defined as follows: Beginning with January 1974, the benefits paid for the twelve-month period ending December 1974 are summed and divided by the total wages for the twelve-month period ending on June 30, 1975. Similar ratios are computed by subtracting the earliest month's benefit payments and adding the benefits of the next month in the sequence and dividing each sum of twelve (12) months' benefits by the total wages for the twelve-month period ending on the June 30 which is nearest to the final month of the period used to compute the numerator. If December is the final month of the period used to compute the numerator, then the twelve-month period ending the following June 30 will be used for the denominator. Benefits and total wages used in the computation of the cost rate criterion shall exclude all benefits and total wages applicable to state agencies, political subdivisions, reimbursable nonprofit corporations, and tax-exempt PSE employment.

The CRC shall be computed as the average for the highest monthly value of the cost rate criterion computations during each of the economic cycles since the calendar year 1974 as defined by the National Bureau of Economic Research. The CRC shall be computed to four (4) decimal places and any remainder shall be rounded up.

The CRC shall be adjusted only through annual computations and additions of future economic cycles.

(k) "Size of fund index" (SOFI) is defined as the ratio of the exposure criterion (EC) to the cost rate criterion (CRC). The target size of fund index will be fixed at 1.0. If the insured unemployment rate (IUR) exceeds a four and five-tenths percent (4.5%) average for the most recent completed July to June period, the target SOFI will be .8 and will remain at that level until the computed SOFI (the average exposure criterion of the current year and the preceding year divided by the average cost rate criterion) equals

1.0 or the average IUR falls to four and five-tenths percent (4.5%) or less for any period July to June. However, if the IUR falls below two and five-tenths percent (2.5%) for any period July to June the target SOFI shall be 1.2 until such time as the computed SOFI is equal to or greater than 1.0 or the IUR is equal to or greater than two and five-tenths percent (2.5%), at which point the target SOFI shall return to 1.0.

(l) No employer's unemployment contribution general experience rate plus individual unemployment experience rate shall exceed five and four-tenths percent (5.4%). Accrual rules shall apply for purposes of computing contribution rates including associated functions.

(m) The term "general experience rate" has the same meaning as the minimum tax rate.

(2) Modified rates:

(a) For any tax year, when the reserve ratio on the preceding November 16, in the case of any tax year, equals or exceeds three percent (3%), the modified rates, as hereinafter prescribed, shall be in effect. In computation of this reserve ratio, any remainder shall be rounded down.

(b) Modified rates shall be determined for the tax year for each eligible employer on the basis of his or her experience-rating record in the following manner:

(i) The department shall maintain an experience-rating record for each employer. Nothing in this chapter shall be construed to grant any employer or individuals performing services for him or her any prior claim or rights to the amounts paid by the employer into the fund.

(ii) Benefits paid to an eligible individual shall be charged against the experience-rating record of his or her base period employers in the proportion to which the wages paid by each base period employer bears to the total wages paid to the individual by all the base period employers, provided that benefits shall not be charged to an employer's experience-rating record if the department finds that the individual:

1. Voluntarily left the employ of such employer without good cause attributable to the employer or to accept other work;

2. Was discharged by such employer for misconduct connected with his or her work;

3. Refused an offer of suitable work by such employer without good cause, and the department further finds that such benefits are based on wages for employment for such employer prior to such voluntary leaving, discharge or refusal of suitable work, as the case may be;

4. Had base period wages which included wages for previously uncovered services as defined in Section 71-5-511(e) to the extent that the Unemployment Compensation Fund is reimbursed for such benefits pursuant to Section 121 of Public Law 94-566;

5. Extended benefits paid under the provisions of Section 71-5-541 which are not reimbursable from federal funds shall be charged to the experience-rating record of base period employers;

6. Is still working for such employer on a regular part-time basis under the same employment conditions as hired. Provided, however, that benefits shall be charged against an employer if an eligible individual is paid benefits who is still working for such employer on a part-time "as-needed" basis;



7. Was hired to replace a United States serviceman or servicewoman called into active duty and was laid off upon the return to work by that serviceman or servicewoman, unless such employer is a state agency or other political subdivision or instrumentality of the state;

8. Was paid benefits during any week while in training with the approval of the department, under the provisions of Section 71-5-513B, or for any week while in training approved under Section 236(a)(1) of the Trade Act of 1974, under the provisions of Section 71-5-513C;

9. Is not required to serve the one-week waiting period as described in Section 71-5-505(2). In that event, only the benefits paid in lieu of the waiting period week may be noncharged; or

10. Was paid benefits as a result of a fraudulent claim, provided notification was made to the Mississippi Department of Employment Security in writing or by email by the employer, within ten (10) days of the mailing of the notice of claim filed to the employer's last-known address.

(iii) Notwithstanding any other provision contained herein, an employer shall not be noncharged when the department finds that the employer or the employer's agent of record was at fault for failing to respond timely or adequately to the request of the department for information relating to an unemployment claim that was subsequently determined to be improperly paid, unless the employer or the employer's agent of record shows good cause for having failed to respond timely or adequately to the request of the department for information. For purposes of this subparagraph "good cause" means an event that prevents the employer or employer's agent of record from timely responding, and includes a natural disaster, emergency or similar event, or an illness on the part of the employer, the employer's agent of record, or their staff charged with responding to such inquiries when there is no other individual who has the knowledge or ability to respond. Any agency error that resulted in a delay in, or the failure to deliver notice to, the employer or the employer's agent of record shall also be considered good cause for purposes of this subparagraph.

(iv) The department shall compute a benefit ratio for each eligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record during the period his or her experience-rating record has been chargeable, but not less than the twelve (12) consecutive calendar-month period nor more than the thirty-six (36) consecutive calendar-month period ending on the computation date, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date. Such benefit ratio shall be computed to the tenth of a percent (.1%), rounding any remainder to the next higher tenth.

(v) 1. The unemployment insurance contribution rate for each eligible employer shall be the sum of two (2) rates: his or her individual experience rate in the range from zero percent (0%) to five and four-tenths percent (5.4%), plus a general experience rate. In no event shall the resulting unemployment insurance rate be in excess of five and four-tenths percent (5.4%), however, it is the intent of this section to provide the ability for employers to have a tax rate, the general experience rate plus the individual experience rate, of up to five and four-tenths percent (5.4%).

2. The employer's individual experience rate shall be equal to his or her benefit ratio as computed under paragraph (b)(iv) of this subsection (2).

3. The general experience rate shall be determined in the following manner: The department shall determine annually, for the thirty-six (36) consecutive calendar-month period ending on the computation date, the amount of

benefits which were not charged to the record of any employer and of benefits which were ineffectively charged to the employer's experience-rating record. For the purposes of this item 3, the term "ineffectively charged benefits" shall include:

a. The total of the amounts of benefits charged to the experience-rating records of all eligible employers which caused their benefit ratios to exceed five and four-tenths percent (5.4%);

b. The total of the amounts of benefits charged to the experience-rating records of all ineligible employers which would cause their benefit ratios to exceed five and four-tenths percent (5.4%) if they were eligible employers; and

c. The total of the amounts of benefits charged or chargeable to the experience-rating record of any employer who has discontinued his or her business or whose coverage has been terminated within such period; provided, that solely for the purposes of determining the amounts of ineffectively charged benefits as herein defined, a "benefit ratio" shall be computed for each ineligible employer, which shall be the quotient obtained by dividing the total benefits charged to his or her experience-rating record throughout the period ending on the computation date, during which his or her experience-rating record has been chargeable with benefits, by his or her total taxable payroll for the same period on which all unemployment insurance contributions due have been paid on or before the September 30 immediately following the computation date; and provided further, that such benefit ratio shall be computed to the tenth of one percent (.1%) and any remainder shall be rounded to the next higher tenth.

The ratio of the sum of these amounts (subsection (2)(b)(v)3a, b and c) to the taxable wages paid during the same period divided by all eligible employers whose benefit ratio did not exceed five and four-tenths percent (5.4%), computed to the next higher tenth of one percent (.1%), shall be the general experience rate; however, the general experience rate for rate year 2014 shall be two-tenths of one percent (.2%) and to that will be added the employer's individual experience rate for the total unemployment insurance rate.

4. a. Except as otherwise provided in this item 4, the general experience rate shall be adjusted by use of the size of fund index factor. This factor may be positive or negative, and shall be determined as follows: From the target SOFI, as defined in subsection (1)(k) of this section, subtract the simple average of the current and preceding years' exposure criterions divided by the cost rate criterion, as defined in subsection (1)(j) of this section. The result is then multiplied by the product of the CRC, as defined in subsection (1)(j) of this section, and total wages for the twelve-month period ending June 30 divided by the taxable wages for the twelve-month period ending June 30. This is the percentage positive or negative added to the general experience rate. The sum of the general experience rate and the trust fund adjustment factor shall be multiplied by fifty percent (50%) and this product shall be computed to one (1) decimal place, and rounded to the next higher tenth.

b. Notwithstanding the minimum rate provisions as set forth in subsection (1)(l) of this section, the general experience rate of all employers shall be reduced by seven one-hundredths of one percent (.07%) for calendar year 2013 only.

5. The general experience rate shall be zero percent (0%) unless the general experience ratio for any tax year as computed and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%) is an amount equal to or greater than two-tenths of one percent (.2%), then the general experience rate shall be the computed general experience ratio and adjusted on the basis of the trust fund adjustment factor and reduced by fifty percent (50%); however, in no case shall the sum of the general experience plus the individual experience unemployment insurance rate exceed five and four-tenths percent (5.4%). For rate years subsequent to 2014,

Mississippi Workforce Enhancement Training contribution rate, and/or \* \* \* Mississippi Office of Workforce Development contribution rate, and/or Mississippi Works contribution rate, when in effect, shall be added to the unemployment contribution rate, regardless of whether the addition of this contribution rate causes the total contribution rate for the employer to exceed five and four-tenths percent (5.4%).

6. The department shall include in its annual rate notice to employers a brief explanation of the elements of the general experience rate, and shall include in its regular publications an annual analysis of benefits not charged to the record of any employer, and of the benefit experience of employers by industry group whose benefit ratio exceeds four percent (4%), and of any other factors which may affect the size of the general experience rate.

7. Notwithstanding any other provision contained herein, the general experience rate for calendar year 2021 shall be zero percent (0%). Charges attributed to each employer's individual experience rate for the period March 8, 2020, through June 30, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2021 and the two (2) subsequent tax rate years. Moreover, charges attributed to each employer's individual experience rate for the period July 1, 2020, through December 31, 2020, will not impact the employer's individual experience rate calculations for purposes of calculating the total unemployment insurance rate for 2022 and the two (2) subsequent tax rate years. Furthermore, noncharges as defined hereinabove caused by the COVID-19 pandemic will not be used for the purpose of calculating the general experience rate.

(vi) When any employing unit in any manner succeeds to or acquires the organization, trade, business or substantially all the assets thereof of an employer, excepting any assets retained by such employer incident to the liquidation of his or her obligations, whether or not such acquiring employing unit was an employer within the meaning of Section 71-5-11, subsection H, prior to such acquisition, and continues such organization, trade or business, the experience-rating and payroll records of the predecessor employer shall be transferred as of the date of acquisition to the successor employer for the purpose of rate determination.

(vii) When any employing unit succeeds to or acquires a distinct and severable portion of an organization, trade or business, the experience-rating and payroll records of such portion, if separately identifiable, shall be transferred to the successor upon:

1. The mutual consent of the predecessor and the successor;
2. Approval of the department;
3. Continued operation of the transferred portion by the successor after transfer; and
4. The execution and the filing with the department by the predecessor employer of a waiver relinquishing all rights to have the experience-rating and payroll records of the transferred portion used for the purpose of determining modified rates of contribution for such predecessor.

(viii) If the successor was an employer subject to this chapter prior to the date of acquisition, it shall continue to pay unemployment insurance contributions at the rate applicable to it from the date the acquisition occurred until the end of the then current tax year. If the successor was not an employer prior to the date of acquisition, it shall pay unemployment insurance contributions at the rate applicable to the predecessor or, if more than one (1) predecessor and the same rate is applicable to both, the rate applicable to the predecessor or predecessors, from the date the acquisition occurred

until the end of the then current tax year. If the successor was not an employer prior to the date the acquisition occurred and simultaneously acquires the businesses of two (2) or more employers to whom different rates of unemployment insurance contributions are applicable, it shall pay unemployment insurance contributions from the date of the acquisition until the end of the current tax year at a rate computed on the basis of the combined experience-rating and payroll records of the predecessors as of the computation date for such tax year. In all cases the rate of unemployment insurance contributions applicable to such successor for each succeeding tax year shall be computed on the basis of the combined experience-rating and payroll records of the successor and the predecessor or predecessors.

(ix) The department shall notify each employer quarterly of the benefits paid and charged to his or her experience-rating record; and such notification, in the absence of an application for redetermination filed within thirty (30) days after the date of such notice, shall be final, conclusive and binding upon the employer for all purposes. A redetermination, made after notice and opportunity for a fair hearing, by a hearing officer designated by the department who shall consider and decide these and related applications and protests; and the finding of fact in connection therewith may be introduced into any subsequent administrative or judicial proceedings involving the determination of the rate of unemployment insurance contributions of any employer for any tax year, and shall be entitled to the same finality as is provided in this subsection with respect to the findings of fact in proceedings to redetermine the contribution rate of an employer.

(x) The department shall notify each employer of his or her rate of contribution as determined for any tax year as soon as reasonably possible after September 1 of the preceding year. Such determination shall be final, conclusive and binding upon such employer unless, within thirty (30) days after the date of such notice to his or her last-known address, the employer files with the department an application for review and redetermination of his or her contribution rate, setting forth his or her reasons therefor. If the department grants such review, the employer shall be promptly notified thereof and shall be afforded an opportunity for a fair hearing by a hearing officer designated by the department who shall consider and decide these and related applications and protests; but no employer shall be allowed, in any proceeding involving his or her rate of unemployment insurance contributions or contribution liability, to contest the chargeability to his or her account of any benefits paid in accordance with a determination, redetermination or decision pursuant to Sections 71-5-515 through 71-5-533 except upon the ground that the services on the basis of which such benefits were found to be chargeable did not constitute services performed in employment for him or her, and then only in the event that he or she was not a party to such determination, redetermination, decision or to any other proceedings provided in this chapter in which the character of such services was determined. The employer shall be promptly notified of the denial of this application or of the redetermination, both of which shall become final unless, within ten (10) days after the date of notice thereof, there shall be an appeal to the department itself. Any such appeal shall be on the record before said designated hearing officer, and the decision of said department shall become final unless, within thirty (30) days after the date of notice thereof to the employer's last-known address, there shall be an appeal to the Circuit Court of the First Judicial District of Hinds County, Mississippi, in accordance with the provisions of law with respect to review of civil causes by certiorari.

(3) Notwithstanding any other provision of law, the following shall apply regarding assignment of rates and transfers of experience:

(a) (i) If an employer transfers its trade or business, or a portion thereof, to another employer and, at the time of the transfer, there is substantially common ownership, management or control of the two (2) employers, then the unemployment experience attributable to the transferred trade or business shall be transferred to the employer to whom such business is so transferred. The rates of both employers shall be

recalculated and made effective on January 1 of the year following the year the transfer occurred.

(ii) If, following a transfer of experience under subparagraph (i) of this paragraph (a), the department determines that a substantial purpose of the transfer of trade or business was to obtain a reduced liability of unemployment insurance contributions, then the experience-rating accounts of the employers involved shall be combined into a single account and a single rate assigned to such account.

(b) Whenever a person who is not an employer or an employing unit under this chapter at the time it acquires the trade or business of an employer, the unemployment experience of the acquired business shall not be transferred to such person if the department finds that such person acquired the business solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions. Instead, such person shall be assigned the new employer rate under Section 71-5-353, unless assignment of the new employer rate results in an increase of less than two percent (2%), in which case such person would be assigned the new employer rate plus an additional two percent (2%) penalty for the rate year. In determining whether the business was acquired solely or primarily for the purpose of obtaining a lower rate of unemployment insurance contributions, the department shall use objective factors which may include the cost of acquiring the business, whether the person continued the business enterprise of the acquired business, how long such business enterprise was continued, or whether a substantial number of new employees were hired for performance of duties unrelated to the business activity conducted prior to acquisition.

(c) (i) If a person knowingly violates or attempts to violate paragraph (a) or (b) of this subsection or any other provision of this chapter related to determining the assignment of a contribution rate, or if a person knowingly advises another person in a way that results in a violation of such provision, the person shall be subject to the following penalties:

1. If the person is an employer, then such employer shall be assigned the highest rate assignable under this chapter for the rate year during which such violation or attempted violation occurred and the three (3) rate years immediately following this rate year. However, if the person's business is already at such highest rate for any year, or if the amount of increase in the person's rate would be less than two percent (2%) for such year, then the person's tax rate shall be increased by two percent (2%) for such year. The penalty rate will apply to the successor business as well as the related entity from which the employees were transferred in an effort to obtain a lower rate of unemployment insurance contributions.

2. If the person is not an employer, such person shall be subject to a civil money penalty of not more than Five Thousand Dollars (\$5,000.00). Each such transaction for which advice was given and each occurrence or reoccurrence after notification being given by the department shall be a separate offense and punishable by a separate penalty. Any such fine shall be deposited in the penalty and interest account established under Section 71-5-114.

(ii) For purposes of this paragraph (c), the term "knowingly" means having actual knowledge of or acting with deliberate ignorance or reckless disregard for the prohibition involved.

(iii) For purposes of this paragraph (c), the term "violates or attempts to violate" includes, but is not limited to, intent to evade, misrepresentation or willful nondisclosure.

(iv) In addition to the penalty imposed by subparagraph (i) of this paragraph (c), any violation of this subsection may be punishable by a fine of not more than Ten Thousand Dollars (\$10,000.00) or by imprisonment for not more than five (5)

years, or by both such fine and imprisonment. This subsection shall prohibit prosecution under any other criminal statute of this state.

(d) The department shall establish procedures to identify the transfer or acquisition of a business for purposes of this subsection.

(e) For purposes of this subsection:

(i) "Person" has the meaning given such term by Section 7701(a)(1) of the Internal Revenue Code of 1986; and

(ii) "Employing unit" has the meaning as set forth in Section 71-5-11.

(f) This subsection shall be interpreted and applied in such a manner as to meet the minimum requirements contained in any guidance or regulations issued by the United States Department of Labor.

SECTION 6. Section 71-5-453, Mississippi Code of 1972, is amended as follows:

71-5-453. The department shall be the treasurer and custodian of the fund, and shall administer such fund in accordance with the directions of the department, and shall issue its warrants upon it in accordance with such regulations as the department shall prescribe. The department shall maintain within the fund three (3) separate accounts: (a) a clearing account, (b) an unemployment trust fund account, and (c) a benefit payment account. All monies payable to the fund, upon receipt thereof by the department, shall be immediately deposited in the clearing account. Refunds payable pursuant to Section 71-5-383 may be paid from the clearing account by the department. Transfers pursuant to Section 71-5-114 of all interest, penalties and damages collected shall be made to the Special Employment Security Administration Fund as soon as practicable after the end of each calendar quarter. Workforce Enhancement Training contributions, \* \* \* Mississippi Office of Workforce Development contributions and Mississippi Works contributions shall be deposited into the Workforce Investment and Training Holding Account as described in this section. All other monies in the clearing account shall be immediately deposited with the Secretary of the Treasury of the United States of America to the Unemployment Trust Fund account for the State of Mississippi, established and maintained pursuant to Section 904 of the Social Security Act, as amended, any provisions of law in this state relating to the deposit, administration, release or disbursement of monies in the possession or custody of this state to the contrary notwithstanding. The benefit account shall consist of all monies requisitioned from this state's account in the Unemployment Trust Fund. Except as herein otherwise provided, monies in the clearing and benefit accounts may be deposited by the department, in any bank or public depository in which general funds of the state may be deposited, but no public deposit insurance charge or premium shall be paid out of the fund. The department shall be liable for the faithful performance of its duties in connection with the Unemployment Compensation Fund under this chapter. A Workforce Investment and Training Holding Account shall be established by and maintained under the control of the Mississippi Department of Employment Security. Contributions collected pursuant to the provisions in this chapter for the Workforce Enhancement Training Fund, \* \* \* Mississippi Office of Workforce Development Fund and the Mississippi Works Fund shall be transferred from the clearing account into the Workforce Investment and Training Holding Account on the same schedule and under the same conditions as funds transferred to the Unemployment Compensation Fund. Such funds shall remain on deposit in the holding account for a period of thirty (30) days. After such period, Workforce Enhancement Training contributions shall be transferred to the appropriate Mississippi Community College Board Treasury Account, with oversight provided by the Mississippi Office of Workforce Development, by the department. The \* \* \* Mississippi Office of Workforce Development contributions shall be transferred to the \* \* \* Mississippi Office of Workforce Development Treasury Account for the Mississippi Office of Workforce Development Fund. The Mississippi Works contributions shall be transferred to the Mississippi Department of

Employment Security Treasury Account for the Mississippi Works Fund. Such transfers shall occur within fifteen (15) days after the funds have resided in the Workforce Investment and Training Holding Account for thirty (30) days. One (1) such transfer shall be made monthly, but the department, in its discretion, may make additional transfers in any month. In the event such funds transferred are subsequently determined to be erroneously paid or collected, or if deposit of such funds is denied or rejected by the banking institution for any reason, or deposits are unable to clear drawer's account for any reason, the funds must be reimbursed by the recipient of such funds within thirty (30) days of mailing of notice by the department demanding such refund, unless funds are available in the Workforce Investment and Training Holding Account. In that event such amounts shall be immediately withdrawn from the Workforce Investment and Training Holding Account by the department and redeposited into the clearing account.

SECTION 7. Section 25-61-5, Mississippi Code of 1972, is amended as follows:

25-61-5. (1) (a) Except as otherwise provided by Sections 25-61-9, 25-61-11 \* \* \*, 25-61-11.2 and 37-153-7, all public records are hereby declared to be public property, and any person shall have the right to inspect, copy or mechanically reproduce or obtain a reproduction of any public record of a public body in accordance with reasonable written procedures adopted by the public body concerning the cost, time, place and method of access, and public notice of the procedures shall be given by the public body, or, if a public body has not adopted written procedures, the right to inspect, copy or mechanically reproduce or obtain a reproduction of a public record of the public body shall be provided within one (1) working day after a written request for a public record is made. No public body shall adopt procedures which will authorize the public body to produce or deny production of a public record later than seven (7) working days from the date of the receipt of the request for the production of the record.

(b) If a public body is unable to produce a public record by the seventh working day after the request is made, the public body must provide a written explanation to the person making the request stating that the record requested will be produced and specifying with particularity why the records cannot be produced within the seven-day period. Unless there is mutual agreement of the parties, or the information requested is part of ongoing negotiations related to a request for competitive sealed proposals, in no event shall the date for the public body's production of the requested records be any later than fourteen (14) working days from the receipt by the public body of the original request. Production of competitive sealed proposals in accordance with requests made pursuant to this section shall be no later than seven (7) working days after the notice of intent to award is issued to the winning proposer. Persons making a request for production of competitive sealed proposals after the notice of intent to award is issued by the public body shall have a reasonable amount of time, but in no event less than seven (7) working days after the production of the competitive sealed proposals, to protest the procurement or intended award prior to contract execution. However, in any instance where a person has filed for a protective order for a competitive sealed proposal and the court has not ruled on the protective order within ninety (90) days of filing, then the public body may proceed with awarding the contract without production of competitive sealed proposals and the contract may be protested after execution.

(2) If any public record contains material which is not exempted under this chapter, the public agency shall redact the exempted material and make the nonexempted material available for examination. Such public agency shall be entitled to charge a reasonable fee for the redaction of any exempted material, not to exceed the agency's actual cost.

(3) Denial by a public body of a request for access to or copies of public records under this chapter shall be in writing and shall contain a statement of the specific exemption relied upon by the public body for the denial. Each public body shall maintain a file of all denials of requests for public records. Public bodies shall be required to preserve such denials on file for not less than three (3) years from the date such denials

are made. This file shall be made available for inspection or copying, or both, during regular office hours to any person upon written request.

(4) This section shall stand repealed on July 1, 2024.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 71-5-353, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT FUND IN THE STATE TREASURY WHICH SHALL CONSIST OF FUNDS COLLECTED FROM THE OFFICE OF WORKFORCE DEVELOPMENT CONTRIBUTIONS AND ANY OTHER MONIES THAT MAY BE APPROPRIATED TO IT FROM THE LEGISLATURE; TO PROVIDE THAT THE STATE WORKFORCE INVESTMENT BOARD CONTRIBUTIONS THAT WERE BEING DEPOSITED INTO THE STATE WORKFORCE INVESTMENT BOARD BANK ACCOUNT SHALL NOW BE CONTRIBUTIONS FOR THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT AND DEPOSITED INTO THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT FUND; TO PROVIDE THAT ADMINISTRATIVE FEES COLLECTED FOR THE TRAINING PROVIDED USING THE MISSISSIPPI WORKFORCE ENHANCEMENT TRAINING AND MISSISSIPPI WORKS FUNDS MAY NOT BE MORE THAN FIVE PERCENT; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY SHALL BE THE FISCAL AGENT FOR ALL FUNDS APPROPRIATED TO IT FOR USE BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO CREATE A NEW SECTION THAT ESTABLISHES THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM; TO PROVIDE THAT THE PURPOSE FOR THE GRANT PROGRAM SHALL BE FOR CONSTRUCTING, REMODELING, PURCHASING OR UPGRADING EQUIPMENT OR OTHERWISE PROVIDING SUPPORT TO CAREER TECHNICAL CENTERS AT THE K-12 EDUCATION LEVEL; TO PROVIDE HOW A SCHOOL MAY APPLY FOR A GRANT; TO PROVIDE THAT MAXIMUM AMOUNT OF FUNDS THAT MAY BE USED FOR ADMINISTERING THE PROGRAM; TO PROVIDE THE REPORTING REQUIREMENTS OF THE PROGRAM; TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO REVISE THE REPORTING REQUIREMENTS OF THE OFFICE OF WORKFORCE DEVELOPMENT; TO PROVIDE SPECIFIC POWERS AND DUTIES FOR THE OFFICE OF WORKFORCE DEVELOPMENT; TO PROVIDE TIME-LIMITED EXEMPTIONS FROM THE MISSISSIPPI PUBLIC RECORDS ACT FOR CERTAIN RECORDS AND CONFIDENTIAL CLIENT INFORMATION FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY OR LOCAL ECONOMIC DEVELOPMENT ENTITIES HELD BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO AMEND SECTIONS 71-5-355 AND 71-5-453, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 249, HOUSE BILL NO. 540 AND SENATE BILL NO. 2810, 2023 REGULAR SESSION, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.



CONFEREES FOR THE HOUSE

Donnie Bell

Kevin Felsher

Jill Ford

CONFEREES FOR THE SENATE

David Parker

Chuck Younger

Jeremy England

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 588** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Seymour offered the following report of the Conference Committee on **H. B. No. 677** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 677: County veteran service officers; revise certain qualifications for.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 35-3-21, Mississippi Code of 1972, as amended by Senate Bill No. 2197, 2023 Regular Session, is amended as follows:

35-3-21. In order to maintain offices and pay personnel for the purpose of assisting all residents of the State of Mississippi who served in the military or naval forces of the United States during any war, their relatives, beneficiaries or dependents, to receive from the United States any and all compensation, hospitalization, insurance or other aid or benefits to which they may be entitled under existing or hereafter enacted laws of the United States, the boards of supervisors in the various counties in the state are hereby authorized and empowered, in their discretion, to expend out of the general county fund, or special veterans' fund herein authorized to be set up, or from both of such funds, such monies necessary to defray the office operating expenses and salary of the county veteran service officers.

Two (2) or more counties may, upon resolution duly adopted by the board of supervisors of each of such counties, agree to establish one (1) veteran service office for all of such counties. When two (2) or more counties enter into such an agreement, each county shall pay such amount mutually agreed upon and duly adopted by resolution of the respective boards of supervisors.

County veteran service officers shall be (a) honorably discharged or honorably released veterans; (b) the surviving spouse or child of any such \* \* \* veteran, living or deceased; or (c) any person employed as a county veteran service officer in any county of this state on March 30, 1990. From and after July 1, 1990, county veteran service officers shall be certified by the Mississippi State Veterans Affairs Board which, among any other criteria it may establish, shall require such officers to (a) attend one (1) of the annual training programs provided for such officers by the Mississippi State Veterans Affairs Board, (b) successfully complete a written examination each year on the duties and responsibilities of and assistance available to such officers and veterans, (c) have certification and be accredited according to 38 CFR Section 14.629 administered by the Mississippi State Veterans Affairs Board, and (d) follow the rules and regulations promulgated by the Mississippi State Veterans Affairs Board. County veteran service officers who annually receive and complete such instruction in a manner satisfactory to the Veterans Affairs Board and in accordance with this section shall be certified by the board. No county veteran service officer shall be entitled to receive any compensation for his services, to which he is otherwise entitled by law, unless he is annually certified by the board. Persons who cannot meet the accreditation standards of hours worked for county veteran service officers may be certified by the Mississippi State Veterans Affairs Board as Veterans Resource Advisors and be entitled to receive any compensation for his services as authorized by law.

County veteran service officers may be employed, in the discretion of the boards of supervisors, either full time or part time.

County veteran service officers shall be authorized and empowered to act for a veteran under a written power of attorney authorized by the veteran for the purpose of assisting with claims, benefits, and appeals in an administrative hearing before the United States Department of Veterans Affairs and any of its boards or departments, and shall be immune from legal action only for such actions except in cases of abuse, fraud or breach of fiduciary duty.

The boards of supervisors of the various counties are authorized and directed to provide necessary office space and communications connectivity for county veteran service officers.

The boards of supervisors of the various counties are further authorized and empowered to pay all necessary and actual expenses of county veteran service officers who attend a school of instruction within the State of Mississippi for such county veteran service officers.

It shall also be the duty of the boards of supervisors to aid the United States to defeat all unjust claims for aid or benefit therefrom.

Such expenditures may be made by the several counties acting alone, or in cooperation with other counties, and in cooperation with any federal or state agency carrying out such purposes.

In the event that the general revenues of the county levied under and within the limits of existing taxing statutes are not sufficient to pay the expenses authorized herein, the board of supervisors may, in its discretion, levy an additional tax not to exceed one (1) mill on all taxable property in the county to defray such expenses or any part thereof. Any tax levy made under authority of this chapter shall not be considered in refunding homestead exemption losses under Title 27, Chapter 33, Mississippi Code of 1972.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2197, 2023 REGULAR SESSION, TO REVISE CERTAIN QUALIFICATIONS FOR COUNTY VETERAN SERVICE OFFICES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Lester Carpenter

Joseph M. Seymour

Gene Newman

Chad McMahan

Jeffrey Hulum III

Lydia Graves Chassaniol

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 677** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Seymour offered the following report of the Conference Committee on **H. B. No. 1029** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1029: United States Space Force; provide that reference to "Armed Forces" and "Uniformed Services" in Mississippi law shall include members of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

CONFEREES FOR THE HOUSE

Lester Carpenter

Dale Goodin

Randy Rushing

CONFEREES FOR THE SENATE

Joseph M. Seymour

Scott DeLano

Chad McMahan

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1029** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel offered the following report of the Conference Committee on **H. B. No. 1084** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1084: Insurance agents; revise the continuing education requirements of those who are 65 and have been licensed for 20 years.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 83-17-251, Mississippi Code of 1972, is amended as follows:

83-17-251. (1) Every individual seeking to be licensed as an insurance producer in the State of Mississippi, as a condition of issuance of an original license, must furnish the Commissioner of Insurance certification on a form prescribed by the commissioner that he or she has completed an approved preclicensing course of study for the line of insurance requested.

(2) The preclicensing course of study hours shall consist of twenty (20) hours of approved preclicensing education courses per line of authority. The Commissioner of Insurance shall determine the content requirements for each preclicensing course of study. The preclicensing educational requirements of this section shall not apply to:

(a) An individual that is exempt from taking the written examination as provided in Section 83-17-39(1) and Section 83-17-67.

(b) An individual who has received a bachelor's degree with major coursework in insurance from an accredited institution of higher learning.

(c) An individual holding a current and valid CEBS, CHFC, CIC, CFP, CLU, FLMI, LUTCF designation is exempt for the life line of authority.

(d) An individual holding a current and valid RHU, CEBS, REBC, HIA designation is exempt for the accident and health or sickness line of authority.

(e) An individual holding a current and valid AAI, ARM, CIC, CPCU designation is exempt for the property and casualty lines of authority.

(f) Limited lines insurance producer and limited lines credit insurance producer as defined in Section 83-17-53.

(g) An individual that is seeking licensure for the variable life and variable annuity products line of authority only.

(3) Every individual seeking renewal of an insurance producer license, which has been in effect for a term of eighteen (18) months or less shall satisfactorily complete twelve (12) hours of study in approved continuing education courses. Every individual seeking renewal of an insurance producer license, which has been in effect for a term of more than eighteen (18) months shall satisfactorily complete twenty-four (24) hours of study in approved continuing education courses, of which three (3) hours shall have a course concentration in ethics.

(4) The continuing educational requirements of this section shall not apply to:

(a) Any individual that is exempt from taking the written examination as provided in Section 83-17-39(1)(b), (c), (e) and (g);

(b) Any limited lines producer or limited lines credit insurance producer;

(c) A person not a resident of this state who meets the continuing educational requirement in the state in which such person resides and Mississippi has a reciprocal agreement with that state; \* \* \*

(d) Nonactive agents as defined in Section 83-17-1 \* \* \*; or

(e) Any individual who is sixty-five (65) years of age or older and who has been licensed as an insurance producer for a continuous period of twenty-five (25) years or more as of the effective date of this act, as evidenced by submission of an affidavit, under oath, on a form prescribed by the commissioner, signed by the licensee attesting to satisfaction of the age, licensing and experience requirements of this paragraph (e).

SECTION 2. Section 73-35-18, Mississippi Code of 1972, is amended as follows:

73-35-18. (1) Each individual applicant for renewal of a license issued by the Mississippi Real Estate Commission shall, on or before the expiration date of his license, or at a time directed by the commission, submit proof of completion of not less than sixteen (16) clock hours of approved course work to the commission, in addition to any other requirements for renewal. The sixteen (16) clock hours' course work requirement shall apply to each two-year license renewal, and hours in excess thereof shall not be cumulated or credited for the purposes of subsequent license renewals except as provided in this subsection (1). The commission shall develop standards for approval of courses and shall require certification of such course work of the applicant. The commission may determine any required subject matter within the mandated sixteen (16) hours; provided that the required subjects shall not exceed eight (8) hours of the total sixteen (16) hours. Approved continuing education hours earned in the final three (3) months of a licensee's renewal period, if in excess of the required minimum sixteen (16) hours, may be carried over and credited to the next renewal period. However, no more than six (6) hours may be carried over in this manner. Any member of the Mississippi Legislature who has a real estate license shall be credited with eight (8) hours of credit for the attendance of each year of a legislative session. No person may receive continuing education credit for prelicense education courses taken, except as follows: a licensee whose license is on inactive status and whose continuing education credits are at least thirty (30) hours in arrears may, at the discretion of the commission, receive continuing education credit for retaking prelicense coursework, provided the entire prelicense course is retaken.

(2) This section shall apply to renewals of licenses which expire on and after July 1, 1994; however, an applicant for first renewal who has been licensed for not more than one (1) year shall not be required to comply with this section for the first renewal of the applicant's license. The provisions of this section shall not apply to persons who have held a broker's or salesperson's license in this state for at least twenty-five (25) years and who are \* \* \* at least sixty-five (65) years of age. Inactive licensees are not required to meet the real estate continuing education requirements specified in this section; however, such inactive licensees, before activating their license to active status, must cumulatively meet requirements missed during the period their license was inactive.

(3) A renewal of a license issued by the commission which expires after June 30, 2019, must include a current email address for the applicant. Any email address previously provided by an applicant to the commission which is no longer valid or the primary email address of the applicant must be updated when a renewal application is submitted under this section.

(4) The commission shall promulgate rules and regulations as necessary to accomplish the purposes of this section in accordance with the Mississippi Administrative Procedures Law.

(5) [Repealed]

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 83-17-251, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INDIVIDUAL WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER AND WHO HAS BEEN LICENSED AS AN INSURANCE PRODUCER FOR A CONTINUOUS PERIOD OF TWENTY-FIVE YEARS OR MORE AS OF THE EFFECTIVE DATE OF THIS ACT, AS EVIDENCED BY SUBMISSION OF AN AFFIDAVIT, UNDER OATH, ON A FORM PRESCRIBED BY THE COMMISSIONER, SIGNED BY THE LICENSEE ATTESTING TO SATISFACTION OF THE AGE, LICENSING AND EXPERIENCE REQUIREMENTS SHALL NOT BE REQUIRED TO COMPLETE THE CONTINUING EDUCATION REQUIREMENTS OF AN INSURANCE PRODUCER; TO AMEND SECTION 73-35-18, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS FOR REAL ESTATE LICENSURE THOSE PERSONS WHO HAVE HELD A REAL ESTATE BROKER'S OR SALESPERSON'S LICENSE IN THIS STATE FOR AT LEAST TWENTY-FIVE YEARS AND WHO ARE AT LEAST SIXTY-FIVE YEARS OF AGE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Henry Zuber III

J. Walter Michel

Kevin Ford

Dean Kirby

Jeffrey S. Guice

Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1084** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Caughman offered the following report of the Conference Committee on **H. B. No. 1110** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1110: Second Amendment Financial Privacy Act; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.

## CONFEREES FOR THE HOUSE

Nick Bain

Jansen Owen

Shane Barnett

## CONFEREES FOR THE SENATE

Chris Caughman

Chad McMahan

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1110** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Tate called up the following entitled bill:

**H. B. No. 1310:** Elections; revise provisions related to the integrity of.

Senator Tate moved that the Conference Committee Report on **H. B. No. 1310** be recommitted for further conference and the motion prevailed.

Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2079** and moved that the Report do be adopted:



REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2079: Mississippi School Protection Act; enact to allow armed educators.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 45-9-181, Mississippi Code of 1972:

45-9-181. (1) This section shall be known and may be cited as the "Mississippi School Safety Guardian Act."

(2) For purposes of this section:

(a) "Department" means the Department of Public Safety.

(b) "Governing body" means with respect to any public school district or public charter school, the local school board or charter school board, as applicable; with respect to any private school, the board or other governing body of the private school as provided in the charter, bylaws, or other governing documents of the school.

(c) "Program" means a school safety guardian program established by the governing body of a school in accordance with this act.

(d) "School" means any public or private educational institution within the State of Mississippi and includes any elementary or secondary school.

(e) "Training program" means the School Safety Guardian Training Program established in subsection (3) of this act.

(3) There is hereby established the School Safety Guardian Program in the Office of Homeland Security within the department. The department shall administer the program through the Office of Homeland Security. In consultation with the Mississippi Department of Education, the department shall establish the program and promulgate rules, regulations, and establish training requirements.

(4) The governing body of a school, in consultation with school administrators and the department, may establish a program under this act. The department or the governing

body of a school may discontinue a school's participation in the program at anytime. If the governing body of a school establishes a program under this act, the governing body of a school shall designate employees to participate in the training program developed by the department by which designated and trained school employees are authorized to carry concealed firearms for the protection of the students, employees and others on the campus of the school. The scope and purpose of each program shall include responding to an active shooter situation or other situation that would cause death or serious bodily harm on the school campus or in the immediate vicinity of the school campus. The school safety guardian's weapon shall always remain under his or her physical control on campus.

(5) A designated school safety guardian is immune from civil liability for any action taken by the school safety guardian if the action in question occurs during the reasonable exercise of and within the course and scope of the designated School Safety Guardian's official duties. School Safety Guardians are charged with these duties and must act in accordance with these duties to maintain their immunity. If a School Safety Guardian is found to have failed to carry out their official duties, the immunity described in this subsection shall be waived.

(6) School Safety Guardians shall be paid a monthly stipend in an amount not less than One Hundred Dollars (\$100.00), but not more than Five Hundred Dollars (\$500.00) by the school district, however, no funds received by school districts under the Elementary and Secondary Education Act (ESEA) shall be used to pay the stipends authorized under this subsection in accordance with the prohibition on the use of such funds as prescribed in Section 13401 of the Bipartisan Safer Communities Act, Public Law 117-159, 117th Congress of the United States, which amends the ESEA (20 USCS Section 7906 (Supp. 2022)).

(7) To be eligible for the immunity provided in this section:

(a) The program, at a minimum, shall require that each designated member of the program who is not a law enforcement officer, as defined in Section 45-6-3, possess a firearms license issued under Section 45-9-101 and the endorsement authorized in Section 97-37-7; has completed instructional training through a law enforcement training academy approved department not less than once every twelve (12) months; and has been CPR and First Aid certified; and

(b) The identities of any person designated by the school's governing body to serve as a School Safety Guardian must be documented at the time of the designation and shall be communicated to school administrators and local law enforcement.

(8) The department may authorize and certify Mississippi law enforcement training academies to offer the training program to the governing body of a school.

(a) The training program, at a minimum, must include:

- (i) An instructional course developed by the department;
- (ii) A criminal background check;
- (iii) A psychological screening;
- (iv) A shooting proficiency test; and
- (v) An annual recertification training.

(b) A law enforcement training academy may provide School Safety Guardian training to any employee of a school or school district who:

Section 45-9-101;

- (i) Holds a license to carry a concealed handgun issued under

- (ii) Has an endorsement authorized by Section 97-37-7; and

- (iii) Has current certification in CPR and First Aid.

(c) The department may establish a fee in an amount that is sufficient to cover the costs of the training program under this section to be paid to the training academy by the governing body of the school.

(d) The department shall adopt rules to administer this section, including a method to identify license holders who have completed a School Safety Guardian training certification course and setting a fee to be charged by the department for the issuance or reissuance of identification of the license holder as being certified.

(e) The department shall adopt rules and regulations that require review of the firearms training policies and procedures of school districts that authorized its employees to carry concealed firearms as part of a school safety program before the effective date of this act. Upon review of such rules and regulations, if the department determines that such district's policies and procedures conform to the department's training standards under the authority of this act, the department shall approve such district's policies and procedures and all employees of such school district that have completed the approved training shall receive all authority and protections provided by this act to carry concealed firearms as part of an approved school safety guardian program. However, if the department determines that such district's policies and procedures fail to conform to the department's training standards under the authority of this act, the employees of the district shall be required to comply with the requirements under this act to carry concealed firearms as part of an approved school safety guardian program.

(9) A person who is indicted or charged with a violation of criminal law while acting as a School Safety Guardian may assert as a defense, in addition to any other defense available, that, at the time of the action in question, the person was a certified School Safety Guardian, was then actually engaged in the performance of the person's duties as a School Safety Guardian, and had met the requirements of this section at the time of the action in question.

(10) Records relating to the identities of any person designated by the school's governing body to serve as a School Safety Guardian shall be exempt from the provisions of the Mississippi Public Records Act of 1983.

(11) Subject to appropriation and any other requirements provided by law, the Office of Homeland Security may contract with a third-party vendor for mobile phone applications and/or computer equipment or services to accomplish the purposes of this act.

SECTION 2. Section 45-1-2, Mississippi Code of 1972, is amended as follows:

45-1-2. (1) The Executive Director of the Department of Public Safety shall be the Commissioner of Public Safety.

(2) The Commissioner of Public Safety shall establish the organizational structure of the Department of Public Safety, which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law including, but not limited to:

- (a) Office of Public Safety Planning;

- (b) Office of Mississippi Highway Safety Patrol;
- (c) Office of Mississippi Bureau of Investigation (to be directed by a Lieutenant Colonel of the Mississippi Highway Safety Patrol);
- (d) Office of Forensic Laboratories, which includes the Mississippi Forensics Laboratory and the Office of the State Medical Examiner;
- (e) Office of Law Enforcement Officers' Training Academy;
- (f) Office of Support Services;
- (g) Office of Narcotics, which shall be known as the Bureau of Narcotics;
- (h) Office of Homeland Security;
- (i) Office of Capitol Police;
- (j) Office of Driver Service Bureau; and
- (k) Office of Commercial Transportation Enforcement Division.

(3) The department shall be headed by a commissioner, who shall be appointed by and serve at the pleasure of the Governor. The appointment of the commissioner shall be made with the advice and consent of the Senate. The commissioner shall have, at a minimum, a bachelor's degree from an accredited college or university.

(4) Notwithstanding any provision of law to the contrary, the commissioner shall appoint heads of offices, who shall serve at the pleasure of the commissioner. The commissioner shall have the authority to organize the offices established by subsection (2) of this section as deemed appropriate to carry out the responsibilities of the department. The commissioner may assign to the appropriate offices such powers and duties as deemed appropriate to carry out the department's lawful functions. The organization charts of the department shall be presented annually with the budget request of the Governor for review by the Legislature.

(5) The commissioner shall appoint, from within the Department of Public Safety, a statewide safety training officer who shall serve at the pleasure of the commissioner and whose duty it shall be to perform public training for both law enforcement and private persons throughout the state concerning proper emergency response to the mentally ill, terroristic threats or acts, domestic conflict, other conflict resolution, and such other matters as the commissioner may direct.

(6) The commissioner, after consultation with the Mississippi Association of Chiefs of Police and the Mississippi Sheriffs' Association, shall be responsible for establishing guidelines for response to active shooter situations and any related jurisdictional issues.

( \*\* \*7) The commissioner shall establish within the department the Mississippi Office of Homeland Security for the purpose of seeing that the laws are faithfully executed and for the purpose of investigating cyber-related crimes and suppressing crimes of violence and acts of intimidation and terror. The commissioner is hereby authorized to employ within the Office of Homeland Security a director, investigators and other qualified personnel as he may deem necessary to make investigation of cyber-related crimes, crimes of violence and acts of terrorism or intimidation, to aid in the arrest and prosecution of persons charged with such cyber-related crimes, crimes of violence, acts of terrorism or intimidation, or threats of violence and to perform other duties as necessary to accomplish these purposes. Investigators and other law enforcement personnel employed by the commissioner shall have full power to investigate, apprehend, and arrest persons committing cyber-related crimes, acts of violence, intimidation, or terrorism

anywhere in the state, and shall be vested with the power of police officers in the performance of such duties as provided herein. Such investigators and other personnel shall perform their duties under the direction of the commissioner, or his designee. The commissioner shall be authorized to offer and pay suitable rewards to other persons for aiding in such investigation and in the apprehension and conviction of persons charged with cyber-related crimes, acts of violence, or threats of violence, or intimidation, or acts of terrorism.

( \* \* \*8) The commissioner shall establish within the Office of Homeland Security a Mississippi Analysis and Information Center (MSAIC Fusion Center) which shall be the highest priority for the allocation of available federal resources for statewide information sharing, including the deployment of personnel and connectivity with federal data systems. Subject to appropriation therefor, the Mississippi Fusion Center shall employ three (3) regional analysts dedicated to analyzing and resolving potential threats identified by the agency's statewide social media intelligence platform and the dissemination of school safety information.

SECTION 3. Section 97-3-15, Mississippi Code of 1972, is amended as follows:

97-3-15. (1) The killing of a human being by the act, procurement or omission of another shall be justifiable in the following cases:

(a) When committed by public officers, or those acting by their aid and assistance, in obedience to any judgment of a competent court;

(b) When necessarily committed by public officers, or those acting by their command in their aid and assistance, in overcoming actual resistance to the execution of some legal process, or to the discharge of any other legal duty;

(c) When necessarily committed by public officers, or those acting by their command in their aid and assistance, in retaking any felon who has been rescued or has escaped;

(d) When necessarily committed by public officers, or those acting by their command in their aid and assistance, in arresting any felon fleeing from justice;

(e) When committed by any person in resisting any attempt unlawfully to kill such person or to commit any felony upon him, or upon or in any dwelling, in any occupied vehicle, in any place of business, in any place of employment or in the immediate premises thereof in which such person shall be;

(f) When committed in the lawful defense of one's own person or any other human being, where there shall be reasonable ground to apprehend a design to commit a felony or to do some great personal injury, and there shall be imminent danger of such design being accomplished;

(g) When necessarily committed in attempting by lawful ways and means to apprehend any person for any felony committed;

(h) When necessarily committed in lawfully suppressing any riot or in lawfully keeping and preserving the peace; \* \* \*

(i) When necessarily committed in the performance of duty as a member of a church or place of worship security program as described in Section 45-9-171 \* \* \*; and

(j) When necessarily committed in the performance of duty as a member of a School Safety Guardian Program as described in Section 45-9-181.

(2) (a) As used in subsection (1)(c) and (d) of this section, the term "when necessarily committed" means that a public officer or a person acting by or at the officer's command, aid or assistance is authorized to use such force as necessary in securing and detaining the felon offender, overcoming the offender's resistance, preventing the offender's escape, recapturing the offender if the offender escapes or in protecting himself or others from bodily harm; but such officer or person shall not be authorized to resort to deadly or dangerous means when to do so would be unreasonable under the circumstances. The public officer or person acting by or at the officer's command may act upon a reasonable apprehension of the surrounding circumstances; however, such officer or person shall not use excessive force or force that is greater than reasonably necessary in securing and detaining the offender, overcoming the offender's resistance, preventing the offender's escape, recapturing the offender if the offender escapes or in protecting himself or others from bodily harm.

(b) As used in subsection (1)(c) and (d) of this section, the term "felon" shall include an offender who has been convicted of a felony and shall also include an offender who is in custody, or whose custody is being sought, on a charge or for an offense which is punishable, upon conviction, by death or confinement in the Penitentiary.

(c) As used in subsections (1)(e) and (3) of this section, "dwelling" means a building or conveyance of any kind that has a roof over it, whether the building or conveyance is temporary or permanent, mobile or immobile, including a tent, that is designed to be occupied by people lodging therein at night, including any attached porch.

(3) A person who uses defensive force shall be presumed to have reasonably feared imminent death or great bodily harm, or the commission of a felony upon him or another or upon his dwelling, or against a vehicle which he was occupying, or against his business or place of employment or the immediate premises of such business or place of employment, if the person against whom the defensive force was used, was in the process of unlawfully and forcibly entering, or had unlawfully and forcibly entered, a dwelling, occupied vehicle, business, place of employment or the immediate premises thereof or if that person had unlawfully removed or was attempting to unlawfully remove another against the other person's will from that dwelling, occupied vehicle, business, place of employment or the immediate premises thereof and the person who used defensive force knew or had reason to believe that the forcible entry or unlawful and forcible act was occurring or had occurred. This presumption shall not apply if the person against whom defensive force was used has a right to be in or is a lawful resident or owner of the dwelling, vehicle, business, place of employment or the immediate premises thereof or is the lawful resident or owner of the dwelling, vehicle, business, place of employment or the immediate premises thereof or if the person who uses defensive force is engaged in unlawful activity or if the person is a law enforcement officer engaged in the performance of his official duties.

(4) A person who is not the initial aggressor and is not engaged in unlawful activity shall have no duty to retreat before using deadly force under subsection (1)(e) or (f) of this section if the person is in a place where the person has a right to be, and no finder of fact shall be permitted to consider the person's failure to retreat as evidence that the person's use of force was unnecessary, excessive or unreasonable.

(5) (a) The presumptions contained in subsection (3) of this section shall apply in civil cases in which self-defense or defense of another is claimed as a defense.

(b) The court shall award reasonable attorney's fees, court costs, compensation for loss of income, and all expenses incurred by the defendant in defense of any civil action brought by a plaintiff if the court finds that the defendant acted in accordance with subsection (1)(e) or (f) of this section. A defendant who has previously been adjudicated "not guilty" of any crime by reason of subsection (1)(e) or (f) of this section shall be immune from any civil action for damages arising from the same conduct.

SECTION 4. Section 97-37-9, Mississippi Code of 1972, is amended as follows:

97-37-9. Any person indicted or charged for a violation of Section 97-37-1 may show as a defense:

- (a) That he was threatened, and had good and sufficient reason to apprehend a serious attack from any enemy, and that he did so apprehend; or
- (b) That he was traveling and was not a tramp, or was setting out on a journey and was not a tramp; or
- (c) That he was a law enforcement or peace officer in the discharge of his duties; or
- (d) That he was at the time in the discharge of his duties as a mail carrier; or
- (e) That he was at the time engaged in transporting valuables for an express company or bank; or
- (f) That he was a member of the Armed Forces of the United States, National Guard, State Militia, Emergency Management Corps, guard or patrolman in a state or municipal institution while in the performance of his official duties; or
- (g) That he was in lawful pursuit of a felon; or
- (h) That he was lawfully engaged in legitimate sports; or
- (i) That at the time he was a company guard, bank guard, watchman, or other person enumerated in Section 97-37-7, and was then actually engaged in the performance of his duties as such, and then held a valid permit from the sheriff, the commissioner of public safety, or a valid permit issued by the Secretary of State prior to May 1, 1974, to carry the weapon; and the burden of proving either of said defenses shall be on the accused; or
- (j) That at the time he or she was a member of a church or place of worship security program, and was then actually engaged in the performance of his or her duties as such and met the requirements of Section 45-9-171 \* \* \* ; or
- (k) That at the time he or she was certified under a School Safety Guardian Program, and was then actually engaged in the performance of his or her duties under the program and met the requirements of Section 45-9-181.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 45-9-181, MISSISSIPPI CODE OF 1972, TO ENACT THE MISSISSIPPI SCHOOL SAFETY GUARDIAN ACT; TO DEFINE TERMS; TO ESTABLISH THE SCHOOL SAFETY GUARDIAN TRAINING PROGRAM WITHIN THE OFFICE OF HOMELAND SECURITY WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AUTHORIZE THE GOVERNING BODY OF A SCHOOL TO ESTABLISH A SCHOOL SAFETY GUARDIAN PROGRAM; TO PROVIDE CIVIL IMMUNITY UNDER CERTAIN CIRCUMSTANCES FOR SCHOOL SAFETY GUARDIANS WHO COMPLY WITH THE ACT; TO EXEMPT THE IDENTITY OF SCHOOL SAFETY GUARDIANS FROM PUBLIC DISCLOSURE; TO PROVIDE MINIMUM REQUIREMENT FOR THE TRAINING PROGRAM; TO ENACT STANDARDS;

TO PROVIDE THAT SUBJECT TO APPROPRIATION AND ANY OTHER REQUIREMENTS PROVIDED BY LAW, THE OFFICE OF HOMELAND SECURITY MAY CONTRACT WITH A THIRD-PARTY VENDOR FOR MOBILE PHONE APPLICATIONS AND/OR COMPUTER EQUIPMENT OR SERVICES TO ACCOMPLISH THE PURPOSES OF THIS ACT; TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO DIRECT THE COMMISSIONER TO ESTABLISH GUIDELINES FOR ACTIVE SHOOTER SITUATIONS; TO AMEND SECTION 97-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM THE INSTANCES OF JUSTIFIABLE HOMICIDE; TO AMEND SECTION 97-37-9, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFENSES TO A CHARGE OF UNLAWFULLY CARRYING OF A CONCEALED WEAPON; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Dennis DeBar, Jr.

Nick Bain

Angela Burks Hill

Kevin Horan

John A. Polk

Jill Ford

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2079** was adopted:

Yeas--Barrett, Blackwell, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Barnett, Blackmon, Blount, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting---None.

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Senator Parker called up the following entitled bill:

**S. B. No. 2335:** Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee.

Senator Parker moved that the Conference Committee Report on **S. B. No. 2335** be recommitted for further conference and the motion prevailed.

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Senator Parker moved that the rules be suspended to move to calendar item 127, **H. B. No. 770**, and the motion prevailed.

Senator Parker offered the following report of the Conference Committee on **H. B. No. 770** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE



MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 770: Mississippi Office of Space and Technology; create to be administered by MDA, which shall staff.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Donnie Scoggin

David Parker

Stacey Hobgood-Wilkes

Jason Barrett

Karl Oliver

Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 770** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parker offered the following report of the Conference Committee on **S. B. No. 2371** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2371: American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This article shall be known and may be cited as the "American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act." Under this article, the Legislature creates the "Accelerate Mississippi Nursing/Allied Health Grant Program," the "Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program" and the "Mississippi Allied Health College and Career Navigator Grant Program."

(2) As used in this article, "office" means the Office of Workforce Development established in Section 37-153-7.

SECTION 2. (1) The Mississippi Legislature finds that:

(a) The public health crisis related to COVID-19 resulted in a general disruption in the Mississippi economy and workforce, particularly in hospitals, clinics, long-term care facilities and other health care facilities across the state;

(b) Workforce shortages exist in the health care industry; and

(c) The availability of unprecedented federal funding to mitigate the impact of COVID-19 on the workforce and economy has created a unique opportunity for the office, working with community colleges, to provide education and training to help Mississippians find employment in the nursing, allied health and other health care fields, including paramedics.

(2) Therefore, the intent of the Mississippi Legislature is:

(a) To provide funding for outreach efforts to connect citizens seeking employment in nursing, allied health, and other health care fields, including paramedics, with the education and training required to obtain necessary skills for relevant employment in the state;

(b) To provide funding for new and increased capacity in existing nursing and allied health training programs, including accredited paramedic programs, or to help retain and graduate nursing and allied health students, including students in an accredited paramedic program, to include any required equipment or supplies, at community and junior colleges or through other entities facilitating healthcare-focused workforce training programs across the state;

(c) To provide funding for new and increased capacity in physician residency and fellowship programs in hospitals across the state; and

(d) To gauge the effectiveness of these programs by gathering data related to participation and wage and employment outcomes in order to replicate successful efforts in future workforce development programs.

SECTION 3. (1) There is established the Accelerate Mississippi Nursing/Allied Health Grant Program, which shall be directed by the office for the purpose of increasing capacity in nursing and allied health training programs, including accredited paramedic programs, job sectors which were severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Grant program" means the program established in this section, which provides funding, as determined by the office, from federal COVID-19 relief funds to sustain and increase capacity in nursing and allied health education and training programs, including accredited paramedic programs, or to help retain and graduate nursing and allied health students, at community and junior colleges or other entities facilitating healthcare-focused training programs as determined by the office.

(b) "Recipient" means a community or junior college or other entities facilitating healthcare-focused training programs as determined by the office.

(c) "Trainee" means an individual receiving training or other services through the grant program under this article with the goal of becoming employed in the nursing or allied health field, including as a licensed paramedic.

(d) "COVID-19" means the Coronavirus Disease 2019.

(e) "Federal COVID-19 relief funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(f) "High-wage, high-demand industry" means those nursing or allied health jobs, including paramedics, paying above Mississippi's median annual income and prioritized by the office.

(g) "Eligible expenses" means a cost incurred by a recipient under this article, to include:

(i) Necessary equipment or other supplies to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(ii) Necessary infrastructure, including building renovation or construction, for increasing capacity in nursing or allied health training programs, including accredited paramedic programs;

(iii) Curricula or other academic or training materials to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(iv) Remote learning or other classroom technology to sustain or increase capacity in nursing or allied health training programs, including accredited paramedic programs;

(v) Job placement services for nursing or allied health students and graduates, including those in accredited paramedic programs;

(vi) Recruitment programs for nursing or allied health students and graduates, including those in accredited paramedic programs;

(vii) Other services aimed at helping retain and graduate current nursing and allied health students, including those in accredited paramedic programs.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) A detailed explanation of the program the applicant intends to use awarded funds to create or expand, to include:

(i) A description of the nursing or allied health workforce shortage the program is intended to address, including specific information from hospitals, clinics, long-term care facilities or other health care providers in the region;

(ii) Any relevant waitlist or other information demonstrating high demand for graduates from the relevant nursing or allied health program;

(iii) The number of nursing or allied health students who will be served by the program; and

(iv) The average wage rate for nursing or allied health students receiving employment after completing the program;

(b) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(c) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(d) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program will be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize jobs within the nursing or allied health fields which are currently experiencing staffing shortages in hospitals, clinics, long-term care facilities and other health care providers across the state; and

(d) Prioritize jobs which are high-wage, high-demand jobs within the nursing and allied health fields, including the paramedic field.

(7) Seventy-five percent (75%) of the funds provided through the appropriations process for this program shall be reserved for community and junior colleges. A maximum of twenty-five percent (25%) of the funds provided through the appropriations process for this program may be awarded to recipients other than a community or junior college which facilitate healthcare-focused training programs as determined by the office.

SECTION 4. (1) There is established the Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program, which shall be directed by the office for the purpose of creating new or increasing capacity in existing physician residency and fellowship programs in hospitals, which were severely impacted by the disruption to the economy and workforce caused by COVID-19.

(2) For purposes of this section, the following words shall have the meanings ascribed herein unless the context requires otherwise:

(a) "Grant program" means the program established in this section, which provides funding, as determined by the office, from federal COVID-19 relief funds to create new or increase capacity in existing physician residency and fellowship programs at general acute care hospitals in the State of Mississippi which are licensed by the Mississippi State Department of Health.

(b) "Recipient" means a general acute care hospital in the State of Mississippi which is licensed by the Mississippi State Department of Health.

(c) "Residency and fellowship programs" means advanced training programs in medical or surgical specialty areas which are accredited by the Accreditation Council for Graduate Medical Education or a similar accreditation body.

(d) "COVID-19" means the Coronavirus Disease 2019.

(e) "Federal COVID-19 relief funds" means funds allocated to the State of Mississippi from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-2).

(f) "Eligible expenses" means a cost incurred by a recipient, pursuant to this article, to include:

(i) Equipment or other supplies necessary for accreditation;

(ii) Necessary infrastructure, including building, renovation or construction, for accreditation;

(iii) Curricula or other academic or training materials necessary for accreditation;

(iv) Stipends for the recruitment, hiring and development of program directors, program coordinators, faculty and/or teaching staff and clinic staff necessary for accreditation; and

(v) Remote learning or other classroom technology.

(3) The Department of Employment Security shall serve as fiscal agent in administering the funds.

(4) Subject to appropriation by the Legislature, allocations to recipients shall be awarded by the office through an application process, which shall require the applicant to provide:

(a) Evidence that the applicant is in the process of preparing for accreditation, has applied for accreditation or has received accreditation for a new residency or fellowship program, or increased capacity in an existing residency or fellowship program;

(b) A detailed explanation of the residency or fellowship program the applicant intends to use awarded funds to create or expand, to include:

(i) A description of the workforce shortage the residency or fellowship program is intended to address, including specific information from health care providers in the region;

(ii) Any relevant waitlist or other information demonstrating high demand for medical school graduates to enter the residency or fellowship program;

(iii) The number of residents who will be served by the residency or fellowship program;

(iv) The budget for the residency or fellowship program, including a plan showing sustainability after accreditation and any required federal approval of the program; and

(v) The average wage rate for residents or fellows receiving employment after completing the program;

(c) A proposed budget on how awarded funds will be expended, including a plan to consistently report expenditures to the office throughout the funding commitment;

(d) A plan to provide data on participation and outcomes of the residency or fellowship program, including a plan to report outcomes to the office throughout the funding commitment; and

(e) Other relevant information as determined appropriate by the office.

(5) Applicants agreeing to commit a portion of their federal COVID-19 relief funds, if they received federal COVID-19 relief funds directly, or other state, federal or private funds as supplemental matching funds to offset the total cost of the approved program shall be prioritized for approval.

(6) The office shall:

(a) Inform each recipient of its portion of the funds appropriated to the grant program;

(b) Develop regulations and procedures to govern the administration of the grant program;

(c) Prioritize residency or fellowship programs within medical or surgical specialties which are currently experiencing staffing shortages in hospitals, clinics, long-term care facilities and other health care providers across the state;

(d) Prioritize residency or fellowship programs which produce graduates in high-demand medical and surgical fields;

(e) Establish a schedule of application deadlines and a system for considering applications on a rotating basis; and

(f) Ensure that every effort be made, in accordance with the priorities in this subsection, to provide funds for the placement of one (1) resident with each recipient

before considering awarding funds for the placement of additional residents in the same round of consideration.

SECTION 5. (1) There is established the Mississippi Allied Health College and Career Navigator Grant Program, which shall be directed by the office for the purpose of hiring professionals, or navigators, to provide individual assistance and guidance to students to assist them in many areas, from maneuvering challenges while enrolled in college programs and understanding the job market to working through course challenges, and to help retain and graduate nursing and allied health students, at community and junior colleges. Such navigators must be at least a registered nurse with at least two (2) years of experience in nursing. The grant program shall be funded from monies appropriated by the Legislature for that purpose.

(2) The office shall prescribe the terms and conditions of the grant program. To be eligible to receive a grant from the office under the grant program, a community college shall provide the following information:

(a) The number of nursing or allied health students who will be served by the program;

(b) A plan to provide data on participation and outcomes of the program, including a plan to report outcomes to the office throughout the funding commitment; and

(c) Any other information that the office determines is necessary.

SECTION 6. The office may use a maximum of two percent (2%) of funds appropriated for the administrative expenses of the grant programs authorized in Sections 3, 4 and 5 of this act, to the extent permissible under federal law. The office shall try to minimize any expense of administrative funds by establishing policies and procedures mirroring past programs utilizing federal COVID-19 relief funds.

SECTION 7. The office shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the office under this article is in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund in Section 9901 of the American Rescue Plan Act of 2021 (Public Law No. 117-1).

SECTION 8. The office shall provide a comprehensive report on the use and effectiveness of funds distributed under the grant programs created in this article, to include wage data and employment outcomes for residents, to the Governor, Lieutenant Governor, Speaker of the House, Chairs of the Senate and House Appropriations Committees, Chair of the Senate Economic and Workforce Development Committee, and Chair of the House Workforce Development Committee by October 1 of each year of the existence of the program and for at least three (3) years after the program ceases.

SECTION 9. Grant funds shall be available under this article through December 31, 2026, or on the date of the fund expenditure deadline provided by the federal government, whichever occurs later. Each grant recipient shall certify, for any project for which a grant is awarded, that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA funds, then the grant recipient will complete the project through other funds.

SECTION 10. If any section, paragraph, sentence, clause, phrase or part of this article is declared to be in conflict with federal law, or if for any reason is declared to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts thereof shall be in no matter affected thereby but shall remain in full force and effect.

SECTION 11. Sections 1 through 9 of this act shall be codified as a new article in Title 37, Chapter 153, Mississippi Code of 1972.

SECTION 12. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE AMERICAN RESCUE PLAN ACT (ARPA) NURSE/ALLIED HEALTH WORKFORCE DEVELOPMENT AND RETENTION ACT; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO ESTABLISH THE ACCELERATE MISSISSIPPI NURSING/ALLIED HEALTH GRANT PROGRAM; TO ESTABLISH THE ACCELERATE MISSISSIPPI PHYSICIAN RESIDENCY AND FELLOWSHIP START-UP GRANT PROGRAM; TO ESTABLISH AND ADMINISTER THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR GRANT PROGRAM; TO OUTLINE REQUIREMENTS FOR THE APPLICATIONS AND FOR THE GRANT AWARDS; TO ALLOW THE OFFICE OF WORKFORCE DEVELOPMENT TO USE A MAXIMUM OF 2% OF FUNDS APPROPRIATED FOR THE ADMINISTRATIVE EXPENSES OF THE GRANT PROGRAMS, TO THE EXTENT PERMISSIBLE UNDER FEDERAL LAW; TO DIRECT THE OFFICE TO TRY TO MINIMIZE ANY EXPENSE OF ADMINISTRATIVE FUNDS BY ESTABLISHING POLICIES AND PROCEDURES MIRRORING PAST PROGRAMS UTILIZING FEDERAL COVID-19 RELIEF FUNDS; TO REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO CERTIFY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION THAT EACH EXPENDITURE APPROPRIATED TO THE OFFICE IS IN COMPLIANCE WITH UNITED STATES DEPARTMENT OF THE TREASURY CRITERIA REGARDING THE USE OF MONIES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE REPORTING REQUIREMENTS TO THE GOVERNOR AND THE LEGISLATURE BY OCTOBER 1 OF EACH YEAR; TO PROVIDE THAT GRANT FUNDS SHALL BE AVAILABLE THROUGH DECEMBER 31, 2026, OR ON THE DATE OF THE FUND EXPENDITURE DEADLINE PROVIDED BY THE FEDERAL GOVERNMENT, WHICHEVER OCCURS LATER; TO PROVIDE THAT EACH GRANT RECIPIENT SHALL CERTIFY, FOR ANY PROJECT FOR WHICH A GRANT IS AWARDED, THAT IF THE PROJECT IS NOT COMPLETED BY DECEMBER 31, 2026, AND THE UNITED STATES CONGRESS DOES NOT ENACT AN EXTENSION OF THE DEADLINE ON THE AVAILABILITY OF ARPA FUNDS, THEN THE GRANT RECIPIENT WILL COMPLETE THE PROJECT THROUGH OTHER FUNDS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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David Parker	Donnie Bell
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Chad McMahan	Kevin Felsher
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Lydia Graves Chassaniol	Otis Anthony
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2371** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,



Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Moran offered the following report of the Conference Committee on **S. B. No. 2544** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2544: Regulation of oyster beds and water bottoms by the MS Department of Marine Resources; bring forward authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-15-3, Mississippi Code of 1972, is amended as follows:

49-15-3. As used in this chapter, the term:

(a) "Commission" means the Mississippi Advisory Commission on Marine Resources.

(b) "Department" means the Department of Marine Resources.

(c) "Domicile" means a person's principal or primary place of abode in which a person's habitation is fixed and to which the person, whenever absent, has the present intention of returning after a departure of absence therefrom, regardless of the duration of the absence. The burden of proving domicile in the State of Mississippi shall be on the person claiming that status. A person holding a current driver's license shall be deemed to be domiciled within the state issuing the license. If a person does not hold a current driver's license the following evidence may be considered in establishing, but is not necessarily determinative of domicile: residence for income or other tax purposes, homestead exemption receipt or other means prescribed by the \* \* \* department. In the case of minors, domicile of the parents shall be used as evidence of the minor's domicile.

(d) "Game fish" means cobia, also known as ling or lemonfish (*rachycentron canadum*). The cobia is classified as game fish.

(e) "Illegal oysters" means:

(i) All untagged shell stock;

(ii) Shell oysters obtained from uncertified shops or dealers or from an unlicensed catcher;

(iii) Oysters obtained from waters not declared safe and sanitary by the department, except those oysters caught by the \* \* \* department for re-laying or under private leases pursuant to Section 49-15-27;

(iv) Shucked oysters obtained from uncertified shops or repackers.

(f) "Inspector" means the chief inspector, the assistant chief inspector, deputy inspector, bureau director and certified enforcement officer employed by the department.

(g) "Natural reefs" means any bottom under the jurisdiction of the \* \* \* department of one or more acres on which oysters grow naturally, or have grown naturally, in a quantity sufficient to warrant commercial fishing as a means of livelihood, or have been used in such a manner within a period of ten (10) years next preceding the time the bottoms may come up for determination by the \* \* \* department.

(h) "Resident" means a person, firm or corporation that is domiciled in this state.

(i) "Seafood" means all oysters, saltwater fish, saltwater shrimp, diamondback terrapin, sea turtle, crabs and all other species of marine or saltwater animal life existing or living in the waters within the territorial jurisdiction of the State of Mississippi.

\* \* \*

SECTION 2. Section 49-15-5, Mississippi Code of 1972, is amended as follows:

49-15-5. All seafoods existing or living in waters within the territorial jurisdiction of the State of Mississippi not held in private ownership legally acquired, and all beds and bottoms of rivers, streams, bayous, lagoons, lakes, bays, sounds and inlets bordering on or connecting with the Gulf of Mexico or Mississippi Sound within such territorial jurisdiction, including all oysters and other shell fish and parts thereof grown thereon, either naturally or cultivated, shall be, continue, and remain the property of the State of Mississippi, to be held in trust for the people thereof until title thereto shall be legally divested in the manner and form hereinafter authorized, and the same shall be under the exclusive control of the \* \* \* department until the right of private ownership shall vest therein as hereinafter provided.

SECTION 3. Section 49-15-7, Mississippi Code of 1972, is amended as follows:

49-15-7. All shells of dead oysters, clams and other shellfish; and all of the oyster shells, clam shells, mussel shells, dead reef shells, and cay shells, being upon or under the bottom of, or under the tidewaters within the territorial jurisdiction of the State of Mississippi, and all beds, banks and accumulations of such shells within such territorial jurisdiction on or under the bottoms of such waters, or surrounded by such waters, being the property of the State of Mississippi are hereby further declared to be the property of the State of Mississippi under the jurisdiction of the \* \* \* department.

SECTION 4. Section 49-15-9, Mississippi Code of 1972, is amended as follows:

49-15-9. The sole right of planting, cultivating in racks or other structures, and gathering oysters and erecting bathhouses and other structures in front of any land bordering on the Gulf of Mexico or Mississippi Sound or waters tributary thereto belongs to the riparian owner and extends not more than seven hundred fifty (750) yards from the shore, except for state-owned lands on Deer Island, which shall be not more than four hundred (400) yards from shore, measuring from the average low water mark, but where the distance from shore to shore is less than fifteen hundred (1500) yards, the owners of either shore may plant and gather to a line equidistant between the two (2) shores, but no person shall plant in any natural channel so as to interfere with navigation, and such riparian rights shall not include any reef or natural oyster bed and does not extend beyond any channel. A riparian owner shall comply with the Coastal Wetlands Protection Act in exercising the use of these riparian rights. Stakes of such frail materials as will not injure any watercraft may be set up to designate the bounds of the plantation, but navigation shall not be impeded thereby. The riparian owner shall clearly mark such cultivation racks and other structures. The \* \* \* department may adopt regulations to require that the racks are adequately marked to ensure the safety of users of public waters. Any oysters planted by such riparian owner are the private property of such riparian owner, subject to the right of the \* \* \* department to adopt reasonable rules and regulations as to the planting and gathering of such oysters. All bathhouses, piers, wharfs, docks and pavilions, or other structures owned by the riparian owner are likewise the private property of such owner, who shall be entitled to the exclusive use, occupancy and possession thereof, and may abate any private or public nuisance committed by any person or persons in the area of his riparian ownership and may, for such purposes, resort to any remedial action authorized by law. The governing authorities of any municipality and the board of supervisors of any county are authorized to adopt reasonable rules and regulations to protect riparian owners in the enjoyment of their riparian rights, and for such purposes may regulate the use of beaches, landings, and riparian areas abutting or fronting on roads, streets or highways.

SECTION 5. Section 49-15-16, Mississippi Code of 1972, is amended as follows:

49-15-16. The \* \* \* department may develop a limited entry fisheries management program for all resource groups. The \* \* \* department may require a license for each resource group and shall establish the fees for such licenses. The \* \* \* department may establish a means test or any other criteria to determine eligibility for licenses under the limited entry program. The \* \* \* department may impose a moratorium on the issuance of licenses for a fishery resource.

SECTION 6. Section 49-15-17, Mississippi Code of 1972, is amended as follows:

49-15-17. (1) (a) All monies received or obtained by the \* \* \* department under the provisions of this chapter shall be paid over by the \* \* \* department to the State Treasurer and shall be deposited into the fund known as the "Seafood Fund." All revenues collected through the department, to include, but not limited to, commercial saltwater licenses and taxes, permits, fines and penalties, and confiscated catches, shall be deposited into the department operating account (Seafood Fund) and expended for the operation of the department, as authorized by the Legislature.

(b) There is established a special account to be known as the "Artificial Reef Program Account" within the Seafood Fund. Any funds received from any public or private source for the purpose of promoting, constructing, monitoring or maintaining artificial reefs in the marine waters of the state or in federal waters adjacent to the marine waters of the state shall be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year shall not lapse into the Seafood Fund, but shall remain in the account. The department may expend any funds in the account, subject to appropriation by the Legislature, to accomplish the purpose of the account.

(c) There is established a special account to be known as the "Coastal Preserve Account" within the Seafood Fund. Any funds received from any public or private source for the purpose of management, improvement and acquisition of coastal preserves in the state and money required to be deposited pursuant to Sections 27-19-56.10 and 27-19-56.27, shall be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year shall not lapse into the Seafood Fund, but shall remain in the account. The department may expend any funds in the account, subject to appropriation by the Legislature, for the management, improvement and acquisition of coastal preserves.

(d) There is established a special account to be known as the "Mississippi Seafood Marketing Program Account" within the Seafood Fund. Monies required to be deposited into the account under Section 27-19-56.27 and any funds received from any public or private source for the purpose of promoting the Mississippi seafood industry must be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year do not lapse into the Seafood Fund, but remain in the account. The department may expend any funds in the account, subject to appropriation by the Legislature, to accomplish the purposes of this account, including, but not limited to, providing funds for cobia stock enhancement programs.

(e) There is established a special account to be known as the "Oyster Production Preserve Account" within the Seafood Fund. Monies required to be deposited from oyster leasing and licensing payments under Section 27-15-27, sack fees, money required to be deposited pursuant to Sections 27-19-56.10 and 27-19-56.27, and any funds received from any public or private source for the purpose of oyster production and propagation in this state, which includes plantings of oysters and cultch materials, shall be credited to the account. Any unexpended funds remaining in the account at the end of the fiscal year shall not lapse into the Seafood Fund, but shall remain in the account. The department may expend any funds in the account, subject to specific appropriation by the Legislature, for the management, improvement and acquisition of permittable property for oyster production and propagation in the state, which includes plantings of oysters and cultch materials. The Department of Marine Resources shall develop an annual report to the Legislature which describes the annual expenditures from this fund for the purpose of furthering oyster production and propagation in this state to be included in the department's annual budget request to the Legislative Budget Office and to be transmitted to the Chairmen of the Senate and House Committees on Ports and Marine Resources.

(2) The fund shall be treated as a special trust fund and interest earned on the principal shall be credited to the fund.

(3) The \*\*\* department shall keep accurate reports of monies handled as a part of the permanent records of the \*\*\* department, and the State Treasurer shall furnish the \*\*\* department such forms as may be needed, and the \*\*\* department shall account for such forms in \*\*\* reports to the Treasurer.

SECTION 7. Section 49-15-18, Mississippi Code of 1972, is amended as follows:

49-15-18. The executive director of the department shall publish an abstract copy of this chapter and all subsequent amendments to this chapter and all rules and regulations promulgated by the \*\*\* department under this chapter. The department may distribute the publication to all persons requesting a copy and to each licensee at the time of issuance of the license. New regulations and amendments to this chapter may be supplied to each licensee within a reasonable time after their promulgation or passage. The department may charge a reasonable fee not to exceed actual cost for its publications.

SECTION 8. Section 49-15-23, Mississippi Code of 1972, is amended as follows:

49-15-23. (1) (a) The Mississippi \* \* \* Department of Marine Resources and the Commission on Wildlife, Fisheries and Parks are hereby authorized and empowered to establish the dividing line between salt and fresh waters, and when such line has been established and notice thereof given as provided herein, it shall be recognized in the courts in connection with any proceedings under the game and fish laws of this state. Such line may be changed from time to time by the Mississippi \* \* \* Department of Marine Resources and the Commission on Wildlife, Fisheries and Parks on proper publication of such changes.

(b) In establishing the dividing line between salt and fresh waters, no part of the Bay of St. Louis shall be declared to be fresh water.

(c) In establishing the dividing line between salt and fresh waters, none of the waters within the municipal boundaries of the City of Pascagoula, as they existed on January 1, 1981, shall be declared to be fresh water.

(d) In establishing the dividing line between salt and fresh waters, no part of Bayou Cassotte and its tributaries, Bang Bayou and its tributaries, Bayou Cumbest and its tributaries, Crooked Bayou, Middle Bayou and that part of Heron Bayou with its tributaries which lie in the State of Mississippi shall be declared to be fresh water.

(2) Whenever any dividing line is established or changed as above provided, notice shall be given to the public by publication for three (3) weeks in a newspaper published and having general circulation in the county or counties affected thereby, and a description of the dividing line shall be filed in the office of the chancery clerk of such counties or county.

SECTION 9. Section 49-15-27, Mississippi Code of 1972, is amended as follows:

49-15-27. The department is hereby granted full and complete authority to lease the bottoms within its jurisdiction upon the following terms and conditions:

(1) All areas within the department's jurisdiction, not designated \* \* \* state-owned reefs by this chapter, \* \* \* including natural reefs and all areas not within the boundaries of riparian property owners may be leased by the department.

(2) All individual lessees shall be residents of the State of Mississippi, or if a firm or corporation, such firm or corporation shall be organized under the laws of the State of Mississippi and owned by a resident of the State of Mississippi.

(3) No individual, corporation, partnership or association may lease less than one (1) acre nor more than \* \* \* two thousand five hundred (2,500) acres total; however, in the case of an individual there shall \* \* \* be counted towards such limitation any lands leased by a corporation, partnership or association in which such individual owns ten percent (10%) or less interest and, in the case of a corporation, partnership or association, there shall \* \* \* be counted toward such limitation any lands leased by an individual stockholder, partner or associate thereof who owns ten percent (10%) or less interest in such corporation, partnership or association.

(4) Individuals, firms or corporations desiring to lease bottoms shall make application to the department in writing, describing the area to be leased. Applications must include a plat showing the proposed lease area and description of cultch material type and amount to be deployed on the leased area.

(5) \* \* \* (a) Any person who qualifies and who desires to lease a part of the bottom or bed of any of the waters of this state as provided in this section shall present to the department a written application, and pay an application fee in the amount of Fifty Dollars (\$50.00). This application shall contain the name and address of the applicant and a reasonably definite description of the location and amount of land covered by water

desired by the applicant. Upon receipt of the application, the department shall then register the application with date and time stamped thereon, shall order an examination to determine whether the water bottoms applied for are leasable, and shall determine the acreage upon which the rental of the lease shall be fixed. If the area is found to be leasable, the department shall either make a lease with the applicant or issue a written notice declining the application with reasons for same within \*\*\* thirty (30) days \*\*\* of the date of the application. Such lease \*\*\* shall be for the area described in the application upon payment of the prorated annual rent in advance for the remainder of the calendar year.

(b) When applications are made by two (2) or more persons for the same water bottoms, the applicant or the heirs or transferors of a deceased applicant who files the first application has prior claim.

(c) The department shall require that the bottoms of water areas to be leased be as definable as possible, taking into consideration such factors as the shape of the body of water, and the condition of the bottom as to hardness or softness which would render it desirable or undesirable for the purpose of oyster cultivation.

(d) The provisions of this subsection shall apply only to the initial application for an oyster lease, and not to the renewal of a lease.

(e) The department may not execute a lease until the department has posted notice of the application for the lease on its website for thirty (30) consecutive days.

(f) Any person claiming ownership of or interest in the water bottoms to be leased may protest the issuance of the lease on the grounds that the protesting party owns the water bottoms, but only by delivering via certified mail notice of the protest in writing to the Secretary of State, and the lease applicant on or before the thirtieth day after notice of the application was posted. The notice of protest shall include all information and documentation that the protesting party believes is relevant to the question of ownership. The right to protest issuance of the lease pursuant to this section shall expire if a protest is not made on or before the ninetieth day after notice of the application was posted.

(g) If a protest is timely made, the Secretary of State shall review the claim to ownership of the contested water bottoms and issue a preliminary determination to the protesting party, and the lease applicant within ninety (90) days of receiving the notice of protest. Any applicant shall have the right to appeal any decision of the department related to such protest to the circuit court with proper venue.

(h) A lease applicant may withdraw a lease application and receive a full refund from the department of all application fees, by submitting a written request for withdrawal to the department within ninety (90) days after the department posts notice of the application on its website.

(6) Such leases shall be for an initial term of \*\*\* fifteen (15) years, with the \*\*\* lessee \*\*\* having the right of first renewal of the lease for an additional \*\*\* fifteen (15) years, and continue to renew at \*\*\* fifteen-year intervals, at the same ground rental rate so long as lessee actively cultivates and gathers oysters, and complies with the provisions of this chapter. No lease may be transferred without approval by the department of the transfer.

(7) The terms of every lease issued hereunder shall ensure the maximum cultivation and propagation of oysters. Throughout the term of every lease issued hereunder, each lessee shall add cultch and make other necessary efforts to ensure the maximum cultivation and propagation of oysters. The department shall promulgate regulations to set forth guidelines for lessees to follow to ensure the maximum cultivation and propagation of oysters under the lease. The lessee shall submit a written report with

supporting documentation to the department of efforts to cultivate and propagate oysters for the previous year. If the department finds a lessee is not making efforts to cultivate and propagate oysters, and the lessee fails to take remedial steps to address same, such lease shall be subject to termination as provided for hereunder.

( \*\* \*8) The department shall fix a ground rental rate at \* \* \* Three Dollars (\$3.00) per acre per year. The annual rental payments shall be due by December 31 for the next calendar year.

(9) Any lessee who pays the rent on or after the first day of January shall pay the rent due plus an additional ten percent (10%) penalty. The failure of the lessee to pay the rent punctually on or before the first of each March, ipso facto and without demand or putting in default, terminates and cancels the lease and forfeits to the department all the works, improvements, betterments, and oysters on the leased water bottom. The department may at once enter on the water bottom and take possession thereof. Such water bottom shall then be open for lease in accordance with subsections (5) through (8) of this section. Ten (10) days thereafter the department shall enter the termination, cancellation, and forfeiture on its books and give public notice thereof by publication in one (1) local paper in the county where the formerly leased water bottoms are located. On or before the first day of each February, the department shall issue a written notice of delinquency by certified mail to each lessee who has not yet paid the rent. The department shall also publish notice of such delinquency on its website.

( \* \* \*10) The department shall keep an accurate chart of the areas within its jurisdiction and shall mark on such chart those areas which are under lease. All leases shall be marked by appropriate poles, stakes or buoys of such material as will not injure watercraft, at the expense of the leaseholder. The department shall keep an accurate book, designated "Mississippi Oyster Farms" which shall contain copies of all leases. The department shall maintain a map of designated state-owned, leased areas, and areas available for lease on the department's website. If any lease be cancelled or expire, such fact shall be noted on the face of such lease. Lessees shall be "oyster farmers" for the purposes of any grants, aid, subsidies or other assistance from the federal government or other governmental or private agencies.

( \* \* \*11) All funds derived from leasing shall be paid into the Seafood Fund under Section 49-15-17, for use by the department to further oyster production in this state, which includes plantings of oysters and cultch materials.

( \* \* \*12) All leases made by the department under the authority of this section shall be subject to the paramount right of the state and any of its political subdivisions authorized by law, to promote and develop ports, harbors, channels, industrial or recreational projects, and all such leases shall contain a provision that in the event such authorized public body shall require the area so leased or any part thereof for such public purposes, that the lease shall be terminated on reasonable notice fixed by the department in such lease. On the termination of any lease, the lessees shall have the right to remove any oysters within the leased area within such time as may be fixed by the department and in accordance with such reasonable rules and regulations as the department may adopt.

Any person convicted of taking oysters from leased land or from waters that are not of a safe sanitary quality without a permit as provided in Section 49-15-37 shall, on the first offense, forfeit all equipment used, exclusive of any boat or boats; and be fined not to exceed Two Thousand Dollars (\$2,000.00) or sentenced not to exceed one (1) year in the county jail, or both. Subsequent convictions shall be punishable by forfeiture of all equipment, including any boat or boats; and a fine not to exceed Five Thousand Dollars (\$5,000.00) or not to exceed two (2) years in prison, or both such fine and imprisonment.

The department is enjoined to cooperate with the Jackson County Port Authority, the Harrison County Development Commission, the municipal port commission and other

port and harbor agencies, so that oyster beds shall not be planted in close proximity to navigable channels. The department or lessee shall have no right of action as against any such public body for damages accruing to any natural reef or leased reef by any necessary improvement of such channel in the interest of shipping, commerce, navigation or other purpose authorized by law.

(13) A lessee has the exclusive use of the water bottoms leased and all oysters and cultch grown or placed thereon. However, this exclusive right is subordinate to the rights and responsibilities of the state, any political subdivision of the state, the United States, or any agency or agent thereof, to take action in furtherance of coastal protection, conservation or restoration.

(14) In order to protect the health and safety of the residents of the State of Mississippi, the terms and conditions relating to the leasing of bottoms provided in this section shall be fully applicable to any lease executed by the Mississippi Department of Marine Resources prior to the passage of this act, and the department shall revise any lease issued prior to the passage of this act as necessary in order to comply with the provisions of this section.

SECTION 10. Section 49-15-29, Mississippi Code of 1972, is amended as follows:

49-15-29. (1) The \* \* \* department shall assess and collect license fees and taxes as authorized under this chapter.

(2) All commercial licenses provided for under this chapter that relate to seafood shall be purchased from May 1 through April 30 at the fees provided in this chapter. The licenses shall expire on April 30 following the date of issuance.

(3) When an application for an original or renewal license of any kind authorized by this chapter is received by the \* \* \* department, the \* \* \* department shall determine whether the vessel or related equipment subject to that license is owned and operated in compliance with applicable federal and state laws. If the \* \* \* department determines that a vessel or its owner is not in compliance with applicable federal and state laws, then no license shall be issued or renewed for the operation of that vessel for a period of one (1) year. All licenses shall be made available for purchase at any building which is regularly operated by the department \* \* \* on the Mississippi Gulf Coast.

(4) The \* \* \* department may authorize any person, other than a salaried employee of the state to issue any license under this chapter which the \* \* \* department deems appropriate. The authorized person may collect and retain for issuance of the license the sum of One Dollar (\$1.00) in addition to the license fee provided in this chapter. The \* \* \* department shall establish the qualifications of persons authorized to issue licenses under this section and shall also establish the procedure for the issuance of that license by the authorized person and the procedure for collection of license fees by and from the authorized person.

(5) The \* \* \* department may design, establish, and administer a program to provide for the purchase, by electronic means, of any license, permit, registration or reservation issued by the \* \* \* department. Any actual costs associated to provide these documents electronically may be added to the cost of the electronic program.

SECTION 11. Section 49-15-30, Mississippi Code of 1972, is amended as follows:

49-15-30. (1) The \* \* \* department may promulgate rules and regulations for nonresident permits in order to promote reciprocal agreements with other states.

(2) Except as otherwise provided in Section 49-15-46, the \* \* \* department shall provide that residents of other states bordering on the Gulf of Mexico who are applicants for a commercial fishing license of any type as provided for in this chapter shall pay the



same fee or fees that a resident of this state pays in this state for that license if the respective applicant's domicile state does not charge a greater fee or fees for a Mississippi resident than for a resident of any other state to engage in a like activity in the other state. If the applicant's domicile state does charge a greater fee or fees for residents of Mississippi than for a resident of the applicant's domicile state, then that applicant shall pay the same fee or fees that the applicant's domicile state charges residents of Mississippi.

(3) The \* \* \* department shall require a nonresident to purchase the same type and number of licenses and pay the same fees that are required of Mississippi residents to engage in like activity in the nonresident's state.

(4) (a) If an applicant applies for a nonresident commercial fishing license to engage in a certain activity and the applicant's state does not issue a nonresident commercial fishing license for that activity, then the \* \* \* department shall not issue such license to the applicant.

(b) If the applicant's domicile state has additional mandatory licensing requirements, the applicant must meet those requirements before receiving a nonresident commercial fishing license.

(5) Any nonresident who engages in the commercial taking of seafood within the territorial waters of Mississippi without having the required nonresident commercial license is guilty of a misdemeanor and shall be fined Five Thousand Dollars (\$5,000.00) and shall forfeit any equipment, gear or nets used in the offense.

SECTION 12. Section 49-15-31, Mississippi Code of 1972, is amended as follows:

49-15-31. (1) The \* \* \* department may construct, maintain and operate all patrol stations, camps and related facilities as may be deemed necessary by the \* \* \* department.

(2) If a regulatory agency of a foreign state establishes a station or checkpoint through which Mississippi residents must pass for license, permit or catch inspection, or otherwise, the department shall establish similar stations or checkpoints through which residents of the foreign states shall be required to pass.

SECTION 13. Section 49-15-34, Mississippi Code of 1972, is amended as follows:

49-15-34. (1) The \* \* \* department shall require all boats used under regulation of this chapter which are also used in waters of other states and required by those states to pay licenses or fees for the same purposes as licenses and fees are required under this chapter to purchase a license which reflects that the licensed boats are used inside and outside the territorial waters of Mississippi. Upon the issuance of that license, the licensed boat, if used exclusively for commercial fishing or charter boats which have been licensed and authorized by the United States Coast Guard under 46 CFR Sections 24-26 and 46 CFR Sections 175-187, shall be deemed to be in the business of interstate transportation, but this shall in no way affect the collection of other licenses and fees by the \* \* \* department which would otherwise be due under this chapter. The \* \* \* department shall assess and collect an annual license fee of Twenty Dollars (\$20.00) on each boat engaged in operations under this subsection.

(2) Notwithstanding the provisions of this chapter, the \* \* \* department shall establish a transport permit to land seafood in this state which is legally taken outside of the Mississippi territorial waters without obtaining a license under this chapter. The \* \* \* department by regulation shall require the registration of those landings. The \* \* \* department may establish a permit fee in an amount not to exceed the amount of the license fee established in Section 49-15-28(1). This subsection shall not be construed to supersede Section 49-15-71.

SECTION 14. Section 49-15-35, Mississippi Code of 1972, is amended as follows:

49-15-35. Upon the request of the boards of supervisors of the respective coastal counties, the \* \* \* department may adopt ordinances prohibiting the taking and catching of menhaden within certain limits of the coast line of the county so requesting, but the \* \* \* department shall not fix such limits except upon request of the board of supervisors, and such limit shall not exceed two (2) miles from the shore line, or two (2) miles from the corporate limit boundaries of any municipality bordering on the Mississippi Sound.

SECTION 15. Section 49-15-36, Mississippi Code of 1972, is amended as follows:

49-15-36. (1) The Department of Marine Resources shall have full jurisdiction and control of all \* \* \* designated state-owned reefs and oyster bottoms of the State of Mississippi. In no event shall the department designate more than twenty percent (20%) of the permitted areas available as state-owned reefs.

(2) \* \* \* State-owned reefs may be opened for harvest of oysters during the season on a rotating basis. If the department determines that a particular reef has been overharvested or that a high percentage of sublegal size oysters exist on a particular reef and that harvest could damage future oyster crops, the department may close designated reef areas and keep them closed during the season.

(3) The department shall promulgate regulations regarding the closing of oyster reefs to protect the public health. When that testing indicates the oysters on the closed reef are suitable for consumption, the reef shall be opened for the taking of oysters as soon as notice of that opening may be made to interested parties. The authority to open or close oyster reefs under this chapter shall be solely within the discretion of the department. The Gulf Coast Research Laboratory or other certified laboratory shall cooperate with the department and shall conduct necessary tests to determine the condition of oyster reefs at the request of the department. The department may limit the sale of oysters for human consumption.

(4) (a) The department may issue special permits for the purpose of catching oysters outside the open season or in areas not normally open to harvest to those nonprofit organizations that are tax exempt under Section 501(c) of the United States Internal Revenue Code and which have on file with the Department of Revenue a tax exemption letter issued by the United States Internal Revenue Service.

(b) The department shall promulgate rules and regulations governing the taking of oysters by the nonprofit organization and shall issue such regulations to all organizations upon request and at the issuance of the special permit.

(5) The department shall establish a reasonable period of time for depuration of oysters replanted from restricted waters. That period of time shall be consistent with the maintenance of the public health and may vary from time to time and from one reef to another in accordance with environmental conditions.

\* \* \*

SECTION 16. Section 49-15-37, Mississippi Code of 1972, is amended as follows:

49-15-37. \* \* \* The department may employ boats, crews and laborers \* \* \* to cultivate the \* \* \* state-owned reefs of the state, and \* \* \* dredge the oysters in the Mississippi Sound from places where they are too thick, and \* \* \* spread them on reefs where they are too thin, and \* \* \* carry shells from the factories and spread them in places where the oyster beds can be improved and enlarged. The department may open state-owned reefs to the public for harvest. The department may purchase other materials as may be equally suitable for the propagation of oysters. The department in cultivating

the reefs, transplanting and spreading oysters and shells and other suitable materials, may expend any funds available for that purpose, as provided by Section 49-15-17(1)(e). In taking seed oysters, care shall be used to not injure or destroy the merchantable oysters on the reefs from which they are taken. The seed oysters shall be tonged from the "conner" or seed reefs, unless it is practicable and safe to dredge those oysters. The \*\*\* department may \*\*\* establish new bedding grounds at those places within the boundaries of the state as it may determine, on advice of the director, or on advice of technical governmental experts, or competent aquatic biologists. On existing \*\*\* state-owned reefs in which oysters exist and in waters not of a safe sanitary quality as determined by the department, the \*\*\* department shall prohibit any person, firm or corporation from taking oysters from those areas. The \*\*\* department shall from time to time remove the oysters from the areas and relay or replant them in an approved area for a period of time under Section 49-15-36 before they may be harvested. \*\*\* Any funds received from the sale of the oysters shall be used in a like manner as those funds received under Section 49-15-38.

\*\*\*

The \*\*\* department may issue permits to persons to remove oysters by dredging or otherwise from water bottoms which are not of a safe sanitary quality for oysters for human consumption \*\*\*. These areas \*\*\* may be designated as seed grounds, and permits to persons shall be issued only for the purpose of transplanting oysters to privately leased Mississippi territorial waters. The \*\*\* department may permit the transplanting of these seed oysters by a duly authorized public agency.

The \*\*\* department may, upon \*\*\* determining the water bottom from which oysters are to be removed is not of a safe, sanitary quality for oyster production for human consumption and has been unsafe for a period of at least one (1) year immediately preceding certification, and upon complying with the following requirements, permit the dredging of oysters from restricted public areas and relaying the oysters to private leased grounds in the State of Mississippi:

- (a) Permittee must hold valid lease of oyster bedding grounds in the State of Mississippi;
- (b) Permittee must be bonded in compliance with the permit system established by the \*\*\* department;
- (c) Permittee must fulfill all permit requirements as established by the \*\*\* department;
- (d) Permittee shall not move oysters from one restricted area to another restricted area;
- (e) Permittee shall move oysters only to an area leased by the \*\*\* department; and
- (f) Permittee shall not move oysters from the restricted area without the presence of an employee of the department at all times, from the dredging of the oysters from the restricted areas to their deposit on private leased grounds or to an onshore, molluscan depuration facility.

Harvesting of oysters shall be permitted only during daylight hours and with the most efficient gear possible consistent with conservation requirements of not damaging the reefs. This shall include permission to use two (2) dredges per boat on restricted areas and on private leased grounds.

Any person obtaining a permit to remove oysters from seed grounds shall post a penal bond of One Hundred Dollars (\$100.00) per leased acre with the \*\*\* department

to be forfeited upon any violation of this section. The bond may be approved by the director of the department if the director finds the bond to be secured by sufficient property or sureties.

The \*\*\* department shall regulate the amount and time of taking of oysters from seed areas and shall supervise the removal, planting and harvesting of oysters from the areas. The time set for the taking of oysters from restricted seed areas for relaying or replanting and the time set for the taking of oysters from private leased grounds shall be separated by not less than a period of time determined under Section 49-15-36 during which neither activity may be allowed.

\*\*\*

SECTION 17. Section 49-15-38, Mississippi Code of 1972, is amended as follows:

49-15-38. (1) (a) Unless otherwise permitted by the \*\*\* department, no oysters shall be taken from \*\*\* state-owned reefs \*\*\* unless culled \*\*\* , and all oysters less than three (3) inches from end to end, and all dead shells, shall be replaced, scattered and broadcast immediately on the \*\*\* reefs from which they are taken. It is unlawful for any captain or person in charge of any vessel, or any canner, packer, commission man, dealer or other person to purchase, sell or to have in that person's possession or under that person's control any oysters off the \*\*\* state-owned reefs or private bedding grounds not culled according to this section, or any oysters under the legal size. A ten percent (10%) tolerance shall be allowed in relation to any culling.

(b) The \*\*\* department may authorize the culling of oysters of a lesser measure. That authorization shall be in response to special circumstances or extreme natural conditions affecting the habitat, including, but not limited to, flooding. The department may establish checkpoints in any area within its jurisdiction to conduct inspections, collect fees and issue tags in the enforcement of this chapter and regulations adopted by the commission.

(2) The \*\*\* department shall acquire and replant shells, seed oysters and other materials, when funding is available, for the purpose of growing oysters.

(3) Any person, firm or corporation failing or refusing to pay the shell retention fee required under Section 49-15-46 to the department when called for by the department, is guilty of a misdemeanor and, upon conviction, shall be fined not more than One Hundred Dollars (\$100.00) for each barrel of shells for which they fail or refuse to tender the shell retention fee. In addition to the fine, the violator shall pay the reasonable value of the oyster shells and shall be ineligible to be licensed for any activity set forth in this chapter for a period of two (2) years from the date of conviction.

(4) The planting of oyster shells as provided under this chapter shall be under the direction and supervision of the executive director of the department. \*\*\*

SECTION 18. Section 49-15-40, Mississippi Code of 1972, is amended as follows:

49-15-40. \*\*\* The \*\*\* department may support projects in the nature of digging or constructing canals or ditches to bring additional water to existing oyster reefs or beds in need of that water, or for the purpose of creating or establishing new oyster reefs or beds. \*\*\* The \*\*\* department may also enter into interstate or intrastate efforts to support these projects and may seek and utilize aid from all federal, state and local sources in this endeavor. \*\*\*

\*\*\*

SECTION 19. Section 49-15-44, Mississippi Code of 1972, is amended as follows:

49-15-44. The \* \* \* department shall prohibit the sale or possession of illegal oysters. It is unlawful for any person, firm or corporation to possess or to engage in the sale of oysters not certified in this state, or to shuck or repack for sale any illegal oysters, unless that person, firm or corporation possesses a bill of sale, valid permit or affidavit of another state, properly dated, evidencing the legality of the sale or possession of the oysters in that state. Any person in possession of illegal oysters shall be subject to civil or criminal prosecution and shall be fined not less than One Hundred Dollars (\$100.00) or punished as provided in Section 49-15-63.

SECTION 20. Section 49-15-45, Mississippi Code of 1972, is amended as follows:

49-15-45. \* \* \* Any municipality bounded by the Gulf of Mexico or Mississippi Sound, which has wholly or partly within its corporate limits, or in the waters adjacent thereto, a public oyster reef reserved for catching oysters exclusively by use of hand tongs, is hereby authorized to aid and cooperate with the \* \* \* department in enforcing all laws regulating the catching, taking and transporting of oysters, including all of the provisions of this chapter, and all regulations and ordinances of such \* \* \* department relating to such oyster reefs.

\* \* \*

SECTION 21. Section 49-15-46, Mississippi Code of 1972, is amended as follows:

49-15-46. (1) Each vessel used to catch, take, carry or transport oysters from the reefs of the State of Mississippi, or engaged in transporting any oysters in any of the waters within the territorial jurisdiction of the State of Mississippi, for commercial use, shall annually, before beginning operations, be licensed by the department and pay the following license fee:

(a) Fifty Dollars (\$50.00) on each in-state vessel or boat used for tonging oysters or gathering oysters by hand;

(b) One Hundred Dollars (\$100.00) on each in-state vessel or boat used for dredging oysters;

(c) One Hundred Dollars (\$100.00) on each out-of-state vessel or boat used for tonging oysters or gathering oysters by hand, or the license fee charged by the out-of-state licensing entity to Mississippi vessels or boats for tonging or gathering oysters, whichever is greater; or

(d) Two Hundred Dollars (\$200.00) on each out-of-state vessel or boat used for dredging oysters, or the license fee charged by the out-of-state licensing entity to Mississippi vessels or boats for dredging oysters, whichever is greater.

(2) Each molluscan shellfish aquaculture operation shall annually, before beginning operations, be licensed by the department and pay the following license fee:

(a) Fifty Dollars (\$50.00) on each resident molluscan shellfish aquaculture operation; or

(b) One Hundred Dollars (\$100.00) on each nonresident molluscan shellfish aquaculture operation.

(3) The department may authorize the transfer of a vessel license to a different vessel provided that the owner of both vessels is the same titled owner.

(4) All oysters harvested in the State of Mississippi shall be tagged. Tags shall be issued by the department and shall bear the catcher's name, the date and origin of the catch, the shell stock dealer's name and permit number. The department shall number

all tags issued and shall maintain a record of those tags. The department, in its discretion, may adopt any regulations regarding the tagging of oysters and other shellfish.

(5) Each person catching or taking oysters from the waters of the State of Mississippi for personal use shall obtain a permit from the department and pay an annual recreational oyster permit fee of Ten Dollars (\$10.00). Oysters caught under a recreational permit shall not be offered for sale. The limits on the allowable catch of oysters for recreational purposes shall be three (3) sacks per week. The department shall issue tags of a distinguishing color to designate recreationally harvested oysters, which shall be tagged on the same day of harvest in the manner prescribed in subsection (4) of this section for commercially harvested oysters or by regulation of the department.

(6) The department shall assess and collect a shell retention fee for the shells taken from waters within the territorial jurisdiction of the State of Mississippi as follows:

(a) Commercial and recreational harvesters - Fifteen Cents (15¢) per sack paid to the department on the day of harvest;

(b) Initial oyster processor, dealer or factory first purchasing the oysters - Fifteen Cents (15¢) per sack paid to the department no later than the tenth day of the month following the purchase, on forms submitted by the department;

(c) Commercial harvesters transporting their catch out of the state - Fifty Cents (50¢) per sack paid to the department on the day of harvest, in addition to the fees paid in paragraph (a) of this subsection; and

(d) Commercial harvesters not selling their oysters to a Mississippi dealer - Fifteen Cents (15¢) per sack paid to the department on the day of harvest, in addition to fees paid in paragraph (a) of this subsection.

Funds received from the shell retention fee shall be paid into a special fund in the State Treasury to be appropriated by the Legislature for use by the department to further oyster production in this state, which includes plantings of oysters and/or cultch materials.

(7) During open seasons, oysters may be taken only by hands, tongs and dredges.

(8) Vessels licensed under Section 49-15-46 may keep in whole, for personal consumption up to thirty-six (36) blue crabs (portunidae family), per day. This exemption for personal consumption does not apply to fish or crabs that are otherwise illegal to possess or catch.

SECTION 22. Section 49-15-47, Mississippi Code of 1972, is amended as follows:

49-15-47. (1) It is unlawful for any person, firm or corporation to discharge solid or human waste from any vessel while the vessel is used to harvest or transport oysters in the marine waters of the state.

(2) Each vessel used to harvest or transport oysters is required to have an approved functional marine sanitation device (MSD), portable toilet or other sewage disposal receptacle designed to contain human sewage. The approved marine sanitation device (MSD), portable toilet or other sewage disposal receptacle shall:

(a) Be used only for the purpose intended.

(b) Be secured while on board and located to prevent contamination of shell stock by spillage or leakage.

(c) Be emptied only into an approved sewage disposal system.

(d) Be cleaned before being returned to the vessel.

(e) Not be cleaned with equipment used for washing or processing food.

(3) The use of other receptacles for sewage disposal may be approved by the department if the receptacles are:

(a) Constructed of impervious, cleanable materials and have tight-fitting lids;  
and

(b) Meet the requirements listed in subsection (2).

(4) The \* \* \* department shall promulgate administrative penalties for violations of this section, which may include, but not be limited to, revocation of the license of the oyster vessel for up to one (1) year for the first offense, revocation up to two (2) years for the second offense, and permanent revocation for the third offense.

(5) Upon issuance of a citation for a violation of this section, the vessel shall be removed from the oyster reef and any oysters on board the vessel shall be confiscated and disposed of by the department. The vessel shall not be permitted to harvest from any \* \* \* state-owned or private reefs until the vessel is properly equipped as determined by an inspection by the department.

SECTION 23. Section 49-15-39, Mississippi Code of 1972, which regulates tonging reefs and prescribes certain criminal penalties related to tonging reefs and Section 49-15-40.1, Mississippi Code of 1972, which authorizes the Mississippi Department of Marine Resources to conduct a pilot program for bottom land leasing for oyster production in waters adjacent to Hancock County, are hereby repealed.

SECTION 24. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT RELATING TO THE REGULATION OF SEAFOOD AND OYSTERS BY THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES; TO AMEND SECTIONS 49-15-3, 49-15-5, 49-15-7, 49-15-9, 49-15-16, 49-15-17, 49-15-18, 49-15-23, 49-15-27, 49-15-29, 49-15-30, 49-15-31, 49-15-34, 49-15-35, 49-15-36, 49-15-37, 49-15-38, 49-15-40, 49-15-44, 49-15-45, 49-15-46 AND 49-15-47, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO LEASE REEFS AND BOTTOM LAND FOR OYSTER GROWING/HARVESTING AND TO CLARIFY THE AUTHORITY OF THE DEPARTMENT TO REGULATE THE TAKING OF OYSTERS AND THE ESTABLISHMENT OF NEW OYSTER BEDS; TO REQUIRE ALL LESSEES TO BE RESIDENTS OF THE STATE; TO ESTABLISH THE "OYSTER PRODUCTION PRESERVE ACCOUNT" WITHIN THE DEPARTMENT'S SEAFOOD FUND, WHICH IS EARMARKED FOR OYSTER PRODUCTION MANAGEMENT AND TO REQUIRE ANNUAL REPORTS ON EXPENDITURES; TO CLARIFY THE FIRST RIGHT OF RENEWAL OF EXISTING LESSEES; TO PRESCRIBE CERTAIN REQUIREMENTS FOR THE INITIAL APPLICATION FOR LEASE; TO PROVIDE FOR PENALTIES AND PROCEDURES IN THE EVENT OF DEFAULT IN PAYMENT OF RENT; TO PROVIDE FOR CANCELLATION AND FOR FORFEITURES; TO PROVIDE A RIGHT OF APPEAL; TO DELETE CERTAIN PROVISIONS RELATING TO DEPURATION TECHNOLOGY; TO DELETE CERTAIN PROVISIONS RELATING TO RESTRICTED SEED AREAS; TO PROVIDE RECIPROCITY FOR CERTAIN NONRESIDENT VESSEL OYSTER DREDGING AND TONGING FEES; TO DELETE THE AUTHORITY OF LOCAL GOVERNING AUTHORITIES TO ASSIST THE DEPARTMENT IN PLANTING OYSTER SHELLS; TO DELETE THE PROVISIONS THAT ALL REEFS ARE PUBLIC; TO

PRESCRIBE CERTAIN CONDITIONS FOR STATE-OWNED REEFS; TO DELETE THE AUTHORITY OF THE DEPARTMENT TO EXERCISE EMINENT DOMAIN IN CONSTRUCTING CANALS; TO CLARIFY THE AUTHORITY OF MUNICIPALITIES RELATIVE TO THE WATERS OF THE MISSISSIPPI SOUND; TO REPEAL SECTION 49-15-39, MISSISSIPPI CODE OF 1972, WHICH REGULATES TONGING REEFS AND PRESCRIBES CERTAIN CRIMINAL PENALTIES RELATED TO TONGING REEFS AND TO REPEAL SECTION 49-15-40.1, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO CONDUCT A PILOT PROGRAM FOR BOTTOM LAND LEASING FOR OYSTER PRODUCTION IN WATERS ADJACENT TO HANCOCK COUNTY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE                      CONFEREES FOR THE HOUSE

Philip Moran                                              Timmy Ladner

Mike Thompson                                              Kevin Felsher

Jeremy England                                              Carolyn Crawford

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2544** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2586** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2586: Computer science curriculum; clarify terminology to specify who may provide instruction in.

We, therefore, respectfully submit the following report and recommendation:



1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Dennis DeBar, Jr.

Richard Bennett

Scott DeLano

Kent McCarty

John A. Polk

Kevin Felsher

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2586** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Carter called up the following entitled nomination:

**S. N. No. 13:** Trebia Leigh Rodgers, Grenada, Mississippi, Commercial Mobile Radio Service Board, remainder of a four year term effective May 4, 2022 and ending June 30, 2023, representing the Northern Public Service Commission District, vice Tanya Felder.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 13 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Caughman moved that the rules be suspended for the consideration en bloc of S. N. No. 49, S. N. No. 83, S. N. No. 79 and S. N. No. 84 and the motion prevailed.

Senator Caughman called up the following entitled nominations:

**S. N. No. 49:** James David McAfee Griffith, Cleveland, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board, four year term beginning January 1, 2023 and ending December 31, 2026, representing the 2nd Congressional District.

**S. N. No. 83:** Kimberly Janice (Kim) Bedford, Pontotoc, Mississippi, State Board of Funeral Service as a Funeral Director representative from the 3rd Supreme Court District, four year term effective February 23, 2023 and ending January 23, 2027.

**S. N. No. 79:** Ricky Jude Cox, Gulfport, Mississippi, State Board of Banking Review, five year term effective March 24, 2023 and ending March 23, 2028, representing the 2nd Supreme Court District.

**S. N. No. 84:** Samuel Bryan (Sammy) Reed, Tupelo, Mississippi, State Board of Funeral Service as a Licensed Funeral Service representative from the 3rd Supreme Court District, four year term effective February 22, 2023 and ending January 23, 2027.

YEAS AND NAYS on consideration en bloc of S. N. No. 49, S. N. No. 83, S. N. No. 79 and S. N. No. 84. On motion of Senator Caughman, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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On motion of Senator Moran, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House S. B. No. 2544.

**S. B. No. 2544:** Regulation of oyster beds and water bottoms by the MS Department of Marine Resources; bring forward authority.

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:38 PM, the Senate stood in recess.

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The Senate resumed business at 3:25 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON WILDLIFE, FISHERIES AND PARKS

Mr. President: The following appointments have had the consideration of the above-named committee, and I am instructed to report them with the following recommendations:

**S. N. No. 74:** Van Kyle Ray, Yazoo City, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 14, 2022 and ending June 30, 2025, representing the Second Congressional District as it existed July 1, 2022. Do Advise and Consent.

**S. N. No. 94:** Lawrence Dennis (Denny) Terrell, Kosciusko, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, three year term beginning July 1, 2022 and ending June 30, 2025. Do Advise and Consent.

**S. N. No. 95:** Joe Everitt Cloyd, Ocean Springs, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, three year term beginning July 1, 2022 and ending June 30, 2025. Do Advise and Consent.

**S. N. No. 96:** Mathew Wilson (Mat) Lipscomb, III, Lake Cormorant, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, four year term beginning July 1, 2022 and ending June 30, 2026. Do Advise and Consent.

WHALEY, Chairman

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Senator Fillingane moved that the rules be suspended to move to calendar item 111, **H. B. No. 400**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

**H. B. No. 400:** Election crimes; revise the penalties for certain.

Senator Fillingane moved that the Conference Committee Report on **H. B. No. 400** be recommitted for further conference and the motion prevailed.

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Senator Fillingane moved that the rules be suspended to move to calendar item 146, **H. B. No. 1315**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

**H. B. No. 1315:** Pornographic media materials; regulate access to minors and require age verification.

Senator Fillingane moved that the Conference Committee Report on **H. B. No. 1315** be recommitted for further conference and the motion prevailed.

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Senator Hopson moved that the rules be suspended for the immediate consideration of **S. B. No. 3037**, and the motion prevailed.

Senator Hopson moved to reconsider the vote whereby the Conference Report on **S. B. No. 3037** was adopted by the Senate.

The foregoing motion prevailed.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3037** be recommitted for further conference and the motion prevailed.

**S. B. No. 3037:** Appropriation; Geologists, Board of Registered Professional.

Senator Hopson moved that the rules be suspended to move to the Supplement 1, In Conference - Appropriations Calendar, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 271** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 271: Appropriation; Health Department for distributing funds to hospitals under the Health Care Impact Grant Program.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Health for the purpose of funding the Mississippi Hospital Sustainability Grant Program established under Senate Bill No. 2372, 2023 Regular Session, for the period beginning upon the passage of this act and ending June 30, 2024 .....

\$ 103,700,000.00.

SECTION 2. Of the funds appropriated in Section 1, the department is authorized to expend not more than Seven Hundred Thousand Dollars (\$700,000.00) for administrative expenses in administering the grant program.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021 (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the American Rescue Plan Act of 2021, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. None of the funds appropriated by this act shall be used to pay employee premium payments.

SECTION 6. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM ESTABLISHED UNDER SENATE BILL NO. 2372, 2023 REGULAR SESSION, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

CONFEREES FOR THE HOUSE

John Read  
Sam C. Mims, V  
Jason White

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Kevin Blackwell  
John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 271** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1605** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1605: Appropriation; Insurance, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Insurance for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 16,169,614.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi Department of Insurance which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024. \$ 335,000.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 129

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Insurance shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the

intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Lic & Reg MS Ins Co's & Agents	
Number of (Producer, Etc) Licenses Issued	165,000
Average Cost per License Issued	100.00
Number of Agent's C/A's Issued	290,000
Average Cost per Agent C/A Issued	25.00
Number of Requests for Assistance	24,500
Average Cost per Customer I/C Addressed	53.00
Number of Fire Marshal Investigations	475
Cost per Fire Marshal Investigation	550.00
Number of Fire Marshal Inspections	5,720
Average Cost per Fire Marshal Inspection	60.00
Liquefied Compressed Gas	
Number of Accidents/Injuries/Deaths Due to Incidents Involving LCG	0
Number of Inspections	7,500
Average Cost per Inspection	60.00
Number of Safety Training Schools/Seminars	170
Average Cost per Safety Training School	145.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. Of the funds appropriated under the provisions of Section 1, Fifteen Thousand Seventy-nine Dollars (\$15,079.00) is provided for the Mississippi Fire Personnel Minimum Standards and Certification Board.

SECTION 7. Of the funds appropriated under the provisions of Section 1, funds in the amount of Twenty Thousand Dollars (\$20,000.00) are provided and shall be expended to pay the annual dues for the National Conference of Insurance Legislators.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding any project for which the Legislature has made funds available. Any signage regarding any public event or project shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Within the limits of the funds available to the Mississippi Insurance Department for such purpose, the Commissioner of Insurance for the Mississippi Insurance Department may grant a paid internship to students pursuing junior or senior undergraduate level year coursework toward a bachelor's degree in risk management insurance or graduate level coursework towards a master's degree in business administration. Those applicants deemed qualified by the Mississippi Department of Insurance shall receive funds that may be used to pay for tuition, books and related fees

to pursue their degree. It is the intent of the Legislature that the paid internship program shall be used as incentive for risk management insurance careers at the Mississippi Insurance Department.

SECTION 11. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the State Fire Marshal's Office for fire safety prevention and services, including, but not limited to, fire protection supplies and materials, smoke alarms, and public service announcements providing fire prevention information.

SECTION 12. Of the funds appropriated under the provisions of Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Propane Education and Research Program Fund, for the purpose of research and development of more cost effective uses of propane and on educational programs, safety programs, and market development of propane for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 130,000.00.

SECTION 13. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Annual Fire Fund to the Mississippi Department of Insurance for the purposes allowed in Section 17-23-21, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 9,000,000.00.

SECTION 14. In addition to all other funds appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Rural Fire Truck Matching Assistance Fund which was created in Section 17-23-1 (4), Mississippi Code of 1972 to the Mississippi Department of Insurance for the Rural Fire Truck Matching Assistance Program for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 2,000,000.00.

SECTION 15. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Department of Insurance for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of purchasing vehicles for inspectors, as authorized in House Bill No. 1593, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 14,455.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023 from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Department of Insurance for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of purchasing smoke alarms, as authorized in House Bill No. 1593, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 50,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023 from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. Of the funds appropriated in Section 2, Two Hundred Five Thousand Dollars (\$205,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the Department of Insurance to purchase vehicles.

SECTION 18. Of the funds appropriated in Section 1 of this act, Three Million Dollars (\$3,000,000.00) is provided to the department for the purpose of funding the Mississippi Length of Service Award Program, which was created in House Bill 521, 2023 Regular Session.



SECTION 19. With the funds appropriated herein, the Mississippi Insurance Department is authorized to make payment for expenses incurred during Fiscal Year 2021 to the National Association of Insurance Commissioners in an amount not to exceed Fifteen Thousand Seven Hundred and Seventy Dollars (\$15,770.00).

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE  
FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Jeff Hale

CONFEREES FOR THE SENATE

W. Briggs Hopson III

J. Walter Michel

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1605** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1611** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1611: Appropriation; Arts Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Arts Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 1,528,431.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Arts Commission which is comprised of special source funds and

donations collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 8,606,470.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 10  
Time-Limited: 2

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Mississippi Arts Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. Of the funds appropriated under the provisions of Section 2, funds in the amount of One Million Four Hundred Ninety Thousand Dollars (\$1,490,000.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the following:

Training of educators and promotion of arts programs in

public schools.....	\$ 100,000.00
Miscellaneous grants and programs.....	\$ 350,000.00
Whole Schools Initiative .....	\$ 1,040,000.00

SECTION 6. It is the intention of the Legislature that the Arts Commission shall have the authority to transfer dollars appropriated herein designated for the "Challenge Program," specific amounts to a special fund in the State Treasury called the Arts Commission Challenge Initiative Fund. The unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and may be expended by the commission in subsequent fiscal years upon appropriation of the Legislature. Any interest earned on the fund shall be deposited to the credit of the fund and may be disbursed by the commission upon appropriations of the Legislature. It is the intention of the Legislature that the commission may award grants to arts organizations from monies in the fund and the grantees will be required to provide matching funds for the grants in an amount of not less than two (2) times the amount of the grant.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. Of the funds appropriated under the provisions of Section 2, Five Million Dollars (\$5,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for the Building Fund for the Arts.

SECTION 10. Of the funds appropriated under the provisions of Section 2, One Million Dollars (\$1,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds to the Mississippi Museum of Art.

SECTION 11. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Arts Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1598, 2022 Regular Session to provide for the funding of the Building Fund for the Arts Initiative for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,700,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2024.

## CONFEREES FOR THE HOUSE

John Read  
Richard Bennett  
Greg Haney

## CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Philip Moran  
Bart Williams

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1611** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1616** (version 2) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

## MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1616: Appropriation; Environmental Quality, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Environmental Quality for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 15,500,411.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Environmental Quality which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024...  
\$ 249,092,723.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent:	240
Time-Limited:	193

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for

promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Environmental Quality shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Pollution Control	
Percent of Days with Air Advisories	5.00
Percent of Air Permits Modified/Issued in a Timely Manner	50.00
Percent of Counties That Meet NAAQ Standards	75.00
Percent of Air Facilities Inspected	35.00
Percent of Air Facilities in Compliance with Regulatory Requirements	85.00
Percent of Waste Permits Issued/Modified in a Timely Manner	60.00
Percent of Waste Facilities Inspected	60.00
Percent of Inspected Waste Facilities in Compliance with Regulatory Requirements	65.00
Percent of Citizens who Have Access to Recycling Programs	55.00
Percent of Underground Storage Tanks in Compliance with Regulatory Requirements	60.00
Percent of Contaminated Sites That Have Completed Assessment	50.00
Percent of Contaminated Sites That Have	

Completed Remediation	5.00
Percent of Waters That Have Acceptable Quality for Their Designed Use	56.00
Percent of NPDES Permits Issued/Modified in a Timely Manner	70.00
Percent of NPDES Majors Inspected per Year	50.00
Percent of NPDES Majors in Compliance	66.00
Percent of Staff with Expertise in the National Incident Management System	70.00
Construction Grants	
Percent of SRF Loan Recipients in Compliance with Loan Agreements	90.00
Land & Water	
Percent of Annual Prioritized Water Resource Areas Adequately Characterized	80.00
Percent of Groundwater Use Permits Issued/Modified	90.00
Percent of Surface Water Use Permits Issued/Modified	90.00
Percent of Water Use Reported	80.00
Percent of High Hazard Dams with Emergency Action Plans	95.00
Geology	
Percent of Mining Facilities Inspected	95.00
Percent of Inspected Mining Facilities in Compliance with Regulatory Requirements	85.00
Administrative Services	
Administration as a Percent of Total Budget	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 7. Of the funds appropriated in Section 2, an amount no greater than Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Administrative Services for support of Legal Division environmental protection activities.

SECTION 8. Of the funds appropriated in Section 2, an amount no greater than One Hundred Thousand Dollars (\$100,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Pollution Control for support of the Household Hazardous Waste Collection Grants Program.

SECTION 9. Of the funds appropriated in Section 1, Two Million Six Hundred Thirty-five Thousand Dollars (\$2,635,000.00), or so much thereof, is provided for the Clean Water Grant match.

SECTION 10. The Department of Environmental Quality (DEQ) may request that the Mississippi Development Authority (MDA) staff shall provide an economic viability assessment for any complete application or group of related complete applications submitted to DEQ after July 1, 1999, for which DEQ estimates that DEQ will be required to devote extraordinary effort to process the application or group of related applications within the one hundred eighty (180) days required by Section 49-17-29(3)(c). For

purposes of this paragraph, "extraordinary effort" means the constant dedication of more than three (3) full-time equivalent positions for a period of at least one hundred eighty (180) days. The economic viability assessment shall include, but not be limited to: (i) an analysis of the current and future market viability of the project concerning which application(s) has been made to DEQ; and (ii) an analysis of the applicant's economic ability to construct, develop, maintain and operate the project as described in the application(s) submitted to DEQ. If the economic viability assessment concludes that the project is not economically viable for any reason, DEQ shall suspend processing the permit application(s), notwithstanding the provisions of Section 49-17-29(3)(c). Within thirty (30) days of the decision of MDA staff, the permit applicant may present any additional information on its behalf to the Executive Director of MDA, and the Executive Director shall review the MDA staff assessment. If additional information is received in writing from the applicant, the Executive Director of MDA shall make a decision in review of the MDA staff decision within sixty (60) days of the staff decision, and the decision of the Executive Director of MDA shall be the final administrative action of MDA in the matter.

SECTION 11. It is the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Environmental Quality. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Environmental Quality shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. Of the funds appropriated herein, it is the intent of the Legislature that the Department of Environmental Quality shall pay debt service on bonds issued to provide state matching funds for the State Revolving Loan Fund with interest earnings derived from the fund.

SECTION 14. Of the funds appropriated in Section 2, an amount not greater than Two Hundred Thousand Dollars (\$200,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality to be used for dam and reservoir inspections, inventory, and reporting.

SECTION 15. It is the intention of the Legislature for the Department of Environmental Quality to continue with any agreements with Mississippi state agencies, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 16 . Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) is provided for the purpose of assessment, remediation, operation and maintenance, cost-sharing, oversight, and administration of water, land, and air contamination projects within the State of Mississippi pursuant to the 2020 settlement in The State of Mississippi ex rel. Lynn Fitch, Attorney General vs. EnPro, Inc., et.al.; Cause No. CV-2017-19-JMY2.

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 18 . Notwithstanding any other provision, the Department of Environmental Quality shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 19. With the funds appropriated herein, the Department of Environmental Quality is authorized to make payment to certain vendors for expenses incurred during 2020 to certain vendors as follows:

Lowndes County Board of Supervisors .....	\$ 9,000.00
City of Natchez .....	\$ 8,000.00
Clarke County .....	\$ 2,625.38
Sunflower County .....	\$ 1,108.20
Sunflower County .....	\$ 5,540.98

SECTION 20. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 21. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
C. Scott Bounds	Philip Moran
Vince Mangold	John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1616** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1617** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1617: Appropriation; Wildlife, Fisheries and Parks, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Wildlife, Fisheries and Parks for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....



\$ 9,882,374.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Wildlife, Fisheries and Parks which is comprised of special source funds collected by or otherwise available to the department for the support and maintenance of the department, including the Museum of Natural Science and the Bureau of Parks and Recreation, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 91,192,538.00.

The following sum, which is included in the sum appropriated above in this section, is appropriated out of the state excise taxes upon gasoline, oil and other petroleum products to the Fisheries and Wildlife Fund for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,750,000.00.

The Department of Revenue is directed to set aside the amount of this appropriation or any part thereof at any time it sees fit, out of any collections of taxes upon gasoline, oil and other petroleum products, and to deduct the amounts so set aside from such funds before making distribution thereof. However, provisions shall first be made for the Highway Bonds Sinking Fund, as required under the provisions of Chapter 130, Laws of 1938, and any amendments thereto, and Section 27-5-101, Mississippi Code of 1972.

Any funds available in the Wildlife Heritage Fund may be expended by the Commission on Wildlife, Fisheries and Parks as authorized by law. The department shall make a detailed report to the Legislature regarding the spending of the Wildlife Heritage funds by September 1 for the preceding fiscal year.

SECTION 3. Of the funds appropriated under the provisions of Section 2 to the Bureau of Wildlife and Fisheries, funds in the amount of One Hundred Twenty-five Thousand Three Hundred Thirty-five Dollars (\$125,335.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of Project WILD for Fiscal Year 2024.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	533
Time-Limited:	49

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of

Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. Each conservation officer and supervisor shall be furnished an allowance for uniforms not to exceed Five Hundred Fifty Dollars (\$550.00) per annum.

Provided further, when any personnel of the Bureau of Wildlife and Fisheries are transferred from one (1) county to another on a permanent assignment, the expense monies now paid on out-of-county duty shall not be applicable.

SECTION 6. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2024 Target
Performance Measures	
Support Services	
Number of Hunting and Fishing Licenses Sold	480,000
Number of Registrations of Boats	50,000
Percent Change in License Sales	1.00
Percent Change in Boat Registration	1.00
Fisheries	
Number of Fish Stocked for Public Waters	2,000,000
Number of Customers of DWFP Lakes	70,000
Number of Participants in Aquatic Education	6,500
Number of Access Facilities Built or Maintained (Boat Ramps)	35
Wildlife	
MDWFP Management for Hunters and Non-Consumptive Users (Man-Days)	125,000
Research Projects Conducted to Sustain Healthy and Abundant Wildlife Populations	6
Acres of Forest Inventory	1,000
Acres of Prescribed Burning, Waterfowl Management, and Timber Management on WMA's to Sustain Healthy & Abundant Wildlife	33,000
Percent Change in Number of Research Projects Conducted to Sustain Healthy and Abundant Wildlife Populations	0.00
Percent Change in Number of Private Land Acres Influenced	0.00
Percent Change in the Number of Forest Inventories Conducted	0.00
Law Enforcement	

Number of Hunter Education Participants	10,000
Number of Hours Patrolled on Land	175,000
Number of Hours Patrolled on Water	75,000
Number of Criminal Investigations Conducted	8,000
Number of Shooting Sport Programs	1,500
Number of Boating Accidents	50
Number of Boating Fatalities	7
Cost per Student for Hunter Education	48.00
Percent Increase in Shooting Sports Program	10.00
Percent Change in Number of Boating Accidents	50.00
Percent Change in Boating Related Fatalities	0.00
Percent Change in Public Contacts per Officer/per Day	50.00
Special Projects	
Percent increase in Improved Use of Special Funds (%)	0.20
Motor Vehicle Fund	
Number of Vehicles Purchased	35
Number of Used Vehicles Sold	35
Percent Change in Number of Vehicles in the Fleet in Order to Maintain Efficient and Reliable Fleet of Vehicles	1.00
Parks	
Overnight Accommodation (Cabins/Motels)	250,000
Overnight Accommodations (Camping)	795,000
Day Use Services	400,000
Percent Change in Day Use Services	10.00
Percent Change in the Prior Year of Occupancy Rate of Cabins	25.00
Museum	
Statewide Education Programming	250,000
Total Public Programming	125,000
Number of Visitors to Exhibits	95,000
Number of Natural Heritage Records Entered	60,000
Percent Change of Students that Understand the Importance of Natural Resource Conservation	5.00
Percent Change of Visitors to Exhibits	10.00
Percent Change in the Number of Natural Heritage Records	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. Of the funds appropriated in Section 2, the following amount shall come from the Department of Wildlife, Fisheries and Parks Special Pearl River Timber Fund No. 3465, for the purpose of making improvements to the Pearl River Wildlife Management Area..... \$ 50,000.00.

SECTION 9. Of the funds appropriated within this act, the Commission on Wildlife, Fisheries and Parks may enter into cooperative agreements with the board of supervisors of any county or any group or combination of counties for the purpose of creating, improving or restoring parks, public game and fish habitat lying or to be situated wholly or partially within such county or in an adjoining county; and each county is empowered and authorized, in its discretion, to expend funds from the general county fund for such purposes from which fund they shall reimburse to the Commission on Wildlife, Fisheries and Parks the actual cost of all surveying and engineering projects incurred by the Department of Wildlife, Fisheries and Parks incidental thereto. Such boards of supervisors are further authorized and empowered, in their discretion, to enter into agreements necessary to carry out the purposes of this act with any other county,

the United States Forest Service or any other agency if same should be necessary for the acquisition of land by lease or otherwise for such purposes.

SECTION 10. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 11. In order to be in compliance with Section 63-1-201 et seq., funds are herein provided and may be expended by the Department of Wildlife, Fisheries and Parks to pay the costs of commercial driver's licenses for specific employees and/or to reimburse such costs for specific employees who, in the course of their duties and responsibilities, are required to hold a valid Mississippi Commercial Driver's License.

SECTION 12. The Mississippi Department of Wildlife, Fisheries and Parks is authorized to provide financial support of One Hundred Seventy-five Thousand Dollars (\$175,000.00) and to enter into an agreement with the Mississippi Cooperative Extension Service for a project specialist and related supportive cost.

SECTION 13. The department is authorized to spend up to sixty percent (60%) of revenue in the State Park Timber Endowment Fund, as needed, to operate and maintain the state parks.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated in Section 1, it is the intention of the Legislature that Four Hundred Thousand Dollars (\$400,000.00) is allocated for the detection and prevention of Chronic Wasting Disease in deer populations across the state.

SECTION 16. Of the funds appropriated in Section 1, it is the intention of the Legislature that Seventy-five Thousand Dollars (\$75,000.00) is allocated for LeFleur's Bluff State Park for playground security expenses.

SECTION 17. Of the funds appropriated herein, Two Hundred Thousand Dollars (\$200,000.00) may be provided to fund the Youth Participation Initiative for the purpose of educating children in the areas of hunting, fishing, conservation, and safety.

SECTION 18. The fund created pursuant to Section 49-5-21, Mississippi Code of 1972, and known as the "Fisheries and Wildlife Fund" shall be treated as a special trust fund. All funds derived from the sale of licenses, fees, fines and other revenues received by the department as provided by law, shall be deposited in the Fisheries and Wildlife Fund. In addition, revenue derived from the sale of timber on wildlife management areas, refuges and preserves shall be deposited into an account established for such revenues under the Fisheries and Wildlife Fund. The interest and any investment income earned on the fund shall be credited by the State Treasurer to the Fisheries and Wildlife Fund and shall not be paid into the General Fund. Any unexpended funds remaining in the fund at the end of the fiscal year shall not lapse and shall remain in the fund. Nothing in this section shall prevent the use of said funds from maintenance and upgrade of wildlife management areas.

SECTION 19. It is the intention of the Legislature that no more than One Million Three Hundred Thousand Dollars (\$1,300,000.00) be expended from the Motor Vehicle Fund for the purchase of any type of motor vehicle.

SECTION 20. The executive director of the Department of Wildlife, Fisheries and Parks is authorized to enter into an agreement with any public or private entities to manage any park or parks within the state park system.

SECTION 21. It is the intent of the Legislature that no state-owned wildlife management area be closed and that to the greatest practicable extent, department land management decisions and actions may not result in any net loss of any acreage

available for hunting opportunities that existed on July 1, 2006, as provided in Section 49-5-99(4). It is the intention of the Legislature that no state park be closed without legislative approval.

SECTION 22. It is the intent of the Legislature that the Mississippi Department of Wildlife, Fisheries and Parks shall have the authority to enter into multi-year contracts for the purpose of placing a sign on such state park property under the department's domain, in accordance with any applicable rules and regulations. All proceeds generated from these activities shall remain with the department and shall be deposited into the proper special fund.

SECTION 23. It is the intent of the Legislature that from the funds available to the Department of Wildlife, Fisheries and Parks, the department may purchase and pay premium(s) on property damage insurance on its motor vehicles, boats, trailers, real property improvements, buildings, furnishings, and such other assets as may be appropriate or practical, and/or as required by a granting entity.

SECTION 24. Of the funds appropriated under the provisions of Section 2, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be designated for the purpose of defraying the operational expenses of Special Projects. None of these funds shall be used for "Personal Services."

SECTION 25. It is the intention of the Legislature that the Department of Wildlife, Fisheries and Parks shall have the authority to receive, budget and expend funds from the Gulf and Wildlife Protection Fund, not to exceed Fifty Thousand Dollars (\$50,000.00) for the purpose of preservation, protection, conservation, and acquisition of waters, land and wildlife of this state.

SECTION 26. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 27. Of the funds appropriated in Section 1, it is the intention of the Legislature that Fifty-eight Thousand Five Hundred Ninety-three Dollars (\$58,593.00) may be allocated for the Hunter Education program supported from the General Fund court assessments.

SECTION 28. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Wildlife, Fisheries, and Parks for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1605, 2022 Regular Session to provide for repairs and renovations to state parks and museums for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 29. Of the funds appropriated under the provisions of Section 2, Thirteen Million Dollars (\$13,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. The purpose of these funds are to assist the Department with improving and developing the area in the LeFluer's Bluff Education and Tourism Complex and in coordination with the Mississippi Children's Museum, and the Department of Finance and Administration in order to promote tourism, education, and recreational activity that contributes to community well-being.

SECTION 30. Of the funds appropriated under the provisions of Section 2, Seven Million Dollars (\$7,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for Repairs and Renovations at State Parks

SECTION 31. Of the funds appropriated under the provisions of Section 2, One Million One Hundred Thousand Dollars (\$1,100,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for equipment for the agency.

SECTION 32. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 33. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS  
FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
C. Scott Bounds  
Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Scott DeLano  
Neil S. Whaley

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1617** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1618** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1618: Appropriation; Grand Gulf Military Monument Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Grand Gulf Military Monument Commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 322,777.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Grand Gulf Military Monument Commission, for the purpose of defraying the expenses of the commission in the operation and maintenance of the Grand Gulf Military Monument for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ... \$ 508,810.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 7  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Grand Gulf Military Monument Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It shall be unlawful for any officer, employee or other person whatsoever to use or permit or authorize the use of any automobile or any other motor vehicle owned by the State of Mississippi or any department, agency or institution thereof for any purpose other than upon the official business of the State of Mississippi or any agency, department or institution thereof.

It is the intent of the Legislature that motor vehicles authorized to be owned and operated by this agency shall comply with Sections 25-1-77 through 25-1-93, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Three Hundred Ninety Thousand Dollars (\$390,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for repairs, renovations to park facilities, road improvements, and the purchase of equipment.

SECTION 7. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund, not otherwise appropriated for Grand Gulf Military Monument Commission for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1606, 2022 Regular Session, for the purpose of defraying the expenses of Grand Gulf Military Monument Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 184,033.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
C. Scott Bounds  
Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Philip Moran  
Benjamin Suber

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1618** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood,



Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1622** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1622: Appropriation; Human Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Human Services for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 75,784,205.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Human Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 1,739,012,851.00.

SECTION 3. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Department of Human Services that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 4. With the funds appropriated in this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	1,296
Time-Limited:	Full Time .....	474

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary

actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. It is the intention of the Legislature that the Department of Human Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. Of the funds appropriated in Section 2 herein to the Department of Human Services, One Million Dollars (\$1,000,000.00) shall be transferred to the Department of Health, Child Care Licensure Program from the Child Care Development Fund or other appropriate special fund. These funds are to be transferred to the Board of Health no later than July 31, 2023. The Department of Health shall make a complete accounting to the Department of Human Services detailing the uses of these funds in accordance with federal and state regulations.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. The Department of Human Services is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 9. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Support Services	
Percent of Referred/Directed	
Investigative Audits Conducted	100.00
Percent of Special Investigations Conducted	95.00
Percent of Referred/Obtained Fraud	

SENATE JOURNAL  
MONDAY, MARCH 27, 2023

3263

Investigations Conducted Timely	100.00
Percent of Referred Administrative Disqualification Hearings and Fair Hearings Conducted Timely	99.00
Percent of Monitoring Reviews Conducted within Acceptable Timeframes	98.00
Total Amount of Funds Recovered	3,500,000.00
Aging & Adult Services	
In-Home Services - Age 60 + (Persons Served)	32,680
Community Services - Age 60 + (Persons Served)	193,617
Number of Congregate Meals	468,272
Number of Home Delivered Meals	2,700,000
Substantiated Incidences of Abuse of Vulnerable Adults per 1,000 Population	0.17
Home Delivered Meals, Percent Reduction of Persons on Waiting list	1.00
Child Support Enforcement	
Number of Paternities Established	15,500
Percent Change in Paternities Established	3.30
Number of Obligations Established	16,000
Percent Change in Obligations Established	12.50
Total Collections	378,000,000.00
Percent Change in Total Collections	-2.50
Number of Absent Parents Located	68,000
Percent of Child Support Cases Current on Payments	-2.53
Community Services	
Number of Elderly Served by CSBG and LIHEAP	20,352
Number of Disabled Served CSBG/LIHEAP	26,762
Number of Households Achieving Self-Sufficiency CSBG/LIHEAP	0
Percent Increase in Rate of Households Attaining Self-Sufficiency	0.00
Number of Households Stabilized CSBG/LIHEAP	0
Percent Increase in the Number of Households Stabilized	0.00
Number of Households Weatherized	516
Early Childhood Care & Dev	
Number of Children Served	30,138
Assistance Payments	
Dollar Amount of Assistance	6,240,877.00
Food Assistance	
Number of Average Monthly Households Supplement Nutrition Assistance Program - SNAP	225,000
Percent of Mississippi Households Receiving SNAP Benefits	716,413,100.00
Tanf Work Program	22.51
Number of Average Monthly TANF Households	4,600
Number of Average Monthly Persons Served in TANF Work Program	1,107
TANF Work Program Participation Rate	60.00
Number of Persons Employed Through the TANF Work Program for the Year	832
Number of Households Receiving TANF Benefits During the Year	9,969
Percent of Households Receiving TANF During the Year	49.00

Percent of TANF Participants in Job Trng Who Enter Employment	30.00
Percent of TANF Participants in Job Training Who Enter Employment at A Salary Sufficient to Be Ineligible for TANF	19.00
Percent of TANF Participants in Job Training Who Remain Employed for One Year After Leaving the Program	75.00
Percent of TANF Participants in Job Training Who Remain Employed for Five Years After Leaving the Program	65.00
Social Services Block Grant	
Number of Clients Served - Division of Family and Children's Services	75,611
Number of Clients Served - Aging and Adult Services	21,178
Number of Clients Served - Youth Services	12,880
Youth Services	
Number of Children Served - Community Services	15,000
Number of Children Served - Institutional Component	300.00
Number of Volunteers - Community Services/Institution	0
Number of Children Placed in Alternative Placement	0
Percent of Children Diverted from Institutional Care	95.00
Recidivism Rate	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 11. It is the intent of the Legislature that the Department of Human Services, Division of Child Support Enforcement, make a concentrated effort to increase collections of past due child support payments. On or before January 1, 2024, the Executive Director of the Department of Human Services shall submit a report to the Legislative Budget Office detailing year-to-date performance measures in the Child Support Enforcement Program compared with the prior year.

SECTION 12. It is the intention of the Legislature that the Department of Human Services shall have the authority to spend such additional funds as it shall receive from the federal government in incentives or the federal match on those incentives for the purpose of child support enforcement.

SECTION 13. Of the funds appropriated in Section 1, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be transferred to the Juvenile Facility Monitoring Unit at the Department of Public Safety no later than July 31, 2023.

SECTION 14. Of the funds appropriated herein, to the Department of Human Services One Million Dollars (\$1,000,000.00), is provided for the support of the Home Delivered Meals Program and any additional funds that may be appropriated to this program.

SECTION 15. Of the funds provided in Section 1, herein to the Department of Human Services, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is provided to fund the Senior Olympics Program.

SECTION 16. It is the intention of the Legislature that the Governor's Office, Division of Medicaid and the Department of Human Services shall continue to work together to implement Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 17. As a condition of receiving and expending any funds appropriated under this act, the Department of Human Services:

(a) Shall use a competitive procurement process for entering into all TANF subgrant agreements with non-state entities when the federal government does not direct to whom the funds must be subgranted;

(b) Upon awarding of a grant to any subgrantee of the department, shall require the subgrantee to submit a monthly report to the department that contains, but is not limited to, all of the following:

.....  
(i) A listing of all costs incurred by the subgrantee during the previous month;

.....  
(ii) A listing of all clients served by the subgrantee, with an explanation of which services were provided to the clients;

.....  
(iii) A listing of all lower-tier subgrantees, who must be approved by the department before the execution of any such agreement by the prime subgrantee; and

.....  
(iv) Any other data required by the department to provide sufficient evidence of budgetary compliance;

.....(c) Shall not advance funds to a subgrantee for more than sixty (60) days; and

(d) Shall reimburse a subgrantee for expenses only after the required documentation is provided and is approved by the department.

SECTION 18. It is the intent of the Legislature, that within the funds available, the Department of Human Services may provide any qualifying grants of CARES Act or American Rescue Act funding in an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) to the three (3) regional food banks that serve Mississippi, including Feed the Gulf Coast, Mid-South Food Bank, and Mississippi Food Network.

SECTION 19. With the funds appropriated herein, the Department of Human Services is authorized to make payment to certain vendors for expenses incurred during FY2019 and FY2021 as follows:

DNA Diagnostics Center .....	\$ 34,474.42
Pearson VUE .....	\$ 551.25
Shred IT .....	\$ 961.56
Southwestern Communication .....	\$ 3,030.76
Warner, Inc. d/b/a/ ServiceMaster .....	\$ 11,448.00
Hinds County Chancery Clerk .....	\$ 18,192.00

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Human Services for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1611, 2022 Regular Session to defray expenses of the Department of Human Services for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 58,885,920.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) To defray the Department's computer expenses..... \$ 4,885,920.00.

(b) To secure federal funding for a new computer system..... \$ 54,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 21. Of the funds appropriated under the provisions of Section 2, Five Hundred Fifty Thousand Dollars (\$550,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for the Department of Human Services for IT infrastructure and other equipment.

SECTION 22. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 23. This act shall take effect and be in force from and after July 1, 2023, except for Section 19 which shall take effect and be in force from and after the passage of this act and through the fiscal year ending June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE  
DEPARTMENT OF HUMAN SERVICES FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Sam C. Mims, V

C. Scott Bounds

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Kevin Blackwell

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1622** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1623** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1623: Appropriation; Rehabilitation Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Rehabilitation Services for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 31,615,704.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Rehabilitation Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various offices of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 220,498,980.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Eight Hundred Two Dollars (\$3,681,802.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972. The above funds shall be allocated as follows:

Fully match all available federal funds .....	\$ 2,782,590.00.
Independent Living Program which includes the State Attendant Care Program.....	\$ 854,903.00.
Deaf and hard of hearing .....	\$ 44,309.00.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	831
Time-Limited:	207

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. It is the intention of the Legislature that the Department of Rehabilitation Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. The Office of Vocational Rehabilitation for the Blind shall remain accredited by using not more than Five Hundred Dollars (\$500.00) of the funds

appropriated along with matching funds for payment of fees to an accreditation agency recommended by the Rehabilitation Services Administration.

SECTION 7. Of the funds appropriated herein, the Mississippi Department of Rehabilitation Services through the Office of Vocational Rehabilitation for the Blind is authorized to expend an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for the National Federation for the Blind (NFB) News line service to allow blind and visually impaired persons to access newspapers through toll-free telephone calls.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2024 Target
Performance Measures	
Disability Determination Services	
Number of Dispositions	60,000
Number of Days For Processing Time	130
Voc Rehabilitation For The Blind	
Number of Blind and Visually Impaired Persons Served	2,025
Number of Persons Rehabilitated	285
Number of Independent Living Persons Served	720
Percent Change in Persons Employed Compared to Persons Served	13.00
Vocational Rehabilitation	
Number of Clients Served	15,025
Number of Clients Rehabilitated	2,535
Percent Change of Persons Employed Compared to Persons Served	16.00
Persons Employed with Pay Rate Greater than Federal or State Minimum Wage	2,535
Persons with Significant Disabilities Leaving VR With Competitive, Self, or BEP Employment, Wage = or > Than Minimum	1,138
Spinal Cord & Head Injury Program	
Number of Clients Served	1,050
Percent Change in Number of Spinal Cord and Brain Injuries per Year	3.00
Special Disability Programs	
Number of Clients Served	3,100
Percent Change in Persons Receiving HCBW Services Compared to Waiting List	25.00
Ratio of Cost to HCBW Services per Person Compared to an Institutional Setting	38.00
Support Services	
Percent of Total Budget	1.96

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 10. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Five Hundred Sixty-three Thousand Thirty-nine Dollars



(\$1,563,039.00) shall be allocated to the Spinal Cord & Head Injury Trust supported from General Fund court assessments.

SECTION 11. Of the funds appropriated in Section 1 and Section 2, One Million Four Hundred Eighty-three Thousand Five Hundred Seventy-three Dollars (\$1,483,573.00) in General Funds and One Million Seven Hundred Thousand Five Hundred Eighty-seven Dollars (\$1,700,587.00) in Special Funds is provided for the support of the Independent Living Home and Community Based Waiver programs along with any additional funds that may be appropriated to these programs.

SECTION 12. Of the funds appropriated in Section 2, the Mississippi Department of Rehabilitation Services, through the Office of Vocational Rehabilitation for the Blind, is authorized to transfer One Million One Hundred Thousand Dollars (\$1,100,00.00) to the Mississippi Industries for the Blind for equipment purchases.

SECTION 13. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR  
FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Sam C. Mims, V  
C. Scott Bounds

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Kevin Blackwell  
Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1623** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Johnson moved that the rules be suspended for the immediate consideration of **H. B. No. 1734**, and the motion prevailed.

On request of Senator Jackson, unanimous consent was granted to make the following correction in **H. B. No. 1734**:

Unanimous Consent for House Bill No. 1734, 2023 Regular Session

AMEND on lines 9 and 355 by inserting after "1972," the following:

as amended by Senate Bill No. 2734, 2023 Regular Session,

FURTHER, AMEND on line 373 by striking "and" and inserting in lieu thereof a semicolon.

FURTHER, AMEND on line 373 by striking "to".

FURTHER, AMEND on line 378 by striking the first comma and inserting in lieu thereof the following:

; (iii) projects funded by the American Rescue Plan Act (ARPA) as well as any matching funds required under ARPA;

FURTHER, AMEND on line 378 by striking "to" and inserting in lieu thereof the following: "(iv)"

FURTHER, AMEND on line 378 by inserting at the end of the line, after "lease-purchase contract", the following:

approved by a unanimous vote of the board and

FURTHER, AMEND on line 380 by striking the following:

"and approved by a unanimous vote of the board"

---

Senator Hopson moved that the rules be suspended for the immediate consideration of **H. B. No. 1623**, and the motion prevailed.

Senator Hopson moved to reconsider the vote whereby the Conference Report on **H. B. No. 1623** was adopted by the Senate.

The foregoing motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1623** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1623:** Appropriation; Rehabilitation Services, Department of.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1624** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1624: Appropriation; Medicaid, Division of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Governor's Office - Division of Medicaid for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, as provided in Section 43-13-101 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
\$ 846,380,488.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Medical Care Fund created by Section 43-13-143, Mississippi Code of 1972, for the purpose of providing medical assistance under the Mississippi Medicaid Law for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 352,666,905.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Governor's Office - Division of Medicaid which is comprised of special source funds collected by or otherwise available to the Division, for the purpose of providing medical assistance under the Mississippi Medicaid Law and defraying the expenses of the administration of such law, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 6,046,663,411.00.

Prior period recovery of funds may be maintained and expended by the division when the recovery is received or finalized. Any recoveries due to audits or third party recoveries may be used to offset the cost of such audits and third party recoveries and as such, the division may escalate Contractual Services as needed for these purposes.

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund, for the purpose of defraying the expenses of the Governor's Office - Division of Medicaid for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 63,230,003.00.

The above funds shall be allocated as follows:

CHIP Program at up to 209% level of poverty ..... \$ 9,000,000.00.

Medical Program Matching Funds ..... \$ 54,230,003.00.

It is the intention of the Legislature that funds may be shifted among the above allocated line items where needed at the discretion of the Executive Director of Governor's Office - Division of Medicaid.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 868

Time-Limited: 82

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for

increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. It is the intention of the Legislature that the Governor's Office - Division of Medicaid shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process with the Children's Health Insurance Program (CHIP) being separated from the Medical Services Program and submitted as a separate program. All Medicaid 1915 (C) Home and Community Based Services Waivers shall be presented as a budget program separate from the Medical Services Program. In addition, the performance measures reported for the Medical Services Program shall include an unduplicated case count of individuals served by eligibility status, and the number and the costs of emergency room visits.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Administrative Services	
Admin as a Percent of Total Budget	3.66
Third Party Liability Cost Avoided (Thou)	1,176,412.00
Percent of Clean Claims Processed within 30 Days of Receipt	99.50
Percent of Clean Claims Processed within 90 Days of Receipt	100.00
Percent of Applications Processed within Std. of Promptness - Medicaid	90.00
Third Party Funds Recovered	7,998,051.00
Number of Providers Submitting Electronic Claims	31,500
Turnover Rate of Employees	15.00
Medical Services	
Costs of Emergency Room Visits	171,539,318

Number of Emergency Room Visits	418,177
Medicaid Recipients - Enrolled (Persons)	793,762
Child Physical Exams (Ages 0-20)	317,675
Adult Physical Exams (21-Older)	10,595
Number of Fraud and Abuse Cases Investigated	300
Number of Medicaid Providers	45,000
Number of Medicaid Beneficiaries	
Assigned to a Managed Care Company	450,000
Percent of MSCAN Diabetic Members Aged	
17-75 Receiving HBA1c Test	88.69
Percent of MSCAN Members with Persistent	
Asthma are Appropriately Prescribed	
Medication	71.08
Rate of EPSDT Well Child Screening	75.00
Percent Change in Number of Recipients	
Enrolled From Last Year	2.50
Percent Change in Number of Providers	
From Last Year	29.15
Children's Health Insur Prg (chip)	
Number of CHIP Enrollees	47,000
Percent of CHIP Applications Processed	
within Std. of Promptness	90.00
Home & Comm-based Waiver Prg	
Elderly and Disabled - Persons Served	20,559
Elderly and Disabled - Funded Slots	20,121
Elderly and Disabled - Total Authorized	
Slots	22,200
Assisted Living - Persons Served	945
Assisted Living - Funded Slots	918
Assisted Living - Total Authorized Slots	1,100
Independent Living - Persons Served	3,675
Independent Living - Funded Slots	3,615
Independent Living - Total Authorized Slots	5,800
Traumatic Brain Injury - Persons Served	1,103
Traumatic Brain Injury - Funded Slots	1,050
Traumatic Brain Injury - Total	
Authorized Slots	1,150
Intellectual Disability - Persons Served	3,250
Intellectual Disability - Funded Slots	3,250
Intellectual Disability - Total	
Authorized Slots	4,150
Percent Change in Persons On Waiting	
List (E&D)	10.00
Percent Change in Persons On Waiting	
List (AL)	10.00
Percent Change in Persons On Waiting	
List (IL)	10.00
Percent Change in Persons On Waiting	
List (TBI)	10.00
Percent Change in Persons On Waiting	
List (IDD)	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. The Governor's Office - Division of Medicaid shall provide statistical and financial reports on a monthly basis to the Legislative Budget Office and the PEER Committee. These reports shall include, but are not limited to, an accounting of all funds spent in the medical program, the CHIP program, the Dialysis Transportation program, and each of the Home and Community Based Waiver programs, and an accounting of all funds spent in the administrative program, participant statistics and any other information requested by the Legislative Budget Office and the PEER Committee.

The Governor's Office - Division of Medicaid shall perform its cash flow projections on a predetermined monthly schedule and make this and any other information requested available, upon request, to the Chair of the Senate Public Health and Welfare Committee, the House Public Health and Human Services Committee, the House and Senate Medicaid Committees, the House and Senate Appropriations Committees, the Legislative Budget Office and the PEER Committee. A summary of this cash flow projection shall also be presented in the report referenced in the above paragraph.

SECTION 10. Of the funds appropriated under the provisions of this act in an amount not to exceed, Two Million Seven Hundred Fifty Thousand Dollars (\$2,750,000.00) is provided for the purpose of funding a temporary program to provide nonemergency transportation to locations for necessary dialysis services for end-stage renal disease patients who are sixty-five (65) years of age or older or are disabled as determined under Section 1614(a)(3) of the federal Social Security Act, as amended, whose income did not exceed one hundred thirty-five percent (135%) of the nonfarm official poverty level as defined by the Office of Management and Budget and whose eligibility was covered under the former category of eligibility known as Poverty Level Aged and Disabled (PLADS).

SECTION 11. Of the funds appropriated in Sections 1 and 3, Three Hundred Ninety-eight Thousand Five Hundred Fifty Dollars (\$398,550.00) General Funds and One Million One Hundred One Thousand Four Hundred Fifty Dollars (\$1,101,450.00) Special Funds are provided to maintain five (5) additional slots in the Assisted Living Waiver program for persons with Traumatic Brain Injury and in need of Cognitive Rehabilitation.

SECTION 12. Of the funds appropriated in Section 1, Eight Hundred Five Thousand Six Hundred Thirty Dollars (\$805,630.00) is provided to maintain additional slots in the Assisted Living Home and Community Based Waiver program and One Million One Hundred Ninety-two Thousand Seven Hundred Seventy Dollars (\$1,192,770.00) is provided to maintain additional slots in the Elderly and Disabled Home and Community Based Waiver program.

SECTION 13. Of the funds appropriated in Section 2 and Section 3, One Million Nine Hundred Thirty-four Thousand Two Hundred Ninety-two Dollars (\$1,934,292.00) Special Funds are provided for One Hundred (100) slots for the Department of Rehabilitation Services and Ten Million Two Hundred Seventy-two Thousand Six Hundred Seventy-six Dollars (\$10,272,676.00) for Two Hundred (200) slots for the Department of Mental Health for the Home and Community Based waiver program for Independent Living and the IDD Waiver program. These funds shall be used for these additional slots.

SECTION 14. It is the intention of the Legislature that the funds appropriated in this act to the Governor's Office - Division of Medicaid for the Mississippi Coordinated Access Network (MS-CAN) program be used in the most efficient and effective manner possible to achieve the intended mission of the division. The division and the coordinated care organizations with which the division has contracted to conduct the MS-CAN program shall establish baselines for the health-related outcome measurement for each of the following health focus areas for presentation at the Joint Legislative Budget Committee hearings for Fiscal Year 2024, which will be used as the baseline levels for establishing targets for improvements in quality of care performance measures for the MS-CAN program in Fiscal Year 2024 and later fiscal years:

- a. Comprehensive Diabetes Care (CDC) or successive measure.

- b. Medication Management for People with Asthma (MMA) or successive measure.
  - c. Annual Monitoring for Patients on Persistent Medications (MPM) or successive measure.
  - d. Adult BMI Assessment (ABA) and Weight Assessment and Counseling for Nutrition and Physical Activity for Children/Adolescents (WCC) or successive measure.
- In addition, for comparison purposes, these same baselines for the health-related outcome measurements shall be established for similar Medicaid recipients who are not enrolled in the MS-CAN program.

SECTION 15. It is the intention of the Legislature that the Governor's Office - Division of Medicaid and the Department of Human Services shall continue to work together to implement Section 43-12-1, Mississippi Code of 1972, known as the "Medicaid and Human Services Transparency and Fraud Prevention Act".

SECTION 16. The Governor's Office - Division of Medicaid is authorized to expend funds appropriated herein as necessary to provide currently existing home and community based services through any CMS approved state plan or home and community based services waiver to individuals who qualify for those services to avoid institutionalization or to transition an individual from an institution to any home and community based setting. Provision of such services shall not count against any limit imposed under this act. It is the intention of the Legislature that the cost of providing home and community based services shall not exceed the cost of nursing facility services, as determined by the Division.

SECTION 17. Of the funds appropriated herein, no more than Sixty-seven Thousand Two hundred Dollars (\$67,200.00) may be used to pay invoices from Fiscal Year 2022 for expenses to Bulletproof Solutions, Inc. for a Medicaid information technology security assessment.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S  
OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL  
ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE  
EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR  
2024.

CONFEREES FOR THE HOUSE

John Read  
Joey Hood  
Sam C. Mims, V

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Kevin Blackwell  
Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1624** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1625** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1625: Appropriation: Child Protection Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Child Protection Services for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 131,237,561.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Child Protection Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various divisions of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 152,079,359.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1,517
Time-Limited:	417

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for



salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Child Protection Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. The Department of Child Protection Services is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 7. Of the funds appropriated in Section 1, herein to the Department of Child Protection Services, it is the intention of the Legislature that Ninety-three Thousand Six Hundred One Dollars (\$93,601.00) shall be allocated to the Mississippi Children's Trust Fund supported from General Fund court assessments.

SECTION 8. Of the funds appropriated by this act, pursuant to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for maintaining a 24-hour hotline that is to be manned at all times, and for a coordinator to work with the Department of Public Safety, and to contract with outside agencies or service providers to organize for the provision of specialized services, including counseling services and other appropriate care to children who have been victims of commercial and sexual exploitation or human trafficking.

SECTION 9. Of the funds appropriated in Section 1 and Section 2, an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) may be expended for the Department of Child Protection Services for Kinship Care Payments as authorized by Section 43-15-17, Mississippi Code of 1972.

SECTION 10. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Child Protection Services for the purpose of reauthorizing the expenditure of Capital Expense Fund, as reappropriated in HB 1611, 2022 Regular Session, for information technology system developments for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 10,721,859.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 11. Of the funds appropriated in Section 1, Eleven Million Eighty-six Thousand Two Hundred Thirty-nine Dollars (\$11,086,239.00) are appropriated to fund the Adoption Assistance and Congregate Care Homes Maintenance Payments and One Million Two Hundred Fifty-Four Thousand Nine Hundred Ninety-nine Dollars (\$1,254,999.00) are provided for the Foster Home Maintenance Payments. It is the intent of the Legislature that these funds be expended for said purpose.

SECTION 12. Notwithstanding any other provision, the Department of Child Protection Services shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 13. Of the funds appropriated herein, the Department of Child Protection Services is authorized to make payments for expenses incurred during Fiscal Years 2020, 2021, and 2022 for an amount not to exceed Sixty-five Thousand Four Hundred Seventy-three Dollars and Seventy-nine Cents (\$65,473.79).

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Sam C. Mims, V

C. Scott Bounds

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Kevin Blackwell

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1625** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1628** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1628: Appropriation; Forestry Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the State Forestry Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 15,732,212.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the State Forestry Commission which is comprised of special source funds collected by or otherwise available to the commission, for the support and maintenance of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
\$ 13,600,367.00.

Of the funds specified in this section, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be deposited in a fund created in the State Treasury called the "Forest Improvement Revolving Fund." Money in this fund shall be used by the State Forestry Commission to assist in the reforestation and growth improvement of the forests, woodlands, and publicly owned lands of the state, including sixteenth section lands, Camp Shelby, Columbia Training School and colleges and universities. Landowners who contract with the commission for such work shall pay to the commission its actual cost for conducting such work. Money received for this work by the commission shall be paid into the State Treasury, and the State Treasurer shall deposit such money in the "Forest Improvement Revolving Fund."

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	343
Time-Limited:	7

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the State Forestry Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall

be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Forest Protection & Information	
Average Suppression Time (Hrs from Detection to Control)	1
Number of Acres Burned Under a Prescribed Burn Program	17,750
Percent of Fires Suppressed at 100 Acres or Less	95.00
Forest Management	
Forest Resource Development Program	
Acres Regenerated or Improved	35,000
Acres Monitored for Insect, Storm or Disease	19,800,000
Re-Inventory 20% of State's Forest Lands (% of Regions)	20.00
Percent Increase of Re-Inventory of State Forest Land	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. There is created in the State Treasury a fund designated as the Volunteer Fire Department Equipment Conversion Revolving Fund to be used by the State Forestry Commission to assist in the conversion of vehicles acquired by the State Forestry Commission through the Federal Excess Personal Property Program or by volunteer fire departments through other means to adapt them for use in the suppression of wildland fires. This assistance shall be in the form of fabrication of water tanks or other accessories necessary for the operation of fire suppression units, installation of piping and valves, painting or other similar or associated component work necessary to place fire suppression equipment into service. It is not for general vehicle maintenance or repair.

The Volunteer Fire Department Equipment Conversion Revolving Fund shall be funded by monies received from charges for work and services performed for volunteer fire departments by the State Forestry Commission. Monies collected from such charges shall be deposited into the Volunteer Fire Department Equipment Conversion Revolving Fund. The State Treasurer shall make disbursements therefrom for payment of materials, supplies and labor upon requisition of the Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

The amount of monies deposited into the Volunteer Fire Department Equipment Conversion Fund through this work shall not exceed Fifty Thousand Dollars (\$50,000.00). Funds in excess of Fifty Thousand Dollars (\$50,000.00) shall be placed in the State Forestry Commission's regular appropriated special funds. Monies in this revolving fund are to be considered special funds and shall be carried forward from one fiscal year to the next.

SECTION 7. There is created in the State Treasury a fund designated as the Camden State Forest Revolving Fund to be used by the State Forestry Commission to direct forest management activities on the Camden State Forest in Madison County, Mississippi. The forest management activities will include, but not be limited to, maintenance of property, timber sale activities and regeneration work.

The Camden State Forest Revolving Fund shall be funded by monies received from timber sales, leases, and any other source. Monies collected from these income sources shall be deposited into the Camden State Forest Revolving Fund. The State

Treasurer shall make disbursements therefrom for payments of materials, supplies and labor upon requisition of the State Forestry Commission and upon the issuance of warrants therefor by the Department of Finance and Administration.

It is the intention of the Legislature that any revolving funds in excess of the budgeted amount needed for the necessary operation and maintenance of all properties under the direct supervision and management of the State Forestry Commission shall remain in the Camden State Forest Revolving Fund for use in future years.

SECTION 8. Of the funds appropriated in Section 2, it is the intention of the Legislature that Two Hundred Thousand Dollars (\$200,000.00) shall be transferred to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2024.

SECTION 9. Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within the funds available.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR  
2024.

CONFEREES FOR THE HOUSE

John Read

Bill Pigott

Vince Mangold

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Angela Turner-Ford

Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1628** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1637** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1637: Appropriation; District attorneys and staff.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of paying salaries and travel expenses of district attorneys, assistant district attorneys, criminal investigators, tort claims assessments, and paying office expenses of district attorneys for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
\$ 30,168,704.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Prosecutor Compensation Fund, referred to in Section 99-19-73, Mississippi Code of 1972, for the purpose of paying salaries of assistant district attorneys of the state as authorized in Section 25-31-5(1) for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 486,932.00.

SECTION 3. None of the funds authorized in this section shall be used to reimburse district attorneys or their staff for taxable meals incurred within their geographical district.

SECTION 4. Of the funds appropriated herein, office expenses of district attorneys as authorized by Section 25-31-8, Mississippi Code of 1972, in the amount of One Million Six Hundred Sixty-six Thousand Dollars (\$1,666,000.00).

SECTION 5. It is the intention of the Legislature that the district attorneys and assistant district attorneys of the state shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of details as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget requests for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 6. It is the intention of the Legislature that with the funds provided herein, the district attorneys shall submit their Five-Year Strategic Plan(s) as required in Section 27-103-129(1), Mississippi Code of 1972.

SECTION 7. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 8. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Angela Cockerham  
John W. Hines, Sr.

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Sollie B. Norwood  
Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1637** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McMahan, Michel, Moran, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Blackwell, McLendon, Parker. Total--3.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1640** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1640: Appropriation; Supreme Court, Court of Appeals and trial judges services.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 7,400,165.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Mississippi State Supreme Court which is comprised of special source funds collected by or otherwise available to the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Mississippi State Supreme Court for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 961,751.00.

SECTION 3. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Mississippi State Supreme Court, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 70  
Time-Limited: 0

SECTION 4. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the Mississippi State Supreme Court for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 31,034,839.00.

SECTION 5. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of

the trial judges, for the purpose of defraying the expenses of special judges, chancellors and circuit judges for the fiscal year beginning July 1, 2023, and ending June 30, 2024. \$ 4,192,368.00.

SECTION 6. Of the funds appropriated under Sections 4 and 5 of this act for the purpose of defraying the expenses of special judges, chancellors and circuit judges, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 109  
Time-Limited: 0

SECTION 7. Of the funds appropriated Under Sections 4 and 5 of this act, Ten Million Nine Hundred Thousand Dollars (\$10,900,000.00) is provided for the purpose of employing support staff in an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) per fiscal year per judge.

SECTION 8. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for the purpose of funding the Administrative Office of Courts for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 16,072,101.00.

SECTION 9. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Administrative Office of Courts for the purpose of defraying the expenses of the Administrative Office of Courts and the Board of Certified Court Reporters for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 28,304,212.00.

SECTION 10. Of the funds appropriated under the provisions of Section 9, Three Hundred Ten Thousand Dollars (\$310,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for IT equipment and Youth Court computers for the Supreme Court – Administrative Office of the Courts.

SECTION 11. Of the funds appropriated under the provisions of Section 9, Five Hundred Thousand Dollars (\$500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for temporary In-take Officers for the Supreme Court – Administrative Office of the Courts.

SECTION 12. Of the funds appropriated under the provisions of this act for the purpose of funding the Administrative Office of Courts, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 40  
Time-Limited: 0

SECTION 13. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the Continuing Legal Education Fund, a special fund hereby created in the State Treasury, for the purpose of defraying the expenses of providing continuing legal education programs to lawyers in Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 158,857.00.

SECTION 14. It is the intention of the Legislature that interest earned from any investment or deposit to the Continuing Legal Education Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Continuing Legal Education Fund and shall not be paid into the General Fund of Mississippi.

SECTION 15. Of the funds appropriated under the provisions of this act for the purpose of providing continuing legal education programs, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2  
Time-Limited: 0

SECTION 16. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to



the Mississippi State Supreme Court for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..\$ 5,225,711.00.

SECTION 17. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi State Supreme Court, for the purpose of defraying the expenses of the Court of Appeals for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..\$ 1,611,293.00.

SECTION 18. Of the funds appropriated under the provisions of this act for the purpose of defraying the expenses of the Court of Appeals, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 58  
Time-Limited: 0

SECTION 19. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Board of Bar Admissions, for the purpose of defraying the expenses of the board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 358,884.00.

SECTION 20. It is the intention of the Legislature that interest earned from any investment or deposit to the Board of Bar Admissions Fund made pursuant to Section 27-105-33, Mississippi Code of 1972, shall be credited by the State Treasurer to the Board of Bar Admissions Fund and shall not be paid into the General Fund of Mississippi.

SECTION 21. Of the funds appropriated under the provisions of this act for the purpose of funding the Board of Bar Admissions, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 3  
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 22. No part of the funds herein appropriated shall be used in the payment of attorney's fees, nor shall any of such funds be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 23. It is the intent of the Legislature that the Mississippi State Supreme Court shall charge the maximum amount allowable by law for services rendered where charges for such services are provided for by statute, and for any other services rendered, shall charge an amount consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Office of the Mississippi State Supreme Court.

SECTION 24. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the public space in the Law Library.

SECTION 25. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 26. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Million Four Hundred Sixty Thousand Five Hundred Dollars (\$2,460,500.00) may be provided for the Comprehensive Electronic Court Systems Fund administered by the Administrative Office of Courts.

SECTION 27. It is the intention of the Legislature that the Mississippi State Supreme Court shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 28. Of the funds appropriated under the provisions of this act, Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be provided for the Youth Court Support Fund administered by the Administrative Office of Courts.

SECTION 29. Of the funds appropriated in Section 8, Nine Million Dollars (\$9,000,000.00) is provided to defray the costs of the Drug Court Program.

SECTION 30. It is the intention of the Legislature that in the event there are not sufficient funds in the Judicial System Operation Fund created under Section 9-21-45, Mississippi Code of 1972, in any given year with which to pay the annual salary supplements set forth in Section 25-3-35, Mississippi Code of 1972, then the county treasury shall not be obligated to fund such salary supplements and the salary of county court judges shall be that in place prior to the passage of Section 9-9-11, Mississippi Code of 1972.

SECTION 31. Of the funds appropriated in Section 8, it is the intention of the Legislature that an amount of Six Million Seven Hundred Thousand Dollars (\$6,700,000.00) may be allocated for the programs supported from General Fund court assessments as follows:

Drug Courts .....	\$ 6,500,000.00
Civil Legal Assistance .....	\$ 200,000.00

SECTION 32. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Supreme Court – Administrative Office of the Courts for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1628, 2022 Regular Session to provide for IT equipment and Youth Court computers for the Supreme Court – Administrative Office of the Courts for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

	\$ 90,000.00.
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Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 33. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Supreme Court – Administrative Office of the Courts for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1628, 2022 Regular Session to provide for programmers, trainers and operations for the Mississippi Electronic Courts (MEC) System to meet the mandate to bring all the courts into the MEC System for the Supreme Courts – Administrative Office of the Courts for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

	\$ 435,000.00.
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Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 34. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or

funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 35. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Read  
Angela Cockerham  
Jason White

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Sollie B. Norwood  
Daniel H. Sparks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1640** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1641** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1641: Appropriation; Attorney General.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of the Attorney General for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 30,596,135.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the

credit of the Office of the Attorney General which is comprised of special source funds collected by or otherwise available to the office, for the purpose of defraying the expenses of the office for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 9,625,920.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	88
Time-Limited:	Full Time .....	210

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Office of the Attorney General shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024
Supportive Services	Target
Cost of Support Services as Percent of	

SENATE JOURNAL  
MONDAY, MARCH 27, 2023

		3289
	Budget, 2011-2012 Baseline: 5.10%	5.00
Training		
	Ratings of Continuing Legal Education Training Presentation by Participants	95.00
	Ratings of CRIMES System Training Presentation by Participants	0.00
Litigation		
	Minimum Affirmations of Criminal Convictions 2011-2012 Baseline: 90.00%	90.00
	Minimum Affirmations of Death Penalty Appeals 2011-2012 Baseline: 83.33%	80.00
	Minimum Denial of Relief in Federal Habeas Corpus 2011-2012 Baseline: 86.96%	99.00
	Minimum Pos Results of Civil Cases 2011-2012 Baseline: 96.00%	96.00
	Percent Change of Affirmations of Criminal Convictions Attained	7.00
	Percent Change of Death Penalty Review Cases Affirmed	5.00
	Percent of Change of Appeals for Relief in Federal Habeas Corpus Cases Denied	0.00
	Percent Change of Positive Results from Civil Cases	0.00
Opinions		
	Percent Assigned to Attorneys in 3 Days or Less, 2011-2012 Baseline: 100.00%	100.00
	Percent of Opinions Completed in 30 Days or Less, 2011-2012 Baseline: 76.00%	75.00
	Percent Change of Opinion Requests Assigned to Attorneys within 3 Days or Less	0.00
	Percent Change of Opinion Requests Completed within 30 Days or Less	5.00
State Agency Contracts		
	Percent of Good and Excellent Ratings for Legal Services, 2011-2012 Baseline: 94.00%	100.00
	Percent Change of Good/Excellent Ratings for Legal Services	0.00
Insurance Integrity Enforcement		
	Minimum Positive Results of Workers' Compensation Cases 2011-2012 Baseline: 90.00%	99.00
	Minimum Positive Results of Insurance Cases 2011-2012 Baseline: 90.00%	99.00
	Percent Change of Positive Results of Workers' Compensation Insurance Fraud	5.00
	Percent Change of Positive Results of Other Insurance Cases	0.00
Other Mandated Programs		
	Medicaid Fraud Convictions vs Dispositions 2011-2012 Baseline: 100.00%	90.00
	Medicaid Abuse Convictions vs Dispositions 2011-2012 Baseline: 95.00%	95.00
	Minimum Defendants Convicted after Indictments (PID) 2011-2012 Baseline: 96.00%	90.00
	Response to Consumer Complaints (Days)	

2011-2012 Baseline: 3.14%	5
Average Number of Days to Respond to Consumer Complaints	5
Percent Change of Medicaid Fraud Convictions vs Dispositions	0.00
Percent Change of Medicaid Abuse Convictions vs Dispositions	0.00
Percent Change of Defendants Convicted After Indictment	0.00
Crime Victims Compensation	
Percent of Claims Processed in 12 Weeks or Less, 2011-2012 Baseline: 67.97%	75.00
Percent Change of Claims Processed Timely	0.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. Of the funds appropriated under the provisions of Section 1, funds included therein which are derived from penalties and/or other funds collected by the Medicaid Fraud Control Unit shall be available for the purpose of providing the state match for federal funds available for the support of the unit, or for other lawful purposes as deemed appropriate by the Attorney General. Further, it is the intent of the Legislature that any penalties and/or other funds collected and/or expended shall be accounted for separately as to source and/or application of such funds.

SECTION 7. Of the funds appropriated under the provisions of Section 1, the amount of One Million Dollars (\$1,000,000.00), or so much thereof as may be necessary, shall be made available for expenditure by the Prosecutors Training Division.

SECTION 8. Of the funds appropriated in Section 2, the sum of Six Hundred Eighty Thousand Dollars (\$680,000.00) is provided from the Department of Health for the Alcohol and Tobacco Enforcement Unit.

SECTION 9. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Million Six Hundred Ninety Thousand Three Hundred Forty-six Dollars (\$5,690,346.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Prosecutor Education.....	\$ 662,582.00
Crime Victims Compensation .....	\$ 1,901,332.00
Vulnerable Persons Training, Invest and Prosecution Trust .....	\$ 565,165.00
Child Support Prosecution Trust.....	\$ 128,475.00
Law Enforcement & Firefighters Disability Benefits Trust .....	\$ 133,666.00
Cyber Crime Unit .....	\$ 944,722.00
Domestic Violence Training.....	\$ 376,580.00
Children's Advocacy Centers .....	\$ 554,489.00
Crime Victims Compensation Admin .....	\$ 347,547.00
Motorcycle Officer Training .....	\$ 62,763.00
District Attorney Operations .....	\$ 13,025.00

It is the intention of the Legislature that the Attorney General's Office shall prepare and submit a quarterly report to the Chairmen of the Appropriation Committees of the Senate and House of Representatives that details the expenditures made for programs supported from General Fund court assessments allocated in this section.

SECTION 10. Of the funds appropriated in Section 2, Two Million Five Hundred Thousand Dollars (\$2,500,000.00), or so much thereof, is provide for the purpose of providing funds to the Victims of Human Trafficking and Commercial Sexual Exploitation Fund.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Attorney General's Office to administer the Mississippi Telephone Solicitation Act, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 240,627.00.

SECTION 12. Of the funds appropriated under the provisions of Section 10 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	Full Time .....	3
Time-Limited:	Full Time .....	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 13. No part of the money herein appropriated shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy or other person who may be related by blood or marriage within the third degree, computed by the rules of civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received; however, when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 14. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Attorney General that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. Of the funds appropriated in this act, funds are provided to defray the expenses of litigation defending the constitutionality of Mississippi statutes.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Angela Cockerham

Jason White

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Sollie B. Norwood

Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1641** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1642** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1642: Appropriation; Transportation, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Transportation Funds, for the purpose of defraying the administrative expenses of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

\$ 1,433,696,755.00.



SECTION 2. The following offices are supported by the funds appropriated in Section 1: The Office of Administrative Services, the Office of Highways and the Office of Aeronautics and Rails. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 2,803  
Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated to the Mississippi Department of Transportation under the provisions of Section 1, the following amounts shall be available for expenditure in the program budgets as required by Section 27-103-127, Mississippi Code of 1972:

Administration and Other Expenses .....	\$ 63,002,506.00
Construction.....	\$ 989,253,147.00
Maintenance .....	\$ 265,889,538.00
Debt Service .....	\$ 79,203,885.00
Aeronautics, Rails and other .....	\$ 36,347,679.00

SECTION 4. It is the intention of the Legislature that the Mississippi Department of Transportation shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. Of the funds appropriated in Section 1, it is the intention of the Legislature that Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be transferred

to the Department of Agriculture and Commerce for the Beaver Control or Eradication Program during the Fiscal Year 2024.

SECTION 6. Of the funds appropriated in Section 1 and authorized for expenditure in Section 3, Five Million Dollars (\$5,000,000.00) shall be transferred by the Mississippi Department of Transportation to the Department of Public Safety Office of Commercial Transportation Enforcement Division for the operations of the Division as authorized to be relocated in Senate Bill 2825, 2021 Regular Session.

SECTION 7. Of the funds appropriated in Section 1 of this act, the Mississippi Department of Transportation shall expend such funds as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;

(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 8. None of the funds appropriated under the provisions of Section 1 of this act may be expended by the Department of Transportation for construction of new highways if such highway segment is less than ten (10) miles in length unless:

(a) The explanation and justification for letting such a contract for a length of less than ten (10) miles is entered upon the official minutes of the Transportation Commission;

(b) The commission, within ten (10) working days after entry of its explanation and justification upon its minutes, gives notice, by United States First Class Mail, and provides a copy of such entry upon its minutes, to the Chairman of the Transportation Committee of the Mississippi House of Representatives and the Chairman of the Mississippi Senate Highways and Transportation Committee.

SECTION 9. It is the intention of the Legislature that of the sum appropriated in Section 1, the Department is authorized to provide a protective footwear allowance of not more than Two Hundred Dollars (\$200.00) per person annually for Engineers, Maintenance, and Construction Workers as part of their safety equipment.

SECTION 10. Of the funds appropriated to the Mississippi Department of Transportation, Three Hundred Thousand Dollars (\$300,000.00) shall be used for the Statewide Litter Prevention Program.

SECTION 11. Of the funds appropriated in Section 1, not less than Eighty Million Dollars (\$80,000,000.00) shall be expended for contracted maintenance overlay and pavement rehabilitation.

SECTION 12. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend with funds which were obligated in Fiscal Year 2023 for maintenance overlay projects and maintenance repair projects but not completed by the end of Fiscal Year 2023, in an amount not to exceed Ten Million Dollars (\$10,000,000.00).

SECTION 13. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to transfer between the various programs in an amount not to exceed ten percent (10%) of the amount allocated in Section 3, except that no transfers shall be authorized which increase the "Administrative and Other Expenses" Program or which decrease the "Maintenance" Program.

SECTION 14. It is the intention of the Legislature that the Mississippi Department of Transportation is authorized to expend an amount not to exceed Thirty Million Dollars (\$30,000,000.00) received from other public or private entities as reimbursements for payments made on federal projects.

SECTION 15. With the funds appropriated in this act, the Mississippi Department of Transportation shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement of ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." Further, the signage shall state the four-year legislative term in which the project was funded.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Mississippi Department of Transportation is authorized to dispose of or transfer used cell phones that are obsolete or inoperable to cell phone recycling programs dedicated to providing free phone access to United States military personnel.

SECTION 18. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Maintenance	
Number of Acres Mowed (First and Subsequent)	290,000
Percent Increase of Acreage Mowed	66.00
Slow the Expected Increases of Total	
Fatalities According to a 5 Year Rolling	
Average (697 or Less)	707
Percent Decrease in State-Maintained	
Lane Miles Needing Repair or	
Rehabilitation	1.50
Percent of Pavement Needs Met Annually	10.00
Percent of Interstate Lane-Miles with an	
Acceptable Pavement Condition Rating	52.50
Percent of 4 Lane Highway Lane-Miles	
with an Acceptable Pavement Condition	
Rating	72.00
Percent of 2 Lane Highway Lane-Miles	
with an Acceptable Pavement Condition	
Rating	57.50
Cost per Mile to Maintain State Highways	27,938.00
Number of Bridges in Poor Condition	170
Number of Bridges with Timber Components	115
Construction	
Percent of Miles of State Maintained	
Highways that Meet MDOT Thresholds for	
Congestion	2.16
Number of Lane Miles of State Maintained	
Highways Requiring Additional Capacity	604.99
Cost per Mile to Construct State Highways	18,460,000.00
Administration & Other	
Administration as a Percent of Total Budget	4.40
GO-MDOT-Total Number of Page Views	1,077,228
Percent Increase in Utilization of	

MDOTTRAFFIC.com Website	0.05
Bonded Debt Service	
MDOT's Share of Annual Debt Service will	
Not Exceed 3.75% of Annual Budget	0.76
Aeronautics & Rails	
Number of Airports Inspected	69
Number of Grade Crossings Inspected	2,100

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 19. The Mississippi Department of Transportation is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Hundred Twenty-Five Million Dollars (\$125,000,000.00).

SECTION 20. With the funds appropriated herein, the Department of Transportation is authorized to make payment for expenses incurred during Fiscal Years 2018 through 2021 as follows:

Vendor	Amount Invoice Date Fiscal Year
City of Greenville	\$1,410.56 02/26/2021 FY2021
City of Greenville	\$1,038.64 05/27/2021 FY2021
MS Department of Health	\$ 120.00 12/29/2017 FY2018
MS Department of Health	\$ 180.00 12/21/2018 FY2019
MS Department of Health	\$ 390.00 10/16/2020 FY2021
MS Department of Health	\$ 210.00 10/30/2020 FY2021
Mississippi Power	\$ 498.44 07/27/2020 FY2021
Pearl Valley Electric Power Association	\$ 73.27 09/27/2019 FY2020
Pearl Valley Electric Power Association	\$ 129.77 09/27/2019 FY2020
RJ Young Company	\$ 605.51 06/15/2021 FY2021
Singing River Electric	\$ 27.86 07/13/2020 FY2020

Singing River Electric	\$ 121.84
	07/13/2021
	FY2021
Singing River Electric	\$ 29.25
	07/15/2021
	FY2021

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Charles Busby	Jenifer B. Branning
Vince Mangold	John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1642** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3002** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3002: Appropriation; IHL - Alcorn State - Agricultural programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,936,895.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available, for the support and maintenance of the Alcorn State University Agricultural Research, Extension, and Land-Grant Programs for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 335,000.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Three Hundred Thirty-five Thousand Dollars (\$335,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a matter as determined by the Treasurer's Office. These funds are provided for the following:

(a) Agency Operations ..... \$ 170,000.00.

(b) Poultry Sciences Academic Research

Center ..... \$ 165,000.00.

SECTION 4. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars (\$300,000.00) is provided for the Poultry Sciences Academic Research Center.

SECTION 5. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries which are withdrawn and no longer available.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND	
MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL	
RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2024.	
CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Jason White
Albert Butler	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3002** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3003** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3003: Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2023, and ending June 30, 2024  
\$ 23,502,439.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Agricultural and Forestry Experiment Station for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 10,419,372.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2024 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the

intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Plant Systems	
Number of Scientist FTE (Scientist Years)	38.33
Number of Research Publications	206
Percentage of Appropriated Funds and Extramural Funds	0.99
Animal Systems	
Number of Scientist FTE (Scientist Years)	22.60
Number of Research Publications	210
Percentage of Appropriated Funds and Extramural Funds	0.30
Health & Sustainable Communities	
Number of Scientist FTE (Scientist Years)	41.10
Number of Research Publications	245
Percentage of Appropriated Funds & Extramural Funds	0.27

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY  
EXPERIMENT STATION FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Jason White
Tyler McCaughn	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3003** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,



Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 5, **H. B. No. 1612**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1612** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1612: Appropriation; Archives and History, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 11,890,911.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Department of Archives and History which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 34,133,859.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 155

Time-Limited: 10

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the

agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Archives and History shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intent of the Legislature that the Mississippi Department of Archives and History shall charge the maximum amount allowable for services rendered, consistent with the cost of providing such services. The funds derived from these charges shall be deposited into a special fund account in the State Treasury to the credit of the Mississippi Department of Archives and History.

SECTION 6. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the museum and public space in the State Historical Museum, Old Capitol Restoration.

SECTION 7. Of the funds provided in Section 2, Two Million Dollars (\$2,000,000.00) is provided to the Department of Archives and History from the Mississippi Landmark Grant Fund as created in House Bill No. 1082, Regular Session of 1999, to help support the preservation of Mississippi Landmark Properties.

SECTION 8. Of the funds provided under the provisions of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the purpose of capital development and maintenance of Beauvoir Shrine, the last home of Jefferson Davis, the only President of the Confederate States of America, subject to approval by the Department of Archives and History. The expenditure of funds available in this section shall be subject to prior approval by the Department of Archives and History.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Archives and History for the purpose of supporting the Statewide Oral History Project for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 45,748.00.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds provided in Section 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) is provided from Special Funds in the State Treasury to the credit of the State Treasury fund created in Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose of paying the costs of repair and renovation of the New Capitol, the Old Capitol, the Governor's Mansion, and the War Memorial Building, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of funds.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1599, 2022 Regular Session to provide for Beauvoir, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1599, 2022 Regular Session to defray expenses of the Department of Archives and History for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,096,270.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

- (a) De la Pointe-Krebs House ..... \$ 96,270.00.
- (b) Repair, renovation, and construction  
projects undertaken by the Department of  
Archives and History ..... \$ 8,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. Of the funds appropriated under the provisions of Section 2, Ten Million Dollars (\$10,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for the Vicksburg Military Park Interpretive Center. As a condition of expending these funds, the Department shall enter into a memorandum of agreement or similar document with the U.S. Government National Park Services reflecting a plan for building an interpretive center and a lease agreement for lease space therein.

SECTION 16. Of the funds appropriated under the provisions of Section 2, Two Million Dollars (\$2,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for the Eudora Welty Gardens Project.

SECTION 17. Of the funds appropriated under the provisions of Section 2, Two Million Dollars (\$2,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for Natchez Projects.

SECTION 18. Of the funds provided in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Historic Site Preservation Fund, for the purpose of making

grants to nonprofit organizations as in Senate Bill 2834, 2021 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$2,000,000.00.

SECTION 19. Of the funds provided in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Community Heritage Preservation Grant Fund, for the purpose of grant assistance to Historic County Courthouses, School Buildings and Other Historic Buildings as in Section 39-5-145, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,000,000.00.

SECTION 20. The Mississippi Department of Archives and History is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars (\$1,000,000.00).

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Richard Bennett  
Timmy Ladner

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
J. Walter Michel  
Sollie B. Norwood

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1612** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Blount. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 11, **H. B. No. 1620**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1620** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1620: Appropriation; Public Service Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Public Service Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 4,872,897.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Public Service Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 746,994.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1 and Section 2, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	52
Time-Limited:	5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Utility Regulatory Services	
Number of Utility Docket Cases	240
Number of Utility Complaints	4,560
Electric Complaints as a Percent of Total	48.00
Telecommunication Complaints as a Percent of Total	32.00
Water Complaints as a Percent of Total	10.00
Gas Complaints as a Percent of Total	8.00
Sewer Complaints as a Percent of Total	1.00
Average Cost per Utility Complaint	638.00
Time To Resolve Utility Complaints (Days)	3
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Investor-Owned Utilities (Cents/kWh)	0.11
Average Price of Electricity per Kilowatt Hour in MS for Residential Customers, by Utility Type: Electric Cooperatives (Cents/kWh)	0.11
Average Price of Electricity for Residential Customers in MS as a Percent of the April 2016 National Average, 12.43 Cents/kWh - Investor Owned Utilities	86.89
Average Price of Electricity for Residential Customers in MS as a Percent of the April 2016 National Average, 12.43 Cents/kWh - Electric Cooperative	95.14
Average Monthly Residential Electric Usage in MS (kWh)	1,200
Average Monthly Residential Electric Usage in MS as a Percent of the 2015 National Average, 909 kWh	135.00
Number of Pipeline Inspections	630
Average Cost per Pipeline Inspection	883.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 5. None of the funds herein appropriated by this act to the Public Service Commission shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Mississippi Public Service Commission that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the Public Service Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. Of the funds appropriated under the provisions of Section 2 of this act, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided for purchase of a new case tracking system for the Public Service Commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... \$ 282,500.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the Public Service Commission shall compile the amount of time that is expended on each regulated entity during Fiscal Year 2023. On or before August 1, 2023, the Public Service Commission shall report these findings to the House of Representatives' Public Utilities Committee.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR  
2024.

CONFEREES FOR THE HOUSE

John Read  
C. Scott Bounds  
Casey Eure

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Scott DeLano  
Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1620** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3004** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3004: Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 32,306,867.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Cooperative Extension Service for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... \$ 14,302,211.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, One Million One Hundred Fifty Thousand Dollars (\$1,150,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the Mississippi Cooperative Extension Service provide programs in the emphasis areas of Agriculture, Family and Consumer Education, Natural Resources and Environment, 4-H, and Business and Community Development in each county.

SECTION 6. No part of the funds appropriated or authorized to be expended hereby shall be spent directly or indirectly for payment of attorneys' fees for the services of any attorney who was not employed by the Mississippi Cooperative Extension Service pursuant to the express authorization of the Board of Trustees of State Institutions of Higher Learning prior to performance of such legal services.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 8. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as current restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2024 Regular Session of the Mississippi Legislature.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Agriculture	
Number of Published Information Items	300
Number of Mass Media Items	4,500
Number of Direct Educational Contacts	270,000
Average Cost per Educational Contact	13.46
Family & Consumer Education	
Number of Published Information Items	150



Number of Direct Educational Contacts	205,000
Average Cost per Educational Contact	9.34
Business & Community Dev	
Number of Direct Educational Contacts	88,000
Average Cost per Educational Contact	20.28
4-H Youth Development	
Number of Direct Educational Contacts	178,000
Average Cost per Educational Contact	11.66
Natural Resources & Environment	
Number of Published Information Items	150
Number of Mass Media Items	6,000
Number of Total Contacts (Persons Across all Delivery Methods/Events)	370,000
Average Cost per Educational Contact	27.75

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 13. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR  
FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Rita Potts Parks  
Benjamin Suber

CONFEREES FOR THE HOUSE

John Read  
Jason White  
Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3004** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3005** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3005: Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of paying the expenses incurred in the operation and maintenance of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,028,863.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Forest and Wildlife Research Center, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,361,059.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Four Hundred Fifty Thousand Dollars (\$450,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that if the funds appropriated in Section 1 of this act are used directly or indirectly to match or otherwise secure any federal grants, research grants or donations, such special source funds not classified as restricted funds shall be added and accounted for under Section 2 of this act. Further, it is the intention of the Legislature that all such aforementioned special source funds be included in all reports and requests for the 2024 Regular Session of the Mississippi Legislature.

SECTION 6. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 8. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or

funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Rita Potts Parks

Tyler McCaughn

CONFEREES FOR THE HOUSE

John Read

Jason White

Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3005** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3006** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3006: Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning to be used for the operation of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 19,238,518.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the College of Veterinary Medicine at Mississippi State University, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 32,764,049.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Seven Hundred Fifty Thousand Dollars (\$750,000.00) shall be derived from the Education Enhancement

Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Instruction	
..... Percent of Year 4 DVM Students Passing	
NAVLE at Graduation.....	95.00
..... Percent of DVM Graduates Reporting	
Employment in the Field within 12 Months	
.....	
of Graduation.....	95.00
Research	
Number of Grants/Contracts Awarded	
50	
..... Percent of Graduate Students Reporting	
Employment in the Field within 12 months	
.....	
of Graduation.....	95.00
Pub-service - Animal Health Ctr	
..... Number of Patient Visits to AHC (AHC	
Caseload Managed).....	36,586
..... Percent of Client Satisfaction Based on	
Surveys.....	95.00
..... Percent of Referring Veterinarian	
Satisfaction Based on Surveys.....	95.00
Pub-service - Diagnostic Lab	
Number of Lab Accessions (Test Requests)	
33,342	
Vet Research & Diagnostic Lab	
Number of Diagnostic Tests Performed	
321,000	
Academic Support	
..... Percent of Vet Campers and Parents	
Indicating "Willing to Recommend" on	
Satisfaction Surveys.....	100.00
..... Percent of Alumni who Report a	
Satisfactory Level of Engagement with	

the College on Surveys .....	98.00
Operation & Maintenance	
Number of Square Feet O&M/Custodial Services	
497,475	
..... Cost per Square Foot Maintenance and	
Custodial Services .....	7.25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be used for the purpose of testing, programming, and personnel-related expenses for Chronic Waste Disease.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 10. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 11. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF  
VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR  
2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Rita Potts Parks

Bart Williams

CONFEREES FOR THE HOUSE

John Read

Jason White

Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3006** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3007** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3007: Appropriation; IHL - Student Financial Aid.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 50,649,256.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized out of the proceeds derived from any federal funds, grants, donations, fees, or other special source funds which are collected by or otherwise become available for the support and maintenance of financial aid scholarship, loan and grant programs authorized by law including funds used as federal matching funds for the GEAR UP Mississippi Scholarship Program and administered by the Mississippi Office of Student Financial Aid and for support of the Mississippi Office of Student Financial Aid, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 4,740,000.00.

SECTION 3. None of the funds appropriated in this act shall be paid to or for the benefit of any student who applies for the first time, subsequent to July 1, 2023, for assistance through the Southeast Asia POW/MIA Grant established under the provisions of Section 37-106-41, the Public Management Graduate Internship established under the provisions of Section 37-106-43, the State Medical Education Loan established under the provisions of Section 37-106-61, the State Dental Education Loan established under the provisions of Section 37-106-63, the Graduate and Professional Degree Forgivable Loan established under the provisions of Section 37-106-65, the Health Care Professions Forgivable Loan established under the provisions of Section 37-106-67, or the Family Protection Specialist Social Worker Forgivable Loan established under the provisions of Section 37-106-69.

SECTION 4. It is the intention of the Legislature that of the funds appropriated under the provisions of Section 1 of this act, the Board of Trustees of State Institutions of Higher Learning shall expend from the support of the out-of-state graduate and professional studies program an amount not exceeding the funding necessary, contingent upon the availability of qualified applicants, for nine (9) new entering optometry students and the number of returning optometry students who received funding under the program during the preceding school year.

SECTION 5. In the allocation of funds appropriated under the provisions of Sections 1 and 2 of this act, among the student financial aid programs included herein, it is the intention of the Legislature that priority shall be given and funds shall be first allocated to all students eligible for financial aid under the provisions of Section 37-106-39, Mississippi Code of 1972.

SECTION 6. All funds provided for in this act shall be accounted for in an annual report, which shall be submitted at the next regular session of the Legislature within ten (10) days after the convening thereof. The report should detail for each grant, scholarship, or loan program the number of recipients, the total amount of awards made, and the average award amount. The report shall include the number of students at each institution receiving financial assistance and the amount of such assistance. For loan

programs, the report shall also include a summary of the repayment status and method of repayment for student cohorts as well as an accounting of the receipt of funds in repayment. Furthermore, all funds received and expended shall be reported and otherwise accounted for in accordance with the provisions of Section 37-106-11, Mississippi Code of 1972, except where individual identifying information must be withheld pursuant to the Family Educational Rights and Privacy Act (FERPA), 20 USC Section 1232g 34 CFR Part 99.

No public or private institution of higher learning receiving funds under the respective provisions of this act, for the purpose of issuing scholarship grants or loans, shall issue any official transcripts for any persons who have any amount of repayment in arrears on the date such official transcript is requested.

SECTION 7. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1 of this act, an amount not to exceed Seventy Thousand Dollars (\$70,000.00) is provided for the Speech-Language Pathologists Loan Forgiveness Program established under the provisions of Section 37-106-73, Mississippi Code of 1972, and administered by the Mississippi Office of Student Financial Aid.

SECTION 11. Awards for the Higher Education Legislative Plan Grant Program, authorized by Section 37-106-75, shall be made to applicants meeting all program requirements and found to be in financial need according to the following definition:

(a) The family has one (1) child under the age of twenty-one (21), and the annual adjusted gross income of the family is less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00); or

(b) The family has annual adjusted gross income of less than Thirty-nine Thousand Five Hundred Dollars (\$39,500.00) plus Five Thousand Dollars (\$5,000.00) for each additional child under the age of twenty-one (21).

SECTION 12. Of the funds appropriated in Section 2 of this act, Two Million Dollars (\$2,000,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31 Mississippi Code of 1972. This amount shall be used for the William F. Winter and Jack Reed, Sr. Teacher Loan Repayment Program established in HB 1179, 2021 Regular Session.

SECTION 13. Of the funds appropriated in Section 2 of this act, One Million Dollars (\$1,000,000.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31 Mississippi Code of 1972. This amount shall be used for the Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act established in HB 1313, 2022 Regular Session.

SECTION 14. It is the intention of the Legislature that no student should receive undergraduate grant aid through more than one state-supported undergraduate grant program in the same term of enrollment. If a student is eligible for aid through multiple grant programs, the student shall be awarded from the program that awards the larger sum.

SECTION 15. It is the intention of the Legislature that all students must demonstrate eligibility at the conclusion of each term during the regular academic year in order to continue to receive state-supported aid.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, to the Mississippi Office of Student Financial Aid for the purpose of

reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Mississippi Office of Student Financial Aid, as authorized in Senate Bill 3009, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024....  
\$ 2,100,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for the following:

(a) William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program ..... \$ 1,100,000.00

(b) Fostering Access and Inspiring True Hope (FAITH) Scholarship Program Act \$ 1,000,000.00

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer, and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Rita Potts Parks

David Parker

CONFEREES FOR THE HOUSE

John Read

Jason White

Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3007** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3008** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3008: Appropriation; IHL - University of Mississippi Medical Center.



We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 184,414,405.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby authorized and approved for expenditure out of the proceeds derived from patient fees, student fees or any other special source funds which are collected by or otherwise become available, for the support and maintenance of the University of Mississippi Medical Center for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 1,701,585,668.00.

SECTION 3. With the funds appropriated and authorized for expenditure under the provisions of Sections 1 and 2 of this act, the University of Mississippi Medical Center shall maintain the School of Medicine, the School of Dentistry, the School of Nursing, the School of Health Related Professions, the School of Population Health, the Teaching Hospital and the Medical Center Service Area. The University of Mississippi Medical Center shall prepare and make available to the Legislature an accounting of expenditures for each of the divisions listed in this section at the beginning of the legislative session.

SECTION 4. Due to critical nurse shortages and staffing, it is the intention of the Legislature to enhance recognition of excellence and expand the experience factor in attracting qualified registered nurses.

SECTION 5. Of the funds appropriated in Section 1 of this act, and the funds authorized to be expended in Section 2 of this act, none may be used to provide medical services on behalf of any state agency, institution or political subdivision, except to the extent that such agency, institution or political subdivision reimburses the hospital for the cost of the services provided. Upon the rendering of medical services to any such agency, institution or political subdivision, the hospital shall issue an invoice for the charges which shall be paid within ninety (90) days. In the event that payment is not made within ninety (90) days, the hospital shall discontinue providing services to that agency, institution or political subdivision until all outstanding charges have been paid.

SECTION 6. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 7. It is the intention of the Legislature that the University of Mississippi Medical Center's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 8. Of the funds appropriated in Section 2 of this act, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) Education activities or scholarships	\$ 6,888,029.00.
(b) Rural Physicians Scholarship Program	\$ 340,000.00.
(c) Rural Dentists Scholarship Program	\$ 105,000.00.
TOTAL.....	\$ 7,333,029.00.

SECTION 9. Of the funds appropriated under the provisions of Section 2 of this act, Two Million Three Hundred Eighty Thousand Four Hundred Thirty-one Dollars (\$2,380,431.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the University of Mississippi Medical Center.

SECTION 10. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the sum of Four Hundred Twenty Thousand Dollars (\$420,000.00) is hereby

provided for scholarships for the Rural Dentists Scholarship Program as described in Section 37-146-1, Mississippi Code of 1972.

SECTION 11. Of the funds appropriated in Sections 1 and 2 of this act, Two Million One Hundred Seventy Thousand Dollars (\$2,170,000.00) is hereby provided for scholarships for the Rural Physicians Scholarship Program as described in Section 37-141-1, Mississippi Code of 1972. Of this amount, Thirty-five Thousand Dollars (\$35,000.00) is provided for a Psychiatrist Scholarship as described in Section 37-144-3, Mississippi Code of 1972.

SECTION 12. Of the funds appropriated in Sections 1 and 2 of this act, Two Hundred Eighty Thousand Eight Hundred Forty-eight Dollars (\$280,848.00) is provided for the administration of the Rural Physicians Scholarship Program and the Rural Dentists Scholarship Program.

SECTION 13. Of the funds appropriated in Sections 1 and 2 of this act, One Million Three Hundred Eighty-two Thousand Two Hundred Fifty Dollars (\$1,382,250.00) is provided for the Office of Mississippi Physician Workforce as described in Section 41-123-5, Mississippi Code of 1972.

SECTION 14. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 15. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, Seven Hundred Fifty Thousand Dollars (\$750,000.00) shall be derived from the State General Fund and Four Million Two Hundred Fifty Thousand Dollars (\$4,250,000.00) shall be derived from any special source funds collected by or otherwise become available for the support and maintenance of the University of Mississippi Medical Center for the University of Mississippi Medical Center Cancer Institute.

SECTION 16. Of the funds appropriated in Section 2 of this act, Five Hundred Ninety-five Thousand Dollars (\$595,000.00) is hereby appropriated for A Comprehensive Tobacco (ACT) Center at the University of Mississippi Medical Center.

SECTION 17. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research that kills or destroys an existing human embryo.

SECTION 18. Of the funds appropriated under the provisions of Section 1 of this act, One Million Three Hundred Forty-nine Thousand Nine Hundred Ninety-eight Dollars (\$1,349,998.00) shall be provided from General Funds and shall be provided to the Center of Excellence at the Blair E. Batson Hospital for Children for the care of abused and neglected children, and expended to improve, enlarge and/or construct the physical facilities of the Children's Safe Center and for support and maintenance of the center.

SECTION 19. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 20. Of the funds appropriated under the provisions of Section 1 of this act, Three Million Dollars (\$3,000,000.00) shall be provided to the MIND Center at the University of Mississippi Medical Center.

SECTION 21. It is the intention of the Legislature that any cash balances at the Office of Physician Workforce, the Children's Safe Center, and the MIND Center shall only be spent in support of those divisions.

SECTION 22. Of the funds appropriated in Section 1 of this act, One Million Two Hundred Thousand Dollars (\$1,200,000.00) shall be provided for the Child Health and Developmental Promotion (CHDP) Fellowship Program.

SECTION 23. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the University of Mississippi Medical Center for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Asylum Hill Project, as authorized in SB

3010, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 2,956,902.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 24. Of the funds appropriated under the provision of Section 2, the following sum, or so much necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the University Mississippi Medical Center (UMMC), acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 3,000,000.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for replacement, repair, renovation, and modernization of the UMMC grounds and infrastructure.

SECTION 25. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 26. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Rita Potts Parks

John A. Polk

CONFEREES FOR THE HOUSE

John Read

Jason White

Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3008** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Not Voting--Sparks. Total--1.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3010** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3010: Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the operation and support of the public community and junior colleges for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 216,669,562.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the special funds specified herein to the Mississippi Community College Board for the operation and support of the public community and junior colleges for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 73,185,786.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Sixty-two Million Seven Hundred Eighty-five Thousand Seven Hundred Eighty-six Dollars (\$62,785,786.00) shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, not otherwise appropriated, for the operation and support of public community and junior colleges.

SECTION 4. The funds provided in this section shall be allocated for the aid and support of the public and community junior colleges through the community college support funding formula and shall be apportioned in accordance with the following assigned weights:

Formula Section	FTE Formula
(a) Aid to Colleges:	
Base	15% prior year appropriation
Academic	1.0
Technical	1.0
MSVCC Shared Host	.75
MSVCC Shared Provider	.25
(b) Career	1.0
(c) Associate Degree	
Nursing	1.19
(d) Associate Degree	
Allied Health	1.19

Academic, Technical, Career, Associate Degree Nursing and Associate Degree Allied Health funds shall be disbursed on the basis of prior year full-time equivalency (FTE) of hours generated during the summer, fall and spring semesters for each public community and junior college student actually enrolled and in attendance the last day of the sixth week of each semester, or its equivalent, counting only students who reside within the State of Mississippi. However, associate degree nursing students who reside outside the State of Mississippi may be counted for pay purposes.

Mississippi Virtual Community College (MSVCC) shared hosted and provided courses may qualify for incentive funding on the basis of the prior year full-time equivalency (FTE) of MSVCC shared hours generated during the summer, fall and spring semesters. In addition, all provider MSVCC semester credit hours will be included in either the academic, technical or career sections of the formula at a weight of one (1.0).

The Director of the Mississippi Community College Board, or his designee, shall audit each public community and junior college and shall determine who shall be counted in each college and shall certify the number to the Mississippi Community College Board.

If, pending determination of the enrollment of students at the public community and junior colleges entitled to participate in this appropriation, as provided for in this section, the Mississippi Community College Board shall find and determine that any such public or community junior college does not have sufficient funds on hand for payment of the necessary expenses of its operation for the period commencing July 1, 2023, until distribution of the funds appropriated hereby, then, in that event, the Mississippi Community College Board is expressly authorized to make an advance to any such public community or junior college or colleges not having sufficient operating funds for such period from the funds appropriated hereby; provided, however, that the amount of any such advance to any one (1) public community or junior college shall not exceed thirty-three percent (33%) of the amount of state-appropriated funds received by such public community or junior college during the preceding fiscal year; and provided, further, that the amount of any such advance shall be deducted from the pro rata part of the funds appropriated hereby accruing to said public community or junior college when enrollment has been ascertained and distribution of funds is made.

(c) Of the funds appropriated in Section 1 of this act, an amount not to exceed One Hundred Sixty-one Million Eighty-one Thousand Four Hundred Four Dollars (\$161,081,404.00) is authorized for the aid and support of the public community colleges to be distributed through the community college support funding formula.

(d) Of the funds provided in Section 3 of this act, Forty-nine Million Eight Hundred Eighty-four Thousand Nine Hundred Forty-six Dollars (\$49,884,946.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. These funds are authorized for the aid and support of the public community colleges to be distributed through the community college support funding formula.

SECTION 5. The following public community and junior colleges which qualify shall participate in the funds provided herein:

Coahoma Community College, Copiah-Lincoln Community College, East Central Community College, East Mississippi Community College, Hinds Community College, Holmes Community College, Itawamba Community College, Jones County Junior College, Meridian Community College, Mississippi Delta Community College, Mississippi Gulf Coast Community College, Northeast Mississippi Community College, Northwest Mississippi Community College, Pearl River Community College, and Southwest Mississippi Community College.

SECTION 6. Of the funds appropriated in Section 1 of this act, an amount not to exceed Twenty-nine Million Two Hundred Three Thousand Twenty-six Dollars (\$29,203,026.00) is authorized for the aid of the public community and junior colleges to fund life and health insurance for all employees of the public community and junior colleges.

The funds allocated in this section shall only be used to participate in the State and School Employees' Life and Health Insurance Plan and any funds appropriated in this section for this purpose, which are not expended during the fiscal year shall be carried forward for the same purposes during the next succeeding fiscal year.

SECTION 7. Of the funds appropriated in Section 2 of this act, Four Hundred Thousand Dollars (\$400,000.00) shall be derived out of any money in the State Treasury to the credit of the Insurance Carryover Fund No. 3295, for the purpose of fully funding life and health insurance through the State and School Employees' Life and Health Insurance Plan for all qualified community and junior college employees.

SECTION 8. Of the funds appropriated in Section 1 of this act, an amount not to exceed Six Million Seven Hundred Fifty Thousand Dollars (\$6,750,000.00) shall be used for the purpose of Workforce and Economic Development Support, including the operation of the Workforce Development Centers and Advanced Training Centers, providing

start-up costs for new career and technical programs, and providing the necessary funding to replace outdated and obsolete equipment for existing career and technical programs at each of the public community and junior colleges.

SECTION 9. Of the funds appropriated in Section 1 of this act, One Hundred Seventy-Nine Thousand Fifty Dollars (\$179,050.00) shall be used for the purpose of defraying the cost of Sign Language Interpreter Training at the public community and junior colleges.

SECTION 10. Of the funds appropriated in Section 1 and provided in Section 2 of this act, Ten Million Dollars (\$10,000,000.00) shall be used by the Mississippi Community College Board for the purpose of defraying the cost of the Education Technology Program at the public community and junior colleges and the Mississippi Community College Board. Seven Million Ninety-nine Thousand One Hundred Sixty Dollars (\$7,099,160.00) shall be derived from Section 1, and Two Million Nine Hundred Thousand Eight Hundred Forty Dollars (\$2,900,840.00) shall be derived from Section 3 out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 11. Of the funds appropriated in Section 1 of this act, Two Million Five Hundred Fifty-six Thousand Nine Hundred Twenty-two Dollars (\$2,556,922.00) shall be used for the purpose of defraying the cost of the Associate Degree Nursing and Allied Health Programs.

SECTION 12. Of the funds appropriated in Section 1 of this act, Three Million Dollars (\$3,000,000.00) shall be used for the purpose of continuing the dropout recovery initiative based on a successful program administered through the adult basic education program with the Mississippi Community College Board. These funds shall also be used for the purpose of enrolling low-skill adults in career pathways that combine high school equivalency, skills training and workforce credentials in an intensive program that produces adults who can compete for jobs.

Of the funds provided in this section, one-half (1/2) shall be allocated equally and the remaining one-half (1/2) shall be allocated on the basis of the prior year headcount enrollment in Adult Education, MIBEST or other career pathway programs.

The public community and junior colleges shall prepare and make available to the Legislature and the Legislative Budget Office a comprehensive report on the number of dropouts that have enrolled in a High School Equivalency and/or career program for each community and junior college during Fiscal Year 2023 on, or before, August 1, 2024.

SECTION 13. Of the funds provided in Section 3 of this act, Ten Million Dollars (\$10,000,000.00), or so much thereof as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund and deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972. These funds shall be used for the Career and Technical Advantage Program which will provide start-up costs for new career and technical programs, expansion of existing career and technical programs, and infrastructure for career and technical program equipment, lab upgrades, and renovations to sustain the programs at public community colleges. Fifteen percent (15%) of the funds appropriated in this section shall be distributed evenly to each community college. The remaining eighty-five percent (85%) of the funds shall be distributed on the basis of prior year career and technical full-time equivalency (FTE) hours generated during the summer, fall, and spring semesters for each public community college.

SECTION 14. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Instruction	
Number of Total Degrees Awarded per 100 FTE Enrollment	31.29
Number of Associate Degrees Awarded per	

100 FTE Enrollment	17.11
Number of Associate of Applied Science Degrees Awarded per 100 FTE Enrollment	7.00
Number of Certificates Awarded per 100 FTE Enrollment	9.50
Percent of First-Time Entering, Part-Time Degree- Seeking Students (Fall) who Earned 24 Credit Hours by the End of Year Two	18.50
Percent of First-Time Entering, Full-Time Degree-Seeking Students (Fall) who Earned 42 Credit Hours by the End of Year Two	46.82
Percent of Associate Degree Nursing and Practical Nursing Licensure Exam Pass Rates	42.51
Percent of Total Student Success, Which Includes Graduates, Transfers, and Retention (Those Still Enrolled)	80.78
Percent of Graduates	33.50
Percent of Transfers	20.78
Percent of Retention	8.34
Percent of Students Enrolled in Career/ Technical and Health Science Graduates	23.50
Percent of In-State Job Placements of Career/ Technical and Health Science Graduates	90.10
Number of High School Equivalencies Awarded	2,320

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 15. It is the intention of the Legislature that none of the General Funds appropriated herein shall be expended for the purpose of paying salaries, wages, and fringe benefits of any public community and junior college employee who is serving as a member of the State of Mississippi Legislature.

SECTION 16. A Mississippi Prepaid Affordable College Tuition (MPACT) program beneficiary shall be considered a Mississippi resident for the purposes of participating in this appropriation regardless of the beneficiary's residence on the date of enrollment, as set out in Section 37-155-5(d)(iii), Mississippi Code of 1972.

SECTION 17. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 18. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 19. It is the intention of the Legislature that the support of the community and junior colleges shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail

comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 20. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 21. The funds disbursed under the provisions of this act shall be accounted for through the Mississippi Community College Board. No part of the amount herein appropriated shall be used by the Mississippi Community College Board for administrative or other purposes except in the manner and to the extent authorized in this act making an appropriation for the expenses of the Mississippi Community College Board.

SECTION 22. Of the funds appropriated in Section 1 of this act, Six Million Eight Hundred Thousand Dollars (\$6,800,000.00) is authorized for a 2 percent (2%) salary increase for full-time staff.

SECTION 23. Of the funds appropriated in Section 2 of this act, the following sum or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the public community and junior colleges, acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 10,000,000.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for construction and/or repair and renovation projects for the public community and junior colleges as allocated herein:

Coahoma Community College .....	\$ 320,324.00
Copiah- Lincoln Community College .....	\$ 475,888.00
East Central Community College .....	\$ 333,720.00
East Mississippi Community College.....	\$ 549,037.00
Hinds Community College.....	\$ 1,572,580.00
Holmes Community College.....	\$ 719,613.00
Itawamba Community College .....	\$ 746,450.00
Jones Junior College .....	\$ 686,032.00
Meridian Community College .....	\$ 422,850.00
Mississippi Delta Community College.....	\$ 375,826.00
Mississippi Gulf Coast Community College .....	\$ 1,223,275.00
Northeast Mississippi Community College.....	\$ 693,405.00
Northwest Mississippi Community College .....	\$ 859,333.00
Pearl River Community College .....	\$ 720,224.00
Southwest Mississippi Community College .....	\$ 301,443.00

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2024.



CONFEREES FOR THE SENATE  
W. Briggs Hopson III  
Hillman Terome Frazier  
J. Walter Michel

CONFEREES FOR THE HOUSE  
John Read  
Manly Barton  
Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3010** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3011** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3011: Appropriation; Corrections, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Department of Corrections for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 405,228,240.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Department of Corrections which is collected by or otherwise becomes available for the purpose of defraying the expenses of the department, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 28,516,738.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be expended:

CENTRAL OFFICE

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 28,445,672.00
Special Funds .....	7,096,511.00
Total .....	\$ 35,542,183.00

AUTHORIZED HEADCOUNT:

Permanent:	186
Time-Limited:	8

FARMING OPERATIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

SENATE JOURNAL  
MONDAY, MARCH 27, 2023

## FUNDING:

General Funds .....	\$	0.00
Special Funds .....		2,580,828.00
Total .....	\$	2,580,828.00

## AUTHORIZED HEADCOUNT:

Permanent:	8
Time-Limited:	0

## PAROLE BOARD

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

## FUNDING:

General Funds .....	\$	771,015.00
Special Funds .....		0.00
Total .....	\$	771,015.00

## AUTHORIZED HEADCOUNT:

Permanent:	8
Time-Limited:	0

## PRIVATE PRISONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

## FUNDING:

General Funds .....	\$	67,384,297.00
Special Funds .....		0.00
Total .....	\$	67,384,297.00

## AUTHORIZED HEADCOUNT:

Permanent:	0
Time-Limited:	0

## MEDICAL SERVICES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

## FUNDING:

General Funds .....	\$	97,509,979.00
Special Funds .....		375,447.00
Total .....	\$	97,885,426.00

## AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	2

## REGIONAL FACILITIES

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

## FUNDING:

General Funds .....	\$	48,234,109.00
Special Funds .....		0.00
Total .....	\$	48,234,109.00

## AUTHORIZED HEADCOUNT:

Permanent:	0
Time-Limited:	0

## LOCAL CONFINEMENT

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

## FUNDING:

General Funds .....	\$	10,064,537.00
Special Funds .....		0.00
Total .....	\$	10,064,537.00

## AUTHORIZED HEADCOUNT:

Permanent:	0
Time-Limited:	0

## COMMUNITY CORRECTIONS

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 25,276,957.00
Special Funds .....	12,931,359.00
Total .....	\$ 38,208,316.00

AUTHORIZED HEADCOUNT:

Permanent:	524
Time-Limited:	83

CENTRAL MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 34,362,342.00
Special Funds .....	1,571,321.00
Total .....	\$ 35,933,663.00

AUTHORIZED HEADCOUNT:

Permanent:	635
Time-Limited:	5

PARCHMAN

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 38,441,885.00
Special Funds .....	2,469,660.00
Total .....	\$ 40,911,545.00

AUTHORIZED HEADCOUNT:

Permanent:	635
Time-Limited:	9

SOUTH MISSISSIPPI CORRECTIONAL

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 26,089,379.00
Special Funds .....	1,491,612.00
Total .....	\$ 27,580,991.00

AUTHORIZED HEADCOUNT:

Permanent:	497
Time-Limited:	4

Marshall County Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 11,536,415.00
Special Funds .....	0.00
Total .....	\$ 11,536,415.00

AUTHORIZED HEADCOUNT:

Permanent:	153
Time-Limited:	0

Walnut Grove Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

FUNDING:

General Funds .....	\$ 11,296,316.00
Special Funds .....	0.00
Total .....	\$ 11,296,316.00

AUTHORIZED HEADCOUNT:

Permanent:	170
Time-Limited:	0

## Delta Correctional

Of the funds appropriated under the provisions of this act, the following funding and positions are authorized:

## FUNDING:

General Funds .....	\$ 5,815,337.00
Special Funds .....	0.00
Total .....	\$ 5,815,337.00

## AUTHORIZED HEADCOUNT:

Permanent:	122
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. The Commissioner of the Mississippi Department of Corrections is hereby authorized to transfer spending authority between and within budgets, both positions and funds, in an amount not to exceed twenty-five percent (25%) of the authorized budgets in the aggregate. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024
General Administration	Target
Support as a Percent of Total Budget	10.00

Number of State Prisoners per 100,000 Population (Includes Only Inmates Sentenced to More Than a Year)	594
Average Annual Incarceration Cost per Inmate	49.00
Percent of Offenders Returning to Incarceration with 3 Years of Release	34.20
Farming Operations Annual Income from Farm Sales	1,679,875.25
Parole Board Number of Inmates Paroled	4,500
Private Prisons Number of ABE Program Slots Available	385
Number of VOC-ED Program Slots Available	260
Number of A&D Program Slots Available	330
Medical Services Number of Inmate Days in a Hospital	6,572
Regional Facilities Number of ABE Program Slots Available	585
Number of VOC-ED Program Slots Available	700
Number of A&D Program Slots Available	445
Probation/parole Recidivism Rate within 12 Months of Release to Field Supervision	7.50
Recidivism Rate within 36 Months of Release to Field Supervision	19.10
Community Work Centers Recidivism Rate within 12 Months of Release	6.80
Recidivism Rate within 36 Months of Release	19.90
Restitution Centers Recidivism Rate within 12 Months	20.60
Recidivism Rate within 36 Months	28.60
Local Confinement Number of Inmates Housed in County Jails (Inmate Days)	511,000
Institutional Security Number of Assaults on Inmates per 100 Inmates	1.60
Number of Assaults on Officers per 100 Officers	1.00
Youthful Offender School Recidivism Rate within 12 Months of Release	20.90
Recidivism Rate within 36 Months of Release	45.60
Evidenced Based Intervention Recidivism Rate for Inmates who Complete the ABE Program	20.00
Recidivism Rate for Inmates who Complete a Vocational Program	16.00
Recidivism Rate for Inmates who Complete the A&D Program	33.90
Percent of Offenders Possessing GED Certificate or High School Diploma at Time of Release	34.60
Percent of Offenders Obtaining Marketable Job Skills During Incarceration	4.20

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. Of the funds appropriated in Sections 1 and 2, none shall be expended for personnel housing under the jurisdiction of the Department of Corrections unless the department shall collect a reasonable rent, after a finding of fact as to what is a reasonable rent, and/or the cost of utilities furnished to said housing. The Department of Corrections shall not pay for the installation or monthly service of any telephone installed in a staff residence under its jurisdiction.

It is further the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane and cable services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 7. Of the funds appropriated in Sections 1 and 2, and authorized for expenditure in Section 3, payment may be authorized for court-ordered attorney fees and any accrued interest subject to the approval of the Office of the Attorney General.

SECTION 8. None of the money herein appropriated shall be paid to any person who by the provision of Section 47-5-47, Mississippi Code of 1972, as amended, is prohibited from being an employee of the Mississippi Department of Corrections. The State Department of Finance and Administration shall at least annually make a report to the Joint Legislative Committee on Performance Evaluation and Expenditure Review and to the Attorney General stating the name of any person prohibited under the provisions of Section 47-5-47, Mississippi Code of 1972, as amended, from being an employee of the Mississippi Department of Corrections who has during the preceding year received any money herein appropriated. In the event that any such person prohibited as hereinabove provided from receiving funds herein appropriated should receive any of said funds, the Attorney General shall immediately commence action to recover the monies so paid to said person and to enjoin the further employment of said person at the Mississippi Department of Corrections.

SECTION 9. It is the intent of the Legislature that all prisoners at Parchman shall work a minimum of eight (8) hours per day, excluding prisoners with a physical disability or those incarcerated in maximum security.

SECTION 10. It is the intention of the Legislature that the per diem rates paid to regional facilities shall not exceed Thirty-two Dollars and Seventy-one Cents (\$32.71) per inmate. All regional facilities shall continue to receive the annual three percent (3%) increase in the per diem rate as authorized in Section 47-5-933, Mississippi Code of 1972; however, in no event shall any regional facility's per diem rate exceed Thirty-two Dollars and Seventy-one Cents (\$32.71) per inmate.

SECTION 11. The department or its contracted medical provider will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of a negotiated discounted fee schedule, medical care service providers will be paid by the department or its contracted medical service provider an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications provided to any and all incarcerated persons outside of the correctional or detention facility. None of the monies appropriated herein may be used to pay for cosmetic medical procedures for any prisoner. Cosmetic medical procedure means any medical procedure performed in order to change an individual's appearance without significantly serving to prevent or treat illness or disease or to promote proper functioning of the body.

SECTION 12. It is the intention of the Legislature that the Commissioner of the Mississippi Department of Corrections shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Corrections. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Department of Corrections shall submit written justification for the transfer to the Legislative Budget

Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. It is the intention of the Legislature that all funds held by the Inmate Welfare Fund, as created in Section 47-5-158, Mississippi Code of 1972, be placed in a treasury fund effective July 1, 2023. Of the amounts appropriated in Section 2, an amount not exceeding Seven Million Dollars (\$7,000,000.00) shall be available for expenditure in the Inmate Welfare Fund. Of these funds, Five Hundred Thousand Dollars (\$500,000.00) shall be used to provide for transitional housing and post release reentry programs.

SECTION 15. It is the intention of the Legislature that all funds held by the Inmate Incentive to Work Program Fund, as created in Section 47-5-371, Mississippi Code of 1972, be placed in a treasury fund effective July 1, 2023. Of the amounts appropriated in Section 2, an amount not exceeding One Million Dollars (\$1,000,000.00) shall be available for expenditure in the Inmate Incentive to Work Program Fund. The following funds shall be utilized to pay inmates who are participants in the Inmate Incentive to Work Program.

SECTION 16. It is the intention of the Legislature that the Mississippi Department of Corrections shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 17. It is the intention of the Legislature for the Mississippi Department of Corrections to manage funds budgeted and allocated. In so doing, the commissioner of the department shall have the authority to amend, extend and/or renew the term of any lease agreement or any inmate housing agreement in connection with a correctional facility. Notwithstanding any statutory limits to the contrary, such amendment, extension and/or renewal may be for a length of time up to and including ten (10) years as is necessary for the continued operations of such facilities and implementation of the department's duties and responsibilities in accordance with Title 47 of the Mississippi Code of 1972, as amended.

SECTION 18. With the funds herein appropriated, it is the intent of the Legislature that upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs as provided for in Section 47-5-901, Mississippi Code of 1972, as amended by House Bill No. 585, 2014 Regular Session.

SECTION 19. With the funds herein appropriated, it is the intent of the Legislature, that for Fiscal Year 2024, the Department of Corrections shall reimburse municipalities, up to Twenty Dollars (\$20.00) a day, for the cost incurred of housing inmates in any jail facility based on time served for the conviction of larceny, shoplifting, or related convictions where the value of the property taken is Five Hundred Dollars (\$500.00) or more but is equal to or less than One Thousand Dollars (\$1,000.00). A copy of the court abstract of record and the jail docket shall be provided to show the total number of days an individual was incarcerated in said jail facility. The reimbursement shall be payable back to the municipality upon receipt of required documentation and an invoice. Total reimbursements resulting from this section shall not exceed One Hundred Twenty-five Thousand Dollars (\$125,000.00).

SECTION 20. Of the funds appropriated under the provisions of Section 2, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Five Hundred Ten Thousand Two Hundred Sixty-one Dollars (\$510,261.00) shall be allocated to Victim's Notification Programs supported by General Fund court assessments.

SECTION 22. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated to the Department of Corrections for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3013, 2022 Regular Session to provide to the Mississippi Department of Corrections for technology, equipment, and training in order to integrate, analyze, and visualize data ranging from law enforcement intelligence to administrative filings for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 1,468,042.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 23. Of the funds appropriated under the provisions of Section 2, Five Hundred Thousand Dollars (\$500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Corrections for the purpose of providing funds for vehicles for agency operations.

SECTION 24. With the funds appropriated in House Bill 1644, 2023 Regular Session, the Department of Corrections is authorized to make payments for medical expenses incurred during Fiscal Year 2021 for an amount not to exceed Seven Hundred Fifty-five Thousand One Hundred Seventy-two Dollars and Ninety-one Cents (\$755,172.91) or an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate for these services

SECTION 25. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 26. This act shall take effect and be in force from and after July 1, 2023, with the exception of Section 24 that shall take effect from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR  
FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Brice Wiggins

Rod Hickman

CONFEREES FOR THE HOUSE

John Read

Kevin Horan

Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3011** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.



Nays--Simmons D. T. (12th). Total--1.  
Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended for the immediate consideration of **H. B. No. 1612**, and the motion prevailed.

Senator Hopson moved to reconsider the vote whereby the Conference Report on **H. B. No. 1612** was adopted by the Senate.

The foregoing motion prevailed.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1612** (version 2) be recommitted for further conference and the motion prevailed.

**H. B. No. 1612:** Appropriation; Archives and History, Department of.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3013** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3013: Appropriation; Agriculture and Commerce, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support, Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building, for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
\$ 9,136,416.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds, which are collected by or otherwise become available for the purpose of defraying the expenses of the State Department of Agriculture and Commerce, including the Divisions of Support and Plant Industry, Farmers Central Market, Fair Commission, Livestock Coliseum, Industrial Showcase, and Trade Mart Building for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 15,955,367.00.

The funds authorized for expenditure under the provisions of this section include subscription fees produced from the Market Bulletin and admission fees produced from the Mississippi Agriculture and Forestry Museum.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 217

Time-Limited: 13

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are

added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Beaver Control Program or from any other special source funds made available to the Beaver Control Program, to the Department of Agriculture and Commerce for the support of the Beaver Control Program for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 1,100,000.00.

Of the special funds authorized in this section, Six Hundred Fifty Thousand Dollars (\$650,000.00) shall be derived from funds received from the Mississippi Department of Transportation and from fees charged private persons/organizations, and Two Hundred Thousand Dollars (\$200,000.00) shall be derived from funds received from the State Forestry Commission. A county in order to participate must pay up to Seven Thousand Five Hundred Dollars (\$7,500.00), and if any county wishes to pay any additional funds than provided, those funds may be used only in said county.

SECTION 5. Of the funds appropriated in Section 2 of this act, the following sum, or so much thereof as may be necessary, shall be derived from the Mississippi Department of Agriculture and Commerce - Fruit and Vegetable Revolving Fund, for the purpose of defraying the expenses of the department ..... \$ 600,000.00.

SECTION 6. Of the funds appropriated in Section 2 of this act, Seventy-four Thousand Eight Hundred Five Dollars (\$74,805.00) shall be provided for the support of the Mississippi Egg Marketing Board.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024
Plant Industry	Target

SENATE JOURNAL  
MONDAY, MARCH 27, 2023

3335

	Number of Pesticide Related Inspections	2,000
	Number of Marketplace Inspections in Full Compliance	205
	Number of Dealer Inspections in Full Compliance	110
	Number of Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance	1,200
	Number of Agricultural and Non-Agricultural Record Inspections in Full Compliance	350
	Percent of Marketplace Inspections in Full Compliance	85.00
	Percent of Dealer Inspections in Full Compliance	96.00
	Percent of Agricultural and Non-Agricultural Pesticide Application Inspections in Full Compliance	93.00
	Percent of Agricultural and Non-Agricultural Record Inspections in Full Compliance	95.00
Museum		
	Total Attendance	125,000
	Number of Students in School Groups	18,000
	Number of Private Revenue Generating Functions	500
	Percent Change in Number of Private Revenue Generating Functions	1.00
	Percent Change in Revenue from Private Functions	1.00
	Percent Increase in Attendance from Prior Year	2.00
	Percent Increase of School Students in Attendance from Prior Year	2.00
	Revenue Generated from Functions	312,000.00
Regulatory		
	Number of Retail Motor Fuel Devices Inspected	64,500
	Number of Food Sanitation Inspections	4,500
	Percent of Total Retail Motor Fuel Devices Inspected	100.00
	Percent of Total Retail Food Sanitation Inspections	95.00
	Percent of Consumer Complaints Answered within 48 Hours	99.00
Marketing		
	Number of Persons Reached by Marketing Means	1,138,150
	Percent Increase of Persons Reached by Marketing Means	3.00
Administration		
	Maintain Administrative Cost at 18% of Total Budget	25.00
Livestock Theft		
	Number of Cases Investigated	200
	Number of Cases Cleared	30
	Percent of Cases Prosecuted	20.00
Farmer's Market		
	Number of Retail Spaces Rented (Average Per Week)	35

Amount of Revenue Generated through	
Rental Space Rented	45,000.00
Seed Testing Lab	
Number of Days to Run Cool Test	7
Number of Official Samples Collected	2,350
Number of Days for Germination Test	
(Average Depending on Type of Seed)	20
Number of Hours to Evaluate TZ Test	1
Mississippi State Fairgrounds	
Number of Event Days	520
Estimated Total Attendance	1,250,000
Egg Marketing Promotion	
Percent Increase in the Number of Eggs	
Purchased	2.00
Cost of Outreach in Relation to	
Consumers Reached. (This Number is the	
Percent of the Budget Dedicated to	
Advertising)	80.00
Percent Increase of Consumption of Eggs	2.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. The funds appropriated and authorized to be expended under the provisions of this act shall be expended for the purpose of defraying all expenses incurred by the State Department of Agriculture and Commerce in the operation of all programs and activities (except operation of the State Lime Plants, Veterinary Laboratory, Pink Bollworm-Plant Quarantine Inspection Stations and Fire Ant Program) authorized to be conducted and carried on by said department; including, but not limited to: the administration of the Feed, Fertilizer and Dairy Act; the Weights and Measures Act; the Meat Inspection Act of 1968; the Mississippi Pure Seed Law; and the following additional programs and activities: enforcement of the egg law; publication and distribution of the Mississippi Market Bulletin, agricultural statistics, market news service at Stoneville, Mississippi; and inspection, grading and certifying of fruits, vegetables, hay, grain, meat and meat products, milk and dairy products, pecans, seed and syrup.

SECTION 9. The Mississippi Department of Agriculture and Commerce, with the assistance of the State Department of Audit and the Department of Finance and Administration, shall establish nonbudgeted enterprise funds for all "for-profit" activities related to the Mississippi Agriculture and Forestry Museum. The funds shall be maintained in accordance with generally accepted accounting principles and regulations prescribed by the Department of Finance and Administration.

SECTION 10. Of the funds provided by the provisions of this act, it is the intent of the Legislature that not more than Thirty Thousand Dollars (\$30,000.00) shall be expended for the Mississippi Senior Farmers' Market Nutrition Pilot Program, which shall be established by the State Department of Agriculture and Commerce to serve senior citizens above sixty (60) years of age who fall within one hundred thirty percent (130%) of the poverty level. The Commissioner of Agriculture may promulgate rules and regulations necessary to implement the Mississippi Senior Farmers' Market Nutrition Pilot Program.

SECTION 11. Of the funds appropriated in Section 1 of this act, Four Hundred Thousand (\$400,000.00), is provided for matching funds required for the Mississippi Healthy Food and Families Program as established in Senate Bill No. 2077, 2022 Regular Session.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. It is the intention of the Legislature that the Department of Agriculture and Commerce shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 14. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Agriculture and Commerce from the proceeds collected from surety bonds posted under the "Mississippi Grain Warehouse Law" as provided by Section 75-44-1 et seq., Mississippi Code of 1972 and the "Mississippi Grain Dealers Law of 1978" as provided by Section 75-45-301 et seq., Mississippi Code of 1972 for the purpose of paying claimants under such laws from the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 1,100,000.00.

SECTION 15. Of the funds appropriated under the provisions of Section 2, Two Hundred Thousand Dollars (\$200,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Agriculture and Commerce for the purpose of providing funds for wireless capabilities at the Fairgrounds.

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND  
COMMERCE FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Scott DeLano	Bill Pigott
Benjamin Suber	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3013** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3015** (version 2) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3015: Appropriation; Animal Health, Board of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Board of Animal Health for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 1,641,833.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Mississippi Board of Animal Health, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 1,253,690.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent:	23
Time-Limited:	5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 5. The Mississippi Board of Animal Health is authorized to accept and expend any grant, donation, or contribution from any individual, public or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations, contributions, and any carryover funds shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds in Section 2, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided from the Animal Health Disaster Response Fund as created in H.B. 603, 2023 Regular Session. These funds are provided for expenses incurred by the Board of Animal Health in responding to animal disease outbreaks as outlined in H.B. 603, 2023 Regular Session.

SECTION 8. Of the funds appropriated under the provisions of Section 2, One Hundred Twelve Thousand Five Hundred Dollars (\$112,500.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Board of Animal Health for the purpose of purchasing new vehicles.

SECTION 9. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF  
ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE  
BOARD FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Scott DeLano

Kelvin Butler

CONFEREES FOR THE HOUSE

John Read

Bill Pigott

Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3015** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3016** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3016: Appropriation; Emergency Management Agency.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any funds in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Emergency Management Agency in accordance with the provisions of Section 33-15-1 et seq., Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,283,806.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Emergency Management Agency which is comprised of special source funds collected by or otherwise available to the agency, for the support and maintenance of the agency for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 29,310,917.00.

SECTION 3. Of the funds appropriated in Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	114
Time-Limited:	68

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for



salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of defraying certain administrative expenses and the state share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 585,056.00.

SECTION 5. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Emergency Management Agency Fund Nos. 3725, 3728, 372U, 3729, 37AH, 6820174300, and 58202 for the purpose of defraying certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including, but not being limited to, public assistance programs, individual and family grant programs, and mitigation programs, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 474,894,015.00.

SECTION 6. The funds appropriated under the provisions of Sections 4 and 5 of this act are provided to defray certain administrative expenses and the state and federal share of the cost of disaster assistance programs, including public assistance programs, individual and family grant programs, and mitigation programs resulting from, but not being limited to, the following:

1604	Hurricane Katrina	
4175	Severe Storms, Tornadoes, Flooding - Cities of Louisville & Tupelo	
-	Hazard Mitigation	
-	Other Needs Assistance	
-	Mississippi Temporary Housing Program	
-	Pre-Disaster Response	
-	Emergency Preparedness Programs	
4429	Feb 22-March 29, 2019 Flooding	
4450	Severe Weather April 13, 2019	
4470	Severe Weather October 26, 2019	
4478	Severe Weather January 10-11, 2020	
4528	Coronavirus Pandemic	
4536	Severe Weather April 12, 2020 Easter Tornadoes	
4538	Flooding Feb 10-18, 2020 (Pearl River Flood)	
4248	Severe Storms, Tornadoes, Flooding - North Mississippi/Holly Springs	
4268	Delta Flooding	
4295	Pine Belt Tornado/Flooding	
4314	Severe Storms, Flooding in Adams, Calhoun, Carroll, Claiborne, Holmes, Jefferson, Montgomery, Webster & Yazoo Counties	
4350	Hurricane Nate	
4415	Severe Storms, Flooding & Tornado in Clarke, Covington, Forrest, Greene, Jasper, Jones, Marion, Newton, Perry & Wayne Counties	
4551	Severe Weather April 22-23, 2020	
3544	Hurricane Sally	
3548	Hurricane Delta	

4576 Hurricane Zeta  
 4598 2021 Winter Storm  
 3582 Water Crisis EM Dec.  
 4697 Severe Weather March 24-25, 2023

SECTION 7. None of the funds appropriated in Section 4 of this act shall be used to establish a special reserve fund in the State Treasury for disaster relief except as provided for in Section 33-15-307, Mississippi Code of 1972.

SECTION 8. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency may, upon the request of a local public emergency management organization in an area which has suffered a natural disaster, supply equipment to rural water associations to enable their continued operation when the local emergency management organization determines that such private entities provide services essential to the welfare of the community.

SECTION 9. It is the intention of the Legislature that the Director of the Mississippi Emergency Management Agency shall provide enhanced training to local governments, supervisors, mayors, civil defense groups and municipal associations in disaster management.

SECTION 10. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 11. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Emergency Mgmt Preparedness	
Percent of the Affected Population Informed	100.00
Average Time to Deliver Goods & Services	48
Recovery	
Number of Ongoing Projects	20
Number of Meetings Conducted	3,700
Average Cost per Project	20,000,000.00
Percent of Recovery Objectives Complete	100.00
Mitigation	
Number of Workshops Conducted	20
Number of Ongoing Projects	16
Average Cost per Project	50,000.00
Percent Reduction in Damage Due to Natural and Man-Made Incidents	5.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 12. It is the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall have authority to transfer not more than Five Hundred Thousand Dollars (\$500,000.00) from any general or special fund treasury fund and major object budget category to another special or general fund treasury fund and major object budget category accordingly under the control of the Mississippi Emergency Management Agency. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Mississippi Emergency Management Agency shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 13. It is the intention of the Legislature that the Mississippi Emergency Management Agency shall submit a notification and summary of all state support funding

on all disasters that require general funds or state support special funds to the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that from any funds appropriated in this act, the agency shall maintain a minimum of nine (9) Area Coordinators to provide daily assistance to local jurisdictions with emergency management activities as well as to provide quicker response to incidents and/or disasters. In addition, it is the intent of the Legislature that these Area Coordinators shall reside in or within fifty (50) miles of their assigned districts.

SECTION 15. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 16. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Mississippi Emergency Management Agency for the purpose of reauthorizing the expenditure of Capital Expense Funds for the purpose of defraying the expenses for vehicle purchases, as authorized in Senate Bill No. 3018, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024. .... \$ 75,500.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 17. Of the funds appropriated in Section 2, Fifty-One Thousand Dollars (\$51,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided for the purchase of vehicles.

SECTION 18. The expenditure of the funds appropriated by this act shall be under the direction of the Governor and shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE  
W. Briggs Hopson III  
Scott DeLano  
John A. Polk

CONFEREES FOR THE HOUSE  
John Read  
Richard Bennett  
Casey Eure

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3016** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3021** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3021: Appropriation; Employment Security, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Department of Employment Security for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 1,400,000.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Employment Security, or its successor, for the purpose of defraying the expenses incurred by said department for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... \$ 148,576,206.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent: 479

Time-Limited: 135

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of

Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Of the funds appropriated under the provisions of Section 2 of this act, the following sum shall be derived from money in the Unemployment Trust Fund, made available to this state under Section 903 of the Social Security Act, as amended (42 USCA Section 1103), to the Mississippi Department of Employment Security to be deposited in the Employment Security Administration Fund and used by the Mississippi Department of Employment Security for the following purposes:

(a) Payment of various One-Stop Administration expenses that support the service delivery of employment and workforce information services. This includes, but is not limited to, the following activities:

(i) Staff for delivery of reemployment services to UI claimants, including group job search assistance and staff-assisted referrals to jobs.

(ii) Equipment and resources for resource rooms.

(iii) Payment for rent, utilities and maintenance of facilities, including common spaces such as resource rooms, reception areas, conference areas, etc.

(iv) Payment of shared costs for operation of local One-Stop Career Centers, including payment for One-Stop operators.

(v) Purchase of computer equipment, network equipment, telecommunications equipment, application development and other technology resources.

(vi) Training, technical assistance, and professional development of staff who deliver employment and workforce information services.

(vii) Access Improvement costs for individuals with disabilities, including remodeling or retrofitting One-Stop Career Centers and purchasing appropriate software, hardware, furniture and supplies.

(b) Administration of the Unemployment Compensation (UC) law and its public employment service (ES) offices. This includes, but is not limited to, the following uses:

(i) ES and UI automation. This includes purchases, modifications, or automation of computer-related systems and related costs.

(ii) UI and ES Performance Improvement costs.

(iii) Fraud and Abuse Reduction costs.

(iv) UI Claims Filing and Payment Methods Improvement costs.

(v) Under the direction of the Bureau of Building, Grounds and Real Property Management to acquire lands and construct buildings thereon or improve existing buildings to be used as offices. The funds in this section are authorized for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 33,047,000.00.

The funds authorized in this section shall be requisitioned by the Mississippi Department of Employment Security from the Unemployment Trust Fund maintained by the Secretary of the Treasury of the United States as needed for the payment of obligations incurred under this appropriation, and such monies shall be deposited in the Employment Security Administration Fund in accordance with the provisions of Section 71-5-457, Mississippi Code of 1972.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. Of the funds appropriated in this act, a sum not to exceed Two Hundred Thousand Dollars (\$200,000.00) is made available for Pathways2Possibilities from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 7. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund, not otherwise appropriated, for Office of Workforce Development for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 15,800,000.00.

SECTION 8. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available to the Office of Workforce Development for support of workforce programs, grants, and other similar activities for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 18,400,000.00.

SECTION 9. Of the funds appropriated in Section 7, Three Million Two Hundred Thousand Dollars (\$3,200,000.00) is authorized for defraying the operating expenses of the Office of Workforce Development.

SECTION 10. Of the funds appropriated in Section 7, Twelve Million Dollars (\$12,000,000.00) is authorized for operating the Career Coaching Program at the Office of Workforce Development.

SECTION 11. Unless otherwise specifically appropriated for that purpose by the Legislature, none of the funds authorized in Section 8 shall be used for operational expenditures of the Office of Workforce Development except for reasonable administrative fees for grant oversight as provided by law.

SECTION 12. Of the funds appropriated in Section 8 of this act, the Office of Workforce Development is authorized to expend up to Three Million Dollars (\$3,000,000.00) from the State Workforce Investment Funds from the State Workforce Investment Board, collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 13. Of the funds appropriated under the provisions of Section 8 of this act, the Office of Workforce Development is authorized to expend up to Fifteen Million Dollars (\$15,000,000.00) from the Mississippi Works Fund collected pursuant to Section 71-5-353, Mississippi Code of 1972.

SECTION 14. Of the funds appropriated in Section 1 of this act, an amount not to exceed One Million Four Hundred Thousand Dollars (\$1,400,000.00) is authorized for the Mississippi Integrated Education and Workforce State Longitudinal Data System (SLDS).

SECTION 15. Of the funds appropriated under the provisions of Section 2 of this act, Four Hundred Thousand Dollars (\$400,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is authorized for the Mississippi Integrated Education and Workforce State Longitudinal Data System (SLDS).

SECTION 16. Of the funds appropriated under the provisions of Section 7 of this act, Six Hundred Thousand Dollars (\$600,000.00) is authorized for Jobs for Mississippi Graduates.

SECTION 17. Of the funds appropriated under the provisions of Section 8 of this act, Four Hundred Thousand Dollars (\$400,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the Skills Foundation of Mississippi.

SECTION 18. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 19. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 20. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY  
THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT  
SECURITY FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

J. Walter Michel

David Parker

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Donnie Bell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3021** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--McCaughn. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3025** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3025: Appropriation; Mental Health, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

ON 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 234,206,164.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the support and maintenance of the Department of Mental Health for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 426,752,723.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2 of this act, Twenty Million Nine Hundred Fifty-one Thousand Eight Hundred Eighty-six Dollars (\$20,951,886.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the Department of Mental Health. The funds provided for in this section shall be allocated as follows:

SENATE JOURNAL  
MONDAY, MARCH 27, 2023

\$ 16,797,843.00	Expenses of the Department of Mental Health, payment of Medicaid state share, or prepayment of Medicaid state share.
\$ 379,417.00	Alzheimer's disease services development and implementation of Senate Bill No. 2100, 1997 Regular Session.
\$ 636,374.00	Crisis Centers
\$ 2,000,000.00	Fentanyl and drug abuse education program established in House Bill No. 231, 2023
	Regular Session, and the Mississippi Collaborative Response to Mental Health Act established in House Bill No. 1222, 2023 Regular Session
\$ 1,138,252.00	Physician services at community mental health centers.
\$ 20,951,886.00	TOTAL

SECTION 4. Of the funds appropriated under the provisions of Sections 1 and 2 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	6,299
Time-Limited:	457

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

FY2024



Performance Measures	Target
Services Management	
Number of On-Site Reviews Conducted by the Division of Audit	60
Number of On-Site Reviews Conducted for DMH Certified Provider Agencies	155
Mental Health Services	
Percent of Population Lacking Access to Community-Based Mental Health Care	30.00
Percent of DMH Clients Served in the Community vs. in an Institutional Setting	98.00
Increase by at Least 25% the Utilization of Alternative Placement/Treatment Options for Individuals who have had Multiple Hospitalizations and Do Not Respond to Traditional Treatment	25.00
Number served by PACT Teams and intensive case management teams	2,600
Number of Individuals Employed Through Supported Employment	300
Increase Access to Crisis Services by Tracking the Number of Calls to Mobile Crisis Response Teams	33,703
Number Referred from Mobile Crisis Response Teams to a Community Mental Health Center and Scheduled an Appointment	10,289
Number Diverted from a More Restrictive Environment Due to Mobile Crisis Response Teams	23,427
Increase the Number of Certified Peer Supt Specialists in the State	315
Idd Services	
Number of Individuals on Planning List for Home and Community-Based Services	2,800
Percent of DMH Institutionalized Clients who Could be Served in the Community	100.00
Percent of DMH Clients Served in the Community vs. in an Institutional Setting	88.00
Number of People Added from Planning List to ID/DD Waiver Services	250
Children & Youth Services	
Percent of Children with Serious Mental Illness Served by Local Multidisciplinary Assessment & Planning (MAP) Teams	2.50
Number Served by MAP Teams	860
Number of Children and Youth that are Served by Wraparound Facilitation	2,080
3% Alcohol Tax-alcohol/drug Prg	
Number of Residential Beds Made Available Statewide due to the Three Percent Tax Supplements	218
Number Receiving Residential Substance Use Disorder Treatment	800
Crisis Stabilization Units	
Average Length of Time from Mental	

Health Crisis to Receipt of Community Mental Health Crisis Service (Minutes)	1.50
Percent of People Receiving Mental Health Crisis Services who were Treated at Community Mental Health Centers vs. Institutions	98.00
Diversion Rate of Admissions to State Hospitals (% of People)	90.00
Number of Involuntary Admissions	1,900
Number of Voluntary Admissions	1,700
Mi - Institutional Care	
Number Served Adult Acute Psychiatric	1,900
Maintain Readmission Rates within National Trends	4.00
Mi - Support Services	
Support as an Overall Percent of Total Budget	5.50
Idd - Institutional Care	
Number of People Served in Residential IID Programs	697
Number of People Transitioned from Facility to ICF/IID Community Home	18
Idd - Group Homes	
Number of People Served in the 10-bed ICF/IID Community Homes	556
Percent of People Served in the Community vs. in an Institutional Setting	43.60
Idd - Community Programs	
Number of People Added from Planning List to ID/DD Waiver Services	97
Number of People Enrolled in the 1915i	1,054
Idd - Support Services	
Support as a Percent of Total Budget	4.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 6. The Department of Mental Health and its facilities shall have the authority, within funding and spending authority appropriated under the provisions of this act to transfer funds to the Division of Medicaid in payment of Medicaid match and designate that the funds thus transferred shall be applied to Medicaid match obligations arising in the subsequent fiscal year.

SECTION 7. Any person within the Department of Mental Health who must work on a statutory holiday or any holiday proclaimed by the Governor may, at the discretion of the Director of the Institution and the Executive Director of the Department of Mental Health and within available personnel funds, be paid "call-back pay" in lieu of "compensatory time credit."

SECTION 8. Of the funds appropriated to the "Service Budget," funds are included for the support of community mental health services for Fiscal Year 2024.

Provided, however, that none of the funds appropriated for the support of community mental health services shall be made available to any Regional Mental Health/Intellectual Disability Center which does not receive from each of its participating counties a dollar amount equivalent to what the proceeds of a three-fourths (3/4) mill tax on all taxable property in the county in Fiscal Year 1982 would have been or the amount of funds contributed to the center by the county in Fiscal Year 1984, whichever shall be greater. By means of performance contracts, the Department of Mental Health shall disburse the funds appropriated in this section for services for the mentally ill, intellectually disabled and alcohol/drug abusers. The State Board of Mental Health and the Department of Mental Health shall be responsible for selecting the types of services

which shall be provided with the funds appropriated in this section, for developing and monitoring performance contracts and for holding contractors accountable for utilization of funds.

SECTION 9. Ellisville State School is authorized to draw up to Four Hundred Fifty Thousand Dollars (\$450,000.00) from interest earned on funds invested in Ellisville State School Client's Trust Fund for the purpose of supplementing the cost related to supplies, property, and equipment in direct care.

SECTION 10. The Department of Mental Health and its facilities shall have the express legal authority, within funding and spending authority appropriated under the provisions of this act to purchase land for use by residential facilities operated by the department, either directly or by means of transferring funds to the Bureau of Building, Grounds and Real Property Management, and to transfer such funds to the Bureau of Building, Grounds, and Real Property Management for the purposes of constructing and equipping group homes for persons with mental illness, intellectual disability, and/or substance abuse; constructing and equipping such other buildings as may be required for treatment of persons with mental illness, intellectual disability, and/or substance abuse; repair and renovate existing buildings; and to construct, repair and/or renovate employee housing. Any intermediate care facilities for individuals with intellectual disabilities (ICF/IID) constructed with funds authorized in this section shall be authorized to participate in Medicaid funding available for such services.

SECTION 11. It is the intention of the Legislature that the Department of Mental Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 12. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 13. It is the intention of the Legislature that the Executive Director of the Department of Mental Health shall have authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Mental Health. The purpose of this authority is to more efficiently use available cash reserves. It is further the intention of the Legislature that the Executive Director of the Department of Mental Health shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration. None of the funds transferred with this section may be transferred to the Central Office for Personal Services.

SECTION 14. Of the funds appropriated under the provisions of this act, Twenty-three Million Three Hundred Twenty-nine Thousand Dollars (\$23,329,000.00) is provided to the Department of Mental Health to expand those community-based services that will improve the State of Mississippi's compliance with the Olmstead decision of the United States Supreme Court. Further, it is the intention of the Legislature that the Department of Mental Health shall have the authority to transfer such sums from this source as are necessary to implement or improve those community services that are more appropriately addressed by the Mississippi Department of Education and/or the Mississippi Department of Rehabilitation Services to those agencies for that purpose. Further, it is the intention of the Legislature that any sums received from this source that are not expended during the fiscal year ending June 30, 2023, by the Mississippi Department of Mental Health shall be reappropriated for the same purpose during the fiscal year ending June 30, 2024. Further, it is the intention of the Legislature that the Department of Mental Health shall account for the expenditure of these funds in sufficient detail to clearly show the purposes for which such funds were

expended. The Executive Director of the Department of Mental Health shall report any such reappropriation to the Legislative Budget Office no later than fifteen (15) days after the effective date of the reappropriation.

SECTION 15. Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a Community Mental Health Center, or suitable entities, for the purpose of operating the Crisis Intervention Center at Grenada.

Of the funds appropriated in this act, the Department of Mental Health, with approval by the board, may contract with a community health center to allow Region 14 to be served at the Crisis Stabilization Unit at Gulfport.

The Department of Mental Health, with approval by the board, may also contract with suitable entities for the purpose of operating the crisis intervention centers in Batesville, Brookhaven, Cleveland, Corinth, Laurel and Newton. The department shall provide quarterly progress reports on the operation of the crisis intervention centers to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. The Department of Finance and Administration (DFA) shall transfer funds back to the Department of Mental Health, upon the request of the Department of Mental Health, where the funds received by DFA from the Department of Mental Health were special funds (neither general funds or bond funds) and where those funds are not required for the payment of costs already incurred on a building or repair project. For the purposes of this section, the term "special funds" includes any state source special funds, including, but not limited to, funds from the Health Care Expendable Fund. The duty of DFA to transfer funds back to the Department of Mental Health under this section applies to any funds described in this section that were transferred to DFA, regardless of the year that the transfer was made by the Department of Mental Health.

SECTION 18. It is the intention of the Legislature that the Department of Mental Health may provide, upon the availability of funds, Five Hundred Thousand Dollars (\$500,000.00) to the Hope Village for Children Program.

SECTION 19. None of the funds provided in Section 1, 2, or 3 of this act shall be used to pay Medicaid match for the thirteen (13) Community Mental Health Centers.

SECTION 20. Of the funds appropriated under the provisions of this act, an amount not to exceed Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for community-based mental health services for juveniles in detention.

SECTION 21. Of the funds appropriated in Section 1, it is the intention of the Legislature that Three Million Nine Hundred Ten Thousand Seven Hundred Two Dollars (\$3,910,702.00) shall be allocated to the Crisis Intervention Mental Health Fund supported by General Fund court assessments.

SECTION 22. Of the funds appropriated in this act, the Department of Mental Health shall fund ten (10) Programs of Assertive Community Treatment (PACT) Teams and provide supportive employment for individuals with intellectual and developmental disabilities.

SECTION 23. Notwithstanding any other provision, the Department of Mental Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 24. Of the funds appropriated in Section 1, it is the intention of the Legislature that Two Million Five Hundred Sixty-eight Thousand One Hundred Sixty-nine Dollars (\$2,568,169.00) is provided as an increase over and above the Fiscal Year 2023 appropriation level of funding for Two Hundred (200) ID/DD Home and Community Based Waiver slots.

SECTION 25. It is the intention of the Legislature that the Department of Mental Health shall provide a report on the pilot program created to provide mental health

services to former inmates of the Department of Corrections who are no longer incarcerated within a correctional institution of the Department of Corrections. This report shall be provided on December 15th of the current fiscal year to the Chairmen of the Senate and House Public Health and Appropriations Committees.

SECTION 26. With the funds appropriated herein, the Department of Mental Health is authorized to make payment for expenses incurred during Fiscal Year 2021 as follows:

Vendor	Fiscal Year	Amount
Kronos Incorporated	2021	\$ 8,452.88

SECTION 27. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 28. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Angela Burks Hill	Sam C. Mims, V
J. Walter Michel	C. Scott Bounds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3025** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3026** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3026: Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Office of State Aid Road Construction Fund, for the purpose of defraying the expenses of the Office of State

Aid Road Construction of the Mississippi Department of Transportation for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 210,120,434.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	54
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) is authorized to be expended from funds received from the Mississippi Development Authority as reimbursements for actual expenses incurred by the Office of State Aid Road Construction for administering and providing engineering services to political subdivisions as authorized under Section 65-4-15, Mississippi Code of 1972. Any such funds shall be deposited into the Office of State Aid Roads Administrative Fund for the fiscal year beginning July 1, 2023, and ending June 30, 2024.

SECTION 4. Of the funds appropriated in Section 1, it is the intention of the Legislature that an amount not to exceed Thirty Million Dollars (\$30,000,000.00) is authorized to be expended for the purpose of replacement of structurally deficient bridges on the Local System Bridge Program (LSBP).

SECTION 5. It is the intention of the Legislature that the Office of State Aid Road Construction shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail

comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Administrative	
Percent of Administrative Costs as Compared to Construction Costs	4.00
Percent of State Aid Construction Funds Allocated to Counties	95.00
Number of Projects Let to Contract	175
Percent of Personnel Devoted to Construction Programs	81.00
Federal Percent of Total Project Fund Obligations	35.00
Construction	
Percent Increase in Total Miles Paved	1.00
Percent of Total State Aid Funds Available Programmed or Obligated to Projects	75.00
Number of State Aid Projects Let to Contract	75
Number of Federal Projects Let to Contract	5
Number of State Aid Projects Completed	30
Number of Federal Projects Completed	20
Average Number of Days from Initiation to Completion of a Fed Project	450
Number of Bridges Replaced or Repaired	85
Number of Structurally Deficient Bridges on the State Aid System	5,000
Average Cost of a State Aid/Federal Bridge Project	1,550,000.00
Local System Bridge	
Percent Change in Deficient LSBP Bridges	3.00
Average Number of Active LSBP Projects Per County	1.00
Percent of LSBP Funds Available Programmed or Obligated to Projects	85.00
Number of LSBP Projects Let to Contract	55
Number of LSBP Projects Completed	70
Number of LSBP Bridges Replaced or Repaired	70
Number of Eligible Deficient LSBP Bridges	5,000
Average Number of Days From Initiation to Completion of a LSBP Project	450
Percent of Counties Utilizing All of Their Available LSBP Funds	30.00
Percent of Bridges Eligible for LSBP Funds	10.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 7. With the funds appropriated in this act, the Office of State Aid Road Construction shall notify members of the Mississippi Senate and House of Representatives upon the award of projects within their respective districts and at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds

available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature." The signage shall further state the four-year legislative term in which the project was funded.

SECTION 8. It is the intention of the Legislature to authorize the State Aid Engineer to utilize funds available to the Office of State Aid Road Construction, from any source herein appropriated or made available by the counties or any other source, to pay for costs necessary to comply with the National Bridge Inspection Standards and the Federal Highway Administration's requirements for bridge inspections and/or special studies necessary to comply with federal laws. The State Aid Engineer shall follow the same procedures as have heretofore been established by Sections 65-9-9, 65-9-15 and 65-9-17, Mississippi Code of 1972, for payment of such costs. The Office of State Aid Road Construction may accept, budget and expend these funds subject to and in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal or state funds.

SECTION 9. It is the intention of the Legislature that in the letting of contracts for which the Office of State Aid Road Construction administers and provides engineering services to political subdivisions under the Economic Development Highway Act, bids may be made from the lowest and best bidder after advertising for competitive sealed bids once in a newspaper published or having a circulation in the county or municipality where the contract will be performed, and the date published for the bid opening may be not less than seven (7) working days after the advertisement is published.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. With the funds appropriated herein, the Office of State Aid Road Construction is authorized to make payment for expenses incurred during Fiscal Years 2020 as follows:

	Amount	Service Date	Fiscal Year
Joyce V. Presley	\$ 826.00	05/11/2020	FY2020
Beverly P. Shelton	\$ 825.98	05/11/2020	FY2020
Danny R. Presley	\$ 825.98	05/11/2020	FY2020
Darryl W. Presley	\$ 825.98	05/11/2020	FY2020
RLI Insurance Company	\$8,855.85	05/11/2020	FY2020

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.



SECTION 14. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE  
MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Jenifer B. Branning	Charles Busby
John A. Polk	Vince Mangold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3026** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3046** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3046: Appropriation; Development Authority, Mississippi.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Mississippi Development Authority for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 21,639,332.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Development Authority or the appropriate special fund for the purpose of defraying the expenses incurred in the operation of the various divisions of the authority for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 164,341,510.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	183
Time-Limited:	44

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are

added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Global Business	
Number of National Recruitment Contacts	1,000
Number of International Investment Contracts	1,800
Number of International Trade Contacts	1,000
Number of Qualified National Prospects	225
Return on Investment	10.00
Number of New Businesses - Global Contacts	15
Number of New Jobs from Global Contacts	3,000
Minority & Small Business Dev	
Number of Minority & Small Business Contacts	8,000
Number of Minority Business	
Certification Applications Processed	170
Technical Assistance to Disadvantaged	
Contacts	2,300
State Contracting with Minority Business	55,000,000.00
Financial Resources	
Number of Requests for Financing or	
Incentives	225
Existing Industry & Business	
Number of Interactions with Interested	
Businesses	3,000
Number of Qualified Contacts	750

	Number of Expansions	30
	Number of Jobs Created from Expansions	3,000
Energy	Number of Energy Efficiency & Renewable Energy Direct Contacts	10,000
Community Services	Awarded Grants and Loans for Community and Economic Development	50,000,000.00
	Number of Grants and Loans Awarded	100
Support Services	Administration as a Percent of Total Budget	9.50
Tourism	Number of Tourist Inquiries Generated	35,000
	Number of Visitors per Year	26,000,000
	Travel Revenue (\$ in Billions)	6.80
Welcome Centers	Number of Tourists Registered	2,693,460

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 5. Of the funds appropriated in Section 2 of this act, the amount of Eight Hundred Thousand Dollars (\$800,000.00) shall be provided from the Mississippi Department of Transportation to defray the expenses of the Mississippi Development Authority in operating the state welcome centers.

SECTION 6. It is the intention of the Legislature that the Mississippi Development Authority shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. Of the funds appropriated in Sections 1 and 2 of this act, the amount of Four Million Eight Hundred Seventy-six Thousand Two Hundred Ninety-eight Dollars (\$4,876,298.00), or so much thereof as may be necessary, is provided for the purpose of supporting Mississippi Tourism Advertising and Promotion for Fiscal Year 2024, and shall not be expended for any type of cultural exchange program. Of the funds appropriated herein and allocated within this section, Two Hundred Ninety-nine Thousand Dollars (\$299,000.00) is provided for Tourism Grant Development Awards.

SECTION 8. It is the intention of the Legislature that none of the funds appropriated above shall be expended unless members of the Mississippi House of Representatives and Mississippi Senate are notified at least five (5) days prior to a public ceremony announcing the award of any grant in their district or any public announcement or ceremony regarding the groundbreaking or opening of a facility, roadway or bridge for which the Legislature has made funds available. Any signage regarding any public event or any new facility, roadway or bridge shall include the following language: "Funds were made available for this project by the Mississippi State Legislature."

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. Of the funds appropriated in Section 1 of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Delta National Heritage Areas.

SECTION 11. Of the funds appropriated in Section 1 of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the Mississippi Hills National Heritage Area.

SECTION 12. It is the intention of the Legislature that the Mississippi Development Authority is hereby authorized to escalate, budget, and expend funds from any source not to exceed Ten Million Dollars (\$10,000,000.00) in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intention of the Legislature that the Mississippi Development Authority shall submit a notification of any General Fund Transfers out of the major category Subsidies into any other major categories to the Legislative Budget Office.

SECTION 14. Of the funds appropriated in Section 1 of this act, Twenty Thousand Twenty-five Dollars (\$20,025.00) shall be provided for the support of the Mississippi River Parkway Commission.

SECTION 15. Of the funds appropriated in Section 1 of this act, One Million Dollars (\$1,000,000.00) shall be transferred to Innovate Mississippi.

SECTION 16. Of the funds appropriated in Section 1 of this act, One Hundred Fifty-six Thousand Dollars (\$156,000.00) is provided for the Energy High School Academy, established in Section 37-69-7, Mississippi Code of 1972.

SECTION 17. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Fifty Thousand Dollars (\$50,000.00) shall be allocated to the Mississippi Book Festival.

SECTION 18. Of the funds appropriated herein, Five Hundred Thousand Dollars (\$500,000.00) shall be provided to the Mississippi Main Street Association for statewide support and operations.

SECTION 19. It is the intention of the Legislature that the Mississippi Development Authority shall provide quarterly reports on the status of Gulf Coast Restoration Fund projects to the Legislative Budget Office and the Department of Finance and Administration. It is further the intention of the Legislature that the Mississippi Development Authority shall provide the Joint Legislative Budget Committee a detailed report and other such related information on each project's expenditures with the subsequent fiscal year's budget submission.

SECTION 20. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated to the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as provided in Senate Bill No. 3048, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 776,633.00.

These funds are provided for administrative expenses at the Mississippi Development Authority as outlined in Section 57-119-7, Mississippi Code of 1972.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023 from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 21. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Capital Expense Funds for the Air Service Development Act, as authorized in Senate Bill No. 3048, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024..\$ 246,431.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023 from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 22. It is the intention of the Legislature that the Mississippi Development Authority may provide operational support to any park operated by the

United States National Park Service in Mississippi during the event of a government shutdown that materially affects the operations of such park.

SECTION 23. Of the funds appropriated in Section 2 of this act, the amount of Eighty-one Million One Hundred Five Thousand Dollars (\$81,105,000.00), or so much thereof as may be necessary, is allocated from the Triple Crown Project Fund to fund eligible projects as defined in Section 57-75-5(f)(xxxi) as provided in House Bill No. 1, 2022 First Extraordinary Session.

SECTION 24. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 25. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

David Parker

CONFEREES FOR THE HOUSE

John Read

Richard Bennett

Casey Eure

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3046** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3047** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3047: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the Gulf Coast Restoration Fund, as created in Section 57-119-1 Mississippi Code of 1972, not otherwise appropriated to the Mississippi Development Authority. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports,

airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 50,960,148.00.

Of the funds appropriated in this section the following sums are provided for projects:

.....(a) To assist the City of Diamondhead with a  
Commercial District Transformation Project ..... \$ 2,000,000.00  
.....(b) To assist the City of Moss Point with  
the Moss Point-Point of Connection Road ..... \$ 200,000.00  
.....(c) To assist the City of Long Beach with  
the Long Beach Harbor Complex Restoration ..... \$ 3,500,000.00  
.....(d) To assist Heritage Spring Water, LLC.,  
with the Heritage Spring Water Project in Stone,  
County, Mississippi ..... \$ 260,000.00  
.....(e) To assist the Pascagoula Redevelopment  
Authority with the Live, Work, Play Pascagoula  
Riverfront Redevelopment ..... \$ 1,500,000.00  
.....(f) To assist the Pearl River County Board of  
Supervisors with the Pearl River County Industrial  
Park Infrastructure and Site Development ..... \$ 1,922,800.00  
.....(g) To assist the City of Bay St. Louis  
with a City Government Safety Complex ..... \$ 1,000,000.00  
.....(h) To assist the Hancock County Port and  
Harbor Commission with the Technology Park and Site  
Development at Stennis Airport Phase I ..... \$ 2,000,000.00  
.....(i) To assist Mississippi State University  
Research and Technology Corporation with  
Continued Development of the Mississippi Cyber  
Center Project ..... \$ 2,000,000.00  
.....(j) To assist the City of Gulfport with  
the Daniel Boulevard Extension and Connector Road  
between Highway 49 and Canal Road ..... \$ 4,600,000.00  
.....(k) To assist the City of Lucedale with  
the Lucedale Municipal Park Stage ..... \$ 498,000.00  
.....(l) To assist the City of Moss Point with  
the Highway 63/Escatawpa Natural Gas Pipeline  
Installation ..... \$ 1,750,000.00  
.....(m) To assist the Moss Point Redevelopment  
Authority with the Moss Point Downtown  
Revitalization ..... \$ 1,000,000.00  
.....(n) To assist the George County Board of  
Supervisors with a Grain Elevator/River Road  
Rehabilitation ..... \$ 1,599,906.00  
.....(o) To assist the George County Board of  
Supervisors with the Old Highway 63 North Regional  
Agriculture and Agri-Tourism Accelerator Project ..... \$ 1,599,372.00  
.....(p) To assist the Jackson County Economic  
Development Foundation with the Sunplex Light  
Industrial Park Site Improvements and Trent  
Lott Airport ..... \$ 2,000,000.00  
.....(q) To assist the Pearl River County Board  
of Supervisors with the Pearl River County  
Technology Park Phase I and Site Development ..... \$ 1,800,000.00  
.....(r) To assist the Jackson County Board of  
Supervisors with the Vancleave Medical Center ..... \$ 3,193,750.00  
.....(s) To assist the City of Bay St. Louis  
with a Downtown ADA Boardwalk ..... \$ 1,400,000.00  
.....(t) To assist the City of Ocean Springs  
with Mary C. O'Keefe Cultural Arts Center

Renovations and Signage .....	\$ 700,000.00
..... (u) To assist the Gulf Hills Resort with the Development of 2,000 feet of Blueway Waterfront with Public Marina Access.....	\$ 900,000.00
..... (v) To assist the Mississippi Coast Model Railroad Museum with the All Aboard: Mississippi Coast Model Railroad Museum Project .....	\$ 1,000,000.00
..... (w) To assist the Ohr-O'Keefe Museum of Arts with Completion of the Ohr-O'Keefe Museum Campus .....	\$ 1,000,000.00
..... (x) To assist the University of Southern Mississippi with the USM Visualization and Digital Multimedia Center of Excellence .....	\$ 2,501,320.00
..... (y) To assist Pinchers Seafood with a Working Waterfront .....	\$ 3,600,000.00
..... (z) To assist the Jackson County Economic Development Foundation and the Biloxi Bay RV Resort	\$ 1,585,000.00
..... (aa) To assist Plaid Properties, LLC with the Redevelopment of Blighted Property into a WAMA Connected District.....	\$ 250,000.00
..... (bb) To assist the Ocean Springs Redevelopment Foundation with Public Works Redevelopment and Relocation.....	\$ 2,000,000.00
..... (cc) To assist the Harrison County Development Commission with the I-10 and Canal Road Site Development.....	\$ 3,600,000.00

SECTION 2. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3049, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$35,461,356.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for projects:

- (a) To assist the Gulfport Redevelopment Commission for the completion of the second and final phase of a mixed-use, downtown redevelopment project, including public use components, so as to leverage public and private investment ..... \$ 8,000,000.00
- (b) To assist the City of Pass Christian with the Water Front Redevelopment Plan ..... \$ 3,000,000.00
- (c) To assist the Pascagoula Redevelopment Authority with the City of Pascagoula Rail Line Development Plan..... \$ 3,061,356.00
- (d) To assist the City of Biloxi with the Popp's Ferry Extension Project ..... \$ 3,000,000.00
- (e) To assist the City of Waveland with the Waveland Marina Phase I ..... \$ 2,000,000.00
- (f) To assist the Ocean Springs Redevelopment Authority with City of Ocean Springs Projects ..... \$ 2,000,000.00
- (g) To assist the City of Moss Point with Moss Point's Magnificent Mile 2.0 ..... \$ 2,000,000.00
- (h) To assist the Hancock County Port and Harbor Commission with the Technology Park at

Stennis Airport Phase I .....	\$ 2,000,000.00
(i) To assist the City of Long Beach with the Long Beach Harbor Complex Restoration .....	\$ 1,000,000.00
(j) To assist the City of Bay St. Louis with the City Public Safety Complex .....	\$ 1,000,000.00
(k) To assist the Mississippi State University Research and Technology Corporation with continued development of the Mississippi Cyber Center Project .....	\$ 1,000,000.00
(l) To assist the City of Diamondhead with the Commerce District Transportation .....	\$ 900,000.00
(m) To assist Heritage Spring Water, LLC., with the Heritage Spring Water Project in Stone County, Mississippi .....	\$ 600,000.00
(n) To assist the Ocean Springs Collective with Ocean Springs Collective Projects .....	\$ 400,000.00
(o) To assist the Mississippi Export Railroad with Mississippi Export Projects .....	\$ 3,500,000.00
(p) To assist the Greater Biloxi Economic Development Foundation and JDLE, LLC with the Downtown Redevelopment of Barq's and Kress Buildings on Howard Avenue .....	\$ 2,000,000.00

SECTION 3. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise appropriated for the Mississippi Development Authority for the purpose of reauthorizing the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3049, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$49,465,318.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for projects:

(a) To assist the Mississippi State University Research and Technology Corporation with the design and construction of the Mississippi Cyber Center .....	\$ 13,500,000.00
(b) To assist the University of Southern Mississippi Ocean Enterprise .....	\$ 4,500,000.00
(c) To assist the Stone County Board of Supervisors with the Piney Wood Pellet Mill road, rail and bypass .....	\$ 2,500,000.00
(d) To assist the Gulfport Redevelopment Commission for Phase I of a planned 3-phase project of downtown redevelopment to be used on a public use project so as to leverage public and private investment. ....	\$ 2,500,000.00
(e) To assist the City of Ocean Springs and the OHOS Development LLC with a Public/Private Development .....	\$ 5,536,481.00
(f) To assist the Pascagoula Redevelopment with downtown revitalization project .....	\$ 3,000,000.00
(g) To assist Long Beach High School with the Long Beach High School Career and Technical Education Center .....	\$ 2,500,000.00
(h) To assist the City of Diamondhead with	



the Town Center District – Commercial District

Project \$ 2,000,000.00

(i) To assist Stone County School District  
with the Stone County High School Career and  
Technical Education Center..... \$ 3,195,782.00

(j) To assist the City of Gulfport with  
flood control and/or drainage for the  
Forest Heights Project..... \$ 2,100,000.00

(k) To assist the City of Moss Point with  
the Interstate 10 Frontage Roads, North and  
South \$ 2,000,000.00

(l) To assist the City of Picayune with the  
Friendship Park Revitalization Project..... \$ 1,900,000.00

(m) To assist Pearl River Community College  
PRCC Aviation Aerospace Academy..... \$ 1,900,000.00

(n) To assist the City of Bay St. Louis with  
the Court Street Parking facility, expansion and  
improvements..... \$ 1,000,000.00

(o) To assist the Walter Anderson Museum with  
Phase 3 and Phase 4..... \$ 636,000.00

(p) To assist the City of Lucedale with  
Ventura Drive Improvements..... \$ 577,000.00

(q) To assist George County with the Scott  
Road Project, widening and infrastructure..... \$ 120,055.00

SECTION 4. The following sum, or so much thereof as may be necessary, is  
reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise  
appropriated for the Mississippi Development Authority for the purpose of reauthorizing  
the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3049,  
2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending  
June 30, 2024.....  
\$31,888,371.00.

Notwithstanding the amount reappropriated under this section, the amount that  
may be expended under the authority of this section shall not exceed the unexpended  
balance of the funds remaining as of June 30, 2023, from the amount authorized for the  
previous fiscal year. In addition, this reappropriation shall not change the purpose for  
which the funds were originally authorized.

Of the funds reappropriated in this section, the following sums are provided for  
projects recommended by the department and projects that meet the criteria outlined in  
Section 57-119-9, Mississippi Code of 1972:

(a) To assist Power Dynamics Innovations,  
LLC with Equipment and Facility Upgrades..... \$ 519,164.00

(b) To assist the City of Bay St. Louis  
with the Old Town Police Department..... \$ 379,176.00

(c) To assist the City of Bay St. Louis  
with the Old Town Depot Revitalization  
District..... \$ 376,138.00

(d) To assist the City of Diamondhead with  
the Commercial District Transformation Project..... \$ 1,500,000.00

(e) To assist the Stone County School  
District with the Stone County High School  
Career and Technical Education Center..... \$ 1,131,502.00

(f) To assist the University of Southern  
Mississippi with the Ocean Enterprise Phase I..... \$ 5,447,488.00

(g) To assist the Walter Anderson Museum  
Creative Complex Phase I and begin Phase II..... \$ 366,298.00

(h) To assist the City of Ocean Springs  
and the OHOS Development LLC with a  
Public/Private Development..... \$ 1,149,999.00

(i) To assist the Gulfport School with

a STEM Exploration Lab..... \$ 59,679.00

(j) To assist the City of Biloxi with  
downtown revitalization at the Saenger Theater ..... \$ 290,180.00

Of the funds reappropriated in this section, the following sums are provided for projects  
that meet the criteria outlined in Section 57-119-9, Mississippi Code of 1972:

(a) To assist Harrison County with the  
Harrison County Law Enforcement Training  
Academy ..... \$ 134,166.00

(b) To assist George Regional Health System  
with a multispecialty medical office complex ..... \$ 1,901,193.00

(c) To assist Mississippi State University  
Research and Technology Corporation with the design  
and construction of the Mississippi Cyber Center ..... \$ 2,875,729.00

(d) To assist the Port of Pascagoula with  
the North Rail Connector ..... \$ 6,600,000.00

(e) To assist Jackson County Economic  
Development Foundation with site development and  
related support of a defense supplier ..... \$ 377,561.00

(f) To assist the Pascagoula Redevelopment  
Authority with the Innovation Center ..... \$ 1,000,000.00

(g) To assist the Pascagoula Redevelopment  
Authority with the City Center ..... \$ 165,479.00

(h) To assist the Institute for Marine Mammal  
Studies with Educational Classrooms and Dorms ..... \$ 3,000,000.00

(i) To assist the City of Pass Christian  
with redevelopment and revitalization ..... \$ 513,680.00

(j) To assist the City of Long Beach  
with development and revitalization ..... \$ 2,000,000.00

(k) To assist the City of Long Beach  
with the Quarles House ..... \$ 2,000,000.00

(l) To assist George County with the  
Mississippi Export Railroad for the Enviva  
project ..... \$ 100,941.00

SECTION 5. The following sum, or so much thereof as may be necessary, is  
reappropriated out of any money in the Gulf Coast Restoration Fund not otherwise  
appropriated for the Mississippi Development Authority for the purpose of reauthorizing  
the expenditure of Gulf Coast Restoration Fund, as authorized in Senate Bill No. 3049,  
2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending  
June 30, 2024 .....  
\$ 5,500,000.00.

Notwithstanding the amount reappropriated under this section, the amount that  
may be expended under the authority of this section shall not exceed the unexpended  
balance of the funds remaining as of June 30, 2023, from the amount authorized for the  
previous fiscal year. In addition, this reappropriation shall not change the purpose for  
which the funds were originally authorized.

Of the funds reappropriated in this section the following sums are provided for the  
following programs:

(a) For the Mississippi Development Authority  
and the Air Service Development Incentive Program ..... \$ 2,500,000.00

(b) For the Mississippi Development Authority  
and the Quality of Place Incentives Program ..... \$ 3,000,000.00

Of these funds, One Million Dollars (\$1,000,000.00) is provided for the  
development of a South Mississippi defense and space industry strategy for small  
companies to compete for defense related contracts to include government, industry and  
academia.

SECTION 6. The money herein appropriated shall be paid by the State  
Treasurer out of any money in the State Treasury to the credit of the proper fund or  
funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the

State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY APPROPRIATED FOR PROJECTS FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Richard Bennett
Brice Wiggins	Casey Eure

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3047** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3049** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3049: Appropriation; Secretary of State.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Secretary of State for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 13,253,565.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby authorized for expenditure out of any special source funds which are collected by or otherwise become available for the purpose of defraying the expenses of the Secretary of State for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....\$ 17,420,640.00.

SECTION 3. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	96
Time-Limited:	12

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Office of the Secretary of State that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 5. No part of the funds appropriated herein shall be used, either directly or indirectly, for the purpose of paying any clerk, stenographer, assistant, deputy, or other person who may be related by blood or marriage within the third degree, computed by the rules of the civil law, to the official employing or having the right of employment or selection thereof; and in the event of any such payment, then the official or person approving and making or receiving such payment shall be jointly and severally liable to return to the State of Mississippi and to pay into the State Treasury three (3) times any such amount so paid or received, to be recovered at suit of the Attorney General; provided that when the relationship is by affinity and the person through whom the relationship was established is dead, this provision shall not apply.

SECTION 6. Of the funds appropriated in Section 1 of this act, the Secretary of State may use funds appropriated for the purposes of defraying litigation expenses associated with the enforcement of the Mississippi Securities Act, the Regulation of Charitable Solicitations Act, and the administration of the Public Trust.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures

FY2024  
Target

Business Services		
Percent of Business Services Customer		
Phone Calls Answered	95.00	
Elections		
Number of Poll Workers to Successfully		
Complete the Online Training Program	82	
Number of Voter Registrations Updated on		
Secure Online Website	6,400	
Percent of Poll Workers who Successfully		
Complete the Online Poll Manager		
Training on Their First Attempt	60.00	
Publications		
Number of Visits to the Secretary of		
State's Website	9,000,000	
Public Lands		
Number of Tax-Forfeited Properties Sold	2,000	
Support Services		
Support Services as a Percent of Total		
Agency Expenditures	27.00	

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. Of the funds appropriated in Section 1 of this act, no more than Five Hundred Thousand Dollars (\$500,000.00) is provided for paying principal and interest on bond issues for county voting systems.

SECTION 9. Of the funds appropriated in Section 2 of this act, One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Land Records Maintenance Fund, for the purpose of making distributions to local governments for taxes owed during the fiscal year.

SECTION 10. Of the funds appropriated in Section 2 of this act, Four Million Two Hundred Fifteen Thousand Three Hundred Ninety-three Dollars (\$4,215,393.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Elections Support Fund, for the purpose of acquiring, upgrading, maintaining, or repairing voting equipment, systems, and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems and training election officials during the fiscal year.

SECTION 11. Of the funds appropriated in Section 2 of this act, Eleven Million Four Hundred Fifty-five Thousand Two Hundred Forty-seven Dollars (\$11,455,247.00), or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Public Trust Tidelands Fund, and is authorized to be transferred by the Secretary of State to the Mississippi Department of Marine Resources.

SECTION 12. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 13. Of the funds appropriated in Section 1 of this act, One Million Dollars (\$1,000,000.00) is for the purpose of expenses related to cybersecurity and election integrity.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated to the Secretary of State for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3052, 2022 Regular Session to at the Secretary of State for the purpose of the Mississippi Voting Modernization Act, Senate Bill 2879, 2022 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024...\$ 6,536,207.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Richard Bennett
Kevin Blackwell	Timmy Ladner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3049** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 46, **S. B. No. 3017**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**S. B. No. 3017:** Appropriation; Military Department.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3017** (version 2) be recommitted for further conference and the motion prevailed.

Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 5:35 PM, the Senate stood in recess.

The Senate resumed business at 6:07 PM, pursuant to recess, with President Hosemann presiding.

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 3037:** Appropriation; Geologists, Board of Registered Professional.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1315:** Pornographic media materials; regulate access to minors and require age verification.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1623:** Appropriation; Rehabilitation Services, Department of.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1612:** Appropriation; Archives and History, Department of.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 3017:** Appropriation; Military Department.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. B. No. 1697:** City of Farmington; authorize the use of low-speed vehicles and golf carts on certain public streets with certain restrictions.

**H. B. No. 1805:** Jackson County; authorize to enter a MOU with DFA regarding Singing River Health System and healthcare workforce academy.

**H. B. No. 1816:** City of Clinton; extend repeal date on additional tourism tax on hotels and motels.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 6:07 PM, the Senate stood in recess.

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The Senate resumed business at 6:38 PM, pursuant to recess, with President Hosemann presiding.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 817:** Early Learning Collaborative; increase minimum funding levels for full-day and half-day programs.

**H. B. No. 917:** Mississippi Worker's Comp commission office building; place under the supervision and care of DFA.

**H. B. No. 1593:** Appropriation; Athletic Commission.

**H. B. No. 1594:** Appropriation; Auctioneers Commission.

**H. B. No. 1595:** Appropriation; Barber Examiners, Board of.

**H. B. No. 1596:** Appropriation; Cosmetology, Board of.

**H. B. No. 1597:** Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for.

**H. B. No. 1598:** Appropriation; Medical Licensure, Board of.

**H. B. No. 1599:** Appropriation; Nursing, Board of.

**H. B. No. 1600:** Appropriation; Nursing Home Administrators, Board of.



**H. B. No. 1601:** Appropriation; Optometry, Board of.

**H. B. No. 1602:** Appropriation; Physical Therapy Board.

**H. B. No. 1603:** Appropriation; Psychology, Board of.

**H. B. No. 1604:** Appropriation; Engineers and Land Surveyors, Board of Registration for Professional.

**H. B. No. 1606:** Appropriation; Fire Academy.

**H. B. No. 1607:** Appropriation; Public Employees' Retirement System.

**H. B. No. 1608:** Appropriation; Real Estate Appraiser Licensing and Certification Board.

**H. B. No. 1609:** Appropriation: Real Estate Commission.

**H. B. No. 1610:** Appropriation; Legislative expenses.

**H. B. No. 1621:** Appropriation; Public Utilities Staff.

**H. B. No. 1627:** Appropriation; Foresters, Board of Registration for.

**H. B. No. 1629:** Appropriation; Soil and Water Conservation Commission.

**H. B. No. 1630:** Appropriation; Pat Harrison Waterway District.

**H. B. No. 1631:** Appropriation; Pearl River Valley Water Supply District.

**H. B. No. 1633:** Appropriation; Tombigbee River Valley Water Management District.

**H. B. No. 1634:** Appropriation; Yellow Creek State Inland Port Authority.

**H. B. No. 1635:** Appropriation; Veterans' Home Purchase Board.

**H. B. No. 1638:** Appropriation; Capital Post-Conviction Counsel, Office of.

**H. B. No. 1643:** Appropriation, Reappropriation, DFA - Bureau of Building - FY2024.

Adopted: 03/26/23

Andrew Ketchings, Clerk of the House of Representatives

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#### REPORT OF COMMITTEE ON GAMING

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 90:** Kent Gerard (Kent) Nicaud, Pass Christian, Mississippi, Gaming Commission, remainder of a four year term effective March 8, 2023 and ending September 30, 2025, vice Alben Hopkins. Do Advise and Consent.

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The President announced the appointment of the following conferees on the part of the Senate:

**H. B. No. 521:** Length of Service Award Program; authorize for the recruitment and retention of volunteer firefighters.  
Senators Michel, McLendon, Hopson.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 3014:** Appropriation; Fair and Coliseum Commission - Livestock shows.

**S. B. No. 3018:** Appropriation; Veterans Affairs Board.

**S. B. No. 3019:** Appropriation; Ethics Commission.

**S. B. No. 3020:** Appropriation; Judicial Performance Commission.

**S. B. No. 3022:** Appropriation; Revenue, Department of.

**S. B. No. 3023:** Appropriation; Tax Appeals Board.

**S. B. No. 3024:** Appropriation; Workers' Compensation Commission.

**S. B. No. 3027:** Appropriation; Tennessee-Tombigbee Waterway Development Authority.

**S. B. No. 3028:** Appropriation; Chiropractic Examiners, Board of.

**S. B. No. 3029:** Appropriation; Dental Examiners, Board of.

**S. B. No. 3030:** Appropriation; Funeral Services Board.

**S. B. No. 3031:** Appropriation; Massage Therapy, Board of.

**S. B. No. 3032:** Appropriation; Pharmacy, Board of.

**S. B. No. 3033:** Appropriation; Counselors, Board of Examiners for Licensed Professional.

**S. B. No. 3034:** Appropriation; Veterinary Examiners, Board of.

**S. B. No. 3035:** Appropriation; Architecture, Board of.

**S. B. No. 3036:** Appropriation; Gaming Commission.

**S. B. No. 3038:** Appropriation; Motor Vehicle Commission.

**S. B. No. 3039:** Appropriation; Accountancy, Board of Public.

- S. B. No. 3040:** Appropriation; Contractors, Board of.
- S. B. No. 3041:** Appropriation; Audit, Department of.
- S. B. No. 3042:** Appropriation; Banking and Consumer Finance, Department of.
- S. B. No. 3044:** Appropriation; Governor's Office and Mansion.
- S. B. No. 3045:** Appropriation; Information Technology Services, Department of.
- S. B. No. 3048:** Appropriation; Personnel Board.
- S. B. No. 3050:** Appropriation; Treasurer's Office.
- S. B. No. 3051:** Appropriation; Debt Service-Gen. Obli.

Adopted: 03/26/23

Andrew Ketchings, Clerk of the House of Representatives

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1623** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1623: Appropriation; Rehabilitation Services, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Rehabilitation Services for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 31,615,704.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Rehabilitation Services which is comprised of special source funds collected by or otherwise available to the department for the support of the various offices of the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 220,498,980.00.

SECTION 3. Of the funds appropriated under the provisions of Section 2, Three Million Six Hundred Eighty-one Thousand Eight Hundred Two Dollars (\$3,681,802.00) shall be derived from the Health Care Expendable Fund created in Section 43-13-407, Mississippi Code of 1972. The above funds shall be allocated as follows:

Fully match all available federal  
funds ..... \$ 2,782,590.00.  
Independent Living Program which  
includes the State Attendant  
Care Program..... \$ 854,903.00.  
Deaf and hard of hearing ..... \$ 44,309.00.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent:	831
Time-Limited:	207

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 5. It is the intention of the Legislature that the Department of Rehabilitation Services shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. The Office of Vocational Rehabilitation for the Blind shall remain accredited by using not more than Five Hundred Dollars (\$500.00) of the funds appropriated along with matching funds for payment of fees to an accreditation agency recommended by the Rehabilitation Services Administration.

SECTION 7. Of the funds appropriated herein, the Mississippi Department of Rehabilitation Services through the Office of Vocational Rehabilitation for the Blind is authorized to expend an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) for the National Federation for the Blind (NFB) News line service to allow blind and visually impaired persons to access newspapers through toll-free telephone calls.

SECTION 8. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Disability Determination Services	
Number of Dispositions	60,000
Number of Days For Processing Time	130
Voc Rehabilitation For The Blind	
Number of Blind and Visually Impaired Persons Served	2,025
Number of Persons Rehabilitated	285
Number of Independent Living Persons Served	720
Percent Change in Persons Employed Compared to Persons Served	13.00
Vocational Rehabilitation	
Number of Clients Served	15,025
Number of Clients Rehabilitated	2,535
Percent Change of Persons Employed Compared to Persons Served	16.00
Persons Employed with Pay Rate Greater than Federal or State Minimum Wage	2,535
Persons with Significant Disabilities Leaving VR With Competitive, Self, or BEP Employment, Wage = or > Than Minimum	1,138
Spinal Cord & Head Injury Program	
Number of Clients Served	1,050
Percent Change in Number of Spinal Cord and Brain Injuries per Year	3.00
Special Disability Programs	
Number of Clients Served	3,100
Percent Change in Persons Receiving HCBW Services Compared to Waiting List	25.00
Ratio of Cost to HCBW Services per Person Compared to an Institutional Setting	38.00
Support Services	
Percent of Total Budget	1.96

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 10. Of the funds appropriated in Section 1, it is the intention of the Legislature that One Million Five Hundred Sixty-three Thousand Thirty-nine Dollars (\$1,563,039.00) shall be allocated to the Spinal Cord & Head Injury Trust supported from General Fund court assessments.

SECTION 11. Of the funds appropriated in Section 1 and Section 2, One Million Four Hundred Eighty-three Thousand Five Hundred Seventy-three Dollars (\$1,483,573.00) in General Funds and One Million Seven Hundred Thousand Five Hundred Eighty-seven Dollars (\$1,700,587.00) in Special Funds is provided for the support of the Independent Living Home and Community Based Waiver programs along with any additional funds that may be appropriated to these programs.

SECTION 12. Of the funds appropriated under the provisions of Section 2 of this act, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined

by the State Treasurer. These funds are provided for the purchase of equipment for the Mississippi Industries for the Blind. The Mississippi Department of Rehabilitation is authorized to transfer the appropriated funds to the Mississippi Industries for the Blind for this purpose for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 1,100,000.00.

SECTION 13. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR  
FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Sam C. Mims, V

C. Scott Bounds

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Kevin Blackwell

Michael McLendon

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1623** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 4, **H. B. No. 1615**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1615** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1615: Appropriation; Library Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Mississippi Library Commission and for carrying out the provisions of Section 39-3-107, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 10,774,908.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Mississippi Library Commission which is comprised of special source funds collected by or otherwise available to the commission, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 3,149,377.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	46
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. Funds to be distributed to eligible public library systems under the Personnel Incentive Grants Program shall be paid quarterly in advance on or before September 30, December 31, March 31 and June 30.

SECTION 5. It is the intention of the Legislature that the Mississippi Library Commission shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the

intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. Of the funds appropriated under the provisions of Section 2, Four Hundred Ninety-three Thousand Eight Hundred Forty-seven Dollars (\$493,847.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 7. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Administrative Services	
Number of Help Desk Tickets Resolved	1,350
Library Services	
Number of Continuing Education Workshops	
Held per Year	40
Percent Increase of Citizens Informed by	
Acquiring Needed Information Through	
Mississippi Libraries	1.00
Number of Library Visits by Commission Staff	175
Number of Patrons Utilizing Braille,	
Audio, Etc	4,000
Number of Children Participating in	
Statewide Summer Library Prg	120,000
Number of Items Borrowed and Loaned on	
the Interlibrary Loan System	10,000
Number of Items Available for Use	
Statewide on the Interlibrary Loan	
System	5,000,000
Number of Searches on MAGNOLIA	35,000,000
Number of Items Available for Use at MLC	
(PPrimary Resource Library)	100,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 8. It is the intention of the Legislature that no less than One Million Three Hundred Fifty Thousand Dollars (\$1,350,000.00) shall be expended for the Magnolia Database.

SECTION 9. Of the funds appropriated in Section 2, the following sum, or so much thereof as may be necessary, are derived from the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for MAGNOLIA . \$ 350,000.00.

SECTION 10. Of the funds appropriated herein, Four Million Three Hundred Seventy-five Thousand One Hundred Thirty-nine Dollars (\$4,375,139.00) is provided for the cost of health insurance for all full-time library staff members in each public library in Mississippi.

SECTION 11. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 12. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their



appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 13. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 14. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL  
YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Richard Bennett  
Timmy Ladner

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Dennis DeBar, Jr.  
J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1615** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Hill. Total--1.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1639** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1639: Appropriation; State Public Defender, Office of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Office of State Public Defender of the State of Mississippi for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 3,661,718.00.

SECTION 2. Of the funds appropriated under the provisions of Section 1, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 25  
Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 3. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2024
Performance Measures	Target
Capital Defense	
Percent of Trial Cases Opened Less Than	
One	Year
75.00	
Percent Change in Running Average of	
..... Reversals Due to Ineffective Assistance	
of	Counsel
0.10	
Average of Reversals Due to Ineffective	
Assistance	of Counsel
8.00	

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 4. It is the intention of the Legislature that the Office of State Public Defender shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 6. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 7. Of the funds provided in Section 1, Two Hundred Seventy-eight Thousand Five Hundred Dollars (\$278,500.00) shall be provided for the Indigent Parental Representation for the purpose of contracting with trained and certified attorneys to represent indigent parents or guardians in abuse, neglect or termination of parental rights proceedings as provided under Sections 43-21-201 and 99-18-13, Mississippi Code of 1972.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Angela Cockerham

Randy P. Boyd

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Sollie B. Norwood

Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1639** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3000:** Appropriation; IHL - General support.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3000** (version 2) be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3001** (version 2) be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3009** (version 2) be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3017** (version 3) and moved that the Report do be adopted:

# REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3017: Appropriation; Military Department.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the general expenses of the operation of the Mississippi National Guard for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,733,452.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated to the Mississippi National Guard, out of any money in the State Treasury to the credit of the Camp Shelby Timber Fund No. 3700, as created by Chapter 187, Laws of 1954, as amended; the Army National Guard Programs Fund No. 3701; the Camp Shelby Base Operations Fund No. 3705; and the Air National Guard Programs Fund No. 3709, for the purpose of carrying out the provisions of applicable statutes and federal/state agreements for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 181,328,744.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

## AUTHORIZED HEADCOUNT:

Permanent:	886
Time-Limited:	27

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 4. Of the funds appropriated under the provisions of Section 2 of this act, funds in the amount of Two Million Three Hundred Fifty Thousand Dollars (\$2,350,000.00) shall be derived from the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, for the purpose of defraying the expenses of the State Education Assistance Program.

SECTION 5. It is the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 6. All funds authorized to be expended herein shall be expended and otherwise accounted for in accordance with the provisions of Section 27-104-1 et seq., Mississippi Code of 1972. If not needed for other purposes, the Adjutant General is hereby expressly authorized to invest any part of or all monies herein appropriated out of the Camp Shelby Timber Fund at the highest rate of interest obtainable and credit interest accruing on such investments to the respective fund. Such monies may be invested in any short-term bonds, notes or other direct obligations of the United States of America or the State of Mississippi or any county or municipality of this state, which said county or municipal bonds have been approved by a reputable bonds attorney or have been validated by a decree of the court, and in any event the said bonds, notes or obligations in which such funds are invested shall mature or be redeemable prior to the time the funds so invested will be needed for the refund or refunds herein provided for.

SECTION 7. Of the funds appropriated in Section 1 of this act, One Million Nine Hundred Twenty-eight Thousand Seventy-five Dollars (\$1,928,075.00) shall be provided for the support of the Youth Challenge Program at Camp Shelby.

SECTION 8. Of the funds provided under the provisions of this act, Six Hundred Forty-two Thousand Six Hundred Ninety-two Dollars (\$642,692.00) is provided for the Armed Forces Military Museum located at Camp Shelby.

SECTION 9. Of the funds appropriated to be expended in this act, no General Funds shall be used to reimburse members and personnel of the Mississippi National Guard for the costs associated with attending authorized training. Any expenditure of funds for the purpose of compensation of such personnel and members for per diems and travel expenses shall be expended from any federal funds which are made available to the Mississippi National Guard for ancillary purposes.

SECTION 10. Of the funds provided under the provisions of this act, an amount not to exceed Three Hundred Thousand Dollars (\$300,000.00) is provided for the Sonny Montgomery Center for America's Veterans at Mississippi State University.

SECTION 11. Of the funds provided in Sections 1 and 2 of this act, Ten Thousand Dollars (\$10,000.00) is provided for the purchase of uniforms for the Youth Challenge Program staff.

SECTION 12. The Adjutant General of Mississippi is hereby authorized to transfer any part of appropriated funds, including general funds or capital expense funds, to special funds within the Mississippi Military Department, to facilitate federal grant matching requirements. Prior written notification of transfer shall be provided to the Legislative Budget Office and the Department of Finance and Administration.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 15. Of the funds appropriated under the provisions of Section 2 of this act, Twenty Million Dollars (\$20,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds to construct a new Fire, Crash, Rescue Station (FCRS) and renovate the existing fire department building to a Small Air Terminal (SAT) and Alert Crew Facility (ACF).

SECTION 16. Of the funds appropriated under the provisions of Section 2 of this act, Four Million Seven Hundred Thirty-one Thousand Five Hundred Dollars (\$4,731,500.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the fiber demarcation point (DEMARC) at Camp Shelby for needed relocation, construction, and rehabilitation to the building and equipment including servers, network, hardware, and security upgrades.

SECTION 17. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2024.	
CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Scott DeLano	
Jeff Tate	Karl Oliver

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3017** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Not Voting--DeBar. Total--1.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3037** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3037: Appropriation; Geologists, Board of Registered Professional.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Board of Registered Professional Geologists for the purpose of defraying the expenses of the board, for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....\$ 140,568.00.

SECTION 2. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 1

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no

employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 3. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 4. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 5. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL  
GEOLOGISTS FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Angela Turner-Ford	Karl Oliver
Scott DeLano	Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3037** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner,

Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3043** (version 2) be recommitted for further conference and the motion prevailed.

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Senator Frazier moved that when the Senate adjourns, it adjourn in memory of Willie "Von" Jenkins of Jackson, MS.

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Senators Frazier, Norwood, Horhn, Blount and Simmons D. T. (12th) moved that when the Senate adjourns, it adjourn in memory of Former JPD Chief Rebecca Coleman of Mt. Olive, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of John David Sauerwein of Merigold, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Lennie L. Dill of Slidell, LA.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Ethel Green Banta of Natchez, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Wendell Shermer of Natchez, MS/Flowood, MS.

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Senator DeLano moved that when the Senate adjourns, it adjourn in memory of Jacqueline Spires of Biloxi, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of John William Allen of New Albany, MS.

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Senator Polk moved that the Senate stand in recess until 8:00 PM, at which time the Senate would then adjourn until 10:00 AM, Tuesday, March 28, 2023.

The motion prevailed, and at 6:50 PM, the Senate stood in recess.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 1619:** Appropriation; Oil and Gas Board.

Adopted: 03/26/23

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 8:00 PM in memory of Willie "Von" Jenkins, Former JPD Chief Rebecca Coleman, John David Sauerwein, Lennie L. Dill, Ethel Green Banta, Wendell Shermer, John William Allen and Jacqueline Spires.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR MONDAY, MARCH 27, 2023

**S. R. No. 102:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING COOPER CONNER OF WIGGINS, MISSISSIPPI, ON BEING SELECTED AS THE 2021 STATE GAMES OF MISSISSIPPI OVERALL "YOUTH ATHLETE OF THE YEAR."

By Senator(s) Seymour, Butler (38th)

**S. R. No. 103:** Rules

A RESOLUTION CELEBRATING THE 100TH ANNIVERSARY OF THE MONTGOMERY COUNTY FARM BUREAU AND COMMEMORATING ITS HISTORY AND CONTRIBUTIONS TO AGRICULTURE IN OUR STATE.

By Senator(s) Chassaniol, Butler (38th)

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EIGHTY-FIFTH DAY, TUESDAY, MARCH 28, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Dr. Steve Smith, Senior Pastor, First Baptist Church, Waynesboro, MS.

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Senator DeBar led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 51:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING BAPTIST MEMORIAL HOSPITAL-GOLDEN TRIANGLE UPON RECEIVING AN "A" RATING FOR TEN CONSECUTIVE YEARS.

**H. C. R. No. 52:** A CONCURRENT RESOLUTION RECOGNIZING THE INTREPID LEADERSHIP, JUDICIOUS ADVOCACY AND SELFLESSLY ZEALOUS COMMITMENT OF THE HONORABLE SENATOR ANGELA TURNER-FORD PROVIDED DURING HER TERM AS CHAIRPERSON OF THE MISSISSIPPI LEGISLATIVE BLACK CAUCUS.

**H. C. R. No. 54:** A CONCURRENT RESOLUTION COMMENDING AND CONGRATULATING THE CALEDONIA HIGH SCHOOL CAVALIERS VOLLEYBALL TEAM AND HEAD COACH SAMANTHA BROOKS FOR WINNING THEIR FIRST EVER MISSISSIPPI HIGH SCHOOL ACTIVITIES ASSOCIATION CLASS 4A STATE VOLLEYBALL CHAMPIONSHIP.

**H. C. R. No. 55:** A CONCURRENT RESOLUTION COMMENDING CHIEF GARY PONTHEUX, JR., FOR HIS MANY YEARS OF DEDICATED PUBLIC SERVICE IN LAW ENFORCEMENT AND CONGRATULATING HIM UPON HIS RETIREMENT.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON EDUCATION

Mr. President: The following appointment has had the consideration of the above-named committee and I am instructed to report it with the following recommendation:

**S. N. No. 77:** Dr. Robert Pernell (Doc) Taylor, Flowood, Mississippi, State Superintendent of Public Education, term beginning January 16, 2023. Do Advise and Consent.

DEBAR, Chairman

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Senator Harkins called up the following entitled nomination:

**S. N. No. 91:** Gerard Raymond Gibert, Ridgeland, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective March 8, 2023 and ending December 31, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 91 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Kirby called up the following entitled resolution:

**S. R. No. 101:** Commend Columbus Christian Academy "Rams" Girls Basketball Team for winning MAIS Class 2A State Championship.

YEAS AND NAYS On S. R. No. 101. On motion of Senator Kirby, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator McMahan called up the following entitled bill:

**H. B. No. 1819:** City of Eupora; authorize conveyance of certain property located within city's industrial park.

YEAS AND NAYS On H. B. No. 1819. On motion of Senator McMahan, the rules were suspended, the bill considered engrossed, read the third time and, the yeas and nays being taken, it passed, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting----None.

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Senator Harkins offered the following report of the Conference Committee on **H. B. No. 535** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 535: Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-5, Mississippi Code of 1972, is amended as follows:

67-1-5. For the purposes of this article and unless otherwise required by the context:

(a) "Alcoholic beverage" means any alcoholic liquid, including wines of more than five percent (5%) of alcohol by weight, capable of being consumed as a beverage by a human being, but shall not include light wine, light spirit product and beer, as defined in Section 67-3-3, Mississippi Code of 1972, but shall include native wines and native spirits. The words "alcoholic beverage" shall not include ethyl alcohol manufactured or distilled solely for fuel purposes or beer of an alcoholic content of more than eight percent (8%) by weight if the beer is legally manufactured in this state for sale in another state.

(b) "Alcohol" means the product of distillation of any fermented liquid, whatever the origin thereof, and includes synthetic ethyl alcohol, but does not include denatured alcohol or wood alcohol.

(c) "Distilled spirits" means any beverage containing more than six percent (6%) of alcohol by weight produced by distillation of fermented grain, starch, molasses or sugar, including dilutions and mixtures of these beverages.

(d) "Wine" or "vinous liquor" means any product obtained from the alcoholic fermentation of the juice of sound, ripe grapes, fruits, honey or berries and made in accordance with the revenue laws of the United States.

(e) "Person" means and includes any individual, partnership, corporation, association or other legal entity whatsoever.

(f) "Manufacturer" means any person engaged in manufacturing, distilling, rectifying, blending or bottling any alcoholic beverage.

(g) "Wholesaler" means any person, other than a manufacturer, engaged in distributing or selling any alcoholic beverage at wholesale for delivery within or without this state when such sale is for the purpose of resale by the purchaser.

(h) "Retailer" means any person who sells, distributes, or offers for sale or distribution, any alcoholic beverage for use or consumption by the purchaser and not for resale.

(i) "State Tax Commission," "commission" or "department" means the Department of Revenue of the State of Mississippi, which shall create a division in its organization to be known as the Alcoholic Beverage Control Division. Any reference to the commission or the department hereafter means the powers and duties of the Department of Revenue with reference to supervision of the Alcoholic Beverage Control Division.

(j) "Division" means the Alcoholic Beverage Control Division of the Department of Revenue.

(k) "Municipality" means any incorporated city or town of this state.

(l) "Hotel" means an establishment within a municipality, or within a qualified resort area approved as such by the department, where, in consideration of payment, food and lodging are habitually furnished to travelers and wherein are located at least twenty (20) adequately furnished and completely separate sleeping rooms with adequate facilities that persons usually apply for and receive as overnight accommodations. Hotels in towns or cities of more than twenty-five thousand (25,000) population are similarly defined except that they must have fifty (50) or more sleeping rooms. Any such establishment described in this paragraph with less than fifty (50) beds shall operate one or more regular dining rooms designed to be constantly frequented by customers each day. When used in this article, the word "hotel" shall also be construed to include any establishment that meets the definition of "bed and breakfast inn" as provided in this section.

(m) "Restaurant" means:

(i) A place which is regularly and in a bona fide manner used and kept open for the serving of meals to guests for compensation, which has suitable seating facilities for guests, and which has suitable kitchen facilities connected therewith for cooking an assortment of foods and meals commonly ordered at various hours of the day; the service of such food as sandwiches and salads only shall not be deemed in compliance with this requirement. Except as otherwise provided in this paragraph, no place shall qualify as a restaurant under this article unless twenty-five percent (25%) or more of the revenue derived from such place shall be from the preparation, cooking and serving of meals and not from the sale of beverages, or unless the value of food given to and consumed by customers is equal to twenty-five percent (25%) or more of total revenue; or

(ii) Any privately owned business located in a building in a historic district where the district is listed in the National Register of Historic Places, where the building has a total occupancy rating of not less than one thousand (1,000) and where the business regularly utilizes ten thousand (10,000) square feet or more in the building for live entertainment, including not only the stage, lobby or area where the audience sits and/or stands, but also any other portion of the building necessary for the operation of the business, including any kitchen area, bar area, storage area and office space, but excluding any area for parking. In addition to the other requirements of this subparagraph, the business must also serve food to guests for compensation within the building and derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales to live entertainment in the building, and from the rental of

all or part of the facilities of the business in the building to another party for a specific event or function.

(n) "Club" means an association or a corporation:

(i) Organized or created under the laws of this state for a period of five (5) years prior to July 1, 1966;

(ii) Organized not primarily for pecuniary profit but for the promotion of some common object other than the sale or consumption of alcoholic beverages;

(iii) Maintained by its members through the payment of annual dues;

(iv) Owning, hiring or leasing a building or space in a building of such extent and character as may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests;

(v) The affairs and management of which are conducted by a board of directors, board of governors, executive committee, or similar governing body chosen by the members at a regular meeting held at some periodic interval; and

(vi) No member, officer, agent or employee of which is paid, or directly or indirectly receives, in the form of a salary or other compensation any profit from the distribution or sale of alcoholic beverages to the club or to members or guests of the club beyond such salary or compensation as may be fixed and voted at a proper meeting by the board of directors or other governing body out of the general revenues of the club.

The department may, in its discretion, waive the five-year provision of this paragraph. In order to qualify under this paragraph, a club must file with the department, at the time of its application for a license under this article, two (2) copies of a list of the names and residences of its members and similarly file, within ten (10) days after the election of any additional member, his name and address. Each club applying for a license shall also file with the department at the time of the application a copy of its articles of association, charter of incorporation, bylaws or other instruments governing the business and affairs thereof.

(o) "Qualified resort area" means any area or locality outside of the limits of incorporated municipalities in this state commonly known and accepted as a place which regularly and customarily attracts tourists, vacationists and other transients because of its historical, scenic or recreational facilities or attractions, or because of other attributes which regularly and customarily appeal to and attract tourists, vacationists and other transients in substantial numbers; however, no area or locality shall so qualify as a resort area until it has been duly and properly approved as such by the department. The department may not approve an area as a qualified resort area after July 1, 2018, if any portion of such proposed area is located within two (2) miles of a convent or monastery that is located in a county traversed by Interstate 55 and U.S. Highway 98. A convent or monastery may waive such distance restrictions in favor of allowing approval by the department of an area as a qualified resort area. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the convent or monastery having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(i) The department may approve an area or locality outside of the limits of an incorporated municipality that is in the process of being developed as a qualified resort area if such area or locality, when developed, can reasonably be expected to meet the requisites of the definition of the term "qualified resort area." In such a case, the status of qualified resort area shall not take effect until completion of the development.

(ii) The term includes any state park which is declared a resort area by the department; however, such declaration may only be initiated in a written request for resort area status made to the department by the Executive Director of the Department of Wildlife, Fisheries and Parks, and no permit for the sale of any alcoholic beverage, as defined in this article, except an on-premises retailer's permit, shall be issued for a hotel, restaurant or bed and breakfast inn in such park.

(iii) The term includes:

1. The clubhouses associated with the state park golf courses at the Lefleur's Bluff State Park, the John Kyle State Park, the Percy Quin State Park and the Hugh White State Park;

2. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities where the golf course, tennis courts and related facilities and swimming pool and related facilities are adjacent to one or more planned residential developments and the golf course and all such developments collectively include at least seven hundred fifty (750) acres and at least four hundred (400) residential units;

3. Any facility located on property that is a game reserve with restricted access that consists of at least three thousand (3,000) contiguous acres with no public roads and that offers as a service hunts for a fee to overnight guests of the facility;

4. Any facility located on federal property surrounding a lake and designated as a recreational area by the United States Army Corps of Engineers that consists of at least one thousand five hundred (1,500) acres;

5. Any facility that is located in a municipality that is bordered by the Pearl River, traversed by Mississippi Highway 25, adjacent to the boundaries of the Jackson International Airport and is located in a county which has voted against coming out from under the dry law; however, any such facility may only be located in areas designated by the governing authorities of such municipality;

6. Any municipality with a population in excess of ten thousand (10,000) according to the latest federal decennial census that is located in a county that is bordered by the Pearl River and is not traversed by Interstate Highway 20, with a population in excess of forty-five thousand (45,000) according to the latest federal decennial census;

7. The West Pearl Restaurant Tax District as defined in Chapter 912, Local and Private Laws of 2007;

8. a. Land that is located in any county in which Mississippi Highway 43 and Mississippi Highway 25 intersect and:

A. Owned by the Pearl River Valley Water Supply District, and/or

B. Located within the Reservoir Community District, zoned commercial, east of Old Fannin Road, north of Regatta Drive, south of Spillway Road, west of Hugh Ward Boulevard and accessible by Old Fannin Road, Spillway Road, Spann Drive and/or Lake Vista Place, and/or

C. Located within the Reservoir Community District, zoned commercial, west of Old Fannin Road, south of Spillway Road and extending to the boundary of the corporate limits of the City of Flowood, Mississippi;

b. The board of supervisors of such county, with respect to B and C of item 8.a., may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

9. Any facility located on property that is a game reserve with restricted access that consists of at least eight hundred (800) contiguous acres with no public roads, that offers as a service hunts for a fee to overnight guests of the facility, and has accommodations for at least fifty (50) overnight guests;

10. Any facility that:

a. Consists of at least six thousand (6,000) square feet being heated and cooled along with an additional adjacent area that consists of at least two thousand two hundred (2,200) square feet regardless of whether heated and cooled,

b. For a fee is used to host events such as weddings, reunions and conventions,

c. Provides lodging accommodations regardless of whether part of the facility and/or located adjacent to or in close proximity to the facility, and

d. Is located on property that consists of at least thirty (30) contiguous acres;

11. Any facility and related property:

a. Located on property that consists of at least one hundred twenty-five (125) contiguous acres and consisting of an eighteen-hole golf course, and/or located in a facility that consists of at least eight thousand (8,000) square feet being heated and cooled,

b. Used for the purpose of providing meals and hosting events, and

c. Used for the purpose of teaching culinary arts courses and/or turf management and grounds keeping courses, and/or outdoor recreation and leadership courses;

12. Any facility and related property that:

a. Consist of at least eight thousand (8,000) square feet being heated and cooled,

b. For a fee is used to host events,

c. Is used for the purpose of culinary arts courses, and/or live entertainment courses and art performances, and/or outdoor recreation and leadership courses;



13. The clubhouse and associated golf course where the golf course is adjacent to one or more residential developments and the golf course and all such developments collectively include at least two hundred (200) acres and at least one hundred fifty (150) residential units and are located a. in a county that has voted against coming out from under the dry law; and b. outside of but in close proximity to a municipality in such county which has voted under Section 67-1-14, after January 1, 2013, to come out from under the dry law;

14. The clubhouse and associated eighteen-hole golf course located in a municipality traversed by Interstate Highway 55 and U.S. Highway 51 that has voted to come out from under the dry law;

15. a. Land that is planned for mixed-use development and consists of at least two hundred (200) contiguous acres with one or more planned residential developments collectively planned to include at least two hundred (200) residential units when completed, and also including a facility that consists of at least four thousand (4,000) square feet that is not part of such land but is located adjacent to or in close proximity thereto, and which land is located:

A. In a county that has voted to come out from under the dry law,

B. Outside the corporate limits of any municipality in such county and adjacent to or in close proximity to a golf course located in a municipality in such county, and

C. Within one (1) mile of a state institution of higher learning;

b. The board of supervisors of such county may by resolution or other order:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale,

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages, and

C. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

16. Any facility with a capacity of five hundred (500) people or more, to be used as a venue for private events, on a tract of land in the Southwest Quarter of Section 33, Township 2 South, Range 7 East, of a county where U.S. Highway 45 and U.S. Highway 72 intersect and that has not voted to come out from under the dry law;

17. One hundred five (105) contiguous acres, more or less, located in Hinds County, Mississippi, and in the City of Jackson, Mississippi, whereon are constructed a variety of buildings, improvements, grounds or objects for the purpose of holding events thereon to promote agricultural and industrial development in Mississippi;

18. Land that is owned by a state institution of higher learning, and:

a. Located entirely within a county that has elected by majority vote not to permit the transportation, storage, sale, distribution, receipt and/or manufacture of light wine and beer pursuant to Section 67-3-7, and

b. Adjacent to but outside the incorporated limits of a municipality that has elected by majority vote to permit the sale, receipt, storage and transportation of light wine and beer pursuant to Section 67-3-9.

If any portion of the land described in this item 18 has been declared a qualified resort area by the department before July 1, 2020, then that qualified resort area shall be incorporated into the qualified resort area created by this item 18;

19. Any facility and related property:

a. Used as a flea market or similar venue during a weekend (Saturday and Sunday) immediately preceding the first Monday of a month and having an annual average of at least one thousand (1,000) visitors for each such weekend and five hundred (500) vendors for Saturday of each such weekend, and

b. Located in a county that has not voted to come out from under the dry law and outside of but in close proximity to a municipality located in such county and which municipality has voted to come out from under the dry law;

20. Blocks 1, 2 and 3 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law;

21. Any municipality with a population in excess of two thousand (2,000) according to the latest federal decennial census and in which is located a part of White's Creek Lake and in which U.S. Highway 82 intersects with Mississippi Highway 9 and located in a county that is partially bordered on one (1) side by the Big Black River;

22. A restaurant located on a two-acre tract adjacent to a five-hundred-fifty-acre lake in the northeast corner of a county traversed by U.S. Interstate 55 and U.S. Highway 84;

23. Any tracts of land in Oktibbeha County, situated north of Bailey Howell Drive, Lee Boulevard and Old Mayhew Road, east of George Perry Street and south of Mississippi Highway 182, and not located on the property of a state institution of higher learning; however, the board of supervisors of such county may by resolution or other order:

a. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

b. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

c. Designate the areas in which facilities that offer alcoholic beverages for sale may be located;

24. A municipality in which Mississippi Highway 27 and Mississippi Highway 28 intersect;

and Interstate 20;

25. A municipality through which run Mississippi Highway 35

Mississippi Highway 35 intersect;

26. A municipality in which Mississippi Highway 16 and

61 intersect;

27. A municipality in which U.S. Highway 82 and Old Highway

Mississippi Highway 1;

28. A municipality in which Mississippi Highway 8 meets

Highway 1 intersect;

29. A municipality in which U.S. Highway 82 and Mississippi

Mississippi Highway 9;

30. A municipality in which Mississippi Highway 50 meets

31. An area bounded on the north by Pearl Street, on the east by West Street, on the south by Court Street and on the west by Farish Street, within a municipality bordered on the east by the Pearl River and through which run Interstate 20 and Interstate 55;

32. Any facility and related property that:

a. Is contracted for mixed-use development improvements consisting of office and residential space and a restaurant and lounge, partially occupying the renovated space of a four-story commercial building which previously served as a financial institution; and adjacent property to the west consisting of a single-story office building that was originally occupied by the Brotherhood of Carpenters and Joiners of American Local Number 569; and

b. Is situated on a tract of land consisting of approximately one and one-tenth (1.10) acres, and the adjacent property to the west consisting of approximately 0.5 acres, located in a municipality which is the seat of county government, situated south of Interstate 10, traversed by U.S. Highway 90, partially bordered on one (1) side by the Pascagoula River and having its most southern boundary bordered by the Gulf of Mexico, with a population greater than twenty-two thousand (22,000) according to the 2010 federal decennial census; however, the governing authorities of such a municipality may by ordinance:

A. Specify the hours of operation of facilities that offer alcoholic beverages for sale;

B. Specify the percentage of revenue that facilities that offer alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and

C. Designate the areas within the facilities in which alcoholic beverages may be offered for sale;

33. Any facility with a maximum capacity of one hundred twenty (120) people that consists of at least three thousand (3,000) square feet being heated and cooled, has a commercial kitchen, has a pavilion that consists of at least nine thousand (9,000) square feet and is located on land more particularly described as follows:

All that part of the East Half of the Northwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi, that lies South of Mississippi State Highway 348 right-of-way and containing 19.48 acres, more or less.

ALSO,

The Northeast 38 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi.

ALSO,

The South 81 1/2 acres of the Southwest Quarter of Section 21, Township 7 South, Range 4 East, Union County, Mississippi;

34. A municipality in which U.S. Highway 51 and Mississippi Highway 16 intersect;

35. A municipality in which Interstate 20 passes over Mississippi Highway 15;

36. Any municipality that is bordered in its northwestern boundary by the Pearl River, traversed by U.S. Highway 49 and Interstate 20, and is located in a county which has voted against coming out from under the dry law;

37. A municipality in which Mississippi Highway 28 and Mississippi Highway 29 North intersect;

38. An area bounded as follows within a municipality through which run Interstate 22 and Mississippi Highway 15: Beginning at a point at the intersection of Bankhead Street and Tallahatchie Trails; then running to a point at the intersection of Tallahatchie Trails and Interstate 22; then running to a point at the intersection of Interstate 22 and Carter Avenue; then running to a point at the intersection of Carter Avenue and Camp Avenue; then running to a point at the intersection of Camp Avenue and King Street; then running to a point at the intersection of King Street and E. Main Street; then running to a point at the intersection of E. Main Street and Camp Avenue; then running to a point at the intersection of Camp Avenue and Highland Street; then running to a point at the intersection of Highland Street and Adams Street; then running to a point at the intersection of Adams Street and Cleveland Street; then running to a point at the intersection of Cleveland Street and N. Railroad Avenue; then running to a point at the intersection of N. Railroad Avenue and McGill Street; then running to a point at the intersection of McGill Street and Snyder Street; then running to a point at the intersection of Snyder Street and Bankhead Street; then running to a point at the intersection of Bankhead Street and Tallahatchie Trails and the point of the beginning;

39. A municipality through which run Mississippi Highway 43 and U.S. Highway 80;

40. The coliseum in a municipality in which U.S. Highway 72 passes over U.S. Highway 45;

41. A piece of property on the northeast corner of the T-intersection where Builders Square Drive meets Mississippi Highway 471;

42. The clubhouse and associated golf course, tennis courts and related facilities and swimming pool and related facilities located on Oaks Country Club Road less than one-half (1/2) mile to the east of Mississippi Highway 15;

43. Any facility located on land more particularly described as follows:

The East Half (E 1/2) of the Southwest Quarter (SW 1/4) of Section 15, Township 3 North, Range 2 East; a 4 acre parcel in the Southwest Corner of the Southwest Quarter (SW 1/4) of the Southeast Quarter (SE 1/4), Section 15, Township 3 North, Range 2 East, running 210 feet east and west and 840 feet running north and south; the Northeast Quarter (NE 1/4) of the Northwest Quarter (NW 1/4) of Section 22, Township 3 North, Range 2 East, all in Rankin County, Mississippi;

44. Any facility located on land more particularly described as follows:

Beginning at a point 1915 feet west and 2171 feet north of southeast corner, Section 11, Township 24 North, Range 2 West, Second Judicial District, Tallahatchie County, Mississippi, which point is the southwest corner of J.C. Section Lot mentioned in deed recorded in Book 50, page 34, in the records of the Chancery Clerk's Office at Sumner, in said District of said County; thence South 80° West, 19 feet to the east boundary of United States Highway 49-E, thence East along the east boundary of said Highway 270 feet to point of beginning of Lot to be conveyed; thence southeast along the east boundary of said Highway 204 feet to a concrete post at the intersection of the east boundary of said Highway with the west boundary of gravel road from Sumner to Webb, known as Oil Mill Road, thence Northwest along west boundary of said Oil Mill Road 194 feet to center of driveway running southwest from said Oil Mill Road to U.S. Highway 49-E; thence South 66° West along center of said driveway 128 feet to point of beginning, being situated in Northwest Quarter of Southeast Quarter of Section 11, together with all improvements situated thereon;

45. Any facility that:

a. Consists of at least five thousand six hundred (5,600) square feet being heated and cooled along with a lakeside patio that consists of at least two thousand two hundred (2,200) square feet, regardless of whether such patio is part of the facility and/or located adjacent to or in close proximity to the facility;

b. Includes a caterer's kitchen and green room for entertainment preparation;

c. For a fee is used to host events; and

d. Is located adjacent to or in close proximity to an approximately nine (9) acre lake on property that consists of at least one hundred twenty (120) acres in a county traversed by Mississippi Highway 15 and U.S. Highway 278;

46. Any municipality with a population in excess of one thousand (1,000) according to the 2010 federal decennial census and which is located in a county that is traversed by U.S. Highways 84 and 98 and has not voted to come out from under the dry law;

47. The clubhouse and associated nine-hole golf course, tennis courts and related facilities and swimming pool and related facilities located on or near U.S. Highway 82 between Mississippi Highway 15 and Mississippi Highway 9;

48. The downtown square area bound by East Service Drive, Commerce Street, Second Street and Court Street and adjacent properties in a municipality through which run Interstate 55, U.S. Highway 51 and Mississippi Highway 306;

49. All parcels zoned for mixed-use development located west of Mississippi Highway 589, more than four hundred (400) feet north of Old Highway 24, east of Parkers Creek and Black Creek, and south of J M Burge Road; \* \* \*

50. Any facility used by a soccer club and located on Old Highway 11 between one-tenth (0.1) and two-tenths (0.2) of a mile from its intersection with Oak Grove Road, in a county in which U.S. Highway 98 and Mississippi Highway 589 intersect;

51. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

52. Any facility that is:

a. Owned by a Veterans of Foreign Wars (VFW) organization that is a nonprofit corporation and registered with the Mississippi Secretary of State;

b. Used by such organization for its headquarters and other organization related purposes; and

c. Located outside of a municipality in a county that has not voted to come out from under the dry law;

53. The following within a municipality in which U.S. Highway 49 and U.S. 61 Highway intersect and through which flows the Sunflower River:

a. An area bounded as follows: Starting at the southern point of the intersection of Sunflower Avenue and 1st Street and going south along said avenue on its eastern side to 8th Street, then going east along said street on its northern side to West Tallahatchie Street, then going north along said street on its western side to 4th Street/Martin Luther King Boulevard, then going east along said street/boulevard on its northern side to Desoto Avenue, then going north along said avenue on its western side to 1st Street, then going west along said street on its southern side to the point of beginning along the southern side of Court Street;

b. Lots located at or near the intersection of Madison Avenue, Walnut Street, and Riverside Avenue that are in a commercial zone; and

c. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 6th Street and the northern side of 8th Street and which is operated as and/or was operated as a hotel or lodging facility, in consideration of payment, regardless of whether the facility meets the criteria for the definition of the term "hotel" in paragraph (l) of this section; and

d. Any facility located on the west side of Sunflower Avenue to the Sunflower River between the southern side of 3rd Street and the northern side of 4th Street/Martin Luther King Boulevard and which is operated as and/or was operated as a musical venue, in consideration of payment;

54. Any municipality in which Mississippi Highway 340 meets Mississippi Highway 15;

55. Any municipality in which Mississippi Highway 540 and Mississippi Highway 149 intersect;

56. Any municipality in which Mississippi Highway 15 and Mississippi Highway 345/Main Street intersect;

57. The property and structures thereon at the following locations within a municipality through which run U.S. Highway 45 and Mississippi

Highway 145: 104 West Main Street, 106 West Main Street, 108 West Main Street, 110 West Main Street and 112 West Main Street;

58. Any municipality in which U.S. Highway 11 and Main Street intersect and which is located in a county having two (2) judicial districts;

59. Any municipality in which Interstate 22 passes over Mississippi Highway 9;

60. Any facility located on land more particularly described as follows:

A certain parcel of land being situated in the Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Commence at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin marking the POINT OF BEGINNING of the parcel of land herein described; from said POINT OF BEGINNING, continue thence North 00 degrees 16 minutes 18 seconds East along an existing fence for a distance of 493.27 feet to an existing 1/2" iron pin; run thence North 03 degrees 08 minutes 15 seconds East for a distance of 170.22 feet to an existing 1/2" iron pin on the North line of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9; run thence North 89 degrees 46 minutes 45 seconds East along said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 1,305.51 feet to an existing 1/2" iron pin marking Northeast corner thereof; leaving said North line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 00 degrees 08 minutes 35 seconds West along the East line of said Southeast 1/4 of the Northeast 1/4 of Section 9 for a distance of 663.19 feet to a set 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4 of Section 9, run thence South 89 degrees 46 minutes 45 seconds West for a distance of 1,315.51 feet to the POINT OF BEGINNING, containing 20.00 acres, more or less.

And Also: An easement for the purpose of ingress and egress being situated in the Southeast 1/4 of the Northeast 1/4 and in the Northeast 1/4 of the Southeast 1/4 of Section 9, T3N-R3E, Rankin County, Mississippi, and being more particularly described as follows:

Begin at an existing 1/2" iron pin marking the Southwest corner of the aforesaid Southeast 1/4 of the Northeast 1/4 of Section 9, T3N-R3E and run thence North 00 degrees 06 minutes 13 seconds East along the East line of the Southeast 1/4 of the Northeast 1/4 for a distance of 33.18 feet to an existing 1/2" iron pin; leaving said East line of the Southeast 1/4 of the Northeast 1/4, run thence South 89 degrees 53 minutes 47 seconds East for a distance of 2.08 feet to an existing 1/2" iron pin; run thence North 00 degrees 22 minutes 19 seconds

East for a distance of 561.90 feet to an existing 1/2" iron pin; run thence North 00 degrees 16 minutes 18 seconds East for a distance of 76.42 feet to a set 1/2" iron pin; run thence North 89 degrees 46 minutes 45 seconds East for a distance of 25.00 feet to a set 1/2" iron pin; run thence South 00 degrees 16 minutes 18 seconds West for a distance of 76.66 feet to a set 1/2" iron pin; run thence South 00 degrees 22 minutes 19 seconds West for a distance of 619.81 feet to a set 1/2" iron pin; run thence South 89 degrees 43 minutes 01 seconds West for a distance of 26.81 feet to a set 1/2" iron pin; run thence North 00 degrees 06 minutes 13 seconds East along the West line of the aforesaid Northeast 1/4 of the Southeast 1/4 of Section 9 for a distance of 25.00 feet to the POINT OF BEGINNING, containing 17,525.4 square feet, more or less.

61. Any municipality bordered on the east by the Pascagoula River and on the south by the Mississippi Sound;

62. The property and structures thereon located at parcel numbers 4969 198 000; 4969 200 000; 4969 201 000; 4969 206 000; 4969 207 000; 4969 208 000; 4969 218 000; 4969 199; 4969 204 000 and 4969 204 001, all in Block 4 of the original town square in any municipality with a population in excess of one thousand five hundred (1,500) according to the latest federal decennial census and which is located in:

a. A county traversed by Interstate 55 and Interstate 20, and

b. A judicial district that has not voted to come out from under the dry law.;

63. Any municipality in which Mississippi Highway 12 meets Mississippi Highway 17;

64. Any municipality in which U.S. Highway 49 and Mississippi Highway 469 intersect;

65. The clubhouse and associated nine-hole golf course and related facilities located on or near the eastern corner of the point at which Golf Course Road meets Athens Road, in a county in which Mississippi Highway 13 and Mississippi Highway 28 intersect, with GPS coordinates of approximately 31.900370078041004, -89.7928067652611;

66. Any facility located at the south-to-southwest corner of the intersection of Madison Street and Bolton Brownsville Road, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.349067271758955, -90.4596221146197;

67. Any facility located at the northwest corner of the intersection of Depot Street and Madison Street, in a municipality in which Bolton Brownsville Road passes over Interstate 20, with GPS coordinates of approximately 32.34903152971068, -90.46047660172901;

68. Any facility located on Hinds Boulevard approximately three-tenths (0.3) of a mile south of the point at which Hinds Boulevard diverges from Clinton Road, in a municipality whose northern boundary partially consists of Snake Creek Road, and whose southern boundary partially consists of Mississippi Highway 18, with GPS coordinates of approximately 32.26384517526713, -90.41586570183475;

69. Any facility located on Pleasant Grove Drive approximately one and three-tenths (1.3) miles southeast of its intersection with Harmony



Drive, in a county through which run Interstate 55 and U.S. Highway 84, with GPS coordinates of approximately 31.512043770371907, -90.2506094382595;

70. Any facility located immediately north of the intersection of two roads, both named Mason Clark Drive, located between two-tenths (0.2) and three-tenths (0.3) of a mile southwest of Mississippi Highway 57/63, with GPS coordinates of approximately 31.135950529733048, -88.53068674585575;

71. Any facility located on Raj Road approximately three-tenths (0.3) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.139553708288418, -88.53411203512971; and

72. Any facility located on Raj Road approximately one-tenth (0.1) of a mile south of Mississippi Highway 57/63, with GPS coordinates of approximately 31.14184097577295, -88.53287700849411;

The status of these municipalities, districts, clubhouses, facilities, golf courses and areas described in this paragraph (o)(iii) as qualified resort areas does not require any declaration of same by the department.

The governing authorities of a municipality described, in whole or in part, in item 6, 21, 24, 25, 26, 27, 28, 29, 30, 31, 34, 35, 36, 37, 38, 39, 46 \* \* \*, 48, 51, 53, 54, 55, 58, 59, 61, 63, 64, 66, 67 or 68 of this paragraph (o)(iii) may by ordinance, with respect to the qualified resort area described in the same item: specify the hours of operation of facilities offering alcoholic beverages for sale; specify the percentage of revenue that facilities offering alcoholic beverages for sale must derive from the preparation, cooking and serving of meals and not from the sale of beverages; and designate the areas in which facilities offering alcoholic beverages for sale may be located.

(p) "Native wine" means any product, produced in Mississippi for sale, having an alcohol content not to exceed twenty-one percent (21%) by weight and made in accordance with revenue laws of the United States, which shall be obtained primarily from the alcoholic fermentation of the juice of ripe grapes, fruits, berries, honey or vegetables grown and produced in Mississippi; provided that bulk, concentrated or fortified wines used for blending may be produced without this state and used in producing native wines. The department shall adopt and promulgate rules and regulations to permit a producer to import such bulk and/or fortified wines into this state for use in blending with native wines without payment of any excise tax that would otherwise accrue thereon.

(q) "Native winery" means any place or establishment within the State of Mississippi where native wine is produced, in whole or in part, for sale.

(r) "Bed and breakfast inn" means an establishment within a municipality where in consideration of payment, breakfast and lodging are habitually furnished to travelers and wherein are located not less than eight (8) and not more than nineteen (19) adequately furnished and completely separate sleeping rooms with adequate facilities, that persons usually apply for and receive as overnight accommodations; however, such restriction on the minimum number of sleeping rooms shall not apply to establishments on the National Register of Historic Places. No place shall qualify as a bed and breakfast inn under this article unless on the date of the initial application for a license under this article more than fifty percent (50%) of the sleeping rooms are located in a structure formerly used as a residence.

(s) "Board" shall refer to the Board of Tax Appeals of the State of Mississippi.

(t) "Spa facility" means an establishment within a municipality or qualified resort area and owned by a hotel where, in consideration of payment, patrons receive

from licensed professionals a variety of private personal care treatments such as massages, facials, waxes, exfoliation and hairstyling.

(u) "Art studio or gallery" means an establishment within a municipality or qualified resort area that is in the sole business of allowing patrons to view and/or purchase paintings and other creative artwork.

(v) "Cooking school" means an establishment within a municipality or qualified resort area and owned by a nationally recognized company that offers an established culinary education curriculum and program where, in consideration of payment, patrons are given scheduled professional group instruction on culinary techniques. For purposes of this paragraph, the definition of cooking school shall not include schools or classes offered by grocery stores, convenience stores or drugstores.

(w) "Campus" means property owned by a public school district, community or junior college, college or university in this state where educational courses are taught, school functions are held, tests and examinations are administered or academic course credits are awarded; however, the term shall not include any "restaurant" or "hotel" that is located on property owned by a community or junior college, college or university in this state, and is operated by a third party who receives all revenue generated from food and alcoholic beverage sales.

(x) "Native spirit" shall mean any beverage, produced in Mississippi for sale, manufactured primarily by the distillation of fermented grain, starch, molasses or sugar produced in Mississippi, including dilutions and mixtures of these beverages. In order to be classified as "native spirit" under the provisions of this article, at least fifty-one percent (51%) of the finished product by volume shall have been obtained from distillation of fermented grain, starch, molasses or sugar grown and produced in Mississippi.

(y) "Native distillery" shall mean any place or establishment within this state where native spirit is produced in whole or in part for sale.

(z) "Warehouse operator" shall have the meaning ascribed in Section 67-1-201.

SECTION 2. Section 67-1-16, Mississippi Code of 1972, is amended as follows:

67-1-16. (1) (a) Before an area may be designated by the governing authorities of a municipality as an area in which facilities which are defined as qualified resort areas in Section 67-1-5(o)(iii)5 may be located, an election shall be held, under the election laws applicable to the municipality, on the question of whether qualified resort areas shall be allowed in the municipality. An election to determine whether qualified resort areas shall be allowed in the municipality shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF QUALIFIED RESORT AREAS," and next below, "AGAINST THE ESTABLISHMENT OF QUALIFIED RESORT AREAS." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) Qualified resort areas may be established if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may

not be established if a majority of the qualified electors voting in the election vote against such establishment.

(2) (a) Before a municipality may be designated as a qualified resort area as defined in Section 67-1-5(o)(iii)6, an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(3) (a) Before an area may be designated a qualified resort area as defined in Section 67-1-5(o)(iii)7, an election shall be held in the municipality in which the area is located under the election laws applicable to the municipality, on the question of whether the area shall be a qualified resort area. An election to determine whether the area shall be a qualified resort area shall be ordered by the municipal governing authorities, upon presentation to the governing authorities of a petition containing the names of at least twenty percent (20%) of the duly qualified voters of the municipality asking for the election. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The area may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

(4) (a) Before a municipality may be designated as a qualified resort area as defined in item 21, 35 \* \* \*, 36 or 51 of Section 67-1-5(o)(iii), an election shall be held, under the election laws applicable to the municipality, on the question of whether the municipality shall be a qualified resort area. An election to determine whether the municipality shall be a qualified resort area shall be ordered by the municipal governing authorities. An election on the question may not be held by the municipality more often than once each year.

(b) Thirty (30) days' notice shall be given to the qualified electors of the municipality, in the manner prescribed by law, on the question of allowing qualified resort areas to be established. The notice shall contain a statement of the question to be voted

on at the election. The ballots used in the election shall have the following words printed thereon: "FOR THE ESTABLISHMENT OF A QUALIFIED RESORT AREA," and next below, "AGAINST THE ESTABLISHMENT OF A QUALIFIED RESORT AREA." In marking his ballot, the voter shall make a cross (X) opposite the words of his choice.

(c) The municipality may be established as a qualified resort area if a majority of the qualified electors voting in the election vote for such establishment. A qualified resort area may not be established if a majority of the qualified electors voting in the election vote against such establishment.

SECTION 3. Section 67-1-7, Mississippi Code of 1972, is amended as follows:

67-1-7. (1) Except as otherwise provided in Section 67-9-1 for the transportation and possession of limited amounts of alcoholic beverages for the use of an alcohol processing permittee, and subject to all of the provisions and restrictions contained in this article, the manufacture, sale, distribution, and transportation of alcoholic beverages shall be lawful, subject to the restrictions hereinafter imposed, in those counties and municipalities of this state in which, at a local option election called and held for that purpose under the provisions of this article, a majority of the qualified electors voting in such election shall vote in favor thereof.

Beginning on April 16, 2021, except as otherwise provided in Section 67-1-51 for holders of a caterer's permit, the manufacture, sale and distribution of alcoholic beverages shall not be permissible or lawful in counties except in (a) incorporated municipalities located within such counties, (b) qualified resort areas within such counties approved as such by the department, or (c) clubs within such counties, whether within a municipality or not. However, any permits issued by the department between July 1, 2020, and April 15, 2021, for the manufacture, sale and distribution of alcoholic beverages, whether or not issued to permittees in such municipalities, qualified resort areas or clubs, shall be eligible for renewal on or after April 16, 2021.

The manufacture, sale, distribution and possession of native wines or native spirits shall be lawful in any location within any such county except those locations where the manufacture, sale or distribution is prohibited by law other than this section or by regulations of the department.

(2) Notwithstanding the foregoing, within any state park or any state park facility that has been declared a qualified resort area by the department, and within any qualified resort area as defined under Section 67-1-5(o)(iii), an on-premises retailer's permit may be issued for the qualified resort area, and the permittee may lawfully sell alcoholic beverages for consumption on his licensed premises regardless of whether or not the county or municipality in which the qualified resort area is located has voted in favor of coming out from under the dry law, and it shall be lawful to receive, store, sell, possess and consume alcoholic beverages on the licensed premises, and to sell, distribute and transport alcoholic beverages to the licensed premises. Moreover, the governing authorities of a municipality in which a qualified resort area defined under Section 67-1-5(o)(iii)5, 7, \*\*\* 21 or 46 is located, the Pearl River Valley Water Supply District Board which governs the qualified resort area defined under Section 67-1-5(o)(iii)8.a.A, \*\*\* the board of supervisors of the county in which the qualified resort area defined under Section 67-1-5(o)(iii)8.a.B and C is located, and the board of supervisors of the county in which the qualified resort area defined under Section 67-1-5(o)(iii)44 is located, may, by ordinance or resolution, provide that package retailer's permits may be issued in the applicable qualified resort area, and that it shall be lawful to receive, store, sell, possess and distribute alcoholic beverages in accordance with such package retailer's permits.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023, and shall stand repealed on June 30, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION TO BE HELD BEFORE CERTAIN MUNICIPALITIES MAY BE DESIGNATED A QUALIFIED RESORT AREA UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNING AUTHORITIES FOR CERTAIN QUALIFIED RESORT AREAS TO PROVIDE, BY ORDINANCE, THAT PACKAGE RETAILER'S PERMITS MAY BE ISSUED IN THE APPLICABLE QUALIFIED RESORT AREAS AND THAT ALCOHOLIC BEVERAGES MAY BE RECEIVED, STORED, SOLD, POSSESSED AND DISTRIBUTED IN ACCORDANCE WITH SUCH PERMITS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Thomas "Trey" Lamar, III

Josh Harkins

Jody Steverson

Joel R.Carter, Jr.

Henry Zuber III

Lydia Graves Chassaniol

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 535** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--Branning, Chism, Frazier, Norwood, Parker, Tate. Total--6.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

On request of Senator Harkins, unanimous consent was granted to make the following correction in **H. B. No. 1136**:

**H. B. No. 1136:** Distinctive motor vehicle license tag; authorize issuance to supporters of the Mississippi Road Builders Association.

Unanimous Consent for House Bill No. 1136, 2023 Regular Session

AMEND on line 82 by inserting the following after the semicolon:

TO AMEND SECTION 27-19-56.522, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO MEMBERS OF THE BOARD OF DIRECTORS OF THE MISSISSIPPI WILDLIFE, FISHERIES AND

PARKS FOUNDATION; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH TAGS;

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Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1136** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1136: Distinctive motor vehicle license tag; authorize issuance to supporters of the Mississippi Road Builders Association.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the 2022 National Championship Ole Miss Rebels Baseball Team. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Chancellor of the University of Mississippi or his designee, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag. The Chancellor of the University of Mississippi or his designee shall choose the first one hundred (100) tag numbers and provide them to the Department of Revenue.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars (\$50.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Forty-four Dollars (\$44.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the University of Mississippi Foundation.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag, and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 2. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the 2021 National Championship Ole Miss Rebels Women's Golf Team. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Chancellor of the University of Mississippi or his designee, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag. The Chancellor of the University of Mississippi or his designee shall choose the first one hundred (100) tag numbers and provide them to the Department of Revenue.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion

of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars (\$50.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Forty-four Dollars (\$44.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the University of Mississippi Foundation.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag, and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 3. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Northeast Jones High School. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Principal of Northeast Jones



High School, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2023, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Northeast Jones High School for use to purchase classroom supplies for teachers and to support of the high school band program.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for

such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 4. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Mississippi Towing and Recovery Professionals, Inc. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Mississippi Towing and Recovery Professionals, Inc., may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2023, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Mississippi Towing and Recovery Professionals, Inc., for the benefit of its Survivors Fund.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this

section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 5. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Jack and Jill of America, Inc. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Jackson, Mississippi Chapter of Jack and Jill of America, Inc., may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2023, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Jackson, Mississippi Chapter of Jack and Jill of America, Inc.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway

Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 6. (1) Any owner of a motor vehicle who is a resident of this state and the unmarried surviving spouse of a person who was a law enforcement officer or other law enforcement employee who died while engaged in the performance of his or her official duties or was wounded or otherwise received intentional or accidental bodily injury while engaged in the performance of his or her official duties and later died as a result of such wounds or injury, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Police Benevolent Association, may prescribe. The Department of Revenue shall prescribe such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. An applicant for such a distinctive license tag must provide official written documentation that the applicant is the unmarried surviving spouse of a person who was a law enforcement officer or other law enforcement employee who died while engaged in the performance of his or her official duties or was wounded or otherwise received intentional or accidental bodily injury while engaged in the performance of his or her official duties and later died as a result of such wounds or injury. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2023, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not

wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify the total fees collected under this section to the State Treasurer who shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be disbursed to the Mississippi Police Benevolent Association.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 7. (1) Any owner of a motor vehicle who is a resident of this state and a registered respiratory therapist, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a respiratory therapist. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of Mississippi Society for Respiratory Care, Inc., may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2023, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to Mississippi Society for Respiratory Care, Inc.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 8. (1) (a) In recognition of the patriotic services rendered by Mississippians who are honorably discharged from service as members of the United States Merchant Marine, any such person, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, and upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional annual fee in the amount provided in subsection (3) of this section, shall be privileged to obtain one (1) distinctive motor vehicle license plate or tag for each motor vehicle registered in his or her name identifying him or her as a former member of the United States Merchant Marine. The tags shall be of such color and design

as the Department of Revenue may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags shall be made to the county tax collector on forms prescribed by the Department of Revenue. An applicant for such distinctive license tags shall present to the issuing official written proof that the applicant is an honorably discharged former member of the United States Merchant Marine. Such proof shall include a copy of the applicant's certificate of discharge or similar document or other certification of service from the United States Merchant Marine or other appropriate entity identifying the person as a former member of the United States Merchant Marine. The application and the additional fee, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2023, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he or she must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day received. At the end of each month, the Department of Revenue shall certify the total fees collected under this section to the State Treasurer who shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued or renewed under this section shall be deposited in the State Treasury to the credit of a special fund to be administered by the board of the Mississippi Veterans Affairs for the support of indigent veterans who are residents of the state veterans homes and the support of the operations of the state veterans homes and cemeteries.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued or renewed pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued or renewed under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued or renewed under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued or renewed under this section.

SECTION 9. Section 27-19-56.549, Mississippi Code of 1972, is amended as follows:

27-19-56.549. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (4) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of any one (1) of the following:

- (a) Mississippi Association of Nurse Practitioners;
- (b) Seabee Historical Foundation;
- (c) Saint Stanislaus College in Bay Saint Louis, Mississippi;
- (d) Vancleave Live Oak Choctaw;
- (e) Morton High School;
- (f) Forest Municipal School District;
- (g) Lake High School;
- (h) Scott Central Attendance Center;
- (i) Sebastopol Attendance Center;
- (j) East Rankin Academy;
- (k) Houston High School;
- (l) Magnolia Heights School;
- (m) Regents School of Oxford;
- (n) The Garden Clubs of Mississippi, Inc.;
- (o) Baptist Health Foundation, Inc.;
- (p) Greene County Wildcats;
- (q) Mississippi Disc Golf;
- (r) Mississippi Road Builders Association;
- (s) Clinton Public School District;
- (t) Magnolia Speech School;



- (u) Coahoma County Jr./Sr. High School;
- (v) Clinton Community Nature Center;
- (w) Most Worshipful King Hiram Grand Lodge & Electra Grand Chapter Order of Eastern Star A.F. & A.M., State of Mississippi;
- (x) City of Olive Branch, Mississippi;
- (y) Methodist Cursillo of Mississippi.

(2) The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the respective beneficiary organization listed in subsection (1) of this section, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(3) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (4) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(4) Beginning with any registration year commencing on or after July 1, 2022, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(5) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the appropriate beneficiary organization listed in subsection (1) of this section.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(6) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(7) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 10. Section 27-19-51, Mississippi Code of 1972, is amended as follows:

27-19-51. (1) (a) In recognition of their many and varied patriotic services rendered the state, the United States and the citizens thereof, Mississippians who have completed an active duty career with the Armed Forces of the United States and active duty and retired members of the Army National Guard, Air National Guard, and the United States Reserves, including both enlisted and officer personnel, upon application and subject to the provisions of this section may be issued distinctive motor vehicle license plates or tags identifying these persons with such organizations. For the purposes of this section the term "Armed Forces" includes the United States Merchant Marines and members thereof in maritime service during the period from December 7, 1941 to August 15, 1945. The distinctive plates or tags so issued shall comply with the provisions of Section 27-19-41 and shall be of such color and design as may be agreed upon by the Adjutant General and the Department of Revenue for the Army National Guard or Air National Guard, by the Mississippi chapters of the Retired Officers Association and the Retired Non-Commissioned Officers Association and the Department of Revenue for retired active duty members of the Armed Forces of the United States, and by the Department of Revenue for retired members of the United States Merchant Marines. Each distinctive license plate shall bear the words "National Guard" or the name of the appropriate armed service and need not bear prefixed numbers identifying the county of issuance.

(b) In recognition of their many and varied patriotic services rendered the state, the United States and the citizens thereof, Mississippians who are active duty and retired members of the Army National Guard and/or the Air National Guard, including both enlisted and officer personnel, upon application and subject to the provisions of this section may be issued distinctive motorcycle license plates or tags identifying these persons with such organizations. The distinctive plates or tags so issued shall comply with the provisions of Section 27-19-41 and shall be of such color and design as may be agreed upon by the Adjutant General and the Department of Revenue. Each distinctive license plate shall bear the words "National Guard" and need not bear prefixed numbers identifying the county of issuance.

(2) The surviving spouse of any person who was issued a distinctive license plate or tag under subsection (1) of this section because of completion of an active duty career with the Armed Forces of the United States or because of retirement from the Army National Guard, Air National Guard or United States Reserves, or any prisoner of war issued a distinctive license plate or tag under Section 27-19-54, shall be eligible to receive the same type of distinctive license plate or tag which the deceased spouse was issued.

(3) The distinctive license plates here provided for shall be prepared by the Department of Revenue and shall be issued through the tax collectors of the several counties of the state in like manner as are other motor vehicle license plates or tags and motorcycle license plates or tags and such officers shall be entitled to their regular fees

for such service. Applicants for such distinctive plates shall present to the issuing official proof of their membership in the Army National Guard, Air National Guard, or United States Reserves by means of certificate signed by the commanding officer of such applicant on forms prescribed by the Adjutant General of Mississippi. Retired members of the Armed Forces of the United States applying for such plates shall present to the issuing officials a copy of their active duty retirement orders or other proof of retirement from active service with one of the Armed Forces of the United States. The distinctive license plates or tags so issued shall be used only upon and for personally or jointly owned private passenger vehicles (to include station wagons, recreational motor vehicles and pickup trucks) and/or motorcycles registered in the name, or jointly in the name, of the member making application therefor, and when so issued to such applicant shall be used upon the vehicle or motorcycle for which issued in lieu of the standard license plate or license tag normally issued for such vehicle or motorcycle.

(4) In addition to use of such distinctive license plates or tags on such personally or jointly owned vehicles, such distinctive plate or tag may be used on state-owned vehicles operated by the State Military Department provided the prefix "MNG" is placed ahead of the number thereon. Motor vehicles for which such distinctive license plates or tags are issued shall be registered by the proper official as are other motor vehicles.

(5) The distinctive license plates issued hereunder shall not be transferable between motor vehicle or motorcycle owners; and in the event the owner of a vehicle or motorcycle bearing such distinctive plate shall sell, trade, exchange or otherwise dispose of the vehicle or motorcycle, such plate shall be retained by the owner to whom issued and returned by the owner to the tax collector of the county or the Department of Revenue, as the case may be.

(6) The Adjutant General is authorized to recognize not more than one hundred (100) senior staff officers, commanders, command sergeants major and senior enlisted advisors by designating the issue of National Guard distinctive license plates or tags numbered "1" through "100." These license plates or tags shall be retained by the individual so designated and may be transferred between vehicles or individuals under procedures established by the Department of Revenue. The Adjutant General is responsible for furnishing the Department of Revenue necessary information to effect issue or transfer of these specially numbered license plates or tags.

(7) National Guard plates or tags shall be prepared and furnished for the licensing year commencing November 1, 1962, and annually thereafter. The Adjutant General shall furnish the Department of Revenue with an estimate of the number of such distinctive plates or tags required in each of the several counties of the state.

(8) The provisions of this section are supplementary to the laws of this state pertaining to the licensing of motor vehicles and nothing herein shall be construed as abridging or repealing any of such laws.

SECTION 11. Section 27-19-56.57, Mississippi Code of 1972, is amended as follows:

27-19-56.57. (1) Beginning with any registration year commencing on or after July 1, \* \* \* 2023, any owner of a motor vehicle who is a resident of this state and who is a member of the clergy, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a member of the clergy. The distinctive license tags so issued shall be of such color and design as the Department of Revenue may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Baptist Children's Village of Mississippi.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, \* \* \* 2026.

SECTION 12. Section 27-19-56.70, Mississippi Code of 1972, is amended as follows:

27-19-56.70. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection ( \* \* \*3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name, which shall be produced in such color and design as the \* \* \* Department of Revenue, with the advice of the Choose Life Advisory Committee, Choose Life Mississippi or any successor entity, as the case may be, may prescribe. The words "Choose Life" shall be centered at the bottom of the license tag. The \* \* \* Department of Revenue shall prescribe such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the \* \* \* Department of Revenue. The application and the additional fee imposed under subsection ( \* \* \*3) of this section, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the \* \* \* Department of Revenue on a monthly basis as prescribed by the \* \* \* department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2002, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run \* \* \* concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The \* \* \* Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the \* \* \* Department of Revenue shall certify the total fees collected under this section to the State Treasurer who shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be disbursed to the Choose Life Advisory Committee, Choose Life Mississippi or any successor entity, as the case may be, to be used as provided for in subsection (5) of this section.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi \* \* \* Burn \* \* \* Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) Funds disbursed to the Choose Life Advisory Committee, Choose Life Mississippi or any successor entity, as the case may be, under this section may be used for any purpose other than for administrative expenses, legal expenses, capital expenditures, attempting to influence any legislation or any political campaign on behalf or in opposition to any candidate for public office.

(6) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) month and year license decals for each distinctive license tag issued under this section, which will expire the same month and year as the license tag.

(7) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 13. Section 27-19-56.277, Mississippi Code of 1972, is amended as follows:

27-19-56.277. (1) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name, which shall be of such color and design as the Department of Revenue, with the advice of \* \* \* Choose Life Mississippi or any successor entity may prescribe. The words "We Love Life" shall be centered at the bottom of the license tag. The Department of Revenue shall prescribe such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars (\$50.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify the total fees collected under this section to the State Treasurer who shall distribute such collections as follows:

(a) Forty-four Dollars (\$44.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be disbursed to \* \* \* Choose Life \* \* \*

Mississippi or any successor entity to be used as provided for in subsection (5) of this section.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) Funds disbursed to \* \* \* Choose Life Mississippi or any successor entity under this section may be used for any purpose other than for administrative expenses, legal expenses, capital expenditures, attempting to influence any legislation or any political campaign on behalf or in opposition to any candidate for public office.

(6) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the license tag.

(7) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(8) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, \* \* \* 2026.

SECTION 14. Section 27-19-56.289, Mississippi Code of 1972, is amended as follows:

27-19-56.289. (1) Beginning with any registration year commencing on or after July 1, 2023, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Mississippi School for Mathematics and Science. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Executive Director of the Mississippi School for Mathematics and Science, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two

Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) \* \* \* Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi School for Mathematics and Science.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2026.

SECTION 15. Section 27-19-56.412, Mississippi Code of 1972, is amended as follows:



27-19-56.412. (1) Beginning with any registration year commencing on or after July 1, \* \* \* 2023, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name, which shall be of such color and design as the Department of Revenue, with the advice of \* \* \* Choose Life \* \* \* Mississippi or any successor entity, may prescribe. The word "Adoption" shall be \* \* \* used in the design of the license tag. The Department of Revenue shall prescribe such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars (\$50.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify the total fees collected under this section to the State Treasurer who shall distribute such collections as follows:

(a) Forty-four Dollars (\$44.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be disbursed to \* \* \* Choose Life \* \* \* Mississippi or any successor entity to be used as provided for in subsection (5) of this section.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) Funds disbursed to \* \* \* Choose Life \* \* \* Mississippi or any successor entity under this section may be used for any purpose other than for administrative expenses, legal expenses, capital expenditures, attempting to influence any legislation or any political campaign on behalf or in opposition to any candidate for public office.

(6) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the license tag.

(7) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(8) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, \* \* \* 2026.

SECTION 16. Section 27-19-56.417, Mississippi Code of 1972, is amended as follows:

27-19-56.417. (1) Beginning with any registration year commencing on or after July 1, 2023, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the West Point Consolidated School District. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the West Point Consolidated School District, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2016, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the West Point Consolidated School District.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2026.

SECTION 17. Section 27-19-56.448, Mississippi Code of 1972, is amended as follows:

27-19-56.448. (1) Beginning with any registration year commencing on or after July 1, 2023, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Mississippi Aquarium. The distinctive license tags so issued shall be of such color and design as the department, with the advice of the City of Gulfport, Mississippi, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2017, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi Aquarium Foundation.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2026.

SECTION 18. Section 27-19-56.474, Mississippi Code of 1972, is amended as follows:

27-19-56.474. (1) Beginning with any registration year commencing on or after July 1, \*\*\* 2023, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as

prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Mississippi Sweet Potato Council. The distinctive license tags so issued shall be of such color and design as the department, with the advice of the Mississippi Sweet Potato Council, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi Sweet Potato Council.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as

provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2026.

SECTION 19. Section 27-19-56.503, Mississippi Code of 1972, is amended as follows:

27-19-56.503. (1) Beginning with any registration year commencing on or after July 1, 2023, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of Thomas E. Edwards High School (formerly Ruleville Central High School). The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Principal of Thomas E. Edwards High School, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) \* \* \* Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to North Yalobusha Charities, Inc.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2026.

SECTION 20. Section 27-19-56.506, Mississippi Code of 1972, is amended as follows:

27-19-56.506. (1) Beginning with any registration year commencing on or after July 1, 2023, any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the former Hinds Agricultural High School. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Hinds Agricultural High School Alumni Association, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) \* \* \* Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag.

If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Hinds Agricultural High School Alumni Association.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) In order for a distinctive license tag to be issued under this section, the provisions of Section 27-19-44(3) must be satisfied for the distinctive license tag before July 1, 2026.

SECTION 21. Section 27-19-56.522, Mississippi Code of 1972, is amended as follows:

27-19-56.522. (1) (a) Any owner of a motor vehicle who is a resident of this state, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a supporter of the Mississippi Wildlife, Fisheries and Parks Foundation. The distinctive license tags so issued shall be of such color and design as the Department of Revenue, with the advice of the Mississippi Wildlife, Fisheries and Parks Foundation, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag. The total number of license tags prepared under this \* \* \* subsection (1)(a)



shall not exceed one hundred fifty (150). The Mississippi Wildlife, Fisheries and Parks Foundation may designate the distinctive license tags to be issued to selected motor vehicle owners.

(b) Any owner of a motor vehicle who is a member of the board of directors of the Mississippi Wildlife, Fisheries and Parks Foundation, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, and upon proof of board membership as required by the department, shall be issued a distinctive license tag for any motor vehicle registered in his name identifying such person as a member of the board of directors of the Mississippi Wildlife, Fisheries and Parks Foundation. The distinctive license tags so issued shall be of such color and design as the department, with the advice of the Mississippi Wildlife, Fisheries and Parks Foundation, may prescribe and shall consist of such letters or numbers, or both, as may be necessary to distinguish each license tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the Department of Revenue. The application and the additional fee imposed under subsection (3) of this section, less Two Dollars (\$2.00) thereof to be retained by the tax collector, shall be remitted to the Department of Revenue on a monthly basis as prescribed by the department. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Beginning with any registration year commencing on or after July 1, 2020, any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Thirty Dollars (\$30.00) for each distinctive license tag applied for under this section, which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrently with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, he must surrender it to the local county tax collector.

(4) The Department of Revenue shall deposit all fees into the State Treasury on the day collected. At the end of each month, the Department of Revenue shall certify to the State Treasurer the total fees collected under this section from the issuance of the distinctive license tags issued under this section. The State Treasurer shall distribute such collections as follows:

(a) Twenty-four Dollars (\$24.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be distributed to the Mississippi Wildlife, Fisheries and Parks Foundation.

(b) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited into the Mississippi Burn Care Fund created pursuant to Section 7-9-70.

(c) Two Dollars (\$2.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the State Highway Fund to be expended solely for the repair, maintenance, construction or reconstruction of highways.

(d) One Dollar (\$1.00) of each additional fee collected on distinctive license tags issued pursuant to this section shall be deposited to the credit of the special fund created in Section 27-19-44.2.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

SECTION 22. Section 27-19-44, Mississippi Code of 1972, is amended as follows:

27-19-44. (1) For any distinctive license tag or plate authorized by the Legislature from and after July 1, 2000, through June 30, 2002, or authorized by Sections 27-19-56.37 and 27-19-56.55, the requirements of this subsection must be met before the Department of Revenue may prepare or issue any such license tag or plate. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the Department of Revenue that at least one hundred (100) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase one hundred (100) of such license tags or plates. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must satisfy the requirements of this subsection (1) within two (2) years after the effective date of the law authorizing the license tag or plate in order to permit the license tag or plate to be prepared and issued.

(2) Except as otherwise provided in subsection (1) of this section, for any distinctive license tag or plate authorized by the Legislature from and after July 1, 2002, through June 30, 2007, the requirements of this subsection must be met before the Department of Revenue may prepare or issue any such license tag or plate. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the Department of Revenue that at least two hundred (200) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase two hundred (200) of such license tags or plates. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must satisfy the requirements of this subsection (2) within three (3) years after the effective date of the law authorizing the license tag or plate in order to permit the license tag or plate to be prepared and issued.

(3) Except as otherwise provided in this section, Section 27-19-56.7, Section 27-19-56.56, Section 27-19-56.59, Section 27-19-56.85 or Section 27-19-56.94, for any distinctive license tag or plate authorized or reauthorized by the Legislature from and after July 1, 2007, the following requirements must be met before the Department of Revenue may prepare or issue any such license tag or plate:

(a) The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the Department of Revenue that at least three hundred (300) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase three hundred (300) of such license tags or plates.

(b) The organization or other entity for which the Legislature authorized the distinctive license tag or plate must satisfy the requirements of paragraph (a) of this subsection (3) within three (3) years after the effective date of the law authorizing the license tag or plate in order to permit the license tag or plate to be prepared and issued.

This paragraph (b) shall not apply to distinctive tags or plates issued under Section 27-19-56.154.

(4) Any distinctive license tag authorized under Sections 27-19-56.186, 27-19-56.203 and 27-19-56.315 must meet the requirements of this subsection before the Department of Revenue may prepare or issue any such license tag or plate. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the Department of Revenue that at least one hundred (100) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase one hundred (100) of such license tags or plates. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must satisfy the requirements of this subsection (4) within three (3) years after the effective date of the law authorizing the license tag or plate in order to permit the license tag or plate to be prepared and issued.

(5) The distinctive license tags authorized under Section 27-19-56.108 must meet the requirements of this subsection before the Department of Revenue may prepare or issue any such license tag or plate. The organization or other entity for which the Legislature authorized the distinctive license tag or plate must submit proof satisfactory to the Department of Revenue that at least two hundred (200) of such license tags or plates will be purchased and must deposit with the department an amount necessary to purchase two hundred (200) of such license tags or plates.

(6) If the organization or other entity for which the Legislature authorized the distinctive license tag or plate meets the requirements of subsection (1), (2), (3), (4) or (5) of this section, the Department of Revenue shall prepare and issue the distinctive license tag or plate.

(7) The Department of Revenue shall review the number of distinctive or special license tags or plates issued pursuant to this chapter during the period for the license tag or plate series. If the number of any distinctive or special license tag or plate issued pursuant to this chapter falls below one hundred (100) in the last year of the license tag or plate series, the distinctive or special license tag or plate shall be discontinued at the end of the period for the license tag or plate series.

(8) If a distinctive or special license tag or plate is discontinued under subsection (7) of this section, the organization or other entity for which the license tag or plate was discontinued may prepare a distinctive or special license tag or plate decal. The distinctive or special license tag or plate decal shall be of such size, color and design as may be agreed upon by the organization or other entity and the Department of Revenue. However, the Department of Revenue shall have final approval of the size, color and design of the decal. The distinctive or special license tag or plate decals shall be prepared and sold by the organization or other entity, and the proceeds derived from the sale of such decals shall be retained by the organization or other entity for any use deemed appropriate by the organization or other entity.

(9) The provisions of this section shall not apply to distinctive or special license tags or plates:

(a) Which are issued under Section 27-19-45, 27-19-46, 27-19-47.1, 27-19-47.2, 27-19-48, 27-19-49, 27-19-53, 27-19-55, 27-19-56, 27-19-56.1, 27-19-56.2, 27-19-56.3, 27-19-56.5, 27-19-56.6, 27-19-56.9, 27-19-56.11, 27-19-56.12, 27-19-56.13, 27-19-56.40, 27-19-56.62, 27-19-56.69, 27-19-56.79, 27-19-56.90, 27-19-56.125, 27-19-56.127, 27-19-56.137, 27-19-56.140, 27-19-56.162, 27-19-56.187, 27-19-56.199, 27-19-56.205, 27-19-56.239, 27-19-56.292, 27-19-56.318, 27-19-56.379, 27-19-56.425, 27-19-56.466, 27-19-56.489, 27-19-56.522(1)(a) \* \* \*, 27-19-56.524 or Section 8 of this act; or

(b) For which no additional fee is required to be paid.

SECTION 23. Section 27-19-56.3, Mississippi Code of 1972, is amended as follows:

27-19-56.3. (1) (a) Any owner of a motor vehicle who is an elected member of the Mississippi House of Representatives or Mississippi Senate, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name. Each distinctive license tag issued under this section shall have displayed thereon the Great Seal of the State of Mississippi and the word "HOUSE" or "SENATE," as appropriate, and, in addition thereto, such numbers or letters, or both, as may be necessary to distinguish each license tag. The State Tax Commission shall determine the color and design of each distinctive license tag issued under this section and whether or not a county name shall be required to be displayed on the tag.

(b) Any owner of a motor vehicle who served at least two (2) complete four (4) year terms as an elected member of the Mississippi House of Representatives or Mississippi Senate, and who is receiving retirement compensation under the Public Employees' Retirement System created under Section 25-11-101, and/or the Supplemental Legislative Retirement Plan created under Section 25-11-301, upon complying with the motor vehicle laws relating to registration and licensing of motor vehicles, upon payment of the road and bridge privilege taxes, ad valorem taxes and registration fees as prescribed by law for private carriers of passengers, pickup trucks and other noncommercial motor vehicles, and upon payment of an additional fee in the amount provided in subsection (3) of this section, shall be issued a distinctive license tag for each motor vehicle registered in his name. Each distinctive license tag issued under this section shall have displayed thereon the Great Seal of the State of Mississippi and the words "RETIRED HOUSE" or "RETIRED SENATE," as appropriate, and, in addition thereto, such numbers or letters, or both, as may be necessary to distinguish each license tag. The State Tax Commission shall determine the color and design of each distinctive license tag issued under this section and whether or not a county name shall be required to be displayed on the tag.

(2) Application for the distinctive license tags authorized by this section shall be made to the county tax collector on forms prescribed by the State Tax Commission. The application and the additional fee imposed under subsection (3) of this section, less three percent (3%) thereof to be retained by the tax collector, shall be remitted to the State Tax Commission on a monthly basis as prescribed by the commission. The portion of the additional fee retained by the tax collector shall be deposited into the county general fund.

(3) Any person applying for a distinctive license tag under this section shall pay an additional fee in the amount of Fifty Dollars (\$50.00) for each distinctive license tag applied for under this section which shall be in addition to all other taxes and fees. The additional fee paid shall be for a period of time to run concurrent with the vehicle's established license tag year. The additional fee is due and payable at the time the original application is made for a distinctive license tag under this section and thereafter annually at the time of renewal registration as long as the owner retains the distinctive license tag. If the owner does not wish to retain the distinctive license tag, or if the owner retires or resigns from or otherwise vacates his membership in the Legislature, he must surrender the tag to the local county tax collector.

(4) The State Tax Commission shall deposit all fees collected under this section into the State Treasury on the day collected. At the end of each month, the State Tax Commission shall certify to the State Treasurer the total fees collected under this section from the issuance of distinctive license tags. The State Treasurer shall distribute an

amount equal to Seven Dollars (\$7.00) of the additional fees collected for each such distinctive license tag issued under this section to the State General Fund, and the remainder of such additional fees collected shall be distributed by the State Treasurer to the credit of the special fund created in Section 7-9-70.

(5) A regular license tag must be properly displayed as required by law until replaced by a distinctive license tag under this section. The regular license tag must be surrendered to the tax collector upon issuance of the distinctive license tag under this section. The tax collector shall issue up to two (2) license decals for each distinctive license tag issued under this section, which will expire the same month and year as the regular license tag.

(6) In the case of loss or theft of a distinctive license tag issued under this section, the owner may make application and affidavit for a replacement distinctive license tag as provided by Section 27-19-37. The fee for a replacement distinctive license tag shall be Ten Dollars (\$10.00). The tax collector receiving such application and affidavit shall be entitled to retain and deposit into the county general fund five percent (5%) of the fee for such replacement license tag and the remainder shall be distributed in the same manner as funds from the sale of regular distinctive license tags issued under this section.

(7) (a) In addition to any other provisions of this section, any person eligible for a distinctive license tag under this section may, regardless of whether the person obtains such a license tag, obtain a replica tag of the distinctive license tag authorized in this section. A replica tag may not be displayed on any motor vehicle and may not be used for any motor vehicle license tag purpose. A person may obtain a replica tag from the Department of Revenue and the additional fee for the tag shall be the cost of the replica tag and any applicable shipping or delivery charge or other related charge incurred by the department.

(b) In addition to any other provisions of this section, any owner of a motor vehicle who served at least six (6) years as an elected member of the Mississippi House of Representatives or Mississippi Senate may obtain a replica tag of the distinctive license tag authorized in subsection (1)(a) of this section for which the person would be eligible to obtain if the person were serving as an elected member of the Mississippi House of Representatives or Mississippi Senate. A replica tag may not be displayed on any motor vehicle and may not be used for any motor vehicle license tag purpose. A person may obtain a replica tag from the Department of Revenue and the additional fee for the tag shall be the cost of the replica tag and any applicable shipping or delivery charge or other related charge incurred by the department.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE 2022 NATIONAL CHAMPIONSHIP OLE MISS REBELS BASEBALL TEAM; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE 2021 NATIONAL CHAMPIONSHIP OLE MISS REBELS WOMEN'S GOLF TEAM; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF NORTHEAST JONES HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI TOWING AND RECOVERY PROFESSIONALS, INC.; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF JACK AND JILL OF AMERICA, INC.; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE THE UNREMARIED SURVIVING SPOUSE OF A PERSON WHO WAS A LAW ENFORCEMENT OFFICER OR OTHER LAW ENFORCEMENT EMPLOYEE WHO DIED WHILE ENGAGED IN THE PERFORMANCE OF HIS OR HER OFFICIAL DUTIES OR WAS WOUNDED OR

OTHERWISE RECEIVED INTENTIONAL OR ACCIDENTAL BODILY INJURY WHILE ENGAGED IN THE PERFORMANCE OF HIS OR HER OFFICIAL DUTIES AND LATER DIED AS A RESULT OF SUCH WOUNDS OR INJURY; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE REGISTERED RESPIRATORY THERAPISTS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE HONORABLY DISCHARGED FROM SERVICE AS MEMBERS OF THE UNITED STATES MERCHANT MARINE; TO AMEND SECTION 27-19-56.549, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI ROAD BUILDERS ASSOCIATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE CLINTON PUBLIC SCHOOL DISTRICT; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MAGNOLIA SPEECH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF COAHOMA COUNTY JR./SR. HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE CLINTON COMMUNITY NATURE CENTER; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MOST WORSHIPFUL KING HIRAM GRAND LODGE & ELECTRA GRAND CHAPTER ORDER OF EASTERN STAR A.F. & A.M., STATE OF MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE CITY OF OLIVE BRANCH; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE METHODIST CURSILLO OF MISSISSIPPI; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH TAGS; TO AMEND SECTION 27-19-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTORCYCLE LICENSE TAGS TO PERSONS WHO ARE ACTIVE DUTY AND RETIRED MEMBERS OF THE ARMY NATIONAL GUARD OR THE AIR NATIONAL GUARD, IDENTIFYING SUCH PERSONS WITH SUCH ORGANIZATIONS; TO AMEND SECTION 27-19-56.57, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF A DISTINCTIVE MOTOR VEHICLE LICENSE TAG IDENTIFYING THE OWNER OF THE MOTOR VEHICLE AS A MEMBER OF THE CLERGY; TO AMEND SECTION 27-19-56.70, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS WITH THE WORDS "CHOOSE LIFE" CENTERED AT THE BOTTOM OF THE LICENSE TAG, TO REFLECT THE CHANGE OF THE NAME OF THE CHOOSE LIFE ADVISORY COMMITTEE TO CHOOSE LIFE MISSISSIPPI; TO AMEND SECTION 27-19-56.277, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS WITH THE WORDS "WE LOVE LIFE" CENTERED AT THE BOTTOM OF THE LICENSE TAG; TO REFLECT THE CHANGE OF THE NAME OF THE CHOOSE LIFE ADVISORY COMMITTEE TO CHOOSE LIFE MISSISSIPPI; TO AMEND SECTION 27-19-56.289, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI SCHOOL FOR MATHEMATICS AND SCIENCE; TO AMEND SECTION 27-19-56.412, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS WITH THE WORD "ADOPTION" USED IN THE DESIGN OF THE LICENSE TAG; TO REFLECT THE CHANGE OF THE NAME OF THE CHOOSE LIFE ADVISORY COMMITTEE TO CHOOSE LIFE MISSISSIPPI; TO AMEND SECTION 27-19-56.417, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE WEST POINT CONSOLIDATED SCHOOL DISTRICT; TO AMEND SECTION 27-19-56.448, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI AQUARIUM; TO AMEND SECTION 27-19-56.474, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI SWEET POTATO COUNCIL; TO AMEND SECTION 27-19-56.503,

MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THOMAS E. EDWARDS HIGH SCHOOL; TO AMEND SECTION 27-19-56.506, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE FORMER HINDS AGRICULTURAL HIGH SCHOOL; TO AMEND SECTION 27-19-44, MISSISSIPPI CODE OF 1972, TO EXEMPT THE DISTINCTIVE MOTOR VEHICLE LICENSE TAG AUTHORIZED TO BE ISSUED TO PERSONS WHO ARE HONORABLY DISCHARGED FROM SERVICE AS MEMBERS OF THE UNITED STATES MERCHANT MARINE FROM THE REQUIREMENT THAT A CERTAIN NUMBER OF SUCH TAGS MUST BE PURCHASED PRIOR TO ISSUANCE; TO AMEND SECTION 27-19-56.3, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO MEMBERS AND CERTAIN FORMER MEMBERS OF THE LEGISLATURE, TO REVISE THE PERSONS TO WHICH A REPLICA OF SUCH DISTINCTIVE MOTOR VEHICLE LICENSE TAGS MAY BE ISSUED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Thomas "Trey" Lamar, III

Josh Harkins

Jody Steverson

Mike Thompson

Henry Zuber III

Joseph Thomas

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1136** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2842** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2842: Use tax; revise standards for municipality's eligibility to receive monies from special infrastructure assistance fund.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-67-35, Mississippi Code of 1972, is amended as follows:

27-67-35. (1) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(e) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the department \* \* \* to provide funds to assist municipalities in this state in paying costs associated with (i) repair, maintenance and/or reconstruction of roads, streets and bridges in municipalities, and/or (ii) repair, maintenance and/or other improvements to water infrastructure and sewer infrastructure \* \* \*, including storm water and drainage improvements. These monies shall not be used for salaries, benefits or any form of compensation for employees, or for contract employees, administrative costs, debt service, personal property or equipment (other than equipment to be permanently installed as part of a road or bridge), or for the construction or maintenance of public buildings or other structures that are not integral to the system of roads and bridges. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to municipalities under this subsection (1) shall be allocated and distributed to municipalities as follows:

1. Three Million Dollars (\$3,000,000.00) shall be allocated to all municipalities in equal shares, and

2. The remainder of the funds allocated as follows:

- a. One-half (1/2) shall be allocated to municipalities based on the proportion that the population of a municipality according to the most recent federal decennial census bears to the total population of all municipalities in the state according to the most recent federal decennial census, and

- b. One-half (1/2) shall be allocated to municipalities based on the proportion that the amount of sales tax revenue distributed to a municipality during the preceding fiscal year under Section 27-65-75(1)(a) bears to the total amount of sales tax revenue distributed to all municipalities during the preceding fiscal year under Section 27-65-75(1)(a). The department \* \* \* shall distribute funds under this subsection (1) on a semiannual basis with distributions being made in the months of January and July.

- (ii) In order to be eligible to receive the full amount of funds allocated for distribution to a municipality during a year under this subsection (1), the municipality must have expended an amount not less than the amount of base expenditures during the previous municipal fiscal year for the purposes described in paragraph (a) of this subsection (1). If a municipality fails to expend such required amount, then the amount of funds allocated for distribution to the municipality shall be reduced by the percentage by which the municipality failed to expend the amount of base expenditures. For the purposes of this subsection (1), "base expenditures" means the average annual



expenditures made by a municipality for purposes described in paragraph (a) of this subsection (1) for the \*\*\* two-year period beginning October 1, \*\*\* 2020, and ending September 30, \*\*\* 2022. \*\*\* Expenditure of grant proceeds, loan proceeds, or the proceeds of bonds issued by a municipality for the purposes described in paragraph (a) of this subsection (1) shall not be considered when calculating the base period. Beginning July 1, \*\*\* 2023, and each succeeding July 1 thereafter, the amount of the base expenditures shall be adjusted and compounded annually by increasing or decreasing such amount by a percentage amount that is equal to the lesser of one-half percent (0.5%) or to the United States inflation rate for the previous calendar year ending on December 31 as certified by the department \*\*\* and provided to the municipalities thereby within thirty (30) days of such certification. The United States inflation rate for a calendar year shall be the Consumer Price Index for the calendar year for urban consumers as calculated by the Bureau of Labor Statistics of the United States Department of Labor.

(c) The department \*\*\* and the \*\*\* Office of the State Auditor shall have all powers necessary to ensure the proper implementation of this subsection (1).

(2) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(f) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the department \*\*\* to provide funds to assist counties in this state in paying costs associated with the repair, maintenance and/or reconstruction of roads, streets and bridges in counties \*\*\*. These funds shall not be used for salaries, benefits or any form of compensation for employees, or for contract employees, administrative costs, debt service, personal property or equipment (other than equipment to be permanently installed as part of a road or bridge), or for the construction or maintenance of public buildings or other structures that are not integral to the system of roads and bridges. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to counties under this subsection (2) shall be allocated and distributed to counties in the following proportions:

1. One-third (1/3) shall be allocated to all counties in equal shares,

2. One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state, and

3. One-third (1/3) shall be allocated to counties based on the proportion that the rural population of a county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

The department \*\*\* shall distribute funds under this subsection (2) on a semiannual basis with distributions being made in the months of January and July. Rural road miles and rural road population in the counties shall be determined in the same manner as they are determined for the purposes of the distribution formula in Section 65-9-3.

(ii) From and after July 1, 2020, of the funds allocated for distribution to a county during a year under this subsection (2), the maximum amount of such funds that may be distributed to the county during that year shall not exceed the amount of county funds expended by the county during the previous county fiscal year for purposes described in paragraph (a) of this subsection (2). Expenditure of the proceeds of bonds issued by a county to pay costs associated with the repair, maintenance and/or

reconstruction of roads, streets and bridges shall not be considered when determining the amount of county funds expended by the county during the previous county fiscal year.

(c) The department \* \* \* and the \* \* \* Office of the State Auditor shall have all powers necessary to ensure the proper implementation of this subsection (2).

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, WHICH CREATES A SPECIAL FUND IN THE STATE TREASURY TO BE USED TO PROVIDE MONIES TO ASSIST MUNICIPALITIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS AND WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS, TO REQUIRE THAT THESE MONIES NOT BE USED FOR SALARIES, BENEFITS OR ANY FORM OF COMPENSATION FOR EMPLOYEES, OR FOR CONTRACT EMPLOYEES, ADMINISTRATIVE COSTS, DEBT SERVICE, PERSONAL PROPERTY OR EQUIPMENT EXCEPT EQUIPMENT PERMANENTLY INSTALLED AS PART OF A ROAD OR BRIDGE, OR FOR THE CONSTRUCTION OR MAINTENANCE OF PUBLIC BUILDINGS OR OTHER STRUCTURES THAT ARE NOT INTEGRAL TO THE SYSTEM OF ROADS AND BRIDGES; TO REVISE THE TIME PERIOD REFERENCED IN THE DEFINITION OF "BASE EXPENDITURES" THAT MUST BE MET BY A MUNICIPALITY IN ORDER TO BE ELIGIBLE TO RECEIVE THE FULL AMOUNT OF MONIES ALLOCATED FOR DISTRIBUTION FROM THE SPECIAL FUND; TO PROVIDE THAT THE AMOUNT OF BASE EXPENDITURES SHALL BE ADJUSTED AND COMPOUNDED ANNUALLY BY INCREASING OR DECREASING SUCH AMOUNT BY A PERCENTAGE THAT IS THE LESSER OF 0.5% OR THE UNITED STATES INFLATION RATE FOR THE PREVIOUS CALENDAR YEAR; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Josh Harkins

John Thomas "Trey" Lamar, III

Chris Johnson

Jody Steverson

Scott DeLano

Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2842** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2887** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2887: State Treasurer; modify certain provisions concerning the deposit and investment of excess state funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-105-33, Mississippi Code of 1972, is amended as follows:

27-105-33. It shall be the duty of the State Treasurer and the Executive Director of the Department of Finance and Administration on or about the tenth day of each month, and in their discretion at any other time, to analyze carefully the amount of cash in the General Fund of the state and in all special funds credited to any special purpose designated by the State Legislature or held to meet the budgets or appropriations for maintenance, improvements and services of the several institutions, boards, departments, commissions, agencies, persons or entities of the state, and to determine in their opinion when the cash in such funds is in excess of the amount required to meet the current needs and demands of no more than seven (7) business days on such funds and report their findings to the Governor. It shall be the duty of the State Treasurer to provide a cash flow model for forecasting revenues and expenditures on a bimonthly basis and providing technical assistance for its operation. The Department of Finance and Administration shall use the cash flow model furnished by the State Treasurer, in analyzing the amount of funds on deposit and available for investment.

The State Treasurer is hereby authorized, empowered and directed to invest all such excess general and special funds of the state in the following manner:

(a) Funds shall be allocated equally among all qualified state depositories which do not have demand accounts in excess of One Hundred Fifty Thousand Dollars (\$150,000.00) until each qualified depository willing to accept the same shall have on deposit or in security repurchase agreements or in other securities authorized in paragraph (d) of this section at interest the sum of Three Hundred Thousand Dollars (\$300,000.00). For the purposes of this subsection, no branch bank or branch office shall be counted as a separate depository.

(b) The balance, if any, of such excess general and special funds shall be offered to qualified depositories of the state on a pro rata basis as provided in Section 27-105-9. For the purposes of this subsection, the pro rata share of each depository shall be reduced by the amount of the average daily collected earning balance of demand deposits maintained by the State Treasurer pursuant to Section 27-105-9 during the preceding calendar year, and such reduction shall be allocated pro rata among other eligible depositories.

(c) Funds offered pursuant to paragraphs (a) and (b) above shall be invested for periods of up to one (1) year, and shall bear interest at an interest rate no less than that numerically equal to the bond equivalent yield on direct obligations of the United States Treasury of comparable maturity, as determined by the State Treasurer. In determining such rate, the State Treasurer shall consider the Legislature's desire to distribute funds equitably throughout the state to the maximum extent possible.

(d) To the extent that the State Treasurer shall find that general and special funds cannot be invested pursuant to paragraphs (a), (b) and (c) of this section for the stated maturity up to one (1) year, the Treasurer may invest such funds, together with any other funds required for current operation, as determined pursuant to this section, in the following:

(i) Time certificates of deposit or interest-bearing accounts with qualified state depositories. For those funds determined under prudent judgment of the State Treasurer to be made available for investment in time certificates of deposit, the rate of interest paid by the depositories shall be determined by rules and regulations adopted and promulgated by the State Treasurer which may include competitive bids. At the time of investment, the interest rate on such certificates of deposit under the provisions of this subparagraph shall be a rate not less than the bond equivalent yield on direct obligations of the United States Treasury with a similar length of maturity.

(ii) Direct United States Treasury obligations, the principal and interest of which are fully guaranteed by the government of the United States.

(iii) United States government agency, United States government instrumentality or United States government-sponsored enterprise obligations, the principal and interest of which are fully guaranteed by the government of the United States, such as the Government National Mortgage Association; or United States governmental agency, United States government instrumentality or United States government-sponsored enterprise obligations, the principal and interest of which are guaranteed by any United States government agency, United States government instrumentality or United States government-sponsored enterprise contained in a list promulgated by the State Treasurer.

(iv) Direct security repurchase agreements and reverse direct security repurchase agreements of any federal book entry of only those securities enumerated in subparagraphs (ii) and (iii) above. "Direct security repurchase agreement" means an agreement under which the state buys, holds for a specified time, and then sells back those securities and obligations enumerated in subparagraphs (ii) and (iii) above. "Reverse direct securities repurchase agreement" means an agreement under which the state sells and after a specified time buys back any of the securities and obligations enumerated in subparagraphs (ii) and (iii) above. \* \* \* A qualified state depository shall be given preference for such agreements when possible.

(v) Bonds issued, assumed or guaranteed by the Country of Israel, provided that:

1. Investments in such instruments shall be denominated in United States currency;

2. Such bonds must be of investment grade as rated by at least one (1) nationally recognized statistical rating agency; and

3. The amount of funds invested in such bonds at any time shall not exceed Twenty Million Dollars (\$20,000,000.00).

(vi) Corporate bonds and taxable municipal bonds; or corporate short-term obligations of corporations or of wholly owned subsidiaries of corporations,

whose short-term obligations are rated A-1 or better by Standard and Poor's, rated P-1 or better by Moody's Investment Service, F-1 or better by Fitch Ratings, Ltd., or the equivalent of these ratings if assigned by another United States Securities and Exchange Commission designated Nationally Recognized Statistical Rating Organization.

(e) For the purposes of this section, direct obligations issued by the United States of America shall be deemed to include securities of, or other interests in, any open-end or closed-end management type investment company or investment trust registered under the provisions of 15 USCS Section 80(a)-1 et seq., provided that the portfolio of such investment company or investment trust is limited to direct obligations issued by the United States of America, United States government agencies, United States government instrumentalities or United States government-sponsored enterprises, and to repurchase agreements fully collateralized by direct obligations of the United States of America, United States government agencies, United States government instrumentalities or United States government-sponsored enterprises, and the investment company or investment trust takes delivery of such collateral for the repurchase agreement, either directly or through an authorized custodian. The State Treasurer and the Executive Director of the Department of Finance and Administration shall review and approve the investment companies and investment trusts in which funds invested under paragraph (d) of this section may be invested. The total dollar amount of funds invested in all open-end and closed-end management type investment companies and investment trusts at any one time shall not exceed twenty percent (20%) of the total dollar amount of funds invested under paragraph (d) of this section.

(f) Investments authorized by subparagraphs (ii) and (iii) of paragraph (d) shall mature on such date or dates as determined by the State Treasurer in the exercise of prudent judgment to generate a favorable return to the state and will allow the monies to be available for use at such time as the monies will be needed for state purposes. However, the maturity of securities purchased as enumerated in subparagraphs (ii) and (iii) shall not exceed ten (10) years from date of purchase. Special funds shall be considered those funds created constitutionally, statutorily or administratively which are not considered general funds. All funds invested for a period of thirty (30) days or longer under paragraph (d) shall bear a rate at least equal to the current established rate under paragraph (c) of this section.

(g) Any interest-bearing deposits or certificates of deposit shall not exceed at any time the amount insured by the Federal Deposit Insurance Corporation in any one (1) banking institution, the Federal Savings and Loan Insurance Corporation in any one (1) savings and loan association, or other deposit insurance corporation approved by the State Treasurer, unless the uninsured portion is collateralized by the pledge of securities in the manner provided by Section 27-105-5.

(h) Unless otherwise provided, income from investments authorized by the provisions of this subsection shall be credited to the State General Fund.

(i) Not more than Five Hundred Thousand Dollars (\$500,000.00) of funds may be invested with foreign financial institutions, and the State Treasurer may enter into price contracts for the purchase or exchange of foreign currency or other arrangements for currency exchange in an amount not to exceed Five Hundred Thousand Dollars (\$500,000.00) upon specific direction of the Department of Economic and Community Development. The State Treasurer shall promulgate all rules and regulations for applications, qualifications and any other necessary matters for foreign financial institutions.

Any liquidating agent of a depository in liquidation, voluntary or involuntary, shall redeem from the state any bonds and securities which have been pledged to secure state funds and such redemption shall be at the par value or market value thereof, whichever is greater; otherwise, The liquidating agent or receiver may pay off the state in full for its deposits and retrieve the pledged securities without regard to par or market value.

The State Treasurer and the Executive Director of the Department of Finance and Administration shall make monthly reports to the Legislative Budget Office containing a full and complete statement of all funds invested by virtue of the provisions of this section and the revenues derived therefrom and the expenses incurred therewith, together with all such other information as may seem to each of them as being pertinent to inform fully the Mississippi Legislature with reference thereto.

The State Treasurer shall not deposit any funds on demand deposit with any authorized depository, unless such depository has contracted for interest-bearing accounts or time certificates of deposit.

Notwithstanding the foregoing, any financial institution not meeting the prescribed ratio requirement set forth in Section 27-105-5 whose accounts are insured by the Federal Deposit Insurance Corporation, or any successor to that insurance corporation, may receive state funds in an amount not exceeding the amount which is insured by such insurance corporations and may qualify as a state depository to the extent of such insurance for this purpose only. The paid-in and earned capital funds of such financial institution shall not be included in the computations specified in Section 27-105-9(a) and (b).

SECTION 2. Section 27-104-7, Mississippi Code of 1972, as amended by House Bill No. 249, 2023 Regular Session, and House Bill No. 540, 2023 Regular Session, is amended as follows:

27-104-7. (1) (a) There is created the Public Procurement Review Board, which shall be reconstituted on January 1, 2018, and shall be composed of the following members:

(i) Three (3) individuals appointed by the Governor with the advice and consent of the Senate;

(ii) Two (2) individuals appointed by the Lieutenant Governor with the advice and consent of the Senate; and

(iii) The Executive Director of the Department of Finance and Administration, serving as an ex officio and nonvoting member.

(b) The initial terms of each appointee shall be as follows:

(i) One (1) member appointed by the Governor to serve for a term ending on June 30, 2019;

(ii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2020;

(iii) One (1) member appointed by the Governor to serve for a term ending on June 30, 2021;

(iv) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2019; and

(v) One (1) member appointed by the Lieutenant Governor to serve for a term ending on June 30, 2020.

After the expiration of the initial terms, all appointed members' terms shall be for a period of four (4) years from the expiration date of the previous term, and until such time as the member's successor is duly appointed and qualified.

(c) When appointing members to the Public Procurement Review Board, the Governor and Lieutenant Governor shall take into consideration persons who possess at least five (5) years of management experience in general business, health care or finance for an organization, corporation or other public or private entity. Any person, or any employee or owner of a company, who receives any grants, procurements or contracts that are subject to approval under this section shall not be appointed to the Public Procurement Review Board. Any person, or any employee or owner of a company, who is a principal of the source providing a personal or professional service shall not be appointed to the Public Procurement Review Board if the principal owns or controls a greater than five percent (5%) interest or has an ownership value of One Million Dollars (\$1,000,000.00) in the source's business, whichever is smaller. No member shall be an officer or employee of the State of Mississippi while serving as a voting member on the Public Procurement Review Board.

(d) Members of the Public Procurement Review Board shall be entitled to per diem as authorized by Section 25-3-69 and travel reimbursement as authorized by Section 25-3-41.

(e) The members of the Public Procurement Review Board shall elect a chair from among the membership, and he or she shall preside over the meetings of the board. The board shall annually elect a vice chair, who shall serve in the absence of the chair. No business shall be transacted, including adoption of rules of procedure, without the presence of a quorum of the board. Three (3) members shall be a quorum. No action shall be valid unless approved by a majority of the members present and voting, entered upon the minutes of the board and signed by the chair. Necessary clerical and administrative support for the board shall be provided by the Department of Finance and Administration. Minutes shall be kept of the proceedings of each meeting, copies of which shall be filed on a monthly basis with the chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the chairs of the Appropriations Committees of the Senate and House of Representatives.

(2) The Public Procurement Review Board shall have the following powers and responsibilities:

(a) Approve all purchasing regulations governing the purchase or lease by any agency, as defined in Section 31-7-1, of commodities and equipment, except computer equipment acquired pursuant to Sections 25-53-1 through 25-53-29;

(b) Adopt regulations governing the approval of contracts let for the construction and maintenance of state buildings and other state facilities as well as related contracts for architectural and engineering services.

The provisions of this paragraph (b) shall not apply to such contracts involving buildings and other facilities of state institutions of higher learning which are self-administered as provided under this paragraph (b) or Section 37-101-15(m);

(c) Adopt regulations governing any lease or rental agreement by any state agency or department, including any state agency financed entirely by federal funds, for space outside the buildings under the jurisdiction of the Department of Finance and Administration. These regulations shall require each agency requesting to lease such space to provide the following information that shall be published by the Department of Finance and Administration on its website: the agency to lease the space; the terms of the lease; the approximate square feet to be leased; the use for the space; a description of a suitable space; the general location desired for the leased space; the contact information for a person from the agency; the deadline date for the agency to have received a lease proposal; any other specific terms or conditions of the agency; and any other information deemed appropriate by the Division of Real Property Management of the Department of Finance and Administration or the Public Procurement Review Board. The information shall be provided sufficiently in advance of the time the space is needed

to allow the Division of Real Property Management of the Department of Finance and Administration to review and preapprove the lease before the time for advertisement begins;

(d) Adopt, in its discretion, regulations to set aside at least five percent (5%) of anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the department and shall be subject to all bid requirements. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder; however, if no minority bid is available or if the minority bid is more than two percent (2%) higher than the lowest bid, then bids shall be accepted and awarded to the lowest and best bidder. However, the provisions in this paragraph shall not be construed to prohibit the rejection of a bid when only one (1) bid is received. Such rejection shall be placed in the minutes. For the purposes of this paragraph, the term "minority business" means a business which is owned by a person who is a citizen or lawful permanent resident of the United States and who is:

(i) Black: having origins in any of the black racial groups of Africa;

(ii) Hispanic: of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish or Portuguese culture or origin regardless of race;

(iii) Asian-American: having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands;

(iv) American Indian or Alaskan Native: having origins in any of the original people of North America; or

(v) Female;

(e) In consultation with and approval by the Chairs of the Senate and House Public Property Committees, approve leases, for a term not to exceed eighteen (18) months, entered into by state agencies for the purpose of providing parking arrangements for state employees who work in the Woolfolk Building, the Carroll Gartin Justice Building or the Walter Sillers Office Building;

(f) Except as otherwise provided in subparagraph (xv) of this paragraph, promulgate rules and regulations governing the solicitation and selection of contractual services personnel, including personal and professional services contracts for any form of consulting, policy analysis, public relations, marketing, public affairs, legislative advocacy services or any other contract that the board deems appropriate for oversight, with the exception of:

(i) Any personal service contracts entered into by any agency that employs only nonstate service employees as defined in Section 25-9-107(c);

(ii) Any personal service contracts entered into for computer or information technology-related services governed by the Mississippi Department of Information Technology Services;

(iii) Any personal service contracts entered into by the individual state institutions of higher learning;

(iv) Any personal service contracts entered into by the Mississippi Department of Transportation;

(v) Any personal service contracts entered into by the Department of Human Services through June 30, 2019, which the Executive Director of the Department



of Human Services determines would be useful in establishing and operating the Department of Child Protection Services;

(vi) Any personal service contracts entered into by the Department of Child Protection Services through June 30, 2019;

(vii) Any contracts for entertainers and/or performers at the Mississippi State Fairgrounds entered into by the Mississippi Fair Commission;

(viii) Any contracts entered into by the Department of Finance and Administration when procuring aircraft maintenance, parts, equipment and/or services;

(ix) Any contract entered into by the Department of Public Safety for service on specialized equipment and/or software required for the operation at such specialized equipment for use by the Office of Forensics Laboratories;

(x) Any personal or professional service contract entered into by the Mississippi Department of Health or the Department of Revenue solely in connection with their respective responsibilities under the Mississippi Medical Cannabis Act from February 2, 2022, through June 30, 2026;

(xi) Any contract for attorney, accountant, actuary auditor, architect, engineer, anatomical pathologist, or utility rate expert services;

(xii) Any personal service contracts approved by the Executive Director of the Department of Finance and Administration and entered into by the Coordinator of Mental Health Accessibility through June 30, 2022;

(xiii) Any personal or professional services contract entered into by the State Department of Health in carrying out its responsibilities under the ARPA Rural Water Associations Infrastructure Grant Program through June 30, 2026;

(xiv) Any personal or professional services contract entered into by the Mississippi Department of Environmental Quality in carrying out its responsibilities under the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022, through June 30, 2026.

Any such rules and regulations shall provide for maintaining continuous internal audit covering the activities of such agency affecting its revenue and expenditures as required under Section 7-7-3(6)(d). Any rules and regulation changes related to personal and professional services contracts that the Public Procurement Review Board may propose shall be submitted to the Chairs of the Accountability, Efficiency and Transparency Committees of the Senate and House of Representatives and the Chairs of the Appropriation Committees of the Senate and House of Representatives at least fifteen (15) days before the board votes on the proposed changes, and those rules and regulation changes, if adopted, shall be promulgated in accordance with the Mississippi Administrative Procedures Act; and

(xv) From and after July 1, 2024, the Public Procurement Review Board shall promulgate rules and regulations that require the Department of Finance and Administration to conduct personal and professional services solicitations as provided in subparagraph (i) of this paragraph for those services in excess of Seventy-five Thousand Dollars (\$75,000.00) for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority, with assistance to be provided from these entities. Any powers that have been conferred upon agencies in order to comply with the provisions of this section for personal and professional services solicitations shall be conferred upon the Department of Finance and Administration to conduct personal and professional services solicitations for the Department of Marine Resources, the Department of Wildlife,

Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority for those services in excess of Seventy-five Thousand Dollars (\$75,000.00). The Department of Finance and Administration shall make any submissions that are required to be made by other agencies to the Public Procurement Review Board for the Department of Marine Resources, the Department of Wildlife, Fisheries and Parks, the Mississippi Emergency Management Agency and the Mississippi Development Authority.

The provisions of this subparagraph (xv) shall stand repealed on June 30, 2027.

(g) Approve all personal and professional services contracts involving the expenditures of funds in excess of Seventy-five Thousand Dollars (\$75,000.00), except as provided in paragraph (f) of this subsection (2) and in subsection (8);

(h) Develop mandatory standards with respect to contractual services personnel that require invitations for public bid, requests for proposals, record keeping and financial responsibility of contractors. The Public Procurement Review Board shall, unless exempted under this paragraph (h) or under paragraph (i) or (o) of this subsection (2), require the agency involved to submit the procurement to a competitive procurement process, and may reserve the right to reject any or all resulting procurements;

(i) Prescribe certain circumstances by which agency heads may enter into contracts for personal and professional services without receiving prior approval from the Public Procurement Review Board. The Public Procurement Review Board may establish a preapproved list of providers of various personal and professional services for set prices with which state agencies may contract without bidding or prior approval from the board;

(i) Agency requirements may be fulfilled by procuring services performed incident to the state's own programs. The agency head shall determine in writing whether the price represents a fair market value for the services. When the procurements are made from other governmental entities, the private sector need not be solicited; however, these contracts shall still be submitted for approval to the Public Procurement Review Board.

(ii) Contracts between two (2) state agencies, both under Public Procurement Review Board purview, shall not require Public Procurement Review Board approval. However, the contracts shall still be entered into the enterprise resource planning system;

(j) Provide standards for the issuance of requests for proposals, the evaluation of proposals received, consideration of costs and quality of services proposed, contract negotiations, the administrative monitoring of contract performance by the agency and successful steps in terminating a contract;

(k) Present recommendations for governmental privatization and to evaluate privatization proposals submitted by any state agency;

(l) Authorize personal and professional service contracts to be effective for more than one (1) year provided a funding condition is included in any such multiple year contract, except the State Board of Education, which shall have the authority to enter into contractual agreements for student assessment for a period up to ten (10) years. The State Board of Education shall procure these services in accordance with the Public Procurement Review Board procurement regulations;

(m) Request the State Auditor to conduct a performance audit on any personal or professional service contract;

(n) Prepare an annual report to the Legislature concerning the issuance of personal and professional services contracts during the previous year, collecting any necessary information from state agencies in making such report;

(o) Develop and implement the following standards and procedures for the approval of any sole source contract for personal and professional services regardless of the value of the procurement:

(i) For the purposes of this paragraph (o), the term "sole source" means only one (1) source is available that can provide the required personal or professional service.

(ii) An agency that has been issued a binding, valid court order mandating that a particular source or provider must be used for the required service must include a copy of the applicable court order in all future sole source contract reviews for the particular personal or professional service referenced in the court order.

(iii) Any agency alleging to have a sole source for any personal or professional service, other than those exempted under paragraph (f) of this subsection (2) and subsection (8), shall publish on the procurement portal website established by Sections 25-53-151 and 27-104-165, for at least fourteen (14) days, the terms of the proposed contract for those services. In addition, the publication shall include, but is not limited to, the following information:

1. The personal or professional service offered in the contract;
2. An explanation of why the personal or professional service is the only one that can meet the needs of the agency;
3. An explanation of why the source is the only person or entity that can provide the required personal or professional service;
4. An explanation of why the amount to be expended for the personal or professional service is reasonable; and
5. The efforts that the agency went through to obtain the best possible price for the personal or professional service.

(iv) If any person or entity objects and proposes that the personal or professional service published under subparagraph (iii) of this paragraph (o) is not a sole source service and can be provided by another person or entity, then the objecting person or entity shall notify the Public Procurement Review Board and the agency that published the proposed sole source contract with a detailed explanation of why the personal or professional service is not a sole source service.

(v) 1. If the agency determines after review that the personal or professional service in the proposed sole source contract can be provided by another person or entity, then the agency must withdraw the sole source contract publication from the procurement portal website and submit the procurement of the personal or professional service to an advertised competitive bid or selection process.

2. If the agency determines after review that there is only one (1) source for the required personal or professional service, then the agency may appeal to the Public Procurement Review Board. The agency has the burden of proving that the personal or professional service is only provided by one (1) source.

3. If the Public Procurement Review Board has any reasonable doubt as to whether the personal or professional service can only be provided by one (1) source, then the agency must submit the procurement of the personal or

professional service to an advertised competitive bid or selection process. No action taken by the Public Procurement Review Board in this appeal process shall be valid unless approved by a majority of the members of the Public Procurement Review Board present and voting.

(vi) The Public Procurement Review Board shall prepare and submit a quarterly report to the House of Representatives and Senate Accountability, Efficiency and Transparency Committees that details the sole source contracts presented to the Public Procurement Review Board and the reasons that the Public Procurement Review Board approved or rejected each contract. These quarterly reports shall also include the documentation and memoranda required in subsection (4) of this section. An agency that submitted a sole source contract shall be prepared to explain the sole source contract to each committee by December 15 of each year upon request by the committee;

(p) Assess any fines and administrative penalties provided for in Sections 31-7-401 through 31-7-423.

(3) All submissions shall be made sufficiently in advance of each monthly meeting of the Public Procurement Review Board as prescribed by the Public Procurement Review Board. If the Public Procurement Review Board rejects any contract submitted for review or approval, the Public Procurement Review Board shall clearly set out the reasons for its action, including, but not limited to, the policy that the agency has violated in its submitted contract and any corrective actions that the agency may take to amend the contract to comply with the rules and regulations of the Public Procurement Review Board.

(4) All sole source contracts for personal and professional services awarded by state agencies, other than those exempted under Section 27-104-7(2)(f) and (8), whether approved by an agency head or the Public Procurement Review Board, shall contain in the procurement file a written determination for the approval, using a request form furnished by the Public Procurement Review Board. The written determination shall document the basis for the determination, including any market analysis conducted in order to ensure that the service required was practicably available from only one (1) source. A memorandum shall accompany the request form and address the following four (4) points:

(a) Explanation of why this service is the only service that can meet the needs of the purchasing agency;

(b) Explanation of why this vendor is the only practicably available source from which to obtain this service;

(c) Explanation of why the price is considered reasonable; and

(d) Description of the efforts that were made to conduct a noncompetitive negotiation to get the best possible price for the taxpayers.

(5) In conjunction with the State Personnel Board, the Public Procurement Review Board shall develop and promulgate rules and regulations to define the allowable legal relationship between contract employees and the contracting departments, agencies and institutions of state government under the jurisdiction of the State Personnel Board, in compliance with the applicable rules and regulations of the federal Internal Revenue Service (IRS) for federal employment tax purposes. Under these regulations, the usual common law rules are applicable to determine and require that such worker is an independent contractor and not an employee, requiring evidence of lawful behavioral control, lawful financial control and lawful relationship of the parties. Any state department, agency or institution shall only be authorized to contract for personnel services in compliance with those regulations.

(6) No member of the Public Procurement Review Board shall use his or her official authority or influence to coerce, by threat of discharge from employment, or otherwise, the purchase of commodities, the contracting for personal or professional services, or the contracting for public construction under this chapter.

(7) Notwithstanding any other laws or rules to the contrary, the provisions of subsection (2) of this section shall not be applicable to the Mississippi State Port Authority at Gulfport.

(8) Nothing in this section shall impair or limit the authority of the Board of Trustees of the Public Employees' Retirement System to enter into any personal or professional services contracts directly related to their constitutional obligation to manage the trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts. Nor shall this section impair or limit the authority of the State Treasurer to enter into any personal or professional services contracts involving the management of trust funds, including, but not limited to, actuarial, custodial banks, cash management, investment consultant and investment management contracts.

\* \* \*

SECTION 3. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-105-33, MISSISSIPPI CODE OF 1972, TO MODIFY CERTAIN PROVISIONS CONCERNING THE DEPOSIT AND INVESTMENT OF EXCESS STATE FUNDS BY THE STATE TREASURER; TO REVISE THE REQUIREMENT THAT AT LEAST 80% OF THE TOTAL DOLLAR AMOUNT IN ALL REPURCHASE AGREEMENTS AT ANY ONE TIME SHALL BE PURSUANT TO CONTRACTS WITH QUALIFIED STATE DEPOSITORIES; TO PROVIDE THE OPTION OF INVESTING IN CERTAIN CORPORATE BONDS AND TAXABLE MUNICIPAL BONDS; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 249, 2023 REGULAR SESSION, AND HOUSE BILL NO. 540, 2023 REGULAR SESSION, TO SPECIFY THAT CERTAIN PUBLIC PROCUREMENT REVIEW BOARD PROVISIONS DO NOT IMPAIR OR LIMIT THE AUTHORITY OF THE STATE TREASURER TO ENTER INTO ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS INVOLVING THE MANAGEMENT OF TRUST FUNDS, AN AUTHORITY COMPARABLE TO THAT GRANTED TO THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO REMOVE A SUBSECTION THAT REPEALED ON JULY 1, 2022; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Josh Harkins	John Thomas "Trey" Lamar, III
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Chris Johnson	Jody Steverson
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Daniel H. Sparks	Rob Roberson
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2887** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended for the immediate consideration of **S. B. No. 3047**, and the motion prevailed.

On request of Senator Hopson, unanimous consent was granted to make the following correction in **S. B. No. 3047**:

It is requested that unanimous consent be granted to make the following clerical corrections:

SB 3047: Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority

Amend line 244 by deleting the number "376,138.00" and inserting in lieu thereof the number "376,136.00".

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Senator Hopson moved that the rules be suspended for the immediate consideration of **S. B. No. 3018**, and the motion prevailed.

On request of Senator Hopson, unanimous consent was granted to make the following correction in **S. B. No. 3018**:

It is requested that unanimous consent be granted to make the following clerical corrections:

SB 3018: Appropriation; Veterans Affairs Board

Amend line 24 by deleting the number "25" and inserting in lieu thereof the number "26".

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Senator Hopson called up the following entitled bill:

**H. B. No. 603:** State budget; bring forward sections relating to.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 603** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 604:** New programs funded with ARPA funds; revise certain provisions and bring forward sections of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 604** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 834:** Assistant District Attorneys and criminal investigators; increase authorized number of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 834** be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2372** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2372: Mississippi Hospital Sustainability Grant Program; establish and provide eligibility for funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is established the Mississippi Hospital Sustainability Grant Program which shall be administered by the State Department of Health.

(2) In order to strengthen, improve and preserve access to Mississippi hospital care services for all Mississippians and in recognition of the challenges incurred by Mississippi hospitals as a result of the COVID-19 pandemic, funds from the program shall be distributed, upon appropriation by the Legislature, to each hospital licensed by the State of Mississippi, except for hospitals operated by the United States Department of Veterans Affairs and hospitals operated by the State Department of Mental Health. Licensed specialty hospitals that are recognized as such by the State Department of Health, except for those excluded under this subsection, are eligible for grants under the program.

(3) The department shall distribute grants to each eligible hospital based upon the following formula:

(a) Each hospital that has fewer than one hundred (100) licensed beds and that is not classified as a critical access hospital that operates an emergency department shall be eligible to receive Six Hundred Twenty-five Thousand Dollars (\$625,000.00) to defray the costs of providing emergency department services.

(b) Each rural hospital that has fewer than one hundred (100) licensed beds and that is classified as a critical access hospital that operates an emergency department shall be eligible to receive Five Hundred Thousand Dollars (\$500,000.00) to defray the costs of providing emergency department services.

(c) Each hospital that operates an emergency department and that has more than one hundred (100) licensed beds shall be eligible to receive One Million Dollars (\$1,000,000.00).

(d) Each hospital with fewer than two hundred (200) licensed beds with the majority of such beds being dedicated to providing specialty services such as women's health services, long-term acute care, rehabilitation or psychiatric services shall be eligible to receive Five Hundred Thousand Dollars (\$500,000.00).

(e) Each rural hospital with fewer than one hundred (100) licensed beds with no emergency department shall be eligible to receive Three Hundred Thousand Dollars (\$300,000.00) to defray the costs of providing access to hospital care in rural communities.

(f) In addition to the funds provided in paragraphs (a) through (e) of this subsection, each small rural hospital with fifty (50) beds or less which operated an emergency department shall be eligible to receive Two Hundred Fifty Thousand Dollars (\$250,000.00) to defray the costs of providing access to hospital care in rural communities.

(g) In addition to the funds distributed in paragraphs (a) through (c) and (e) through (f) of this subsection, any remaining funds appropriated for the purposes of this grant program shall be distributed to hospitals receiving funds in paragraphs (a) through (c) and (e) through (f) of this subsection on a pro rata amount by dividing the total amount of the remaining funds by the number of licensed beds attributable to all licensed Mississippi hospitals except for licensed beds attributable to hospitals described in paragraph (d) of this subsection and for licensed beds attributable to hospitals operated by the United States Department of Veterans Affairs and hospitals operated by the State Department of Mental Health and determining a dollar amount for each bed, and then multiplying that dollar amount by the number of licensed beds of that hospital.

(4) The department shall adopt such reasonable rules as necessary for the administration of the program, but shall not place additional qualification requirements on hospitals other than the minimum requirements in this section.

(5) The Mississippi Hospital Association shall form a work group to review the delivery of hospital services in Mississippi and shall make recommendations regarding the changes needed to sustain access to hospital care to the Lieutenant Governor, Speaker of the House, Chairmen of the House and Senate Public Health Committees with copies to the Governor and the State Health Officer.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM FOR THE PURPOSE OF STRENGTHENING, IMPROVING AND PRESERVING ACCESS TO HOSPITAL CARE SERVICES FOR ALL MISSISSIPPIANS AND IN RECOGNITION OF THE CHALLENGES INCURRED BY HOSPITALS AS A RESULT OF THE COVID-19 PANDEMIC; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL ADMINISTER THE PROGRAM; TO PROVIDE THAT THE FUNDS SHALL BE DISTRIBUTED TO EACH HOSPITAL LICENSED BY THE STATE OF MISSISSIPPI EXCEPT FOR HOSPITALS OPERATED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND HOSPITALS OPERATED BY THE STATE DEPARTMENT OF MENTAL HEALTH; TO PROVIDE CERTAIN



DISTRIBUTION FORMULAS FOR ALLOCATING THE FUNDS APPROPRIATED FOR THE GRANT PROGRAM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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W. Briggs Hopson III	John Read
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Kevin Blackwell	Sam C. Mims, V
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John A. Polk	Jason White
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2372** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2444:** ARPA programs; bring forward provisions related to for possible amendment.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2444** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2446:** Appropriations; revise certain transfers, fund authority, and FY2023 appropriations.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2446** be recommitted for further conference and the motion prevailed.

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Senator Hopson called up the following entitled bill:

**S. B. No. 2454:** Budget; bring forward code sections related to and provide for transfers.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2454** be recommitted for further conference and the motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2616** and moved that the Report do be adopted:

# REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2616: Real Estate Commission; decrease fees charged by.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1 with the following exception(s):

AMEND on lines 4 and 5 by striking "One Million Dollars (\$1,000,000.00)" and inserting in lieu thereof:

One Hundred Twenty Thousand Dollars (\$120,000.00)

2. That the House concur in the above exception(s).

## CONFEREES FOR THE SENATE

W. Briggs Hopson III

J. Walter Michel

Dennis DeBar, Jr.

## CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Timmy Ladner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2616** was adopted:

Yeas--Barnett, Barrett, Blackmon, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--45.

Nays--None.

Absent and those not voting---None.

Voting Present--Blackwell, Blount, Branning, Frazier, Harkins, Michel, Norwood. Total--7.

Senator Hopson moved that the rules be suspended to move to calendar item 14, **H. B. No. 602**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 602** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 602: District Attorneys; increase the operating allowance of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House concur in Senate Amendment No. 1.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Read

W. Briggs Hopson III

Angela Cockerham

Brice Wiggins

Joey Hood

Sollie B. Norwood

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 602** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

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Senator Chassaniol called up the following entitled bill:

**H. B. No. 252:** Festival wine permits; extend repealers on authority to issue and certain provisions relating to.

Senator Chassaniol moved that the Conference Committee Report on **H. B. No. 252** be recommitted for further conference and the motion prevailed.

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Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 266** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 266: Department of Public Safety Headquarters Office; name in honor of Commissioner David R. Huggins.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Mississippi Department of Public Safety Headquarters' Office, to be constructed and located in Pearl, Rankin County, Mississippi, shall be named the "David R. Huggins Headquarters of the Mississippi Department of Public Safety." The Department of Finance and Administration shall prepare or have prepared a distinctive plaque, to be approved by the Mississippi Department of Public Safety, to be placed in a prominent place within the building, that states the background, accomplishments and service to the state by Commissioner David R. Huggins. The Department of Finance and Administration, in conjunction with the Mississippi Department of Public Safety, shall erect or cause to be erected proper lettering or signage on the outdoor facade of the building displaying the official name of the building as the "David R. Huggins Headquarters of the Mississippi Department of Public Safety." Any and all funds necessary to accomplish this act will be appropriated by the Legislature for such purpose.

SECTION 2. The Mississippi State Crime Laboratory of the Mississippi Department of Public Safety located in Pearl, Rankin County, Mississippi, shall be named the "Tom Weathersby State Crime Laboratory." The Department of Finance and Administration shall prepare or have prepared a distinctive plaque, to be approved by the Mississippi Department of Public Safety and the Mississippi House of Representatives, to be placed in a prominent place within the building, that states the background, accomplishments and service to the state by the Honorable Tom Weathersby. The Department of Finance and Administration, in conjunction with the Mississippi Department of Public Safety, shall erect or cause to be erected proper lettering or signage on the outdoor facade of the building displaying the official name of the building as the "Tom Weathersby State Crime Laboratory." Any and all funds necessary to accomplish this act will be appropriated by the Legislature for such purpose.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO NAME THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY HEADQUARTERS' OFFICE, LOCATED IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "DAVID R. HUGGINS HEADQUARTERS OF THE MISSISSIPPI DEPARTMENT OF

PUBLIC SAFETY"; TO NAME THE MISSISSIPPI STATE CRIME LABORATORY IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "TOM WEATHERSBY STATE CRIME LABORATORY"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDINGS DISPLAYING THE OFFICIAL NAMES AS THE "DAVID R. HUGGINS HEADQUARTERS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY" AND THE "TOM WEATHERSBY STATE CRIME LABORATORY"; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE                      CONFEREES FOR THE SENATE

Nick Bain	Joey Fillingane
Tom Miles	Daniel H. Sparks
Perry Bailey	Rita Potts Parks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 266** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting---None.  
Voting Present--Hill, McCaughn. Total--2.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 405** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 405: Bribery of a candidate; revise statute of limitations.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 99-1-5, Mississippi Code of 1972, as amended by Senate Bill No. 2337, 2023 Regular Session, is amended as follows:

99-1-5. (1) (a) The passage of time shall never bar prosecution against any person for the offenses of murder, manslaughter, aggravated assault, aggravated domestic violence, kidnapping, arson, burglary, forgery, counterfeiting, robbery, larceny, rape, embezzlement, obtaining money or property under false pretenses or by fraud, felonious abuse or battery of a child as described in Section 97-5-39, touching or handling a child for lustful purposes as described in Section 97-5-23, sexual battery of a child as described in Section 97-3-95(1)(c), (d) or (2), exploitation of children as described in Section 97-5-33, promoting prostitution under Section 97-29-51(2) when the person involved is a minor, or any human trafficking offense as described in Section 97-3-54.1(1)(a), (1)(b) or (1)(c), Section 97-3-54.2, or Section 97-3-54.3.

(b) A person shall not be prosecuted \* \* \* for felonious assistance-program fraud, as described in Section 97-19-71, or for felonious abuse of vulnerable persons, as described in Sections 43-47-18 and 43-47-19, unless the prosecution for the offense is commenced within five (5) years next after the commission thereof.

(c) A person shall not be prosecuted for larceny of timber as described in Section 97-17-59, unless the prosecution for the offense is commenced within six (6) years next after the commission thereof.

(d) The time limitation on prosecution for conspiracy, as described in Section 97-1-1, shall be the same as for the underlying offense for which the defendant is accused of conspiring to commit.

(e) A person shall not be prosecuted for bribery as defined in Section 97-11-11, unless the prosecution for the offense is commenced within five (5) years after the commission thereof.

(2) A person shall not be prosecuted for any other offense not listed in this section unless the prosecution for the offense is commenced within two (2) years next after the commission thereof.

(3) Nothing contained in this section shall bar any prosecution against any person who shall abscond or flee from justice, or shall absent himself from this state or out of the jurisdiction of the court, or so conduct himself that he cannot be found by the officers of the law, or that process cannot be served upon him.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2337, 2023 REGULAR SESSION, TO REVISE THE STATUTE OF LIMITATIONS FOR BRIBERY OF A CANDIDATE TO FIVE YEARS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Nick Bain

Noah Sanford

Gene Newman

CONFEREES FOR THE SENATE

Joey Fillingane

Jeremy England

Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 405** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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On request of Senator Wiggins, unanimous consent was granted to make the following correction in **H. B. No. 485**:

**H. B. No. 485:** Sexual assault evidence kit; regulate the processing of.

Unanimous Consent of the House and Senate is requested to make the following change to the Conference Report for House Bill No. 485, 2023 Regular Session:

AMEND on line 188 by striking "nine (9)" and inserting "twelve (12)" in lieu thereof.

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Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 485** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 485: Sexual assault evidence kit; regulate the processing of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

## 2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The following words shall have the meanings described in this act:

(a) "Law enforcement" means the law enforcement agency with the primary responsibility for investigating an alleged sexual assault.

(b) "Medical facility" means any state, local, tribal, community, free, nonprofit, academic, or private doctor's office, hospital, or medical clinic equipped to perform forensic medical examinations and prepare sexual assault evidence kits.

(c) "Reported kit" means a sexual assault evidence kit in which the survivor has consented to participate in the criminal justice process through reporting the crime to law enforcement.

(d) "Sexual assault" means rape as defined in Section 97-3-71, sexual battery as defined in Section 97-3-95 and sexual penetration as defined in Section 97-3-97.

(e) "Sexual assault evidence collection kit" means a sexual assault or rape kit developed by the Mississippi chapter of the International Association of Forensic Nurses (IAFN) and approved by the Sexual Assault Evidence Accountability Task Force.

(f) "Sexual Assault Nurse Examiner" means a registered nurse or advanced practice nurse, with a minimum of one (1) year of experience in areas of practice that require advanced physical assessment skills, such as emergency, critical care and maternal child health, who has completed sexual assault nurse examiner (SANE) training consistent with IAFN SANE Education Guidelines that consists of both classroom and clinical components.

(g) "Unreported kit" means a sexual assault evidence kit in which the survivor consented to the evidence collection, but has not consented to participate in the criminal justice process by reporting the crime to law enforcement – meaning they are not seeking to have their kit tested.

(2) Sexual assault evidence collection kits shall be processed in the following manner:

(a) Any medical facility that conducts a medical forensic examination and/or prepares a sexual assault evidence collection kit shall immediately, but no longer than four (4) hours after the finalization of examination, contact the appropriate law enforcement agency to collect the kit. Until the kit is retrieved by law enforcement, the medical facility shall store the kit in a refrigerated manner in conformity with the Scientific Working Group for DNA Analysis Method.

(b) When a law enforcement agency is contacted to collect a sexual assault evidence kit, the law enforcement agency shall take possession of the kit from the medical facility within twenty four (24) hours. Upon taking physical possession of the sexual assault evidence collection kit, the law enforcement agency shall transport the kit in a manner that preserves the evidence in the kit. The agency shall: (i) store the kit in a secure, refrigerated location in the agency no more than two (2) hours after taking physical possession of the kit; or (ii) transport the kit directly to the Mississippi Forensics Laboratory.



(c) All kits must be delivered to the Mississippi Forensics Laboratory no later than seven (7) calendar days from the date the law enforcement agency took physical possession of the kit.

(d) A law enforcement agency that receives a sexual assault collection kit from a healthcare provider that relates to a report of a sexual assault that occurred outside the jurisdiction of that law enforcement agency shall have the sexual assault collection kit delivered to the law enforcement agency having jurisdiction within ten (10) days of learning that the other law enforcement agency has jurisdiction.

(3) (a) The Mississippi Forensics Laboratory shall test sexual assault evidence collection kits within sixty (60) days of receipt from a law enforcement agency. Forensic DNA testing shall be performed according to laboratory methods that determine the presence of DNA suitable for STR analysis. Any autosomal, CODIS eligible DNA profile shall be entered into the Combined DNA Index System (CODIS) or equivalency thereof and state or local DNA database. If the Mississippi Forensics Laboratory is unable to determine DNA present, other than the victim's DNA, in the sexual assault evidence collection kit, the laboratory should evaluate the case, when suitable, to determine if any other DNA results could be used for investigative purposes.

(b) When forensic laboratory testing does result in a DNA profile foreign to the victim, the Mississippi Forensics Laboratory should enter the foreign DNA profile into the Combined DNA Index System (CODIS) or equivalency thereof and any other required state or local DNA databases. The average completion rate for this analysis and classification should not exceed ninety (90) days.

(c) The Mississippi Forensics Laboratory is authorized to contract with other laboratories to ensure that each kit is tested and the information from such kit is entered into CODIS, when applicable, within the time frames required by this subsection.

SECTION 2. (1) Upon the request of a sexual assault victim or their designee, the law enforcement agency that is investigating the assault of such victim shall inform the victim of the location of the sexual assault evidence kit or other crime scene evidence from the victim's case and the status of the DNA testing of the sexual assault evidence kit or other crime scene evidence from the victim's case.

(2) The law enforcement agency shall respond to the victim's request as soon as possible, but no longer than seven (7) calendar days, with either an oral or written communication, or by email, if an email address is available.

(3) In addition to the rights provided in the "Mississippi Crime Victims' Bill of Rights," in Sections 99-43-1 through 99-43-101, a victim of sexual assault shall have:

(a) The right to be informed by the law enforcement agency handling the case whether a DNA profile of the assailant was obtained from the testing of the sexual assault evidence kit or other crime scene evidence from their case.

(b) The right to be informed whether the DNA profile of the assailant developed from the sexual assault evidence kit or other crime scene evidence has been entered into the Mississippi Forensics Laboratory's DNA identification system or CODIS.

(c) The right to be informed whether there is a match between the DNA profile of the assailant developed from the rape kit evidence or other crime scene evidence and a DNA profile contained in the Mississippi Forensics Laboratory's DNA identification system, provided that disclosure would not impede or compromise an ongoing investigation.

(4) If the law enforcement agency intends to destroy or dispose of the sexual assault evidence kit or any other crime scene evidence from an unsolved sexual assault

case, the victim of the case shall be given written notification by the law enforcement agency of that intention within twenty (20) days. The victim shall be granted further preservation of the kit or its probative contents, upon their request.

(5) A law enforcement agency shall not destroy or dispose of the sexual assault evidence kit or any other crime scene evidence from an unsolved sexual assault case before twenty (20) years after the collection of the evidence of the crime or, if the victim was under eighteen (18) years of age at the time of the alleged offense, before the victim is forty (40) years of age.

(6) A sexual assault victim may designate a sexual assault victim advocate, or other support person of the victim's choosing, to act as a recipient of the above information required to be provided by this section.

(7) For the purpose of receiving notice under this section, the victim or the victim's designee may keep appropriate authorities informed of the name, address, telephone number, and email address of the person to whom the information should be provided, and any changes of the name, address, telephone number, and email address, if an email address is available.

(8) A defendant or person accused or convicted of a crime against the victim shall have no standing to object to any failure to comply with this section. The failure to provide a right or notice to a sexual assault victim under this section may not be used by a defendant to seek to have the conviction or sentence set aside.

(9) The sole civil or criminal remedy available to a sexual assault victim for a law enforcement agency's failure to fulfill its responsibilities under this section shall be standing to file a writ of mandamus to require compliance with subdivision with the requirements of this act.

SECTION 3. (1) The Mississippi Forensics Laboratory, in consultation with the Sexual Assault Evidence Accountability Task Force, and the Mississippi Department of Public Safety, shall conduct a study and issue a report by July 1, 2024, that examines the resources required to implement a rape kit tracking system in the state that shall:

(a) Be operated and managed by the Mississippi Department of Public Safety or Mississippi Forensic Laboratory for the purpose of tracking all rape kits collected for testing or analysis;

(b) Be accessible to sexual assault victims and other authorized users as determined by the Mississippi Department of Public Safety; and

(c) Function as an online accessible database capable of receiving, maintaining, storing and preserving tracking information related to the testing and analysis of all rape kits.

(2) The Mississippi Department of Public Safety and Mississippi Forensic Laboratory shall issue a report of its findings and recommendations to the Legislature within twelve (12) months of the effective date of this section.

SECTION 4. There is created the "Sexual Assault Evidence Accountability Task Force" for the purpose of developing and approving standardized policies and procedures concerning the sexual assault evidence collection kit. The committee shall be comprised of the following nine (9) members:

(a) The director of the Mississippi Forensic Laboratory or their designee;

(b) One (1) representative from the Mississippi Department of Public Safety;

(c) One (1) district attorney appointed by the Mississippi Prosecutors' Association;

(d) One (1) sexual assault investigator appointed by the Mississippi Association of Chiefs of Police;

(e) One (1) sexual assault investigator appointed by the Mississippi Sheriffs' Association;

(f) One (1) investigator from the Mississippi Attorney General's Office;

(g) One (1) sexual assault nurse examiner practicing in north Mississippi appointed by the President of the Board of Directors of the Mississippi Association of Forensic Nurses (MAFN);

(h) One (1) sexual assault nurse examiner practicing in central Mississippi appointed by the President of the Board of Directors of the Mississippi Association of Forensic Nurses (MAFN);

(i) One (1) sexual assault nurse examiner practicing in south Mississippi appointed by the President of the Board of Directors of the Mississippi Association of Forensic Nurses (MAFN);

(j) One (1) physician who regularly performs forensic medical exams appointed by the Mississippi State Medical Association;

(k) One (1) physician who regularly performs forensic medical exams appointed by the Mississippi Academy of Family Physicians; and

(l) One (1) member appointed by the Mississippi Hospital Association who regularly performs forensic medical exams.

SECTION 5. Section 99-49-1, Mississippi Code of 1972, is amended as follows:

99-49-1. (1) Legislative intent. The Legislature finds that:

(a) The value of properly preserved biological evidence has been enhanced by the discovery of modern DNA testing methods, which, coupled with a comprehensive system of DNA databases that store crime scene and offender profiles, allow law enforcement to improve its crime-solving potential;

(b) Tapping the potential of preserved biological evidence requires the proper identification, collection, preservation, storage, cataloguing and organization of such evidence;

(c) Law enforcement agencies indicate that "cold" case investigations are hindered by an inability to access biological evidence that was collected in connection with criminal investigations;

(d) Innocent people mistakenly convicted of the serious crimes for which biological evidence is probative cannot prove their innocence if such evidence is not accessible for testing in appropriate circumstances;

(e) It is well established that the failure to update policies regarding the preservation of evidence squanders valuable law enforcement resources, manpower hours and storage space; and

(f) Simple but crucial enhancements to protocols for properly preserving biological evidence can solve old crimes, enhance public safety and settle claims of innocence.

(2) Definitions. For the purposes of this section:

(a) "Biological evidence" means the contents of a sexual assault examination kit or any item that contains blood, semen, hair, saliva, skin tissue, fingernail scrapings, bone, bodily fluids or other identifiable biological material that was collected as part of the criminal investigation or may reasonably be used to incriminate or exculpate any person for the offense. This definition applies whether that material is catalogued separately, such as on a slide, swab or in a test tube, or is present on other evidence, including, but not limited to, clothing, ligatures, bedding or other household material, drinking cups, cigarettes or other items.

(b) "DNA" means deoxyribonucleic acid.

(c) "Custody" means persons currently incarcerated; civilly committed; on parole or probation; or subject to sex offender registration for the period of the registration or for the first five (5) years of the registration, whichever is the shorter period.

(d) "Profile" means \* \* \* an autosomal, Y chromosome, or mitochondrial DNA profile generated from an individual.

(e) "State" refers to any governmental or public entity within Mississippi, including all private entities that perform such functions, and its officials or employees, including, but not limited to, law enforcement agencies, prosecutors' offices, courts, public hospitals, forensics laboratories, and any other entity or individual charged with the collection, storage or retrieval of biological evidence.

(3) Preservation of evidence procedures. (a) The state shall preserve all biological evidence:

(i) That is secured in relation to an investigation or prosecution of a crime for the period of time that the crime remains unsolved or as otherwise provided by law for that crime; or

(ii) That is secured in relation to an investigation or prosecution of a crime for the period of time that the person convicted of that crime remains in custody or as otherwise provided by law for that crime.

(b) This section applies to evidence that:

(i) Was in the possession of the state during the investigation and prosecution of the case; and

(ii) At the time of conviction was likely to contain biological material.

(c) The state shall not destroy biological evidence should one or more additional co-defendants, convicted of the same crime, remain in custody, and shall preserve the evidence for the period of time in which all co-defendants remain in custody or as otherwise provided by law for that crime.

(d) The state shall retain evidence in the amount and manner sufficient to develop a DNA profile from the biological material contained in or included on the evidence.

(e) Upon written request by the defendant, the state shall prepare an inventory of biological evidence that has been preserved in connection with the defendant's criminal case.

(f) The state may destroy evidence that includes biological material before the expiration of the time period specified in paragraph (a) of this subsection if all of the following apply:

(i) No other provision of federal or state law requires the state to preserve the evidence.

(ii) The state sends certified delivery of notice of intent to destroy the evidence to:

1. All persons who remain in custody as a result of the criminal conviction, delinquency adjudication, or commitment related to evidence in question;

2. The attorney of record for each person in custody;

3. The Mississippi Office of Indigent Appeals;

4. The district attorney in the county of conviction; and

5. The Mississippi Attorney General.

(iii) No person who is notified under subparagraph (ii) of this paragraph (f) does either of the following within sixty (60) days after the date on which the person received the notice:

1. Files a motion for testing of evidence under \* \* \* Chapter 39, Title 99, Mississippi Code of 1972; or

2. Submits a written request for retention of evidence to the state entity which provided notice of its intent to destroy evidence under subparagraph (ii) of this paragraph (f).

(g) If, after providing notice under paragraph (f)(ii) of this subsection of its intent to destroy evidence, the state receives a written request for retention of the evidence, the state shall retain the evidence while the person remains in custody.

(h) The state shall not be required to preserve physical evidence that is of such a size, bulk or physical character as to render retention impracticable. When such retention is impracticable, the state shall remove and preserve portions of the material evidence likely to contain biological evidence related to the offense, in a quantity sufficient to permit future DNA testing, before returning or disposing of the physical evidence.

(i) Should the state be called upon to produce biological evidence that could not be located and whose preservation was required under the provisions of this statute, the chief evidence custodian assigned to the entity charged with the preservation of the evidence shall provide an affidavit in which the custodian stipulates, under penalty of perjury, an accurate description of the efforts taken to locate that evidence and that the evidence could not be located.

(4) This section does not require the state to preserve the biological evidence that is obtained in performing the test required by Section 99-3-41 and is required to be destroyed under that section.

(5) Any evidence in a murder, manslaughter or felony sexual assault case in the possession of the state on July 1, 2009, whether biological or not, shall be preserved by

the state consistent with the legislative intent expressed in subsection (1) and subject to compliance with subsection (3)(f).

(6) Remedies for noncompliance. If the court finds that biological evidence was destroyed in violation of the provisions of this section, it may impose appropriate sanctions and order appropriate remedies.

SECTION 6. Section 4 of this act shall take effect and be in force from and after July 1, 2023. Sections 1, 2, 3 and 5 shall take effect and be in force from and after December 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE A PROCESS TO COLLECT AND PRESERVE SEXUAL ASSAULT EVIDENCE COLLECTION KITS; TO REQUIRE THE LAW ENFORCEMENT AGENCY TO IMMEDIATELY COLLECT AND STORE THE KIT IN COMPLIANCE WITH CERTAIN STANDARDS; TO REQUIRE THE LAW ENFORCEMENT AGENCY TO SEND THE KIT TO THE MISSISSIPPI FORENSICS LABORATORY WITHIN A CERTAIN NUMBER OF DAYS; TO REQUIRE THE FORENSICS LABORATORY TO PROCESS THE KIT AND ENTER CERTAIN DNA INFORMATION INTO THE APPROPRIATE FEDERAL, STATE AND LOCAL DATABASES; TO PROVIDE ADDITIONAL RIGHTS FOR SEXUAL ASSAULT VICTIMS; TO CREATE THE SEXUAL ASSAULT EVIDENCE ACCOUNTABILITY TASK FORCE TO CONDUCT A STUDY AND ISSUE A REPORT THAT EXAMINES THE RESOURCES REQUIRED TO IMPLEMENT A RAPE KIT TRACKING SYSTEM; TO AMEND SECTION 99-49-1, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "PROFILE"; TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Angela Cockerham

Brice Wiggins

Edward Blackmon, Jr.

Jeremy England

John Thomas "Trey" Lamar, III

Nicole Boyd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 485** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 510:** Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents.

Senator Wiggins moved that the Conference Committee Report on **H. B. No. 510** be recommitted for further conference and the motion prevailed.

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Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 529** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 529: Department of Public Safety; revise various provisions.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-16-3, Mississippi Code of 1972, is amended as follows:

63-16-3. (1) The Department of Public Safety, hereinafter referred to in this section as "department," in cooperation with the Commissioner of Insurance and the Department of Revenue, shall establish an accessible common carrier-based motor vehicle insurance verification system to verify the compliance of a motor vehicle with motor vehicle liability policy requirements under the Mississippi Motor Vehicle Safety-Responsibility Law.

(2) The department, in cooperation with the Department of Revenue if applicable, may contract with a private vendor or vendors to establish and maintain the system.

(3) The system must:

(a) Send requests to insurers for verification of motor vehicle liability insurance using electronic services established by the insurers through the internet, World Wide Web, or a similar proprietary or common carrier electronic system in compliance with the specifications and standards of the Insurance Industry Committee on Motor Vehicle Administration and other applicable industry standards;

(b) Include appropriate provisions to secure its data against unauthorized access and to maintain a record of all requests and responses;

(c) Be accessible, without fee, to authorized personnel of the department, the courts, law enforcement personnel, and other entities authorized by the department under the provisions of Section 63-16-7;

(d) Be able to interface with existing department systems;

(e) Be able to be accessed by authorized users via a secure web browser;

(f) Not more often than every thirty (30) days, receive insurance information from insurers under specifications and standards set forth in paragraph (a) of this subsection or other data file formats as approved by the department to identify motor vehicle insurance policy information; however, no insurer shall be required to provide information in a format other than those set forth by the Insurance Industry Committee on Motor Vehicle Administration "Insurance Data Transfer Guide," as amended;

(g) Provide a means by which low-volume insurers that are unable to deploy an online interface with the system can report insurance policy data to the department or their designee for inclusion in the system;

(h) Provide a means to track separately or distinguish motor vehicles that are subject to a certificate of insurance under Section 63-15-39 or 63-15-41, a certificate of self-insurance under Section 63-15-53, a bond under Section 63-15-49, or a certificate of deposit of money or securities under Section 63-15-51;

(i) Distinguish motor vehicles that are exempt from the provisions of this chapter;

(j) Be available twenty-four (24) hours a day, seven (7) days a week, subject to reasonable allowances for scheduled maintenance or temporary system failures, to verify the insurance status of any motor vehicle in a manner prescribed by the department; and

(k) Be installed and operational not later than March 1, 2016, followed by an appropriate testing period of not less than six (6) months.

(4) Every insurer shall cooperate with the department and the Insurance Department in establishing and maintaining the system and shall provide motor vehicle liability policy status and information to verify liability coverage for a motor vehicle insured by that company that is registered in this state.

(5) Records and information gathered by or stored in the system are exempt from the Mississippi Public Records Act of 1983.

SECTION 2. The following shall be codified as Section 45-27-23, Mississippi Code of 1972:

45-27-23. (1) In order to facilitate the authorized interstate exchange of criminal history information for noncriminal justice purposes, including, but not limited to, background checks for the licensing and screening of employees and volunteers under the National Child Protection Act of 1993, as amended, and to implement the National Crime Prevention and Privacy Compact, 42 U.S.C. Section 14616, the Legislature approves and ratifies the compact. The director of the Mississippi Justice Information Center shall execute the compact on behalf of the state.

(2) The department is the repository of criminal history records for purposes of the compact and shall do all things necessary or incidental to carrying out the compact.

(3) The director of the Mississippi Justice Information Center, or the director's designee, is the state's compact officer and shall administer the compact within the state. The Mississippi Justice Information Center may establish procedures for the cooperative exchange of criminal history records between the state and federal government for use in noncriminal justice cases.



(4) The state's ratification of the compact remains in effect until legislation is enacted specifically renouncing the compact.

SECTION 3. Section 45-27-9, Mississippi Code of 1972, is amended as follows:

45-27-9. (1) All criminal justice agencies within the state shall submit to the center an arrest card that will transmit fingerprints, descriptions, photographs (when specifically requested), and other identifying data on persons who have been lawfully arrested or taken into custody in this state for all felonies and misdemeanors as described in Section 45-27-7(2)(a). It shall be the duty of all chiefs of police, sheriffs, district attorneys, courts, court clerks, judges, parole and probation officers, wardens or other persons in charge of correctional institutions in this state to furnish the center with all data required by the rules duly promulgated under the Administrative Procedures Act to carry out its responsibilities under this chapter, and the duty of courts and court clerks to submit a disposition form for every disposition. It shall be the duty of all criminal justice agencies within the state to supply the prosecutor and the proper court with the disposition form that is attached to the physical arrest card if fingerprints were taken manually or, if fingerprints were captured digitally, the disposition form generated by the electronic fingerprint device at the time of the arrest. The PEER committee may conduct random review of the records of any agency or clerks referenced in this subsection (1) to determine whether the duties of such agencies and clerks are being fulfilled in a timely manner. The PEER committee, based on its findings, if any, shall recommend measures to ensure that the duties are more effectively carried out in a timely manner.

(2) (a) All persons in charge of law enforcement agencies shall obtain, or cause to be obtained, fingerprints according to the fingerprint system of identification established by the Director of the Federal Bureau of Investigation, full face and profile photographs (if equipment is available) and other available identifying data, of each person arrested or taken into custody for an offense of a type designated in subsection (1) of this section, of all persons arrested or taken into custody as fugitives from justice and of all unidentified human corpses in their jurisdictions, but photographs need not be taken if it is known that photographs of the type listed, taken within the previous year, are on file. Any record taken in connection with any person arrested or taken into custody and subsequently released without charge or cleared of the offense through court proceedings shall be purged from the files of the center and destroyed upon receipt by the center of a lawful expunction order. All persons in charge of law enforcement agencies shall submit to the center detailed descriptions of arrests or takings into custody which result in release without charge or subsequent exoneration from criminal liability within twenty-four (24) hours of the release or exoneration.

(b) The center will work to secure grant funds to purchase live scan equipment to be utilized throughout the state. All law enforcement agencies shall utilize any live scan equipment provided by the center to ensure the most accurate collection of fingerprints. The center shall coordinate the use of the equipment with federal, state, county and municipal law enforcement agencies.

(3) Fingerprints and other identifying data required to be taken under subsection (2) shall be forwarded within twenty-four (24) hours after taking for filing and classification, but the period of twenty-four (24) hours may be extended to cover any intervening holiday or weekend. Photographs taken shall be forwarded at the discretion of the agency concerned, but, if not forwarded, the fingerprint record shall be marked "Photo Available" and the photographs shall be forwarded subsequently if the center so requests.

(4) All persons in charge of law enforcement agencies shall submit to the center detailed descriptions of arrest warrants and related identifying data immediately upon determination of the fact that the warrant cannot be served for the reasons stated. If the warrant is subsequently served or withdrawn, the law enforcement agency concerned must immediately notify the center of the service or withdrawal. Also, the agency concerned must annually, no later than January 31 of each year and at other times if

requested by the center, confirm all arrest warrants which continue to be outstanding. Upon receipt of a lawful expunction order, the center shall purge and destroy files of all data relating to an offense when an individual is subsequently exonerated from criminal liability of that offense. The center shall not be liable for the failure to purge, destroy or expunge any records if an agency or court fails to forward to the center proper documentation ordering the action.

(5) All persons in charge of state correctional institutions shall obtain fingerprints, according to the fingerprint system of identification established by the Director of the Federal Bureau of Investigation or as otherwise directed by the center, and full face and profile photographs of all persons received on commitment to the institutions. The prints so taken shall be forwarded to the center, together with any other identifying data requested, within ten (10) days after the arrival at the institution of the person committed. At the time of release, the institution will again obtain fingerprints, as before, and forward them to the center within ten (10) days, along with any other related information requested by the center. The institution shall notify the center immediately upon the release of the person.

(6) All persons in charge of law enforcement agencies, all court clerks, all municipal justices where they have no clerks, all justice court judges and all persons in charge of state and county probation and parole offices, shall supply the center with the information described in subsections (4) and (10) of this section on the basis of the forms and instructions for the disposition form to be supplied by the center.

(7) All persons in charge of law enforcement agencies in this state shall furnish the center with any other identifying data required in accordance with guidelines established by the center. All law enforcement agencies and correctional institutions in this state having criminal identification files shall cooperate in providing the center with copies of the items in the files which will aid in establishing the nucleus of the state criminal identification file.

(8) All law enforcement agencies within the state shall report to the center, in a manner prescribed by the center, all persons wanted by and all vehicles and identifiable property stolen from their jurisdictions. The report shall be made as soon as is practical after the investigating department or agency either ascertains that a vehicle or identifiable property has been stolen or obtains a warrant for an individual's arrest or determines that there are reasonable grounds to believe that the individual has committed a crime. The report shall be made within a reasonable time period following the reporting department's or agency's determination that it has grounds to believe that a vehicle or property was stolen or that the wanted person should be arrested.

(9) All law enforcement agencies in the state shall immediately notify the center if at any time after making a report as required by subsection (8) of this section it is determined by the reporting department or agency that a person is no longer wanted or that a vehicle or property stolen has been recovered. Furthermore, if the agency making the apprehension or recovery is not the one which made the original report, then it shall immediately notify the originating agency of the full particulars relating to the apprehension or recovery using methods prescribed by the center.

(10) All law enforcement agencies in the state and clerks of the various courts shall promptly report to the center all instances where records of convictions of criminals are ordered expunged by courts of this state as now provided by law. The center shall promptly expunge from the files of the center and destroy all records pertaining to any convictions that are ordered expunged by the courts of this state as provided by law.

(11) The center shall not be held liable for the failure to purge, destroy or expunge records if an agency or court fails to forward to the center proper documentation ordering the action.

(12) Any criminal justice department or agency making an expenditure in excess of Five Thousand Dollars (\$5,000.00) in any calendar year on software or programming upgrades concerning a computerized records management system or jail management system shall ensure that the new or upgraded system is formatted to Department of Justice approved XML format and that no impediments to data sharing with other agencies or departments exist in the software programming.

(13) (a) All law enforcement agencies within the state shall:

(i) Implement an incident-based reporting system within the agency or department that meets the reporting requirements of the National Incident-Based Reporting System (NIBRS) of the Uniform Crime Reporting Program of the Federal Bureau of Investigation;

(ii) Use the system described by subparagraph (i) to submit to the center information and statistics concerning criminal offenses committed in the jurisdiction of the local law enforcement agency, in a manner prescribed by the center; and

(iii) Report the information as soon as is practicable after the investigating agency or department ascertains that a qualifying crime has been committed in its jurisdiction, once the state-level NIBRS Repository is available.

(b) No later than \* \* \* December 31, 2025, state and local law enforcement agencies shall be compliant with all regulations promulgated by the Department of Public Safety's Criminal Information Center (CIC), with consultation with the President of the Sheriffs Association and Mississippi Association of Chiefs of Police with regard to the National Incident-Based Reporting System (NIBRS) of the Uniform Crime Reporting Program of the Federal Bureau of Investigation.

SECTION 4. Section 63-1-16, Mississippi Code of 1972, is amended as follows:

63-1-16. (1) The Department of Public Safety shall, upon request of the board of supervisors, furnish \* \* \* a Driver Service Bureau public access computer at a location in each county seat \* \* \* to access the Driver Service Bureau website. \* \* \* The county shall furnish the \* \* \* Internet connectivity at the location for the \* \* \* Driver Service Bureau public access computer.

\* \* \*

( \* \* \*2) At each driver's license location in the state, there shall be location signs prominently displayed providing for required information for the various licenses, cards and other services.

( \* \* \*3) On the Driver Services \* \* \* Bureau's website, there shall be tutorial videos linked to online procedures to help clearly illustrate how to use the website.

( \* \* \*4) On the Driver Services \* \* \* Bureau's website, the "Wait Anywhere Appointment," or its equivalent or successor program, shall be made available to use for all driver's license locations in the state.

SECTION 5. Section 45-9-101, Mississippi Code of 1972, is amended as follows:

45-9-101. (1) (a) Except as otherwise provided, the Department of Public Safety is authorized to issue licenses to carry stun guns, concealed pistols or revolvers to persons qualified as provided in this section. Such licenses shall be valid throughout the state for a period of five (5) years from the date of issuance, except as provided in subsection (25) of this section. Any person possessing a valid license issued pursuant to this section may carry a stun gun, concealed pistol or concealed revolver.

(b) The licensee must carry the license, together with valid identification, at all times in which the licensee is carrying a stun gun, concealed pistol or revolver and must display both the license and proper identification upon demand by a law enforcement officer. A violation of the provisions of this paragraph (b) shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by summons.

(2) The Department of Public Safety shall issue a license if the applicant:

(a) Is a resident of the state. However, this residency requirement may be waived if the applicant possesses a valid permit from another state, is a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, is the spouse of a member of any active or reserve component branch of the United States of America Armed Forces stationed in Mississippi, or is a retired law enforcement officer establishing residency in the state;

(b) (i) Is twenty-one (21) years of age or older; or

(ii) Is at least eighteen (18) years of age but not yet twenty-one (21) years of age and the applicant:

1. Is a member or veteran of the United States Armed Forces, including National Guard or Reserve; and

2. Holds a valid Mississippi driver's license or identification card issued by the Department of Public Safety or a valid and current tribal identification card issued by a federally recognized Indian tribe containing a photograph of the holder;

(c) Does not suffer from a physical infirmity which prevents the safe handling of a stun gun, pistol or revolver;

(d) Is not ineligible to possess a firearm by virtue of having been convicted of a felony in a court of this state, of any other state, or of the United States without having been pardoned or without having been expunged for same;

(e) Does not chronically or habitually abuse controlled substances to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses controlled substances to the extent that his faculties are impaired if the applicant has been voluntarily or involuntarily committed to a treatment facility for the abuse of a controlled substance or been found guilty of a crime under the provisions of the Uniform Controlled Substances Law or similar laws of any other state or the United States relating to controlled substances within a three-year period immediately preceding the date on which the application is submitted;

(f) Does not chronically and habitually use alcoholic beverages to the extent that his normal faculties are impaired. It shall be presumed that an applicant chronically and habitually uses alcoholic beverages to the extent that his normal faculties are impaired if the applicant has been voluntarily or involuntarily committed as an alcoholic to a treatment facility or has been convicted of two (2) or more offenses related to the use of alcohol under the laws of this state or similar laws of any other state or the United States within the three-year period immediately preceding the date on which the application is submitted;

(g) Desires a legal means to carry a stun gun, concealed pistol or revolver to defend himself;

(h) Has not been adjudicated mentally incompetent, or has waited five (5) years from the date of his restoration to capacity by court order;

(i) Has not been voluntarily or involuntarily committed to a mental institution or mental health treatment facility unless he possesses a certificate from a psychiatrist licensed in this state that he has not suffered from disability for a period of five (5) years;

(j) Has not had adjudication of guilt withheld or imposition of sentence suspended on any felony unless three (3) years have elapsed since probation or any other conditions set by the court have been fulfilled;

(k) Is not a fugitive from justice; and

(l) Is not disqualified to possess a weapon based on federal law.

(3) The Department of Public Safety may deny a license if the applicant has been found guilty of one or more crimes of violence constituting a misdemeanor unless three (3) years have elapsed since probation or any other conditions set by the court have been fulfilled or expunction has occurred prior to the date on which the application is submitted, or may revoke a license if the licensee has been found guilty of one or more crimes of violence within the preceding three (3) years. The department shall, upon notification by a law enforcement agency or a court and subsequent written verification, suspend a license or the processing of an application for a license if the licensee or applicant is arrested or formally charged with a crime which would disqualify such person from having a license under this section, until final disposition of the case. The provisions of subsection (7) of this section shall apply to any suspension or revocation of a license pursuant to the provisions of this section.

(4) The application shall be completed, under oath, on a form promulgated by the Department of Public Safety and shall include only:

(a) The name, address, place and date of birth, race, sex and occupation of the applicant;

(b) The driver's license number or social security number of applicant;

(c) Any previous address of the applicant for the two (2) years preceding the date of the application;

(d) A statement that the applicant is in compliance with criteria contained within subsections (2) and (3) of this section;

(e) A statement that the applicant has been furnished a copy of this section and is knowledgeable of its provisions;

(f) A conspicuous warning that the application is executed under oath and that a knowingly false answer to any question, or the knowing submission of any false document by the applicant, subjects the applicant to criminal prosecution; and

(g) A statement that the applicant desires a legal means to carry a stun gun, concealed pistol or revolver to defend himself.

(5) The applicant shall submit only the following to the Department of Public Safety:

(a) A completed application as described in subsection (4) of this section;

(b) A full-face photograph of the applicant taken within the preceding thirty (30) days in which the head, including hair, in a size as determined by the Department of Public Safety, except that an applicant who is younger than twenty-one (21) years of age must submit a photograph in profile of the applicant;

(c) A nonrefundable license fee of Eighty Dollars (\$80.00). Costs for processing the set of fingerprints as required in paragraph (d) of this subsection shall be borne by the applicant. Honorably retired law enforcement officers, disabled veterans and active duty members of the Armed Forces of the United States, and law enforcement officers employed with a law enforcement agency of a municipality, county or state at the time of application for the license, shall be exempt from the payment of the license fee;

(d) A full set of fingerprints of the applicant administered by the Department of Public Safety; and

(e) A waiver authorizing the Department of Public Safety access to any records concerning commitments of the applicant to any of the treatment facilities or institutions referred to in subsection (2) of this section and permitting access to all the applicant's criminal records.

(6) (a) The Department of Public Safety, upon receipt of the items listed in subsection (5) of this section, shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing.

(b) The Department of Public Safety shall forward a copy of the applicant's application to the sheriff of the applicant's county of residence and, if applicable, the police chief of the applicant's municipality of residence. The sheriff of the applicant's county of residence, and, if applicable, the police chief of the applicant's municipality of residence may, at his discretion, participate in the process by submitting a voluntary report to the Department of Public Safety containing any readily discoverable prior information that he feels may be pertinent to the licensing of any applicant. The reporting shall be made within thirty (30) days after the date he receives the copy of the application. Upon receipt of a response from a sheriff or police chief, such sheriff or police chief shall be reimbursed at a rate set by the department.

(c) The Department of Public Safety shall, within forty-five (45) days after the date of receipt of the items listed in subsection (5) of this section:

(i) Issue the license;

(ii) Deny the application based solely on the ground that the applicant fails to qualify under the criteria listed in subsections (2) and (3) of this section. If the Department of Public Safety denies the application, it shall notify the applicant in writing, stating the ground for denial, and the denial shall be subject to the appeal process set forth in subsection (7); or

(iii) Notify the applicant that the department is unable to make a determination regarding the issuance or denial of a license within the forty-five-day period prescribed by this subsection, and provide an estimate of the amount of time the department will need to make the determination.

(d) In the event a legible set of fingerprints, as determined by the Department of Public Safety and the Federal Bureau of Investigation, cannot be obtained after a minimum of two (2) attempts, the Department of Public Safety shall determine eligibility based upon a name check by the Mississippi Highway Safety Patrol and a Federal Bureau of Investigation name check conducted by the Mississippi Highway Safety Patrol at the request of the Department of Public Safety.

(7) (a) If the Department of Public Safety denies the issuance of a license, or suspends or revokes a license, the party aggrieved may appeal such denial, suspension or revocation to the Commissioner of Public Safety, or his authorized agent, within thirty (30) days after the aggrieved party receives written notice of such denial, suspension or revocation. The Commissioner of Public Safety, or his duly authorized agent, shall rule upon such appeal within thirty (30) days after the appeal is filed and failure to rule within

this thirty-day period shall constitute sustaining such denial, suspension or revocation. Such review shall be conducted pursuant to such reasonable rules and regulations as the Commissioner of Public Safety may adopt.

(b) If the revocation, suspension or denial of issuance is sustained by the Commissioner of Public Safety, or his duly authorized agent pursuant to paragraph (a) of this subsection, the aggrieved party may file within ten (10) days after the rendition of such decision a petition in the circuit or county court of his residence for review of such decision. A hearing for review shall be held and shall proceed before the court without a jury upon the record made at the hearing before the Commissioner of Public Safety or his duly authorized agent. No such party shall be allowed to carry a stun gun, concealed pistol or revolver pursuant to the provisions of this section while any such appeal is pending.

(8) The Department of Public Safety shall maintain an automated listing of license holders and such information shall be available online, upon request, at all times, to all law enforcement agencies through the Mississippi Crime Information Center. However, the records of the department relating to applications for licenses to carry stun guns, concealed pistols or revolvers and records relating to license holders shall be exempt from the provisions of the Mississippi Public Records Act of 1983, and shall be released only upon order of a court having proper jurisdiction over a petition for release of the record or records.

(9) Within thirty (30) days after the changing of a permanent address, or within thirty (30) days after having a license lost or destroyed, the licensee shall notify the Department of Public Safety in writing of such change or loss. Failure to notify the Department of Public Safety pursuant to the provisions of this subsection shall constitute a noncriminal violation with a penalty of Twenty-five Dollars (\$25.00) and shall be enforceable by a summons.

(10) In the event that a stun gun, concealed pistol or revolver license is lost or destroyed, the person to whom the license was issued shall comply with the provisions of subsection (9) of this section and may obtain a duplicate, or substitute thereof, upon payment of Fifteen Dollars (\$15.00) to the Department of Public Safety, and furnishing a notarized statement to the department that such license has been lost or destroyed.

(11) A license issued under this section shall be revoked if the licensee becomes ineligible under the criteria set forth in subsection (2) of this section.

(12) (a) Except as provided in subsection (25) of this section, no less than ninety (90) days prior to the expiration date of the license, the Department of Public Safety shall \*\*\* send to each licensee a written notice of the expiration and a renewal form prescribed by the department. The licensee must renew his license on or before the expiration date by filing with the department the renewal form, a notarized affidavit stating that the licensee remains qualified pursuant to the criteria specified in subsections (2) and (3) of this section if necessary, and a full set of fingerprints administered by the Department of Public Safety or the sheriff of the county of residence of the licensee. The first renewal may be processed by mail "or other means as determined by the Department" and the subsequent renewal must be made in person. Thereafter every other renewal may be processed by mail to assure that the applicant must appear in person every ten (10) years for the purpose of obtaining a new photograph.

(i) Except as provided in this subsection, a renewal fee of Forty Dollars (\$40.00) shall also be submitted along with costs for processing the fingerprints;

(ii) Honorably retired law enforcement officers, disabled veterans, active duty members of the Armed Forces of the United States and law enforcement officers employed with a law enforcement agency of a municipality, county or state at the time of renewal, shall be exempt from the renewal fee; and

(iii) The renewal fee for a Mississippi resident aged sixty-five (65) years of age or older shall be Twenty Dollars (\$20.00).

(b) The Department of Public Safety shall forward the full set of fingerprints of the applicant to the appropriate agencies for state and federal processing. The license shall be renewed upon receipt of the completed renewal application and appropriate payment of fees.

(c) A licensee who fails to file a renewal application on or before its expiration date must renew his license by paying a late fee of Fifteen Dollars (\$15.00). No license shall be renewed six (6) months or more after its expiration date, and such license shall be deemed to be permanently expired. A person whose license has been permanently expired may reapply for licensure; however, an application for licensure and fees pursuant to subsection (5) of this section must be submitted, and a background investigation shall be conducted pursuant to the provisions of this section.

(13) No license issued pursuant to this section shall authorize any person, except a law enforcement officer as defined in Section 45-6-3 with a distinct license authorized by the Department of Public Safety, to carry a stun gun, concealed pistol or revolver into any place of nuisance as defined in Section 95-3-1, Mississippi Code of 1972; any police, sheriff or highway patrol station; any detention facility, prison or jail; any courthouse; any courtroom, except that nothing in this section shall preclude a judge from carrying a concealed weapon or determining who will carry a concealed weapon in his courtroom; any polling place; any meeting place of the governing body of any governmental entity; any meeting of the Legislature or a committee thereof; any school, college or professional athletic event not related to firearms; any portion of an establishment, licensed to dispense alcoholic beverages for consumption on the premises, that is primarily devoted to dispensing alcoholic beverages; any portion of an establishment in which beer, light spirit product or light wine is consumed on the premises, that is primarily devoted to such purpose; any elementary or secondary school facility; any junior college, community college, college or university facility unless for the purpose of participating in any authorized firearms-related activity; inside the passenger terminal of any airport, except that no person shall be prohibited from carrying any legal firearm into the terminal if the firearm is encased for shipment, for purposes of checking such firearm as baggage to be lawfully transported on any aircraft; any church or other place of worship, except as provided in Section 45-9-171; or any place where the carrying of firearms is prohibited by federal law. In addition to the places enumerated in this subsection, the carrying of a stun gun, concealed pistol or revolver may be disallowed in any place in the discretion of the person or entity exercising control over the physical location of such place by the placing of a written notice clearly readable at a distance of not less than ten (10) feet that the "carrying of a pistol or revolver is prohibited." No license issued pursuant to this section shall authorize the participants in a parade or demonstration for which a permit is required to carry a stun gun, concealed pistol or revolver.

(14) A law enforcement officer as defined in Section 45-6-3, chiefs of police, sheriffs and persons licensed as professional bondsmen pursuant to Chapter 39, Title 83, Mississippi Code of 1972, shall be exempt from the licensing requirements of this section.

(a) The Commissioner of Public Safety shall promulgate rules and regulations to provide licenses to law enforcement officers as defined in Section 45-6-3 who choose to obtain a license under the provisions of this section, which shall include a distinction that the officer is an "active duty" law enforcement officer and an endorsement that such officer is authorized to carry in the locations listed in subsection (13). A law enforcement officer shall provide the following information to receive the license described in this subsection: (i) a letter, with the official letterhead of the agency or department for which the officer is employed at the time of application and (ii) a letter with the official letterhead of the agency or department, which explains that such officer has completed a certified law enforcement training academy.



(b) The licensing requirements of this section do not apply to the carrying by any person of a stun gun, pistol or revolver, knife, or other deadly weapon that is not concealed as defined in Section 97-37-1.

(15) Any person who knowingly submits a false answer to any question on an application for a license issued pursuant to this section, or who knowingly submits a false document when applying for a license issued pursuant to this section, shall, upon conviction, be guilty of a misdemeanor and shall be punished as provided in Section 99-19-31, Mississippi Code of 1972.

(16) All fees collected by the Department of Public Safety pursuant to this section shall be deposited into a special fund hereby created in the State Treasury and shall be used for implementation and administration of this section. After the close of each fiscal year, the balance in this fund shall be certified to the Legislature and then may be used by the Department of Public Safety as directed by the Legislature.

(17) All funds received by a sheriff or police chief pursuant to the provisions of this section shall be deposited into the general fund of the county or municipality, as appropriate, and shall be budgeted to the sheriff's office or police department as appropriate.

(18) Nothing in this section shall be construed to require or allow the registration, documentation or providing of serial numbers with regard to any stun gun or firearm.

(19) Any person holding a valid unrevoked and unexpired license to carry stun guns, concealed pistols or revolvers issued in another state shall have such license recognized by this state to carry stun guns, concealed pistols or revolvers. The Department of Public Safety is authorized to enter into a reciprocal agreement with another state if that state requires a written agreement in order to recognize licenses to carry stun guns, concealed pistols or revolvers issued by this state.

(20) The provisions of this section shall be under the supervision of the Commissioner of Public Safety. The commissioner is authorized to promulgate reasonable rules and regulations to carry out the provisions of this section.

(21) For the purposes of this section, the term "stun gun" means a portable device or weapon from which an electric current, impulse, wave or beam may be directed, which current, impulse, wave or beam is designed to incapacitate temporarily, injure, momentarily stun, knock out, cause mental disorientation or paralyze.

(22) (a) From and after January 1, 2016, the Commissioner of Public Safety shall promulgate rules and regulations which provide that licenses authorized by this section for honorably retired law enforcement officers and honorably retired correctional officers from the Mississippi Department of Corrections shall (i) include the words "retired law enforcement officer" on the front of the license, and (ii) unless the licensee chooses to have this license combined with a driver's license or identification card under subsection (25) of this section, that the license itself have a red background to distinguish it from other licenses issued under this section.

(b) An honorably retired law enforcement officer and honorably retired correctional officer shall provide the following information to receive the license described in this section: (i) a letter, with the official letterhead of the agency or department from which such officer is retiring, which explains that such officer is honorably retired, and (ii) a letter with the official letterhead of the agency or department, which explains that such officer has completed a certified law enforcement training academy.

(23) A disabled veteran who seeks to qualify for an exemption under this section shall be required to provide a veterans health services identification card issued by the

United States Department of Veterans Affairs indicating a service-connected disability, which shall be sufficient proof of such service-connected disability.

(24) A license under this section is not required for a loaded or unloaded pistol or revolver to be carried upon the person in a sheath, belt holster or shoulder holster or in a purse, handbag, satchel, other similar bag or briefcase or fully enclosed case if the person is not engaged in criminal activity other than a misdemeanor traffic offense, is not otherwise prohibited from possessing a pistol or revolver under state or federal law, and is not in a location prohibited under subsection (13) of this section. However, the medical use of medical cannabis by a cardholder who is a registered qualifying patient which is lawful under the provisions of the Mississippi Medical Cannabis Act and in compliance with rules and regulations adopted thereunder shall not disqualify a person under this subsection (24) solely because the person is prohibited from possessing a firearm under 18 USCS Section 922(g)(3) due to such medical use of medical cannabis.

(25) An applicant for a license under this section shall have the option of, instead of being issued a separate card for the license, having the license appear as a notation on the individual's driver's license or identification card. If the applicant chooses this option, the license issued under this section shall have the same expiration date as the driver's license or identification card, and renewal shall take place at the same time and place as renewal of the driver's license or identification card. The Commissioner of Public Safety shall have the authority to promulgate rules and regulations which may be necessary to ensure the effectiveness of the concurrent application and renewal processes.

SECTION 6. Section 63-16-15, Mississippi Code of 1972, which provides for the repeal of the Public Safety Verification and Enforcement Act (Sections 63-16-1 through 63-16-13, Mississippi Code of 1972), is repealed.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 63-16-3, MISSISSIPPI CODE OF 1972, TO EXEMPT RECORDS IN THE MOTOR VEHICLE INSURANCE VERIFICATION SYSTEM FROM THE MISSISSIPPI PUBLIC RECORDS ACT; TO CREATE NEW SECTION 45-27-23, MISSISSIPPI CODE OF 1972, TO RATIFY THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT AND TO DESIGNATE THE DIRECTOR OF THE MISSISSIPPI JUSTICE INFORMATION CENTER AS THE STATE'S COMPACT OFFICER; TO AMEND SECTION 45-27-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI JUSTICE INFORMATION CENTER TO PURCHASE LIVE SCAN EQUIPMENT TO BE USED FOR FINGERPRINTING BY LAW ENFORCEMENT AGENCIES THROUGHOUT THE STATE; TO AMEND SECTION 63-1-16, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO FURNISH A DRIVER SERVICE BUREAU PUBLIC ACCESS COMPUTER IN EACH COUNTY; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE CONCEALED CARRY OF A FIREARM WITH A LICENSE; TO REVISE HOW LICENSE RENEWALS MAY BE SENT; TO REPEAL SECTION 63-16-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE AUTOMATIC REPEAL OF THE PUBLIC SAFETY VERIFICATION AND ENFORCEMENT ACT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Nick Bain

Joey Fillingane

Tom Miles

Jeremy England

Rob Roberson

Rod Hickman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 529** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Branning offered the following report of the Conference Committee on **H. B. No. 691** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 691: Memorial highway; designate a portion of U.S. Highway 45 in Wayne County, MS, as the "Army Sergeant Eric C. Newman Memorial Highway."

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The segment of U.S. Highway 45 located in Wayne County, Mississippi, beginning at a point one-tenth (1/10) of a mile North of the Highway 84 West exit on U.S. Highway 45 and extending northerly for a distance of approximately three (3) miles to a point one-tenth (1/10) of a mile South of the intersection of U.S. Highway 45 and Pleasant Grove Chapparal Road is designated and shall be known as the "Army Sergeant Eric C. Newman Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 2. (1) The segment of U.S. Highway 72, located in Slayden, Marshall County, Mississippi, beginning one (1) mile to the south of the H.W. Byers High School and extending northerly to an ending point approximately one (1) mile north of the H.W. Byers High School, for a total distance of approximately two (2) miles, is designated and shall be known as the "Eddie Dixon Memorial Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of highway described in subsection (1) of this section.

SECTION 3. (1) The intersection of U.S. Highway 80 and Highway 481 in the City of Morton, Scott County, Mississippi, is designated and shall be known as the "Reverend Scott Mangum Life Springs Ministries Memorial Intersection."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the intersection described in subsection (1) of this section.

SECTION 4. (1) Within the incorporated city limits of the Town of Lake, in Scott County, Mississippi, along the Interstate 20 East and Interstate 20 West corridor near the Lake exit, Exit 96, may be erected a sign or signs that reads as follows: "Home of Randy Houser, Country Music Singer."

(2) The sign or signs described in subsection (1) of this section are to be erected in accordance with the Mississippi Department of Transportation's permitting process and must be paid for by the Town of Lake.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 45 LOCATED IN WAYNE COUNTY, MISSISSIPPI, AS THE "ARMY SERGEANT ERIC C. NEWMAN MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 72, LOCATED IN SLAYDEN, MARSHALL COUNTY, MISSISSIPPI, AS THE "EDDIE DIXON MEMORIAL HIGHWAY"; TO DESIGNATE THE INTERSECTION OF U.S. HIGHWAY 80 AND HIGHWAY 481 LOCATED IN MORTON, SCOTT COUNTY, MISSISSIPPI, AS THE "REVEREND SCOTT MANGUM LIFE SPRINGS MINISTRIES MEMORIAL INTERSECTION"; TO AUTHORIZE A SIGN OR SIGNS TO BE ERECTED ON INTERSTATE 20 IN LAKE, SCOTT COUNTY, MISSISSIPPI, TO HONOR COUNTRY MUSIC SINGER RANDY HOUSER; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Charles Busby

Jenifer B. Branning

Steve Massengill

Scott DeLano

William Tracy Arnold

Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 691** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning moved that the rules be suspended to move to calendar item 52, **S. B. No. 2002**, and the motion prevailed.

Senator Branning offered the following report of the Conference Committee on **S. B. No. 2002** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2002: Memorial highways; designate segments of highways to Bradford C. Freeman and Douglas Anderson.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

AMEND after line 27 by inserting the following new sections and renumber subsequent section(s) accordingly:

SECTION 3. (1) The bridge on Hutchins Landing Road in Adams County, Mississippi, that is currently referred to as the Second Creek Bridge, is designated as the "Boyd Sojourner Memorial Bridge" in memory of the late former Adams County Supervisor Alexander Boyd Sojourner.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of road described in subsection (1) of this section.

SECTION 4. (1) The bridge on Liberty Road in Adams County, Mississippi, that is currently referred to as the St. Catherine's Creek Bridge, is designated as the "James Carter Memorial Bridge" in memory of the late Adams County Supervisor James Carter.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of road described in subsection (1) of this section.

SECTION 5. (1) The stretch of Highway 1 between Rosedale, Mississippi, and Friars Point, Mississippi, is designated as the "Traveling Riverside Blues Highway."

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of road described in subsection (1) of this section.

SECTION 6. (1) The intersection of Indiana Avenue and South Frontage Road in Warren County, Mississippi, and extending west to Halls Ferry Road for approximately one and one-half (1-1/2) miles, is designated as the "Dr. Bill Pierce Memorial Frontage Road" in memory of the late Dr. Paul Williamson "Bill" Pierce, III.

(2) The Mississippi Department of Transportation shall erect and maintain appropriate signs along and approaching the segment of road described in subsection (1) of this section.

FURTHER, AMEND on line 29 by deleting the following language:

, and shall stand repealed on June 30, 2023

FURTHER, AMEND the title on line 7 by inserting the following language after the semicolon:

TO DESIGNATE THE SECOND CREEK BRIDGE ON HUTCHINS LANDING ROAD IN ADAMS COUNTY, MISSISSIPPI, AS THE "BOYD SOJOURNER MEMORIAL BRIDGE" IN MEMORY OF THE LATE FORMER ADAMS COUNTY SUPERVISOR ALEXANDER BOYD SOJOURNER; TO DESIGNATE THE ST. CATHERINE'S CREEK BRIDGE ON LIBERTY ROAD IN ADAMS COUNTY, MISSISSIPPI, AS THE "JAMES CARTER MEMORIAL BRIDGE" IN MEMORY OF THE LATE ADAMS COUNTY SUPERVISOR JAMES CARTER; TO DESIGNATE THE SEGMENT OF HIGHWAY 1 BETWEEN ROSEDALE, MISSISSIPPI, AND FRIARS POINT, MISSISSIPPI, AS THE "TRAVELING RIVERSIDE BLUES HIGHWAY"; TO DESIGNATE A SECTION OF SOUTH FRONTAGE ROAD IN WARREN COUNTY, MISSISSIPPI, AS THE "DR. BILL PIERCE MEMORIAL FRONTAGE ROAD" IN MEMORY OF THE LATE DR. PAUL WILLIAMSON "BILL" PIERCE, III;

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Jenifer B. Branning

Charles Busby

Bart Williams

Steve Massengill

Chuck Younger

William Tracy Arnold

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2002** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning moved that the rules be suspended to move to calendar item 75, **S. B. No. 2559**, and the motion prevailed.

Senator Branning offered the following report of the Conference Committee on **S. B. No. 2559** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2559: Transportation; extend repealer on harvest permit authorization and fees.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

AMEND on lines 137-138 by deleting the following language:

This subsection (4) shall stand repealed from and after July 1, \* \* \* 2025.

FURTHER, AMEND by inserting the following new section after line 167 and renumber subsequent section(s) accordingly:

SECTION \*. (1) There is created in the State Treasury a special fund to be known as the "Strategic Multi-Modal Investments Fund," into which shall be deposited nonfederal money appropriated by the Legislature or otherwise made available in any manner, and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The expenditure of money deposited into the fund shall be under the direction of the Mississippi Department of Transportation, and such funds shall be paid by the Mississippi Department of Transportation upon warrants issued by the Department of Finance and Administration.

(2) For purposes of this act, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "Airport project" means the construction, reconstruction, or rehabilitation of runways, taxiways, aprons, hangars, passenger or freight terminals, cargo or freight storage facilities, aircraft and airfield equipment maintenance and storage buildings, on airport service and access roads, and related buildings and parking facilities, or the acquisition or instillation of equipment for the movement or safety or security of persons or freight, at public-use airports in Mississippi in order to increase the airport's capacity and/or to support additional freight activity at the airport.

(b) "Department" means the Mississippi Department of Transportation.

(c) "Fund" means the Strategic Multi-Modal Investments Fund.

(d) "Port project" means the repair, rehabilitation, construction, reconstruction, upgrading and improvement of port facilities, port intermodal facilities, and major marine terminal equipment for the loading and unloading of goods at any state, county or municipal port authorities in Mississippi in order to increase the capacity to support additional freight activity or to support additional customers at the port.

(e) "Rail project" means the reconstruction, replacement, or new construction of railroad infrastructure, including track, roadbed, switches, spurs, bridges, industrial leads and sidings, transloading facilities, grade separation projects, and track-related structures to support additional freight rail activity for serving new customer locations or expansions in Mississippi for a public benefit. A public benefit may include safety improvements, economic development, and operational efficiencies that reduce congestion and benefit surrounding communities.

(3) Money in the fund shall be utilized by the department, with the advice of the Strategic Multi-Modal Investments Advisory Board, to provide funding for necessary investments and repairs to airports, ports, and rail lines in this state, as determined by a majority vote of the Mississippi Transportation Commission. Eligible applicants for airport projects are public-use airports in the state that are on the National Plan of Integrated Airport Systems (NPIAS) maintained by the Federal Aviation Administration. Eligible applicants for port projects are state, county or municipal port authorities in Mississippi. Eligible applicants for rail projects are any freight rail operator or state, local or regional governmental entities operating a railroad. For rail projects, local units of government may be deemed eligible applicants if the application is related to a federal rail grant opportunity that requires local units of governments serve as eligible applicants as opposed to a freight rail owner or operator.

(4) The purpose of the fund is to increase the capacity for the movement of freight and increased economic activity at the airports, ports and railroads located in this state and to support long-term economic growth in the state. The department should prioritize projects leveraging federal funds for similar purposes or that provide a positive rate of return based on sound projections of increased economic activity and project readiness. The department shall ensure an equitable distribution of funds between types of recipients. The department shall also ensure an equitable share of funding for projects serving rural areas of the state. Money in the fund may be used to match other federal funding programs when allowable by those federal programs. However, before the expenditure of money in the fund, the department shall promulgate rules and regulations as authorized in subsection (3) of this section.

(5) (a) There is created the Strategic Multi-Modal Investments Advisory Board which shall consist of the following members:

(i) The President and Chief Executive Officer of the Mississippi Economic Council;

(ii) The President and Chief Executive Officer of the Mississippi Manufacturers Association;

(iii) The President of the Mississippi Farm Bureau Federation;

(iv) The Executive Director of the Mississippi Railroad Association;

(v) The Executive Director of the Ports Council;

(vi) The Executive Director of the Mississippi Airports Association;

and



(vii) The Executive Director of the Mississippi Economic Development Council.

(b) The board shall provide nonbinding advice to the Department of Transportation regarding the expenditure of money in the Strategic Multi-Modal Investments Fund.

(c) The Strategic Multi-Modal Investments Advisory Board shall elect from among its members a chairman of the board within ninety (90) days of the effective date of this act, and the board shall elect such other officers as it considers necessary from among its members.

(d) A majority of the members of the board shall constitute a quorum for the conduct of meetings and all actions of the board shall be by a majority vote. No compensation, per diem or mileage expense shall be provided to the board members.

(e) The department shall provide any necessary administrative support to the board.

(f) The board shall meet at least annually to conduct business.

(6) The department shall have all powers necessary to implement and administer the program established under this section to maximize all potential sources of funding, including state and federal, for projects covered by the program. Any available sources of funding may be combined to fund any project covered by the program. This includes Multi-Modal Transportation Improvement Program funds, which may be used in conjunction with Strategic Multi-Modal Investments Fund monies. Under no circumstances shall Strategic Multi-Modal Investments Fund monies be used to reimburse any amount that has been expended on the project prior to the award of such monies to the recipient.

(7) The department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

FURTHER, AMEND the title on line 3 by inserting the following after the semicolon:

TO CREATE THE STRATEGIC MULTI-MODAL INVESTMENTS FUND; TO PROVIDE THAT SUCH FUNDS SHALL BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION; TO PRESCRIBE CERTAIN CRITERIA TO BE CONSIDERED WHEN THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION MAKES ALLOCATIONS FROM THE FUND; TO CREATE THE STRATEGIC MULTI-MODAL INVESTMENTS ADVISORY BOARD; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION SHALL PROMULGATE RULES AND REGULATIONS NECESSARY FOR IMPLEMENTATION OF THE FUND;

## CONFEREES FOR THE SENATE

## CONFEREES FOR THE HOUSE

Jenifer B. Branning

Charles Busby

Bart Williams

Steve Massengill

Neil S. Whaley

Troy Smith

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2559** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Branning moved that the rules be suspended for the consideration en bloc of S. N. No. 78 and S. N. No. 97 and the motion prevailed.

Senator Branning called up the following entitled nominations:

**S. N. No. 78:** Homer Rex Germany, Union, Mississippi, Commercial Transportation Enforcement Division Appeals Board as the board member representing the Mississippi Dept. of Public Safety, remainder of a four year term effective immediately and ending June 30, 2025.

**S. N. No. 97:** Russell James (Rusty) Hanna, Louisville, Mississippi, Appeals Board of the Mississippi Transportation Commission, four year term beginning July 1, 2023 and ending June 30, 2027.

YEAS AND NAYS on consideration en bloc of S. N. No. 78 and S. N. No. 97. On motion of Senator Branning, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Blackwell moved that the rules be suspended to move to calendar item 77, **S. B. No. 2613**, and the motion prevailed.

Senator Blackwell called up the following entitled bill:

**S. B. No. 2613:** Nonemergency transportation providers; extend date by which providers may provide service without a permit.

Senator Blackwell moved that the Conference Committee Report on **S. B. No. 2613** be recommitted for further conference and the motion prevailed.

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Senator Carter offered the following report of the Conference Committee on **H. B. No. 698** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 698: Municipal water, wastewater and sewer services; require equity based billing based on use of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 21-27-7, Mississippi Code of 1972, is amended as follows:

21-27-7. (1) (a) The governing authorities of municipalities shall have the power to erect, purchase, maintain and operate waterworks, and to regulate the same, and to prescribe the rates at which water shall be supplied to the \* \* \* users. The rates at which water, wastewater, and sewer services shall be supplied shall be just and reasonable based on the actual cost to operate and maintain the systems, and rates may not be unreasonably preferential, prejudicial or discriminatory but shall be sufficient, equitable and consistent in application to each class of users. While a municipality may set different rates for different classifications of users, a municipality shall not discriminate in setting rates among members of the same classification. The municipal governing authorities shall make a finding on the minutes of the governing body establishing the rate based on the actual cost to operate and maintain the system. A municipality shall not charge a user a fee for services received which is less than the cost incurred by the municipality to provide such services.

(b) The governing authorities of a municipality shall establish and maintain rates and charges in equitable proportion to the use of the services and benefits rendered by the waterworks systems and water treatment facilities serving the municipal area. From time to time the governing authorities shall adjust such rates, to the end that the revenues therefrom will be sufficient at all times to pay the expenses of operating and

maintaining such works, facilities and systems and all of the municipality's obligations under any contract or bond resolution with respect thereto. The calculation of a user's bill shall be limited to the actual amount of volumetric usage, plus those fees reasonable and necessary for the cost of capital expenses, system operation and maintenance, and debt service.

(c) If a user's meter is tampered with, unreadable, or otherwise out-of-order, a municipality may render an estimated bill to that user for a period not to exceed six (6) months. In such circumstance, an estimated bill shall be based upon the prior average measured usage of the user or a similar user of the same classification.

(i) Only in the event a municipality with a population of one thousand (1,000) or less is unable to meet the requirement of billing based solely on volumetric usage, such municipality may bill based on a flat fee rate where such municipality has established flat fee billing as its usual and customary billing practice prior to the passage of this act, and where such municipality is actively billing based upon a flat fee rate as of the passage of this act. In such circumstances, flat fee billing may be utilized until such time as the municipality implements upgrades to its system to provide for

volumetric billing. In such circumstance, the municipality may set different flat fee rates for different classifications of users, but the municipality shall not discriminate in setting flat fee rates among members of the same classification, and the municipality shall not charge a user a fee for services received that is less than the cost incurred by the municipality to provide such services.

(ii) The governing authorities of the municipality shall make a finding annually on the minutes of the governing body establishing the rate based upon the actual cost to operate and maintain the system as determined under Generally Accepted Accounting Principles, and the municipality shall not charge a user a fee for services received that is less than the cost incurred by the municipality, or based on the assessed value of the property, to provide such services.

(d) Notice of any change in the rate or rate structure at which services are supplied shall be posted on all bills sent to users at least one (1) month prior to the effective date of the rate change. Notice shall also be posted to the municipality's online webpage or bill payment platform, if the municipality has an online webpage or bill payment platform.

(e) Nothing in this statute shall be construed as prohibiting a user or governing authority of any municipality from applying for and receiving any federally or privately subsidized payment assistance, grant or other funds.

(f) The governing authority of a municipality may provide for the calculation of a user's bill by a method other than volumetric usage only in exchange for consideration as part of, or in connection with, an incentive contract or other form of benefit or assistance related to the user's location, expansion, or maintenance of its commercial or industrial operation within the municipality, so long as such rate is equitable, fair, and non-discriminatory, and the municipality shall not charge such user a fee for services received that is less than the cost incurred by the municipality to provide such services.

(2) The governing authorities of municipalities shall have the power to acquire by purchase, donation or condemnation, in the name of the municipality, suitable grounds, within or without the corporate limits, upon which to erect waterworks, and also the right-of-way to and from such works and the right-of-way for laying water pipes within the corporate limits, and from such waterworks to the municipality, and to extend such right-of-way from time to time. The governing authorities shall have the power to contract with any person for the maintenance and operation of waterworks. \* \* \* The authorities shall have the power to contract with any person for the erection and maintenance of waterworks for a term not exceeding twenty-five (25) years, fixing water rates in the

contract subject to municipal regulations. A contract for the erection or purchase of waterworks shall not, however, be entered into until submitted to a vote of the qualified electors and approved by a majority of those voting. A contract for maintenance under which the person who will perform such maintenance is wholly or partially responsible for fixing water rates shall not be entered into until submitted to a vote of the qualified electors and approved by a majority of those voting. It shall be unlawful for any municipally owned waterworks to supply water free of charge, or in any amount less than the fixed charges, to any person, firm or corporation, except as is expressly authorized by law.

SECTION 2. Section 21-27-189, Mississippi Code of 1972, is amended as follows:

21-27-189. A municipality, as defined in Section 21-27-163, is authorized and empowered, in the discretion of its governmental authorities, to exercise the following powers and authority within the area and territories comprising the metropolitan area of which it is a part:

(a) To operate and manage sewerage systems, sewage treatment facilities and sewage disposal systems and related facilities serving the metropolitan area in conformance with the metropolitan area plan.

(b) To construct, operate and maintain sewerage systems, sewage treatment facilities and sewage disposal systems in the manner and to the extent required by the metropolitan area plan.

(c) To accept and utilize grants and other funds from any source for waste treatment management purposes.

(d) To establish and maintain rates and charges in equitable proportion for the use of the services and benefits rendered of such sewerage systems, sewage treatment facilities and sewage disposal systems within the metropolitan area, and from time to time to adjust such rates, to the end that the revenues therefrom will be sufficient at all times to pay the expenses of operating and maintaining such works, facilities and systems and all of the municipality's obligations under any contract or bond resolution with respect thereto. The rates shall be just and reasonable, and rates may not be unreasonably preferential, prejudicial or discriminatory but shall be sufficient, equitable and consistent in application to each class of users. While the municipality may set different rates for different classifications of users, a municipality shall not discriminate in setting rates among members of the same classification. The governing authorities of the municipality shall make a finding on the minutes of the governing body establishing the rate based upon the actual cost to operate and maintain the system, and a municipality shall not charge a user a fee for services received which is less than the cost incurred by the municipality to provide such services.

(e) To incur short and long-term indebtedness under the provisions of Sections 21-27-161 through 21-27-191 or other applicable statutes.

(f) To adopt rules and regulations necessary to carry out the implementation of the metropolitan area plan and to assure the payment of each participating person or public agency of its proportionate share of treatment costs.

(g) To refuse to receive any waste from any public agency or subdivision thereof or any other person which does not comply with the provisions of the metropolitan area plan applicable to the particular area within which such public agency or subdivision thereof or any other person is located.

(h) To accept industrial waste for treatment and to require the pretreatment of same when within the opinion of the municipality such pretreatment is necessary.

(i) To adopt all necessary and reasonable rules and regulations to carry out and effectuate any waste treatment plan adopted for the metropolitan area.

(j) To require by ordinance or by contract with a public agency or other person that all waste within the metropolitan area be disposed of through sewerage systems, treatment facilities and sewage disposal systems which comprise a part of the metropolitan area plan, to the extent that the same may be available, but no public agency shall be precluded from constructing, operating and maintaining its own sewerage system if the same be a part of the metropolitan area plan.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 21-27-7 AND 21-27-189, MISSISSIPPI CODE OF 1972, TO ENSURE JUST, REASONABLE AND TRANSPARENT BILLING FOR MUNICIPAL WATER, WASTEWATER, AND SEWER SERVICES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
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C. Scott Bounds	Joel R. Carter, Jr.
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Brent Anderson	J. Walter Michel
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Shanda Yates	Rita Potts Parks
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 698** was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--43.

Nays--Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Jackson, Jordan, Simmons S. (13th), Thomas, Turner-Ford. Total--9.

Absent and those not voting---None.

On request of Senator Harkins, unanimous consent was granted to make the following correction in **H. B. No. 1136**:

**H. B. No. 1136:** Distinctive motor vehicle license tag; authorize issuance to supporters of the Mississippi Road Builders Association.

Unanimous consent of the House and Senate is requested to make the following changes to House Bill No. 1136:

Insert the following after line 2152:

"SECTION 24. This act shall take effect and be in force from and after July 1, 2023.

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On request of Senator Harkins, unanimous consent was granted to make the following correction in **H. B. No. 535**:

**H. B. No. 535:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

Unanimous consent of the House and Senate is requested to make the following changes to House Bill No. 535:

Amend on line 999 by deleting ", and shall stand repealed on June 30, 2023"

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Senator Whaley offered the following report of the Conference Committee on **H. B. No. 769** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 769: Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The wildlife management area formerly known as the Tuscumbia Wildlife Management Area, located in Alcorn County, Mississippi, shall be named the Harvey Moss Wildlife Management Area at Tuscumbia.

The Department of Finance and Administration shall erect appropriate signs and markers in a prominent place at the wildlife management area to indicate the name of the area.

SECTION 2. The wildlife management area formerly known as the Caney Creek Wildlife Management Area, located in Smith and Scott Counties, Mississippi, shall be named the Representative Richard L. "Dick" Livingston and Dale O. Windham Wildlife Management Area at Caney Creek.

The Department of Finance and Administration shall erect appropriate signs and markers in a prominent place at the wildlife management area to indicate the name of the area.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DESIGNATE THE WILDLIFE MANAGEMENT AREA FORMERLY KNOWN AS THE TUSCUMBIA WILDLIFE MANAGEMENT AREA, THE HARVEY MOSS WILDLIFE MANAGEMENT AREA AT TUSCUMBIA; TO DESIGNATE THE WILDLIFE MANAGEMENT AREA FORMERLY KNOWN AS THE CANEY CREEK WILDLIFE MANAGEMENT AREA, AS THE REPRESENTATIVE RICHARD L. "DICK" LIVINGSTON AND DALE O. WINDHAM WILDLIFE MANAGEMENT AREA AT CANEY CREEK; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Tom Weathersby

Neil S. Whaley

Gregory Holloway, Sr.

Benjamin Suber

Jonathan Ray Lancaster

Daniel H. Sparks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 769** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill. Total--1.

Senator Harkins moved that the rules be suspended to move to calendar item 1, **S. N. No. 86**, and the motion prevailed.

Senator Harkins called up the following entitled nomination:

**S. N. No. 86:** Harry Moore (Harry) Walker, Jackson, Mississippi, Mississippi Home Corporation as a representative of the First Supreme Court District, six year term effective June 27, 2022 and ending April 23, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 86 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,



England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 795** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 795: Shoplifting; require to calculate total price of all shoplifting items for fine.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-23-93, Mississippi Code of 1972, is amended as follows:

97-23-93. (1) Any person who shall willfully and unlawfully take possession of any merchandise owned or held by and offered or displayed for sale by any merchant, store or other mercantile establishment with the intention and purpose of converting such merchandise to his own use without paying the merchant's stated price therefor shall be guilty of the crime of shoplifting and, upon conviction, shall be punished as is provided in this section.

(2) The requisite intention to convert merchandise without paying the merchant's stated price for the merchandise is presumed, and shall be prima facie evidence thereof, when such person, alone or in concert with another person, willfully:

- (a) Conceals the unpurchased merchandise;
- (b) Removes or causes the removal of unpurchased merchandise from a store or other mercantile establishment;
- (c) Alters, transfers or removes any price-marking, any other marking which aids in determining value affixed to the unpurchased merchandise, or any tag or device used in electronic surveillance of unpurchased merchandise;
- (d) Transfers the unpurchased merchandise from one (1) container to another; or

(e) Causes the cash register or other sales recording device to reflect less than the merchant's stated price for the unpurchased merchandise.

(3) Evidence of stated price or ownership of merchandise may include, but is not limited to:

(a) The actual merchandise or the container which held the merchandise alleged to have been shoplifted; or

(b) The content of the price tag or marking from such merchandise; or

(c) Properly identified photographs of such merchandise.

(4) Any merchant or his agent or employee may testify at a trial as to the stated price or ownership of merchandise.

(5) A person convicted of shoplifting merchandise for which the \*\*\* total price of all items shoplifted in violation of this act is less than or equal to One Thousand Dollars (\$1,000.00) shall be punished as follows:

(a) Upon a first shoplifting conviction the defendant shall be guilty of a misdemeanor and fined not more than One Thousand Dollars (\$1,000.00), or punished by imprisonment in the county jail not to exceed six (6) months, or by both, if the court finds substantial and compelling reasons why the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00).

(b) Upon a second shoplifting conviction the defendant shall be guilty of a misdemeanor and fined not more than \*\*\* Two Thousand Five Hundred Dollars (\$2,500.00) or punished by imprisonment in the county jail for a term not less than forty-eight (48) hours, not to exceed six (6) months, or by both, if the court finds substantial and compelling reasons why the offender cannot be safely and effectively supervised in the community, is not amenable to community-based treatment, or poses a significant risk to public safety. If such a finding is not made, the court shall suspend the sentence of imprisonment and impose a period of probation not exceeding one (1) year or a fine of not more than One Thousand Dollars (\$1,000.00), or both.

(6) Upon a third or subsequent shoplifting conviction where the \*\*\* total price of all shoplifted merchandise is not less than Five Hundred Dollars (\$500.00) or greater than One Thousand Dollars (\$1,000.00), the defendant shall be guilty of a felony and fined not more than \*\*\* Three Thousand Dollars (\$3,000.00), or imprisoned for a term not \*\*\* to exceed three (3) years, or by both such fine and imprisonment.

(7) A person convicted of shoplifting merchandise for which the \*\*\* total price of all items shoplifted in violation of this act exceeds One Thousand Dollars (\$1,000.00) shall be guilty of a felony and, upon conviction, punished as provided in Section 97-17-41 for the offense of grand larceny.

(8) In determining the number of prior shoplifting convictions for purposes of imposing punishment under this section, the court shall disregard all such convictions occurring more than seven (7) years prior to the shoplifting offense in question.

(9) For the purpose of determining the gravity of the offense under subsection (7) of this section, the prosecutor may aggregate the \*\*\* total price of merchandise shoplifted from \*\*\* the same or separate mercantile establishments within the same legal jurisdiction over a period of thirty (30) or fewer days.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO REVISE HOW THE FINES FOR THE CRIME OF SHOPLIFTING ARE CALCULATED; TO REQUIRE THAT FINES BE BASED ON TOTAL PRICE OF ALL SHOPLIFTED ITEMS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Nick Bain

Joey Fillingane

Jansen Owen

Benjamin Suber

Kent McCarty

Angela Burks Hill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 795** was adopted:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--16.

Absent and those not voting----None.

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 510:** Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents.

**H. B. No. 1149:** Path to permanency; provide for children in Child Protection Services.

**H. B. No. 1318:** Baby drop-off and safe haven; revise provisions that regulate.

**H. B. No. 1342:** Adoption procedures; regulate by creating a licensure authority.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 603:** State budget; bring forward sections relating to.

**H. B. No. 604:** New programs funded with ARPA funds; revise certain provisions and bring forward sections of.

**H. B. No. 771:** HELP Grant and MTAG Programs; revise level of funding provided to eligible students.

**H. B. No. 834:** Assistant District Attorneys and criminal investigators; increase authorized number of.

**S. B. No. 2444:** ARPA programs; bring forward provisions related to for possible amendment.

**S. B. No. 2446:** Appropriations; revise certain transfers, fund authority, and FY2023 appropriations.

**S. B. No. 2454:** Budget; bring forward code sections related to and provide for transfers.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 11:52 AM, the Senate stood in recess.

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The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2613:** Nonemergency transportation providers; extend date by which providers may provide service without a permit.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1216:** Circuit judges and chancellors; increase office operating and expense allowances and support staff funding.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 56:** A CONCURRENT RESOLUTION COMMENDING THE ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE OF THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM MADISON, REPRESENTATIVE EDWARD BLACKMON, JR., UPON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

**H. C. R. No. 57:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THE MULTITUDE OF CAREER SUCCESSES AND RENOWNED AWARDS BESTOWED UPON DR. DAPHINE G. HILL.

**H. C. R. No. 58:** A CONCURRENT RESOLUTION COMMENDING DR. KENT HOBLET FOR HIS MANY YEARS OF DEDICATED SERVICE AS DEAN OF THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY AND CONGRATULATING HIM UPON LEAVING A LEGACY OF EXCELLENCE AT THE UNIVERSITY.

**H. C. R. No. 59:** A CONCURRENT RESOLUTION COMMENDING THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM TALLAHATCHIE, REPRESENTATIVE TOMMY REYNOLDS FOR HIS ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE UPON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

**H. C. R. No. 60:** A CONCURRENT RESOLUTION EXTENDING THE 2023 REGULAR SESSION OF THE LEGISLATURE; SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON CERTAIN APPROPRIATION BILLS AND GENERAL BILLS; AND SETTING THE DATE OF SINE DIE ADJOURNMENT OF THE 2023 REGULAR SESSION OF THE LEGISLATURE.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 567:** Designate April 13, 2023, as "Reman Day" in Mississippi.

**S. C. R. No. 570:** Recognize leadership of Senator Angela Turner-Ford as Chair of the Mississippi Legislative Black Caucus (MLBC).

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1697:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF FARMINGTON, MISSISSIPPI, TO ALLOW THE OPERATION OF LOW-SPEED VEHICLES AND GOLF CARTS ON CERTAIN PUBLIC ROADS AND STREETS WITHIN THE CITY; TO REQUIRE INDIVIDUALS OPERATING A LOW-SPEED VEHICLE OR GOLF CART TO HAVE A VALID DRIVER'S LICENSE OR TEMPORARY DRIVER'S LICENSE PERMIT; TO REQUIRE CERTAIN REGISTRATION OF SUCH LOW-SPEED VEHICLE OR GOLF CART; AND FOR RELATED PURPOSES.

**H. B. No. 1816:** AN ACT TO AMEND CHAPTER 957, LOCAL AND PRIVATE LAWS OF 2018, TO EXTEND THE DATE OF REPEAL TO JULY 1, 2027, ON THE PROVISION OF LAW THAT AUTHORIZES THE GOVERNING AUTHORITIES OF THE CITY OF CLINTON, MISSISSIPPI, TO IMPOSE AN ADDITIONAL TOURISM TAX OF ONE PERCENT ON THE GROSS PROCEEDS DERIVED FROM HOTEL AND MOTEL ROOM RENTALS WITHIN THE CITY FOR THE PURPOSE OF PROVIDING FUNDS TO PROMOTE TOURISM, PARKS AND RECREATION; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1792:** AN ACT TO AMEND CHAPTER 854, LOCAL AND PRIVATE LAWS OF 1986, TO REVISE THE DEFINITION OF "HOTEL" AND "MOTEL" UNDER THE CITY OF STARKVILLE, MISSISSIPPI'S MOTEL-HOTEL TAX; TO PROVIDE FOR AN INDIRECT REFERENDUM ON THE CONTINUATION OF THE LEVYING OF SUCH TAX; AND FOR RELATED PURPOSES.

**H. B. No. 1805:** AN ACT TO AUTHORIZE THE BOARD OF SUPERVISORS OF JACKSON COUNTY, MISSISSIPPI, AS OWNERS OF SINGING RIVER HEALTH SYSTEM, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE MISSISSIPPI DEPARTMENT OF FINANCE AND ADMINISTRATION FOR THE DEVELOPMENT OF THE SINGING RIVER HEALTHCARE WORKFORCE ACADEMY; TO AUTHORIZE THE BOARD OF SUPERVISORS TO LEASE THE SINGING RIVER HEALTHCARE WORKFORCE ACADEMY TO THE PURCHASER OF SINGING RIVER HEALTH SYSTEM OR OTHER PERSONS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 1:31 PM, the Senate stood in recess.

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The Senate resumed business at 1:47 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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Senator Whaley moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 1:48 PM, the Senate stood in recess.

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The Senate resumed business at 2:51 PM, pursuant to recess, with President Hosemann presiding.

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 56:** Representative Edward Blackmon, Jr.; commend distinguished legislative career and public service of upon the occasion of his retirement. Rules.

**H. C. R. No. 57:** Dr. Daphine Hill; commend accomplishments of. Rules.

**H. C. R. No. 58:** Dr. Kent Hoblet; commend for many years of dedicated service as Dean of Mississippi State University's College of Veterinary Medicine. Rules.

**H. C. R. No. 59:** Representative Tommy Reynolds; commend distinguished legislative career and public service of upon the occasion of his retirement. Rules.

**H. C. R. No. 60:** Legislature; extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. Rules.

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REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. C. R. No. 60:** Legislature; extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. Title Sufficient. Do Be Adopted As Amended.

KIRBY, Chairman

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Senator Kirby moved that the rules be suspended for the immediate consideration of **H. C. R. No. 60**, and the motion prevailed.

Senator Kirby called up the following entitled resolution:

**H. C. R. No. 60:** Legislature; extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment.

Senator Kirby offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the resolving clause and inserting in lieu thereof the following:

That the 2023 Regular Session of the Legislature is extended for a period of thirty (30) days from the final day of the ninety (90) calendar days of the 2023 Regular Session of the Legislature, under the provisions of Section 36, Mississippi Constitution of 1890.

BE IT FURTHER RESOLVED, That all of the deadlines and other provisions imposed by Joint Rule No. 40, are suspended for the purpose of permitting the further consideration, filing and adoption of conference reports, after the deadlines for those actions in Joint Rule No. 40, on the following bills that were in conference on March 27, 2023: any appropriation bills, any general bills, House Bill No. 1734, 2023 Regular Session, and Senate Bill No. 2335, 2023 Regular Session. Appropriation bills and general bills are those bills that are designated as appropriation bills and general bills for the purpose of the deadlines imposed by Joint Rule No. 40.

BE IT FURTHER RESOLVED, That the 2023 Regular Session of the Legislature will stand adjourned Sine Die at 12:00 midnight, Tuesday, April 4, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

A CONCURRENT RESOLUTION EXTENDING THE 2023 REGULAR SESSION OF THE LEGISLATURE; SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON CERTAIN APPROPRIATION BILLS AND GENERAL BILLS; AND SETTING THE DATE OF SINE DIE ADJOURNMENT OF THE 2023 REGULAR SESSION OF THE LEGISLATURE.

Senator Hopson moved that H. C. R. No. 60 be tabled subject to call, and the motion prevailed.

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Senator Carter moved that the rules be suspended for the immediate consideration of **H. B. No. 698**, and the motion prevailed.

Senator Carter moved to reconsider the vote whereby the Conference Report on **H. B. No. 698** was adopted by the Senate.

The foregoing motion prevailed.

Senator Carter moved that the Conference Committee Report on **H. B. No. 698** be recommitted for further conference and the motion prevailed.

**H. B. No. 698:** Municipal water, wastewater and sewer services; require equity based billing based on use of.

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Senator Barnett offered the following report of the Conference Committee on **H. B. No. 799** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:



We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 799: Inmate Welfare Fund; increase portion of the fund that is utilized to fund Inmate Incentive to Work Program.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-158, Mississippi Code of 1972, is amended as follows:

47-5-158. (1) The department is authorized to maintain a bank account which shall be designated as the Inmate Welfare Fund. All monies now held in a similar fund or in a bank account or accounts for the benefit and welfare of inmates shall be deposited into the Inmate Welfare Fund. This fund shall be used for the benefit and welfare of inmates in the custody of the department and shall be expended in accordance with any provisions or restrictions in the regulations promulgated under subsection (7) of this section.

(2) There shall be deposited into the Inmate Welfare Fund interest previously earned on inmate deposits, all net profits from the operation of inmate canteens, performances of the Penitentiary band, interest earned on the Inmate Welfare Fund and other revenues designated by the commissioner. All monies shall be deposited into the Inmate Welfare Fund as provided in Section 7-9-21.

(3) All inmate telephone call commissions shall be paid to the department. Monies in the fund may be expended by the department, upon requisition by the commissioner or his designee, only for the purposes established in this subsection.

(a) Twenty-five percent (25%) of the inmate telephone call commissions shall be used to purchase and maintain telecommunication equipment to be used by the department.

(b) Until July 1, 2008, twenty-five percent (25%) of the inmate telephone call commissions shall be deposited into the Prison Agricultural Enterprise Fund. Beginning on July 1, 2008, thirty-five percent (35%) of the inmate telephone call commissions shall be deposited into the Prison Agricultural Enterprise Fund. The department may use these funds to supplement the Prison Agricultural Enterprise Fund created in Section 47-5-66.

(c) Forty percent (40%) of the inmate telephone call commissions shall be deposited into the Inmate Welfare Fund.

(4) The commissioner may invest in the manner authorized by law any money in the Inmate Welfare Fund that is not necessary for immediate use, and the interest earned shall be deposited in the Inmate Welfare Fund.

(5) The Deputy Commissioner for Administration and Finance shall establish and implement internal accounting controls for the Inmate Welfare Fund that comply with generally accepted accounting principles and regulations of the Department of Finance and Administration. The Deputy Commissioner for Administration and Finance shall prepare and issue quarterly consolidated and individual facility financial statements to the

prison auditor of the Joint Legislative Committee on Performance Evaluation and Expenditure Review. The deputy commissioner shall prepare an annual report which shall include a summary of expenditures from the fund by major categories and by individual facility. This annual report shall be sent to the prison auditor, the Legislative Budget Office, the Chairman of the Corrections Committee of the Senate, and the Chairman of the Corrections Committee of the House of Representatives.

(6) (a) A portion of the Inmate Welfare Fund shall be deposited in the Discharged Offenders Revolving Fund, as created under Section 47-5-155, in amounts necessary to provide a balance not to exceed One Hundred Thousand Dollars (\$100,000.00) in the Discharged Offenders Revolving Fund, and shall be used to supplement those amounts paid to discharged, paroled or pardoned offenders from the department. The superintendent of the Parchman facility shall establish equitable criteria for the making of supplemental payments which shall not exceed Two Hundred Dollars (\$200.00) for any offender. The supplemental payments shall be subject to the approval of the commissioner. The State Treasurer shall not be required to replenish the Discharged Offenders Revolving Fund for the supplemental payments made to discharged, paroled or pardoned offenders.

(b) A portion of the Inmate Welfare Fund shall be deposited into the Inmate Incentive to Work Program Fund, as created under Section 47-5-371, in amounts necessary to provide a balance not to exceed One Million Dollars (\$1,000,000.00) in the fund. Such fund shall be utilized to pay inmates who are participants in the Inmate Incentive to Work Program as created under Section 47-5-371.

(7) (a) The Inmate Welfare Fund Committee is hereby created and shall be composed of nine (9) members: The Deputy Commissioner for Community Corrections, the Deputy Commissioner of Institutions, the Superintendent of the Parchman facility, the Superintendent of the Rankin County facility, the Superintendent of the Greene County facility, the State Treasurer, the State Auditor, and two (2) members to be appointed by the Commissioner of Corrections, one (1) of whom must have a relative incarcerated by the department at the time of appointment and shall be a representative of inmate families. The commissioner shall appoint the chairman of the committee. The committee shall administer and supervise the operations and expenditures from the Inmate Welfare Fund and shall maintain an official minute book upon which shall be spread its authorization and approval for all such expenditures. The committee shall promulgate regulations governing the use and expenditures of the fund.

(b) Regulations adopted shall set out what types of items shall be allowable purchases, and in all cases, the minutes of the committee shall explain which regulation permits any purchase it approves. Additionally, regulations of the committee shall prescribe the number of members necessary to constitute a quorum, minimum attendance requirements for a member to retain a seat on the committee, and a mission statement for the committee.

(c) The committee shall conduct an annual needs assessment to determine what types of items should be purchased for the benefit of inmates. The needs assessments shall be conducted with the assistance of the department personnel, inmates and the families of inmates.

(d) The committee shall evaluate the proposals of interested third parties for the administration of inmate canteen services as provided in Section 47-5-109.1.

(e) The committee shall expend necessary funds to assist parole eligible inmates who have been diagnosed with a mental illness while housed within a state correctional facility so that such inmates may receive outpatient services and community-based services to treat the mental illness of such inmates.

(8) The Department of Audit shall conduct an annual comprehensive special audit of the committee's use of the Inmate Welfare Fund. The department shall incorporate in its special audit report any recommendations it has concerning the financial and management control practices of the committee. The department shall report its findings and recommendations to the Chairmen of the Senate and House Corrections Committees.

SECTION 2. Section 47-5-933, Mississippi Code of 1972, is amended as follows:

47-5-933. The Department of Corrections may contract for the purposes set out in Section 47-5-931 for a period of not more than twenty (20) years. The contract may provide that the Department of Corrections pay a fee of no more than \* \* \* Thirty-two Dollars and Seventy-one Cents (\$32.71) per day for each offender that is housed in the facility. The Department of Corrections may include in the contract, as an inflation factor, a three percent (3%) annual increase in the contract price. The state shall retain responsibility for medical care for state offenders to the extent that is required by law; provided, however, the department may reimburse each facility for contract medical services as provided by law in an amount not to exceed Six Dollars and Twenty-five Cents (\$6.25) per day per offender.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-158, MISSISSIPPI CODE OF 1972, TO AUTHORIZE FUNDS IN THE INMATE WELFARE FUND BE USED TO ASSIST PAROLE ELIGIBLE INMATES DIAGNOSED WITH MENTAL ILLNESS SO THAT THE INMATES MAY RECEIVE CERTAIN TREATMENT; TO AMEND SECTION 47-5-933, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$31.00 TO \$32.71 THE AMOUNT THE DEPARTMENT OF CORRECTIONS PAYS PER DAY FOR EACH STATE OFFENDER WHO IS HOUSED IN A REGIONAL CORRECTIONAL FACILITY; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Kevin Horan

Juan Barnett

Randy Rushing

Daniel H. Sparks

Bryant W. Clark

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 799** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 912** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 912: Firearm suppressors; authorizing manufacture and possession in Mississippi and prohibit enforcement of federal laws governing.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following words and phrases have the meanings ascribed in this subsection unless the context clearly requires otherwise:

(a) "Firearm" means any device designed, made or adapted to expel a projectile through a barrel by using the energy generated by an explosion or burning substance or any device readily convertible to that use. "Firearm" does not include a firearm that may have, as an integral part, a folding knife blade or other characteristics of illegal weapons which are:

(i) An antique or curio firearm manufactured before 1899; or

(ii) A replica of an antique or curio firearm manufactured before 1899, but only if the replica does not use rim fire or center fire ammunition.

(b) "Firearm suppressor" means any device designed, made or adapted to muffle the report of a firearm.

(c) "Generic and insignificant part" means an item that has manufacturing or consumer product applications other than inclusion in a firearm suppressor. The term includes a spring, screw, nut and pin.

(d) "Manufacture" includes forging, casting, machining or another process for working a material.

(2) A firearm suppressor is considered to be manufactured in this state if the item is manufactured:

(a) In this state from basic materials which shall include iron, steel, stainless steel, aluminum, titanium, or metal alloys which are either machined out of solid ingots or stamped out of sheets; and

(b) Without the inclusion of any part imported from another state other than a generic and insignificant part.

(3) A firearm suppressor is manufactured in this state if it is manufactured as described in subsection (2) of this section without regard to whether a firearm imported into this state from another state is attached to or used in conjunction with the suppressor.

(4) A firearm suppressor that is manufactured in this state and remains in this state is not subject to federal law or federal regulation, including registration, under the authority of the United States Congress to regulate interstate commerce.

(5) Basic material from which a firearm suppressor is manufactured in this state, including unmachined steel, is not a firearm suppressor and is not subject to federal regulation under the authority of the United States Congress to regulate interstate commerce as if it actually were a firearm suppressor.

(6) A firearm suppressor manufactured and sold in this state must have the words "Made in Mississippi" clearly stamped or etched on it.

(7) This section applies only to a firearm suppressor that is manufactured on or after July 1, 2023.

SECTION 2. (1) This section applies to:

(a) The State of Mississippi, including an agency, department, commission, bureau, board, office, council, court or other entity that is in any branch of state government and which is created by the constitution or a statute of this state;

(b) The governing body of a municipality, county, school district or other district;

(c) An officer, employee or body that is part of a municipality, county, school district or other district, including a sheriff, municipal police department, municipal attorney or county attorney; and

(d) A district attorney or other prosecuting attorney.

(2) (a) An entity described in subsection (1) of this section may not adopt a rule, regulation, order, ordinance or policy under which the entity enforces, or by consistent action allows the enforcement of, a federal statute, order, rule or regulation that purports to regulate a firearm suppressor, as defined in Section 1 of this act, if the rule, regulation, order, ordinance or policy imposes a prohibition, restriction or other regulation that does not exist under the laws of this state.

(b) An entity or person employed by or otherwise under the direction or control of an entity described in subsection (1) of this section may not enforce or attempt to enforce any federal statute, order, rule or regulation described under paragraph (a) of this subsection.

(3) (a) An entity described in subsection (1) of this section may not receive state funds if the entity adopts a rule, regulation, order, ordinance or policy under which the entity enforces a federal law described under subsection (2)(a) of this section or, by consistent action, allows the enforcement of a federal law described under subsection (2)(a) of this section.

(b) State funds for the entity must be denied for the fiscal year following the year in which a final judicial determination in an action brought under this section is made that the entity has violated subsection (2)(a) of this section.

SECTION 3. An alleged offense under Section 97-37-1, as it existed on June 30, 2023, of concealed carrying of a muffler or silencer for any firearm, or under Section

97-37-31, as it existed on June 30, 2023, of possession of a device that is used to muffle a firearm, may not be prosecuted on or after July 1, 2023. If on July 1, 2023, a criminal action is pending for an offense described in this section, the action is dismissed on that date. However, a final conviction for an offense described in this section which exists on July 1, 2023, is unaffected by this act.

SECTION 4. Section 11-1-67, Mississippi Code of 1972, is amended as follows:

11-1-67. (1) The authority to bring an action against any firearms or ammunition manufacturer, distributor or dealer duly licensed under federal law on behalf of any governmental entity created by or pursuant to an act of the Mississippi Legislature or the Mississippi Constitution of 1890, or any department, agency or authority thereof, for damages, abatement, injunctive relief or any other relief or remedy resulting from or relating to the lawful design, manufacture, distribution or sale of firearms, firearm components, \* \* \* ammunition or ammunition components to the public, shall be exclusively reserved to the state. This section shall not prohibit a political subdivision from bringing an action against a firearm or ammunition manufacturer, distributor or dealer for breach of contract or warranty as to firearms or ammunition purchased by the political subdivision, or for injuries resulting from a firearm malfunction due to defects in materials or workmanship.

(2) "Political subdivision" and "governmental entity" shall have the meanings ascribed in Section 11-46-1.

SECTION 5. Section 97-37-1, Mississippi Code of 1972, is amended as follows:

97-37-1. (1) Except as otherwise provided in Section 45-9-101, any person who carries, concealed on or about one's person, any bowie knife, dirk knife, butcher knife, switchblade knife, metallic knuckles, blackjack, \* \* \* pistol, revolver, or any rifle with a barrel of less than sixteen (16) inches in length, or any shotgun with a barrel of less than eighteen (18) inches in length, machine gun or any fully automatic firearm or deadly weapon, \* \* \* or uses or attempts to use against another person any imitation firearm, shall, upon conviction, be punished as follows:

(a) By a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), or by imprisonment in the county jail for not more than six (6) months, or both, in the discretion of the court, for the first conviction under this section.

(b) By a fine of not less than One Hundred Dollars (\$100.00) nor more than Five Hundred Dollars (\$500.00), and imprisonment in the county jail for not less than thirty (30) days nor more than six (6) months, for the second conviction under this section.

(c) By confinement in the custody of the Department of Corrections for not less than one (1) year nor more than five (5) years, for the third or subsequent conviction under this section.

(d) By confinement in the custody of the Department of Corrections for not less than one (1) year nor more than ten (10) years for any person previously convicted of any felony who is convicted under this section.

(2) It shall not be a violation of this section for any person over the age of eighteen (18) years to carry a firearm or deadly weapon concealed within the confines of his own home or his place of business, or any real property associated with his home or business or within any motor vehicle.

(3) It shall not be a violation of this section for any person to carry a firearm or deadly weapon concealed if the possessor of the weapon is then engaged in a legitimate weapon-related sports activity or is going to or returning from such activity. For purposes

of this subsection, "legitimate weapon-related sports activity" means hunting, fishing, target shooting or any other legal activity which normally involves the use of a firearm or other weapon.

(4) For the purposes of this section, "concealed" means hidden or obscured from common observation and shall not include any weapon listed in subsection (1) of this section, including, but not limited to, a loaded or unloaded pistol carried upon the person in a sheath, belt holster or shoulder holster that is wholly or partially visible, or carried upon the person in a scabbard or case for carrying the weapon that is wholly or partially visible.

SECTION 6. Section 97-37-31, Mississippi Code of 1972, which creates the misdemeanor offense of making, manufacturing, selling or possessing a device that will muffle the report of a firearm by a person not authorized to do such under federal law, is repealed.

SECTION 7. This act shall take effect and be in force from and after the date that the United States Supreme Court rules in favor of the Texas Attorney General and the State of Texas and its passage and implementation of Texas House Bill 957, 2021 Regular Session, in any appeal related to that certain case pending in the United States District Court for the North District of Texas and styled Paxton et al v. Richardson (4:22-cv-00143), or after ten (10) days following the date of publication by the Attorney General of Mississippi in the administrative bulletin published by the Secretary of State as provided in Section 25-43-2.101, Mississippi Code of 1972, that the Attorney General of Mississippi has determined that the United States Supreme Court has rendered binding precedent that it is reasonably probable that this act would be upheld by the court as constitutional.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE THAT A FIREARM SUPPRESSOR MANUFACTURED AND REMAINING IN THE STATE OF MISSISSIPPI IS NOT SUBJECT TO FEDERAL LAWS AND REGULATIONS GOVERNING FIREARM SUPPRESSORS; TO PROHIBIT STATE AND LOCAL GOVERNMENTAL AUTHORITIES FROM ENFORCING FEDERAL REGULATIONS ON SUPPRESSORS MADE IN MISSISSIPPI; TO REQUIRE STATE FUNDING TO BE WITHHELD FROM ANY GOVERNMENTAL ENTITY THAT ADOPTS A RULE OR POLICY ENFORCING THE FEDERAL LAWS GOVERNING FIREARM SUPPRESSORS; TO REQUIRE THE DISMISSAL OF CHARGES OF ILLEGALLY CARRYING A MUFFLER OR SILENCER WHICH ARE PENDING ON JULY 1, 2023; TO AMEND SECTIONS 11-1-67 AND 97-37-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO REPEAL SECTION 97-37-31, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISDEMEANOR OFFENSE OF MAKING, MANUFACTURING, SELLING OR POSSESSING A DEVICE THAT WILL MUFFLE THE REPORT OF A FIREARM BY A PERSON NOT AUTHORIZED TO DO SUCH UNDER FEDERAL LAW; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

Nick Bain

Shane Barnett

Jansen Owen

## CONFEREES FOR THE SENATE

Joey Fillingane

Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 912** was adopted:

Yeas--Barnett, Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Horhn, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--38.

Nays--Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting---None.

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Senator Whaley offered the following report of the Conference Committee on **H. B. No. 923** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 923: Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.



CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Tom Weathersby

Neil S. Whaley

Gregory Holloway, Sr.

Benjamin Suber

Gene Newman

Daniel H. Sparks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 923** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting----None.

Voting Present--Hill, McCaughn. Total--2.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 995** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 995: Rape; revise elements for the crime of and remove spousal exception.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-3-69, Mississippi Code of 1972, is amended as follows:

97-3-69. In the trial of all cases under \* \* \* Section 97-3-68, no person shall be convicted upon the uncorroborated testimony of the injured \* \* \* person.

SECTION 2. Section 97-3-99, Mississippi Code of 1972, which provides for spousal rape, is repealed.

SECTION 3. Section 97-3-65, Mississippi Code of 1972, is amended as follows:

97-3-65. (1) The crime of statutory rape is committed when:

(a) Any person seventeen (17) years of age or older has sexual intercourse with a child who:

- (i) Is at least fourteen (14) but under sixteen (16) years of age;
- (ii) Is thirty-six (36) or more months younger than the person; and
- (iii) Is not the person's spouse; or

(b) A person of any age has sexual intercourse with a child who:

- (i) Is under the age of fourteen (14) years; and
- (ii) Is twenty-four (24) or more months younger than the person \* \* \*.

\* \* \*

(2) Neither the victim's consent nor the victim's lack of chastity is a defense to a charge of statutory rape.

(3) Upon conviction for statutory rape, the defendant shall be sentenced as follows:

(a) If eighteen (18) years of age or older, but under twenty-one (21) years of age, and convicted under subsection (1)(a) of this section, to imprisonment for not more than five (5) years in the State Penitentiary or a fine of not more than Five Thousand Dollars (\$5,000.00), or both;

(b) If twenty-one (21) years of age or older and convicted under subsection (1)(a) of this section, to imprisonment of not more than thirty (30) years in the State Penitentiary or a fine of not more than Ten Thousand Dollars (\$10,000.00), or both, for the first offense, and not more than forty (40) years in the State Penitentiary for each subsequent offense;

(c) If eighteen (18) years of age or older and convicted under subsection (1)(b) of this section, to imprisonment for life in the State Penitentiary or such lesser term of imprisonment as the court may determine, but not less than twenty (20) years;

(d) If thirteen (13) years of age or older but under eighteen (18) years of age and convicted under subsection (1)(a) or (1)(b) of this section, such imprisonment, fine or other sentence as the court, in its discretion, may determine.

(4) (a) Every person who shall have forcible sexual intercourse with any person, or who shall have sexual intercourse not constituting forcible sexual intercourse or statutory rape with any person without that person's consent by administering to such person any substance or liquid which shall produce such stupor or such imbecility of mind or weakness of body as to prevent effectual resistance, upon conviction, shall be imprisoned for life in the State Penitentiary if the jury by its verdict so prescribes; and in cases where the jury fails to fix the penalty at life imprisonment, the court shall fix the penalty at imprisonment in the State Penitentiary for any term as the court, in its discretion, may determine.

(b) This subsection (4) shall apply whether the perpetrator is married to the victim or not.

(5) In all cases where a victim is under the age of sixteen (16) years, it shall not be necessary to prove penetration where it is shown the genitals, anus or perineum of the child have been lacerated or torn in the attempt to have sexual intercourse with the child.

(6) (a) Upon conviction under this section, the court may issue a criminal sexual assault protection order prohibiting the offender from any contact with the victim, without regard to the relationship between the victim and offender. The court may include in a criminal sexual assault protection order any relief available under Section 93-21-15. The term of a criminal sexual assault protection order shall be for a time period determined by the court, but all orders shall, at a minimum, remain in effect for a period of two (2) years after the expiration of any sentence of imprisonment and subsequent period of community supervision, conditional release, probation, or parole. Upon issuance of a criminal sexual assault protection order, the clerk of the issuing court shall enter the order in the Mississippi Protection Order Registry within twenty-four (24) hours of issuance, with no exceptions for weekends or holidays as provided in Section 93-21-25, and a copy must be provided to both the victim and offender.

(b) Criminal sexual assault protection orders shall be issued on the standardized form developed by the Office of the Attorney General.

(c) It is a misdemeanor to knowingly violate any condition of a criminal sexual assault protection order. Upon conviction for a violation, the defendant shall be punished by a fine of not more than Five Hundred Dollars (\$500.00) or by imprisonment in the county jail for not more than six (6) months, or both. Any sentence imposed for the violation of a criminal sexual assault protection order shall run consecutively to any other sentences imposed on the offender. The court shall also be empowered to extend the criminal sexual assault protection order for a period of one (1) year for each violation. The incarceration of a person at the time of the violation is not a bar to prosecution under this section. Nothing in this subsection shall be construed to prohibit the imposition of any other penalties or disciplinary action otherwise allowed by law or policy.

(7) For the purposes of this section, "sexual intercourse" shall mean a joining of the sexual organs of a male and female human being in which the penis of the male is inserted into the vagina of the female or the penetration of the sexual organs of a male or female human being in which the penis or an object is inserted into the genitals, anus or perineum of a male or female.

SECTION 4. Section 97-3-68, Mississippi Code of 1972, is amended as follows:

97-3-68. (1) In any prosecution for rape under Section 97-3-65 \* \* \* or 97-3-71, if evidence of sexual conduct of the complaining witness is offered to attack the credibility of said complaining witness, the following procedure shall be followed:

(a) A written motion shall be made by the defendant to the court and prosecutor stating that the defense has an offer of proof of the relevancy of evidence of the sexual conduct of the complaining witness proposed to be presented and its relevancy in attacking the credibility of the complaining witness.

(b) The written motion shall be accompanied by an affidavit in which the offer of proof shall be stated.

(c) If the court finds that the offer of proof is sufficient, the court shall order a closed hearing in chambers, out of the presence of the jury, if any, and at such closed hearing allow the questioning of the complaining witness regarding the offer of proof made by the defendant.

(d) At the conclusion of the hearing, if the court finds that evidence proposed to be offered by the defendant regarding the sexual conduct of the complaining witness is relevant and otherwise admissible, the court may make an order stating what evidence

may be introduced by the defendant, and the nature of the questions to be permitted. The defendant may then offer evidence pursuant to the order of the court.

(2) As used in this section and Section 97-3-70, "complaining witness" means the alleged victim of the crime charged, the prosecution of which is subject to this section.

SECTION 5. Section 97-3-71, Mississippi Code of 1972, is amended as follows:

97-3-71. Every person who shall be convicted of an assault with intent \* \* \* of forcible sexual penetration of any person shall be punished by imprisonment in the Penitentiary for life, or for such shorter time as may be fixed by the jury, or by the court upon the entry of a plea of guilty.

SECTION 6. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-3-69, MISSISSIPPI CODE OF 1972, TO REVISE THE EVIDENTIARY REQUIREMENTS FOR RAPE TRIALS; TO REPEAL SECTION 97-3-99, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR SPOUSAL RAPE; TO AMEND SECTION 97-3-65, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 97-3-68, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE EVIDENTIARY PROCEDURES FOR RAPE PROSECUTIONS TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTION 97-3-71, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ELEMENTS OF THE CRIME OF RAPE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Angela Cockerham

Joey Fillingane

Donnie Scoggin

Daniel H. Sparks

Bryant W. Clark

Brice Wiggins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 995** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Wiggins called up the following entitled bill:

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize.

Senator Wiggins moved that the Conference Committee Report on **H. B. No. 1020** be recommitted for further conference and the motion prevailed.

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Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1111** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1111: County court jurisdiction for termination of parental rights; authorize for both involuntary and voluntary termination.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 93-15-105, Mississippi Code of 1972, is amended as follows:

93-15-105. (1) The chancery court has original exclusive jurisdiction over all termination of parental rights proceedings except when a county court sitting as a youth court has acquired jurisdiction of a child in an abuse or neglect proceeding, then the county court shall have original exclusive jurisdiction to hear \* \* \* petitions for both voluntary and involuntary termination of parental rights actions against a parent of that child pursuant to the procedures of this chapter.

(2) (a) Venue in a county court sitting as a youth court for any termination of parental rights proceedings shall be in the county in which the court has jurisdiction of the child in the abuse or neglect proceedings. Venue in chancery court for termination of parental rights proceedings shall be proper either in the county in which the defendant resides, the child resides or in the county where an agency or institution having custody of the child is located.

(b) Transfers of venue shall be governed by the Mississippi Rules of Civil Procedure.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 93-15-105, MISSISSIPPI CODE OF 1972, TO AUTHORIZE YOUTH COURT, IN ABUSE OR NEGLECT PROCEEDINGS, TO HAVE

ORIGINAL, EXCLUSIVE JURISDICTION OF BOTH VOLUNTARY AND INVOLUNTARY  
TERMINATION OF PARENTAL RIGHTS ACTIONS; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

## CONFEREES FOR THE SENATE

Angela Cockerham

Brice Wiggins

Jason White

Nicole Boyd

Thomas U. Reynolds

Jason Barrett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1111** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Wiggins moved that the rules be suspended for the consideration en bloc of H. B. No. 1149, H. B. No. 1216, H. B. No. 1318 and H. B. No. 1342 and the motion prevailed.

Senator Wiggins called up the following measures:

**H. B. No. 1149:** Path to permanency; provide for children in Child Protection Services.

**H. B. No. 1216:** Circuit judges and chancellors; increase office operating and expense allowances and support staff funding.

**H. B. No. 1318:** Baby drop-off and safe haven; revise provisions that regulate.

**H. B. No. 1342:** Adoption procedures; regulate by creating a licensure authority.

Senator Wiggins moved that the Conference Committee Reports on **H. B. No. 1149, H. B. No. 1216, H. B. No. 1318** and **H. B. No. 1342** be recommitted for further conference and the motion prevailed.

Senator Tate offered the following report of the Conference Committee on **H. B. No. 1310** (version 2) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1310: Elections; revise provisions related to the integrity of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 23-15-615, Mississippi Code of 1972:

23-15-615. The Secretary of State shall be authorized to audit election procedures of the 2023, 2024, 2026 and 2027 general elections in the counties of this state. The conduction of an audit shall not create excessive interference with the general duties and responsibilities of the Secretary of State, county registrar, and county election commission.

(a) The Secretary of State shall audit all eighty-two (82) counties by randomly selecting from each of the congressional districts during the 2023, 2024, 2026 and 2027 general elections, and randomly selecting no more than twenty-five percent (25%) of the total precincts or no more than five (5) precincts, whichever is less in each county. No county or precinct shall be selected for audit on the basis of race, geographical location or voting trends.

(i) If the Secretary of State finds any issues that could affect the outcome of an election or cause voters to be disenfranchised, then the Secretary of State, in partnership with the local county election officials, shall develop a plan to correct those issues, which shall include additional training.

(ii) The Secretary of State will have the discretion to randomly select the counties and precincts that will be audited, but must do so at least ninety (90) days before the election to be audited. No audit shall occur if the election is challenged as provided in Sections 23-15-927, 23-15-951 or 23-15-955. No audit shall occur until after a ballot box examination has occurred and the period to contest an election has expired, or if a runoff election occurs, the audit shall occur after the runoff election.

(b) In conducting a procedural audit, the Secretary of State shall audit the following:

(i) Procedures for testing of OMR equipment before counting ballots, including the ballots used for testing of OMR equipment, as required by Section 23-15-521;

(ii) Ballot accounting reports, seal logs, poll books, and receipt books as required to be kept by Section 23-15-519;

(iii) Absentee ballots, absentee ballot applications, and absentee ballot envelopes, along with the list provided to the resolution board, to ensure appropriate processing and counting of absentee ballots as required by Section 23-15-631 et seq.; and

(iv) Affidavit ballots and affidavit ballot envelopes, including affidavit ballot receipt book to ensure compliance with appropriate processing and counting of affidavit ballots as required by Section 23-15-573.

(c) By January 20, 2027, the Secretary of State shall provide a recommendation to the Mississippi Legislature on whether the procedures to be audited in paragraph (b) should be expanded or reduced.

(d) The Secretary of State shall develop a post-election audit manual which shall detail the policies and procedures for conducting post-election audits. The post-election audit manual shall not be altered less than ninety (90) days before an election in which the post-election audit manual shall be utilized in conducting a post-election audit.

(e) No later than one hundred twenty (120) days after the election that the Secretary of State is auditing, the Secretary of State shall compile a report of the procedural audits conducted and shall submit the report to the Governor, Lieutenant Governor, Speaker of the House of Representatives and Chairmen of the Senate and House Election Committees. Prior to submitting the report, the Secretary of State shall allow the local county election officials to review the report and provide comments that will be submitted along with the report. The report shall first list all counties audited alphabetically with any major finding which may affect the outcome of the election and whether any voters were disenfranchised, then list out a detailed report of any major or minor findings, along with recommended changes to both county and Secretary of State practices.

SECTION 2. Section 23-15-613, Mississippi Code of 1972, which provides that election commissions and county and municipal executive committees shall report residual vote information to the Secretary of State, is repealed.

SECTION 3. Section 23-15-153, Mississippi Code of 1972, is amended as follows:

23-15-153. (1) At least during the following times, the election commissioners shall meet at the office of the registrar or the office of the election commissioners to carefully revise the county voter roll as electronically maintained by the Statewide Elections Management System and remove from the roll the names of all voters who have requested to be purged from the voter roll, died, received an adjudication of non compos mentis, been convicted of a disenfranchising crime, failed to comply with the provisions of Section 23-15-152, or otherwise become disqualified as electors for any cause, and shall register the names of all persons who have duly applied to be registered but have been illegally denied registration:

(a) On the Tuesday after the second Monday in January 1987 and every following year;

(b) On the first Tuesday in the month immediately preceding the first primary election for members of Congress in the years when members of Congress are elected;

(c) On the first Monday in the month immediately preceding the first primary election for state, state district legislative, county and county district offices in the years in which those offices are elected; and

(d) On the second Monday of September preceding the general election or regular special election day in years in which a general election is not conducted.

Except for the names of those voters who are duly qualified to vote in the election, no name shall be permitted to remain in the Statewide Elections Management System; however, no name shall be purged from the Statewide Elections Management System based on a change in the residence of an elector except in accordance with procedures



provided for by the National Voter Registration Act of 1993 and as provided in Section 23-15-152. Except as otherwise provided by Section 23-15-573, no person shall vote at any election whose name is not in the county voter roll electronically maintained by the Statewide Elections Management System.

(2) Except as provided in this section, and subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than fifty (50) days per year, with no more than fifteen (15) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than seventy-five (75) days per year, with no more than twenty-five (25) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than one hundred (100) days per year, with no more than thirty-five (35) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than one hundred twenty-five (125) days per year, with no more than forty-five (45) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than one hundred fifty (150) days per year, with no more than fifty-five (55) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than one hundred seventy-five (175) days per year, with no more than sixty-five (65) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than one hundred ninety (190) days per year, with no more than seventy-five (75) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(h) In counties having two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census but less than two hundred fifty

thousand (250,000) residents according to the latest federal decennial census, not more than two hundred fifteen (115) days per year, with no more than eighty-five (85) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(i) In counties having two hundred fifty thousand (250,000) residents according to the latest federal decennial census but less than two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census, not more than two hundred thirty (230) days per year, with no more than ninety-five (95) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year;

(j) In counties having two hundred seventy-five thousand (275,000) residents according to the latest federal decennial census or more, not more than two hundred forty (240) days per year, with no more than one hundred five (105) additional days allowed for the conduct of each election in excess of one (1) occurring in any calendar year.

(3) In addition to the number of days authorized in subsection (2) of this section, the board of supervisors of a county may authorize, in its discretion, the election commissioners to receive a per diem in the amount provided for in subsection (2) of this section, to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties in the conduct of an election or actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System as required in subsection (1) of this section, not to exceed five (5) days.

(4) (a) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, not to exceed ten (10) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System before any special election. For purposes of this paragraph, the regular special election day shall not be considered a special election. The annual limitations set forth in subsection (2) of this section shall not apply to this paragraph.

(b) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Sixty-five Dollars (\$165.00), to be paid from the county general fund, for the performance of their duties on the day of any primary, runoff, general or special election. The annual limitations set forth in subsection (2) of this section shall apply to this paragraph.

\* \* \*

(5) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, not to exceed fourteen (14) days for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in the revision of the county voter roll as electronically maintained by the Statewide Elections Management System and in the conduct of a runoff election following either a general or special election.

(6) The election commissioners shall be entitled to receive only one (1) per diem payment for those days when the election commissioners discharge more than one (1) duty or responsibility on the same day.

(7) The election commissioners shall be entitled to receive a per diem in the amount of One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, not to exceed five (5) days for every day or period of no less than five (5) hours accumulated over two (2) or more days for those days when the election commissioners shall be required to conduct an audit of an election as provided in Section 23-15-615.

( \*\* \*8) In preparation for a municipal primary, runoff, general or special election, the county registrar shall generate and distribute the master voter roll and pollbooks from the Statewide Elections Management System for the municipality located within the county. The municipality shall pay the county registrar for the actual cost of preparing and printing the municipal master voter roll pollbooks. A municipality may secure "read only" access to the Statewide Elections Management System and print its own pollbooks using this information.

( \*\* \*9) County election commissioners who perform the duties of an executive committee with regard to the conduct of a primary election under a written agreement authorized by law to be entered into with an executive committee shall receive per diem as provided for in subsection (2) of this section. The days that county election commissioners are employed in the conduct of a primary election shall be treated the same as days county election commissioners are employed in the conduct of other elections.

( \*\* \*10) In addition to any per diem authorized by this section, any election commissioner shall be entitled to the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel on election day.

( \*\* \*11) Every election commissioner shall sign personally a certification setting forth the number of hours actually worked in the performance of the commissioner's official duties and for which the commissioner seeks compensation. The certification must be on a form as prescribed in this subsection. The commissioner's signature is, as a matter of law, made under the commissioner's oath of office and under penalties of perjury.

The certification form shall be as follows:

COUNTY ELECTION COMMISSIONER

PER DIEM CLAIM FORM

NAME: \_\_\_\_\_ COUNTY: \_\_\_\_\_

ADDRESS: \_\_\_\_\_ DISTRICT: \_\_\_\_\_

CITY: \_\_\_\_\_ ZIP: \_\_\_\_\_

PURPOSE APPLICABLE ACTUAL PER DIEM

DATE	BEGINNING	ENDING	OF	MS CODE	HOURS	DAYS
WORKED	TIME	TIME	WORK	SECTION	WORKED	EARNED

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TOTAL NUMBER OF PER DIEM DAYS EARNED

EXCLUDING ELECTION DAYS \_\_\_\_\_

PER DIEM RATE PER DAY EARNED X \$110.00

TOTAL NUMBER PER DIEM DAYS EARNED

FOR ELECTION DAYS \_\_\_\_\_

PER DIEM RATE PER DAY EARNED X \$165.00

TOTAL AMOUNT OF PER DIEM CLAIMED \$ \_\_\_\_\_

I understand that I am signing this document under my oath as an election commissioner and under penalties of perjury.

I understand that I am requesting payment from taxpayer funds and that I have an obligation to be specific and truthful as to the amount of hours worked and the compensation I am requesting.

Signed this the \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Commissioner's Signature

When properly completed and signed, the certification must be filed with the clerk of the county board of supervisors before any payment may be made. The certification will be a public record available for inspection and reproduction immediately upon the oral or written request of any person.

Any person may contest the accuracy of the certification in any respect by notifying the chair of the commission, any member of the board of supervisors or the clerk of the board of supervisors of the contest at any time before or after payment is made. If the contest is made before payment is made, no payment shall be made as to the contested certificate until the contest is finally disposed of. The person filing the contest shall be entitled to a full hearing, and the clerk of the board of supervisors shall issue subpoenas upon request of the contestor compelling the attendance of witnesses and production of documents and things. The contestor shall have the right to appeal de novo to the circuit court of the involved county, which appeal must be perfected within thirty (30) days from a final decision of the commission, the clerk of the board of supervisors or the board of supervisors, as the case may be.

Any contestor who successfully contests any certification will be awarded all expenses incident to his or her contest, together with reasonable attorney's fees, which will be awarded upon petition to the chancery court of the involved county upon final disposition of the contest before the election commission, board of supervisors, clerk of the board of supervisors, or, in case of an appeal, final disposition by the court. The commissioner against whom the contest is decided shall be liable for the payment of the expenses and attorney's fees, and the county shall be jointly and severally liable for same.

( \*\* \*12) Any election commissioner who has not received a certificate issued by the Secretary of State pursuant to Section 23-15-211 indicating that the election commissioner has received the required elections seminar instruction and that the election commissioner is fully qualified to conduct an election, shall not receive any compensation authorized by this section or Section 23-15-239.

SECTION 4. Section 23-15-5, Mississippi Code of 1972, is amended as follows:

23-15-5. (1) There is created in the State Treasury a special fund to be known as the Elections Support Fund. Monies derived from annual report fees imposed upon limited

liability companies under Section 79-29-1203 shall be deposited into the Elections Support Fund. Unexpended amounts remaining in the fund at the end of the fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be disbursed as provided in subsection (2) of this section. The expenditure of monies in the fund shall be under the direction of the Secretary of State as provided by subsection (2) of this section, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration.

(2) (a) Monies in the fund \* \* \* shall be distributed annually to the counties, upon appropriation of the Legislature, based on the proportion that the population of a county bears to the total population in all counties of the state population according to the most recent information from the United States Census Bureau, and held in a separate fund solely for the purpose of acquiring, upgrading, maintaining or repairing voting equipment, systems and supplies, hiring temporary technical support, conducting elections using such voting equipment or systems, employing such personnel to conduct an election, and training election officials \* \* \*. The counties shall ensure all computers with access to the Statewide Elections Management System are equipped with appropriate security measures to protect private information of the registered voter and the integrity of Mississippi elections, and these funds may be used to purchase such security measures.

\* \* \*

(b) The Secretary of State shall create standard training guidelines to assist counties in training election officials with the funds authorized under \* \* \* paragraph (a) \* \* \* of this subsection. Any criteria established by the Secretary of State for the purposes of this section shall be used in addition to any other training or coursework prescribed by the Secretary of State to train circuit clerks, poll managers and any other election officials participating in county elections.

(c) Notwithstanding any other provision of law, no monies from the Elections Support Fund shall be used by the Secretary of State or any person associated with the Office of the Secretary of State to provide or otherwise support expert testimony in any manner for any hearing, trial or election contest.

(3) From and after July 1, 2017, none of the monies deposited in the Elections Support Fund may be used to reimburse or otherwise defray any costs that the Office of the Secretary of State may incur in administering the fund.

(4) From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent or other charge for services or resources received by authority of this section.

SECTION 5. The following shall be codified as Section 23-15-152, Mississippi Code of 1972:

23-15-152. (1) For the purposes of this section, "confirmation notice" means a notice sent by the election commissioners, by forwardable mail, with return postage prepaid, on a form prescribed by the Secretary of State, to a registered voter to confirm the registered voter's current address. The notice shall comply with all applicable requirements of the National Voter Registration Act of 1993.

(2) The election commissioners shall send a confirmation notice to the following:

(a) A registered voter if it appears from the United States Postal Service change-of-address information that the registered voter has moved to a different residence;

(b) A registered voter if a county election commissioner or county registrar has received notice from another state, or political subdivision of another state, that the registered voter has registered to vote in another state;

(c) A registered voter who has failed to vote at least once in any election or update his or her registration during a period that begins in the year of a presidential preference primary and extends until the next general election for President of the United States that does not occur in the same year as the beginning of the period; or

(d) A registered voter if the registrar or election commissioners have received reliable information that he or she has moved within or outside of the state. Reliable information includes, but is not limited to: official mail returned as undeliverable by the county election commission, registrar or other county or municipal office, Secretary of State; application for homestead exemption filed by the voter at an address other than the address of current registration; or any information from another state or county entity indicating the voter no longer resides at the address of voter registration.

No registered voter shall be sent a confirmation notice under paragraph (c) of this subsection if he or she has been sent a confirmation notice for those same reasons within the last six (6) years.

(3) The county election commissioners shall place any registered voter who has been sent a confirmation notice on inactive status in the Statewide Elections Management System. Any registered voter who is placed on inactive status shall be unable to cast a regular ballot on election day but shall be able to cast an affidavit ballot as provided in Section 23-15-573.

(4) A registered voter "fails to respond to the confirmation notice" if the voter, during a period beginning on the date the confirmation notice was sent and ending on the day after the date of the second general election for federal office that occurs after the date of the notice, fails to:

(a) Respond to the confirmation notice; or

(b) Update the elector's registration information.

A registered voter who votes at least once in any election in the registered voter's county or municipality of registration during the period beginning from the date of the delivery of the confirmation notice provided in this subsection (4) or who is active or reserve military or who serves on jury duty or responds to a summons for jury duty shall not be purged from the Statewide Elections Management System.

(5) The county registrar or county election commission shall move those registered voters who fail to respond to the confirmation notice as provided in subsection (4) of this section and who fail to vote as provided in subsection (4) of this section to purged status in the Statewide Elections Management System.

(6) No systematic list maintenance shall occur during the ninety (90) days immediately preceding a federal primary or general election which is limited to moving a voter to inactive status in subsection (2) of this section or purged status in subsection (5) of this section.

(7) The county registrar shall retain purged voter registration records after they are purged for a period that includes at least two (2) federal general elections and shall record the reason for the removal.

SECTION 6. Section 23-15-125, Mississippi Code of 1972, is amended as follows:

23-15-125. The pollbook of each voting precinct shall designate the voting precinct for which it is to be used, and shall be ruled in appropriate columns, with printed or written headings, as follows: date of registration; voter registration number; name of electors; date of birth; and a number of blank columns for the dates of elections. All qualified applicants who register with the registrar shall be entered in the Statewide Elections Management System. Only the names of those qualified applicants who register within thirty (30) days before an election shall appear on the pollbooks of the election; however, if the thirtieth day to register before an election falls on a Sunday or legal holiday, the registration applications submitted on the business day immediately following the legal holiday shall be accepted and entered in the Statewide Elections Management System for the purpose of enabling voters to vote in the next election. When county election commissioners determine that any elector is disqualified from voting, by reason of death, conviction of a disenfranchising crime, removal from the jurisdiction, failure to comply with the provisions of Section 23-15-152, or other legal cause, that fact shall be noted in the Statewide Elections Management System and the voter's name shall be \*\*\* purged from the Statewide Elections Management System, the state's voter roll and the county's pollbooks. Nothing in this section shall preclude the use of electronic pollbooks.

SECTION 7. Section 23-15-15, Mississippi Code of 1972, is amended as follows:

23-15-15. (1) By January 1, 2025, the Secretary of State shall compare the entire Statewide Elections Management System to the Department of Public Safety Driver's License Database and follow the procedures outlined in subsections (2) through (8) of this section if a voter is flagged in the database as a potential noncitizen.

(2) Upon receiving a completed voter registration application, the registrar shall enter the applicant into the Statewide Elections Management System.\*\*\* The registration application shall be compared with the Department of Public Safety driver's license and identification information. If such information indicates that a particular applicant is not a citizen of the United States, the Statewide Elections Management System shall notify the registrar, or his or her designee, that the applicant may not be a citizen of the United States.

(\*\*\*3) After receiving the notice from the Statewide Elections Management System as provided in subsections (1) and (2) of this section, the registrar, or his or her designee, shall:

(a) Enter the applicant's information into the United States Citizenship and Immigration Service's Systematic Alien Verification for Entitlements (SAVE) or its successor database for further inquiry; and

(b) If both the Department of Public Safety driver's license and identification information and the database in paragraph (a) of this subsection indicate that the applicant is not a citizen, send a notice by first-class mail to the applicant's mailing address provided on the voter registration application inquiring whether the individual is eligible to be registered to vote. The registrar may, in addition to first-class mail, contact the applicant by email or telephone.

(\*\*\*4) Any applicant who receives the notice under subsection (\*\*\*) (b) of this section shall, within thirty (30) days of the receipt of such notice, provide proof of citizenship to the registrar or his or her designee.

(\*\*\*5) For purposes of this section, proof of citizenship includes, but is not limited to:

(a) The applicant's birth certificate or a legible photocopy of the birth certificate;

(b) A United States passport, or a legible photocopy of the pertinent pages of the passport, identifying the applicant and showing the passport number;

(c) The applicant's United States naturalization documentation, a legible photocopy of the naturalization documentation, or the number of the applicant's Certificate of Naturalization; except that any person who provides the number of the Certificate of Naturalization in lieu of the naturalization documentation shall not be deemed to have provided proof of citizenship until the number is verified with the United States Citizenship and Immigration Services in the Department of Homeland Security or its successor; or

(d) Any document or method of proof of citizenship established by the Federal Immigration Reform and Control Act of 1986, Public Law 99-603, compiled in 8 USC Section 1101 et seq.

( \*\* \*6) If the applicant provides proof of citizenship and meets all other qualifications provided by law, the registrar shall register the applicant to vote.

( \*\* \*7) If the applicant does not reply to the notice or provide proof of citizenship, the registrar of the county, or his or her designee, where the person registered to vote shall mark the applicant as "PENDING" in the Statewide Elections Management System until the next federal general election:

(a) A voter in pending status may cast an affidavit ballot. The affidavit ballot shall be considered if the voter provides the required documentation under subsection \* \* \* (5) of this section to the registrar within five (5) days of casting the affidavit ballot.

(b) If the applicant fails to respond to the notice or cast an affidavit ballot and provide the proof described in subsection \* \* \* (5) of this section by the next federal general election, the registrar shall mark the applicant as "REJECTED" in the Statewide Elections Management System.

(8) All documentation provided to show proof of citizenship as well as the Department of Public Safety database or relevant federal and state agency and county records shall be confidential and shall not be subject to inspection, examination, copying or reproduction under the Mississippi Public Records Act of 1983.

SECTION 8. Section 23-15-165, Mississippi Code of 1972, is amended as follows:

23-15-165. (1) The Office of the Secretary of State, in cooperation with the county registrars and election commissioners, shall procure, implement and maintain an electronic information processing system and programs capable of maintaining a centralized database of all registered voters in the state. The system shall encompass software and hardware, at both the state and county level, software development training, conversion and support and maintenance for the system. The Secretary of State shall equip the Statewide Elections Management System with appropriate security measures to protect private information of the registered voter and the integrity of Mississippi elections. This system shall be known as the "Statewide Elections Management System" and shall constitute the official record of registered voters in every county of the state.

(2) The Office of the Secretary of State shall develop and implement the Statewide Elections Management System so that the registrar and election commissioners of each county shall:

(a) Verify that an applicant that is registering to vote in that county is not registered to vote in another county;

(b) Be notified automatically that a registered voter in its county has registered to vote in another county;



(c) Receive regular reports of death, changes of address and convictions for disenfranchising crimes that apply to voters registered in the county; \* \* \*

(d) Retain all present functionality related to, but not limited to, the use of voter roll data and to implement such other functionality as the law requires to enhance the maintenance of accurate county voter records and related jury selection and redistricting programs \* \* \*; and

(e) When evidence exists that a registered voter may not be a citizen of the United States as provided in Section 23-15-15, send notification to the registrar of the location where the person is registered to vote.

(3) As a part of the procurement and implementation of the system, the Office of the Secretary of State shall, with the assistance of the advisory committee, procure services necessary to convert current voter registration records in the counties into a standard, industry accepted file format that can be used on the Statewide Elections Management System. Thereafter, all official voter information shall be maintained on the Statewide Elections Management System. The standard industry accepted format of data was reviewed and approved by a majority of the advisory committee created in subsection (5) of this section after consultation with the Circuit Clerks Association and the format may not be changed without consulting the Circuit Clerks Association.

(4) The Secretary of State may, with the assistance of the advisory committee, adopt rules and regulations necessary to administer the Statewide Elections Management System. The rules and regulations shall at least:

(a) Provide for the establishment and maintenance of a centralized database for all voter registration information in the state;

(b) Provide procedures for integrating data into the centralized database;

(c) Provide security to ensure that only the registrar, or his or her designee or other appropriate official, as the law may require, can add information to, delete information from and modify information in the system;

(d) Provide the registrar or his or her designee or other appropriate official, as the law may require, access to the system at all times, including the ability to download copies of the industry standard file, for all purposes related to their official duties, including, but not limited to, exclusive access for the purpose of printing all local pollbooks;

(e) Provide security and protection of all information in the system and monitor the system to ensure that unauthorized access is not allowed;

(f) Provide a procedure that will allow the registrar, or his or her designee or other appropriate official, as the law may require, to identify the precinct to which a voter should be assigned; and

(g) Provide a procedure for phasing in or converting existing manual and computerized voter registration systems in counties to the Statewide Elections Management System.

(5) The Secretary of State established an advisory committee to assist in developing system specifications, procurement, implementation and maintenance of the Statewide Elections Management System. The committee included two (2) representatives from the Circuit Clerks Association, appointed by the association; two (2) representatives from the Election Commissioners Association of Mississippi, appointed by the association; one (1) member of the Mississippi Association of Supervisors, or its staff, appointed by the association; the Director of the Stennis Institute of Government at

Mississippi State University, or his or her designee; the Executive Director of the Department of Information Technology Services, or his or her designee; two (2) persons knowledgeable about elections and information technology appointed by the Secretary of State; and the Secretary of State, who shall serve as the chair of the advisory committee.

(6) (a) Social security numbers, telephone numbers, email addresses, and date of birth and age information in statewide, district, county and municipal voter registration files shall be exempt from and shall not be subject to inspection, examination, copying or reproduction under the Mississippi Public Records Act of 1983.

(b) Copies of statewide, district, county or municipal voter registration files, excluding social security numbers, telephone numbers, email addresses, and date of birth and age information, shall be provided to any person in accordance with the Mississippi Public Records Act of 1983 at a cost not to exceed the actual cost of production.

SECTION 9. This act shall take effect and be in force from and after January 1, 2024.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 23-15-615, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO AUDIT ELECTION PROCEDURES OF THE 2023, 2024, 2026 AND 2027 GENERAL ELECTIONS IN THE COUNTIES OF THE STATE; TO PROVIDE HOW THE COUNTIES SHALL BE SELECTED; TO PROVIDE WHAT THE SECRETARY OF STATE MAY AUDIT DURING A PROCEDURAL AUDIT; TO REQUIRE THE SECRETARY OF STATE TO CREATE A POST-ELECTION AUDIT MANUAL; TO REQUIRE THE SECRETARY OF STATE TO COMPILE A REPORT OF THE PROCEDURAL AUDITS; TO REPEAL SECTION 23-15-613, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ELECTION COMMISSIONS AND COUNTY AND MUNICIPAL EXECUTIVE COMMITTEES SHALL REPORT RESIDUAL VOTE INFORMATION TO THE SECRETARY OF STATE; TO AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ELECTION COMMISSIONERS TO RECEIVE A PER DIEM OF \$110 FOR CONDUCTING AN AUDIT OF AN ELECTION; TO AMEND SECTION 23-15-5, MISSISSIPPI CODE OF 1972, TO REVISE HOW THE MONIES IN THE ELECTIONS SUPPORT FUND ARE DISTRIBUTED; TO CREATE NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR WHO FAILS TO RESPOND TO A CONFIRMATION NOTICE AND WHO FAILS TO VOTE DURING A CERTAIN PERIOD OF TIME SHALL BE REMOVED FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE DEFINITIONS FOR "CONFIRMATION NOTICE" AND "FAILS TO RESPOND TO THE CONFIRMATION NOTICE"; TO PROVIDE THOSE REGISTERED VOTERS WHO SHALL RECEIVE CONFIRMATION NOTICES; TO PROVIDE THAT A REGISTERED VOTER WHO IS MAILED A CONFIRMATION NOTICE SHALL BE PLACED ON INACTIVE STATUS IN THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM BUT SHALL BE ABLE TO VOTE BY AFFIDAVIT BALLOT; TO PROVIDE THE TIME FOR REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO AMEND SECTION 23-15-125, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BY JANUARY 1, 2025, THE SECRETARY OF STATE SHALL COMPARE THE ENTIRE STATEWIDE ELECTION MANAGEMENT SYSTEM TO THE DEPARTMENT OF PUBLIC SAFETY DRIVER'S LICENSE DATABASE; TO PROVIDE THAT ALL DOCUMENTATION PROVIDED TO SHOW PROOF OF CITIZENSHIP SHALL BE EXEMPT FROM THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Price Wallace

Dan Eubanks

Brent Powell

CONFEREES FOR THE SENATE

Jeff Tate

David Parker

Joey Fillingane

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1310** (version 2) was adopted:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--16.

Absent and those not voting----None.

Senator Polk offered the following report of the Conference Committee on **S. B. No. 2053** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2053: Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

## CONFEREES FOR THE SENATE

## CONFEREES FOR THE HOUSE

John A. Polk

Randy P. Boyd

Mike Thompson

Noah Sanford

Angela Turner-Ford

Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2053** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk offered the following report of the Conference Committee on **S. B. No. 2054** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2054: Appointed state officers; provide for the removal of for certain forms of willful neglect.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 2.
2. That the Senate concur in House Amendment No. 1.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

John A. Polk

Randy P. Boyd

Kevin Blackwell

Joesph Tubb

Jenifer B. Branning

Jerry R. Turner

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2054** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2082** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2082: Child support; administratively suspend obligations for incarcerated individuals.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The court may not consider incarceration as intentional or voluntary unemployment or underemployment when establishing or modifying a child-support order.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROHIBIT A COURT FROM CONSIDERING INCARCERATION AS INTENTIONAL OR VOLUNTARY UNEMPLOYMENT OR UNDEREMPLOYMENT WHEN ESTABLISHING OR MODIFYING A CHILD-SUPPORT ORDER; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE                      CONFEREES FOR THE HOUSE

Brice Wiggins                                      Angela Cockerham

Juan Barnett                                      Mark Tullos

Jeremy England                                  Thomas U. Reynolds

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2082** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2101** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2101: Criminal law; revise crimes of fleeing a law enforcement officer, resisting arrest and carjacking.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-9-72, Mississippi Code of 1972, is amended as follows:

97-9-72. (1) The driver of a motor vehicle who is given a visible or audible signal by a law enforcement officer by hand, voice, emergency light or siren directing the driver to bring his motor vehicle to a stop when such signal is given by a law enforcement officer acting in the lawful performance of duty who has a reasonable suspicion to believe that the driver in question has committed a crime, and who willfully fails to obey such direction shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00) or imprisoned in the county jail for a term not to exceed six (6) months, or both.

(2) Any person who is guilty of violating subsection (1) of this section by operating a motor vehicle in such a manner as to indicate a reckless or willful disregard for the safety of persons or property, or who so operates a motor vehicle in a manner manifesting extreme indifference to the value of human life, shall be guilty of a felony, and upon conviction thereof, shall be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00), or by commitment to the custody of the Mississippi Department of Corrections for not more than \* \* \* ten (10) years, or both.

(3) Any person who is guilty of violating subsection (1) of this section, which violation results in serious bodily injury of another, upon conviction, shall be committed to the custody of the Department of Corrections for not less than \* \* \* five (5) nor more than twenty (20) years of imprisonment.

(4) Any person who is guilty of violating subsection (1) of this section, which violation results in the death of another, upon conviction, shall be committed to the custody of the Department of Corrections for not less than \* \* \* seven (7) nor more than forty (40) years.

(5) It is a defense to prosecution under this section:

(a) That the law enforcement officer was not in uniform or that no law enforcement vehicle used in the attempted stop was clearly marked as a law enforcement vehicle; or

(b) That the driver proceeded in a safe manner to a reasonably near well-lit public place before stopping.

SECTION 2. Section 97-3-117, Mississippi Code of 1972, is amended as follows:

97-3-117. (1) Whoever shall knowingly or recklessly by force or violence, whether against resistance or by sudden or stealthy seizure or snatching, or by putting in fear, or attempting to do so, or by any other means shall take a motor vehicle from another person's immediate actual possession shall be guilty of carjacking.

(a) A person who is convicted of carjacking shall be fined not more than Five Thousand Dollars (\$5,000.00) and be committed to the custody of the State Department of Corrections for not less than five (5) years nor more than fifteen (15) years.

(b) A person who is convicted of attempted carjacking shall receive the same punishment as the person who is convicted of carjacking.

(2) Whoever commits the offense of carjacking while armed with or having readily available any pistol or other firearm or imitation thereof or other dangerous or deadly weapon, including a sawed-off shotgun, shotgun, machine gun, rifle, dirk, bowie knife, butcher knife, switchblade, razor, blackjack, billy, or metallic or other false knuckles, or any object capable of inflicting death or serious bodily harm, shall be guilty of armed carjacking.

(a) Any person who is convicted of armed carjacking shall be fined not more than Ten Thousand Dollars (\$10,000.00) and be committed to the custody of the State Department of Corrections for not less than ten (10) years nor more than thirty (30) years.

(b) Any person who is convicted of attempted armed carjacking shall receive the same punishment as the person who is convicted of armed carjacking.

(3) Any person convicted of a second or subsequent offense under this section shall be fined an amount up to twice that otherwise authorized and shall be imprisoned for a term of at least twice the minimum term provided for the offense and up to twice the maximum term otherwise authorized.

(4) Notwithstanding any other law to the contrary, the minimum terms imposed under this section shall not be reduced or suspended nor shall the defendant be eligible for electronic monitoring, house arrest or intensive supervision.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 97-9-72, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM TERM OF IMPRISONMENT FOR THE CRIME OF FLEEING OR ELUDING A LAW ENFORCEMENT OFFICER IN A MOTOR VEHICLE; TO AMEND SECTION 97-3-117, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM TERM OF IMPRISONMENT FOR THE CRIMES OF CARJACKING AND ARMED CARJACKING; TO PROVIDE THAT THE MINIMUM TERMS IMPOSED UNDER THIS SECTION SHALL NOT BE REDUCED OR SUSPENDED; TO PROVIDE THAT THE DEFENDANT SHALL NOT BE ELIGIBLE FOR ELECTRONIC MONITORING, HOUSE ARREST OR INTENSIVE SUPERVISION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Joey Fillingane	Nick Bain
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Jeremy England	Kevin Horan
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Juan Barnett	
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2101** was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Jackson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--44.

Nays--Blackmon, Butler A. (36th), Hickman, Horhn, Jordan, Simmons D. T. (12th), Simmons S. (13th), Turner-Ford. Total--8.

Absent and those not voting----None.



Senator DeLano offered the following report of the Conference Committee on **S. B. No. 2140** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2140: National Security on State Devices and Networks Act; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1 with the following exception(s):

AMEND on lines 34-35 by striking subsection (4) in SECTION 1 in its entirety and insert the following in lieu thereof:

(4) The Mississippi Department of Information Technology Services, or any other appropriate state agency, shall restrict the download, access or use of prohibited technologies on state-operated networks. The Mississippi Department of Information Technology Services shall maintain and timely update a publicly available list of such prohibited technologies on its website.

FURTHER, AMEND after line 120 by inserting the following and renumbering subsequent subsections accordingly:

(\*) Employees of State Institutions of Higher Learning shall be exempt from the provisions of this section when incurring international usage charges for the business-related use of their personal wireless communication devices during business-related international travel. Such exemption shall only apply after a determination by the employer-institution that reimbursement to the employee for the use of his or her personal wireless communication device is the lowest-cost option to prevent business interruption during such travel.

2. That the House concur in the above exception(s).

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Scott DeLano

Angela Cockerham

Bart Williams

Lee Yancey

Nicole Boyd

Shane Aguirre

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2140** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano,

England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2239** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2239: State law enforcement officers; authorize use of uniforms, weapons and vehicles off duty while performing security services.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 17-25-11, Mississippi Code of 1972, is amended as follows:

17-25-11. (1) Certified law enforcement officers or certified part-time law enforcement officers, as defined in Section 45-6-3, who are employed by a county \* \* \*, municipality or the Department of Public Safety may wear the official uniform and may utilize the official firearm and the official vehicle issued by the employing jurisdiction while in the performance of private security services in off-duty hours. The governing authority of a municipality must approve of such use of the uniform, official weapon and vehicle by municipal law enforcement officers by act spread upon the minutes of such board and approved by the chief executive. The sheriff of a county must approve such use of the uniform, official weapon and vehicle by deputy sheriffs. The Commissioner of the Department of Public Safety must approve such use of the uniform, official weapon and vehicle by officers of the department. Approval shall be on an employee-by-employee basis and not by general order. Any proceedings regarding application or approval and the minutes regarding same shall be a public record.

(2) Each governing board and chief executive \* \* \*, sheriff or the Commissioner of the Department of Public Safety shall determine before the use of the official uniform, weapon and vehicle is approved that the proposed employment is not likely to bring disrepute to the employing jurisdiction or its law enforcement agency, the officer at issue, or law enforcement generally, and that the use of the official uniform, weapon and vehicle in the discharge of the officer's private security endeavor promotes the public interest.

(3) (a) Acts and omissions of an officer in discharge of private security employment shall be deemed to be the acts and omissions of the person or entity who hires or enters into any independent contractual service agreement with an officer for the private security

services, and not the acts and omissions of the employing jurisdiction whose uniform, weapon and vehicle are approved for the private security use.

(b) The person or entity, and the person's or entity's insurer, who hires or enters into any independent contractual service agreement with an officer for private security services shall:

(i) Hold harmless the employing jurisdiction and fully indemnify the employing jurisdiction for any expense or loss, including attorney's fees and any damage to the official vehicle, which results from any action taken against the employing jurisdiction arising out of the acts or omissions of the officer in discharge of private security services while wearing the official uniform or using the official weapon or vehicle; and

(ii) Name the employing jurisdiction as a named insured on its general liability and automobile liability policies for at least the amount of recovery provided for in Section 11-46-15 for any damage to the official vehicle.

(c) If the person or entity, and the person's or entity's insurer, fails or refuses to endorse, indemnify and hold harmless the employing jurisdiction, the employing jurisdiction shall not approve the use of the official vehicle of the employing jurisdiction for private security services.

(d) Neither the state nor any subdivision thereof shall be liable for a claim or injury arising from the acts or omissions of an officer in the discharge of any private security employment duties under this section, including travel to and from private security employment duties in the official vehicle.

(4) Certified police officers performing private jobs during their off-duty hours are required to notify the appropriate law enforcement agency of the place of employment, the hours to be worked, and the type of employment.

(5) The official uniform, weapon and vehicle may be worn and utilized only at locations which are within the jurisdiction of the governmental entity whose uniform, weapon and vehicle are involved.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 17-25-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE OFFICERS OF THE DEPARTMENT OF PUBLIC SAFETY TO USE THEIR OFFICIAL UNIFORM, FIREARM AND VEHICLE WHILE IN THE PERFORMANCE OF PRIVATE SECURITY SERVICES IN OFF DUTY HOURS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Joey Fillingane

Nick Bain

Jeremy England

Jill Ford

Juan Barnett

Jansen Owen

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2239** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Polk, Seymour. Total--2.

Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2297** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2297: Forensics laboratory; require approval of model of intoxilyzer equipment that is readily available to law enforcement agencies.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 63-11-19, Mississippi Code of 1972, is amended as follows:

63-11-19. A chemical analysis of the person's breath, blood or urine, to be considered valid under the provisions of this section, shall have been performed according to methods approved by the Mississippi Forensics Laboratory created pursuant to Section 45-1-17 and the Commissioner of Public Safety and performed by an individual possessing a valid permit issued by the Mississippi Forensics Laboratory for making such analysis. The Mississippi Forensics Laboratory and the Commissioner of Public Safety are authorized to approve satisfactory techniques or methods, to ascertain the qualifications and competence of individuals to conduct such analyses, and to issue permits which shall be subject to termination or revocation at the discretion of the Mississippi Forensics Laboratory. The Mississippi Forensics Laboratory shall not approve the permit required herein for any law enforcement officer other than a member of the State Highway Patrol, a sheriff or his deputies, a city policeman, an officer of a state-supported institution of higher learning campus police force, a security officer appointed and commissioned pursuant to the Pearl River Valley Water Supply District Security Officer Law of 1978, a national park ranger, a national park ranger technician, a military policeman stationed at a United States military base located within this state other than a military policeman of the Army or Air National Guard or of Reserve Units of the

Army, Air Force, Navy or Marine Corps, a marine law enforcement officer employed by the Department of Marine Resources, or a conservation officer employed by the Mississippi Department of Wildlife, Fisheries and Parks. The permit given a marine law enforcement officer shall authorize such officer to administer tests only for violations of Sections 59-23-1 through 59-23-7. The permit given a conservation officer shall authorize such officer to administer tests only for violations of Sections 59-23-1 through 59-23-7 and for hunting related incidents resulting in injury or death to any person by discharge of a weapon as provided under Section 49-4-31.

The Mississippi Forensics Laboratory shall make periodic, but not less frequently than quarterly, tests of the methods, machines or devices used in making chemical analysis of a person's breath as shall be necessary to ensure the accuracy thereof, and shall issue its certificate to verify the accuracy of the same.

Without compromising accepted law enforcement standards and methodologies, the Mississippi Forensics Laboratory shall approve for use at least one model of a breath alcohol content instrument that is readily available to law enforcement agencies throughout the state.

SECTION 2. Section 77-15-1, Mississippi Code of 1972, is amended as follows:

77-15-1. (1) Notwithstanding any other provisions of law to the contrary, all local natural gas districts containing two (2) or more municipalities and nonmunicipal customers shall establish and maintain a board of directors composed of: (a) the mayors of each municipality within the district whose terms shall be concurrent with their terms of office as mayor; and (b) one (1) system-user from each county within the district, who shall not be a public official. The county system-user board members shall be elected by the system-users residing outside of a municipality, in the county in which such board member resides. In order to qualify as a candidate for election to the board, each person shall obtain, on a petition, twenty-five (25) signatures from system-users in the county in which such person resides. The signatures shall be of system-users residing outside of a municipality and the candidate shall be a system-user who resides outside of a municipality. The board shall call an election within fifteen (15) days after July 1, 1989, to be held within sixty (60) days from the date such election is called. From and after July 1, 2007, the procedures for, and conduct of, the election of board members of the district shall be held in accordance with the provisions of subsection (6) of this section. Those persons elected to the board shall serve until the next general election for supervisors and the election for such board members thereafter shall be held at the same time as the supervisor elections and the terms of such board members shall be concurrent with the terms of the supervisors. The board of directors, including any mayors who serve on the board, shall be entitled to compensation as follows: (a) the chairperson of the board shall receive \*\*\* Five Hundred Fifty Dollars (\$550.00) per month, and (b) all other board members shall receive \*\*\* Five Hundred Fifty Dollars (\$550.00) per month. The chairperson and vice chairperson shall be elected by and from the entire membership of the governing board at the first meeting in July of each year. The vice chairperson shall preside over meetings as the chairperson in the absence or incapacity of the chairperson. In addition, an official meeting may be called at any time by a two-thirds (2/3) proclamation by the board membership.

(2) Two (2) board municipal/county system-user board members who reside in his or her respective county, and must be customers of the district, and who must be system-users shall be appointed as follows for his or her initial term: (a) one (1) board member from the county lying in the northern section of the district, appointed by the Lieutenant Governor; and (b) one (1) board member from the county lying in the southern section of the district, appointed by the Governor. The appointed board municipal/county system-user board members may be elected public officials.

The initial terms of the two (2) municipal/county system-user board members shall begin July 1, 2005, and shall serve until June 30, 2008, and thereafter the

municipal/county system-user board members, as described in this subsection (2), shall be elected by the municipal and county system-users as follows: The successors in office to the board member who was appointed from the county lying in the northern section of the district shall be elected only by the municipal and county system-users who reside in that county and not by all of the system-users in the district. The successors in office to the board member who was appointed from the county lying in the southern section of the district shall be elected only by the municipal and county system-users who reside in that county and not by all of the system-users in the district.

The municipal/county system-user board members shall be compensated as prescribed in subsection (1) of this section.

(3) All board members shall file any required statements of economic interest with the Ethics Commission as required by law. This section shall not apply to any local natural gas district which leases its distribution system to an investor-owned utility company regulated by the Public Service Commission.

(4) From and after July 1, 2004, the Board of Directors of the Chickasawhay Natural Gas District shall discontinue distribution of any of the revenues of the district to municipalities within the district.

(5) The provisions of this section shall only apply to the Chickasawhay Natural Gas District.

(6) The provisions of this subsection shall govern the procedure for, and conduct of, any election of the board of directors of the district. The board may adopt any rules and regulations pertaining to the election of the board of directors of the district that are not inconsistent and do not conflict with the provisions of this subsection.

(a) Notice of the election of one or more members of the board of directors shall be sent by regular United States mail to each system-user not less than thirty (30) days and not more than sixty (60) days from the election date. The notice shall state the time, place and manner in which the system-users may vote for the board of directors.

(b) The election shall be held in a manner and according to procedures to be established by rules and regulations adopted by the board before the giving of notice of the election, and a printed copy of such rules and regulations shall accompany the notice.

(c) The rules and regulations for the conduct of the election shall include the following provisions:

(i) To qualify as a candidate, a person shall not be a public official and must be a county system-user and such person must submit to the board, not less than twenty (20) days before the election, a petition containing the signatures of twenty-five (25) system-users in the county in which the candidate resides;

(ii) Notice of the nomination of qualified candidates sent by regular United States mail to the system-users at least ten (10) days before the date of the election;

(iii) The method of voting on the date of the election shall be by personal attendance at the district's office in Waynesboro, by personal attendance at the district's office in Quitman, or by proxy;

(iv) Each system-user shall have one (1) vote, provided that when a billing for service is made to more than one (1) person at a single address or location, each such person shall be limited to casting a pro rata share of the one (1) vote to which the billing address or location is entitled; and

(v) The time of the election shall be fixed between the hours of 10:00 a.m. and 6:00 p.m. on a day of the week other than Sunday.

(d) A certified public accountant appointed by the board shall count all votes, whether cast by personal attendance or by proxy, and he shall certify the results of the election to the board within ten (10) days of the election.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 63-11-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI FORENSICS LABORATORY TO APPROVE FOR USE AT LEAST ONE MODEL OF BREATH ALCOHOL CONTENT INSTRUMENT THAT IS READILY AVAILABLE TO LAW ENFORCEMENT AGENCIES THROUGHOUT THE STATE; TO AMEND SECTION 77-15-1, MISSISSIPPI CODE OF 1972, TO INCREASE FROM TWO HUNDRED DOLLARS TO FIVE HUNDRED DOLLARS THE MONTHLY COMPENSATION OF THE BOARD OF DIRECTORS OF THE CHICKASAWHAY NATURAL GAS DISTRICT; TO INCREASE FROM TWO HUNDRED FIFTY DOLLARS TO FIVE HUNDRED FIFTY DOLLARS THE MONTHLY COMPENSATION OF THE CHAIRPERSON OF THE BOARD OF DIRECTORS OF THE DISTRICT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Joey Fillingane	Nick Bain
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Mike Thompson	Shane Barnett
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Dennis DeBar, Jr.	Daryl Porter
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2297** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2346** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2346: Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The Legislature finds that pornography contributes to:

- (a) The hyper sexualization of teens and prepubescent children and may lead to low self-esteem, body image disorders;
- (b) An increase in problematic sexual activity at younger ages, and increased desire among adolescents to engage in risky sexual behavior;
- (c) Difficulty in forming or maintaining positive, intimate relationships, as well as promoting problematic or harmful sexual behaviors and addiction; and
- (d) A negative impact brain development and functioning, contribute to emotional and medical illnesses, shape deviant sexual arousal.

SECTION 2. The following words shall have the meanings described herein:

- (1) "Commercial entity" includes corporations, limited liability companies, partnerships, limited partnerships, sole proprietorships, or other legally recognized entities.
- (2) "Distribute" means to issue, sell, give, provide, deliver, transfer, transmute, circulate, or disseminate by any means.
- (3) "Internet" means the international computer network of both federal and nonfederal interoperable packet switched data networks.
- (4) "Material harmful to minors" is defined as all of the following:
  - (a) Any material that the average person, applying contemporary community standards would find, taking the material as a whole and with respect to minors, is designed to appeal to, or is designed to pander to, the prurient interest.
  - (b) Any of the following material that exploits, is devoted to, or principally consists of descriptions of actual, simulated, or animated display or depiction of any of the following, in a manner patently offensive with respect to minors:
    - (i) Pubic hair, anus, vulva, genitals, or nipple of the female breast.
    - (ii) Touching, caressing, or fondling of nipples, breasts, buttocks, anuses, or genitals.



(iii) Sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation, excretory functions, exhibitions, or any other sexual act.

(c) The material taken as a whole lacks serious literary, artistic, political, or scientific value for minors.

(5) "Minor" means any person under the age of eighteen (18) years.

(6) "News-gathering organization" means any of the following:

(a) An employee of a newspaper, news publication, or news source, printed or on an online or mobile platform, of current news and public interest, while operating as an employee as provided in this subparagraph, who can provide documentation of such employment with the newspaper, news publication, or news source.

(b) An employee of a radio broadcast station, television broadcast station, cable television operator, or wire service while operating as an employee as provided in this subparagraph, who can provide documentation of such employment.

(7) "Publish" means to communicate or make information available to another person or entity on a publicly available Internet website.

(8) "Reasonable age verification methods" include verifying that the person seeking to access the material is eighteen (18) years of age or older by using any of the following methods:

(a) Provide a digitized identification card;

(b) Require the person attempting to access the material to comply with a commercial age verification system that verifies in one or more of the following ways:

(i) Government-issued identification; or

(ii) Any commercially reasonable method that relies on public or private transactional data to verify the age of the person attempting to access the information is at least eighteen (18) years of age or older.

(9) "Substantial portion" means more than thirty-three and one-third (33 1/3) percent of total material on a website, which meets the definition of "material harmful to minors" as defined by this section.

(10) "Transactional data" means a sequence of information that documents an exchange, agreement, or transfer between an individual, commercial entity, or third party used for the purpose of satisfying a request or event. Transactional data can include, but is not limited to, records from mortgage, education, and employment entities.

SECTION 3. (1) Any commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on the Internet from a website that contains a substantial portion of such material shall be held liable if the entity fails to perform reasonable age verification methods to verify the age of individuals attempting to access the material.

(2) Any commercial entity or third party that performs the required age verification shall not retain any identifying information of the individual after access has been granted to the material.

(3) (a) Any commercial entity that is found to have violated this section shall be liable to an individual for damages resulting from a minor's accessing the material, including court costs and reasonable attorney fees as ordered by the court.

(b) A commercial entity that is found to have knowingly retained identifying information of the individual after access has been granted to the individual shall be liable to the individual for damages resulting from retaining the identifying information, including court costs and reasonable attorney fees as ordered by the court.

SECTION 4. (1) The provisions of this act shall not apply to any bona fide news or public interest broadcast, website video, report, or event and shall not be construed to affect the rights of any news-gathering organizations.

(2) No Internet service provider, or its affiliates or subsidiaries, search engine, or cloud service provider shall be held to have violated the provisions of this act for providing access or connection to or from a website or other information or content on the Internet or a facility, system, or network not under that provider's control including transmission, downloading, storage, access software, or other to the extent such provider is not responsible for the creation of the content of the communication that constitutes material harmful to minors. SECTION 5. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REGULATE PORNOGRAPHIC MEDIA EXPOSURE TO CHILDREN; TO PROVIDE THE LEGISLATIVE INTENT; TO PROVIDE DEFINITIONS; TO REQUIRE COMMERCIAL ENTITIES THAT PROVIDE SUCH CONTENT TO HAVE AGE VERIFICATION SYSTEMS; TO PROVIDE LIABILITY FOR THOSE COMMERCIAL ENTITIES THAT DO NOT PROVIDE AN AGE VERIFICATION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Joey Fillingane	Nick Bain
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Brice Wiggins	Jill Ford
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Angela Burks Hill	Gene Newman
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2346** was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--39.

Nays--Blackmon, Butler A. (36th), Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Turner-Ford. Total--10.

Absent and those not voting----None.

Voting Present--Butler K. (38th), Frazier, Thomas. Total--3.

On request of Senator Tate, unanimous consent was granted to make the following correction in **S. B. No. 2353**:

**S. B. No. 2353:** Elections; increase wage range for poll workers

Unanimous Consent of the Senate is requested to make the following changes in the conference report for S.B. 2353:

On Line 12, insert "(1)" before "[Effective"

On Line 13, strike "(1)" before "The"

On Line 18, strike "(2)" before the word "The"

On Line 24, strike "(3)" and insert in lieu thereof "(2)"

On Line 36, strike "(4)" and insert in lieu thereof "(3)"

On Line 39, strike "(5)" and insert in lieu thereof "(4)"

On Line 44, strike "(6)" and insert in lieu thereof "(5)"

These are just typographical errors on the conference report for Senate Bill 2353.

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Senator Tate offered the following report of the Conference Committee on **S. B. No. 2353** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2353: Elections; increase wage range for poll workers.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 23-15-227, Mississippi Code of 1972, is amended as follows:

23-15-227. [Effective July 1, 2023 to December 31, 2023] (1) The poll managers shall be each entitled to Seventy-five Dollars (\$75.00) for each election; however, the board of supervisors may, in its discretion, pay the poll managers an additional amount not to exceed \* \* \* One Hundred Twenty-five Dollars (\$125.00) per election.

[Effective from and after January 1, 2024] (2) \* \* \* The poll managers shall be each entitled to One Hundred Twenty-five Dollars (\$125.00) for each election; however, the board of supervisors may, in its discretion, pay the poll managers an additional amount not to exceed Seventy-five Dollars (\$75.00) per election.

(3) The poll manager who shall carry to the place of voting, away from the courthouse, the official ballots, ballot boxes, pollbooks and other necessities, shall be allowed \* \* \* up to Twenty-five Dollars (\$25.00) for each voting precinct for so doing. The poll manager who acts as returning officer shall be allowed \* \* \* up to Twenty-five Dollars (\$25.00) for each voting precinct for that service. If a person who performs the duties described in this subsection uses a privately owned motor vehicle to perform them, he or she shall receive for each mile actually and necessarily traveled in excess of ten (10) miles, the mileage reimbursement rate allowable to federal employees for the use of a privately owned vehicle while on official travel.

(4) The compensation authorized in this section shall be allowed by the board of supervisors, and shall be payable out of the county treasury \* \* \*.

(5) The compensation provided in this section shall constitute payment in full for the services rendered by the persons named for any election, whether there be one (1) election or issue voted upon, or more than one (1) election or issue voted upon at the same time.

(6) The Secretary of State shall promulgate rules and regulations as are necessary to ensure the safety of poll managers, election commissioners, electors and their families at the voting precincts during a COVID-19 public health risk or other public health risk declared by the Governor where the appearance of such persons may result in exposure to such risk or the exposure of other persons to such risk.

SECTION 2. Section 23-15-229, Mississippi Code of 1972, is amended as follows:

23-15-229. The compensation for poll managers and other workers in the polling places of a municipality shall be the same as the compensation paid by the county for those services; provided, however, that the governing authorities of a municipality shall not be required to pay any additional compensation authorized by the board of supervisors. The governing authorities of a municipality may, in their discretion, pay clerks and poll managers in the polling places of the municipality an additional amount of compensation not to exceed \* \* \* Seventy-five Dollars (\$75.00) per election \* \* \*. Such compensation shall be payable out of the \* \* \* municipal general fund \* \* \*.

SECTION 3. Section 23-15-239, Mississippi Code of 1972, is amended as follows:

23-15-239. (1) The executive committee of each county, in the case of a primary election, or the election commissioners of each county, in the case of all other elections, in conjunction with the circuit clerk, shall, in the years in which counties conduct an election, sponsor and conduct, not less than five (5) days before each election, not less than four (4) hours and not more than eight (8) hours of poll manager training to instruct poll managers as to their duties in the proper administration of the election and the operation of the polling place. Any poll manager who completes the online training course provided by the Secretary of State shall only be required to complete two (2) hours of in-person poll manager training. No poll manager shall serve in any election unless he or she has received these instructions once during the twelve (12) months immediately preceding the date upon which the election is held; however, nothing in this section shall prevent the appointment of an alternate poll manager to fill a vacancy in case of an emergency. The county executive committee or the election commissioners, as appropriate, shall train a sufficient number of alternates to serve in the event a poll manager is unable to serve for any reason.

(2) (a) If it is eligible under Section 23-15-266, the county executive committee may enter into a written agreement with the circuit clerk or the county election commission authorizing the circuit clerk or the county election commission to perform any of the duties required of the county executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the county executive committee and the circuit clerk or the chair of the county election commission, as appropriate. The county executive committee shall notify the state executive committee and the Secretary of State of the existence of the agreement.

(b) If it is eligible under Section 23-15-266, the municipal executive committee may enter into a written agreement with the municipal clerk or the municipal election commission authorizing the municipal clerk or the municipal election commission to perform any of the duties required of the municipal executive committee pursuant to this section. Any agreement entered into pursuant to this subsection shall be signed by the chair of the municipal executive committee and the municipal clerk or the chair of the municipal election commission, as appropriate. The municipal executive committee shall notify the state executive committee and the Secretary of State of the existence of the agreement.

(3) The board of supervisors and the municipal governing authority, in their discretion, may compensate poll managers who attend these training sessions. The compensation shall be at a rate of not less than the federal hourly minimum wage \* \* \* and not more than Twenty Dollars (\$20.00) per hour. Poll managers shall not be compensated for more than sixteen (16) hours of attendance at the training sessions regardless of the actual amount of time that they attended the training sessions.

(4) The time and location of the training sessions required pursuant to this section shall be announced to the general public by posting a notice thereof at the courthouse and by delivering a copy of the notice to the office of a newspaper having general circulation in the county five (5) days before the date upon which the training session is to be conducted. Persons who will serve as poll watchers for candidates and political parties, as well as members of the general public, shall be allowed to attend the sessions.

(5) Subject to the following annual limitations, the election commissioners shall be entitled to receive a per diem in the amount of \* \* \* One Hundred Ten Dollars (\$110.00), to be paid from the county general fund, for every day or period of no less than five (5) hours accumulated over two (2) or more days actually employed in the performance of their duties for the necessary time spent in conducting training sessions as required by this section:

(a) In counties having less than fifteen thousand (15,000) residents according to the latest federal decennial census, not more than five (5) days per year;

(b) In counties having fifteen thousand (15,000) residents according to the latest federal decennial census but less than thirty thousand (30,000) residents according to the latest federal decennial census, not more than eight (8) days per year;

(c) In counties having thirty thousand (30,000) residents according to the latest federal decennial census but less than seventy thousand (70,000) residents according to the latest federal decennial census, not more than ten (10) days per year;

(d) In counties having seventy thousand (70,000) residents according to the latest federal decennial census but less than ninety thousand (90,000) residents according to the latest federal decennial census, not more than twelve (12) days per year;

(e) In counties having ninety thousand (90,000) residents according to the latest federal decennial census but less than one hundred seventy thousand (170,000) residents according to the latest federal decennial census, not more than fifteen (15) days per year;

(f) In counties having one hundred seventy thousand (170,000) residents according to the latest federal decennial census but less than two hundred thousand (200,000) residents according to the latest federal decennial census, not more than eighteen (18) days per year;

(g) In counties having two hundred thousand (200,000) residents according to the latest federal decennial census but less than two hundred twenty-five thousand (225,000) residents according to the latest federal decennial census, not more than nineteen (19) days per year;

(h) In counties having two hundred twenty-five thousand (225,000) residents or more according to the latest federal decennial census, not more than twenty-two (22) days per year.

(6) Election commissioners shall claim the per diem authorized in subsection (5) of this section in the manner provided for in Section 23-15-153(6).

(7) (a) To provide poll manager training, the Secretary of State has developed a single, comprehensive poll manager training program to ensure uniform, secure elections throughout the state. The program includes online training on all state and federal election laws and procedures and voting machine opening and closing procedures.

(b) County poll managers who individually access and complete the online training program, including all skills assessments, at least five (5) days before an election shall be defined as "certified poll managers," and entitled to a "Certificate of Completion."

(c) At least one (1) certified poll manager shall be appointed by the county election officials to work in each polling place in the county during each general election.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 23-15-227 AND 23-15-229, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM COMPENSATION POLL WORKERS AND BALLOT CARRIERS CAN RECEIVE ON ELECTION DAY; TO AMEND SECTION 23-15-239, MISSISSIPPI CODE OF 1972, TO ALLOW LOCAL GOVERNING AUTHORITIES TO PROVIDE ANY FAIR AND REASONABLE VALUE OF COMPENSATION THAT SURPASSES THE FEDERAL HOURLY MINIMUM WAGE TO POLL WORKERS FOR ATTENDING REQUIRED TRAINING; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Jeff Tate

Price Wallace

David Blount

Fred Shanks

Lydia Graves Chassaniol

Gene Newman

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2353** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Chassaniol offered the following report of the Conference Committee on **S. B. No. 2359** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2359: Tourism; Mississippi Main Street Revitalization Grant Program.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. This act shall be known and may be cited as the "Mississippi Main Street Revitalization Grant Program Act."

SECTION 2. The Mississippi Main Street Revitalization Grant Program Act will authorize the Legislature, as well as the Mississippi Development Authority through appropriations by the Legislature, to make grants available to selected Main Street Designated Community programs for projects leading to the

revitalization of Mississippi's downtowns.

SECTION 3. (1) For the purposes of this section:

(a) "Eligible recipient" means a Main Street Designated Community that is a good-standing member of the MMSA, has obtained Section 501(c)(3) tax-exempt status or Section 501(c)(6) tax-exempt status from the Internal Revenue Service and possesses matching funds to match twenty percent (20%) of the total project cost. A Main Street Designated Community will be ineligible for a grant under this section, if their community was a recipient of a grant under this section in the previous year.

(b) "Main Street Designated Community" means a local Main Street program that has achieved and maintained Designated Community status by the MMSA.

(c) "Matching funds" means cash funds that are either in the applicant's possession or proposed by a match partner and clearly identified in a support letter and are reserved for the proposed project. No state funds may be included in determining the amount of the match.

(d) "MMSA" means the Mississippi Main Street Association.

(2) The MMSA shall accept applications from eligible recipients, prioritize their applications and submit a list of suggested recipients to the Legislature no later than December of each year. Beginning with the 2024 Regular Session of the Legislature, and each Regular Session thereafter, the Legislature shall review the submitted list and determine the projects for which to award grants to eligible recipients through the Mississippi Development Authority in an appropriation bill. The MMSA will consider projects in relation to the following criteria:

- (a) The demonstration of local financial need;
- (b) Projects that demonstrate high local impact;
- (c) Projects that produce a high level of public benefit;
- (d) Projects that demonstrate best practices in

preservation;

- (e) Projects that will have local administration and implementation capacity;
- (f) The distribution of geographic size and location of the project;
- (g) Projects that will be completed on time; and

(h) Whether the community in which the project is located has not received funding under this section for the previous year.

(3) The Mississippi Development Authority shall provide grant funds to the Main Street Designated Communities under this section on a reimbursement basis, not to exceed Five Hundred Thousand Dollars (\$500,000.00) per community each year, and grantees shall not receive compensation for their required twenty percent (20%) local match. Main Street Designated Communities with a population of less than ten thousand (10,000), shall be required to have a local cash match of ten percent (10%) for the first One Hundred Thousand Dollars (\$100,000.00) requested, then will be required to have a local cash match of twenty percent (20%) for any amount over One Hundred Thousand Dollars (\$100,000.00).

(4) Eligible costs for the expenditure of grant funds include the acquisition of land and any improvements thereon, preservation of historic downtown structures and sites, and initiatives that will produce a revitalization to the economy of the historic downtown areas.

(5) Grants may be awarded for prospective purchases or for acquisitions of which the applicant has closed. In the latter

case, the applicant shall demonstrate:

- (a) The closing occurred no more than twelve (12) months prior to the date of application for the grant; and
- (b) The subject purchase was made to help preserve and revitalize the location and economy of a historic downtown community.



(6) Any eligible organization making an acquisition of downtown property or interest therein pursuant to this section shall grant to the Mississippi Department of Archives and History or other holder a perpetual easement placing reasonable restrictions on the use or development of the land. In cases where the easement is granted to a holder other than the Mississippi Department of Archives and History, all terms and conditions of the easement shall be reviewed by and found by the Mississippi Department of Archives and History to accomplish the perpetual preservation of the historic downtown property. Such other holder shall demonstrate to the department that it has the capacity and expertise to manage and enforce the terms of the easement.

(7) Grantees must adhere to Mississippi state procedures and guidelines relating to the implementation and financing of the approved project. Grantees must also submit any and all audit and financial statements as required by the State of Mississippi.

(8) Nothing in this section shall preclude the subsequent transfer or assignment by a state agency or other owner or holder of any property interest acquired pursuant to this section to the State of Mississippi, the county, city, town or municipality in which the land is located, for the purpose of further preserving, improving or maintaining the downtown property. The Mississippi Development Authority shall facilitate transfers and assignments of any such interests held by the department.

(9) There is created in the State Treasury a special fund to be known as the "Mississippi Main Street Revitalization Grant Program Fund," which shall consist of funds made available by the Legislature in any manner, funds received as grants, endowments or gifts from the federal government, its agencies and instrumentalities, and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Mississippi Development Authority, upon appropriation by the Legislature, for the purposes provided in this section.

(10) The Mississippi Development Authority shall administer the fund and establish guidelines for the expenditure of grant funds and reports relating to the expenditure of grant funds. The department may utilize no more than two percent (2%) of the amount of funds deposited into the Mississippi Main Street Revitalization Grant Fund for administrative expenses in carrying out its duties under this section.

(11) To carry out this act, the Mississippi Development Authority may enter into cooperative agreements with entities in the public and private sectors, including:

- (a) Colleges and universities;
- (b) Historical societies;
- (c) State and local agencies; and
- (d) Nonprofit organizations.

(12) To develop cooperative land-use strategies and conduct activities that facilitate the conservation of the historic, cultural, natural and scenic resources, the Mississippi Development Authority may require that recipients seek and secure technical assistance from the MMSA, to the extent that a recipient of technical assistance is engaged in the protection, interpretation or commemoration of historically significant property in the area in and around the historic downtown site. The MMSA will provide administrative support to local Main Street grantees to ensure proper grant administration and project implementation.

SECTION 4. This act shall take effect and be in force from  
and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM ACT; TO PROVIDE THAT THE MISSISSIPPI MAIN STREET ASSOCIATION SHALL ACCEPT APPLICATIONS FROM MAIN STREET PROGRAMS IN THIS STATE FOR DOWNTOWN REVITALIZATION PROJECTS; TO PROVIDE THAT THE MISSISSIPPI MAIN STREET ASSOCIATION SHALL PRIORITIZE SUCH APPLICATIONS AND SUBMIT A LIST OF SUGGESTED RECIPIENTS TO THE LEGISLATURE NO LATER THAN DECEMBER 1 OF EACH YEAR AND THAT THE LEGISLATURE SHALL REVIEW THE SUBMITTED LIST AND DETERMINE THE PROJECTS FOR WHICH TO AWARD GRANTS THROUGH THE MISSISSIPPI DEVELOPMENT AUTHORITY IN AN APPROPRIATIONS BILL; TO CREATE THE "MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR GRANTS UNDER THIS ACT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Lydia Graves Chassaniol	Becky Currie
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Nicole Boyd	Kevin Felsher
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W. Briggs Hopson III	Casey Eure
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2359** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Chassaniol moved that the rules be suspended to move to calendar item 28, **H. B. No. 419**, and the motion prevailed.

Senator Chassaniol called up the following entitled bill:

**H. B. No. 419:** Tourism; provide assistance to destination marketing organization.

Senator Chassaniol moved that the Conference Committee Report on **H. B. No. 419** be recommitted for further conference and the motion prevailed.

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Senator Chassaniol moved that the rules be suspended to move to calendar item 34, **H. B. No. 704**, and the motion prevailed.

Senator Chassaniol offered the following report of the Conference Committee on **H. B. No. 704** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

**H. B. No. 704:** Television series production; provide incentives for certain.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) As used in this section, the following terms shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Base investment" means the actual investment made and expended in Mississippi by a production company in connection with the production of a state-certified production in the state. The term "base investment" includes amounts expended in Mississippi by a production company as per diem and housing allowances in connection with the production of a state-certified production in the state. The term "base investment" shall not include payroll. However, in the case of a production company, or its owner, principal, member, production partner, independent contractor director or producer, or subsidiary company that (i) is designated and pre-qualified by the Mississippi Development Authority as Mississippi-based or a Mississippi resident; (ii) has filed income taxes in the State of Mississippi during each of the previous three (3) years; and (iii) has engaged in activities related to the production of at least two (2) series in Mississippi during the past ten (10) years, base investment may include payroll and fringes paid for any employee who is not a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968, if so requested by the production company. A production company must submit such a request to the Mississippi Development Authority at the time the company submits an application for approval as a state-certified production. In addition, if base investment includes payroll and fringes, and the payroll and fringes paid for an employee exceeds Three Million Dollars (\$3,000,000.00), then only the first Three Million Dollars (\$3,000,000.00) of such payroll and fringes may be included in base investment.

(b) "Employee" means an individual directly involved in the physical production and/or post-production of a series produced in the state and who is employed by a:

(i) Production company that is directly involved in the physical production and/or post-production of a series in the state;

(ii) Personal service corporation retained by a production company to provide persons used directly in the physical production and/or post-production of a series in the state; or

(iii) Payroll service or loan-out company that is retained by a production company to provide employees who work directly in the physical production and/or post-production of a series in the state.

(c) "Fringes" means costs paid by a production company for employee benefits that are not subject to state income tax. Fringes may include, but are not limited to, payments by an employer for unemployment insurance, Federal Insurance Contribution Act (FICA), workers' compensation insurance, pension and welfare benefits and health insurance premiums.

(d) "Series" means a nationally distributed connected set of television program episodes, consisting of not less than two (2) episodes made in Mississippi, in whole or in part, for viewing through: traditional television that is broadcast via cable, satellite or over-the-air aerial antenna systems; the digital distribution of television content as streaming media over the Internet through streaming platforms, which may be viewed on digital devices, such as a personal computer or handheld device; or through DVD release. The term "series" shall not include any production or work described in this paragraph (d) that contains any material or performance defined in Section 97-29-103.

(e) "Production company" means a company engaged in the business of producing series. The term "production company" shall not mean or include any company owned, affiliated, or controlled, in whole or in part, by any company or person which is in default on a loan made by the state or a loan guaranteed by the state, or any company or person who has ever declared bankruptcy under which an obligation of the company or person to pay or repay public funds or monies was discharged as a part of such bankruptcy.

(f) "Payroll" means salary, wages or other compensation including related benefits paid to employees upon which Mississippi income tax is due and has been withheld.

(g) "Resident" or "resident of Mississippi" means a natural person, and for the purpose of determining eligibility for the rebate provided by this section, any person domiciled in the State of Mississippi and any other person who maintains a permanent place of abode within the state and spends in the aggregate more than six (6) months of each year within the state.

(h) "State" means the State of Mississippi.

(i) "State-certified production" means a series approved by the Mississippi Development Authority produced by a production company in the state. An application for approval as a state-certified production must be submitted to the Mississippi Development Authority before production of the project begins.

(2) (a) A production company that expends at least Fifty Thousand Dollars (\$50,000.00) in base investment, payroll and/or fringes, in the state shall be entitled to a rebate of a portion of the base investment made by the production company. Subject to the provisions of this section, the amount of the rebate shall be equal to twenty-five percent (25%) of the base investment made by the production company.

(b) In addition to the rebates authorized under paragraphs (a), (c) and (d) of this subsection, a production company may receive a rebate equal to twenty percent (20%) of payroll and fringes paid for any employee who is not a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968. However, if the payroll and fringes paid for an employee exceeds Three Million Dollars (\$3,000,000.00), then the rebate is authorized only for the first Three Million Dollars (\$3,000,000.00) of such payroll and fringes.

(c) In addition to the rebates authorized under paragraphs (a), (b) and (d) of this subsection, a production company may receive a rebate equal to thirty-five percent (35%) of payroll and fringes paid for any employee who is a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968. However, if the payroll and fringes paid for an employee exceeds Three Million Dollars (\$3,000,000.00), then the rebate is authorized only for the first Three Million Dollars (\$3,000,000.00) of such payroll and fringes.

(d) In addition to the rebates authorized in paragraphs (a), (b) and (c) of this subsection, a production company may receive an additional rebate equal to five percent (5%) of the payroll and fringes paid for any employee who is an honorably discharged veteran of the United States Armed Forces and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968.

(e) Base investment, payroll and/or fringes for which a rebate may be requested under this section: (i) may not be used or included for the purpose of satisfying any minimum investment required in order to be eligible for a rebate under the Mississippi Motion Picture Incentive Act and (ii) may not be used for and shall not be eligible for any rebate authorized under the Mississippi Motion Picture Incentive Act.

(f) If a series has physical production activities and/or post-production activities both inside and outside the state, then the production company shall be required to provide an itemized accounting for each employee regarding such activities inside and outside the state for the purposes of proration of eligible payroll based on the percentage of activities performed in the state.

(g) The total amount of rebates authorized in any fiscal year shall not exceed Ten Million Dollars (\$10,000,000.00) in the aggregate.

(2) A production company desiring a rebate under this section must submit a rebate request to the Department of Revenue upon completion of the project. The request must include a detailed accounting of the base investment made by the production company and any other information required by the Department of Revenue. Rebates made by the Department of Revenue under this section shall be made from current income tax collections.

(3) The Department of Revenue shall have all powers necessary to implement and administer the provisions of this section, and the Department of Revenue shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 2. Section 57-89-7, Mississippi Code of 1972, is amended as follows:

57-89-7. (1) (a) A motion picture production company that expends at least Fifty Thousand Dollars (\$50,000.00) in base investment, payroll and/or fringes, in the state shall be entitled to a rebate of a portion of the base investment made by the motion picture production company. Subject to the provisions of this section, the amount of the rebate shall be equal to twenty-five percent (25%) of the base investment made by the motion picture production company.

(b) In addition to the rebates authorized under paragraphs (a), (c) and (d) of this subsection, a motion picture production company may receive a rebate equal to twenty-five percent (25%) of payroll and fringes paid for any employee who is not a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968. However, if the payroll and fringes paid for an employee exceeds Five Million Dollars (\$5,000,000.00), then the rebate is authorized only for the first Five Million Dollars (\$5,000,000.00) of such payroll and fringes.

(c) In addition to the rebates authorized under paragraphs (a), (b) and (d) of this subsection, a motion picture production company may receive a rebate equal to thirty percent (30%) of payroll and fringes paid for any employee who is a resident and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968. However, if the payroll and fringes paid for an employee exceeds Five Million Dollars (\$5,000,000.00), then the rebate is authorized only for the first Five Million Dollars (\$5,000,000.00) of such payroll and fringes.

(d) In addition to the rebates authorized in paragraphs (a), (b) and (c) of this subsection, a motion picture production company may receive an additional rebate equal to five percent (5%) of the payroll and fringes paid for any employee who is an honorably discharged veteran of the United States Armed Forces and whose wages are subject to the Mississippi Income Tax Withholding Law of 1968.

(e) Base investment, payroll and/or fringes for which a rebate may be requested under this section: (i) may not be used or included for the purpose of satisfying any minimum investment required in order to be eligible for a rebate under Section 1 of this act and (ii) may not be used for and shall not be eligible for any rebate authorized under Section 1 of this act.

( \*\* \*f) If a motion picture has physical production activities and/or post-production activities both inside and outside the state, then the motion picture production company shall be required to provide an itemized accounting for each employee regarding such activities inside and outside the state for the purposes of proration of eligible payroll based on the percentage of activities performed in the state.

( \*\* \*g) The total amount of rebates authorized for a motion picture project shall not exceed Ten Million Dollars (\$10,000,000.00) in the aggregate.

( \*\* \*h) The total amount of rebates authorized in any fiscal year shall not exceed Twenty Million Dollars (\$20,000,000.00) in the aggregate.

(2) A motion picture production company desiring a rebate under this section must submit a rebate request to the Department of Revenue upon completion of the project. The request must include a detailed accounting of the base investment made by the motion picture production company and any other information required by the Department of Revenue. Rebates made by the Department of Revenue under this section shall be made from current income tax collections. The Department of Revenue shall not approve any application for a rebate under subsection (1)(b) of this section after July 1, 2017.

(3) The Department of Revenue shall have all powers necessary to implement and administer the provisions of this section, and the Department of Revenue shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(4) The State Auditor may conduct performance and compliance audits under this chapter according to Section 7-7-211(o) and may bill the oversight agency.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE FOR THE REBATE OF A PORTION OF INVESTMENT AND EXPENDITURES MADE BY COMPANIES ENGAGED IN THE PRODUCTION OF NATIONALLY DISTRIBUTED CONNECTED SETS OF TELEVISION PROGRAM EPISODES, CONSISTING OF NOT LESS THAN TWO EPISODES MADE IN MISSISSIPPI, IN WHOLE OR IN PART, FOR VIEWING THROUGH TRADITIONAL TELEVISION THAT IS BROADCAST VIA CABLE, SATELLITE OR OVER-THE-AIR AERIAL ANTENNA SYSTEMS; THROUGH THE DIGITAL DISTRIBUTION OF TELEVISION CONTENT AS STREAMING MEDIA OVER THE INTERNET THROUGH STREAMING PLATFORMS, WHICH MAY BE VIEWED ON DIGITAL DEVICES, SUCH AS A PERSONAL COMPUTER OR HANDHELD DEVICE; OR THROUGH DVD RELEASE; TO PROVIDE FOR THE AMOUNT OF THE REBATES AUTHORIZED IN THIS ACT; TO DEFINE CERTAIN TERMS; TO AMEND SECTION 57-89-7, MISSISSIPPI CODE OF 1972, WHICH IS A SECTION OF THE MISSISSIPPI MOTION PICTURE INCENTIVE ACT, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Becky Currie

Lydia Graves Chassaniol

Sam Creekmore IV

Josh Harkins

Karl Oliver

John Horhn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 704** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Chism, McDaniel, Sojourner. Total--3.

Absent and those not voting----None.

Voting Present--Blackwell, Hill, Parker. Total--3.

Senator Michel moved that the rules be suspended to move to the Table Subject to Call Calendar, and the motion prevailed.

On motion of Senator Michel the following entitled bill was removed from the table for immediate consideration:

**H. C. R. No. 60:** Legislature; extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the resolving clause and inserting in lieu thereof the following:

That the 2023 Regular Session of the Legislature is extended for a period of thirty (30) days from the final day of the ninety (90) calendar days of the 2023 Regular Session of the Legislature, under the provisions of Section 36, Mississippi Constitution of 1890.

BE IT FURTHER RESOLVED, That all of the deadlines and other provisions imposed by Joint Rule No. 40, are suspended for the purpose of permitting the further consideration, filing and adoption of conference reports, after the deadlines for those actions in Joint Rule No. 40, on the following bills that were in conference on March 27, 2023: any appropriation bills, any general bills, House Bill No. 1734, 2023 Regular Session, and Senate Bill No. 2335, 2023 Regular Session. Appropriation bills and general bills are those bills that are designated as appropriation bills and general bills for the purpose of the deadlines imposed by Joint Rule No. 40.

BE IT FURTHER RESOLVED, That the 2023 Regular Session of the Legislature will stand adjourned Sine Die at 12:00 midnight, Tuesday, April 4, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

A CONCURRENT RESOLUTION EXTENDING THE 2023 REGULAR SESSION OF THE LEGISLATURE; SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON CERTAIN APPROPRIATION BILLS AND GENERAL BILLS; AND SETTING THE DATE OF SINE DIE ADJOURNMENT OF THE 2023 REGULAR SESSION OF THE LEGISLATURE.

Committee Amendment No. 1 to H. C. R. No. 60 failed.

Senators Parker, Harkins and Hopson offered the following AMENDMENT NO. 2.

Amend by striking all after the resolving clause and inserting in lieu thereof the following:

That the 2023 Regular Session of the Legislature is extended for a period of thirty (30) days from the final day of the ninety (90) calendar days of the 2023 Regular Session of the Legislature, under the provisions of Section 36, Mississippi Constitution of 1890.

BE IT FURTHER RESOLVED, That all of the deadlines and other provisions imposed by Joint Rule No. 40, are suspended for the purpose of permitting the further consideration, filing and adoption of conference reports, after the deadlines for those actions in Joint Rule No. 40, on any appropriation bills that were in conference on March 27, 2023, and on House Bill Numbers 521, 557, 603, 604 and 1734, 2023 Regular Session, and Senate Bill Numbers 2333, 2335, 2444, 2454, 2465, 2474, 2692 and 2749, 2023 Regular Session. Appropriation bills are those bills that are designated as appropriation bills for the purpose of the deadlines imposed by Joint Rule No. 40.

BE IT FURTHER RESOLVED, That the 2023 Regular Session of the Legislature will stand adjourned Sine Die at 12:00 midnight, Tuesday, April 4, 2023.



Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

A CONCURRENT RESOLUTION EXTENDING THE 2023 REGULAR SESSION OF THE LEGISLATURE; SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON CERTAIN APPROPRIATION BILLS AND CERTAIN OTHER BILLS; AND SETTING THE DATE OF SINE DIE ADJOURNMENT OF THE 2023 REGULAR SESSION OF THE LEGISLATURE.

Senators Thomas, Barnett, Jackson, Horhn, Blount, Bryan, Simmons D. T. (12th), Blackmon, Frazier, Butler K. (38th), Norwood, Turner-Ford, Butler A. (36th), Hickman and Simmons S. (13th) offered the following AMENDMENT NO. 1 TO AMENDMENT NO. 2.

AMEND after line 23 by inserting the following language:

BE IT FURTHER RESOLVED, That all of the deadlines and other provisions imposed by the Joint Rules of the Senate and the House, are hereby suspended for the purpose of requesting the drafting, introduction, consideration and passage, regardless of any deadlines imposed by said rules, of any bills related to providing support and services to the municipalities, counties, school districts and political subdivisions affected by the disaster weather event of March 25 and 26, 2023; to exempt such entities from certain provisions and to authorize certain flexibility in education accreditation standards, school attendance requirements, and school district transfer requirements for such school districts; to authorize flexibility to state agencies, school districts, municipalities, counties and other political subdivisions for certain transfers and expenditures related to such event; and for related purposes.

FURTHER, AMEND the title to conform.

Amendment No. 1 to Amendment No. 2 to H. C. R. No. 60 was adopted.

Amendment No. 2 as amended to H. C. R. No. 60 was adopted.

YEAS AND NAYS On H. C. R. No. 60. On motion of Senator Parker, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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On motion of Senator Parker, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 60.

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Senator Parks called up the following entitled bill:

**S. B. No. 2487:** Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish.

Senator Parks moved that the Conference Committee Report on **S. B. No. 2487** be recommitted for further conference and the motion prevailed.

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Senator Parks moved that the rules be suspended to move to calendar item 36, **H. B. No. 771**, and the motion prevailed.

Senator Parks called up the following entitled bill:

**H. B. No. 771:** HELP Grant and MTAG Programs; revise level of funding provided to eligible students.

Senator Parks moved that the Conference Committee Report on **H. B. No. 771** be recommitted for further conference and the motion prevailed.

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Senator Barnett offered the following report of the Conference Committee on **S. B. No. 2495** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2495: State inmates; require MDOC to pay increased rate to house inmates in county jails.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 47-5-901, Mississippi Code of 1972, is amended as follows:

47-5-901. (1) (a) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his sentence in the county jail of the county wherein such person was convicted if the Commissioner of Corrections determines that physical space is not available for confinement of such person in the state correctional institutions. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. The commissioner shall certify in writing that space is not available to the sheriff or other officer having custody of the person. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(b) Any person committed, sentenced or otherwise placed under the custody of the Department of Corrections, on order of the sentencing court and subject to the other conditions of this subsection, may serve all or any part of his or her sentence in

the county jail of the county wherein such person was convicted if the sheriff or president of the board of supervisors, requests such inmate or inmates. Upon such request, the department may allow such inmate or inmates to serve all or any part of such inmate's or inmates' sentence(s), as the case may be, in the county of conviction of the inmate or inmates or the county of request of a sheriff or board of supervisors outside the county of conviction. Such determination shall be promptly made by the Department of Corrections upon receipt of notice of the conviction of such person. Whenever a request is denied for an inmate or inmates, then the commissioner shall certify in writing to the sentencing court, sheriff, or president of the board of supervisors of a county, as the case may be, that such inmate or inmates does not qualify to serve the sentence or sentences in the county jail. Any person serving his sentence in a county jail shall be classified in accordance with Section 47-5-905.

(2) If state prisoners are housed in county jails due to a lack of capacity at state correctional institutions, the Department of Corrections shall determine the cost for food and medical attention for such prisoners. The cost of feeding and housing offenders confined in such county jails shall be based on actual costs or contract price per prisoner. In order to maximize the potential use of county jail space, the Department of Corrections is encouraged to negotiate a reasonable per day cost per prisoner, which in no event may exceed \* \* \* Twenty-five Dollars (\$25.00) per day per offender, except as authorized in Section 47-5-909(2).

(3) (a) Upon vouchers submitted by the board of supervisors of any county housing persons due to lack of space at state institutions, the Department of Corrections shall pay to such county, out of any available funds, the actual cost of food, or contract price per prisoner, not to exceed \* \* \* Twenty-five Dollars (\$25.00) per day per offender, except as authorized in Section 47-5-909(2), as determined under subsection (2) of this section for each day an offender is so confined beginning the day that the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the department, whichever is earlier, and will terminate on the date on which the offender is released or otherwise removed from the custody of the county jail. The department, or its contracted medical provider, will pay to a provider of a medical service for any and all incarcerated persons from a correctional or detention facility an amount based upon negotiated fees as agreed to by the medical care service providers and the department and/or its contracted medical provider. In the absence of negotiated discounted fee schedule, medical care service providers will be paid by the department, or its contracted medical service provider, an amount no greater than the reimbursement rate applicable based on the Mississippi Medicaid reimbursement rate. The board of supervisors of any county shall not be liable for any cost associated with medical attention for prisoners who are pretrial detainees or for prisoners who have been convicted that exceeds the Mississippi Medicaid reimbursement rate or the reimbursement provided by the Department of Corrections, whichever is greater. This limitation applies to all medical care services, durable and nondurable goods, prescription drugs and medications. Such payment shall be placed in the county general fund and shall be expended only for food and medical attention for such persons.

(b) Upon vouchers submitted by the board of supervisors of any county housing offenders in county jails pending a probation or parole revocation hearing, the department shall pay the reimbursement costs provided in paragraph (a).

(c) If the probation or parole of an offender is revoked, the additional cost of housing the offender pending the revocation hearing shall be assessed as part of the offender's court cost and shall be remitted to the department.

(4) A person, on order of the sentencing court, may serve not more than twenty-four (24) months of his sentence in a county jail if the person is classified in accordance with Section 47-5-905 and the county jail is an approved county jail for housing state inmates under federal court order. The sheriff of the county shall have the right to petition the Commissioner of Corrections to remove the inmate from the county jail. The county shall be reimbursed in accordance with subsection (2) of this section.

(5) The Attorney General of the State of Mississippi shall defend the employees of the Department of Corrections and officials and employees of political subdivisions

against any action brought by any person who was committed to a county jail under the provisions of this section.

(6) This section does not create in the Department of Corrections, or its employees or agents, any new liability, express or implied, nor shall it create in the Department of Corrections any administrative authority or responsibility for the construction, funding, administration or operation of county or other local jails or other places of confinement which are not staffed and operated on a full-time basis by the Department of Corrections. The correctional system under the jurisdiction of the Department of Corrections shall include only those facilities fully staffed by the Department of Corrections and operated by it on a full-time basis.

(7) An offender returned to a county for post-conviction proceedings shall be subject to the provisions of Section 99-19-42 and the county shall not receive the per-day allotment for such offender after the time prescribed for returning the offender to the Department of Corrections as provided in Section 99-19-42.

SECTION 2. Section 47-5-909, Mississippi Code of 1972, is amended as follows:

47-5-909. (1) It is the policy of the Legislature that all inmates be removed from county jails as early as practicable. Sections 47-5-901 through 47-5-907 are temporary measures to help alleviate the immediate operating capacity limitations at correctional facilities and are not permanent measures to be included in the long-term operating capacity of the correctional system.

(2) Notwithstanding any other provision of law, to expedite the removal of inmates from county jails as early as practicable, absent a contract negotiated between the Department of Corrections and the county jail, the Department of Corrections shall pay county jails for housing state offenders out of any available funds as follows:

(a) Twenty-five Dollars (\$25.00) per day per offender for days one (1) through thirty (30);

(b) Thirty-two Dollars and Seventy-one Cents (\$32.71) per day per offender for days thirty-one (31) or greater when:

(i) An offender remains in the county jail after the Department of Corrections receives a certified copy of the sentencing order or five (5) days after the sentencing order is sent, in writing, by such county to the Department of Corrections, whichever is earlier; or

(ii) An offender remains in the county jail after being revoked from parole or probation or is sentenced to a technical violation center.

(3) The Department of Corrections is additionally responsible for all medical costs related to offenders housed at county jails under subsection (2) of this section.

SECTION 3. Section 99-19-42, Mississippi Code of 1972, is amended as follows:

99-19-42. Any offender in the custody of the Department of Corrections who is summoned to a county by court order for any post-conviction proceeding shall have such proceeding heard during the term of court in which the offender is returned to the custody of a county. If the offender's case is not heard during such term of court, the offender shall be returned to the facility of the Department of Corrections from which he was summoned. If the offender is not returned within one (1) week of the end of the term of court, the county housing the offender shall not receive the \* \* \* Twenty-five Dollars (\$25.00) allowed under Section 47-5-901, except as authorized in Section 47-5-909(2), for housing state offenders after the one-week time period required for returning the offender to the Department of Corrections.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 47-5-909, MISSISSIPPI CODE OF 1972, TO EXPEDITE THE REMOVAL OF INMATES FROM COUNTY JAILS BY DIRECTING THE DEPARTMENT OF CORRECTIONS TO PAY COUNTY JAILS FOR HOUSING STATE OFFENDERS; TO AMEND SECTION 99-19-42, MISSISSIPPI CODE OF 1972, TO INCREASE THE RATE OF PAY FOR HOUSING STATE OFFENDERS IN COUNTY JAILS; TO AMEND SECTION 47-5-901 TO CONFORM; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE                      CONFEREES FOR THE HOUSE

Juan Barnett	Kevin Horan
Daniel H. Sparks	Shanda Yates
Dennis DeBar, Jr.	Kevin Felsher

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2495** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk offered the following report of the Conference Committee on **S. B. No. 2512** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2512: Counties; authorize to designate ARPA funds to rural water and sewer associations and municipalities for infrastructure projects.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The boards of supervisors of any county in the State are hereby authorized to directly allocate Local Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 to rural water associations, water supply districts, regional utility districts or regional utility authorities, and all other publicly constituted bodies which supply water, sewer, or storm water services to the people of the county for the purposes of funding water and sewer infrastructure projects.

(2) The boards of supervisors are further authorized to directly allocate such funds to incorporated municipalities for the purposes of funding water, sewer and storm water infrastructure projects.

(3) If the recipient association, district, authority or municipality serves customers in two (2) or more counties, the majority of water meters for the association, district, authority or municipality must be located in the county allocating such funds.

SECTION 2. Section 1 of this act shall be codified in Title 19, Chapter 5, Mississippi Code of 1972.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE COUNTY BOARDS OF SUPERVISORS TO DIRECTLY ALLOCATE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS MADE AVAILABLE UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 TO ANY PUBLICLY-CONSTITUTED WATER OR SEWER ASSOCIATION, DISTRICT OR AUTHORITY AND TO MUNICIPALITIES FOR WATER AND SEWER INFRASTRUCTURE PROJECTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

John A. Polk

Angela Burks Hill

Chuck Younger

CONFEREES FOR THE HOUSE

C. Scott Bounds

Brent Anderson

Randy Rushing

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2512** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk offered the following report of the Conference Committee on **S. B. No. 2514** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2514: Secretary of State; clarify authority to transfer land records to Department of Archives and History.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

John A. Polk

Randy P. Boyd

David Parker

Robin Robinson

David Blount

Stacey Hobgood-Wilkes

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2514** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley offered the following report of the Conference Committee on **S. B. No. 2534** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2534: Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-4-39, Mississippi Code of 1972, is amended as follows:

49-4-39. (1) As used in this section:

(a) "Boat" means a vessel used by a guide or outfitter for taking paying customers on recreational freshwater fishing excursions.

(b) "Guide" means a person who advises or shows the way to others on a boat.

(c) "Outfitter" means an establishment that sells freshwater fishing services.

(d) "Captain" or "skipper" means a person who is at the helm, controls or steering of a boat.

(e) "Boat mate" and "crew" mean one or more employees assisting the guide, outfitter, captain or skipper on a boat.

(2) The commission may regulate hunting, fishing and wildlife viewing, guide and outfitter services. The commission shall have the following powers and duties:

(a) Prescribe the form and type of licenses;

(b) Prescribe an annual distinguishable decal for each boat;

( \* \* \*c) Except as otherwise provided in this section, establish fees for the types of licenses; the fee for guide and outfitter services annual licenses \* \* \* shall not be less than Five Hundred Dollars (\$500.00) for residents and shall not be less than Two Thousand Dollars (\$2,000.00) for nonresidents; \* \* \*

\* \* \*

(d) Require one-year proof of residency and a valid sportsman's license for residents;

(e) Require a valid nonresident fishing license for nonresidents;

(f) Require First Aid/CPR certification; and

(g) Exercise all powers to make regulations for enforcement and safety of such services.

(3) A fishing guide, outfitter, skipper or captain that uses a boat to provide fishing guide services shall obtain an annual boat license and decal for a fee of at least Twenty-five Dollars (\$25.00). In order to obtain a boat license and decal, an applicant must register the boat being used with the department and provide to the department a copy of the driver's license of the guide, outfitter, skipper or captain and proof of liability insurance and such other information as the department may require by regulation.

(4) A violation of this section or any regulation created by the commission exercising its powers to regulate safety and services is a Class II violation and is punishable as provided in Section 49-7-143.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:



AN ACT TO AMEND SECTION 49-4-39, MISSISSIPPI CODE OF 1972, TO REQUIRE A FRESHWATER FISHING GUIDE OR SERVICE THAT USES A BOAT TO OBTAIN A FISHING GUIDE BOAT LICENSE AND DECAL; TO PROVIDE THE FEE FOR SUCH LICENSE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE                      CONFEREES FOR THE HOUSE

Neil S. Whaley                                      Bill Kinkade

Benjamin Suber                                    Shane Barnett

Joseph M. Seymour                              Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2534** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--47.

Nays--Chism, Hill, McDaniel, Sojourner, Tate. Total--5.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 18, **H. B. No. 1089**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1089** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1089: State budget; revise provisions of several FY 23 bills and create special funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-104-371, Mississippi Code of 1972, is amended as follows:

27-104-371. (1) A special fund, to be designated as the "2022 Local Improvements Projects Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(2) Monies deposited into the fund shall be disbursed by the Department of Finance and Administration as follows:

(a) To the Department of Archives and History for the purpose of providing a grant to the Scott Ford House, Inc., to develop the property located at 136 East Cohea Street in the City of Jackson, the home of the former slave Mary Scott Green, to tell her story and that of other Mississippi midwives, and to develop the property located at 138 East Cohea Street in the City of Jackson as a house museum to tell the family story of the midwife Virginia Scott Ford ..... \$ 200,000.00

(b) To assist in paying costs associated with repair, renovation, furnishing and equipping of and upgrades and improvements to the Jackson Public School District's Career Development Center in Jackson, Mississippi ..... \$ 300,000.00

(c) To assist the Centreville Chamber of Commerce in paying costs associated with construction, furnishing and equipping of a recreation center and related facilities in the Town of Centreville, Mississippi ..... \$ 500,000.00

(d) To assist \* \* \* the Richards Community Center, Inc., in paying costs associated with recreational equipment and lights for the Richards Community Center \$ 150,000.00

(e) To assist in paying costs associated with repair and renovation of the National Guard Armory in the Town of Gloster, Mississippi ..... \$ 250,000.00

(f) To assist the City of Georgetown, Mississippi, in paying costs associated with Railroad Avenue lighting and

park area ..... \$ 50,000.00

(g) To assist the City of Georgetown, Mississippi, in paying costs associated with Railroad Avenue

sidewalks ..... \$ 100,000.00

(h) To assist the City of Brookhaven, Mississippi, in paying costs associated with geometric improvements, signalization improvements, striping/signing and drainage improvements to Brookway Boulevard beginning at Interstate 55 and continuing east to U.S. Highway 51 ..... \$ 1,000,000.00

(i) To assist the Town of Byhalia, Mississippi, in paying costs associated with the Old School Commons restoration and upgrades necessary to meet ADA regulations.....\$ 500,000.00

(j) To assist Marshall County, Mississippi, in paying costs associated with the Blackwater Road Bridge

project ..... \$ 500,000.00

(k) To assist the Town of Tylertown, Mississippi, in paying costs associated with the renovation of the Civic Center and Mississippi State University Extension Service

offices ..... \$ 450,000.00

(l) To assist the City of Durant, Mississippi, in paying costs associated with road repairs ..... \$ 50,000.00

(m) To assist the Town of Goodman, Mississippi, in paying costs associated with road repairs ..... \$ 50,000.00

(n) To assist Holmes County, Mississippi, in paying costs associated with courthouse renovation ..... \$ 150,000.00

(o) To assist the Town of Pickens, Mississippi, in paying costs associated with repair and renovation of the town police station ..... \$ 50,000.00

(p) To the Board of Supervisors of Lowndes County, Mississippi, to assist the Town of Crawford, Mississippi, in paying costs associated with infrastructure

needs ..... \$ 250,000.00

(q) To assist the City of D'Iberville, Mississippi, in paying costs associated with the extension of

Mallett Road ..... \$ 1,000,000.00

(r) To assist the Town of Coldwater, Mississippi, in paying costs associated with the acquisition of a fire

truck ..... \$ 350,000.00

(s) To assist the Town of Tunica, Mississippi, in paying costs associated with road repairs ..... \$ 500,000.00

(t) To assist Tunica County, Mississippi, in paying costs associated with the extension of natural gas

lines ..... \$ 150,000.00

(u) To assist the City of Starkville, Mississippi, in paying costs associated with Northside Drive drainage channel improvements, mobilization, channel shaping and

grading ..... \$ 250,000.00

(v) To assist the City of Starkville, Mississippi, in paying costs associated with J.L. King Center infrastructure, security and lighting ..... \$ 250,000.00

(w) To assist the City of Jackson, Mississippi, in paying costs associated with construction of a parking lot and related facilities for the Jackson Convention

Center ..... \$ 1,000,000.00

(x) To assist the City of Oxford, Mississippi, in paying costs associated with repair and renovation of a building to be used by the City of Oxford Police

Department ..... \$ 1,000,000.00

(y) To assist Perry County, Mississippi, in paying costs associated with the acquisition of a

fire truck ..... \$ 250,000.00

(z) To assist the City of Columbus, Mississippi, Fire and Rescue in paying costs associated with the acquisition of a fire engine ..... \$ 350,000.00

(aa) To assist the City of Fulton, Mississippi, in paying costs associated with the purchase of and repair and renovation of a building to house City Hall and repair and renovation of the former City Hall to house other city

departments ..... \$ 1,000,000.00

(bb) To assist Itawamba County, Mississippi, in paying costs associated with repair and renovation of the Itawamba County Courthouse and construction of a Justice

Court ..... \$ 1,000,000.00

(cc) To assist Jones County, Mississippi, in paying costs associated with repair, renovation, upgrades and additions to the Jones County Law Enforcement Complex.....\$ 500,000.00

(dd) To assist the City of Laurel, Mississippi, in paying costs associated with additions to the Veterans Museum in Laurel, Mississippi ..... \$ 250,000.00

(ee) To assist Arise and Shine, Inc., with providing children and youth programs and services in Copiah County, Mississippi ..... \$ 50,000.00

(ff) To assist the City of Crystal Springs, Mississippi, in paying costs associated with providing lighting for Pedestrian and Bicycle Corridor Federal Aid Project

No. STP-0130-00(013)LPA/107363-701000 ..... \$ 250,000.00

(gg) To assist in paying costs associated with repair and renovation of the Millsaps Heritage Center in the City of Hazlehurst, Mississippi ..... \$ 300,000.00

(hh) To assist the City of Ocean Springs, Mississippi, in paying costs associated with water system, sewer system and other infrastructure improvements and development of the Fayard project beautification ..... \$ 1,500,000.00

(ii) To assist the \* \* \* Diamondhead Fire District in paying various costs for the City Fire Department ..... \$ 25,000.00

(jj) To assist in paying various costs for the Fenton Fire Station in Hancock County, Mississippi ..... \$ 25,000.00

(kk) To assist in paying various costs for the County Farm Fire Station in Harrison County,

Mississippi..... \$ 25,000.00

(ll) To assist in paying various costs for the Lizan Fire Station in Harrison County, Mississippi..... \$ 25,000.00

(mm) To assist in paying various costs for the Saucier Fire Station in Harrison County,

Mississippi..... \$ 25,000.00

(nn) To assist in paying various costs for the Success Fire Station in Harrison County,

Mississippi..... \$ 25,000.00

(oo) To assist the City of Fayette, Mississippi, in paying costs associated with the construction, furnishing and equipping of a fire station for the city's fire

department..... \$ 400,000.00

(pp) To assist the City of Baldwin, Mississippi, in paying costs associated with the construction of a satellite fire station..... \$ 200,000.00

(qq) To assist the City of Baldwin, Mississippi, in paying costs associated with repairs to Winddance Drive necessary for trucking company weight

restrictions..... \$ 100,000.00

(rr) To assist the City of Tupelo, Mississippi, in paying costs associated with lighting and curb upgrades to McCullough Boulevard ..... \$ 500,000.00

(ss) To assist the City of Booneville, Mississippi, in paying costs associated with the repair, replacement, adjustment and relocation of sewer lines and related sewer system infrastructure underneath and near the Northeast Mississippi Community College football field and surrounding

area..... \$ 1,000,000.00

(tt) To assist Madison County, Mississippi, in paying costs associated with making improvements to Bozeman Road, beginning at its intersection with Mississippi Highway 463 and proceeding north..... \$ 2,500,000.00

(uu) To assist the City of Madison, Mississippi, in paying costs associated with renovation of the Performing Arts Center and placement of utility lines under the

center..... \$ 1,000,000.00

(vv) To assist the Town of Bruce, Mississippi, in paying costs associated with infrastructure improvements around and near both of the city's parks, including, but not limited to, paving town streets and parking lots, drainage improvements, water and sewer line repairs and extensions, and pavilion construction in such parks..... \$ 400,000.00

(ww) To assist the Town of Bruce, Mississippi, in paying costs associated with repair and resurfacing of "Jimmy Beckley" Industrial Park Road ..... \$ 500,000.00

(xx) To assist the Town of Derma, Mississippi, in paying costs associated with water well repairs ..... \$ 50,000.00

(yy) To assist the Town of Vardaman, Mississippi, in paying costs associated with paving town streets ..... \$ 150,000.00

(zz) To assist in paying costs associated with construction of an ambulance center for Tippah County

Hospital ..... \$ 500,000.00

(aaa) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of a fire truck for the town's fire department..... \$ 300,000.00

(bbb) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$ 25,000.00

(ccc) To assist in paying costs associated with creating a SkillPath 2030 Lab for the North Tippah School

District ..... \$ 200,000.00

(ddd) To assist the City of Ripley, Mississippi, in paying costs associated with the purchase of equipment for the city's fire department..... \$ 100,000.00

(eee) To assist the City of Ripley, Mississippi, in paying costs associated with various infrastructure

projects ..... \$ 200,000.00

(fff) To assist Mississippi Hills Heritage Area Alliance in paying costs associated with alliance

activities ..... \$ 100,000.00

(ggg) To assist in paying costs associated with exhibits with robotics and code training for students at the Issac Chapel Rosenwald Historical Museum and Education Center in Marshall County, Mississippi ..... \$ 200,000.00

On the effective date of this act, the Board of Supervisors of Marshall County shall transfer to the Issac Chapel Rosenwald Historical Museum and Education Center the

remaining balance of all funds received from the Department of Finance and Administration under this paragraph (ggg).

(hhh) To assist Delta Health System in paying costs associated with capital improvements and infrastructure improvements related to patient room compliance and women's center services ..... \$ 2,000,000.00

(iii) To assist the City of Gautier, Mississippi, in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center and improvements to Town Commons Park, including, but not limited to, parking and through roads for an amphitheater ..... \$ 4,000,000.00

(jjj) To assist the City of Senatobia, Mississippi, in paying costs associated with repair, renovation and upgrades to Front Street Fire Station..... \$ 500,000.00

(kkk) To assist the City of Gautier, Mississippi, in paying costs associated with expansion of RV sites and paving at Shepard State Park ..... \$ 1,500,000.00

(lll) To assist Chickasaw County, Mississippi, in paying costs associated with the \* \* \* CR42 Road

project ..... \$ 500,000.00

(mmm) To assist in paying costs associated with construction of a firehouse for the Thorn Volunteer Fire Department in Chickasaw County, Mississippi..... \$ 50,000.00

(nnn) To assist Clay County, Mississippi, in paying costs associated with road projects in Supervisors District 2 in Clay County including overlay of Mayhew Road, Mayfield Road, Pinkerton Road, Clisby Road and Herman

Shirley Road..... \$ 500,000.00

(ooo) To assist Monroe County, Mississippi, in paying costs associated with road maintenance and

repairs ..... \$ 500,000.00

(ppp) To assist the City of West Point, Mississippi, in paying costs associated with roof repair and/or replacement for Bryan Public Library ..... \$ 250,000.00

(qqq) To assist in paying costs associated with the construction \* \* \* or purchase of a building for the Michael H. Ball Veterans of Foreign Wars Post 12191 \* \* \* in Carroll County, Mississippi..... \$ 200,000.00

(rrr) To assist the Town of Duck Hill, Mississippi, in paying costs associated with resurfacing

streets ..... \$ 200,000.00

(sss) To assist the Town of Carrollton, Mississippi, in paying various costs associated with the town's water tower project ..... \$ 20,000.00

(ttt) To assist in paying costs associated with various Winona-Montgomery County Consolidated School District renovation projects ..... \$ 7,000,000.00

(uuu) To assist in paying costs associated with a regional communications system for the Mississippi Organ Recovery Agency..... \$ 200,000.00

(vvv) To assist the City of Columbia, Mississippi, in paying costs associated with improvements to the city's downtown storm drainage system and related infrastructure. \$ 500,000.00

(www) To assist Marion County, Mississippi, in paying costs associated with pavement maintenance for county

roads ..... \$ 500,000.00

(xxx) To assist Lamar County, Mississippi, in paying costs associated with the Mental Health Diversion Center in Purvis, Mississippi..... \$ 500,000.00

(yyy) To \*\*\* provide for the reimbursement of prior costs associated with acquisition and repair, renovation, furnishing and equipping of a building and related facilities for the Bovina Volunteer Fire Department in Warren County,

Mississippi..... \$ 250,000.00

(zzz) To assist the City of Vicksburg, Mississippi, in paying costs associated with lighting for city baseball

fields ..... \$ 250,000.00

(aaaa) To assist Warren County, Mississippi, in paying costs associated with the purchase of culverts and construction and installation of sluice gates..... \$ 75,000.00

(bbbb) To assist the City of Grenada, Mississippi, in paying costs associated with road resurfacing for Southwest Frontage Road..... \$ 250,000.00

(cccc) To assist Grenada County, Mississippi, in paying costs associated with construction and extension of New Industrial Park Road ..... \$ 500,000.00

(dddd) To assist Grenada County, Mississippi, in paying costs associated with resurfacing of National Guard Trout

Road ..... \$ 750,000.00

(eeee) To assist Tallahatchie County, Mississippi, in paying costs associated with roof repair for Phillip Community Center in Tallahatchie County, Mississippi \$ 50,000.00

(ffff) To assist the City of Petal, Mississippi, in paying costs associated with the construction of an access road beginning at or near the intersection of Central Avenue and M. J. Harris Drive in Petal, Mississippi, and running southerly into the Robert E. Russell Sports Complex ..... \$ 500,000.00



(gggg) To assist the City of Iuka, Mississippi, in paying costs associated with road paving, purchase of utility vehicles for the city's police department and fire department, city park upgrades, library repair and purchase of a dump truck and two (2) police cars. \$ 250,000.00

(hhhh) To assist the City of Pontotoc, Mississippi, in paying costs associated with relocating the fire station on Main Street in the city to a less congested corner lot near the current location..... \$ 750,000.00

(iiii) To assist in paying costs associated with construction of the Agricola Multipurpose Center in George County, Mississippi..... \$ 1,600,000.00

(jjjj) To assist in paying costs associated with industrial park wastewater replacement main in George County,

Mississippi..... \$ 400,000.00

(kkkk) To assist in paying costs associated with construction of a multipurpose arena in Jackson County, Mississippi..... \$ 750,000.00

(llll) To assist Jasper County, Mississippi, in paying costs associated with repairs, resurfacing and improvements to roads and bridges including, but not limited to, CR 195

and CR 215..... \$ 650,000.00

(mmmm) To assist Smith County, Mississippi, in paying costs associated with repair and repaving of county

roads..... \$ 250,000.00

(nnnn) To assist in paying costs associated with acquisition of motor vehicles for the Winston County Sheriff's Department..... \$ 150,000.00

(oooo) To assist Kemper County, Mississippi, in paying costs associated with a gas line project from Dekalb, Mississippi, to Scooba, Mississippi..... \$ 500,000.00

(pppp) To assist in paying costs associated with the purchase of equipment for the Kemper County Volunteer Fire Department..... \$ 50,000.00

(qqqq) To assist in paying costs associated with acquisition of motor vehicles for the Neshoba County Sheriff's Department..... \$ 150,000.00

(rrrr) To assist the Town of Scooba, Mississippi, in paying costs associated with the renovation of town

facilities..... \$ 75,000.00

(ssss) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited

to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and

lighting..... \$ 1,750,000.00

(tttt) To assist the City of Hattiesburg, Mississippi, in paying costs associated with flood control, detention basins or other infrastructure improvements in and around

Gordon's Creek ..... \$ 250,000.00

(uuuu) To assist Alcorn County, Mississippi, in paying costs associated with repair and renovation of the Alcorn County Courthouse..... \$ 1,000,000.00

(vvvv) To assist in paying costs associated with Alcorn County School District improvements..... \$ 150,000.00

(www) To Alcorn County, Mississippi, to assist in paying Alcorn County Fire Chiefs and Firefighters Association

expenses..... \$ 100,000.00

(xxxx) To assist the Jacinto Foundation, Inc., in paying costs associated with capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the Jacinto Courthouse and related facilities in Alcorn County, Mississippi..... \$ 100,000.00

(yyyy) To assist Covington County, Mississippi, in paying costs associated with improvements to Kelly Creek Road and/or Fruitstand Road..... \$ 200,000.00

(zzzz) To assist Jefferson Davis County, Mississippi, in paying costs associated with improvements to Willie Fortenberry Road, Gum Swamp Road and/or

Sumrall Road ..... \$ 100,000.00

(aaaaa) To assist the Town of Shubuta, Mississippi, in paying costs associated with refurbishing, repair, renovation, restoration and furnishing of the Town Hall

building..... \$ 200,000.00

(bbbbb) To assist Coahoma Community College in paying costs associated with completion of the HVAC system for the Coahoma County Higher Education Center.....\$ 150,000.00

(ccccc) To assist Simpson County, Mississippi, in paying costs associated with various road paving

projects ..... \$ 500,000.00

(ddddd) To assist the Town of D'Lo, Mississippi, in paying costs associated with paving South Maple Street, Elm Street, North Oak Street and North Maple Street .....\$ 200,000.00

(eeee) To provide funds to be distributed equally among the following fire departments in Simpson County, Mississippi, and Rankin County, Mississippi, to assist in paying various department costs: Braxton Fire Department, Cato Fire Department, Harrisville Volunteer Fire Department, Magee Fire Department, Mendenhall Fire Department, \* \* \* Simpson County Station 7 Fire Department, Old Pearl Volunteer Fire Department, Pinola Fire Department, Puckett Volunteer Fire Department and Shell Road Volunteer Fire

Department ..... \$ 150,000.00

(ffff) To assist in paying costs associated with the purchase of playground equipment for Houston Community Park in Itawamba County ..... \$ 50,000.00

(gggg) To assist Newton County, Mississippi, in paying costs associated with upgrades and repairs to Tanglewood

Road ..... \$ 450,000.00

(hhhh) To assist Scott County, Mississippi, in paying costs associated with infrastructure improvements on Coal Bluff Road ..... \$ 350,000.00

(iiii) To assist the Town of Plantersville, Mississippi, in paying costs associated with infrastructure improvements and the purchase of equipment for the town's police department ..... \$ 100,000.00

(jjjj) To assist Oktibbeha County, Mississippi, in paying costs associated with upgrades and improvements to Maben Sturgis Road ..... \$ 1,000,000.00

(kkkk) To assist the City of Starkville, Mississippi, in paying costs associated with the city's Main Street project ..... \$ 1,250,000.00

(llll) To assist Humphreys County, Mississippi, in paying costs associated with repairs, including asbestos removal, to the Humphreys County Courthouse ..... \$ 400,000.00

(mmmm) To assist the City of New Albany, Mississippi, in paying costs associated with central business district renovations ..... \$ 250,000.00

(nnnn) To assist the CREATE Foundation in paying costs associated with storm shelter and community center renovations in the Red Hill Community in Union County, Mississippi ..... \$ 150,000.00

(oooo) To the Board of Trustees of Southwest Mississippi Community College for the purpose of providing funds for the costs associated with the construction of a new \* \* \* outdoor multipurpose center on the campus of the college ..... \$ 500,000.00

(pppp) To Scenic Rivers Development Alliance for the purpose of making improvements at parks and facilities as follows: golf cart path repairs and course equipment upgrades at Quail Hollow Golf Course in Pike County; building repairs and equipment upgrades at Bogue Chitto Water Park in Pike County; building repairs, arena equipment and bleachers at Ethel Vance Park in Pike County; building repairs and fencing at Liberty Town Fields in Pike County; ADA sidewalk improvements and building repairs at Walkers Bridge Water Park in Walthall County; pier improvements, building improvements and road improvements at the County Outdoor Complex in Walthall County and park improvements in Franklin County ..... \$ 1,000,000.00

(qqqq) To assist the Caledonia Natural Gas District in paying costs associated with acquisition of three (3) pickup trucks to be used as service trucks ..... \$ 150,000.00

(rrrr) To assist Neshoba County, Mississippi, \* \* \* for the reimbursement of prior costs associated with transition to the MSWIN system ..... \$ 1,000,000.00

(ssss) To assist in paying costs associated with the Neshoba General Hospital Ambulance Enterprise ..... \$ 250,000.00

(ttttt) To assist the Briarwood Pool in Jackson, Mississippi, in paying costs associated with ADA requirements and accessibility plan..... \$ 250,000.00

(uuuuu) To assist Hinds County, Mississippi, in paying costs associated with Phase I White Oak Creek streambank erosion improvements to a portion of the creek running from at or near Old Canton Road to at or near Briarwood Drive in the City of Jackson, Mississippi..... \$ 2,000,000.00

(vvvvv) To assist \* \* \* the City of Tupelo, Mississippi, in paying costs associated with improvements to Endville Road..... \$ 500,000.00

(wwwww) To provide funds to Wayne County, Mississippi, to be distributed equally among the following volunteer fire departments in Wayne County, Mississippi, to assist in paying various department costs: Battles Volunteer Fire Department, Beat Four Volunteer Fire Department, Buckatunna Volunteer Fire Department, Central Volunteer Fire Department, Clara Volunteer Fire Department, Coyt Volunteer Fire Department, Crossroads Volunteer Fire Department, Denham Volunteer Fire Department, Ecutta Volunteer Fire Department, Hiwanee Volunteer Fire Department, Matherville Volunteer Fire Department, Maynor Creek Volunteer Fire Department, Mulberry Volunteer Fire Department, Pleasant Grove Volunteer Fire Department, Progress Volunteer Fire Department, Strengthford Volunteer Fire Department and Yellow Creek Volunteer Fire Department..... \$ 340,000.00

(xxxxx) To assist the City of Waynesboro, Mississippi, in paying city fire department costs..... \$ 70,000.00

(yyyyy) To assist the Town of State Line, Mississippi, in paying various department costs for Stateline Volunteer Fire Department \* \* \*..... \$ 20,000.00

(zzzzz) To assist in paying various department costs for Richton Volunteer Fire Department in Perry County, Mississippi..... \$ 20,000.00

(aaaaa) To assist the \* \* \* Town of State Line, Mississippi, in paying costs associated with acquisition of motor vehicles for the city's police department ..... \$ 50,000.00

(bbbbb) To assist the City of Picayune, Mississippi, in paying costs associated with improvements to North Frontage Road from Interstate 59 in Picayune..... \$ 850,000.00

(ccccc) To assist the City of Raymond, Mississippi, in paying costs associated with renovation, rehabilitation and expansion of and additions to the city's police station ..... \$ 250,000.00

(ddddd) To assist Benton County, Mississippi, in paying costs associated with maintenance of roads and bridges ..... \$ 500,000.00

(eeeeee) To assist the Town of Potts Camp, Mississippi, in paying costs associated with the acquisition of a fire truck ..... \$ 300,000.00

(fffff) To assist the Town of Hickory Flat, Mississippi, in paying costs associated with the acquisition of equipment for the town's police department ..... \$ 100,000.00

(ggggg) To assist Union County, Mississippi, in paying costs associated with maintenance of roads in Supervisors District 1 in Union County ..... \$ 500,000.00

(hhhhh) To assist Union County, Mississippi, in paying costs associated with maintenance of roads in Supervisors District 2 in Union County ..... \$ 500,000.00

(iiiiii) To provide matching funds to the City of Charleston, Mississippi, for the repair of Charleston City Hall..... \$ 250,000.00

(jjjjj) To assist the Town of Coffeeville, Mississippi, in paying costs associated with street improvements..... \$ 125,000.00

(kkkkk) To assist the City of Water Valley, Mississippi, in paying costs associated with renovation of the Water Valley Civic Auditorium ..... \$ 225,000.00

(lllll) To assist Pearl River County, Mississippi, in paying costs associated with county road maintenance..... \$ 500,000.00

(mmmmmm) To assist the City of Morton, Mississippi, in paying costs associated with repairs, resurfacing, upgrades and improvements to streets and roads around Morton High School and surrounding areas in the City of Morton ..... \$ 150,000.00

(nnnnnn) To provide funds to be distributed equally among the eight (8) volunteer fire departments in Scott County, Mississippi, to assist in paying various department costs and expenses..... \$ 200,000.00

(oooooo) To assist in paying costs associated with repair and renovation of facilities at Chautauqua Park in Crystal Springs, Mississippi..... \$ 500,000.00

(pppppp) To assist Quitman Community Hospital in paying costs associated with improvements and upgrades to facilities and equipment..... \$ 500,000.00

(qqqqqq) To provide funds to be distributed in the amount of \$25,000.00 to fire departments in Prentiss County, Mississippi, to assist in paying equipment costs ..... \$ \* \* \* 375,000.00

(rrrrrr) To assist the City of Senatobia, Mississippi, in paying costs associated with lighting and other improvements to city-owned \* \* \* facilities ..... \$ 1,000,000.00

(ssssss) To assist Tate County, Mississippi, in paying costs associated with road and infrastructure improvements..... \$ 5,000,000.00

(tttttt) To assist in paying costs associated with construction of an Agriculture Technology building at Independence High School in the Tate County School District..... \$ 750,000.00

(uuuuuu) To provide funds to be distributed equally among all volunteer fire departments in Clarke County, Mississippi, to assist in paying equipment costs and for upgrades ..... \$ 150,000.00

(vvvvvv) To assist in paying costs associated with acquisition of motor vehicles with upfit, lights, cages and sirens, for the Clarke County Sheriff's Department ..... \$ 100,000.00

(wwwwww) To assist Lincoln County, Mississippi, in paying costs associated with HVAC system and equipment repairs and/or replacement..... \$ 500,000.00

(xxxxxx) To assist \* \* \* Jackson Metropolitan Technical Center in paying costs associated with roof and building repairs for its building..... \$ 100,000.00

(yyyyyy) To assist Attala County, Mississippi, to provide funds for the acquisition of fire trucks for Carmack Volunteer Fire Department, Friendship Volunteer Fire Department, Providence Fire Department and Zama Volunteer Fire Department ..... \$ 1,000,000.00

(zzzzzz) To assist Attala County, Mississippi, in defraying expenses associated with repairs, resurfacing and other improvements to county roads and bridges .....\$ 1,000,000.00

(aaaaaaa) To assist Leake County, Mississippi, to provide funds for the acquisition of fire trucks, firefighting equipment and gear for volunteer fire departments in Leake County ..... \$ 2,000,000.00

(bbbbbbb) To assist Attala County, Mississippi, in paying costs associated with repair and/or replacement of the roof for the Jack Post Industrial Building \$ 1,000,000.00

(ccccccc) To assist the Town of West, Mississippi, in paying costs associated with repairs and improvements to town facilities ..... \$ 200,000.00

(ddddddd) To assist the City of Kosciusko, Mississippi, in paying costs associated with repair and maintenance of city facilities ..... \$ 500,000.00

(eeeeeee) To assist in paying costs associated with construction of a new building for American Legion Post No. 44 in Attala County, Mississippi ..... \$ 300,000.00

(ffffff) To assist the City of Clinton, Mississippi, in paying costs associated with site work for and construction and development of streets, street lighting and signals, electrical and communications distribution systems and equipment, water system and sewer system infrastructure and related infrastructure within an area bound by U.S. Highway 80, Springridge Road, Interstate 20 and Clinton-Raymond Road/Madison Street in the City of Clinton ..... \$ 8,000,000.00

(ggggggg) To assist the Town of Flora, Mississippi, in paying costs associated with improvements to the town's water system and sewer system infrastructure.....\$ 1,000,000.00

(hhhhhhh) To assist Rankin County, Mississippi, in defraying expenses associated with repairs, resurfacing and other improvements to roads and bridges.....\$ 8,000,000.00

(iiiiiii) To assist the City of Brandon, Mississippi, in paying costs associated with infrastructure improvements.....\$ 2,000,000.00

(jjjjjjj) To assist the City of Pearl, Mississippi, in paying costs associated with construction of a bridge extending from the intersection of the extension of Ware Street and relocated St. Augustine Street to Pearson Road in the City of Pearl ... \$ 500,000.00

(kkkkkkk) To assist Harrison County, Mississippi, in paying costs associated with Sportsplex improvements in the City of Long Beach, Mississippi ..... \$ 1,500,000.00

(lllllll) To assist in paying costs associated with improvements to Lumpkin Stadium for the Long Beach School District.....\$ 100,000.00

(mmmmmmm) To provide \*\*\* \$22,222.22 to \*\*\* each of the following fire departments in Choctaw County, Mississippi, to assist in paying various department costs: Chester Volunteer Fire Department, \*\*\* Town of Ackerman Fire Department, Bywy Volunteer Fire Department, Simpson Volunteer Fire Department, Town of Weir Fire Department, Panhandle Volunteer Fire Department, Union Volunteer Fire Department and Town of French Camp Fire Department and to provide \$22,222.24 to the Reform Fire Department in Choctaw County, Mississippi, to assist in paying various department costs ..... \$ 200,000.00

(nnnnnnn) To provide funds to Winston County, Mississippi, to be distributed equally among the following fire departments in Winston County, Mississippi, to assist in paying various department costs: Nanih Waiya Volunteer Fire Department, Shiloh Volunteer Fire Department, City of Louisville Fire Department, Lo Butcha Volunteer Fire Department, Town of Noxapater Volunteer Fire Department and Mars Hill Volunteer Fire Department ..... \$ 120,000.00

(ooooooo) To provide funds to be distributed equally among the following fire departments in Webster County, Mississippi, to assist in paying various department costs: Town of Mathiston Volunteer Fire Department, City of Eupora Fire Department and Tomnolen Volunteer Fire Department ..... \$ 60,000.00

(ppppppp) To assist the City of Eupora, Mississippi, in paying costs associated with street repairs, resurfacing and improvements.....\$ 300,000.00

(qqqqqqq) To assist the City of Louisville, Mississippi, in paying the costs associated with constructing a road and other transportation infrastructure in the City of Louisville that will provide and improve access to land owned by the city designated for an economic development project on or near the location of Winston Plywood & Veneer ..... \$ 200,000.00

(rrrrrrr) To assist the Town of French Camp, Mississippi, in paying the costs associated with sidewalk repairs, lighting and improvements for the town's Historic Downtown District and School Street.....\$ 100,000.00

(sssssss) To provide funds to \*\*\* Choctaw County, Mississippi, for repairs and resurfacing of roads.....\$ 500,000.00

(ttttttt) To assist the Town of Ackerman, Mississippi, in paying costs associated with street repairs, resurfacing and improvements.....\$ 200,000.00

(uuuuuuu) To assist the Town of Mathiston, Mississippi, in paying costs associated with construction, repair, renovation, upgrades and improvements to the town's facilities ..... \$ 100,000.00

(vvvvvvv) To assist Choctaw County, Mississippi, in paying costs associated with Courthouse renovations and improvements.....\$ 100,000.00

(wwwwwww) To assist American Legion Post 82 in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities .....\$ 25,000.00

(xxxxxxx) To assist VFW Post 3806 in the City of Eupora, Mississippi, in paying costs associated with the Post building and Post activities .....\$ 25,000.00

(yyyyyyy) To assist VFW Post 4540 in Winston County, Mississippi, in paying costs associated with the Post building and Post activities .....\$ 25,000.00

(zzzzzzz) To assist \* \* \* the American Legion Post 82 in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities .....\$ 25,000.00

(aaaaaaa) To assist in paying the costs associated with land acquisition, site development and construction, furnishing and equipping of new buildings and facilities for, and the relocation of, the Mississippi Armed Forces Museum at Camp Shelby to property owned by the Mississippi Military Department and located near Camp Shelby in Forrest County, Mississippi.....\$ 6,000,000.00

(bbbbbbb) To assist the City of Pascagoula, Mississippi, in paying costs associated with renovations of city offices .....\$ 1,000,000.00

(ccccccc) To assist the Town of Sardis, Mississippi, in paying costs associated with repairs, resurfacing and other improvements to roads and bridges.....\$ 250,000.00

(ddddd) To assist the Town of Como, Mississippi, in paying costs associated with repairs, resurfacing and other improvements to roads and bridges.....\$ 250,000.00

(eeeeeee) To assist the City of Bay Springs, Mississippi, in paying the costs associated with repairs to Payton Avenue .....\$ 35,000.00

(ffffff) To assist the Town of Heidelberg, Mississippi, in paying the costs associated with repairs to Walnut Street.....\$ 45,000.00

(ggggggg) To assist \* \* \* East Jasper School District in paying the costs associated with the acquisition of the Old Heidelberg Academy .....\$ 350,000.00

(hhhhhhh) To assist the City of Hattiesburg, Mississippi, in paying the costs associated with improvements to Dabbs Street .....\$ 250,000.00

(iiiiiii) To assist Lincoln County, Mississippi, in paying the costs associated with repairs and improvements to the county courthouse.....\$ 350,000.00

(jjjjjjj) To assist the City of Carthage, Mississippi, in paying the costs associated with the repair and renovation of the coliseum.....\$ 600,000.00

(kkkkkkk) To assist Holmes County, Mississippi, in paying the costs associated with the paving and improvements to Salem/Courts Road .....\$ 600,300.00

(lllllll) To assist Tougaloo College in paying the costs associated with the improvement, renovation and preservation of the historic Mansion building\$ 600,000.00

(mmmmmmm) To assist the City of Southaven, Mississippi, in paying costs associated with a traffic signal at the intersection of Airways Boulevard and Guthrie Drive .....\$ 270,000.00

(nnnnnnn) To assist DeSoto County, Mississippi, in paying the costs associated with a traffic signal at the intersection of Byhalia Road and Hwy 305 in Lewisburg/Olive Branch.....\$ 270,000.00

(oooooooo) To assist Marshall County, Mississippi, in paying the costs associated with building the Chickasaw Trail Emergency Response Center .....\$ 1,000,000.00

(ppppppp) To assist the Town of Terry, Mississippi, in paying the costs associated with the renovation of a community center .....\$ 30,000.00

(qqqqqqq) To assist the City of Byram, Mississippi, in paying the costs associated with bridge and drainage projects .....\$ 500,000.00

(rrrrrrr) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for Thalia Mara Hall .....\$ 2,000,000.00

(sssssss) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for the Jackson Planetarium .....\$ 2,000,000.00

(ttttttt) To assist Panola County, Mississippi, in paying the costs associated with airport improvements..... \$ 500,000.00

(uuuuuuuu) To assist the Town of Sardis, Mississippi, in paying costs associated with the Sardis Lake Development project..... \$ 1,700,000.00

(vvvvvvvv) To assist the Town of Noxapater, Mississippi, in paying the costs associated with paving, repairs and improvements to city streets ..... \$ 250,000.00

(wwwwwww) To assist the Town of Walnut Grove, Mississippi, in paying the costs associated with the purchase of a new fire truck..... \$ 250,000.00

(xxxxxxx) To assist the Lee County 4th District Community Development Group, a nonprofit corporation, in paying the costs associated with the construction/improvement to its community center ..... \$ 300,000.00

(yyyyyyyy) To assist the Windows of Amory, a nonprofit corporation, for expenses related to improvements and operations of the former First Christian Church, known as "The Windows" ..... \$ 200,000.00

(zzzzzzzz) To assist the City of Aberdeen, Mississippi, in paying the costs associated with repairs and improvements to the Magnolias ..... \$ 150,000.00

(aaaaaaaa) To assist Claiborne County, Mississippi, in paying the costs associated with repairs and improvements to historical structures in the county .....\$ 75,000.00

(bbbbbbbbb) To assist Claiborne County, Mississippi, in paying the costs associated with the replacement of an air conditioning and heating system for the county jail ..... \$ 80,000.00

(ccccccccc) To assist Claiborne County, Mississippi, in paying the costs associated with the resurfacing of Russom-Westside Road ..... \$ 300,000.00

(ddddddddd) To assist the Summit Community Development Foundation in paying the costs associated with the Stand Pipe project..... \$ 200,000.00

(eeeeeeeee) To assist the City of Natchez, Mississippi, in paying the costs associated with lighting of the Mississippi River Bridge..... \$ 500,000.00

(fffffffff) To assist the City of Magee, Mississippi, in paying the costs associated with infrastructure improvements..... \$ 150,000.00

(ggggggggg) To assist the City of Mendenhall, Mississippi, in paying costs associated with infrastructure improvements ..... \$ 150,000.00

(hhhhhhhhh) To assist Montgomery County, Mississippi, in defraying expenses for infrastructure improvements and industrial facility..... \$ 1,000,000.00

(iiiiiii) To assist Attala County, Mississippi, in paying the costs associated with roof repairs for a county-owned building..... \$ 600,000.00

(jjjjjjjjj) To assist the Mississippi Department of Transportation in paying the costs associated with an overpass for Old Highway 63 over Highway 98..... \$ 1,200,000.00

(kkkkkkkkk) To assist Greene County, Mississippi, in paying the costs associated with asbestos abatement and demolition of an abandoned factory building \$ 600,000.00

(lllllllll) To assist Greene County, Mississippi, in paying the costs associated with the conversion of the old farmer's market into a regional emergency operations center..... \$ 1,200,000.00

(mmmmmmmmm) To assist the Greene County School District in paying costs associated with tornado and wind damage at the McLain Attendance Center .....\$ 50,000.00

(nnnnnnnnn) To assist the City of D'Iberville, Mississippi, in paying the costs associated with upgrades, mitigation and improvements to the city marina \$ 750,000.00

(ooooooooo) To assist Jackson County, Mississippi, in paying the costs associated with the renovations and expansions of the Ball Park Road Fire Station .....\$ 750,000.00

(ppppppppp) To assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements to Riley Road..... \$ 500,000.00



(qqqqqqqq) To assist the Pearl & Leaf Rivers Rails to Trails Recreational District in paying the costs associated with overlaying the trail from James Lynn Cartledge Gateway to Carolyn McRaney Gateway and paving the parking lots at stations..... \$ 1,500,000.00

(rrrrrrrr) To assist the City of Flowood, Mississippi, in paying the costs associated with infrastructure improvements to North Flowood Drive ..... \$ 2,000,000.00

(ssssssss) To assist the Mississippi Department of Transportation in paying the costs associated with improvements to Highway 25 between Grants Ferry Road and Mississippi Highway 471 ..... \$ 4,000,000.00

(tttttttt) To assist the City of Macon, Mississippi, in paying the costs associated with inspection, repairs and improvements to the Electric Department Office .....\$ 40,000.00

(uuuuuuuu) To assist Noxubee County, Mississippi, in paying the costs associated with a roof replacement on the county courthouse ..... \$ 400,000.00

(vvvvvvvv) To assist the City of Poplarville, Mississippi, in paying costs associated with the acquisition of a new fire truck..... \$ 500,000.00

(wwwwwwww) To assist Warren County, Mississippi, in paying the costs associated with upgrades and improvements for the historic Old Courthouse and grounds in Vicksburg ..... \$ 650,000.00

(xxxxxx) To assist the City of Gulfport, Mississippi, in paying costs associated with the Interconnecting Gulfport project related to the federal BUILD grant route, to include Pool Street Extension, Creosote Road Extension, and Daniel Boulevard Extension ..... \$ 3,500,000.00

(yyyyyyyy) To assist Yazoo County, Mississippi, in paying the costs associated with the construction and repairs of the Lake George Bridge ..... \$ 3,000,000.00

(zzzzzzzz) To assist Issaquena County, Mississippi, in paying the costs associated with the construction and repairs of the Mannie Road Bridge.. \$ 1,500,000.00

(aaaaaaaa) To assist Sharkey County, Mississippi, in paying the costs associated with the construction and repairs of the Low Water Bridge Road Bridge .....\$ 1,500,000.00

(bbbbbbbb) To assist the Warren County Port Commission in defraying expenses for environmental and permit..... \$ 500,000.00

(cccccccc) To assist Quitman County, Mississippi, in paying the costs associated with infrastructure improvements on county roads and bridges \$ 500,000.00

(dddddddd) To assist Perry County, Mississippi, in paying the costs associated with the widening of Cochran Road ..... \$ 600,000.00

(eeeeeeee) To assist the City of Richland, Mississippi, in paying the costs associated with the Highway 49 pedestrian crossover..... \$ 500,000.00

(ffffff) To assist the City of Pearl, Mississippi, in paying the costs associated with the Pearl-Richland Intermodal Bridge ..... \$ 2,000,000.00

(gggggggg) To assist the Mississippi Department of Transportation in paying the costs associated with improvements to Highway 21 in Sebastopol, Mississippi .....\$ 400,000.00

(hhhhhhhh) To assist the Town of Decatur, Mississippi, in paying the costs associated with upgrading rescue extrication equipment ..... \$ 60,000.00

(iiiiiiii) To assist the City of Hernando, Mississippi, in paying the costs associated with infrastructure improvements to the Oak Grove and Highway 51 intersection..... \$ 500,000.00

(jjjjjjjj) To assist the City of Tupelo, Mississippi, in the refurbishment of Ballard Park for the purposes of renovation and to establish a special needs (all inclusive) children's playground..... \$ 500,000.00

(kkkkkkkk) To assist the City of Tupelo, Mississippi, in paying costs associated with turnaround access at the Elvis Presley Birthplace ..... \$ 250,000.00

(llllllll) To assist the City of Saltillo, Mississippi, in paying the costs associated with infrastructure improvements..... \$ 250,000.00

(mmmmmmmmmm) To assist the City of Gluckstadt, Mississippi, in paying the costs associated with the acquisition of land and construction of a new police station ....\$ 1,000,000.00

(nnnnnnnnnn) To assist the City of Ridgeland, Mississippi, in paying the costs associated with the construction of the Commerce Park Connector Road \$ 1,000,000.00

(oooooooooooo) To assist the City of Ridgeland, Mississippi, in paying the costs associated with road paving and improvements to city streets ..... \$ 1,500,000.00

(pppppppppp) To assist the City of Olive Branch, Mississippi, in paying the costs associated with infrastructure improvement on Pleasant Hill Road from SR 302 to Stateline Road ..... \$ 750,000.00

(qqqqqqqqqq) To assist the Horn Lake Creek Basin Interceptor Sewer District in paying the costs associated with an infrastructure project..... \$10,000,000.00

(rrrrrrrrrr) To assist the City of Corinth, Mississippi, in paying the costs associated with the EFLAP Bridge Replacement..... \$ 500,000.00

(ssssssssss) To assist Alcorn County, Mississippi, in paying the costs associated with infrastructure improvements at the Getwell Road and Harper Road Intersection .....\$ 350,000.00

(tttttttttt) To assist the Town of Blue Mountain, Mississippi, in paying the costs associated with improvements to the Blue Mountain Children's Park..... \$ 150,000.00

(uuuuuuuuuu) To assist the Town of Farmington, Mississippi, in paying the costs associated with computer equipment upgrades for city hall ..... \$ 25,000.00

(vvvvvvvvvv) To assist the City of Corinth, Mississippi, in paying the costs associated with the Corinth Veterans Honor Memorial..... \$ 25,000.00

(wwwwwwwww) To assist the University of Southern Mississippi in paying the costs associated with re-roofing the coliseum..... \$ 500,000.00

(xxxxxxxxxx) To assist Stone County, Mississippi, in paying the costs associated with road paving and improvements to county roads and bridges ..... \$ 500,000.00

(yyyyyyyyyy) To assist the City of Greenville, Mississippi, in paying the costs of construction and development of the downtown green space associated with the new federal courthouse as part of the Thad Cochran Project ..... \$ 500,000.00

(zzzzzzzzzz) To assist the City of Greenville, Mississippi, in paying the costs of redevelopment of Hangar 173 at airport to assist the Mississippi Delta Community College (MDCC) Aerospace Maintenance Instruction Program..... \$ 1,500,000.00

(aaaaaaaaaaa) To assist the City of Cleveland, Mississippi, in paying the costs associated with the Airport Terminal Road Extension Project ..... \$ 1,000,000.00

(bbbbbbbbbbb) To assist Tishomingo County, Mississippi, in paying the costs associated with a tornado siren and storm shelter at Carter's Branch Volunteer Fire Department ..... \$ 50,000.00

(ccccccccc) To assist the Town of Marietta, Mississippi, in paying the costs associated with an infrastructure project..... \$ 165,000.00

(dddddddddd) To assist the Town of Mantachie, Mississippi, in paying the costs associated with modernizing the town's police force..... \$ 100,000.00

(eeeeeeeeeee) To assist Tishomingo County, Mississippi, in paying the costs associated with a roof replacement for the Circuit Courthouse ..... \$ 400,000.00

(ffffffttttt) To assist the City of luka, Mississippi, in paying the costs associated with repairs and improvements to city streets ..... \$ 150,000.00

(ggggggggggg) To assist the Yellow Creek Inland Port Authority in paying the costs associated with infrastructure and port improvement..... \$ 1,500,000.00

(hhhhhhhhhhh) To assist Pontotoc County, Mississippi, in paying the costs associated with a Veteran's Service Center in Pontotoc ..... \$ 125,000.00

(iiiiiiiiiii) To assist Pontotoc County, Mississippi, in paying costs associated with improvements to the Fairgrounds/Exhibit Building Parking Project. .... \$ 100,000.00

(jjjjjjjjjjj) To assist the City of Calhoun City, Mississippi, in paying the costs associated with paving and improvements to city streets ..... \$ 200,000.00

(kkkkkkkkkkk) To assist the Mississippi Arts and Entertainment Experience (The MAX) in paying the costs associated with upgrading exhibits ..... \$ 250,000.00

(IIIIIIIIII) To assist Yazoo County, Mississippi, in paying costs associated with renovations at the Oakes African-American Cultural Center ..... \$ 100,000.00  
(mmmmmmmmmm) To assist the City of Pass Christian, Mississippi, in paying the costs associated with the Pass Christian Downtown Redevelopment Initiative .....\$ 750,000.00  
(nnnnnnnnnn) To assist Clay County, Mississippi, in paying the costs associated with the renovations of the county courthouse ..... \$ 350,000.00  
(ooooooo) To assist the City of West Point, Mississippi, in paying the costs associated with road paving and improvements to city streets ..... \$ 400,000.00  
(pppppppppp) To assist the City of Macon, Mississippi, for reimbursement to the city for engineers, clean up of debris, and to stabilize exterior of Electric Department when surrounding buildings collapsed  
(local state of emergency) ..... \$ 35,000.00  
(qqqqqqqqqq) To assist the Pascagoula Redevelopment Authority in paying the costs associated with the downtown revitalization project..... \$ 750,000.00  
(rrrrrrrrrr) To assist the City of Eupora, Mississippi, in paying the costs associated with the construction of an amphitheater..... \$ 50,000.00  
(ssssssssss) To assist the City of Eupora, Mississippi, in paying the costs associated with a walking trail ..... \$ 10,000.00  
(ttttttttt) To assist Lowndes County, Mississippi, in paying the costs associated with the construction, development, upgrades and improvements to the rail yard expansion at the West Bank Port, and other rail improvements in Lowndes County that provide otherwise support freight rail service to and from the West Bank Port .....\$ 3,200,000.00  
(uuuuuuuuuu) To assist the City of Jackson, Mississippi, in paying the costs associated with the widening, straightening and clearing debris from Eubanks Creek from State Street to Old Canton Road ..... \$ 500,000.00  
(vvvvvvvvvv) To assist the Department of Finance and Administration in paying the costs associated with the development of the LeFleur's Bluff Otter Creek Golf Park and Connector Trail Project..... \$13,250,000.00  
(wwwwwwwww) To assist the City of Vicksburg, Mississippi, in paying costs associated with the river front development ..... \$ 3,500,000.00  
(xxxxxxxxxx) To assist the City of Pelahatchie, Mississippi, in paying the costs associated with repairs and improvements to roads and bridges ..... \$ 300,000.00  
(yyyyyyyyyy) To assist the Marty Stuart Congress of Country Music Museum in paying the costs associated with the completion of the Ellis Theatre ..... \$ 500,000.00  
(zzzzzzzzzz) To assist the City of Water Valley, Mississippi, in paying the costs associated with upgrades and improvements to the city-owned electrical system.....\$ 500,000.00  
(aaaaaaaaaaaa) To assist the North Mississippi Health Services in paying the costs associated with the unfinished dedicated operating room for cesarean deliveries at the hospital in Amory, Mississippi, which room may be used as a negative pressure room ..... \$ 1,000,000.00  
(bbbbbbbbbbb) To assist the B.B. King Museum and Delta Interpretive Center in paying costs associated with renovations, repairs and improvements to the B.B. King Museum and Club Ebony..... \$ 2,500,000.00  
(ccccccccccc) To assist the Department of Finance and Administration – Bureau of Building, Ground and Real Property Management for the Mississippi Sports Hall of Fame and Museum in paying costs associated with renovations, repairs and improvements to the Mississippi Sports Hall of Fame ..... \$ 2,500,000.00  
(ddddddddddd) To assist the Town of Macon, Mississippi, in paying costs associated with storm cleanup and emergency operation including storm debris removal ..... \$ 75,000.00  
(eeeeeeeeeee) To assist Noxubee County, Mississippi, in paying costs associated with repair of the Veterans Building ..... \$ 25,000.00

(fffffffff) To assist Noxubee County, Mississippi, in paying costs associated with road maintenance and repairs ..... \$ 150,000.00

(ggggggggggg) \* \* \* [Deleted]

(hhhhhhhhhhh) To assist the Town of Vaiden, Mississippi, in paying costs associated with various infrastructure projects ..... \$ 100,000.00

(iiiiiiiiiii) To assist the Town of McCool, Mississippi, in paying costs associated with various infrastructure projects ..... \$ 100,000.00

(jjjjjjjjjjj) To assist the Tate County Heritage Museum in paying costs associated with acquisition and updating of exhibits and displays and repair, restoration, upgrades and improvements to equipment and facilities ..... \$ 50,000.00

(kkkkkkkkkkk) To assist the Mississippi's Toughest Kids Foundation in paying the costs associated with:

(i) Design, preplanning, construction, furnishing and equipping of buildings and related facilities at Camp Kamassa in Copiah County, Mississippi; and

(ii) Design, preplanning, construction and development of infrastructure at Camp Kamassa in Copiah County, Mississippi ..... \$ 1,000,000.00

SECTION 2. Section 37-101-83, Mississippi Code of 1972, is amended as follows:

37-101-83. (a) (i) A special fund, to be designated as the "2022 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University	Preplanning for repair, renovation, and expansion of and upgrades and improvements to the David L. Whitney Complex and Wellness Center; campus safety and security project, including open space development, sprinkler systems for dormitories, security camera installation, card access systems, street lighting, and emergency kiosks; and repair, renovation and upgrading of campus infrastructure.....	\$ 5,040,000.00
	Repair and renovation of and upgrades and improvements to the Math and Science Building.....	\$ 1,040,000.00
		\$ 4,000,000.00
Delta State University	Repair, renovation and replacement of and	\$ 5,640,000.00

upgrades and  
improvements to HVAC systems  
and related equipment and  
infrastructure.....\$ 3,937,500.00

Repair and renovation  
for ADA compliance  
for the Bologna Performing  
Arts Center.....\$ 1,702,500.00

Jackson State University ..... \$ 12,000,000.00

Construction, furnishing  
and equipping of a new  
dining facility and  
related facilities.....\$ 12,000,000.00

Mississippi State University ..... \$ 14,680,000.00

Repair, renovation, construction,  
acquisition of property, furnishing  
and equipping of related  
facilities to house the  
College of Architecture,  
Art and Design.....\$ 14,680,000.00

Mississippi State University/Division of  
Agriculture, Forestry and Veterinary Medicine ..... \$ 9,610,000.00

Repair and renovation  
of and upgrades and  
improvements to  
Dorman Hall and  
related facilities.....\$ 9,610,000.00

Mississippi University for Women ..... \$ 2,500,000.00

Repair, renovation,  
and upgrading of  
campus buildings  
and facilities.....\$ 2,500,000.00

Mississippi Valley State University..... \$ 10,200,000.00

Repair, renovation,  
\* \* \* expansion of  
\* \* \* and improvements to  
\* \* \* existing buildings and facilities on  
\* \* \* the main campus.....\$ 10,200,000.00

University of Mississippi ..... \$ 5,500,000.00

Construction, furnishing  
and equipping of a new  
mechanical and power  
plant building and related  
facilities.....\$ 4,500,000.00

Preplanning for  
construction,  
furnishing and  
equipping of a  
new building and  
related facilities  
to house the School  
of Accountancy.....\$ 1,000,000.00

University of Mississippi Medical Center..... \$ 8,000,000.00

Repair, renovation,  
and upgrading of  
campus buildings  
and facilities.....\$ 8,000,000.00

University of Southern Mississippi ..... \$ 11,000,000.00

Construction, furnishing

and equipping of a new  
science research facility...\$ 11,000,000.00  
IHL Education and Research Center ..... \$ 1,400,000.00  
Repair and replacement of  
chillers and related  
equipment for the campus  
air conditioning and  
heating system.....\$ 1,400,000.00  
TOTAL ..... \$ 85,570,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 1 of Chapter 510, Laws of 2022, from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this section may be used for general repairs and renovations at the institution of higher learning.

#### SECTION 3. Section 1, Chapter 109, Laws of 2022, is amended as follows:

Section 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the Gulf Coast Restoration Fund, as created in Section 57-119-1 Mississippi Code of 1972, not otherwise appropriated to the Mississippi Development Authority. These funds are provided for projects as outlined in Section 57-119-9, Mississippi Code of 1972, for assistance to local units of government, nongovernmental organizations, institutions of higher learning, community colleges, ports, airports, public-private partnerships, private for-profit entities, private nonprofit entities and local economic development entities for the fiscal year beginning July 1, 2022, and ending June 30, 2023 ..... \$ \* \* \* 37,061,356.00.

Of the funds appropriated in this section the following sums are provided for projects:

(a) To assist the Gulfport Redevelopment Commission for the completion of the second and final phase of a mixed-use, downtown redevelopment project, including public use components, so as to leverage public and private investment...\$ 8,000,000.00

(b) To assist the City of Pass Christian with the Water Front Redevelopment Plan.....\$ 3,000,000.00

(c) To assist the Pascagoula Redevelopment Authority with the City of Pascagoula Rail Line Development Plan.....\$ 3,061,356.00  
(d) To assist the City of Biloxi with the Popp's Ferry Extension Project.....\$ 3,000,000.00  
(e) To assist the City of Waveland with the Waveland Marina Phase I.....\$ 2,000,000.00  
(f) To assist the Ocean Springs Redevelopment Authority with City of Ocean Springs Projects.....\$ 2,000,000.00  
(g) To assist the City of Moss Point with Moss Point's Magnificent Mile 2.0.....\$ 2,000,000.00  
(h) To assist the Hancock County Port and Harbor Commission with the Technology Park at Stennis Airport Phase I.....\$ 2,000,000.00  
(i) To assist the Pearl River County Board of Supervisors with the Pearl River County Industrial Park Project.....\$ 1,600,000.00  
(j) To assist the City of Long Beach with the Long Beach Harbor Complex Restoration.....\$ 1,000,000.00  
(k) To assist the City of Bay St. Louis with the City Public Safety Complex.....\$ 1,000,000.00  
(l) To assist the Mississippi State University Research and Technology Corporation with continued development of the Mississippi Cyber Center Project.....\$ 1,000,000.00  
(m) To assist the City of Diamondhead with the Commerce District Transportation.....\$ 900,000.00  
(n) To assist \* \* \* Heritage Spring Water, LLC., with the Heritage Spring Water Project in Stone County, Mississippi.....\$ 600,000.00  
(o) To assist the Ocean Springs Collective with Ocean Springs Collective Projects.....\$ 400,000.00  
(p) To assist the Mississippi Export Railroad with Mississippi Export Projects.....\$ 3,500,000.00  
(q) To assist the Greater Biloxi Economic Development Foundation and JDLE, LLC with the Downtown Redevelopment of Barq's and Kress Buildings on Howard Avenue.....\$ 2,000,000.00  
\* \* \*

SECTION 4. Section 5, Chapter 64, Law of 2022, is amended as follows:

Section 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: \* \* \*925

Time-Limited: \* \* \*82

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2024 do not exceed Fiscal Year 2023 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2023 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which shall be published by the State Personnel Board. Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2023 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2023 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board with the exception of new hires that are determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of

Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

Funds have been appropriated herein for the purpose of funding Project SEC2 minimum salaries for all employees covered under the Colonel Guy Groff/Neville Kenning Variable Compensation Plan. It shall be the agency's responsibility to ensure that the funds are used to increase all employees' salaries up to the minimum level as determined by the State Personnel Board.

SECTION 5. Section 9, Chapter 98, Laws of 2022, appropriation to the Workers' Compensation Commission, is amended as follows:

Section 9. Of the funds appropriated under the provisions of Section 2 of this act, Seventy-five Thousand Dollars (\$75,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of \* \* \* infrastructure improvements to the commission's building, including, but not limited to, compliance with the Americans with Disabilities Act.

SECTION 6. Section 57-1-16, Mississippi Code of 1972, is amended as follows:  
57-1-16. (1) As used in this section:

(a) "Extraordinary economic development opportunity" means a new or expanded business or industry which maintains a strong financial condition and minimal credit risk and creates substantial employment, particularly in areas of high unemployment. The term "extraordinary economic development opportunity" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) "Local economic development entities" means state institutions of higher learning or public or private nonprofit local economic development entities including, but not limited to, chambers of commerce, local authorities, commissions or other entities created by local and private legislation or districts created pursuant to Section 19-5-99.

(c) "MDA" means the Mississippi Development Authority.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the ACE Fund, which shall consist of money from any public or private source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. The purpose of the fund shall be to assist in maximizing extraordinary economic development opportunities related to any new or expanded business or industry or to assist a local unit of government as authorized in subsection (5) of this section. Such funds may be used to make grants to local economic development entities to assist any new or expanding business or industry that meets the criteria provided in this section when such assistance aids the consummation of a project within the State of Mississippi, including any federal Indian reservation located within the geographical boundary of Mississippi, or to make grants to a local unit of government as authorized in subsection (5) of this section.

(b) Monies in the fund which are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature.



Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a grant program to make grants from the ACE Fund created under this section. Local economic development entities may apply to the MDA for a grant under this section in the manner provided for in subsection (4) of this section. Local units of government may apply to the MDA for a grant under this section in the manner provided in subsection (5) of this section.

(4) (a) Any business or industry desiring assistance from a local economic development entity under this section shall submit an application to the local economic development entity which shall include, at a minimum:

- (i) Evidence that the business or industry meets the definition of an extraordinary economic development opportunity;
- (ii) A demonstration that the business or industry is at an economic disadvantage by locating the new or expanded project in the county;
- (iii) A description, including the cost, of the requested assistance;
- (iv) A description of the purpose for which the assistance is

requested;

- (v) A two-year business plan;
- (vi) Financial statements or tax returns for the three (3) years immediately prior to the application;
- (vii) Credit reports on all persons or entities with a twenty percent (20%) or greater interest in the business or industry; and
- (viii) Any other information required by the MDA.

(b) The MDA shall require that binding commitments be entered into requiring that:

- (i) The minimum requirements of this section and such other requirements as the MDA considers proper shall be met; and
- (ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(c) Upon receipt of the application from a business or industry, the local economic development entity may apply to the MDA for assistance under this section. Such application must contain evidence that the business or industry meets the definition of an extraordinary economic development opportunity, a demonstration that the business or industry is at an economic disadvantage by locating the new or expanded project in the county, a description, including the cost, of the requested assistance, and a statement of what efforts have been made or are being made by the business or industry for securing or qualifying for other local, state, federal or private funds for the project.

(d) The MDA shall have sole discretion in the awarding of ACE funds, provided that the business or industry and the local economic development entity have met the statutory requirements of this section. However, in making grants under this section, the MDA shall attempt to provide for an equitable distribution of such grants among each of the congressional districts of this state in order to promote economic development across the entire state.

(5) (a) The MDA may make grants to local units of government to assist the local unit of government in purchasing real property for the benefit of an existing industry that commits to maintain a minimum of one thousand three hundred (1,300) jobs for a minimum of ten (10) years after the date the grant is made. The MDA shall not make grants under this subsection to assist local units of government for the benefit of any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(b) Any local unit of government seeking a grant authorized under this subsection shall apply to MDA. The application shall contain such information as the MDA may require.

(c) The MDA shall require that binding commitments be entered into requiring that:

- (i) The minimum requirements of this subsection and such other requirements as the MDA considers proper shall be met; and
- (ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(6) The MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, for the implementation of this section. However, before the implementation of any such rules and regulations, they shall be submitted to a committee consisting of five (5) members of the Senate Finance Committee and five (5) members of the House of Representatives Ways and Means Committee, appointed by the respective committee chairmen.

SECTION 7. Section 57-1-701, Mississippi Code of 1972, is amended as follows:

57-1-701. (1) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this subsection unless the context clearly indicates otherwise:

(a) "Eligible entity" means any (i) county, (ii) municipality or (iii) public or private nonprofit local economic development entity including, but not limited to, local authorities, commissions, or other entities created by local and private legislation or pursuant to Section 19-5-99.

(b) "Optioned property" means industrial property that is subject to a real estate option to purchase contract entered into between an eligible entity and a real estate owner, where such option shall be for a minimum of three (3) years and the option price shall not exceed the appraised fair market value of the real estate.

(c) "Eligible expenditures" means:

(i) Fees for architects, engineers, environmental consultants, attorneys, and such other advisors, consultants and agents that MDA determines are necessary to complete site due diligence associated with site development improvements located on industrial property that is publicly owned or is optioned property;

(ii) Contributions toward site development improvements, as approved by MDA, located on industrial property that is publicly owned;

(iii) Contributions toward public infrastructure improvements directly serving industrial property that is publicly owned or is optioned property; and/or

(iv) Contributions toward acquisition of publicly owned real property used for economic development purposes by an eligible entity, where the acquisition price shall not exceed the appraised fair market value of the property.

(d) "MDA" means the Mississippi Development Authority.

(e) "Site development improvements" means site clearing, grading, and environmental mitigation; improvements to drainage systems; easement and right-of-way acquisition; sewer systems; transportation directly affecting the site, including roads, bridges or rail; bulkheads; taxiways and parking ramps; land reclamation; water supply (storage, treatment and distribution); telecommunications systems, including fiber optic; natural gas distribution systems; aesthetic improvements; the dredging of channels and basins; or other improvements as approved by MDA.

(2) (a) There is hereby created in the State Treasury a special fund to be designated as the "Mississippi Site Development Grant Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used to make grants to assist eligible entities as provided in this section.

(b) Monies in the fund which are derived from proceeds of bonds issued under Section 2 of Chapter 390, Laws of 2017, Section 5 of Chapter 412, Laws of 2018, Section 1 of Chapter 421, Laws of 2019, Section 4 of Chapter 492, Laws of 2020, or Section 8 of Chapter 480, Laws of 2021 or provided by the Legislature, may be used to reimburse reasonable actual and necessary costs incurred by MDA for the administration of the various grant, loan and financial incentive programs administered by MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

(3) (a) MDA shall establish a program to make grants to eligible entities to match local or other funds associated with improving the marketability of publicly owned industrial property for industrial economic development purposes and other property improvements as approved by MDA. An eligible entity may apply to MDA for a grant under this program in the manner provided for in this section. An eligible entity desiring assistance under this section must provide matching funds in an amount determined by MDA. Matching funds may be provided in the form of cash and/or in-kind services as determined by MDA.

(b) An eligible entity desiring assistance under this section must submit an application to MDA. The application must include:

- (i) A description of the eligible expenditures for which assistance is requested;
- (ii) The amount of assistance requested;
- (iii) The amount and type of matching funds to be provided by the eligible entity; and
- (iv) Any other information required by MDA.

(c) Upon request by MDA, an eligible entity shall provide MDA with access to all studies, reports, documents and/or plans developed as a result of or related to an eligible entity receiving assistance under this section.

(4) MDA shall have all powers necessary to implement and administer the program established under this section, and the department shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(5) MDA shall file an annual report with the Governor, the Secretary of the Senate and the Clerk of the House of Representatives not later than December 1 of each year, describing all assistance provided under this section.

SECTION 8. Section 57-61-21, Mississippi Code of 1972, is amended as follows:

57-61-21. (1) There is hereby created a special fund in the State Treasury to be known as the Mississippi Business Investment Fund dedicated to the purpose of providing grants and/or loans to municipalities for the purpose of providing for improvements authorized by this chapter. All monies received by the board to carry out the purposes of this chapter, by legislative appropriation, issuance of bonds or otherwise, shall be deposited into the Mississippi Business Investment Fund. Expenditures authorized herein shall be paid by the State Treasurer upon warrants drawn from the Mississippi Business Investment Fund, and the State Auditor, or his successor to such duties, shall issue warrants upon requisitions signed by the Chairman or Executive Director of the Mississippi \* \* \* Development Authority.

(2) Any monies repaid to the state from loans funded through the Mississippi Business Investment Fund shall be deposited into the Mississippi Business Investment Sinking Fund, which is hereby created in the State Treasury. Funds required in excess of the amounts available in the Mississippi Business Investment Sinking Fund to retire bonds issued pursuant to this chapter shall be appropriated from the State General Fund.

(3) Monies in the fund which are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature.

SECTION 9. Section 57-61-25, Mississippi Code of 1972, is amended as follows:

57-61-25. (1) The seller is authorized to borrow, on the credit of the state upon receipt of a resolution from the Mississippi Development Authority requesting the same, monies not exceeding the aggregate sum of Three Hundred Ninety-seven Million Five Hundred Thousand Dollars (\$397,500,000.00), not including monies borrowed to refund outstanding bonds, notes or replacement notes, as may be necessary to carry out the purposes of this chapter. The rate of interest on any such bonds or notes which are not subject to taxation shall not exceed the rates set forth in Section 75-17-101, Mississippi Code of 1972, for general obligation bonds.

(2) As evidence of indebtedness authorized in this chapter, general or limited obligation bonds of the state shall be issued, from time to time, to provide monies necessary to carry out the purposes of this chapter for such total amounts, in such form, in such denominations payable in such currencies (either domestic or foreign, or both) and subject to such terms and conditions of issue, redemption and maturity, rate of interest and time of payment of interest as the seller directs, except that such bonds shall mature or otherwise be retired in annual installments beginning not more than five (5) years from date thereof and extending not more than thirty (30) years from date thereof.

(3) All bonds and notes issued under authority of this chapter shall be signed by the chairman of the seller, or by his facsimile signature, and the official seal of the seller shall be affixed thereto, attested by the secretary of the seller.

(4) All bonds and notes issued under authority of this chapter may be general or limited obligations of the state, and the full faith and credit of the State of Mississippi as to general obligation bonds, or the revenues derived from projects assisted as to limited obligation bonds, are hereby pledged for the payment of the principal of and interest on such bonds and notes.

(5) Such bonds and notes and the income therefrom shall be exempt from all taxation in the State of Mississippi.

(6) The bonds may be issued as coupon bonds or registered as to both principal and interest, as the seller may determine. If interest coupons are attached, they shall contain the facsimile signature of the chairman and secretary of the seller.

(7) The seller is authorized to provide, by resolution, for the issuance of refunding bonds for the purpose of refunding any debt issued under the provisions of this chapter and then outstanding, either by voluntary exchange with the holders of the outstanding debt or to provide funds to redeem and the costs of issuance and retirement of the debt, at maturity or at any call date. The issuance of the refunding bonds, the maturities and other details thereof, the rights of the holders thereof and the duties of the issuing officials in respect to the same shall be governed by the provisions of this section, insofar as they may be applicable.

(8) As to bonds issued hereunder and designated as taxable bonds by the seller, any immunity of the state to taxation by the United States government of interest on bonds or notes issued by the state is hereby waived.

(9) The proceeds of bonds issued under this chapter after April 9, 2002, and any monies provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi Development Authority. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 10. Section 65-4-15, Mississippi Code of 1972, is amended as follows:

65-4-15. (1) There is hereby established a special fund in the State Treasury to be known as the "Economic Development Highway Fund" which shall consist of such monies as the Legislature shall appropriate thereto or such other monies as the Legislature may designate to be deposited therein. Any monies to the credit of such fund may be expended by the Mississippi Department of Transportation or political subdivision, as appropriate, upon approval of requisitions therefor by the Mississippi Development Authority for any expenses incurred by the Transportation Department or political subdivision in constructing and improving highways and highway segments which have been approved by the Mississippi Development Authority under the provisions of this chapter. From and after July 1, 2004, no monies to the credit of the fund may be expended for the construction and improvement of highways for high economic benefit projects that are being developed for the primary purpose of conducting retail sales unless the Mississippi Development Authority has received an application for the project prior to July 1, 2004; however, the primary purpose is not conducting retail sales if the project is a mixed-use development for which retail space is no more than twenty percent (20%) of the square footage of the development. With

regard to a high economic benefit project as defined in Section 65-4-5(1)(c)(xiii) for which the Mississippi Development Authority approved and allocated monies in the fund before January 1, 2016, for constructing or improving a highway or highway segment related to the high economic benefit project, the Mississippi Development Authority may reallocate such monies from the original highway or highway segment purpose and allocate the funds for constructing or improving another highway or highway segment provided that such highway or highway segment is located within three (3) miles of the high economic benefit project for which the Mississippi Development Authority originally allocated and approved the monies. The Office of State Aid Road Construction shall be entitled to reimbursement from monies in the fund, upon approval by the Mississippi Development Authority of requisitions therefor by the State Aid Engineer, for the actual expenses incurred by the office in administering and providing engineering services to political subdivisions. Monies remaining unexpended to the credit of such special fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on the investment of monies in the special fund shall be deposited to the credit of the fund.

(2) Monies in the Economic Development Highway Fund which are derived from proceeds of bonds issued under this chapter after July 1, 2003, or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Development Authority for the administration of the various grant, loan and financial incentive programs administered by the authority. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the Mississippi Development Authority. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements to the Mississippi Development Authority under this subsection shall satisfy any applicable federal tax law requirements.

SECTION 11. Section 57-1-221, Mississippi Code of 1972, is amended as follows:

57-1-221. (1) As used in this section:

(a) "Approved business enterprise" means any project that:

(i) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of two hundred fifty (250) new, full-time jobs with a total capital investment in the state of a minimum of Thirty Million Dollars (\$30,000,000.00) in Tier 1 or Tier 2 counties;

(ii) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of one hundred fifty (150) new, full-time jobs with a total capital investment in the state of a minimum of Fifteen Million Dollars (\$15,000,000.00) in areas federally designated as low-income census tracts;

(iii) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and creates a minimum of one thousand (1,000) new, full-time jobs;

(iv) Is a manufacturer of high-end kitchen appliances having at least four hundred (400) employees working at its Mississippi facilities on January 1, 2015, and with a capital investment of at least Five Million Dollars (\$5,000,000.00) made after July 1, 2014, through four (4) years after July 1, 2015, that expands in this state, including any federal Indian reservation located within the geographical boundary of this state, and retains a minimum of four hundred (400) jobs; or

(v) Locates or expands in this state, including any federal Indian reservation located within the geographical boundary of this state, with significant regional impact as determined by MDA.

(b) "MDA" means the Mississippi Development Authority.

(c) "Facility related to the project" means and includes any of the following, as they may pertain to the project:

(i) Facilities to provide potable and industrial water supply systems, sewage and waste disposal systems and water, natural gas and electric transmission systems to the site of the project;

(ii) Building facilities and equipment necessary to operate the facility;

- (iii) Rail lines;
- (iv) Airports, airfields, air terminals and port facilities;
- (v) Highways, streets and other roadways; and
- (vi) Fire protection facilities, equipment and elevated water tanks.

(d) "Project" means any industrial, commercial, research and development, warehousing, distribution, transportation, processing, mining, United States government or tourism enterprise together with all real property required for construction, maintenance and operation of the enterprise that is approved by the MDA. The term "project" does not include any medical cannabis establishment as defined in the Mississippi Medical Cannabis Act.

(2) (a) There is created a special fund in the State Treasury to be known as the Mississippi Industry Incentive Financing Revolving Fund which shall consist of monies from any source designated for deposit into the fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Except as otherwise provided, monies in the fund shall be disbursed by the Mississippi Development Authority for the purposes authorized in subsection (3) of this section. The Mississippi Development Authority shall allocate and disburse Thirty Million Dollars (\$30,000,000.00) from the fund as a grant to Mississippi State University for the construction, furnishing and equipping of a high-performance computing data center that is home to federally designated centers of computing excellence. The disbursement of such funds shall not be subject to any requirements of this section relating to grants and loans made by the Mississippi Development Authority under this section. The Mississippi Development Authority shall allocate and disburse Three Million Dollars (\$3,000,000.00) from the fund as a grant to Delta Health System for capital costs related to hospital systems expansion. The disbursement of such funds shall not be subject to any requirements of this section relating to grants and loans made by the Mississippi Development Authority under this section. The Mississippi Development Authority shall disburse such funds to Delta Health System not later than thirty (30) days after April 22, 2021.

(b) Monies in the fund that are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA for the administration of the various grant, loan and financial incentive programs administered by the MDA. An accounting of actual costs incurred for which reimbursement is sought shall be maintained by the MDA. Reimbursement of reasonable actual and necessary costs shall not exceed three percent (3%) of the proceeds of bonds issued or the monies provided by the Legislature. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a program to make grants or loans from the Mississippi Industry Incentive Financing Revolving Fund to local governments, including, but not limited to, counties, municipalities, industrial development authorities and economic development districts, and approved business enterprises to construct or otherwise provide facilities related to the project. Local governments are authorized to accept grants and enter into loans authorized under the program, and to sell, lease or otherwise dispose of a project or any property related to the project in whole or in part.

(4) (a) Except as otherwise provided in this section, any business enterprise or local government desiring a grant or loan under this section shall submit an application to the MDA which shall include, at a minimum:

- (i) Evidence that the business or industry meets the definition of an approved business enterprise;
- (ii) A description, including the cost, of the requested assistance;
- (iii) A description of the purpose for which the assistance is requested; and
- (iv) Any other information required by the MDA.

(b) Except as otherwise provided in this section, the MDA shall require that binding commitments be entered into requiring that:

(i) The minimum requirements of this section and such other requirements as the MDA considers proper shall be met; and

(ii) If such requirements are not met, all or a portion of the funds provided by this section as determined by the MDA shall be repaid.

(c) Upon receipt of the application from a business enterprise or local government for a grant or loan under this section, the MDA shall determine whether the enterprise meets the definition of an approved business enterprise and determine whether to provide the assistance requested in the form of a grant or a loan.

(d) Except as otherwise provided in subsection (2)(a) of this section, the MDA shall have sole discretion in providing grants or loans under this section. The terms of a grant or loan provided under this section and the manner of repayment of any loan shall be within the discretion of the MDA. Repayments of loans made under this section shall be deposited to the credit of the Mississippi Industry Incentive Financing Revolving Fund until the uncommitted balance in the fund reaches Fifty Million Dollars (\$50,000,000.00). Once the uncommitted balance in the fund reaches Fifty Million Dollars (\$50,000,000.00), repayments of loans under this section shall be deposited to the credit of Fund No. 3951 in the State Treasury to pay debt service on bonds until such time as the uncommitted balance in the fund falls below Fifty Million Dollars (\$50,000,000.00).

(e) The MDA shall notify the Chairman of the Senate Finance Committee and the Chairman of the House Ways and Means Committee of the approval of any grant or loan application thirty (30) days prior to the disbursement of any monies for the loan or grant from the Mississippi Industry Incentive Financing Revolving Fund. The notification shall identify the applicant and the purposes for which the loan or grant is made.

(5) (a) Contracts, by local governments, including, but not limited to, design and construction contracts, for the acquisition, purchase, construction or installation of a project shall be exempt from the provisions of Section 31-7-13 if:

(i) The MDA finds and records such finding on its minutes, that because of availability or the particular nature of a project, it would not be in the public interest or would less effectively achieve the purposes of this section to enter into such contracts on the basis of Section 31-7-13; and

(ii) The approved business enterprise that is involved in the project concurs in such finding.

(b) When the requirements of paragraph (a) of this subsection are met:

(i) The requirements of Section 31-7-13 shall not apply to such contracts; and

(ii) The contracts may be entered into on the basis of negotiation.

(6) It is the policy of the MDA and the MDA is authorized to accommodate and support any enterprise that receives a loan under this section for a project defined in Section 17-25-23 that wishes to have a program of diversity in contracting, and/or that wishes to do business with or cause its prime contractor to do business with Mississippi companies, including those companies that are small business concerns owned and controlled by socially and economically disadvantaged individuals. The term "socially and economically disadvantaged individuals" shall have the meaning ascribed to such term under Section 8(d) of the Small Business Act (15 USCS 637(d)) and relevant subcontracting regulations promulgated pursuant thereto; except that women shall be presumed to be socially and economically disadvantaged individuals for the purposes of this subsection.

(7) The MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, for the implementation of this section.

SECTION 12. Section 57-1-601, Mississippi Code of 1972, is amended as follows:

57-1-601. (1) For the purposes of this section, the following words shall have the following meanings ascribed in this section, unless the context clearly otherwise requires:

(a) "MDA" means the Mississippi Development Authority.

(b) "Municipality" means any municipality with a population of less than fifteen thousand (15,000) according to the latest federal decennial census at the time the municipality submits an application to the MDA under this section.

(c) "Revitalization zone" means an area in the municipality officially designated by ordinance or resolution of the governing authorities of the municipality as a revitalization zone and approved and certified by the MDA as meeting the requirements of this section.

(2) (a) There is created in the State Treasury a special fund to be designated as the "Mississippi Main Street Investment Grant Fund" which shall consist of funds from any source designated for deposit into the fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the MDA for the purposes authorized in subsection (3) of this section.

(b) Monies in the fund which are derived from the proceeds of general obligation bonds or provided by the Legislature may be used to reimburse reasonable actual and necessary costs incurred by the MDA in providing grants under this section through the use of proceeds of such general obligation bonds. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for the program. Reimbursement of reasonable actual and necessary costs for assistance shall not exceed three percent (3%) of the proceeds of bonds issued for such assistance or the monies provided by the Legislature. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.

(3) The MDA shall establish a program to make grants to a municipality to assist with maintaining and improving the viability of revitalization zones. The proceeds of a grant made to a municipality under this section may be used for maintaining and/or improving the viability of a revitalization zone through means deemed appropriate by the governing authorities of a municipality, including, but not limited to, making loans, grants and/or other forms of assistance to any person or public or private association or other entity for use for infrastructure projects, improvements to properties, signage and other purposes related to maintaining and/or improving the viability of the revitalization zone.

(4) (a) If a municipality desires a grant under this section, the municipality shall submit an application to the MDA seeking (i) approval and certification of the proposed revitalization zone and (ii) a grant for the purposes authorized in this section. The application shall include, at a minimum:

1. The name of the proposed revitalization zone, together with the words, "revitalization zone";
2. A description of the revitalization zone by metes and bounds;
3. A map showing the parcels of real property included in the revitalization zone and the present use of such parcels;
4. A master plan for the revitalization zone that has been approved by sixty percent (60%) of the property owners within the zone at the time the municipality submits the application; and
5. Any other information required by the MDA. The governing authorities of a municipality may designate the boundaries of a proposed revitalization zone by adoption of an ordinance or resolution that is spread upon its minutes and describes the boundaries of the zone.

(b) The MDA shall review the application to confirm that the revitalization zone meets the requirements of this section. A revitalization zone may embrace two (2) or more separate parcels of real property, and such property may be publicly and/or privately owned. Each revitalization zone shall be of such size and form as to include all properties that, in the determination of the municipality and the MDA, constitute an integral part of the revitalization zone. If the MDA determines that the boundaries of the proposed revitalization zone exceed the area that is reasonably deemed to be integral to the revitalization zone, the MDA may reduce the boundaries of the proposed area. Upon the approval and selection of a municipal revitalization zone project, the MDA shall certify the revitalization zone.



(5) The MDA shall have all powers necessary to implement and administer the program established under this section, and the MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

SECTION 13. Section 65-1-183, Mississippi Code of 1972, is amended as follows:

65-1-183. There is created in the State Treasury a special fund to be designated as the "2022 Infrastructure Match Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation, upon appropriation by the Legislature, to provide for funds necessary to match projected federal funds available through the following federal fiscal year from the annual Federal Highway Administration appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations. The Department of Transportation is authorized to transfer funds from the 2022 Infrastructure Match Fund to the department's agency support fund subject to the following provisions: The total amount of all such transfers shall not exceed the amount appropriated by the Legislature from the 2022 Infrastructure Match Fund for the fiscal year in which the transfers are made, and those transfers shall not reduce the amount of the spending authority provided to the department by that appropriation. The department shall document those transfers through a reconciliation with the Department of Finance and Administration.

SECTION 14. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-104-371, MISSISSIPPI CODE OF 1972, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED FROM DISBURSEMENTS FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 37-101-83, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSE OF A PROJECT FOR MISSISSIPPI VALLEY STATE UNIVERSITY FUNDED FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 1, CHAPTER 109, LAWS OF 2022, TO REVISE THE APPROPRIATION OF GULF COAST RESTORATION FUNDS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2023 TO REVISE THE USE OF FUNDS TO THE HERITAGE SPRING WATER, LLC., AND TO DELETE ONE PROJECT; TO AMEND SECTION 5, CHAPTER 64, LAWS OF 2022, TO REVISE THE AUTHORIZED HEADCOUNT NUMBERS FOR THE DIVISION OF MEDICAID FOR PERMANENT AND TIME-LIMITED POSITIONS; TO AMEND SECTION 9, CHAPTER 98, LAWS OF 2022, TO REVISE THE PURPOSE OF THE APPROPRIATION TO THE WORKERS' COMPENSATION COMMISSION; TO AMEND SECTION 57-1-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE ACE FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-61-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES FROM THE PROCEEDS OF BONDS AND PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI BUSINESS INVESTMENT FUND AND THE MISSISSIPPI BUSINESS INVESTMENT SINKING FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT

AUTHORITY; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN A CERTAIN FUND CREATED IN THE MISSISSIPPI BUSINESS ACT MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 65-4-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE ECONOMIC DEVELOPMENT HIGHWAY FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-221, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-601, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI MAIN STREET INVESTMENT GRANT FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 65-1-183, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO TRANSFER FUNDS FROM THE 2022 INFRASTRUCTURE MATCH FUND TO THE DEPARTMENT'S AGENCY SUPPORT FUND SUBJECT TO CERTAIN PROVISIONS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Angela Cockerham

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1089** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk offered the following report of the Conference Committee on **S. B. No. 2538** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2538: Mississippi Regional Pre-Need Disaster Clean Up Act; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) This section shall be known and may be cited as the "Mississippi Regional Pre-Need Disaster Clean Up Act."

(2) For the purposes of this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Disaster-related" means arising out of a severe weather event or other emergency as declared by the Governor.

(b) "Pre-Need" means a contract entered into in advance of the need for the goods or services, such that the contracted entity is retained before the need for performance of the contract.

SECTION 2. It is the intent of the Mississippi Legislature that counties and municipalities be authorized to participate in regional pre-need contracts, negotiated in advance by the State after a public bidding process, for disaster-related solid waste collection, disposal, and monitoring, such that the citizens of those counties and municipalities will be quickly and adequately served while recovering from the disaster.

SECTION 3. Section 31-7-13, Mississippi Code of 1972, as amended by House Bill No. 249, 2023 Regular Session, is amended as follows:

31-7-13. All agencies and governing authorities shall purchase their commodities and printing; contract for garbage collection or disposal; contract for solid waste collection or disposal; contract for sewage collection or disposal; contract for public construction; and contract for rentals as herein provided.

(a) Bidding procedure for purchases not over \$5,000.00. Purchases which do not involve an expenditure of more than Five Thousand Dollars (\$5,000.00), exclusive of freight or shipping charges, may be made without advertising or otherwise requesting competitive bids. However, nothing contained in this paragraph (a) shall be construed to prohibit any agency or governing authority from establishing procedures which require competitive bids on purchases of Five Thousand Dollars (\$5,000.00) or less.

(b) Bidding procedure for purchases over \$5,000.00 but not over \$75,000.00. Purchases which involve an expenditure of more than Five Thousand Dollars (\$5,000.00) but not more than Seventy-five Thousand Dollars (\$75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder without publishing or posting advertisement for bids, provided at least two (2) competitive written bids have been obtained. Any state agency or community or junior college purchasing commodities or procuring construction pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, to accept the lowest competitive written bid under Seventy-five Thousand Dollars (\$75,000.00). Any governing authority purchasing commodities pursuant to this paragraph (b) may authorize its purchasing agent, or his designee, with regard to governing authorities other than counties, or its purchase clerk, or his designee, with regard to counties, to accept the lowest and best competitive written bid. Such authorization shall be made in writing by the governing authority and shall be maintained on file in the primary office of the agency and recorded in the official minutes of the governing authority, as appropriate. The purchasing agent or the purchase clerk, or his designee, as the case may be, and not the governing authority, shall be liable for any penalties and/or damages as may be imposed by law for any act or omission of the purchasing agent or purchase clerk, or his designee, constituting a violation of law in accepting any bid without approval by the governing authority. The term "competitive

written bid" shall mean a bid submitted on a bid form furnished by the buying agency or governing authority and signed by authorized personnel representing the vendor, or a bid submitted on a vendor's letterhead or identifiable bid form and signed by authorized personnel representing the vendor. "Competitive" shall mean that the bids are developed based upon comparable identification of the needs and are developed independently and without knowledge of other bids or prospective bids. Any bid item for construction in excess of Five Thousand Dollars (\$5,000.00) shall be broken down by components to provide detail of component description and pricing. These details shall be submitted with the written bids and become part of the bid evaluation criteria. Bids may be submitted by facsimile, electronic mail or other generally accepted method of information distribution. Bids submitted by electronic transmission shall not require the signature of the vendor's representative unless required by agencies or governing authorities.

(c) Bidding procedure for purchases over \$75,000.00.

(i) Publication requirement.

1. Purchases which involve an expenditure of more than Seventy-five Thousand Dollars (\$75,000.00), exclusive of freight and shipping charges, may be made from the lowest and best bidder after advertising for competitive bids once each week for two (2) consecutive weeks in a regular newspaper published in the county or municipality in which such agency or governing authority is located. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. All references to American Recovery and Reinvestment Act projects in this section shall not apply to programs identified in Division B of the American Recovery and Reinvestment Act.

2. Reverse auctions shall be the primary method for receiving bids during the bidding process. If a purchasing entity determines that a reverse auction is not in the best interest of the state, then that determination must be approved by the Public Procurement Review Board. The purchasing entity shall submit a detailed explanation of why a reverse auction would not be in the best interest of the state and present an alternative process to be approved by the Public Procurement Review Board. If the Public Procurement Review Board authorizes the purchasing entity to solicit bids with a method other than reverse auction, then the purchasing entity may designate the other methods by which the bids will be received, including, but not limited to, bids sealed in an envelope, bids received electronically in a secure system, or bids received by any other method that promotes open competition and has been approved by the Office of Purchasing and Travel. However, reverse auction shall not be used for any public contract for design, construction, improvement, repair or remodeling of any public facilities, including the purchase of materials, supplies, equipment or goods for same and including buildings, roads and bridges. The Public Procurement Review Board must approve any contract entered into by alternative process. The provisions of this item 2 shall not apply to the individual state institutions of higher learning. The provisions of this item 2 requiring reverse auction as the primary method of receiving bids shall not apply to term contract purchases as provided in paragraph (n) of this section; however, a purchasing entity may, in its discretion, utilize reverse auction for such purchases. The provisions of this item 2 shall not apply to individual public schools, including public charter schools and public school districts, only when purchasing copyrighted educational supplemental materials and software as a service product. For such purchases, a local school board may authorize a purchasing entity in its jurisdiction to use a Request for Qualifications which promotes open competition and meets the requirements of the Office of Purchasing and Travel.

3. The date as published for the bid opening shall not be less than seven (7) working days after the last published notice; however, if the purchase involves a construction project in which the estimated cost is in excess of Seventy-five Thousand Dollars (\$75,000.00), such bids shall not be opened in less than fifteen (15) working days after the last notice is published and the notice for the purchase of such

construction shall be published once each week for two (2) consecutive weeks. However, all American Recovery and Reinvestment Act projects in excess of Twenty-five Thousand Dollars (\$25,000.00) shall be bid. For any projects in excess of Twenty-five Thousand Dollars (\$25,000.00) under the American Recovery and Reinvestment Act, publication shall be made one (1) time and the bid opening for construction projects shall not be less than ten (10) working days after the date of the published notice. The notice of intention to let contracts or purchase equipment shall state the time and place at which bids shall be received, list the contracts to be made or types of equipment or supplies to be purchased, and, if all plans and/or specifications are not published, refer to the plans and/or specifications on file. If there is no newspaper published in the county or municipality, then such notice shall be given by posting same at the courthouse, or for municipalities at the city hall, and at two (2) other public places in the county or municipality, and also by publication once each week for two (2) consecutive weeks in some newspaper having a general circulation in the county or municipality in the above-provided manner. On the same date that the notice is submitted to the newspaper for publication, the agency or governing authority involved shall mail written notice to, or provide electronic notification to the main office of the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority that contains the same information as that in the published notice. Submissions received by the Mississippi Procurement Technical Assistance Program for projects funded by the American Recovery and Reinvestment Act shall be displayed on a separate and unique Internet web page accessible to the public and maintained by the Mississippi Development Authority for the Mississippi Procurement Technical Assistance Program. Those American Recovery and Reinvestment Act related submissions shall be publicly posted within twenty-four (24) hours of receipt by the Mississippi Development Authority and the bid opening shall not occur until the submission has been posted for ten (10) consecutive days. The Department of Finance and Administration shall maintain information regarding contracts and other expenditures from the American Recovery and Reinvestment Act, on a unique Internet web page accessible to the public. The Department of Finance and Administration shall promulgate rules regarding format, content and deadlines, unless otherwise specified by law, of the posting of award notices, contract execution and subsequent amendments, links to the contract documents, expenditures against the awarded contracts and general expenditures of funds from the American Recovery and Reinvestment Act. Within one (1) working day of the contract award, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration, notice of the award, including the award recipient, the contract amount, and a brief summary of the contract in accordance with rules promulgated by the department. Within one (1) working day of the contract execution, the agency or governing authority shall post to the designated web page maintained by the Department of Finance and Administration a summary of the executed contract and make a copy of the appropriately redacted contract documents available for linking to the designated web page in accordance with the rules promulgated by the department. The information provided by the agency or governing authority shall be posted to the web page for the duration of the American Recovery and Reinvestment Act funding or until the project is completed, whichever is longer.

(ii) Bidding process amendment procedure. If all plans and/or specifications are published in the notification, then the plans and/or specifications may not be amended. If all plans and/or specifications are not published in the notification, then amendments to the plans/specifications, bid opening date, bid opening time and place may be made, provided that the agency or governing authority maintains a list of all prospective bidders who are known to have received a copy of the bid documents and all such prospective bidders are sent copies of all amendments. This notification of amendments may be made via mail, facsimile, electronic mail or other generally accepted method of information distribution. No addendum to bid specifications may be issued within two (2) working days of the time established for the receipt of bids unless such addendum also amends the bid opening to a date not less than five (5) working days after the date of the addendum.

(iii) Filing requirement. In all cases involving governing authorities, before the notice shall be published or posted, the plans or specifications for the construction or equipment being sought shall be filed with the clerk of the board of the governing authority. In addition to these requirements, a bid file shall be established which shall indicate those vendors to whom such solicitations and specifications were issued, and such file shall also contain such information as is pertinent to the bid.

(iv) Specification restrictions.

1. Specifications pertinent to such bidding shall be written so as not to exclude comparable equipment of domestic manufacture. However, if valid justification is presented, the Department of Finance and Administration or the board of a governing authority may approve a request for specific equipment necessary to perform a specific job. Further, such justification, when placed on the minutes of the board of a governing authority, may serve as authority for that governing authority to write specifications to require a specific item of equipment needed to perform a specific job. In addition to these requirements, from and after July 1, 1990, vendors of relocatable classrooms and the specifications for the purchase of such relocatable classrooms published by local school boards shall meet all pertinent regulations of the State Board of Education, including prior approval of such bid by the State Department of Education.

2. Specifications for construction projects may include an allowance for commodities, equipment, furniture, construction materials or systems in which prospective bidders are instructed to include in their bids specified amounts for such items so long as the allowance items are acquired by the vendor in a commercially reasonable manner and approved by the agency/governing authority. Such acquisitions shall not be made to circumvent the public purchasing laws.

(v) Electronic bids. Agencies and governing authorities shall provide a secure electronic interactive system for the submittal of bids requiring competitive bidding that shall be an additional bidding option for those bidders who choose to submit their bids electronically. The Department of Finance and Administration shall provide, by regulation, the standards that agencies must follow when receiving electronic bids. Agencies and governing authorities shall make the appropriate provisions necessary to accept electronic bids from those bidders who choose to submit their bids electronically for all purchases requiring competitive bidding under this section. Any special condition or requirement for the electronic bid submission shall be specified in the advertisement for bids required by this section. Agencies or governing authorities that are currently without available high speed Internet access shall be exempt from the requirement of this subparagraph (v) until such time that high speed Internet access becomes available. Any county having a population of less than twenty thousand (20,000) shall be exempt from the provisions of this subparagraph (v). Any municipality having a population of less than ten thousand (10,000) shall be exempt from the provisions of this subparagraph (v). The provisions of this subparagraph (v) shall not require any bidder to submit bids electronically. When construction bids are submitted electronically, the requirement for including a certificate of responsibility, or a statement that the bid enclosed does not exceed Fifty Thousand Dollars (\$50,000.00), on the exterior of the bid envelope as indicated in Section 31-3-21(1) and (2) shall be deemed in compliance with by including same as an attachment with the electronic bid submittal.

(d) Lowest and best bid decision procedure.

(i) Decision procedure. Purchases may be made from the lowest and best bidder. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed

calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(ii) Decision procedure for Certified Purchasing Offices. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), Certified Purchasing Offices may also use the following procedure: Purchases may be made from the bidder offering the best value. In determining the best value bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions, documented previous experience, training costs and other relevant provisions, including, but not limited to, a bidder having a local office and inventory located within the jurisdiction of the governing authority, may be included in the best value calculation. This provision shall authorize Certified Purchasing Offices to utilize a Request For Proposals (RFP) process when purchasing commodities. All best value procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. No agency or governing authority shall accept a bid based on items or criteria not included in the specifications.

(iii) Decision procedure for Mississippi Landmarks. In addition to the decision procedure set forth in subparagraph (i) of this paragraph (d), where purchase involves renovation, restoration, or both, of the State Capitol Building or any other historical building designated for at least five (5) years as a Mississippi Landmark by the Board of Trustees of the Department of Archives and History under the authority of Sections 39-7-7 and 39-7-11, the agency or governing authority may use the following procedure: Purchases may be made from the lowest and best prequalified bidder. Prequalification of bidders shall be determined not less than fifteen (15) working days before the first published notice of bid opening. Prequalification criteria shall be limited to bidder's knowledge and experience in historical restoration, preservation and renovation. In determining the lowest and best bid, freight and shipping charges shall be included. Life-cycle costing, total cost bids, warranties, guaranteed buy-back provisions and other relevant provisions may be included in the best bid calculation. All best bid and prequalification procedures for state agencies must be in compliance with regulations established by the Department of Finance and Administration. If any governing authority accepts a bid other than the lowest bid actually submitted, it shall place on its minutes detailed calculations and narrative summary showing that the accepted bid was determined to be the lowest and best bid, including the dollar amount of the accepted bid and the dollar amount of the lowest bid. No agency or governing authority shall accept a bid based on items not included in the specifications.

(iv) Construction project negotiations authority. If the lowest and best bid is not more than ten percent (10%) above the amount of funds allocated for a public construction or renovation project, then the agency or governing authority shall be permitted to negotiate with the lowest bidder in order to enter into a contract for an amount not to exceed the funds allocated.

(e) Lease-purchase authorization. For the purposes of this section, the term "equipment" shall mean equipment, furniture and, if applicable, associated software and other applicable direct costs associated with the acquisition. Any lease-purchase of equipment which an agency is not required to lease-purchase under the master lease-purchase program pursuant to Section 31-7-10 and any lease-purchase of equipment which a governing authority elects to lease-purchase may be acquired by a lease-purchase agreement under this paragraph (e). Lease-purchase financing may also be obtained from the vendor or from a third-party source after having solicited and obtained at least two (2) written competitive bids, as defined in paragraph (b) of this section, for such financing without advertising for such bids. Solicitation for the bids for financing may occur before or after acceptance of bids for the purchase of such equipment or, where no such bids for purchase are required, at any time before the purchase thereof. No such lease-purchase agreement shall be for an annual rate of interest which is greater

than the overall maximum interest rate to maturity on general obligation indebtedness permitted under Section 75-17-101, and the term of such lease-purchase agreement shall not exceed the useful life of equipment covered thereby as determined according to the upper limit of the asset depreciation range (ADR) guidelines for the Class Life Asset Depreciation Range System established by the Internal Revenue Service pursuant to the United States Internal Revenue Code and regulations thereunder as in effect on December 31, 1980, or comparable depreciation guidelines with respect to any equipment not covered by ADR guidelines. Any lease-purchase agreement entered into pursuant to this paragraph (e) may contain any of the terms and conditions which a master lease-purchase agreement may contain under the provisions of Section 31-7-10(5), and shall contain an annual allocation dependency clause substantially similar to that set forth in Section 31-7-10(8). Each agency or governing authority entering into a lease-purchase transaction pursuant to this paragraph (e) shall maintain with respect to each such lease-purchase transaction the same information as required to be maintained by the Department of Finance and Administration pursuant to Section 31-7-10(13). However, nothing contained in this section shall be construed to permit agencies to acquire items of equipment with a total acquisition cost in the aggregate of less than Ten Thousand Dollars (\$10,000.00) by a single lease-purchase transaction. All equipment, and the purchase thereof by any lessor, acquired by lease-purchase under this paragraph and all lease-purchase payments with respect thereto shall be exempt from all Mississippi sales, use and ad valorem taxes. Interest paid on any lease-purchase agreement under this section shall be exempt from State of Mississippi income taxation.

(f) Alternate bid authorization. When necessary to ensure ready availability of commodities for public works and the timely completion of public projects, no more than two (2) alternate bids may be accepted by a governing authority for commodities. No purchases may be made through use of such alternate bids procedure unless the lowest and best bidder cannot deliver the commodities contained in his bid. In that event, purchases of such commodities may be made from one (1) of the bidders whose bid was accepted as an alternate.

(g) Construction contract change authorization. In the event a determination is made by an agency or governing authority after a construction contract is let that changes or modifications to the original contract are necessary or would better serve the purpose of the agency or the governing authority, such agency or governing authority may, in its discretion, order such changes pertaining to the construction that are necessary under the circumstances without the necessity of further public bids; provided that such change shall be made in a commercially reasonable manner and shall not be made to circumvent the public purchasing statutes. In addition to any other authorized person, the architect or engineer hired by an agency or governing authority with respect to any public construction contract shall have the authority, when granted by an agency or governing authority, to authorize changes or modifications to the original contract without the necessity of prior approval of the agency or governing authority when any such change or modification is less than one percent (1%) of the total contract amount. The agency or governing authority may limit the number, manner or frequency of such emergency changes or modifications.

(h) Petroleum purchase alternative. In addition to other methods of purchasing authorized in this chapter, when any agency or governing authority shall have a need for gas, diesel fuel, oils and/or other petroleum products in excess of the amount set forth in paragraph (a) of this section, such agency or governing authority may purchase the commodity after having solicited and obtained at least two (2) competitive written bids, as defined in paragraph (b) of this section. If two (2) competitive written bids are not obtained, the entity shall comply with the procedures set forth in paragraph (c) of this section. In the event any agency or governing authority shall have advertised for bids for the purchase of gas, diesel fuel, oils and other petroleum products and coal and no acceptable bids can be obtained, such agency or governing authority is authorized and directed to enter into any negotiations necessary to secure the lowest and best contract available for the purchase of such commodities.



(i) Road construction petroleum products price adjustment clause authorization. Any agency or governing authority authorized to enter into contracts for the construction, maintenance, surfacing or repair of highways, roads or streets, may include in its bid proposal and contract documents a price adjustment clause with relation to the cost to the contractor, including taxes, based upon an industry-wide cost index, of petroleum products including asphalt used in the performance or execution of the contract or in the production or manufacture of materials for use in such performance. Such industry-wide index shall be established and published monthly by the Mississippi Department of Transportation with a copy thereof to be mailed, upon request, to the clerks of the governing authority of each municipality and the clerks of each board of supervisors throughout the state. The price adjustment clause shall be based on the cost of such petroleum products only and shall not include any additional profit or overhead as part of the adjustment. The bid proposals or document contract shall contain the basis and methods of adjusting unit prices for the change in the cost of such petroleum products.

(j) State agency emergency purchase procedure. If the governing board or the executive head, or his designees, of any agency of the state shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interests of the state, then the head of such agency, or his designees, shall file with the Department of Finance and Administration (i) a statement explaining the conditions and circumstances of the emergency, which shall include a detailed description of the events leading up to the situation and the negative impact to the entity if the purchase is made following the statutory requirements set forth in paragraph (a), (b) or (c) of this section, and (ii) a certified copy of the appropriate minutes of the board of such agency requesting the emergency purchase, if applicable. Upon receipt of the statement and applicable board certification, the State Fiscal Officer, or his designees, may, in writing, authorize the purchase or repair without having to comply with competitive bidding requirements.

If the governing board or the executive head, or his designees, of any agency determines that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would threaten the health or safety of any person, or the preservation or protection of property, then the provisions in this section for competitive bidding shall not apply, and any officer or agent of the agency having general or specific authority for making the purchase or repair contract shall approve the bill presented for payment, and he shall certify in writing from whom the purchase was made, or with whom the repair contract was made.

Total purchases made under this paragraph (j) shall only be for the purpose of meeting needs created by the emergency situation. Following the emergency purchase, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the nature of the emergency shall be filed with the Department of Finance and Administration. Any contract awarded pursuant to this paragraph (j) shall not exceed a term of one (1) year.

Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (j).

(k) Governing authority emergency purchase procedure. If the governing authority, or the governing authority acting through its designee, shall determine that an emergency exists in regard to the purchase of any commodities or repair contracts, so that the delay incident to giving opportunity for competitive bidding would be detrimental to the interest of the governing authority, then the provisions herein for competitive bidding shall not apply and any officer or agent of such governing authority having general or

special authority therefor in making such purchase or repair shall approve the bill presented therefor, and he shall certify in writing thereon from whom such purchase was made, or with whom such a repair contract was made. At the board meeting next following the emergency purchase or repair contract, documentation of the purchase or repair contract, including a description of the commodity purchased, the price thereof and the nature of the emergency shall be presented to the board and shall be placed on the minutes of the board of such governing authority. Purchases under the grant program established under Section 37-68-7 in response to COVID-19 and the directive that school districts create a distance learning plan and fulfill technology needs expeditiously shall be deemed an emergency purchase for purposes of this paragraph (k).

(l) Hospital purchase, lease-purchase and lease authorization.

(i) The commissioners or board of trustees of any public hospital may contract with such lowest and best bidder for the purchase or lease-purchase of any commodity under a contract of purchase or lease-purchase agreement whose obligatory payment terms do not exceed five (5) years.

(ii) In addition to the authority granted in subparagraph (i) of this paragraph (l), the commissioners or board of trustees is authorized to enter into contracts for the lease of equipment or services, or both, which it considers necessary for the proper care of patients if, in its opinion, it is not financially feasible to purchase the necessary equipment or services. Any such contract for the lease of equipment or services executed by the commissioners or board shall not exceed a maximum of five (5) years' duration and shall include a cancellation clause based on unavailability of funds. If such cancellation clause is exercised, there shall be no further liability on the part of the lessee. Any such contract for the lease of equipment or services executed on behalf of the commissioners or board that complies with the provisions of this subparagraph (ii) shall be excepted from the bid requirements set forth in this section.

(m) Exceptions from bidding requirements. Excepted from bid requirements are:

(i) Purchasing agreements approved by department. Purchasing agreements, contracts and maximum price regulations executed or approved by the Department of Finance and Administration.

(ii) Outside equipment repairs. Repairs to equipment, when such repairs are made by repair facilities in the private sector; however, engines, transmissions, rear axles and/or other such components shall not be included in this exemption when replaced as a complete unit instead of being repaired and the need for such total component replacement is known before disassembly of the component; however, invoices identifying the equipment, specific repairs made, parts identified by number and name, supplies used in such repairs, and the number of hours of labor and costs therefor shall be required for the payment for such repairs.

(iii) In-house equipment repairs. Purchases of parts for repairs to equipment, when such repairs are made by personnel of the agency or governing authority; however, entire assemblies, such as engines or transmissions, shall not be included in this exemption when the entire assembly is being replaced instead of being repaired.

(iv) Raw gravel or dirt. Raw unprocessed deposits of gravel or fill dirt which are to be removed and transported by the purchaser.

(v) Governmental equipment auctions. Motor vehicles or other equipment purchased from a federal agency or authority, another governing authority or state agency of the State of Mississippi, or any governing authority or state agency of another state at a public auction held for the purpose of disposing of such vehicles or

other equipment. Any purchase by a governing authority under the exemption authorized by this subparagraph (v) shall require advance authorization spread upon the minutes of the governing authority to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(vi) Intergovernmental sales and transfers. Purchases, sales, transfers or trades by governing authorities or state agencies when such purchases, sales, transfers or trades are made by a private treaty agreement or through means of negotiation, from any federal agency or authority, another governing authority or state agency of the State of Mississippi, or any state agency or governing authority of another state. Nothing in this section shall permit such purchases through public auction except as provided for in subparagraph (v) of this paragraph (m). It is the intent of this section to allow governmental entities to dispose of and/or purchase commodities from other governmental entities at a price that is agreed to by both parties. This shall allow for purchases and/or sales at prices which may be determined to be below the market value if the selling entity determines that the sale at below market value is in the best interest of the taxpayers of the state. Governing authorities shall place the terms of the agreement and any justification on the minutes, and state agencies shall obtain approval from the Department of Finance and Administration, prior to releasing or taking possession of the commodities.

(vii) Perishable supplies or food. Perishable supplies or food purchased for use in connection with hospitals, the school lunch programs, homemaking programs and for the feeding of county or municipal prisoners.

(viii) Single-source items. Noncompetitive items available from one (1) source only. In connection with the purchase of noncompetitive items only available from one (1) source, a certification of the conditions and circumstances requiring the purchase shall be filed by the agency with the Department of Finance and Administration and by the governing authority with the board of the governing authority. Upon receipt of that certification the Department of Finance and Administration or the board of the governing authority, as the case may be, may, in writing, authorize the purchase, which authority shall be noted on the minutes of the body at the next regular meeting thereafter. In those situations, a governing authority is not required to obtain the approval of the Department of Finance and Administration. Following the purchase, the executive head of the state agency, or his designees, shall file with the Department of Finance and Administration, documentation of the purchase, including a description of the commodity purchased, the purchase price thereof and the source from whom it was purchased.

(ix) Waste disposal facility construction contracts. Construction of incinerators and other facilities for disposal of solid wastes in which products either generated therein, such as steam, or recovered therefrom, such as materials for recycling, are to be sold or otherwise disposed of; however, in constructing such facilities, a governing authority or agency shall publicly issue requests for proposals, advertised for in the same manner as provided herein for seeking bids for public construction projects, concerning the design, construction, ownership, operation and/or maintenance of such facilities, wherein such requests for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, environmental compatibility, legal responsibilities and such other matters as are determined by the governing authority or agency to be appropriate for inclusion; and after responses to the request for proposals have been duly received, the governing authority or agency may select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter contracts with one or more of the persons or firms submitting proposals.

(x) Hospital group purchase contracts. Supplies, commodities and equipment purchased by hospitals through group purchase programs pursuant to Section 31-7-38.

(xi) Information technology products. Purchases of information technology products made by governing authorities under the provisions of purchase schedules, or contracts executed or approved by the Mississippi Department of Information Technology Services and designated for use by governing authorities.

(xii) Energy efficiency services and equipment. Energy efficiency services and equipment acquired by school districts, community and junior colleges, institutions of higher learning and state agencies or other applicable governmental entities on a shared-savings, lease or lease-purchase basis pursuant to Section 31-7-14.

(xiii) Municipal electrical utility system fuel. Purchases of coal and/or natural gas by municipally owned electric power generating systems that have the capacity to use both coal and natural gas for the generation of electric power.

(xiv) Library books and other reference materials. Purchases by libraries or for libraries of books and periodicals; processed film, videocassette tapes, filmstrips and slides; recorded audiotapes, cassettes and diskettes; and any such items as would be used for teaching, research or other information distribution; however, equipment such as projectors, recorders, audio or video equipment, and monitor televisions are not exempt under this subparagraph.

(xv) Unmarked vehicles. Purchases of unmarked vehicles when such purchases are made in accordance with purchasing regulations adopted by the Department of Finance and Administration pursuant to Section 31-7-9(2).

(xvi) Election ballots. Purchases of ballots printed pursuant to Section 23-15-351.

(xvii) Multichannel interactive video systems. From and after July 1, 1990, contracts by Mississippi Authority for Educational Television with any private educational institution or private nonprofit organization whose purposes are educational in regard to the construction, purchase, lease or lease-purchase of facilities and equipment and the employment of personnel for providing multichannel interactive video systems (ITSF) in the school districts of this state.

(xviii) Purchases of prison industry products by the Department of Corrections, regional correctional facilities or privately owned prisons. Purchases made by the Mississippi Department of Corrections, regional correctional facilities or privately owned prisons involving any item that is manufactured, processed, grown or produced from the state's prison industries.

(xix) Undercover operations equipment. Purchases of surveillance equipment or any other high-tech equipment to be used by law enforcement agents in undercover operations, provided that any such purchase shall be in compliance with regulations established by the Department of Finance and Administration.

(xx) Junior college books for rent. Purchases by community or junior colleges of textbooks which are obtained for the purpose of renting such books to students as part of a book service system.

(xxi) Certain school district purchases. Purchases of commodities made by school districts from vendors with which any levying authority of the school district, as defined in Section 37-57-1, has contracted through competitive bidding procedures for purchases of the same commodities.

(xxii) Garbage, solid waste and sewage contracts. Contracts for garbage collection or disposal, contracts for solid waste collection or disposal and contracts for sewage collection or disposal.

(xxiii) Municipal water tank maintenance contracts. Professional maintenance program contracts for the repair or maintenance of municipal water tanks, which provide professional services needed to maintain municipal water storage tanks for a fixed annual fee for a duration of two (2) or more years.

(xxiv) Purchases of Mississippi Industries for the Blind products or services. Purchases made by state agencies or governing authorities involving any item that is manufactured, processed or produced by, or any services provided by, the Mississippi Industries for the Blind.

(xxv) Purchases of state-adopted textbooks. Purchases of state-adopted textbooks by public school districts.

(xxvi) Certain purchases under the Mississippi Major Economic Impact Act. Contracts entered into pursuant to the provisions of Section 57-75-9(2), (3) and (4).

(xxvii) Used heavy or specialized machinery or equipment for installation of soil and water conservation practices purchased at auction. Used heavy or specialized machinery or equipment used for the installation and implementation of soil and water conservation practices or measures purchased subject to the restrictions provided in Sections 69-27-331 through 69-27-341. Any purchase by the State Soil and Water Conservation Commission under the exemption authorized by this subparagraph shall require advance authorization spread upon the minutes of the commission to include the listing of the item or items authorized to be purchased and the maximum bid authorized to be paid for each item or items.

(xxviii) Hospital lease of equipment or services. Leases by hospitals of equipment or services if the leases are in compliance with paragraph (l)(ii).

(xxix) Purchases made pursuant to qualified cooperative purchasing agreements. Purchases made by certified purchasing offices of state agencies or governing authorities under cooperative purchasing agreements previously approved by the Office of Purchasing and Travel and established by or for any municipality, county, parish or state government or the federal government, provided that the notification to potential contractors includes a clause that sets forth the availability of the cooperative purchasing agreement to other governmental entities. Such purchases shall only be made if the use of the cooperative purchasing agreements is determined to be in the best interest of the governmental entity.

(xxx) School yearbooks. Purchases of school yearbooks by state agencies or governing authorities; however, state agencies and governing authorities shall use for these purchases the RFP process as set forth in the Mississippi Procurement Manual adopted by the Office of Purchasing and Travel.

(xxxi) Design-build method of contracting and certain other contracts. Contracts entered into under the provisions of Section 31-7-13.1, 37-101-44 or 65-1-85.

(xxxii) Toll roads and bridge construction projects. Contracts entered into under the provisions of Section 65-43-1 or 65-43-3.

(xxxiii) Certain purchases under Section 57-1-221. Contracts entered into pursuant to the provisions of Section 57-1-221.

(xxxiv) Certain transfers made pursuant to the provisions of Section 57-105-1(7). Transfers of public property or facilities under Section 57-105-1(7) and construction related to such public property or facilities.

(xxxv) Certain purchases or transfers entered into with local electrical power associations. Contracts or agreements entered into under the provisions of Section 55-3-33.

(xxxvi) Certain purchases by an academic medical center or health sciences school. Purchases by an academic medical center or health sciences school, as defined in Section 37-115-50, of commodities that are used for clinical purposes and 1. intended for use in the diagnosis of disease or other conditions or in the cure, mitigation, treatment or prevention of disease, and 2. medical devices, biological, drugs and radiation-emitting devices as defined by the United States Food and Drug Administration.

(xxxvii) Certain purchases made under the Alyce G. Clarke Mississippi Lottery Law. Contracts made by the Mississippi Lottery Corporation pursuant to the Alyce G. Clarke Mississippi Lottery Law.

(xxxviii) Certain purchases made by the Department of Health and the Department of Revenue. Purchases made by the Department of Health and the Department of Revenue solely for the purpose of fulfilling their respective responsibilities under the Mississippi Medical Cannabis Act. This subparagraph shall stand repealed on June 30, 2026.

(n) Term contract authorization. All contracts for the purchase of:

(i) All contracts for the purchase of commodities, equipment and public construction (including, but not limited to, repair and maintenance), may be let for periods of not more than sixty (60) months in advance, subject to applicable statutory provisions prohibiting the letting of contracts during specified periods near the end of terms of office. Term contracts for a period exceeding twenty-four (24) months shall also be subject to ratification or cancellation by governing authority boards taking office subsequent to the governing authority board entering the contract.

(ii) Bid proposals and contracts may include price adjustment clauses with relation to the cost to the contractor based upon a nationally published industry-wide or nationally published and recognized cost index. The cost index used in a price adjustment clause shall be determined by the Department of Finance and Administration for the state agencies and by the governing board for governing authorities. The bid proposal and contract documents utilizing a price adjustment clause shall contain the basis and method of adjusting unit prices for the change in the cost of such commodities, equipment and public construction.

(o) Purchase law violation prohibition and vendor penalty. No contract or purchase as herein authorized shall be made for the purpose of circumventing the provisions of this section requiring competitive bids, nor shall it be lawful for any person or concern to submit individual invoices for amounts within those authorized for a contract or purchase where the actual value of the contract or commodity purchased exceeds the authorized amount and the invoices therefor are split so as to appear to be authorized as purchases for which competitive bids are not required. Submission of such invoices shall constitute a misdemeanor punishable by a fine of not less than Five Hundred Dollars (\$500.00) nor more than One Thousand Dollars (\$1,000.00), or by imprisonment for thirty (30) days in the county jail, or both such fine and imprisonment. In addition, the claim or claims submitted shall be forfeited.

(p) Electrical utility petroleum-based equipment purchase procedure. When in response to a proper advertisement therefor, no bid firm as to price is submitted to an electric utility for power transformers, distribution transformers, power breakers, reclosers or other articles containing a petroleum product, the electric utility may accept the lowest and best bid therefor although the price is not firm.

(q) Fuel management system bidding procedure. Any governing authority or agency of the state shall, before contracting for the services and products of a fuel management or fuel access system, enter into negotiations with not fewer than two (2) sellers of fuel management or fuel access systems for competitive written bids to provide the services and products for the systems. In the event that the governing authority or agency cannot locate two (2) sellers of such systems or cannot obtain bids from two (2) sellers of such systems, it shall show proof that it made a diligent, good-faith effort to locate and negotiate with two (2) sellers of such systems. Such proof shall include, but not be limited to, publications of a request for proposals and letters soliciting negotiations and bids. For purposes of this paragraph (q), a fuel management or fuel access system is an automated system of acquiring fuel for vehicles as well as management reports detailing fuel use by vehicles and drivers, and the term "competitive written bid" shall have the meaning as defined in paragraph (b) of this section. Governing authorities and agencies shall be exempt from this process when contracting for the services and products of fuel management or fuel access systems under the terms of a state contract established by the Office of Purchasing and Travel.

(r) Solid waste contract proposal procedure. Before entering into any contract for garbage collection or disposal, contract for solid waste collection or disposal or contract for sewage collection or disposal, which involves an expenditure of more than Seventy-five Thousand Dollars (\$75,000.00), a governing authority or agency shall issue publicly a request for proposals concerning the specifications for such services which shall be advertised for in the same manner as provided in this section for seeking bids for purchases which involve an expenditure of more than the amount provided in paragraph (c) of this section. Any request for proposals when issued shall contain terms and conditions relating to price, financial responsibility, technology, legal responsibilities and other relevant factors as are determined by the governing authority or agency to be appropriate for inclusion; all factors determined relevant by the governing authority or agency or required by this paragraph (r) shall be duly included in the advertisement to elicit proposals. After responses to the request for proposals have been duly received, the governing authority or agency shall select the most qualified proposal or proposals on the basis of price, technology and other relevant factors and from such proposals, but not limited to the terms thereof, negotiate and enter into contracts with one or more of the persons or firms submitting proposals. If the governing authority or agency deems none of the proposals to be qualified or otherwise acceptable, the request for proposals process may be reinitiated. Notwithstanding any other provisions of this paragraph, where a county with at least thirty-five thousand (35,000) nor more than forty thousand (40,000) population, according to the 1990 federal decennial census, owns or operates a solid waste landfill, the governing authorities of any other county or municipality may contract with the governing authorities of the county owning or operating the landfill, pursuant to a resolution duly adopted and spread upon the minutes of each governing authority involved, for garbage or solid waste collection or disposal services through contract negotiations.

(s) Minority set-aside authorization. Notwithstanding any provision of this section to the contrary, any agency or governing authority, by order placed on its minutes, may, in its discretion, set aside not more than twenty percent (20%) of its anticipated annual expenditures for the purchase of commodities from minority businesses; however, all such set-aside purchases shall comply with all purchasing regulations promulgated by the Department of Finance and Administration and shall be subject to bid requirements under this section. Set-aside purchases for which competitive bids are required shall be made from the lowest and best minority business bidder. For the purposes of this paragraph, the term "minority business" means a business which is owned by a majority of persons who are United States citizens or permanent resident aliens (as defined by the Immigration and Naturalization Service) of the United States, and who are Asian, Black, Hispanic or Native American, according to the following definitions:

(i) "Asian" means persons having origins in any of the original people of the Far East, Southeast Asia, the Indian subcontinent, or the Pacific Islands.

(ii) "Black" means persons having origins in any black racial group of Africa.

(iii) "Hispanic" means persons of Spanish or Portuguese culture with origins in Mexico, South or Central America, or the Caribbean Islands, regardless of race.

(iv) "Native American" means persons having origins in any of the original people of North America, including American Indians, Eskimos and Aleuts.

(t) Construction punch list restriction. The architect, engineer or other representative designated by the agency or governing authority that is contracting for public construction or renovation may prepare and submit to the contractor only one (1) preliminary punch list of items that do not meet the contract requirements at the time of substantial completion and one (1) final list immediately before final completion and final payment.

(u) Procurement of construction services by state institutions of higher learning. Contracts for privately financed construction of auxiliary facilities on the campus of a state institution of higher learning may be awarded by the Board of Trustees of State Institutions of Higher Learning to the lowest and best bidder, where sealed bids are solicited, or to the offeror whose proposal is determined to represent the best value to the citizens of the State of Mississippi, where requests for proposals are solicited.

(v) Insurability of bidders for public construction or other public contracts. In any solicitation for bids to perform public construction or other public contracts to which this section applies, including, but not limited to, contracts for repair and maintenance, for which the contract will require insurance coverage in an amount of not less than One Million Dollars (\$1,000,000.00), bidders shall be permitted to either submit proof of current insurance coverage in the specified amount or demonstrate ability to obtain the required coverage amount of insurance if the contract is awarded to the bidder. Proof of insurance coverage shall be submitted within five (5) business days from bid acceptance.

(w) Purchase authorization clarification. Nothing in this section shall be construed as authorizing any purchase not authorized by law.

(x) Mississippi Regional Pre-Need Disaster Clean Up Act. (i) The Department of Finance and Administration shall enter into nine (9) contracts for the pre-need purchase of labor, services, work, materials, equipment, supplies or other personal property for disaster-related solid waste collection, disposal or monitoring. One (1) contract shall be entered into for each of the nine (9) Mississippi Emergency Management Association districts:

1. Coahoma, DeSoto, Grenada, Panola, Quitman, Tallahatchie, Tate, Tunica and Yalobusha Counties;

2. Alcorn, Benton, Itawamba, Lafayette, Lee, Marshall, Pontotoc, Prentiss, Tippah, Tishomingo and Union Counties;

3. Attala, Bolivar, Carroll, Holmes, Humphreys, Leflore, Montgomery, Sunflower and Washington Counties;

4. Calhoun, Chickasaw, Choctaw, Clay, Lowndes, Monroe, Noxubee, Oktibbeha, Webster and Winston Counties;

5. Claiborne, Copiah, Hinds, Issaquena, Madison, Rankin, Sharkey, Simpson, Warren and Yazoo Counties;



6. Clarke, Jasper, Kemper, Lauderdale, Leake, Neshoba, Newton, Scott, and Smith Counties and the Mississippi Band of Choctaw Indians;

7. Adams, Amite, Franklin, Jefferson, Lawrence, Lincoln, Pike, Walthall and Wilkinson Counties;

8. Covington, Forrest, Greene, Jefferson Davis, Jones, Lamar, Marion, Perry and Wayne Counties; and

9. George, Hancock, Harrison, Jackson, Pearl River and Stone Counties.

Any such contract shall set forth the manner of awarding such a contract, the method of payment, and any other matter deemed necessary to carry out the purposes of the agreement. Such contract may be entered into only for a term of one (1) year, with an option for an additional one-year extension after the conclusion of the first year of the contract, and only after having solicited bids or proposals, as appropriate, which shall be publicly advertised by posting on a web page maintained by the Department of Finance and Administration through submission of such advertisement to the Mississippi Procurement Technical Assistance Program under the Mississippi Development Authority. The bid opening shall not occur until after the submission has been posted for at least ten (10) consecutive days. The state's share of expenditures for solid waste collection, disposal or monitoring under any contract shall be appropriated and paid in the manner set forth in the contract and in the same manner as for other solid waste collection, disposal, or monitoring expenses of the state. Any contract entered into under this paragraph shall not be subject to the provisions of Section 17-13-11.

(ii) Any board of supervisors of any county or any governing authority of any municipality may opt in to the benefits and services provided under the appropriate and relevant contract established in subparagraph (i) of this paragraph at the time of a disaster event in that county or municipality. At the time of opt in, the county or municipality shall assume responsibility for payment-in-full to the contractor for the disaster-related solid waste collection, disposal or monitoring services provided. Nothing in this subparagraph (ii) shall be construed as requiring a county or municipality to opt in to any such contract established in subparagraph (i) of this paragraph.

SECTION 4. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE MISSISSIPPI REGIONAL PRE-NEED DISASTER CLEAN UP ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 249, 2023 REGULAR SESSION, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OPT IN TO REGIONAL PRE-NEED CONTRACTS FOR DISASTER CLEAN-UP SERVICES; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE SENATE

## CONFEREES FOR THE HOUSE

John A. Polk

Randy P. Boyd

Bart Williams

Noah Sanford

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2538** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Whaley offered the following report of the Conference Committee on **S. B. No. 2556** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2556: Qualifications for appointment as a conservation officer; clarify.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-39-5, Mississippi Code of 1972, is amended as follows:

49-39-5. (1) There is established the Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, which shall consist of the following members:

(a) Four (4) members appointed by the Governor \* \* \* from geographically diverse areas;

(b) Three (3) members appointed by the Lieutenant Governor \* \* \* from geographically diverse areas;

(c) The Executive Director of the Mississippi Soil and Water Conservation Commission, as an ex officio, nonvoting member;

(d) The Executive Director of the Mississippi Department of Marine Resources, as an ex officio, nonvoting member;

(e) The Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, as an ex officio, nonvoting member;

(f) The Secretary of State, as an ex officio, nonvoting member;

(g) The Commissioner of Agriculture and Commerce, as an ex officio, nonvoting member;

(h) The Chairs of the Senate and House Appropriations Committees, as ex officio, nonvoting members;

(i) The Chairs of the Senate Finance Committee and House Ways and Means Committee, as ex officio, nonvoting members; and

(j) The Chairs of the Senate and House Wildlife, Fisheries and Parks Committees, as ex officio, nonvoting members.

One (1) of the members to be appointed by the Governor shall be appointed only after consideration of recommendations for those appointments made by the Speaker of the House of Representatives to the Governor. One (1) of the members to be appointed by the Lieutenant Governor shall be appointed only after consideration of recommendations for those appointments made by the Speaker of the House of Representatives to the Lieutenant Governor.

(2) The members of the board appointed by the Governor and Lieutenant Governor shall be appointed from the following private sectors: forestry, conservation, agriculture, business, marine resources, hunting or fishing. Such members shall be and shall remain Mississippi residents during their tenure on the board and shall possess a demonstrated knowledge of and commitment to public lands, land conservation and outdoor recreation. These seven (7) appointments shall be subject to the advice and consent of the Mississippi State Senate.

(3) (a) Two (2) persons initially appointed by the Governor and two (2) persons initially appointed by the Lieutenant Governor shall serve terms ending June 30, 2025. The other two (2) persons initially appointed by the Governor and the remaining person initially appointed by the Lieutenant Governor shall serve terms ending June 30, 2026.

After the expiration of the initial terms, each such appointment shall be for a term of four (4) years from the expiration of the previous term.

(b) A majority of the voting members of the board shall constitute a quorum for the conduct of meetings, and all actions of the board shall require a majority vote of the voting members of the board.

(c) The board shall annually elect one (1) voting member to serve as chairman and one (1) voting member to serve as vice chairman. The vice chairman shall act as chairman in the absence or disability of the chairman, or if there is a vacancy in the office of chairman.

(4) The members of the board appointed by the Governor and Lieutenant Governor shall receive a per diem as provided in Section 25-3-69, plus travel and necessary

expenses incidental to the attendance at each board meeting, including mileage, as provided in Section 25-3-41.

(5) No board member shall use his official position to obtain, or attempt to obtain, pecuniary benefit for himself other than that compensation provided for by law, or to obtain, or attempt to obtain, pecuniary benefit for any relative or any business with which he is associated, as provided in Section 25-4-105.

(6) The board shall not approve any funding to any entity of which a voting member of the board is an executive, member or employee.

(7) The Department of Finance and Administration shall provide the office space, staff and other support necessary for the board to perform its duties.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-39-5, MISSISSIPPI CODE OF 1972, TO REVISE THE GEOGRAPHIC STANDARDS FOR APPOINTMENTS TO THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Neil S. Whaley	Bill Kinkade
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Benjamin Suber	Jeff Hale
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Chuck Younger	Vince Mangold
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2556** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--McLendon. Total--1.

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Senator Hill called up the following entitled bill:

**S. B. No. 2612:** Construction; bring forward code sections concerning local permitting and State Board of Contractors licensing.

Senator Hill moved that the Conference Committee Report on **S. B. No. 2612** be recommitted for further conference and the motion prevailed.

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Senator Polk offered the following report of the Conference Committee on **S. B. No. 2673** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2673: Mississippi Real Estate Appraisal Board; make independent from Mississippi Real Estate Commission.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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John A. Polk	Randy P. Boyd
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Mike Thompson	Jerry R. Turner
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Rita Potts Parks	Joesph Tubb
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2673** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator DeLano offered the following report of the Conference Committee on **S. B. No. 2729** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2729: Limitation of liability requirements for information technology contracts; clarify.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Scott DeLano

Angela Cockerham

Bart Williams

Kevin Felsher

W. Briggs Hopson III

Chris Brown

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2729** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Hill. Total--1.

Absent and those not voting---None.

Voting Present--Blackwell. Total--1.

Senator Polk offered the following report of the Conference Committee on **S. B. No. 2844** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2844: Bureau of Fleet Management; revise duties thereof.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

John A. Polk

Kevin Blackwell

Angela Burks Hill

CONFEREES FOR THE HOUSE

Randy P. Boyd

Joesph Tubb

Charles Young, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2844** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Polk offered the following report of the Conference Committee on **S. B. No. 2853** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2853: Small unmanned aircraft systems; require state purchase and servicing of from American companies only.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1 with the following exception(s):

AMEND on line 37 by striking "March 1, 2024" and inserting in lieu thereof the following:

January 1, 2025

FURTHER, AMEND on lines 50 and 52 by striking "twenty percent (20%)" and inserting in lieu thereof the following:

ten percent (10%)

FURTHER, AMEND on line 53 by striking "must" and inserting in lieu thereof the following:

may

2. That the House concur in the above exception(s).

#### CONFEREES FOR THE SENATE

John A. Polk

Neil S. Whaley

Bart Williams

#### CONFEREES FOR THE HOUSE

Charles Busby

Steve Massengill

Missy McGee

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2853** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Michel called up the following entitled nomination:

**S. N. No. 92:** Mark Stuart Formby, Picayune, Mississippi, Workers' Compensation Commission as Chairman of the Commission, six year term effective March 8, 2023 and ending December 31, 2028.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 92 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.



Absent and those not voting----None.  
Voting Present--Hickman, Simmons D. T. (12th). Total--2.

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Senator Whaley called up the following entitled nomination:

**S. N. No. 74:** Van Kyle Ray, Yazoo City, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 14, 2022 and ending June 30, 2025, representing the Second Congressional District as it existed July 1, 2022.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 74 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Whaley called up the following entitled nomination:

**S. N. No. 95:** Joe Everitt Cloyd, Ocean Springs, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, three year term beginning July 1, 2022 and ending June 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 95 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Blount called up the following entitled nomination:

**S. N. No. 90:** Kent Gerard (Kent) Nicaud, Pass Christian, Mississippi, Gaming Commission, remainder of a four year term effective March 8, 2023 and ending September 30, 2025, vice Alben Hopkins.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 90 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks,

Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger.  
Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Carter. Total--1.

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Senator Fillingane moved that the rules be suspended to move to calendar item 62, **S. B. No. 2343**, and the motion prevailed.

Senator Fillingane called up the following entitled bill:

**S. B. No. 2343:** Capitol police; revise jurisdiction of.

Senator Fillingane moved that the Conference Committee Report on **S. B. No. 2343** be recommitted for further conference and the motion prevailed.

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Senator DeBar moved that the rules be suspended to move to calendar item 81, **S. B. No. 2812**, and the motion prevailed.

Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2812** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2812: Board for administration of certain failing school district; extend date of repeal.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Dennis DeBar, Jr.

Richard Bennett

David Blount

Kent McCarty

John A. Polk

Rob Roberson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2812** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

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Senator DeBar moved that the rules be suspended to move to calendar item 96, **S. N. No. 1**, and the motion prevailed.

Senator DeBar called up the following entitled nomination:

**S. N. No. 1:** Marcy Moye Scoggins, Madison, Mississippi, Mississippi Charter School Authorizer Board, term effective immediately and ending August 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 1 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator DeBar moved that the rules be suspended for the consideration en bloc of S. N. No. 8 and S. N. No. 9 and the motion prevailed.

Senator DeBar called up the following entitled nominations:

**S. N. No. 8:** Candace Denise Robins, Raymond, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, unexpired three year term effective May 12, 2022 and ending August 31, 2023, vice Mark C. Baker, Sr..

**S. N. No. 9:** Candace Denise Robins, Raymond, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, three year term effective September 1, 2023 and ending August 31, 2026.

YEAS AND NAYS on consideration en bloc of S. N. No. 8 and S. N. No. 9. On motion of Senator DeBar, the rules were suspended, foregoing numbered nominations were considered and the Senate did advise and consent to the foregoing appointments by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

On request of Senator Polk, unanimous consent was granted to make the following correction in **H. B. No. 1641**, **H. B. No. 1617**, **H. B. No. 1640** and **S. B. No. 3022**:

It is requested that unanimous consent be granted to make the following clerical corrections:

HB 1641: Appropriation; Attorney General

Amend line 220 by deleting the words "Section 10" and inserting in lieu thereof the words "Section 11".

HB 1617: Appropriation; Wildlife, Fisheries and Parks, Department of

Amend line 50 by deleting the number "49" and inserting in lieu thereof the number "51".

HB 1640: Appropriation; Supreme Court, Court of Appeals and trial judges services

Amend line 89 by deleting the number "40" and inserting in lieu thereof the number "48".

SB 3022: Appropriation; Revenue, Department of

Amend line 31 by deleting the number "668" and inserting in lieu thereof the number "704".

#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 252:** Festival wine permits; extend repealers on authority to issue and certain provisions relating to.

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 698:** Municipal water, wastewater and sewer services; require equity based billing based on use of.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2487:** Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish.

**S. B. No. 2612:** Construction; bring forward code sections concerning local permitting and State Board of Contractors licensing.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 419:** Tourism; provide assistance to destination marketing organization.

**S. B. No. 2343:** Capitol police; revise jurisdiction of.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE GOVERNOR  
March 28, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2090:** Board of Funeral Services; revise provisions related to. (March 28, 2023, 11:58 AM)

**S. B. No. 2139:** Mississippi USA Semiquincentennial Commission and Mississippi Semiquincentennial Celebration Fund; create. (March 28, 2023, 1:06 PM)

**S. B. No. 2150:** Warren County; authorize to enter into lease agreement or lease-purchase arrangement for public safety purpose. (March 28, 2023, 11:35 AM)

**S. B. No. 2218:** Third-party service; prohibit from using logo or intellectual property belonging to a restaurant without agreement. (March 28, 2023, 1:10 PM)

**S. B. No. 2449:** Sales and use taxes; specify for computer software services and products delivered electronically in Mississippi. (March 28, 2023, 11:37 AM)

**S. B. No. 2575:** State Department of Health; provide that health insurers may not deny the right to participate as a contract provider. (March 28, 2023, 11:40 AM)

**S. B. No. 2664:** Appropriations; revise certain FY2023 appropriations and direct transfers. (March 28, 2023, 11:41 AM)

**S. B. No. 2922:** DeSoto County; authorize to transfer parcel of county-owned property to City of Olive Branch for construction of animal shelter. (March 28, 2023, 11:42 AM)

**S. B. No. 2960:** City of Grenada; extend repealer on hotel/motel & restaurant tourism tax. (March 28, 2023, 11:43 AM)

**S. B. No. 3108:** Lowndes County; authorize to lease property for nominal consideration for nonprofit use for the benefit of disadvantaged children. (March 28, 2023, 11:44 AM)

**S. B. No. 3110:** Tunica County Utility District; delete provision of law subjecting to rate regulation by Public Service Commission. (March 28, 2023, 11:48 AM)

**S. B. No. 3139:** Jackson County; authorize Board of Supervisors and Utility Authority to share equipment, labor, services, resources and funds. (March 28, 2023, 11:49 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 4:57 PM, the Senate stood in recess.

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The Senate resumed business at 5:22 PM, pursuant to recess, with President Pro Tempore Kirby presiding.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2544:** Regulation of oyster beds and water bottoms by the MS Department of Marine Resources; bring forward authority.

Adopted: 03/28/23

Andrew Ketchings, Clerk of the House of Representatives

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Senator Harkins moved that the rules be suspended for the immediate consideration of **S. B. No. 2842**, and the motion prevailed.

Senator Harkins moved to reconsider the vote whereby the Conference Report on **S. B. No. 2842** was adopted by the Senate.

The foregoing motion prevailed.

Senator Harkins moved that the Conference Committee Report on **S. B. No. 2842** be recommitted for further conference and the motion prevailed.

**S. B. No. 2842:** Use tax; revise standards for municipality's eligibility to receive monies from special infrastructure assistance fund.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Nell Russum, James P. Shepherd, Jr., Maudis Marene Minor, Brittany Nicole Johnson and David Weeks of Morton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Sheila Seaney of Lena, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Patricia "Ann" Munn of Newton, MS.

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Senator McCaughn moved that when the Senate adjourns, it adjourn in memory of Corvain Brantley of Forest, MS.

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Senator DeLano moved that when the Senate adjourns, it adjourn in memory of David Dean Gemmill of Biloxi, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Marian Kaiser Smith of Natchez MS and Miramar Beach, FL.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Ernest Nolan Walker, Mason McDaniel Baker, Sr., Roger Wayne White, Thomas Hayes Mayo, Stephanie (Stevie) Wood Campbell, Melvin (Mel) Jerome Yenter, Evelyn Farnell Jackson, Hulett Carless (H.C.) Franklin, Jr., Lawrence Earl Chandler and Frank Ashford Evans of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Linda Franklin Morgan, Francis Joseph (Pop) Rawson, John Purves McLaurin, Ralph Brooks Vance, Sr., John Wade Bounds, Tommy Louie Watts, James (Jimmy) C. Allgood, Jr., Ellen Wright Douglas Regan, Colby H. Kullman and Robert Alexander (Bobby) Kennedy of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Richard Barclay, Sr., David J. S. King, John Thomas Edge, Suresh Bandari, Martha Stuckey Chambless, Roy Bennett Mixon, Gerald Alexander Gafford, Mildred (Millie) Jeanne Smith Meaders, Gaye Oakley Calhoun and Jason Dwayne Busby of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of C. L. Sapp, Barbara Jeanne Ashford Mood, Jesse Daniels (Jay) Danford, III, Melanie J. Pierce Foster, Monique Cimon, Shannon Yvonne Knight, Marilyn Elizabeth Cartwright Martin, Betty Allen Conner and Jane Fonda Lee Stewart of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Noal Akins, Mary Joe (Jodie) McCabe Offutt, Dorothy Jean Gardner, Johnny Lee Brown, Jackson Taylor, Jr., Marvin Buford Babb, Jr., John Frank Arrechea, James Clifton Duncan, Wanda Rice and Wayne Elwood Boyet of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Curtis Cleveland Thweatt, Robert Abernathy Butler, Jr., Kenneth Wade Welch, Loretta Ann Brown Ray, David C. McKinney, Alisa Reed Elliott, William R. (Bill) Austin, David Eliot Wheelock, Donald Wendell McCord and Martha Winchester (Win) Gordon Walcott of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Arthur Lee Durham, Sr., Stephen (Steve) Philip Smith, Dwight Everett Bechtel, Janice Kay Traylor, Larry Ross Lindsey and Fern Holifield Pegg of Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Mary Susan (Sue) Hamilton Smith, Paul Maurice Moss and Elizabeth (Poky) Watts Murphy of Water Valley, MS/Oxford, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Patricia Jo (P. J.) Hansen Jones and Claudia Acree of Water Valley, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Donald Lee (Don) Conrad and John W. Winkle, III of Taylor, MS.



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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Ronald David Smith of Batesville, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Mickey Charles Smith of Columbus, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Andrew Stratton Anderson, Jr. of Sardis, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Hin Luck Wing of Jonestown, MS/Jackson, MS.

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Senator Boyd moved that when the Senate adjourns, it adjourn in memory of Edith Wilson Weathers of Nesbit, MS/Pontotoc, MS.

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Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 10:00 AM, Wednesday, March 29, 2023.

The motion prevailed, and at 5:24 PM, the Senate stood in recess.

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 61:** A CONCURRENT RESOLUTION EXTENDING THE 2023 REGULAR SESSION OF THE LEGISLATURE; SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON CERTAIN APPROPRIATION BILLS AND GENERAL BILLS; AND SETTING THE DATE OF SINE DIE ADJOURNMENT OF THE 2023 REGULAR SESSION OF THE LEGISLATURE.

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 8:00 PM in memory of Sheila Seaney, Patricia "Ann" Munn, Corvain Brantley, David Dean Gemmill, Marian Kaiser Smith, Ernest Nolan Walker, Mason McDaniel Baker, Sr., Roger Wayne White, Thomas Hayes Mayo, Stephanie (Stevie) Wood Campbell, Melvin (Mel) Jerome Yenter, Evelyn Farnell Jackson, Hulett Carless (H.C.) Franklin, Jr., Lawrence Earl Chandler, Frank Ashford Evans, Linda Franklin Morgan, Francis Joseph

(Pop) Rawson, John Purves McLaurin, Ralph Brooks Vance, Sr., John Wade Bounds, Tommy Louie Watts, James (Jimmy) C. Allgood, Jr., Ellen Wright Douglas Regan, Colby H. Kullman, Robert Alexander (Bobby) Kennedy, Richard Barclay, Sr., David J. S. King, John Thomas Edge, Suresh Bandari, Martha Stuckey Chambless, Roy Bennett Mixon, Gerald Alexander Gafford, Mildred (Millie) Jeanne Smith Meaders, Gaye Oakley Calhoun, Jason Dwayne Busby, C. L. Sapp, Barbara Jeanne Ashford Mood, Jesse Daniels (Jay) Danford, III, Melanie J. Pierce Foster, Monique Cimon, Nell Russum, Shannon Yvonne Knight, Marilyn Elizabeth Cartwright Martin, Betty Allen Conner, Jane Fonda Lee Stewart, Noal Akins, Mary Joe (Jodie) McCabe Offutt, Dorothy Jean Gardner, Johnny Lee Brown, Jackson Taylor, Jr., Marvin Buford Babb, Jr., James P. Shepherd, Jr., John Frank Arrechea, James Clifton Duncan, Wanda Rice, Wayne Elwood Boyet, Curtis Cleveland Thweatt, Robert Abernathy Butler, Jr., Kenneth Wade Welch, Loretta Ann Brown Ray, David C. McKinney, Alisa Reed Elliott, Maudis Marene Minor, William R. (Bill) Austin, David Eliot Wheelock, Donald Wendell McCord, Martha Winchester (Win) Gordon Walcott, Arthur Lee Durham, Sr., Stephen (Steve) Philip Smith, Dwight Everett Bechtel, Janice Kay Traylor, Larry Ross Lindsey, Fern Holifield Pegg, Brittany Nicole Johnson, Mary Susan (Sue) Hamilton Smith, Paul Maurice Moss, Elizabeth (Poky) Watts Murphy, Patricia Jo (P. J.) Hansen Jones, Claudia Acree, Donald Lee (Don) Conrad, John W. Winkle, III, Ronald David Smith, Mickey Charles Smith, Andrew Stratton Anderson, Jr., David Weeks, Hin Luck Wing and Edith Wilson Weathers.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR TUESDAY, MARCH 28, 2023

**S. C. R. No. 573:** Rules

A CONCURRENT RESOLUTION TO AMEND JOINT RULE NO. 23 TO REMOVE THE REQUIREMENT THAT SIX COPIES OF EACH CONFERENCE REPORT SHALL BE PREPARED.

By Senator(s) Bryan

**S. R. No. 104:** Rules

A RESOLUTION RECOGNIZING THE 50TH ANNIVERSARY OF THE ESTABLISHMENT OF JACKSON STATE UNIVERSITY'S DEPARTMENT OF POLITICAL SCIENCE.

By Senator(s) Horhn, Butler (36th), Butler (38th), Frazier, Hickman, Simmons (12th), Simmons (13th), Norwood, Jackson, Barnett, Turner-Ford, Jordan, Thomas, Blackmon

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EIGHTY-SIXTH DAY, WEDNESDAY, MARCH 29, 2023

The Senate met at 10:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Senator Barnett.

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Senator Parker led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Blackwell, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2002:** Memorial highways; designate segments of highways to Bradford C. Freeman and Douglas Anderson.

**S. B. No. 2079:** Mississippi School Protection Act; enact to allow armed educators.

**S. B. No. 2239:** State law enforcement officers; authorize use of uniforms, weapons and vehicles off duty while performing security services.

**S. B. No. 2595:** ARPA Workforce Development and Retention Act; provide expiration date of grant funds.

**S. B. No. 2810:** Office of Workforce Development; amend certain provisions relating to.

**S. B. No. 2853:** Small unmanned aircraft systems; require state purchase and servicing of from American companies only.

**S. B. No. 3003:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station.

**S. B. No. 3004:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service.

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center.

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of.

**S. B. No. 3007:** Appropriation; IHL - Student Financial Aid.

**S. B. No. 3008:** Appropriation; IHL - University of Mississippi Medical Center.

**S. B. No. 3010:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges.

**S. B. No. 3011:** Appropriation; Corrections, Department of.

**S. B. No. 3013:** Appropriation; Agriculture and Commerce, Department of.

**S. B. No. 3016:** Appropriation; Emergency Management Agency.

**S. B. No. 3021:** Appropriation; Employment Security, Department of.

**S. B. No. 3025:** Appropriation; Mental Health, Department of.

**S. B. No. 3026:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of.

**S. B. No. 3046:** Appropriation; Development Authority, Mississippi.

**S. B. No. 3047:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

**S. B. No. 3049:** Appropriation; Secretary of State.

Adopted: 03/27/23

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2842:** Use tax; revise standards for municipality's eligibility to receive monies from special infrastructure assistance fund.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 261:** Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations.

**H. B. No. 271:** Appropriation; Health Department for distributing funds to hospitals under the Health Care Impact Grant Program.

**H. B. No. 588:** MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming code sections.

**H. B. No. 677:** County veteran service officers; revise certain qualifications for.

**H. B. No. 770:** Mississippi Office of Space and Technology; create to be administered by MDA, which shall staff.

**H. B. No. 1084:** Insurance agents; revise the continuing education requirements of those who are 65 and have been licensed for 20 years.

**H. B. No. 1110:** Second Amendment Financial Privacy Act; create.

**H. B. No. 1605:** Appropriation; Insurance, Department of.

**H. B. No. 1611:** Appropriation; Arts Commission.

**H. B. No. 1614:** Appropriation; Educational Television, Authority for.

**H. B. No. 1615:** Appropriation; Library Commission.

**H. B. No. 1616:** Appropriation; Environmental Quality, Department of.

**H. B. No. 1617:** Appropriation; Wildlife, Fisheries and Parks, Department of.

**H. B. No. 1618:** Appropriation; Grand Gulf Military Monument Commission.

**H. B. No. 1620:** Appropriation; Public Service Commission.

**H. B. No. 1622:** Appropriation; Human Services, Department of.

**H. B. No. 1624:** Appropriation; Medicaid, Division of.

**H. B. No. 1625:** Appropriation: Child Protection Services, Department of.

**H. B. No. 1628:** Appropriation; Forestry Commission.

**H. B. No. 1632:** Appropriation; Port Authority, State.

**H. B. No. 1637:** Appropriation; District attorneys and staff.

**H. B. No. 1640:** Appropriation; Supreme Court, Court of Appeals and trial judges services.

**H. B. No. 1641:** Appropriation; Attorney General.

**H. B. No. 1642:** Appropriation; Transportation, Department of.

**H. B. No. 1644:** Appropriations; additional for various state agencies for FY 2023 and FY 2024.

**H. B. No. 1671:** Tax credits; revise certain existing and authorize additional.

**H. B. No. 1734:** Bonds; authorize for various purposes.

Adopted: 03/27/23

Andrew Ketchings, Clerk of the House of Representatives

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Senator Blackwell moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 10:22 AM, the Senate stood in recess.

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The Senate resumed business at 11:32 AM, pursuant to recess, with President Pro Tempore Kirby presiding.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 771:** HELP Grant and MTAG Programs; revise level of funding provided to eligible students.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Carter moved that the rules be suspended to move to calendar item 17, **H. B. No. 698**, and the motion prevailed.

Senator Carter offered the following report of the Conference Committee on **H. B. No. 698** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 698: Municipal water, wastewater and sewer services; require equity based billing based on use of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 21-27-7, Mississippi Code of 1972, is amended as follows:

21-27-7. (1) (a) The governing authorities of municipalities shall have the power to erect, purchase, maintain and operate waterworks, and to regulate the same, and to prescribe the rates at which water shall be supplied to the \* \* \* users. The rates at which water, wastewater, and sewer services shall be supplied shall be just and reasonable based on the actual cost to operate and maintain the systems, and rates may not be

unreasonably preferential, prejudicial or discriminatory but shall be sufficient, equitable and consistent in application to each class of users. While a municipality may set different rates for different classifications of users, a municipality shall not discriminate in setting rates among members of the same classification. The municipal governing authorities shall make a finding on the minutes of the governing body establishing the rate based on the actual cost to operate and maintain the system. A municipality shall not charge a user a fee for services received which is less than the cost incurred by the municipality to provide such services.

(b) The governing authorities of a municipality shall establish and maintain rates and charges in equitable proportion to the use of the services and benefits rendered by the waterworks systems and water treatment facilities serving the municipal area. From time to time the governing authorities shall adjust such rates, to the end that the revenues therefrom will be sufficient at all times to pay the expenses of operating and maintaining such works, facilities and systems and all of the municipality's obligations under any contract or bond resolution with respect thereto. The calculation of a user's bill shall be limited to the actual amount of volumetric usage, plus those fees reasonable and necessary for the cost of capital expenses, system operation and maintenance, and debt service.

(c) If a user's meter is tampered with, unreadable, or otherwise out-of-order, a municipality may render an estimated bill to that user for a period not to exceed six (6) months. In such circumstance, an estimated bill shall be based upon the prior average measured usage of the user or a similar user of the same classification.

(i) Only in the event a municipality is unable to meet the requirement of billing based solely on volumetric usage, such municipality may bill based on a flat fee rate where such municipality has established flat fee billing as its usual and customary billing practice prior to the passage of this act, and where such municipality is actively billing based upon a flat fee rate as of the passage of this act. In such circumstances, flat fee billing may be utilized until such time as the municipality implements upgrades to its system to provide for

volumetric billing. In such circumstance, the municipality may set different flat fee rates for different classifications of users, but the municipality shall not discriminate in setting flat fee rates among members of the same classification, and the municipality shall not charge a user a fee for services received that is less than the cost incurred by the municipality to provide such services.

(ii) The governing authorities of the municipality shall make a finding annually on the minutes of the governing body establishing the rate based upon the actual cost to operate and maintain the system as determined under Generally Accepted Accounting Principles, and the municipality shall not charge a user a fee for services received that is less than the cost incurred by the municipality, or based on the assessed value of the property, to provide such services.

(d) Notice of any change in the rate or rate structure at which services are supplied shall be posted on all bills sent to users at least one (1) month prior to the effective date of the rate change. Notice shall also be posted to the municipality's online webpage or bill payment platform, if the municipality has an online webpage or bill payment platform.

(e) Nothing in this statute shall be construed as prohibiting a user or governing authority of any municipality from applying for and receiving any federally or privately subsidized payment assistance, grant or other funds.

(f) The governing authority of a municipality may provide for the calculation of a user's bill by a method other than volumetric usage only in exchange for consideration as part of, or in connection with, an incentive contract or other form of benefit or assistance

related to the user's location, expansion, or maintenance of its commercial or industrial operation within the municipality, so long as such rate is equitable, fair, and non-discriminatory, and the municipality shall not charge such user a fee for services received that is less than the cost incurred by the municipality to provide such services.

(2) The governing authorities of municipalities shall have the power to acquire by purchase, donation or condemnation, in the name of the municipality, suitable grounds, within or without the corporate limits, upon which to erect waterworks, and also the right-of-way to and from such works and the right-of-way for laying water pipes within the corporate limits, and from such waterworks to the municipality, and to extend such right-of-way from time to time. The governing authorities shall have the power to contract with any person for the maintenance and operation of waterworks. \* \* \* The authorities shall have the power to contract with any person for the erection and maintenance of waterworks for a term not exceeding twenty-five (25) years, fixing water rates in the contract subject to municipal regulations. A contract for the erection or purchase of waterworks shall not, however, be entered into until submitted to a vote of the qualified electors and approved by a majority of those voting. A contract for maintenance under which the person who will perform such maintenance is wholly or partially responsible for fixing water rates shall not be entered into until submitted to a vote of the qualified electors and approved by a majority of those voting. It shall be unlawful for any municipally owned waterworks to supply water free of charge, or in any amount less than the fixed charges, to any person, firm or corporation, except as is expressly authorized by law.

SECTION 2. Section 21-27-189, Mississippi Code of 1972, is amended as follows:

21-27-189. A municipality, as defined in Section 21-27-163, is authorized and empowered, in the discretion of its governmental authorities, to exercise the following powers and authority within the area and territories comprising the metropolitan area of which it is a part:

(a) To operate and manage sewerage systems, sewage treatment facilities and sewage disposal systems and related facilities serving the metropolitan area in conformance with the metropolitan area plan.

(b) To construct, operate and maintain sewerage systems, sewage treatment facilities and sewage disposal systems in the manner and to the extent required by the metropolitan area plan.

(c) To accept and utilize grants and other funds from any source for waste treatment management purposes.

(d) To establish and maintain rates and charges in equitable proportion for the use of the services and benefits rendered of such sewerage systems, sewage treatment facilities and sewage disposal systems within the metropolitan area, and from time to time to adjust such rates, to the end that the revenues therefrom will be sufficient at all times to pay the expenses of operating and maintaining such works, facilities and systems and all of the municipality's obligations under any contract or bond resolution with respect thereto. The rates shall be just and reasonable, and rates may not be unreasonably preferential, prejudicial or discriminatory but shall be sufficient, equitable and consistent in application to each class of users. While the municipality may set different rates for different classifications of users, a municipality shall not discriminate in setting rates among members of the same classification. The governing authorities of the municipality shall make a finding on the minutes of the governing body establishing the rate based upon the actual cost to operate and maintain the system, and a municipality shall not charge a user a fee for services received which is less than the cost incurred by the municipality to provide such services.

(e) To incur short and long-term indebtedness under the provisions of Sections 21-27-161 through 21-27-191 or other applicable statutes.



(f) To adopt rules and regulations necessary to carry out the implementation of the metropolitan area plan and to assure the payment of each participating person or public agency of its proportionate share of treatment costs.

(g) To refuse to receive any waste from any public agency or subdivision thereof or any other person which does not comply with the provisions of the metropolitan area plan applicable to the particular area within which such public agency or subdivision thereof or any other person is located.

(h) To accept industrial waste for treatment and to require the pretreatment of same when within the opinion of the municipality such pretreatment is necessary.

(i) To adopt all necessary and reasonable rules and regulations to carry out and effectuate any waste treatment plan adopted for the metropolitan area.

(j) To require by ordinance or by contract with a public agency or other person that all waste within the metropolitan area be disposed of through sewerage systems, treatment facilities and sewage disposal systems which comprise a part of the metropolitan area plan, to the extent that the same may be available, but no public agency shall be precluded from constructing, operating and maintaining its own sewerage system if the same be a part of the metropolitan area plan.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 21-27-7 AND 21-27-189, MISSISSIPPI CODE OF 1972, TO ENSURE JUST, REASONABLE AND TRANSPARENT BILLING FOR MUNICIPAL WATER, WASTEWATER, AND SEWER SERVICES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

C. Scott Bounds

Joel R.Carter, Jr.

Brent Anderson

J. Walter Michel

Shanda Yates

Rita Potts Parks

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 698** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--42.

Nays--Blackmon, Butler A. (36th), Butler K. (38th), Frazier, Horhn, Jackson, Jordan, Norwood, Thomas, Turner-Ford. Total--10.

Absent and those not voting---None.

Senator Harkins offered the following report of the Conference Committee on **H. B. No. 1140** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1140: Beer, light wine and light spirit products; revise manufacturers prohibited from having interest in wholesalers or distributors.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-3-46, Mississippi Code of 1972, is amended as follows:

67-3-46. (1) The provisions of subsection (2) of this section apply to the following entities:

(a) Any person engaged in the business of brewing or manufacturing beer or in the business of manufacturing or producing light wines or light spirit products;

(b) An officer, director, agent or employee of an entity described in paragraph (a) or (d) of this subsection;

(c) An affiliate of an entity described in paragraph (a) or (d) of this subsection, regardless of whether the affiliation is corporate or by management, direction or control.

(d) An entity that is the manufacturer of a product or substance that is infused into or becomes part of any beer, light wine or light spirit products regardless of whether the entity manufactures the final product. This provision also shall apply to all affiliated companies, wholly-owned subsidiaries or joint ventures.

(2) No entity named in subsection (1) of this section may have any interest in the license, business, assets or corporate stock of a wholesaler or distributor to whom this chapter applies, except a security interest granted to the entity of the type provided for the Uniform Commercial Code in products sold to a wholesaler or distributor until the full purchase price has been paid therefor.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-3-46, MISSISSIPPI CODE OF 1972, TO REVISE THE TYPES OF MANUFACTURERS OF BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCTS THAT ARE PROHIBITED FROM HAVING AN INTEREST IN

WHOLESALEERS OR DISTRIBUTORS OF BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Thomas "Trey" Lamar, III

Josh Harkins

Jody Steverson

Lydia Graves Chassaniol

Henry Zuber III

Dean Kirby

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1140** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Branning. Total--1.

Absent and those not voting---None.

Voting Present--Frazier, Tate. Total--2.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2695** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2695: Tourism Project Incentive Program; extend deadline for MDA issuance of certificates approving participants.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

## CONFEREES FOR THE SENATE

## CONFEREES FOR THE HOUSE

Josh Harkins

John Thomas "Trey" Lamar, III

Lydia Graves Chassaniol

Jody Steverson

Chad McMahan

Steve Massengill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2695** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Harkins offered the following report of the Conference Committee on **S. B. No. 2842** (version 2) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2842: Use tax; revise standards for municipality's eligibility to receive monies from special infrastructure assistance fund.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 27-67-35, Mississippi Code of 1972, is amended as follows:

27-67-35. (1) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(e) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the department \* \* \* to provide funds to assist municipalities in this state in paying costs associated with (i) repair, maintenance and/or reconstruction of roads, streets and bridges

in municipalities, (ii) repair, maintenance and/or other improvements to water infrastructure and sewer infrastructure, including storm water and drainage improvements, and/or (iii) as a pledge to pay all or a portion of debt service on debt issued by a municipality for \*\*\* the purposes provided in this subsection (1)(a). These monies shall not be used for salaries, benefits or any form of compensation for employees, or for contract employees, administrative costs, debt service except as provided in this subsection (1)(a), personal property or equipment (other than equipment to be permanently installed as part of a road or bridge), or for the construction or maintenance of public buildings or other structures that are not integral to the system of roads and bridges. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to municipalities under this subsection (1) shall be allocated and distributed to municipalities as follows:

1. Three Million Dollars (\$3,000,000.00) shall be allocated to all municipalities in equal shares, and

2. The remainder of the funds allocated as follows:

a. One-half (1/2) shall be allocated to municipalities based on the proportion that the population of a municipality according to the most recent federal decennial census bears to the total population of all municipalities in the state according to the most recent federal decennial census, and

b. One-half (1/2) shall be allocated to municipalities based on the proportion that the amount of sales tax revenue distributed to a municipality during the preceding fiscal year under Section 27-65-75(1)(a) bears to the total amount of sales tax revenue distributed to all municipalities during the preceding fiscal year under Section 27-65-75(1)(a). The department \*\*\* shall distribute funds under this subsection (1) on a semiannual basis with distributions being made in the months of January and July.

(ii) In order to be eligible to receive the full amount of funds allocated for distribution to a municipality during a year under this subsection (1), the municipality must have expended an amount not less than the amount of base expenditures during the previous municipal fiscal year for the purposes described in paragraph (a) of this subsection (1). If a municipality fails to expend such required amount, then the amount of funds allocated for distribution to the municipality shall be reduced by the percentage by which the municipality failed to expend the amount of base expenditures. For the purposes of this subsection (1), "base expenditures" means the average annual expenditures made by a municipality for purposes described in paragraph (a) of this subsection (1) for the \*\*\* two-year period beginning October 1, \*\*\* 2020, and ending September 30, \*\*\* 2022. \*\*\* Expenditure of grant proceeds, loan proceeds, or the proceeds of bonds issued by a municipality for the purposes described in paragraph (a) of this subsection (1) shall not be considered when calculating the base period. Beginning July 1, \*\*\* 2023, and each succeeding July 1 thereafter, the amount of the base expenditures shall be adjusted and compounded annually by increasing or decreasing such amount by a percentage amount that is equal to the lesser of one-half percent (0.5%) or to the United States inflation rate for the previous calendar year ending on December 31 as certified by the department \*\*\* and provided to the municipalities thereby within thirty (30) days of such certification. The United States inflation rate for a calendar year shall be the Consumer Price Index for the calendar year for urban consumers as calculated by the Bureau of Labor Statistics of the United States Department of Labor.

(c) The department \*\*\* and the \*\*\* Office of the State Auditor shall have all powers necessary to ensure the proper implementation of this subsection (1).

(2) (a) There is hereby created a special fund in the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of monies deposited therein under Section 27-67-31(f) and monies from any other source designated for deposit into such fund. Monies in the fund shall be expended by the department \* \* \* to provide funds to assist counties in this state in paying costs associated with (i) the repair, maintenance and/or reconstruction of roads, streets and bridges in counties, and/or (ii) as a pledge to pay all or a portion of debt service on debt issued by a county for \* \* \* the purposes provided in this subsection (2)(a). These monies shall not be used for salaries, benefits or any form of compensation for employees, or for contract employees, administrative costs, debt service except as provided in this subsection (2)(a), personal property or equipment (other than equipment to be permanently installed as part of a road or bridge), or for the construction or maintenance of public buildings or other structures that are not integral to the system of roads and bridges. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited to the credit of the fund.

(b) (i) Subject to the provisions of this paragraph (b) and Section 65-21-31, funds provided to counties under this subsection (2) shall be allocated and distributed to counties in the following proportions:

1. One-third (1/3) shall be allocated to all counties in equal shares,

2. One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state, and

3. One-third (1/3) shall be allocated to counties based on the proportion that the rural population of a county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

The department \* \* \* shall distribute funds under this subsection (2) on a semiannual basis with distributions being made in the months of January and July. Rural road miles and rural road population in the counties shall be determined in the same manner as they are determined for the purposes of the distribution formula in Section 65-9-3.

(ii) From and after July 1, 2020, of the funds allocated for distribution to a county during a year under this subsection (2), the maximum amount of such funds that may be distributed to the county during that year shall not exceed the amount of county funds expended by the county during the previous county fiscal year for purposes described in paragraph (a) of this subsection (2). Expenditure of the proceeds of bonds issued by a county to pay costs associated with the repair, maintenance and/or reconstruction of roads, streets and bridges shall not be considered when determining the amount of county funds expended by the county during the previous county fiscal year.

(c) The department \* \* \* and the \* \* \* Office of the State Auditor shall have all powers necessary to ensure the proper implementation of this subsection (2).

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, WHICH CREATES SPECIAL FUNDS IN THE STATE TREASURY TO BE USED TO PROVIDE

MONIES TO ASSIST MUNICIPALITIES AND COUNTIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS AND, FOR MUNICIPALITIES, WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS, TO REQUIRE THAT THESE MONIES NOT BE USED FOR SALARIES, BENEFITS OR ANY FORM OF COMPENSATION FOR EMPLOYEES, OR FOR CONTRACT EMPLOYEES, ADMINISTRATIVE COSTS, DEBT SERVICE EXCEPT AS PROVIDED IN THE SECTION, PERSONAL PROPERTY OR EQUIPMENT EXCEPT EQUIPMENT PERMANENTLY INSTALLED AS PART OF A ROAD OR BRIDGE, OR FOR THE CONSTRUCTION OR MAINTENANCE OF PUBLIC BUILDINGS OR OTHER STRUCTURES THAT ARE NOT INTEGRAL TO THE SYSTEM OF ROADS AND BRIDGES; TO REVISE THE TIME PERIOD REFERENCED IN THE DEFINITION OF "BASE EXPENDITURES" THAT MUST BE MET BY A MUNICIPALITY IN ORDER TO BE ELIGIBLE TO RECEIVE THE FULL AMOUNT OF MONIES ALLOCATED FOR DISTRIBUTION FROM THE SPECIAL FUND; TO PROVIDE THAT THE AMOUNT OF BASE EXPENDITURES SHALL BE ADJUSTED AND COMPOUNDED ANNUALLY BY INCREASING OR DECREASING SUCH AMOUNT BY A PERCENTAGE THAT IS THE LESSER OF 0.5% OR THE UNITED STATES INFLATION RATE FOR THE PREVIOUS CALENDAR YEAR; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE                      CONFEREES FOR THE HOUSE

Josh Harkins

John Thomas "Trey" Lamar, III

Chris Johnson

Jody Steverson

Scott DeLano

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2842** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 400** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 400: Election crimes; revise the penalties for certain.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 97-13-3, Mississippi Code of 1972, is amended as follows:

97-13-3. If any person shall offer or give a gift, money, financial award, reward or other promise thereof to another for the purpose of inducing him, by any unlawful means not amounting to bribery, to procure any person to vote at any election for or against any person or measure, the person so giving or offering such reward shall, upon conviction thereof, be imprisoned in the \*\*\* State Penitentiary not more than \*\*\* ten (10) years, or fined not more than \*\*\* Five Thousand Dollars (\$5,000.00), or both.

SECTION 2. Section 97-13-5, Mississippi Code of 1972, is amended as follows:

97-13-5. Any such manager who shall proceed to any election without having the ballot box locked and secured in the manner directed by law, or who shall open and read or consent to any other person opening and reading any ballot given him to be deposited in the box at such election, before it is put into the box, shall, upon conviction, be imprisoned in the \*\*\* State Penitentiary not more than \*\*\* ten (10) years, or be fined not more than \*\*\* Five Thousand Dollars (\$5,000.00), or both.

SECTION 3. Section 97-13-7, Mississippi Code of 1972, is amended as follows:

97-13-7. Any manager of an election who, before the votes are counted, shall dispose of or deposit the ballot box in a manner not authorized by law, or shall, at any time after the election has begun and before the ballots are counted, give access to the ballot box with which he is entrusted to any other, shall, upon conviction, be imprisoned in the \*\*\* State Penitentiary not more than \*\*\* ten (10) years, or be fined not more than \*\*\* Five Thousand Dollars (\$5,000.00), or both.

SECTION 4. Section 97-13-9, Mississippi Code of 1972, is amended as follows:

97-13-9. If any manager or clerk of any election shall knowingly make or consent to any false entry on the list of persons voting, or shall permit to be put in the ballot box any ballot not given by a voter, or shall take out of such box, or permit to be so taken out, any ballot deposited therein except in the manner prescribed by law, or shall, by any other act or omission, designedly destroy or change the ballots given by the electors, he shall, upon conviction, be punished by imprisonment in the State Penitentiary for a term not \*\*\* more than twenty (20) years, or be fined not more than \*\*\* Ten Thousand Dollars (\$10,000.00), or both.

SECTION 5. Section 97-13-35, Mississippi Code of 1972, is amended as follows:

97-13-35. (1) Any person who shall vote at any election, not being legally qualified, or who shall vote in more than one (1) county, or at more than one (1) place in any county or in any city, town, or village entitled to separate representation, or who shall vote out of the district of his legal domicile, or who shall vote or attempt to vote in the primary election of one (1) party when he shall have voted on the same date in the primary election of another party, shall, upon conviction, be imprisoned in the \*\*\* State Penitentiary not more than \*\*\* twenty (20) years, or be fined not more than \*\*\* Five Thousand Dollars (\$5,000.00), or both.

(2) Any person who shall vote in the second primary election of one (1) party when he voted in the first primary election of another party preceding the same regular, special,



or general election shall, upon conviction, be guilty of a \* \* \* felony and be imprisoned in the \* \* \* State Penitentiary not \* \* \* more than twenty (20) years, or be fined not more than \* \* \* Five Thousand Dollars (\$5,000.00), or both.

SECTION 6. Section 97-13-36, Mississippi Code of 1972, is amended as follows:

97-13-36. Any person who shall knowingly vote at any election in more than one (1) county or at more than one (1) place in any county, municipality or other political subdivision with the intent to have more than one (1) vote counted in any election shall be guilty of the crime of multiple voting and, upon conviction, shall be imprisoned in the State Penitentiary not more than \* \* \* twenty (20) years, or be fined not more than \* \* \* Ten Thousand Dollars (\$10,000.00), or both \* \* \*.

SECTION 7. Section 97-13-37, Mississippi Code of 1972, is amended as follows:

97-13-37. Whoever shall procure, or endeavor to procure, the vote of any elector, or the influence of any person over other electors, at any election, for himself or any candidate, by means of violence, threats of violence, or threats of withdrawing custom, or dealing in business or trade, or of enforcing the payment of a debt, or of bringing a suit or criminal prosecution, or by any other threat or injury to be inflicted by him, or by his means, or shall violate any provision of Section 23-15-871 or 23-15-874, shall, upon conviction, be imprisoned in the county jail not more than \* \* \* twenty (20) years, or be fined not more than \* \* \* Five Thousand Dollars (\$5,000.00), or both.

SECTION 8. Section 97-13-43, Mississippi Code of 1972, is amended as follows:

97-13-43. Any person who willfully tampers with or damages any voting machine or tabulating computer or device to be used or being used at or in connection with any election or who prevents or attempts to prevent the correct operation of any voting machine or tabulating computer or device shall be guilty of a felony and, upon conviction, be punished by imprisonment for not more than \* \* \* twenty (20) years, or be fined \* \* \* Ten Thousand Dollars (\$10,000.00), or both.

SECTION 9. Section 23-15-93, Mississippi Code of 1972, is amended as follows:

23-15-93. If any election commissioner or registrar shall refuse or neglect to perform any of the duties imposed upon him or her by this chapter regarding the registration of electors, or shall knowingly permit any person to sign a false affidavit or otherwise knowingly permit any person to violate any provision of this chapter regarding the registration of electors, or shall violate any of the provisions of this chapter regarding the registration of electors, or if any officer taking the affidavits as provided in this chapter regarding registration of electors shall make any false statement in his or her certificate thereto attached, he or she shall be deemed guilty of a crime and shall be punished by a fine not exceeding \* \* \* Five Thousand Dollars (\$5,000.00) or by imprisonment in the State Penitentiary not exceeding \* \* \* ten (10) years, or both, and shall be removed from office.

SECTION 10. Section 23-15-561, Mississippi Code of 1972, is amended as follows:

23-15-561. (1) It shall be unlawful during any primary or any other election for any candidate for any elective office or any representative of such candidate or any other person to publicly or privately put up or in any way offer any prize, cash award or other item of value to be raffled, drawn for, played for or contested for in order to encourage persons to vote or to refrain from voting in any election.

(2) Any person who shall violate the provisions of subsection (1) of this section shall, upon conviction thereof, be punished by a fine in an amount not to exceed \* \* \* Seven Thousand Five Hundred Dollars (\$7,500.00).

(3) Any candidate who shall violate the provisions of subsection (1) of this section shall, upon conviction thereof, in addition to the fine prescribed above, be punished by:

(a) Disqualification as a candidate in the race for the elective office; or

(b) Removal from the elective office, if the offender has been elected thereto.

SECTION 11. Section 23-15-627, Mississippi Code of 1972, is amended as follows:

23-15-627. Any elector described in Section 23-15-713 may request an absentee ballot application and vote in person at the office of the registrar in the county in which he or she resides. The registrar shall be responsible for furnishing an absentee ballot application form to any elector authorized to receive an absentee ballot. Except as otherwise provided in Section 23-15-625, absentee ballot applications shall be furnished to a person only upon the oral or written request of the elector who seeks to vote by absentee ballot; however, the parent, child, spouse, sibling, legal guardian, those empowered with a power of attorney for that elector's affairs or agent of the elector, who is designated in writing and witnessed by a resident of this state who shall write his or her physical address on such designation, may orally request an absentee ballot application on behalf of the elector. The written designation shall be valid for one (1) year after the date of the designation. An absentee ballot application must have the seal of the circuit or municipal clerk affixed to it and be initialed by the registrar or his or her deputy in order to be used to obtain an absentee ballot. A reproduction of an absentee ballot application shall not be valid unless it is a reproduction provided by the office of the registrar of the jurisdiction in which the election is being held and which contains the seal and initials required by this section. Such application shall be substantially in the following form:

"OFFICIAL APPLICATION FOR ABSENT ELECTOR'S BALLOT

I, \_\_\_\_\_, duly qualified and registered in the \_\_\_\_ Precinct of the County of \_\_\_\_\_, and State of Mississippi, coming within the purview of the definition 'ABSENT ELECTOR' will be absent from the county of my residence on election day, or unable to vote in person because (check appropriate reason):

( ) (PRESIDENTIAL APPLICANT ONLY:) I am currently a resident of Mississippi or have moved therefrom within thirty (30) days of the coming presidential election.

( ) I am an enlisted or commissioned member, male or female, of any component of the United States Armed Forces and am a citizen of Mississippi, or spouse or dependent of such member.

( ) I am a member of the Merchant Marine or the American Red Cross and am a citizen of Mississippi or spouse or dependent of such member.

( ) I am a disabled war veteran who is a patient in any hospital and am a citizen of Mississippi or spouse or dependent of such veteran.

( ) I am a civilian attached to and serving outside of the United States with any branch of the Armed Forces or with the Merchant Marine or American Red Cross, and am a citizen of Mississippi or spouse or dependent of such civilian.

( ) I am a citizen of Mississippi temporarily residing outside the territorial limits of the United States and the District of Columbia.

( ) I am a student, teacher or administrator at a college, university, junior or community college, high, junior high, elementary or grade school, whose studies or employment at such institution necessitates my absence from the county of my voting

residence or spouse or dependent of such student, teacher or administrator who maintains a common domicile outside the county of my voting residence with such student, teacher or administrator.

( ) I will be outside the county on election day.

( ) I have a temporary or permanent physical disability \* \* \*.

( ) I am sixty-five (65) years of age or older.

( ) I am the parent, spouse or dependent of a person with a temporary or permanent physical disability who is hospitalized outside his or her county of residence or more than fifty (50) miles away from his or her residence, and I will be with such person on election day.

( ) I am a member of the congressional delegation, or spouse or dependent of a member of the congressional delegation.

( ) I am required to be at work on election day during the times which the polls will be open.

I hereby make application for an official ballot, or ballots, to be voted by me at the election to be held in \_\_\_\_\_, on \_\_\_\_\_.

Mail 'Absent Elector's Ballot' to me at the following address \_\_\_\_\_.

( ) I wish to receive an absentee ballot for the runoff election

\_\_\_\_\_.

I realize that I can be fined up to \* \* \* Seven Thousand Five Hundred Dollars (\$7,500.00) and sentenced up to \* \* \* ten (10) years in the Penitentiary for making a false statement in this application and for selling my vote and violating the Mississippi Absentee Voter Law. (This sentence is to be in bold print.)

If you are temporarily or permanently disabled, you are not required to have this application notarized or signed by an official authorized to administer oaths for absentee balloting. You are required to sign this application in the proper place and have a person eighteen (18) years of age or older witness your signature and sign this application in the proper place.

DO NOT SIGN WITHOUT READING. (This sentence is to be in bold print.)

IN WITNESS WHEREOF I have hereunto set my hand and seal this the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
(Signature of absent elector)

SWORN TO AND SUBSCRIBED before me this the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
(Official authorized to administer oaths  
for absentee balloting.)

TO BE SIGNED BY WITNESS FOR VOTERS TEMPORARILY OR PERMANENTLY DISABLED:

SENATE JOURNAL  
WEDNESDAY, MARCH 29, 2023

I HEREBY CERTIFY that this application for an absent elector's ballot was signed by the above-named elector in my presence and that I am at least eighteen (18) years of age, this the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.

\_\_\_\_\_  
(Signature of witness)

CERTIFICATE OF DELIVERY

I hereby certify that \_\_\_\_\_ (print name of voter) has requested that I, \_\_\_\_\_ (print name of person delivering application), deliver to the voter this absentee ballot application.

\_\_\_\_\_  
(Signature of person delivering application)

\_\_\_\_\_  
(Address of person delivering application)"

SECTION 12. Section 23-15-635, Mississippi Code of 1972, is amended as follows:

23-15-635. (1) The form of the elector's certificate, attesting witness certification and certificate of person providing voter assistance on the back of the envelope used by absentee voters who are not absent voters as defined in Section 23-15-673, shall be as follows:

"ELECTOR'S CERTIFICATE

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, under penalty of perjury do solemnly swear that this envelope contains the ballot marked by me indicating my choice of the candidates or propositions to be submitted at the election to be held on the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, and I hereby authorize the registrar to place this envelope in the ballot box on my behalf, and I further authorize the election managers to open this envelope and place my ballot among the other ballots cast before such ballots are counted, and record my name on the poll list as if I were present in person and voted.

I further swear that I marked the enclosed ballot in secret.

Penalties for vote fraud are up to \* \* \* ten (10) years in prison and a fine of up to \* \* \* Seven Thousand Five Hundred Dollars (\$7,500.00). (Miss. Code. Ann. Section 23-15-753.) Penalties for voter intimidation are \* \* \* not more than twenty (20) years in jail and a fine of up to \* \* \* Five Thousand Dollars (\$5,000.00). (Miss. Code. Ann. Section 97-13-37.)

\_\_\_\_\_  
(Signature of voter)

CERTIFICATE OF ATTESTING WITNESS

Under penalty of perjury I affirm that the above named voter personally appeared before me, on this the \_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_, and is known by me to be the person named, and who, after being duly sworn or having affirmed, subscribed the foregoing oath or affirmation. That the voter exhibited to me his or her blank ballot; that the ballot was not marked or voted before the voter exhibited the ballot to me; that the voter was not solicited or advised by me to vote for any candidate, question or issue, and that the voter, after marking his or her ballot, placed it in the envelope, closed and sealed the envelope in my presence, and signed and swore or affirmed the above certificate.

_____	_____
(Attesting witness)	(Address)
_____	_____
(Official title)	(City and State)

CERTIFICATE OF PERSON PROVIDING VOTER ASSISTANCE

(To be completed only if the voter has received assistance in marking the enclosed ballot.) I, under penalty of perjury, hereby certify that the above-named voter declared to me that he or she is blind, temporarily or permanently physically disabled, or cannot read or write, and that the voter requested that I assist the voter in marking the enclosed absentee ballot. I hereby certify that the ballot preferences on the enclosed ballot are those communicated by the voter to me, and that I have marked the enclosed ballot in accordance with the voter's instructions.

Penalties for vote fraud are up to \*\*\* ten (10) years in prison and a fine of up to \*\*\* Seven Thousand Five Hundred Dollars (\$7,500.00). (Miss. Code. Ann. Section 23-15-753.) Penalties for voter intimidation are \*\*\* not more than twenty (20) years in jail and a fine of up to \*\*\* Five Thousand Dollars (\$5,000.00). (Miss. Code. Ann. Section 97-13-37.)

\_\_\_\_\_  
Signature of person providing assistance

\_\_\_\_\_  
Printed name of person providing assistance

\_\_\_\_\_  
Address of person providing assistance

\_\_\_\_\_  
Date and time assistance provided

\_\_\_\_\_  
Family relationship to voter (if any)"

(2) The envelope shall have printed on the flap on the back of the envelope in bold print and in a distinguishing color, the following: "YOUR VOTE WILL BE REJECTED AND NOT COUNTED IF THIS ENVELOPE IS NOT SIGNED ACROSS THE FLAP OF THIS ENVELOPE BY YOU AND AN ATTESTING WITNESS."

SECTION 13. Section 23-15-751, Mississippi Code of 1972, is amended as follows:

23-15-751. If any registrar or commissioner of elections shall refuse or neglect to perform any of the duties prescribed by Sections 23-15-621 through 23-15-735, or shall knowingly permit any person to sign a false affidavit or otherwise knowingly permit any person to violate Sections 23-15-621 through 23-15-735, or shall violate any of the provisions thereof, or if any officer taking the affidavits as provided in said acts shall make any false statement in his certificate thereto attached, he shall, upon conviction, be deemed guilty of a crime and shall be punished by a fine not exceeding \* \* \* Five Thousand Dollars (\$5,000.00) or by imprisonment in the Penitentiary not exceeding \* \* \* ten (10) years, and shall be removed from office.

SECTION 14. Section 23-15-753, Mississippi Code of 1972, is amended as follows:

23-15-753. (1) Any person who willfully, unlawfully and feloniously procures, seeks to procure, or seeks to influence the vote of any person voting by absentee ballot, by the payment of money, the promise of payment of money, or by the delivery of any other item of value or promise to give the voter any item of value, or by promising or giving the voter any favor or reward in an effort to influence his vote, or any person who aids, abets, assists, encourages, helps, or causes any person voting an absentee ballot to violate any provision of law pertaining to absentee voting, or any person who sells his vote for money, favor, or reward, has been paid or promised money, a reward, a favor or favors, or any other item of value, or any person who shall willfully swear falsely to any affidavit provided for in Sections 23-15-621 through 23-15-735, shall be guilty of the crime of "vote fraud" and, upon conviction, shall be sentenced to pay a fine of not \* \* \* more than \* \* \* Five Thousand Dollars (\$5,000.00), or by imprisonment in the \* \* \* State Penitentiary for \* \* \* not more than \* \* \* ten (10) years, or by both fine and imprisonment \* \* \*.

(2) It shall be unlawful for any person who pays or compensates another person for assisting voters in marking their absentee ballots to base the pay or compensation on the number of absentee voters assisted or the number of absentee ballots cast by persons who have received the assistance. Any person who violates this section, upon conviction, shall \* \* \* be fined not \* \* \* more than \* \* \* Seven Thousand Five Hundred Dollars (\$7,500.00), or imprisoned in the State Penitentiary not \* \* \* more than \* \* \* ten (10) years, or both.

SECTION 15. Any person who shall deny a person the right to vote for a reason that is not provided in law shall be deemed guilty of a crime and punished by a fine not exceeding Five Thousand Dollars (\$5,000.00) or by imprisonment in the Department of Corrections not exceeding ten (10) years, or both.

SECTION 16. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 97-13-3, 97-13-5, 97-13-7, 97-13-9, 97-13-35, 97-13-36, 97-13-37, 97-13-43, 23-15-93, 23-15-561, 23-15-627, 23-15-635, 23-15-751 AND 23-15-753, MISSISSIPPI CODE OF 1972, TO INCREASE THE PENALTIES FOR COMMITTING CERTAIN ELECTION CRIMES; TO CREATE A NEW SECTION OF LAW TO PROVIDE THAT ANY PERSON WHO SHALL DENY A PERSON THE RIGHT TO VOTE SHALL BE DEEMED GUILTY OF A CRIME; TO PROVIDE THE PENALTIES FOR THE CRIME; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Nick Bain

Jansen Owen

Jill Ford

CONFEREES FOR THE SENATE

Joey Fillingane

Jeremy England

Dennis DeBar, Jr.

Senator Fillingane made a substitute motion that the Conference Committee Report on **H. B. No. 400** (version 2) be recommitted for further conference and the motion prevailed.

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**S. C. R. No. 571:** Israel; commend 75th Anniversary of independence of.

Andrew Ketchings, Clerk of the House of Representatives

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED  
FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 62:** A CONCURRENT RESOLUTION COMMENDING THE ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE OF THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM RANKIN, REPRESENTATIVE TOM WEATHERSBY, UPON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

**H. C. R. No. 63:** A CONCURRENT RESOLUTION COMMENDING THE ESTEEMED, LAUDABLE AND PIONEERING LEGISLATIVE CAREER AND PUBLIC SERVICE OF THE MOST HONORABLE AND DISTINGUISHED LADY FROM HINDS, REPRESENTATIVE ALYCE GRIFFIN CLARKE UPON THE SPECIAL OCCASION OF HER RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess until 1:45 PM.

The motion prevailed, and at 12:19 PM, the Senate stood in recess.

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The Senate resumed business at 1:45 PM, pursuant to recess, with President Hosemann presiding.

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 62:** Representative Tom Weathersby; commend distinguished legislative career and public service of upon the occasion of his retirement. Rules.

**H. C. R. No. 63:** Representative Alyce G. Clarke; commend distinguished legislative career and public service upon the special occasion of her retirement. Rules.

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1593:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ATHLETIC COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1594:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUCTIONEERS COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1595:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF BARBER EXAMINERS FOR THE FISCAL YEAR 2024.

**H. B. No. 1596:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF COSMETOLOGY FOR THE FISCAL YEAR 2024.

**H. B. No. 1597:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD OF EXAMINERS FOR SOCIAL WORKERS AND MARRIAGE AND FAMILY THERAPISTS FOR THE FISCAL YEAR 2024.

**H. B. No. 1601:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF OPTOMETRY FOR THE FISCAL YEAR 2024.

**H. B. No. 1602:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHYSICAL THERAPY FOR THE FISCAL YEAR 2024.

**H. B. No. 1604:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR PROFESSIONAL ENGINEERS AND LAND SURVEYORS FOR FISCAL YEAR 2024.

**H. B. No. 1606:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE FIRE ACADEMY FOR THE FISCAL YEAR 2024.



**H. B. No. 1607:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM AND FOR THE MAINTENANCE AND OPERATION OF THE RETIREMENT SYSTEM BUILDING FOR THE FISCAL YEAR 2024.

**H. B. No. 1621:** AN ACT MAKING AN APPROPRIATION FROM GENERAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC UTILITIES STAFF FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1598:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF MEDICAL LICENSURE FOR THE FISCAL YEAR 2024.

**H. B. No. 1599:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF NURSING FOR THE FISCAL YEAR 2024.

**H. B. No. 1600:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF NURSING HOME ADMINISTRATORS FOR THE FISCAL YEAR 2024.

**H. B. No. 1603:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PSYCHOLOGY FOR THE FISCAL YEAR 2024.

**H. B. No. 1610:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING THE EXPENSES AND PROVIDING CONTINGENT FUNDS FOR THE LEGISLATURE, THE EXPENSES OF THE JOINT LEGISLATIVE BUDGET COMMITTEE, THE EXPENSES OF THE JOINT LEGISLATIVE COMMITTEE ON PERFORMANCE EVALUATION AND EXPENDITURE REVIEW, THE EXPENSES OF THE JOINT LEGISLATIVE REAPPORTIONMENT COMMITTEE, THE EXPENSES OF THE JOINT COMMITTEE ON COMPILATION, REVISION AND PUBLICATION OF LEGISLATION, PAYING THE MONTHLY EXPENSE ALLOWANCE OF THE MEMBERS OF THE LEGISLATURE, PAYING THE STATE'S SHARE OF VARIOUS ASSESSMENTS, AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2024.

**H. B. No. 1619:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE OIL AND GAS BOARD FOR THE FISCAL YEAR 2024.

**H. B. No. 1627:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE BOARD OF REGISTRATION FOR FORESTERS FOR THE FISCAL YEAR 2024.

**H. B. No. 1630:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PAT HARRISON WATERWAY DISTRICT FOR THE FISCAL YEAR 2024.

**H. B. No. 1631:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PEARL RIVER VALLEY WATER SUPPLY DISTRICT FOR THE FISCAL YEAR 2024.

**H. B. No. 1634:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE YELLOW CREEK STATE INLAND PORT AUTHORITY FOR THE FISCAL YEAR 2024.

**H. B. No. 1643:** AN ACT MAKING A REAPPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO REAUTHORIZE THE EXPENDITURE OF CAPITAL EXPENSES AND SPECIAL FUNDS PREVIOUSLY APPROPRIATED FOR CONSTRUCTION AND/OR REPAIR AND RENOVATION PROJECTS AT VARIOUS STATE AGENCIES AND INSTITUTIONS, FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1629:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE SOIL AND WATER CONSERVATION COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1633:** AN ACT APPROVING THE EXPENDITURE OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE TOMBIGBEE RIVER VALLEY WATER MANAGEMENT DISTRICT FOR THE FISCAL YEAR 2024.

**H. B. No. 1635:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE VETERANS' HOME PURCHASE BOARD AND MAKING NEW HOME LOANS AS AUTHORIZED BY LAW FOR THE FISCAL YEAR 2024.

**H. B. No. 1638:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF CAPITAL POST-CONVICTION COUNSEL OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

Joseph Thomas, Chairman

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Senator Fillingane offered the following report of the Conference Committee on **H. B. No. 1315** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1315: Pornographic media materials; regulate access to minors and require age verification.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 37-11-81, Mississippi Code of 1972:

37-11-81. (1) The state, or any of its agencies, a school district, charter school, the Mississippi School of the Arts, the Mississippi School for Mathematics and Science, the Mississippi Virtual Public School, the Mississippi School for the Deaf or the Mississippi School for the Blind (hereafter, "the contracting party") may offer digital or online resources or databases to students in kindergarten through twelfth grade only if the vendor or other person or entity providing the resources verifies that all the resources will comply with the provisions of subsection (2) of this section.

(2) A vendor or other person or entity providing digital or online resources or databases under the authority of this section must have safety policies and technology protection measures that:

(a) Prohibit and prevent a person from sending, receiving, viewing or downloading materials that are:

(i) Child pornography;

(ii) Materials that depict or promote child sexual exploitation or trafficking;

(iii) Obscene materials, as defined in this act;

(iv) Inappropriate materials depicting or dealing with matters of sex, cruelty and violence in a manner likely to be injurious or harmful to a child; or

(v) Materials that are sexually oriented, as defined in Section 97-5-27(2); and

(b) Block, or otherwise prohibit and prevent, access to obscene materials, inappropriate materials, materials that are sexually oriented or materials that depict, describe or promote child pornography or child sexual exploitation.

(c) For the purposes of this act, material is obscene, if:

(i) To the average person, applying contemporary community standards, taken as a whole, it appeals to the prurient interest, that is, a lustful, erotic, shameful, or morbid interest in nudity, sex or excretion; and

(ii) The material taken as a whole lacks serious literary, artistic, political or scientific value; and

(iii) The material depicts or describes in a patently offensive way, sexual contact specifically defined in items 1 through 5 below:

1. Acts of sexual intercourse of any kind, normal or perverted, actual or simulated;

2. Acts of masturbation;

3. Acts involving excretory functions or lewd exhibition of the genitals;

4. Acts of bestiality or the fondling of sex organs of animals;

or

5. Sexual acts of flagellation, torture or other violence indicating a sadomasochistic sexual relationship.

(3) (a) The provisions of this section shall take precedence over any other provision of law to the contrary in a contract between the contracting party and a vendor or other person or entity providing digital or online resources or databases. Notwithstanding any other provision of law to the contrary, in a contract between the contracting party and a provider to the contrary, if a provider of digital or online resources or databases fails to comply with the requirements of this section, the contracting party shall withhold further payments, if any, to the provider pending verification of compliance.

(b) No Internet service provider, or its affiliates or subsidiaries, search engine, or cloud service provider shall be held to have violated the provisions of this act solely for providing services that do not constitute the direct provision of digital or online resources or databases to students in kindergarten through twelfth grade.

(c) The provisions of this section do not apply to the use of digital or online resources or databases by a student enrolled in a Mississippi institution of higher education or a Mississippi community or junior college, including dual-enrolled students.

(d) Upon a first uncured occurrence by a provider of digital or online resources or databases of noncompliance with subsection (2) of this section and failure to verify within thirty (30) days of receiving notice of the noncompliance from the contracting party that the provider is in compliance with this section, the contracting party shall consider the provider's noncompliance to be a breach of contract.

(e) Upon a second uncured occurrence by a provider of noncompliance with subsection (2) and failure to verify within thirty (30) days of receiving notice of the noncompliance from the contracting party that the provider is in compliance with the requirements of this section, the contracting party is entitled to a reduction in the amount of ten percent (10%) of the agreed upon price in the contract to be paid by the contracting party to the provider. The contracting party shall adjust any future payments due to the provider under the contract accordingly to effectuate the ten percent (10%) reduction. However, if the contract price has been paid in full, or if the balance owed on the contract price is equal to less than ten percent (10%) of the contract price, the provider must return to the contracting party such amount that is required to effectuate a ten percent (10%) reduction of the contract price.

(f) Upon a third uncured occurrence by a provider of noncompliance with subsection (2) and failure to verify within thirty (30) days of receiving notice of the noncompliance from the contracting party that the provider is in compliance with the requirements of this section, the contract must be considered terminated and the contracting party is entitled to a complete refund of the agreed upon price in the contract to be paid by the contracting party to the provider. The contracting party shall withhold any future payments that may be due to the provider, and the provider must return to the contracting party all amounts previously paid to the provider under the contract.

(4) The Attorney General may investigate compliance with this section. The contracting party must report to the Attorney General a provider's failure to comply with subsection (2) of this section no later than thirty (30) days after the contracting party learns of the provider's noncompliance. Such a report shall constitute a public record under the Mississippi Public Records Act.

SECTION 2. The following shall be codified as Section 39-3-25, Mississippi Code of 1972:

39-3-25. (1) The state, or any of its agencies, or a public library (hereafter, "the contracting party") may offer digital or online resources or databases to minors only if the vendor or other person or entity providing the resources verifies that all the resources will

comply with the provisions of subsection (2) of this section. For purposes of this section, the term "minor" means any person under the age of eighteen (18).

(2) A vendor or other person or entity providing digital or online resources or databases under the authority of this section must have safety policies and technology protection measures that:

(a) Prohibit and prevent a minor from sending, receiving, viewing or downloading materials that are:

(i) Child pornography;

(ii) Materials that depict or promote child sexual exploitation or trafficking;

(iii) Obscene materials, as defined in this act;

(iv) Inappropriate materials depicting or dealing with matters of sex, cruelty and violence in a manner likely to be injurious or harmful to a child; or

(v) Materials that are sexually oriented, as defined in Section 97-5-27(2); and

(b) Block, or otherwise prohibit and prevent, a minor from accessing obscene materials, inappropriate materials, materials that are sexually oriented or materials that depict, describe or promote child pornography or child sexual exploitation.

(3) (a) The provisions of this section take precedence over any provision in a contract between the contracting party and a vendor or other person or entity providing digital or online resources or databases to the contrary. Notwithstanding any provision in a contract between the contracting party and a provider to the contrary, if a provider of digital or online resources or databases fails to comply with the requirements of this section, the contracting party shall withhold further payments, if any, to the provider pending verification of compliance.

(b) No Internet service provider, or its affiliates or subsidiaries, search engine, or cloud service provider shall be held to have violated the provisions of this act solely for providing services that do not constitute the direct provision of digital or online resources or databases to minors.

(c) The provisions of this section do not apply to the use of digital or online resources or databases by a student enrolled in a Mississippi institution of higher education or a Mississippi community or junior college, including dual-enrolled students.

(d) Upon a first uncured occurrence by a provider of digital or online resources or databases of noncompliance with subsection (2) of this section and failure to verify within thirty (30) days of receiving notice of the noncompliance from the contracting party that the provider is in compliance with this section, the contracting party shall consider the provider's noncompliance to be a breach of contract.

(e) Upon a second uncured occurrence by a provider of noncompliance with subsection (2) and failure to verify within thirty (30) days of receiving notice of the noncompliance from the contracting party that the provider is in compliance with the requirements of this section, the contracting party is entitled to a reduction in the amount of ten percent (10%) of the agreed upon price in the contract to be paid by the contracting party to the provider. The contracting party shall adjust any future payments due to the provider under the contract accordingly to effectuate the ten percent (10%) reduction. However, if the contract price has been paid in full, or if the balance owed on the contract price is equal to less than ten percent (10%) of the contract price, the provider must return

to the contracting party such amount that is required to effectuate a ten percent (10%) reduction of the contract price.

(f) Upon a third uncured occurrence by a provider of noncompliance with subsection (2) and failure to verify within thirty (30) days of receiving notice of the noncompliance from the contracting party that the provider is in compliance with the requirements of this section, the contract must be considered terminated and the contracting party is entitled to a complete refund of the agreed upon price in the contract to be paid by the contracting party to the provider. The contracting party shall withhold any future payments that may be due to the provider, and the provider must return to the contracting party all amounts previously paid to the provider under the contract.

(4) Prior to withholding any payment for noncompliance under this act, any contracting party must provide to the database vendor:

(i) Written notice of the nature of the violation, including reasonable identification of the prohibited material and the manner of its access.

(ii) Thirty (30) days to present evidence that the acts alleged to constitute a violation are not a breach of the provider's obligation.

(iii) Thirty (30) days to cure any occurrence of noncompliance.

(iv) After having exhausted the administrative remedies referenced in subparagraphs (i) – (iii), the opportunity to tender the disputed contract funds into the registry of a court of competent jurisdiction and to seek a judicial determination of the rights under the contract.

(5) The Attorney General may investigate compliance with this section. The contracting party must report to the Attorney General a provider's failure to comply with subsection (2) of this section no later than thirty (30) days after the contracting party learns of the provider's noncompliance. Such a report shall constitute a public record under the Mississippi Public Records Act.

SECTION 3. If any section, paragraph, sentence, clause, phrase or any part of this act passed on or after the effective date of this act is declared to be unconstitutional or void, or if for any reason is declared to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts of this act shall be in no manner affected thereby but shall remain in full force and effect.

Unless the contrary intent shall clearly appear in the particular act in question, each and every act passed hereafter shall be read and construed as though the provisions of the first paragraph of this section form an integral part thereof, whether expressly set out therein or not.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REGULATE PORNOGRAPHIC MEDIA EXPOSURE TO CHILDREN IN K-12; TO REGULATE DIGITAL AND ONLINE RESOURCES PROVIDED BY K-12 VENDORS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Nick Bain

Jill Ford

Gene Newman

CONFEREES FOR THE SENATE

Joey Fillingane

Brice Wiggins

Angela Burks Hill

Senator Bryan moved that the Conference Committee Report on **H. B. No. 1315** (version 2) be recommitted for further conference and the motion failed.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1315** (version 2) was adopted:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--36.

Nays--Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting--Hopson. Total--1.

Voting Present--Barnett. Total--1.

Senator DeBar offered the following report of the Conference Committee on **H. B. No. 1390** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1390: Abstinence education; delete repealer on school board requirement to adopt a policy on abstinence-only or abstinence-plus.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-13-171, Mississippi Code of 1972, is amended as follows:

37-13-171. (1) The local school board of every public school district shall adopt a policy to implement abstinence-only or abstinence-plus education or sexual risk avoidance education into its curriculum \* \* \*, which instruction in those subjects shall be implemented not later than the start of the \* \* \* 2023-2024 school year or the local school board shall adopt the program which has been developed by the Mississippi Department of Human Services and the Mississippi Department of Health. The State Department of Education shall approve each district's curriculum for sex-related education and shall establish a protocol to be used by districts to provide continuity in teaching the approved curriculum in a manner that is age, grade and developmentally appropriate.

(2) Abstinence-only education shall remain the state standard for any sex-related education taught in the public schools. For purposes of this section, abstinence-only education includes any type of instruction or program which, at an appropriate age and grade:

(a) Teaches the social, psychological and health gains to be realized by abstaining from sexual activity, and the likely negative psychological and physical effects of not abstaining;

(b) Teaches the harmful consequences to the child, the child's parents and society that bearing children out of \* \* \* marriage is likely to produce, including the health, educational, financial and other difficulties the child and his or her parents are likely to face, as well as the inappropriateness of the social and economic burden placed on others;

(c) Teaches that unwanted sexual advances are irresponsible and teaches how to reject sexual advances and how alcohol and drug use increases vulnerability to sexual advances;

(d) Teaches that abstinence from sexual activity before marriage, and fidelity within marriage, is the only certain way to avoid out-of- \* \* \* marriage pregnancy, sexually transmitted diseases and related health problems. The instruction or program may include a discussion on condoms or contraceptives, but only if that discussion includes a factual presentation of the risks and failure rates of those contraceptives. In no case shall the instruction or program include any demonstration of how condoms or other contraceptives are applied;

(e) Teaches the current state law related to sexual conduct, including forcible rape, statutory rape, paternity establishment, child support and homosexual activity; and

(f) Teaches that a mutually faithful, monogamous relationship in the context of marriage is the only appropriate setting for sexual intercourse.

(3) A program or instruction on sex-related education need not include every component listed in subsection (2) of this section for abstinence-only education. However, no program or instruction under an abstinence-only curriculum may include anything that contradicts the excluded components. For purposes of this section, abstinence-plus education includes every component listed under subsection (2) of this section that is age and grade appropriate, in addition to any other programmatic or instructional component approved by the department, which shall not include instruction and demonstrations on the application and use of condoms. Abstinence-plus education may discuss other contraceptives, the nature, causes and effects of sexually transmitted diseases, or the prevention of sexually transmitted diseases, including HIV/AIDS, along with a factual presentation of the risks and failure rates.

(4) Any course containing sex-related education offered in the public schools shall include instruction in either abstinence-only or abstinence-plus education.



(5) Local school districts, in their discretion, may host programs designed to teach parents how to discuss abstinence with their children.

(6) There shall be no effort in either an abstinence-only or an abstinence-plus curriculum to teach that abortion can be used to prevent the birth of a baby.

(7) At all times when sex-related education is discussed or taught, boys and girls shall be separated according to gender into different classrooms, sex-related education instruction may not be conducted when boys and girls are in the company of any students of the opposite gender.

\* \* \*

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-13-171, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEALER ON THE REQUIREMENT FOR SCHOOL BOARDS TO ADOPT A POLICY ON THE IMPLEMENTATION OF ABSTINENCE-ONLY OR ABSTINENCE-PLUS EDUCATION INTO THE CURRICULUM; TO INCLUDE SEXUAL RISK AVOIDANCE EDUCATION AS AN ADDITIONAL POLICY FOR THE CURRICULUM REQUIREMENTS; TO MAKE NONSUBSTANTIVE CHANGES TO UPDATE ANTIQUATED LANGUAGE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Richard Bennett

Dennis DeBar, Jr.

Dana McLean

Brice Wiggins

Lee Yancey

John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1390** was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson, Johnson, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Blackmon, Jordan, Norwood, Simmons D. T. (12th), Turner-Ford. Total--5.

Absent and those not voting----None.

Voting Present--Hickman. Total--1.

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Senator DeBar moved that the rules be suspended to move to calendar item 19, **H. B. No. 817**, and the motion prevailed.

Senator DeBar offered the following report of the Conference Committee on **H. B. No. 817** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 817: Early Learning Collaborative; increase minimum funding levels for full-day and half-day programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

#### CONFEREES FOR THE HOUSE

Richard Bennett

Kent McCarty

Kevin Felsher

#### CONFEREES FOR THE SENATE

Dennis DeBar, Jr.

Brice Wiggins

John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 817** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting----None.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2073** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2073: Age of majority; lower to 18 for securing loans and entering contracts for real property.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 93-19-13, Mississippi Code of 1972, is amended as follows:

93-19-13. (1) All persons eighteen (18) years of age or older, if not otherwise disqualified, or prohibited by law, shall have the capacity to enter into binding contractual relationships affecting personal property, mortgages, and real property. In addition, all persons eighteen (18) years of age or older shall have the capacity to enter into binding contractual relationships for the purpose of investing in mutual funds, stocks, bonds and any other publicly traded equities. Nothing in this section shall be construed to affect any contracts entered into prior to July 1, 1976.

(2) Any person who, upon attaining eighteen (18) years of age, but not having reached the age of majority, \* \* \* if not otherwise disqualified or prohibited by law, shall have the capacity to enter into binding agreements to lease real property to be occupied by the person as the actual place of residence, and to secure the necessary utility services necessary to make such place of residence habitable, including, but not limited to, electricity, natural gas, propane, water, sewage, garbage disposal and Internet services.

(3) In any legal action founded on a contract entered into by a person eighteen (18) years of age or older, the said person may sue in his own name as an adult and be sued in his own name as an adult and be served with process as an adult.

SECTION 2. Section 1-3-27, Mississippi Code of 1972, is amended as follows:

1-3-27. The term "minor," when used in \* \* \* statute, except as otherwise provided by law shall include any person, male or female, under twenty-one (21) years of age. If a statute refers to the ability to enter into a contract affecting personal property or real property, "minor" shall mean any person, male or female, under eighteen (18) years of age.

SECTION 3. Section 15-3-11, Mississippi Code of 1972, is amended as follows:

15-3-11. An action shall not be maintained whereby to charge any person upon any promise made after full age to pay any debt contracted during infancy, or upon any ratification after full age of any promise or contract made during infancy, unless such promise or ratification shall be made by some writing, signed by the person to be charged therewith. The full age of ratification shall be eighteen (18) years of age.

SECTION 4. Section 11-5-115, Mississippi Code of 1972, is amended as follows:

11-5-115. When a decree shall be made for the sale or conveyance of the real estate of an infant, such decree shall be binding on the infant unless he shall, within one year after attaining the age of \* \* \* eighteen (18) years, show to the court good cause to the contrary; and it shall not be necessary to insert the saving in the decree, but the saving shall not extend to decrees for the sale of the property of deceased persons, authorizing sales by guardians, or enforcing deeds of trust or mortgages.

SECTION 5. Section 89-1-301, Mississippi Code of 1972, is amended as follows:

89-1-301. The provisions of Sections 89-1-301 through 89-1-329 shall apply only in the event that the President of the United States has declared that an emergency or major disaster exists in this state and shall apply only to persons or property directly damaged in an enemy attack, or a man-made, technological or natural disaster declared by the Governor in which Sections 89-1-301 through 89-1-329 \* \* \* were specifically included as a relief measure for those counties covered by such disaster declaration. The provisions of Sections 89-1-301 through 89-1-329 shall apply to any mortgage or deed of trust on real property executed prior to the date of the disaster declaration by the Governor, and to any such instruments executed after the date of the disaster declaration by the Governor which renewed or extended any mortgage or deed of trust executed prior to the date of the disaster declaration by the Governor. When the mortgagee, or owner, or holder, or trustee, or other person having like power shall hereafter determine to foreclose a mortgage or deed of trust on real estate covered by the provisions of Sections 89-1-301 through 89-1-329, he may proceed by bill in chancery, and in the same manner as in proceedings to foreclose under existing statutes in cases where the mortgage or deed of trust contains no provisions for sale by a trustee or otherwise. Any stipulations in the mortgage or deed of trust as to the manner of foreclosure thereunder shall not preclude proceedings to foreclose any mortgage or deed of trust under the provisions of Sections 89-1-301 through 89-1-329. If any mortgagee, holder, owner, trustee, or other person shall attempt to foreclose otherwise than as herein provided, such proceedings may be enjoined by the mortgagor or owner in possession of the mortgaged premises, or anyone claiming under the mortgagor, or anyone liable for the mortgage debt. Upon the filing of a sworn petition which affirmatively sets forth that neither the petitioner nor any other person owning an interest in the legal title to the mortgaged premises is able to pay the sums in arrears on the mortgaged debt, that no such person or persons have been able to secure a refinancing of the mortgaged debt up to the date of the filing of the petition, after diligent effort, and that because of the destruction of or damage to improvements on the mortgaged premises or because of economic conditions brought about by the effects of such an enemy attack or man-made, technological or natural disaster declared by the Governor, the mortgaged property has depreciated in value as a proximate result of said disaster in an amount in excess of fifteen percent (15%) of its fair market value prior to said disaster, the chancellor of any chancery court of competent jurisdiction shall issue a preliminary injunction enjoining any foreclosure proceedings which have been commenced. The chancellor shall likewise issue a preliminary injunction enjoining any foreclosure proceedings which have been commenced if a sworn petition shall be filed which affirmatively sets forth that as a direct and proximate result of said disaster the petitioner or any other person owning an interest in the legal title to the mortgaged premises is unable to pay the sums in arrears on the mortgage debt, that the petitioner or such other person or persons have not been able to secure the refinancing of the mortgage debt up to the date of the filing of the petition after diligent effort, and that the petitioner has actually sustained a loss in income derived from the mortgaged property, or is presently threatened with such loss as a proximate result of such disaster, in an amount in excess of fifteen percent (15%) of the average annual income from the mortgaged property for the three (3) years immediately prior to said disaster; provided, however, for mortgages or deeds of trust on real property leased or rented for residential purposes from the mortgagor to a third party or parties, the provisions of Sections 89-1-301 through 89-1-329 shall apply only if the mortgagor or landlord has made or is making a good-faith effort to rehabilitate the property to a reasonable standard of habitability.

Upon the issuance of any such preliminary injunction, the mortgagee may file a motion to dissolve said injunction, which motion shall be heard in termtime or in vacation, at a time to be fixed by the court not less than thirty (30) days from the date of the filing thereof. The mortgagor may implead any and all persons owning or claiming an interest in the legal title to said property and all persons who may be primarily or secondarily liable on the mortgaged indebtedness. Process shall be issued for all parties so impleaded in the manner now provided by law in suits to confirm titles and the cause shall be triable five (5) days after completion of service of process on all parties. The court may grant

such continuances as may be necessary for the completion of service of process on all parties.

Upon the hearing of the motion to dissolve, unless the petitioner shall prove all of the material allegations of his petition by a preponderance of the evidence, the preliminary injunction shall be dissolved. No injunction bond shall be required for the issuance of the preliminary injunction. If the court shall find the petition was filed solely for the purpose of hindering and delaying collection of the mortgaged debt and without reasonable grounds therefor, reasonable attorney's fees shall be allowed as in other cases upon dissolution of preliminary injunctions, but not otherwise.

If, upon hearing of the motion to dissolve, it shall be determined that said motion should not be granted, then the hearing shall continue in the same manner as provided for in Section 89-1-303, and the court shall enter its order granting the relief provided for by Sections 89-1-301 through 89-1-329 in the case of bills to foreclose. All the terms and provisions of Sections 89-1-301 through 89-1-329 relating to the proceedings had on, or to relief granted under, bills to foreclose shall be applicable.

Provided, however, if a deed of trust be foreclosed according to the provisions therein contained, and the sale be actually consummated without the mortgagor or his heirs or assigns availing themselves of the right to enjoin said sale as provided in Sections 89-1-301 through 89-1-329, the foreclosure and the title resting thereon, if otherwise regular, shall not be controverted on account of any of the provisions of Sections 89-1-301 through 89-1-329, and this limitation shall also apply to minors who are younger than eighteen (18) years of age, and all others under legal disability. The provisions of this section shall apply to advertisements for sales already published at the time of the disaster declaration by the Governor in which he specifically included the relief provided for in Sections 89-1-301 through 89-1-329, but in which the sale has not been made; provided that in such case the costs of the advertisement be tendered in cash with the bill for injunction.

SECTION 6. Section 93-19-1, Mississippi Code of 1972, is amended as follows:

93-19-1. The chancery court of the county in which a minor resides, or the chancery court of a county in which a resident minor owns real estate in matters pertaining to such real estate, may remove the disability of minority of such minor. In cases of married minors, the residence of the husband shall be the residence of the parties. The chancery court of a county in which a nonresident minor of the State of Mississippi owns real estate or any interest in real estate may remove the disability of minority of such minor as to such real estate, so as to enable said minor to do and perform all acts with reference to such real estate, to sell and convey, to mortgage, to lease, and to make deeds of trust and contracts, including promissory notes, concerning said real estate, or any interest therein which may be owned by such minor, as fully and effectively as if said minor were \* \* \* eighteen (18) years of age. The jurisdiction thus exercised shall be that of a court of general equity jurisdiction, and all presumptions in favor of that adjudged shall be accorded at all times.

SECTION 7. Section 93-19-9, Mississippi Code of 1972, is amended as follows:

93-19-9. The decree may be for the partial removal of the disability of the minor so as to enable him to do some particular act proposed to be done and specified in the decree; or it may be general, and empower him to do all acts in reference to his property, and making contracts, and suing and being sued, and engaging in any profession or avocation, which he could do if he were \* \* \* eighteen (18) years of age; and the decree made shall distinctly specify to what extent the disability of the minor is removed, and what character of acts he is empowered to perform notwithstanding his minority, and may impose such restrictions and qualifications as the court may adjudge proper.

SECTION 8. Section 91-20-3, Mississippi Code of 1972, is amended as follows:

91-20-3. In this chapter:

- (a) "Adult" means an individual who has attained the age of \* \* \* eighteen (18) years.
- (b) "Benefit plan" means an employer's plan for the benefit of an employee or partner.
- (c) "Broker" means a person lawfully engaged in the business of effecting transactions in securities or commodities for the person's own account or for the account of others.
- (d) "Conservator" means a person appointed or qualified by a court to act as general, limited or temporary guardian of a minor's property or a person legally authorized to perform substantially the same functions.
- (e) "Court" means the chancery court of the county in which the parties reside.
- (f) "Custodial property" means (i) any interest in property transferred to a custodian under this chapter and (ii) the income from and proceeds of that interest in property.
- (g) "Custodian" means a person so designated under Section 91-20-19 or a successor or substitute custodian designated under Section 91-20-37.
- (h) "Financial institution" means a bank, trust company, savings institution or credit union, chartered and supervised under state or federal law.
- (i) "Legal representative" means an individual's personal representative or conservator.
- (j) "Member of the minor's family" means the minor's parent, stepparent, spouse, grandparent, brother, sister, uncle or aunt, whether of the whole or half blood or by adoption.
- (k) "Minor" means an individual who has not attained the age of \* \* \* eighteen (18) years.
- (l) "Person" means an individual, corporation, organization or other legal entity.
- (m) "Personal representative" means an executor, administrator, successor personal representative or special administrator of a decedent's estate or a person legally authorized to perform substantially the same functions.
- (n) "State" includes any state of the United States, the District of Columbia, the Commonwealth of Puerto Rico and any territory or possession subject to the legislative authority of the United States.
- (o) "Transfer" means a transaction that creates custodial property under Section 91-20-19.
- (p) "Transferor" means a person who makes a transfer under this chapter.
- (q) "Trust company" means a financial institution, corporation or other legal entity authorized to exercise general trust powers.

SECTION 9. Section 91-20-41, Mississippi Code of 1972, is amended as follows:

91-20-41. The custodian shall transfer in an appropriate manner the custodial property to the minor or to the minor's estate upon the earlier of:

- (a) The minor's attainment of \* \* \* eighteen (18) years of age with respect to custodial property transferred under Section 91-20-9 or 91-20-11;
- (b) The minor's attainment of eighteen (18) years of age with respect to custodial property transferred under Section 91-20-13 or 91-20-15; or
- (c) The minor's death.

SECTION 10. Section 15-1-17, Mississippi Code of 1972, is amended as follows:

15-1-17. The owner, mortgagee or other person interested in any land which has been sold or forfeited to the state for delinquent taxes may bring a suit or action to cancel the title of the state, or its patentees, or to recover said land from the state, or its patentees, on account of any defect, irregularity or illegality in the assessment, levy or sale of such land for delinquent taxes within two (2) years after the period of redemption shall have expired, and not thereafter. However, the limitations herein fixed shall not apply when the taxes on such land had been paid prior to the time it was sold for taxes.

If any person entitled to bring any such suit or action shall, at the time at which the cause of action accrues, be under the disability of infancy, or unsoundness of mind, he may bring the suit or action within the time in this section respectively limited after his disability shall be removed but the saving of persons under disability shall never extend longer than eighteen (18) years if the disability is infancy, or twenty-one (21) years if the disability is unsoundness of mind.

The completion of the limitation herein prescribed to bar any action shall defeat and extinguish all the right, title and interest, including the right of possession in and to such land, of any and all persons whatsoever, except the State of Mississippi and its patentees, and it shall vest in the state, and its patentees, a fee simple title to such lands.

SECTION 11. Section 93-3-11, Mississippi Code of 1972, which is the provision of law that removes the disability of minority for certain married persons solely with respect to homestead transactions, is repealed.

SECTION 12. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTIONS 93-19-13, 1-3-27, 15-3-11, 11-5-115, 89-1-301, 93-19-1, 93-19-9, 91-20-3, 91-20-41 AND 15-1-17, MISSISSIPPI CODE OF 1972, TO LOWER THE AGE OF MAJORITY TO EIGHTEEN FOR SECURING HOME LOANS AND ENTERING CONTRACTS FOR REAL PROPERTY; TO REPEAL SECTION 93-3-11, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW THAT REMOVES THE DISABILITY OF MINORITY FOR CERTAIN MARRIED PERSONS SOLELY WITH RESPECT TO HOMESTEAD TRANSACTIONS; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE SENATE

## CONFEREES FOR THE HOUSE

Brice Wiggins

Angela Cockerham

Tyler McCaughn

Thomas U. Reynolds

Angela Burks Hill

Kevin Felsher

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2073** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Norwood. Total--1.

Absent and those not voting----None.

Senator Bryan offered the following report of the Conference Committee on **S. B. No. 2167** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2167: Early Intervention Task Force; establish.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is hereby established the "Early Intervention Task Force to Study the IDEA Part C Early Intervention System in Mississippi and Mississippi's Laws Regarding Early Intervention." The goal of the task force shall be to develop a recommendation to the Legislature on reforming the current early intervention system and laws in Mississippi, with a goal of increasing access to services for children from birth to age three (3) through a robust First Steps Early Intervention Program. The task force may propose legislation and rule changes based upon its recommendation.



(2) The members of the task force shall be as follows:

(a) The Chairmen of the Public Health Committees of the Mississippi Senate and the Mississippi House of Representatives, or his or her designee from their respective committee membership;

(b) The Chairmen of the Appropriations Committees of the Mississippi Senate and the Mississippi House of Representatives, or his or her designee from their respective committee membership;

(c) The Chairmen of the Education Committees of the Mississippi Senate and the Mississippi House of Representatives, or his or her designee from their respective committee membership;

(d) One (1) member of the Mississippi State Senate, to be named by the Lieutenant Governor; and one (1) member of the Mississippi House of Representatives, to be named by the Speaker of the House of Representatives, who are interested in early intervention issues;

(e) The State Health Officer of the Mississippi Department of Health or a designated deputy;

(f) One (1) designee that is a direct service provider in the First Steps Early Intervention Program, to be named by the State Health Officer;

(g) One (1) faculty member from the Social Science Research Center (SSRC) at Mississippi State University, to be named by the Director of the SSRC;

(h) One (1) developmental-behavioral pediatrician with expertise in early childhood systems building, to be named by the Vice Chancellor of the University of Mississippi Medical Center;

(i) One (1) general pediatrician, to be named by the Mississippi Chapter of the American Academy of Pediatrics;

(j) One (1) clinical psychologist with expertise in social-emotional health of infants and toddlers, to be named by the Vice Chancellor of the University of Mississippi Medical Center;

(k) One (1) school psychologist, to be named by the Mississippi Association of Psychologists in the Schools;

(l) One (1) early interventionist/development therapist, to be named by the State Health Officer;

(m) The Executive Director of the Mississippi Early Learning Alliance;

(n) One (1) family advocacy representative to be appointed by the Executive Director of the Mississippi Coalition for Citizens with Disabilities;

(o) One (1) parent representative with current experience with early intervention to be appointed by the Executive Director of the Mississippi Coalition for Citizens with Disabilities;

(p) One (1) faculty member from the College of Health Sciences at Jackson State University, to be named by the president of such university; and

(q) One (1) pediatrician, to be named by the Mississippi Region of the National Medical Association.

(3) A faculty member from each of the universities within the institutions of higher learning with an early childhood development program or early intervention program may be named by the president of each university to assist the task force.

(4) The task force shall meet within forty-five (45) days of the effective date of this act and shall evaluate the current early intervention laws in Mississippi. Specifically, the task force shall:

(a) Evaluate early intervention infrastructure in Mississippi and in states with better performance outcomes as compared to Mississippi, study the employment structures of early intervention systems and evaluate eligibility requirements to support serving more children within the early intervention system;

(b) Review billing and reimbursement processes and rates for early intervention services in Mississippi and in other states, to ensure a timely receipt of payment to providers;

(c) Explore options for an ideal location where early intervention services should be housed to reduce barriers to implementation;

(d) Study early intervention service delivery models used in surrounding states, including a university-based hub model and evaluate how this model may impact the training of students and future professionals;

(e) Access the efficiency of telemedicine for initial evaluations and therapeutic services deemed clinically appropriate;

(f) Explore the benefits of including additional service providers within the early intervention service delivery system;

(g) Review the Comprehensive Systems of Personnel Development (CSPD) and the quantity, quality and effectiveness of the early intervention workforce; explore the feasibility of funding a CSPD Coordinator within a state agency to assist in ensuring all early intervention providers meet competencies for serving young children;

(h) Explore the feasibility of developing an Office of Early Childhood and provide recommendations on this approach; and

(i) Review any other matters related to the above issues or related to early intervention services.

(5) The task force may request the assistance of the Mississippi Department of Health, the Social Sciences Research Center at Mississippi State University, the Mississippi Early Learning Alliance or any other related entity or organization with expertise in early intervention services.

(6) The members of the task force shall elect a Chair from among the members. The task force shall develop and report its findings and recommendations for proposed legislation to the Legislature and proposed rule changes to the Mississippi Department of Health on or before December 1, 2023. A quorum of the membership shall be required to approve any final report and recommendation. Members of the task force shall be reimbursed for necessary travel expense in the same manner as public employees are reimbursed for official duties from any available funds and members of the Legislature shall be reimbursed in the same manner as for attending out-of-session committee meetings.

(7) The Joint Legislative Committee on Performance Evaluation and Expenditure Review shall provide necessary clerical support for the meetings of the task force and the preparation of the report. Proposed legislation shall be prepared by the Legislative Services Offices of the Senate and House as requested.

(8) The task force shall be dissolved upon presentation of its report.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE EARLY INTERVENTION TASK FORCE TO STUDY THE IDEA PART C EARLY INTERVENTION SYSTEM IN MISSISSIPPI AND MISSISSIPPI'S LAWS REGARDING EARLY INTERVENTION; TO PROVIDE FOR THE GOALS AND RESPONSIBILITIES OF THE TASK FORCE; TO PROVIDE FOR THE MEMBERSHIP OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO DEVELOP AND REPORT ITS FINDINGS AND RECOMMENDATIONS FOR PROPOSED LEGISLATION TO THE LEGISLATURE ON OR BEFORE DECEMBER 1, 2023; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Hob Bryan	Richard Bennett
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Chris Johnson	Kent McCarty
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Nicole Boyd	
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2167** was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Blackmon. Total--1.

Absent and those not voting----None.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2382** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2382: Out-of-state lawyers; required to disclose whether licensed to practice law in Mississippi in television ads.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 73-3-38, Mississippi Code of 1972:

73-3-38. (1) If a lawyer, attorney at law, or counselor at law of another state is not licensed to practice law in Mississippi, a television or billboard advertisement of the person's legal services in any language must include in the advertisement the following: "THE PERSON APPEARING IN THIS AD IS NOT LICENSED TO PRACTICE LAW IN MISSISSIPPI."

(2) (a) The notice must be of conspicuous size and duration in the visual component of an advertisement; the audio portion of an advertisement must plainly include substantially the same message. The notice must be in the languages used in the advertisement.

(b) In lieu of the disclaimer required in paragraph (a) of this subsection, the advertiser may conspicuously state in both the visual and audio components of the advertisement that the person is licensed only in the specific states in which the person is licensed to practice law.

(3) A violation of this section shall be subject to the rights and remedies as provided for by Title 75, Chapter 24, Mississippi Code of 1972.

SECTION 2. Section 75-24-5, Mississippi Code of 1972, as amended by House Bill No. 1157, 2023 Regular Session, is amended as follows:

75-24-5. (1) Unfair methods of competition affecting commerce and unfair or deceptive trade practices in or affecting commerce are prohibited. Action may be brought under Section 75-24-5(1) only under the provisions of Section 75-24-9.

(2) Without limiting the scope of subsection (1) of this section, the following unfair methods of competition and unfair or deceptive trade practices or acts in the conduct of any trade or commerce are hereby prohibited:

(a) Passing off goods or services as those of another;

(b) Misrepresentation of the source, sponsorship, approval, or certification of goods or services;

(c) Misrepresentation of affiliation, connection, or association with, or certification by another;

(d) Misrepresentation of designations of geographic origin in connection with goods or services;

(e) Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities that they do not have or that a

person has a sponsorship, approval, status, affiliation, or connection that he does not have;

(f) Representing that goods are original or new if they are reconditioned, reclaimed, used, or secondhand;

(g) Representing that goods or services are of a particular standard, quality, or grade, or that goods are of a particular style or model, if they are of another;

(h) Disparaging the goods, services, or business of another by false or misleading representation of fact;

(i) Advertising goods or services with intent not to sell them as advertised;

(j) Advertising goods or services with intent not to supply reasonably expectable public demand, unless the advertisement discloses a limitation of quantity;

(k) Misrepresentations of fact concerning the reasons for, existence of, or amounts of price reductions;

(l) Advertising by or on behalf of any licensed or regulated health care professional which does not specifically describe the license or qualifications of the licensed or regulated health care professional;

(m) Charging an increased premium for reinstating a motor vehicle insurance policy that was cancelled or suspended by the insured solely for the reason that he was transferred out of this state while serving in the United States Armed Forces or on active duty in the National Guard or United States Armed Forces Reserve. It is also an unfair practice for an insurer to charge an increased premium for a new motor vehicle insurance policy if the applicant for coverage or his covered dependents were previously insured with a different insurer and canceled that policy solely for the reason that he was transferred out of this state while serving in the United States Armed Forces or on active duty in the National Guard or United States Armed Forces Reserve. For purposes of determining premiums, an insurer shall consider such persons as having maintained continuous coverage. The provisions of this paragraph (m) shall apply only to such instances when the insured does not drive the vehicle during the period of cancellation or suspension of his policy \* \* \*;

(n) Violating the provisions of Section 75-24-8; and

(o) Violating the provisions of Section 73-3-38.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE NEW SECTION 73-3-38, MISSISSIPPI CODE OF 1972, TO PROHIBIT OUT-OF-STATE ATTORNEYS FROM APPEARING IN A TELEVISION ADVERTISEMENT OFFERING THE PERFORMANCE OF LEGAL SERVICES WITHIN THE STATE OF MISSISSIPPI; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1157, 2023 REGULAR SESSION, TO CONFORM; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE SENATE

## CONFEREES FOR THE HOUSE

Brice Wiggins

Angela Cockerham

Derrick T. Simmons

Thomas U. Reynolds

Jason Barrett

Karl Oliver

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2382** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeLano, Fillingane, Frazier, Harkins, Horhn, Johnson, Kirby, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Tate, Thomas, Whaley, Wiggins, Williams, Younger. Total--34.

Nays--Boyd, Chism, England, Hill, McDaniel, Sojourner, Sparks, Suber. Total--8.  
Absent and those not voting---None.

Voting Present--Branning, DeBar, Hickman, Hopson, Jackson, Jordan, McCaughn, Simmons D. T. (12th), Thompson, Turner-Ford. Total--10.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2384** and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2384: Foster Care and Adoption Task Force; create.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) There is hereby established the Mississippi Task Force on Foster Care and Adoption.

(2) The members of the task force are as follows:

- (a) The Chief Justice of the Mississippi Supreme Court or a designee;
- (b) The Executive Director of Child Protection Services or a designee;

- (c) The Attorney General or a designee;
  - (d) The Chair of the Senate Judiciary, Division A Committee or a designee;
  - (e) The Chair of the House Judiciary A Committee or a designee;
  - (f) Two (2) sitting Chancery Court judges appointed by the Chief Justice of the Mississippi Supreme Court;
  - (g) Two (2) sitting Youth Court judges, one (1) of whom is a County Court judge, and one (1) of whom is a Youth Court referee, appointed by the Chief Justice of the Mississippi Supreme Court;
  - (h) Two (2) practicing attorneys with expertise in youth court matters and adoptions to be named by the Mississippi Board of Bar Commissioners;
  - (i) A Guardian Ad Litem to be named by the Mississippi Board of Bar Commissioners;
  - (j) A member of the Office of State Public Defender appointed by the State Public Defender to represent the interests of biological parents;
  - (k) A person appointed by the Speaker of the House to represent the interests of foster parents;
  - (l) An adult who spent time in state custody as a foster child to be appointed by the Governor;
  - (m) A Court-Appointed Special Advocate (CASA) volunteer to represent the interests of foster children to be appointed by the Lieutenant Governor;
  - (n) A representative from the Mississippi Association of Child Care Agencies, Inc., to be appointed by the president of the association; and
  - (o) The Executive Director, or his or her designee of the Joint Legislative Committee on Performance Evaluation and Expenditure Review.
- (3) The members must be appointed to the task force within fifteen (15) days of the effective date of this act. Vacancies on the task force shall be filled in the manner of the original appointment. Members are eligible for reappointment if upon reappointment they meet the qualifications required of a new appointee.
- (4) The Chairpersons of the House and Senate Judiciary A Committees shall serve as co-chair of the task force. The task force must meet within sixty (60) days of the effective date of this act upon the call of the Chairpersons of the House and Senate Judiciary A Committees, and at its first meeting shall elect any officers from among its membership as it deems necessary for the efficient discharge of the task force's duties.
- (5) The task force shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business. A majority of the members shall constitute a quorum for the purpose of conducting any business of the task force, and a majority vote of all members present shall be required for any recommendations to the Legislature.
- (6) Members of the task force shall receive a per diem in the amount provided in Section 25-3-69 for each day engaged in the business of the task force. Members of the task force other than the legislative members shall receive reimbursement for travel expenses incurred while engaged in official business of the task force in accordance with

Section 25-3-41 and the legislative members of the task force shall receive the expense allowance provided for in Section 5-1-47.

(7) The Mississippi Judicial College shall provide necessary clerical support for the meetings of the task force and the preparation of the report, with assistance from the clerical and legal staff of the Mississippi House of Representatives and the Senate.

(8) The task force is authorized to apply for and accept gifts, grants, subsidies and other funds from persons, corporations, foundations, the United States government or other entities, and the receipt of any gifts, grants, subsidies and funds shall be reported and otherwise accounted for in the manner provided by law. If financial subsidies are sufficient, the task force may hire additional contract staff to support its work.

(9) The duties of the task force shall be as follows:

(a) Perform a comprehensive review and draft any necessary proposed revision of adoption statutes;

(b) Review the use of "reasonable efforts" and "diligent search" in the Child Protection Services statutes and determine whether a uniform definition is needed for each term, and, if so, to draft recommended language;

(c) Draft a definition (or examples through a nonexhaustive list) of what constitutes "compelling and extraordinary reasons why termination of parental rights would not be in the best interests of the child";

(d) Draft definitions of neglect as "willful" or "nonwillful" with a proposal for different courses of action depending on the type of neglect;

(e) Review of the Guardian Ad Litem role in the foster care system and termination of parental rights process, including the proper responsibility for payment of Guardians Ad Litem, how much they should be paid, whether more Guardians Ad Litem are needed, and whether Title IV-E funds can be used for that purpose;

(f) Review whether parent representatives should be provided, and if so, how to pay them and whether Title IV-E funds could be used to pay them;

(g) Review of the timeframes and guidelines followed once a child comes into Child Protection Services' custody and how to balance the length of these timeframes, the best interests of the child, and the interest of the biological parent(s);

(h) Review of the requirement to have concurrent permanency plans, whether this is currently taking place, and, if so, whether it is effective, and, if not effective, what needs to happen to ensure the courts and Child Protection Services are pursuing concurrent plans;

(i) Review of the requirement for a psychological assessment or evaluation for each child coming into custody, whether this is necessary in every case, and, if so, how to address the major shortage of medical providers that will be able to provide the services;

(j) Review of the diagnostic and evaluation shelters, whether the number is sufficient, and whether children are staying in these facilities too long before placement;

(k) Review of the course of action when a parent tests positive for drugs or alcohol, including when a mother tests positive for drugs during labor and delivery;



(l) Review of Title IV-E funding, whether these funds are being legally maximized, how they are being used and whether there are changes that need to be made to get the most out of these federal funds;

(m) To review laws, policies and procedures in other states;

(n) To review fatherhood initiative proposals and develop proposed policies to increase fatherhood participation of absent fathers; and

(o) Any other issues related to the Mississippi foster care system or adoption that the task force finds appropriate to address.

(10) The task force may request the assistance of the University of Mississippi School of Law and the Mississippi College School of Law, the Mississippi Judicial College, the Mississippi Administrative Office of Courts and the proper section of the Mississippi Bar Association, or any other related organization with expertise in domestic relations.

(11) The task force shall report its findings and recommendations to the Legislature annually not later than December 1 each year.

(12) The task force shall stand dissolved on December 1, 2023.

SECTION 2. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO ESTABLISH THE MISSISSIPPI TASK FORCE ON FOSTER CARE AND ADOPTION; TO PROVIDE FOR THE APPOINTMENT OF MEMBERS OF THE TASK FORCE; TO PROVIDE THAT THE TASK FORCE WILL STUDY MISSISSIPPI'S LAWS REGARDING FOSTER CARE AND ADOPTION AND RELATED AREAS OF INQUIRY; TO PROVIDE FOR THE TASK FORCE TO CONDUCT ITS BUSINESS; TO REQUIRE THAT THE TASK FORCE WILL REPORT ITS FINDINGS AND ANY RECOMMENDATIONS TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Brice Wiggins	Angela Cockerham
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Nicole Boyd	Mark Tullos
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Jenifer B. Branning	Joey Hood
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2384** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.  
Absent and those not voting----None.

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Senator Blackwell offered the following report of the Conference Committee on **S. B. No. 2613** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2613: Nonemergency transportation providers; extend date by which providers may provide service without a permit.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 41-55-71, Mississippi Code of 1972, is amended as follows:

41-55-71. (1) As used in this section, the following terms shall be defined as provided in this subsection:

(a) "Department" means the State Department of Health.

(b) "Nonemergency medical transportation provider" or "NEMT provider" means any company in the business of providing NEMT transportation services for compensation and any person, group of persons or entity that provides NEMT transportation services for compensation. Any company with a current accreditation from the Nonemergency Medical Transportation Accreditation Commission (NEMTAC) is deemed to be a NEMT provider.

(c) "NEMT transportation service" means motor vehicle transportation provided on a regular basis by a public or private entity or person that is designed exclusively or primarily to serve individuals who are elderly or disabled and who are unable to use regular means of transportation but do not require ambulance service. This term also means those nonemergency medical transportation services that are provided under the Medicaid nonemergency transportation program or by managed care providers that have contracted with the Division of Medicaid, except for those that are exempt from the permitting requirement of this section under subsection (8).

(2) The department shall adopt rules providing for applications for permits, issuance of permits, renewal of permits and revocation of permits, and the department may provide for the payment of fees for the issuance and renewal of permits.

(3) The department shall adopt by rule standards for the operation of vehicles used to provide NEMT transportation service that are reasonably necessary to protect the health and safety of individuals using that service.

(4) Standards adopted under this section must include, but are not limited to:

(a) Qualifications of drivers and attendants, including driver training requirements that must be met before a driver provides special transportation, including, but not limited to:

- (i) Fingerprint background check;
- (ii) Annual criminal background checks, including sex offender registry;
- (iii) Annual motor vehicle records (MVR) checks from the Department of Public Safety;
- (iv) Drug screens;
- (v) Regular confirmation that the driver does not appear on the Office of Inspector General (OIG) exclusion lists;
- (vi) For drivers, appropriate training for the mode of transportation being provided;

(b) Safety of vehicles and necessary safety equipment;

(c) General requirements concerning inspection and maintenance of vehicles, replacement vehicles, standard vehicle equipment, and specialized equipment necessary to ensure vehicle usability and safety for disabled persons; and

(d) Minimum insurance requirements.

(5) A NEMT provider must meet all the requirements and standards set by the department for providing NEMT transportation services. NEMT providers are required to have on hand at a location in the state and be able to produce upon request the necessary documentation to prove compliance with the requirements and standards set by the department as provided in this section.

(6) The department is authorized to revoke the permit of, or impose fines on, any NEMT provider that is found to be not in compliance with the requirements and standards set by the department for providing NEMT transportation services.

(7) The department is authorized to bring actions for injunctions in the name of the department to enjoin and prohibit any person or entity from providing NEMT transportation service in the state without having a current, valid permit from the department except as otherwise provided in this section.

(8) An NEMT provider that is a Medicaid provider under contract with an NEMT transportation broker providing services for the Division of Medicaid shall not be required to have a permit from the department to provide NEMT transportation services if (a) the broker periodically inspects the transport drivers for the NEMT provider and the vehicles used by the transport drivers for compliance with the standards prescribed in subsection (4) of this section and any additional standards adopted by the department under subsection (3) of this section, and (b) the NEMT broker determines that the drivers and vehicles are in compliance with those standards and certifies such compliance with the department. The department shall not make its own inspection of any drivers and vehicles that have been certified by an NEMT broker as provided in this subsection. Any NEMT provider that is exempt from the permitting requirement under this subsection shall be required to register with the department.

( \*\* \*9) Any public entity or private entity in the business of providing nonemergency medical transportation services may continue to provide such services

without first receiving a permit until July 1, \* \* \* 2024, provided that it complies with the other provisions of this section and the rules set by the department.

After July 1, \* \* \* 2024, each nonemergency medical transportation provider must have a NEMT permit from the department before it may provide NEMT transportation services in Mississippi.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 41-55-71, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE BY WHICH AN ENTITY PROVIDING NONEMERGENCY TRANSPORTATION SERVICES MAY CONTINUE TO PROVIDE SUCH SERVICES WITHOUT FIRST RECEIVING A PERMIT FROM THE DEPARTMENT OF HEALTH; TO PROVIDE THAT NEMT PROVIDERS THAT ARE MEDICAID PROVIDERS UNDER CONTRACT WITH AN NEMT TRANSPORTATION BROKER PROVIDING SERVICES FOR THE DIVISION OF MEDICAID SHALL NOT BE REQUIRED TO HAVE A PERMIT FROM THE DEPARTMENT TO PROVIDE NEMT TRANSPORTATION SERVICES UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Kevin Blackwell	Joey Hood
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David Parker	Missy McGee
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David Blount	Clay Deweese
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YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2613** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--Hill. Total--1.

Absent and those not voting---None.

Voting Present--Horhn. Total--1.

Senator Wiggins offered the following report of the Conference Committee on **S. B. No. 2781** and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2781: Mississippi Access to Maternal Assistance Program; create and provide for duties and responsibilities.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) For the purpose of this section, the term "agencies" means the Mississippi State Department of Health, the Mississippi Department of Human Services, the Mississippi Department of Mental Health, the Mississippi Department of Child Protection Services, the Mississippi Office of Workforce Development, the Mississippi Department of Employment Security and the Mississippi Division of Medicaid, and the term "agency" means any one (1) of those entities.

(2) The Department of Information Technology Services (ITS) shall develop, implement and manage a separate website and a mobile application (app) that coordinate and promote information and services related to pregnancy, childbirth and care for dependent children for expectant mothers and new parents. The website and mobile app shall include, but shall not be limited to, comprehensive information and resources related to adoption assistance, child care, domestic abuse protection, early intervention, food, clothing and supplies related to pregnancy and newborn care, job training and placement, unemployment benefits, paternity, parenting skills, mental health, and prenatal and postpartum care provided by the State of Mississippi or any other governmental entity, or relevant nonprofit organizations, including religious institutions.

(3) The Attorney General shall have the ultimate authority for oversight of the administration of this act and shall coordinate the activities of the agencies and the Department of Information Technology Services under the provisions of this act in order to best effectuate the purpose and intent of this act.

(4) (a) The information about the services and resources that will be included on the website and mobile app shall be provided to the Attorney General by the agencies about the particular programs and services of the agency that are related to the purpose of the website and mobile app.

(b) The Attorney General, the agencies and each county health department shall provide a prominent link on their own websites to the website and mobile app authorized by this act.

(5) The agencies shall cooperate with ITS, as overseen by the Attorney General, in developing, implementing and managing the website and mobile app. The website shall be operational not later than October 1, 2023, and the mobile app shall be operational not later than January 1, 2024.

(6) ITS and the agencies, in consultation with the Attorney General, shall apply for any federal grants that may be available to assist in paying the costs of developing, implementing and managing the website and mobile app.

(7) The Attorney General shall promulgate such rules as necessary to implement this act.

(8) Not later than October 1, 2024, the Attorney General shall report to the Chairs of the Senate Judiciary, Division A, and the House Judiciary A Committees, and the Senate Public Health and Welfare Committee and the House Public Health and Human Services Committee on the operation and status of the website and mobile app.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REQUIRE THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES (ITS) TO DEVELOP, IMPLEMENT, AND MANAGE A WEBSITE AND A MOBILE APPLICATION TO COORDINATE AND PROMOTE INFORMATION AND SERVICES RELATED TO PREGNANCY, CHILDBIRTH AND CARE FOR DEPENDENT CHILDREN FOR EXPECTANT MOTHERS AND NEW PARENTS; TO PROVIDE THAT THE WEBSITE AND MOBILE APPLICATION SHALL INCLUDE INFORMATION CONCERNING CERTAIN RESOURCES RELATED TO ADOPTION ASSISTANCE, CHILDCARE, DOMESTIC ABUSE PROTECTION, EARLY INTERVENTION, FOOD, CLOTHING AND SUPPLIES RELATED TO PREGNANCY AND NEWBORN CARE, JOB TRAINING AND PLACEMENT, UNEMPLOYMENT BENEFITS, PATERNITY, PARENTING SKILLS, AND PRENATAL AND POSTPARTUM CARE; TO PROVIDE THAT THE ATTORNEY GENERAL SHALL HAVE AUTHORITY FOR OVERSIGHT AT THE ADMINISTRATION OF THIS ACT AND SHALL COORDINATE THE ACTIVITIES OF THE AGENCIES AND THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES UNDER THE PROVISIONS OF THIS ACT IN ORDER TO BEST EFFECTUATE THE PURPOSE AND INTENT OF THIS ACT; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF HEALTH, THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH, THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES, THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES, THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT, THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY AND THE MISSISSIPPI DIVISION OF MEDICAID TO SUBMIT INFORMATION ABOUT THE SERVICES AND RESOURCES THAT WILL BE INCLUDED ON THE WEBSITE AND MOBILE APPLICATION TO THE ATTORNEY GENERAL; TO REQUIRE THE ATTORNEY GENERAL, THE AGENCIES AND EACH COUNTY HEALTH DEPARTMENT TO DISPLAY A PROMINENT LINK TO THE WEBSITE AND MOBILE APPLICATION ON THEIR OWN WEBSITES; TO REQUIRE THE AGENCIES TO COOPERATE WITH THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES IN THE CREATION OF THE WEBSITE AND MOBILE APPLICATION; TO PROVIDE THAT THE WEBSITE SHALL BE OPERATIONAL NO LATER THAN OCTOBER 1, 2023; TO PROVIDE THAT THE MOBILE APPLICATION SHALL BE OPERATIONAL NO LATER THAN JANUARY 1, 2024; TO REQUIRE A REPORT TO BE FILED WITH THE LEGISLATURE NO LATER THAN OCTOBER 1, 2024, CONCERNING THE OPERATION AND STATUS OF THE WEBSITE AND MOBILE APPLICATION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Brice Wiggins

Sam C. Mims, V

Nicole Boyd

Missy McGee

Jenifer B. Branning

Dana McLean

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2781** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 40:** Dr. Lori Lynn Blackmer, Picayune, Mississippi, MS State Board of Optometry to represent the Fifth Congressional District as it existed in 1980, five year term beginning July 6, 2022 and ending June 30, 2027.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 40 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 4:** Patricia Robinson Nelson, Yazoo City, Mississippi, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, term effective August 25, 2022 and appointee shall serve at the will and pleasure of the Governor.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 4 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Bryan called up the following entitled nomination:

**S. N. No. 7:** Clelly Ray Farmer, Poplarville, Mississippi, State Board of Barber Examiners, remainder of a four year term effective June 28, 2022 and ending June 30, 2024, representing the 4th Congressional District.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 7 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Whaley called up the following entitled nomination:

**S. N. No. 94:** Lawrence Dennis (Denny) Terrell, Kosciusko, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, three year term beginning July 1, 2022 and ending June 30, 2025.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 94 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Whaley called up the following entitled nomination:

**S. N. No. 96:** Mathew Wilson (Mat) Lipscomb, III, Lake Cormorant, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, four year term beginning July 1, 2022 and ending June 30, 2026.

YEAS AND NAYS. The yeas and nays being taken, the Senate did advise and consent to S. N. No. 96 by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting----None.

Voting Present--McLendon. Total--1.

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Senator DeBar called up the following entitled nomination:

**S. N. No. 77:** Dr. Robert Pernel (Doc) Taylor, Flowood, Mississippi, State Superintendent of Public Education, term beginning January 16, 2023.

YEAS AND NAYS. The yeas and nays being taken, the Senate failed to advise and consent to S. N. No. 77 by the following vote:

Yeas--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Carter, Frazier, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Michel, Norwood, Polk, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--21.

Nays--Barrett, Blackwell, Boyd, Branning, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Kirby, McCaughn, McDaniel, McLendon, McMahan, Moran, Parker, Parks, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--31.

Absent and those not voting---None.

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Senator Barnett entered a motion to reconsider the vote whereby **S. N. No. 77** failed to be confirmed by the Senate.

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 3:37 PM, the Senate stood in recess.

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The Senate resumed business at 7:22 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 261:** AN ACT TO AMEND SECTION 27-7-207, MISSISSIPPI CODE OF 1972, TO EXTEND UNTIL DECEMBER 31, 2026, THE INCOME TAX CREDIT AUTHORIZED UNDER THE ENDOW MISSISSIPPI PROGRAM FOR A QUALIFIED CONTRIBUTION BY A TAXPAYER TO AN ENDOWED FUND AT A QUALIFIED COMMUNITY FOUNDATION; AND FOR RELATED PURPOSES.

**H. B. No. 677:** AN ACT TO AMEND SECTION 35-3-21, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2197, 2023 REGULAR SESSION, TO REVISE CERTAIN QUALIFICATIONS FOR COUNTY VETERAN SERVICE OFFICES; AND FOR RELATED PURPOSES.

**H. B. No. 1084:** AN ACT TO AMEND SECTION 83-17-251, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ANY INDIVIDUAL WHO IS SIXTY-FIVE YEARS OF AGE OR OLDER AND WHO HAS BEEN LICENSED AS AN INSURANCE PRODUCER FOR A CONTINUOUS PERIOD OF TWENTY-FIVE YEARS OR MORE AS OF THE EFFECTIVE DATE OF THIS ACT, AS EVIDENCED BY SUBMISSION OF AN AFFIDAVIT, UNDER OATH, ON A FORM PRESCRIBED BY THE COMMISSIONER, SIGNED BY THE LICENSEE ATTESTING TO SATISFACTION OF THE AGE, LICENSING AND EXPERIENCE REQUIREMENTS SHALL NOT BE REQUIRED TO COMPLETE THE CONTINUING EDUCATION REQUIREMENTS OF AN INSURANCE PRODUCER; TO AMEND SECTION 73-35-18, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM THE CONTINUING EDUCATION REQUIREMENTS FOR REAL

ESTATE LICENSURE THOSE PERSONS WHO HAVE HELD A REAL ESTATE BROKER'S OR SALESPERSON'S LICENSE IN THIS STATE FOR AT LEAST TWENTY-FIVE YEARS AND WHO ARE AT LEAST SIXTY-FIVE YEARS OF AGE; AND FOR RELATED PURPOSES.

**H. B. No. 1110:** AN ACT TO CREATE THE "SECOND AMENDMENT FINANCIAL PRIVACY ACT"; TO PROVIDE LEGISLATIVE FINDINGS; TO DEFINE CERTAIN TERMS RELATING TO THE ACT; TO PROHIBIT A STATE AGENCY OR OTHER POLITICAL SUBDIVISION OF THE STATE, OR ANY OTHER PERSON, PUBLIC OR PRIVATE, FROM KEEPING ANY RECORD OF PRIVATELY OWNED FIREARMS, OR REGISTRY OF THE OWNER OF THOSE FIREARMS; TO PROHIBIT A FINANCIAL INSTITUTION FROM USING A FIREARMS CODE TO ENGAGE IN CERTAIN DISCRIMINATORY CONDUCT IN THE STATE; TO AUTHORIZE THE ATTORNEY GENERAL TO INVESTIGATE ALLEGED VIOLATIONS OF THIS ACT; TO AUTHORIZE THE ATTORNEY GENERAL TO PURSUE AN INJUNCTION AGAINST ANY ENTITY OR INDIVIDUAL IN VIOLATION OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1611:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI ARTS COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1614:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI AUTHORITY FOR EDUCATIONAL TELEVISION FOR THE FISCAL YEAR 2024.

**H. B. No. 1620:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE PUBLIC SERVICE COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1622:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF HUMAN SERVICES FOR THE FISCAL YEAR 2024.

**H. B. No. 1625:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES FOR THE FISCAL YEAR 2024.

**H. B. No. 1637:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF PAYING SALARIES AND TRAVEL EXPENSES OF DISTRICT ATTORNEYS AND ASSISTANT DISTRICT ATTORNEYS OF THE STATE AND PAYING OFFICE EXPENSES OF DISTRICT ATTORNEYS FOR THE FISCAL YEAR 2024.

**H. B. No. 1642:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 1734:** AN ACT TO AMEND SECTION 27-67-31, MISSISSIPPI CODE OF 1972, TO REVISE THE PORTION OF STATE USE TAX REVENUE DEPOSITED INTO THE LOCAL SYSTEM BRIDGE REPLACEMENT AND REHABILITATION FUND; TO PROVIDE THAT A PORTION OF STATE USE TAX REVENUE SHALL BE DEPOSITED INTO THE STATE AID ROAD FUND; TO AMEND SECTION 65-9-17, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT SUCH MONIES DEPOSITED INTO THE STATE AID ROAD FUND SHALL BE USED TO PRIORITIZE THE TIMELY REPAIR AND REPLACEMENT OF DEFICIENT STATE AID SYSTEM BRIDGES; TO AMEND SECTION 19-11-27, MISSISSIPPI CODE OF 1972, TO ALLOW COUNTY BOARDS OF SUPERVISORS TO EXPEND MONIES ON CERTAIN DEFICIENT BRIDGES DURING THE LAST TERM OF OFFICE OF SUCH BOARDS; TO AMEND SECTION 57-73-23,

MISSISSIPPI CODE OF 1972, TO AUTHORIZE AN INCOME TAX CREDIT FOR EMPLOYERS THAT PROVIDE A CHILD CARE STIPEND TO BE USED FOR CHILD CARE DURING EMPLOYEES' WORK HOURS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2487:** Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 400:** Election crimes; revise the penalties for certain.

Andrew Ketchings, Clerk of the House of Representatives

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 61:** Legislature; extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. Rules.

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FIRST READING OF HOUSE BILLS AND CONCURRENT RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has PASSED AND TRANSMITS herewith the following:

**H. C. R. No. 64:** A CONCURRENT RESOLUTION COMMENDING THE MOST HONORABLE AND DISTINGUISHED SPEAKER PHILIP GUNN FOR HIS ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE UPON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 7:22 PM, the Senate stood in recess.

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The Senate resumed business at 7:32 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measure and reports same back with the following recommendation:

**H. C. R. No. 61:** Legislature; extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. Title Sufficient. Do Be Adopted As Amended.

KIRBY, Chairman

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Senator Kirby moved that the rules be suspended for the immediate consideration of **H. C. R. No. 61**, and the motion prevailed.

Senator Parker called up the following entitled resolution:

**H. C. R. No. 61:** Legislature; extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment.

Senator Parker offered the following COMMITTEE AMENDMENT NO. 1.

Amend by striking all after the resolving clause and inserting in lieu thereof the following:

That the 2023 Regular Session of the Legislature is extended for a period of thirty (30) days from the final day of the ninety (90) calendar days of the 2023 Regular Session of the Legislature, under the provisions of Section 36, Mississippi Constitution of 1890.

BE IT FURTHER RESOLVED, That all of the deadlines and other provisions imposed by Joint Rule No. 40, are suspended for the purpose of permitting the further consideration, filing and adoption of conference reports, after the deadlines for those actions in Joint Rule No. 40, on any appropriation bills that were in conference on March 27, 2023, on House Bill Nos. 521, 603 and 1373, 2023 Regular Session, and on Senate Bill Nos. 2446, 2454, 2559 and 2749, 2023 Regular Session. Appropriation bills are those bills that are designated as appropriation bills for the purpose of the deadlines imposed by Joint Rule No. 40.

BE IT FURTHER RESOLVED, That the 2023 Regular Session of the Legislature will stand adjourned Sine Die at 12:00 midnight, Wednesday, April 5, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

A CONCURRENT RESOLUTION EXTENDING THE 2023 REGULAR SESSION OF THE LEGISLATURE; SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON APPROPRIATION BILLS THAT WERE IN CONFERENCE ON MARCH 27, 2023, ON HOUSE BILL NOS. 521, 603 AND 1373, 2023 REGULAR SESSION, AND ON SENATE BILL NOS. 2446, 2454, 2559 AND 2749, 2023 REGULAR SESSION; AND SETTING THE DATE OF SINE DIE ADJOURNMENT OF THE 2023 REGULAR SESSION OF THE LEGISLATURE.

Senator Blackmon offered the following AMENDMENT NO. 1 TO COMMITTEE AMENDMENT NO. 1.

AMEND below line 24 by inserting the following language:

BE IT FURTHER RESOLVED, BY THE SENATE OF THE STATE OF MISSISSIPPI, THE HOUSE OF REPRESENTATIVES CONCURRING THEREIN, That the Joint Rules of the Senate and the House are hereby suspended for the purpose of requesting the drafting, introduction, consideration and passage, regardless of any deadlines imposed by said rules, of a bill introduced because of the Mississippi Senate finding that on March 29, 2023, during the confirmation process for the State Superintendent of the Department of Education that because the candidate had received further education outside of the State of Mississippi and had enjoyed successful employment outside of the State of Mississippi that was criteria to reject the candidate's nomination; such bill to be entitled "AN ACT TO PROVIDE THAT ANY APPOINTMENT TO A GOVERNMENT AGENCY OR POLITICAL SUBDIVISION THAT THE SENATE IS REQUIRED TO ADVISE AND CONSENT SHALL POSSESS THE FOLLOWING QUALIFICATIONS: MUST BE A RESIDENT OF THE STATE OF MISSISSIPPI; MUST NOT HAVE ATTENDED ANY SCHOOL OR COLLEGE OUTSIDE OF THE STATE OF MISSISSIPPI; MUST NOT HAVE ENJOYED SUCCESSFUL EMPLOYMENT OUTSIDE OF THE STATE OF MISSISSIPPI; MUST NOT HAVE TRAVELED OUTSIDE OF THE STATE OF MISSISSIPPI EVER IN THEIR LIFE; AND FOR RELATED PURPOSES."

FURTHER AMEND the title to conform.

#### POINT OF ORDER

A point of order was raised by Senator McCaughn that Amendment No. 1 to Committee Amendment No. 1 is not germane.

#### RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken.

Committee Amendment No. 1 to H. C. R. No. 61 was adopted.

YEAS AND NAYS On H. C. R. No. 61. On motion of Senator Parker, the rules were suspended, the resolution considered engrossed, read the third time and, the yeas and nays being taken, it was adopted as amended, title standing as stated, by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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On motion of Senator Parker, and with unanimous consent of the Senate, the Secretary was directed to release immediately to the House H. C. R. No. 61.

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Senator Parks moved that the rules be suspended to move to calendar item 32, **S. B. No. 2487**, and the motion prevailed.

Senator Parks called up the following entitled bill:

**S. B. No. 2487:** Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish.

Senator Parks moved that the Conference Committee Report on **S. B. No. 2487** (version 2) be recommitted for further conference and the motion prevailed.

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Senator Jackson moved that when the Senate adjourns, it adjourn in memory of Destiny Liphford, Earl Holmes, Jamerian Towns, Montraz Webster and Ti'taiera Webster of Batesville, MS.

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Senator Butler A. (36th) moved that when the Senate adjourns, it adjourn in memory of Kirk Charles Johnson of Port Gibson, MS.

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Senators Frazier, Horhn, Norwood and Blount moved that when the Senate adjourns, it adjourn in memory of Bishop Marcus Lee Butler of Jackson, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of William "Bill" Plyler of Columbus, MS.

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Senators Younger and Turner-Ford moved that when the Senate adjourns, it adjourn in memory of Hilda Earnestine Gaskin of Ocean Springs, MS.

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Senators Wiggins, Harkins, Kirby, Michel, Horhn and England moved that when the Senate adjourns, it adjourn in memory of Jim Ainsworth of Houston, TX.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Dan G. Dillard of Nathceez, MS.

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Senator Harkins moved that when the Senate adjourns, it adjourn in memory of Dorothy Willis of Brandon, MS.

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Senator Parks moved that when the Senate adjourns, it adjourn in memory of John Timothy Mitch of Chattanooga, TN.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Darlene Ann Spratley Kittell of Latimer Community, MS.

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Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 9:00 AM, Thursday, March 30, 2023.

The motion prevailed, and at 8:11 PM, the Senate stood in recess.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has CONCURRED IN THE SENATE AMENDMENT to the following:

**H. C. R. No. 61:** Legislature; extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2023 and FY2024.

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 3002:** Appropriation; IHL - Alcorn State - Agricultural programs.

Adopted: 03/27/23

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 266:** Department of Public Safety Headquarters Office; name in honor of Commissioner David R. Huggins.

**H. B. No. 405:** Bribery of a candidate; revise statute of limitations.

**H. B. No. 485:** Sexual assault evidence kit; regulate the processing of.

**H. B. No. 529:** Department of Public Safety; revise various provisions.

**H. B. No. 535:** Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law.

**H. B. No. 704:** Television series production; provide incentives for certain.

**H. B. No. 769:** Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as.

**H. B. No. 795:** Shoplifting; require to calculate total price of all shoplifting items for fine.

**H. B. No. 912:** Firearm suppressors; authorizing manufacture and possession in Mississippi and prohibit enforcement of federal laws governing.

**H. B. No. 923:** Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as.

**H. B. No. 995:** Rape; revise elements for the crime of and remove spousal exception.

**H. B. No. 1089:** State budget; revise provisions of several FY 23 bills and create special funds.

**H. B. No. 1136:** Distinctive motor vehicle license tag; authorize issuance to supporters of the Mississippi Road Builders Association.

**H. B. No. 1310:** Elections; revise provisions related to the integrity of.

Adopted: 03/28/23

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:



**S. B. No. 2053:** Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists.

**S. B. No. 2054:** Appointed state officers; provide for the removal of for certain forms of willful neglect.

**S. B. No. 2073:** Age of majority; lower to 18 for securing loans and entering contracts for real property.

**S. B. No. 2082:** Child support; administratively suspend obligations for incarcerated individuals.

**S. B. No. 2101:** Criminal law; revise crimes of fleeing a law enforcement officer, resisting arrest and carjacking.

**S. B. No. 2140:** National Security on State Devices and Networks Act; create.

**S. B. No. 2167:** Early Intervention Task Force; establish.

**S. B. No. 2297:** Forensics laboratory; require approval of model of intoxilyzer equipment that is readily available to law enforcement agencies.

**S. B. No. 2339:** Provision of law establishing energy efficiency standards for building construction; extend repealer on.

**S. B. No. 2346:** Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification.

**S. B. No. 2353:** Elections; increase wage range for poll workers.

**S. B. No. 2359:** Tourism; Mississippi Main Street Revitalization Grant Program.

**S. B. No. 2371:** American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act; create.

**S. B. No. 2372:** Mississippi Hospital Sustainability Grant Program; establish and provide eligibility for funds.

**S. B. No. 2512:** Counties; authorize to designate ARPA funds to rural water and sewer associations and municipalities for infrastructure projects.

**S. B. No. 2514:** Secretary of State; clarify authority to transfer land records to Department of Archives and History.

**S. B. No. 2530:** "Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate.

**S. B. No. 2534:** Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides.

**S. B. No. 2538:** Mississippi Regional Pre-Need Disaster Clean Up Act; create.

**S. B. No. 2551:** Department of Marine Resources, Office of Marine Patrol; cooperate with federal law enforcement.

**S. B. No. 2556:** Qualifications for appointment as a conservation officer; clarify.

**S. B. No. 2586:** Computer science curriculum; clarify terminology to specify who may provide instruction in.

**S. B. No. 2673:** Mississippi Real Estate Appraisal Board; make independent from Mississippi Real Estate Commission.

**S. B. No. 2729:** Limitation of liability requirements for information technology contracts; clarify.

**S. B. No. 2812:** Board for administration of certain failing school district; extend date of repeal.

**S. B. No. 2844:** Bureau of Fleet Management; revise duties thereof.

Adopted: 03/28/23

Andrew Ketchings, Clerk of the House of Representatives

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 10:20 PM in memory of Destiny Liphford, Earl Holmes, Jamerian Towns, Montraz Webster, Ti'taiera Webster, Kirk Charles Johnson, Bishop Marcus Lee Butler, Hilda Earnestine Gaskin, Jim Ainsworth, Dan G. Dillard, William "Bill" Plyler, Dorothy Willis, John Timothy Mitch and Darlene Ann Spratley Kittell.

Eugene S. Clarke, Secretary of the Senate

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#### INTRODUCTIONS FOR WEDNESDAY, MARCH 29, 2023

**S. C. R. No. 574:** Rules

A CONCURRENT RESOLUTION SUSPENDING THE DEADLINES FOR THE PURPOSE OF REQUESTING THE DRAFTING, INTRODUCTION, CONSIDERATION AND PASSAGE, REGARDLESS OF ANY DEADLINES IMPOSED BY SAID RULES, OF ANY BILLS RELATED TO PROVIDING SUPPORT AND SERVICES TO THE MUNICIPALITIES, COUNTIES, SCHOOL DISTRICTS AND POLITICAL SUBDIVISIONS AFFECTED BY THE DISASTER WEATHER EVENT OF MARCH 25 AND 26, 2023; TO EXEMPT SUCH ENTITIES FROM CERTAIN PROVISIONS AND TO AUTHORIZE CERTAIN FLEXIBILITY IN EDUCATION ACCREDITATION STANDARDS, SCHOOL ATTENDANCE REQUIREMENTS, SCHOOL DISTRICT TRANSFER REQUIREMENTS FOR SUCH SCHOOL DISTRICTS; TO AUTHORIZE FLEXIBILITY TO STATE AGENCIES, SCHOOL DISTRICTS, MUNICIPALITIES, COUNTIES AND OTHER POLITICAL SUBDIVISIONS FOR CERTAIN TRANSFERS AND EXPENDITURES RELATED TO SUCH EVENT; AND FOR RELATED PURPOSES.

By Senator(s) Thomas, Simmons (12th), Frazier, Butler (38th), Jackson, Blackmon, Jordan, Hickman, Barnett, Norwood, Turner-Ford, Bryan, Simmons (13th), Butler (36th), Chassaniol, McMahan

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#### EIGHTY-SEVENTH DAY, THURSDAY, MARCH 30, 2023

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Absent--Total--None.

The Secretary announced a quorum present.

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The invocation was delivered by Senator McCaughn.

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Senator Jackson led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 9:07 AM, the Senate stood in recess.

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The Senate resumed business at 9:57 AM, pursuant to recess, with President Hosemann presiding.

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Senator Moran called up the motion to reconsider the vote whereby the Conference Report on **S. B. No. 2530** was adopted by the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2530:** "Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate.

The foregoing motion prevailed.

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Senator DeBar called up the motion to reconsider the vote whereby **S. N. No. 77** failed to be confirmed by the Senate and moved that the motion to reconsider be tabled:

**S. N. No. 77:** Dr. Robert Pernell (Doc) Taylor, Flowood, Mississippi, State Superintendent of Public Education, term beginning January 16, 2023.

The foregoing motion prevailed.

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Senator Hopson called up the following entitled bill:

**H. B. No. 1626:** Appropriation; Health, Department of.

Senator Hopson moved that the Conference Committee Report on **H. B. No. 1626** (version 2) be recommitted for further conference and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1636** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1636: Appropriation; Marine Resources, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the support and maintenance of the Department of Marine Resources for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 3,376,978.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Marine Resources for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 170,812,390.00.

Of the funds appropriated in this section, Three Million Fifty Thousand Dollars (\$3,050,000.00) is derived from the state excise taxes upon gasoline, oil and other petroleum products.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 108

Time-Limited: 65

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary

actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Marine Resources shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. Each Marine Conservation Officer and Supervisor shall be furnished an allowance for uniforms not to exceed Six Hundred Dollars (\$600.00) per annum.

SECTION 6.

In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Tidelands Fund No. 3345200000 to the Department of Marine Resources for the purpose of defraying the expenses of the tidelands projects for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 12,455,247.00.

PROJECT NO.	PUBLIC ACCESS PROJECTS	AMOUNT
Harrison County:		
	Eagle Point Park Improvements	
FY24-P601-01	-City Of Biloxi .....	\$ 35,000.00
	Popp's Ferry Causeway Park Pier and Repairs	
FY24-P601-03	-City Of Biloxi .....	\$ 500,000.00
	Oak Street South Pier and Docking Facility	
FY24-P603-19	-City Of Biloxi .....	\$ 400,000.00
	Courthouse Road Boat Launch and Jetties Improvements/Mitigation	
FY24-P511-11	-City Of Gulfport .....	\$ 400,000.00
	D'Iberville Working Waterfront Harbor/Marina Public Access Phase II	
FY24-P613-10	-City Of D'Iberville .....	\$ 400,000.00
	Long Beach Small Craft Harbor Improvements	
FY24-P600-06	-City Of Long Beach.....	\$ 400,000.00
	Pass Christian Small Craft Harbor/ Pier C1 Improvements	
FY24-M999-07	-City Of Pass Christian.....	\$ 315,000.00
	MS Coastal Map Revision Project - Southern Mississippi Planning and Development District.....	\$ 250,000.00
Jackson County:		
	East Beach Pathway Project	

SENATE JOURNAL  
THURSDAY, MARCH 30, 2023

	-City Of Ocean Springs .....	\$ 400,000.00
FY24-P618-09	Shepard State Park Upgrades Project	
	-City Of Gautier .....	\$ 250,000.00
FY24-P618-10	Fairway Drive Boat Launch and Pier	
	-City Of Gautier .....	\$ 250,000.00
FY24-P501-09	Moss Point River Enhancements	
	-City Of Moss Point .....	\$ 285,000.00
FY24-P601-12	Point Park Pier Expansion	
	-City Of Pascagoula .....	\$ 300,000.00
FY24-P602-01	Racetrack Road Boat Launch Phase III	
	-Jackson Cnty Brd of Supervisors .....	\$ 160,000.00
FY24-M648-14	Marine Education Center Living Shoreline and Access	
	-Univ. of Southern Mississippi .....	\$ 383,309.00
Hancock County:		
FY24-P510-11	Dredging for Noma Drive Boat Ramp Access	
	-City Of Diamondhead .....	\$ 300,000.00
FY24-P510-12	Nature Trail and Nature Education Center Planning Phase	
	-City Of Diamondhead .....	\$ 100,000.00
FY24-P401-10	Municipal Harbor Beach Amenities and Improvement	
	-City Of Bay St. Louis .....	\$ 300,000.00
FY24-P646-07	Beach Boulevard Pavilions	
	-City Of Waveland .....	\$ 100,000.00
FY24-P646-08	Beach Boulevard Hydration Station	
	-City Of Waveland .....	\$ 200,000.00
FY24-P610-08	Derelect Pier and Vessel Removal	
	-Hancock Cnty Brd of Supervisors .....	\$ 200,000.00
	Marine Patrol Equipment	
	-Department of Marine Resources .....	\$ 200,000.00
Total Public Access Projects		\$ 6,128,309.00
Total Management Projects		\$ 3,969,394.00
Bond Repayment		\$ 1,357,544.00
Prior Year Projects		\$ 1,000,000.00
Total Tidelands Funds:		\$12,455,247.00

Each political subdivision receiving funds authorized in this section shall be held responsible for complying with Section 29-15-9, Mississippi Code of 1972, and shall be subject to an audit by the State Auditor and shall submit detailed reports beginning June 30, and every six (6) months thereafter for the duration of the project to the Department of Marine Resources on how funds authorized in this section were expended.

It is the intention of the Legislature that any political subdivision seeking to qualify for tidelands funds for the subsequent fiscal year shall submit a proposal to the Department of Marine Resources no later than July 1, 2023. All proposals submitted will be reviewed and evaluated by the Department of Marine Resources in accordance to department plans and procedures. Multiphased projects, multiyear projects, proposed projects with high dollar value and projects that have a record of stacking funds shall be considered as low priority projects when evaluated.

It is the intention of the Legislature that if the amount of the Tidelands funds appropriated in this act exceed the actual amount of tidelands funds available, the available funds shall be allocated on a pro rata basis between projects listed in this section.

SECTION 7. It is the intention of the Legislature that the department shall place any special trust funds appropriated to the department in a special trust fund and the interest earned on the principal shall be credited to the special trust fund. Monies in the fund at the end of the fiscal year shall be retained in the special trust fund for use in the next succeeding fiscal year. The department may use the interest earned on the fund to pay reasonable costs for administering the fund and related projects.

SECTION 8. It is the intention of the Legislature that the Department of Marine Resources has the authorization to move tidelands funds between approved projects upon request from entity and proper completion of Form TTF-6 documentation.

SECTION 9. It is the intention of the Legislature for the Department of Marine Resources and the Department of Environmental Quality to continue with any agency partnerships, including grant agreements, that provide environmental projects to restore Mississippi's natural resources in the wake of the Deepwater Horizon Oil Spill.

SECTION 10. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 11. Of the funds appropriated in Section 2, One Hundred Million One Hundred Ninety-two Thousand Five Hundred Twenty-seven Dollars (\$100,192,527.00) is provided for the funding of the following Gulf of Mexico Energy Security Act (GOMESA) projects for FY 2024:

(a) To assist the City of Pascagoula with the Live Oak Corridor Drainage to Remedy Flooding .....	\$ 2,000,000.00
(b) To assist the City of Gulfport with the North Gulfport Wastewater Treatment Plant UV Disinfection .....	\$ 1,200,000.00
(c) To assist the Hancock County Utility Authority with the Stennis Space Center Wastewater Conveyance Project .....	\$ 10,650,000.00
(d) To assist the City of Long Beach with the Small Craft Harbor Eastern Bulkhead Improvements .....	\$ 2,693,000.00
(e) To assist the City of Pass Christian with the West Breakwater Wall Hurricane Mitigation Improvements .....	\$ 2,590,000.00
(f) To assist the Department of Marine Resources with Oyster Spat .....	\$ 2,000,000.00
(g) To assist the Institute for Marine Mammal Studies with Monitoring and Evaluation of Sea Turtle Nesting in Mississippi .....	\$ 1,000,000.00
(h) To assist the University of Southern Mississippi with the Mississippi Coastal Fishery Resource Assessment .....	\$ 532,242.00
(i) To assist the Hancock County Port and Harbor Commission with Bank Mitigation .....	\$ 1,749,220.00
(j) To assist the University of Southern Mississippi with Oak Island Oyster Company in the Development and Testing of an Off Bottom Oyster Structure \$ 1,195,571.00	
(k) To assist Jackson County with Coastal Roadway Hurricane Protection .....	\$ 750,000.00
(l) To assist the Institute for Marine Mammal Studies with Monitoring/Gauging Habitat Suitability for Dolphins and Turtles .....	\$ 1,500,000.00
(m) To assist the Kiln Utility District with Jourdan River Shores Sewer Improvements Phase II \$ 2,255,600.00	
(n) To assist Harrison County with Sand Beach Outfall Coordination .....	\$ 1,600,000.00
(o) To assist the City of Ocean Springs With Sewer Rehabilitation .....	\$ 1,960,000.00
(p) To assist the Department of Marine Resources with Oyster Cultch .....	\$ 1,000,000.00

(q) To assist the City of Pass Christian with Highway 90 Hurricane Mitigation Improvements .....	\$ 2,540,000.00
(r) To assist Coastal Mississippi with the promotion of the Seafood Industry and their Economic Contributions to the State .....	\$ 500,000.00
(s) To assist the City of Diamondhead With Drainage, Flood Prevention and Water Quality Improvements Phase II .....	\$ 1,999,839.00
(t) To assist Jackson County with East Beach Outfalls/Shoreline Protection .....	\$ 1,710,000.00
(u) To assist the City of Gautier with Hickory Hills/Lagrange Water Quality and Stormwater Improvements .....	\$ 2,973,981.00
(v) To assist the City of Biloxi with Keegan Bayou Restoration .....	\$ 2,520,000.00
(w) To assist the Department of Marine Resources with the Coffee Creek Outfall Pavilion \$ 650,000.00	
(x) To assist the City of Long Beach with Small Craft Harbor Southern Quay Bulkhead Improvements .....	\$ 2,554,000.00
(y) To assist the Department of Marine Resources with Bonnet Carre Spillway Mitigation .....	\$ 1,475,000.00
(z) To assist the City of D'Iberville with the Working Waterfront and Seafood Harbor Project .....	\$ 500,000.00
(aa) To assist the University of Southern Mississippi with the Ocean Enterprise Project .....	\$ 3,114,002.00
(bb) To assist the City of Biloxi with the East Biloxi Boardwalk sand re-nourishment .....	\$ 894,380.00
(cc) To assist the Department of Marine Resources with the Coffee Creek Outfall .....	\$ 367,638.00
(dd) To assist the Department of Marine Resources with the Coffee Creek water quality.....	\$ 102,241.00
(ee) To assist the Department of Marine Resources with the Infinity Science Center .....	\$ 165,967.00
(ff) To assist Jackson County Board of Supervisors with the Front Beach Erosion Control \$ 658,740.00	
(gg) To assist the Department of Marine Resources with GOMESA project management, development and mitigation .....	\$ 1,396,227.00
(hh) To assist the Department of Marine Resources with artificial reef construction .....	\$ 744,054.00
(ii) To assist the Department of Environmental Quality with water quality .....	\$ 985,054.00
(jj) To assist the Department of Marine Resources with Bonnet Carre Response .....	\$ 161,132.00
(kk) To assist Jackson County with a Watershed Development Plan .....	\$ 258,368.00
(ll) To assist the City of Diamondhead with Marsh Erosion Prevention .....	\$ 495,000.00
(mm) To assist the City of Pass Christian With Sanitary Sewer Pump Station Repairs .....	\$ 967,575.00
(nn) To assist Hancock County with Atlantic Street Sewer Improvements .....	\$ 2,213,648.00
(oo) To assist the City of Long Beach with	



Small Craft Harbor SE Bulkhead Improvements .....	\$ 2,188,000.00
(pp) To assist the Kiln Utility District with the Jordan River Shores Sewer Force Main Relocation .....	\$ 392,378.00
(qq) To assist the City of Biloxi with the Point Cadet Living Shoreline .....	\$ 764,863.00
(rr) To assist the Department of Marine Resources with MS Reef Fish Monitoring and Assessment .....	\$ 70,789.00
(ss) To assist Hancock County Utility Authority with Oak Harbor Sewer Improvements .....	\$ 2,811,548.00
(tt) To assist Hancock County Port and Harbor Commission with Port Bienville Conservation Management .....	\$ 265,010.00
(uu) To assist the City of Gautier with Water Quality and Infrastructure Sanitary Sewer .....	\$ 3,321,800.00
(vv) To assist the City of Pascagoula with Buena Vista Area Drainage .....	\$ 498,277.00
(ww) To assist the City of Pass Christian with Gravity Sewer System Improvements Phase I .....	\$ 1,744,319.00
(xx) To assist the City of Pascagoula with Point Park Pier Repair/Improvements .....	\$ 347,351.00
(yy) To assist the Department of Marine Resources with the Railroad Corner Beneficial Use Site \$ 114,530.00	
(zz) To assist the University of Southern Mississippi with collection of Fishery-Dependent information on Blue Crabs .....	\$ 99,774.00
(aaa) To assist the National Oceans and Applications Research Center with the Cat Island Baseline Inventory of Seagrass Habitat .....	\$ 289,727.00
(bbb) To assist the National Oceans and Applications Research Center with the Inventory Of Wetlands Habitats .....	\$ 369,614.00
(ccc) To assist the National Oceans and Applications Research Center with the Pelican Key Baseline Hydrographic Survey .....	\$ 87,792.00
(ddd) To assist Mississippi State University with the Evaluation and Monitoring of Marine Mammal and Sea Turtles after Bonnet Carre Spillway Opening \$ 2,088,170.00	
(eee) To assist the American Shrimp Processors Association with the Shrimp Processors Feasibility Study \$ 665,918.00	
(fff) To assist the Jackson County Utility Authority with Septic System Abatements .....	\$ 1,800,000.00
(ggg) To assist the University of Southern Mississippi with the Mississippi Coastal Fishery Resource Assessment .....	\$ 381,000.00
(hhh) To assist the Department of Marine Resources with the Katrina Key Expansion .....	\$ 430,000.00
(iii) To assist the Secretary of State with the Broadwater Marina Restoration .....	\$ 3,678,850.00
(jjj) To assist the City of Pass Christian with Sewer Pump Station Repairs .....	\$ 366,335.00
(kkk) To assist the City of Diamondhead With Drainage, Flood Prevention and Water Quality Improvements .....	\$ 1,193,447.00
(lll) To assist the Department of Marine	

Resources with the Bonnet Carre and Mid Breton  
Response ..... \$ 802,931.00  
(mmm) To assist the City of Ocean Springs  
with the Front Beach Pub Access and Storm Water  
Mitigation Improvements ..... \$ 2,614,984.00  
(nnn) To assist the City of Pass Christian  
with Phase II of the Gravity Sewer System  
Improvements ..... \$ 4,594,986.00  
(ooo) To assist the Department of Marine  
Resources with the Off Bottom Oyster  
Aquaculture ..... \$ 1,455,173.00  
(ppp) To assist the Department of Marine  
Resources with the Pelican Key Beneficial Use  
Site \$ 348,220.00  
(qqq) To assist the Department of Marine  
Resources with Phase II of the Katrina Key  
Expansion ..... \$ 400,000.00  
(rrr) To assist the Jackson County Board  
of Supervisors with the Pascagoula Beach Open  
Channel Outfalls ..... \$ 1,339,000.00  
(sss) To assist the Department of Marine  
Resources with water testing for Seafood  
Consumption Safety ..... \$ 45,262.00

SECTION 12. It is the intent of the Legislature that the Department of Marine Resources shall have the authority to expend funds in an amount not to exceed Seventeen Million Dollars (\$17,000,000.00) from funds for the Gulf of Mexico Energy Security Act (GOMESA) that may become available to the agency in fiscal year 2024 in accordance with the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds.

SECTION 13. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state furnished housing shall include single-family and multi-family residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 14. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 15. With the funds appropriated herein, the Department of Marine Resources is authorized to make payment for expenses incurred during Fiscal Years 2020 and 2021 as follows:

Vendor	Amount	Invoice Date	Fiscal Year
Coastal Conservation Assoc.	\$3,175.50	4/16/2020	2020
City of Waveland	\$4,050.00	5/31/2020	2020
City of Long Beach	\$ 217.50	5/27/2021	2021
City of Long Beach	\$ 217.50	6/25/2021	2021

City of Long Beach	\$ 270.00
	6/30/2021
	2021
MS Wildlife Federation	\$ 125.00
	6/25/2021
	2021

SECTION 16. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 17. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND  
MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE  
FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Casey Eure  
Richard Bennett

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Philip Moran  
John A. Polk

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1636** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1715** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1715: Appropriation; Health Department for funding the ARPA Rural Water Associations Infrastructure Grant Program.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the State Department of Health for the purpose of funding the ARPA Rural Water Associations Infrastructure Grant Program established in Section 41-3-16.1, Mississippi Code of 1972, for the period beginning upon the passage of this act and ending June 30, 2024

\$74,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time-to-time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time-to-time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage. Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Sam C. Mims, V

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
John A. Polk  
Angela Burks Hill

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1715** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1717** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1717: Appropriation; DFA - Office of Insurance for reimbursing the State Health Plan for eligible expenses incurred.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration - Office of Insurance for the purpose of reimbursing the State and School Employees' Life and Health Insurance Plan for eligible expenses incurred on or after March 3, 2021, through June 30, 2024, for the period beginning upon the passage of this act, and ending June 30, 2024...  
\$ 35,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "department" means the Department of Finance and Administration.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332

regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage. Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR THE PURPOSE OF REIMBURSING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR ELIGIBLE EXPENSES INCURRED DURING A CERTAIN PERIOD, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Manly Barton

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
John A. Polk  
J. Walter Michel

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1717** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1722** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1722: Appropriation; UMMC for construction, repair and renovation of the School of Dentistry.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, to the University of Mississippi Medical Center to assist in paying the costs associated with repair and renovation at and acquisition of equipment for the facility used for the adolescent psychiatric program, for the period beginning upon the passage of this act and ending June 30, 2024 ..... \$ 6,000,000.00.

SECTION 2. (1) As used in this section and Section 3 of this act, the term "medical center" means the University of Mississippi Medical Center.

(2) The medical center shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the medical center's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the medical center shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 3. (1) As a condition of receiving and expending the funds appropriated to the medical center under this act, the medical center shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the medical center under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the medical center or recipient has expended or otherwise used any of the funds appropriated to the medical center under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the medical center or recipient, then the medical center or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 4. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Lost Revenue Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 5. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH REPAIR AND RENOVATION AT AND ACQUISITION OF EQUIPMENT FOR THE FACILITY USED FOR THE ADOLESCENT PSYCHIATRIC PROGRAM, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Jason White

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
John A. Polk  
Hillman Terome Frazier

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1722** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--None.

Absent and those not voting---None.

Voting Present--Sparks. Total--1.

Senator Hopson called up the following entitled bill:

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2023 and FY2024.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 2961** (version 2) be recommitted for further conference and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3052** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3052: Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate concur in House Amendment No. 1 with the following exception(s):  
AMEND on lines 60-61 by deleting the following:



, providing assistance to nonprofit museums,

FURTHER, AMEND on line 64 by deleting "13,705,225.00" and insert in lieu thereof the following:

8,705,225.00

FURTHER, AMEND on line 205 by deleting Section 13 in its entirety and renumber subsequent sections accordingly.

FURTHER, AMEND on line 302 by inserting after "expenditures" the following:

, including the additional purpose of backlogs at the Forensic Laboratory,

FURTHER, AMEND by the deleting the language after the period on line 313 through line 315.

FURTHER, AMEND on line 367 by changing "\$172,621.00" to "\$238,532.00"

FURTHER, AMEND by adding the following new section after line 414 and renumber subsequent sections accordingly:

SECTION \*. The following sum, or so much of it as may be necessary, is reappropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Mississippi Postsecondary Education Financial Assistance Board, as authorized in House Bill No. 1521, 2022 Regular Session, as amended by Senate Bill 2373, 2023 Regular Session for the purpose of providing funding for the Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 6,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation is made for the purposes authorized in House Bill No. 1521, 2022 Regular Session, as amended by Senate Bill No. 2373, 2023 Regular Session, and is subject to the same conditions therein.

FURTHER, AMEND on line 417 by changing "18" to "19"

FURTHER, AMEND on line 420 by changing "22" to "24"

FURTHER, AMEND on lines 476-477 by deleting ", and shall stand repealed from and after June 29, 2022"

2. That the House concur in the above exception(s).

CONFEREES FOR THE SENATE  
W. Briggs Hopson III  
John A. Polk  
Dennis DeBar, Jr.

CONFEREES FOR THE HOUSE  
John Read  
Karl Oliver  
Sam C. Mims, V

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3052** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3118** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3118: Appropriation; additional to DFA - Bureau of Buildings, ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money to the credit of the Coronavirus State Fiscal Recovery Fund to the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management for the purposes described in this section, for the period beginning on passage, and ending June 30,

2024 \$ 42,919,505.00.

This additional appropriation under this section is for the purpose of completing capital projects at any state-owned buildings or grounds that are allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. "Capital projects" for the purpose of this act shall mean the following:

(a) Eligible projects under the Environmental Protection Agency's Clean Water State Revolving Fund (CWSRF) or Drinking Water State Revolving Fund (DWSRF), lead remediation, and stormwater infrastructure;

(b) Prevention, mitigation, or other services in congregate living facilities and other key settings;

(c) Ventilation system installation and improvements;

(d) Capital investments in public facilities to implement COVID-19 mitigation tactics;

(e) Improvements to state parks due to increased use;

(f) Any other eligible project through ARPA guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury, excluding broadband infrastructure.

SECTION 3. It is the intention of the Legislature that the Department of Finance and Administration Bureau of Building, Grounds, and Real Property Management prioritize necessary investment in drinking water, wastewater, and stormwater infrastructure when determining projects unless the entity operates a congregate living facility or the purpose is expressly stated in this act.

SECTION 4. Of the funds appropriated under the provisions of Section 1 of this act, the following amounts or so much thereof as may be necessary, shall be provided for capital projects at state-owned buildings or grounds occupied by the following state agencies or for the following purposes as cited herein:

(a) Any state-owned building as deemed necessary by the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management \$ 33,919,505.00.

(b) Mississippi Emergency Management Agency ..... \$ 2,000,000.00.

(c) To the entity that oversees the operations of state parks for the purpose of improvements to state parks due to increased use and to promote tourism .....\$ 7,000,000.00.

SECTION 5. None of the funds appropriated under this act shall be used to pay employee premium payments.

SECTION 6. (1) As used in this section and Section 7 of this act, the term "department" means the Department of Finance and Administration Bureau of Building, Grounds and Real Property Management.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding subrecipient monitoring and management, and subpart F regarding audit requirements.

SECTION 7. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA; and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 8. The department shall submit to the Joint Legislative Budget Committee by October 1 of each year an annual report. The reports shall contain a listing of the projects intended to be funded through this appropriation, the amount of funds allocated toward each project, the amount of funds expended on each project, and the status of each project.

SECTION 9. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 10. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING ON PASSAGE AND ENDING ON JUNE 30, 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Dennis DeBar, Jr.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Manly Barton

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3118** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting---None.

Senator Hopson moved that the rules be suspended to move to calendar item 21, **S. B. No. 3113**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3113** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3113: Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Office of Workforce Development, with the Department of Employment Security serving as the fiscal agent, for the purposes of defraying the expenses of certain programs and for certain administrative fees for the period beginning upon passage and ending June 30, 2024 ..... \$ 28,000,000.00.

SECTION 2. (1) Of the money appropriated to the Department of Employment Security under Section 1 of this act, Twenty-five Million Dollars (\$25,000,000.00) shall be distributed as follows:

(a) For the Accelerate Mississippi Workforce Development Program created in House Bill No. 1006, 2022 Regular Session.

(b) For grants to entities which provide or otherwise facilitate in providing individuals enrolled in community colleges, institutions of higher learning, or other workforce training programs with wrap-around services which may assist in their ability to remain enrolled in and graduate from the training program, including, but not limited to, financial counseling, childcare, transportation and other similar services provided in House Bill No. 1006, 2022 Regular Session.

(c) For the American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act created in Senate Bill No 2371, 2023 Regular Session.

(d) To be retained by the department for program monitoring and evaluation, administrative fees, third-party accounting as needed, and the deployment of an ecosystem workforce development model by the Office of Workforce Development to support effective implementation of the activities described in this section.

(2) Of the money appropriated to the Department of Employment Security under Section 1 of this act, Three Million Dollars (\$3,000,000.00) shall be for the Accelerate Mississippi Physician Residency and Fellowship Start-Up Grant Program created in Senate Bill No. 2371, 2023 Regular Session.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the Department of Employment Security.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(3) None of the funds appropriated under Section 1 of this act shall be used to pay employee premium payments.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, receiving entities shall certify to the department, and the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State and Local Fiscal Recovery Funds established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the

federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law. SECTION 6. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE DEPARTMENT OF EMPLOYMENT SECURITY SERVING AS THE FISCAL AGENT, FOR THE PURPOSES OF DEFRAISING THE EXPENSES OF CERTAIN PROGRAMS AND FOR CERTAIN ADMINISTRATIVE FEES FOR THE PERIOD BEGINNING UPON PASSAGE AND ENDING JUNE 30, 2024.

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
John A. Polk  
David Parker

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Donnie Bell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3113** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3120** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3120: Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State Treasury to the credit of the 2022 Capacity Project Fund not otherwise appropriated, to the Mississippi Department of Transportation for the purposes provided in the MDOT Three-Year Plan, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 450,000,000.00.

SECTION 2. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State Treasury to the credit of the 2022 Infrastructure Match Fund not otherwise appropriated, to the Mississippi Department of Transportation for the purposes described in Section 65-1-183, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 ..... \$ 40,000,000.00.

SECTION 3. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Strategic Multi-Modal Investments Fund not otherwise appropriated, to the Mississippi Department of Transportation for the purposes described in Senate Bill No. 2559, 2023 Regular Session ..... \$ 30,000,000.00

SECTION 4. The following sum, or so much thereof as may be necessary is appropriated out of any money in the State Treasury to the credit of the 2022 Emergency Road and Bridge Fund not otherwise appropriated, to the Mississippi Department of Transportation for the purposes provided in Section 65-1-179.1, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 . \$ 100,000,000.00.

SECTION 5. It is the intent of the Legislature that the funds appropriated under Section 4 of this act shall be expended on the projects included in the 2022 ERBR Solicitation.

SECTION 6. As a condition of receiving and expending the funds appropriated to the department under Section 3 of this act, the department shall ensure at least Ten Million Dollars (\$10,000,000.00) is allocated to port projects.

SECTION 7. It is the intention of the Legislature that the Mississippi Department of Transportation shall expend such funds appropriated herein as necessary to conduct project planning. Such project planning shall apply to all preliminary engineering, right-of-way acquisition and construction projects of the department and, at a minimum, shall consist of policies for the oversight and management of project cost which:

(a) Establish a reasonable cost estimate for each project. For purposes of this provision, projects include preliminary engineering, right-of-way acquisition and construction;

(b) Capture and retain the initial project cost estimates for comparison with final actual expenditures;

(c) Require that any changes to a cost estimate for a project will be reviewed and approved by district or central office personnel. Such personnel shall be responsible for signing any revision, and providing a narrative description of the reasons for approving a revision;

(d) Capture the cost of consultants, engineers, attorneys, contract appraisers and other technical and professional contractors used in preliminary engineering, right-of-way acquisition and construction projects.

SECTION 8. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper funds as set forth in this act not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 9. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING CERTAIN INFRASTRUCTURE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Jenifer B. Branning

Dennis DeBar, Jr.

CONFEREES FOR THE HOUSE

John Read

Charles Busby

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3120** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 15, **S. B. No. 3000**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3000** (version 3) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3000: Appropriation; IHL - General support.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support, maintenance, affirmative action plan, interest funds and repairs at the state-supported institutions of higher learning; for support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 356,409,715.00.

SECTION 2. The following sum of money, or so much thereof as may be necessary, is hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of education and general operations of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 1,068,011,156.00.

SECTION 3. The following sums, or so much thereof as may be necessary, are hereby appropriated out of any money in the Ayers Endowment Interest Fund, State Treasury Fund No. 3325800000, for the purposes as set out by the courts in the Ayers Case for the fiscal year beginning July 1, 2023, and ending June 30, 2024:

Alcorn State University.....	\$ 424,500.00.
Jackson State University.....	\$ 651,000.00.
Mississippi Valley State University .....	\$ 424,500.00.
TOTAL:.....	\$ 1,500,000.00

SECTION 4. Of the funds appropriated under the provisions of Section 2, the amount of Two Million Eight Hundred Eighty-six Thousand Two Hundred Sixty-nine Dollars (\$2,886,269.00) shall be derived from unexpended balances in the Ayers



program funds provided for the purpose in prior-year appropriations enacted by The Mississippi Legislature. These funds are to be allocated as follows:

Jackson State University ..... \$ 2,090,794.00.  
Mississippi Valley State University ..... \$ 795,475.00.

SECTION 5. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall allocate funds to the off-campus centers based on a minimum rate of sixty-five percent (65%) of the on-campus cost of a full-time equivalent student. The on-campus distribution is to be determined without regard to the costs incurred by any one or more of them in the operation of off-campus degree-completing centers' classes. Off-campus centers which are operated jointly by two (2) or more institutions, the amount allocated to such centers shall be prorated among the institutions jointly operating such centers based on the full-time equivalent enrollment of such centers.

The board of trustees shall ensure that the off-campus centers are not charged with any indirect or overhead cost prorated from any on-campus activity. It is the intention of the Legislature that the on-campus operations charge the off-campus centers with only actual direct charges.

SECTION 6. Of the funds appropriated in Section 1 of this act, the amount of One Hundred Forty-five Thousand Dollars (\$145,000.00) shall be used for the promotion and expenses of the Mississippi Governor's School for the Gifted and Talented.

Provided, however, that the Board of Trustees of State Institutions of Higher Learning shall develop the governing policy for faculty, course content and facilities selection on a competitive basis from all Mississippi senior colleges and universities. The Mississippi Governor's School for the Gifted and Talented shall accept not less than one (1) high school student nominee from each accredited high school in Mississippi. The nominees, selected under criteria developed and adopted by the Board of Trustees of State Institutions of Higher Learning, shall be provided a two-week tuition-free program.

SECTION 7. Of the funds appropriated in Section 1 of this act, the amount of Three Hundred Forty-nine Thousand Two Hundred Dollars (\$349,200.00) shall be used for the promotion and expenses of the Teacher Corps.

SECTION 8. It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 9. Of the funds appropriated in Section 1 of this act, the following amounts shall be used as set forth:

(a) For Mississippi State University as interest on agricultural land script fund and interest on sale of university land, the sum of.....\$ 14,387.00.

(b) For the University of Mississippi as interest on original seminary fund, the sum of ..... \$ 32,643.00.

(c) For the University of Mississippi as interest on 1904 land grant fund, the sum of ..... \$ 9,965.00.

(d) For the University of Mississippi as interest on LaBauve Fund, the sum of \$ 1,420.00.

(e) For Mississippi University for Women as interest on funds paid into the State Treasury as proceeds of sale of land donated to the Industrial Institute and College by the United States government, the sum of ..... \$ 9,389.00.

(f) For Alcorn State University as interest on land script and land sales funds, the sum of ..... \$ 12,592.00.

SECTION 10. Of the funds appropriated in Section 2 of this act, the following amount shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

On-campus and off-campus support of Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, University of Mississippi, and University of Southern Mississippi for the sum of ..... \$ 68,873,070.00.

SECTION 11. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning shall first use special funds to the greatest extent possible to defray the costs of providing remediation at the state-supported institutions of higher learning.

SECTION 12. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 13. It is the intention of the Legislature that the budget requests of the institutions for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 14. It is the intention of the Legislature that the Board of Trustees of State Institutions of Higher Learning continue to review, and eliminate when possible, duplicating programs and degrees in the existing institutions of higher learning in this state.

SECTION 15. No state appropriations or student tuition and fee receipts, except those specifically charged for the provision of the services, shall be used to support auxiliary enterprises, with the exception of intercollegiate athletics at a level designated by the board of trustees. It is the intent of the Legislature that auxiliary enterprises shall be self-supporting and that deficits not be taken from funds intended for instruction and academic programs.

SECTION 16. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature the institution compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 17. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 18. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Instruction	
Number of Undergraduate Degrees Awarded	12,221
Number of Graduate Degrees Awarded	4,592
Number of Degrees (Graduate & Undergraduate) Awarded in the Fields of STEM, Health and Education	5,766
Number of Undergraduate Degrees Awarded per 100 Undergraduate Full-Time Equivalent (FTE) Enrollment	20.10
Number of Graduate Degrees Awarded per 100 Graduate (FTE) Enrollment	44.20
Number of Students Completing 30 Hours	13,915
Number of Students Completing 60 Hours	10,132
Research	
Number of Patents Obtained by Mississippi Public Universities in Emerging Technologies	25

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 19. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be

necessary, shall be allocated equally to Jackson State University, Mississippi State University, the University of Mississippi, and the University of Southern Mississippi for economic development, reorganization, and relocation of efforts at those universities....\$ 2,000,000.00.

SECTION 20. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Mississippi State University - Meridian Branch.....\$ 900,000.00.

SECTION 21. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 22. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to Jackson State University E-Learning Center.....\$ 485,000.00.

SECTION 23. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to the Delta State University E-Learning Center.....\$ 155,000.00.

SECTION 24. It is the intent of the Legislature that at the end of Fiscal Year 2024 any unexpended balances in Ayers programs funds established pursuant to this act shall not lapse into the State General Fund, but shall carry over and be available for expenditure in the succeeding fiscal year, and subject to Legislative appropriation.

SECTION 25. None of the State General Funds appropriated by this act shall be expended for the purpose of travel outside the United States.

SECTION 26. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following sum, or so much thereof as may be necessary, shall be allocated to Delta State University Department of Commercial Aviation

\$ 800,000.00.

SECTION 27. Of the funds appropriated in Section 1 and Section 2 of this act, One Hundred Ninety-one Thousand Six Hundred Ten Dollars (\$191,610.00) is provided for geospatial site licenses.

SECTION 28. It is the intention of the Legislature that none of the funds provided herein shall be used to pay certain utilities for state-furnished housing for any employees. Such utilities shall include electricity, natural gas, butane, propane, cable and phone services. Where actual cost cannot be determined, the agency shall be required to provide meters to be in compliance with legislative intent. Such state-furnished housing shall include single-family and multifamily residences but shall not include any dormitory residences. Allowances for such utilities shall be prohibited.

SECTION 29. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount shall be allocated to the Delta State University Delta Center for Culture and Learning.....\$ 100,000.00.

The funds allocated in this section shall only be used for the Delta Center for Culture and Learning.

SECTION 30. Of the funds provided herein to the Board of Trustees of State Institutions of Higher Learning, the following amount, or so much thereof as may be necessary, shall be allocated to fund the Washington Center for Internships and Academic Seminars Mississippi Initiative Scholarship Program .....\$ 90,000.00.

This program will provide opportunities for Mississippi's university and college students to gain real-life experience working in Washington, D.C. The funding will provide scholarships at Alcorn State University, Delta State University, Jackson State University, Mississippi State University, Mississippi University for Women, Mississippi Valley State University, and the University of Southern Mississippi. A written report shall be submitted

listing the scholarship recipients by university to the Chairmen of the Senate and House Appropriations and Universities and Colleges Committees.

SECTION 31. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 32. Of the funds appropriated under the provisions of Section 1 of this act, an amount not more than One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be allocated to implement university system efficiencies, including, but not limited to, academic, space, energy and any other system projects or expenditures that would lead to improved efficiency. Such funds may also be used to draw down other funds or as matching funds.

SECTION 33. Of the funds appropriated under the provisions of Section 1 of this act, Nine Hundred Thousand Dollars (\$900,000.00) shall be used to defray the expenses of the Children's Center for Communication and Development at the University of Southern Mississippi.

SECTION 34. Of the funds appropriated in Section 1 of this act, the amount of Nine Hundred Thousand Dollars (\$900,000.00) is provided for defraying the expenses of the DuBard School at the University of Southern Mississippi.

SECTION 35. Of the funds appropriated under the provisions of Section 1 of this act, Two Hundred Sixty-six Thousand Seven Hundred Fifty Dollars (\$266,750.00) is provided for the Southwest Mississippi Center for Culture and Learning at Alcorn State University.

SECTION 36. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Eight Hundred Fifty Thousand Dollars (\$850,000.00) is provided for the Engineer Research and Development Center in Vicksburg, Mississippi, for Research and Development opportunities in Science and Technology initiatives.

SECTION 37. Of the funds appropriated in Section 1 of this act, Three Hundred Thousand Dollars (\$300,000.00) is provided for the Delta State University Delta Music Institute.

SECTION 38. It is the intention of the Legislature that Mississippi Valley State University is authorized to provide water or sewer service to any existing, privately owned structures that presently take water or sewer service from Mississippi Valley State University. Furthermore, Mississippi Valley State University is authorized to charge a flat or metered rate for the service provided. Mississippi Valley State University shall not provide any water or sewer service to any new, privately owned structures.

SECTION 39. Of the funds appropriated in Section 2 of this act, One Million Five Hundred Dollars (\$1,500,000.00), shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to Alcorn State University for STEM related programs as determined by the university.

SECTION 40. Of the funds appropriated in Section 2 of this act, One Million Dollars (\$1,000,000.00), or so much as necessary, shall be derived from funds in the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. These funds are provided to the IHL research institutions for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi. It is the intent of the legislature that funds can be used for both research and upgrades to the physical space in order to perform research and entrepreneurship.

SECTION 41. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated, to the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Education Enhancement Funds to defray the expenses of the Institutions of Higher Learning, as authorized in Senate Bill 3002, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 53,478,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

(a) Delta State University – Commercial Aviation Department to defray expenses related to the purchase of flight simulators, training equipment, and other capital improvements.....

\$ 2,478,000.00.

(b) University of Mississippi to defray expenses related to the operations of the Haley Barbour Center for the Study of American Politics .....

\$ 1,000,000.00.

(c) University of Mississippi to defray expenses related to the Healthcare Innovation Tech Hub Infrastructure, Biomedical Innovation, Nano-Bio Immuno Engineering Consortium (NIEC), Data Science and Artificial Intelligence.....

\$ 15,000,000.00.

(d) University of Mississippi to defray expenses related to the UM Early Learning and Evaluation Center.....

\$ 10,000,000.00.

(e) Mississippi State University to defray the expenses related to the construction, furnishing, and equipping of the Kinesiology & Autism Building, High-Performance Computing Center and/or Ballew Hall.....

\$ 12,000,000.00.

(f) Mississippi University for Women to defray expenses related to the expansion of the nursing program .....

\$ 2,500,000.00.

(g) Alcorn State University to defray the expenses related to the renovation and expansion of the Davey L. Whitney Complex and Wellness Center .....

\$ 3,000,000.00.

(h) Jackson State University to defray the expenses related to the repair, renovation, and/or construction of a residence hall

\$ 5,000,000.00.

(i) Alcorn State University for STEM related programs as determined by the university.....

\$ 1,500,000.00.

(j) IHL research institutions for the purpose of technology transfer and entrepreneurial programs, which may be connected to the Department of Defense and related federal research in Mississippi.....

\$ 1,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 42. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management as authorized in SB 3002, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 15,000,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds for construction and/or repair and renovation projects for the Institutions of Higher Learning as allocated herein:

Alcorn State University.....

\$ 746,792.00.

Delta State University.....

\$ 599,527.00.

Jackson State University.....

\$ 1,294,884.00.

Mississippi State University (including  
the Forest and Wildlife Research Center  
and the Division of Agriculture,  
Forestry and Veterinary Medicine) .....

\$ 4,401,981.00.

Mississippi University for Women.....

\$ 538,804.00.

Mississippi Valley State University .....

\$ 654,339.00.

University of Mississippi.....

\$ 4,063,186.00.

University of Southern Mississippi.....

\$ 2,700,487.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 43. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated, to the Institutions of Higher Learning for the purpose of reauthorizing the expenditure of Capital Expense Funds to defray the expenses of the Institutions of Higher Learning (IHL), as authorized in SB 3002, 2022 Regular Session, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,000,000.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

Mississippi Valley State University	
Emergency Roof Repair .....	\$ 3,000,000.00.
University of Southern Mississippi Ocean	
Enterprise – Gulfport .....	\$ 5,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 44. Of the funds appropriated under the provision of Section 2, the following sum, or so much necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Institutions of Higher Learning (IHL), acting through the Bureau of Building, Grounds and Real Property Management, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 32,000,000.00.

This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for construction and/or repair and renovation projects for the Institutions of Higher Learning as allocated herein:

Alcorn State University.....	\$ 1,577,006.00
Delta State University.....	\$ 1,259,391.00
Jackson State University.....	\$ 2,838,046.00
Mississippi State University (including	
the Forest and Wildlife Research Center	
and the Division of Agriculture,	
Forestry and Veterinary Medicine).....	\$ 9,914,954.00
Mississippi University for Women.....	\$ 1,146,539.00
Mississippi Valley State University .....	\$ 1,553,179.00
University of Mississippi.....	\$ 8,226,201.00
University of Southern Mississippi.....	\$ 5,484,684.00

SECTION 45. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00), or so much thereof, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, to support the operations of the Declaration of Independence Center for the Study of American Freedom ("Center") at the University of Mississippi, subject to the conditions that the Center shall:

(a) Promote scholarly research and civic education by exploring the principles of freedom expressed in our country's founding documents;

(b) Support individual faculty members at institutions of higher learning who have been named Declaration Fellows and who actively participate in the Center's network of scholars and further the mission and principles of the Center;

(c) Support classes, activities, and internships that advance students' understanding of American freedom at both the secondary and post-secondary level of education, including support for the operation of any Freedom Studies minor that may be available for academic credit at the University of Mississippi, as well as support for all Freedom Studies courses belonging to this minor; and

(d) Continue to be governed and advised in accordance with the Center governing structure described in the last paragraph of the Center mission statement signed by the Chancellor, Provost and founding Director of the Center and received in the Office of the Chancellor on March 1, 2023.

SECTION 46. Of the funds appropriated in Section 2 of this act, Twenty-five Million Dollars (\$25,000,000.00), or so much as may be necessary, shall be derived out of any money in the State Treasury to the credit of the Education Enhancement Fund deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, and allocated for the following purposes:

(a) Delta State University – Commercial Aviation Department to defray expenses related to the construction and/or repair and renovation of hangers and classrooms, the purchase of flight simulators, training equipment, and the purchase and/or refurbishment of aircraft ..... \$ 5,000,000.00.

(b) Jackson State University to defray the expenses related to the repair, renovation, and/or construction of a residence hall ..... \$ 5,000,000.00.

(c) Mississippi Valley State University to defray expenses related to capital needs, construction, and/or repair and renovation projects ..... \$ 5,000,000.00.

(d) Mississippi University for Women to defray expenses related to capital needs, construction, and/or repair and renovation projects ..... \$ 5,000,000.00.

(e) Alcorn State University to defray expenses related to capital needs, construction, and/or repair and renovation projects ..... \$ 5,000,000.00.

SECTION 47. Of the funds appropriated in Section 1 of this act, Five Hundred Ninety-nine Thousand, Three Hundred Thirty-five Dollars (\$599,335.00) is provided for the T.K. Martin Center to study the IDEA Part C Early Intervention System in Mississippi and Mississippi's Laws Regarding Early Intervention, as established by and is contingent upon the passage of Senate Bill 2167, 2023 Regular Session.

SECTION 48. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 49. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 50. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF  
STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT  
UNIVERSITIES FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Rita Potts Parks	Jason White
John A. Polk	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3000** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--51.

Nays--Hill. Total--1.

Absent and those not voting---None.

Senator Hopson moved that the rules be suspended to move to calendar item 16, **S. B. No. 3001**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3001** (version 3) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

**SECTION 1.** The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Law Research Institute, Jackson State University Urban Research Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, the Stennis Institute of Government, Gulf Coast Research Laboratory, Polymer Institute, Small Business Development Center, Stennis Center for Higher Learning, the Commission for Volunteer Services, the State Court Education Program, and the executive office of the board of trustees for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 37,485,081.00.

**SECTION 2.** The following sums of money, or so much thereof as may be necessary, are hereby appropriated out of the proceeds from any federal, student fees or other special source funds not otherwise appropriated, to the Center for Advanced Vehicular Systems, Center for Manufacturing Excellence, Board of Trustees of State Institutions of Higher Learning for the purpose of support of the Mississippi State Chemical Laboratory, Water Resources Institute, Mississippi Alcohol Safety Education Program, Stennis Institute of Government, Mississippi Law Research Institute, Mississippi Small Business Development Center, Mississippi Mineral Resources Research Institute, Research Institute of Pharmaceutical Sciences, the Supercomputer, Stennis Space Center's Center for Higher Learning, Gulf Coast Research Laboratory, Polymer Institute, Jackson State University Urban Research Center, the Commission for Volunteer Services, and the executive office of the board of trustees for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 50,218,509.00.

**SECTION 3.** Of the funds appropriated under the provisions of Sections 1 and 2 of this act hereof, the following amounts, or so much thereof as may be necessary, shall be expended by the Board of Trustees of State Institutions of Higher Learning for the purposes hereinafter set forth:

(a) From State General Funds, for the support of:

Center for Advanced Vehicular Systems for	
the sum of .....	\$ 4,703,796.00.
Supercomputer for the sum of .....	\$ 649,817.00.
Center for Manufacturing Excellence for	
the sum of .....	\$ 3,069,581.00.
Mississippi Mineral Resources Institute for	
the sum of .....	\$ 357,902.00.
State Court Education Program for the	
sum of .....	\$ 2,050,389.00.
Mississippi Law Research Institute for the	
sum of .....	\$ 873,574.00.



Executive Office of the Board of Trustees for the sum of .....	\$ 7,329,475.00.
Mississippi Polymer Institute for the sum of .....	\$ 913,091.00.
Mississippi Small Business Development Center for the sum of .....	\$ 316,834.00.
Stennis Space Center - Center for Higher Learning for the sum of .....	\$ 357,377.00.
Jackson State University Urban Research Center for the sum of .....	\$ 531,744.00.
Stennis Institute of Government for the sum of .....	\$ 770,935.00.
Commission for Volunteer Services for the sum of .....	\$ 1,098,413.00.
Gulf Coast Research Laboratory for the sum of .....	\$ 8,387,375.00.
Mississippi Water Resources Institute for the sum of .....	\$ 351,676.00.
Mississippi State Chemical Laboratory for the sum of .....	\$ 1,874,285.00.
Research Institute of Pharmaceutical Sciences for the sum of .....	\$ 3,848,817.00.
(b) From Special Funds, for the support of:	
Center for Advanced Vehicular Systems for the sum of .....	\$ 142,782.00.
Center for Manufacturing Excellence for the sum of .....	\$ 142,782.00.
Mississippi Mineral Resources Institute for the sum of .....	\$ 672,657.00.
Mississippi State University-Alcohol Safety for the sum of .....	\$ 1,884,965.00.
Mississippi Law Research Institute for the sum of .....	\$ 1,990,795.00.
Executive Office of the Board of Trustees for the sum of .....	\$ 20,277,513.00.
Mississippi Small Business Development Center for the sum of .....	\$ 3,164,390.00.
Commission for Volunteer Services for the sum of .....	\$ 5,076,128.00.
Gulf Coast Research Laboratory for the sum of .....	\$ 2,043,526.00.
Mississippi State Chemical Laboratory for the sum of .....	\$ 1,873,965.00.
Research Institute of Pharmaceutical Sciences for the sum of .....	\$ 12,949,006.00.

Of the funds appropriated under the provisions of Section 1 of this act and allocated to the Gulf Coast Research Laboratory, the Board of Trustees of State Institutions of Higher Learning shall allocate One Hundred Seventy-five Thousand Dollars (\$175,000.00) for Sea Grants matching for the Fiscal Year 2024.

Provided further, it is the intention of the Legislature, in the event budget reductions are imposed on the Gulf Coast Research Laboratory by the Board of Trustees of State Institutions of Higher Learning, as a result of the Governor ordering budget reductions under the provisions of Section 27-104-13 or 31-17-123, Mississippi Code of 1972, the same percent reduction will be applied to those state funds identified in this section for Sea Grant match.

It is the intent of the Legislature that no general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

After the Mississippi State Chemical Laboratory has provided the maximum amount of services which may be provided free of charge under the provisions of Section 57-21-11(c), Mississippi Code of 1972, the laboratory shall not provide any additional services from the funds appropriated under the provisions of Sections 1 and 2 of this act if any charges for such services previously provided are more than ninety (90) days past due. After all such delinquent charges have been paid by a client, the laboratory may provide additional services to the client.

SECTION 4. Of the funds appropriated in Section 2 of this act and authorized for expenditure in Section 3(b) of this act, the following amounts shall be derived from Education Enhancement Funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972:

Center for Advanced Vehicular Systems.....\$ 142,782.00.

Center for Manufacturing Excellence.....\$ 142,782.00.

Gulf Coast Research Laboratory.....\$ 142,782.00.

Executive Office of the Board of Trustees

for the sum of ..... \$ 402,396.00.

Total.....\$ 830,742.00.

SECTION 5. None of the funds appropriated by this act shall be expended for any purpose that is not actually required or necessary for performing any of the powers or duties of the Board of Trustees of State Institutions of Higher Learning, or any of the powers or duties of any institution under the jurisdiction of the board of trustees, that are authorized by the Mississippi Constitution of 1890, state or federal law, or rules or regulations that implement state or federal law.

SECTION 6. It is the intention of the Legislature that the budget requests of the individual institutes, laboratories and programs consolidated in this bill for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 7. The Board of Trustees of State Institutions of Higher Learning shall report yearly to the Legislature any institution not in compliance with Section 97-11-51, Mississippi Code of 1972, which prohibits deficit spending.

SECTION 8. Any funds appropriated pursuant to this act and paid as a fee to or deposited in a financial institution shall be in compliance with Section 109 of the Constitution of the State of Mississippi and Section 25-4-105, Mississippi Code of 1972.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. None of the funds appropriated and/or authorized for expenditure under this act shall be used for research in which a human embryo is killed or destroyed.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds appropriated in Section 2, One Million Three Hundred Seventy-five Thousand Dollars (\$1,375,000.00), or so much thereof, is hereby appropriated out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, to the Mississippi State University – State Chemical Laboratory for the purpose of purchasing equipment to enhance the laboratory capabilities including, but not limited to, equipment for water quality testing.

SECTION 13. Of the funds appropriated in Section 1 of this act, One Hundred Fifty Thousand Dollars (\$150,000.00) is provided to the University of Mississippi – State Court Education Program to defray the expenses of newly elected justice court judges and newly elected chancery and circuit clerks.

SECTION 14. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 15. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

W. Briggs Hopson III

John Read

Rita Potts Parks

Karl Oliver

Bart Williams

Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3001** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 17, **S. B. No. 3009**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3009** (version 3) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3009: Appropriation; Community and Junior Colleges Board - Administrative expenses.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 6,179,847.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi

Community College Board, for the purpose of defraying the administrative expenses of the Mississippi Community College Board for the fiscal year beginning July 1, 2023, and ending June 30, 2024..... \$ 94,787,148.00.

SECTION 3. Of the funds appropriated in Section 2 of this act, Three Hundred Fifty-six Thousand Dollars (\$356,000.00) shall be derived from the Education Enhancement Fund from funds deposited pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972.

SECTION 4. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent: 48

Time-Limited: 0

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds which are being used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

SECTION 5. Of the funds appropriated in Section 1 of this act, Five Hundred Forty-two Thousand Four Hundred Fifty-nine Dollars (\$542,459.00) is provided to the Mississippi Community College Board for the purpose of defraying the cost of the Greenville Higher Education Center.

SECTION 6. Of the funds appropriated in Section 1 of this act, Thirty-seven Thousand Six Hundred Twenty-six Dollars (\$37,626.00) is provided for geospatial site licenses.

SECTION 7. Of the funds appropriated in Section 2 of this act, Five Hundred Seventy-four Thousand Three Hundred Eighty-six Dollars (\$574,386.00) shall be derived from the out of any money in the State Treasury to the credit of the Commission on Proprietary School and College Registration, for the purpose of defraying expenses incurred in the regulation and administration of the Mississippi Proprietary School and College Registration Law and the associated expenses of the Mississippi Community College Board.

SECTION 8. Of the funds appropriated herein, up to One Million Dollars (\$1,000,000.00) shall be expended from the Work Force Carryover Fund as created by House Bill No. 1271, 1995 Regular Session.

SECTION 9. Of the funds appropriated in Sections 1 and 2 of this act, Fifty Million Eight Hundred Thirty-one Thousand Eight Hundred Two Dollars (\$50,831,802.00) is appropriated for the Workforce Education Program and Industrial Training. No funding obligation or commitment shall be made on behalf of the state for industrial training beyond the level of funding made available in this section. All industrial training program commitments made in Fiscal Year 2024 and future fiscal years shall be based only upon funds available in this section, and any proposed commitments shall be approved by the Executive Director of the Mississippi Community College Board or the Executive Director's designee prior to such commitment being finalized. Industrial training program commitments shall be made and based only upon training services provided and not for a specific funding amount. Any expenditures of funds authorized in this section are limited to obligations made July 1, 2023, or after, and shall not be expended for obligations made prior to this date.

SECTION 10. Of the funds appropriated in Section 2 of this act, Thirty Million Dollars (\$30,000,000.00) shall be derived from unemployment compensation contributions deposited into the Mississippi Workforce Enhancement Training Fund and shall be utilized exclusively by the Mississippi Community College Board for workforce training in accordance with Senate Bill No. 2027, 2010 Regular Session. It is the intention of the Legislature that the Workforce Enhancement Training Fund shall have not less than Two Million Dollars (\$2,000,000.00) set aside as a carry-forward to begin the Fiscal Year 2025 Workforce Education Program.

SECTION 11. Of the funds appropriated in Section 2 of this act, Two Million Five Hundred Thousand Dollars (\$2,500,000.00) shall be derived from fees charged for the Workforce Online Training Program, and the Mississippi Virtual Community College and funds in the amount of Two Million Four Hundred Forty-four Thousand Nine Hundred

Fourteen Dollars (\$2,444,914.00) shall be transferred from the Community and Junior College Education Technology Fund for the purpose of defraying the costs of the Mississippi Virtual Community College, the Workforce Online Training Program and the administrative expenses of the Mississippi Community College Board.

SECTION 12. Of the funds appropriated in of Section 2 of this act, One Hundred Twenty-five Thousand Dollars (\$125,000.00) shall be derived from fees charged for issuing duplicate transcripts and duplicate diplomas for the High School Equivalency Testing Program for the purpose of defraying the costs of administering the High School Equivalency Testing Program of the Mississippi Community College Board, in accordance with Senate Bill No. 2626, 2002 Regular Session.

SECTION 13. Of the funds appropriated in Section 2 of this act, Thirty Million Dollars (\$30,000,000.00) shall be derived from the transfer of postsecondary vocational and technical funds from the Mississippi Department of Education to the Mississippi Community College Board for the purpose of managing the day-to-day operations of postsecondary career and technical education.

SECTION 14. It is the intention of the Legislature that an amount equal to One Dollar and Fifty Cents (\$1.50) per square foot shall be transferred to the Executive Office of the Board of Trustees of State Institutions of Higher Learning to defray utility costs.

SECTION 15. It is the intention of the Legislature that the budget requests for administrative expenses of the Mississippi Community College Board for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 16. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 17. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 18. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 19. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE  
BOARD FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
Hillman Terome Frazier	Manly Barton
Michael McLendon	Donnie Scoggin

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3009** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson,

Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Hopson moved that the rules be suspended to move to calendar item 18, **S. B. No. 3012**, and the motion prevailed.

Senator Hopson called up the following entitled bill:

**S. B. No. 3012:** Appropriation; Public Safety, Department of.

Senator Hopson moved that the Conference Committee Report on **S. B. No. 3012** (version 2) be recommitted for further conference and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3012** (version 3) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

**S. B. No. 3012:** Appropriation; Public Safety, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum of money, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Public Safety for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 158,543,141.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Department of Public Safety for the purpose of defraying the expenses incurred in the operation of the various divisions of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 114,574,930.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

#### AUTHORIZED HEADCOUNT:

Permanent:	1,698
Time-Limited:	78

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for

promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. The Commissioner of Public Safety may, on a case-by-case basis, within funds available, recommend that corrective salary adjustments be made to the compensation of employees of the Department of Public Safety where an inequity was created between employees of equivalent capacity by previous application of the agency appropriation acts. Any such corrective salary adjustment plan must have prior approval by the State Personnel Board. Such adjustments will not be retroactive.

Any funds in the Salary, Wages and Fringe Benefits major object of expenditure may be used to purchase accumulated compensatory time within funds available.

SECTION 5. It is the intention of the Legislature, that the Department of Public Safety shall receive Five Million Dollars (\$5,000,000.00) from the Mississippi Department of Transportation, for the operations of the Office of Commercial Transportation Enforcement Division that is authorized in Section 77-7-330, Mississippi Code of 1972.

SECTION 6. It is the intent of the Legislature that the local governments pay for part of the computer cost of the Mississippi Justice Information Center by maintaining their contribution to the Department of Public Safety.

SECTION 7. It is the intention of the Legislature that the Department of Public Safety designate certain employees to aid the Office of Forensics Laboratories in the billing and collecting of all fees charged for services rendered by the Office of Forensics Laboratories.

SECTION 8. No part of the funds appropriated herein shall be transferred to, expended by, or used, directly or indirectly, for the benefit of any public relations, publicity or publication activities of any other state agency, department or officer, nor shall any personnel paid with funds appropriated herein be transferred or assigned to any other state agency, department or officer for public relations, publicity, or publication activities of such office.

SECTION 9. It is the intention of the Legislature that the Department of Public Safety shall not issue citations for violations of speed limits on a quota basis. No funds expended under this act shall be used for such quota-based citations for violations of speed limits.

SECTION 10. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Enforcement	
Percent Increase in Enforcement Citations	7.00
Percent Decrease in Fatalities	4.00
Percent Increase in DUI Arrests (Includes Felony DUI)	5.00
Number of Criminal Investigations	72,100
Number of Highway Fatalities per 100 Million Vehicle Miles of Travel	0.90
Number of Alcohol Impaired Driving Fatalities per 100,000 Population	1.80
Number of Driving Under the Influence (DUI) Arrests per 100,000 Population	235
Percent Increase in Seatbelt/Child Restraint Citations	5.00
Driver Services	
Number of Driver's License/ID Cards Issued	635,250
Cost per License Document Produced	24.00
Number of Driver's Suspended	24,300
Number of Accident Reports Processed	1,650
Average Wait Time (Minutes)	20
Number of Documented Complaints	24
Percent Change in Wait Time	-5.00
Percent Change in Complaints	1.10
Percent Increase in Regular and Commercial Driver Licenses Issued	10.00
Support Services	
Number of Financial Transactions Processed	40,200
Number of Employees Supported	1,800
Forensic Analysis	
Number of Reports Issued (Cases)	20,000
Number of Court Testimonies (Cases)	250
Cost per Case Analyzed	518.00
Cost per Testimony	550.00
Percent of Days for Reports Issued	40.00
Dna Analysis	
Number of Known Felony Offender Samples in Database	137,429
Number of Proficiency Samples	550
Number of Casework Samples Examined	12,500
Cost per Sample	650.00
Maintain the Integrity of the CODIS Database	99.00
Forensic Pathology	
Number of Deaths Investigated	24,500
Number of Autopsies Performed SME Office	1,375
Cost per Autopsy Performed	2,000.00
Percent Change in the Number of Deaths Investigated	2.50
Percent of Coroners Educated by ME's Office	30.00
Percent Change in the Number of Autopsies Performed at SME Office	2.00
Training Academy	
Number of Basic Students to Graduate	240
Number of Basic Refresher Students to Graduate	70
Number of In-Service and Advanced Students to Graduate	2,600
Percent of Law Enforcement Officers Trained	100.00



Drug Enforcement	
Number of Drug Suspects Arrested	1,300
Number of Drug Cases Prosecuted	600
Number of Drug Organization Disrupted and/or Dismantled	4
Percent Change in Number of Drug Suspects Arrested	1.00
Percent Change in Number of Drug Cases Prosecuted	1.00
Percent Change in Number of Drug Organization Disrupted and/or Dismantled	1.00
Jail Officer Training	
Number of Jail and Youth Detention Officers Certified	300
Number of Certification Transactions	3,300
Number of Administrative Review Actions	15
Percent of Appointed Jail and Youth Detention Officers Obtaining Certification	60.00
Percent of Administrative Review Actions Taken Within One Year	1.00
Law Enforcement Training	
Number of Basic Law Enforcement Officers Certified	500
Number of Certification Transactions	2,500
Number of Training Quality Monitoring Actions	1,000
Percent of Appointed Law Enforcement Officers Obtaining Certification	75.00
Percent of Appointed Part-Time, Reserve, and Auxiliary Officers Obtaining Certification	85.00
Percent of Administrative Disciplinary Actions Taken Within One Year	3.50
Highway Safety	
Number of Federal Applications Funded and Statewide Pgms Supported	10
Percent Decrease in the Number of Unrestrained Passenger Vehicle Occupant Fatalities by 5%	2.00
Percent Decrease in the Number of Fatalities in Crashes Involving a Driver or Motorcycle Operator with a BAC of .08 and Above	1.00
Justice	
Number of Juvenile Jail/Detention Alternatives	5
Number of Hot Spots Policing Programs Funded	0
Emerg Telecommunications Tng	
Number of Emergency Telecommunicators Certified	400
Number of Certification Transactions	1,600
Percent of Appointed Emergency Telecommunicators Obtaining Certification	75.00
Percent of Appointed Emergency Telecommunicators Obtaining Recertification	75.00
Percent of Administrative Review Actions	

	Taken Within One Year	1.00
Council On Aging		
	Number of Triad Programs Established	2.00
	Number of Training Programs Conducted	0
	Provide On-Site-Training	0
	Percent Change in the Number of Operational Triad Programs	3.00
	Percent Increase in Funding to Counties to Educate Senior Citizens	0.00
Juvenile Facility Monitoring Unit		
	Number of Facilities Inspected	125
	Number of Strategic Plans Implemented	20
	Percentage of Admin Review Actions Taken Within One Year	80.00
Homeland Security		
	Number of OHS Grants for Jurisdictions	150
	Number of First Responder Classes	150
	Percent Increase in Emergency Task Force Responder Training and Exercises	2.00
	Percent Increase in Citizen and Community Preparedness Training and Exercises	11.50
	Percent Increase in Requests for Information	2.00
	Percent Increase in National Incident Mgmt Training and Exercises	2.00
Investigations		
	Number of Human Trafficking Cases Initiated	300
	Number of Human Trafficking Arrests	55
	Number of Human Trafficking Child Recoveries	25
Capitol Police		
	Number of Patrols	65
	Number of Emergencies (Medical, Weather, Active Shooter, etc.)	200
	Average Time to Respond to an Emergency (Minutes)	1.10
Motor Carrier		
	Number of Compliance Reviews	50,000
	Number of On-site Examinations at Scales	32,000
	Number of Trucks Weighed	5,800,000

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 11. It is the intention of the Legislature that all divisions within the Mississippi Department of Public Safety shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 12. Of the funds appropriated under the provisions of Section 2 of this act, funds may be expended to defray the costs of clothing for sworn nonuniform law enforcement officers in an amount not to exceed One Thousand Dollars (\$1,000.00) annually per officer.

SECTION 13. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar

preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 14. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 15. Of the funds provided herein, and in addition to the One Hundred Dollars (\$100.00) authorized in Section 45-3-7, Mississippi Code of 1972, Department of Public Safety Officers who are licensed commercial pilots shall receive an additional Nine Hundred Dollars (\$900.00), for a total of One Thousand Dollars (\$1,000.00), additional compensation for such service.

SECTION 16. It is the direction of the Legislature that all Fair Labor Standards Act (FLSA) nonexempt sworn officers of the Mississippi Highway Safety Patrol who are working one hundred seventy-one (171) hours in a twenty-eight-day work cycle be compensated based on the annual salary established by the State Personnel Board for a one-hundred-sixty-hour per month schedule divided by two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143), for an hourly rate, to be multiplied by two thousand two hundred twenty-three (2,223) or one hundred seventy-one (171) hours in a twenty-eight-day work cycle for a new annual salary. All hours worked over one hundred seventy-one (171) hours in a twenty-eight-day schedule shall be governed by the FLSA or other special compensation plan. All realignments after July 1, 2010, shall be calculated using this formula. This section shall be known as the "David R. Huggins Act."

SECTION 17. Of the funds appropriated in Sections 1 and 2 of this act, Four Hundred Ninety-five Thousand One Hundred Ninety Dollars (\$495,190.00) is appropriated out of any funds in the State Treasury to the credit of the Department of Public Safety for the purposes of paying for eleven (11) hours of compensatory time at an hourly rate based on two thousand eighty-seven and one hundred forty-three one thousandths (2,087.143) hours per year for sworn officers who hold the rank of Lieutenant and above. The funds provided in this section to pay for the eleven (11) hours authorized in this section shall be expended only for this purpose.

SECTION 18. It is the intention of the Legislature that the Department of Public Safety shall provide an annual report to the Mississippi Legislature detailing any elected official or any other person who is not an employee of the Department of Public Safety who was transported in Highway Patrol aircraft during the fiscal year. The report shall be provided to each member of the Mississippi Legislature on or before January 15, 2024.

SECTION 19. The Commissioner of Public Safety shall have the authority to transfer any funds from any division within the Department of Public Safety to any other division of the Department of Public Safety Special Funds, including, but not limited to, Funds 3711, 371C, 371E, 3713, 3714, 3715, 3740, 3741, 3742, 3744, 3747 and 3718, not to exceed Twenty Million Dollars (\$20,000,000.00) collectively during Fiscal Year 2024. However, none of the funds appropriated by this act shall be expended unless the Department of Public Safety provides prior written notification of any transfer of funds provided in this section.

SECTION 20. The Bureau of Narcotics is authorized to expend a sum, not to exceed Five Hundred Thousand Dollars (\$500,000.00) from account No. 3371800000, for purposes of effectuating the provisions of Section 41-29-179, Mississippi Code of 1972, Section 1 of this act. Expenditures authorized by this section may include, but not be limited to, costs associated with contracting with one or more vendors, contractors or other persons or entities to create, operate and maintain the forfeiture website and to provide continuing support in relation thereto. In the event an amount less than Five Hundred Thousand (\$500,000.00) is required to effectuate the purposes of this section, the Bureau is authorized to expend the remainder of such authorized funds for the purchase of commodities, vehicles and/or other equipment necessary in the furtherance of the needs of the Bureau.

SECTION 21. Of the funds appropriated in Section 1 of this act, it is the intention of the Legislature that Four Million Three Hundred Twelve Thousand Six Hundred Two

Dollars (\$4,312,602.00) may be allocated for the programs supported from General Fund court assessments as follows:

State Crime Stoppers Fund .....	\$ 99,003.00.
Adult Driver Training .....	\$ 75,794.00.
Information Exchange Network Fund .....	\$ 264,007.00.
Forensics Laboratory of MS – Implied Consent Law Fund .....	\$ 404,795.00.
Forensics Laboratory of MS – DNA Identification Fund .....	\$ 629,543.00.
Law Enforcement and Firefighters Death Benefits Trust Fund .....	\$ 191,361.00.
Law Enforcement Standards Training – Law Enforcement Officers Training Fund .....	\$ 2,276,404.00.
Drug Abuse/Driver's License Reinstatement .....	\$ 13,573.00.
Federal – State Alcohol Program Fund .....	\$ 160,431.00.
MS Leadership Council on Aging Fund .....	\$ 197,691.00.

SECTION 22. It is the intention of the Legislature that the Mississippi Bureau of Narcotics, Mississippi Department of Public Safety, shall have the authority to receive, budget and expend special funds from the Drug Evidence Disposition Funds (3372000000), not to exceed Five Hundred Thousand Dollars (\$500,000.00).

SECTION 23. Of the funds appropriated by this act, pursuant to Section 97-3-54.9, Mississippi Code of 1972, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the duties and operations of a Statewide Human Trafficking Coordinator and a data analyst within the Bureau of Investigation in the Department of Public Safety, who shall coordinate all statewide activities and work with the Department of Child Protection Services for all victims recovered.

SECTION 24. Of the funds appropriated by this act, pursuant to Section 45-1-2(7), Mississippi Code of 1972, Two Hundred Forty-two Thousand Six Hundred Three dollars (\$242,603.00) is provided for the duties and operations associated with the Mississippi School Safety Act of 2019.

SECTION 25. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated to the Department of Public Safety for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in SB 3014, 2022 Regular Session to at the Department of Public Safety for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 8,026,097.00.

This reappropriation is for the following purposes:

(a) Bullet Proof Vests Program .....	\$ 85,362.00.
(b) Driver Services IDEMIA System .....	\$ 6,700,000.00.
(c) Capital facilities, equipment, and other operational needs .....	\$ 1,099,425.00.
(d) Repairs and renovations at MELOTA .....	\$ 141,310.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 26. The department may subgrant a portion of the funds appropriated herein to the Jackson Police Department for eligible activities contingent upon the execution of an operational agreement between the Capitol Police and Jackson Police Department on roles and responsibilities within the Capitol Complex Improvement District.

SECTION 27. Of the funds appropriated under the provisions of Section 2, Three Hundred Thousand Dollars (\$300,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Public Safety for vehicles for Highway Patrol Troopers.

SECTION 28. Of the funds appropriated under the provisions of Section 2, One Million Dollars (\$1,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Public Safety for the purchase of bulletproof vests and other equipment at the Department.

SECTION 29. Of the funds appropriated under the provisions of Section 2, One Million Two Hundred Thousand Dollars (\$1,200,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Public Safety for case backlogs at the Forensic Laboratories.

SECTION 30. Of the funds appropriated under the provisions of Section 2, One Million One Hundred Forty-five Thousand Two Hundred and Five Dollars (\$1,145,205.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Public Safety for equipment and vehicles at the Forensic Laboratories, including equipment associated with HB 485, 2023 Regular Session.

SECTION 31. Of the funds appropriated under the provisions of Section 2, One Million Two Hundred Sixty Thousand Dollars (\$1,260,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Public Safety for the building lease for Driver Services Bureau.

SECTION 32. Of the funds appropriated under the provisions of Section 2, Five Hundred Ninety-one Thousand Dollars (\$591,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Public Safety to upgrade and maintain the IDEMIA System at the Driver Services Bureau and any equipment necessary to implement HB 529, 2023 Regular Session.

SECTION 33. Of the funds appropriated under the provisions of Section 2, Two Hundred Thousand Dollars (\$200,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the State Treasurer. These funds are provided to the Department of Public Safety for vehicles for Homeland Security.

SECTION 34. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the General Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Department of Public Safety for Capitol Police operational expenses for the period beginning upon passage of this act and ending June 30, 2024 ...  
\$2,900,000.00.

SECTION 35. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 36. This act shall take effect and be in force from and after July 1, 2023, with the exception of Section 34, which shall take effect and be in force from and after passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2024.

## CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Brice Wiggins  
Dennis DeBar, Jr.

## CONFEREES FOR THE HOUSE

John Read  
Angela Cockerham  
Richard Bennett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3012** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

On request of Senator Johnson, unanimous consent was granted to make the following correction in **H. B. No. 535**:

Unanimous consent of the House and Senate is requested to make the following changes to House Bill No. 535:

Insert on line 608 before the colon "and in which Mississippi Highway 370 and Mississippi Highway 145 intersect"

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 834** (version 2) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 834: Assistant District Attorneys and criminal investigators; increase authorized number of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 25-31-5, Mississippi Code of 1972, is amended as follows:

\* \* \*

25-31-5. (1) The following number of full-time legal assistants are authorized in the following circuit court districts:

- (a) First Circuit Court District..... \* \* \* ten (10) legal assistants.
- (b) Second Circuit Court District..... \* \* \* eleven (11) legal assistants.
- (c) Third Circuit Court District..... \* \* \* six (6) legal assistants.
- (d) Fourth Circuit Court District.....six (6) legal assistants.
- (e) Fifth Circuit Court District.....five (5) legal assistants.
- (f) Sixth Circuit Court District..... \* \* \* three (3) legal assistants.
- (g) Seventh Circuit Court District..... \* \* \* twelve (12) legal assistants.

Effective July 1, 2023, through July 1, 2025, the Seventh Circuit Court District shall have fourteen (14) legal assistants.

- (h) Eighth Circuit Court District.....three (3) legal assistants.
- (i) Ninth Circuit Court District.....three (3) legal assistants.
- (j) Tenth Circuit Court District..... \* \* \* five (5) legal assistants.
- (k) Eleventh Circuit Court District.....five (5) legal assistants.
- (l) Twelfth Circuit Court District.....five (5) legal assistants.
- (m) Thirteenth Circuit Court District.....four (4) legal assistants.
- (n) Fourteenth Circuit Court District..... \* \* \* six (6) legal assistants.
- (o) Fifteenth Circuit Court District..... \* \* \* seven (7) legal assistants.
- (p) Sixteenth Circuit Court District..... \* \* \* six (6) legal assistants.
- (q) Seventeenth Circuit Court District.. \* \* \* four (4) legal assistants.
- (r) Eighteenth Circuit Court District.....two (2) legal assistants.

(s) Nineteenth Circuit Court District..... \* \* \* seven (7) legal assistants.

(t) Twentieth Circuit Court District..... \* \* \* seven (7) legal assistants.

(u) Twenty-first Circuit Court District..... \* \* \* four (4) legal assistants.

(v) Twenty-second Circuit Court District..... three (3) legal assistants.

(w) Twenty-third Circuit Court District ..... \* \* \* five (5) legal assistants.

(2) In addition to any legal assistants authorized pursuant to subsection (1) of this section, the following number of full-time legal assistants are authorized (i) in the following circuit court districts if funds are appropriated by the Legislature to adequately fund the salaries, expenses and fringe benefits of such legal assistants, or (ii) in any of the following circuit court districts in which the board of supervisors of one or more of the counties in a circuit court district adopts a resolution to pay all of the salaries, supplemental pay,

expenses and fringe benefits of legal assistants authorized in such district pursuant to this subsection:

- (a) First Circuit Court District.....two (2) legal assistants.
- (b) Second Circuit Court District.....two (2) legal assistants.
- (c) Third Circuit Court District.....two (2) legal assistants.
- (d) Fourth Circuit Court District.....two (2) legal assistants.
- (e) Fifth Circuit Court District.....two (2) legal assistants.
- (f) Sixth Circuit Court District.....two (2) legal assistants.
- (g) Seventh Circuit Court District.....two (2) legal assistants.
- (h) Eighth Circuit Court District.....two (2) legal assistants.
- (i) Ninth Circuit Court District.....two (2) legal assistants.
- (j) Tenth Circuit Court District.....two (2) legal assistants.
- (k) Eleventh Circuit Court District.....two (2) legal assistants.
- (l) Twelfth Circuit Court District.....two (2) legal assistants.
- (m) Thirteenth Circuit Court District.....two (2) legal assistants.
- (n) Fourteenth Circuit Court District.....two (2) legal assistants.
- (o) Fifteenth Circuit Court District.....two (2) legal assistants.
- (p) Sixteenth Circuit Court District.....two (2) legal assistants.
- (q) Seventeenth Circuit Court District.....two (2) legal assistants.
- (r) Eighteenth Circuit Court District.....two (2) legal assistants.
- (s) Nineteenth Circuit Court District.....two (2) legal assistants.
- (t) Twentieth Circuit Court District.....two (2) legal assistants.
- (u) Twenty-first Circuit Court District.....two (2) legal assistants.
- (v) Twenty-second Circuit Court District.....two (2) legal assistants.
- (w) Twenty-third Circuit Court District.....two (2) legal assistants.

(3) The board of supervisors of any county may pay all or a part of the salary, supplemental pay, expenses and fringe benefits of any district attorney or legal assistant authorized in the circuit court district to which such county belongs pursuant to this section.

(4) The district attorney of any circuit court district may employ additional legal assistants or criminal investigators, or both, without regard to any limitation on the number of legal assistants authorized in this section or criminal investigators authorized by other provisions of law to the extent that the district attorney's office receives funds from any source. Any source shall include, but is not limited to, office generated funds, funds from



a county, a combination of counties, a municipality, a combination of municipalities, federal funds, private grants or foundations, or by means of an Interlocal Cooperative Agreement authorized by Section 17-13-1 which may be expended for those positions in an amount sufficient to pay all of the salary, supplemental pay, expenses and fringe benefits of the positions. Such funds may either be paid out of district attorney accounts, transferred by the district attorney to the Department of Finance and Administration or to one or more of the separate counties comprising the circuit court district, and the funds shall be disbursed to such employees in the same manner as state-funded criminal investigators and full-time legal assistants. The district attorney shall report to the board of supervisors of each county comprising the circuit court district the amount and source of the supplemental salary, expenses and fringe benefits, and the board in each county shall spread the same on its minutes. The district attorney shall also report such information to the Department of Finance and Administration which shall make such information available to the Legislative Budget Office.

(5) The district attorney shall be authorized to assign the duties of a legal assistant regardless of the source of funding for such legal assistants.

SECTION 2. Section 25-31-10, Mississippi Code of 1972, is amended as follows:

\* \* \*

25-31-10. (1) Any district attorney may appoint a full-time criminal investigator.

(2) The district attorneys of the \* \* \* Fifth, Ninth, Tenth, Eleventh, Twelfth, Thirteenth, Fourteenth, Fifteenth, Sixteenth, Seventeenth, Twentieth \* \* \* and Twenty-first Circuit Court Districts may appoint one (1) additional full-time criminal investigator for a total of two (2) full-time criminal investigators.

(3) The district attorneys of the First, Second, Third, Fourth, \* \* \* Nineteenth and Twenty-third Circuit Court Districts may appoint two (2) additional full-time criminal investigators for a total of three (3) full-time criminal investigators.

(4) The district attorney of the Seventh Circuit Court District may appoint one (1) additional full-time criminal investigator for a total of four (4) full-time criminal investigators.

( \* \* \*5) No district attorney or assistant district attorney shall accept any private employment, civil or criminal, in any matter investigated by such criminal investigators.

( \* \* \*6) The full and complete compensation for all public duties rendered by the criminal investigators shall be not more than Sixty-three Thousand Dollars (\$63,000.00) per annum, to be determined at the discretion of the district attorney based upon the qualifications, education and experience of the criminal investigator, plus necessary travel and other expenses, to be paid in accordance with Section 25-31-8. However, the maximum salary under this subsection for a criminal investigator who has a law degree may be supplemented by the district attorney from other available funds, but not to exceed the maximum salary for a legal assistant to a district attorney.

( \* \* \*7) Any criminal investigator may be designated by the district attorney to attend the Law Enforcement Officers Training Program set forth in Section 45-6-1 et seq. The total expenses associated with attendance by criminal investigators at the Law Enforcement Officers Training Program shall be paid out of the funds of the appropriate district attorney.

( \* \* \*8) The district attorney shall be authorized to assign the duties of criminal investigators regardless of the source of funding for such criminal investigators.

SECTION 3. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF LEGAL ASSISTANTS FOR CIRCUIT COURT DISTRICTS; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF CRIMINAL INVESTIGATORS FOR CERTAIN CIRCUIT COURT DISTRICTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE                      CONFEREES FOR THE SENATE

John Read                                              W. Briggs Hopson III

Angela Cockerham                                  Brice Wiggins

Joey Hood                                              Kevin Blackwell

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 834** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--Bryan, Chism, Simmons D. T. (12th). Total--3.

Absent and those not voting---None.

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1626:** Appropriation; Health, Department of.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of.

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**S. B. No. 3000:** Appropriation; IHL - General support.

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

**S. B. No. 3012:** Appropriation; Public Safety, Department of.

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2810:** AN ACT TO REENACT SECTIONS 37-153-1, 37-153-3, 37-153-5, 37-153-7, 37-153-9, 37-153-11, 37-153-13, 37-153-15 AND 37-153-17 MISSISSIPPI CODE OF 1972, WHICH CONSTITUTE THE MISSISSIPPI COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; TO AMEND REENACTED SECTION 37-153-17, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE MISSISSIPPI COMPREHENSIVE WORKFORCE TRAINING AND EDUCATION CONSOLIDATION ACT OF 2004; TO REENACT SECTIONS 71-5-5, 71-5-11 AND 71-5-19, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI EMPLOYMENT SECURITY LAW; TO REENACT SECTIONS 71-5-101 THROUGH 71-5-143, MISSISSIPPI CODE OF 1972, WHICH TRANSFER THE POWERS AND RESPONSIBILITIES OF THE MISSISSIPPI EMPLOYMENT SECURITY COMMISSION TO THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY IN THE OFFICE OF THE GOVERNOR AND PRESCRIBE THE DEPARTMENT'S POWERS AND DUTIES; TO REENACT SECTION 71-5-201, MISSISSIPPI CODE OF 1972, WHICH ESTABLISHES THE MISSISSIPPI STATE EMPLOYMENT SERVICE WITHIN THE DEPARTMENT OF EMPLOYMENT SECURITY; TO REENACT SECTIONS 71-5-357 AND 71-5-359, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBE REGULATIONS GOVERNING NONPROFIT ORGANIZATIONS, STATE AGENCIES AND POLITICAL SUBDIVISIONS UNDER THE EMPLOYMENT SECURITY LAW; TO AMEND REENACTED SECTION 71-5-359, MISSISSIPPI CODE OF 1972, TO REMOVE DUPLICATIVE LANGUAGE; TO REENACT SECTIONS 71-5-451 AND 71-5-457, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE UNEMPLOYMENT COMPENSATION FUND AND THE UNEMPLOYMENT TRUST FUND; TO REENACT SECTIONS 71-5-511, 71-5-513, 71-5-517, 71-5-519, 71-5-523, 71-5-525, 71-5-529, 71-5-531 AND 71-5-541, MISSISSIPPI CODE OF 1972, WHICH PROVIDE FOR THE PAYMENT OF UNEMPLOYMENT COMPENSATION BENEFITS; TO REENACT SECTION 73-30-25, MISSISSIPPI CODE OF 1972, WHICH EXCLUDES CERTAIN PROFESSIONALS FROM REGULATION UNDER THE LAWS GOVERNING LICENSED PROFESSIONAL COUNSELORS; TO REENACT SECTION 43-1-30, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISSISSIPPI TANF IMPLEMENTATION COUNCIL AND PRESCRIBES ITS POWERS AND DUTIES; TO REENACT SECTION 43-17-5, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES THE AMOUNT OF TEMPORARY ASSISTANCE FOR NEEDY FAMILIES (TANF) BENEFITS WHICH MAY BE GRANTED TO RECIPIENTS; TO REENACT SECTION 43-

19-45, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE CHILD SUPPORT UNIT ESTABLISHED BY THE DEPARTMENT OF HUMAN SERVICES TO ESTABLISH A STATE PARENT LOCATOR SERVICE; TO REENACT SECTION 43-19-46, MISSISSIPPI CODE OF 1972, WHICH REQUIRES EMPLOYERS TO SUBMIT CERTAIN INFORMATION RELATING TO NEWLY HIRED EMPLOYEES TO THE DIRECTORY OF NEW HIRES WITHIN THE DEPARTMENT OF HUMAN SERVICES; TO REENACT SECTIONS 57-62-5 AND 57-62-9, MISSISSIPPI CODE OF 1972, WHICH RELATE TO THE MISSISSIPPI ADVANTAGE JOBS ACT; TO REENACT SECTION 57-75-5, MISSISSIPPI CODE OF 1972, WHICH DEFINES CERTAIN TERMS USED UNDER THE MISSISSIPPI MAJOR ECONOMIC IMPACT ACT; TO REENACT SECTION 57-80-7, MISSISSIPPI CODE OF 1972, WHICH RELATES TO THE GROWTH AND PROSPERITY ACT; TO REENACT SECTION 69-2-5, MISSISSIPPI CODE OF 1972, WHICH PRESCRIBES CERTAIN DUTIES OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE RELATING TO THE DISSEMINATION OF INFORMATION TO THE AGRICULTURAL COMMUNITY; TO REENACT SECTION 7-1-355, MISSISSIPPI CODE OF 1972, WHICH REQUIRES THE DEPARTMENT OF EMPLOYMENT SECURITY, OFFICE OF THE GOVERNOR, TO MAKE AN ANNUAL REPORT TO THE LEGISLATURE ON WORKFORCE INVESTMENT ACTIVITIES; TO AMEND SECTION 60, CHAPTER 572, LAWS OF 2004, AS LAST AMENDED BY SECTION 7, CHAPTER 476, LAWS OF 2020, TO EXTEND THE DATE OF REPEAL ON THOSE STATUTES REENACTED BY THIS ACT; TO AMEND SECTION 25-1-98, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE ON THE AUTHORITY OF STATE SERVICE AGENCIES TO ALLOW TELEWORK IN ACCORDANCE WITH A POLICY APPROVED BY THE STATE PERSONNEL BOARD; TO AMEND SECTION 71-5-355, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE NONCHARGES CAUSED BY THE COVID-19 PANDEMIC SHALL NOT BE USED FOR THE PURPOSES OF CALCULATING THE GENERAL EXPERIENCE RATE; TO CREATE NEW SECTION 71-5-146, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY TO FINGERPRINT AND CONDUCT BACKGROUND INVESTIGATIONS ON CERTAIN EMPLOYEES, CONTRACTORS AND SUBCONTRACTORS, AND TO ENACT POLICIES AND PROCEDURES REGARDING THE SAME; AND FOR RELATED PURPOSES.

**S. C. R. No. 567:** A CONCURRENT RESOLUTION DESIGNATING APRIL 13, 2023, AS "REMAN DAY" IN MISSISSIPPI.

**S. C. R. No. 571:** A CONCURRENT RESOLUTION HONORING AND CELEBRATING THE 75TH ANNIVERSARY OF INDEPENDENCE OF THE STATE OF ISRAEL.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. C. R. No. 61:** A CONCURRENT RESOLUTION EXTENDING THE 2023 REGULAR SESSION OF THE LEGISLATURE; SUSPENDING THE DEADLINES FOR THE PURPOSE OF PERMITTING THE FURTHER CONSIDERATION, FILING AND ADOPTION OF CONFERENCE REPORTS ON APPROPRIATION BILLS THAT WERE IN CONFERENCE ON MARCH 27, 2023, ON HOUSE BILL NOS. 521, 603 AND 1373, 2023 REGULAR SESSION, AND ON SENATE BILL NOS. 2446, 2454, 2559 AND 2749, 2023 REGULAR SESSION; AND SETTING THE DATE OF SINE DIE ADJOURNMENT OF THE 2023 REGULAR SESSION OF THE LEGISLATURE.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 12:01 PM, the Senate stood in recess.

\_\_\_\_\_  
The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

\_\_\_\_\_  
Senator Hopson moved that the rules be suspended to move to calendar item 7, **H. B. No. 1626**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1626** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1626: Appropriation; Health, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the State Department of Health for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 48,127,694.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in any special fund in the State Treasury to the credit of the State Department of Health which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....  
\$ 510,981,838.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, Five Hundred Twenty-six Thousand One Hundred Two Dollars (\$526,102.00) shall be derived from the State General Fund and Thirteen Million Three Hundred Twenty-eight Thousand Seven Hundred Eighty-three Dollars (\$13,328,783.00) shall be derived from the Health Care Expendable Fund, created in Section 43-13-407, Mississippi Code of 1972, for the support and maintenance of the State Department of Health. The funds provided in this section shall be allocated as follows:

Early Intervention Program for increased reimbursements .....	\$ 2,000,000.00
Breast and Cervical Cancer Program .....	\$ 50,000.00
MAGnet Community Health Disparity Program .....	\$ 2,000,000.00
Maternal and Child Health Care Program .....	\$ 1,242,943.00
Mississippi Health Care Alliance for the ST Elevated Myocardial Infarction Program (STEMI) and the Stroke System of Care Plan .....	\$ 100,000.00
Health Department Programs .....	\$ 8,461,942.00

SECTION 4. Of the funds appropriated in this act, Twenty-eight Million Dollars (\$28,000,000.00) is allocated to the Trauma Care System. Of the General Fund court assessments provided in Section 1, Seven Million Twenty-three Thousand One Hundred

Ninety-seven Dollars (\$7,023,197.00) shall be allocated for Trauma Care Systems and One Million Eight Hundred Five Thousand Eight Hundred Fifty-nine Dollars (\$1,805,859.00) shall be allocated for Emergency Medical Services. All additional funds are appropriated in Section 2. The State Department of Health may transfer a portion of Trauma Care System funds to the Division of Medicaid for the development and implementation of an enhanced reimbursement fee program related to trauma care and services, used to match federal funds, under a cooperative agreement between the State Department of Health and the Division of Medicaid.

It is the intention of the Legislature that none of the funds authorized herein for the Trauma Care System shall be expended to the benefit of any hospital located outside the boundaries of the State of Mississippi, unless otherwise excepted in this paragraph. Funds shall be expended by the Mississippi Department of Health for distribution to the Regional Medical Center or Le Bonheur Children's Hospital at Memphis, located in Memphis, Tennessee, or the University of South Alabama Medical Center located in Mobile, Alabama, or the Joseph M. Still Burn Centers, Inc., located in Augusta, Georgia, or any affiliates or any other Level 1 Trauma Center, or Tertiary Pediatric Trauma Center that participates in the Mississippi Trauma Care System, as determined by the Mississippi Department of Health.

SECTION 5. Of the funds appropriated in Section 2, Twenty Million Dollars (\$20,000,000.00) shall be derived from the Tobacco Control Program Fund, created in Section 41-113-11, Mississippi Code of 1972, and shall be allocated as follows:

University of Mississippi Medical Center Cancer Institute.....	\$ 4,250,000.00
Department of Education - Mary Kirkpatrick Haskell – Mary Sprayberry Public School Nurse Program .....	\$ 3,060,000.00
Attorney General's Office - Alcohol and Tobacco Enforcement Unit .....	\$ 680,000.00
University of Mississippi Medical Center – A Comprehensive Tobacco (ACT) Center .....	\$ 595,000.00
Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI) and Stroke System of Care Plan.....	\$ 595,000.00
Mississippi Qualified Health Center Grant Program .....	\$ 3,400,000.00
Mississippi Health Department Programs.....	\$ 7,420,000.00

Of the funds appropriated in this section, the State Department of Health is authorized to expend funds to create and administer the Office of Tobacco Control within the department as outlined and created in Section 41-113-3, Mississippi Code of 1972.

SECTION 6. Of the funds appropriated in Section 1, One Million One Hundred Two Thousand Nine Hundred Fifteen Dollars (\$1,102,915.00) shall be allocated as follows:

Mississippi Health Care Alliance - ST Elevated Myocardial Infarction Program (STEMI) and Stroke System of Care Plan.....	\$ 279,400.00
Mississippi Qualified Health Center Grant Program.....	\$ 600,000.00
Mississippi Health Department Programs.....	\$ 223,515.00

SECTION 7. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	699
Time-Limited:	1,306

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The

Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 8. It is the intention of the Legislature that the State Department of Health shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 9. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided herein shall be utilized in the most efficient and effective manner possible to achieve the intended mission of this agency. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Health Services	
..... State Infant Mortality Rate (per 1,000	
Live Births).....	8.20
.....Percent of Women who Received Prenatal	
Care in First Trimester .....	72.50
..... Percent of Live Births Delivered Prior	
to 37 Weeks of Gestation .....	13.20
.....Teenage Live Birth Rate Age 15-19 Years	
(per 1,000 Women Age 15-19).....	22.60
.....Percent of Newborns with Positive and	

Inconclusive Genetic Screens who				
Received Recommended Follow-Up .....				
Percent of Adults who are Obese (Body				100.00
Mass Index of 30 or More, Regardless of				
Sex) .....				
Health Protection				39.10
Percent of Mississippi Population				
Receiving Water From a Public Water				
Supply .....				
Percent of Mississippi Population				92.00
Receiving Optimally Fluoridated Water .....				
Transfer Time of Level III and IV Trauma				50.00
Centers to Appropriate Facilities for				
Treatment (Minutes) .....				
Communicable Disease				130
Primary and Secondary Syphilis: Case				
Rate per 100,000 .....				
Tuberculosis: Number of Cases				38.35
45				
Tuberculosis: Case Rate per 100,000				
1.40				
HIV Disease: Number of Cases				
442				
HIV Disease: Case Rate per 100,000				
14.93				
Rate of Two Year Old Children Fully				
Immunized (National Immunization Survey:				
4:3:1:3:3:1:4 series - 19 to 35 months) .....				
Tobacco Control				72.20
Percent of Current Smokers Among Public				
Middle School Students .....				
Percent of Current Smokers Among Public				2.00
High School Students .....				
Percent of Current Smokers Among Adults				4.20
18 Years and Older .....				
Public Health Emerg Prep/resp				20.00
Time Required for Command Staff to				
Report to Emergency Operations Center in				
Response to a National or Man-Made				
Disaster (Minutes) .....				
Admin & Support Services				30



.....	Percent of Mississippi Population Living	
in an Area Designated as a Health		
Professional Shortage Area: Mental		
Health .....	60.00	
.....	Percent of Mississippi Population Living	
in an Area Designated as a Health		
Professional Shortage Area: Dental .....	45.00	
.....	Percent of Mississippi Population Living	
in an Area Designated as a Health		
Professional Shortage Area: Primary		
Care .....	49.00	
Medical Cannabis		
.....	Number of Conditions Added to the List	
of Debilitating Medical Conditions .....	3	
Number of Qualifying Patients Approved		
3,000		
Number of Designated Caregivers Approved		
50		
.....	Number of Registry Identification Cards	
Revoked .....	20	
.....	Total Number of Patients with a Registry	
Identification Card .....	3,000	
Number of Licensed Medical Practitioners		
65		
.....	Number of Licensed Cannabis Cultivation	
Facilities .....	0	
.....	Number of Licensed Cannabis Processing	
Facilities .....	10	
.....	Number of Licensed Cannabis Testing	
Facilities .....	4	
.....	Number of Licensed Cannabis Waste	
Disposal Entities .....	12	
.....	Number of Licensed Cannabis	
Transportation Entities .....	12	
Percent of Applications Approved		
70.00		

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 10. It is the intention of the Legislature that with the funds provided herein, the State Department of Health may provide and administer without charge, Hepatitis B vaccinations to Emergency Medical Services (EMS) personnel who are in need of such vaccinations through job related exposure.

SECTION 11. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 4,300,000.00.

The purpose of these funds is to provide funds necessary to match projected federal funds available through the following federal fiscal year from the annual Clean Water State Revolving Fund (CWSRF) appropriations and from the supplemental Infrastructure Investment and Jobs Act (IIJA) appropriations.

SECTION 12. In addition to all other sums heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Local Governments and Rural Water Systems Emergency Loan Fund, and the Local Governments and Rural Water System Improvements Revolving Loan Fund as authorized in Chapter 521, Laws of 1995, to the State Department of Health for the purpose of defraying the expenses of the Local Governments and Rural Water Systems Improvements Board, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 38,640,146.00.

SECTION 13. Of the funds appropriated under Section 12 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	5
Time-Limited:	3

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 14. Of the funds appropriated in Section 2, One Million Dollars (\$1,000,000.00) shall come from the Department of Human Services, Child Care Development Fund or other appropriate special funds for the purpose of child care licensure. These funds are to be transferred to the State Department of Health no later than July 31, 2023. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Human Services.

SECTION 15. It is the intention of the Legislature that the State Department of Health shall expend not more than Fifty Thousand Dollars (\$50,000.00) of the funds appropriated herein for providing the oil known as "Lorenzo's Oil" for the treatment of the genetic disorder adrenoleukodystrophy (ALD), to children and Mississippi residents over the age of twenty-one (21) who have the genetic disorder adrenoleukodystrophy and for whom Medicaid does not reimburse the cost of providing the oil. The department may also provide needed pathology and biannual MRI exams.

SECTION 16. Of the funds appropriated in Section 1, Seven Hundred Thousand Dollars (\$700,000.00) are provided for the purpose of purchasing AIDS drugs and other necessary AIDS related medical services.

SECTION 17. Of the funds appropriated herein, Two Hundred Fifty Thousand Dollars (\$250,000.00) is provided for the Breast and Cervical Cancer Program.

SECTION 18. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Medical Cannabis Act at the Department of Health for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 7,843,426.00.

SECTION 19. Of the funds appropriated under the provisions of Section 18 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	0
Time-Limited:	34

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 20. In addition to all other funds heretofore appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Burn Care Fund which is comprised of special source funds collected by or otherwise available to the department, for the purpose of funding reimbursement for uncompensated medical care to Mississippi burn victims through the trauma care system at in-state burn facilities including the Baptist Medical Center and the University of Mississippi Medical Center, or for uncompensated aero medical transportation to out-of-state qualified United States Burn Care facilities, and such other provisions necessary to provide burn care for Mississippi residents, including reimbursement for travel, lodgings, meals and other reasonable travel-related expenses incurred by burn victims, family members and/or caregivers, for the fiscal year beginning July 1, 2023, and ending June 30, 2024

\$ 5,000,000.00.

SECTION 21. Of the funds appropriated under the provisions of Section 20, Four Million Dollars (\$4,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office.

This appropriation is made to defray the expense of establishing and equipping a burn center for the State of Mississippi. The funds appropriated under this section shall be expended by the State Department of Health as a reimbursable grant to an entity or entities in which a burn center is established. In determining reimbursable expenses, the State Department of Health shall use allowable costs.

SECTION 22. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 23. It is the intention of the Legislature that the Mississippi Department of Health shall implement same day service to receive birth and death certificates.

SECTION 24. It is the intention of the Legislature that the Mississippi State Department of Health shall provide the Joint Legislative Budget Committee a report of all grants received by September 15, 2023. This notification will consist of the name of the grant and agency or nonprofit making the award, the award amount, and a short list of goals to be achieved.

SECTION 25. It is the intention of the Legislature that the Mississippi State Department of Health shall be the fiscal agent in all allowable grants awarded.

SECTION 26. Of the funds appropriated in Section 2, Seven Hundred Thousand Dollars (\$700,000.00) shall come from the Department of Education for the purpose of maintenance of effort for the Early Intervention Program. These funds are to be transferred to the State Department of Health no later than December 31, 2023. The State Department of Health shall make a complete accounting of the uses of these funds to the Department of Education.

SECTION 27. The Mississippi Department of Health is authorized to obtain a line of credit through the State Treasurer from the Working Cash-Stabilization Fund or any other special source funds maintained in the State Treasury in an amount not exceeding Ten Million Dollars (\$10,000,000.00) to fund shortfalls which, from time to time, may occur due to insufficient working cash spent in anticipation of receiving federal reimbursement. The length of indebtedness under this provision shall not carry past the end of the quarter following the loan origination. Loan proceeds shall be received by the State Treasurer and shall be placed in a Mississippi Department of Health designated special fund account. The division may pledge as security for such interim financing future funds that will be received by the division. Any such loans shall be repaid from the first available funds received by the department in the manner of and subject to the same terms provided in this section.

SECTION 28. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 29. With the funds appropriated herein, it is the intention of the Legislature that the Mississippi Department of Health is authorized to set the compensation of all nurse PINs, Epidemiologists and Disease Intervention Specialist Series based on the education and experience of the incumbent not to exceed the end salary as established by the State Personnel Board.

SECTION 30. It is the intent of the Legislature that the Chairman of the Board of Health may appoint an official replacement or representative with voting privileges to the Advisory Board of the Office of Mississippi Physician Workforce.

SECTION 31. It is the intention of the Legislature that the State Health Officer shall have the authority to transfer cash from one special fund treasury fund to another special fund treasury fund under the control of the Department of Health. It is further the intention of the Legislature that the State Health Officer shall submit written justification for the transfer to the Legislative Budget Office and the Department of Finance and Administration on or before the fifteenth of the month prior to the effective date of the transfer.

SECTION 32. Of the funds appropriated in Section 1, it is the intention of the Legislature that Eight Hundred Fifty-nine Thousand Nine Hundred Three Dollars (\$859,903.00) shall be allocated to the Domestic Violence program that is supported from General Fund court assessments.

SECTION 33. It is the intent of the Legislature that the Mississippi State Department of Health shall have authority to escalate the various budgets in both funds and positions, with the approval of the State Fiscal Officer, from any special funds collected or available for HIV medical or support services, clinical quality management, and administrative expenses not to exceed Five Million Dollars (\$5,000,000.00), to the agency for expenditure. Upon such approval, the Mississippi State Department of Health may expend such funds in the manner authorized by law. Funds may be made available to local HIV/AIDS service providers.

The Executive Director of the Mississippi State Department of Health shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 34. Notwithstanding any other provision, the Department of Health shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 35. It is the intention of the Legislature that the State Department of Health is hereby authorized to escalate, budget and expend funds for salaries and positions, with the approval of the State Fiscal Officer, from fund numbers 5331400000, 5331500000 and 5820130100, for the purpose of operating the State Department of Health programs as authorized by law, in accordance with rules and regulation of the Department of Finance and Administration in a manner consistent with the escalation of federal funds and when grant requirements have changed that result in staffing needs but do not result in new or additional funds.

The Executive Director of the State Department of Health or designee shall submit to the Department of Finance and Administration a certified statement providing a detailed explanation for any escalation, including a justification for the establishment of any new positions or reclassification of existing positions.

SECTION 36. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Healthcare Expendable Fund not otherwise appropriated, for the Department of Health for the purpose of reauthorizing the expenditure of Healthcare Expendable Funds to defray the expenses of the Department of Health, as authorized in HB 1614, 2022 Regular Session for Non-Transport Emergency Services for the fiscal year beginning July 1, 2023, and ending June 30, 2024.....

\$ 415,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 37. Of the funds appropriated in Section 1, Twelve Million Dollars (\$12,000,000.00) is allocated for the purpose of providing reimbursable grants from the Office of Interpersonal Violence as described in this section.

The funds appropriated under this section shall be expended by the State Department of Health as a reimbursable grant. In determining reimbursable expenses, the State Department of Health shall use allowable costs as defined by the Office of Interpersonal Violence. Of the funds in this section, a minimum of Two Million Dollars (\$2,000,000.00) is to be distributed to Children's Advocacy Centers for the purpose of conducting additional forensic interviews.

SECTION 38. Of the funds appropriated under the provisions of Section 2, Five Hundred Thousand Dollars (\$500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for the State Health Plan Review.

SECTION 39. Of the funds appropriated under the provisions of Section 2, One Million Dollars (\$1,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for the External Defibrillators in Public Places Grant Program as outlined in Senate Bill 2750, Regular Session 2023.

SECTION 40. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money to the credit of the Capital Expense Fund, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Department of Health for the purpose of providing funds to the Sharkey-Issaquena hospital and nursing home impacted by the severe weather storm on March 24, 2023, and March 25, 2023, for the payment of unreimbursed expenses due to the emergency work for the period beginning upon the passage of this act and ending June 30, 2024..... \$ 1,500,000.00.

SECTION 41. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 42. This act shall take effect and be in force from and after July 1, 2023, with the exception of Section 40 which shall take effect and be in force from and after passage of this act.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING  
THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL  
YEAR 2024.

CONFEREES FOR THE HOUSE

John Read

Sam C. Mims, V

Donnie Scoggin

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Angela Burks Hill

Jenifer B. Branning

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1626** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Chassaniol offered the following report of the Conference Committee on **H. B. No. 252** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 252: Festival wine permits; extend repealers on authority to issue and certain provisions relating to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 67-1-51, Mississippi Code of 1972, is amended as follows:

67-1-51. (1) Permits which may be issued by the department shall be as follows:

(a) Manufacturer's permit. A manufacturer's permit shall permit the manufacture, importation in bulk, bottling and storage of alcoholic liquor and its distribution and sale to manufacturers holding permits under this article in this state and to persons outside the state who are authorized by law to purchase the same, and to sell as provided by this article.

Manufacturer's permits shall be of the following classes:

Class 1. Distiller's and/or rectifier's permit, which shall authorize the holder thereof to operate a distillery for the production of distilled spirits by distillation or redistillation and/or to operate a rectifying plant for the purifying, refining, mixing, blending, flavoring or reducing in proof of distilled spirits and alcohol.

Class 2. Wine manufacturer's permit, which shall authorize the holder thereof to manufacture, import in bulk, bottle and store wine or vinous liquor.

Class 3. Native wine producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native wines.

Class 4. Native spirit producer's permit, which shall authorize the holder thereof to produce, bottle, store and sell native spirits.

(b) Package retailer's permit. Except as otherwise provided in this paragraph and Section 67-1-52, a package retailer's permit shall authorize the holder thereof to operate a store exclusively for the sale at retail in original sealed and unopened packages of alcoholic beverages, including native wines, \* \* \* native spirits and edibles, not to be consumed on the premises where sold. Alcoholic beverages shall not be sold by any retailer in any package or container containing less than fifty (50) milliliters by liquid measure. A package retailer's permit, with prior approval from the department, shall

authorize the holder thereof to sample new product furnished by a manufacturer's representative or his employees at the permitted place of business so long as the sampling otherwise complies with this article and applicable department regulations. Such samples may not be provided to customers at the permitted place of business. In addition to the sale at retail of packages of alcoholic beverages, the holder of a package retailer's permit is authorized to sell at retail corkscrews, wine glasses, soft drinks, ice, juices, mixers, \* \* \* other beverages commonly used to mix with alcoholic beverages, and fruits and foods that have been submerged in alcohol and are commonly referred to as edibles. Nonalcoholic beverages sold by the holder of a package retailer's permit shall not be consumed on the premises where sold.

(c) On-premises retailer's permit. Except as otherwise provided in subsection (5) of this section, an on-premises retailer's permit shall authorize the sale of alcoholic beverages, including native wines and native spirits, for consumption on the licensed premises only; however, a patron of the permit holder may remove one (1) bottle of wine from the licensed premises if: (i) the patron consumed a portion of the bottle of wine in the course of consuming a meal purchased on the licensed premises; (ii) the permit holder securely reseals the bottle; (iii) the bottle is placed in a bag that is secured in a manner so that it will be visibly apparent if the bag is opened; and (iv) a dated receipt for the wine and the meal is available. Additionally, as part of a carryout order, a permit holder may sell one (1) bottle of wine to be removed from the licensed premises for every two (2) entrees ordered. In addition, an on-premises retailer's permittee at a permitted premises located on Jefferson Davis Avenue within one-half (1/2) mile north of U.S. Highway 90 may serve alcoholic beverages by the glass to a patron in a vehicle using a drive-through method of delivery if the permitted premises is located in a leisure and recreation district established under Section 67-1-101. Such a sale will be considered to be made on the permitted premises. \* \* \* An on-premises retailer's permit shall be issued only to qualified hotels, restaurants and clubs, small craft breweries, microbreweries, and to common carriers with adequate facilities for serving passengers. In resort areas, whether inside or outside of a municipality, the department, in its discretion, may issue on-premises retailer's permits to such establishments as it deems proper. An on-premises retailer's permit when issued to a common carrier shall authorize the sale and serving of alcoholic beverages aboard any licensed vehicle while moving through any county of the state; however, the sale of such alcoholic beverages shall not be permitted while such vehicle is stopped in a county that has not legalized such sales. If an on-premises retailer's permit is applied for by a common carrier operating solely in the water, such common carrier must, along with all other qualifications for a permit, (i) be certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers and (ii) operate primarily in the waters within the State of Mississippi which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi and/or on the Mississippi River or navigable waters within any county bordering on the Mississippi River.

(d) Solicitor's permit. A solicitor's permit shall authorize the holder thereof to act as salesman for a manufacturer or wholesaler holding a proper permit, to solicit on behalf of his employer orders for alcoholic beverages, and to otherwise promote his employer's products in a legitimate manner. Such a permit shall authorize the representation of and employment by one (1) principal only. However, the permittee may also, in the discretion of the department, be issued additional permits to represent other principals. No such permittee shall buy or sell alcoholic beverages for his own account, and no such beverage shall be brought into this state in pursuance of the exercise of such permit otherwise than through a permit issued to a wholesaler or manufacturer in the state.

(e) Native wine retailer's permit. Except as otherwise provided in subsection (5) of this section, a native wine retailer's permit shall be issued only to a holder of a Class 3 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native wines to consumers for on-premises consumption or to consumers in originally



sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native winery. When selling to consumers for on-premises consumption, a holder of a native wine retailer's permit may add to the native wine alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native wine retailer is located.

(f) Temporary retailer's permit. Except as otherwise provided in subsection (5) of this section, a temporary retailer's permit shall permit the purchase and resale of alcoholic beverages, including native wines and native spirits, during legal hours on the premises described in the temporary permit only.

Temporary retailer's permits shall be of the following classes:

Class 1. A temporary one-day permit may be issued to bona fide nonprofit civic or charitable organizations authorizing the sale of alcoholic beverages, including native wine and native spirit, for consumption on the premises described in the temporary permit only. Class 1 permits may be issued only to applicants demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days prior to the proposed date or such other time as the department may determine, that they meet the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. Class 1 permittees shall obtain all alcoholic beverages from package retailers located in the county in which the temporary permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2. A temporary permit, not to exceed seventy (70) days, may be issued to prospective permittees seeking to transfer a permit authorized in paragraph (c) of this subsection. A Class 2 permit may be issued only to applicants demonstrating to the department, by a statement signed under the penalty of perjury, that they meet the qualifications of Sections 67-1-5(l), (m), (n), (o), (p) or (q), 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 and 67-1-59. The department, following a preliminary review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit.

Class 2 temporary permittees must purchase their alcoholic beverages directly from the department or, with approval of the department, purchase the remaining stock of the previous permittee. If the proposed applicant of a Class 1 or Class 2 temporary permit falsifies information contained in the application or statement, the applicant shall never again be eligible for a retail alcohol beverage permit and shall be subject to prosecution for perjury.

Class 3. A temporary one-day permit may be issued to a retail establishment authorizing the complimentary distribution of wine, including native wine, to patrons of the retail establishment at an open house or promotional event, for consumption only on the premises described in the temporary permit. A Class 3 permit may be issued only to an applicant demonstrating to the department, by a statement signed under penalty of perjury submitted ten (10) days before the proposed date or such other time as the department may determine, that it meets the qualifications of Sections 67-1-11, 67-1-37, 67-1-51(2) and (3), 67-1-55, 67-1-57 (excluding paragraph (e)) and 67-1-59. A Class 3 permit holder shall obtain all alcoholic beverages from the holder(s) of a package retailer's permit

located in the county in which the temporary permit is issued. Wine remaining in stock upon expiration of the temporary permit may be returned by the Class 3 temporary permit holder to the package retailer for a refund of the purchase price, with consent of the package retailer, or may be kept by the Class 3 temporary permit holder exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages. The department, following review of the statement provided by the applicant and the requirements of the applicable statutes and regulations, may issue the permit. No retailer may receive more than twelve (12) Class 3 temporary permits in a calendar year. A Class 3 temporary permit shall not be issued to a retail establishment that either holds a merchant permit issued under paragraph (l) of this subsection, or holds a permit issued under Chapter 3, Title 67, Mississippi Code of 1972, authorizing the holder to engage in the business of a retailer of light wine or beer.

(g) Caterer's permit. A caterer's permit shall permit the purchase of alcoholic beverages by a person engaging in business as a caterer and the resale of alcoholic beverages by such person in conjunction with such catering business. No person shall qualify as a caterer unless forty percent (40%) or more of the revenue derived from such catering business shall be from the serving of prepared food and not from the sale of alcoholic beverages and unless such person has obtained a permit for such business from the Department of Health. A caterer's permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in business as a caterer; however, the holder of an on-premises retailer's permit may hold a caterer's permit. When the holder of an on-premises retailer's permit or an affiliated entity of the holder also holds a caterer's permit, the caterer's permit shall not authorize the service of alcoholic beverages on a consistent, recurring basis at a separate, fixed location owned or operated by the caterer, on-premises retailer or affiliated entity and an on-premises retailer's permit shall be required for the separate location. All sales of alcoholic beverages by holders of a caterer's permit shall be made at the location being catered by the caterer, and, except as otherwise provided in subsection (5) of this section, such sales may be made only for consumption at the catered location. The location being catered may be anywhere within a county or judicial district that has voted to come out from under the dry laws or in which the sale and distribution of alcoholic beverages is otherwise authorized by law. Such sales shall be made pursuant to any other conditions and restrictions which apply to sales made by on-premises retail permittees. The holder of a caterer's permit or his employees shall remain at the catered location as long as alcoholic beverages are being sold pursuant to the permit issued under this paragraph (g), and the permittee shall have at the location the identification card issued by the Alcoholic Beverage Control Division of the department. No unsold alcoholic beverages may be left at the catered location by the permittee upon the conclusion of his business at that location. Appropriate law enforcement officers and Alcoholic Beverage Control Division personnel may enter a catered location on private property in order to enforce laws governing the sale or serving of alcoholic beverages.

(h) Research permit. A research permit shall authorize the holder thereof to operate a research facility for the professional research of alcoholic beverages. Such permit shall authorize the holder of the permit to import and purchase limited amounts of alcoholic beverages from the department or from importers, wineries and distillers of alcoholic beverages for professional research.

(i) Alcohol processing permit. An alcohol processing permit shall authorize the holder thereof to purchase, transport and possess alcoholic beverages for the exclusive use in cooking, processing or manufacturing products which contain alcoholic beverages as an integral ingredient. An alcohol processing permit shall not authorize the sale of alcoholic beverages on the premises of the person engaging in the business of cooking, processing or manufacturing products which contain alcoholic beverages. The amounts of alcoholic beverages allowed under an alcohol processing permit shall be set by the department.

(j) Hospitality cart permit. A hospitality cart permit shall authorize the sale of alcoholic beverages from a mobile cart on a golf course that is the holder of an on-premises retailer's permit. The alcoholic beverages sold from the cart must be consumed within the boundaries of the golf course.

(k) Special service permit. A special service permit shall authorize the holder to sell commercially sealed alcoholic beverages to the operator of a commercial or private aircraft for en route consumption only by passengers. A special service permit shall be issued only to a fixed-base operator who contracts with an airport facility to provide fueling and other associated services to commercial and private aircraft.

(l) Merchant permit. Except as otherwise provided in subsection (5) of this section, a merchant permit shall be issued only to the owner of a spa facility, an art studio or gallery, or a cooking school, and shall authorize the holder to serve complimentary by the glass wine only, including native wine, at the holder's spa facility, art studio or gallery, or cooking school. A merchant permit holder shall obtain all wine from the holder of a package retailer's permit.

(m) Temporary alcoholic beverages charitable auction permit. A temporary permit, not to exceed five (5) days, may be issued to a qualifying charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code of 1986. The permit shall authorize the holder to sell alcoholic beverages for the limited purpose of raising funds for the organization during a live or silent auction that is conducted by the organization and that meets the following requirements: (i) the auction is conducted in an area of the state where the sale of alcoholic beverages is authorized; (ii) if the auction is conducted on the premises of an on-premises retailer's permit holder, then the alcoholic beverages to be auctioned must be stored separately from the alcoholic beverages sold, stored or served on the premises, must be removed from the premises immediately following the auction, and may not be consumed on the premises; (iii) the permit holder may not conduct more than two (2) auctions during a calendar year; (iv) the permit holder may not pay a commission or promotional fee to any person to arrange or conduct the auction.

(n) Event venue retailer's permit. An event venue retailer's permit shall authorize the holder thereof to purchase and resell alcoholic beverages, including native wines and native spirits, for consumption on the premises during legal hours during events held on the licensed premises if food is being served at the event by a caterer who is not affiliated with or related to the permittee. The caterer must serve at least three (3) entrees. The permit may only be issued for venues that can accommodate two hundred (200) persons or more. The number of persons a venue may accommodate shall be determined by the local fire department and such determination shall be provided in writing and submitted along with all other documents required to be provided for an on-premises retailer's permit. The permittee must derive the majority of its revenue from event-related fees, including, but not limited to, admission fees or ticket sales for live entertainment in the building. "Event-related fees" do not include alcohol, beer or light wine sales or any fee which may be construed to cover the cost of alcohol, beer or light wine. This determination shall be made on a per event basis. An event may not last longer than two (2) consecutive days per week.

(o) Temporary theatre permit. A temporary theatre permit, not to exceed five (5) days, may be issued to a charitable nonprofit organization that is exempt from taxation under Section 501(c)(3) or (4) of the Internal Revenue Code and owns or operates a theatre facility that features plays and other theatrical performances and productions. Except as otherwise provided in subsection (5) of this section, the permit shall authorize the holder to sell alcoholic beverages, including native wines and native

spirits, to patrons of the theatre during performances and productions at the theatre facility for consumption during such performances and productions on the premises of the facility described in the permit. A temporary theatre permit holder shall obtain all alcoholic beverages from package retailers located in the county in which the permit is issued. Alcoholic beverages remaining in stock upon expiration of the temporary theatre permit may be returned by the permittee to the package retailer for a refund of the purchase price upon consent of the package retailer or may be kept by the permittee exclusively for personal use and consumption, subject to all laws pertaining to the illegal sale and possession of alcoholic beverages.

(p) Charter ship operator's permit. Subject to the provisions of this paragraph (p), a charter ship operator's permit shall authorize the holder thereof and its employees to serve, monitor, store and otherwise control the serving and availability of alcoholic beverages to customers of the permit holder during private charters under contract provided by the permit holder. A charter ship operator's permit shall authorize such action by the permit holder and its employees only as to alcoholic beverages brought onto the permit holder's ship by customers of the permit holder as part of such a private charter. All such alcoholic beverages must be removed from the charter ship at the conclusion of each private charter. A charter ship operator's permit shall not authorize the permit holder to sell, charge for or otherwise supply alcoholic beverages to customers, except as authorized in this paragraph (p). For the purposes of this paragraph (p), "charter ship operator" means a common carrier that (i) is certified to carry at least one hundred fifty (150) passengers and/or provide overnight accommodations for at least fifty (50) passengers, (ii) operates only in the waters within the State of Mississippi, which lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, and (iii) provides charters under contract for tours and trips in such waters.

(q) Distillery retailer's permit. The holder of a Class 1 manufacturer's permit may obtain a distillery retailer's permit. A distillery retailer's permit shall authorize the holder thereof to sell at retail alcoholic beverages to consumers for on-premises consumption, or to consumers by the sealed and unopened bottle from a retail location at the distillery for off-premises consumption. The holder may only sell product manufactured by the manufacturer at the distillery described in the permit. However, when selling to consumers for on-premises consumption, a holder of a distillery retailer's permit may add other beverages, alcoholic or not, so long as the total volume of other beverage components containing alcohol does not exceed twenty percent (20%). Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the distillery retailer is located.

The holder shall not sell at retail more than ten percent (10%) of the alcoholic beverages produced annually at its distillery. The holder shall not make retail sales of more than two and twenty-five one-hundredths (2.25) liters, in the aggregate, of the alcoholic beverages produced at its distillery to any one (1) individual for consumption off the premises of the distillery within a twenty-four-hour period. The hours of sale shall be the same as those hours for package retailers under this article. The holder of a distillery retailer's permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse; however, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder shall pay to the department all taxes, fees and surcharges on the alcoholic beverages that are imposed upon the sale of alcoholic beverages shipped by the department or its warehouse operator. In addition to alcoholic beverages, the holder of a distillery retailer's permit may sell at retail promotional products from the same retail location, including shirts, hats, glasses, and other promotional products customarily sold by alcoholic beverage manufacturers.

(r) Festival Wine Permit. Any wine manufacturer or native wine producer permitted by Mississippi or any other state is eligible to obtain a Festival Wine Permit. This permit authorizes the entity to transport product manufactured by it to festivals held within the State of Mississippi and sell sealed, unopened bottles to festival participants. The holder of this permit may provide samples at no charge to participants. "Festival" means any event at which three (3) or more vendors are present at a location for the sale or distribution of goods. The holder of a Festival Wine Permit is not required to purchase the alcoholic beverages authorized to be sold by this paragraph from the department's liquor distribution warehouse. However, if the holder does not purchase the alcoholic beverages from the department's liquor distribution warehouse, the holder of this permit shall pay to the department all taxes, fees and surcharges on the alcoholic beverages sold at such festivals that are imposed upon the sale of alcoholic beverages shipped by the Alcoholic Beverage Control Division of the Department of Revenue. Additionally, the entity shall file all applicable reports and returns as prescribed by the department. This permit is issued per festival and provides authority to sell for two (2) consecutive days during the hours authorized for on-premises permittees' sales in that county or city. The holder of the permit shall be required to maintain all requirements set by Local Option Law for the service and sale of alcoholic beverages. This permit may be issued to entities participating in festivals at which a Class 1 temporary permit is in effect.

This paragraph (r) shall stand repealed from and after July 1, \* \* \* 2026.

(s) Charter vessel operator's permit. Subject to the provisions of this paragraph (s), a charter vessel operator's permit shall authorize the holder thereof and its employees to sell and serve alcoholic beverages to passengers of the permit holder during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder. The permit shall authorize the holder to only sell alcoholic beverages, including native wines, to passengers of the charter vessel operator during public tours, historical tours, ecological tours and sunset cruises provided by the permit holder aboard the charter vessel operator for consumption during such tours and cruises on the premises of the charter vessel operator described in the permit. For the purposes of this paragraph (s), "charter vessel operator" means a common carrier that (i) is certified to carry at least forty-nine (49) passengers, (ii) operates only in the waters within the State of Mississippi, which lie south of Interstate 10 in the three (3) most southern counties in the State of Mississippi, and lie adjacent to the State of Mississippi south of the three (3) most southern counties in the State of Mississippi, extending not further than one (1) mile south of such counties, and (iii) provides vessel services for tours and cruises in such waters as provided in this paragraph(s).

(t) Native spirit retailer's permit. Except as otherwise provided in subsection (5) of this section, a native spirit retailer's permit shall be issued only to a holder of a Class 4 manufacturer's permit, and shall authorize the holder thereof to make retail sales of native spirits to consumers for on-premises consumption or to consumers in originally sealed and unopened containers at an establishment located on the premises of or in the immediate vicinity of a native distillery. When selling to consumers for on-premises consumption, a holder of a native spirit retailer's permit may add to the native spirit alcoholic beverages not produced on the premises, so long as the total volume of foreign beverage components does not exceed twenty percent (20%) of the mixed beverage. Hours of sale shall be the same as those authorized for on-premises permittees in the city or county in which the native spirit retailer is located.

(u) Delivery service permit. Any individual, limited liability company, corporation or partnership registered to do business in this state is eligible to obtain a delivery service permit. Subject to the provisions of Section 67-1-51.1, this permit authorizes the permittee, or its employee or an independent contractor acting on its behalf, to deliver alcoholic beverages, beer, light wine and light spirit product from a licensed retailer to a person in this state who is at least twenty-one (21) years of age for the

individual's use and not for resale. This permit does not authorize the delivery of alcoholic beverages, beer, light wine or light spirit product to the premises of a location with a permit for the manufacture, distribution or retail sale of alcoholic beverages, beer, light wine or light spirit product. The holder of a package retailer's permit or an on-premises retailer's permit under Section 67-1-51 or of a beer, light wine and light spirit product permit under Section 67-3-19 is authorized to apply for a delivery service permit as a privilege separate from its existing retail permit.

(v) Food truck permit. A food truck permit shall authorize the holder of an on-premises retailer's permit to use a food truck to sell alcoholic beverages off its premises to guests who must consume the beverages in open containers. For the purposes of this paragraph (v), "food truck" means a fully encased food service establishment on a motor vehicle or on a trailer that a motor vehicle pulls to transport, and from which a vendor, standing within the frame of the establishment, prepares, cooks, sells and serves food for immediate human consumption. The term "food truck" does not include a food cart that is not motorized. Food trucks shall maintain such distance requirements from schools, churches, kindergartens and funeral homes as are required for on-premises retailer's permittees under this article, and all sales must be made within a valid leisure and recreation district established under Section 67-1-101. Food trucks cannot sell or serve alcoholic beverages unless also offering food prepared and cooked within the food truck, and permittees must maintain a twenty-five percent (25%) food sale revenue requirement based on the food sold from the food truck alone. The hours allowed for sale shall be the same as those for on-premises retailer's permittees in the location. This permit will not be required for the holder of a caterer's permit issued under this article to cater an event as allowed by law. Permittees must provide notice of not less than forty-eight (48) hours to the department of each location at which alcoholic beverages will be sold.

(2) Except as otherwise provided in subsection (4) of this section, retail permittees may hold more than one (1) retail permit, at the discretion of the department.

(3) (a) Except as otherwise provided in this subsection, no authority shall be granted to any person to manufacture, sell or store for sale any intoxicating liquor as specified in this article within four hundred (400) feet of any church, school, kindergarten or funeral home. However, within an area zoned commercial or business, such minimum distance shall be not less than one hundred (100) feet.

(b) A church or funeral home may waive the distance restrictions imposed in this subsection in favor of allowing issuance by the department of a permit, pursuant to subsection (1) of this section, to authorize activity relating to the manufacturing, sale or storage of alcoholic beverages which would otherwise be prohibited under the minimum distance criterion. Such waiver shall be in written form from the owner, the governing body, or the appropriate officer of the church or funeral home having the authority to execute such a waiver, and the waiver shall be filed with and verified by the department before becoming effective.

(c) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a bed and breakfast inn listed in the National Register of Historic Places or to the sale or storage of alcoholic beverages in a historic district that is listed in the National Register of Historic Places, is a qualified resort area and is located in a municipality having a population greater than one hundred thousand (100,000) according to the latest federal decennial census.

(d) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a qualified resort area as defined in Section

(e) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building formerly owned by a municipality and formerly leased by the municipality to a municipal school district and used by the municipal school district as a district bus shop facility.

(f) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building consisting of at least five thousand (5,000) square feet and located approximately six hundred (600) feet from the intersection of Mississippi Highway 15 and Mississippi Highway 4.

(g) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located at or near the intersection of Ward and Tate Streets and adjacent properties in the City of Senatobia, Mississippi.

(h) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a theatre facility that features plays and other theatrical performances and productions and (i) is capable of seating more than seven hundred fifty (750) people, (ii) is owned by a municipality which has a population greater than ten thousand (10,000) according to the latest federal decennial census, (iii) was constructed prior to 1930, (iv) is on the National Register of Historic Places, and (v) is located in a historic district.

(i) The distance restrictions imposed in this subsection shall not apply to the sale or storage of alcoholic beverages at a licensed premises in a building located approximately one and six-tenths (1.6) miles north of the intersection of Mississippi Highway 15 and Mississippi Highway 4 on the west side of Mississippi Highway 15.

(4) No person, either individually or as a member of a firm, partnership, limited liability company or association, or as a stockholder, officer or director in a corporation, shall own or control any interest in more than one (1) package retailer's permit, nor shall such person's spouse, if living in the same household of such person, any relative of such person, if living in the same household of such person, or any other person living in the same household with such person own any interest in any other package retailer's permit.

(5) (a) In addition to any other authority granted under this section, the holder of a permit issued under subsection (1)(c), (e), (f), (g), (l), (n) and/or (o) of this section may sell or otherwise provide alcoholic beverages and/or wine to a patron of the permit holder in the manner authorized in the permit and the patron may remove an open glass, cup or other container of the alcoholic beverage and/or wine from the licensed premises and may possess and consume the alcoholic beverage or wine outside of the licensed premises if: (i) the licensed premises is located within a leisure and recreation district created under Section 67-1-101 and (ii) the patron remains within the boundaries of the leisure and recreation district while in possession of the alcoholic beverage or wine.

(b) Nothing in this subsection shall be construed to allow a person to bring any alcoholic beverages into a permitted premises except to the extent otherwise authorized by this article.

SECTION 2. Section 67-1-41, Mississippi Code of 1972, is amended as follows:

67-1-41. (1) The department is hereby created a wholesale distributor and seller of alcoholic beverages, not including malt liquors, within the State of Mississippi. It is

granted the right to import and sell alcoholic beverages at wholesale within the state, and no person who is granted the right to sell, distribute or receive alcoholic beverages at retail shall purchase any alcoholic beverages from any source other than the department, except as authorized in subsections (4), (9) and (12) of this section. The department may establish warehouses, and the department may purchase alcoholic beverages in such quantities and from such sources as it may deem desirable and sell the alcoholic beverages to authorized permittees within the state including, at the discretion of the department, any retail distributors operating within any military post or qualified resort areas within the boundaries of the state, keeping a correct and accurate record of all such transactions and exercising such control over the distribution of alcoholic beverages as seem right and proper in keeping with the provisions or purposes of this article.

(2) No person for the purpose of sale shall manufacture, distill, brew, sell, possess, export, transport, distribute, warehouse, store, solicit, take orders for, bottle, rectify, blend, treat, mix or process any alcoholic beverage except in accordance with authority granted under this article, or as otherwise provided by law for native wines or native spirits.

(3) No alcoholic beverage intended for sale or resale shall be imported, shipped or brought into this state for delivery to any person other than as provided in this article, or as otherwise provided by law for native wines or native spirits.

(4) The department may promulgate rules and regulations which authorize on-premises retailers to purchase limited amounts of alcoholic beverages from package retailers and for package retailers to purchase limited amounts of alcoholic beverages from other package retailers. The department shall develop and provide forms to be completed by the on-premises retailers and the package retailers verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(5) The department may promulgate rules which authorize the holder of a package retailer's permit to permit individual retail purchasers of packages of alcoholic beverages to return, for exchange, credit or refund, limited amounts of original sealed and unopened packages of alcoholic beverages purchased by the individual from the package retailer.

(6) The department shall maintain all forms to be completed by applicants necessary for licensure by the department at all district offices of the department.

(7) The department may promulgate rules which authorize the manufacturer of an alcoholic beverage or wine to import, transport and furnish or give a sample of alcoholic beverages or wines to the holders of package retailer's permits, on-premises retailer's permits, native wine or native spirit retailer's permits and temporary retailer's permits who have not previously purchased the brand of that manufacturer from the department. For each holder of the designated permits, the manufacturer may furnish not more than five hundred (500) milliliters of any brand of alcoholic beverage and not more than three (3) liters of any brand of wine.

(8) The department may promulgate rules disallowing open product sampling of alcoholic beverages or wines by the holders of package retailer's permits and permitting open product sampling of alcoholic beverages by the holders of on-premises retailer's permits. Permitted sample products shall be plainly identified "sample" and the actual sampling must occur in the presence of the manufacturer's representatives during the legal operating hours of on-premises retailers.

(9) The department may promulgate rules and regulations that authorize the holder of a research permit to import and purchase limited amounts of alcoholic beverages from



importers, wineries and distillers of alcoholic beverages or from the department. The department shall develop and provide forms to be completed by the research permittee verifying each transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department. The records and inventory of alcoholic beverages shall be open to inspection at any time by the Director of the Alcoholic Beverage Control Division or any duly authorized agent.

(10) The department may promulgate rules facilitating a retailer's on-site pickup of alcoholic beverages sold by the department or as authorized by the department, including, but not limited to, native wines and native spirits, so that those alcoholic beverages may be delivered to the retailer at the manufacturer's location instead of via shipment from the department's warehouse.

(11) [Through June 30, \*\*\* 2026] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit or a festival wine permit.

(11) [From and after July 1, \*\*\* 2026] This section shall not apply to alcoholic beverages authorized to be sold by the holder of a distillery retailer's permit.

(12) (a) An individual resident of this state who is at least twenty-one (21) years of age may purchase wine from a winery and have the purchase shipped into this state so long as it is shipped to a package retailer permittee in Mississippi; however, the permittee shall pay to the department all taxes, fees and surcharges on the wine that are imposed upon the sale of wine shipped by the department or its warehouse operator. No credit shall be provided to the permittee for any taxes paid to another state as a result of the transaction. Package retailers may charge a service fee for receiving and handling shipments from wineries on behalf of the purchasers. The department shall develop and provide forms to be completed by the package retailer permittees verifying the transaction. The completed forms shall be forwarded to the department within a period of time prescribed by the department.

(b) The purchaser of wine that is to be shipped to a package retailer's store shall be required to get the prior approval of the package retailer before any wine is shipped to the package retailer. A purchaser is limited to no more than ten (10) cases of wine per year to be shipped to a package retailer. A package retailer shall notify a purchaser of wine within two (2) days after receiving the shipment of wine. If the purchaser of the wine does not pick up or take the wine from the package retailer within thirty (30) days after being notified by the package retailer, the package retailer may sell the wine as part of his inventory.

(c) Shipments of wine into this state under this section shall be made by a duly licensed carrier. It shall be the duty of every common or contract carrier, and of every firm or corporation that shall bring, carry or transport wine from outside the state for delivery inside the state to package retailer permittees on behalf of consumers, to prepare and file with the department, on a schedule as determined by the department, of known wine shipments containing the name of the common or contract carrier, firm or corporation making the report, the period of time covered by said report, the name and permit number of the winery, the name and permit number of the package retailer permittee receiving such wine, the weight of the package delivered to each package retailer permittee, a unique tracking number, and the date of delivery. Reports received by the department shall be made available by the department to the public via the Mississippi Public Records Act process in the same manner as other state alcohol filings.

Upon the department's request, any records supporting the report shall be made available to the department within a reasonable time after the department makes a written

request for such records. Any records containing information relating to such reports shall be kept and preserved for a period of two (2) years, unless their destruction sooner is authorized, in writing, by the department, and shall be open and available to inspection by the department upon the department's written request. Reports shall also be made available to any law enforcement or regulatory body in the state in which the railroad company, express company, common or contract carrier making the report resides or does business.

Any common or contract carrier that willfully fails to make reports, as provided by this section or any of the rules and regulations of the department for the administration and enforcement of this section, is subject to a notification of violation. In the case of a continuing failure to make reports, the common or contract carrier is subject to possible license suspension and revocation at the department's discretion.

(d) A winery that ships wine under this section shall be deemed to have consented to the jurisdiction of the courts of this state, of the department, of any other state agency regarding the enforcement of this section, and of any related law, rules or regulations.

(e) Any person who makes, participates in, transports, imports or receives a shipment in violation of this section is guilty of a misdemeanor and, upon conviction thereof, shall be punished by a fine of One Thousand Dollars (\$1,000.00) or imprisonment in the county jail for not more than six (6) months, or both. Each shipment shall constitute a separate offense.

(13) If any provision of this article, or its application to any person or circumstance, is determined by a court to be invalid or unconstitutional, the remaining provisions shall be construed in accordance with the intent of the Legislature to further limit rather than expand commerce in alcoholic beverages to protect the health, safety, and welfare of the state's residents, and to enhance strict regulatory control over taxation, distribution and sale of alcoholic beverages through the three-tier regulatory system imposed by this article upon all alcoholic beverages to curb relationships and practices calculated to stimulate sales and impair the state's policy favoring trade stability and the promotion of temperance.

SECTION 3. Section 67-1-77, Mississippi Code of 1972, is amended as follows:

67-1-77. (1) It shall be unlawful for the holder of a manufacturer's or wholesaler's permit, or anyone connected with the business of such holder, or for any other distiller, wine manufacturer, rectifier, blender or bottler, to have any financial interest in any premises upon which any alcoholic beverage is sold at retail by any permittee, or in the business conducted by such permittee, except that:

(a) The holder of a manufacturer's or wholesaler's permit may contract for the service of a representative in the area of governmental affairs on a part-time basis with a holder of an on-premises permit.

(b) A distiller, wine manufacturer, rectifier, blender or bottler may have a financial interest in a premises upon which alcoholic beverages are sold at retail by a permittee, or in the business conducted by a permittee, if the permittee does not sell or serve any alcoholic beverages that are distilled, manufactured, rectified, blended or bottled by the distiller, wine manufacturer, rectifier, blender or bottler having the financial interest in the premises or in the business conducted by a permittee.

(c) [Through June 30, \* \* \* 2026] A distiller, wine manufacturer, rectifier, blender or bottler may have a financial interest in and possess a distillery retailer's permit and a wine festival permit.

(c) [From and after July 1, \* \* \* 2026] A distiller, wine manufacturer, rectifier, blender or bottler may have a financial interest in and possess a distillery retailer's permit.

(d) The holder of a manufacturer's permit which is located adjacent to the Mississippi Museum of Art and is bordered by Court Street, Farish Street, South Street and Town Creek may have a financial interest in a premises upon which alcoholic beverages are sold at retail.

(2) It shall also be unlawful for any such person, or anyone connected with his, its, or their business to lend any money or make any gift or offer any gratuity, to any retail permittee, except as authorized by regulations of the commission, to the holder of any retail permit issued under the provisions of this article. Except as above provided, no retail permittee shall accept, receive, or make use of any money or gift furnished by any such person, or become indebted to such person except for the purchase of alcoholic beverages.

(3) The commission shall not prohibit the furnishing of advertising specialties, printed materials, or other things having nominal value to a retail permittee. This section shall not be construed to prohibit the possession by any person of advertising specialties, printed materials, or other things having nominal value furnished by a retail permittee.

(4) Any person violating the provisions of this section shall, upon conviction, be punished by a fine of not more than Five Thousand Dollars (\$5,000.00) or by imprisonment for not more than two (2) years, or by both such fine and imprisonment, in the discretion of the court.

SECTION 4. Section 27-71-5, Mississippi Code of 1972, is amended as follows:

27-71-5. (1) Upon each person approved for a permit under the provisions of the Alcoholic Beverage Control Law and amendments thereto, there is levied and imposed for each location for the privilege of engaging and continuing in this state in the business authorized by such permit, an annual privilege license tax in the amount provided in the following schedule:

(a) Except as otherwise provided in this subsection (1), manufacturer's permit, Class 1, distiller's and/or

rectifier's:

(i) For a permittee with annual production of

five thousand (5,000) gallons or more..... \$4,500.00

(ii) For a permittee with annual production under five thousand (5,000) gallons ..... \$2,800.00

(b) Manufacturer's permit, Class 2, wine manufacturer ..... \$1,800.00

(c) Manufacturer's permit, Class 3, native wine manufacturer per ten thousand (10,000) gallons or part thereof produced ..... \$ 10.00

(d) Manufacturer's permit, Class 4, native spirit

manufacturer per one thousand (1,000) gallons or part thereof produced .....	\$ 300.00
(e) Native wine retailer's permit.....	\$ 50.00
(f) Package retailer's permit, each.....	\$ 900.00
(g) On-premises retailer's permit, except for clubs and common carriers, each....	\$ 450.00
(h) On-premises retailer's permit for wine of more than five percent (5%) alcohol by weight, but not more than twenty-one percent (21%) alcohol by weight, each.....	\$ 225.00
(i) On-premises retailer's permit for clubs.....	\$ 225.00
(j) On-premises retailer's permit for common carriers, per car, plane, or other vehicle.....	\$ 120.00
(k) Solicitor's permit, regardless of any other provision of law, solicitor's permits shall be issued only in the discretion of the department.....	\$ 100.00
(l) Filing fee for each application except for an employee identification card.....	\$ 25.00
(m) Temporary permit, Class 1, each.....	\$ 10.00
(n) Temporary permit, Class 2, each.....	\$ 50.00
(o) (i) Caterer's permit.....	\$ 600.00
(ii) Caterer's permit for holders of on-premises retailer's permit.....	\$ 150.00
(p) Research permit.....	\$ 100.00
(q) Temporary permit, Class 3 (wine only) .....	\$ 10.00
(r) Special service permit .....	\$ 225.00
(s) Merchant permit.....	\$ 225.00
(t) Temporary alcoholic beverages charitable auction permit .....	\$ 10.00
(u) Event venue retailer's permit .....	\$ 225.00
(v) Temporary theatre permit, each.....	\$ 10.00
(w) Charter ship operator's permit.....	\$ 100.00
(x) Distillery retailer's permit.....	\$ 450.00
(y) Festival wine permit.....	\$ 10.00
(z) Charter vessel operator's permit.....	\$ 100.00
(aa) Native spirit retailer's permit.....	\$ 50.00
(bb) Delivery service permit .....	\$ 500.00
(cc) Food truck permit.....	\$ 100.00

In addition to the filing fee imposed by paragraph (l) of this subsection, a fee to be determined by the Department of Revenue may be charged to defray costs incurred to process applications. The additional fees shall be paid into the State Treasury to the credit of a special fund account, which is hereby created, and expenditures therefrom shall be made only to defray the costs incurred by the Department of Revenue in processing alcoholic beverage applications. Any unencumbered balance remaining in the special fund account on June 30 of any fiscal year shall lapse into the State General Fund.

All privilege taxes imposed by this section shall be paid in advance of doing business. A new permittee whose privilege tax is determined by production volume will pay the tax for the first year in accordance with department regulations. The additional privilege tax imposed for an on-premises retailer's permit based upon purchases shall be due and payable on demand.

Paragraph (y) of this subsection shall stand repealed from and after July 1, \* \* \* 2026.

(2) (a) There is imposed and shall be collected from each permittee, except a common carrier, solicitor, a temporary permittee or a delivery service permittee, by the department, an additional license tax equal to the amounts imposed under subsection (1) of this section for the privilege of doing business within any municipality or county in which the licensee is located.

(b) (i) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(g), (h), (i), (n) and (u) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Twenty-five Dollars (\$225.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five

Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(ii) In addition to the tax imposed in paragraph (a) of this subsection, there is imposed and shall be collected by the department from each permittee described in subsection (1)(o) and (s) of this section, an additional license tax for the privilege of doing business within any municipality or county in which the licensee is located in the amount of Two Hundred Fifty Dollars (\$250.00) on purchases exceeding Five Thousand Dollars (\$5,000.00) and Two Hundred Twenty-five Dollars (\$225.00) for each additional purchase of Five Thousand Dollars (\$5,000.00), or fraction thereof.

(iii) Any person who has paid the additional privilege license tax imposed by this paragraph, and whose permit is renewed, may add any unused fraction of Five Thousand Dollars (\$5,000.00) purchases to the first Five Thousand Dollars (\$5,000.00) purchases authorized by the renewal permit, and no additional license tax will be required until purchases exceed the sum of the two (2) figures.

(c) If the licensee is located within a municipality, the department shall pay the amount of additional license tax collected under this section to the municipality, and if outside a municipality the department shall pay the additional license tax to the county in which the licensee is located. Payments by the department to the respective local government subdivisions shall be made once each month for any collections during the preceding month.

(3) When an application for any permit, other than for renewal of a permit, has been rejected by the department, such decision shall be final. Appeal may be made in the manner provided by Section 67-1-39. Another application from an applicant who has been denied a permit shall not be reconsidered within a twelve-month period.

(4) The number of permits issued by the department shall not be restricted or limited on a population basis; however, the foregoing limitation shall not be construed to preclude the right of the department to refuse to issue a permit because of the undesirability of the proposed location.

(5) If any person shall engage or continue in any business which is taxable under this section without having paid the tax as provided in this section, the person shall be liable for the full amount of the tax plus a penalty thereon equal to the amount thereof, and, in addition, shall be punished by a fine of not more than One Thousand Dollars (\$1,000.00), or by imprisonment in the county jail for a term of not more than six (6) months, or by both such fine and imprisonment, in the discretion of the court.

(6) It shall be unlawful for any person to consume alcoholic beverages on the premises of any hotel restaurant, restaurant, club or the interior of any public place defined in Chapter 1, Title 67, Mississippi Code of 1972, when the owner or manager thereof displays in several conspicuous places inside the establishment and at the entrances of establishment a sign containing the following language: NO ALCOHOLIC BEVERAGES ALLOWED.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO ISSUE A FESTIVAL WINE PERMIT; TO AMEND THE PACKAGE RETAILER'S PERMIT TO ALLOW EDIBLE ALCOHOL PRODUCT TO BE SOLD AT SUCH LICENSED PREMISES; TO PROVIDE THAT CERTAIN ON-PREMISES RETAILER'S PERMITTEES MAY SERVE ALCOHOLIC BEVERAGES BY THE GLASS TO A PATRON IN A VEHICLE USING A DRIVE-THROUGH METHOD OF DELIVERY IF THE PERMITTED PREMISES IS LOCATED IN A LEISURE AND RECREATION DISTRICT AND THAT SUCH A SALE WILL BE CONSIDERED TO BE MADE ON THE PERMITTED PREMISES; TO PROVIDE THAT THE RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES SHALL NOT APPLY TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES AT

CERTAIN LOCATIONS; TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE OF THE EXCEPTION TO THE STATUTE REQUIRING THE DEPARTMENT OF REVENUE TO SERVE AS A WHOLESALE DISTRIBUTOR AND SELLER OF ALCOHOLIC BEVERAGES FOR THOSE ALCOHOLIC BEVERAGES SOLD BY THE HOLDER OF A FESTIVAL WINE PERMIT; TO AMEND SECTION 67-1-77, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE ON THE AUTHORITY OF A DISTILLER, WINE MANUFACTURER, RECTIFIER, BLENDER OR BOTTLER TO HAVE A FINANCIAL INTEREST IN A WINE FESTIVAL PERMIT; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE ANNUAL PRIVILEGE LICENSE TAX FOR A FESTIVAL WINE PERMIT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Jody Stevenson

Henry Zuber III

CONFEREES FOR THE SENATE

Lydia Graves Chassaniol

Chris Johnson

Mike Thompson

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 252** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, DeBar, DeLano, England, Fillingane, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--46.

Nays--Branning, Chism, Frazier, Norwood, Parker, Tate. Total--6.

Absent and those not voting----None.

Senator Chassaniol offered the following report of the Conference Committee on **H. B. No. 419** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 419: Tourism; provide assistance to destination marketing organization.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The COVID-19 public health emergency has had a significant negative impact on Mississippi's tourism industry. American Rescue Plan Act funds are specifically targeted toward assisting in the recovery of the tourism and hospitality sectors. The funds provided in this act are necessary expenditures related to COVID-19, the purpose of which is to publicize the resumption of tourism activities and steps taken to ensure a safe tourism experience and to support the travel and hospitality economy of Mississippi. It is the intention of the Legislature that the activities defined in this act will

address the negative economic impacts of COVID-19 on the tourism, travel, and hospitality industries as allowed by the American Rescue Plan Act of 2021 and subsequent guidance issued by the United States Department of Treasury.

SECTION 2. (1) As used in this section, the following words and phrases shall have the meanings ascribed in this section unless the context clearly indicates otherwise:

(a) "Destination marketing organization" means an organization that received funds under Section 57-123-7, Mississippi Code of 1972.

(b) "Marketing activities" means multimedia marketing and advertising, including digital media, broadcast media and printed media, including travel publications, production, travel market sector analysis, consumer travel sentiment, public relations, communication strategy, direct sales bookings, group tour bookings, tourism development and administrative costs to execute marketing activities related to the business disruption effects of the Coronavirus Disease 2019 as expressed in Section 1 of this act.

(2) (a) The Department of Finance and Administration shall establish a program for the purpose of providing funds to assist destination marketing organizations in paying costs for marketing activities as provided in this section and to assist certain museums as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section. Monies in the fund shall be disbursed by the Department of Finance and Administration as follows:

(i) Twenty-one Million Dollars (\$21,000,000.00) shall be disbursed as provided in paragraph (b) of this subsection (2) to assist destination marketing organizations in paying costs for marketing activities; and

(ii) One Million Dollars (\$1,000,000.00) shall be disbursed to the GRAMMY® Museum Mississippi, in Cleveland, Mississippi, to assist in paying costs associated with advertising and other forms of promoting and publicizing the museum and museum related activities, and repairs and renovations of and upgrades and improvements to the museum for health and safety purposes related to the Coronavirus Disease 19.

(b) (i) The Department of Finance and Administration shall determine, in conjunction with the destination marketing organizations, the allocation of funds under paragraph (a)(i) of this subsection (2) and shall disburse funds as follows:

1. Not more than Nine Million Four Hundred Twenty-seven Thousand Five Hundred Fifty-seven Dollars (\$9,427,557.00) of such monies shall be allocated to destination marketing organizations in a manner that will provide monies to a destination marketing organization in an amount equal to seventy-five percent (75%) of the destination marketing organization's marketing and advertising expenditures during the 2019 fiscal year, and

2. Not more than Eleven Million Five Hundred Seventy-two Thousand Four Hundred Forty-three Dollars (\$11,572,443.00) of such monies shall be allocated to destination marketing organizations based on the proportion that a destination marketing organization's contribution toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report bears to all destination marketing organizations' contributions toward total tourism visitors in the state according to the 2019 Fiscal Year Visit Mississippi Visitors Profile Report. However, a destination marketing organization shall not receive an amount less than One Hundred Twenty-five Thousand Dollars (\$125,000.00) under this item 2.

(ii) Destination marketing organizations receiving funds under this paragraph (b) shall provide details related to their planned expenditures to the Department of Finance and Administration prior to funds being disbursed. If the plans submitted by the destination marketing organizations include activities described in this section as eligible under this program, the department shall approve the plan within thirty (30) days of receipt of the plans.

(iii) Before receiving funds under this paragraph (b), a destination marketing organization must certify to the Department of Finance and Administration that:

1. The funds will only be used for marketing activities, and
2. The destination marketing organization will comply with applicable federal and state regulations and requirements related to American Rescue Plan Act funds, and
3. The destination marketing organization will obligate all funds by December 31, 2024, and fully expend all funds by December 31, 2026.

(iv) Destination marketing organizations receiving funds under this paragraph (b) shall keep and maintain records related to expenditures. Destination marketing organizations receiving funds under this paragraph (b) shall also track impacts of their marketing activities through special levy tax receipts, hotel occupancy indicators, other tourism industry metrics, and analytics from marketing campaigns, as appropriate. Such destination marketing organizations shall provide semi-annual reports on expenditures and economic impacts of their marketing activities to the Department of Finance and Administration, the Governor, the Lieutenant Governor, the Speaker of the House of Representatives and the Department of Audit.

(v) Subject to applicable purchasing laws, destination marketing organizations will give preference, when available and practical, to Mississippi-based companies for any new contracts entered into for marketing activities.

(3) The Department of Finance and Administration and the Department of Audit shall have all powers necessary for the implementation of this section.

SECTION 3. (1) The Department of Finance and Administration shall establish a program for the purpose of providing funds to certain entities as provided in this section. The Department of Finance and Administration shall disburse One Million Dollars (\$1,000,000.00) under this section to NarraTrip LLC, to use to assist municipalities in the state in paying costs to participate in and be promoted as part of the business's mobile apps geared toward promoting tourism in the state, including, but not limited to, providing information regarding historic sites, roadside markers and dining, music and art experiences.

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 4. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO ASSIST CERTAIN MUSEUMS IN PAYING CERTAIN COSTS AND PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES; TO DEFINE THE



TERMS "DESTINATION MARKETING ORGANIZATION" AND "MARKETING ACTIVITIES" FOR THE PURPOSES OF THIS ACT; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO NARRATRIP LLC, TO USE TO ASSIST MUNICIPALITIES IN THE STATE IN PAYING COSTS TO PARTICIPATE IN AND BE PROMOTED AS PART OF THE BUSINESS'S MOBILE APPS GEARED TOWARD PROMOTING TOURISM IN THE STATE; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

Becky Currie

Lydia Graves Chassaniol

Manly Barton

Karl Oliver

Nicole Boyd

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 419** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1216** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1216: Circuit judges and chancellors; increase office operating and expense allowances and support staff funding.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 9-1-36, Mississippi Code of 1972, is amended as follows:

9-1-36. (1) Each circuit judge and chancellor shall receive an office operating allowance for the expenses of operating the office of the judge, including retaining a law clerk, legal research, stenographic help, stationery, stamps, furniture, office equipment, telephone, office rent and other items and expenditures necessary and incident to maintaining the office of judge. The allowance shall be paid only to the extent of actual expenses incurred by the judge as itemized and certified by the judge to the Supreme Court in the amounts set forth in this subsection; however, the judge may expend sums in excess thereof from the compensation otherwise provided for his office. \* \* \*

\* \* \* From and after July 1, \* \* \* 2023, the office operating allowance under this subsection shall be \* \* \* Fifteen Thousand Dollars (\$15,000.00) per annum.

(2) In addition to the amounts provided for in subsection (1), there is \* \* \* created a separate office allowance fund for the purpose of providing support staff to judges. This fund shall be managed by the Administrative Office of Courts.

(3) Each judge who desires to employ support staff after July 1, 1994, shall make application to the Administrative Office of Courts by submitting to the Administrative Office of Courts a proposed personnel plan setting forth what support staff is deemed necessary. The plan may be submitted by a single judge or by any combination of judges desiring to share support staff. In the process of the preparation of the plan, the judges, at their request, may receive advice, suggestions, recommendations and other assistance from the Administrative Office of Courts. The Administrative Office of Courts must approve the positions, job descriptions and salaries before the positions may be filled. The Administrative Office of Courts shall not approve any plan which does not first require the expenditure of the funds in the support staff fund for compensation of any of the support staff before expenditure is authorized of county funds for that purpose. Upon approval by the Administrative Office of Courts, the judge or judges may appoint the employees to the position or positions, and each employee so appointed will work at the will and pleasure of the judge or judges who appointed him but will be employees of the Administrative Office of Courts. Upon approval by the Administrative Office of Courts, the appointment of any support staff shall be evidenced by the entry of an order on the minutes of the court. When support staff is appointed jointly by two (2) or more judges, the order setting forth any appointment shall be entered on the minutes of each participating court.

(4) The Administrative Office of Courts shall develop and promulgate minimum qualifications for the certification of court administrators. Any court administrator appointed on or after October 1, 1996, shall be required to be certified by the Administrative Office of Courts.

(5) Support staff shall receive compensation pursuant to personnel policies established by the Administrative Office of Courts \* \* \* in an amount of \* \* \* One Hundred Thousand Dollars (\$100,000.00) per fiscal year per judge for whom all support staff is approved for the funding of support staff assigned to a judge or judges \* \* \*.

\* \* \*

The Administrative Office of Courts may approve expenditures from the fund for additional equipment for support staff appointed pursuant to this section in any year in which the allocation per judge is sufficient to meet the equipment expense after provision for the compensation of the support staff.

(6) For the purposes of this section, the following terms \* \* \* have the meaning ascribed \* \* \* in this subsection unless the context clearly requires otherwise:

(a) "Judges" means circuit judges and chancellors, or any combination thereof \* \* \*.

(b) "Support staff" means court administrators, law clerks, legal research assistants or secretaries, or any combination thereof, but shall not mean school attendance officers \* \* \*.

(c) "Compensation" means the gross salary plus all amounts paid for benefits or otherwise as a result of employment or as required by employment; \* \* \* however, \* \* \* only salary earned for services rendered shall be reported and credited for Public Employees' Retirement System purposes. Amounts paid for benefits or otherwise, including reimbursement for travel expenses, shall not be reported or credited for retirement purposes \* \* \*.

(d) "Law clerk" means a clerk hired to assist a judge or judges who has a law degree or who is a full-time law student who is making satisfactory progress at an accredited law school.

(7) Title to all tangible property, excepting stamps, stationery and minor expendable office supplies, procured with funds authorized by this section, shall be and forever remain in the State of Mississippi to be used by the circuit judge or chancellor during the term of his office and thereafter by his successors.

(8) Any circuit judge or chancellor who did not have a primary office provided by the county on March 1, 1988, shall be allowed an additional \* \* \* Seven Thousand Dollars (\$7,000.00) per annum to defray the actual expenses incurred by the judge or chancellor in maintaining an office; however, any circuit judge or chancellor who had a primary office provided by the county on March 1, 1988, and who vacated the office space after that date for a legitimate reason, as determined by the Department of Finance and Administration, shall be allowed the additional office expense allowance provided under this subsection. The county in which a circuit judge or chancellor sits is authorized to provide funds from any available source to assist in defraying the actual expenses to maintain an office.

(9) The Supreme Court, through the Administrative Office of Courts, shall submit to the Department of Finance and Administration the itemized and certified expenses for office operating allowances that are directed to the court pursuant to this section.

(10) The Supreme Court, through the Administrative Office of Courts, shall have the power to adopt rules and regulations regarding the administration of the office operating allowance authorized pursuant to this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE OFFICE OPERATING ALLOWANCE, SUPPORT STAFF FUNDING AND THE ADDITIONAL OFFICE EXPENSE ALLOWANCE PAYABLE TO CIRCUIT JUDGES AND CHANCELLORS; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

## CONFEREES FOR THE SENATE

Angela Cockerham

Brice Wiggins

Thomas U. Reynolds

Derrick T. Simmons

Joey Hood

W. Briggs Hopson III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1216** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator Parks offered the following report of the Conference Committee on **S. B. No. 2487** (version 3) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2487: Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following shall be codified as Section 37-106-85, Mississippi Code of 1972:

37-106-85. Sections 37-106-85 through 37-106-93, Mississippi Code of 1972, shall be known and may be cited as the "Mississippi Dual Enrollment/Dual Credit Scholarship Program Act of 2023."

SECTION 2. The following shall be codified as Section 37-106-87, Mississippi Code of 1972:

37-106-87. There is hereby created the Mississippi Dual Enrollment/Dual Credit Scholarship Program, to be administered by the Mississippi Postsecondary Education Financial Assistance Board established under Section 37-106-9. The board shall set the dates and deadlines for applying for funding for dual enrollment/dual credit courses of eligible Mississippi high school students under the provisions of Sections 37-106-85 through 37-106-93 and award scholarships to participating institutions for those who meet the eligibility requirements provided herein.

SECTION 3. The following shall be codified as Section  
37-106-89, Mississippi Code of 1972:

37-106-89. As used in this act, the following terms shall have the meaning ascribed in this section, unless the context clearly requires otherwise:

(a) "Institution" means any postsecondary educational institution that is a public state-supported institution of higher learning, a public state-supported community or junior college, or any not-for-profit private institution of higher learning in the state. The term does not include proprietary colleges or universities.

(b) "Student" means a high school student in a public school or charter school program in Mississippi.

(c) "Board" means the Mississippi Postsecondary Education Financial Assistance Board established in Section 37-106-9, which is authorized and empowered to administer the provisions of Title 37, Chapter 106, Mississippi Code of 1972.

(d) "Director" means the individual designated by the Board of Trustees of State Institutions of Higher Learning to administer the provisions of the various financial assistance programs by promulgating the necessary rules and regulations for their effective administration.

(e) "Dual enrolled student" means a student who is enrolled in a community or junior college or state institution of higher learning while enrolled in high school, as defined in Section 37-15-37(1)(a).

(f) "Dual credit student" means a student who is enrolled in a community or junior college or state institution of higher learning while enrolled in high school and who is receiving high school and college credit for postsecondary coursework, as defined in Section 37-15-38(1)(b).

(g) "Manual" means the procedures manual for the State of Mississippi Dual Enrollment and Accelerated Programs of which the contents of the manual are evaluated and approved by the academic officers of both the Mississippi Association of Community Colleges and the Mississippi Institutions of Higher Learning.

(h) "Program" means the Mississippi Dual Enrollment/Dual Credit Scholarship Program.

SECTION 4. The following shall be codified as Section  
37-106-91, Mississippi Code of 1972:

37-106-91. (1) (a) For institutions to be eligible for participation in the program, the institution shall adhere to the guidelines prescribed in the procedures manual for the State of Mississippi Dual Enrollment and Accelerated Programs, hereinafter the "manual,"

and the requirements established by the Mississippi Postsecondary Education Financial Assistance Board for participating institutions set forth in this subsection.

(b) Eligibility for funding shall be incorporated into the manual, which shall outline the specific criteria for initial and continued eligibility for participation for institutions, dual enrollment students and dual credit students, respectively. The academic officers of both the Mississippi Association of Community Colleges and the Board of Trustees of State Institutions of Higher Learning shall evaluate and approve the contents of the manual each year.

(c) The board shall administer the Dual Enrollment/Dual Credit Scholarship Program as outlined in the manual. Funds for the program shall be distributed by the board to the providing institution of higher education on behalf of each eligible student after the enrollment verification period. Funds shall not be distributed by the board directly to the student.

(d) Participation in the Mississippi Dual Enrollment/Dual Credit Scholarship Program is optional for all institutions defined in Section 37-106-89(a). However, in order to qualify for funding, all guidelines in the manual must be followed by each institution.

(e) All participating institutions shall be reimbursed at the rate of forty percent (40%) of the average community college credit hour tuition for the current academic year.

(f) Participating institutions may elect to exclude specific centers, branch campuses, collegiate academies and middle college's within their governance or purview from participating in the Mississippi Dual Enrollment/Dual Credit Scholarship Program.

(2) For students to be eligible for participation in the program, the scholarship applicant shall satisfy the student eligibility requirements prescribed in Procedures Manual for the State of Mississippi Dual Enrollment and Accelerated Programs and the requirements established for student eligibility set forth in this subsection:

(a) Students in Grades 11 and 12 who are residents of the State of Mississippi shall be eligible to participate in the program, provided they meet minimum eligibility criteria in the manual. Resident status for the purpose of receiving assistance under this chapter shall be determined in the same manner as resident status for tuition purposes in Sections 37-103-1 through 37-103-29, with the exception of Section 37-103-17;

(b) Each eligible student shall be qualified for funding under this act for up to six (6) dual enrollment/dual credit semester credit hours prior to high school graduation;

(c) All students who meet the eligibility requirements as outlined in the manual, regardless of participation method, whether online, at a participating institution's campus, at a high school campus, academic or career and technical education (CTE), shall meet the requirements for funding allocation to the participating institution;

(d) All Dual Enrollment/Dual Credit Scholarship Program student recipients shall be required to participate in an advising component related to the Mississippi Articulation and Transfer Tool (MATT) to ensure their understanding of course transferability. Credits earned with a final grade of C or above on the eligible student's college transcript in courses offered through the program, whether academic or career and technical, shall transfer to any postsecondary institution in Mississippi;

(e) Books, course materials, tools, supplies, lab fees, transportation costs and other applicable course fees shall be the responsibility of the student or high school district; and

(f) Middle college students shall be qualified for the Mississippi Dual Enrollment/Dual Credit Scholarship Program funding only if the institution complies with the requirements of the manual.

(3) To ensure appropriate articulation of college credits to other institutions, only the courses on the "Approved Academic Dual Credit Listing" shall be eligible for funding.

(4) Early college students are not eligible for the Mississippi Dual Enrollment/Dual Credit Scholarship Program funding.

SECTION 5. The following shall be codified as Section

37-106-93, Mississippi Code of 1972:

37-106-93. In addition to the criteria established in Section 37-106-91, the following program participation criteria must be adhered to:

(a) Future enrollment at the providing institution cannot be a requirement for a student to be eligible for Dual Enrollment/Dual Credit Scholarship Program funds;

(b) Community college career and technical education (CTE) courses approved in the manual shall be eligible for funding;

(c) The board shall promulgate rules as necessary to implement and administer this section;

(d) The board shall develop rules for ensuring that expenses of the scholarship program in each fiscal year do not exceed funding for the program in that fiscal year. For that purpose, and any other provision of this section to the contrary notwithstanding, the board may limit the acceptance of scholarship applications and may limit the award amount of scholarships;

(e) If the state appropriation is insufficient to fully fund all students eligible for participation in the program in a given year, those funds shall be prorated to the student's account at the eligible participating institution by an amount to be determined by the board. The student or school district will then be responsible for the remaining balance due for the course taken at the providing institution;

(f) The board may conduct its own annual audits of any institution participating in the Mississippi Dual Enrollment/Dual Credit Scholarship Program. The board may suspend or revoke an institution's eligibility to receive future funds under the program if it finds that the institution has not complied with the provisions of the manual and the requirements established in Section 37-106-91(1);

(g) The board may conduct its own annual audits of students participating in the Mississippi Dual Enrollment/Dual Credit Scholarship Program. The board may suspend or revoke a high school's eligibility to participate in the program if it finds the student or high school has not complied with the provisions of the manual and the requirements established in Section 37-106-91(2);

(h) The average community college credit hour tuition amount for the current academic year, as referenced in Section 37-106-91(1)(e), shall be provided annually by the Mississippi Community College Board to the executive director of the board;

(i) If a public institution chooses not to participate in the program, or if a public institution in the eligible student's region does not have a particular program the eligible student wants to enroll in but the program is available at another public institution, a student shall have the option of enrolling at a program at another participating public institution;

(j) Public school districts or charter schools and institutions participating in the program shall be permitted to enter into agreements under Section 37-15-38, which allow students to enroll and complete additional dual credit or dual enrollment courses, with the goal of increasing the number of students graduating from high school with an associate level degree or other nationally recognized credential. This act is intended to provide funding and structure for a minimum standardized dual enrollment/dual credit program across the state;

(k) To encourage more participation in the program, a final grade of C or above in a three (3) credit hour dual credit course, academic or career and technical, shall be weighted the same as a three (3) or above in an Advanced Placement course final examination in the Mississippi Statewide Accountability System. Only courses included in the approved dual credit course list referenced in the manual shall be weighted in the model; and

(l) There is established in the State Treasury a special fund to be designated the "Mississippi Dual Enrollment/Dual Credit Scholarship Program" into which shall be deposited those funds appropriated by the Legislature, and any other funds that may be made available, for the purpose of implementing the program established under this act. Money in the fund at the end of the fiscal year shall not lapse into the General Fund, and interest earned on any amounts deposited into the fund shall be credited to the special fund;

(m) The program requires specific appropriation by the Legislature.

SECTION 6. Sections 37-106-85, 37-106-87, 37-106-89, 37-106-91 and 37-106-93, Mississippi Code of 1972, shall stand repealed on July, 1, 2025.

SECTION 7. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO CREATE THE "MISSISSIPPI DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM ACT OF 2023" TO BE ADMINISTERED BY THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO DEFINE TERMINOLOGY; TO REQUIRE THE BOARD TO SET THE DATES AND DEADLINES FOR APPLYING FOR FUNDING FOR DUAL ENROLLMENT/DUAL CREDIT COURSES OF ELIGIBLE MISSISSIPPI HIGH SCHOOL STUDENTS; TO PROVIDE FOR THE ELIGIBILITY AND PARTICIPATION IN THE PROGRAM BY POSTSECONDARY EDUCATIONAL INSTITUTIONS AND STUDENTS; TO PROVIDE THE RATE AT WHICH PARTICIPATING INSTITUTIONS WILL BE REIMBURSED FOR PARTICIPATING STUDENTS; TO EXCLUDE THE PARTICIPATION OF EARLY COLLEGE STUDENTS FROM PARTICIPATION IN THE PROGRAM; TO ESTABLISH A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED THE "MISSISSIPPI DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM FUND" AND TO PROVIDE THAT ANY UNEXPENDED BALANCES APPROPRIATED BY THE LEGISLATURE REMAINING AVAILABLE AT THE END OF THE FISCAL YEAR SHALL NOT LAPSE INTO THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.



CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Rita Potts Parks

Donnie Scoggin

Kent McCarty

Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2487** (version 3) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

Senator DeBar offered the following report of the Conference Committee on **S. B. No. 2749** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2749: School board members; increase pay.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 37-6-13, Mississippi Code of 1972, is amended as follows:

37-6-13. (1) Each person serving as a member of the school board of any school district shall receive per diem in the amount of \* \* \* One Hundred Twelve Dollars (\$112.00) for no more than thirty-six (36) meetings of the school board during any one (1) fiscal year or, in his or her discretion, irrevocably may choose to receive as compensation for his or her services an annual salary \* \* \*, subject to the following provisions:

(a) For a person serving as a member of the school board of a school district with less than five thousand (5,000) students enrolled in the school district, the person shall receive an annual salary of Four Thousand Dollars (\$4,000.00);

(b) For a person serving as a member of the school board of a school district with at least five thousand (5,000) students but less than ten thousand (10,000) students enrolled in the school district, the person shall receive an annual salary of not less than Four Thousand Dollars (\$4,000.00) but not more than Five Thousand Dollars (\$5,000.00); and

(c) For a person serving as a member of the school board of a school district with greater than ten thousand (10,000) students enrolled in the school district, the person shall receive an annual salary of not less than Four Thousand Dollars (\$4,000.00) but not more than Six Thousand Dollars (\$6,000.00).

This choice shall remain in force for all successive terms or periods of service of that member. The receipt of the compensation shall not entitle any member of a school board to receive or be eligible for any state employee group insurance, retirement or other fringe benefits. Each member shall be reimbursed for the necessary expenses and mileage in attending meetings of the school board. In addition to the foregoing, all members may be reimbursed for mileage and actual expenses incurred in the further performance of their duties, including attendance at any mandatory school board training session or at regional and national education meetings, when such mileage and other expenses are authorized by the board prior to the date on which they occur. Detailed vouchers shall be submitted for reimbursement for all expenses authorized by this section. Such reimbursement shall be in accordance with Section 25-3-41.

Such expenses shall be paid on order of the school board by pay certificates issued by the superintendent of the school district involved against the funds available for payment of the administrative expense of the district.

(2) (a) If a member of a school board misses twenty percent (20%) or more of the meetings of the school board during a calendar year, except for absences caused by required military duty, the member must reimburse the school district that portion of the total salary paid to the member that year which is proportionate to the number of meetings missed by the member in relation to the total number of school board meetings held during that year. For purposes of this subsection, consideration may be given only to meetings of which public notice is required.

(b) Before February 1 of each year, the president of each local school board shall submit a report to the State Board of Education containing the names of any members of the school board who missed twenty percent (20%) or more of the school board meetings during the preceding calendar year.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 37-6-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION OF SCHOOL BOARD MEMBERS BASED ON THE SCHOOL DISTRICTS' ENROLLMENT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

CONFEREES FOR THE HOUSE

Dennis DeBar, Jr.

Richard Bennett

W. Briggs Hopson III

Kent McCarty

John A. Polk

Jansen Owen

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2749** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hill moved that the rules be suspended to move to calendar item 48, **S. B. No. 2612**, and the motion prevailed.

On request of Senator Hill, unanimous consent was granted to make the following correction in **S. B. No. 2612**:

Unanimous consent of the Senate and House is requested to make the following changes to Senate Bill No. 2612:

AMEND on line 131 by changing "twenty" to "twenty-two"

AMEND on line 297 by striking "(1)(c) and (d) only"

AMEND on line 298 before "subsection" by inserting "paragraph (c) and (d) of"

AMEND on line 322 before "subsection" by inserting "paragraphs (c) and (d) of"

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Senator Hill offered the following report of the Conference Committee on **S. B. No. 2612** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2612: Construction; bring forward code sections concerning local permitting and State Board of Contractors licensing.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 19-5-9, Mississippi Code of 1972, is amended as follows:

19-5-9. (1) The construction codes published by a nationally recognized code group which sets minimum standards and has the proper provisions to maintain up-to-date amendments are adopted as minimum standard guides for building, plumbing, electrical, gas, sanitary, and other related codes in Mississippi. Any county within the State of Mississippi, in the discretion of the board of supervisors, may adopt building codes, plumbing codes, electrical codes, sanitary codes, or other related codes dealing with general public health, safety or welfare, or a combination of the same, within but not exceeding the provisions of the construction codes published by nationally recognized code groups, by order or resolution in the manner prescribed in this section, but those codes so adopted shall apply only to the unincorporated areas of the county. However, those codes shall not apply to the erection, maintenance, repair or extension of farm buildings or farm structures, except as may be required under the terms of the "Flood Disaster Protection Act of 1973," and shall apply to a master planned community as defined in Section 19-5-10 only to the extent allowed in Section 19-5-10. The provisions of this section shall not be construed to authorize the adoption of any code which applies to the installation, repair or maintenance of electric wires, pipelines, apparatus, equipment or devices by or for a utility rendering public utility services, required by it to be utilized in the rendition of its duly authorized service to the public. Before any such code shall be adopted, it shall be either printed or typewritten and shall be presented in pamphlet form to the board of supervisors at a regular meeting. The order or resolution adopting the code shall not set out the code in full, but shall merely identify the same. The vote or passage of the order or resolution shall be the same as on any other order or resolution. After its adoption, the code or codes shall be certified to by the president and clerk of the board of supervisors and shall be filed as a permanent record in the office of the clerk who shall not be required to transcribe and record the same in the minute book as other orders and resolutions.

(2) If the board of supervisors of any county adopts or has adopted construction codes which do not have proper provisions to maintain up-to-date amendments, specifications in such codes for cements used in portland cement concrete shall be superseded by nationally recognized specifications referenced in any code adopted by the Mississippi Building Code Council.

(3) All provisions of this section shall apply to amendments and revisions of the codes mentioned in this section. The provisions of this section shall be in addition and supplemental to any existing laws authorizing the adoption, amendment or revision of county orders, resolutions or codes.

(4) Any code adopted under the provisions of this section shall not be in operation or force until sixty (60) days have elapsed from the adoption of same; however, any code adopted for the immediate preservation of the public health, safety and general welfare may be effective from and after its adoption by a unanimous vote of the members of the

board. Within five (5) days after the adoption or passage of an order or resolution adopting that code or codes the clerk of the board of supervisors shall publish in a legal newspaper published in the county the full text of the order or resolution adopting and approving the code, and the publication shall be inserted at least three (3) times, and shall be completed within thirty (30) days after the passage of the order or resolution.

(5) Any person or persons objecting to the code or codes may object in writing to the provisions of the code or codes within sixty (60) days after the passage of the order or resolution approving same, and if the board of supervisors adjudicates that ten percent (10%) or more of the qualified electors residing in the affected unincorporated areas of the county have objected in writing to the code or codes, then in such event the code shall be inoperative and not in effect unless adopted for the immediate preservation of the public health, safety and general welfare until approved by a special election called by the board of supervisors as other special elections are called and conducted by the election commissioners of the county as other special elections are conducted, the special election to be participated in by all the qualified electors of the county residing in the unincorporated areas of the county. If the voters approve the code or codes in the special election it shall be in force and in operation thereafter until amended or modified as provided in this section. If the majority of the qualified electors voting in the special election vote against the code or codes, then, in such event, the code or codes shall be void and of no force and effect, and no other code or codes dealing with that subject shall be adopted under the provisions of this section until at least two (2) years thereafter.

(6) After any such code shall take effect the board of supervisors is authorized to employ such directors and other personnel as the board, in its discretion, deems necessary and to expend general county funds or any other funds available to the board to fulfill the purposes of this section.

(7) For the purpose of promoting health, safety, morals or the general welfare of the community, the governing authority of any municipality, and, with respect to the unincorporated part of any county, the governing authority of any county, in its discretion, is empowered to regulate the height, number of stories and size of building and other structures, the percentage of lot that may be occupied, the size of the yards, courts and other open spaces, the density or population, and the location and use of buildings, structures and land for trade, industry, residence or other purposes, but no permits shall be required except as may be required under the terms of the "Flood Disaster Protection Act of 1973" for the erection, maintenance, repair or extension of farm buildings or farm structures outside the corporate limits of municipalities.

(8) The authority granted in this section is cumulative and supplemental to any other authority granted by law.

(9) Notwithstanding any provision of this section to the contrary, any code adopted by a county before or after April 12, 2001, is subject to the provisions of Section 41-26-14(10).

(10) Notwithstanding any provision of this section to the contrary, the Boards of Supervisors of Jackson, Harrison, Hancock, Stone and Pearl River Counties shall enforce the requirements imposed under Section 17-2-1 as provided in such section.

(11) Regardless of whether a county adopts or has adopted codes, as set forth in this section, each and every county in this state shall require permitting as a condition to construction within the unincorporated areas of the county \* \* \*; provided, however, that each county with a population under twenty thousand five hundred (22,500) according to the most recent federal decennial census may opt out of requiring such permitting by a majority vote of the board of supervisors made before December 31, 2023. Such an opt out shall only be effective until July 1, 2028. If a county is eligible to opt out but does not do so, or if the county is not eligible to opt out, the required permits shall contain, on their face, in conspicuous print, (a) the contractor's material purchase certificate number to the

extent furnished by the Department of Revenue pursuant to Section 27-65-21(3) or the contractor's Taxpayer Identification Number as furnished by the Internal Revenue Service, and either a copy of such material purchase certificate furnished by the Department of Revenue pursuant to Section 27-65-21(3), or a copy of the contractor's W-9, as the case may be, shall be required to be provided to the county as part of the prime contractor's application for such permit, prior to the issuance of such permit, and (b) the contractor's license or certificate of responsibility number as required by either Section 31-3-14 et seq., 51-5-1 et seq. or 73-59-1 et seq.

SECTION 2. Section 21-19-25, Mississippi Code of 1972, is amended as follows:

21-19-25. (1) Any municipality within the State of Mississippi may, in the discretion of its governing authority, adopt building codes, plumbing codes, electrical codes, gas codes, sanitary codes, or any other codes dealing with general public health, safety or welfare, or a combination of the same, by ordinance, in the manner prescribed in this section. Before any such code shall be adopted, it shall be either printed or typewritten, and it shall be presented in pamphlet form to the governing authority of the municipality at a regular meeting. The ordinance adopting the code shall not set out the code in full, but shall merely identify the same. The vote on passage of the ordinance shall be the same as on any other ordinances. After its adoption, the code shall be certified to by the mayor and clerk of the municipality, and shall be filed as a permanent record in the office of the clerk, who shall not be required to transcribe and record the same in the ordinance book as other ordinances. It shall not be necessary that the ordinance adopting the code or the code itself be published in full, but notice of the adoption of the code shall be given by publication in some newspaper of the municipality for one (1) time, or if there be no such newspaper, by posting at three (3) or more public places within the corporate limits, a notice in substantially the following form:

Notice is given that the city (or town or village) of \_\_\_\_\_, on the (give date of ordinance adopting code), adopted (state type of code and other information serving to identify the same) code.

(2) If the governing authority of any municipality adopts or has adopted construction codes which do not have proper provisions to maintain up-to-date amendments, specifications in such codes for cements used in portland cement concrete shall be superseded by nationally recognized specifications referenced in any code adopted by the Mississippi Building Code Council.

(3) All the provisions of this section shall apply to amendments and revisions of the code mentioned in this section. Any code adopted in accordance with this section shall not be in force for one (1) month after its passage, unless the municipal authorities in the ordinance authorize to the contrary. The provisions of this section shall be in addition and supplemental to any existing laws authorizing the adoption, amendment or revision of municipal ordinances or codes.

(4) Notwithstanding any provision of this section to the contrary, any code adopted by a municipality before or after April 12, 2001, is subject to the provisions of Section 41-26-14(10).

(5) Notwithstanding any provision of this section to the contrary, the governing authorities of each municipality in Jackson, Harrison, Hancock, Stone and Pearl River Counties shall enforce the requirements imposed under Section 17-2-1 as provided in such section.

(6) Regardless of whether the governing authority of any municipality adopts or has adopted construction codes, as set forth in this section, each and every governing authority of any municipality shall require permitting as a condition to construction within the municipality's jurisdiction \* \* \*; provided, however, that each municipality with a population under seven thousand five hundred (7,500) according to the most recent

federal decennial census may opt out of requiring such permitting by a majority vote of the governing authority made by December 31, 2024. Such an opt out shall only be effective until July 1, 2028. If a municipality is eligible to opt out but does not do so, or is ineligible to opt out, all such permits shall contain on their faces, in conspicuous print, (a) the contractor's material purchase certificate number to the extent one is furnished by the Department of Revenue pursuant to Section 27-65-21(3) or the contractor's Taxpayer Identification Number as furnished by the Internal Revenue Service, and either a copy of such material purchase certificate furnished by the Department of Revenue pursuant to Section 27-65-21(3), or a copy of the contractor's W-9, as the case may be, shall be required to be provided to the governing authority of such municipality as part of the contractor's application for such permit, prior to the issuance of such permit, and (b) the contractor's license or certificate of responsibility number as required by either Section 31-3-14 et seq., 51-5-1 et seq. or 73-59-1 et seq.

(7) The provisions of this section shall apply to all municipalities of this state, whether operating under the code charter, a special charter, commission form, or other form of government.

SECTION 3. Section 73-59-1, Mississippi Code of 1972, is amended as follows:

73-59-1. For the purposes of this chapter, the following words shall have the meanings ascribed herein:

(a) "Board" means the State Board of Contractors created in Section 31-3-3, Mississippi Code of 1972.

(b) "Residential builder" means any corporation, partnership or individual who constructs a building or structure for sale for use by another as a residence or who, for a fixed price, commission, fee, wage or other compensation, undertakes or offers to undertake the construction, or superintending of the construction, of any building or structure which is not more than three (3) floors in height, to be used by another as a residence, when the total cost of the undertaking exceeds Fifty Thousand Dollars (\$50,000.00).

(c) "Remodeler" means any corporation, partnership or individual who, for a fixed price, commission, fee, wage or other compensation, undertakes or offers to undertake the construction, or superintending of the construction, of improvements to an existing residence when the total cost of the improvements exceeds \* \* \* Twelve Thousand Five Hundred Dollars (\$12,500.00).

(d) "Residential construction" means any undertaking described in paragraph (b) of this section performed by a residential builder.

(e) "Residential improvement" means any undertaking described in paragraph (c) of this section performed by a remodeler.

(f) "Active licensee" means any builder or remodeler licensed under this chapter and engaged in building and remodeling.

(g) "Inactive licensee" means any builder or remodeler licensed under this chapter and not engaged in building or remodeling.

(h) "Construction manager" means any person or entity, other than a residential builder, remodeler or owner, who has a contract or agreement with the owner of the property for residential construction or residential improvement, no matter if that owner himself is the general contractor or a holder of a building permit.

(i) "Residential solar contractor" means any person or entity who installs, modifies, maintains, and repairs thermal and photovoltaic solar energy systems.

SECTION 4. Section 73-59-3, Mississippi Code of 1972, is amended as follows:

73-59-3. (1) Except as otherwise provided in Section 73-59-15 or Section 33-1-39, the following persons or entities shall be licensed by the board annually as an active licensee or inactive licensee, as appropriate:

- (a) Persons or entities acting in the capacity as a residential builder;
- (b) Persons or entities acting in the capacity as a residential remodeler;
- (c) Persons or entities acting in the capacity as a construction manager through a contract or an agreement with the owner of the property being improved or constructed upon;
- (d) Any subcontractor, of any tier, performing the following work or within the following trade, on any residential construction or residential improvement project, no matter the dollar amount of the construction or improvements:
  - (i) Electrical;
  - (ii) Plumbing;
  - (iii) Mechanical; and/or
  - (iv) Heating, ventilation and/or air conditioning; and
- (e) Persons or entities acting in the capacity as a residential solar contractor.

(2) As an alternative to examination provided for under Section 73-59-5(1)(c) and (d) only, an applicant who is a person or entity required to be licensed by subsection (1) of this section may be issued a license by the board if the applicant:

(a) (i) Is licensed by a municipality and/or county and submits documentation that the applicant has passed a standardized examination such as an International Code Council (ICC) examination or a municipality or county-administered examination; or

(ii) Can demonstrate, by notarized affidavit, that the applicant has been acting in the applicable capacity described in subsection (1)(d) of this section for not less than five (5) years and the applicant submits all of the following:

1. One (1) reference letter from a building official or board licensed contractor specifying the classification of work for which the applicant is seeking a license;

2. One (1) reference letter from a bank or other financial institution; and

3. One (1) general reference letter from a project owner, architect, supplier or similar person or entity; and

(b) Completes any applicable video course made available by the board and submits a certificate of completion for the course to the board.

No person required to be licensed under subsection (1) of this section may be issued a license under this subsection after June 30, 2024.



( \*\* \*3) As a prerequisite to obtaining a license or renewal thereof, each of the persons or entities in subsection (1) of this section shall submit to the board:

(a) Proof of workers' compensation insurance, if required by applicable law; however, workers' compensation insurance shall not be required for inactive licensees;

(b) A federal employment identification number or social security number.

( \*\* \*4) The board may require liability insurance to be licensed under this chapter and it shall be reflected on the certificate of licensure; however, liability insurance shall not be required for inactive licensees.

( \*\* \*5) The board shall issue or renew a license to persons or entities required by subsection (1) of this section to be licensed, upon payment to the board of the license fee. The initial license fee shall be Fifty Dollars (\$50.00). The license fee may thereafter be increased or decreased by the board and cannot exceed One Hundred Dollars (\$100.00); however, the receipts from fees collected by the board shall be no greater than the amount required to pay all costs and expenses incurred by the board in enforcing the provisions of this chapter. Twenty-five Dollars (\$25.00) of the fee required by this section which is assessed to residential builders licensed under the provisions of Section 73-59-1 et seq. shall be deposited to the Construction Education Fund created pursuant to Section 31-3-14 and shall be distributed to the Mississippi Housing Institute. The remaining fees collected under this chapter shall be deposited into the special fund in the State Treasury known as the "State Board of Contractors Fund" created pursuant to Section 31-3-17 and shall be used for the administration and enforcement of this chapter and as provided in Section 31-3-14. Amounts in such fund shall not lapse into the State General Fund at the end of a fiscal year. Interest accrued to such fund shall remain in the fund. All expenditures from the special fund shall be by requisition to the Department of Finance and Administration, signed by the executive director of the board and countersigned by the chairman or vice chairman of the board.

( \*\* \*6) Except as provided in Section 33-1-39, the license shall expire on the last day of the twelfth month following its issuance or renewal and shall become invalid unless renewed. The board may notify by mail or email every licensee under this chapter of the date of the expiration of his license and the amount of the fee required for renewal of the license for one (1) year. To receive notification by email, a licensee must notify the board of his desire to receive notification by email and provide an email address. Such notice may be mailed or emailed within thirty (30) days prior to the expiration date of the license. The failure on the part of any licensee to renew his license annually in such twelfth month shall not deprive such licensee of the right of renewal, provided that renewal is effected within one hundred eighty (180) days after the expiration date of the license by payment of the license fee plus a penalty of ten percent (10%) of the license fee. A new license required to replace a revoked, lost, mutilated or destroyed license may be issued, subject to the rules of the board, for a charge of not more than Fifty Dollars (\$50.00). An inactive licensee may become an active licensee upon application meeting all the requirements of this section.

( \*\* \*7) Any person who is not a resident of the State of Mississippi who desires to perform residential construction or residential improvement shall be licensed to perform such construction or improvement as provided by this chapter.

SECTION 5. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 19-5-9, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN COUNTIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION

TO CONSTRUCTION WITHIN THE UNINCORPORATED AREAS OF A COUNTY; TO AMEND SECTION 21-19-25, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN MUNICIPALITIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE MUNICIPALITY'S JURISDICTION; TO AMEND SECTION 73-59-1 TO INCREASE THE MONETARY THRESHOLD OF IMPROVEMENTS TO AN EXISTING RESIDENCE A PERSON MUST MEET IN ORDER TO FALL WITHIN THE DEFINITION OF REMODELER; TO AMEND 73-59-3, MISSISSIPPI CODE OF 1972, TO ESTABLISH AN ALTERNATIVE LICENSURE PROCEDURE FOR THE STATE BOARD OF CONTRACTORS; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE SENATE

## CONFEREES FOR THE HOUSE

Angela Burks Hill

John Thomas "Trey" Lamar, III

Jody Steverson

Benjamin Suber

Shane Barnett

Senator McMahan made a substitute motion that the Conference Committee Report on **S. B. No. 2612** (version 2) be recommitted and the motion failed by the following vote:

YEAS AND NAYS. The yeas and nays being taken, the substitute motion to recommit failed by the following vote:

Yeas--Blackwell, Boyd, Bryan, Butler K. (38th), DeLano, Frazier, Harkins, Kirby, McMahan, Michel, Norwood, Parker, Parks, Polk, Thompson, Wiggins, Williams. Total--17.

Nays--Barnett, Barrett, Blackmon, Branning, Butler A. (36th), Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Hill, Horhn, Jackson, Johnson, Jordan, McCaughn, McDaniel, Moran, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Turner-Ford, Whaley, Younger. Total--28.

Absent and those not voting--Blount, Carter, Hopson, McLendon, Thomas. Total--5.

Senator Hickman, who would have voted nay on S. B. No. 2612, announced a pair with Senator Simmons D. T. (12th), who would have voted yea.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2612** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Branning, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, McCaughn, McDaniel, Moran, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Turner-Ford, Whaley. Total--28.

Nays--Blackwell, Blount, Boyd, Bryan, Butler A. (36th), Carter, DeLano, Frazier, Harkins, Kirby, McMahan, Michel, Norwood, Parker, Parks, Polk, Thomas, Thompson, Wiggins, Williams, Younger. Total--21.

Absent and those not voting---None.

Voting Present--McLendon. Total--1.

Senator Butler K. (38th), who would have voted yea on S. B. No. 2612, announced a pair with Senator Simmons D. T. (12th), who would have voted nay.

Senator Wiggins moved that the rules be suspended to move to calendar item 38, **H. B. No. 510**, and the motion prevailed.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 510** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 510: Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-15-13, Mississippi Code of 1972, is amended as follows:

43-15-13. (1) For purposes of this section, "children" means persons found within the state who are under the age of twenty-one (21) years, and who were placed in the custody of the Department of Child Protection Services by the youth court of the appropriate county. For purposes of this chapter, "commercial sexual exploitation" means any sexual act or crime of a sexual nature, which is committed against a child for financial or economic gain, to obtain a thing of value, for quid pro quo exchange of property or any other purpose.

(2) The Department of Child Protection Services shall establish a foster care placement program for children whose custody lies with the department, with the following objectives:

- (a) Protecting and promoting the health, safety and welfare of children;
- (b) Preventing the unnecessary separation of children from their families by identifying family problems, assisting families in resolving their problems and preventing the breakup of the family where the prevention of child removal is desirable and possible when the child can be cared for at home without endangering the child's health and safety;
- (c) Remedying or assisting in the solution of problems that may result in the neglect, abuse, exploitation, commercial sexual exploitation, human trafficking or delinquency of children;
- (d) Restoring to their families children who have been removed, by the provision of services to the child and the families when the child can be cared for at home without endangering the child's health and safety;

(e) Placing children in suitable adoptive homes approved by a licensed adoption agency or family protection specialist, in cases where restoration to the biological family is not safe, possible or appropriate;

(f) Assuring safe and adequate care of children away from their homes, in cases where the child cannot be returned home or cannot be placed for adoption, including temporary or emergency placement with a relative or fictive kin pending youth court action on the case. At the time of placement, the department shall implement concurrent planning, as described in subsection (8) of this section, so that permanency may occur at the earliest opportunity. Consideration of possible failure or delay of reunification should be given, to the end that the placement made is the best available placement to provide permanency for the child; and

(g) Providing a family protection specialist or worker or team of such specialists or workers for a family and child throughout the implementation of their permanent living arrangement plan. Wherever feasible, the same family protection specialist or worker or team shall remain on the case until the child is no longer under the jurisdiction of the youth court.

(3) The Department of Child Protection Services shall administer a system of individualized plans, reviews and reports once every six (6) months for each child under its custody within the State of Mississippi, which document each child who has been adjudged a neglected, abandoned or abused child, including a child alleged to have experienced commercial sexual exploitation and/or human trafficking and whose custody was changed by court order as a result of that adjudication, and each public or private facility licensed by the department. The Department of Child Protection Services' administrative review shall be completed on each child within the first three (3) months and a relative placement, fictive kin placement, or foster care review once every six (6) months after the child's initial forty-eight-hour shelter hearing. That system shall be for the purpose of enhancing potential family life for the child by the development of individual plans to return the child to the child's natural parent or parents, or to refer the child to the appropriate court for termination of parental rights and placement in a permanent relative's home, adoptive home or foster/adoptive home. The goal of the Department of Child Protection Services shall be to return the child to the child's natural parent(s) or refer the child to the appropriate court for termination of parental rights and placement in a permanent relative's home, adoptive home or foster/adoptive home within the time periods specified in this subsection or in subsection (4) of this section. In furthering this goal, the department shall establish policy and procedures designed to appropriately place children in permanent homes, and provide counseling services and other appropriate services to children who have been victims of commercial sexual exploitation or human trafficking. The policy shall include a system of reviews for all children in foster care, as follows: foster care counselors in the department shall make all possible contact with the child's natural parent(s), custodial parent(s) of all siblings of the child, and any interested relative for the first two (2) months following the child's entry into the foster care system, and provide care for victims of commercial sexual exploitation or human trafficking. For purposes of contacting custodial parent(s) of a sibling, siblings include those who are considered a sibling under state law, and those who would have been considered a sibling under state law, except for termination or disruption of parental rights. For any child who has been in foster care for fifteen (15) of the last twenty-two (22) months regardless of whether the foster care was continuous for all of those twenty-two (22) months, the department shall file a petition to terminate the parental rights of the child's parents. The time period starts to run from the date the court makes a finding of abuse and/or neglect, or commercial sexual exploitation or human trafficking, or sixty (60) days from when the child was removed from his or her home, whichever is earlier. The department can choose not to file a termination of parental rights petition if the following apply:

(a) The child is being cared for by a relative; and/or

(b) The department has documented compelling and extraordinary reasons why termination of parental rights would not be in the best interests of the child. Before granting or denying a request by the department for an extension of time for filing a termination of parental rights action, the court shall receive a written report on the progress which a parent of the child has made in treatment, to be made to the court in writing by a mental health/substance abuse therapist or counselor.

(4) In the case of any child who is placed in foster care on or after July 1, 1998, except in cases of aggravated circumstances prescribed in Section 43-21-603(7)(c), the child's natural parent(s) will have a reasonable time to be determined by the court, which shall not exceed a six-month period of time, in which to meet the service agreement with the department for the benefit of the child unless the department has documented extraordinary and compelling reasons for extending the time period in the best interest of the child. If this agreement has not been satisfactorily met, simultaneously the child will be referred to the appropriate court for termination of parental rights and placement in a permanent relative's home, adoptive home or a foster/adoptive home. For children under the age of three (3) years, termination of parental rights shall be initiated within six (6) months, unless the department has documented compelling and extraordinary circumstances, and placement in a permanent relative's home, adoptive home or foster/adoptive home within two (2) months. For children who have been abandoned under the provisions of Section 97-5-1, termination of parental rights shall be initiated within thirty (30) days and placement in an adoptive home shall be initiated without necessity for placement in a foster home. The department need not initiate termination of parental rights proceedings where the child has been placed in durable legal custody, durable legal relative guardianship, or long-term or formalized foster care by a court of competent jurisdiction.

(5) The foster care review once every six (6) months shall be conducted by the youth court or its designee(s), and/or by personnel within the Department of Child Protection Services or by a designee or designees of the department and may include others appointed by the department, and the review shall include at a minimum an evaluation of the child based on the following:

(a) The extent of the care and support provided by the parents or parent while the child is in temporary custody;

(b) The extent of communication with the child by parents, parent or guardian;

(c) The degree of compliance by the agency and the parents with the social service plan established;

(d) The methods of achieving the goal and the plan establishing a permanent home for the child;

(e) Social services offered and/or utilized to facilitate plans for establishing a permanent home for the child; and

(f) Relevant testimony and recommendations from the foster parent of the child, the grandparents of the child, the guardian ad litem of the child, when appointed, the Court-Appointed Special Advocate (CASA) of the child, representatives of any private care agency that has cared for the child, the family protection worker or family protection specialist assigned to the case, and any other relevant testimony pertaining to the case.

Each child's review plan once every six (6) months shall be filed with the court which awarded custody and shall be made available to natural parents or foster parents upon approval of the court. The court shall make a finding as to the degree of compliance by the agency and the parent(s) with the child's social service plan. The court also shall find that the child's health and safety are the paramount concern. In the interest of the

child, the court shall, where appropriate, initiate proceedings on its own motion. The Department of Child Protection Services shall report to the Legislature as to the number of those children, the findings of the foster care review board and relevant statistical information in foster care in a semiannual report to the Legislature to be submitted to the Joint Oversight Committee of the Department of Child Protection Services. The report shall not refer to the specific name of any child in foster care.

(6) (a) The Department of Child Protection Services, with the cooperation and assistance of the State Department of Health, shall develop and implement a training program for foster care parents to indoctrinate them as to their proper responsibilities upon a child's entry into their foster care. The program shall provide a minimum of twelve (12) clock hours of training, which shall include training foster care parents about providing mental and physical support to children who have experienced commercial sexual exploitation or human trafficking. The foster care training program shall be satisfactorily completed by such foster care parents before or within ninety (90) days after child placement with the parent. Record of the foster care parent's training program participation shall be filed with the court as part of a child's foster care review plan once every six (6) months.

(b) (i) The court may waive foster care training for an appropriate relative placement.

(ii) A relative exempted from foster care training is not eligible for board payments, foster care payments, kinship care payments, therapeutic care payments, or any other monthly payments from the department to assist in the care of the child.

(7) When the Department of Child Protection Services is considering placement of a child in a foster home and when the department deems it to be in the best interest of the child, the department shall give first priority to placing the child in the home of one (1) of the child's relatives within the third degree, as computed by the civil law rule.

(a) In placing the child in a relative's home, the department may waive any rule, regulation or policy applicable to placement in foster care that would otherwise require the child to have a separate bed or bedroom or have a bedroom of a certain size, if placing the child in a relative's home would be in the best interest of the child and those requirements cannot be met in the relative's home.

(b) The court may waive foster care training for a relative only when appropriate.

(8) The Legislature recognizes that the best interests of the child require that the child be placed in the most permanent living arrangement as soon as is practicably possible. To achieve this goal, the Department of Child Protection Services is directed to conduct concurrent planning so that a permanent living arrangement may occur at the earliest opportunity. Permanent living arrangements may include prevention of placement of a child outside the home of the family when the child can be cared for at home without endangering the child's health or safety; reunification with the family, when safe and appropriate, if temporary placement is necessary; or movement of the child toward the most permanent living arrangement and permanent legal status. When a child is placed in foster care or relative care, the department shall first ensure and document that reasonable efforts, as defined in Section 43-21-105, were made to prevent or eliminate the need to remove the child from the child's home. The department's first priority shall be to make reasonable efforts to reunify the family when temporary placement of the child occurs or shall request a finding from the court that reasonable efforts are not appropriate or have been unsuccessful. A decision to place a child in foster care or relative care shall be made with consideration of the child's health, safety and best interests. At the time of placement, consideration should also be given so that if reunification fails or is delayed, the placement made is the best available placement to provide a permanent living

arrangement for the child. The department shall adopt rules addressing concurrent planning for reunification and a permanent living arrangement. The department shall consider the following factors when determining appropriateness of concurrent planning:

- (a) The likelihood of prompt reunification;
- (b) The past history of the family;
- (c) The barriers to reunification being addressed by the family;
- (d) The level of cooperation of the family;
- (e) The foster parents' willingness to work with the family to reunite;

(f) The willingness and ability of the foster family or relative placement to provide an adoptive home or long-term placement;

- (g) The age of the child; and
- (h) Placement of siblings.

(9) If the department has placed a child in foster care or relative care under a court order, the department may not change the child's placement unless the department specifically documents to the court that the current placement is unsafe or unsuitable or that another placement is in the child's best interests unless the new placement is in an adoptive home or other permanent placement. Except in emergency circumstances as determined by the department or where the court orders placement of the child under Section 43-21-303, the foster parents, grandparents or other relatives of the child shall be given an opportunity to contest the specific reasons documented by the department at least seventy-two (72) hours before any such departure, and the court may conduct a review of that placement unless the new placement is in an adoptive home or other permanent placement. When a child is returned to foster care or relative care, the former foster parents or relative placement shall be given the prior right of return placement in order to eliminate additional trauma to the child.

(10) The Department of Child Protection Services shall provide the foster parents, grandparents or other relatives with at least a seventy-two-hour notice of departure for any child placed in their foster care or relative care, except in emergency circumstances as determined by the department or where the court orders placement of the child under Section 43-21-303. The parent/legal guardian, grandparents of the child, guardian ad litem and the court exercising jurisdiction shall be notified in writing when the child leaves foster care or relative care placement, regardless of whether the child's departure was planned or unplanned. The only exceptions to giving a written notice to the parent(s) are when a parent has voluntarily released the child for adoption or the parent's legal rights to the child have been terminated through the appropriate court with jurisdiction.

(11) There is hereby created a Foster Parents' Bill of Rights and Responsibilities which shall be provided to all foster parents at foster parent training. The Department of Child Protection Services shall extend the following rights to persons who provide foster care and relative care:

- (a) A clear understanding of their role while providing care and the roles of the birth parent(s) and the placement agency in respect to the child in care;
- (b) Respect, consideration, trust and value as a family who is making an important contribution to the agency's objectives;

(c) Notification of benchmarks that will be required of the foster parent such as appointments, home visits with department personnel, visitations of the child at school and meetings between department personnel and the child's family;

(d) Advance notice of information regarding scheduled meetings other than meetings where the Department of Child Protection Services personnel or social workers are going to the foster parent's home for site visits, appointments and court hearings concerning the foster child;

(e) The opportunity to communicate with professionals who work with the foster child including therapists, physicians and teachers who work directly with the child;

(f) The opportunity to communicate and collaborate, without threat of reprisal, with a department representative when further educational services are needed to ensure the child's educational needs are met, including services such as an Individualized Educational Plan (IEP), tutoring, occupational therapy, speech therapy and after-school programs;

(g) The opportunity to attend all IEP meetings, along with the department worker, at the child's school as long as the child is in custody and receiving special educational services;

(h) The opportunity to communicate with the foster child's guardian ad litem;

(i) The opportunity to attend all youth court hearings involving a foster child occurring while that child is placed in their care without being a party to the youth court action, unless the youth court determines that any foster parent should not be present. Foster parents may attend all youth court hearings and have legal counsel attend and observe with them if the child's permanent plan is adoption by the foster parents, unless the youth court determines that any foster parent should not be present. Foster parents may communicate with the guardian ad litem in writing at any time. Foster parents may ask to be heard concerning the best interest of the child at any disposition or permanency hearing;

(j) When the dates of the permanency hearing and permanency review hearing have been set by the youth court, and if necessary to fulfill the notice requirements, the judge or the judge's designee shall order the clerk of the youth court to issue a summons to the foster parents to appear personally at the hearings as provided by Section 43-21-501;

(k) The opportunity to request from the youth court permission to communicate with the child's birth family, previous foster parents of the child, and prospective and finalized adoptive parents of the child, without the threat of reprisal. However, this right creates no obligation of the birth family, previous foster parents, or prospective and finalized adoptive parents to communicate in return;

( \*\*\*) Involvement in all the agency's crucial decisions regarding the child as team members who have pertinent information based on their day-to-day knowledge of the child in care and involvement in planning, including, but not limited to, individual service planning meetings, foster care review, individual educational planning meetings, and medical appointments;

(m) The opportunity to participate in the planning of visitations between the child and the child's siblings, parents or former guardians or other biological family members which have been previously authorized by the youth court. Visitations shall be scheduled at a time and place meeting the needs of the child, the biological family, and the foster family. Recognizing that visitation with family members is an important right of children in foster care, foster parents shall be flexible and cooperative with regard to family visits but shall retain the right to reasonable advance notice of all scheduled visitations;



(n) The ability to communicate with department personnel or representatives twenty-four (24) hours a day, seven (7) days a week, for the purpose of aiding the foster parent;

(o) A comprehensive list of all resources available to the foster parent and child, including dental providers, medical providers, respite workers in the area, day cares, and methods for submitting reimbursements;

( \*\* \*p) Support from the family protection worker or the family protection specialist in efforts to do a better day-to-day job in caring for the child and in working to achieve the agency's objectives for the child and the birth family through provision of:

(i) A copy of the "Foster Child Information Form" and all other pertinent information about the child and the birth family, including medical, dental, behavioral health history, psychological information, educational status, cultural and family background, and other issues relevant to the child which are known to the department at the time the child is placed in foster care prior to the child's placement with a foster parent or parents. The department shall make reasonable efforts to gather and provide all additional current medical, dental, behavioral, educational and psychological information reasonably available from the child's service providers within fifteen (15) days of placement. When the department learns of such information after fifteen (15) days of placement, the department shall communicate such information to the foster parent as soon as practicable;

(ii) An explanation of the plan for placement of the child in the foster parent's home and the ongoing and timely communication of any necessary information which is relevant to the care of the child, including any changes in the case plan;

( \*\* \*iii) Help in using appropriate resources to meet the child's needs, including counseling or other services for victims of commercial sexual exploitation or human trafficking;

( \*\* \*iv) Direct interviews between the family protection worker or specialist and the child, previously discussed and understood by the foster parents;

( \*\* \*v) Information regarding whether the child experienced commercial sexual exploitation or human trafficking;

(vi) Information related to the Healthy, Hunger-Free Kids Act of 2010. Foster parents shall protect the confidentiality of the child by working directly with a designated school official to complete the application for free lunches.

( \*\* \*q) The opportunity to develop confidence in making day-to-day decisions in regard to the child;

( \*\* \*r) The opportunity to learn and grow in their vocation through planned education in caring for the child;

( \*\* \*s) The opportunity to be heard regarding agency practices that they may question;

( \*\* \*t) Information related to all costs eligible for reimbursement, including:

(i) Reimbursement for costs of the child's care in the form of a board payment based on the age of the child as prescribed in Section 43-15-17 unless the relative is exempt from foster care training and chooses to exercise the exemption; and

( \*\* \*ii) Reimbursement for property damages caused by children in the custody of the Department of Child Protection Services in an amount not to exceed

Five Hundred Dollars (\$500.00), as evidenced by written documentation. The Department of Child Protection Services shall not incur liability for any damages as a result of providing this reimbursement.

(12) The Department of Child Protection Services shall require the following responsibilities from participating persons who provide foster care and relative care:

(a) Understanding the department's function in regard to the foster care and relative care program and related social service programs;

(b) Sharing with the department any information which may contribute to the care of children;

(c) Functioning within the established goals and objectives to improve the general welfare of the child;

(d) Recognizing the problems in home placement that will require professional advice and assistance and that such help should be utilized to its full potential;

(e) Recognizing that the family who cares for the child will be one of the primary resources for preparing a child for any future plans that are made, including return to birth parent(s), termination of parental rights or reinstitutionalization;

(f) Expressing their views of agency practices which relate to the child with the appropriate staff member;

(g) Understanding that all information shared with the persons who provide foster care or relative care about the child and his/her birth parent(s) must be held in the strictest of confidence;

(h) Cooperating with any plan to reunite the child with his birth family and work with the birth family to achieve this goal; and

(i) Attending dispositional review hearings and termination of parental rights hearings conducted by a court of competent jurisdiction, or providing their recommendations to the \* \* \* guardian ad litem in writing.

(13) The department shall develop a grievance procedure for foster parents to raise any complaints or concerns regarding the provisions of Section 43-15-13(11) or (12).

(14) Nothing in this section shall be construed to create a private right of action or claim on the part of any individual, the department, or any child-placing agency.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-15-13, MISSISSIPPI CODE OF 1972, TO AMEND THE RIGHTS AND RESPONSIBILITIES OF FOSTER PARENTS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Angela Cockerham

Lee Yancey

Kevin Felsher

CONFEREES FOR THE SENATE

Brice Wiggins

Nicole Boyd

Jason Barrett

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 510** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Blackmon, Simmons S. (13th). Total--2.

Absent and those not voting----None.

Senator Hickman, who would have voted yea on H. B. No. 510, announced a pair with Senator Simmons D. T. (12th), who would have voted nay.

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MESSAGE FROM THE GOVERNOR  
March 30, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2323:** Community hospitals; allow consolidation and collaboration involving other hospitals. (March 30, 2023, 12:00 PM)

**S. B. No. 2369:** Department of Human Services; extend repealers and revise certain applicable sections. (March 30, 2023, 12:02 PM)

**S. B. No. 2750:** Automated External Defibrillators in Public Places Grant Program; establish. (March 30, 2023, 12:04 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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REFERENCE TO COMMITTEES OF HOUSE BILLS AND CONCURRENT  
RESOLUTIONS RECEIVED FROM THE HOUSE OF REPRESENTATIVES

**H. C. R. No. 64:** Speaker Philip Gunn; commend on the esteemed and laudable legislative career of. Rules.

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 2:41 PM, the Senate stood in recess.

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The Senate resumed business at 3:45 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON RULES

Mr. President: The above-named committee has had under consideration the following measures and reports same back with the following recommendations:

**S. R. No. 102:** Congratulate Cooper Conner State Games "Youth Athlete of the Year." Title Sufficient. Do Be Adopted.

**S. R. No. 103:** Celebrating the 100th Anniversary of the Montgomery County Farm Bureau. Title Sufficient. Do Be Adopted.

**S. R. No. 104:** Recognize the 50th Anniversary of the establishment of JSU Department of Political Science. Title Sufficient. Do Be Adopted.

**S. R. No. 110:** Commend Booneville "Blue Devils" Middle School Boys Basketball Team for winning MS Middle School Basketball Championship. Title Sufficient. Do Be Adopted.

**S. R. No. 111:** Commend Belmont "Lady Cardinals" Junior High Basketball Team for winning MS Middle School Basketball Invitational Championship. Title Sufficient. Do Be Adopted.

**H. C. R. No. 57:** Dr. Daphine Hill; commend accomplishments of. Title Sufficient. Do Be Adopted.

**H. C. R. No. 58:** Dr. Kent Hoblet; commend for many years of dedicated service as Dean of Mississippi State University's College of Veterinary Medicine. Title Sufficient. Do Be Adopted.

**H. C. R. No. 56:** Representative Edward Blackmon, Jr.; commend distinguished legislative career and public service of upon the occasion of his retirement. Title Sufficient. Do Be Adopted.

**H. C. R. No. 59:** Representative Tommy Reynolds; commend distinguished legislative career and public service of upon the occasion of his retirement. Title Sufficient. Do Be Adopted.

**H. C. R. No. 62:** Representative Tom Weathersby; commend distinguished legislative career and public service of upon the occasion of his retirement. Title Sufficient. Do Be Adopted.

**H. C. R. No. 63:** Representative Alyce G. Clarke; commend distinguished legislative career and public service upon the special occasion of her retirement. Title Sufficient. Do Be Adopted.

**H. C. R. No. 64:** Speaker Philip Gunn; commend on the esteemed and laudable legislative career of. Title Sufficient. Do Be Adopted.

**S. R. No. 105:** Commend Senate service of Chris McDaniel. Title Sufficient. Do Be Adopted.

**S. R. No. 106:** Commend Senate service of Melanie Sojourner. Title Sufficient. Do Be Adopted.

**S. R. No. 107:** Commend Senate service of Chris Caughman. Title Sufficient. Do Be Adopted.

**S. R. No. 108:** Commend Senate service of Barbara Blackmon. Title Sufficient. Do Be Adopted.

**S. R. No. 109:** Commend Senate service of Robert L. Jackson. Title Sufficient. Do Be Adopted.

KIRBY, Chairman

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Senator Wiggins moved that the rules be suspended to move to calendar item 42, **H. B. No. 1149**, and the motion prevailed.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1149** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1149: Path to permanency; provide for children in Child Protection Services.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-21-201, Mississippi Code of 1972, is amended as follows:

43-21-201. (1) (a) Each party shall have the right to be represented by counsel at all stages of the proceedings including, but not limited to, detention, shelter, adjudicatory and disposition hearings and parole or probation revocation proceedings.

(b) In delinquency matters the court shall appoint legal defense counsel who is not also a guardian ad litem for the same child. If the party is a child, the child shall be represented by counsel at all critical stages: detention, adjudicatory and disposition hearings; parole or probation revocation proceedings; and post-disposition matters. If indigent, the child shall have the right to have counsel appointed for him by the youth court.

(c) A child who is alleged to have been abused or neglected shall be deemed to be a party to the proceedings under this chapter. The child shall be represented by an attorney at all stages of any proceedings held pursuant to this chapter. The court shall appoint an attorney to any child who is unrepresented.

The guardian ad litem may serve a dual role as long as no conflict of interest is present. If a conflict of interest arises, the guardian ad litem shall inform the Youth Court of the conflict and the youth court shall retain the guardian ad litem to represent the best interest of the child and appoint an attorney to represent the child's preferences as required by Uniform Rule of Youth Court Practice 13(f).

(2) When a party first appears before the youth court, the judge shall ascertain whether he is represented by counsel and, if not, inform him of his rights including his right to counsel. If the court determines that a parent or guardian who is a party in an abuse, neglect or termination of parental rights proceeding is indigent, the youth court judge may appoint counsel to represent the indigent parent or guardian in the proceeding.

(3) An attorney appointed to represent a \* \* \* child shall be required to complete annual juvenile justice training that is approved by the Mississippi Office of State Public Defender and the Mississippi Commission on Continuing Legal Education. An attorney appointed to represent a parent or guardian in an abuse, neglect or termination of parental rights proceeding shall be required to complete annual training that is approved by the Office of State Public Defender and the Mississippi Commission on Continuing Legal Education. The Mississippi Office of State Public Defender and the Mississippi Commission on Continuing Legal Education shall determine the amount of juvenile justice training and continuing education required to fulfill the requirements of this subsection. The State Public Defender shall maintain a roll of attorneys who have complied with the training requirements and shall enforce the provisions of this subsection. Should an attorney fail to complete the annual training requirement or fail to attend the required training within six (6) months of being appointed to a youth court case, the attorney shall be disqualified to serve and the youth court shall immediately terminate the representation and appoint another attorney. Attorneys appointed by a youth court to five (5) or fewer cases a year are exempt from the requirements of this subsection.

(4) The child's attorney shall owe the same duties of undivided loyalty, confidentiality and competent representation to the child or minor as is due an adult client pursuant to the Mississippi Rules of Professional Conduct.

(5) An attorney shall enter his appearance on behalf of a party in the proceeding by filing a written notice of appearance with the youth court, by filing a pleading, notice or motion signed by counsel or by appearing in open court and advising the youth court that he is representing a party. After counsel has entered his appearance, he shall be served with copies of all subsequent pleadings, motions and notices required to be served on the party he represents. An attorney who has entered his appearance shall not be permitted to withdraw from the case until a timely appeal, if any, has been decided, except by leave of the court then exercising jurisdiction of the cause after notice of his intended withdrawal is served by him on the party he represents.

(6) Each designee appointed by a youth court judge shall be subject to the Code of Judicial Conduct and shall govern himself or herself accordingly.

(7) The Department of Child Protection Services shall be a necessary party at all stages of the proceedings involving a child for whom the department has custody, including, but not limited to, shelter, adjudicatory, disposition, permanency hearings and termination of parental rights.

SECTION 2. Section 43-21-501, Mississippi Code of 1972, is amended as follows:

43-21-501. When a petition has been filed and the date of hearing has been set by the youth court, the judge or his designee shall order the clerk of the youth court to issue a summons to the following to appear personally at such hearing:

- (a) The child named in the petition;
- (b) The person or persons who have custody or control of the child;
- (c) The parent or guardian of the child if such parent or guardian does not have custody of the child; \* \* \*
- (d) The Department of Child Protection Services; and
- ( \* \* \*e) Any other person whom the court deems necessary.

SECTION 3. Section 43-21-701, Mississippi Code of 1972, is amended as follows:

43-21-701. (1) There is \* \* \* established the Mississippi Commission on a Uniform Youth Court System and Procedures. The commission shall consist of the following \* \* \* twenty-one (21) members:

- (a) One (1) circuit court judge appointed by the Chief Justice of the Mississippi Supreme Court;
- (b) One (1) chancery court judge, appointed by the Chief Justice of the Mississippi Supreme Court;
- (c) The President of the Mississippi Council of Youth Court Judges, or his designee;
- (d) Two (2) who may be either family court judges or county court judges, appointed by the President of the Mississippi Council of Youth Court Judges;
- (e) Two (2) youth court referees, appointed by the President of the Mississippi Council of Youth Court Judges;
- (f) One (1) member of the Mississippi House of Representatives to be appointed by the Speaker of the House;
- (g) One (1) member of the Mississippi Senate to be appointed by the Lieutenant Governor;
- (h) The directors of the following state agencies or their designated representatives: the Mississippi Department of \* \* \* Human Services and the Mississippi Department of \* \* \* Child Protection Services;
- (i) The director or his designated representative of the Governor's Office of Federal-State Programs;
- (j) \* \* \* Two (2) employees, other than the \* \* \* commissioner, of the Department of \* \* \* Child Protection Services who \* \* \* are supervisors of social workers primarily assigned to youth cases, appointed by the Governor;

(k) One (1) employee, other than the commissioner, of the Department of Child Protection Services who is experienced with the legal process of youth court cases, appointed by the Governor;

( \*\*l) One (1) municipal police chief, appointed by the Governor;

( \*\*m) One (1) county sheriff, appointed by the Governor;

( \*\*n) Two (2) lawyers experienced in youth court work, appointed by the Governor; and

( \*\*o) Two (2) prosecuting attorneys who prosecute cases in youth court, appointed by the Governor.

(2) The members shall be appointed to the commission within fifteen (15) days of the effective date of Sections 43-21-701 and 43-21-703 and shall serve until the end of their respective terms of office, if applicable, or until October 1, \*\* 2024, whichever occurs first. Vacancies on the commission shall be filled in the manner of the original appointment. Members shall be eligible for reappointment provided that upon such reappointment they meet the qualifications required of a new appointee.

(3) The commission may elect any officers from among its membership as it deems necessary for the efficient discharge of the commission's duties.

(4) The commission shall adopt rules and regulations governing times and places for meetings and governing the manner of conducting its business. \*\* Twelve (12) or more members shall constitute a quorum for the purpose of conducting any business of the commission; provided, however, a vote of not less than \*\* fourteen (14) members shall be required for any recommendations to the Legislature.

(5) Members of the commission shall serve without compensation, except that state and county employees and officers shall receive any per diem as authorized by law from appropriations available to their respective agencies or political subdivisions. All commission members shall be entitled to receive reimbursement for any actual and reasonable expenses incurred as a necessary incident to service on the commission, including mileage as provided by law.

(6) The commission may select and employ a research director who shall perform the duties which the commission directs, which duties shall include the hiring of such other employees for the commission as the commission may approve. The research director and all other employees of the commission shall be in the state service and their salaries shall be established by the commission subject to approval by the State Personnel Board. Employees of the commission shall be reimbursed for the expenses necessarily incurred in the performance of their official duties in the same manner as other state employees. The commission may also employ any consultants it deems necessary, including consultants to compile any demographic data needed to accomplish the duties of the commission.

(7) The Governor's Office of Federal-State Programs shall support the Commission on a Uniform Youth Court System and shall act as agent for any funds made available to the commission for its use. In order to expedite the implementation of the Commission on a Uniform Youth Court System, any funds available to the Governor's Office of Federal-State Programs for the \*\* 2023-2024 fiscal year may be expended for the purpose of defraying the expenses of the commission created herein.

(8) The commission may contract for suitable office space in accordance with the provisions of Section 29-5-2, Mississippi Code of 1972. In addition, the commission may utilize, with their consent, the services, equipment, personnel, information and resources



of other state agencies; and may accept voluntary and uncompensated services, contract with individuals, public and private agencies, and request information, reports and data from any agency of the state, or any of its political subdivisions, to the extent authorized by law.

(9) In order to conduct and carry out its purposes, duties and related activities as provided for in this section and Section 43-21-703, the commission is authorized to apply for and accept gifts, grants, subsidies and other funds from persons, corporations, foundations, the United States government or other entities, provided that the receipt of such gifts, grants, subsidies and funds shall be reported and otherwise accounted for in the manner provided by law.

SECTION 4. Section 43-21-703, Mississippi Code of 1972, is amended as follows:

43-21-703. (1) The commission shall study the youth court system in Mississippi, and prepare a report including any proposed changes in the youth court system and/or its procedures. It shall submit the report to the Legislature, on or before October 1, \* \* \* 2024, along with a report detailing any legislation which may be needed to implement the plan. In preparing the report, the commission shall evaluate the existing juvenile services in the state and may recommend changes in the organizational concepts, institutions, laws and resources.

(2) In formulating its report, the commission shall take into consideration the following:

(a) Whether a uniform statewide youth court system would be desirable;

(b) How best the service needs of the state could be met in relation to the taxing and resource capacity of various multi-county districts now existing or proposed;

(c) Whether counties in a given service area or district may develop district shelters, detention centers and diagnostic centers to serve a multi-county area; and

(d) What proposals or alternatives would update or modernize the system to provide staffing for all counties and citizens.

(3) The commission, in addition to recommending the plan described in this section, shall serve as a clearinghouse and information center for the collection, preparation, analysis and dissemination of information on the youth court system in Mississippi and shall conduct ongoing research relating to the improvement of the youth court system. Pursuant to its duties under this subsection, the commission may request the regular submission to it of such reports, information and statistics by the courts, judges, prosecuting attorneys and agencies of this state which the commission deems necessary for the development of its reports.

SECTION 5. Section 93-15-107, Mississippi Code of 1972, is amended as follows:

93-15-107. (1) (a) Involuntary termination of parental rights proceedings are commenced upon the filing of a petition under this chapter. The petition may be filed by any interested person, or any agency, institution or person holding custody of the child. The simultaneous filing of a petition for adoption is not a prerequisite for filing a petition under this chapter.

(b) The proceeding shall be triable, either in term time or vacation, thirty (30) days after personal service of process to any necessary party or, for a necessary party whose address is unknown after diligent search, thirty (30) days after the date of the first publication of service of process by publication that complies with the Mississippi Rules of Civil Procedure.

(c) Necessary parties to a termination of parental rights action shall include the mother of the child, the legal father of the child, the putative father of the child when known, and any agency, institution or person holding custody of the child. The absence of a necessary party who has been properly served does not preclude the court from conducting the hearing or rendering a final judgment.

(d) A guardian ad litem shall be appointed to protect the best interest of the child, except that the court, in its discretion, may waive this requirement when a parent executes a written voluntary release to terminate parental rights. The guardian ad litem fees shall be determined and assessed in the discretion of the court.

(2) Voluntary termination of parental rights by written voluntary release is governed by Section 93-15-111.

(3) In all cases involving termination of parental rights, a minor parent shall be served with process as an adult.

(4) The court may waive service of process if an adoptive child was born in a foreign country, put up for adoption in the birth country, and has been legally admitted into this country.

(5) The clerk shall docket cases seeking relief under this chapter as priority cases. The assigned judge shall be immediately notified when a case is filed in order to provide for expedited proceedings.

SECTION 6. Section 93-17-3, Mississippi Code of 1972, is amended as follows:

93-17-3. (1) Except as otherwise provided in this section, a court of this state has jurisdiction over a proceeding for the adoption or readoption of a minor commenced under this chapter if:

(a) Immediately before commencement of the proceeding, the minor lived in this state with a parent, a guardian, a prospective adoptive parent or another person acting as parent, for at least six (6) consecutive months, excluding periods of temporary absence, or, in the case of a minor under six (6) months of age, lived in this state from soon after birth with any of those individuals and there is available in this state substantial evidence concerning the minor's present or future care;

(b) Immediately before commencement of the proceeding, the prospective adoptive parent lived in this state for at least six (6) consecutive months, excluding periods of temporary absence, and there is available in this state substantial evidence concerning the minor's present or future care;

(c) The agency that placed the minor for adoption is licensed in this state and it is in the best interest of the minor that a court of this state assume jurisdiction because:

(i) The minor and the minor's parents, or the minor and the prospective adoptive parent, have a significant connection with this state; and

(ii) There is available in this state substantial evidence concerning the minor's present or future care;

(d) The minor and the prospective adoptive parent or parents are physically present in this state and the minor has been abandoned or it is necessary in an emergency to protect the minor because the minor has been subjected to or threatened with mistreatment or abuse or is otherwise neglected, and the prospective adoptive parent or parents, if not residing in Mississippi, have completed and provided the court with a satisfactory Interstate Compact for Placement of Children (ICPC) home study and

accompanying forms, unless the court determines that the home study is not necessary in the case of an adoption by a stepparent or a relative or in the case of an adoption in a foster-to-adopt placement;

(e) It appears that no other state would have jurisdiction under prerequisites substantially in accordance with paragraphs (a) through (d), or another state has declined to exercise jurisdiction on the ground that this state is the more appropriate forum to hear a petition for adoption of the minor, and it is in the best interest of the minor that a court of this state assume jurisdiction; or

(f) The child has been adopted in a foreign country, the agency that placed the minor for adoption is licensed in this state, and it is in the best interest of the child to be readopted in a court of this state having jurisdiction.

(2) A court of this state may not exercise jurisdiction over a proceeding for adoption of a minor if, at the time the petition for adoption is filed, a proceeding concerning the custody or adoption of the minor is pending in a court of another state exercising jurisdiction substantially in conformity with the Uniform Child Custody Jurisdiction Act or this section unless the proceeding is stayed by the court of the other state.

(3) If a court of another state has issued a decree or order concerning the custody of a minor who may be the subject of a proceeding for adoption in this state, a court of this state may not exercise jurisdiction over a proceeding for adoption of the minor unless:

(a) The court of this state finds that the court of the state which issued the decree or order:

(i) Does not have continuing jurisdiction to modify the decree or order under jurisdictional prerequisites substantially in accordance with the Uniform Child Custody Jurisdiction Act or has declined to assume jurisdiction to modify the decree or order; or

(ii) Does not have jurisdiction over a proceeding for adoption substantially in conformity with subsection (1)(a) through (d) or has declined to assume jurisdiction over a proceeding for adoption; and

(b) The court of this state has jurisdiction over the proceeding.

(4) Any person may be adopted in accordance with the provisions of this chapter in term time or in vacation by an unmarried adult, by a married person whose spouse joins in the petition, by a married person whose spouse does not join in the petition because such spouse does not cohabit or reside with the petitioning spouse, and in any circumstances determined by the court that the adoption is in the best interest of the child. Only the consenting adult will be a legal parent of the child. The adoption shall be by sworn petition filed in the chancery court of the county in which the adopting petitioner or petitioners reside or in which the child to be adopted resides or was born, or was found when it was abandoned or deserted, or in which the home is located to which the child has been surrendered by a person authorized to so do. The petition shall be accompanied by a doctor's or nurse practitioner's certificate showing the physical and mental condition of the child to be adopted and a sworn statement of all property, if any, owned by the child. In addition, the petition shall be accompanied by affidavits of the petitioner or petitioners stating the amount of the service fees charged by any adoption agencies or adoption facilitators used by the petitioner or petitioners and any other expenses paid by the petitioner or petitioners in the adoption process as of the time of filing the petition. If the doctor's or nurse practitioner's certificate indicates any abnormal mental or physical condition or defect, the condition or defect shall not, in the discretion of the chancellor, bar the adoption of the child if the adopting parent or parents file an affidavit stating full and complete knowledge of the condition or defect and stating a desire to adopt the child, notwithstanding the condition or defect. The court shall have the power to change the

name of the child as a part of the adoption proceedings. The word "child" in this section shall be construed to refer to the person to be adopted, though an adult.

(5) No person may be placed in the home of or adopted by the prospective adopting parties before a court-ordered or voluntary home study is satisfactorily completed by a licensed adoption agency, a licensed, experienced social worker approved by the chancery court, a court-appointed guardian ad litem that has knowledge or training in conducting home studies if so directed by the court, or by the Department of \* \* \* Child Protection Services on the prospective adoptive parties if required by Section 93-17-11.

(6) No person may be adopted by a person or persons who reside outside the State of Mississippi unless the provisions of the Interstate Compact for Placement of Children (Section 43-18-1 et seq.) have been complied with. In such cases Forms 100A, 100B (if applicable) and evidence of Interstate Compact for Placement of Children approval shall be added to the permanent adoption record file within one (1) month of the placement, and a minimum of two (2) post-placement reports conducted by a licensed child-placing agency shall be provided to the Mississippi Department of Child Protection Services Interstate Compact for Placement of Children office.

(7) No person may be adopted unless the provisions of the Indian Child Welfare Act (ICWA) have been complied with, if applicable. When applicable, proof of compliance shall be included in the court adoption file prior to finalization of the adoption. If not applicable, a written statement or paragraph in the petition for adoption shall be included in the adoption petition stating that the provisions of ICWA do not apply before finalization.

(8) The readoption of a child who has automatically acquired United States citizenship following an adoption in a foreign country and who possesses a Certificate of Citizenship in accordance with the Child Citizenship Act, CAA, Public Law 106-395, may be given full force and effect in a readoption proceeding conducted by a court of competent jurisdiction in this state by compliance with the Mississippi Registration of Foreign Adoptions Act, Article 9 of this chapter.

(9) For adult adoptees who consent to the adoption, a chancellor may waive any of the petition requirements and procedural requirements within subsections (4), (5), (6) and (7) of this section.

(10) The clerk shall docket cases seeking relief under this chapter as priority cases. The assigned judge shall be immediately notified when a case is filed in order to provide for expedited proceedings.

Once the petition for termination of parental rights is filed with the court of competent jurisdiction, the court shall hold a hearing on the petition within one hundred twenty (120) calendar days of the date the petition is filed. For purposes of this section, the one hundred twenty (120) calendar day time period will commence when perfected service is made on the parents.

SECTION 7. Section 43-26-1, Mississippi Code of 1972, is amended as follows:

43-26-1. (1) There is \* \* \* created a Mississippi Department of Child Protection Services.

(2) The Chief Administrative Officer of the Department of Child Protection Services shall be the Commissioner of Child Protection Services who shall be appointed by the Governor with the advice and consent of the Senate. The commissioner shall possess the following qualifications:

(a) A bachelor's degree from an accredited institution of higher learning and ten (10) years' experience in management, public administration, finance or accounting; or

(b) A master's or doctoral degree from an accredited institution of higher learning and five (5) years' experience in management, public administration, finance, law or accounting.

\* \* \*

(3) The Department of Child Protection Services shall provide the services authorized by law to every individual determined to be eligible therefor, and in carrying out the purposes of the department, the commissioner is authorized:

(a) To formulate the policy of the department regarding child welfare services within the jurisdiction of the department;

(b) To adopt, modify, repeal and promulgate, after due notice and hearing, and where not otherwise prohibited by federal or state law, to make exceptions to and grant exemptions and variances from, and to enforce rules and regulations implementing or effectuating the powers and duties of the department under any and all statutes within the department's jurisdiction;

(c) To apply for, receive and expend any federal or state funds or contributions, gifts, devises, bequests or funds from any other source;

(d) To enter into and execute contracts, grants and cooperative agreements with any federal or state agency or subdivision thereof, or any public or private institution located inside or outside the State of Mississippi, or any person, corporation or association in connection with carrying out the programs of the department; and

(e) To discharge such other duties, responsibilities, and powers as are necessary to implement the programs of the department.

(4) The commissioner shall establish the organizational structure of the Department of Child Protection Services, which shall include the creation of any units necessary to implement the duties assigned to the department and consistent with specific requirements of law.

(5) The commissioner shall appoint heads of offices, bureaus, and divisions, as defined in Section 7-17-11, who shall serve at the pleasure of the commissioner. The salary and compensation of such office, bureau and division heads shall be subject to the rules and regulations adopted and promulgated by the State Personnel Board. The commissioner shall have the authority to organize offices as deemed appropriate to carry out the responsibilities of the department.

(6) The Department of Child Protection Services shall be responsible for the development, execution, and provision of services in the following areas:

(a) Protective services for children;

(b) Foster care;

(c) Adoption services;

(d) Special services;

(e) Interstate compact;

(f) Licensure;

(g) Prevention services; and

(h) Such other services as may be designated. Services enumerated under Section 43-15-13 et seq., for the foster care program shall be provided by qualified staff with appropriate case loads.

(7) The Department of Child Protection Services shall have the following powers and duties:

(a) To provide basic services and assistance statewide to needy and disadvantaged individuals and families;

(b) To promote integration of the many services and programs within its jurisdiction at the client level thus improving the efficiency and effectiveness of service delivery and providing easier access to clients;

(c) To employ personnel and expend funds appropriated to the department to carry out the duties and responsibilities assigned to the department by law;

(d) To fingerprint and conduct a background investigation on every employee, contractor, subcontractor and volunteer:

(i) Who has direct access to clients of the department who are children or vulnerable adults;

(ii) Who is in a position of fiduciary responsibility;

(iii) Who is in a position with access to Federal Tax Information (FTI);

or

(iv) Who is otherwise required by federal law or regulations to undergo a background investigation.

Every such employee, contractor, subcontractor and volunteer shall provide a valid current social security number and/or driver's license number, which shall be furnished to conduct the background investigation for determination as to good moral character and to ensure that no person placed in any position referenced in this paragraph (d) has a felony conviction that would prevent employment or access to Federal Tax Information according to department policy. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded to the Federal Bureau of Investigation for a fingerprint-based national criminal history record check. The department shall be the recipient of the results of any background investigation and/or criminal history record check performed in accordance with this paragraph;

(e) To establish and maintain programs not inconsistent with the terms of this chapter and the rules, regulations and policies of the Department of Child Protection Services, and publish the rules and regulations of the department pertaining to such programs;

(f) To provide all other child welfare programs and services previously provided by the Department of Human Services or a division thereof; and

(g) Make such reports in such form and containing such information as the federal government may, from time to time, require, and comply with such provisions as the federal government may, from time to time, find necessary to assure the correctness and verification of such reports.

( \*\* \*8) The Mississippi Department of Child Protection Services shall submit a copy of the federal Annual Progress and Services Report (APSR) to the Chair of the Senate Public Health and Welfare Committee, the Chair of the Senate Appropriations Committee, the Chair of the House Public Health and Human Services Committee, the Chair of the House Appropriations Committee, the Lieutenant Governor, the Speaker of the House of Representatives, and the Governor by December 1 of each year.

( \*\* \*9) (a) The Commissioner of Child Protection Services shall hire a Coordinator of Services for Victims of Human Trafficking and Commercial Sexual Exploitation within the Department of Child Protection Services whose duties shall include, but not be limited to, the following:

(i) To form specialized human trafficking and commercial sexual exploitation assessment teams to respond on an as-needed basis to act as an emergency, separate and specialized response and assessment team to rapidly respond to the needs of children who are victims of human trafficking and commercial sexual exploitation;

(ii) To identify victims of human trafficking and commercial sexual exploitation;

(iii) To monitor, record and distribute federal human trafficking funds received by the Department of Child Protection Services;

(iv) To employ staff to investigate allegations of human trafficking and commercial sexual exploitation; and

(v) To develop and coordinate services within the Department of Child Protection Services and with outside service providers for victims of human trafficking and commercial sexual exploitation.

(b) The Commissioner of Child Protection Services shall develop standard operating procedures for the investigation, custody and services provided to alleged victims of human trafficking and commercial sexual exploitation.

(c) The Commissioner shall require two (2) hours of training regarding the subject of identifying, assessing, and providing comprehensive services to a child who has experienced or is alleged to have experienced commercial sexual exploitation or human trafficking. The training must be incorporated into the pre-service training requirements of all Mississippi Department of Child Protection Services family specialists, adoption specialists, licensure specialists, direct supervisors of family protection specialists, direct supervisors of adoption specialists, and direct supervisors of licensure specialists.

(10) This section shall stand repealed on July 1, 2028.

SECTION 8. The following shall be codified as Section 43-26-5, Mississippi Code of 1972:

43-26-5. (1) The Department of Child Protection Services shall establish a record-keeping procedure to ensure that all referrals of neglect and/or abuse are accurately and adequately maintained for future or cross-reference.

(2) In addition to a toll-free abuse reporting telephone system, the department shall establish a uniform intake procedure for the receipt and referral to the appropriate personnel for investigation. The uniform intake procedure shall be made available to all appropriate agencies and the public in order to facilitate the necessary protective services.

SECTION 9. The following shall be codified as Section 43-26-7, Mississippi Code of 1972:

43-26-7. The Department of Child Protection Services shall have the authority to use the services and resources of the State Department of Education, the State Department of Health, the State Department of Human Services, the State Department of Mental Health, Division of Medicaid, and all other appropriate state departments, agencies, institutions or political subdivisions as will aid in carrying out the purposes of this chapter. It shall be the duty of all such state departments, agencies and institutions to make available such services and resources to the department, including, but not necessarily limited to, such services and resources as may be required to perform appropriate criminal history record checks on prospective foster and relative child placements for the purpose of preventing and detecting abuse and neglect.

SECTION 10. The following shall be codified as Section 43-26-9, Mississippi Code of 1972:

43-26-9. It is the intent of the Legislature that the resources devoted to family and children's services and to public assistance programs be clearly delineated and that all resources intended for child protection and other related purposes be expended in service of that goal.

SECTION 11. The following shall be codified as Section 43-26-11, Mississippi Code of 1972:

43-26-11. (1) There shall be created local offices of the Department of Child Protection Services in those locations throughout the state as determined by the commissioner. It shall be the duty of the board of supervisors of each county in which a local office is located to provide office space for the local offices.

The local office of the Department of Child Protection Services shall administer all forms of child welfare services with the exception of those administered by the Department of Human Services. The local offices shall comply with such regulations and submit such reports as may be established or required by the commissioner. Subject to the approval of the commissioner, the local offices may cooperate with other departments, agencies and institutions, state and local, when so requested, in performing services in conformity with the provisions of this chapter.

(2) The Department of Child Protection Services may enter into a lease with each county board of supervisors in each county where a local office is located to allow the department to maximize the availability of federal funds. Fair market value for the county-furnished building will be established and the department shall pay the federal share for the rent to the county. All other expenses related to the operation of the local office shall be split between the department, providing the federal share, and the county, being responsible for the remainder or the state share. This includes, but is not limited to, electricity, water, gas, internet, and janitorial services and supplies. All maintenance and repairs of the local office shall be the responsibility of the county due to the prohibition of federal funds for improvements of real property.

SECTION 12. The following shall be codified as Section 43-26-13, Mississippi Code of 1972:

43-26-13. The governing authority of any municipality or county in this state is authorized and empowered, in its discretion, to expend such funds as it deems necessary and desirable, from any available funds of the municipality or county, to: (a) match any state, federal or private funds available for any program administered by the Department of Child Protection Services in this state; and/or (b) make a voluntary contribution to any such program.

SECTION 13. The following shall be codified as Section 43-26-15, Mississippi Code of 1972:



43-26-15. The Department of Finance and Administration shall furnish office space for the Department of Child Protection Services in the City of Jackson and is authorized to rent suitable quarters in the city if there is not sufficient room in one (1) of the state office buildings.

SECTION 14. The following shall be codified as Section 43-26-17, Mississippi Code of 1972:

43-26-17. The Department of Child Protection Services shall cooperate with the federal government, its agencies and instrumentalities, in carrying out the provisions of any federal acts concerning public welfare for children, and in other matters of mutual concern pertaining to public welfare for children, including the adoption of such methods of administration as are found by the federal government to be necessary for the efficient operation of plans for public assistance and welfare services for children in accordance with the provisions of the federal Social Security Act, as amended. It shall also cooperate with other departments, agencies and institutions, federal, state and local or private, when so requested, in performing services in conformity with the laws applicable to the department.

SECTION 15. The following shall be codified as Section 43-26-19, Mississippi Code of 1972:

43-26-19. The Department of Child Protection Services may, in its discretion, destroy or cause to be destroyed, or otherwise disposed of, any and all abandoned applications, closed case files, communications, information, memoranda, records, reports, paid checks, and files, in the office of the Department of Child Protection Services when and as they become three (3) or more completed fiscal years old and which, in the opinion of the department, are no longer useful or necessary.

SECTION 16. The following shall be codified as Section 43-26-21, Mississippi Code of 1972:

43-26-21. All political subdivisions of the state, or combinations of political subdivisions, are authorized to employ assistant prosecutors to prosecute for the crimes under Section 97-19-71 and the Department of Child Protection Services is authorized to contract with any political subdivision to subsidize payment for the reasonable and necessary cost of prosecutions and investigations in any program where federal matching funds are available.

SECTION 17. The following shall be codified as Section 43-26-23, Mississippi Code of 1972:

43-26-23. (1) Any sums paid to or on behalf of any person, entity or subgrantee or the value of any aid or benefit or services obtained or received under any state or federally funded assistance program for children as a result of any false statement, misrepresentation, concealment of a material fact, failure to disclose assets, or by whatever means, becomes a debt due to the Department of Child Protection Services. The amount of value of any assistance shall be recoverable from the recipient or his or her estate in a civil action brought in the name of the Department of Child Protection Services pursuant to this section. If such action is brought, the department shall be entitled to recover, in addition to the amount of assistance, a reasonable amount of attorney's fees and its cost incurred therein. Where an attorney from the county attorney's office represents the department in such action, the attorney's fee awarded shall be for the use and benefit of that particular office and shall be forwarded to that office upon receipt by the department.

(2) In any civil action for the recovery of the amount of value of any aid or benefits or services improperly paid to the recipient, proof that a conviction or guilty plea on a

misdemeanor or felony charge under Section 97-19-71 shall be deemed prima facie evidence that such assistance was improperly obtained under the provision of this section.

(3) Repayment of the assistance improperly obtained pursuant to this section shall not constitute a defense to or ground of dismissal of criminal charges brought under Section 97-19-71.

SECTION 18. Section 11-46-1, Mississippi Code of 1972, is amended as follows:

11-46-1. As used in this chapter, the following terms shall have the meanings ascribed unless the context otherwise requires:

(a) "Claim" means any demand to recover damages from a governmental entity as compensation for injuries.

(b) "Claimant" means any person seeking compensation under the provisions of this chapter, whether by administrative remedy or through the courts.

(c) "Board" means the Mississippi Tort Claims Board.

(d) "Department" means the Department of Finance and Administration.

(e) "Director" means the executive director of the department who is also the executive director of the board.

(f) "Employee" means any officer, employee or servant of the State of Mississippi or a political subdivision of the state, including elected or appointed officials and persons acting on behalf of the state or a political subdivision in any official capacity, temporarily or permanently, in the service of the state or a political subdivision whether with or without compensation, including firefighters who are members of a volunteer fire department that is a political subdivision. The term "employee" shall not mean a person or other legal entity while acting in the capacity of an independent contractor under contract to the state or a political subdivision; and

(i) For purposes of the limits of liability provided for in Section 11-46-15, the term "employee" shall include:

1. Physicians under contract to provide health services with the State Board of Health, the State Board of Mental Health or any county or municipal jail facility while rendering services under the contract;

2. Any physician, dentist or other health care practitioner employed by the University of Mississippi Medical Center (UMMC) and its departmental practice plans who is a faculty member and provides health care services only for patients at UMMC or its affiliated practice sites, including any physician or other health care practitioner employed by UMMC under an arrangement with a public or private health-related organization;

3. Any physician, dentist or other health care practitioner employed by any university under the control of the Board of Trustees of State Institutions of Higher Learning who practices only on the campus of any university under the control of the Board of Trustees of State Institutions of Higher Learning;

4. Any physician, dentist or other health care practitioner employed by the State Veterans Affairs Board and who provides health care services for patients for the State Veterans Affairs Board;

(ii) The term "employee" shall also include Mississippi Department of \* \* \* Child Protection Services licensed foster parents for the limited purposes of coverage under the Tort Claims Act as provided in Section 11-46-8; and

(iii) The term "employee" also shall include any employee or member of the governing board of a charter school but shall not include any person or entity acting in the capacity of an independent contractor to provide goods or services under a contract with a charter school.

(g) "Governmental entity" means the state and political subdivisions.

(h) "Injury" means death, injury to a person, damage to or loss of property or any other injury that a person may suffer that is actionable at law or in equity.

(i) "Political subdivision" means any body politic or body corporate other than the state responsible for governmental activities only in geographic areas smaller than that of the state, including, but not limited to, any county, municipality, school district, charter school, volunteer fire department that is a chartered nonprofit corporation providing emergency services under contract with a county or municipality, community hospital as defined in Section 41-13-10, airport authority, or other instrumentality of the state, whether or not the body or instrumentality has the authority to levy taxes or to sue or be sued in its own name.

(j) "State" means the State of Mississippi and any office, department, agency, division, bureau, commission, board, institution, hospital, college, university, airport authority or other instrumentality thereof, whether or not the body or instrumentality has the authority to levy taxes or to sue or be sued in its own name.

(k) "Law" means all species of law, including, but not limited to, any and all constitutions, statutes, case law, common law, customary law, court order, court rule, court decision, court opinion, court judgment or mandate, administrative rule or regulation, executive order, or principle or rule of equity.

SECTION 19. Section 11-46-8, Mississippi Code of 1972, is amended as follows:

11-46-8. Mississippi Department of \* \* \* Child Protection Services licensed foster parents shall be covered under this chapter for claims made by parties other than the foster child which are based on inadequate supervision or inadequate care of the foster child on the part of the foster parent.

SECTION 20. Section 25-1-109, Mississippi Code of 1972, is amended as follows:

25-1-109. No law enforcement agency shall disclose the name of any person arrested for any misdemeanor, issued a citation, or being held for any misdemeanor unless such person shall be formally charged and arrested for the offense, except to other law enforcement agencies or to the Mississippi Department of Human Services, the Mississippi Department of Child Protection Services or child day care providers where such information is used to help determine suitability of persons to serve as child care providers or child service workers. No political subdivision nor any employee thereof shall be held liable for the disclosure of any information prohibited by this section.

SECTION 21. Section 27-104-203, Mississippi Code of 1972, is amended as follows:

27-104-203. From and after July 1, 2016, no state agency shall charge another state agency a fee, assessment, rent, audit fee, personnel fee or other charge for services or resources received. The provisions of this section shall not apply (a) to grants, contracts, pass-through funds, project fees or other charges for services between state agencies and the Board of Trustees of State Institutions of Higher Learning, any public

university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (b) to charges for services between the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, nor (c) to federal grants, pass-through funds, cost allocation charges, surplus property charges or project fees between state agencies as approved or determined by the State Fiscal Officer, nor (d) telecommunications, data center services, and/or other information technology services that are used on an as-needed basis and those costs shall be passed through to the using agency, nor (e) to federal grants, special funds, or pass-through funds, available for payment by state agencies to the Department of Finance and Administration related to Mississippi Management and Reporting Systems (MMRS) Statewide Application charges and utilities as approved or determined by the State Fiscal Officer, nor (f) to grants, contracts, pass-through funds, project fees or charges for services between the State Department of Health and the State Department of Revenue, and other state agencies or entities, including, but not limited to, the Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education, for the operation of the medical cannabis program as established by the Mississippi Medical Cannabis Act, nor (g) to charges between the Department of Human Services and the Department of Child Protection Services for services or resources received by either department from the other. The Board of Trustees of State Institutions of Higher Learning, any public university, the Mississippi Community College Board, any public community or junior college, and the State Department of Education shall retain the authority to charge and be charged for expenditures that they deemed nonrecurring in nature by the State Fiscal Officer.

SECTION 22. Section 37-31-107, Mississippi Code of 1972, is amended as follows:

37-31-107. Qualified students for the classes or courses may be accepted by the schools from any source, but priority of enrollment will be given referrals from the \* \* \* Department of Child Protection Services, state employment service, vocational rehabilitation, and nonretired veterans. The state employment service will assist with student job placement and referral whenever possible.

For the purposes of Sections 37-31-101 through 37-31-111, a qualified student is an adult, at least eighteen (18) years old, who is underemployed or unemployed and is not enrolled in school.

Students will not be eligible if they have dropped out of regular school for the specific purpose of enrolling in the manpower programs.

SECTION 23. Section 37-106-69, Mississippi Code of 1972, is amended as follows:

37-106-69. (1) There is established a forgivable loan program to encourage family protection workers employed by the Department of \* \* \* Child Protection Services to obtain the college education necessary to become licensed as a social worker, master social worker or certified social worker and become a family protection specialist for the department.

(2) Any person who is employed as a family protection worker for the Department of \* \* \* Child Protection Services shall be eligible for a forgivable loan from the board which shall be used to pay the costs of the person's education at a state institution of higher learning in Mississippi to obtain a college degree that is necessary to become licensed as a social worker, master social worker or certified social worker and become a family protection specialist for the department. The annual amount of a forgivable loan award under the program shall be equal to the total cost of tuition and fees at the college or

university in which the student is enrolled, not to exceed an amount equal to the highest total cost of tuition and fees assessed by a state institution of higher learning during that school year.

(3) Forgivable loans made under the program shall be available to both full-time and part-time students. Students enrolling on a full-time basis may receive a maximum of two (2) annual awards. The maximum number of forgivable loans that may be made to students attending school on a part-time basis, and the maximum time period for part-time students to complete the number of academic hours necessary to obtain the necessary degree, shall be established by rules and regulations of the board. Forgivable loans made under the program shall not be based upon an applicant's financial need. A student must maintain a "C" average or higher in his or her college coursework in order to continue receiving the forgivable loan.

(4) Repayment and conversion terms shall be the same as those outlined in Section 37-106-53, except for the following:

(a) After a person who received a forgivable loan under the program has obtained a college degree that is necessary to become licensed as a social worker, master social worker or certified social worker and has received such a license from the Board of Examiners for Social Workers and Marriage and Family Therapists, the person shall render service as a family protection specialist for the Department of \* \* \* Child Protection Services for a period of not less than three (3) years from the date that the person became a family protection specialist;

(b) Any person who fails to complete his or her service obligation as a family protection specialist for the Department of \* \* \* Child Protection Services for not less than three (3) years, as required under subsection (4)(a) of this section, shall become liable immediately to the board for the sum of all forgivable loan awards made to that person, plus interest accruing at the current Stafford Loan rate at the time the person discontinues his or her service.

(5) It is the intent of the Legislature that the pursuit of necessary college education by family protection workers through the forgivable loan program shall not interfere with the duties of the family protection workers with the Department of \* \* \* Child Protection Services. The department shall promulgate regulations regarding family protection workers who participate in the forgivable loan program to ensure that such participation does not interfere with their duties with the department.

(6) The board shall promulgate rules and regulations necessary for the proper administration of the forgivable loan program established under this section. The board shall be the administering agency of the program.

(7) The total amount of state funds that may be expended for this program shall not exceed Three Hundred Twenty Thousand Dollars (\$320,000.00) in any fiscal year.

SECTION 24. Section 37-115-43, Mississippi Code of 1972, is amended as follows:

37-115-43. (1) The University of Mississippi Medical Center, in collaboration with the Mississippi Department of \* \* \* Child Protection Services and the Office of the Attorney General, is authorized and empowered to establish a Center of Excellence (Center) \* \* \* to provide care for abused and neglected children at the Blair E. Batson Hospital for Children located in Jackson, Mississippi, where suspected victims of child maltreatment referred by the Department of \* \* \* Child Protection Services or law enforcement will receive comprehensive physical examinations conducted by medical professionals who specialize in child maltreatment. The University of Mississippi Medical Center shall promulgate such policies as may be necessary and desirable to carry out the programs of the Center. The Center shall serve as a resource for the assessment, investigation and

prosecution of child maltreatment. The Center shall work in collaboration with the Office of the Attorney General, the Mississippi Department of \* \* \* Child Protection Services, and other such state agencies and entities that provide services to children \* \* \* to ensure that CARE Clinic services are provided in a uniform fashion throughout the state.

(2) The Department of Pediatrics may use the Center for educational and outreach programs, telemedicine consultations, to develop satellite clinics in other locations in the state in cooperation with the local community or private hospital when applicable, and to conduct major research initiatives in child maltreatment.

(3) The Center of Excellence shall provide services to maltreated children and comply with national certification standards as necessary to provide services to the Department of \* \* \* Child Protection Services, the youth courts, state child advocacy centers, district attorney's offices and law enforcement agencies.

(4) There is created in the State Treasury a special fund to be known as the Children's Safe Center Fund. The University of Mississippi Medical Center shall expend funds pursuant to appropriation therefor by the Legislature for the support and maintenance of the Children's Safe Center. The University of Mississippi Medical Center is authorized to accept any and all grants, donations or matching funds from private, public or federal sources in order to add to, improve and enlarge the physical facilities of the Center and to expend any such funds for the support and maintenance of the Center. Assessments from Section 99-19-73 designated for the Children's Safe Center Fund shall be deposited into the fund. Monies remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned from the investment of monies in the fund shall be deposited to the credit of the fund.

SECTION 25. Section 41-3-18, Mississippi Code of 1972, is amended as follows:

41-3-18. (1) The board shall assess fees in the following amounts and for the following purposes:

(a) Food establishment annual permit fee, based on the assessment factors of the establishment as follows:

Assessment Category 1 .....	\$ 30.00
Assessment Category 2 .....	100.00
Assessment Category 3 .....	150.00
Assessment Category 4 .....	200.00

(b) Private water supply approval fee.....\$ 10.00

The board may develop such reasonable standards, rules and regulations to clearly define each assessment category. Assessment categories shall be based upon the factors to the public health implications of the category and type of food preparation being utilized by the food establishment, utilizing the model Food Code of 1995, or as may be amended by the federal Food and Drug Administration.

Any increase in the fees charged by the board under this subsection shall be in accordance with the provisions of Section 41-3-65.

(2) The fee authorized under subsection (1)(a) of this section shall not be assessed for:

(a) Food establishments operated by public schools, public junior and community colleges, or state agencies or institutions, including, without limitation, the state institutions of higher learning and the State Penitentiary; and

(b) Persons who make infrequent casual sales of honey and who pack or sell less than five hundred (500) gallons of honey per year, and those persons shall not be inspected by the State Department of Health unless requested by the producer.

(3) The fee authorized under subsection (1)(b) of this section shall not be assessed for private water supplies used by foster homes licensed by the Department of \* \* \* Child Protection Services.

SECTION 26. Section 41-67-12, Mississippi Code of 1972, is amended as follows:

41-67-12. (1) The department shall assess fees in the following amounts for the following purposes:

(a) A fee of One Hundred Dollars (\$100.00) shall be levied for soil and site evaluation and recommendation of individual on-site wastewater disposal systems. The department may increase the amount of the fee authorized in this paragraph (a) not more than two (2) times during the period from July 1, 2016, through June 30, 2020, with the percentage of each increase being not more than five percent (5%) of the amount of the fee in effect at the time of the increase.

(b) A fee of One Hundred Fifty Dollars (\$150.00) shall be levied once every three (3) years for the certification of installers and pumpers.

(c) A fee of Three Hundred Dollars (\$300.00) shall be levied once every three (3) years for the registration of manufacturers.

Any increase in the fee charged by the department under paragraph (b) or (c) of this subsection shall be in accordance with the provisions of Section 41-3-65.

(2) In the discretion of the board, a person shall be liable for a penalty equal to one and one-half (1-1/2) times the amount of the fee due and payable for failure to pay the fee on or before the date due, plus any amount necessary to reimburse the cost of collection.

(3) No fee authorized under this section shall be assessed by the department for state agencies or institutions, including, without limitation, foster homes licensed by the Mississippi Department of \* \* \* Child Protection Services.

SECTION 27. Section 41-87-5, Mississippi Code of 1972, as amended by Senate Bill No. 2485, 2023 Regular Session, is amended as follows:

41-87-5. Unless the context requires otherwise, the following definitions in this section apply throughout this chapter:

(a) "Eligible infants and toddlers" or "eligible children" means children from birth through thirty-six (36) months of age who need early intervention services because they:

(i) Are experiencing developmental delays as measured by appropriate diagnostic instruments and procedures in one or more of the following areas:

(A) Cognitive development;

(B) Physical development, including vision or hearing;

(C) Communication development;

(D) Social or emotional development;

(E) Adaptive development;

(ii) Have a diagnosed physical or mental condition, as defined in state policy, that has a high probability of resulting in developmental delay;

(iii) Are at risk of having substantial developmental delays if early intervention services are not provided due to conditions as defined in state policy. (This category may be served at the discretion of the lead agency contingent upon available resources.)

(b) "Early intervention services" are developmental services that:

(i) Are provided under public supervision;

(ii) Are provided at no cost except where federal or state law provides for a system of payments by families, including a schedule of sliding fees;

(iii) Are designed to meet the developmental needs of an infant or toddler with a disability in any one or more of the following areas:

(A) Physical development;

(B) Cognitive development;

(C) Communication development;

(D) Social or emotional development; or

(E) Adaptive development;

(iv) Meet the requirements of Part C of the Individuals with Disabilities Education Act (IDEA) and the early intervention standards of the State of Mississippi;

(v) Include, but are not limited to, the following services:

services; (A) Assistive technology devices and assistive technology

(B) Audiology;

(C) Family training, counseling and home visits;

(D) Health services necessary to enable a child to benefit from other early intervention services;

purposes; (E) Medical services only for diagnostic or evaluation

(F) Nutrition services;

(G) Occupational therapy;

(H) Physical therapy;

(I) Psychological services;



(J) Service coordination (case management);

(K) Social work services;

(L) Special instruction;

(M) Speech-language pathology;

(N) Transportation and related costs that are necessary to enable an infant or toddler and her/his family to receive early intervention services; and

(O) Vision services;

(vi) Are provided by qualified personnel as determined by the state's personnel standards, including:

(A) Audiologists;

(B) Family therapists;

(C) Nurses;

(D) Nutritionists;

(E) Occupational therapists;

(F) Orientation and mobility specialists;

(G) Pediatricians and other physicians;

(H) Physical therapists;

(I) Psychologists;

(J) Social workers;

(K) Special educators;

(L) Speech and language pathologists;

(M) Individuals who hold a degree in Human Development and Family Science or Child and Family Science with a concentration in child development and licensure in Pre-Kindergarten to Kindergarten;

(vii) Are provided, to the maximum extent appropriate, in natural environments, including the home, and community settings in which children without disabilities would participate;

(viii) Are provided in conformity with an individualized family service plan.

(c) "Council" means the State Interagency Coordinating Council established under Section 41-87-7.

(d) "Lead agency" means the State Department of Health.

(e) "Participating agencies" includes, but is not limited to, the State Department of Education, the Department of Human Services, the Department of Child Protection Services, the State Department of Health, the Division of Medicaid, the State

Department of Mental Health, the University Medical Center, the Board of Trustees of State Institutions of Higher Learning and the Mississippi Community College Board.

(f) "Local community" means a county either jointly, severally, or a portion thereof, participating in the provision of early intervention services.

(g) "Primary service agency" means the agency, whether a state agency, local agency, local interagency council or service provider which is designated by the lead agency to serve as the fiscal and contracting agent for a local community.

(h) "Multidisciplinary team" means a group comprised of the parent(s) or legal guardian and the service providers, as appropriate, described in paragraph (b) of this section, who are assembled for the purposes of:

(i) Assessing the developmental needs of an infant or toddler;

(ii) Developing the individualized family service plan; and

(iii) Providing the infant or toddler and his or her family with the appropriate early intervention services as detailed in the individualized family service plan.

(i) "Individualized family service plan" means a written plan designed to address the needs of the infant or toddler and his or her family as specified under Section 41-87-13.

(j) "Early intervention standards" means those standards established by any agency or agencies statutorily designated the responsibility to establish standards for infants and toddlers with disabilities, in coordination with the council and in accordance with Part C of IDEA.

(k) "Early intervention system" means the total collaborative effort in the state that is directed at meeting the needs of eligible children and their families.

(l) "Parent," for the purpose of early intervention services, means a parent, a guardian, a person acting as a parent of a child, foster parent, or an appointed surrogate parent. The term does not include the state if the child is a ward of the state where the child has not been placed with individuals to serve in a parenting capacity, such as foster parents, or when a surrogate parent has not been appointed. When a child is the ward of the state, a \* \* \* Department of Child Protection Services representative will act as parent for purposes of service authorization.

(m) "Policies" means the state statutes, regulations, Governor's orders, directives by the lead agency, or other written documents that represent the state's position concerning any matter covered under this chapter.

(n) "Regulations" means the United States Department of Education's regulations concerning the governance and implementation of Part C of IDEA, the Early Intervention Program for Infants and Toddlers with Disabilities.

SECTION 28. Section 41-101-1, Mississippi Code of 1972, is amended as follows:

41-101-1. (1) There is created the Mississippi Council on Obesity Prevention and Management, hereinafter referred to as the "council," within the State Department of Health to be in existence for the period from July 1, 2001, until July 1, 2006, or until the council is established as a nonprofit corporation, whichever is the earlier date. The council may accept and expend grants and private donations from any source, including federal, state, public and private entities, to assist it to carry out its functions.

(2) The powers, functions and duties of the council shall include, but not be limited to, the following:

(a) The collection and analysis of data regarding the extent to which children and adults in Mississippi suffer from obesity, and the programs and services currently available to meet the needs of overweight children and adults, and the funds dedicated by the state to maintain those programs and services.

(b) The collection and analysis of data to demonstrate the economic impact on the state of treating obesity and the estimated cost savings of implementing a comprehensive statewide obesity prevention and management model.

(c) The establishment and maintenance of a resources data bank containing information about obesity and related subjects accessible to educational and research institutions, as well as members of the general public.

(d) Consideration of the feasibility of awarding tax incentives for work sites that promote activities to reduce obesity in the work force.

(e) The establishment of recommendations to enhance funding for effective prevention and management programs and services, including Medicaid, private health insurance programs, and other state and federal funds.

(f) The establishment of recommendations designed to assure that children of school age who may have early indicators of obesity have access to affordable, effective prevention and management services.

(g) The establishment of recommendations for changes to statewide elementary and secondary education curricula to implement comprehensive, coordinated obesity awareness and education programs.

(h) Recommendations to enhance clinical education curricula in medical, nursing and other schools of higher education to implement comprehensive, coordinated obesity awareness and education courses.

(i) Recommendations to increase education and awareness among primary care physicians and other health professionals regarding the recognition, prevention and effective management of obesity.

(j) Consideration of a state prevention campaign to increase public awareness of the need for early prevention and management of obesity, possibly including:

(i) A broad-based public education campaign outlining health risks associated with failure to receive treatment for obesity.

(ii) A health professional training campaign.

(iii) A targeted public education campaign directed toward high risk populations.

(k) Coordination with the United States Department of Agriculture, the United States Department of Health and Human Services, the United States Department of Education, the United States Centers for Disease Control and the National Center for Chronic Disease Prevention to share resources and information in order to ensure a comprehensive approach to obesity and obesity-related conditions.

(l) Coordination with the State Departments of Education, Health, Human Services and Child Protection Services and the Division of Medicaid to share resources

and information in order to ensure a comprehensive approach to obesity and obesity-related conditions.

(m) Identification of and recommendations to reduce cultural, environmental and socioeconomic barriers to prevention and management of obesity in Mississippi.

(3) The council shall be composed of the following members:

(a) The Executive Director of the State Department of Health, or his designee;

(b) The Executive Director of the Department of Human Services, or his designee;

(c) The State Superintendent of Education, or his designee;

(d) The Executive Director of the State Department of Mental Health, or his designee;

(e) The Commissioner of Child Protection Services, or his designee;

( \*\* \*f) A representative of the Office of the Governor, to be appointed by the Governor;

( \*\* \*g) A member of the House of Representatives, appointed by the Speaker of the House of Representatives;

( \*\* \*h) A member of the Senate, appointed by the Lieutenant Governor;

( \*\* \*i) Two (2) representatives of the public-at-large, to be selected by the Governor;

( \*\* \*j) The President of either the Mississippi Medical Association or the African-American Obesity Research and Treatment Association (AAORTA), or his designee;

( \*\* \*k) The President of the Mississippi State Nurses Association, or his designee;

( \*\* \*l) The President of the Mississippi Pharmacists Association, or his designee;

( \*\* \*m) The President of the Mississippi Chapter of the American Academy of Pediatrics, or his designee;

( \*\* \*n) The Vice Chancellor of the University of Mississippi Medical Center, or his designee;

( \*\* \*o) A representative appointed from the Mississippi state office of the American Association of Retired Persons;

( \*\* \*p) A representative of the Mississippi Dietetic Association;

( \*\* \*q) A representative of the Mississippi Restaurant Association;

( \*\* \*r) The President of the Mississippi Physical Therapy Association, or his designee;

( \*\* \*s) A member appointed by the Mississippi Commissioner of Insurance;

( \*\*t) A representative from a food processor or food manufacturer; and

( \*\*u) A representative from the Mississippi Soft Drink Association.

(4) The council shall meet upon call of the Governor not later than August 1, 2001, and shall organize for business by selecting a chairman who shall serve for a one-year term and may be selected for subsequent terms. The council shall adopt internal organizational procedures necessary for efficient operation of the council. Council procedures shall include duties of officers, a process for selecting officers, quorum requirements for conducting business and policies for any council staff. Each member of the council shall designate necessary staff of their departments to assist the council in performing its duties and responsibilities. The council shall meet and conduct business at least quarterly. Meetings of the council shall be open to the public and opportunity for public comment shall be made available at each such meeting. The chairman of the council shall notify all persons who request that notice as to the date, time and place of each meeting.

(5) Members of the council shall receive no compensation for their services.

(6) The council shall submit a report, including proposed legislation if necessary, to the Governor and to the House and Senate Health and Welfare Committees before the convening of the 2004 legislative session. The report shall include a comprehensive state plan for implementation of services and programs in the State of Mississippi to increase prevention and management of obesity in adults and children and an estimate of the cost of implementation of such a plan.

(7) All departments, boards, agencies, officers and institutions of the state and all subdivisions thereof shall cooperate with the council in carrying out its purposes under this section.

SECTION 29. Section 43-1-9, Mississippi Code of 1972, is amended as follows:

43-1-9. There shall be created in each county of the state a county department of \*\* human services which shall consist of a county director of \*\* human services, and such other personnel as may be necessary for the efficient performance of the duties of the county department. It shall be the duty of the board of supervisors of each county to provide office space for the county department.

County director. The \*\* Executive Director of Human Services shall designate, in accordance with the rules and regulations of the State Personnel Board, with the approval of the Governor, a county director of \*\* human services who shall serve as the executive and administrative officer of the county department and shall be responsible to the state department for its management. Such director shall be a resident citizen of the county and shall not hold any political office of the state, county, municipality or subdivision thereof. However, in cases of emergency, the \*\* executive director may appoint a director of \*\* human services who is a nonresident of such county, to serve during the period of emergency only.

The county department of \*\* human services shall administer within the county all forms of public assistance and welfare services, with the exception of child welfare services administered by the Department of Child Protection Services. The county department shall comply with such regulations and submit such reports as may be established or required by the state department. Subject to the approval of the state department, the county department may cooperate with other departments, agencies and institutions, state and local, when so requested, in performing services in conformity with the provisions of this chapter.

In counties having two (2) judicial districts, the \*\*\* Executive Director of Human Services may create and establish in each of the judicial districts a separate county department of \*\*\* human services which shall consist of a director of \*\*\* human services and such other personnel as may be necessary for the efficient performance of the duties of the department thus established. In such cases the two (2) departments so established shall be dealt with as though each is a separate and distinct county department of \*\*\* human services, and each of the departments and each of the directors shall operate and have jurisdiction coextensive with the boundaries of the judicial district in which it is established; and, also, in such cases the words "county" and "director of \*\*\* human services" when used in this chapter shall, where applicable, mean each judicial district, and the director of \*\*\* human services appointed therefor; and where the board of supervisors is authorized to appropriate funds or provide office space or like assistance for one (1) county \*\*\* department or director, such board may, as the case may be, appropriate the amount specified by law or render the assistance required by law to each of the departments or directors. \*\*\* However, \*\*\* the \*\*\* Executive Director of Human Services shall not create and establish a separate county department of \*\*\* human services pursuant to this paragraph in any county in which such separate county department of \*\*\* human services is not in existence on January 1, 1983. \*\*\* In addition, in any county having two (2) county departments of \*\*\* human services on January 1, 1983, but only one (1) county director of \*\*\* on \*\*\* that date, the \*\*\* Executive Director of Human Services shall not authorize and establish the second position of county director of \*\*\* human services in such county.

In any county not having two (2) judicial districts which is greater than fifty (50) miles in length, the \*\*\* Executive Director of Human Services may establish one (1) branch office of the county department of \*\*\* human services which shall be staffed with existing employees and administrative staff of such county department for not less than four (4) days per week.

SECTION 30. Section 43-1-101, Mississippi Code of 1972, is amended as follows:

43-1-101. (1) There is created the Mississippi Interagency Council on Homelessness. The purpose of the council is to establish, develop and implement a plan to reduce homelessness that includes a strong focus on the needs of homeless children, youth and families, as well as individuals and veterans who are homeless.

(2) In addition to the duties prescribed in subsection (1) the council shall annually make a report to the Governor, the House of Representatives, the Senate and the public regarding the council's progress in meeting its goals and objectives.

(3) The council shall be composed of the following members:

(a) A representative from the Office of the Governor, appointed by the Governor;

(b) The Chairperson or his designee of the Youth and Family Affairs Committee of the House of Representatives and the Chairperson or his designee of the Housing Committee of the Senate;

(c) The Executive Director of the Department of \*\*\* Human Services or his designee;

(d) The Executive Director of the Department of Mental Health or his designee;

(e) The Executive Director of the Mississippi Development Authority or his designee;

(f) The Commissioner of Child Protection Services or his designee;  
( \*\* \*g) The State Superintendent of the Department of Education or his designee;

( \*\* \*h) A representative of Partners to End Homelessness, appointed by the Governor;

( \*\* \*i) A representative of Mississippi United to End Homelessness, appointed by the Governor;

( \*\* \*j) A representative of Open Doors Counseling Center, appointed by the Governor;

( \*\* \*k) A representative of a school district that is working on the McKinney-Vento Homeless Education Assistance Act, appointed by the State Superintendent of Education;

( \*\* \*l) A representative of the Mississippi Campaign to End Child Homelessness, appointed by the Governor;

( \*\* \*m) Two (2) directors from homeless and domestic violence emergency shelters, appointed by the Governor;

( \*\* \*n) A youth who is or has been homeless, appointed by the State Superintendent of Education;

( \*\* \*o) A representative of the Oakley Youth Development Center, appointed by the Governor;

( \*\* \*p) The Executive Director of the State Veterans Affairs Board or his designee;

( \*\* \*q) The Executive Director of Hope Enterprises, or his designee; and

( \*\* \*r) A representative from a community action agency appointed by the Governor.

(4) Appointments shall be made within thirty (30) days after July 1, 2013. Within fifteen (15) days thereafter on a day to be designated jointly by the Speaker of the House and the Lieutenant Governor, the council shall meet and organize by selecting from its membership a chairperson and a vice chairperson. The vice chairperson shall also serve as secretary and shall be responsible for keeping all records of the council. A majority of the members of the council shall constitute a quorum. In the selection of its officers and the adoption of rules, resolutions and reports, an affirmative vote of a majority of the council shall be required. All members shall be notified in writing of all meetings, and those notices shall be mailed at least fifteen (15) days before the date on which a meeting is to be held.

(5) Members of the council shall serve without compensation for their services, and the council shall perform its duties without legislative appropriation or the use of any state funds for that purpose; however, the council, by approval of a majority of the appointed members of the council, is authorized to accept funds that may be donated or provided in the form of financial grants from public or private sources. In addition, any department, division, board, bureau, commission or agency of the state, or of any political subdivision thereof, shall provide, at the request of the chair of the council, such facilities, assistance and data as will enable the council to carry out its duties.

SECTION 31. Section 43-14-1, Mississippi Code of 1972, is amended as follows:

43-14-1. (1) The purpose of this chapter is to provide for the development, implementation and oversight of a coordinated interagency system of necessary services and care for children and youth, called the Mississippi Statewide System of Care, up to age twenty-one (21) with serious emotional/behavioral disorders including, but not limited to, conduct disorders, or mental illness who require services from a multiple services and multiple programs system, and who can be successfully diverted from inappropriate institutional placement. The Mississippi Statewide System of Care is to be conducted in the most fiscally responsible (cost-efficient) manner possible, based on an individualized plan of care which takes into account other available interagency programs, including, but not limited to, Early Intervention Act of Infants and Toddlers, Section 41-87-1 et seq., Early Periodic Screening Diagnosis and Treatment, Section 43-13-117(A)(5), waived program for home- and community-based services for developmentally disabled people, Section 43-13-117(A)(29), and waived program for targeted case management services for children with special needs, Section 43-13-117(A)(31), those children identified through the federal Individuals with Disabilities Education Act of 1997 as having a serious emotional disorder (EMD), the Mississippi Children's Health Insurance Program and waived programs for children with serious emotional disturbances, Section 43-13-117(A)(46), and is tied to clinically and functionally appropriate outcomes. Some of the outcomes are to reduce the number of inappropriate out-of-home placements inclusive of those out-of-state and to reduce the number of inappropriate school suspensions and expulsions for this population of children. This coordinated interagency system of necessary services and care shall be named the Mississippi Statewide System of Care. Children to be served by this chapter who are eligible for Medicaid shall be screened through the Medicaid Early Periodic Screening Diagnosis and Treatment (EPSDT) and their needs for medically necessary services shall be certified through the EPSDT process. For purposes of this chapter, the Mississippi Statewide System of Care is defined as a coordinated network of agencies and providers working as a team to make a full range of mental health and other necessary services available as needed by children with mental health problems and their families. The Mississippi Statewide System of Care shall be:

- (a) Child centered, family focused, family driven and youth guided;
- (b) Community based;
- (c) Culturally competent and responsive; and shall provide for:
  - (i) Service coordination or case management;
  - (ii) Prevention and early identification and intervention;
  - (iii) Smooth transitions among agencies and providers, and to the transition-age and adult service systems;
  - (iv) Human rights protection and advocacy;
  - (v) Nondiscrimination in access to services;
  - (vi) A comprehensive array of services composed of treatment and informal supports that are identified as best practices and/or evidence-based practices;
  - (vii) Individualized service planning that uses a strengths-based, wraparound process;
  - (viii) Services in the least restrictive environment;
  - (ix) Family participation in all aspects of planning, service delivery and evaluation; and



(x) Integrated services with coordinated planning across child-serving agencies.

Mississippi Statewide System of Care services shall be timely, intensive, coordinated and delivered in the community. Mississippi Statewide System of Care services shall include, but not be limited to, the following:

- (a) Comprehensive crisis and emergency response services;
- (b) Intensive case management;
- (c) Day treatment;
- (d) Alcohol and drug abuse group services for youth;
- (e) Individual, group and family therapy;
- (f) Respite services;
- (g) Supported employment services for youth;
- (h) Family education and support and family partners;
- (i) Youth development and support and youth partners;
- (j) Positive behavioral supports (PBIS) in schools;
- (k) Transition-age supported and independent living services; and
- (l) Vocational/technical education services for youth.

(2) There is established the Interagency Coordinating Council for Children and Youth (hereinafter referred to as the "ICCCY"). The ICCCY shall consist of the following membership:

- (a) The State Superintendent of Public Education;
- (b) The Executive Director of the Mississippi Department of Mental Health;
- (c) The Executive Director of the State Department of Health;
- (d) The Executive Director of the Department of Human Services;
- (e) The Executive Director of the Division of Medicaid, Office of the Governor;
- (f) The Executive Director of the State Department of Rehabilitation Services;
- (g) The Executive Director of Mississippi Families as Allies for Children's Mental Health, Inc.;
- (h) The Commissioner of Child Protection Services;
- ( \*\*i) The Attorney General;
- ( \*\*j) A family member of a child or youth in the population named in this chapter designated by Mississippi Families as Allies;
- ( \*\*\*k) A youth or young adult in the population named in this chapter designated by Mississippi Families as Allies;

( \*\* \*l) A local MAP team coordinator designated by the Department of Mental Health;

( \*\* \*m) A child psychiatrist experienced in the public mental health system designated by the Mississippi Psychiatric Association;

( \*\* \*n) An individual with expertise and experience in early childhood education designated jointly by the Department of Mental Health and Mississippi Families as Allies;

( \*\* \*o) A representative of an organization that advocates on behalf of disabled citizens in Mississippi designated by the Department of Mental Health; and

( \*\* \*p) A faculty member or dean from a Mississippi university specializing in training professionals who work in the Mississippi Statewide System of Care designated by the Board of Trustees of State Institutions of Higher Learning.

If a member of the council designates a representative to attend council meetings, the designee shall bring full decision-making authority of the member to the meeting. The council shall select a chairman, who shall serve for a one-year term and may not serve consecutive terms. The council shall adopt internal organizational procedures necessary for efficient operation of the council. Each member of the council shall designate necessary staff of their departments to assist the ICCCY in performing its duties and responsibilities. The ICCCY shall meet and conduct business at least twice annually. The chairman of the ICCCY shall notify all ICCCY members and all other persons who request such notice as to the date, time, place and draft agenda items for each meeting.

(3) The Interagency System of Care Council (ISCC) is created to serve as the state management team for the ICCCY, with the responsibility of collecting and analyzing data and funding strategies necessary to improve the operation of the Mississippi Statewide System of Care, and to make recommendations to the ICCCY and to the Legislature concerning such strategies on, at a minimum, an annual basis. The System of Care Council also has the responsibility of coordinating the local Multidisciplinary Assessment and Planning (MAP) teams and "A" teams and may apply for grants from public and private sources necessary to carry out its responsibilities. The Interagency System of Care Council shall be comprised of one (1) member from each of the appropriate child-serving divisions or sections of the State Department of Health, the Department of Human Services ( \*\* \*Division of Youth Services), the Department of Child Protection Services, the State Department of Mental Health (Division of Children and Youth, Bureau of Alcohol and Drug Abuse, and Bureau of Intellectual and Developmental Disabilities), the State Department of Education (Office of Special Education and Office of Healthy Schools), the Division of Medicaid of the Governor's Office, the Department of Rehabilitation Services, and the Attorney General's office. Additional members shall include a family member of a child, youth or transition-age youth representing a family education and support 501(c)(3) organization, working with the population named in this chapter designated by Mississippi Families as Allies, an individual with expertise and experience in early childhood education designated jointly by the Department of Mental Health and Mississippi Families as Allies, a local MAP team representative and a local "A" team representative designated by the Department of Mental Health, a probation officer designated by the Department of Corrections, a family member and youth or young adult designated by Mississippi Families as Allies for Children's Mental Health, Inc., (MSFAA), and a family member other than a MSFAA representative to be designated by the Department of Mental Health and the Director of the Compulsory School Attendance Enforcement of the State Department of Education. Appointments to the Interagency System of Care Council shall be made within sixty (60) days after June 30, 2010. The council shall organize by selecting a chairman from its membership to serve on an annual basis, and the chairman may not serve consecutive terms.

(4) (a) As part of the Mississippi Statewide System of Care, there is established a statewide system of local Multidisciplinary Assessment, Planning and Resource (MAP) teams. The MAP teams shall be comprised of one (1) representative each at the county level from the major child-serving public agencies for education, human services, health, mental health and rehabilitative services approved by respective state agencies of the Department of Education, the Department of Human Services, the Department of Child Protection Services, the Department of Health, the Department of Mental Health and the Department of Rehabilitation Services. These agencies shall, by policy, contract or regulation require participation on MAP teams and "A" teams at the county level by the appropriate staff. Three (3) additional members may be added to each team, one (1) of which may be a representative of a family education/support 501(c)(3) organization with statewide recognition and specifically established for the population of children defined in Section 43-14-1. The remaining members will be representatives of significant community-level stakeholders with resources that can benefit the population of children defined in Section 43-14-1. The Department of Education shall assist in recruiting and identifying parents to participate on MAP teams and "A" teams.

(b) For each local existing MAP team that is established pursuant to paragraph (a) of this subsection, there

shall also be established an "A" (Adolescent) team which shall work with a MAP team. The "A" teams shall provide System of Care services for youthful offenders who have serious behavioral or emotional disorders. Each "A" team shall be comprised of, at a minimum, the following five (5) members:

- (i) A school counselor, mental health therapist or social worker;
- (ii) A community mental health professional;
- (iii) A social services/child welfare professional;
- (iv) A youth court counselor; and
- (v) A parent who had a child in the juvenile justice system.

(c) The Interagency Coordinating Council for Children and Youth and the Interagency System of Care Council shall work to develop MAP teams statewide that will serve to become the single point of entry for children and youth about to be placed in out-of-home care for reasons other than parental abuse/neglect.

(5) The Interagency Coordinating Council for Children and Youth may provide input to one another and to the ISCC relative to how each agency utilizes its federal and state statutes, policy requirements and funding streams to identify and/or serve children and youth in the population defined in this section. The ICCCY shall support the implementation of the plans of the respective state agencies for comprehensive, community-based, multidisciplinary care, treatment and placement of these children.

(6) The ICCCY shall oversee a pool of state funds that may be contributed by each participating state agency and additional funds from the Mississippi Tobacco Health Care Expenditure Fund, subject to specific appropriation therefor by the Legislature. Part of this pool of funds shall be available for increasing the present funding levels by matching Medicaid funds in order to increase the existing resources available for necessary community-based services for Medicaid beneficiaries.

(7) The local interagency coordinating care MAP team or "A" team will facilitate the development of the individualized System of Care programs for the population targeted in this section.

(8) Each local MAP team and "A" team shall serve as the single point of entry and re-entry to ensure that comprehensive diagnosis and assessment occur and shall coordinate needed services through the local MAP team and "A" team members and local service providers for the children named in subsection (1). Local children in crisis shall have first priority for access to the MAP team and "A" team processes and local System of Care services.

(9) The Interagency Coordinating Council for Children and Youth shall facilitate monitoring of the performance of local MAP teams.

(10) Each ICCCY member named in subsection (2) of this section shall enter into a binding memorandum of understanding to participate in the further development and oversight of the Mississippi Statewide System of Care for the children and youth described in this section. The agreement shall outline the system responsibilities in all operational areas, including ensuring representation on MAP teams, funding, data collection, referral of children to MAP teams and "A" teams, and training. The agreement shall be signed and in effect by July 1 of each year.

SECTION 32. Section 43-14-5, Mississippi Code of 1972, is amended as follows:

43-14-5. There is created in the State Treasury a special fund into which shall be deposited all funds contributed by the Department of Human Services, Department of Child Protection Services, State Department of Health, Department of Mental Health \* \* \* and State Department of Rehabilitation Services insofar as recipients are otherwise eligible under the Rehabilitation Act of 1973, as amended, and State Department of Education for the operation of a statewide System of Care by MAP teams and "A" teams utilizing such funds as may be made available to those MAP teams through a Request for Proposal (RFP) approved by the ICCCY.

SECTION 33. Section 43-15-3, Mississippi Code of 1972, is amended as follows:

43-15-3. The Department of Human Services \* \* \* and the Department of Child Protection Services are authorized, empowered and directed to cooperate fully with the United States Children's Bureau and Secretary of Labor in establishing, extending and strengthening "child welfare services" for the protection and care of homeless, dependent and neglected children and children in danger of becoming delinquent. \* \* \* Those departments \* \* \* are further authorized, empowered and directed to cooperate with the United States Children's Bureau and Secretary of Labor in developing plans for \* \* \* those "child welfare services" and extending any other cooperation necessary under Section 521 of Public Law No. 271-74th Congress of the United States.

In furtherance of the "child welfare services" referred to in the first paragraph hereof the State Treasurer is \* \* \* authorized and directed to receive on behalf of the state, and to execute all instruments incidental thereto, federal or other funds to be used for "child welfare services," and to place such funds in a special account to the credit of the "child welfare services," which \* \* \* funds shall be expended by the Department of Human Services and the Department of Child Protection Services for the purposes and under the provisions of this article and Section 521 of Public Law No. 271-74th Congress of the United States. It shall be paid out by the State Treasurer as funds appropriated to carry out the provisions of \* \* \* those laws.

The Department of Human Services or the Department of Child Protection Services shall issue all checks on \* \* \* the "child welfare services" fund to persons entitled to payment from \* \* \* the fund. All such sums shall be drawn upon the "child welfare services" fund upon requisition of the Director of the Department of Human Services or the Commissioner of Child Protection Services.

The money in the "child welfare services" fund shall be expended in accordance with the rules and regulations of the United States Children's Bureau and Secretary of

Labor and in accordance with the plan developed by the Department of Human Services or Department of Child Protection Services and the United States Children's Bureau under Section 521 of Public Law No. 271-74th Congress of the United States, and shall not be used for any other purpose.

If a claim for foster care and/or adoption assistance under Title IV-E of the federal Social Security Act is not acted upon within a reasonable time after the filing of the claim, or is denied in whole or in part, the claimant may appeal to the \*\*\* Commissioner of Child Protection Services in the manner and form prescribed by the Department of \*\*\* Child Protection Services. The \*\*\* Commissioner of Child Protection Services shall, upon receipt of such an appeal, give the claimant reasonable notice and opportunity for a fair hearing. The \*\*\* Commissioner of Child Protection Services may also, upon his or her own motion, review any decision regarding a claim, and may consider any claim upon which a decision has not been made within a reasonable time. All decisions of the \*\*\* Commissioner of Child Protection Services shall be final and binding.

SECTION 34. Section 43-15-5, Mississippi Code of 1972, is amended as follows:

43-15-5. (1) The Department of \*\*\* Child Protection Services shall have authority and it shall be its duty to administer or supervise all public child welfare services, including those services, responsibilities, duties and powers with which the \*\*\* local offices of child protection services are charged and empowered in this article; administer and supervise the licensing and inspection of all private child placing agencies; provide for the care of dependent and neglected children in foster family homes or in institutions, supervise the care of such children and those of illegitimate birth; supervise the importation of children; and supervise the operation of all state institutions for children. The Department of \*\*\* Child Protection Services shall be authorized to purchase hospital and medical insurance coverage for those children placed in foster care by the state or \*\*\* local offices of child protection services who are not otherwise eligible for medical assistance under the Mississippi Medicaid Law. The Department of \*\*\* Child Protection Services shall be further authorized to purchase burial or life insurance not exceeding One Thousand Five Hundred Dollars (\$1,500.00) for those children placed in foster care by the state or \*\*\* local offices of child protection services. All insurance coverage authorized herein may be purchased with any funds other than state funds available to the Department of \*\*\* Child Protection Services, including those funds available to the child which are administered by the department.

(2) Any person, partnership, group, corporation, organization or association desiring to operate a child residential home, as defined in Section 43-16-3, may make application for a license for such a facility to the Department of \*\*\* Child Protection Services on the application forms furnished for this purpose by the department. If an applicant meets the published rules and regulations of the department regarding minimum standards for a child residential home, then the applicant shall be granted a license by the department.

SECTION 35. Section 43-15-6, Mississippi Code of 1972, is amended as follows:

43-15-6. (1) Any person, institution, facility, clinic, organization or other entity that provides services to children in a residential setting where care, lodging, maintenance, and counseling or therapy for alcohol or controlled substance abuse or for any other emotional disorder or mental illness is provided for children, whether for compensation or not, that holds himself, herself, or itself out to the public as providing such services, and that is entrusted with the care of the children to whom he, she, or it provides services, because of the nature of the services and the setting in which the services are provided shall be subject to the provisions of this section.

(2) Each entity to which this section applies shall complete, through the appropriate governmental authority, a national criminal history record information check and a child abuse registry check for each owner, operator, employee, prospective employee,

volunteer or prospective volunteer of the entity and/or any other that has or may have unsupervised access to a child served by the entity. In order to determine the applicant's suitability for employment, the entity shall ensure that the applicant be fingerprinted by local law enforcement, and the results forwarded to the Department of Public Safety. If no disqualifying record is identified at the state level, the fingerprints shall be forwarded by the Department of Public Safety to the FBI for a national criminal history record check.

(3) An owner, operator, employee, prospective employee, volunteer or prospective volunteer of the entity and/or any other that has or may have unsupervised access to a child who has a criminal history of conviction or pending indictment of a crime, whether a misdemeanor or a felony, that bears upon an individual's fitness to have responsibility for the safety and well-being of children as set forth in this chapter may not provide child care or operate, or be licensed as, a residential child care program, foster parent, or foster home.

(4) All fees incurred in compliance with this section shall be borne by the individual or entity to which subsection (1) applies.

(5) The Department of Human Services and the Department of Child Protection Services shall have the authority to set fees, to exclude a particular crime or crimes or a substantiated finding of child abuse and/or neglect as disqualifying individuals or entities from providing foster care or residential child care, and adopt such other rules and regulations as may be required to carry out the provisions of this section.

(6) Any entity that violates the provisions of this section by failure to complete sex offense criminal history record information and felony conviction record information checks, as required under subsection (3) of this section, shall be subject to a penalty of up to Ten Thousand Dollars (\$10,000.00) for each such violation and may be enjoined from further operation until it complies with this section in actions maintained by the Attorney General.

(7) The Department of Human Services and the Department of Child Protection Services and/or \*\*\* their officers, employees, attorneys, agents and representatives shall not be held civilly liable for any findings, recommendations or actions taken pursuant to this section.

SECTION 36. Section 43-15-7, Mississippi Code of 1972, is amended as follows:

43-15-7. \*\*\* Any local office of child protection services is authorized to provide protective services for children as will conserve home life; assume responsibility for the care and support of dependent children needing public care away from their homes; place children found by the \*\*\* local office to be dependent or without proper care in suitable institutions or private homes, and cooperate with public and private institutions and agencies in placing such children in suitable institutions or private homes; accept custody or guardianship, through one of its designated employees, of any child, when appointed as custodian or guardian in the manner provided by law.

The board of supervisors in each county is \*\*\* empowered, in its discretion, to set aside and appropriate out of the tax levied and collected to support the poor of the county or out of the county general fund necessary monies to be administered by the \*\*\* local office of child protection services to carry out the provisions of this section.

SECTION 37. Section 43-15-11, Mississippi Code of 1972, is amended as follows:

43-15-11. (1) The board of supervisors of any county and/or the mayor and board of commissioners of any city and/or the mayor and board of aldermen of any municipality in this state are \*\*\* authorized and empowered, in their discretion, to expend out of any \*\*\* monies in their respective treasuries, to be drawn by warrant thereon, a sum or sums of money not exceeding a total of Twenty-five Dollars (\$25.00) annually per One

Million Dollars (\$1,000,000.00) of the assessed valuation of the real and personal property thereof for the purpose of providing for the care, support and maintenance of homeless or destitute children of any county or municipality of this state who are supported, cared for, maintained and placed for adoption by any children's home society which operates over and serves the entire State of Mississippi, and which is approved and licensed by the Mississippi Department of \* \* \* Child Protection Services.

(2) The authority granted in this section is supplemental of and in addition to all existing authority for the expenditure of funds by such boards of supervisors and municipal governing authorities.

SECTION 38. Section 43-15-15, Mississippi Code of 1972, is amended as follows:

43-15-15. The \* \* \* Department of \* \* \* Child Protection Services shall maintain a registry of children whose custody lies with them and private or public agencies licensed by the department. \* \* \* The registry shall contain classifications of children as:

- (a) Temporary custody for evaluation, not to exceed three (3) months;
- (b) Temporary custody not to exceed one (1) year with the plan to return custody to the natural parents;
- (c) Temporary custody, not to exceed two (2) years, with a plan to free for adoption;
- (d) Children freed for adoption;
- (e) Children ages fourteen (14) and above who have voluntarily chosen not to be adopted and cannot be returned to their own homes; and
- (f) Children who are institutionalized and for whom placement in an adoptive home is not feasible.

SECTION 39. Section 43-15-19, Mississippi Code of 1972, is amended as follows:

43-15-19. (1) The \* \* \* Department of \* \* \* Child Protection Services shall maintain a Mississippi Adoption Resource Exchange registry, which shall contain a total listing of all children freed for adoption as well as a listing of all persons who wish to adopt children and who are approved by a licensed adoption agency in the State of Mississippi. \* \* \* The registry shall be distributed to all county \* \* \* offices of child protection services and licensed adoption agencies within the state and shall be updated at least quarterly. The \* \* \* Department of \* \* \* Child Protection Services shall establish regulations for listing descriptive characteristics while protecting the privacy of the children's names. Listed names shall be removed when adoption placement plans are made for a child or when a person withdraws an application for adoption.

(2) Adoptive parents shall be given the option of having their names placed in the registry. To be placed in the registry, they shall be required to give written authority to the \* \* \* Department of Child Protection Services.

SECTION 40. Section 43-15-21, Mississippi Code of 1972, is amended as follows:

43-15-21. Anyone violating or releasing information of a confidential nature without the approval of the court with jurisdiction or the \* \* \* Department of \* \* \* Child Protection Services, upon being found guilty, shall be guilty of a misdemeanor and subject to a fine of no more than One Thousand Dollars (\$1,000.00) or imprisonment of six (6) months, or both.

SECTION 41. Section 43-15-23, Mississippi Code of 1972, is amended as follows:

43-15-23. (1) As used in this section the term "placing out" means to arrange for the free care of a child in a family, other than that of the child's parent, stepparent, grandparent, brother, sister, uncle or aunt or legal guardian, for the purpose of adoption or for the purpose of providing care.

(2) No person, agency, association, corporation, institution, society or other organization, except a child placement agency licensed by the Department of \* \* \* Child Protection Services under Section 43-15-5, shall request, receive or accept any compensation or thing of value, directly or indirectly, for placing out of a child.

(3) No person shall pay or give any compensation or thing of value, directly or indirectly, for placing out of a child to any person, agency, association, corporation, institution, society or other organization except a child placement agency licensed by the Department of \* \* \* Child Protection Services.

(4) The provisions of this section shall not be construed to (a) prevent the payment of salaries or other compensation by a child placement agency licensed by the Department of \* \* \* Child Protection Services to the officers or employees thereof; (b) prevent the payment of legal fees, which have been approved by the chancery court, to an attorney for services performed in regard to adoption proceedings; (c) prevent the payment of reasonable and actual medical fees or hospital charges for services rendered in connection with the birth or medical treatment of such child to the physician or hospital which rendered the services; or (d) prevent the receipt of such payments by such attorney, physician or hospital.

(5) Any person, agency, association, corporation, institution, society or other organization violating the provisions of this section shall be guilty of illegal placement of children and shall be punished by a fine not to exceed Five Thousand Dollars (\$5,000.00) or by imprisonment not more than five (5) years, or both such fine and imprisonment.

SECTION 42. Section 43-15-103, Mississippi Code of 1972, is amended as follows:

43-15-103. As used in this article:

(a) "Agency" means a residential child-caring agency or a child-placing agency.

(b) "Child" or "children" mean(s) any unmarried person or persons under the age of eighteen (18) years.

(c) "Child placing" means receiving, accepting or providing custody or care for any child under eighteen (18) years of age, temporarily or permanently, for the purpose of:

(i) Finding a person to adopt the child;

(ii) Placing the child temporarily or permanently in a home for adoption; or

(iii) Placing a child in a foster home or residential child-caring agency.

(d) "Child-placing agency" means any entity or person which places children in foster boarding homes or foster homes for temporary care or for adoption or any other entity or person or group of persons who are engaged in providing adoption studies or foster care studies or placement services as defined by the rules of the department.



(e) "Department" means the Mississippi Department of \* \* \* Child Protection Services.

\* \* \*

( \* \* \*f) "Family boarding home" or "foster home" means a home (occupied residence) operated by any entity or person which provides residential child care to at least one (1) child but not more than six (6) children who are not related to the primary caregivers.

( \* \* \*g) "Group care home" means any place or facility operated by any entity or person which provides residential child care for at least seven (7) children but not more than twelve (12) children who are not related to the primary caregivers.

( \* \* \*h) "Licensee" means any person, agency or entity licensed under this article.

( \* \* \*i) "Maternity home" means any place or facility operated by any entity or person which receives, treats or cares for more than one (1) child or adult who is pregnant out of wedlock, either before, during or within two (2) weeks after childbirth; provided, that the licensed child-placing agencies and licensed maternity homes may use a family boarding home approved and supervised by the agency or home, as a part of their work, for as many as three (3) children or adults who are pregnant out of wedlock, and provided further, that the provisions of this definition shall not include children or women who receive maternity care in the home of a person to whom they are kin within the sixth degree of kindred computed according to civil law, nor does it apply to any maternity care provided by general or special hospitals licensed according to law and in which maternity treatment and care are part of the medical services performed and the care of children is brief and incidental.

\* \* \*

( \* \* \*j) "Person associated with a licensee" means an owner, director, member of the governing body, employee, provider of care and volunteer of a human services licensee.

( \* \* \*k) "Related" means children, step-children, grandchildren, step-grandchildren, siblings of the whole or half-blood, step-siblings, nieces or nephews of the primary care provider.

( \* \* \*l) "Residential child care" means the provision of supervision, and/or protection, and meeting the basic needs of a child for twenty-four (24) hours per day, which may include services to children in a residential setting where care, lodging, maintenance and counseling or therapy for alcohol or controlled substance abuse or for any other emotional disorder or mental illness is provided for children, whether for compensation or not.

( \* \* \*m) "Residential child-caring agency" means any place or facility operated by any entity or person, public or private, providing residential child care, regardless of whether operated for profit or whether a fee is charged. Such residential child-caring agencies include, but are not limited to, maternity homes, runaway shelters, group homes that are administered by an agency, and emergency shelters that are not in private residence.

SECTION 43. Section 43-15-105, Mississippi Code of 1972, is amended as follows:

43-15-105. (1) The \* \* \* Department of Child Protection Services shall be the licensing authority \* \* \* under this article, and is vested with all the powers, duties and

responsibilities described in this article. The \* \* \* department shall make and establish rules and regulations regarding:

- (a) Approving, extending, denying, suspending and revoking licenses for foster homes, residential child-caring agencies and child-placing agencies;
- (b) Conditional licenses, variances from department rules and exclusions;
- (c) Basic health and safety standards for licensees; and
- (d) Minimum administration and financial requirements for licensees.

(2) The \* \* \* department shall:

(a) Define information that shall be submitted to the \* \* \* department with an application for a license;

(b) Establish guidelines for the administration and maintenance of client and service records, including staff qualifications, staff to client ratios;

(c) Issue licenses in accordance with this article;

(d) Conduct surveys and inspections of licensees and facilities;

(e) Establish and collect licensure fees;

(f) Investigate complaints regarding any licensee or facility;

(g) Have access to all records, correspondence and financial data required to be maintained by a licensee or facility;

(h) Have authority to interview any client, family member of a client, employee or officer of a licensee or facility; and

(i) Have authority to revoke, suspend or extend any license issued by the \* \* \* department.

SECTION 44. Section 43-15-107, Mississippi Code of 1972, is amended as follows:

43-15-107. (1) Except as provided in Section 43-15-111, no person, agency, firm, corporation, association or other entity, acting individually or jointly with any other person or entity, may establish, conduct or maintain foster homes, residential child-caring agencies and child-placing agencies or facility and/or engage in child placing in this state without a valid and current license issued by and under the authority of the \* \* \* department as provided by this article and the rules of the \* \* \* department. Any out-of-state child-placing agency that provides a full range of services, including, but not limited to, adoptions, foster family homes, adoption counseling services or financial aid, in this state must be licensed by the \* \* \* department under this article.

(2) No license issued under this article is assignable or transferable.

(3) A current license shall at all times be posted in each licensee's facility, in a place that is visible and readily accessible to the public.

(4) (a) Except as otherwise provided in paragraph (b) of this subsection, each license issued under this article expires at midnight (Central Standard Time) twelve (12) months from the date of issuance unless it has been:

(i) Previously revoked by the \* \* \* department; or

(ii) Voluntarily returned to the \* \* \* department by the licensee.

(b) (i) For any child-placing agency located in Mississippi that remains in good standing, the license issued under this article expires at midnight (Central Standard Time) twenty-four (24) months from the date of issuance unless it has been:

1. Previously revoked by the \* \* \* department; or

2. Voluntarily returned to the \* \* \* department by the licensee.

(ii) Any child-placing agency whose license is governed by this paragraph (b) shall submit the following information to the \* \* \* department annually:

1. A copy of an audit report and IRS Form 990 for the agency;

2. The agency's fee schedule; and

3. The agency's client list.

(c) A license may be renewed upon application and payment of the applicable fee, provided that the licensee meets the license requirements established by this article and the rules and regulations of the \* \* \* department.

(5) Any licensee or facility which is in operation at the time rules are made in accordance with this article shall be given a reasonable time for compliance as determined by the rules of the \* \* \* department.

SECTION 45. Section 43-15-109, Mississippi Code of 1972, is amended as follows:

43-15-109. (1) An application for a license under this article shall be made to the \* \* \* department and shall contain information that the \* \* \* department determines is necessary in accordance with established rules.

(2) Information received by the office through reports, complaints, investigations and inspections shall be classified as public in accordance with Title 25, Chapter 61, Mississippi Code of 1972, Mississippi Public Records Act.

SECTION 46. Section 43-15-113, Mississippi Code of 1972, is amended as follows:

43-15-113. (1) If a license is revoked, the \* \* \* department may grant a new license after:

(a) Satisfactory evidence is submitted to the \* \* \* department, evidencing that the conditions upon which revocation was based have been corrected; and

(b) Inspection and compliance with all provisions of this article and applicable rules.

(2) The \* \* \* department may only suspend a license for a period of time which does not exceed the current expiration date of that license.

(3) When a license has been suspended, the \* \* \* department may completely or partially restore the suspended license upon a determination that the:

(a) Conditions upon which the suspension was based have been completely or partially corrected; and

(b) Interests of the public will not be jeopardized by restoration of the license.

SECTION 47. Section 43-15-115, Mississippi Code of 1972, is amended as follows:

43-15-115. (1) The \* \* \* department may, for the purpose of ascertaining compliance with the provisions of this article and its rules and regulations, enter and inspect on a routine basis the facility of a licensee.

(2) Before conducting an inspection under subsection (1), the \* \* \* department shall, after identifying the person in charge:

(a) Give proper identification;

(b) Request to see the applicable license;

(c) Describe the nature and purpose of the inspection; and

(d) If necessary, explain the authority of the \* \* \* department to conduct the inspection and the penalty for refusing to permit the inspection.

(3) In conducting an inspection under subsection (1), the \* \* \* department may, after meeting the requirements of subsection (2):

(a) Inspect the physical facilities;

(b) Inspect records and documents;

(c) Interview directors, employees, clients, family members of clients and others; and

(d) Observe the licensee in operation.

(4) An inspection conducted under subsection (1) shall be during regular business hours and may be announced or unannounced.

(5) The licensee shall make copies of inspection reports available to the public upon request.

(6) The provisions of this section apply to on-site inspections and do not restrict the \* \* \* department from contacting family members, neighbors or other individuals, or from seeking information from other sources to determine compliance with the provisions of this article.

SECTION 48. Section 43-15-117, Mississippi Code of 1972, is amended as follows:

43-15-117. (1) Except as provided in this article, no person, agency, firm, corporation, association or group children's home may engage in child placing, or solicit money or other assistance for child placing, without a valid license issued by the \* \* \* department. No out-of-state child-placing agency that provides a full range of services, including, but not limited to, adoptions, foster family homes, adoption counseling services or financial aid, may operate in this state without a valid license issued by the \* \* \* department. No child-placing agency shall advertise in the media markets in Mississippi seeking birth mothers or their children for adoption purposes unless the agency holds a

valid and current license issued either by the \* \* \* department or the authorized governmental licensing agency of another state that regulates child-placing agencies. Any child-placing agency, physician or attorney who advertises for child placing or adoption services in Mississippi shall be required by the \* \* \* department to show their principal office location on all media advertising for adoption services.

(2) An attorney who provides legal services to a client in connection with proceedings for the adoption of a child by the client, who does not receive, accept or provide custody or care for the child for the purposes specified in Section 43-15-103(c), shall not be required to have a license under this article to provide those legal services.

(3) An attorney, physician or other person may assist a parent in identifying or locating a person interested in adopting the parent's child, or in identifying or locating a child to be adopted. However, no payment, charge, fee, reimbursement of expense, or exchange of value of any kind, or promise or agreement to make the same, may be made for that assistance.

(4) Nothing in this section precludes payment of reasonable fees for medical, legal or other lawful services rendered in connection with the care of a mother, delivery and care of a child including, but not limited to, the mother's living expenses, or counseling for the parents and/or the child, and for the legal proceedings related to lawful adoption proceedings; and no provision of this section abrogates the right of procedures for independent adoption as provided by law.

(5) The \* \* \* department is specifically authorized to promulgate rules under the Administrative Procedures Law, Title 25, Chapter 43, Mississippi Code of 1972, to regulate fees charged by licensed child-placing agencies, if it determines that the practices of those licensed child-placing agencies demonstrates that the fees charged are excessive or that any of the agency's practices are deceptive or misleading; however, those rules regarding fees shall take into account the use of any sliding fee by an agency that uses a sliding fee procedure to permit prospective adoptive parents of varying income levels to utilize the services of those agencies or persons.

(6) The \* \* \* department shall promulgate rules under the Administrative Procedures Law, Title 25, Chapter 43, Mississippi Code of 1972, to require that all licensed child-placing agencies provide written disclosures to all prospective adoptive parents of any fees or other charges for each service performed by the agency or person, and file an annual report with the \* \* \* department that states the fees and charges for those services, and to require them to inform the \* \* \* department in writing thirty (30) days in advance of any proposed changes to the fees or charges for those services.

(7) The \* \* \* department is specifically authorized to disclose to prospective adoptive parents or other interested persons any fees charged by any licensed child-placing agency, attorney or counseling service or counselor for all legal and counseling services provided by that licensed child-placing agency, attorney or counseling service or counselor.

SECTION 49. Section 43-15-119, Mississippi Code of 1972, is amended as follows:

43-15-119. (1) If the \* \* \* department finds that a violation has occurred under this article or the rules and regulations of the \* \* \* department, it may:

(a) Deny, suspend or revoke a license or place the licensee on probation, if the \* \* \* department discovers that a licensee is not in compliance with the laws, standards or regulations governing its operation, and/or it finds evidence of aiding, abetting or permitting the commission of any illegal act; or

(b) Restrict or prohibit new admissions to the licensee's program or facility, if the \*\*\* department discovers that a licensee is not in compliance with the laws, standards or regulations governing its operation, and/or it finds evidence of aiding, abetting or permitting the commission of any illegal act.

(2) If placed on probation, the agency or licensee shall post a copy of the notice in a conspicuous place as directed by the \*\*\* department and with the agency's or individual's license, and the agency shall notify the custodians of each of the children in its care in writing of the agency's status and the basis for the probation.

SECTION 50. Section 43-15-121, Mississippi Code of 1972, is amended as follows:

43-15-121. In addition to, and notwithstanding, any other remedy provided by law, the \*\*\* department may, in a manner provided by law and upon the advice of the Attorney General who, except as otherwise authorized in Section 7-5-39, shall represent the \*\*\* department in the proceedings, maintain an action in the name of the state for injunction or other process against any person or entity to restrain or prevent the establishment, management or operation of a program or facility or performance of services in violation of this article or rules of the \*\*\* department.

SECTION 51. Section 43-15-125, Mississippi Code of 1972, is amended as follows:

43-15-125. The department \*\*\* and/or its officers, employees, attorneys and representatives shall not be held civilly liable for any findings, recommendations or actions taken pursuant to this article.

SECTION 52. Section 43-15-201, Mississippi Code of 1972, is amended as follows:

43-15-201. (1) An emergency medical services provider, without a court order, shall take possession of a child who is seven (7) days old or younger if the child is voluntarily delivered to the provider by the child's parent and the parent did not express an intent to return for the child.

(2) The parent who surrenders the baby shall not be required to provide any information pertaining to his or her identity, nor shall the emergency medical services provider inquire as to same. If the identity of the parent is known to the emergency medical services provider, the emergency medical services provider shall keep the identity confidential.

(3) A female presenting herself to a hospital through the emergency room or otherwise, who is subsequently admitted for purposes of labor and delivery, does not give up the legal protections or anonymity guaranteed under this section. If the mother clearly expresses a desire to voluntarily surrender custody of the newborn after birth, the emergency medical services provider can take possession of the child, without further action by the mother, as if the child had been presented to the emergency medical services provider in the same manner outlined above in subsection (1) of this section.

(a) If the mother expresses a desire to remain anonymous, identifying information may be obtained for purposes of securing payment of labor and delivery costs only. If the birth mother is a minor, the hospital may use the identifying information to secure payment through Medicaid, but shall not notify the minor's parent or guardian without the minor's consent.

(b) The identity of the birth mother shall not be placed on the birth certificate or disclosed to the Department of \*\*\* Child Protection Services.

(4) There is a presumption that by relinquishing a child in accordance with this section, the parent consents to the termination of his or her parental rights with respect to the child. As such, the parent waives the right to notification required by subsequent court proceedings.

(5) An emergency medical services provider who takes possession of a child under this section shall perform any act necessary to protect the physical health or safety of the child.

SECTION 53. Section 43-15-203, Mississippi Code of 1972, is amended as follows:

43-15-203. (1) No later than the close of the first business day after the date on which an emergency medical services provider takes possession of a child pursuant to Section 43-15-201, the provider shall notify the Department of \* \* \* Child Protection Services that the provider has taken possession of the child.

(2) The department shall assume the care, control and custody of the child immediately on receipt of notice pursuant to subsection (1). The department shall be responsible for all medical and other costs associated with the child and shall reimburse the hospital for any costs incurred prior to the child being placed in the care of the department.

SECTION 54. Section 43-15-207, Mississippi Code of 1972, is amended as follows:

43-15-207. For the purposes of this article, an emergency medical services provider shall mean a licensed hospital, as defined in Section 41-9-3, which operates an emergency department, an adoption agency duly licensed by the Department of \* \* \* Child Protection Services, or fire station or mobile ambulance staffed with full-time firefighters, emergency medical technicians or paramedics. An emergency medical services provider does not include the offices, clinics, surgeries or treatment facilities of private physicians or dentists. No individual licensed healthcare provider, including physicians, dentists, nurses, physician assistants or other health professionals shall be deemed to be an emergency medical services provider under this article unless such individual voluntarily assumes responsibility for the custody of the child.

SECTION 55. Section 43-16-3, Mississippi Code of 1972, is amended as follows:

43-16-3. As used in this chapter, the following definitions shall apply unless the context clearly provides otherwise:

(a) "Child" means a person who has not reached the age of eighteen (18) years or who has not otherwise been legally emancipated.

(b) "Child residential home" means any place, facility or home operated by any person which receives children who are not related to the operators and whose parents or guardians are not residents of the same facility for supervision, care, lodging and maintenance for twenty-four (24) hours a day, with or without transfer of custody. This term does not include:

(i) Residential homes licensed by the Department of \* \* \* Child Protection Services under Section 43-15-5;

(ii) Any public school;

(iii) Any home operated by a state agency;

(iv) Child care facilities as defined in Section 43-20-5;

(v) Youth camps as defined in Section 75-74-3;

(vi) Health care facilities licensed by the State Department of Health;

or

(vii) The home of an attorney-in-fact operating under a power of attorney executed under Section 93-31-1 et seq.

(c) "Department" shall mean the State Department of Health.

(d) "Person" shall include an individual, partnership, organization, association or corporation.

SECTION 56. Section 43-16-7, Mississippi Code of 1972, is amended as follows:

43-16-7. \* \* \* The operator of any child residential home shall provide notification in accordance with this chapter within sixty (60) days of beginning operation.

\* \* \*

SECTION 57. Section 43-18-3, Mississippi Code of 1972, is amended as follows:

43-18-3. The "appropriate public authorities" as used in Article III of the Interstate Compact on the Placement of Children shall, with reference to this state, means the \* \* \* Department of Child Protection Services, or with the approval of the Commissioner of Child Protection Services, any regional or local office of the Department of Child Protection Services shall be authorized to receive and act with reference to notices required by \* \* \* Article III.

SECTION 58. Section 43-18-5, Mississippi Code of 1972, is amended as follows:

43-18-5. As used in paragraph (a) of Article V of the Interstate Compact on the Placement of Children, the phrase "appropriate authority in the receiving state" with reference to this state shall mean the \* \* \* Department of \* \* \* Child Protection Services, or \* \* \* with the approval of the Commissioner of \* \* \* Child Protection Services, any regional or local office of the department.

SECTION 59. Section 43-21-351, Mississippi Code of 1972, is amended as follows:

43-21-351. (1) Any person or agency having knowledge that a child residing or being within the county is within the jurisdiction of the youth court may make a written report to the intake unit alleging facts sufficient to establish the jurisdiction of the youth court. The report shall bear a permanent number that will be assigned by the court in accordance with the standards established by the Administrative Office of Courts pursuant to Section 9-21-9(d), and shall be preserved until destroyed on order of the court.

(2) There shall be in each youth court of the state an intake officer who shall be responsible for the accurate and timely entering of all intake and case information into the Mississippi Youth Court Information Delivery System (MYCIDS) for the Department of Human Services - Division of Youth Services, truancy matters, and the \* \* \* Department of Child Protection Services. It shall be the responsibility of the youth court judge or referee of each county to ensure that the intake officer is carrying out the responsibility of this section.

SECTION 60. Section 43-21-354, Mississippi Code of 1972, is amended as follows:



43-21-354. The statewide incoming wide area telephone service established pursuant to Section 43-21-353 \* \* \* shall be maintained by the Department of \* \* \* Child Protection Services, or its successor, on a twenty-four-hour seven (7) days a week basis.

SECTION 61. Section 43-21-357, Mississippi Code of 1972, is amended as follows:

43-21-357. (1) After receiving a report, the youth court intake unit shall promptly make a preliminary inquiry to determine whether the interest of the child, other children in the same environment or the public requires the youth court to take further action. As part of the preliminary inquiry, the youth court intake unit may request or the youth court may order the Department of \* \* \* Child Protection Services, the Department of Human Services - Division of Youth Services, any successor agency or any other qualified public employee to make an investigation or report concerning the child and any other children in the same environment, and present the findings thereof to the youth court intake unit. If the youth court intake unit receives a neglect or abuse report, the youth court intake unit shall immediately forward the complaint to the Department of \* \* \* Child Protection Services to promptly make an investigation or report concerning the child and any other children in the same environment and promptly present the findings thereof to the youth court intake unit. If it appears from the preliminary inquiry that the child or other children in the same environment are within the jurisdiction of the court, the youth court intake unit shall recommend to the youth court:

(a) That the youth court take no action;

(b) That an informal adjustment be made;

(c) That the Department of \* \* \* Child Protection Services \* \* \* monitor the child, family and other children in the same environment;

(d) That the child is warned or counseled informally;

(e) That the child be referred to the youth court intervention court; or

(f) That a petition be filed.

(2) The youth court shall then, without a hearing:

(a) Order that no action be taken;

(b) Order that an informal adjustment be made;

(c) Order that the Department of \* \* \* Child Protection Services \* \* \* monitor the child, family and other children in the same environment;

(d) Order that the child is warned or counseled informally;

(e) That the child be referred to the youth intervention court; or

(f) Order that a petition be filed.

(3) If the preliminary inquiry discloses that a child needs emergency medical treatment, the judge may order the necessary treatment.

SECTION 62. Section 43-21-405, Mississippi Code of 1972, is amended as follows:

43-21-405. (1) The informal adjustment process shall be initiated with an informal adjustment conference conducted by an informal adjustment counselor appointed by the judge or his designee.

(2) If the child and his parent, guardian or custodian appear at the informal adjustment conference without counsel, the informal adjustment counselor shall, at the commencement of the conference, inform them of their right to counsel, the child's right to appointment of counsel and the right of the child to remain silent. If either the child or his parent, guardian or custodian indicates a desire to be represented by counsel, the informal adjustment counselor shall adjourn the conference to afford an opportunity to secure counsel.

(3) At the beginning of the informal adjustment conference, the informal adjustment counselor shall inform the child and his parent, guardian or custodian:

(a) That information has been received concerning the child which appears to establish jurisdiction of the youth court;

(b) The purpose of the informal adjustment conference;

(c) That during the informal adjustment process no petition will be filed;

(d) That the informal adjustment process is voluntary with the child and his parent, guardian or custodian and that they may withdraw from the informal adjustment at any time; and

(e) The circumstances under which the informal adjustment process can be terminated under Section 43-21-407.

(4) The informal adjustment counselor shall then discuss with the child and his parent, guardian or custodian:

(a) Recommendations for actions or conduct in the interest of the child to correct the conditions of behavior or environment which may exist;

(b) Continuing conferences and contacts with the child and his parent, guardian or custodian by the informal adjustment counselor or other authorized persons; and

(c) The child's general behavior, his home and school environment and other factors bearing upon the proposed informal adjustment.

(5) After the parties have agreed upon the appropriate terms and conditions of informal adjustment, the informal adjustment counselor and the child and his parent, guardian or custodian shall sign a written informal adjustment agreement setting forth the terms and conditions of the informal adjustment. The informal adjustment agreement may be modified at any time upon the consent of all parties to the informal adjustment conference.

(6) The informal adjustment process shall not continue beyond a period of six (6) months from its commencement unless extended by the youth court for an additional period not to exceed six (6) months by court authorization prior to the expiration of the original six-month period. In no event shall the custody or supervision of a child which has been placed with the Department of \* \* \* Human Services - Division of Youth Services or the Department of Child Protection Services be continued or extended except upon a written finding by the youth court judge or referee that reasonable efforts have been made to maintain the child within his own home, but that the circumstances warrant his removal and there is no reasonable alternative to custody, and that reasonable efforts will continue to be made towards reunification of the family.

SECTION 63. Section 43-21-603, Mississippi Code of 1972, is amended as follows:

43-21-603. (1) At the beginning of each disposition hearing, the judge shall inform the parties of the purpose of the hearing.

(2) All testimony shall be under oath unless waived by all parties and may be in narrative form. The court may consider any evidence that is material and relevant to the disposition of the cause, including hearsay and opinion evidence. At the conclusion of the evidence, the youth court shall give the parties an opportunity to present oral argument.

(3) If the child has been adjudicated a delinquent child, before entering a disposition order, the youth court should consider, among others, the following relevant factors:

(a) The nature of the offense;

(b) The manner in which the offense was committed;

(c) The nature and number of a child's prior adjudicated offenses;

(d) The child's need for care and assistance;

(e) The child's current medical history, including medication and diagnosis;

(f) The child's mental health history, which may include, but not be limited to, the Massachusetts Youth Screening Instrument version 2 (MAYSI-2);

(g) Copies of the child's cumulative record from the last school of record, including special education records, if applicable;

(h) Recommendation from the school of record based on areas of remediation needed;

(i) Disciplinary records from the school of record; and

(j) Records of disciplinary actions outside of the school setting.

(4) If the child has been adjudicated a child in need of supervision, before entering a disposition order, the youth court should consider, among others, the following relevant factors:

(a) The nature and history of the child's conduct;

(b) The family and home situation; and

(c) The child's need of care and assistance.

(5) If the child has been adjudicated a neglected child or an abused child, before entering a disposition order, the youth court shall consider, among others, the following relevant factors:

(a) The child's physical and mental conditions;

(b) The child's or family's need of assistance;

(c) The manner in which the parent, guardian or custodian participated in, tolerated or condoned the abuse, neglect or abandonment of the child;

(d) The ability of a child's parent, guardian or custodian to provide proper supervision and care of a child; and

(e) Relevant testimony and recommendations, where available, from the foster parent of the child, the grandparents of the child, the guardian ad litem of the child, representatives of any private care agency that has cared for the child, the family protection worker or family protection specialist assigned to the case, and any other relevant testimony pertaining to the case.

(6) After consideration of all the evidence and the relevant factors, the youth court shall enter a disposition order that shall not recite any of the facts or circumstances upon which the disposition is based, nor shall it recite that a child has been found guilty; but it shall recite that a child is found to be a delinquent child, a child in need of supervision, a neglected child or an abused child.

(7) If the youth court orders that the custody or supervision of a child who has been adjudicated abused or neglected be placed with the Department of \* \* \* Child Protection Services or any other person or public or private agency, other than the child's parent, guardian or custodian, the youth court shall find and the disposition order shall recite that:

(a) (i) Reasonable efforts have been made to maintain the child within his own home, but that the circumstances warrant his removal and there is no reasonable alternative to custody; or

(ii) The circumstances are of such an emergency nature that no reasonable efforts have been made to maintain the child within his own home, and that there is no reasonable alternative to custody; and

(b) That the effect of the continuation of the child's residence within his own home would be contrary to the welfare of the child and that the placement of the child in foster care is in the best interests of the child; or

(c) Reasonable efforts to maintain the child within his home shall not be required if the court determines that:

(i) The parent has subjected the child to aggravated circumstances, including, but not limited to, abandonment, torture, chronic abuse and sexual abuse; or

(ii) The parent has been convicted of murder of another child of that parent, voluntary manslaughter of another child of that parent, aided or abetted, attempted, conspired or solicited to commit that murder or voluntary manslaughter, or a felony assault that results in the serious bodily injury to the surviving child or another child of that parent; or

(iii) The parental rights of the parent to a sibling have been terminated involuntarily; and

(iv) That the effect of the continuation of the child's residence within his own home would be contrary to the welfare of the child and that placement of the child in foster care is in the best interests of the child.

Once the reasonable efforts requirement is bypassed, the court shall have a permanency hearing under Section 43-21-613 within thirty (30) days of the finding.

(8) Upon a written motion by a party, the youth court shall make written findings of fact and conclusions of law upon which it relies for the disposition order. If the disposition

ordered by the youth court includes placing the child in the custody of a training school, an admission packet shall be prepared for the child that contains the following information:

- (a) The child's current medical history, including medications and diagnosis;
- (b) The child's mental health history;
- (c) Copies of the child's cumulative record from the last school of record, including special education records, if reasonably available;
- (d) Recommendation from the school of record based on areas of remediation needed;
- (e) Disciplinary records from the school of record; and
- (f) Records of disciplinary actions outside of the school setting, if reasonably available.

Only individuals who are permitted under the Health Insurance Portability and Accountability Act of 1996 (HIPAA) shall have access to a child's medical records which are contained in an admission packet. The youth court shall provide the admission packet to the training school at or before the child's arrival at the training school. The admittance of any child to a training school shall take place between the hours of 8:00 a.m. and 3:00 p.m. on designated admission days.

(9) When a child in the jurisdiction of the Youth Court is committed to the custody of the Mississippi Department of Human Services or the Department of Child Protection Services and is believed to be in need of treatment for a mental or emotional disability or infirmity, the Department of Human Services or the Department of Child Protection Services shall file an affidavit alleging that the child is in need of mental health services with the Youth Court. The Youth Court shall refer the child to the appropriate community mental health center for evaluation pursuant to Section 41-21-67. If the prescreening evaluation recommends residential care, the Youth Court shall proceed with civil commitment pursuant to Sections 41-21-61 et seq., 43-21-315 and 43-21-611, and the Department of Mental Health, once commitment is ordered, shall provide appropriate care, treatment and services for at least as many adolescents as were provided services in fiscal year 2004 in its facilities.

(10) Any screening and assessment examinations ordered by the court may aid in dispositions related to delinquency, but no statements or admissions made during the course thereof may be admitted into evidence against the child on the issue of whether the child committed a delinquent act.

SECTION 64. Section 43-21-609, Mississippi Code of 1972, as amended by House Bill No. 1115, 2023 Regular Session, is amended as follows:

43-21-609. In neglect and abuse cases, the disposition order may include any of the following alternatives, giving precedence in the following sequence:

- (a) Release the child without further action;
- (b) Place the child in the custody of his parents, a relative or other person subject to any conditions and limitations as the court may prescribe. If the court finds that temporary relative placement, adoption or foster care placement is inappropriate, unavailable or otherwise not in the best interest of the child, durable legal custody may be granted by the court to any person subject to any limitations and conditions the court may prescribe; such durable legal custody will not take effect unless the child or children have been in the physical custody of the proposed durable custodians for at least six (6) months under the supervision of the Department of \* \* \* Child Protection Services. After granting

durable legal custody of a minor child, the youth court shall retain original and exclusive jurisdiction of all matters related to durable legal custody, including, but not limited to, petitions to modify the durable legal custody. The requirements of Section 43-21-613 as to disposition review hearings do not apply to those matters in which the court has granted durable legal custody. In such cases, the Department of \* \* \* Child Protection Services shall be released from any oversight or monitoring responsibilities;

(c) (i) Grant durable legal relative guardianship to a relative or fictive kin licensed as a foster parent if the licensed relative foster parent or licensed fictive kin foster parent exercised physical custody of the child for at least six (6) months before the grant of durable legal relative guardianship and the Department of Child Protection Services had legal custody or exercised supervision of the child for at least six (6) months. In order to establish durable legal relative guardianship, the youth court must find the following:

1. That reunification has been determined to be inappropriate;
2. That the relative guardian or fictive kin guardian shows full commitment to the care, shelter, education, nurture, and reasonable medical care of the child; and
3. That the youth court consulted with any child twelve (12) years of age or older before granting durable legal relative guardianship.

(ii) The requirements of Section 43-21-613 as to disposition review hearings do not apply to a hearing concerning durable legal relative guardianship. However, the Department of Child Protection Services must conduct an annual review and recertification of the durable legal relative guardianship to determine whether it remains in the best interest of the child. If a material change in circumstances occurs adverse to the best interest of the child, the parent, relative guardian, fictive kin guardian, or Department of Child Protection Services may petition the court to review the durable legal relative guardianship;

(d) Order terms of treatment calculated to assist the child and the child's parent, guardian or custodian which are within the ability of the parent, guardian or custodian to perform;

(e) Order youth court personnel, the Department of Child Protection Services or child care agencies to assist the child and the child's parent, guardian or custodian to secure social or medical services to provide proper supervision and care of the child;

(f) Give legal custody of the child to any of the following but in no event to any state training school:

(i) The Department of Child Protection Services for appropriate placement; or

(ii) Any private or public organization, preferably community-based, able to assume the education, care and maintenance of the child, which has been found suitable by the court. Prior to assigning the custody of any child to any private institution or agency, the youth court through its designee shall first inspect the physical facilities to determine that they provide a reasonable standard of health and safety for the child;

(g) If the court makes a finding that custody is necessary as defined in Section 43-21-301(3)(b), and that the child, in the action pending before the youth court had not previously been taken into custody, the disposition order shall recite that the effect of the continuation of the child's residing within his or her own home would be contrary to the welfare of the child, that the placement of the child in foster care is in the best interests

of the child, and unless the reasonable efforts requirement is bypassed under Section 43-21-603(7)(c), the order also must state:

(i) That reasonable efforts have been made to maintain the child within his or her own home, but that the circumstances warrant his or her removal, and there is no reasonable alternative to custody; or

(ii) The circumstances are of such an emergency nature that no reasonable efforts have been made to maintain the child within his or her own home, and there is no reasonable alternative to custody; or

(iii) If the court makes a finding in accordance with subparagraph (ii) of this paragraph, the court shall order that reasonable efforts be made towards the reunification of the child with his or her family; or

(h) If the court had, before the disposition hearing in the action pending before the court, taken the child into custody, the judge or referee shall determine, and the youth court order shall recite that reasonable efforts were made by the Department of Child Protection Services to finalize the child's permanency plan that was in effect on the date of the disposition hearing.

SECTION 65. Section 43-21-801, Mississippi Code of 1972, is amended as follows:

43-21-801. (1) There is established the Youth Court Support Program. The purpose of the program shall be to ensure that all youth courts have sufficient support funds to carry on the business of the youth court. The Administrative Office of Courts shall establish a formula consistent with this section for providing state support payable from the Youth Court Support Fund for the support of the youth courts.

(a) (i) Each regular youth court referee is eligible for youth court support funds so long as the senior chancellor does not elect to employ a youth court administrator as set forth in paragraph (b); a municipal youth court judge is also eligible. The Administrative Office of Courts shall direct any funds to the appropriate county or municipality. The funds shall be utilized to compensate an intake officer who shall be responsible for ensuring that all intake and case information for the Department of Human Services - Division of Youth Services, truancy matters, and the \* \* \* Department of Child Protection Services is entered into the Mississippi Youth Court Information Delivery System (MYCIDS) in an accurate and timely manner. If the court already has an intake officer responsible for entering all cases of the Department of Human Services - Division of Youth Services, truancy matters, and the \* \* \* Department of Child Protection Services into MYCIDS, the regular youth court referee or municipal court judge may certify to the Administrative Office of Courts that such a person is already on staff. In such a case, each regular youth court referee or municipal youth court judge shall have the sole individual discretion to appropriate those funds as expense monies to assist in hiring secretarial staff and acquiring materials and equipment incidental to carrying on the business of the court within the private practice of law of the referee or judge, or may direct the use of those funds through the county or municipal budget for court support supplies or services. The regular youth court referee and municipal youth court judge shall be accountable for assuring through private, county or municipal employees the proper preparation and filing of all necessary tracking and other documentation attendant to the administration of the youth court.

(ii) Title to all tangible property, excepting stamps, stationery and minor expendable office supplies, procured with funds authorized by this section, shall be and forever remain in the county or municipality to be used by the judge or referee during the term of his office and thereafter by his successors.

(b) (i) When permitted by the Administrative Office of Courts and as funds are available, the senior chancellor for Chancery Districts One, Two, Three, Four, Six, Seven, Nine, Ten, Thirteen, Fourteen, Fifteen and Eighteen may appoint a youth court administrator for the district whose responsibility will be to perform all reporting, tracking and other duties of a court administrator for all youth courts in the district that are under the chancery court system. Any chancery district listed in this paragraph in which a chancellor appoints a referee or special master to hear any youth court matter is ineligible for funding under this paragraph (b). The Administrative Office of Courts may allocate to an eligible chancery district a sum not to exceed Thirty Thousand Dollars (\$30,000.00) per year for the salary, fringe benefits and equipment of the youth court administrator, and an additional sum not to exceed One Thousand Nine Hundred Dollars (\$1,900.00) for the administrator's travel expenses.

(ii) The appointment of a youth court administrator shall be evidenced by the entry of an order on the minutes of the court. The person appointed shall serve at the will and pleasure of the senior chancellor but shall be an employee of the Administrative Office of Courts.

(iii) The Administrative Office of Courts must approve the position, job description and salary before the position can be filled. The Administrative Office of Courts shall not approve any plan that does not first require the expenditure of the funds from the Youth Court Support Fund before expenditure of county funds is authorized for that purpose.

(iv) Title to any tangible property procured with funds authorized under this paragraph shall be and forever remain in the State of Mississippi.

(c) (i) Each county court is eligible for youth court support funds. The funds shall be utilized to provide compensation to an intake officer who shall be responsible for ensuring that all intake and case information for the Department of Human Services - Division of Youth Services, truancy matters, and the \* \* \* Department of Child Protection Services is entered into the Mississippi Youth Court Information Delivery System (MYCIDS) in an accurate and timely manner. If the county court already has an intake officer or other staff person responsible for entering all cases of the Department of Human Services - Division of Youth Services, truancy matters and the \* \* \* Department of Child Protection Services into MYCIDS, the senior county court judge may certify that such a person is already on staff. In such a case, the senior county court judge shall have discretion to direct the expenditure of those funds in hiring other support staff to carry on the business of the court.

(ii) For the purposes of this paragraph, "support staff" means court administrators, law clerks, legal research assistants, secretaries, resource administrators or case managers appointed by a youth court judge, or any combination thereof, but shall not mean school attendance officers.

(iii) The appointment of support staff shall be evidenced by the entry of an order on the minutes of the court. The support staff so appointed shall serve at the will and pleasure of the senior county court judge but shall be an employee of the county.

(iv) The Administrative Office of Courts must approve the positions, job descriptions and salaries before the positions may be filled. The Administrative Office of Courts shall not approve any plan that does not first require the expenditure of funds from the Youth Court Support Fund before expenditure of county funds is authorized for that purpose.

(v) The Administrative Office of Courts may approve expenditure from the fund for additional equipment for support staff appointed pursuant to this paragraph if the additional expenditure falls within the formula. Title to any tangible



property procured with funds authorized under this paragraph shall be and forever remain in the county to be used by the youth court and support staff.

(2) (a) (i) The formula developed by the Administrative Office of Courts for providing youth court support funds shall be devised so as to distribute appropriated funds proportional to caseload and other appropriate factors as set forth in regulations promulgated by the Administrative Office of Courts. The formula will determine a reasonable maximum amount per judge or referee per annum that will not be exceeded in allocating funds under this section.

(ii) The formula shall be reviewed by the Administrative Office of Courts every two (2) years to ensure that the youth court support funds provided herein are proportional to each youth court's caseload and other specified factors.

(iii) The Administrative Office of Courts shall have wide latitude in the first two-year cycle to implement a formula designed to maximize caseload data collection.

(b) Application to receive funds under this section shall be submitted in accordance with procedures established by the Administrative Office of Courts.

(c) Approval of the use of any of the youth court support funds distributed under this section shall be made by the Administrative Office of Courts in accordance with procedures established by the Administrative Office of Courts.

(3) (a) There is created in the State Treasury a special fund to be designated as the "Youth Court Support Fund," which shall consist of funds appropriated or otherwise made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be distributed to the youth courts by the Administrative Office of Courts for the purposes described in this section.

(b) (i) During the regular legislative session held in calendar year 2007, the Legislature may appropriate an amount not to exceed Two Million Five Hundred Thousand Dollars (\$2,500,000.00) to the Youth Court Support Fund.

(ii) During each regular legislative session subsequent to the 2007 Regular Session, the Legislature shall appropriate Two Million Five Hundred Thousand Dollars (\$2,500,000.00) to the Youth Court Support Fund.

(c) No youth court judge or youth court referee shall be eligible to receive funding from the Youth Court Support Fund who has not received annual continuing education in the field of juvenile justice in an amount to conform with the requirements of the Rules and Regulations for Mandatory Continuing Judicial Education promulgated by the Supreme Court. The Administrative Office of Courts shall maintain records of all referees and youth court judges regarding such training and shall not disburse funds to any county or municipality for the budget of a youth court judge or referee who is not in compliance with the judicial training requirements.

(4) Any recipient of funds from the Youth Court Support Fund shall not be eligible for continuing disbursement of funds if the recipient is not in compliance with the terms, conditions and reporting requirements set forth in the procedures promulgated by the Administrative Office of Courts.

SECTION 66. Section 43-27-101, Mississippi Code of 1972, is amended as follows:

43-27-101. For purposes of Sections 43-27-101 and 43-27-103, the following words shall have the meanings ascribed in this section, unless the context requires otherwise:

(a) "Child or youth in the custody of the Department of Human Services" means an individual:

(i) Who has not yet reached his eighteenth birthday;

(ii) Who has been legally placed in the custody of the Department of Human Services by the youth court and for whom custody with the Department of Human Services was not sought by the parents or legal custodians or guardians for the parents' or legal custodians' or guardians' legal responsibilities to relieve themselves of the responsibility for paying for treatment for a child or youth; and

(iii) Who is unable to be maintained with the family or legal guardians or custodians due to his or her need for specialized care.

(b) "Child or youth under the supervision of the Department of \* \* \* Child Protection Services" means an individual:

(i) Who has not yet reached his eighteenth birthday; and

(ii) Who has been referred for abuse or neglect and for whom a case has been opened and is active in the \* \* \* Department of Child Protection Services.

(c) "Plan of care" means a written plan of services needed to be provided for a child or youth and his or her family in order to provide the special care or services required.

(d) "Special needs crisis" means:

(i) Conduct or behavioral problems of such a severe nature and level that family or parental violence, abuse, and/or neglect pose an imminent threat or are present; or

(ii) Conduct or behavioral problems of such a severe nature and level that family or parental violence, abuse, and/or neglect pose an imminent threat or are present.

(e) "Specialized care" means:

(i) "Self care," which means the ability to provide, sustain and protect himself or herself at a level appropriate to his or her age;

(ii) "Interpersonal relationships," which means the ability to build and maintain satisfactory relationships with peers and adults;

(iii) "Family life," which means the capacity to live in a family or family-type environment;

(iv) "Self direction," which means the child's ability to control his or her behavior and to make decisions in a manner appropriate to his or her age;

(v) "Education," which means the ability to learn social and intellectual skill from teachers in an available educational setting.

(f) "Special needs child" means a child with a variety of handicapping conditions or disabilities, including emotional or severely emotional disorders. These

conditions or disabilities present the need for special medical attention, supervision and therapy on a very regimented basis.

SECTION 67. Section 43-27-103, Mississippi Code of 1972, is amended as follows:

43-27-103. (1) Sections 43-27-101 and 43-27-103 shall enable the development by the Department of Human Services or the Department of Child Protection Services of a system of services for children or youth in the custody of the Department of Human Services or under the supervision of the Department of \* \* \* Child Protection Services, if funds are appropriated to \* \* \* either department for that purpose. The system of services may consist of emergency response services, an early intervention and treatment unit, respite care, crisis nurseries, specialized outpatient or inpatient treatment services, special needs foster care, therapeutic foster care, emergency foster homes, and Medicaid targeted case management for abused and neglected children and youth as well as children adjudicated delinquent or in need of supervision. Any of these services that are provided shall be arranged by and coordinated through the Department of Human Services or the Department of Child Protection Services, and \* \* \* each department may contract with public or private agencies or entities to provide any of the services or may provide any of the services itself. All of the services shall be provided in facilities that meet the standards set by the Department of Human Services or the Department of Child Protection Services for the particular type of facility involved. None of the services provided shall duplicate existing services except where there is a documented need for expansion of the services.

(2) A description of the services that may be provided under Sections 43-27-101 and 43-27-103 are as follows:

(a) "Emergency response services" means services to respond to children or youth in severe crisis and include:

(i) Emergency single-point phone lines;

(ii) Crisis care coordinators staffing shifts that enable twenty-four-hour per day response as "frontline" professionals when crisis calls are received, assist with decision-making, family support, initiate plan of action and remain "on call" for the first seventy-two (72) hours for other service professionals to get in place and insure development of a plan of care;

(iii) Acute care/emergency medical response through contracted services with up to five (5) regional hospitals providing emergency room services and hospitalization for up to seventy-two (72) hours with a maximum of One Hundred Dollars (\$100.00) per day;

(iv) Case managers;

(v) Respite services; and

(vi) Assessment services contracted with social workers, psychologists, psychiatrists and other health professionals.

(b) "Early intervention and treatment unit" means a unique, nonhospital crisis service in a residential context that is able to provide the level of support and intervention needed to resolve the crisis and as an alternative to hospitalization. This unit shall provide specialized assessment, including a variety of treatment options and services to best intervene in a child or youth's crisis, and provide an appropriate plan for further services upon returning to the home and community. Staff-to-child or youth ratio shall be high, with multidisciplinary, specialized services for up to six (6) children or youths

at one (1) time, and with the maximum assessment and treatment planning and services being ninety (90) days for most children or youths.

(c) "Respite care" means planned temporary care for a period of time ranging from a few hours within a twenty-four-hour period to an overnight or weekend stay to a maximum of ten (10) days. Care may be provided in-home or out-of-home with trained respite parents or counselors and is designed to provide a planned break for the parents from the caretaking role with the child.

(d) "Crisis nurseries" means a program providing therapeutic nursery treatment services to preschool aged children who as preschoolers demonstrate significant behavioral or emotional disorders. These services shall be to therapeutically address developmental and emotional behavioral difficulties through direct intervention with the child in a nursery school environment and to intervene with parents to provide education, support and therapeutic services.

(e) "Specialized outpatient or inpatient treatment services," such as sex offender treatment, means specialized treatment for perpetrators of sexual offenses with children.

(f) "Special needs foster care" means foster care for those children with a variety of handicapping conditions or disabilities, including serious emotional disturbance.

(g) "Therapeutic foster care" means residential mental health services provided to children and adolescents in a family setting, utilizing specially trained foster parents. Therapeutic foster care essentially involves the following features:

(i) Placement with foster parents who have been carefully selected by knowledgeable, well-trained mental health and social service professionals to work with children with an emotional disturbance;

(ii) Provision of special training to the foster parents to assist them in working with children with an emotional disturbance;

(iii) Low staff-to-child ratio, allowing the therapeutic staff to work very closely with each child, the foster parents and the biological parents, if available;

(iv) Creation of a support system among these specially trained foster parents; and

(v) Payment of a special foster care payment to the foster parents.

(h) "Emergency foster homes" means those homes used on a short-term basis for (i) children who are temporarily removed from the home in response to a crisis situation, or (ii) youth who exhibit special behavioral or emotional problems for whom removal from the existing home situation is necessary. In some cases they may provide an emergency placement for infants and toddlers for whom no regular foster home is available, rather than placement into an emergency shelter where older and larger groups of children are placed. Foster parents are trained to deal with the special needs of children placed in these emergency homes.

(i) "Medicaid targeted case management" means activities that are related to assuring the completion of proper client evaluations; arranging and supporting treatment plans, monitoring services, coordinating service delivery and other related actions.

SECTION 68. Section 43-27-109, Mississippi Code of 1972, is amended as follows:

43-27-109. The Department of Human Services or the Department of Child Protection Services may employ a sufficient number of new family protection specialists, youth counselors and clerical staff to reduce the caseload sizes for social workers and youth counselors of \* \* \* each department and to reduce the workload on clerical staff, if funds are appropriated to the department for that purpose.

SECTION 69. Section 43-27-113, Mississippi Code of 1972, is amended as follows:

43-27-113. In any investigation by the Department of \* \* \* Child Protection Services of a report made under Section 43-21-101 et seq. of the abuse or neglect of a child as defined in Section 43-21-105, the department may request the appropriate law enforcement officer with jurisdiction to accompany the department in its investigation, and in such cases the law enforcement officer shall comply with such request.

SECTION 70. Section 43-27-115, Mississippi Code of 1972, is amended as follows:

43-27-115. The Department of Human Services \* \* \* and the Department of Child Protection Services are each authorized to employ one (1) program manager for each department region, if funds are appropriated to \* \* \* either department for that purpose, whose duties shall be to develop an ongoing public education program to inform Mississippi citizens about the needs of the state's children, youth and families, the work of the department in addressing these needs and how citizens might become involved. The Department of Human Services and the Department of Child Protection Services shall develop formal agreements of cooperation and protocol between \* \* \* each department and other providers of services to children and families including school districts, hospitals, law enforcement agencies, mental health centers and others.

SECTION 71. Section 43-27-117, Mississippi Code of 1972, is amended as follows:

43-27-117. The Department of \* \* \* Child Protection Services is authorized to establish an online automated child welfare information system, if funds are appropriated to the department for that purpose, to give the department the capability to supply foster care, adoption and child abuse and neglect data to the federal Department of Health and Human Services in a specified format as required, and to help the department in tracking child abuse and neglect referrals and the number of children affected in those referrals.

SECTION 72. Section 43-27-119, Mississippi Code of 1972, is amended as follows:

43-27-119. There is created a joint task force of the Department of Human Services, the Department of Child Protection Services and the Attorney General's Office consisting of the executive directors of the departments, the Attorney General, any staff persons designated by the executive directors and the Attorney General, and any other persons designated by the executive directors and the Attorney General. The joint task force shall research the issue of when \* \* \* each department should consider appealing court decisions that are contrary to the department's recommendations in child welfare and juvenile offender cases, and shall issue a protocol for determining the type of cases that should be appealed. The protocol shall establish the following:

- (a) General guidelines to be considered for appealing a case;
- (b) The type of information from case records and court records that should be entered into the appeal file; and
- (c) The individuals who have authority to set the appeals process in motion and who can make final decisions about whether an appeal should be filed or not.

Not later than November 30, 1994, the joint task force shall complete its research, issue the protocol, and make recommendations to the Legislature for any administrative and legislative action necessary to properly and sufficiently address this issue.

SECTION 73. Section 43-43-5, Mississippi Code of 1972, is amended as follows:

43-43-5. All purchase of service contracts between the \* \* \* Department of \* \* \* Human Services or the Department of Child Protection Services and individuals, associations or corporations other than state agencies shall be for the reimbursement of actual costs incurred in providing services. However, the \* \* \* Department of \* \* \* Human Services or the Department of Child Protection Services, in accordance with policy established by \* \* \* either department, may advance one-twelfth (1/12) of the total estimated cost for providing services under the twelve-month contractual agreement, upon written request of a contractor, to give the contractor a better cash flow. Any funds so advanced shall be withheld from the contract reimbursement payments and in no case shall the final reimbursement payment to the contractor exceed the actual cost incurred in providing services. Any contractor receiving such advance payments shall be strictly liable to ensure that same is adjusted to actual cost, including repayment of excess cash advances if necessary, prior to the final closeout of the purchase of service contract.

SECTION 74. Section 43-51-3, Mississippi Code of 1972, is amended as follows:

43-51-3. As used in this chapter, unless the context clearly requires otherwise, the following words and phrases shall have the meanings respectively ascribed to them in this section:

(a) "Child at imminent risk of placement" means a minor who may be reasonably expected to face, in the near future, commitment to the care or custody of the state as a result of:

(i) Dependency, abuse or neglect;

(ii) Emotional disturbance;

(iii) Family conflict so extensive that reasonable control of the child is not exercised; or

(iv) Delinquency adjudication.

\* \* \*

( \* \* \*b) "Family preservation services" means services designed to help families alleviate risks or crises that might lead to out-of-home placement of children. The services may include procedures to maintain the safety of children in their own homes, support to families preparing to reunify or adopt and assistance to families in obtaining services and other sources of support necessary to address their multiple needs in a culturally sensitive environment.

( \* \* \*c) "Family support services" means preventive community-based activities designed to alleviate stress and to promote parental competencies and behaviors that will increase the ability of families to successfully nurture their children and will enable families to use other resources and opportunities available in the community. These services may include supportive networks designed to enhance child-rearing abilities of parents and to help compensate for the increased social isolation and vulnerability of families. Examples of these services and activities include: respite care for parents and other caregivers; early developmental screening of children to assess the needs of these children and assistance in obtaining specific services to meet their needs; mentoring, tutoring and health education for youth; and a range of center-based activities, such as informal interactions in drop-in centers and parent support groups, and home visiting programs.

SECTION 75. Section 43-51-5, Mississippi Code of 1972, is amended as follows:

43-51-5. (1) The \*\*\* Department of \*\*\* Child Protection Services \*\*\* shall engage in a comprehensive planning process \*\*\* to develop, coordinate and implement a meaningful and responsive program of family support and family preservation services. The scope of planning shall address child welfare, housing, mental health, primary health, education, juvenile justice, community-based programs providing family support and family preservation services and other social programs that service children at imminent risk of placement and their families. In developing the plan, the department, in its discretion, may invite active participation from local consumers, practitioners, researchers, foundations, mayors, members of the Legislature and any available federal regional staff.

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(\*\*\*) In addition to the family preservation and family support services defined in Section 41-51-3, the \*\*\* Department of Child Protection Services shall offer a wide range of services, included, but not limited to, the following: crisis resolution; teaching measures to prevent the repeated occurrence of abuse, neglect and/or family conflict; education in parenting skills, child development, communication, negotiations and home maintenance skills; child and family advocacy; and job-readiness training.

SECTION 76. Section 43-51-7, Mississippi Code of 1972, is amended as follows:

43-51-7. The \*\*\* Department of \*\*\* Child Protection Services shall apply annually for any available federal funds that may be used to defray the planning and service expenses, in all or in part, of \*\*\* this chapter, including, but not limited to, funds available under the \*\*\* Family First Prevention Services Act.

SECTION 77. Section 45-33-36, Mississippi Code of 1972, is amended as follows:

45-33-36. (1) Upon receipt of sex offender registration or change of registration information, the Department of Public Safety shall immediately provide the information to:

- (a) The National Sex Offender Registry or other appropriate databases;
- (b) The sheriff of the county and the chief law enforcement officer of any other jurisdiction where the offender resides, lodges, is an employee or is a student or intends to reside, work, attend school or volunteer;
- (c) The sheriff of the county and the chief law enforcement officer of any other jurisdiction from which or to which a change of residence, employment or student status occurs;
- (d) The Department of Human Services, the Department of Child Protection Services, and any other social service entities responsible for protecting minors in the child welfare system;
- (e) The probation agency that is currently supervising the sex offender;
- (f) Any agency responsible for conducting employment-related background checks under Section 3 of the National Child Protection Act of 1993 (42 USC 5119(a));
- (g) Each school and public housing agency in each jurisdiction in which the sex offender resides, is an employee or is a student;
- (h) All prosecutor offices in each jurisdiction in which the sex offender resides, is an employee, or is a student; and

(i) Any other agencies with criminal investigation, prosecution or sex offender supervision functions in each jurisdiction in which the sex offender resides, is an employee, or is a student.

(2) The Department of Public Safety shall post changes to the public registry website within three (3) business days. Electronic notification will be available via the internet to all law enforcement agencies, to any volunteer organizations in which contact with minors or vulnerable adults might occur and any organization, company or individual who requests notification pursuant to procedures established by the Department of Public Safety. This provision shall take effect upon the state's receipt and implementation of the Department of Justice software in compliance with the provisions of the Adam Walsh Act.

(3) From and after July 1, 2015, local jurisdictions receiving notification and that have the ability may notify residents when a sex offender begins residing, lodges, becomes employed, volunteers or attends school or intends to reside, lodge, work, attend school or volunteer in the area by using a website, social media, print media, email or may provide a link to the Department of Public Safety website.

SECTION 78. Section 57-13-23, Mississippi Code of 1972, is amended as follows:

57-13-23. (1) There is \* \* \* created and established the Mississippi Automated Resource Information System (MARIS), (heretofore created by Executive Order No. 459, dated May 26, 1983, as amended by Executive Order No. 562, dated January 15, 1986), which shall be the mechanism within state government for the storing, processing, extracting and disseminating of useful data and information relating to the state's resources.

(2) The goal of MARIS shall be to facilitate the achievement of state agencies' responsibilities as they relate to the development, management, conservation, protection and utilization of the resources of Mississippi by making usable resource data and information more readily available and in a format that is consistent throughout state departments, agencies and institutions, and, to the extent possible, with federal and privately generated resource data banks.

(3) MARIS shall be under the supervision and general policy formulations of a policy committee as the cooperative effort of state departments, agencies and institutions for the sharing of useful data acquired and generated by state agencies in discharging their individual responsibilities.

(4) There is \* \* \* created and established the MARIS Policy Committee composed of the directors or their designees of the following departments, agencies and institutions:

Center for Population Studies, University of Mississippi

\* \* \*Department of Information Technology Services

Department of Agriculture and Commerce

Department of Archives and History

\* \* \*Mississippi Development Authority

Department of Human Services

Department of Child Protection Services

Department of Environmental Quality



Department of Wildlife, Fisheries and Parks

Mississippi Department of Transportation

Mississippi Emergency Management Agency

Mississippi Mineral Resources Institute, University of  
Mississippi

Department of Finance and Administration

Office of the Secretary of State

Public Service Commission

Remote Sensing Center, Mississippi State University

State Forestry Commission

State Department of Health

State Oil and Gas Board

State Soil and Water Conservation Commission

\* \* \*Department of Revenue

University Research Center

Water Management Council.

(5) The MARIS Policy Committee shall elect a chairman, vice chairman and secretary, and it shall elect an executive committee from the membership of the policy committee to be composed of not less than five (5) nor more than nine (9) members, including the aforesaid officers. The policy committee may elect to the executive committee one (1) person other than from its membership. The policy committee shall determine the authority and responsibility to be exercised by the executive committee.

(6) There is \* \* \* created and established the MARIS Task Force which shall be composed of at least one (1) representative from each of the aforesaid agencies with knowledge in computer applications to natural, cultural, industrial or economic resources to be appointed by the respective directors thereof, and any other persons deemed advisable by the policy committee.

(7) The University Research Center shall house the MARIS equipment and staff and shall provide administrative support for the policy committee and technical support to all member agencies.

(8) It shall be the duty of every department, agency, office and institution of the State of Mississippi, and the officers thereof, to cooperate with and assist the MARIS Policy Committee in every reasonable way.

SECTION 79. Section 93-5-23, Mississippi Code of 1972, is amended as follows:

93-5-23. When a divorce shall be decreed from the bonds of matrimony, the court may, in its discretion, having regard to the circumstances of the parties and the nature of the case, as may seem equitable and just, make all orders touching the care, custody and maintenance of the children of the marriage, and also touching the maintenance and

alimony of the wife or the husband, or any allowance to be made to her or him, and shall, if need be, require bond, sureties or other guarantee for the payment of the sum so allowed. Orders touching on the custody of the children of the marriage shall be made in accordance with the provisions of Section 93-5-24. For the purposes of orders touching the maintenance and alimony of the wife or husband, "property" and "an asset of a spouse" shall not include any interest a party may have as an heir at law of a living person or any interest under a third-party will, nor shall any such interest be considered as an economic circumstance or other factor. The court may afterwards, on petition, change the decree, and make from time to time such new decrees as the case may require. However, where proof shows that both parents have separate incomes or estates, the court may require that each parent contribute to the support and maintenance of the children of the marriage in proportion to the relative financial ability of each. In the event a legally responsible parent has health insurance available to him or her through an employer or organization that may extend benefits to the dependents of such parent, any order of support issued against such parent may require him or her to exercise the option of additional coverage in favor of such children as he or she is legally responsible to support.

Whenever the court has ordered a party to make periodic payments for the maintenance or support of a child, but no bond, sureties or other guarantee has been required to secure such payments, and whenever such payments as have become due remain unpaid for a period of at least thirty (30) days, the court may, upon petition of the person to whom such payments are owing, or such person's legal representative, enter an order requiring that bond, sureties or other security be given by the person obligated to make such payments, the amount and sufficiency of which shall be approved by the court. The obligor shall, as in other civil actions, be served with process and shall be entitled to a hearing in such case.

At the discretion of the court, any person found in contempt for failure to pay child support and imprisoned therefor may be referred for placement in a state, county or municipal restitution, house arrest or restorative justice center or program, provided such person meets the qualifications prescribed in Section 99-37-19.

Whenever in any proceeding in the chancery court concerning the custody of a child a party alleges that the child whose custody is at issue has been the victim of sexual or physical abuse by the other party, the court may, on its own motion, grant a continuance in the custody proceeding only until such allegation has been investigated by the Department of \* \* \* Child Protection Services. At the time of ordering such continuance, the court may direct the party and his attorney making such allegation of child abuse to report in writing and provide all evidence touching on the allegation of abuse to the Department of \* \* \* Child Protection Services. The Department of \* \* \* Child Protection Services shall investigate such allegation and take such action as it deems appropriate and as provided in such cases under the Youth Court Law (being Chapter 21 of Title 43, Mississippi Code of 1972) or under the laws establishing family courts (being Chapter 23 of Title 43, Mississippi Code of 1972).

If after investigation by the Department of \* \* \* Child Protection Services or final disposition by the youth court or family court allegations of child abuse are found to be without foundation, the chancery court shall order the alleging party to pay all court costs and reasonable attorney's fees incurred by the defending party in responding to such allegation.

The court may investigate, hear and make a determination in a custody action when a charge of abuse and/or neglect arises in the course of a custody action as provided in Section 43-21-151, and in such cases the court shall appoint a guardian ad litem for the child as provided under Section 43-21-121, who shall be an attorney. Unless the chancery court's jurisdiction has been terminated, all disposition orders in such cases for placement with the Department of \* \* \* Child Protection Services shall be reviewed by the court or

designated authority at least annually to determine if continued placement with the department is in the best interest of the child or public.

The duty of support of a child terminates upon the emancipation of the child. The court may determine that emancipation has occurred pursuant to Section 93-11-65.

Custody and visitation upon military temporary duty, deployment or mobilization shall be governed by Section 93-5-34.

SECTION 80. Section 93-17-5, Mississippi Code of 1972, is amended as follows:

93-17-5. (1) There shall be made parties to the proceeding by process or by the filing therein of a consent to the adoption proposed in the petition, which consent shall be duly sworn to or acknowledged and executed only by the following persons, but not before seventy-two (72) hours after the birth of the child:

(a) The parents, or parent, if only one (1) parent, though either be under the age of twenty-one (21) years;

(b) If both parents are dead, then any two (2) adult kin of the child within the third degree computed according to the civil law; if one of such kin is in possession of the child, he or she shall join in the petition or be made a party to the suit; or

(c) The guardian ad litem of an abandoned child, upon petition showing that the names of the parents of the child are unknown after diligent search and inquiry by the petitioners. In addition to the above, there shall be made parties to any proceeding to adopt a child, either by process or by the filing of a consent to the adoption proposed in the petition, the following:

(i) Those persons having physical custody of the child, except persons who are acting as foster parents as a result of placement with them by the Department of \* \* \* Child Protection Services of the State of Mississippi.

(ii) Any person to whom custody of the child may have been awarded by a court of competent jurisdiction of the State of Mississippi.

(iii) The agent of the \* \* \* Department of \* \* \* Child Protection Services of the State of Mississippi that has placed a child in foster care, either by agreement or by court order.

(2) The consent may also be executed and filed by the duly authorized officer or representative of a home to whose care the child has been delivered. The child shall join the petition by the child's next friend.

(3) If consent is not filed, process shall be had upon the parties as provided by law for process in person or by publication, if they are nonresidents of the state or are not found therein after diligent search and inquiry, the court or chancellor in vacation may fix a date in termtime or in vacation to which process may be returnable and shall have power to proceed in termtime or vacation. In any event, if the child is more than fourteen (14) years of age, a consent to the adoption, sworn to or acknowledged by the child, shall also be required or personal service of process shall be had upon the child in the same manner and in the same effect as if the child were an adult.

SECTION 81. Section 93-17-8, Mississippi Code of 1972, is amended as follows:

93-17-8. (1) Whenever an adoption becomes a contested matter, whether after a hearing on a petition for determination of rights under Section 93-17-6 or otherwise, the court:

(a) Shall, on motion of any party or on its own motion, issue an order for immediate blood or tissue sampling in accordance with the provisions of Section 93-9-21 et seq., if paternity is at issue. The court shall order an expedited report of such testing and shall hold the hearing resolving this matter at the earliest time possible.

(b) Shall appoint a guardian ad litem to represent the child. Such guardian ad litem shall be an attorney, however his duties are as guardian ad litem and not as attorney for the child. The reasonable costs of the guardian ad litem shall be taxed as costs of court. Neither the child nor anyone purporting to act on his behalf may waive the appointment of a guardian ad litem.

(c) Shall determine first whether or not the objecting parent is entitled to so object under the criteria of Section 93-17-7 and then shall determine the custody of the child in accord with the best interests of the child and the rights of the parties as established by the hearings and judgments.

(d) Shall schedule all hearings concerning the contested adoption as expeditiously as possible for prompt conclusion of the matter.

(2) In determining the custody of the child after a finding that the adoption will not be granted, the fact of the surrender of the child for adoption by a parent shall not be taken as any evidence of that parent's abandonment or desertion of the child or of that parent's unfitness as a parent.

(3) In contested adoptions arising through petitions for determination of rights where the prospective adopting parents were not parties to that proceeding, they need not be made parties to the contested adoption until there has been a ruling that the objecting parent is not entitled to enter a valid objection to the adoption. At that point the prospective adopting parents shall be made parties by joinder which shall show their suitability to be adopting parents as would a petition for adoption. The identity and suitability of the prospective adopting parents shall be made known to the court and the guardian ad litem, but shall not be made known to other parties to the proceeding unless the court determines that the interests of justice or the best interests of the child require it.

(4) No birth parent or alleged parent shall be permitted to contradict statements given in a proceeding for the adoption of their child in any other proceeding concerning that child or his ancestry.

(5) Appointment of a guardian ad litem is not required in any proceeding under this chapter except as provided in subsection (1)(b) above and except for the guardian ad litem needed for an abandoned child. It shall not be necessary for a guardian ad litem to be appointed where the chancery judge presiding in the adoption proceeding deems it unnecessary and no adoption agency is involved in the proceeding. No final decree of adoption heretofore granted shall be set aside or modified because a guardian ad litem was not appointed unless as the result of a direct appeal not now barred.

(6) The provisions of Chapter 15 of this Title 93, Mississippi Code of 1972, are not applicable to proceedings under this chapter except as specifically provided by reference herein.

(7) The court may order a child's birth father, identified as such in the proceedings, to reimburse the Department of \* \* \* Child Protection Services, the foster parents, the adopting parents, the home, any other agency or person who has assumed liability for such child, all or part of the costs of the medical expenses incurred for the mother and the child in connection with the birth of the child, as well as reasonable support for the child after his birth.

SECTION 82. Section 93-17-11, Mississippi Code of 1972, is amended as follows:

93-17-11. At any time after the filing of the petition for adoption and completion of process thereon, and before the entering of a final decree, the court may, in its discretion, of its own motion or on motion of any party to the proceeding, require an investigation and report to the court to be made by any person, officer or home as the court may designate and direct concerning the child, and shall require in adoptions, other than those in which the petitioner or petitioners are a relative or stepparent of the child, that a home study be performed of the petitioner or petitioners by a licensed adoption agency or by the Department of \* \* \* Child Protection Services, at the petitioner's or petitioners' sole expense and at no cost to the state or county. The investigation and report shall give the material facts upon which the court may determine whether the child is a proper subject for adoption, whether the petitioner or petitioners are suitable parents for the child, whether the adoption is to its best interest, and any other facts or circumstances that may be material to the proposed adoption. The home study shall be considered by the court in determining whether the petitioner or petitioners are suitable parents for the child. The court, when an investigation and report are required by the court or by this section, shall stay the proceedings in the cause for such reasonable time as may be necessary or required in the opinion of the court for the completion of the investigation and report by the person, officer or home designated and authorized to make the same.

Upon the filing of that consent or the completion of the process and the filing of the investigation and report, if required by the court or by this section, and the presentation of such other evidence as may be desired by the court, if the court determines that it is to the best interests of the child that an interlocutory decree of adoption be entered, the court may thereupon enter an interlocutory decree upon such terms and conditions as may be determined by the court, in its discretion, but including therein that the complete care, custody and control of the child shall be vested in the petitioner or petitioners until further orders of the court and that during such time the child shall be and remain a ward of the court. If the court determines by decree at any time during the pendency of the proceeding that it is not to the best interests of the child that the adoption proceed, the petitioners shall be entitled to at least five (5) days' notice upon their attorneys of record and a hearing with the right of appeal as provided by law from a dismissal of the petition; however, the bond perfecting the appeal shall be filed within ten (10) days from the entry of the decree of dismissal and the bond shall be in such amount as the chancellor may determine and supersedeas may be granted by the chancellor or as otherwise provided by law for appeal from final decrees.

After the entry of the interlocutory decree and before entry of the final decree, the court may require such further and additional investigation and reports as it may deem proper. The rights of the parties filing the consent or served with process shall be subject to the decree but shall not be divested until entry of the final decree.

SECTION 83. Section 93-17-12, Mississippi Code of 1972, is amended as follows:

93-17-12. In any child custody matter hereafter filed in any chancery or county court in which temporary or permanent custody has already been placed with a parent or guardian and in all adoptions, the court shall impose a fee for any court-ordered home study performed by the Department of \* \* \* Child Protection Services or any other entity. The fee shall be assessed upon either party or upon both parties in the court's discretion. The minimum fee imposed shall be not less than Three Hundred Fifty Dollars (\$350.00) for each household on which a home study is performed. The fee shall be paid directly to the Mississippi Department of \* \* \* Child Protection Services prior to the home study being conducted by the department or to the entity if the study is performed by another entity. The judge may order the fee be paid by one or both of the parents or guardian. If the court determines that both parents or the guardian are unable to pay the fee, the judge shall waive the fee and the cost of the home study shall be defrayed by the Department of \* \* \* Child Protection Services.

SECTION 84. Section 93-17-53, Mississippi Code of 1972, is amended as follows:

93-17-53. The purpose of Sections 93-17-51 through 93-17-67 is to supplement the Mississippi adoption law by making possible through public supplemental benefits the most appropriate adoption of each child certified by the \*\*\* Department of \*\*\* Child Protection Services as requiring a supplemental benefit to assure adoption.

SECTION 85. Section 93-17-57, Mississippi Code of 1972, is amended as follows:

93-17-57. The \*\*\* Department of \*\*\* Child Protection Services shall establish and administer an on-going program of supplemental benefits for adoption. Supplemental benefits and services for children under this program shall be provided out of such funds as may be appropriated to the \*\*\* Division of Medicaid \*\*\* for the medical services for children in foster care, or made available to the department from other sources.

SECTION 86. Section 93-17-59, Mississippi Code of 1972, is amended as follows:

93-17-59. Any child meeting criteria specified in Section 93-17-55 for whom the \*\*\* Department of \*\*\* Child Protection Services feels supplemental benefits are necessary to improve opportunities for adoption will be eligible for the program. The adoption agency shall document that reasonable efforts have been made to place the child in adoption without supplemental benefits through the use of adoption resource exchanges, recruitment and referral to appropriate specialized adoption agencies.

SECTION 87. Section 93-17-61, Mississippi Code of 1972, is amended as follows:

93-17-61. (1) When parents are found and approved for adoption of a child certified as eligible for supplemental benefits, and before the final decree of adoption is issued, there shall be executed a written agreement between the family entering into the adoption and the Department of \*\*\* Child Protection Services. In individual cases, supplemental benefits may commence with the adoptive placement or at the appropriate time after the adoption decree and will vary with the needs of the child as well as the availability of other resources to meet the child's needs. The supplemental benefits may be for special services only or for money payments as allowed under Section 43-13-115, \*\*\* and either for a limited period, for a long-term not exceeding the child's eighteenth birthday, or for any combination of the foregoing. The amount of the time-limited, long-term supplemental benefits may in no case exceed that which would be currently allowable for such child under the Mississippi Medicaid Law.

(2) When supplemental benefits last for more than one (1) year, the adoptive parents shall present an annual written certification that the child remains under the parents' care and that the child's need for supplemental benefits continues. Based on investigation by the agency and available funds, the agency may approve continued supplemental benefits. These benefits shall be extended so long as the parents remain legally responsible for and are providing support for the child. The agency shall continue paying benefits until a child reaches twenty-one (21) years of age if the child meets the criteria stated in Section 93-17-67(1) for continuation of Medicaid coverage.

(3) A child who is a resident of Mississippi when eligibility for supplemental benefits is certified shall remain eligible and receive supplemental benefits, if necessary for adoption, regardless of the domicile or residence of the adopting parents at the time of application for adoption, placement, legal decree of adoption or thereafter.

SECTION 88. Section 93-17-63, Mississippi Code of 1972, is amended as follows:

93-17-63. All records regarding such adoption shall be confidential. Anyone violating or releasing information of a confidential nature, as contemplated by Sections 93-17-51 through 93-17-67 without the approval of the court with jurisdiction or the \*\*\* Department of \*\*\* Child Protection Services unless such release is made pursuant to Sections 93-17-201 through 93-17-223 shall be guilty of a misdemeanor and subject to a

fine not exceeding One Thousand Dollars (\$1,000.00) or imprisonment of six (6) months, or both.

SECTION 89. Section 93-17-65, Mississippi Code of 1972, is amended as follows:

93-17-65. The \* \* \* Department of \* \* \* Child Protection Services shall promulgate rules and regulations necessary to implement the provisions of Sections 93-17-51 through 93-17-67.

SECTION 90. Section 93-17-101, Mississippi Code of 1972, is amended as follows:

93-17-101. (1) The Legislature finds that:

(a) Locating adoptive families for children for whom state assistance is desirable, pursuant to the Mississippi adoption assistance law, and assuring the protection of the interests of the children affected during the entire assistance period, require special measures when the adoptive parents move to other states or are residents of another state; and

(b) Providing medical and other necessary services for children, with state assistance, encounters special difficulties when the providing of services takes place in other states.

(2) The purposes of Sections 93-17-101 through 93-17-109 are to:

(a) Authorize the Mississippi Department of \* \* \* Child Protection Services to enter into interstate agreements with agencies of other states for the protection of children on behalf of whom adoption assistance is being provided by the Mississippi Department of \* \* \* Child Protection Services; and

(b) Provide procedures for interstate children's adoption assistance payments, including medical payments.

SECTION 91. Section 93-17-103, Mississippi Code of 1972, is amended as follows:

93-17-103. (1) The Mississippi Department of \* \* \* Child Protection Services is authorized to develop, participate in the development of, negotiate and enter into one or more interstate compacts on behalf of this state with other states to implement one or more of the purposes set forth in Sections 93-17-101 through 93-17-109. When so entered into, and for so long as it shall remain in force, such a compact shall have the force and effect of law.

(2) For the purposes of Sections 93-17-101 through 93-17-109, the term "state" shall mean a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, the Commonwealth of the Northern Mariana Islands or a territory or possession of or administered by the United States.

(3) For the purposes of Sections 93-17-101 through 93-17-109, the term "adoption assistance state" means the state that is signatory to an adoption assistance agreement in a particular case.

(4) For the purposes of Sections 93-17-101 through 93-17-109, the term "residence state" means the state of which the child is a resident by virtue of the residence of the adoptive parents.

SECTION 92. Section 93-17-107, Mississippi Code of 1972, is amended as follows:

93-17-107. (1) A child with special needs resident in this state who is the subject of an adoption assistance agreement with another state and who has been determined eligible for Medicaid in that state shall be entitled to receive a medical assistance identification from this state upon filing with the Mississippi Department of \*\*\* Child Protection Services a certified copy of the adoption assistance agreement obtained from the adoption assistance state which certifies to the eligibility of the child for Medicaid. In accordance with regulations of the Mississippi Department of \*\*\* Child Protection Services, the adoptive parents shall be required, at least annually, to show that the agreement is still in force or has been renewed.

(2) The Division of Medicaid, Office of the Governor, shall consider the holder of a medical assistance identification pursuant to this section as any other holder of a medical assistance identification under the laws of this state and shall process and make payment on claims on account of such holder in the same manner and pursuant to the same conditions and procedures as for other recipients of medical assistance.

(3) The submission of any claim for payment or reimbursement for services or benefits pursuant to this section or the making of any statement in connection therewith, which claim or statement the maker knows or should know to be false, misleading or fraudulent shall be punishable as perjury and shall also be subject to a fine not to exceed Ten Thousand Dollars (\$10,000.00), or imprisonment for not to exceed two (2) years, or both.

(4) The provisions of this section shall apply only to medical assistance for children under adoption assistance agreements from states that have entered into a compact with this state under which the other state provides medical assistance to children with special needs under adoption assistance agreements made by this state. All other children entitled to medical assistance pursuant to adoption assistance agreements entered into by this state shall be eligible to receive it in accordance with the laws and procedures applicable thereto.

SECTION 93. Section 93-17-109, Mississippi Code of 1972, is amended as follows:

93-17-109. Consistent with federal law, the Mississippi Department of \*\*\* Child Protection Services and the Division of Medicaid, Office of the Governor of the State of Mississippi, in connection with the administration of Sections 93-17-101 through 93-17-109 and any compact entered into pursuant hereto, shall include in any state plan made pursuant to the Adoption Assistance and Child Welfare Act of 1980 (P.L. 96-272), Titles IV(e) and XIX of the Social Security Act, and any other applicable federal laws, the provision of adoption assistance and medical assistance for which the federal government pays some or all of the cost provided such authority is granted under the provisions of some law of this state other than the provisions of Sections 93-17-101 through 93-17-109. Such departments shall apply for and administer all relevant federal aid in accordance with law.

SECTION 94. Section 93-17-203, Mississippi Code of 1972, is amended as follows:

93-17-203. The following words and phrases shall have the meanings ascribed herein unless the context clearly indicates otherwise:

(a) "Agency" means a county \*\*\* department of human services, the Department of Child Protection Services, a licensed or nonlicensed adoption agency or any other individual or entity assisting in the finalization of an adoption.

(b) "Adoptee" means a person who is or has been adopted in this state at any time.



(c) "Birth parent" means either:

(i) The mother designated on the adoptee's original birth certificate;  
or

(ii) The person named by the mother designated on the adoptee's original birth certificate as the father of the adoptee.

(d) "Board" means the Mississippi State Board of Health.

(e) "Bureau" means the Bureau of Vital Records of the Mississippi State Board of Health.

(f) "Licensed adoption agency" means any agency or organization performing adoption services and duly licensed by the Mississippi Department of \* \* \* Child Protection Services.

SECTION 95. Section 93-17-209, Mississippi Code of 1972, is amended as follows:

93-17-209. (1) Whenever any person specified under Section 93-17-207 wishes to obtain medical, social or genetic background information about an adoptee or nonidentifying information about the birth parents of such adoptee, and the information is not on file with the bureau and the birth parents have not filed affidavits prohibiting a search to be conducted for them under the provisions of Sections 93-17-201 through 93-17-223, the person may request a licensed adoption agency to locate the birth parents to obtain the information.

(2) Employees of any agency conducting a search under this section may not inform any person other than the birth parents of the purpose of the search.

(3) The agency may charge the requester a reasonable fee for the cost of the search. When the agency determines that the fee will exceed One Hundred Dollars (\$100.00) for either birth parent, it shall notify the requester. No fee in excess of One Hundred Dollars (\$100.00) per birth parent may be charged unless the requester, after receiving notification under this subsection, has given consent to proceed with the search.

(4) The agency conducting the search shall, upon locating a birth parent, notify him or her of the request and of the need for medical, social and genetic information.

(5) The agency shall release to the requester any medical or genetic information provided by a birth parent under this section without disclosing the birth parent's identity or location.

(6) If a birth parent is located but refuses to provide the information requested, the agency shall notify the requester, without disclosing the birth parent's identity or location, and the requester may petition the chancery court to order the birth parent to disclose the nonidentifying information. The court shall grant the motion for good cause shown.

(7) The Mississippi Department of \* \* \* Child Protection Services shall provide the bureau each year with a list of licensed adoption agencies in this state capable of performing the types of searches described in this section.

SECTION 96. Section 93-21-305, Mississippi Code of 1972, is amended as follows:

93-21-305. (1) There is \* \* \* established in the State Treasury a special fund to be known as the "Mississippi Children's Trust Fund."

(2) The fund shall consist of any monies appropriated to the fund by the Legislature, any donations, gifts and grants from any source, receipts from the birth certificate fees as provided by subsection (2) of Section 41-57-11, and any other monies which may be received from any other source or which may be hereafter provided by law.

(3) Monies in the fund shall be used only for the purposes set forth in Sections 93-21-301 through 93-21-311. Interest earned on the investment of monies in the fund shall be returned and deposited to the credit of the fund.

(4) Disbursements of money from the fund shall be on the authorization of the \* \* \* Department of Child Protection Services.

(5) The primary purpose of the fund is to encourage and provide financial assistance in the provision of direct services to prevent child abuse and neglect.

SECTION 97. Section 93-21-307, Mississippi Code of 1972, is amended as follows:

93-21-307. The administration of the Mississippi Children's Trust Fund shall be vested in the \* \* \* Department of Child Protection Services. In carrying out the provisions of Sections 93-21-301 through 93-21-311, the \* \* \* Department of Child Protection Services shall have the following powers and duties:

(a) To assist in developing programs aimed at discovering and preventing the many factors causing child abuse and neglect;

(b) To prepare and disseminate, including the presentation of, educational programs and materials on child abuse and neglect;

(c) To provide educational programs for professionals required by law to make reports of child abuse and neglect;

(d) To help coordinate child protective services at the state, regional and local levels with the efforts of other state and voluntary social, medical and legal agencies;

(e) To provide advocacy for children in public and private state and local agencies affecting children;

(f) To encourage citizen and community awareness as to the needs and problems of children;

(g) To facilitate the exchange of information between groups concerned with families and children;

(h) To consult with state departments, agencies, commissions and boards to help determine the probable effectiveness, fiscal soundness and need for proposed educational and service programs for the prevention of child abuse and neglect;

(i) To adopt rules and regulations \* \* \* in accordance with the Administrative Procedures Law to discharge its responsibilities;

(j) To report annually, through the annual report of the \* \* \* Department of \* \* \* Child Protection Services, to the Governor and the Legislature concerning the \* \* \* department's activities under Sections 93-21-301 through 93-21-311 and the effectiveness of those activities in fostering the prevention of child abuse and neglect;

(k) To recommend to the Governor and the Legislature changes in state programs, statutes, policies and standards which will reduce child abuse and neglect,

improve coordination among state agencies which provide services to prevent abuse and neglect, improve the condition of children and assist parents and guardians;

(l) To evaluate and strengthen all local, regional and state programs dealing with child abuse and neglect;

(m) To prepare and submit annually to the Governor and the Legislature reports evaluating the level and quality of all programs, services and facilities provided to children by state agencies;

(n) To contract with public or private nonprofit institutions, organizations, agencies or schools or with qualified individuals for the establishment of community-based educational and service programs designed to reduce the occurrence of child abuse and neglect;

(o) To determine the eligibility of programs applying for financial assistance and to make grants and loans from the fund for the purposes set forth in Sections 93-21-301 through 93-21-311;

(p) To develop, within one (1) year after July 1, 1989, a state plan for the distribution of funds from the trust fund which shall assure that an equal opportunity exists for establishment of prevention programs and for receipt of trust fund \* \* \* monies among all geographic areas in this state, and to submit the plan to the Governor and the Legislature and annually thereafter submit revisions thereto as needed;

(q) To provide for the coordination and exchange of information on the establishment and maintenance of local prevention programs;

(r) To develop and publicize criteria for the receipt of trust fund \* \* \* monies by eligible local prevention programs;

(s) To enter into contracts with public or private agencies to fulfill the requirements of Sections 93-21-301 through 93-21-311; and

(t) Review, monitor and approve the expenditure of trust fund \* \* \* monies by eligible local programs.

SECTION 98. Section 93-21-309, Mississippi Code of 1972, is amended as follows:

93-21-309. (1) The \* \* \* Department of Child Protection Services may authorize the disbursement of money in the trust fund in the form of grants or loans for the following purposes, which are listed in order of preference for expenditure:

(a) To assist a community private, nonprofit organization or a local public organization or agency in the establishment and operation of a program or service for the prevention of child abuse and neglect;

(b) To assist in the expansion of an existing community program or service for the prevention of child abuse and neglect;

(c) To assist a community private, nonprofit organization or a local public organization or agency in the establishment and operation of an educational program regarding the problems of child abuse and neglect and the problems of families and children;

(d) To assist in the expansion of an existing community educational program regarding the problems of child abuse and neglect and the problems of families and children;

(e) To study and evaluate community-based prevention programs, projects or services and educational programs for the problems of families and children; and

(f) Any other similar and related programs, projects, services and educational programs that the \* \* \* department declares will implement the purposes and provisions of Sections 93-21-301 through 93-21-311.

(2) For the purposes of this section, the term "educational programs" includes instructional and demonstration projects the main purpose of which is to disseminate information and techniques for the prevention of child abuse and neglect and the prevention of problems of families and children.

(3) No money in the trust fund shall be expended to provide services, counseling or direct assistance for the voluntary termination of any pregnancy.

SECTION 99. Section 93-21-311, Mississippi Code of 1972, is amended as follows:

93-21-311. In making grants or loans from the trust fund, the \* \* \* Department of Child Protection Services shall consider the degree to which the applicant's proposal meets the following criteria:

(a) Has as its primary purpose the development and facilitation of a community-based prevention program in a specific geographical area, which program shall utilize trained volunteers and existing community resources where practicable;

(b) Is administered by an organization or group which is composed of or has participation by the county department of \* \* \* human services, the county health department, the youth court or chancery court, the office of the district attorney, county or municipal law enforcement personnel, county or municipal school officials, local public or private organizations or agencies which provide programs or services for the prevention of child abuse and neglect and educational programs for the prevention of problems of families and children; and

(c) Demonstrates a willingness and ability and has a plan to provide prevention program models and consultations to appropriate organizations within the community regarding prevention program development and maintenance.

SECTION 100. Section 93-31-3, Mississippi Code of 1972, is amended as follows:

93-31-3. (1) (a) A parent or legal custodian of a child, by means of a properly executed power of attorney as provided in Section 93-31-5, may delegate to another willing person or persons as attorney-in-fact any of the powers regarding the care and custody of the child other than the following:

(i) The power to consent to marriage or adoption of the child;

(ii) The performance or inducement of an abortion on or for the child;

or

(iii) The termination of parental rights to the child.

(b) A delegation of powers under this section does not:

(i) Change or modify any parental or legal rights, obligations, or authority established by an existing court order;

(ii) Deprive any custodial or noncustodial parent or legal guardian of any parental or legal rights, obligations, or authority regarding the custody, visitation, or support of the child; or

(iii) Affect a court's ability to determine the best interests of a child.

(c) If both parents are living and neither parent's parental rights have been terminated, both parents must execute the power of attorney. If a noncustodial parent is absent or unknown, the custodial parent must complete the affidavit contemplated under Section 93-31-5 and attach it to the power of attorney.

(d) A power of attorney under this chapter must be facilitated by either a child welfare agency that is licensed to place children for adoption and that is operating under the Safe Families for Children model or another charitable organization that is operating under the Safe Families for Children model. A full criminal history and child abuse and neglect background check must be conducted on any person who is not a grandparent, aunt, uncle, or sibling of the child if the person is:

(i) Designated or proposed to be designated as the attorney-in-fact;

or

(ii) Is a person over the age of fifteen (15) who resides in the home of the designated attorney-in-fact.

(2) A power of attorney executed under this chapter shall not be used for the sole purposes of enrolling a child in a school to participate in the academic or interscholastic athletic programs provided by that school or for any other unlawful purposes, except as may be permitted by the federal Every Student Succeeds Act (Public Law 114-95).

(3) The parent or legal custodian of the child has the authority to revoke or withdraw the power of attorney authorized by this section at any time. Upon the termination, expiration, or revocation of the power of attorney, the child must be returned to the custody of the parent or legal custodian.

(4) Until the authority expires or is revoked or withdrawn by the parent or legal custodian, the attorney-in-fact shall exercise parental or legal authority on a continuous basis without compensation for the duration of the power of attorney.

(5) The execution of a power of attorney by a parent or legal custodian does not, in the absence of other evidence, constitute abandonment, desertion, abuse, neglect, or any evidence of unfitness as a parent unless the parent or legal custodian fails to take custody of the child or execute a new power of attorney after the one-year time limit, or after a longer time period as allowed for a serving parent, has elapsed. Nothing in this subsection prevents the Department of \* \* \* Child Protection Services or law enforcement from investigating allegations of abuse, abandonment, desertion, neglect or other mistreatment of a child.

(6) When the custody of a child is transferred by a power of attorney under this chapter, the child is not considered to have been placed in foster care and the attorney-in-fact will not be subject to any of the requirements or licensing regulations for foster care or other regulations relating to out-of-home care for children and will not be subject to any statutes or regulations dealing with the licensing or regulation of foster care homes.

(7) (a) "Serving parent" means a parent who is a member of the Armed Forces of the United States, including any reserve component thereof, or the National Oceanic and Atmospheric Administration Commissioned Officer Corps or the Public Health Service of the United States Department of Health and Human Services detailed by proper authority for duty with the Armed Forces of the United States, or who is required to enter or serve

in the active military service of the United States under a call or order of the President of the United States or to serve on state active duty.

(b) A serving parent may delegate the powers designated in subsection (1) of this section for longer than one (1) year if on active-duty service or if scheduled to be on active-duty service. The term of delegation, however, may not exceed the term of active-duty service plus thirty (30) days.

(8) (a) A power of attorney under this chapter must be filed in the youth court of the county where the minor child or children reside at the time the form is completed, and the clerk of the youth court will not impose or collect a filing fee. The filing is informational only, and no judicial intervention shall result at the time of filing.

(b) The power of attorney must be entered into the Mississippi Youth Court Information Delivery System (MYCIDS) under Section 43-21-351, and must be administratively reviewed by the youth court judge or referee, or a person designated by the youth court judge or referee, to ensure the safety of the child or children who are the subjects of the power of attorney one (1) year after the date of execution.

SECTION 101. Section 97-5-24, Mississippi Code of 1972, is amended as follows:

97-5-24. If any person eighteen (18) years or older who is employed by any public school district or private school in this state is accused of fondling or having any type of sexual involvement with any child under the age of eighteen (18) years who is enrolled in such school, the principal of such school and the superintendent of such school district shall timely notify the district attorney with jurisdiction where the school is located of such accusation, the Mississippi Department of Education and the Department of \* \* \* Child Protection Services, provided that such accusation is reported to the principal and to the school superintendent and that there is a reasonable basis to believe that such accusation is true. Any superintendent, or his designee, who fails to make a report required by this section shall be subject to the penalties provided in Section 37-11-35. Any superintendent, principal, teacher or other school personnel participating in the making of a required report pursuant to this section or participating in any judicial proceeding resulting therefrom shall be presumed to be acting in good faith. Any person reporting in good faith shall be immune from any civil liability that might otherwise be incurred or imposed.

SECTION 102. Section 97-5-39, Mississippi Code of 1972, is amended as follows:

97-5-39. (1) (a) Except as otherwise provided in this section, any parent, guardian or other person who intentionally, knowingly or recklessly commits any act or omits the performance of any duty, which act or omission contributes to or tends to contribute to the neglect or delinquency of any child or which act or omission results in the abuse of any child, as defined in Section 43-21-105(m) of the Youth Court Law, or who knowingly aids any child in escaping or absenting himself from the guardianship or custody of any person, agency or institution, or knowingly harbors or conceals, or aids in harboring or concealing, any child who has absented himself without permission from the guardianship or custody of any person, agency or institution to which the child shall have been committed by the youth court shall be guilty of a misdemeanor, and upon conviction shall be punished by a fine not to exceed One Thousand Dollars (\$1,000.00), or by imprisonment not to exceed one (1) year in jail, or by both such fine and imprisonment.

(b) For the purpose of this section, a child is a person who has not reached his eighteenth birthday. A child who has not reached his eighteenth birthday and is on active duty for a branch of the armed services, or who is married, is not considered a child for the purposes of this statute.

(c) If a child commits one (1) of the proscribed acts in subsection (2)(a), (b) or (c) of this section upon another child, then original jurisdiction of all such offenses shall be in youth court.

(d) If the child's deprivation of necessary clothing, shelter, health care or supervision appropriate to the child's age results in substantial harm to the child's physical, mental or emotional health, the person may be sentenced to imprisonment in custody of the Department of Corrections for not more than five (5) years or to payment of a fine of not more than Five Thousand Dollars (\$5,000.00), or both.

(e) A parent, legal guardian or other person who knowingly permits the continuing physical or sexual abuse of a child is guilty of neglect of a child and may be sentenced to imprisonment in the custody of the Department of Corrections for not more than ten (10) years or to payment of a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(2) Any person shall be guilty of felonious child abuse in the following circumstances:

(a) Whether bodily harm results or not, if the person shall intentionally, knowingly or recklessly:

(i) Burn any child;

(ii) Physically torture any child;

(iii) Strangle, choke, smother or in any way interfere with any child's breathing;

(iv) Poison a child;

(v) Starve a child of nourishments needed to sustain life or growth;

(vi) Use any type of deadly weapon upon any child;

(b) If some bodily harm to any child actually occurs, and if the person shall intentionally, knowingly or recklessly:

(i) Throw, kick, bite, or cut any child;

(ii) Strike a child under the age of fourteen (14) about the face or head with a closed fist;

(iii) Strike a child under the age of five (5) in the face or head;

(iv) Kick, bite, cut or strike a child's genitals; circumcision of a male child is not a violation under this subparagraph (iv);

(c) If serious bodily harm to any child actually occurs, and if the person shall intentionally, knowingly or recklessly:

(i) Strike any child on the face or head;

(ii) Disfigure or scar any child;

(iii) Whip, strike or otherwise abuse any child;

(d) Any person, upon conviction under paragraph (a) or (c) of this subsection, shall be sentenced by the court to imprisonment in the custody of the

Department of Corrections for a term of not less than five (5) years and up to life, as determined by the court. Any person, upon conviction under paragraph (b) of this subsection shall be sentenced by the court to imprisonment in the custody of the Department of Corrections for a term of not less than two (2) years nor more than ten (10) years, as determined by the court. For any second or subsequent conviction under this subsection (2), the person shall be sentenced to imprisonment for life.

(e) For the purposes of this subsection (2), "bodily harm" means any bodily injury to a child and includes, but is not limited to, bruising, bleeding, lacerations, soft tissue swelling, and external or internal swelling of any body organ.

(f) For the purposes of this subsection (2), "serious bodily harm" means any serious bodily injury to a child and includes, but is not limited to, the fracture of a bone, permanent disfigurement, permanent scarring, or any internal bleeding or internal trauma to any organ, any brain damage, any injury to the eye or ear of a child or other vital organ, and impairment of any bodily function.

(g) Nothing contained in paragraph (c) of this subsection shall preclude a parent or guardian from disciplining a child of that parent or guardian, or shall preclude a person in loco parentis to a child from disciplining that child, if done in a reasonable manner, and reasonable corporal punishment or reasonable discipline as to that parent or guardian's child or child to whom a person stands in loco parentis shall be a defense to any violation charged under paragraph (c) of this subsection.

(h) Reasonable discipline and reasonable corporal punishment shall not be a defense to acts described in paragraphs (a) and (b) of this subsection or if a child suffers serious bodily harm as a result of any act prohibited under paragraph (c) of this subsection.

(3) Nothing contained in this section shall prevent proceedings against the parent, guardian or other person under any statute of this state or any municipal ordinance defining any act as a crime or misdemeanor. Nothing in the provisions of this section shall preclude any person from having a right to trial by jury when charged with having violated the provisions of this section.

(4) (a) A parent, legal guardian or caretaker who endangers a child's person or health by knowingly causing or permitting the child to be present where any person is selling, manufacturing or possessing immediate precursors or chemical substances with intent to manufacture, sell or possess a controlled substance as prohibited under Section 41-29-139 or 41-29-313, is guilty of child endangerment and may be sentenced to imprisonment for not more than ten (10) years or to payment of a fine of not more than Ten Thousand Dollars (\$10,000.00), or both.

(b) If the endangerment results in substantial harm to the child's physical, mental or emotional health, the person may be sentenced to imprisonment for not more than twenty (20) years or to payment of a fine of not more than Twenty Thousand Dollars (\$20,000.00), or both.

(5) Nothing contained in this section shall prevent proceedings against the parent, guardian or other person under any statute of this state or any municipal ordinance defining any act as a crime or misdemeanor. Nothing in the provisions of this section shall preclude any person from having a right to trial by jury when charged with having violated the provisions of this section.

(6) After consultation with the Department of \* \* \* Child Protection Services, a regional mental health center or an appropriate professional person, a judge may suspend imposition or execution of a sentence provided in subsections (1) and (2) of this section and in lieu thereof require treatment over a specified period of time at any approved public



or private treatment facility. A person may be eligible for treatment in lieu of criminal penalties no more than one (1) time.

(7) In any proceeding resulting from a report made pursuant to Section 43-21-353 of the Youth Court Law, the testimony of the physician making the report regarding the child's injuries or condition or cause thereof shall not be excluded on the ground that the physician's testimony violates the physician-patient privilege or similar privilege or rule against disclosure. The physician's report shall not be considered as evidence unless introduced as an exhibit to his testimony.

(8) Any criminal prosecution arising from a violation of this section shall be tried in the circuit, county, justice or municipal court having jurisdiction; provided, however, that nothing herein shall abridge or dilute the contempt powers of the youth court.

SECTION 103. Section 99-41-17, Mississippi Code of 1972, is amended as follows:

99-41-17. (1) Compensation shall not be awarded under this chapter:

(a) Unless the criminally injurious conduct occurred after July 1, 1991;

(b) Unless the claim has been filed with the director within thirty-six (36) months after the crime occurred, or in cases of child sexual abuse, within thirty-six (36) months after the crime was reported to law enforcement or the Department of \* \* \* Child Protection Services, but in no event later than the victim's twenty-fifth birthday. For good cause, the director may extend the time period allowed for filing a claim for an additional period not to exceed twelve (12) months;

(c) To a claimant or victim who was the offender or an accomplice to the offender, or, except in cases of children under the age of consent as specified in Section 97-3-65, 97-3-97 or 97-5-23, Mississippi Code of 1972, who encouraged or in any way knowingly participated in criminally injurious conduct;

(d) To another person, if the award would unjustly benefit the offender or accomplice;

(e) Unless the criminally injurious conduct resulting in injury or death was reported to a law enforcement officer within seventy-two (72) hours after its occurrence or unless it is found that there was good cause for the failure to report within such time;

(f) To any claimant or victim when the injury or death occurred while the victim was confined in any federal, state, county or city jail or correctional facility;

(g) If the victim was injured as a result of the operation of a motor vehicle, boat or airplane, unless the vehicle was used by the offender (i) while under the influence of alcohol or drugs, (ii) as a weapon in the deliberate attempt to injure or cause the death of the victim, (iii) in a hit-and-run accident by leaving the scene of an accident as specified in Section 63-3-401, (iv) to flee apprehension by law enforcement as specified in Sections 97-9-72 and 97-9-73, or (v) causes any injury to a child who is in the process of boarding or exiting a school bus in the course of a violation of Section 63-3-615;

(h) If, following the filing of an application, the claimant failed to take further steps as required by the division to support the application within forty-five (45) days of such request made by the director or failed to otherwise cooperate with requests of the director to determine eligibility, unless failure to provide information was beyond the control of the claimant;

(i) To a claimant or victim who, subsequent to the injury for which application is made, is convicted of any felony, and the conviction becomes known to the director;

(j) To any claimant or victim who has been under the actual or constructive supervision of a department of corrections for a felony conviction within five (5) years prior to the injury or death for which application has been made;

(k) To any claimant or victim who, at the time of the criminally injurious conduct upon which the claim for compensation is based, engaged in conduct unrelated to the crime upon which the claim for compensation is based that either was (i) a felony, or (ii) a delinquent act which, if committed by an adult, would constitute a felony;

(l) To any claimant or victim who knowingly furnishes any false or misleading information or knowingly fails or omits to disclose a material fact or circumstance.

(2) Compensation otherwise payable to a claimant shall be diminished to the extent:

(a) That the economic loss is recouped from other sources, including collateral sources; and

(b) Of the degree of responsibility for the cause of injury or death attributable to the victim or claimant.

(3) Upon a finding that the claimant or victim has not fully cooperated with appropriate law enforcement agencies and prosecuting attorneys, an award of compensation may be denied, withdrawn or reduced.

(4) Compensation otherwise payable to a claimant or victim may be denied or reduced to a claimant or victim who, at the time of the crime upon which the claim for compensation is based, was engaging in or attempting to engage in other unlawful activity unrelated to the crime upon which the claim for compensation is based.

SECTION 104. Section 93-17-11, Mississippi Code of 1972, is amended as follows:

93-17-11. (1) At any time after the filing of the petition for adoption and completion of process thereon, and before the entering of a final decree, the court may, in its discretion, of its own motion or on motion of any party to the proceeding, require an investigation and report to the court to be made by any person, officer or home as the court may designate and direct concerning the child, and shall require in adoptions except as provided in subsection (4) of this section, other than those in which the petitioner or petitioners are a relative or stepparent of the child, that a home study be performed of the petitioner or petitioners by a licensed adoption agency or by the Department of Human Services, at the petitioner's or petitioners' sole expense and at no cost to the state or county. The investigation and report shall give the material facts upon which the court may determine whether the child is a proper subject for adoption, whether the petitioner or petitioners are suitable parents for the child, whether the adoption is to its best interest, and any other facts or circumstances that may be material to the proposed adoption. The home study shall be considered by the court in determining whether the petitioner or petitioners are suitable parents for the child. The court, when an investigation and report are required by the court or by this section, shall stay the proceedings in the cause for such reasonable time as may be necessary or required in the opinion of the court for the completion of the investigation and report by the person, officer or home designated and authorized to make the same.

(2) Upon the filing of that consent or the completion of the process and the filing of the investigation and report, if required by the court or by this section, and the presentation of such other evidence as may be desired by the court, if the court determines that it is to the best interests of the child that an interlocutory decree of

adoption be entered, the court may thereupon enter an interlocutory decree upon such terms and conditions as may be determined by the court, in its discretion, but including therein that the complete care, custody and control of the child shall be vested in the petitioner or petitioners until further orders of the court and that during such time the child shall be and remain a ward of the court. If the court determines by decree at any time during the pendency of the proceeding that it is not to the best interests of the child that the adoption proceed, the petitioners shall be entitled to at least five (5) days' notice upon their attorneys of record and a hearing with the right of appeal as provided by law from a dismissal of the petition; however, the bond perfecting the appeal shall be filed within ten (10) days from the entry of the decree of dismissal and the bond shall be in such amount as the chancellor may determine and supersedeas may be granted by the chancellor or as otherwise provided by law for appeal from final decrees.

(3) After the entry of the interlocutory decree and before entry of the final decree, the court may require such further and additional investigation and reports as it may deem proper. The rights of the parties filing the consent or served with process shall be subject to the decree but shall not be divested until entry of the final decree.

(4) The court may determine that a home study in an adoption is not necessary in the case of an adoption by a stepparent or a relative or in the case of an adoption in a foster-to-adopt placement.

SECTION 105. Section 93-17-25, Mississippi Code of 1972, is amended as follows:

93-17-25. All proceedings under this chapter shall be confidential and shall be held in closed court without admittance of any person other than the interested parties, except upon order of the court. All pleadings, reports, files, testimony, exhibits and records pertaining to \* \* \* adoption proceedings shall be confidential and shall not be public records and shall be withheld from inspection or examination by any person, and shall not be disclosed by any person except upon order of the court in which the proceeding was had on good cause shown.

Upon motion of any interested person, the files of adoption proceedings, heretofore had may be placed in the confidential files upon order of the court or chancellor and shall be subject to the provisions of this chapter.

Provided, however, that notwithstanding the confidential nature of said proceedings, said record shall be available for use in any court or administrative proceedings under a subpoena duces tecum addressed to the custodian of said records and portions of such record may be released pursuant to Sections 93-17-201 through 93-17-223.

SECTION 106. The appropriate court, through its clerk, shall notify the Office of the Attorney General within seven (7) business days whenever a permanency plan changes to termination of parental rights or an adoption.

SECTION 107. Sections 43-1-51, 43-1-53, 43-1-57, 43-1-59, 43-1-63, 43-51-1 and 43-51-9, Mississippi Code of 1972, which created the Division of Family and Children's Services within the Department of Human Services, provides the title for the Family Preservation Act, and requires an ongoing evaluation and report on family preservation services, are repealed.

SECTION 108. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO PROVIDE A CLEAR PATH TO PERMANENCY FOR CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILDREN ALLEGED TO HAVE BEEN ABUSED OR NEGLECTED SHALL BE A PARTY AND SHALL BE REPRESENTED BY COUNSEL; TO PROVIDE THAT A PARTY'S RIGHT TO REPRESENTATION SHALL EXTEND TO SHELTER HEARINGS; TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A NECESSARY PARTY AT ALL STAGES OF THE PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY INCLUDING, BUT NOT LIMITED TO, SHELTER, ADJUDICATORY, DISPOSITION AND PERMANENCY HEARINGS; TO AMEND SECTION 43-21-501, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO ISSUE A SUMMONS TO THE DEPARTMENT OF CHILD PROTECTION SERVICES IF A PETITION IS FILED THAT INVOLVES A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO AMEND SECTION 43-21-701, MISSISSIPPI CODE OF 1972, TO ADD ADDITIONAL MEMBERS TO THE MISSISSIPPI COMMISSION ON A UNIFORM YOUTH COURT SYSTEM AND PROCEDURES; TO REVISE THE QUORUM OF THE COMMISSION; TO AMEND SECTION 43-21-703, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSION SHALL FILE A REPORT WITH THE LEGISLATURE ON OR BEFORE A CERTAIN DATE; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CLERK TO DOCKET TERMINATION-OF-PARENTAL-RIGHTS CASES AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR ADOPTION PROCEEDINGS THE CHANCERY COURT HAS ORIGINAL EXCLUSIVE JURISDICTION OVER ALL ADOPTION PROCEEDINGS EXCEPT WHEN A COUNTY COURT SITTING AS A YOUTH COURT HAS ACQUIRED JURISDICTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO PROVIDE THAT THE COUNTY COURT SHALL HAVE ORIGINAL EXCLUSIVE JURISDICTION TO HEAR A PETITION FOR ADOPTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO REQUIRE THE CLERK TO DOCKET ADOPTION PROCEEDINGS AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO PROVIDE THAT FROM AND AFTER JULY 1, 2023, THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A STATE AGENCY SEPARATE AND APART FROM THE DEPARTMENT OF HUMAN SERVICES AND NOT A SUBAGENCY HOUSED WITHIN THE DEPARTMENT OF HUMAN SERVICES, AND SHALL HAVE SUCH POWERS AND DUTIES AND PERFORM SUCH FUNCTIONS THAT ARE ASSIGNED TO THE DEPARTMENT OF CHILD PROTECTION SERVICES BY STATE LAW; TO AMEND SECTION 43-26-1, MISSISSIPPI CODE OF 1972, AND TO CREATE NEW SECTIONS 43-26-5, 43-26-7, 43-26-9, 43-26-11, 43-26-13, 43-26-15, 43-26-17, 43-26-19, 43-26-21 AND 43-26-23, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE POWERS AND DUTIES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES AND THE COMMISSIONER OF CHILD PROTECTION SERVICES; TO AMEND SECTIONS 11-46-1, 11-46-8, 25-1-109, 27-104-203, 37-31-107, 37-106-69, 37-115-43, 41-3-18, 41-67-12, 41-87-5, 41-101-1, 43-1-9, 43-1-101, 43-14-1, 43-14-5, 43-15-3, 43-15-5, 43-15-6, 43-15-7, 43-15-11, 43-15-15, 43-15-19, 43-15-21, 43-15-23, 43-15-103, 43-15-105, 43-15-107, 43-15-109, 43-15-113, 43-15-115, 43-15-117, 43-15-119, 43-15-121, 43-15-125, 43-15-201, 43-15-203, 43-15-207, 43-16-3, 43-16-7, 43-18-3, 43-18-5, 43-21-351, 43-21-354, 43-21-357, 43-21-405, 43-21-603, 43-21-609, 43-21-801, 43-27-101, 43-27-103, 43-27-109, 43-27-113, 43-27-115, 43-27-117, 43-27-119, 43-43-5, 43-51-3, 43-51-5, 43-51-7, 45-33-36, 57-13-23, 93-5-23, 93-17-5, 93-17-8, 93-17-11, 93-17-12, 93-17-53, 93-17-57, 93-17-59, 93-17-61, 93-17-63, 93-17-65, 93-17-101, 93-17-103, 93-17-107, 93-17-109, 93-17-203, 93-17-209, 93-21-305, 93-21-307, 93-21-309, 93-21-311, 93-31-3, 97-5-24, 97-5-39 AND 99-41-17, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTION 93-17-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT TO ORDER A HOME STUDY IF NECESSARY IN CERTAIN ADOPTIONS; TO AMEND SECTION

93-17-25, MISSISSIPPI CODE OF 1972, TO PROHIBIT CERTAIN PERSONS FROM DISCLOSING INFORMATION RECEIVED DURING CLOSED ADOPTION HEARINGS OR FROM RECORDS PERTAINING TO ADOPTION PROCEEDINGS; TO REPEAL SECTIONS 43-1-51, 43-1-53, 43-1-57, 43-1-59, 43-1-63, 43-51-1 AND 43-51-9, MISSISSIPPI CODE OF 1972, WHICH CREATED THE DIVISION OF FAMILY AND CHILDREN'S SERVICES WITHIN THE DEPARTMENT OF HUMAN SERVICES, PROVIDES THE TITLE FOR THE FAMILY PRESERVATION ACT, AND REQUIRES AN ONGOING EVALUATION AND REPORT ON FAMILY PRESERVATION SERVICES; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE                      CONFEREES FOR THE SENATE

Angela Cockerham                                      Brice Wiggins

Mark Tullos                                              Nicole Boyd

Lee Yancey                                              Jenifer B. Branning

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1149** (version 2) was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Hopson moved that the rules be suspended for the consideration en bloc of H. B. No. 1626, H. B. No. 1623 and H. B. No. 1624 and the motion prevailed.

On request of Senator Hopson, unanimous consent was granted to make the following correction in **H. B. No. 1626**, **H. B. No. 1623** and **H. B. No. 1624**

It is requested that unanimous consent be granted to make the following clerical corrections:

HB 1626: Appropriation; Health, Department of

Amend line 578 by inserting the words "of Mississippi" after "Centers" and before "'for".

HB 1623: Appropriation; Rehabilitation Services.

Amend line 34 by deleting the number "831" and inserting in lieu thereof the number "922".

HB 1624: Appropriation; Medicaid, Division of.

Amend line 54 by deleting the number "868" and inserting in lieu thereof the number "927".

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Senator Michel moved that the rules be suspended to move to calendar item 39, **H. B. No. 521**, and the motion prevailed.

Senator Michel offered the following report of the Conference Committee on **H. B. No. 521** and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 521: Length of Service Award Program; authorize for the recruitment and retention of volunteer firefighters.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Mississippi Insurance Department shall establish the Mississippi Length-of-Service Award Program (LOSAP) for the recruitment and the retention of volunteer firefighters. Such program shall provide paid Length-of-Service Awards to eligible volunteer firefighters and shall be open to all Mississippi volunteer fire department members.

(2) The following words and phrases shall have the meanings as defined in this section unless the context clearly indicates otherwise:

(a) "Length-of-Service Award Program" means a program to provide paid length-of-service awards to eligible volunteer firefighters.

(b) "Eligible volunteer firefighter" means a bona fide volunteer firefighter who is registered with the State of Mississippi or a political subdivision thereof and is an active part-time or on-call member of a volunteer fire department or a volunteer firefighter. Eligible volunteer firefighter shall not include full-time firefighters or career firefighters unless such firefighters are also active eligible volunteer firefighters when they are not acting as full-time or career firefighters and meet all other required qualifications as provided by the Mississippi Length-of-Service Award Program Board of Trustees in collaboration with the Mississippi Insurance Department.

(c) "Defined contribution" means the predefined contribution that the Mississippi Length-of-Service Award Program Board of Trustees in collaboration with the Mississippi Insurance Department establishes as a yearly contribution to an eligible volunteer firefighter's LOSAP account.

(3) (a) The LOSAP shall be administered by the Mississippi Length-of-Service Award Program Board of Trustees, which shall be comprised of the following members:

- (i) The Commissioner of Insurance, or his or her designee;
- (ii) The State Fire Coordinator, or his or her designee;
- (iii) The State Treasurer, or his or her designee;

(iv) One (1) member from the state at large appointed by the Governor; and

(v) One (1) member from the state at large appointed by the Lieutenant Governor.

(b) The LOSAP Board of Trustees, in collaboration with the Mississippi Insurance Department, shall have the following powers and duties:

(i) Establish a points system to be awarded to volunteer firefighters for their performance of certain activities as determined by the board and award LOSAP service credit based upon that points system;

(ii) Create a list of the activities that points will be awarded for. Such list shall include, at a minimum, the number of emergency and nonemergency calls responded to by the volunteer member; the activities and training of each member as determined on an annual basis; and the volunteer fire department members eligible time to be considered as an active member of the department before the establishment of the LOSAP on July 1, 2023;

(iii) Determine the annual contribution to each volunteer's LOSAP account; and

(iv) Promulgate any rules and regulations as necessary to implement the provisions of this section. All such rules and regulations shall be in compliance with Section 457(e)(11) of the United States Internal Revenue Code.

(4) There is hereby created in the State Treasury a special fund to be known as the "Mississippi Volunteer Firefighter Length-of-Service Awards Program Fund" (LOSAP Fund) to be maintained by the State Treasurer. The Treasurer of the State of Mississippi may invest the monies deposited in the special fund. The amounts to be invested shall be determined by the Treasurer and shall be in the approximate amount of the total monies deposited in said special fund less the anticipated withdrawals and disbursements from the Mississippi Length-of-Service Award Program to be made within the following ninety-day period. Such funds shall be invested by said Treasurer in short-term bonds, Treasury Bills, or other direct obligations of the United States of America, or any national or state banks in the State of Mississippi. Monies in the fund shall first be used for the purpose of providing retirement benefits as a defined contribution to volunteer firefighters for the purpose of recruiting and retaining volunteer firefighters as provided in this section. Any other unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

(5) The Mississippi Insurance Department shall notify the Mississippi Length-of-Service Award Program Board of Trustees and the State Fire Marshal of any volunteer fire department member that is ineligible to receive LOSAP funds due to the member or department's failure to file required documentation or financial reports or failure to comply with an audit or review by the Mississippi Insurance Department. A volunteer fire department member or department reported by the Mississippi Insurance Department shall be ineligible to receive funds under this section until the Mississippi Insurance Department notifies the Mississippi Length-of-Service Award Program Board of Trustees and the State Fire Marshal that the volunteer member or department has come into compliance.

(6) A member of the Mississippi Length-of-Service Award Program may receive the funds allocated on their behalf to the program upon their withdrawal from the program.

(7) The Mississippi Length-of-Service Award Program may allocate a maximum of Five Hundred Dollars (\$500.00) in yearly defined contributions to each member's LOSAP account.

(8) The provisions of this section shall stand repealed on July 1, 2026.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE THE MISSISSIPPI INSURANCE DEPARTMENT TO CREATE THE MISSISSIPPI LENGTH-OF-SERVICE AWARD PROGRAM (LOSAP) FOR THE RECRUITMENT AND RETENTION OF VOLUNTEER FIREFIGHTERS; TO PROVIDE THAT THE PROGRAM WILL PROVIDE PAID LENGTH-OF-SERVICE AWARDS TO ELIGIBLE VOLUNTEER FIREFIGHTERS; TO PROVIDE DEFINITIONS; TO PROVIDE THAT THE LOSAP SHALL BE ADMINISTERED BY THE MISSISSIPPI LENGTH-OF-SERVICE AWARD PROGRAM BOARD OF TRUSTEES AND TO PROVIDE THE MEMBERS WHO WILL SERVE ON THE BOARD; TO PROVIDE THE POWERS AND DUTIES OF THE LOSAP BOARD OF TRUSTEES; TO CREATE THE "MISSISSIPPI VOLUNTEER FIREFIGHTER LENGTH-OF-SERVICE AWARDS PROGRAM FUND" (LOSAP FUND) MAINTAINED BY THE STATE TREASURER AND TO PROVIDE WHAT MONIES IN THE FUND MAY BE USED FOR; TO PROVIDE THAT THE MISSISSIPPI INSURANCE DEPARTMENT SHALL NOTIFY THE STATE FIRE MARSHAL AND THE LOSAP BOARD OF TRUSTEES OF ANY VOLUNTEER FIRE DEPARTMENT MEMBER WHO IS INELIGIBLE TO RECEIVE THE LOSAP FUNDS; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

Henry Zuber III

Kevin Ford

Charles Busby

CONFEREES FOR THE SENATE

J. Walter Michel

Michael McLendon

W. Briggs Hopson III

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 521** was adopted:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 102, S. R. No. 103, S. R. No. 104, S. R. No. 110, S. R. No. 111, H. C. R. No. 57, H. C. R. No. 58, H. C. R. No. 56, H. C. R. No. 59, H. C. R. No. 62, H. C. R. No. 63 and H. C. R. No. 64 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. R. No. 102:** Congratulate Cooper Conner State Games "Youth Athlete of the Year."

**S. R. No. 103:** Celebrating the 100th Anniversary of the Montgomery County Farm Bureau.

**S. R. No. 104:** Recognize the 50th Anniversary of the establishment of JSU Department of Political Science.

**S. R. No. 110:** Commend Booneville "Blue Devils" Middle School Boys Basketball Team for winning MS Middle School Basketball Championship.

**S. R. No. 111:** Commend Belmont "Lady Cardinals" Junior High Basketball Team for winning MS Middle School Basketball Invitational Championship.

**H. C. R. No. 57:** Dr. Daphine Hill; commend accomplishments of.

**H. C. R. No. 58:** Dr. Kent Hoblet; commend for many years of dedicated service as Dean of Mississippi State University's College of Veterinary Medicine.

**H. C. R. No. 56:** Representative Edward Blackmon, Jr.; commend distinguished legislative career and public service of upon the occasion of his retirement.

**H. C. R. No. 59:** Representative Tommy Reynolds; commend distinguished legislative career and public service of upon the occasion of his retirement.

**H. C. R. No. 62:** Representative Tom Weathersby; commend distinguished legislative career and public service of upon the occasion of his retirement.

**H. C. R. No. 63:** Representative Alyce G. Clarke; commend distinguished legislative career and public service upon the special occasion of her retirement.

**H. C. R. No. 64:** Speaker Philip Gunn; commend on the esteemed and laudable legislative career of.

YEAS AND NAYS on consideration en bloc of S. R. No. 102, S. R. No. 103, S. R. No. 104, S. R. No. 110, S. R. No. 111, H. C. R. No. 57, H. C. R. No. 58, H. C. R. No. 56, H. C. R. No. 59, H. C. R. No. 62, H. C. R. No. 63 and H. C. R. No. 64. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barnett, Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Parks, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--52.

Nays--None.

Absent and those not voting----None.

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of  
**S. R. No. 102.**

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of  
**S. R. No. 103.**

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of  
**S. R. No. 110.**

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Unanimous consent was granted to add Senator Butler K. (38th) as co-author of  
**S. R. No. 111.**

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Senator Wiggins moved that the rules be suspended to move to calendar item 41,  
**H. B. No. 1020.**

Senator Blount asked to speak on the foregoing motion.

YEAS AND NAYS. The yeas and nays being taken, the motion to suspend the rules prevailed by the following vote, a two-thirds vote being required:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, England, Fillingane, Harkins, Kirby, McCaughn, McDaniel, McMahan, Michel, Moran, Parker, Parks, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--31.

Nays--Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Jordan, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Absent and those not voting--Barnett, DeLano, Hill, Hopson, Johnson, McLendon. Total--6.

#### POINT OF ORDER

A point of order was raised by Senator Michel that Senator Barnett was not in the Chamber when the vote was taken on the motion to suspend the rules, and therefore his vote could not be recorded.

#### RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken, pursuant to Senate Rule 115.

#### POINT OF ORDER

A point of order was raised by Senator Horhn that Senator Hill was not in the Chamber when the vote was taken on the motion to suspend the rules, and therefore her vote could not be recorded.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point of order well-taken, pursuant to Senate Rule 115.

PARLIAMENTARY INQUIRY

Senator Blackmon raised a point of inquiry whether the 2/3 vote being required for the motion to suspend the rules was based on the morning roll call.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled that the vote was based on those present and voting.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1020** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1020: Capitol Complex Improvement District courts; authorize.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. (1) The Chief Justice of the Supreme Court shall appoint four (4) temporary special circuit judges for the Seventh Circuit Court District. No limitation whatsoever shall be placed upon the powers and duties of the judges other than those provided by the Constitution and laws of this state. The term of the temporary special circuit judges shall expire on December 31, 2026.

(2) The judges shall be appointed no later than fifteen (15) days after the passage of this act according to applicable state laws. The Chief Justice of the Supreme Court may elect to reappoint circuit judges that are serving on a temporary basis as of the effective date of this act in the Seventh Circuit Court District.

(3) (a) Each temporary special circuit judge shall receive an office operating allowance to be used for the purposes described and in amounts equal to those authorized in Section 9-1-36.

(b) The Administrative Office of Courts shall establish personnel policies to compensate the support staff for each temporary special circuit judge.

(4) This section shall stand repealed on December 31, 2026.

SECTION 2. The public defender of the Seventh Circuit Court District may appoint three (3) full-time assistant public defenders who shall perform duties in the Seventh Circuit Court District and the Capitol Complex Improvement District (CCID) Inferior Court. Such appointments shall be made in addition to those authorized as of the effective date of this act in Section 25-32-3. The full-time assistant public defenders shall receive compensation in an amount equal to the compensation paid to full-time assistant public defenders in the Seventh Circuit Court District subject to available funds specifically appropriated by the Legislature.

SECTION 3. (1) The District Attorney of the Seventh Circuit Court District may appoint two (2) full-time assistant district attorneys in addition to those authorized as the effective date of this act in Section 25-31-5. The full-time assistant district attorneys shall receive compensation in an amount equal to the compensation paid to full-time assistant district attorneys in the Seventh Circuit Court District subject to available funds specifically appropriated therefor by the Legislature.

(2) The District Attorney of the Seventh Circuit Court District may appoint one (1) full-time criminal investigator in addition to the criminal investigators authorized as of the effective date of this act in Section 25-31-10.

SECTION 4. (1) (a) From and after January 1, 2024, there shall be created one (1) inferior court as authorized by Article 6, Section 172 of the Mississippi Constitution of 1890, to be located within the boundaries established in Section 29-5-203 for the Capitol Complex Improvement District, hereinafter referred to as "CCID". The CCID inferior court shall have jurisdiction to hear and determine all preliminary matters and criminal matters authorized by law for municipal courts that accrue or occur, in whole or in part, within the boundaries of the Capitol Complex Improvement District; and shall have the same jurisdiction as municipal courts to hear and determine all cases charging violations of the motor vehicle and traffic laws of this state, and violations of the City of Jackson's traffic ordinance or ordinances related to the disturbance of the public peace that accrue or occur, in whole or in part, within the boundaries of the Capitol Complex Improvement District.

(b) Any person convicted in the CCID inferior court may be placed in the custody of the Mississippi Department of Corrections, Central Mississippi facility.

(2) The Chief Justice of the Mississippi Supreme Court shall appoint the CCID inferior court judge authorized by this section. The judge shall possess all qualifications required by law for municipal court judges. Such judge shall be a qualified elector of this state, and shall have such other qualifications as provided by law for municipal judges.

(3) The Administrative Office of Courts shall provide compensation for the CCID inferior court judge and the support staff of the judge. Such compensation shall not be in an amount less than the compensation paid to municipal court judges and their support staff in the City of Jackson.

(4) All fines, penalties, fees and costs imposed and collected by the CCID inferior court shall be deposited with the City of Jackson municipal treasurer or equivalent officer.

(5) This section shall stand repealed on July 1, 2027.

SECTION 5. (1) The Attorney General shall designate two (2) attorneys to serve as prosecuting attorneys for any cause of action within the jurisdiction of the Capitol

Complex Improvement District (CCID) inferior court. The prosecuting attorneys may be employees of the Office of the Attorney General or contracted by the Attorney General for such purposes. The attorneys shall prosecute cases in the court provided for the CCID inferior court and also in the same manner and with the same authority of law provided for district attorneys and county prosecuting attorneys by filing an indictment or any other criminal action that accrues or occurs, in whole or in part, in the CCID.

(2) The Hinds County District Attorney shall be authorized to prosecute cases in the CCID inferior court. The provisions of this section shall not be construed to prohibit or in any way limit the Hinds County District Attorney from filing an indictment or any other criminal action that occurred or accrued, in whole or in part, within the boundaries of the CCID.

(3) This section shall stand repealed on July 1, 2027.

SECTION 6. (1) The Administrative Office of Courts, in consultation with the Chief Justice of the Mississippi Supreme Court, shall appoint a clerk for the Capitol Complex Improvement District (CCID) inferior court.

(2) The Administrative Office of Courts shall provide support staff and any other staff necessary to carry out the functions and duties for the clerk of the CCID inferior court.

(3) The Administrative Office of Courts shall pay the salaries of the clerk and support staff of the CCID, subject to available funds specifically appropriated by the Legislature for such purpose. Such salaries shall not be in amounts less than the salaries paid to the clerk and staff of the municipal courts in the City of Jackson.

(4) This section shall stand repealed on July 1, 2027.

SECTION 7. The Department of Finance and Administration in conjunction with the Administrative Office of Courts shall designate a suitable location or building for the purpose of allowing the Capitol Complex Improvement District (CCID) inferior court to hold court.

SECTION 8. Section 29-5-203, Mississippi Code of 1972, is amended as follows:

[Through June 30, 2024, this section shall read as follows:]

29-5-203. There is created the Capitol Complex Improvement District to be composed of the following described area in the City of Jackson, Mississippi, that surrounds the State Capitol Building:

#### CAPITOL COMPLEX PROPOSED BOUNDARIES

- Beginning at a point on the west bank of the Pearl River determined by extending the south curb line of High Street east until it meets the bank of the Pearl River;
- Then north along the west bank of the Pearl River (extending along the southern boundary of LeFleur's Bluff State Park) until it reaches a point on such bank determined by extending the east curb line of Ridgewood Road south until it meets the bank of the Pearl River;
- Then north along such line determined by extending the east curb line of Ridgewood Road and continuing along such curb line until it reaches the northern drainage ditch of Eastover Drive;
- Then west along the northern drainage ditch and curb line of Eastover Drive until it reaches the western curb line of the west frontage road of I-55;

- Then south along the west curb line of such frontage road until it reaches the northern curb line of Lakeland Drive;
- Then west along the northern curb line of Lakeland Drive until it reaches the eastern curb line of Old Canton Road;
- Then north along the east curb line of Old Canton Road until it reaches the northern curb line of Meadowbrook Road;
- Then west along the north curb line of Meadowbrook Road to the west curb line of North State Street;
- Then south along the west curb line of North State Street to the north curb line of Hartfield Street;
- Then west along the north curb line of Hartfield Street to the west curb line of Oxford Avenue;
- Then south on the west curb line of Oxford Avenue to the north curb line of Mitchell Avenue which becomes Stonewall Street;
- Then west along the north curb line of Mitchell Street and then Stonewall Street until it reaches the west curb line of Livingston Road;
- Then south along the west curb line of Livingston Road until it reaches the south curb line of Woodrow Wilson Drive;
- Then east along the south curb line of Woodrow Wilson Drive to the west curb line of Bailey Avenue (which becomes Gallatin Street);
- Then south along the west curb line of Bailey Avenue and then Gallatin Street until it reaches the north curb line of West Capitol Street;
- Then west along the north curb line of West Capitol Street until it intersects with the north curb line of Robinson Road;
- Then west on the north curb line of Robinson Road until it intersects with the west curb line of Prentiss Street;
- Then south along the west curb line of Prentiss Street until it intersects with the north curb line of John R. Lynch Street on the west side of Jackson State University;
- Then west on the north curb line of John R. Lynch Street until it reaches the west curb line of Valley Street;
- Then south along the west curb line of Valley Street until it reaches the south curb line of Morehouse Street;
- Then east along the south curb line of Morehouse Street until it reaches the west curb line of Dalton Street;
- Then south along the west curb line of Dalton Street until it reaches the south curb line of Florence Avenue;
- Then east along the south curb line of Florence Avenue until it reaches the east curb line of University Blvd. (Terry Road);
- Then north and along the east curb line of University Blvd. until it reaches the south curb line of Hooker Street;

- Then east along the south curb line of Hooker Street extending in a straight line to the railroad tracks;
- Then north on the west side of such railroad tracks to the south curb line of South Street;
- Then east on South Street to the east curb line of Jefferson Street and extend the south curb line of South Street in a straight line to the east to the western edge of I-55;
- Then north along the western edge of I-55 until it reaches the south curb line of High Street;
- Then east along the south curb line of High Street and extending such line to the Pearl River and the point of the beginning.

[From and after July 1, 2024, this section shall read as follows:

29-5-203. There is created the Capitol Complex Improvement District to be composed of the following described area in the City of Jackson, Mississippi, that surrounds the State Capitol Building:

#### CAPITOL COMPLEX PROPOSED BOUNDARIES

- Beginning at a point on the west bank of the Pearl River determined by extending the south curb line of High Street east until it meets the bank of the Pearl River;
  - Then north along the west bank of the Pearl River \* \* \* until it reaches a point on such bank determined by extending the \* \* \* north curb line of Northside Drive until it meets the bank of the Pearl River;
  - Then west along the north curb line of Northside Drive until it reaches the west track of the Illinois Central Railroad line;
- \* \* \*
- Then south \* \* \* along the west track of the Illinois Central Railroad line to the north curb line of Mitchell Avenue which becomes Stonewall Street;
  - Then west along the north curb line of Mitchell Street and then Stonewall Street until it reaches the west curb line of Livingston Road;
  - Then south along the west curb line of Livingston Road until it reaches the south curb line of Woodrow Wilson Drive;
  - Then east along the south curb line of Woodrow Wilson Drive to the west curb line of Bailey Avenue (which becomes Gallatin Street);
  - Then south along the west curb line of Bailey Avenue and then Gallatin Street until it reaches the north curb line of \* \* \* West Monument Street;
  - Then west along the north curb line of \* \* \* West Monument Street until it intersects with \* \* \* West Capitol Street and becomes Rose Street;
  - Then south along the west curb line of Rose Street until it intersects with the north curb line of Robinson Road;
  - Then west on the north curb line of Robinson Road until it intersects with the west curb line of Prentiss Street;

- Then south along the west curb line of Prentiss Street until it intersects with the north curb line of John R. Lynch Street on the west side of Jackson State University;

- Then west on the north curb line of John R. Lynch Street until it reaches the west curb line of \* \* \* Ellis Avenue;

\* \* \*

- Then south along the west curb line of Ellis Avenue until it reaches the south curb line of Raymond Road;

- Then east along the south curb line of Raymond Road until it reaches the north edge of Interstate 20 westbound;

- \* \* \* Then east along the north edge of Interstate 20 until it overlaps with Interstate 55 and continues along such edge of Interstate 55/20 to the western edge of where it becomes Interstate 55;

\* \* \*

- Then north along the western edge of I-55 until it reaches the south curb line of High Street;

- Then east along the south curb line of High Street and extending such line to the Pearl River and the point of the beginning.

SECTION 9. Section 27-65-75, Mississippi Code of 1972, as amended by Senate Bill No. 2664, 2023 Regular Session, is amended as follows:

27-65-75. On or before the fifteenth day of each month, the revenue collected under the provisions of this chapter during the preceding month shall be paid and distributed as follows:

(1) (a) On or before August 15, 1992, and each succeeding month thereafter through July 15, 1993, eighteen percent (18%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. Except as otherwise provided in this paragraph (a), on or before August 15, 1993, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within a municipal corporation shall be allocated for distribution to the municipality and paid to the municipal corporation. However, in the event the State Auditor issues a certificate of noncompliance pursuant to Section 21-35-31, the Department of Revenue shall withhold ten percent (10%) of the allocations and payments to the municipality that would otherwise be payable to the municipality under this paragraph (a) until such time that the department receives written notice of the cancellation of a certificate of noncompliance from the State Auditor.

A municipal corporation, for the purpose of distributing the tax under this subsection, shall mean and include all incorporated cities, towns and villages.

Monies allocated for distribution and credited to a municipal corporation under this paragraph may be pledged as security for a loan if the distribution received by the municipal corporation is otherwise authorized or required by law to be pledged as security for such a loan.



In any county having a county seat that is not an incorporated municipality, the distribution provided under this subsection shall be made as though the county seat was an incorporated municipality; however, the distribution to the municipality shall be paid to the county treasury in which the municipality is located, and those funds shall be used for road, bridge and street construction or maintenance in the county.

(b) On or before August 15, 2006, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities on the campus of a state institution of higher learning or community or junior college whose campus is not located within the corporate limits of a municipality, shall be allocated for distribution to the state institution of higher learning or community or junior college and paid to the state institution of higher learning or community or junior college.

(c) On or before August 15, 2018, and each succeeding month thereafter until August 14, 2019, two percent (2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2019, and each succeeding month thereafter until August 14, 2020, four percent (4%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2020, and each succeeding month thereafter through July 15, 2023, six percent (6%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215. On or before August 15, 2023, and each succeeding month thereafter, nine percent (9%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3), 27-65-21 and 27-65-24, on business activities within the corporate limits of the City of Jackson, Mississippi, shall be deposited into the Capitol Complex Improvement District Project Fund created in Section 29-5-215.

(d) (i) On or before the fifteenth day of the month that the diversion authorized by this section begins, and each succeeding month thereafter, eighteen and one-half percent (18-1/2%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Sections 27-65-15, 27-65-19(3) and 27-65-21, on business activities within a redevelopment project area developed under a redevelopment plan adopted under the Tax Increment Financing Act (Section 21-45-1 et seq.) shall be allocated for distribution to the county in which the project area is located if:

1. The county:

a. Borders on the Mississippi Sound and the State of Alabama, or

b. Is Harrison County, Mississippi, and the project area is within a radius of two (2) miles from the intersection of Interstate 10 and Menge Avenue;

2. The county has issued bonds under Section 21-45-9 to finance all or a portion of a redevelopment project in the redevelopment project area;

3. Any debt service for the indebtedness incurred is outstanding; and

4. A development with a value of Ten Million Dollars (\$10,000,000.00) or more is, or will be, located in the redevelopment area.

(ii) Before any sales tax revenue may be allocated for distribution to a county under this paragraph, the county shall certify to the Department of Revenue that the requirements of this paragraph have been met, the amount of bonded indebtedness that has been incurred by the county for the redevelopment project and the expected date the indebtedness incurred by the county will be satisfied.

(iii) The diversion of sales tax revenue authorized by this paragraph shall begin the month following the month in which the Department of Revenue determines that the requirements of this paragraph have been met. The diversion shall end the month the indebtedness incurred by the county is satisfied. All revenue received by the county under this paragraph shall be deposited in the fund required to be created in the tax increment financing plan under Section 21-45-11 and be utilized solely to satisfy the indebtedness incurred by the county.

(2) On or before September 15, 1987, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, One Million One Hundred Twenty-five Thousand Dollars (\$1,125,000.00) shall be allocated for distribution to municipal corporations as defined under subsection (1) of this section in the proportion that the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each such municipality during the preceding fiscal year bears to the total gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in municipalities statewide during the preceding fiscal year. The Department of Revenue shall require all distributors of gasoline and diesel fuel to report to the department monthly the total number of gallons of gasoline and diesel fuel sold by them to consumers and retailers in each municipality during the preceding month. The Department of Revenue shall have the authority to promulgate such rules and regulations as is necessary to determine the number of gallons of gasoline and diesel fuel sold by distributors to consumers and retailers in each municipality. In determining the percentage allocation of funds under this subsection for the fiscal year beginning July 1, 1987, and ending June 30, 1988, the Department of Revenue may consider gallons of gasoline and diesel fuel sold for a period of less than one (1) fiscal year. For the purposes of this subsection, the term "fiscal year" means the fiscal year beginning July 1 of a year.

(3) On or before September 15, 1987, and on or before the fifteenth day of each succeeding month, until the date specified in Section 65-39-35, the proceeds derived from contractors' taxes levied under Section 27-65-21 on contracts for the construction or reconstruction of highways designated under the highway program created under Section 65-3-97 shall, except as otherwise provided in Section 31-17-127, be deposited into the State Treasury to the credit of the State Highway Fund to be used to fund that highway program. The Mississippi Department of Transportation shall provide to the Department of Revenue such information as is necessary to determine the amount of proceeds to be distributed under this subsection.

(4) On or before August 15, 1994, and on or before the fifteenth day of each succeeding month through July 15, 1999, from the proceeds of gasoline, diesel fuel or kerosene taxes as provided in Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) shall be deposited in the State Treasury to the credit of a special fund designated as the "State Aid Road Fund," created by Section 65-9-17. On or before August 15, 1999, and on or before the fifteenth day of each succeeding month, from the total amount of the proceeds of gasoline, diesel fuel or kerosene taxes apportioned by

Section 27-5-101(a)(ii)1, Four Million Dollars (\$4,000,000.00) or an amount equal to twenty-three and one-fourth percent (23-1/4%) of those funds, whichever is the greater amount, shall be deposited in the State Treasury to the credit of the "State Aid Road Fund," created by Section 65-9-17. Those funds shall be pledged to pay the principal of and interest on state aid road bonds heretofore issued under Sections 19-9-51 through 19-9-77, in lieu of and in substitution for the funds previously allocated to counties under this section. Those funds may not be pledged for the payment of any state aid road bonds issued after April 1, 1981; however, this prohibition against the pledging of any such funds for the payment of bonds shall not apply to any bonds for which intent to issue those bonds has been published for the first time, as provided by law before March 29, 1981. From the amount of taxes paid into the special fund under this subsection and subsection (9) of this section, there shall be first deducted and paid the amount necessary to pay the expenses of the Office of State Aid Road Construction, as authorized by the Legislature for all other general and special fund agencies. The remainder of the fund shall be allocated monthly to the several counties in accordance with the following formula:

(a) One-third (1/3) shall be allocated to all counties in equal shares;

(b) One-third (1/3) shall be allocated to counties based on the proportion that the total number of rural road miles in a county bears to the total number of rural road miles in all counties of the state; and

(c) One-third (1/3) shall be allocated to counties based on the proportion that the rural population of the county bears to the total rural population in all counties of the state, according to the latest federal decennial census.

For the purposes of this subsection, the term "gasoline, diesel fuel or kerosene taxes" means such taxes as defined in paragraph (f) of Section 27-5-101.

The amount of funds allocated to any county under this subsection for any fiscal year after fiscal year 1994 shall not be less than the amount allocated to the county for fiscal year 1994.

Any reference in the general laws of this state or the Mississippi Code of 1972 to Section 27-5-105 shall mean and be construed to refer and apply to subsection (4) of Section 27-65-75.

(5) One Million Six Hundred Sixty-six Thousand Six Hundred Sixty-six Dollars (\$1,666,666.00) each month shall be paid into the special fund known as the "Educational Facilities Revolving Loan Fund" created and existing under the provisions of Section 37-47-24. Those payments into that fund are to be made on the last day of each succeeding month hereafter. This subsection (5) shall stand repealed on July 1, \* \* \* 2026.

(6) An amount each month beginning August 15, 1983, through November 15, 1986, as specified in Section 6, Chapter 542, Laws of 1983, shall be paid into the special fund known as the Correctional Facilities Construction Fund created in Section 6, Chapter 542, Laws of 1983.

(7) On or before August 15, 1992, and each succeeding month thereafter through July 15, 2000, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited by the department into the School Ad Valorem Tax Reduction Fund created under Section 37-61-35. On or before August 15, 2000, and each succeeding month thereafter, two and two hundred sixty-six one-thousandths percent (2.266%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the School Ad Valorem Tax Reduction Fund created under Section

37-61-35 until such time that the total amount deposited into the fund during a fiscal year equals Forty-two Million Dollars (\$42,000,000.00). Thereafter, the amounts diverted under this subsection (7) during the fiscal year in excess of Forty-two Million Dollars (\$42,000,000.00) shall be deposited into the Education Enhancement Fund created under Section 37-61-33 for appropriation by the Legislature as other education needs and shall not be subject to the percentage appropriation requirements set forth in Section 37-61-33.

(8) On or before August 15, 1992, and each succeeding month thereafter, nine and seventy-three one-thousandths percent (9.073%) of the total sales tax revenue collected during the preceding month under the provisions of this chapter, except that collected under the provisions of Section 27-65-17(2), shall be deposited into the Education Enhancement Fund created under Section 37-61-33.

(9) On or before August 15, 1994, and each succeeding month thereafter, from the revenue collected under this chapter during the preceding month, Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be paid into the State Aid Road Fund.

(10) On or before August 15, 1994, and each succeeding month thereafter through August 15, 1995, from the revenue collected under this chapter during the preceding month, Two Million Dollars (\$2,000,000.00) shall be deposited into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(11) Notwithstanding any other provision of this section to the contrary, on or before February 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(2) and the corresponding levy in Section 27-65-23 on the rental or lease of private carriers of passengers and light carriers of property as defined in Section 27-51-101 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(12) Notwithstanding any other provision of this section to the contrary, on or before August 15, 1995, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-17(1) on retail sales of private carriers of passengers and light carriers of property, as defined in Section 27-51-101 and the corresponding levy in Section 27-65-23 on the rental or lease of these vehicles, shall be deposited, after diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(13) On or before July 15, 1994, and on or before the fifteenth day of each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-22 that is derived from activities held on the Mississippi State Fairgrounds Complex shall be paid into a special fund that is created in the State Treasury and shall be expended upon legislative appropriation solely to defray the costs of repairs and renovation at the Trade Mart and Coliseum.

(14) On or before August 15, 1998, and each succeeding month thereafter through July 15, 2005, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39. On or before August 15, 2007, and each succeeding month thereafter through July 15, 2010, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited in an amount not to exceed Two Million Dollars (\$2,000,000.00) into the special fund created under Section 69-37-39 until all debts or other obligations incurred by the Certified Cotton Growers Organization under the Mississippi Boll Weevil Management Act before January 1, 2007, are satisfied in full. On or before August 15, 2010, and each succeeding month thereafter through July 15, 2011, fifty percent (50%) of that portion of the avails of the tax imposed in Section 27-65-23 that

is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00). On or before August 15, 2011, and each succeeding month thereafter, that portion of the avails of the tax imposed in Section 27-65-23 that is derived from sales by cotton compresses or cotton warehouses and that would otherwise be paid into the General Fund shall be deposited into the special fund created under Section 69-37-39 until such time that the total amount deposited into the fund during a fiscal year equals One Million Dollars (\$1,000,000.00).

(15) Notwithstanding any other provision of this section to the contrary, on or before September 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-19(1)(d)(i)2, and 27-65-19(1)(d)(i)3 shall be deposited, without diversion, into the Telecommunications Ad Valorem Tax Reduction Fund established in Section 27-38-7.

(16) (a) On or before August 15, 2000, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a project as defined in Section 57-30-1 shall be deposited, after all diversions except the diversion provided for in subsection (1) of this section, into the Sales Tax Incentive Fund created in Section 57-30-3.

(b) On or before August 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-26-1 through 57-26-5, shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Project Sales Tax Incentive Fund created in Section 57-26-3.

(17) Notwithstanding any other provision of this section to the contrary, on or before April 15, 2002, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under Section 27-65-23 on sales of parking services of parking garages and lots at airports shall be deposited, without diversion, into the special fund created under Section 27-5-101(d).

(18) [Repealed]

(19) (a) On or before August 15, 2005, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of this chapter on the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and the revenue collected on the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall, except as otherwise provided in this subsection (19), be deposited, after all diversions, into the Redevelopment Project Incentive Fund as created in Section 57-91-9.

(b) For a municipality participating in the Economic Redevelopment Act created in Sections 57-91-1 through 57-91-11, the diversion provided for in subsection (1) of this section attributable to the gross proceeds of sales of a business enterprise located within a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11, and attributable to the gross proceeds of sales from sales made to a business enterprise located in a redevelopment project area under the provisions of Sections 57-91-1 through 57-91-11 (provided that such sales made to a business enterprise are made on the premises of the business enterprise), shall be deposited into the Redevelopment Project Incentive Fund as created in Section 57-91-9, as follows:

(i) For the first six (6) years in which payments are made to a developer from the Redevelopment Project Incentive Fund, one hundred percent (100%) of the diversion shall be deposited into the fund;

(ii) For the seventh year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, eighty percent (80%) of the diversion shall be deposited into the fund;

(iii) For the eighth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, seventy percent (70%) of the diversion shall be deposited into the fund;

(iv) For the ninth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, sixty percent (60%) of the diversion shall be deposited into the fund; and

(v) For the tenth year in which such payments are made to a developer from the Redevelopment Project Incentive Fund, fifty percent (50%) of the funds shall be deposited into the fund.

(20) On or before January 15, 2007, and each succeeding month thereafter, eighty percent (80%) of the sales tax revenue collected during the preceding month under the provisions of this chapter from the operation of a tourism project under the provisions of Sections 57-28-1 through 57-28-5 shall be deposited, after the diversions required in subsections (7) and (8) of this section, into the Tourism Sales Tax Incentive Fund created in Section 57-28-3.

(21) (a) On or before April 15, 2007, and each succeeding month thereafter through June 15, 2013, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the MMEIA Tax Incentive Fund created in Section 57-101-3.

(b) On or before July 15, 2013, and each succeeding month thereafter, One Hundred Fifty Thousand Dollars (\$150,000.00) of the sales tax revenue collected during the preceding month under the provisions of this chapter shall be deposited into the Mississippi Development Authority Job Training Grant Fund created in Section 57-1-451.

(22) Notwithstanding any other provision of this section to the contrary, on or before August 15, 2009, and each succeeding month thereafter, the sales tax revenue collected during the preceding month under the provisions of Section 27-65-201 shall be deposited, without diversion, into the Motor Vehicle Ad Valorem Tax Reduction Fund established in Section 27-51-105.

(23) (a) On or before August 15, 2019, and each month thereafter through July 15, 2020, one percent (1%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2020, and each month thereafter through July 15, 2021, two percent (2%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. On or before August 15, 2021, and each month thereafter, three percent (3%) of the total sales tax revenue collected during the preceding month from restaurants and hotels shall be allocated for distribution to the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, to be used exclusively for the purpose stated therein. The revenue diverted pursuant to this subsection shall not be available for expenditure until February 1, 2020.

(b) The Joint Legislative Committee on Performance Evaluation and Expenditure Review (PEER) must provide an annual report to the Legislature indicating the amount of funds deposited into the Mississippi Development Authority Tourism Advertising Fund established under Section 57-1-64, and a detailed record of how the funds are spent.

(24) The remainder of the amounts collected under the provisions of this chapter shall be paid into the State Treasury to the credit of the General Fund.

(25) (a) It shall be the duty of the municipal officials of any municipality that expands its limits, or of any community that incorporates as a municipality, to notify the commissioner of that action thirty (30) days before the effective date. Failure to so notify the commissioner shall cause the municipality to forfeit the revenue that it would have been entitled to receive during this period of time when the commissioner had no knowledge of the action.

(b) (i) Except as otherwise provided in subparagraph (ii) of this paragraph, if any funds have been erroneously disbursed to any municipality or any overpayment of tax is recovered by the taxpayer, the commissioner may make correction and adjust the error or overpayment with the municipality by withholding the necessary funds from any later payment to be made to the municipality.

(ii) Subject to the provisions of Sections 27-65-51 and 27-65-53, if any funds have been erroneously disbursed to a municipality under subsection (1) of this section for a period of three (3) years or more, the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of three (3) years beginning with the date of the first erroneous disbursement. However, if during such period, a municipality provides written notice to the Department of Revenue indicating the erroneous disbursement of funds, then the maximum amount that may be recovered or withheld from the municipality is the total amount of funds erroneously disbursed for a period of one (1) year beginning with the date of the first erroneous disbursement.

SECTION 10. The City of Jackson, at all times, shall adequately staff its police department with the necessary number of law enforcement officers. The Jackson Police Department shall continue to enforce all ordinances of the City of Jackson.

SECTION 11. (1) Subject to the availability of funds specifically appropriated therefor, the Department of Public Safety shall provide body-worn cameras to each patrol law enforcement officer within the Office of Capitol Police. The body-worn cameras shall be kept in good working condition, worn on the uniform of any patrol law enforcement officer while the officer is on duty and shall be fully operational while any officer is on patrol.

(2) For purposes of this section, "Body-worn camera" means a device that is worn by a law enforcement officer which has the capability of electronically recording audio and video of the activities of the officer.

SECTION 12. By October 1, 2023, the clerk of the Seventh Circuit Court District in conjunction with the Administrative Office of Courts shall provide case disposition and caseload data in the district from January 1, 2017, to September 15, 2023, to the Chairs of the Senate Judiciary, Division A and the House Judiciary A Committees and the Chairs of the Senate and House Appropriations Committees for the purpose of assisting the Legislature in its consideration to authorize one (1) circuit judge for the Seventh Circuit Court District in addition to the judges authorized in subsection (1) of this section. Any judge to be authorized under this subsection shall be elected from the subdistrict as provided by Section 9-7-23(2)(e).

SECTION 13. The Commissioner of the Department of Public Safety shall develop a 911 system which can be used by any person within the boundaries of the Capitol Complex Improvement District.

SECTION 14. The Department of Public Safety may purchase and issue all patrol law enforcement officers within the department any equipment deemed necessary by the commissioner for use to enforce any traffic related law of the State of Mississippi, City of Jackson's traffic ordinances or ordinances related to the disturbance of the public peace, or agency regulation on any property, public street, road or highway upon which it has jurisdiction.

SECTION 15. The Chief Justice of the Supreme Court, in consultation with the Administrative Office of Courts shall appoint a court administrator whose primary duty is to manage the caseload of the special judges appointed in Section 1 of this act. The Chief Justice of the Supreme Court, in consultation with the Administrative Office of Courts, shall set the compensation for the court administrator authorized in this section.

SECTION 16. The Hinds County Circuit Clerk shall enter the names or identifying numbers of all qualified electors in Hinds County when selecting a jury for any hearing, trial or cause of action that comes before any of the four (4) temporary special circuit judges authorized by Section 1 of this act for the Seventh Circuit Court District.

SECTION 17. If any section, paragraph, sentence, clause, phrase or any part of this act is declared to be unconstitutional or void, or if for any reason is declared to be invalid or of no effect, the remaining sections, paragraphs, sentences, clauses, phrases or parts of this act shall be in no manner affected thereby but shall remain in full force and effect.

SECTION 18. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AUTHORIZE FOUR TEMPORARY SPECIAL CIRCUIT JUDGES FOR THE SEVENTH CIRCUIT COURT DISTRICT TO BE APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME COURT; TO AUTHORIZE THE PUBLIC DEFENDER OF THE SEVENTH CIRCUIT COURT DISTRICT TO APPOINT THREE FULL-TIME ASSISTANT PUBLIC DEFENDERS; TO AUTHORIZE THE DISTRICT ATTORNEY OF THE SEVENTH CIRCUIT COURT DISTRICT TO APPOINT TWO FULL-TIME ASSISTANT DISTRICT ATTORNEYS; TO CREATE AN INFERIOR COURT WITHIN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT TO HEAR AND DETERMINE CERTAIN MATTERS THAT ARE UNDER THE JURISDICTION OF MUNICIPAL COURTS JURISDICTION OF A MUNICIPAL COURT; TO AUTHORIZE THE ATTORNEY GENERAL TO DESIGNATE TWO ATTORNEYS TO SERVE AS PROSECUTING ATTORNEYS FOR ANY CAUSE OF ACTION WITHIN THE JURISDICTION OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS, IN CONSULTATION WITH THE CHIEF JUSTICE OF THE MISSISSIPPI SUPREME COURT TO APPOINT A CLERK FOR THE CCID INFERIOR COURT; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DESIGNATE A SUITABLE LOCATION OR BUILDING FOR THE PURPOSE OF ALLOWING THE CCID INFERIOR COURT TO HOLD COURT; TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2664, 2023 REGULAR SESSION, TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE TO THE CAPITOL COMPLEX IMPROVEMENT DISTRICT PROJECT FUND; TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A 911



SYSTEM FOR EMERGENCIES WITHIN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO REQUIRE THE CHIEF JUSTICE OF THE SUPREME COURT, IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF COURTS, TO APPOINT A COURT ADMINISTRATOR TO MANAGE THE CASELOAD OF THE SPECIAL JUDGES APPOINTED IN SECTION 1 OF THIS ACT; TO REQUIRE THE HINDS COUNTY CIRCUIT CLERK TO SELECT JURORS FROM ALL QUALIFIED ELECTORS IN HINDS COUNTY; TO PROVIDE HOW JURORS ARE CHOSEN FOR PROCEEDINGS BEFORE SPECIAL COURT JUDGES AUTHORIZED BY THIS ACT FOR THE SEVENTH CIRCUIT COURT DISTRICT; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

John Thomas "Trey" Lamar, III

Brice Wiggins

Nick Bain

J. Walter Michel

David Parker

PARLIAMENTARY INQUIRY

Senator Blount raised a point of inquiry whether, because Section 9 of the bill dealt with a tax diversion, the bill required a 3/5 vote for passage, as the Conference Report had a 1/2 vote.

RULING OF THE CHAIR

The Chair, President Hosemann presiding, ruled the point not well-taken. It did not involve an increase or decrease in fees or taxes, but a reallocation of the proceeds.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1020** (version 2) was adopted:

Yeas--Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Johnson, Kirby, McCaughn, McDaniel, Michel, Moran, Parker, Polk, Seymour, Sojourner, Sparks, Suber, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--31.

Nays--Barnett, Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--15.

Absent and those not voting--Hopson, McLendon, McMahan, Parks. Total--4.

Senator Barrett, who would have voted yea on H. B. No. 1020, announced a pair with Senator Jordan, who would have voted nay.

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Senator Blackwell entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1020** (version 2) was adopted by the Senate.

Senator Fillingane moved that the rules be suspended to move to calendar item 46, **S. B. No. 2343**, and the motion prevailed.

Senator Fillingane offered the following report of the Conference Committee on **S. B. No. 2343** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2343: Capitol police; revise jurisdiction of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 45-1-19, Mississippi Code of 1972, is amended as follows:

45-1-19. (1) The Department of Public Safety, through the Office of Capitol Police, shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi on the properties, from curb to curb, including adjoining streets, sidewalks and leased parking lots within the Capitol Complex, set forth in Section 29-5-2, the Governor's mansion, the \* \* \* Supreme Court Building, the Mississippi Department of Transportation Building and the Public Employees' Retirement System Building, and any property purchased, constructed or otherwise acquired by the State of Mississippi for conducting state business and not specifically under the supervision and care by any other state entity, but which is reasonably assumed the Department of Public Safety would be responsible for such. The Department of Public Safety shall, through any person or persons appointed by the commissioner, make arrests for any violation of any law of the State of Mississippi on the grounds of or within those properties. The Department of Public Safety shall, in addition, enforce the provisions of this section and Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95, and prescribe such rules and regulations as are necessary therefor. The powers and duties related to the administration of Sections 29-5-57 through 29-5-67, 29-5-73 through 29-5-75, and 29-5-81 through 29-5-95 shall remain with the Department of Finance and Administration.

(2) Subject to the approval of the Board of Trustees of State Institutions of Higher Learning, the Board of Trustees and the Department of Public Safety shall be authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi on the property of the Board of Trustees located at the corner of Ridgewood Road and Lakeland Drive in the City of Jackson.

(3) The Department of Public Safety and the Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the Department of Agriculture located at 121 North Jefferson Street and the new Farmers Market Building

located at the corner of High and Jefferson Streets in the City of Jackson, Hinds County, Mississippi. It is the intent of the Legislature that the Department of Public Safety will not post any security personnel at such buildings, but will provide regular vehicle patrols and responses to security system alarms.

(4) The Department of Public Safety and the \* \* \* Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to have jurisdiction and enforce all laws of the State of Mississippi on the property of the \* \* \* Department of Agriculture known as the "Mississippi State Fairgrounds Complex" and any and all of its outlying buildings and property. The Department of Public Safety and the \* \* \* Department of Agriculture are authorized to enter into a contract for the Department of Public Safety to supply the security personnel to the \* \* \* Department of Agriculture with jurisdiction to enforce all laws of the State of Mississippi on this property and any and all buildings on this property. The Department of Public Safety is authorized to charge the Department of Agriculture a fee for security services provided for special events at the Mississippi State Fairgrounds Complex. The fee charged will be commensurate with the cost associated with the Department of Public Safety providing those services.

(5) The Department of Public Safety and the Department of Revenue are authorized to enter into a contract for the Department of Public Safety to supply the security personnel with jurisdiction to enforce all laws of the State of Mississippi at the Alcoholic Beverage Control facility and the Department of Revenue main office.

(6) (a) The Department of Public Safety shall have primary jurisdiction relative \* \* \* to any other state or municipal law enforcement agency to enforce all laws of the State of Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203; such enforcement shall be its primary function. The Department of Public Safety \* \* \* may through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi and violations of the City of Jackson's traffic ordinances or ordinances related to the disturbance of the public peace which occurs within the boundaries of the district and within the boundaries of the City of Jackson. The Department of Public Safety may choose to present cases to either the District Attorney or the prosecuting attorneys designated by the Attorney General for prosecution of any violation of law that accrues or occurs, in whole or in part, within the boundaries established by Section 29-5-203. The jurisdiction of the Department of Public Safety granted under this subsection (6) shall be \* \* \* concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi within the boundaries of the Capitol Complex Improvement District created in Section 29-5-203. At any time and/or during any event necessitating the coordination of and/or utilization at multiple jurisdictions, as determined by the Chief of Capitol Police or the Commissioner of the Department of Public Safety shall be the lead agency when the event occurs on property as defined herein that is owned or leased by the state as provided in subsection (1) of this section. The jurisdiction and authority of the Department of Public Safety under this subsection (6) shall be in addition to any other jurisdiction and authority provided to the department under this section or any other law.

(b) The Department of Public Safety shall have jurisdiction relative to the enforcement of all laws of the State of Mississippi within the boundaries of the City of Jackson, Mississippi. The Department of Public Safety may, through any person or persons appointed by the Department of Public Safety, make arrests for any violation of any law of the State of Mississippi which occurs within the boundaries of the City of Jackson. The jurisdiction of the Department of Public Safety granted under this paragraph (b) shall not be primary and shall be concurrent with the jurisdiction of the City of Jackson, Mississippi, and that of Hinds County, Mississippi.

(c) Written approval from the Chief of the Capitol Police or the Commissioner of the Department of Public Safety shall be required before any event occurs which will take place on any street or sidewalk immediately adjacent to any building or property owned or occupied by any official, agency, board, commission, office or other

entity of the State of Mississippi, or which can reasonably be expected to block, impede or otherwise hinder ingress thereto and/or egress therefrom. The Department of Public Safety shall promulgate rules and regulations to effectuate the provisions of this paragraph (b).

(d) The Chief of the Capitol Police and/or the Commissioner of the Department of Public Safety, the Chief of the Jackson Police Department and the Sheriff of Hinds County shall hold a regular meeting within the boundaries of the Capitol Complex Improvement District to address the concerns of the public. Each meeting shall be called by the Chief of the Capitol Police; and the first meeting shall be called by October 15, 2023.

(7) The Department of Public Safety is authorized to enter into a contract with any county for the county to take custody of the misdemeanor offenders arrested under the authority granted under this section.

(8) All accrued personal leave earned pursuant to Section 25-3-93, accrued major medical leave earned pursuant to Section 25-3-95, accrued state compensatory leave earned pursuant to Section 25-3-92, and compensatory leave earned pursuant to the Fair Labor Standards Act (FLSA) shall transfer from the Department of Finance and Administration to the Department of Public Safety for all employees transferred under this section.

SECTION 2. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO REVISE THE JURISDICTION OF THE DEPARTMENT OF PUBLIC SAFETY IN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO PROVIDE THAT THE JURISDICTION OF THE DEPARTMENT OF PUBLIC SAFETY IN THE CITY OF JACKSON SHALL NOT BE PRIMARY AND SHALL BE CONCURRENT WITH THE JURISDICTION OF THE CITY OF JACKSON, MISSISSIPPI, AND THAT OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
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Joey Fillingane	Nick Bain
Jeremy England	Shanda Yates
Brice Wiggins	Jill Ford

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2343** (version 2) was adopted:

Yeas--Barrett, Blackwell, Boyd, Branning, Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Harkins, Hill, Kirby, McCaughn, McMahan, Michel, Moran, Parker, Polk, Seymour, Sparks, Tate, Thompson, Whaley, Wiggins, Williams, Younger. Total--29.

Nays--Blackmon, Blount, Bryan, Butler A. (36th), Butler K. (38th), Frazier, Hickman, Horhn, Jackson, Norwood, Simmons D. T. (12th), Simmons S. (13th), Thomas, Turner-Ford. Total--14.

Absent and those not voting--Barnett, Hopson, Johnson, McDaniel, McLendon, Parks, Sojourner. Total--7.

Senator Suber, who would have voted yea on S. B. No. 2343, announced a pair with Senator Jordan, who would have voted nay.

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Senator Blackwell entered a motion to reconsider the vote whereby the Conference Report on **S. B. No. 2343** (version 2) was adopted by the Senate.

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Senator Hickman entered a motion to reconsider the vote whereby the Conference Report on **H. B. No. 1149** (version 2) was adopted by the Senate.

**H. B. No. 1149:** Path to permanency; provide for children in Child Protection Services.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2239:** AN ACT TO AMEND SECTION 17-25-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE OFFICERS OF THE DEPARTMENT OF PUBLIC SAFETY TO USE THEIR OFFICIAL UNIFORM, FIREARM AND VEHICLE WHILE IN THE PERFORMANCE OF PRIVATE SECURITY SERVICES IN OFF DUTY HOURS; AND FOR RELATED PURPOSES.

**S. B. No. 3003:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI AGRICULTURAL AND FORESTRY EXPERIMENT STATION FOR FISCAL YEAR 2024.

**S. B. No. 3004:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI COOPERATIVE EXTENSION SERVICE FOR FISCAL YEAR 2024.

**S. B. No. 3005:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES INCURRED IN THE MAINTENANCE AND OPERATION OF THE FOREST AND WILDLIFE RESEARCH CENTER FOR FISCAL YEAR 2024.

**S. B. No. 3013:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR FISCAL YEAR 2024.

**S. B. No. 3018:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE VETERANS AFFAIRS BOARD AND THE MISSISSIPPI STATE VETERANS HOMES FOR FISCAL YEAR 2024.

**S. B. No. 3019:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI ETHICS COMMISSION FOR THE FISCAL YEAR 2024.

**S. B. No. 3022:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF REVENUE, INCLUDING THE HOMESTEAD EXEMPTION DIVISION, THE MOTOR VEHICLE COMPTROLLER FUNCTIONS, THE ALCOHOLIC BEVERAGE CONTROL DIVISION LIQUOR DISTRIBUTION CENTER, THE ENFORCEMENT DIVISION, AND FOR THE PURPOSE OF REIMBURSING THE COUNTIES, COUNTY DISTRICTS AND MUNICIPAL SEPARATE SCHOOL DISTRICTS FOR TAX LOSSES INCURRED BY

REASON OF THE EXEMPTION OF HOMES FROM CERTAIN AD VALOREM TAXES, AND FOR THE PURPOSE OF PURCHASING MOTOR VEHICLE LICENSE TAGS FOR FISCAL YEAR 2024.

**S. B. No. 3025:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF MENTAL HEALTH FOR FISCAL YEAR 2024.

**S. B. No. 3026:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE OFFICE OF STATE AID ROAD CONSTRUCTION OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3027:** AN ACT MAKING AN APPROPRIATION TO THE TENNESSEE-TOMBIGBEE WATERWAY DEVELOPMENT AUTHORITY FOR THE PURPOSES ENUMERATED IN SECTION 51-27-1, MISSISSIPPI CODE OF 1972, FOR FISCAL YEAR 2024.

**S. B. No. 3028:** AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI STATE BOARD OF CHIROPRACTIC EXAMINERS FOR FISCAL YEAR 2024.

**S. B. No. 3030:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE STATE BOARD OF FUNERAL SERVICES FOR FISCAL YEAR 2024.

**S. B. No. 3032:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PHARMACY FOR FISCAL YEAR 2024.

**S. B. No. 3033:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF EXAMINERS FOR LICENSED PROFESSIONAL COUNSELORS FOR FISCAL YEAR 2024.

**S. B. No. 3035:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE STATE BOARD OF ARCHITECTURE AND LANDSCAPE ARCHITECTURE ADVISORY COMMITTEE FOR FISCAL YEAR 2024.

**S. B. No. 3036:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI GAMING COMMISSION FOR FISCAL YEAR 2024.

**S. B. No. 3040:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC CONTRACTORS FOR FISCAL YEAR 2024.

**S. B. No. 3041:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF AUDIT FOR FISCAL YEAR 2024.

**S. B. No. 3044:** AN ACT MAKING AN APPROPRIATION FOR EXPENSES OF THE EXECUTIVE DEPARTMENT, BEING THE GOVERNOR'S OFFICE AND STAFF, AND FOR EXPENSES INCIDENTAL TO THE PROPER OPERATION OF THE GOVERNOR'S MANSION AND RESIDENCE OF THE GOVERNOR FOR FISCAL YEAR 2024.

**S. B. No. 3046:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3047:** AN ACT MAKING AN APPROPRIATION AND A REAPPROPRIATION TO THE MISSISSIPPI DEVELOPMENT AUTHORITY TO AUTHORIZE AND REAUTHORIZE THE EXPENDITURE OF GULF COAST RESTORATION FUNDS PREVIOUSLY APPROPRIATED FOR PROJECTS FOR FISCAL YEAR 2024.

**S. B. No. 3048:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE PERSONNEL BOARD FOR FISCAL YEAR 2024.

**S. B. No. 3049:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE OFFICE OF THE SECRETARY OF STATE FOR FISCAL YEAR 2024.

**S. B. No. 3051:** AN ACT MAKING AN APPROPRIATION FOR THE PAYMENT OF SERVICE CHARGES TO BANKS FOR ACTING AS AGENTS OF THE STATE IN PAYING FULL FAITH AND CREDIT BONDS AND INTEREST OF THE STATE OF MISSISSIPPI, FROM THE EFFECTIVE DATE OF THIS ACT UNTIL SUCH BONDS SHALL BE PAID OR UNTIL JUNE 30, 2024, WHICHEVER SHALL FIRST OCCUR; AND FOR THE PAYMENT OF MATURING BONDS AND INTEREST ON THE FULL FAITH AND CREDIT BONDS OF THE STATE OF MISSISSIPPI FALLING DUE DURING FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 3024:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION FOR FISCAL YEAR 2024.

**S. B. No. 3031:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF MASSAGE THERAPY, FOR FISCAL YEAR 2024.

**S. B. No. 3034:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF VETERINARY EXAMINERS FOR FISCAL YEAR 2024.

**S. B. No. 3039:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI STATE BOARD OF PUBLIC ACCOUNTANCY FOR FISCAL YEAR 2024.

**S. B. No. 3042:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS FOR THE SUPPORT OF THE STATE DEPARTMENT OF BANKING AND CONSUMER FINANCE FOR FISCAL YEAR 2024.

**S. B. No. 3045:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES FOR FISCAL YEAR 2024.

**S. B. No. 3050:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE STATE TREASURER'S OFFICE FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2002:** AN ACT TO DESIGNATE A SEGMENT OF UNITED STATES HIGHWAY 45 IN LOWNDES COUNTY, MISSISSIPPI, AS THE "PFC BRADFORD C. FREEMAN MEMORIAL HIGHWAY" IN MEMORY OF DECEASED WORLD WAR II ARMY VETERAN PRIVATE FIRST CLASS BRADFORD CLARK FREEMAN; TO DESIGNATE A SECTION OF INTERSTATE 220 NORTH IN HINDS COUNTY, MISSISSIPPI, AS THE "SENATOR DOUGLAS ANDERSON MEMORIAL HIGHWAY" IN HONOR OF FORMER MISSISSIPPI SENATOR DOUGLAS ANDERSON; TO DESIGNATE THE SECOND CREEK BRIDGE ON HUTCHINS LANDING ROAD IN ADAMS COUNTY, MISSISSIPPI, AS THE "BOYD SOJOURNER MEMORIAL BRIDGE" IN MEMORY OF THE LATE FORMER ADAMS COUNTY SUPERVISOR ALEXANDER BOYD SOJOURNER; TO DESIGNATE THE ST. CATHERINE'S CREEK BRIDGE ON LIBERTY ROAD IN ADAMS COUNTY, MISSISSIPPI, AS THE "JAMES CARTER MEMORIAL BRIDGE" IN MEMORY OF THE LATE ADAMS COUNTY SUPERVISOR JAMES CARTER; TO DESIGNATE THE SEGMENT OF HIGHWAY 1 BETWEEN ROSEDALE, MISSISSIPPI, AND FRIARS POINT, MISSISSIPPI, AS THE "TRAVELING RIVERSIDE BLUES HIGHWAY"; TO DESIGNATE A SECTION OF SOUTH FRONTAGE ROAD IN WARREN COUNTY, MISSISSIPPI, AS THE "DR. BILL PIERCE MEMORIAL FRONTAGE ROAD" IN MEMORY OF THE LATE DR. PAUL WILLIAMSON "BILL" PIERCE, II; AND FOR RELATED PURPOSES.

**S. B. No. 2595:** AN ACT TO AMEND SECTION 37-153-63, MISSISSIPPI CODE OF 1972, TO REMOVE THE REPEALER ON THE AMERICAN RESCUE PLAN ACT (ARPA) WORKFORCE DEVELOPMENT AND RETENTION ACT; TO PROVIDE THAT GRANT FUNDS SHALL BE AVAILABLE UNDER THE ACT THROUGH DECEMBER 31, 2026, OR ON THE DATE OF THE FUND EXPENDITURE DEADLINE PROVIDED BY THE FEDERAL GOVERNMENT, WHICHEVER OCCURS LATER; TO PROVIDE THAT EACH GRANT RECIPIENT SHALL CERTIFY, FOR ANY PROJECT FOR WHICH A GRANT IS AWARDED, THAT IF THE PROJECT IS NOT COMPLETED BY DECEMBER 31, 2026, AND THE UNITED STATES CONGRESS DOES NOT ENACT AN EXTENSION OF THE DEADLINE ON THE AVAILABILITY OF ARPA FUNDS, THEN THE GRANT RECIPIENT WILL COMPLETE THE PROJECT THROUGH OTHER FUNDS; AND FOR RELATED PURPOSES.

**S. B. No. 3006:** AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY FOR FISCAL YEAR 2024.

**S. B. No. 3007:** AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR THE SUPPORT AND MAINTENANCE OF FINANCIAL AID SCHOLARSHIP, LOAN AND GRANT PROGRAMS AND THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID, FOR FISCAL YEAR 2024.

**S. B. No. 3008:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER FOR FISCAL YEAR 2024.

**S. B. No. 3010:** AN ACT MAKING AN APPROPRIATION FOR THE AID AND SUPPORT OF THE PUBLIC COMMUNITY AND JUNIOR COLLEGES OF THE STATE OF MISSISSIPPI FOR FISCAL YEAR 2024.

**S. B. No. 3011:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI DEPARTMENT OF CORRECTIONS FOR FISCAL YEAR 2024.

**S. B. No. 3020:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE COMMISSION ON JUDICIAL PERFORMANCE OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

**S. B. No. 3021:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO DEFRAY THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY FOR FISCAL YEAR 2024.



**S. B. No. 3023:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE BOARD OF TAX APPEALS FOR THE FISCAL YEAR 2024.  
Joseph Thomas, Chairman

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2495:** State inmates; require MDOC to pay increased rate to house inmates in county jails.

**S. B. No. 2559:** Transportation; extend repealer on harvest permit authorization and fees.

**S. B. No. 2613:** Nonemergency transportation providers; extend date by which providers may provide service without a permit.

**S. B. No. 2842:** Use tax; revise standards for municipality's eligibility to receive monies from special infrastructure assistance fund.

**S. B. No. 3017:** Appropriation; Military Department.

**S. B. No. 3037:** Appropriation; Geologists, Board of Registered Professional.

Adopted: 03/29/23

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 602:** District Attorneys; increase the operating allowance of.

**H. B. No. 799:** Inmate Welfare Fund; increase portion of the fund that is utilized to fund Inmate Incentive to Work Program.

**H. B. No. 1111:** County court jurisdiction for termination of parental rights; authorize for both involuntary and voluntary termination.

Adopted: 03/28/23

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 698:** Municipal water, wastewater and sewer services; require equity based billing based on use of.

**H. B. No. 1315:** Pornographic media materials; regulate access to minors and require age verification.

Adopted: 03/29/23

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 817:** Early Learning Collaborative; increase minimum funding levels for full-day and half-day programs.

**H. B. No. 1140:** Beer, light wine and light spirit products; revise manufacturers prohibited from having interest in wholesalers or distributors.

Adopted: 03/29/23

Andrew Ketchings, Clerk of the House of Representatives

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 6:50 PM, the Senate stood in recess.

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The Senate resumed business at 6:56 PM, pursuant to recess, with President Hosemann presiding.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Robert Sledge Simmons, Sr. of Winona, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Ellen Juanita Ishee of Gulfport, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Julian JW McLeod, Jr. of Pascagoula, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Thelma Rawls of Perkinston, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Benjamin David "Bennie" Newton and Tina Marie Ball Johnston of Vancleave, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Franklin "Frank" Earl Leach of Ocean Springs, MS.

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Senator England moved that when the Senate adjourns, it adjourn in memory of Margaret Rose Walczak of DeQuincy, LA.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Henry "Rico" Borrazzo of Gautier, MS.

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Senators England and Wiggins moved that when the Senate adjourns, it adjourn in memory of Valerie Simmerman of Mobile, AL.

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Senators England and Seymour moved that when the Senate adjourns, it adjourn in memory of Pauline Hale of Danville, KY.

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Senators England, Sparks, Polk, Johnson and Fillingane moved that when the Senate adjourns, it adjourn in memory of Sue Stokes of Petal, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of James "Jim" Luther Gaines, III and Molly Ozeta Jimenez of Diamondhead, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Barbara White of Gulfport, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Crystal A. Favre of Waveland, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Cathleen Lilian Pustay of Pass Christian, MS.

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Senator Moran moved that when the Senate adjourns, it adjourn in memory of Joyce L. Peterson of Bay St. Louis, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Buckey Jones of Smithdale, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Garrett Keating of Fayette, MS.

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Senator Sojourner moved that when the Senate adjourns, it adjourn in memory of Sonya Stephens of Natchez, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Leon Chelette, Jr., Gladys C. Young, Yvonne Marie Gajewski and Thomas Joseph Larkowski of Gulfport, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Gloria Beverly Newman of Biloxi, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Tina Marie Ball Johnston of Vancleave, MS.

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of Rita Sue Carpenter of Moss Point, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Parker Andrew Harness of Tupelo, MS.

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Senator Younger moved that when the Senate adjourns, it adjourn in memory of Katherine Downing Batson of Columbus, MS.

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Senator DeLano moved that when the Senate adjourns, it adjourn in memory of Robert Joseph Simmons and Gloria Beverly Newman of Biloxi, MS.

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Senator DeLano moved that when the Senate adjourns, it adjourn in memory of Myrtle Ewing of Vancleave, MS.

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Senator DeLano moved that when the Senate adjourns, it adjourn in memory of Julia Neely Nelson of Long Beach, MS.

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Senator Chism moved that when the Senate adjourns, it adjourn in memory of Gene Ronald Smith of Myrtle, MS.

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Senator Polk moved that the Senate stand in recess until the last Conference Report is filed, at which time the Senate would then adjourn until 9:00 AM, Friday, March 31, 2023.

The motion prevailed, and at 6:56 PM, the Senate stood in recess.

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Pursuant to adjournment motion previously adopted, the Senate stood adjourned at 7:00 PM in memory of Robert Sledge Simmons, Sr., Ellen Juanita Ishee, Sue Stokes, James "Jim" Luther Gaines, III, Molly Ozeta Jimenez, Barbara White, Crystal A. Favre, Cathleen Lilian Pustay, Joyce L. Peterson, Buckey Jones, Garrett Keating, Sonya Stephens, Julian JW McLeod, Jr., Leon Chelette, Jr., Gladys C. Young, Yvonne Marie Gajewski, Thomas Joseph Larkowski, Gloria Beverly Newman, Tina Marie Ball Johnston, Rita Sue Carpenter, Parker Andrew Harness, Katherine Downing Batson, Robert Joseph Simmons, Thelma Rawls, Myrtle Ewing, Julia Neely Nelson, Benjamin David "Bennie" Newton, Franklin "Frank" Earl Leach, Margaret Rose Walczak, Henry "Rico" Borrazzo, Valerie Simmerman, Gene Ronald Smith and Pauline Hale.

Eugene S. Clarke, Secretary of the Senate

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INTRODUCTIONS FOR THURSDAY, MARCH 30, 2023

**S. R. No. 105:** Rules

A RESOLUTION TO COMMEND AND RECOGNIZE DISTRICT 42 STATE SENATOR CHRISTOPHER BRIAN (CHRIS) MCDANIEL FOR HIS DISTINGUISHED SERVICE IN THE MISSISSIPPI SENATE.

By Senator(s) Kirby, Frazier, DeBar, Parker, Michel, Seymour, Blackwell, England

**S. R. No. 106:** Rules

A RESOLUTION TO COMMEND AND RECOGNIZE DISTRICT 37 STATE SENATOR MELANIE SOJOURNER FOR HER DISTINGUISHED SERVICE IN THE MISSISSIPPI SENATE.

By Senator(s) Kirby, Frazier, DeBar, Parker, Michel, Butler (38th), Blackwell, England

**S. R. No. 107:** Rules

A RESOLUTION TO COMMEND AND RECOGNIZE DISTRICT 35 STATE SENATOR CHRIS CAUGHMAN FOR HIS DISTINGUISHED SERVICE IN THE MISSISSIPPI SENATE.

By Senator(s) Kirby, Frazier, DeBar, Parker, Michel, Butler (38th), Blackwell, England

**S. R. No. 108:** Rules

A RESOLUTION TO COMMEND AND RECOGNIZE DISTRICT 21 STATE SENATOR BARBARA BLACKMON FOR HER DISTINGUISHED SERVICE IN THE MISSISSIPPI SENATE.

By Senator(s) Kirby, Frazier, DeBar, Parker, Michel, Butler (38th), Blackwell, England

**S. R. No. 109:** Rules

A RESOLUTION TO COMMEND AND RECOGNIZE DISTRICT 11 STATE SENATOR ROBERT L. JACKSON FOR HIS DISTINGUISHED SERVICE IN THE MISSISSIPPI SENATE.

By Senator(s) Kirby, Frazier, DeBar, Parker, Michel, Butler (38th), Blackwell, England

**S. R. No. 110:** Rules

A RESOLUTION COMMENDING AND CONGRATULATING THE BOONEVILLE "BLUE DEVILS" MIDDLE SCHOOL BOYS BASKETBALL TEAM AND COACH MICAH MOMENT FOR WINNING THE INAUGURAL 2022-2023 MISSISSIPPI MIDDLE SCHOOL BASKETBALL INVITATIONAL CHAMPIONSHIP.

By Senator(s) Sparks, Butler (38th)

**S. R. No. 111: Rules**

A RESOLUTION COMMENDING AND CONGRATULATING THE BELMONT "LADY CARDINALS" JUNIOR HIGH BASKETBALL TEAM AND HEAD COACH CHRIS HIGGINBOTTOM FOR WINNING THE GIRLS INAUGURAL 2022-2023 MISSISSIPPI MIDDLE SCHOOL BASKETBALL INVITATIONAL CHAMPIONSHIP.

By Senator(s) Sparks, Butler (38th)

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EIGHTY-EIGHTH DAY, FRIDAY, MARCH 31, 2023

The Senate met at 9:00 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Absent--Barnett, Parks. Total--2.

The Secretary announced a quorum present.

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The invocation was delivered by Senator England.

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Senator Simmons D. T. (12th) led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator Kirby moved that the rules be suspended for the consideration en bloc of S. R. No. 105, S. R. No. 106, S. R. No. 107, S. R. No. 108 and S. R. No. 109 and the motion prevailed.

Senator Kirby called up the following entitled resolutions:

**S. R. No. 105:** Commend Senate service of Chris McDaniel.

**S. R. No. 106:** Commend Senate service of Melanie Sojourner.

**S. R. No. 107:** Commend Senate service of Chris Caughman.

**S. R. No. 108:** Commend Senate service of Barbara Blackmon.

**S. R. No. 109:** Commend Senate service of Robert L. Jackson.

YEAS AND NAYS on consideration en bloc of S. R. No. 105, S. R. No. 106, S. R. No. 107, S. R. No. 108 and S. R. No. 109. On motion of Senator Kirby, the rules were suspended, the resolutions considered engrossed, read the third time and, the yeas and nays being taken, they were adopted, titles standing as stated by the following vote:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

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Unanimous consent was granted to add Senators Blackwell, England and Seymour as co-authors of **S. R. No. 105**.

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Unanimous consent was granted to add Senators Blackwell, England and Seymour as co-authors of **S. R. No. 106**.

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Unanimous consent was granted to add Senators Blackwell, England and Seymour as co-authors of **S. R. No. 107**.

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Unanimous consent was granted to add Senators Blackwell, England and Seymour as co-authors of **S. R. No. 108**.

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Unanimous consent was granted to add Senators Blackwell, England and Seymour as co-authors of **S. R. No. 109**.

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On motion of Senator Kirby, and with unanimous consent of the Senate, the Secretary was directed to release immediately S. R. No. 105, S. R. No. 106, S. R. No. 107, S. R. No. 108 and S. R. No. 109.

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Senator Wiggins called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 1020** was adopted by the Senate and moved that the motion to reconsider be tabled:

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize.

The foregoing motion prevailed.

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Senator Fillingane called up the motion to reconsider the vote whereby the Conference Report on **S. B. No. 2343** was adopted by the Senate and moved that the motion to reconsider be tabled:

**S. B. No. 2343:** Capitol police; revise jurisdiction of.

The foregoing motion prevailed.

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Senator Wiggins called up the motion to reconsider the vote whereby the Conference Report on **H. B. No. 1149** was adopted by the Senate and moved that the motion to reconsider be tabled:

**H. B. No. 1149:** Path to permanency; provide for children in Child Protection Services.

The foregoing motion prevailed.

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Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1719** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1719: Appropriation; DFA to assist destination marketing organizations in paying for marketing activities.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing funds to destination marketing organizations to assist in paying costs of marketing activities, and providing funds to the Grammy® Museum Mississippi to assist in paying certain costs, as provided in Section 2 of House Bill No. 419, 2023 Regular Session, for the fiscal year beginning July 1, 2023, and ending

June 30, 2024 .....\$ 22,000,000.00.

SECTION 2. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing funds to Mississippi Main Street Association as provided in Section 57-123-11, for the period beginning upon the passage of this act, and ending June 30, 2024 \$ 3,000,000.00.

SECTION 3. (1) As used in this section and Section 4 of this act, the term "department" means the State Department of Health.

(2) The department shall not disburse any funds appropriated under this act to any recipient without first: (a) making an individualized determination that the expenditure sought is, in the department's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the department



shall ensure that all funds appropriated under this act are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

SECTION 4. (1) As a condition of receiving and expending the funds appropriated to the department under this act, the department shall certify to the Department of Finance and Administration that each expenditure of the funds appropriated to the department under this act complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(2) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the department or recipient has expended or otherwise used any of the funds appropriated to the department under this act for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the department or recipient, then the department or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 5. The money appropriated by this act shall be paid by the State Treasurer out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his or her warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 6. This act shall take effect and be in force from and after its passage, except for Section 1, which shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ASSIST DESTINATION MARKETING ORGANIZATIONS IN PAYING FOR MARKETING ACTIVITIES, TO PROVIDE FUNDS FOR THE GRAMMY® MUSEUM MISSISSIPPI, AND TO PROVIDE FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION, FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Karl Oliver  
Becky Currie

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
John A. Polk  
Dennis DeBar, Jr.

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1719** (version 2) was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2444** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2444: ARPA programs; bring forward provisions related to for possible amendment.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 49-2-131, Mississippi Code of 1972, is amended as follows:

49-2-131. (1) This section shall be known and may be cited as the "Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022."

(2) There is hereby established within the Mississippi Department of Environmental Quality the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program under which municipalities, counties and certain public utilities not regulated by the Public Service Commission may apply until February 1, 2023, for reimbursable grants to make necessary investments in water, wastewater, and stormwater infrastructure to be funded by the Legislature utilizing Coronavirus State Fiscal Recovery Funds made available under the federal American Rescue Plan Act of 2021 (ARPA). Such grants shall be made available to municipalities and counties to be matched with the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA on a one-to-one matching basis. Coronavirus Local Fiscal Recovery Funds that a county transfers to a municipality or that a county or municipality transfers to a public utility not regulated by the Public Service Commission are eligible on a one-to-one matching basis. Municipalities that received less than One Million Dollars (\$1,000,000.00) in the total allocation of Coronavirus Local Fiscal Recovery Funds are eligible for a two-to-one match only on the Coronavirus Local Fiscal Recovery Funds awarded or to be awarded to them under ARPA. \* \* \* The Mississippi Department of Environmental Quality shall only accept two (2) rounds of submissions under the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program. The second round of submissions shall be the final round. The dollar amount for professional fees that can be allocated as a part of a county's, municipality's or public utility's matching share is not to exceed four percent (4%) of the total project cost.

(3) For purposes of this section, unless the context requires otherwise, the following terms shall have the meanings ascribed herein:

(a) "MCWI Grant Program" means the Mississippi Municipality and County Water Infrastructure Grant Program.

(b) "ARPA" means the federal American Rescue Plan Act of 2021, Public Law 117-2, which amends Title VI of the Social Security Act.

(c) "State Recovery Funds" means Coronavirus State Fiscal Recovery Funds awarded through Section 602 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(d) "Local Recovery Funds" means Coronavirus Local Fiscal Recovery Funds awarded through Section 603 of Title VI of the Social Security Act amended by Section 9901 of the federal American Rescue Plan Act of 2021, Public Law 117-2.

(e) "Department" means the Department of Environmental Quality.

(f) "Professional fees" means fees for the services of attorneys and engineering, surveying, and environmental studies.

(g) "Project" means the infrastructure improvements defined in an application that (i) complies with all requirements of ARPA, and (ii) is eligible for a grant award under this section.

(4) (a) On or before July 1, 2022, the Department of Environmental Quality shall promulgate rules and regulations necessary to administer the MCWI Grant Program prescribed under this section, including application procedures and deadlines. The department is exempt from compliance with the Mississippi Administrative Procedures Law in fulfilling the requirements of this section.

(b) The Department of Health shall advise the Mississippi Department of Environmental Quality regarding all such rules and regulations as related to the federal Safe Drinking Water Act.

(5) Funding under the MCWI Grant Program shall be allocated to projects certified by the Mississippi Department of Environmental Quality as eligible for federal funding, including, but not be limited to, the following:

(a) Construction of publicly owned treatment works;

(b) Projects pursuant to the implementation of a nonpoint source pollution management program established under the Clean Water Act (CWA);

(c) Decentralized wastewater treatment systems that treat municipal wastewater or domestic sewage;

(d) Management and treatment of stormwater or subsurface drainage water;

(e) Water conservation, efficiency, or reuse measures;

(f) Development and implementation of a conservation and management plan under the CWA;

(g) Watershed projects meeting the criteria set forth in the CWA;

(h) Energy consumption reduction for publicly owned treatment works;

(i) Reuse or recycling of wastewater, stormwater, or subsurface drainage water;

(j) Facilities to improve drinking water quality;

(k) Transmission and distribution, including improvements of water pressure or prevention of contamination in infrastructure and lead service line replacements;

(l) New sources to replace contaminated drinking water or increase drought resilience, including aquifer storage and recovery system for water storage;

(m) Storage of drinking water, such as to prevent contaminants or equalize water demands;

(n) Purchase of water systems and interconnection of systems;

(o) New community water systems;

(p) Culvert repair, resizing, and removal, replacement of storm sewers, and additional types of stormwater infrastructure;

(q) Dam and reservoir rehabilitation, if the primary purpose of dam or reservoir is for drinking water supply and project is necessary for the provision of drinking water;

(r) Broad set of lead remediation projects eligible under EPA grant programs authorized by the Water Infrastructure Improvements for the Nation (WIIN) Act; and

(s) Any eligible drinking water, wastewater or stormwater project through ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury.

(6) The governing authority of a municipality, county or public utility that is not regulated by the Public Service Commission may submit an application for grant funds under this section if the applicant is an operator-member of Mississippi 811, Inc., as defined in Section 77-13-3. Applicants shall certify to the department that each expenditure of the funds awarded to them under this section is in compliance with ARPA guidelines, guidance, rules, regulations and other criteria, as may be amended from time to time, by the United States Department of the Treasury regarding the use of monies from the State Coronavirus State Fiscal Recovery Funds. Subsequent submissions will be due by the dates established by the department.

(7) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes. Each application for grant funds shall include the following at a minimum: (a) applicant contact information; (b) project description and type of project; (c) project map; (d) estimate of population affected by the project; (e) disadvantaged community criteria (population, median household income, unemployment, current water/sewer rates); (f) estimated project cost; (g) list of match funds of direct Coronavirus Local Fiscal Recovery Funds received and to be received from the federal government, a certification that such funds have been or will be used for the project detailed in the application, and documentation of commitment; (h) estimated project schedule and readiness to proceed; (i) engineering services agreement; (j) engineering reports; and (k) information about status of obtaining any required permits.

(8) The department must apply a system for use in ranking the grant applications received, unless the Legislature funds all eligible grant requests under the program. When applying the ranking system, the department shall apply a greater weight to projects that have approved engineering/design, plans and permits if the department has deemed the project is ready to begin construction within six (6) months. Projects that are included on the municipal or county engineer's approved list and provide applicable supporting documentation shall receive additional consideration awarded to the application. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address

noncompliance with state/federal requirements; (c) the extent to which the project promotes economic development; (d) the number of people served by the project and the number of communities the project serves; (e) impacts of the proposed project on disadvantaged/overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by the United States Department of Treasury rules for ARPA funds; (j) the extent to which the project benefits multiple political subdivisions in a regional manner; (k) the project's ability to enhance public service infrastructure, including transportation and emergency access; and (l) any other factors as determined by the department.

(9) The grant program shall include a specific emphasis on addressing the needs of an economically disadvantaged community, including providing safe, reliable drinking water in areas that lack infrastructure, providing sewage treatment capacity in unsewered areas and providing regional development of infrastructure to serve multiple communities.

(10) Applications shall be reviewed and scored as they are received, unless the Legislature funds all eligible grant requests under the program. The Mississippi Department of Environmental Quality shall certify whether each project submitted is a "necessary investment" in water, wastewater, or stormwater infrastructure as defined in the American Rescue Plan Act and all applicable guidance issued by the United States Department of the Treasury. The Department of Environmental Quality shall review the lists of recommended water infrastructure projects and issue its list of recommended projects to the Mississippi Department of Health for its advice. Grant agreements shall be executed between the recipient and the Mississippi Department of Environmental Quality. All final awards shall be determined at the discretion of the executive director of the department. Any funds awarded to the City of Jackson under this section shall be deposited in the Capital City Water/Sewer Projects Fund of the State Treasury. Funds shall be obligated to a grantee upon the execution of a grant agreement between the department and the approved applicant. Funds shall be made available to a grantee when the department obtains the necessary support for reimbursement. The department is authorized to conduct additional rounds of grants as needed; however, in the first round no more than forty percent (40%) of the total funds appropriated for each grant program may be awarded by the department, and the remaining funds may be awarded in the \* \* \* final round which shall occur no later than six (6) months from the previous round. To ensure equitable treatment between the categories of projects, no less than twenty percent (20%) awarded under this section shall be allocated to each of the three (3) categories of drinking water projects, wastewater projects and stormwater projects. In \* \* \* the final round, any funds not requested may be allocated to any category.

(11) Grant funds shall be used prospectively; however, grant funds may be used to reimburse expenses incurred before the enactment of this program if the costs are adequately documented and comply with applicable ARPA guidelines. An applicant must agree to obtain all necessary state and federal permits and follow all state bidding and contracting laws and fiscally sound practices in the administration of the funds.

(12) (a) Monies must be disbursed under this section in compliance with the guidelines, guidance, rules, regulations or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund, established by the American Rescue Plan of 2021.

(b) The use of funds allocated under this program shall be subject to audit by the United States Department of the Treasury's Office of Inspector General and the Mississippi Office of the State Auditor. Each person receiving funds under these

programs found to be fully or partially noncompliant with the requirements in this section shall return to the state all or a portion of the funds received.

(13) The department shall submit to the Lieutenant Governor, Speaker of the House, House and Senate Appropriations Chairmen, and the Legislative Budget Office quarterly reports and annual reports that are due by the dates established in the Compliance and Reporting Guidance by the United States Department of Treasury. The reports shall contain the applications received, the score of the applications, the amount of grant funds awarded to each applicant, the amount of grant funds expended by each applicant, and status of each applicant's project. The score of the applications is not required if the award was provided in the final round of grants and the Legislature provided the total amount of funds for all eligible grant requests.

(14) Grant funds shall be available under this section through December 31, 2026, or on the date of the fund expenditure deadline provided by the federal government, whichever occurs later. Each grant recipient shall certify for any project for which a grant is awarded that if the project is not completed by December 31, 2026, and the United States Congress does not enact an extension of the deadline on the availability of ARPA funds, then the grant recipient will complete the project through other funds.

(15) The Mississippi Department of Environmental Quality may retain an amount not to exceed five percent (5%) of the total funds allocated to the program to defray administrative costs.

(16) The department shall be exempt from provisions of the Public Procurement Review Board for any requirements of personal or professional service contracts or the pre-approval of the solicitation for such contracts used in the execution of its responsibilities under this section. This subsection shall stand repealed on January 1, 2026.

(17) The provisions of this section shall stand repealed on January 1, 2027.

SECTION 2. Section 41-3-16.1, Mississippi Code of 1972, is amended as follows:

41-3-16.1. (1) (a) The State Department of Health (department) shall establish a grant program to be known as the ARPA Rural Water Associations Infrastructure Grant Program (program) to assist rural water associations and entities in the construction of eligible drinking water infrastructure projects as provided in the Final Rule for the Coronavirus State and Local Fiscal Recovery Funds as established by the federal American Rescue Plan Act (ARPA).

(b) Rural water associations and any entity that received funding under the ARPA Rural Water Associations Infrastructure Grant Program or the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program before the date of passage of this act shall be ineligible for additional grants under this section.

(2) The program shall be funded from appropriations by the Legislature to the department from the Coronavirus State Fiscal Recovery Fund, and the department shall expend all such funds for the purposes provided in subsection (1) of this section. \* \* \*

(3) The department shall obligate the funds by the deadline set by the rules and guidelines of the United States Department of the Treasury and will adhere to the Treasury's rules and guidelines for reporting and monitoring projects funded through ARPA.

(4) (a) The department shall develop a system for use in ranking the grant applications received. The ranking system shall include the following factors, at a minimum: (a) the environmental impact of the proposed project; (b) the proposed project's ability to address noncompliance with state/federal requirements; (c) the extent to which

the project promotes economic development; (d) the number of people served by the project (both new and existing users); (e) impacts of the proposed project on disadvantaged/ overburdened communities; (f) the grant applicant's prior efforts to secure funding to address the proposed project's objectives; (g) the grant applicant's proposed contribution of other funds or in-kind cost-sharing to the proposed project; (h) the grant applicant's long-term plans for the financial and physical operation and maintenance of the project; and (i) the grant applicant's capacity to initiate construction in a timely manner and complete the proposed project by the deadline specified by rules and guidelines of the United States Department of the Treasury for ARPA funds.

(b) For the second round of grant awards, the department shall apply a greater weight to grant applications that promote consolidation of separate systems. In order to receive the additional weight, the systems that will consolidate shall be in a proximity of each other as determined by the department.

(c) In addition to the points awarded under paragraph (b) of this subsection, an additional ten (10) points shall be added to any application with at least one (1) system that has consolidated after January 1, 2018, and before application to this program and is otherwise eligible under this section.

(5) An application for a grant under this section shall be submitted at such time, be in such form, and contain such information as the department prescribes.

(6) (a) Upon the approval of an application for a grant under this section, the department shall enter into a project grant agreement with each grantee to establish the terms of the grant for the project, including the amount of the grant.

(b) (i) For the first award of grants, the maximum amount of funds that may be provided to any rural water association or entity from all grants under the program is Two Million Five Hundred Thousand Dollars (\$2,500,000.00).

(ii) For the second round of grant awards, the maximum amount of funds that may be provided to any eligible association or entity from all grants under the program is Two Million Dollars (\$2,000,000.00).

(c) Associations or entities that received funding under the first round of grant awards for this program or received funding in the Mississippi Municipality and County Water Infrastructure Grant Program Act of 2022 are ineligible to receive funding under the second round.

(7) The department shall have all powers necessary to implement and administer the program. Of the funds appropriated to the department for the program, not more than five percent (5%) may be used by the department to cover the department's costs of administering the program.

(8) In carrying out its responsibilities under the program, for any contract under the purview of the Public Procurement Review Board (PPRB), the department shall be exempt from any requirement that the PPRB approve any personal or professional services contracts or pre-approve any solicitation of such contracts. This subsection shall stand repealed on July 1, 2026.

(9) The department shall submit an annual report regarding the program no later than December 31 of each year to the Lieutenant Governor, the Speaker of the House, and the Chairmen of the Senate and House Appropriations Committees.

(10) For the purposes of this section, "entity" means:

(a) Any entity operating as a rural water association, regardless of whether such entities were user created, were initially organized not for profit, or have been granted tax-exempt status under state or federal law.

(b) Any nonprofit water or sewer provider not owned by the municipality or county and are not a Rural Water Association.

(c) Any entity eligible under this program shall be currently operating as a not-for-profit entity.

(d) "Entity" under this subsection does not include any state agency. No state agency shall be eligible under this program.

SECTION 3. Section 57-123-11, Mississippi Code of 1972, is amended as follows:

57-123-11. (1) The Department of Finance and Administration shall establish a program for the purpose of providing funds to Mississippi Main Street Association as provided in this section. Monies disbursed by the Department of Finance and Administration under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section.

(a) For the first round of grants, the Department of Finance and Administration shall disburse funds under this section to Mississippi Main Street Association to be used for the purpose of making revitalization grants to Mississippi communities as follows:

2020	Number of	Grant	Total
population	communities	amount	grants
More than 25,000	8	\$ 125,000.00	\$ 1,000,000.00
Not more than 25,000	40	\$ 100,000.00	\$ 4,000,000.00
Total			\$ 5,000,000.00

(b) For the second round of grants, the Department of Finance and Administration shall disburse funds under this section to Mississippi Main Street Association to be used for the purpose of making revitalization grants to Mississippi communities as follows:

2020	Number of	Grant	Total
Population	Communities	Amount	Grants
More than 25,000	8	\$ 68,000.00	\$ 544,000.00
Not more than 25,000	40	\$ 61,400.00	\$ 2,456,000.00
Total			\$ 3,000,000.00

(2) The Department of Finance and Administration shall have all powers necessary for the implementation of this section.

SECTION 4. Section 45-2-41, Mississippi Code of 1972, is amended as follows:

45-2-41. (1) There is created the "Mississippi Law Enforcement and Fire Fighters Premium Pay Program," which shall be administered by the Department of Public Safety



to provide premium pay to those law enforcement officers and firefighters in the State of Mississippi as provided for in subsection (2) of this section. Monies disbursed by the Department of Public Safety under this section shall be disbursed in compliance with all requirements and/or conditions on funds appropriated from the Coronavirus State Fiscal Recovery Fund for the program established under this section.

(2) The program shall be funded from monies appropriated by the Legislature from the Coronavirus State Fiscal Recovery Fund for that purpose. The Department of Public Safety shall distribute the monies for the program in accordance with the following:

(a) One Thousand Dollars (\$1,000.00) of premium pay shall be paid to each eligible individual, except as otherwise provided in paragraph (d) of this subsection (2).

(b) Eligible individuals are all certified, full-time and part-time law enforcement officers and certified, full-time and part-time firefighters who are serving in the State of Mississippi on July 1, 2022, except those excluded under paragraph (c) of this subsection (2). If a person is an eligible individual in more than one (1) position covered under this paragraph, that person shall only be eligible for one (1) payment of premium pay under paragraph (a) of this subsection.

(c) Any law enforcement officer who received hazard pay from the Governor's discretionary funds authorized by the Legislature from the federal Coronavirus Aid, Relief and Economic Security Act is not eligible to receive monies under this section.

(d) (i) Any law enforcement officer or firefighter who received One Thousand Dollars (\$1,000.00) or more of premium pay from the county, municipality or other governmental entity that employed them from funds received under the federal American Rescue Plan Act is not eligible to receive monies under this section.

(ii) Any law enforcement officer or firefighter who received less than One Thousand Dollars (\$1,000.00) of premium pay from the county, municipality or other governmental entity that employed the officer or firefighter from funds received under the federal American Rescue Plan Act is eligible to receive from the monies under this section the difference between the amount of premium pay received from their employer and One Thousand Dollars (\$1,000.00).

(\*\*\*) The department also shall distribute monies to counties, municipalities and other governmental entities that, before July 1, 2022, paid premium pay to law enforcement officers and firefighters employed by them from funds received under the federal American Rescue Plan Act, to reimburse those governmental entities for not more than One Thousand Dollars (\$1,000.00) of the amount of premium pay that the governmental entity paid to each recipient.

SECTION 5. Section 25-3-25, Mississippi Code of 1972, is amended as follows:

25-3-25. (1) Except as otherwise provided in subsections (2) through (\*\*) of this section, the salaries of sheriffs of the various counties are fixed as full compensation for their services.

The annual salary for each sheriff shall be based upon the total population of his county according to the latest federal decennial census in the following categories and for the following amounts; however, no sheriff shall be paid less than the salary authorized under this section to be paid the sheriff based upon the population of the county according to the most recent federal decennial census:

(a) For counties with a total population of more than one hundred thousand (100,000), a salary of One Hundred Four Thousand Dollars (\$104,000.00).

(b) For counties with a total population of more than forty-four thousand (44,000) and not more than one hundred thousand (100,000), a salary of Ninety-five Thousand Dollars (\$95,000.00).

(c) For counties with a total population of more than thirty thousand (30,000) and not more than forty-four thousand (44,000), a salary of Ninety Thousand Dollars (\$90,000.00).

(d) For counties with a total population of more than twelve thousand five hundred (12,500) and not more than thirty thousand (30,000), a salary of Eighty-five Thousand Dollars (\$85,000.00).

(e) For counties with a total population of not more than twelve thousand five hundred (12,500), a salary of Eighty Thousand Dollars (\$80,000.00).

(2) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Leflore County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains a restitution center within the county;

(b) The Mississippi Department of Corrections operates and maintains a community work center within the county;

(c) There is a resident circuit court judge in the county whose office is located at the Leflore County Courthouse;

(d) There is a resident chancery court judge in the county whose office is located at the Leflore County Courthouse;

(e) The Magistrate for the Fourth Circuit Court District is located in the county and maintains his office at the Leflore County Courthouse;

(f) The Region VI Mental Health-Mental Retardation Center, which serves a multicounty area, calls upon the sheriff to provide security for out-of-town mental patients, as well as patients from within the county;

(g) The increased activity of the Child Support Division of the Department of Human Services in enforcing in the courts parental obligations has imposed additional duties on the sheriff; and

(h) The dispatchers of the enhanced E-911 system in place in Leflore County have been placed under the direction and control of the sheriff.

(3) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Rankin County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the Central Mississippi Correctional Facility within the county;

(b) The State Hospital is operated and maintained within the county at Whitfield;

(c) Hudspeth Regional Center, a facility maintained for the care and treatment of persons with an intellectual disability, is located within the county;

(d) The Mississippi Law Enforcement Officers Training Academy is operated and maintained within the county;

(e) The State Fire Academy is operated and maintained within the county;

(f) The Pearl River Valley Water Supply District, ordinarily known as the "Reservoir District," is located within the county;

(g) The Jackson-Medgar Wiley Evers International Airport is located within the county;

(h) The patrolling of the state properties located within the county has imposed additional duties on the sheriff; and

(i) The sheriff, in addition to providing security to the nearly one hundred thousand (100,000) residents of the county, has the duty to investigate, solve and assist in the prosecution of any misdemeanor or felony committed upon any state property located in Rankin County.

(4) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Neshoba County shall pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00).

(5) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Tunica County, in its discretion, may pay an annual supplement to the sheriff of the county an amount equal to Ten Thousand Dollars (\$10,000.00), payable beginning April 1, 1997.

(6) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Hinds County shall pay an annual supplement to the sheriff of the county in an amount equal to Fifteen Thousand Dollars (\$15,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) Hinds County has the greatest population of any county, two hundred fifty-four thousand four hundred forty-one (254,441) by the 1990 census, being almost one hundred thousand (100,000) more than the next most populous county;

(b) Hinds County is home to the State Capitol and the seat of all state government offices;

(c) Hinds County is the third largest county in geographic area, containing eight hundred seventy-five (875) square miles;

(d) Hinds County is comprised of two (2) judicial districts, each having a courthouse and county office buildings;

(e) There are four (4) resident circuit judges, four (4) resident chancery judges, and three (3) resident county judges in Hinds County, the most of any county, with the sheriff acting as chief executive officer and provider of bailiff services for all;

(f) The main offices for the clerk and most of the judges and magistrates for the United States District Court for the Southern District of Mississippi are located within the county;

(g) The state's only urban university, Jackson State University, is located within the county;

(h) The University of Mississippi Medical Center, combining the medical school, dental school, nursing school and hospital, is located within the county;

(i) Mississippi Veterans Memorial Stadium, the state's largest sports arena, is located within the county;

(j) The Mississippi State Fairgrounds, including the Coliseum and Trade Mart, are located within the county;

(k) Hinds County has the largest criminal population in the state, such that the Hinds County Sheriff's Department operates the largest county jail system in the state, housing almost one thousand (1,000) inmates in three (3) separate detention facilities;

(l) The Hinds County Sheriff's Department handles more mental and drug and alcohol commitment cases than any other sheriff's department in the state;

(m) The Mississippi Department of Corrections maintains a restitution center within the county;

(n) The Mississippi Department of Corrections regularly houses as many as one hundred (100) state convicts within the Hinds County jail system; and

(o) The Hinds County Sheriff's Department is regularly asked to provide security services not only at the Fairgrounds and Memorial Stadium, but also for events at the Mississippi Museum of Art and Jackson City Auditorium.

(7) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Wilkinson County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(8) In addition to the salary provided for in subsection (1) of this section, the Board of Supervisors of Marshall County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county because the Mississippi Department of Corrections contracts for the private incarceration of state inmates at a private correctional facility within the county.

(9) In addition to the salary provided in subsection (1) of this section, the Board of Supervisors of Greene County, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The Legislature finds and declares that the annual supplement authorized by this subsection is justified in such county for the following reasons:

(a) The Mississippi Department of Corrections operates and maintains the South Mississippi Correctional Facility within the county;

(b) In 1996, additional facilities to house another one thousand four hundred sixteen (1,416) male offenders were constructed at the South Mississippi Correctional Facility within the county; and

(c) The patrolling of the state properties located within the county has imposed additional duties on the sheriff justifying additional compensation.

(10) In addition to the salary provided in subsection (1) of this section, the board of supervisors of any county, in its discretion, may pay an annual supplement to the sheriff of the county in an amount not to exceed Ten Thousand Dollars (\$10,000.00). The amount of the supplement shall be spread on the minutes of the board. The annual supplement authorized in this subsection shall not be in addition to the annual supplements authorized in subsections (2) through (9).

(11) In addition to the salary provided in subsection (1) and the supplements authorized in subsections (2) through (10), the board of supervisors of any county, in its discretion, may pay an annual supplement in an amount not to exceed Five Thousand Dollars (\$5,000.00) to the sheriff of any county in which a juvenile detention center is located. The amount of the supplement shall be spread on the minutes of the board.

(12) In addition to the salary provided in subsection (1) of this section and any supplements authorized in subsections (2) through (11) of this section, a sheriff may receive the premium pay provided for in Section 45-2-41 as part of the sheriff's compensation.

( \* \* \*13) (a) The salaries provided in this section shall be payable monthly on the first day of each calendar month by chancery clerk's warrant drawn on the general fund of the county; however, the board of supervisors, by resolution duly adopted and entered on its minutes, may provide that such salaries shall be paid semimonthly on the first and fifteenth day of each month. If a pay date falls on a weekend or legal holiday, salary payments shall be made on the workday immediately preceding the weekend or legal holiday.

(b) At least Ten Dollars (\$10.00) from each fee collected and deposited into the county's general fund under the provisions of paragraphs (a), (c) and (g) of subsection (1) of Section 25-7-19 shall be used for the sheriffs' salaries authorized in Section 25-3-25; as such Ten Dollar (\$10.00) amount was authorized during the 2007 Regular Session in Chapter 331, Laws of 2007, for the purpose of providing additional monies to the counties for sheriffs' salaries.

( \* \* \*14) (a) All sheriffs, each year, shall attend twenty (20) hours of continuing education courses in law enforcement. Such courses shall be approved by the Mississippi Board on Law Enforcement \* \* \* Officer Standards and Training. Such education courses may be provided by an accredited law enforcement academy or by the Mississippi Sheriffs' Association.

(b) The Mississippi Board on Law Enforcement \* \* \* Officer Standards and Training shall reimburse each county for the expenses incurred by sheriffs and deputy sheriffs for attendance at any approved training programs as required by this subsection.

SECTION 6. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 49-2-131, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION OF LAW GOVERNING THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM; TO AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION OF LAW GOVERNING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM; TO AMEND SECTION 57-123-11, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION OF LAW GOVERNING THE MISSISSIPPI MAIN STREET

ASSOCIATION; TO AMEND SECTION 45-2-41, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION OF LAW GOVERNING THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM; TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION CONCERNING A SHERIFF'S ABILITY TO RECEIVE PREMIUM PAY AS PART OF THE SHERIFF'S COMPENSATION; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE SENATE

## CONFEREES FOR THE HOUSE

W. Briggs Hopson III

John Read

John A. Polk

Karl Oliver

Kevin Blackwell

Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2444** (version 2) was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Senator Wiggins offered the following report of the Conference Committee on **H. B. No. 1318** (version 2) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1318: Baby drop-off and safe haven; revise provisions that regulate.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Section 43-15-201, Mississippi Code of 1972, is amended as follows:

43-15-201. (1) An emergency medical services provider, without a court order, shall take possession of a child who is \* \* \* forty-five (45) days old or younger if the child is voluntarily:

(a) Delivered to the provider;

(b) Placed in a baby safety device that is sponsored by an emergency medical services provider and meets the requirements described in subsection (2) of this section by the child's parent and the parent did not express an intent to return for the child \* \* \*;

(c) Delivered to an emergency medical services provider in response to an emergency call from the parent who expressed an intent to surrender the child to the law enforcement officer or emergency medical services provider and expressed an intent to not return for the child; or

(d) A person designated by the parent.

(2) For purposes of this chapter, the term "baby safety. device" shall meet all of the following specifications:

(a) Designed to permit a parent to anonymously place an infant in a climate controlled device with the intent to leave the infant for an emergency medical services provider to remove the infant from the device and take custody of the infant;

(b) Installed in a conspicuous location with an adequate dual alarm system connected to the physical location where the device is installed. The dual alarm system must be:

(i) Tested at least once per week to ensure the alarm system is in working order; and

(ii) Visually checked at least twice per day to ensure the alarm system is in working order; and

(iii) Approved by and located inside a participating emergency medical services provider that is:

1. Licensed or otherwise legally operating in this state; and

2. Staffed continuously on a twenty-four-hour basis, seven (7) days a week and three hundred sixty-five (365) days a year.

(c) Installed by a contractor licensed by the State of Mississippi.

(d) The supporting frame of the device is anchored to prevent movement of the unit as a whole.

(3) An adoption agency duly licensed by the Department of Child Protection Services shall be prohibited from installing and maintaining a baby safety device.

( \* \* \*4) The parent or a person designated by the parent who surrenders the baby shall not be required to provide any information pertaining to his or her identity, nor shall the emergency medical services provider inquire as to same. If the identity of the parent or a person designated by the parent is known to the emergency medical services provider, the emergency medical services provider shall keep the identity confidential.

( \* \* \*5) A female presenting herself to a hospital through the emergency room or otherwise, who is subsequently admitted for purposes of labor and delivery, does not give

up the legal protections or anonymity guaranteed under this section. If the mother clearly expresses a desire to voluntarily surrender custody of the newborn after birth, the emergency medical services provider can take possession of the child, without further action by the mother, as if the child had been presented to the emergency medical services provider in the same manner outlined above in subsection (1) of this section.

(a) If the mother expresses a desire to remain anonymous, identifying information may be obtained for purposes of securing payment of labor and delivery costs only. If the birth mother is a minor, the hospital may use the identifying information to secure payment through Medicaid, but shall not notify the minor's parent or guardian without the minor's consent.

(b) The identity of the birth mother shall not be placed on the birth certificate or disclosed to the \* \* \* any state or local agency or any other person.

( \* \* \*6) An emergency medical services provider who takes possession of a child under this section shall perform any act necessary to protect the physical health or safety of the child. No court order or other legal document shall be required in order for the emergency medical services provider to take possession of a child whose parent surrenders custody under the provisions of this act.

SECTION 2. Section 43-15-203, Mississippi Code of 1972, is amended as follows:

43-15-203. (1) No later than the close of the first business day after the date on which an emergency medical services provider takes possession of a child pursuant to Section 43-15-201, the provider shall notify the Department of \* \* \* Child Protection Services that the provider has taken possession of the child.

(2) The department shall assume the care, control and custody of the child immediately on receipt of notice pursuant to subsection (1). The department shall be responsible for all medical and other costs associated with the child and shall reimburse the hospital for any costs incurred prior to the child being placed in the care of the department.

(3) (a) Immediately after assuming legal custody of the infant, the department shall contact the local law enforcement agency in the municipality or county in which the infant was surrendered and the Department of Public Safety to determine whether the infant is a missing child in this state or another state. If the department determines that the infant is a missing child, then the department shall perform its due diligence to reunite the infant with his or her family.

(b) A law enforcement agency that is contacted under the provisions of this subsection shall investigate whether the child is reported as missing.

(c) For purposes of this subsection (3), the term "missing child" means person under the age of eighteen (18) reported to police or by police as someone whose whereabouts are unknown for any reason.

SECTION 3. Section 43-15-205, Mississippi Code of 1972, is amended as follows:

43-15-205. It shall be an absolute affirmative defense to prosecution under Sections 97-5-1, 97-5-3 and 97-5-39 if the parent or a person designated by the parent voluntarily delivers the child unharmed to an emergency medical services provider pursuant to \* \* \* this act.

SECTION 4. Section 43-15-207, Mississippi Code of 1972, is amended as follows:

43-15-207. For the purposes of this article, \* \* \* the following words shall have the meanings described herein:



(a) "Emergency medical services provider" \* \* \* means a licensed hospital, as defined in Section 41-9-3, which operates an emergency department, an adoption agency duly licensed by the Department of \* \* \* Child Protection Services, any county or municipality that sponsors a baby safety device that meets the requirements of this act, state or local law enforcement agency or fire station or mobile ambulance staffed with full-time firefighters, emergency medical technicians or paramedics. An emergency medical services provider does not include the offices, clinics, surgeries or treatment facilities of private physicians or dentists. No individual licensed healthcare provider, including physicians, dentists, nurses, physician assistants or other health professionals shall be deemed to be an emergency medical services provider under this article unless such individual voluntarily assumes responsibility for the custody of the child.

(b) "Surrender" or "Surrenders" means the action of a parent in leaving an infant on the premises of an emergency medical services provider, with a facility employee or member of the professional medical community at the facility, or in a newborn safety device, without expressing an intention to return for the infant.

SECTION 5. Section 43-15-209, Mississippi Code of 1972, is amended as follows:

43-15-209. A person \* \* \*, entity, county or municipality taking possession of a child under the provisions of this article shall be immune from liability for any civil action arising out of any act or omission resulting from taking possession of the child unless the act or omission was the result of the person's or entity's gross negligence or willful misconduct or failure to meet any other requirements of this act.

SECTION 6. The following shall be codified as Section 43-15-211, Mississippi Code of 1972:

43-15-211. (1) Any emergency services provider that installs a baby safety device shall post signage that is approved by the Department of Child Protection Services at the site of the device that clearly identifies the device and provides both written and pictorial instruction to the surrendering parent to open the access door, place the infant inside the device, and close the access door to engage the lock. The signage shall also clearly indicate all of the following:

(a) The maximum age of an infant who may be relinquished in accordance with this chapter.

(b) That the infant must not have been previously subjected to abuse or neglect.

(c) That by placing an infant in the newborn safety device, a parent is foregoing all parental responsibilities with respect to the infant and is giving consent for the state to take custody of the infant.

SECTION 7. Section 93-15-103, Mississippi Code of 1972, is amended as follows:

93-15-103. For purposes of this chapter, unless a different meaning is plainly expressed by the context, the following definitions apply:

(a) "Abandonment" means any conduct by the parent, whether consisting of a single incident or actions over an extended period of time, that evinces a settled purpose to relinquish all parental claims and responsibilities to the child. Abandonment may be established by showing:

(i) For a child who is under three (3) years of age on the date that the petition for termination of parental rights was filed, that the parent has deliberately made no contact with the child for six (6) months;

(ii) For a child who is three (3) years of age or older on the date that the petition for termination of parental rights was filed, that the parent has deliberately made no contact with the child for at least one (1) year; \* \* \*

(iii) If the child is under six (6) years of age, that the parent has exposed the child in any highway, street, field, outhouse, or elsewhere with the intent to wholly abandon the child \* \* \*; or

(iv) If the parent gives possession of the child to an emergency medical services provider pursuant to Sections 43-15-201 etc.

(b) "Child" means a person under eighteen (18) years of age.

(c) "Court" means the court having jurisdiction under the Mississippi Termination of Parental Rights Law.

(d) "Desertion" means:

(i) Any conduct by the parent over an extended period of time that demonstrates a willful neglect or refusal to provide for the support and maintenance of the child; or

(ii) That the parent has not demonstrated, within a reasonable period of time after the birth of the child, a full commitment to the responsibilities of parenthood.

(e) "Home" means any charitable or religious corporation or organization or the superintendent or head of the charitable or religious corporation or organization organized under the laws of the State of Mississippi, any public authority to which has been granted the power to provide care for or procure the adoption of children by any Mississippi statute, and any association or institution engaged in placing children for adoption on July 1, 1955.

(f) "Interested person" means any person related to the child by consanguinity or affinity, a custodian or legal guardian of the child, a guardian ad litem representing the child's best interests, or an attorney representing the child's preferences under Rule 13 of the Uniform Rules of Youth Court Practice.

(g) "Minor parent" means any parent under twenty-one (21) years of age.

(h) "Parent" means a natural or adoptive parent of the child.

(i) "Permanency outcome" means achieving a permanent or long-term custodial arrangement for the custody and care of the child that ends the supervision of the Department of Child Protection Services.

(j) "Qualified health professional" means a licensed or certified professional who is engaged in the delivery of health services and who meets all applicable federal or state requirements to provide professional services.

(k) "Qualified mental health professional" means a person with at least a master's degree in mental health or a related field and who has either a professional license or a Department of Mental Health credential as a mental health therapist.

(l) "Reunification" means the restoration of the parent's custodial rights in providing for the safety and welfare of the child which ends the supervision of the Department of Child Protection Services.

SECTION 8. Section 93-15-109, Mississippi Code of 1972, is amended as follows:

93-15-109. (1) A parent may accomplish the surrender of a child to the Department of Child Protection Services or to a home by:

(a) Delivering the child to the Department of Child Protection Services or the home;

(b) Executing an affidavit of a written agreement that names the child and which vests in the Department of Child Protection Services or the home the exclusive custody, care and control of the child; and

(c) Executing a written voluntary release as set forth in Section 93-15-111(1).

(2) If a child has been surrendered to a home or other agency operating under the laws of another state, and the child is delivered into the custody of a petitioner or home within this state, the execution of consent by the nonresident home or agency shall be sufficient.

(3) A parent may accomplish the surrender of a child to an emergency medical services provider pursuant to Sections 43-15-201 etc. Nothing in this section \* \* \* shall be construed to limit or restrict the delivery and surrender of a child to an emergency medical services provider pursuant to \* \* \* Section 43-15-201 \* \* \* etc.

SECTION 9. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO AMEND SECTION 43-15-201, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF A CHILD THAT CAN BE DROPPED OFF UNDER THE "BABY DROP-OFF LAW"; TO AUTHORIZE A BABY TO BE DROPPED OFF IN A BABY SAFETY DEVICE SPONSORED BY AN EMERGENCY MEDICAL SERVICES PROVIDER; TO AUTHORIZE ANY CITY OR COUNTY TO SPONSOR A BABY SAFETY DEVICE THAT MEETS THE REQUIREMENTS OF THIS ACT; TO AMEND SECTIONS 43-15-203 AND 43-15-205, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES IS THE AGENCY OF CONTACT; TO AMEND SECTION 43-15-207, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF EMERGENCY SERVICES PROVIDER; TO AMEND SECTION 43-15-209, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO CREATE NEW SECTION 43-15-211, MISSISSIPPI CODE OF 1972, TO PRESCRIBE DUTIES TO INSTALL A BABY SAFETY DEVICE; TO AMEND SECTION 93-15-103, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT SURRENDER OF A CHILD UNDER THE "BABY DROP-OFF LAW" IS CONSIDERED ABANDONMENT FOR PURPOSES OF TERMINATION OF PARENTAL RIGHTS; TO AMEND SECTION 93-15-109, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF EMERGENCY SERVICES PROVIDERS TO RECEIVE BABIES FOR PURPOSES OF TERMINATION OF PARENTAL RIGHTS; AND FOR RELATED PURPOSES.

## CONFEREES FOR THE HOUSE

Angela Cockerham

Kevin Felsher

Mark Tullos

## CONFEREES FOR THE SENATE

Brice Wiggins

Nicole Boyd

Jenifer B. Branning

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1318** (version 2) was adopted:

Yeas--Barrett, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--48.

Nays--Blackmon. Total--1.

Absent and those not voting--Barnett, Parks. Total--2.

Voting Present--Simmons D. T. (12th). Total--1.

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Senator Polk moved that the Senate stand in recess until 10:30 AM.

The motion prevailed, and at 9:47 AM, the Senate stood in recess.

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The Senate resumed business at 10:30 AM, pursuant to recess, with President Pro Tempore Kirby presiding.

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Senator Hopson moved that the rules be suspended to move to calendar item 6, **H. B. No. 1612**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1612** (version 3) and moved that the Report do be adopted:

## REPORT OF CONFERENCE COMMITTEE

## MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1612: Appropriation; Archives and History, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, for

the purpose of defraying the expenses of the Department of Archives and History for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 11,890,911.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is appropriated out of any money in the special fund in the State Treasury to the credit of the Department of Archives and History which is comprised of special source funds collected by or otherwise available to the department, for the purpose of defraying the expenses of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 34,133,859.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	155
Time-Limited:	10

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. It is the intention of the Legislature that the Department of Archives and History shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 5. It is the intent of the Legislature that the Mississippi Department of Archives and History shall charge the maximum amount allowable for services rendered, consistent with the cost of providing such services. The funds derived from these

charges shall be deposited into a special fund account in the State Treasury to the credit of the Mississippi Department of Archives and History.

SECTION 6. It is the intent of the Legislature that no part of the funds herein appropriated shall be required to be used for the payment of rent for the museum and public space in the State Historical Museum, Old Capitol Restoration.

SECTION 7. Of the funds provided in Section 2, Two Million Dollars (\$2,000,000.00) is provided to the Department of Archives and History from the Mississippi Landmark Grant Fund as created in House Bill No. 1082, Regular Session of 1999, to help support the preservation of Mississippi Landmark Properties.

SECTION 8. Of the funds provided under the provisions of this act, One Hundred Thousand Dollars (\$100,000.00) is provided for the purpose of capital development and maintenance of Beauvoir Shrine, the last home of Jefferson Davis, the only President of the Confederate States of America, subject to approval by the Department of Archives and History. The expenditure of funds available in this section shall be subject to prior approval by the Department of Archives and History.

SECTION 9. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 10. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Archives and History for the purpose of supporting the Statewide Oral History Project for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 45,748.00.

SECTION 11. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 12. Of the funds provided in Section 2, Seven Hundred Fifty Thousand Dollars (\$750,000.00) is provided from Special Funds in the State Treasury to the credit of the State Treasury fund created in Section 27-19-56.69(8), Mississippi Code of 1972, for the purpose of paying the costs of repair and renovation of the New Capitol, the Old Capitol, the Governor's Mansion, and the War Memorial Building, in accordance with rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of funds.

SECTION 13. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the General Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of General Funds as authorized in HB 1599, 2022 Regular Session to provide for Beauvoir, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 100,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 14. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Capital Expense Fund not otherwise appropriated for the Department of Archives and History for the purpose of reauthorizing the expenditure of Capital Expense Funds, as authorized in HB 1599, 2022 Regular Session to defray expenses of the Department of Archives and History for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 8,096,270.00.

This appropriation is made for the purpose of reauthorizing the expenditure of funds as allocated herein:

- (a) De la Pointe-Krebs House ..... \$ 96,270.00.
- (b) Repair, renovation, and construction  
projects undertaken by the Department of

Archives and History..... \$ 8,000,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section, shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 15. Of the funds appropriated under the provisions of Section 2, Ten Million Dollars (\$10,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for the Vicksburg Military Park Interpretive Center. As a condition of expending these funds, the Department shall enter into a memorandum of agreement or similar document with the U.S. Government National Park Services reflecting a plan for building an interpretive center and a lease agreement for lease space therein.

SECTION 16. Of the funds appropriated under the provisions of Section 2, Two Million Dollars (\$2,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for the Eudora Welty Gardens Project.

SECTION 17. Of the funds appropriated under the provisions of Section 2, Two Million Dollars (\$2,000,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office. This appropriation is made for the purpose of providing the funds necessary to authorize the expenditure of funds for Natchez Projects.

SECTION 18. Of the funds provided in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Historic Site Preservation Fund, for the purpose of making grants to nonprofit organizations as in Senate Bill 2834, 2021 Regular Session for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$2,000,000.00.

SECTION 19. Of the funds provided in Section 2, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Mississippi Community Heritage Preservation Grant Fund, for the purpose of grant assistance to Historic County Courthouses, School Buildings and Other Historic Buildings as in Section 39-5-145, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 5,000,000.00.

SECTION 20. The Mississippi Department of Archives and History is authorized to accept and expend any grant, donation, or contribution from any individual, public, or private organization, or government entity for purposes of defraying the operational costs of the department. Such grants, donations or contributions shall be received and expended under the rules and regulations of the Department of Finance and Administration in a manner consistent with the escalation of federal funds not to exceed One Million Dollars (\$1,000,000.00).

SECTION 21. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 22. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2024.

SENATE JOURNAL  
FRIDAY, MARCH 31, 2023

## CONFEREES FOR THE HOUSE

John Read  
Richard Bennett  
Timmy Ladner

## CONFEREES FOR THE SENATE

W. Briggs Hopson III  
J. Walter Michel  
Sollie B. Norwood

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1612** (version 3) was adopted:

Yeas--Barrett, Blackmon, Blackwell, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Voting Present--Blount. Total--1.

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 10:39 AM, the Senate stood in recess.

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The Senate resumed business at 10:54 AM, pursuant to recess, with President Pro Tempore Kirby presiding.

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Senator Polk moved that the Senate stand in recess until 1:30 PM.

The motion prevailed, and at 10:55 AM, the Senate stood in recess.

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The Senate resumed business at 1:30 PM, pursuant to recess, with President Hosemann presiding.

#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2079:** AN ACT TO CREATE NEW SECTION 45-9-181, MISSISSIPPI CODE OF 1972, TO ENACT THE MISSISSIPPI SCHOOL SAFETY GUARDIAN ACT; TO DEFINE TERMS; TO ESTABLISH THE SCHOOL SAFETY GUARDIAN TRAINING PROGRAM WITHIN THE OFFICE OF HOMELAND SECURITY WITHIN THE DEPARTMENT OF PUBLIC SAFETY; TO AUTHORIZE THE GOVERNING BODY OF A SCHOOL TO ESTABLISH A SCHOOL SAFETY GUARDIAN PROGRAM; TO PROVIDE CIVIL IMMUNITY UNDER CERTAIN CIRCUMSTANCES FOR SCHOOL SAFETY GUARDIANS WHO COMPLY WITH THE ACT; TO EXEMPT THE IDENTITY OF SCHOOL SAFETY GUARDIANS FROM PUBLIC DISCLOSURE; TO PROVIDE MINIMUM REQUIREMENT FOR THE TRAINING PROGRAM; TO ENACT STANDARDS; TO PROVIDE THAT SUBJECT TO APPROPRIATION AND ANY OTHER REQUIREMENTS PROVIDED BY LAW, THE OFFICE OF HOMELAND SECURITY MAY



CONTRACT WITH A THIRD-PARTY VENDOR FOR MOBILE PHONE APPLICATIONS AND/OR COMPUTER EQUIPMENT OR SERVICES TO ACCOMPLISH THE PURPOSES OF THIS ACT; TO AMEND SECTION 45-1-2, MISSISSIPPI CODE OF 1972, TO DIRECT THE COMMISSIONER TO ESTABLISH GUIDELINES FOR ACTIVE SHOOTER SITUATIONS; TO AMEND SECTION 97-3-15, MISSISSIPPI CODE OF 1972, TO CONFORM THE INSTANCES OF JUSTIFIABLE HOMICIDE; TO AMEND SECTION 97-37-9, MISSISSIPPI CODE OF 1972, TO CONFORM THE DEFENSES TO A CHARGE OF UNLAWFULLY CARRYING OF A CONCEALED WEAPON; AND FOR RELATED PURPOSES.

**S. B. No. 2140:** AN ACT TO CREATE A NEW SECTION WITHIN TITLE 25, CHAPTER 53, MISSISSIPPI CODE OF 1972, TO CREATE THE NATIONAL SECURITY ON STATE DEVICES AND NETWORKS ACT; TO AMEND SECTION 25-53-191, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**S. B. No. 2167:** AN ACT TO PROVIDE FOR THE ESTABLISHMENT OF THE EARLY INTERVENTION TASK FORCE TO STUDY THE IDEA PART C EARLY INTERVENTION SYSTEM IN MISSISSIPPI AND MISSISSIPPI'S LAWS REGARDING EARLY INTERVENTION; TO PROVIDE FOR THE GOALS AND RESPONSIBILITIES OF THE TASK FORCE; TO PROVIDE FOR THE MEMBERSHIP OF THE TASK FORCE; TO REQUIRE THE TASK FORCE TO DEVELOP AND REPORT ITS FINDINGS AND RECOMMENDATIONS FOR PROPOSED LEGISLATION TO THE LEGISLATURE ON OR BEFORE DECEMBER 1, 2023; AND FOR RELATED PURPOSES.

**S. B. No. 2353:** AN ACT TO AMEND SECTIONS 23-15-227 AND 23-15-229, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM COMPENSATION POLL WORKERS AND BALLOT CARRIERS CAN RECEIVE ON ELECTION DAY; TO AMEND SECTION 23-15-239, MISSISSIPPI CODE OF 1972, TO ALLOW LOCAL GOVERNING AUTHORITIES TO PROVIDE ANY FAIR AND REASONABLE VALUE OF COMPENSATION THAT SURPASSES THE FEDERAL HOURLY MINIMUM WAGE TO POLL WORKERS FOR ATTENDING REQUIRED TRAINING; AND FOR RELATED PURPOSES.

**S. B. No. 2359:** AN ACT TO CREATE THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM ACT; TO PROVIDE THAT THE MISSISSIPPI MAIN STREET ASSOCIATION SHALL ACCEPT APPLICATIONS FROM MAIN STREET PROGRAMS IN THIS STATE FOR DOWNTOWN REVITALIZATION PROJECTS; TO PROVIDE THAT THE MISSISSIPPI MAIN STREET ASSOCIATION SHALL PRIORITIZE SUCH APPLICATIONS AND SUBMIT A LIST OF SUGGESTED RECIPIENTS TO THE LEGISLATURE NO LATER THAN DECEMBER 1 OF EACH YEAR AND THAT THE LEGISLATURE SHALL REVIEW THE SUBMITTED LIST AND DETERMINE THE PROJECTS FOR WHICH TO AWARD GRANTS THROUGH THE MISSISSIPPI DEVELOPMENT AUTHORITY IN AN APPROPRIATIONS BILL; TO CREATE THE "MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FUND" AS A SPECIAL FUND IN THE STATE TREASURY FOR THE PURPOSE OF PROVIDING FUNDS FOR GRANTS UNDER THIS ACT; TO AUTHORIZE THE ISSUANCE OF STATE GENERAL OBLIGATION BONDS TO PROVIDE FUNDS FOR THE MISSISSIPPI MAIN STREET REVITALIZATION GRANT PROGRAM FUND; AND FOR RELATED PURPOSES.

**S. B. No. 2371:** AN ACT TO CREATE THE AMERICAN RESCUE PLAN ACT (ARPA) NURSE/ALLIED HEALTH WORKFORCE DEVELOPMENT AND RETENTION ACT; TO STATE LEGISLATIVE FINDINGS AND INTENT; TO ESTABLISH THE ACCELERATE MISSISSIPPI NURSING/ALLIED HEALTH GRANT PROGRAM; TO ESTABLISH THE ACCELERATE MISSISSIPPI PHYSICIAN RESIDENCY AND FELLOWSHIP START-UP GRANT PROGRAM; TO ESTABLISH AND ADMINISTER THE MISSISSIPPI ALLIED HEALTH COLLEGE AND CAREER NAVIGATOR GRANT PROGRAM; TO OUTLINE REQUIREMENTS FOR THE APPLICATIONS AND FOR THE GRANT AWARDS; TO ALLOW THE OFFICE OF WORKFORCE DEVELOPMENT TO USE A MAXIMUM OF 2% OF FUNDS APPROPRIATED FOR THE ADMINISTRATIVE EXPENSES OF THE GRANT PROGRAMS, TO THE EXTENT PERMISSIBLE UNDER FEDERAL LAW; TO DIRECT THE OFFICE TO TRY TO MINIMIZE ANY EXPENSE OF ADMINISTRATIVE FUNDS BY ESTABLISHING POLICIES AND PROCEDURES MIRRORING PAST PROGRAMS UTILIZING FEDERAL COVID-19 RELIEF FUNDS; TO

REQUIRE THE OFFICE OF WORKFORCE DEVELOPMENT TO CERTIFY TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION THAT EACH EXPENDITURE APPROPRIATED TO THE OFFICE IS IN COMPLIANCE WITH UNITED STATES DEPARTMENT OF THE TREASURY CRITERIA REGARDING THE USE OF MONIES FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND; TO PROVIDE REPORTING REQUIREMENTS TO THE GOVERNOR AND THE LEGISLATURE BY OCTOBER 1 OF EACH YEAR; TO PROVIDE THAT GRANT FUNDS SHALL BE AVAILABLE THROUGH DECEMBER 31, 2026, OR ON THE DATE OF THE FUND EXPENDITURE DEADLINE PROVIDED BY THE FEDERAL GOVERNMENT, WHICHEVER OCCURS LATER; TO PROVIDE THAT EACH GRANT RECIPIENT SHALL CERTIFY, FOR ANY PROJECT FOR WHICH A GRANT IS AWARDED, THAT IF THE PROJECT IS NOT COMPLETED BY DECEMBER 31, 2026, AND THE UNITED STATES CONGRESS DOES NOT ENACT AN EXTENSION OF THE DEADLINE ON THE AVAILABILITY OF ARPA FUNDS, THEN THE GRANT RECIPIENT WILL COMPLETE THE PROJECT THROUGH OTHER FUNDS; AND FOR RELATED PURPOSES.

**S. B. No. 2534:** AN ACT TO AMEND SECTION 49-4-39, MISSISSIPPI CODE OF 1972, TO REQUIRE A FRESHWATER FISHING GUIDE OR SERVICE THAT USES A BOAT TO OBTAIN A FISHING GUIDE BOAT LICENSE AND DECAL; TO PROVIDE THE FEE FOR SUCH LICENSE; AND FOR RELATED PURPOSES.

**S. B. No. 2538:** AN ACT TO CREATE THE MISSISSIPPI REGIONAL PRE-NEED DISASTER CLEAN UP ACT; TO AMEND SECTION 31-7-13, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 249, 2023 REGULAR SESSION, TO AUTHORIZE COUNTIES AND MUNICIPALITIES TO OPT IN TO REGIONAL PRE-NEED CONTRACTS FOR DISASTER CLEAN-UP SERVICES; AND FOR RELATED PURPOSES.

**S. B. No. 2556:** AN ACT TO AMEND SECTION 49-39-5, MISSISSIPPI CODE OF 1972, TO REVISE THE GEOGRAPHIC STANDARDS FOR APPOINTMENTS TO THE BOARD OF TRUSTEES OF THE MISSISSIPPI OUTDOOR STEWARDSHIP TRUST FUND; AND FOR RELATED PURPOSES.

**S. B. No. 2586:** AN ACT TO AMEND SECTION 37-13-205, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF TERMINOLOGY RELATED TO THE OFFERING OF INSTRUCTION UNDER PROVISIONS OF THE "MISSISSIPPI COMPUTER SCIENCE AND CYBER EDUCATION EQUALITY ACT"; TO PROVIDE THAT SUCH INSTRUCTION MUST BE TAUGHT BY APPROPRIATELY ENDORSED TEACHERS FOR COMPUTER SCIENCE COURSES WHICH AWARD CARNEGIE UNITS, AND BY LICENSED TEACHERS OR PARAPROFESSIONALS WITH PROPER TRAINING IN COMPUTER SCIENCE INSTRUCTION WHO ARE UNDER THE GUIDANCE OR SUPERVISION OF A LICENSED TEACHER; TO INCLUDE IN THE DEFINITION SECTION OF THE ACT THE MEANING OF THE TERM PARAPROFESSIONAL; TO AMEND SECTION 37-13-211, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 56:** A CONCURRENT RESOLUTION COMMENDING THE ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE OF THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM MADISON, REPRESENTATIVE EDWARD BLACKMON, JR., UPON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

**H. C. R. No. 59:** A CONCURRENT RESOLUTION COMMENDING THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM TALLAHATCHIE, REPRESENTATIVE TOMMY REYNOLDS FOR HIS ESTEEMED AND LAUDABLE

LEGISLATIVE CAREER AND PUBLIC SERVICE UPON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

**H. C. R. No. 62:** A CONCURRENT RESOLUTION COMMENDING THE ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE OF THE MOST HONORABLE AND DISTINGUISHED GENTLEMAN FROM RANKIN, REPRESENTATIVE TOM WEATHERSBY, UPON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

**H. C. R. No. 64:** A CONCURRENT RESOLUTION COMMENDING THE MOST HONORABLE AND DISTINGUISHED SPEAKER PHILIP GUNN FOR HIS ESTEEMED AND LAUDABLE LEGISLATIVE CAREER AND PUBLIC SERVICE UPON THE OCCASION OF HIS RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate stand in recess until 2:30 PM.

The motion prevailed, and at 1:38 PM, the Senate stood in recess.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2053:** AN ACT TO CREATE THE "DEFICIT PREVENTION ACT"; TO REQUIRE A STATE AGENCY, DEPARTMENT OR INSTITUTION TO NOTIFY THE GOVERNOR, LIEUTENANT GOVERNOR, SPEAKER OF THE HOUSE, AND CHAIRS OF THE SENATE AND HOUSE APPROPRIATIONS COMMITTEES WITHIN 15 DAYS OF A DETERMINATION THAT THE LIKELIHOOD OF A DEFICIT FOR THE CURRENT FISCAL YEAR EXISTS; TO REQUIRE A STATE AGENCY, DEPARTMENT OR INSTITUTION TO WORK WITH THE LEGISLATIVE BUDGET OFFICE AND THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DEVELOP A PLAN TO AVOID OR LIMIT ANY DEFICIT; AND FOR RELATED PURPOSES.

**S. B. No. 2054:** AN ACT TO AMEND SECTION 25-5-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REMOVAL OF APPOINTED STATE OFFICERS FOR CERTAIN FORMS OF WILLFUL NEGLECT; AND FOR RELATED PURPOSES.

**S. B. No. 2339:** AN ACT TO AMEND SECTION 57-39-21, MISSISSIPPI CODE OF 1972, WHICH REQUIRES CERTAIN STANDARDS THAT PROMOTE EFFICIENT ENERGY USE TO BE IMPLEMENTED DURING THE DESIGN, DIRECTION, CONSTRUCTION AND ALTERATION OF CERTAIN BUILDINGS, TO EXTEND THE DATE OF THE REPEALER ON THAT STATUTE AND TO UPDATE AGENCY NOMENCLATURE; TO CREATE A NEW SECTION TO PROVIDE THAT STATE, COUNTY OR MUNICIPAL BUILDING CODES MAY NOT PROHIBIT OR LIMIT THE USE OF FEDERALLY APPROVED SUBSTITUTE REFRIGERANTS; AND FOR RELATED PURPOSES.

**S. B. No. 2512:** AN ACT TO AUTHORIZE COUNTY BOARDS OF SUPERVISORS TO DIRECTLY ALLOCATE CORONAVIRUS STATE AND LOCAL FISCAL RECOVERY FUNDS MADE AVAILABLE UNDER THE AMERICAN RESCUE PLAN ACT OF 2021 TO ANY PUBLICLY-CONSTITUTED WATER OR SEWER ASSOCIATION, DISTRICT OR AUTHORITY AND TO MUNICIPALITIES FOR WATER AND SEWER INFRASTRUCTURE PROJECTS; AND FOR RELATED PURPOSES.

**S. B. No. 2514:** AN ACT TO AMEND SECTIONS 7-11-3 AND 7-11-13, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE SECRETARY OF STATE TO TRANSFER LAND RECORDS TO THE DEPARTMENT OF ARCHIVES AND HISTORY; AND FOR RELATED PURPOSES.

**S. B. No. 2530:** AN ACT TO CODIFY SECTION 49-27-4, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO DESIGNATE THE DANZLER TRACT IN THE PASCAGOULA RIVER MARSHES IN JACKSON COUNTY AS THE "SECRETARY OF STATE ERIC CLARK COASTAL PRESERVE" IN HONOR OF HIS ROLE IN THE DEVELOPMENT OF THE COASTAL PRESERVE PROGRAM; TO CODIFY SECTION 49-27-4.1, MISSISSIPPI CODE OF 1972, TO AUTHORIZE AND DIRECT THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO DESIGNATE THE BIG ISLAND AT THE MOUTH OF THE BACK BAY OF BILOXI AS "GOLLOTT ISLAND" AND THE BREAKWATER IMPROVEMENTS ON THE SOUTH SIDE OF THE ISLAND AS "GODFATHER POINT" IN HONOR OF SENATOR THOMAS A. GOLLOTT'S ROLE IN THE DEVELOPMENT OF THE MISSISSIPPI GULF COAST; AND FOR RELATED PURPOSES.

**S. B. No. 2551:** AN ACT TO AMEND SECTION 49-15-21, MISSISSIPPI CODE OF 1972, TO INCLUDE IN THE POLICE POWERS AND JURISDICTION OF THE ENFORCEMENT OFFICERS OF THE DEPARTMENT OF MARINE RESOURCES ALL FEDERAL LAWS WITHIN THE JURISDICTION OF THE STATE OF MISSISSIPPI AND WATERS AND RESOURCES UNDER MANAGEMENT OF THE STATE; AND FOR RELATED PURPOSES.

**S. B. No. 2729:** AN ACT TO AMEND SECTION 25-53-21, MISSISSIPPI CODE OF 1972, TO CLARIFY LIMITATION OF LIABILITY REQUIREMENTS FOR INFORMATION TECHNOLOGY CONTRACTS; AND FOR RELATED PURPOSES.

**S. B. No. 2853:** AN ACT TO REQUIRE STATE-PURCHASED SMALL UNMANNED AIRCRAFT SYSTEMS OR DRONES TO BE MANUFACTURED IN THE UNITED STATES OF AMERICA BY AN AMERICAN-OWNED COMPANY AND TO POSSESS COLLISION AVOIDANCE SYSTEMS; TO EXEMPT STATE INSTITUTIONS OF HIGHER LEARNING FROM SUCH REQUIREMENTS UNDER CERTAIN CIRCUMSTANCES; TO GRANT A 10% BID PREFERENCE IN PUBLIC PROCUREMENT FOR SMALL UNMANNED AIRCRAFT SYSTEMS AND RELATED SERVICES TO MISSISSIPPI MANUFACTURERS AND SERVICING COMPANIES; TO REQUIRE ALL PUBLIC AGENCIES TO SOLICIT AT LEAST ONE BID FROM A MISSISSIPPI-BASED SMALL UNMANNED AIRCRAFT SYSTEM MANUFACTURER; TO PROHIBIT STATE AGENCIES FROM PURCHASING OR OPERATING SMALL UNMANNED AIRCRAFT SYSTEMS MANUFACTURED OR ASSEMBLED FROM PARTS MANUFACTURED IN THE PEOPLE'S REPUBLIC OF CHINA; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2372:** AN ACT TO ESTABLISH THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM FOR THE PURPOSE OF STRENGTHENING, IMPROVING AND PRESERVING ACCESS TO HOSPITAL CARE SERVICES FOR ALL MISSISSIPPIANS AND IN RECOGNITION OF THE CHALLENGES INCURRED BY HOSPITALS AS A RESULT OF THE COVID-19 PANDEMIC; TO PROVIDE THAT THE STATE DEPARTMENT OF HEALTH SHALL ADMINISTER THE PROGRAM; TO PROVIDE THAT THE FUNDS SHALL BE DISTRIBUTED TO EACH HOSPITAL LICENSED BY THE STATE OF MISSISSIPPI EXCEPT FOR HOSPITALS OPERATED BY THE UNITED STATES DEPARTMENT OF VETERANS AFFAIRS AND HOSPITALS OPERATED BY THE STATE DEPARTMENT OF MENTAL HEALTH; TO PROVIDE CERTAIN DISTRIBUTION FORMULAS FOR ALLOCATING THE FUNDS APPROPRIATED FOR THE GRANT PROGRAM; AND FOR RELATED PURPOSES.

**S. B. No. 2495:** AN ACT TO AMEND SECTION 47-5-909, MISSISSIPPI CODE OF 1972, TO EXPEDITE THE REMOVAL OF INMATES FROM COUNTY JAILS BY

DIRECTING THE DEPARTMENT OF CORRECTIONS TO PAY COUNTY JAILS FOR HOUSING STATE OFFENDERS; TO AMEND SECTION 99-19-42, MISSISSIPPI CODE OF 1972, TO INCREASE THE RATE OF PAY FOR HOUSING STATE OFFENDERS IN COUNTY JAILS; TO AMEND SECTION 47-5-901 TO CONFORM; AND FOR RELATED PURPOSES.

**S. B. No. 2613:** AN ACT TO AMEND SECTION 41-55-71, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE BY WHICH AN ENTITY PROVIDING NONEMERGENCY TRANSPORTATION SERVICES MAY CONTINUE TO PROVIDE SUCH SERVICES WITHOUT FIRST RECEIVING A PERMIT FROM THE DEPARTMENT OF HEALTH; TO PROVIDE THAT NEMT PROVIDERS THAT ARE MEDICAID PROVIDERS UNDER CONTRACT WITH AN NEMT TRANSPORTATION BROKER PROVIDING SERVICES FOR THE DIVISION OF MEDICAID SHALL NOT BE REQUIRED TO HAVE A PERMIT FROM THE DEPARTMENT TO PROVIDE NEMT TRANSPORTATION SERVICES UNDER CERTAIN CIRCUMSTANCES; AND FOR RELATED PURPOSES.

**S. B. No. 2842:** AN ACT TO AMEND SECTION 27-67-35, MISSISSIPPI CODE OF 1972, WHICH CREATES SPECIAL FUNDS IN THE STATE TREASURY TO BE USED TO PROVIDE MONIES TO ASSIST MUNICIPALITIES AND COUNTIES IN PAYING COSTS ASSOCIATED WITH ROAD AND BRIDGE IMPROVEMENTS AND, FOR MUNICIPALITIES, WATER AND SEWER INFRASTRUCTURE IMPROVEMENTS, TO REQUIRE THAT THESE MONIES NOT BE USED FOR SALARIES, BENEFITS OR ANY FORM OF COMPENSATION FOR EMPLOYEES, OR FOR CONTRACT EMPLOYEES, ADMINISTRATIVE COSTS, DEBT SERVICE EXCEPT AS PROVIDED IN THE SECTION, PERSONAL PROPERTY OR EQUIPMENT EXCEPT EQUIPMENT PERMANENTLY INSTALLED AS PART OF A ROAD OR BRIDGE, OR FOR THE CONSTRUCTION OR MAINTENANCE OF PUBLIC BUILDINGS OR OTHER STRUCTURES THAT ARE NOT INTEGRAL TO THE SYSTEM OF ROADS AND BRIDGES; TO REVISE THE TIME PERIOD REFERENCED IN THE DEFINITION OF "BASE EXPENDITURES" THAT MUST BE MET BY A MUNICIPALITY IN ORDER TO BE ELIGIBLE TO RECEIVE THE FULL AMOUNT OF MONIES ALLOCATED FOR DISTRIBUTION FROM THE SPECIAL FUND; TO PROVIDE THAT THE AMOUNT OF BASE EXPENDITURES SHALL BE ADJUSTED AND COMPOUNDED ANNUALLY BY INCREASING OR DECREASING SUCH AMOUNT BY A PERCENTAGE THAT IS THE LESSER OF 0.5% OR THE UNITED STATES INFLATION RATE FOR THE PREVIOUS CALENDAR YEAR; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**S. B. No. 3029:** AN ACT MAKING AN APPROPRIATION OF SPECIAL FUNDS TO THE MISSISSIPPI STATE BOARD OF DENTAL EXAMINERS FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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Senator Hopson moved that the rules be suspended to move to calendar item 7, **H. B. No. 1613**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1613** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1613: Appropriation; Education, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division..... \$ 445,799,190.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education ..... \$ 86,487,002.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they lost through sale by the state, as provided in Sections 29-3-137 through 29-3-141, Mississippi Code of 1972..... \$ 16,945,631.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Adequate Education Program..... \$ 2,154,825,748.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED  
BY THIS SECTION BEING.....\$ 2,704,057,571.00.

SECTION 2. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the following paragraphs for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division .....\$ 2,012,730,643.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education ..... \$ 22,706,135.00.

(c) To the State Board of Education for the purpose of defraying the expenses of the Mississippi Adequate Education Program .....\$ 245,112,197.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED  
BY THIS SECTION BEING .....\$ 2,280,548,975.00.

SECTION 3. Of the funds appropriated in Section 2, One Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars (\$126,472.00), or so much of that sum as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund to the State Department of Education for the purpose of defraying the expenses of the department for the Mississippi Eye Screening Program for providing vision safety services.

SECTION 4. Of the funds appropriated in Section 2, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) To the State Department of Education, excluding the expenses of the Vocational and Technical Education Division, for the following purposes:

Literacy Initiative and Assessment.....	\$ 6,805,774.00
Educable Child .....	\$ 7,000,000.00
Grants to school districts for capital facilities and buses .....	\$ 16,000,000.00
Instructional materials.....	\$ 25,000,000.00
Students with Special Needs .....	\$ 1,800,000.00
Implementing Performance-Based Data Collection and Accreditation Model.....	\$ 274,937.00
Testing \$ 6,125,670.00	
Mississippi School for Math and Science.....	\$ 725,000.00
Mississippi School for Fine Arts. ....	\$ 777,632.00
Early Learning Collaboratives .....	\$ 16,210,526.00
Other Early Learning Programs .....	\$ 20,000,000.00
Early Learning Coaches .....	\$ 3,251,533.00
Math Coaches .....	\$ 5,000,000.00
WorkKeys .....	\$ 1,000,000.00
Advanced Placement, Dual Credits, International Baccalaureate, Cambridge Diploma Endorsements .....	\$ 300,000.00
Vocational Technical Grants .....	\$ 1,000,000.00
Mississippi School for the Deaf and Blind .....	\$ 1,407,037.00
TOTAL \$ 112,678,109.00	

(b) To the State Department of Education to defray the expenses of the Vocational and Technical Education Division.....  
\$ 6,637,258.00.

(c) To the State Department of Education to provide funding for the Mississippi Adequate Education Program.....  
\$ 245,112,197.00.

SECTION 5. Of the funds appropriated in this act, the following positions are authorized for the State Department of Education, excluding the expenses of the Vocational and Technical Education Division:

AUTHORIZED HEADCOUNT:

Permanent: 342  
Time-Limited: 143

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth

within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided in this act shall be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

Performance Measures	FY2024 Target
Special Education	
Number of Special Education Teachers (FTE)	5,963
Number of Gifted Education Teachers	805
Percent Increase of Children with	
Disabilities in General Education Early	
Childhood Programs while Decreasing the	
Percent in Self-Contained Special	
Education Early Childhood Classrooms	76.00
General Administration	
Total Dollars Spent on General	
Administration	14,807,862.00
Percent of Total Budget Spent on General	
Administration	15.70
Create a Public-Facing Data System for	
All Stakeholders	100.00
Create a User-Friendly Website for the	
Public and School Districts to Access	
Data to Make Decisions	100.00
Create a Roadmap to Improve the	
Mississippi Student Information System	100.00
Number of Research Results Published to	
Support Improved Student Outcomes and	
Teacher Effectiveness	9
Graduation & Career Readiness	
Percent Increase of Students Graduating	
from High School Ready for College or	
Career in Each Subgroup	88.50
Early Childhood Education	
Percent Increase of Kindergarten	
Students Achieving End-Of-Year Target	
Score on Kindergarten Readiness	
Post-Test	69.05
Percent Increase of Early Learning	
Collaborative Sites Meeting Required	
Rate of Readiness	95.00
Number of Students Enrolled in Title I	
or Locally Funded Pre-K Classes	8,691
Teacher Tng & Professional Dev	
Reduce the Proportion of Inexperienced	



and Non-Certified Teachers in Schools That Are High Poverty	31.00
Reduce the Proportion of Inexperienced and Non-Certified Teachers in Schools That Are High Minority	35.00
Percent Increase of Districts Reporting Professional Growth System (PGS) Ratings for Teachers and Leaders	93.00
Percent Increase of Teacher Candidates Passing Licensure Exams on the First Attempt	35.00
Increase the Number of Licensed, Diverse Teachers and Leaders	35.00
Elementary Education	
Percent Increase of Students who Pass the 3rd Grade Reading Assessment at the First Administration in Each Subgroup	80.00
Secondary Education	
Increase the Number of Students Participating in and Passing Advanced Placement (AP), International Baccalaureate (IB) and Cambridge Exams in Each Subgroup	37.00
Percent Increase of Students Ready for College as Measured by Meeting ACT Benchmarks in Each Content Area (Public School Class Data, Grade 11)	11.00
Assessment & Development	
Increase the Percent of Students Proficient (Levels 4-5) on Statewide Assessments (Grades 3-8 & High School Composite) in Each Subgroup	52.00
Decrease the Percent of Students Scoring Levels 1-3 on Statewide Assessments in Each Subgroup	57.00
Increase Percent of Pre-Kindergarten Students in Public Schools Attaining Kindergarten Readiness on the Pre-K End-Of-Year Assessment	72.00
School Performance	
Percent of Schools Rated "C" or Higher	80.00
Percent of Districts Rated "C" or Higher	80.00
Percent of Students Demonstrating Growth on Statewide ELA Assessments in Each Subgroup	66.00
Percent of Students Demonstrating Growth on Statewide Math Assessments in Each Subgroup	68.00
Percent of Students Participating in Dual Credit in Each Subgroup	50.00
Percent of Students Passing Dual Credit in Each Subgroup	98.00
Increase the Growth of D and F Districts Demonstrating Growth, by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	76.00
Increase the Growth of D and F Schools by Improving the Letter Grade and/or Increasing the Number of Points within a	

Letter Grade	70.00
Increase the Growth of Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Increase the Growth of Schools Under Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Decrease the Number of High Schools Rated D or F	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 7. No school district shall expend any funds, received under the School Ad Valorem Reduction Grant, unless such school district has specifically identified the amount of the grant within the published budget as required by Section 37-61-9, Mississippi Code of 1972. The published budget shall include the following statement: "Ad Valorem taxes will be \$\_\_\_\_\_ less as a result of the Ad Valorem Reduction Grants enacted by the Mississippi Legislature in 1992."

SECTION 8. Of the funds appropriated in Section 2, funds in the amount of One Million Dollars (\$1,000,000.00) shall come from income derived from the principal of the Education Improvement Trust Fund created by Section 206A, Mississippi Constitution of 1890, and One Million Dollars (\$1,000,000.00) shall be used for the School for Math and Science.

SECTION 9. Of the funds appropriated under the provisions of this act, the following positions are authorized for the Vocational and Technical Education Division of the State Department of Education:

**AUTHORIZED HEADCOUNT:**

Permanent: 48  
Time-Limited: 5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 10. Of the funds appropriated in this act, an amount not to exceed One Million Twenty-three Thousand Five Hundred Seventy-four Dollars (\$1,023,574.00) is authorized for the support of vocational and technical education programs as authorized in Section 37-31-13, Mississippi Code of 1972, for a period in excess of ten (10) months in a calendar year.

SECTION 11. It is the intention of the Legislature that the Vocational and Technical Education Division of the State Department of Education shall, with the funds appropriated in Section 1, transfer no more than Seventy-five Thousand Dollars (\$75,000.00) to the Mississippi Soil and Water Conservation Commission for the purpose of providing matching funds to purchase soil conservation equipment.

SECTION 12. Of the funds appropriated in this act, no more than One Hundred Seventy-five Thousand Dollars (\$175,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

SECTION 13. The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following:

Detention Centers .....	\$ 2,975,000.00.
Dyslexia Program .....	\$ 225,000.00.
Amplify Data Coaching .....	\$ 1,100,000.00.
Magnolia Speech School .....	\$ 1,000,000.00.
Principal Corp.....	\$ 200,000.00.
Sight Savers .....	\$ 375,000.00.
Teach for America .....	\$ 1,250,000.00.
Teacher Corp .....	\$ 200,000.00.
Vision Screening Research .....	\$ 225,000.00.
Lobaki, Inc.....	\$ 300,000.00.
Lighthouse Academy for Dyslexia.....	\$ 200,000.00.
Algebra Nation .....	\$ 1,100,000.00.
Save the Children.....	\$ 75,000.00.
Mississippi Construction Education Program .....	\$ 212,500.00.
T. K. Martin Center.....	\$ 75,000.00.
JumpStart Act.....	\$ 250,000.00.
Mastery Prep.....	\$ 200,000.00.
Arts for All Mississippi.....	\$ 40,000.00.
Total \$ 10,002,500.00.	

SECTION 14. It is the intention of the Legislature that of the funds provided for Other Early Learning Programs in Section 4(a), Twenty Million Dollars (\$20,000,000.00) is included for the Mississippi Department of Education to provide grant opportunities for Other Early Learning Programs through public schools including other public school preschool programs not participating in Early Learning Collaboratives.

SECTION 15. Of the funds appropriated in this act, an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) shall be used for technological methods for agricultural programs, computer science, engineering or robotic engineering programs and equipment upgrades and Mississippi Elementary (ME) STEM and STEAM programs from the Career and Technical Education Division of the State Department of Education. All programs must meet Mississippi Science Standards and/or College and Career Standards.

Of the funds appropriated in this section, an amount not to exceed One Million Dollars (\$1,000,000.00) shall be distributed to the Mississippi State University Center for Cyber Education and used for computer science programs development and teacher training for elementary schools, middle schools, and high schools for the purpose of developing K-12 computer science curricula, including both academic and career and

technical education programs, developing and delivering teacher training, and working with the State Board of Education and Institutions of Higher Learning in the state to develop teacher preparation programs for computer science endorsements. All programs must meet the 2018 Mississippi Computer Science Standards and/or Mississippi College and Career Standards.

SECTION 16. It is the intention of the Legislature that computer science courses may be taught by certified teacher or for elementary level classes, computer science courses may be taught by teachers who are trained by the district in computer science instruction.

SECTION 17. Of the funds appropriated in Section 1, the sum of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate sum that the school districts in the Chickasaw Cession receive annually from interest payments from the Chickasaw School Fund under Section 212, Mississippi Constitution of 1890, shall be deducted from the allocations to the school districts as provided in Section 29-3-137, Mississippi Code of 1972, and shall be distributed among the school districts in the Chickasaw Cession by the State Department of Education in the manner that those interest payments were distributed during Fiscal Year 1985.

SECTION 18. With the funds provided in this act for the purpose of funding the Mississippi Adequate Education Program as determined under Section 37-151-7, Mississippi Code of 1972, the base student cost in Fiscal Year 2024 shall be Six Thousand Seven Hundred Fifty-nine Dollars and Twenty-seven Cents (\$6,759.27).

SECTION 19. With the funds provided in this act, it is the intention of the Legislature that School Attendance Officers and academic teachers at the Mississippi School for the Deaf and the Mississippi School for the Blind shall receive their annual increment.

SECTION 20. It is the intention of the Legislature that the State Board of Education shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget requests for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 21. Of the funds appropriated in Section 1(a) to the State Board of Education, not less than Twenty-three Million Eighty Thousand Dollars (\$23,080,000.00) shall be used for National Board Certification. Of this amount, Seven Hundred Thousand Dollars (\$700,000.00) shall be used for the World Class Teacher Program providing instruction and assistance to teachers seeking National Board Certification.

SECTION 22. Of the funds appropriated in Section 1 and Section 4(a) not less than Fifteen Million Fifty-eight Thousand Dollars (\$15,058,000.00) shall be used for the Educable Child Program. It is the intention of the Legislature that the State Board of Education shall allocate funding for the Educable Child Program based upon a recalculated formula in a manner to include only those billable days funded through appropriation of state funds and not District funds. It is the intent of the Legislature that the Educable Child funds shall be exempt from budget cuts made to the Department of Education by the Legislature and/or the Office of the Governor.

SECTION 23. Of the funds appropriated in Section 1(a) and Section 4(a), not less than Three Million Dollars (\$3,000,000.00) shall be used for the Education Scholarship Account (ESA) Program. It is the intent of the Legislature that the Education Scholarship Account (ESA) funds shall not be reduced by the State Department of Education and/or the Office of the Governor.

SECTION 24. The public school districts of the state are authorized at their discretion to pay with local funds one hundred percent (100%) of the cost of the health insurance premiums of the State and School Employees Health Insurance Plan for all retired members of the Public Employees' Retirement System who are employed as school bus drivers by the school districts. It is the intention of the Legislature that no state funds shall be used for this purpose.

SECTION 25. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in those received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 26. Of the funds appropriated in Section 1, not less than Six Million Four Hundred Fourteen Thousand Eight Hundred Ninety-eight Dollars (\$6,414,898.00) shall be used for the Compulsory School Attendance Office and School Attendance Officers.

SECTION 27. Of the funds appropriated in this act, it is the intention of the Legislature that Three Million Sixty Thousand Dollars (\$3,060,000.00) shall be used for the Mary Kirkpatrick-Mary Sprayberry Public School Nurse Program. The amount of Three Million Sixty Thousand Dollars (\$3,060,000.00) is provided from the Department of Health.

SECTION 28. The State Department of Education shall contract with a Certified Public Accountant to calculate components of the Mississippi Adequate Education Program to include the base student cost, school district allocations, total program cost, add-on programs, and any other required components of Section 37-151-7, Mississippi Code of 1972. The contractor shall be responsible for calculating the estimates of these components due to the Legislative Budget Office and the Governor by August 1 and the final estimates due to the Legislative Budget Office and the Governor no later than January 2. A report detailing the funding of this contract shall be submitted by the State Department of Education to the Legislature no later than January 30, 2024.

SECTION 29. It is the intention of the Legislature that the State Board of Education shall charge a fee for room and board for students who enroll in the Mississippi School for Mathematics and Science and the Mississippi School of Arts. Such fees will be waived for any student enrolled in the State Children's Health Insurance Program. The amount of such fees shall be Five Hundred Dollars (\$500.00) for each semester.

SECTION 30. It is the intent of the Legislature that each eligible employee who meets the National Board requirements under Section 37-19-7(2), Mississippi Code of 1972, shall be paid the full supplement and that such supplement shall be included on a prorated basis in the employee's monthly paycheck.

SECTION 31. It is the intention of the Legislature that the Mississippi Department of Education may loan any general or special source fund amount, not to exceed Five Million Dollars (\$5,000,000.00), to any school district for the purpose of providing funds to school districts through the Emergency Assistance Fund as outlined in Section 37-17-6, Mississippi Code of 1972, during the period beginning July 1, 2023, and ending June 30, 2024. The school districts receiving these loans shall repay the Mississippi Department of Education the amount of the loan on or before June 30, 2024.

SECTION 32. Of the funds appropriated in Section 1(a), Seven Hundred Thousand Dollars (\$700,000.00) shall be transferred to the Board of Health no later than December 31, 2023.

SECTION 33. Any school district receiving funds through Save the Children may provide a ten percent (10%) match from local funds for implementation of the program.

SECTION 34. Of the funds appropriated in Section 1(a), Two Million Dollars (\$2,000,000.00) is provided for the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program. A portion of these funds not to exceed one percent (1%) may be used for training and administrative costs related to oversight and auditing of the program.

SECTION 35. Of the funds appropriated in Section 1(a) and Section 2(a), Twenty-four Million Dollars (\$24,000,000.00) is provided for an Early Childhood Education Initiative program. The funding shall be provided to early learning collaboratives in Fiscal Year 2024 as follows: no less than Two Thousand Five Hundred Dollars (\$2,500.00) per student in a full-day program and no less than One Thousand Two Hundred Fifty Dollars (\$1,250.00) per student in a half-day program. Funds must be matched as provided by Section 37-21-51, Mississippi Code of 1972.

SECTION 36. Of the funds appropriated in Section 1(a) and Section 4(a), Fifteen Million Ninety-four Thousand Five Hundred Dollars (\$15,094,500.00) shall be used for the Literacy Initiative and Assessment and monitoring and evaluating the adoption and implementation of high-quality instructional materials that have been reviewed through the approved state process and distributed through regional textbook depository as outlined in Section 37-43-23, Mississippi Code of 1972.

SECTION 37. Of the funds appropriated herein, funding is provided for the ACT test, which is the college readiness portion of the state accountability model.

SECTION 38. Of the funds appropriated in Section 1(a), Two Million Seven Hundred Twenty-one Thousand Eighty-three Dollars (\$2,721,083.00) shall be used for the Mississippi School of the Arts and Three Million Nine Hundred Ninety Thousand Eighty-eight Dollars (\$3,990,088.00) shall be used for the Mississippi School for Mathematics and Science. It is the intention of the Legislature that of the funds appropriated in Section 1(a) for the Mississippi School of the Arts, One Million Three Hundred Sixty Thousand Five Hundred Forty-two Dollars (\$1,360,542.00) shall be paid to the school no later than July 10, 2023, and One Million Three Hundred Sixty Thousand Five Hundred Forty-one Dollars (\$1,360,541.00) shall be paid no later than January 10, 2024. All funds appropriated from Section 4(a) for the Mississippi School of the Arts shall be paid to the school each month within ten (10) working days after such amount was received by the Department of Education. It is the intention of the Legislature that the State Board of Education shall not reduce the appropriated amounts provided in this act for the Mississippi School of the Arts and the Mississippi School for Mathematics and Science.

SECTION 39. Of the funds appropriated in Section 1(b) and Section 2(b), Five Hundred Thousand Dollars (\$500,000.00) is provided for career and technical grants to schools for qualified students as authorized by Section 37-153-15, Mississippi Code of 1972.

SECTION 40. Of the funds appropriated in this act, the following amounts shall be available to the Schools for the Blind and Deaf: Ten Million Four Hundred Thirty-nine Thousand Three Hundred Fifty-four Dollars (\$10,439,354.00) from Section 1(a), One Million Four Hundred Seven Thousand Thirty-seven Dollars (\$1,407,037.00) from Section 4(a), and Two Million Three Hundred Nine Thousand Seven Hundred Twenty-five Dollars (\$2,309,725.00) from Section 2(a).

SECTION 41. Of the funds appropriated in this act, an amount not to exceed Four Million One Hundred Seventy-one Thousand Three Hundred One Dollars (\$4,171,301.00) is authorized to fully fund the contract between the Department of Education and the Research & Curriculum Unit at Mississippi State University to fund career and technical curricula, services to secondary schools and career and technical assessments.

SECTION 42. Of the funds appropriated in Section 2 (a) to the State Board of Education, Twenty Million Dollars (\$20,000,000.00) is provided for the expenditure of funds from the Educational Facilities Revolving Loan Fund, which was created in Section 37-47-24, Mississippi Code of 1972. These funds are provided for the purpose of improving educational facilities in the State of Mississippi by assisting public schools in procuring funds for making certain capital improvements.

SECTION 43. Of the funds appropriated in Section 1 (b) to the State Board of Education, Five Hundred Sixty-two Thousand Nine Hundred Ninety-nine Dollars (\$562,999.00) is provided for secondary career and technical education instructors teaching at post-secondary institutions.

SECTION 44. Of the funds appropriated in Section 1 (a), an amount not to exceed Two Hundred Forty Million Three Hundred Ninety-seven Thousand Nine Hundred Sixty Dollars (\$240,397,960.00) shall be allocated for the purpose of providing funds to each public school district in the state as prescribed in the Minimum Salary Schedules in Section 37-19-7 and 37-21-7, Mississippi Code of 1972, for the 2023-2024 school year, and each school year thereafter.

SECTION 45. Of the funds herein appropriated, One Million Four Hundred Thousand Dollars (\$1,400,000.00) shall be provided to the Charter School Authorizer Board. Of this amount, Nine Hundred Thousand Dollars (\$900,000.00) shall be provided from Section 1 (a) and Five Hundred Thousand Dollars (\$500,000.00) shall be

provided from Section 2 (a) from the Charter School Authorizer Board Fund – Fund No. 3001700000.

SECTION 46. Of the funds appropriated in Section 1 (b), One Million Four Hundred Thirty-two Thousand Eight Hundred Seventy-two Dollars (\$1,432,872.00) shall be provided for new Career and Technical Education Programs as determined by the Division of Vocational and Technical Education at the Mississippi Department of Education. Of the funds appropriated to the department for these programs, no amount shall be expended by the department to defray administrative costs.

SECTION 47. Of the funds appropriated in Section 1 (a), One Hundred Million Dollars (\$100,000,000.00) is provided to the State Department of Education to distribute to public school districts and charter schools based on average daily enrollment or the total number of students enrolled for each day in each public school district or charter school divided by the total number of school days. These funds may be spent on any expenditures necessary to operate a public school district or charter school excluding salary increases for superintendents, assistant superintendents, or principals.

SECTION 48. The Mississippi Department of Education shall provide an annual report detailing the funding of industry certifications and the anticipated industry certifications that will be achieved in the upcoming fiscal year to the Legislative Budget Office and the Legislature no later than January 15, 2024.

SECTION 49. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated for the Department of Education for the purpose of reauthorizing the expenditure of Education Enhancement Fund, as authorized in House Bill 1600, 2022 Regular Session to provide upgrades for the Mississippi Student Information System for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 3,200,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 50. With the funds appropriated herein, the Mississippi Department of Education is authorized to make payment for expenses incurred during Fiscal Year 2019 to Canon Solutions America in an amount not to exceed Thirty-five Thousand Eight Hundred Forty-eight Dollars (\$35,848.00).

SECTION 51. It is the intent of the Legislature that each eligible professional school counselor employee who meets the year of teaching experience requirements under Section 37-151-5(m), Mississippi Code of 1972, shall be considered having a year of experience for purposes of the annual experience salary increment.

SECTION 52. The money appropriated in this act shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 53. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Richard Bennett  
Casey Eure

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Dennis DeBar, Jr.  
Tyler McCaughn

Senator DeBar made a substitute motion that the Conference Committee Report on **H. B. No. 1613** (version 2) be recommitted for further conference and the motion prevailed.

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Senator Polk moved that the Senate stand in recess until 4:30 PM.

The motion prevailed, and at 3:14 PM, the Senate stood in recess.

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The Senate resumed business at 4:30 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2082:** AN ACT TO PROHIBIT A COURT FROM CONSIDERING INCARCERATION AS INTENTIONAL OR VOLUNTARY UNEMPLOYMENT OR UNDEREMPLOYMENT WHEN ESTABLISHING OR MODIFYING A CHILD-SUPPORT ORDER; AND FOR RELATED PURPOSES.

**S. B. No. 3014:** AN ACT MAKING AN APPROPRIATION TO THE STATE DEPARTMENT OF AGRICULTURE AND COMMERCE FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DIXIE NATIONAL LIVESTOCK SHOW; A ROUNDUP FOR JUNIOR EXHIBITORS OF LIVESTOCK AND GOATS; SUPPLEMENTAL FUNDS FOR LIVESTOCK PREMIUMS; COUNTY LIVESTOCK SHOWS IN OFFERING AND PAYING PRIZES OR AWARDS TO COMPETITORS IN APPROVED COUNTY LIVESTOCK SHOWS; THE FIVE DISTRICT LIVESTOCK SHOWS; THE FIVE STATE DAIRY SHOWS; THE MISSISSIPPI HIGH SCHOOL RODEO; AND TO PROVIDE HOW SAID MONEY SHALL BE PAID OUT OF THE STATE TREASURY FOR FISCAL YEAR 2024.

**S. B. No. 3017:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI NATIONAL GUARD FOR FISCAL YEAR 2024.

**S. B. No. 3038:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY TO DEFRAY THE EXPENSES OF THE MISSISSIPPI MOTOR VEHICLE COMMISSION FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### MESSAGE FROM THE HOUSE

Mr. President: The House of Representatives has RECOMMITTED THE CONFERENCE REPORT and the same conferees have been renamed on the following:

**H. B. No. 1613:** Appropriation; Education, Department of.

Andrew Ketchings, Clerk of the House of Representatives

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Senator Hopson moved that the rules be suspended to move to calendar item 7, **H. B. No. 1613**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 1613** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1613: Appropriation; Education, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of funding K-12 and other related educational activities, including certain agencies and programs, in the State of Mississippi, for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, and excluding the expenses of the Vocational and Technical Education Division..... \$ 445,499,190.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....  
\$ 86,487,002.00.

(c) To the State Board of Education for the purpose of paying annual compensation to the Chickasaw Cession counties for sixteenth section lands which they lost through sale by the state, as provided in Sections 29-3-137 through 29-3-141, Mississippi Code of 1972..... \$ 16,945,631.00.

(d) To the State Board of Education for defraying the expenses of the Mississippi Adequate Education Program.....  
\$ 2,154,825,748.00.

TOTAL AMOUNT OF STATE GENERAL FUNDS APPROPRIATED

BY THIS SECTION BEING.....\$ 2,703,757,571.00.

SECTION 2. The following sums, or so much of those sums as may be necessary, are appropriated out of any money in any special fund in the State Treasury to the credit of the proper fund or funds of the agencies or programs specified in the following paragraphs for the fiscal year beginning July 1, 2023, and ending June 30, 2024, as follows:

(a) To the State Board of Education for the purpose of defraying the expenses of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division .....\$ 2,012,730,643.00.

(b) To the State Board of Education for the purpose of defraying the expenses of the Vocational and Technical Education Division of the State Department of Education .....  
\$ 22,706,135.00.

(c) To the State Board of Education for the purpose of defraying the expenses of the Mississippi Adequate Education Program .....\$ 245,112,197.00.

TOTAL AMOUNT OF SPECIAL FUNDS APPROPRIATED

BY THIS SECTION BEING .....\$ 2,280,548,975.00.

SECTION 3. Of the funds appropriated in Section 2, One Hundred Twenty-six Thousand Four Hundred Seventy-two Dollars (\$126,472.00), or so much of that sum as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Health Care Expendable Fund to the State Department of Education for the purpose

of defraying the expenses of the department for the Mississippi Eye Screening Program for providing vision safety services.

SECTION 4. Of the funds appropriated in Section 2, the following sums, or so much of those sums as may be necessary, are derived out of any money in the State Treasury to the credit of the Education Enhancement Fund pursuant to Sections 27-65-75 and 27-67-31, Mississippi Code of 1972, as follows:

(a) To the State Department of Education, excluding the expenses of the Vocational and Technical Education Division, for the following purposes:

Literacy Initiative and Assessment.....	\$ 6,805,774.00
Educable Child .....	\$ 7,000,000.00
Grants to school districts for	
capital facilities and buses .....	\$ 16,000,000.00
Instructional materials.....	\$ 25,000,000.00
Students with Special Needs .....	\$ 1,800,000.00
Implementing Performance-Based Data	
Collection and Accreditation	
Model.....	\$ 274,937.00
Testing \$ 6,125,670.00	
Mississippi School for Math and	
Science.....	\$ 725,000.00
Mississippi School for Fine Arts. ....	\$ 777,632.00
Early Learning Collaboratives .....	\$ 16,210,526.00
Other Early Learning Programs .....	\$ 20,000,000.00
Early Learning Coaches .....	\$ 3,251,533.00
Math Coaches .....	\$ 5,000,000.00
WorkKeys .....	\$ 1,000,000.00
Advanced Placement, Dual Credits,	
International Baccalaureate,	
Cambridge Diploma Endorsements .....	\$ 300,000.00
Vocational Technical Grants .....	\$ 1,000,000.00
Mississippi School for the Deaf	
and Blind .....	\$ 1,407,037.00
TOTAL \$ 112,678,109.00	

(b) To the State Department of Education to defray the expenses of the Vocational and Technical Education Division.....  
\$ 6,637,258.00.

(c) To the State Department of Education to provide funding for the Mississippi Adequate Education Program.....  
\$ 245,112,197.00.

SECTION 5. Of the funds appropriated in this act, the following positions are authorized for the State Department of Education, excluding the expenses of the Vocational and Technical Education Division:

AUTHORIZED HEADCOUNT:

Permanent:	342
Time-Limited:	143

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. In compliance with the "Mississippi Performance Budget and Strategic Planning Act of 1994," it is the intent of the Legislature that the funds provided in this act shall be utilized in the most efficient and effective manner possible to achieve the intended mission of the State Department of Education, excluding the expenses of the Vocational and Technical Education Division. Based on the funding authorized, this agency shall make every effort to attain the targeted performance measures provided below:

	FY2024 Target
Performance Measures	
Special Education	
Number of Special Education Teachers (FTE)	5,963
Number of Gifted Education Teachers	805
Percent Increase of Children with Disabilities in General Education Early Childhood Programs while Decreasing the Percent in Self-Contained Special Education Early Childhood Classrooms	76.00
General Administration	
Total Dollars Spent on General Administration	14,807,862.00
Percent of Total Budget Spent on General Administration	15.70
Create a Public-Facing Data System for All Stakeholders	100.00
Create a User-Friendly Website for the Public and School Districts to Access Data to Make Decisions	100.00
Create a Roadmap to Improve the Mississippi Student Information System	100.00
Number of Research Results Published to Support Improved Student Outcomes and Teacher Effectiveness	9
Graduation & Career Readiness	
Percent Increase of Students Graduating from High School Ready for College or Career in Each Subgroup	88.50
Early Childhood Education	
Percent Increase of Kindergarten Students Achieving End-Of-Year Target	

Score on Kindergarten Readiness Post-Test	69.05
Percent Increase of Early Learning Collaborative Sites Meeting Required Rate of Readiness	95.00
Number of Students Enrolled in Title I or Locally Funded Pre-K Classes	8,691
Teacher Tng & Professional Dev	
Reduce the Proportion of Inexperienced and Non-Certified Teachers in Schools That Are High Poverty	31.00
Reduce the Proportion of Inexperienced and Non-Certified Teachers in Schools That Are High Minority	35.00
Percent Increase of Districts Reporting Professional Growth System (PGS) Ratings for Teachers and Leaders	93.00
Percent Increase of Teacher Candidates Passing Licensure Exams on the First Attempt	35.00
Increase the Number of Licensed, Diverse Teachers and Leaders	35.00
Elementary Education	
Percent Increase of Students who Pass the 3rd Grade Reading Assessment at the First Administration in Each Subgroup	80.00
Secondary Education	
Increase the Number of Students Participating in and Passing Advanced Placement (AP), International Baccalaureate (IB) and Cambridge Exams in Each Subgroup	37.00
Percent Increase of Students Ready for College as Measured by Meeting ACT Benchmarks in Each Content Area (Public School Class Data, Grade 11)	11.00
Assessment & Development	
Increase the Percent of Students Proficient (Levels 4-5) on Statewide Assessments (Grades 3-8 & High School Composite) in Each Subgroup	52.00
Decrease the Percent of Students Scoring Levels 1-3 on Statewide Assessments in Each Subgroup	57.00
Increase Percent of Pre-Kindergarten Students in Public Schools Attaining Kindergarten Readiness on the Pre-K End-Of-Year Assessment	72.00
School Performance	
Percent of Schools Rated "C" or Higher	80.00
Percent of Districts Rated "C" or Higher	80.00
Percent of Students Demonstrating Growth on Statewide ELA Assessments in Each Subgroup	66.00
Percent of Students Demonstrating Growth on Statewide Math Assessments in Each Subgroup	68.00
Percent of Students Participating in Dual Credit in Each Subgroup	50.00

Percent of Students Passing Dual Credit in Each Subgroup	98.00
Increase the Growth of D and F Districts Demonstrating Growth, by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	76.00
Increase the Growth of D and F Schools by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	70.00
Increase the Growth of Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Increase the Growth of Schools Under Districts of Transformation by Improving the Letter Grade and/or Increasing the Number of Points within a Letter Grade	100.00
Decrease the Number of High Schools Rated D or F	20.00

A reporting of the degree to which the performance targets set above have been or are being achieved shall be provided in the agency's budget request submitted to the Joint Legislative Budget Committee for Fiscal Year 2025.

SECTION 7. No school district shall expend any funds, received under the School Ad Valorem Reduction Grant, unless such school district has specifically identified the amount of the grant within the published budget as required by Section 37-61-9, Mississippi Code of 1972. The published budget shall include the following statement: "Ad Valorem taxes will be \$\_\_\_\_\_ less as a result of the Ad Valorem Reduction Grants enacted by the Mississippi Legislature in 1992."

SECTION 8. Of the funds appropriated in Section 2, funds in the amount of One Million Dollars (\$1,000,000.00) shall come from income derived from the principal of the Education Improvement Trust Fund created by Section 206A, Mississippi Constitution of 1890, and One Million Dollars (\$1,000,000.00) shall be used for the School for Math and Science.

SECTION 9. Of the funds appropriated under the provisions of this act, the following positions are authorized for the Vocational and Technical Education Division of the State Department of Education:

**AUTHORIZED HEADCOUNT:**

Permanent: 48  
Time-Limited: 5

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary

actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 10. Of the funds appropriated in this act, an amount not to exceed One Million Twenty-three Thousand Five Hundred Seventy-four Dollars (\$1,023,574.00) is authorized for the support of vocational and technical education programs as authorized in Section 37-31-13, Mississippi Code of 1972, for a period in excess of ten (10) months in a calendar year.

SECTION 11. It is the intention of the Legislature that the Vocational and Technical Education Division of the State Department of Education shall, with the funds appropriated in Section 1, transfer no more than Seventy-five Thousand Dollars (\$75,000.00) to the Mississippi Soil and Water Conservation Commission for the purpose of providing matching funds to purchase soil conservation equipment.

SECTION 12. Of the funds appropriated in this act, no more than One Hundred Seventy-five Thousand Dollars (\$175,000.00) is provided for the purpose of supporting the Future Farmers of America Center.

SECTION 13. The State Department of Education shall transfer the designated amounts to the appropriate entities, which shall assume full responsibility for the expenditure of these funds in accordance with state laws and accept all responsibility for any improper expenditure, for the following:

Detention Centers .....	\$ 2,975,000.00.
Dyslexia Program .....	\$ 225,000.00.
Amplify Data Coaching .....	\$ 1,100,000.00.
Magnolia Speech School .....	\$ 1,000,000.00.
Principal Corp.....	\$ 200,000.00.
Sight Savers.....	\$ 375,000.00.
Teach for America .....	\$ 1,250,000.00.
Teacher Corp .....	\$ 200,000.00.
Vision Screening Research .....	\$ 225,000.00.
Lighthouse Academy for Dyslexia.....	\$ 200,000.00.
Algebra Nation .....	\$ 1,100,000.00.
Save the Children .....	\$ 75,000.00.
Mississippi Construction Education Program .....	\$ 212,500.00.
T. K. Martin Center .....	\$ 75,000.00.
JumpStart Act.....	\$ 250,000.00.
Mastery Prep.....	\$ 200,000.00.
Arts for All Mississippi.....	\$ 40,000.00.
Total	\$ 9,702,500.00.

SECTION 14. It is the intention of the Legislature that of the funds provided for Other Early Learning Programs in Section 4(a), Twenty Million Dollars (\$20,000,000.00) is included for the Mississippi Department of Education to provide grant opportunities for Other Early Learning Programs through public schools including other public school preschool programs not participating in Early Learning Collaboratives.

SECTION 15. Of the funds appropriated in this act, an amount not to exceed One Million Five Hundred Thousand Dollars (\$1,500,000.00) shall be used for technological methods for agricultural programs, computer science, engineering or robotic engineering programs and equipment upgrades and Mississippi Elementary (ME) STEM and STEAM

programs from the Career and Technical Education Division of the State Department of Education. All programs must meet Mississippi Science Standards and/or College and Career Standards.

Of the funds appropriated in this section, an amount not to exceed One Million Dollars (\$1,000,000.00) shall be distributed to the Mississippi State University Center for Cyber Education and used for computer science programs development and teacher training for elementary schools, middle schools, and high schools for the purpose of developing K-12 computer science curricula, including both academic and career and technical education programs, developing and delivering teacher training, and working with the State Board of Education and Institutions of Higher Learning in the state to develop teacher preparation programs for computer science endorsements. All programs must meet the 2018 Mississippi Computer Science Standards and/or Mississippi College and Career Standards.

SECTION 16. It is the intention of the Legislature that computer science courses may be taught by certified teacher or for elementary level classes, computer science courses may be taught by teachers who are trained by the district in computer science instruction.

SECTION 17. Of the funds appropriated in Section 1, the sum of Sixty-two Thousand One Hundred Ninety-one Dollars (\$62,191.00), which is the aggregate sum that the school districts in the Chickasaw Cession receive annually from interest payments from the Chickasaw School Fund under Section 212, Mississippi Constitution of 1890, shall be deducted from the allocations to the school districts as provided in Section 29-3-137, Mississippi Code of 1972, and shall be distributed among the school districts in the Chickasaw Cession by the State Department of Education in the manner that those interest payments were distributed during Fiscal Year 1985.

SECTION 18. Of the funds provided in this act for the purpose of funding the Mississippi Adequate Education Program as determined under Section 37-151-7, Mississippi Code of 1972, the base student cost in Fiscal Year 2024 shall be Six Thousand Seven Hundred Fifty-nine Dollars and Twenty-seven Cents (\$6,759.27).

SECTION 19. With the funds provided in this act, it is the intention of the Legislature that School Attendance Officers and academic teachers at the Mississippi School for the Deaf and the Mississippi School for the Blind shall receive their annual increment.

SECTION 20. It is the intention of the Legislature that the State Board of Education shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated in this act and that those records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the budget requests for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process for each agency and institution appropriated funds within the provisions of this act.

SECTION 21. Of the funds appropriated in Section 1(a) to the State Board of Education, not less than Twenty-three Million Eighty Thousand Dollars (\$23,080,000.00) shall be used for National Board Certification. Of this amount, Seven Hundred Thousand Dollars (\$700,000.00) shall be used for the World Class Teacher Program providing instruction and assistance to teachers seeking National Board Certification.

SECTION 22. Of the funds appropriated in Section 1 and Section 4(a) not less than Fifteen Million Fifty-eight Thousand Dollars (\$15,058,000.00) shall be used for the Educable Child Program. It is the intention of the Legislature that the State Board of Education shall allocate funding for the Educable Child Program based upon a recalculated formula in a manner to include only those billable days funded through appropriation of state funds and not District funds. It is the intent of the Legislature that the Educable Child funds shall be exempt from budget cuts made to the Department of Education by the Legislature and/or the Office of the Governor.

SECTION 23. Of the funds appropriated in Section 1(a) and Section 4(a), not less than Three Million Dollars (\$3,000,000.00) shall be used for the Education Scholarship Account (ESA) Program. It is the intent of the Legislature that the

Education Scholarship Account (ESA) funds shall not be reduced by the State Department of Education and/or the Office of the Governor.

SECTION 24. The public school districts of the state are authorized at their discretion to pay with local funds one hundred percent (100%) of the cost of the health insurance premiums of the State and School Employees Health Insurance Plan for all retired members of the Public Employees' Retirement System who are employed as school bus drivers by the school districts. It is the intention of the Legislature that no state funds shall be used for this purpose.

SECTION 25. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in those received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 26. Of the funds appropriated in Section 1, not less than Six Million Four Hundred Fourteen Thousand Eight Hundred Ninety-eight Dollars (\$6,414,898.00) shall be used for the Compulsory School Attendance Office and School Attendance Officers.

SECTION 27. Of the funds appropriated in this act, it is the intention of the Legislature that Three Million Sixty Thousand Dollars (\$3,060,000.00) shall be used for the Mary Kirkpatrick-Mary Sprayberry Public School Nurse Program. The amount of Three Million Sixty Thousand Dollars (\$3,060,000.00) is provided from the Department of Health.

SECTION 28. The State Department of Education shall contract with a Certified Public Accountant to calculate components of the Mississippi Adequate Education Program to include the base student cost, school district allocations, total program cost, add-on programs, and any other required components of Section 37-151-7, Mississippi Code of 1972. The contractor shall be responsible for calculating the estimates of these components due to the Legislative Budget Office and the Governor by August 1 and the final estimates due to the Legislative Budget Office and the Governor no later than January 2. A report detailing the funding of this contract shall be submitted by the State Department of Education to the Legislature no later than January 30, 2024.

SECTION 29. It is the intention of the Legislature that the State Board of Education shall charge a fee for room and board for students who enroll in the Mississippi School for Mathematics and Science and the Mississippi School of Arts. Such fees will be waived for any student enrolled in the State Children's Health Insurance Program. The amount of such fees shall be Five Hundred Dollars (\$500.00) for each semester.

SECTION 30. It is the intent of the Legislature that each eligible employee who meets the National Board requirements under Section 37-19-7(2), Mississippi Code of 1972, shall be paid the full supplement and that such supplement shall be included on a prorated basis in the employee's monthly paycheck.

SECTION 31. It is the intention of the Legislature that the Mississippi Department of Education may loan any general or special source fund amount, not to exceed Five Million Dollars (\$5,000,000.00), to any school district for the purpose of providing funds to school districts through the Emergency Assistance Fund as outlined in Section 37-17-6, Mississippi Code of 1972, during the period beginning July 1, 2023, and ending June 30, 2024. The school districts receiving these loans shall repay the Mississippi Department of Education the amount of the loan on or before June 30, 2024.

SECTION 32. Of the funds appropriated in Section 1(a), Seven Hundred Thousand Dollars (\$700,000.00) shall be transferred to the Board of Health no later than December 31, 2023.

SECTION 33. Any school district receiving funds through Save the Children may provide a ten percent (10%) match from local funds for implementation of the program.

SECTION 34. Of the funds appropriated in Section 1(a), Two Million Dollars (\$2,000,000.00) is provided for the Mississippi Community Oriented Policing Services in Schools (MCOPS) grant program. A portion of these funds not to exceed one percent (1%) may be used for training and administrative costs related to oversight and auditing of the program.



SECTION 35. Of the funds appropriated in Section 1(a) and Section 2(a), Twenty-four Million Dollars (\$24,000,000.00) is provided for an Early Childhood Education Initiative program. The funding shall be provided to early learning collaboratives in Fiscal Year 2024 as follows: no less than Two Thousand Five Hundred Dollars (\$2,500.00) per student in a full-day program and no less than One Thousand Two Hundred Fifty Dollars (\$1,250.00) per student in a half-day program. Funds must be matched as provided by Section 37-21-51, Mississippi Code of 1972.

SECTION 36. Of the funds appropriated in Section 1(a) and Section 4(a), Fifteen Million Ninety-four Thousand Five Hundred Dollars (\$15,094,500.00) shall be used for the Literacy Initiative and Assessment and monitoring and evaluating the adoption and implementation of high-quality instructional materials that have been reviewed through the approved state process and distributed through regional textbook depository as outlined in Section 37-43-23, Mississippi Code of 1972.

SECTION 37. Of the funds appropriated herein, funding is provided for the ACT test, which is the college readiness portion of the state accountability model.

SECTION 38. Of the funds appropriated in Section 1(a), Two Million Seven Hundred Twenty-one Thousand Eighty-three Dollars (\$2,721,083.00) shall be used for the Mississippi School of the Arts and Three Million Nine Hundred Ninety Thousand Eighty-eight Dollars (\$3,990,088.00) shall be used for the Mississippi School for Mathematics and Science. It is the intention of the Legislature that of the funds appropriated in Section 1(a) for the Mississippi School of the Arts, One Million Three Hundred Sixty Thousand Five Hundred Forty-two Dollars (\$1,360,542.00) shall be paid to the school no later than July 10, 2023, and One Million Three Hundred Sixty Thousand Five Hundred Forty-one Dollars (\$1,360,541.00) shall be paid no later than January 10, 2024. All funds appropriated from Section 4(a) for the Mississippi School of the Arts shall be paid to the school each month within ten (10) working days after such amount was received by the Department of Education. It is the intention of the Legislature that the State Board of Education shall not reduce the appropriated amounts provided in this act for the Mississippi School of the Arts and the Mississippi School for Mathematics and Science.

SECTION 39. Of the funds appropriated in Section 1(b) and Section 2(b), Five Hundred Thousand Dollars (\$500,000.00) is provided for career and technical grants to schools for qualified students as authorized by Section 37-153-15, Mississippi Code of 1972.

SECTION 40. Of the funds appropriated in this act, the following amounts shall be available to the Schools for the Blind and Deaf: Ten Million Four Hundred Thirty-nine Thousand Three Hundred Fifty-four Dollars (\$10,439,354.00) from Section 1(a), One Million Four Hundred Seven Thousand Thirty-seven Dollars (\$1,407,037.00) from Section 4(a), and Two Million Three Hundred Nine Thousand Seven Hundred Twenty-five Dollars (\$2,309,725.00) from Section 2(a).

SECTION 41. Of the funds appropriated in this act, an amount not to exceed Four Million One Hundred Seventy-one Thousand Three Hundred One Dollars (\$4,171,301.00) is authorized to fully fund the contract between the Department of Education and the Research & Curriculum Unit at Mississippi State University to fund career and technical curricula, services to secondary schools and career and technical assessments.

SECTION 42. Of the funds appropriated in Section 2 (a) to the State Board of Education, Twenty Million Dollars (\$20,000,000.00) is provided for the expenditure of funds from the Educational Facilities Revolving Loan Fund, which was created in Section 37-47-24, Mississippi Code of 1972. These funds are provided for the purpose of improving educational facilities in the State of Mississippi by assisting public schools in procuring funds for making certain capital improvements.

SECTION 43. Of the funds appropriated in Section 1 (b) to the State Board of Education, Five Hundred Sixty-two Thousand Nine Hundred Ninety-nine Dollars (\$562,999.00) is provided for secondary career and technical education instructors teaching at post-secondary institutions.

SECTION 44. Of the funds appropriated in Section 1 (a), an amount not to exceed Two Hundred Forty Million Three Hundred Ninety-seven Thousand Nine Hundred Sixty Dollars (\$240,397,960.00) shall be allocated for the purpose of providing

funds to each public school district in the state as prescribed in the Minimum Salary Schedules in Section 37-19-7 and 37-21-7, Mississippi Code of 1972, for the 2023-2024 school year, and each school year thereafter.

SECTION 45. Of the funds herein appropriated, One Million Four Hundred Thousand Dollars (\$1,400,000.00) shall be provided to the Charter School Authorizer Board. Of this amount, Nine Hundred Thousand Dollars (\$900,000.00) shall be provided from Section 1 (a) and Five Hundred Thousand Dollars (\$500,000.00) shall be provided from Section 2 (a) from the Charter School Authorizer Board Fund – Fund No. 3001700000.

SECTION 46. Of the funds appropriated in Section 1 (b), One Million Four Hundred Thirty-two Thousand Eight Hundred Seventy-two Dollars (\$1,432,872.00) shall be provided for new Career and Technical Education Programs as determined by the Division of Vocational and Technical Education at the Mississippi Department of Education. Of the funds appropriated to the department for these programs, no amount shall be expended by the department to defray administrative costs.

SECTION 47. Of the funds appropriated in Section 1 (a), One Hundred Million Dollars (\$100,000,000.00) is provided to the State Department of Education to distribute to public school districts and charter schools based on average daily enrollment or the total number of students enrolled for each day in each public school district or charter school divided by the total number of school days. These funds may be spent on any expenditures necessary to operate a public school district or charter school excluding salary increases for superintendents, assistant superintendents, or principals.

SECTION 48. The Mississippi Department of Education shall provide an annual report detailing the funding of industry certifications and the anticipated industry certifications that will be achieved in the upcoming fiscal year to the Legislative Budget Office and the Legislature no later than January 15, 2024.

SECTION 49. The following sum, or so much thereof as may be necessary, is reappropriated out of any money in the Education Enhancement Fund not otherwise appropriated for the Department of Education for the purpose of reauthorizing the expenditure of Education Enhancement Fund, as authorized in House Bill 1600, 2022 Regular Session to provide upgrades for the Mississippi Student Information System for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 3,200,000.00.

Notwithstanding the amount reappropriated under this section, the amount that may be expended under the authority of this section shall not exceed the unexpended balance of the funds remaining as of June 30, 2023, from the amount authorized for the previous fiscal year. In addition, this reappropriation shall not change the purpose for which the funds were originally authorized.

SECTION 50. With the funds appropriated herein, the Mississippi Department of Education is authorized to make payment for expenses incurred during Fiscal Year 2019 to Canon Solutions America in an amount not to exceed Thirty-five Thousand Eight Hundred Forty-eight Dollars (\$35,848.00).

SECTION 51. It is the intent of the Legislature that each eligible professional school counselor employee who meets the year of teaching experience requirements under Section 37-151-5(m), Mississippi Code of 1972, shall be considered having a year of experience for purposes of the annual experience salary increment.

SECTION 52. The money appropriated in this act shall be paid by the State Treasurer out of any money in the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers in the manner provided by law.

SECTION 53. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2024.

CONFEREES FOR THE HOUSE

John Read  
Richard Bennett  
Casey Eure

CONFEREES FOR THE SENATE

W. Briggs Hopson III  
Dennis DeBar, Jr.  
Tyler McCaughn

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 1613** (version 3) was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

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Senator Polk moved that the Senate stand in recess until 7:30 PM.

The motion prevailed, and at 4:43 PM, the Senate stood in recess.

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The Senate resumed business at 7:30 PM, pursuant to recess, with President Hosemann presiding.

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Senator Polk moved that the Senate stand in recess until 8:30 PM.

The motion prevailed, and at 7:32 PM, the Senate stood in recess.

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The Senate resumed business at 8:30 PM, pursuant to recess, with President Hosemann presiding.

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Senator Hopson moved that the rules be suspended to move to calendar item 10, **S. B. No. 2961**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2961** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2961: Appropriations; additional for various state agencies for FY2023 and FY2024.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the credit of the Supreme Court – Trial Judges, for the period beginning upon passage of this act, and ending June 30, 2024 ..... \$ 1,480,872.00.

These funds are provided for the purpose of funding additional special temporary courts that supplement those authorized under Section 9-7-25, Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 2. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the credit of the Office of the State Public Defender, for the period beginning upon passage of this act, and ending June 30, 2024 ..... \$ 638,170.00.

These funds are provided for the purpose of funding additional salaries and office expenses for public defenders assigned to special temporary courts that supplement those authorized under Section 9-7-25, Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 3. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the credit of the District Attorneys and Staff, for the period beginning upon passage of this act, and ending June 30, 2024 ..... \$ 880,958.00.

These funds are provided for the purpose of funding additional salaries and office expenses of temporary legal assistants and support personnel as authorized by Section 25-31-5(2)(g), Mississippi Code of 1972, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 4. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the credit of the Mississippi National Guard, for the period beginning upon passage of this act, and ending June 30, 2024 ..... \$ 5,000,000.00

These funds are provided for the purpose of funding additional expenses related to the purchase and installation of chillers and large HVAC units at Mississippi National Guard buildings, including Camp Shelby, necessary to respond to the effects of the COVID-19 pandemic as allowable under Section 9901 of the American Rescue Plan Act of 2021 (ARPA) or any guidance or regulation issued by the United States Department of the Treasury in conformity therewith.

SECTION 5. In addition to all other sums appropriated herein, the following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the Disaster Trust Fund not otherwise appropriated, to the credit of the Mississippi Emergency Management Agency for the purposes of defraying expenses related to the severe weather event on March 24 and 25, 2023, for the period beginning upon passage of this act, and ending June 30, 2024 ..... \$ 7,000,000.00.

These funds are provided for the purpose of funding additional expenses of the agency related to the severe weather event on March 24 and 25, 2023.

SECTION 6. In addition to all other sums appropriated herein, the following sum or so much thereof as may be necessary, is appropriated out of any money to the credit of the Disaster Trust Fund not otherwise appropriated, to the credit of the Mississippi Emergency Management Agency for the purpose of providing funds to the School Districts impacted by the severe weather storm on March 24 and 25, 2023, for the payment of insurance deductibles, the purchase of school buses, vehicles, equipment and defraying

other expenses necessary for immediate recovery needs for the period beginning upon passage of this act and ending June 30, 2024 ..... \$ 3,000,000.00.

SECTION 7. In addition to all other sums appropriated herein, the following sum, or so much of it as may be necessary, is appropriated out of any money in the State Treasury to the credit of the March 2023 Storm Housing Mission Fund created in House Bill No. 603, 2023 Regular Session, not otherwise appropriated, to the credit of the Mississippi Emergency Management Agency for the purpose of providing the state match for the Federal Emergency Management Agency's temporary housing mission for the individuals impacted by the severe weather event on March 24 and 25, 2023, for the period beginning upon passage of this act, and ending June 30, 2024 .... \$ 7,000,000.00.

These funds are provided for the purpose of funding additional expensed related to providing the state match for the Federal Emergency Management Agency's temporary housing mission for the individuals impacted by the severe weather event on March 24 and 25, 2023.

SECTION 8. In addition to all other sums appropriated herein, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, and allocated in a manner as determined by the Treasurer's Office, to defray the expenses of the Mississippi Postsecondary Education Financial Assistance Board for the period beginning July 1, 2023, and ending June 30, 2024

\$ 9,823,000.00.

This additional appropriation is contingent upon the passage of Senate Bill No. 2487, 2023 Regular Session, and is for the purpose of providing funds for the Mississippi Dual Enrollment/Dual Credit Scholarship Program Act of 2023, as established by such bill.

SECTION 9. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Department of Agriculture and Commerce not otherwise appropriated, for the purpose of payments to the Department of Public Safety for security costs, for the period beginning upon passage of this act, and ending June 30, 2024 ..... \$ 1,000,000.00.

SECTION 10. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the credit of the Supreme Court – Trial Judges for expenses related to the implementation of and contingent upon the passage of House Bill No. 1020, 2023 Regular Session, for the period beginning upon the passage of this act, and ending June 30, 2024 ..... \$ 1,299,160.00.

SECTION 11. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the credit of the Supreme Court - Administrative Office of Courts for expenses related to the implementation of and contingent upon the passage of House Bill No. 1020, 2023 Regular Session, for the fiscal period beginning upon the passage of this act, and ending June 30, 2024 .....

\$ 389,665.00.

SECTION 12. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the credit of the District Attorneys and Staff for the implementation of and contingent upon the passage of House Bill No. 1020, 2023 Regular Session, for the period beginning upon the passage of this act, and ending June 30, 2024 ..... \$ 371,679.00

SECTION 13. In addition to all other funds appropriated herein, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to the credit of the Office of the State Public Defender for expenses related to the implementation of and contingent upon the passage of House Bill No. 1020, 2023 Regular Session, for the period beginning upon passage of this act, and ending June 30, 2024..... \$ 446,521.00.

SECTION 14. (1) None of the funds provided under this section shall be used to pay employee premium payments.

(2) The agencies listed in Sections 1 through 4 of this act shall not disburse any funds provided under this section to any recipient without first: (a) making an individualized determination that the reimbursement sought is, in the agency's independent judgment, for necessary expenditures eligible under Section 602 of the federal Social Security Act as added by Section 9901 of the federal American Rescue Plan Act of 2021 (ARPA) and its implementing guidelines, guidance, rules, regulations and/or other criteria, as may be amended or supplemented from time to time, by the United States Department of the Treasury; and (b) determining that the recipient has not received and will not receive reimbursement for the expense in question from any source of funds, including insurance proceeds, other than those funds provided under Section 602 of the federal Social Security Act as added by Section 9901 of ARPA. In addition, the agency shall ensure that all funds provided under this section are disbursed in compliance with the Single Audit Act (31 USC Sections 7501-7507) and the related provisions of the Uniform Guidance, 2 CFR Section 200.303 regarding internal controls, Sections 200.330 through 200.332 regarding sub-recipient monitoring and management, and subpart F regarding audit requirements.

(3) As a condition of receiving and expending the funds provided to the agency under this section, the agency shall certify to the Department of Finance and Administration that each expenditure of the funds provided to the agency under this section complies with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA.

(4) If the Office of Inspector General of the United States Department of the Treasury, or the Office of Inspector General of any other federal agency having oversight over the use of monies from the Coronavirus State Fiscal Recovery Fund established by ARPA (a) determines that the agency or recipient has expended or otherwise used any of the funds provided to the agency under this section for any purpose that is not in compliance with the guidelines, guidance, rules, regulations and/or other criteria, as may be amended from time to time, of the United States Department of the Treasury regarding the use of monies from the Coronavirus State Fiscal Recovery Fund established by the ARPA, and (b) the State of Mississippi is required to repay the federal government for any of those funds that the Office of the Inspector General determined were expended or otherwise used improperly by the agency or recipient, then the agency or recipient that expended or otherwise used those funds improperly shall be required to pay the amount of those funds to the State of Mississippi for repayment to the federal government.

SECTION 15. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 16. This act shall take effect and be in force from and after its passage, with the exception of Section 8 of this act, which shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO MAKE AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE SUPREME COURT, OFFICE OF THE STATE PUBLIC DEFENDER, DISTRICT ATTORNEYS AND STAFF, MISSISSIPPI NATIONAL GUARD, MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID AND THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE; TO PROVIDE THE PURPOSES OF THE APPROPRIATIONS; TO PROVIDE THE STATE MATCH FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S TEMPORARY HOUSING MISSION FOR THE INDIVIDUALS IMPACTED BY THE SEVERE WEATHER EVENT ON MARCH 24 AND 25, 2023; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

Kevin Blackwell

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2961** (version 3) was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.

Not Voting--DeBar. Total--1.

Senator Hopson moved that the rules be suspended to move to calendar item 20, **S. B. No. 2454**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 2454** (version 2) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 2454: Budget; bring forward code sections related to and provide for transfers.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.
2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Upon the effective date of this act, the State Fiscal Officer shall transfer the amounts listed below from the Capital Expense Fund (Fund No. 6499C00000) to each of the following named funds:

FUND	FUND NUMBER	AMOUNT
2022 Capacity Project		
Fund	6619420000	\$ 450,000,000.00
2022 Emergency Road and		
Bridge Fund	6619440000	\$ 100,000,000.00
2022 Infrastructure		

Match Fund	6619430000	\$ 40,000,000.00
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## Mississippi Historic Site

Preservation Fund	3348400000	\$ 2,000,000.00
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## Mississippi Community

Heritage Pres Grant

Fund	3347600000	\$ 5,000,000.00
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## Forestry Facility Grant

Program created in

this act		\$ 5,000,000.00
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TOTAL		\$ 602,000,000.00
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SECTION 2. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Ten Million Dollars (\$10,000,000.00) from the General Fund (Fund No. 2999000000) to the Disaster Trust Fund (Fund No. 3372500000).

SECTION 3. During fiscal year 2024, the State Fiscal Officer shall transfer the sum of Fifteen Million Dollars (\$15,000,000.00) from the General Fund (Fund No. 2999000000) to the Mississippi Outdoor Stewardship Trust Fund (Fund No. 3316200000).

SECTION 4. During fiscal year 2024, the State Fiscal Officer shall transfer the sum of Two Million Five Hundred Thousand Dollars (\$2,500,000.00) from the General Fund (Fund No. 2999000000) to the Human Trafficking Fund (Fund No. 3307800000).

SECTION 5. During the fiscal year 2024, the State Fiscal Officer shall transfer the sum of Thirty Million Dollars (\$30,000,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the Strategic Multi-Modal Investments Fund created in Senate Bill No. 2559, 2023 Regular Session.

SECTION 6. During fiscal year 2024, the State Fiscal Officer shall transfer the sum of Three Hundred Thousand Dollars (\$300,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the Derelict Vessel Fund created in Section 49-27-71, Mississippi Code of 1972, to be used for the purposes of removal of Derelict Vessels provided in Section 49-27-71, Mississippi Code of 1972.

SECTION 7. Section 65-1-141.1, Mississippi Code of 1972, is amended as follows:

65-1-141.1. There is created in the State Treasury a special fund to be designated as the "2022 Maintenance Project Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended



amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation, upon appropriation by the Legislature, to provide for maintenance projects \* \* \* included in the Pavement Program of the Three-Year Plan as adopted by, amended by, or reissued by the Mississippi Transportation Commission \* \* \* under the authority of Section 65-1-141.

SECTION 8. Section 65-1-141.2, Mississippi Code of 1972, is amended as follows:

65-1-141.2. There is created in the State Treasury a special fund to be designated as the "2022 Capacity Project Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the Department of Transportation, upon appropriation by the Legislature, to provide for capacity projects \* \* \* included in the Capacity Program of the Three-Year Plan as adopted by, amended by, or reissued by the Mississippi Transportation Commission \* \* \* under the authority of Section 65-1-141.

SECTION 9. Section 2 of Senate Bill No. 2525, 2023 Regular Session, is hereby amended as follows:

Section 2. (1) For the purposes of this section:

(a) "Under public control" means held or controlled by the public, or held by a public option.

(b) "Growth-to-drain" means a one and five (1.5) growth to one (1) drain ratio of trees within a fifty-mile radius of the facility, which can be verified by the Mississippi Forestry Commission.

(c) "Eligible recipients" shall mean a forestry facility project that satisfies the criteria as outlined in this section, and has applied for grant funding to install utility, infrastructure and transportation projects only. A recipient will be found to be ineligible for a grant, if their project seeks to use grant funding for construction of their facility or project.

(d) "The committee" means a committee consisting of the Executive Director of the Mississippi Development Authority, Chief of Economic Development, the MDA Forest Products expert, an appointee from the Governor's office and an appointee from the Lieutenant Governor's office, that is tasked with approving grant recipients in accordance with this section.

(2) Eligible applicants include municipalities, county governments, existing forestry product facilities and regional economic development entities. To apply, applicants must submit their proposals to the Mississippi Development Authority (MDA). The MDA shall accept applications from eligible recipients, prioritize these applications and submit suggested recipients to the committee by no later than December 1. Beginning July 1, 2024, and each year thereafter, the committee shall review the submitted list and choose to award grants to the eligible recipients through the Mississippi Development Authority. The MDA will consider and prioritize projects in relation to the following criteria:

(a) The project has a minimum investment of Ten Million Dollars (\$10,000,000.00);

(b) The project site utilizes at least fifty (50) acres of land under public control;

(c) Applicant proposes to use funds for the purpose of utility, infrastructure and/or transportation development;

(d) The project produces a high level of public benefit;

(e) The project demonstrates best practices and complies with the required growth-to-drain ratio;

(f) The project will comply with and expand upon existing infrastructure in the community;

(g) The distribution of geographic size and location of the project; and

(h) The applicant can demonstrate the ability of the proposed project to be completed on time.

(3) The Mississippi Development Authority shall provide grant funds to the forestry facility projects as approved by the committee upon completion of the project. Award amounts shall not exceed seventy-five percent (75%) of the total infrastructure project cost. Grantees shall not receive compensation for expenses related to the construction of their project.

(4) Eligible costs of grant funds include the acquisition of land and any improvements thereon, the installation of power lines, gas lines, water systems, sewage systems, roads, railroads and other infrastructure-related projects that are necessary for project completion and/or expansion, and complying with existing community needs and infrastructure.

(5) Grants may be awarded for both existing projects and development of prospective sites. In the latter case, the project shall be made to help establish or complete a forestry products project.

(6) Public grantees must adhere to Mississippi state procedures and guidelines as it relates to the implementation and financing of the approved project. Grantees must also submit any and all audit financial statements as required by the State of Mississippi.

(7) There is created in the State Treasury a special fund to be known as the "Forestry Facility Grant Program Fund," \* \* \* which \* \* \* may be established with a sum of up to Ten Million Dollars (\$10,000,000.00). Awards authorized under the Forestry Facility Grant Program shall be disbursed by the Mississippi Development Authority. The fund shall consist of monies appropriated by the Legislature and funds received as grants, endowments or gifts from the federal government, its agencies and instrumentalities and funds from any other available sources, public or private. Any unexpended monies remaining in the fund, including interest thereon, at the end of each fiscal year, shall not lapse to the State General Fund, but shall remain in the fund.

(8) The Director of the Mississippi Development Authority shall establish, administer, manage, and make expenditures and allocations of grant funds and shall establish guidelines for applications, evaluations and awards of grant funds. The MDA shall utilize no more than two percent (2%) of funds awarded to the program for administrative expenses.

(9) To carry out this act, the Mississippi Development Authority may enter into cooperative agreements with entities in the public and private sectors, including:

(a) Primary forestry product mills and residual forest products facilities;

(b) Companies in a recognized forestry-related industry;

(c) State and local agencies; and

(d) Nonprofit organizations for economic development.

(10) The Mississippi Development Authority may require that recipients seek and secure technical assistance from the Mississippi Forestry Commission. The Mississippi Forestry Commission will provide administrative support to local forestry project grantees to ensure proper growth-to-drain criteria as defined herein.

.....SECTION 10. Section 1, Chapter 43, Laws of 2022, is amended as follows:

Section 1. The following sum, or so much of it as may be necessary, is appropriated out of any money in the Coronavirus State Fiscal Recovery Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing funds to destination marketing organizations to assist in paying costs of certain marketing activities, \* \* \* and providing funds to Mississippi Main Street Association, as provided in House Bill No. 453, 2022 Regular Session, for the fiscal year beginning July 1, 2022, and ending June 30, 2023 .....

\$ \* \* \* 35,000,000.00.

SECTION 11. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS FROM THE CAPITAL EXPENSE FUND UPON THE EFFECTIVE DATE OF THIS ACT; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS FROM THE GENERAL FUND UPON THE EFFECTIVE DATE OF THIS ACT AND DURING FISCAL YEAR 2024; TO DIRECT THE STATE FISCAL OFFICER TO MAKE A TRANSFER FROM THE CAPITAL EXPENSE FUND UPON THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 65-1-141.1, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE REVISION TO THE PURPOSES UNDER WHICH MONIES SHALL BE SPENT FROM THE 2022 MAINTENANCE PROJECT FUND; TO AMEND SECTION 65-1-141.2, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE REVISION TO THE PURPOSES UNDER WHICH MONIES SHALL BE SPENT FROM THE 2022 CAPACITY PROJECT FUND; TO AMEND SECTION 2, SENATE BILL NO. 2525, 2023 REGULAR SESSION, TO MAKE CERTAIN REVISIONS TO THE FUNDING MECHANISM OF THE FORESTRY FACILITY GRANT PROGRAM FUND; TO AMEND SECTION 1, CHAPTER 43, LAWS OF 2022, TO REDUCE THE AMOUNT OF ARPA FUNDS APPROPRIATED TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2023; TO PROVIDE FUNDS TO DESTINATION MARKETING ORGANIZATIONS FOR COSTS OF CERTAIN MARKETING ACTIVITIES, PROVIDING ASSISTANCE TO NONPROFIT MUSEUMS, AND PROVIDING FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION; AND FOR RELATED PURPOSES.

CONFEREES FOR THE SENATE

W. Briggs Hopson III

John A. Polk

Dennis DeBar, Jr.

CONFEREES FOR THE HOUSE

John Read

Karl Oliver

Angela Cockerham

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 2454** (version 2) was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--49.

Nays--None.

Absent and those not voting--Barnett, Parks. Total--2.  
Voting Present--Moran. Total--1.

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On request of Senator Harkins, unanimous consent was granted to make the following correction in **H. B. No. 1136**:

Unanimous consent of the House and Senate is requested to make the following changes to House Bill No. 1136:

Strike the word "This" in Section 24 of the bill and insert in lieu thereof:

"Sections 1 and 2 of this act shall take effect and be in force from and after its passage and remainder of this"

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 266:** AN ACT TO NAME THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY HEADQUARTERS' OFFICE, LOCATED IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "DAVID R. HUGGINS HEADQUARTERS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY"; TO NAME THE MISSISSIPPI STATE CRIME LABORATORY IN PEARL, RANKIN COUNTY, MISSISSIPPI, THE "TOM WEATHERSBY STATE CRIME LABORATORY"; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION IN CONJUNCTION WITH THE DEPARTMENT OF PUBLIC SAFETY TO ERECT THE PROPER LETTERING OR SIGNAGE ON THE OUTDOOR FACADE OF THE BUILDINGS DISPLAYING THE OFFICIAL NAMES AS THE "DAVID R. HUGGINS HEADQUARTERS OF THE MISSISSIPPI DEPARTMENT OF PUBLIC SAFETY" AND THE "TOM WEATHERSBY STATE CRIME LABORATORY"; AND FOR RELATED PURPOSES.

**H. B. No. 770:** AN ACT TO AMEND SECTION 57-56-1, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI OFFICE OF SPACE AND TECHNOLOGY AND DIRECT THE MISSISSIPPI DEVELOPMENT AUTHORITY TO ADMINISTER AND STAFF SUCH OFFICE; AND FOR RELATED PURPOSES.

**H. B. No. 799:** AN ACT TO AMEND SECTION 47-5-158, MISSISSIPPI CODE OF 1972, TO AUTHORIZE FUNDS IN THE INMATE WELFARE FUND BE USED TO ASSIST PAROLE ELIGIBLE INMATES DIAGNOSED WITH MENTAL ILLNESS SO THAT THE INMATES MAY RECEIVE CERTAIN TREATMENT; TO AMEND SECTION 47-5-933, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$31.00 TO \$32.71 THE AMOUNT THE DEPARTMENT OF CORRECTIONS PAYS PER DAY FOR EACH STATE OFFENDER WHO IS HOUSED IN A REGIONAL CORRECTIONAL FACILITY; AND FOR RELATED PURPOSES.

**H. B. No. 1111:** AN ACT TO AMEND SECTION 93-15-105, MISSISSIPPI CODE OF 1972, TO AUTHORIZE YOUTH COURT, IN ABUSE OR NEGLECT PROCEEDINGS, TO HAVE ORIGINAL, EXCLUSIVE JURISDICTION OF BOTH VOLUNTARY AND INVOLUNTARY TERMINATION OF PARENTAL RIGHTS ACTIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1605:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF INSURANCE FOR THE FISCAL YEAR 2024.

**H. B. No. 1608:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE

EXPENSES OF THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD FOR FISCAL YEAR 2024.

**H. B. No. 1624:** AN ACT MAKING AN APPROPRIATION TO THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID FOR THE PURPOSE OF PROVIDING MEDICAL ASSISTANCE UNDER THE MISSISSIPPI MEDICAID LAW AND DEFRAYING THE EXPENSES OF THE ADMINISTRATION OF THAT LAW FOR THE FISCAL YEAR 2024.

**H. B. No. 1671:** AN ACT TO AMEND SECTION 27-7-22.43, MISSISSIPPI CODE OF 1972, WHICH PROVIDES AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR CONTRIBUTIONS MADE BY CERTAIN TAXPAYERS TO CERTAIN ELIGIBLE CHARITABLE ORGANIZATIONS UNDER THE PREGNANCY RESOURCE ACT, TO REVISE THE DEFINITION OF THE TERM "ELIGIBLE CHARITABLE ORGANIZATION"; TO REVISE CERTAIN PROVISIONS REGARDING THE AMOUNT OF CREDIT THAT MAY BE UTILIZED BY A TAXPAYER DURING A TAXABLE YEAR AND TO INCREASE THE AMOUNT OF CREDITS THAT MAY BE ALLOCATED BY THE DEPARTMENT OF REVENUE UNDER THIS SECTION; TO REVISE THE TAXPAYERS ELIGIBLE FOR AN AD VALOREM TAX CREDIT FOR SUCH CONTRIBUTIONS; TO AMEND SECTION 27-7-22.39, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES INCOME TAX CREDITS FOR VOLUNTARY CASH CONTRIBUTIONS TO QUALIFYING CHARITABLE ORGANIZATIONS AND QUALIFYING FOSTER CARE CHARITABLE ORGANIZATIONS, TO REVISE THE AMOUNT OF CREDIT THAT A TAXPAYER IS ALLOWED TO CLAIM FOR SUCH A VOLUNTARY CASH CONTRIBUTION; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY TAXPAYERS TO ELIGIBLE TRANSITIONAL HOME ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE TRANSITIONAL HOME ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR A TAX CREDIT AUTHORIZED BY THIS ACT; TO AUTHORIZE AN INCOME TAX CREDIT, INSURANCE PREMIUM TAX CREDIT AND AD VALOREM TAX CREDIT FOR VOLUNTARY CASH CONTRIBUTIONS BY TAXPAYERS TO ELIGIBLE CHARITABLE ORGANIZATIONS; TO LIMIT THE AMOUNT OF THE TAX CREDIT; TO PROVIDE THAT UNUSED PORTIONS OF A TAX CREDIT MAY BE CARRIED FORWARD FOR FIVE CONSECUTIVE YEARS FROM THE CLOSE OF THE TAX YEAR IN WHICH THE CREDIT WAS EARNED; TO PROVIDE THE CRITERIA THAT AN ELIGIBLE CHARITABLE ORGANIZATION MUST MEET IN ORDER FOR A CONTRIBUTION TO THE ORGANIZATION TO QUALIFY FOR A TAX CREDIT AUTHORIZED BY THIS ACT; TO AUTHORIZE AN INCOME TAX CREDIT FOR CERTAIN TAXPAYERS CLAIMING A FEDERAL INCOME TAX CREDIT FOR CERTAIN DEPENDENT CARE EXPENSES; TO PROVIDE THE AMOUNT OF THE CREDIT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 271:** AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE MISSISSIPPI HOSPITAL SUSTAINABILITY GRANT PROGRAM ESTABLISHED UNDER SENATE BILL NO. 2372, 2023 REGULAR SESSION, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

**H. B. No. 485:** AN ACT TO PROVIDE A PROCESS TO COLLECT AND PRESERVE SEXUAL ASSAULT EVIDENCE COLLECTION KITS; TO REQUIRE THE

LAW ENFORCEMENT AGENCY TO IMMEDIATELY COLLECT AND STORE THE KIT IN COMPLIANCE WITH CERTAIN STANDARDS; TO REQUIRE THE LAW ENFORCEMENT AGENCY TO SEND THE KIT TO THE MISSISSIPPI FORENSICS LABORATORY WITHIN A CERTAIN NUMBER OF DAYS; TO REQUIRE THE FORENSICS LABORATORY TO PROCESS THE KIT AND ENTER CERTAIN DNA INFORMATION INTO THE APPROPRIATE FEDERAL, STATE AND LOCAL DATABASES; TO PROVIDE ADDITIONAL RIGHTS FOR SEXUAL ASSAULT VICTIMS; TO CREATE THE SEXUAL ASSAULT EVIDENCE ACCOUNTABILITY TASK FORCE TO CONDUCT A STUDY AND ISSUE A REPORT THAT EXAMINES THE RESOURCES REQUIRED TO IMPLEMENT A RAPE KIT TRACKING SYSTEM; TO AMEND SECTION 99-49-1, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "PROFILE"; TO CONFORM; AND FOR RELATED PURPOSES.

**H. B. No. 588:** AN ACT TO AMEND SECTION 71-5-353, MISSISSIPPI CODE OF 1972, TO CREATE THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT FUND IN THE STATE TREASURY WHICH SHALL CONSIST OF FUNDS COLLECTED FROM THE OFFICE OF WORKFORCE DEVELOPMENT CONTRIBUTIONS AND ANY OTHER MONIES THAT MAY BE APPROPRIATED TO IT FROM THE LEGISLATURE; TO PROVIDE THAT THE STATE WORKFORCE INVESTMENT BOARD CONTRIBUTIONS THAT WERE BEING DEPOSITED INTO THE STATE WORKFORCE INVESTMENT BOARD BANK ACCOUNT SHALL NOW BE CONTRIBUTIONS FOR THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT AND DEPOSITED INTO THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT FUND; TO PROVIDE THAT ADMINISTRATIVE FEES COLLECTED FOR THE TRAINING PROVIDED USING THE MISSISSIPPI WORKFORCE ENHANCEMENT TRAINING AND MISSISSIPPI WORKS FUNDS MAY NOT BE MORE THAN FIVE PERCENT; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY SHALL BE THE FISCAL AGENT FOR ALL FUNDS APPROPRIATED TO IT FOR USE BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO CREATE A NEW SECTION THAT ESTABLISHES THE MISSISSIPPI K-12 WORKFORCE DEVELOPMENT GRANT PROGRAM; TO PROVIDE THAT THE PURPOSE FOR THE GRANT PROGRAM SHALL BE FOR CONSTRUCTING, REMODELING, PURCHASING OR UPGRADING EQUIPMENT OR OTHERWISE PROVIDING SUPPORT TO CAREER TECHNICAL CENTERS AT THE K-12 EDUCATION LEVEL; TO PROVIDE HOW A SCHOOL MAY APPLY FOR A GRANT; TO PROVIDE THAT MAXIMUM AMOUNT OF FUNDS THAT MAY BE USED FOR ADMINISTERING THE PROGRAM; TO PROVIDE THE REPORTING REQUIREMENTS OF THE PROGRAM; TO AMEND SECTION 37-153-7, MISSISSIPPI CODE OF 1972, TO REVISE THE REPORTING REQUIREMENTS OF THE OFFICE OF WORKFORCE DEVELOPMENT; TO PROVIDE SPECIFIC POWERS AND DUTIES FOR THE OFFICE OF WORKFORCE DEVELOPMENT; TO PROVIDE TIME-LIMITED EXEMPTIONS FROM THE MISSISSIPPI PUBLIC RECORDS ACT FOR CERTAIN RECORDS AND CONFIDENTIAL CLIENT INFORMATION FROM THE MISSISSIPPI DEVELOPMENT AUTHORITY OR LOCAL ECONOMIC DEVELOPMENT ENTITIES HELD BY THE OFFICE OF WORKFORCE DEVELOPMENT; TO AMEND SECTIONS 71-5-355 AND 71-5-453, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 249, HOUSE BILL NO. 540 AND SENATE BILL NO. 2810, 2023 REGULAR SESSION, TO CONFORM TO THE PROVISIONS OF THIS ACT; TO AMEND SECTION 25-61-5, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**H. B. No. 698:** AN ACT TO AMEND SECTIONS 21-27-7 AND 21-27-189, MISSISSIPPI CODE OF 1972, TO ENSURE JUST, REASONABLE AND TRANSPARENT BILLING FOR MUNICIPAL WATER, WASTEWATER, AND SEWER SERVICES; AND FOR RELATED PURPOSES.

**H. B. No. 704:** AN ACT TO PROVIDE FOR THE REBATE OF A PORTION OF INVESTMENT AND EXPENDITURES MADE BY COMPANIES ENGAGED IN THE PRODUCTION OF NATIONALLY DISTRIBUTED CONNECTED SETS OF TELEVISION PROGRAM EPISODES, CONSISTING OF NOT LESS THAN TWO EPISODES MADE IN MISSISSIPPI, IN WHOLE OR IN PART, FOR VIEWING THROUGH TRADITIONAL TELEVISION THAT IS BROADCAST VIA CABLE, SATELLITE OR OVER-THE-AIR

AERIAL ANTENNA SYSTEMS; THROUGH THE DIGITAL DISTRIBUTION OF TELEVISION CONTENT AS STREAMING MEDIA OVER THE INTERNET THROUGH STREAMING PLATFORMS, WHICH MAY BE VIEWED ON DIGITAL DEVICES, SUCH AS A PERSONAL COMPUTER OR HANDHELD DEVICE; OR THROUGH DVD RELEASE; TO PROVIDE FOR THE AMOUNT OF THE REBATES AUTHORIZED IN THIS ACT; TO DEFINE CERTAIN TERMS; TO AMEND SECTION 57-89-7, MISSISSIPPI CODE OF 1972, WHICH IS A SECTION OF THE MISSISSIPPI MOTION PICTURE INCENTIVE ACT, TO CONFORM TO THE PROVISIONS OF THIS ACT; AND FOR RELATED PURPOSES.

**H. B. No. 795:** AN ACT TO AMEND SECTION 97-23-93, MISSISSIPPI CODE OF 1972, TO REVISE HOW THE FINES FOR THE CRIME OF SHOPLIFTING ARE CALCULATED; TO REQUIRE THAT FINES BE BASED ON TOTAL PRICE OF ALL SHOPLIFTED ITEMS; AND FOR RELATED PURPOSES.

**H. B. No. 1615:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE MISSISSIPPI LIBRARY COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1616:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF ENVIRONMENTAL QUALITY; AND FOR RELATED PURPOSES, FOR THE FISCAL YEAR 2024.

**H. B. No. 1617:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF WILDLIFE, FISHERIES AND PARKS FOR THE FISCAL YEAR 2024.

**H. B. No. 1618:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE GRAND GULF MILITARY MONUMENT COMMISSION FOR THE FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:

**H. B. No. 1640:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE SUPREME COURT WHICH IS COMPRISED OF THE SUPREME COURT, THE OFFICE OF THE SUPREME COURT CLERK AND THE STATE LAW LIBRARY AND TO PAY EXPENSES OF SPECIAL JUDGES, CHANCELLORS AND CIRCUIT JUDGES, AND FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE ADMINISTRATIVE OFFICE OF COURTS AND CERTIFIED COURT REPORTERS, CONTINUING LEGAL EDUCATION, COURT OF APPEALS AND THE BOARD OF BAR ADMISSIONS, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. C. R. No. 57:** A CONCURRENT RESOLUTION RECOGNIZING AND COMMENDING THE MULTITUDE OF CAREER SUCCESSES AND RENOWNED AWARDS BESTOWED UPON DR. DAPHINE G. HILL.

**H. C. R. No. 58:** A CONCURRENT RESOLUTION COMMENDING DR. KENT HOBLET FOR HIS MANY YEARS OF DEDICATED SERVICE AS DEAN OF THE COLLEGE OF VETERINARY MEDICINE AT MISSISSIPPI STATE UNIVERSITY AND

CONGRATULATING HIM UPON LEAVING A LEGACY OF EXCELLENCE AT THE UNIVERSITY.

**H. C. R. No. 63:** A CONCURRENT RESOLUTION COMMENDING THE ESTEEMED, LAUDABLE AND PIONEERING LEGISLATIVE CAREER AND PUBLIC SERVICE OF THE MOST HONORABLE AND DISTINGUISHED LADY FROM HINDS, REPRESENTATIVE ALYCE GRIFFIN CLARKE UPON THE SPECIAL OCCASION OF HER RETIREMENT FROM THE MISSISSIPPI HOUSE OF REPRESENTATIVES.

Joseph Thomas, Chairman

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Senator Polk moved that the Senate stand in recess until 10:00 PM.

The motion prevailed, and at 9:09 PM, the Senate stood in recess.

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The Senate resumed business at 10:00 PM, pursuant to recess, with President Hosemann presiding.

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Senator Polk moved that the Senate stand in recess until 10:45 PM.

The motion prevailed, and at 10:12 PM, the Senate stood in recess.

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The Senate resumed business at 11:17 PM, pursuant to recess, with President Hosemann presiding.

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2297:** AN ACT TO AMEND SECTION 63-11-19, MISSISSIPPI CODE OF 1972, TO REQUIRE THE MISSISSIPPI FORENSICS LABORATORY TO APPROVE FOR USE AT LEAST ONE MODEL OF BREATH ALCOHOL CONTENT INSTRUMENT THAT IS READILY AVAILABLE TO LAW ENFORCEMENT AGENCIES THROUGHOUT THE STATE; TO AMEND SECTION 77-15-1, MISSISSIPPI CODE OF 1972, TO INCREASE FROM \$200.00 TO \$500.00 THE MONTHLY COMPENSATION OF THE BOARD OF DIRECTORS OF THE CHICKASAWHAY NATURAL GAS DISTRICT; TO INCREASE FROM \$250.00 TO \$550.00 THE MONTHLY COMPENSATION OF THE CHAIRPERSON OF THE BOARD OF DIRECTORS OF THE DISTRICT; AND FOR RELATED PURPOSES.

**S. B. No. 2346:** AN ACT TO REGULATE PORNOGRAPHIC MEDIA EXPOSURE TO CHILDREN; TO PROVIDE THE LEGISLATIVE INTENT; TO PROVIDE DEFINITIONS; TO REQUIRE COMMERCIAL ENTITIES THAT PROVIDE SUCH CONTENT TO HAVE AGE VERIFICATION SYSTEMS; TO PROVIDE LIABILITY FOR THOSE COMMERCIAL ENTITIES THAT DO NOT PROVIDE AN AGE VERIFICATION; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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Senator Hopson moved that the rules be suspended for the immediate consideration of **H. B. No. 1612**, and the motion prevailed.

On request of Senator Hopson, unanimous consent was granted to make the following correction in **H. B. No. 1612**:

**H. B. No. 1612:** Appropriation; Archives and History, Department of.



It is requested that unanimous consent be granted to make the following clerical corrections:

HB 1612: Appropriation; Archives and History, Department of

Amend line 185 by deleting the word "Gardens" after "Welty" and replacing it with "Library".

Senator Hopson moved that the rules be suspended to move to calendar item 11, **S. B. No. 3043**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **S. B. No. 3043** (version 3) and moved that the Report do be adopted:

REPORT OF CONFERENCE COMMITTEE

MR. PRESIDENT AND MR. SPEAKER:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

S. B. No. 3043: Appropriation; Finance and Administration, Department of.

We, therefore, respectfully submit the following report and recommendation:

1. That the House recede from its Amendment No. 1.

2. That the Senate and House adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, to defray the expenses of the Department of Finance and Administration for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 38,573,425.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Department of Finance and Administration for the purpose of defraying the expenses incurred in the operation of the various offices of the department for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 815,562,024.00.

SECTION 3. Of the funds appropriated under the provisions of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	341
Time-Limited:	1

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary

actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 4. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Tort Claims Trust Fund not otherwise appropriated, for the purpose of defraying the expenses of the Tort Claims Board in the administration of the Tort Claims Act for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....

\$ 6,552,495.00.

SECTION 5. Of the funds appropriated under the provisions of this act, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent:	8
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 6. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State General Fund not otherwise appropriated, for the purpose of defraying the expenses of the Mississippi Commission on the Status of Women for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 44,125.00.

SECTION 7. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Mississippi Commission on the Status of Women for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 3,135.00.

This appropriation is made for the purpose of providing funds to defray the expense of the Mississippi Commission on the Status of Women as established pursuant to Sections 43-59-1 through 43-59-14, Mississippi Code of 1972.

SECTION 8. Of the funds appropriated under the provisions of Sections 6 and 7 of this act, the following positions are authorized:

AUTHORIZED HEADCOUNT:

Permanent:	1
Time-Limited:	0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 9. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of State Property Insurance for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 13,865,258.00.

SECTION 10. Of the funds herein appropriated, it is the intention of the Legislature that two (2) of the allotted Full-Time Permanent Headcount in Section 3 of this act may be used for performing related administrative duties of the State Property Insurance Program.

SECTION 11. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund not otherwise appropriated, to the Department of Finance and Administration for the purpose of providing a grant to the Mississippi Home Corporation, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ... \$ 1,810,227.00.

SECTION 12. The funds appropriated in Section 11 of this act shall be targeted to individuals with disabilities or individuals with serious mental illnesses who:

(1) Are being discharged from a state psychiatric hospital after a stay of more than ninety (90) days; or, nursing facility, or intermediate care facility for individuals with intellectual disabilities after a stay of more than ninety (90) days; or

(2) Have been discharged from a state psychiatric hospital within the last two (2) years; and

(a) Had multiple hospital visits in the last year due to mental illness; or

(b) Are known to the mental health or state-housing agency to have been arrested or incarcerated in the last year due to conduct related to mental illness; or

(c) Are known to the mental health or state-housing agency to have been homeless for one (1) full year or have had four (4) or more episodes of homelessness in the last three (3) years; or

(3) Lack a fixed, regular, and adequate nighttime residence and includes a subset for an individual who is exiting an institution where he or she resided for ninety (90) days or less and who resides in an emergency shelter or a place not meant for human habitation immediately before entering that institution.

Any funds appropriated herein to hire additional staff or employ staff shall only be used to implement this housing program.

SECTION 13. It is the intention of the Legislature that an annual financial report based upon the state's fiscal year shall be provided to the Attorney General, the Chairman of Senate Appropriations, the Chairman of House Appropriations, and the Legislative Budget Office.

SECTION 14. It is the intention of the Legislature that none of the funds appropriated under the provisions of this act for the Mississippi Home Corporation (MHC) shall be expended for the purpose of making a payment of any kind or for any purpose, directly or indirectly, to a member of the State of Mississippi Legislature, state official, MHC board member, or person who has been a member of the MHC within the last year.

SECTION 15. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is appropriated out of any money in the State General Fund for the purpose of defraying the expenses of the Broadband Expansion and Accessibility of Mississippi (BEAM) as established in Sections 77-19-1 through 77-19-17, Mississippi Code of 1972, for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 425,000.00

SECTION 16. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the State Treasury to the credit of the Broadband Expansion and Accessibility of Mississippi (BEAM) as established in Sections 77-19-1 through 77-19-17, Mississippi Code of 1972, for the purpose of defraying the expenses of the commission for the fiscal year beginning July 1, 2023, and ending June 30, 2024 ..... \$ 197,622,243.00.

SECTION 17. Of the funds appropriated under the provisions of Sections 15 and 16 of this act, the following positions are authorized:

**AUTHORIZED HEADCOUNT:**

Permanent: 6

Time-Limited: 0

With the funds herein appropriated, it shall be the agency's responsibility to make certain that funds required for Personal Services for Fiscal Year 2025 do not exceed Fiscal Year 2024 funds appropriated for that purpose unless programs or positions are added to the agency's Fiscal Year 2024 budget by the Mississippi Legislature. The Legislature shall determine the agency's personal services appropriation, which the State Personnel Board shall publish. The agency's personal services appropriation may consist of restricted funds for approved vacancies for Fiscal Year 2024 that may not be

utilized for active Fiscal Year 2023 Headcount. It shall be the agency's responsibility to ensure that the funds provided for vacancies are used to increase headcount and not for promotions, title changes, in-range salary adjustments or any other mechanism for increasing salaries for current employees. It is the Legislature's intention that no employee salary falls below the minimum salary established by the Mississippi State Personnel Board.

Additionally, the State Personnel Board shall determine and publish the projected annualized payroll costs based on current employees. It shall be the responsibility of the agency head to ensure that actual personnel expenditures for Fiscal Year 2024 do not exceed the data provided by the Legislative Budget Office. If the agency's Fiscal Year 2024 projected cost exceeds the annualized costs, no salary actions shall be processed by the State Personnel Board except for new hires determined to be essential for the agency.

Any transfers or escalations shall be made in accordance with the terms, conditions, and procedures established by law or allowable under the terms set forth within this act. The State Personnel Board shall not escalate positions without written approval from the Department of Finance and Administration. The Department of Finance and Administration shall not provide written approval to escalate any funds for salaries and/or positions without proof of availability of new or additional funds above the appropriated level.

No general funds authorized to be expended herein shall be used to replace federal funds and/or other special funds used for salaries authorized under the provisions of this act and which are withdrawn and no longer available.

None of the funds herein appropriated shall be used in violation of the Internal Revenue Service's Publication 15-A relating to the reporting of income paid to contract employees, as interpreted by the Office of the State Auditor.

SECTION 18. It is the intention of the Legislature that the Department of Finance and Administration shall maintain complete accounting and personnel records related to the expenditure of all funds appropriated under this act and that such records shall be in the same format and level of detail as maintained for Fiscal Year 2023. It is further the intention of the Legislature that the agency's budget request for Fiscal Year 2025 shall be submitted to the Joint Legislative Budget Committee in a format and level of detail comparable to the format and level of detail provided during the Fiscal Year 2024 budget request process.

SECTION 19. The department is authorized to expend available funds on technology or equipment upgrades or replacements when it will generate savings through efficiency or when the savings generated from such upgrades or replacements exceed expenditures thereof.

SECTION 20. It is the intention of the Legislature that whenever two (2) or more bids are received by this agency for the purchase of commodities or equipment, and whenever all things stated in such received bids are equal with respect to price, quality and service, the Mississippi Industries for the Blind shall be given preference. A similar preference shall be given to the Mississippi Industries for the Blind whenever purchases are made without competitive bids.

SECTION 21. The Bureau of Building, Grounds and Real Property Management of the Office of General Services is hereby expressly authorized and empowered to receive, budget and expend any state, local or other source funds designated for supplemental funding of construction and/or repairs and renovation projects. The Bureau of Building, Grounds and Real Property Management of the Office of General Services shall not use any of the funds authorized in this section to pay salaries. For the purposes of this section, the Bureau of Building, Grounds and Real Property Management of the Office of General Services does not have the authority to escalate from the Capital Expense Fund or the Working Cash-Stabilization Reserve Fund.

SECTION 22. Of the funds appropriated in Section 2 of this act, it is the intention of the Legislature that an amount not to exceed Four Million Five Hundred Thousand Dollars (\$4,500,000.00) is authorized to be expended for the purpose of transferring funds to the Bureau of Building, Grounds and Real Property Management for the administration of projects for the repair and maintenance of state-owned buildings.

SECTION 23. A report based on expenditures incurred during the current and immediate past fiscal years shall be provided to the Legislative Budget Office each regularly scheduled legislative session. This report should reflect expenditures as a result of the operation of the Robert E. Lee Building, the Woolfolk State Office Building, the Gartin and Sillers Buildings, the Capitol Buildings, the Central High School Building, the Robert G. Clark, Jr. Building and other state buildings, and this report should contain any steps taken to reduce operating costs.

SECTION 24. It is the intention of the Legislature that no state-owned aircraft shall be utilized by any person except for official business only.

SECTION 25. Of the funds appropriated in Section 2 of this act, an amount not to exceed One Hundred Thousand Dollars (\$100,000.00) is authorized to be expended to defray any shortfall in the Master Lease Purchase Program as defined in Section 31-7-10, Mississippi Code of 1972.

SECTION 26. Of the funds appropriated in Section 2 of this act, Twenty Million Dollars (\$20,000,000.00) shall be expended from the Capitol Complex Improvement District Project Fund, as established in Section 29-5-215, Mississippi Code of 1972.

SECTION 27. Notwithstanding any other provision, the agency shall have the authority to escalate its headcount for any additional operational needs related to Coronavirus State Fiscal Recovery Funds, upon approval of the Department of Finance and Administration and the State Personnel Board.

SECTION 28. Of the funds appropriated in Section 2 of this act, Five Hundred Fifty Thousand Dollars (\$550,000.00) or so much thereof, shall be derived out of the 2022 Local Improvement Fund to the credit of the Department of Finance and Administration. The funds are provided for such purposes as follows:

- (a) To assist the Town of Learned with infrastructure needs and improvements  
\$ 100,000.00
- (b) To assist the Town of Utica with infrastructure improvements ... \$ 100,000.00
- (c) To assist the Town of Bolton with infrastructure improvements . \$ 100,000.00
- (d) To assist the Town of Edwards with infrastructure improvements  
\$ 100,000.00
- (e) To assist the Town of Raymond with infrastructure improvements  
\$ 100,000.00
- (f) To provide funds to Tishomingo County, Mississippi, with the Belmont Fire Department in paying equipment costs .....  
\$ 25,000.00
- (g) To provide funds to Alcorn County, Mississippi, with the Rienzi Fire Department in paying equipment costs ..... \$ 25,000.00

Any amounts allocated to a project that are in excess of that needed to complete the project may be used for general repairs and renovations at state-owned facilities, universities, and community colleges at the discretion of the Department of Finance and Administration.

SECTION 29. In addition to all other sums herein appropriated, the following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in the Capital Expense Fund to the credit of the Department of Finance and Administration for the purpose of repairs, renovations and improvements of state-owned buildings for the fiscal year beginning July 1, 2023, and ending June 30, 2024 .....  
\$ 31,416,980.00

SECTION 30. Of the funds appropriated in Section 29 of this act, One Million Four Hundred Sixteen Thousand Nine Hundred Eighty Dollars (\$1,416,980.00) or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office, for the repair, renovation, and improvement of the Mississippi Workers' Compensation Commission building .....  
\$ 1,416,980.00.

SECTION 31. Of the funds appropriated in Section 29 of this act, Thirty Million Dollars (\$30,000,000.00) or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the

Treasurer's Office, for the repair, renovation, and improvement of state-owned properties, universities, and community colleges..... \$ 30,000,000.00.

SECTION 32. Of the funds in Section 2 of this act, Seven Hundred Fifty-eight Million Forty-eight Thousand Dollars (\$758,048,000.00), or so much thereof as may be necessary, shall be derived out of the following funds in the State Treasury to the credit of the Department of Finance and Administration:

(a) 2022 IHL Capital Improvements Fund..... \$ 193,252,000.00  
(b) 2022 Community and Junior Colleges Capital Improvement Fund .....\$ 40,000,000.00  
(c) 2022 State Agencies Capital Improvements  
Fund \$ 45,500,000.00  
(d) 2023 Local Improvements Project Fund ..... \$ 371,896,000.00  
(e) Statewide Repair and Renovation Fund..... \$ 10,000,000.00  
(f) DPS Headquarters Building Fund ..... \$ 38,000,000.00  
(g) Declaration of Independence Fund ..... \$ 4,000,000.00  
(h) 2023 DeSoto County Infrastructure Improvements  
Fund \$ 25,000,000.00  
(i) 2023 Lafayette County Infrastructure Improvements  
Fund \$ 15,000,000.00  
(j) Gulfport Commerce Corridor Fund ..... \$ 15,400,000.00

The disbursements of funds by the Department of Finance and Administration under the provisions of the general bill, House Bill No. 603, 2023 Regular Session, are made pursuant to the authority granted to the department to spend those funds by this appropriation bill.

SECTION 33. Of the funds appropriated in Section 2 of this act, Four Million Five Hundred Thousand Dollars (\$4,500,000.00), or so much thereof, shall be derived out of any money in the State Treasury to the credit of the Capital Expense Fund, as created in Section 27-103-303, Mississippi Code of 1972, and allocated in a manner as determined by the Treasurer's Office to the Department of Finance and Administration for the purpose of storage upgrades to the MMRS system.

SECTION 34. It is the intention of the Legislature that the funds herein appropriated shall be expended in compliance with Section 27-104-25, Mississippi Code of 1972, that no state agency shall incur obligations or indebtedness in excess of their appropriation and that the responsible officers, either personally or upon their official bonds, shall be held responsible for actions contrary to this provision.

SECTION 35. The money herein appropriated shall be paid by the State Treasurer out of any money in the State Treasury to the credit of the proper fund or funds as set forth in this act, upon warrants issued by the State Fiscal Officer; and the State Fiscal Officer shall issue his warrants upon requisitions signed by the proper person, officer or officers, in the manner provided by law.

SECTION 36. This act shall take effect and be in force from and after July 1, 2023.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2024.

CONFEREES FOR THE SENATE	CONFEREES FOR THE HOUSE
W. Briggs Hopson III	John Read
John A. Polk	Manly Barton
Kevin Blackwell	Jeff Hale

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **S. B. No. 3043** (version 3) was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), Carter, Caughman, Chassaniol, Chism, DeBar, DeLano, England, Fillingane, Frazier, Harkins, Hickman, Hill, Hopson, Horhn, Jackson, Johnson, Jordan, Kirby, McCaughn, McDaniel, McLendon, McMahan, Michel, Moran, Norwood, Parker,

Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sojourner, Sparks, Suber, Tate, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--50.  
Nays--None.  
Absent and those not voting--Barnett, Parks. Total--2.

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 11:36 PM, the Senate stood in recess.

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The Senate resumed business at 11:53 PM, pursuant to recess, with President Hosemann presiding.

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Senator Barrett moved that when the Senate adjourns, it adjourn in memory of Jack Alvin Foster of Brookhaven, MS.

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Senators Johnson, Fillingane and Hill moved that when the Senate adjourns, it adjourn in memory of Larry Wayne Middleton of Columbia, MS.

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Senator Carter moved that when the Senate adjourns, it adjourn in memory of Annie Mae Miller of Gulfport, MS.

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Senator McMahan moved that when the Senate adjourns, it adjourn in memory of Braxton Carlock of Guntown, MS.

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Senators Michel and Hopson moved that when the Senate adjourns, it adjourn in memory of Auden Jubilee Simpkins of Jackson, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Alvin D. "Monty" Montgomery, Jr. of Madison, MS/Weir, MS.

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Senator Michel moved that when the Senate adjourns, it adjourn in memory of Robert Hamil of Madison, MS.

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2696:** Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement.

**S. B. No. 2841:** Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag.



**S. B. No. 2862:** Sales tax; provide industrial exemption for tangible personal property first used in another state.

**S. B. No. 2887:** State Treasurer; modify certain provisions concerning the deposit and investment of excess state funds.

Adopted: 03/27/23

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 1644:** Appropriations; additional for various state agencies for FY 2023 and FY 2024.

Adopted: 03/27/23

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2530:** "Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate.

Adopted: 03/28/23

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2616:** Real Estate Commission; decrease fees charged by.

Adopted: 03/28/23

Andrew Ketchings, Clerk of the House of Representatives

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## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 3017:** Appropriation; Military Department.

**S. B. No. 3037:** Appropriation; Geologists, Board of Registered Professional.

Adopted: 03/29/23

Andrew Ketchings, Clerk of the House of Representatives

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## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 1623:** Appropriation; Rehabilitation Services, Department of.

Adopted: 03/29/23

Andrew Ketchings, Clerk of the House of Representatives

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## MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2487:** Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish.

**S. B. No. 2612:** Construction; bring forward code sections concerning local permitting and State Board of Contractors licensing.

**S. B. No. 3000:** Appropriation; IHL - General support.

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs.

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses.

**S. B. No. 3012:** Appropriation; Public Safety, Department of.

**S. B. No. 3052:** Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies.

**S. B. No. 3113:** Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds.

**S. B. No. 3118:** Appropriation; additional to DFA - Bureau of Buildings, ARPA funds.

**S. B. No. 3120:** Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses.

Adopted: 03/30/23

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 252:** Festival wine permits; extend repealers on authority to issue and certain provisions relating to.

**H. B. No. 419:** Tourism; provide assistance to destination marketing organization.

**H. B. No. 510:** Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents.

**H. B. No. 834:** Assistant District Attorneys and criminal investigators; increase authorized number of.

**H. B. No. 1216:** Circuit judges and chancellors; increase office operating and expense allowances and support staff funding.

**H. B. No. 1626:** Appropriation; Health, Department of.

**H. B. No. 1636:** Appropriation; Marine Resources, Department of.

**H. B. No. 1639:** Appropriation; State Public Defender, Office of.

**H. B. No. 1715:** Appropriation; Health Department for funding the ARPA Rural Water Associations Infrastructure Grant Program.

**H. B. No. 1717:** Appropriation; DFA - Office of Insurance for reimbursing the State Health Plan for eligible expenses incurred.

**H. B. No. 1722:** Appropriation; UMMC for construction, repair and renovation of the School of Dentistry.

Adopted: 03/30/23

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2673:** AN ACT TO PROVIDE THAT THE MISSISSIPPI REAL ESTATE APPRAISER LICENSING AND CERTIFICATION BOARD SHALL BE SEPARATED FROM THE MISSISSIPPI REAL ESTATE COMMISSION AND BECOME THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD; TO PROVIDE FOR THE TRANSITION OF FUNCTIONS AND RESOURCES SO THAT BY JULY 1, 2023, THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD SHALL BE FULLY FUNCTIONAL AND INDEPENDENT FROM THE MISSISSIPPI REAL ESTATE COMMISSION; TO REQUIRE THE MISSISSIPPI STATE PERSONNEL BOARD, THE DEPARTMENT OF FINANCE AND ADMINISTRATION AND THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES TO PROVIDE SUPPORT DURING THE TRANSITION; TO AMEND SECTIONS 73-34-3 AND 73-34-5, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-7, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE MEMBERSHIP OF THE MISSISSIPPI REAL ESTATE APPRAISAL BOARD SHALL CONSIST OF FIVE MEMBERS TO BE APPOINTED BY THE GOVERNOR, FOUR OF WHOM SHALL BE FROM THE CONGRESSIONAL DISTRICTS AS THEY EXISTED ON JULY 1, 2004, AND ONE FROM THE STATE-AT-LARGE; TO AMEND SECTION 73-34-9, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-13, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT ONLY THE LAST FOUR DIGITS OF AN APPLICANT'S SOCIAL SECURITY NUMBER SHALL BE REQUIRED TO GO ON THE LICENSE APPLICATION; TO AMEND SECTIONS 73-34-17, 73-34-27, 73-34-35, 73-34-41, 73-34-45, 73-34-47, 73-34-49 AND 73-34-51, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-103, MISSISSIPPI CODE OF 1972, TO EXTEND THE REPEAL DATE FROM JULY 1, 2026, UNTIL JULY 1, 2027, AND TO CONFORM; TO AMEND SECTIONS 73-34-107, 73-34-113 AND 73-34-117, MISSISSIPPI CODE OF 1972, TO CONFORM; TO AMEND SECTION 73-34-129, MISSISSIPPI CODE OF 1972, TO REMOVE THE PROVISION THAT ALLOWS AN APPRAISAL MANAGEMENT COMPANY TO REMOVE AN APPRAISER FROM ITS APPRAISER PANEL WITHIN THE FIRST NINETY DAYS AFTER AN INDEPENDENT APPRAISER IS FIRST ADDED TO THE APPRAISER PANEL OF AN APPRAISAL MANAGEMENT COMPANY, AND TO CONFORM; TO AMEND SECTIONS 73-34-131, 39-21-3, 29-1-209, 73-35-4 AND 93-11-64, MISSISSIPPI CODE OF 1972, TO CONFORM; AND FOR RELATED PURPOSES.

**S. B. No. 2812:** AN ACT TO AMEND SECTION 37-17-13, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF REPEAL ON THE PROVISION AUTHORIZING THE STATE BOARD OF EDUCATION TO APPOINT A NEW FIVE-MEMBER BOARD FOR THE ADMINISTRATION OF A FAILING SCHOOL DISTRICT; AND FOR RELATED PURPOSES.

**S. B. No. 2844:** AN ACT TO AMEND SECTION 25-1-77, MISSISSIPPI CODE OF 1972, TO REVISE THE DUTIES OF THE BUREAU OF FLEET MANAGEMENT; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

Senator Polk moved that the Senate adjourn until 12:01 AM, Saturday, April 1, 2023.

The motion prevailed, and at 11:54 PM, the Senate stood adjourned in memory of Jack Alvin Foster, Larry Wayne Middleton, Annie Mae Miller, Braxton Carlock, Auden Jubilee Simpkins, Alvin D. "Monty" Montgomery, Jr. and Robert Hamil.

Eugene S. Clarke, Secretary of the Senate

NO INTRODUCTIONS FOR FRIDAY, MARCH 31, 2023

EIGHTY-NINTH DAY, SATURDAY, APRIL 1, 2023

The Senate met at 12:01 AM pursuant to adjournment, President Hosemann presiding.

The roll being called the following Senators answered to their names:

Present--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), DeLano, England, Frazier, Harkins, Hickman, Hopson, Jackson, Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Wiggins, Williams, Younger. Total--37.

Absent--Barnett, Carter, Caughman, Chassaniol, Chism, DeBar, Fillingane, Hill, Horhn, Jordan, McDaniel, Moran, Parks, Sojourner, Tate. Total--15.

The Secretary announced a quorum present.

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The invocation was delivered by Senator Norwood.

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Senator Branning led the Senate in the recitation of the oath of allegiance to the flag of the United States of America.

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On motion of Senator Polk, the reading of the journal of the previous day was dispensed with, and the same stood approved.

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#### INTRODUCTION OF SENATE BILLS AND RESOLUTIONS:

The measures introduced were read under a suspension of the rules, referred to committees, and are listed after adjournment on this date.

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Senator Polk moved that the Senate stand in recess subject to the call of the chair.

The motion prevailed, and at 12:10 AM, the Senate stood in recess.

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The Senate resumed business at 1:46 AM, pursuant to recess, with President Pro Tempore Kirby presiding.

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Senator Hopson moved that the rules be suspended to move to calendar item 9, **H. B. No. 603**, and the motion prevailed.

Senator Hopson offered the following report of the Conference Committee on **H. B. No. 603** (version 2) and moved that the Report do be adopted:

#### REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 603: State budget; bring forward sections relating to.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.
2. That the House and Senate adopt the following amendment:

Amend by striking all after the enacting clause and inserting in lieu thereof the following:

SECTION 1. Upon the effective date of this act, the State Fiscal Officer shall transfer the amounts listed below from the Capital Expense Fund (Fund No. 6499C00000) to each of the following named funds:

FUND	FUND NUMBER	AMOUNT
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#### 2023 Local Improvements

Projects Fund created

in Section 2 of this act	\$ 371,896,000.00
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#### 2022 IHL Capital

Improvements Fund created

in Section 37-101-83,

Mississippi Code of 1972	6611330000	\$ 193,252,000.00
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#### 2022 Community and Junior

Colleges Capital

Improvements Fund created

in Section 37-29-321,

Mississippi Code of 1972	6611300000	\$ 40,000,000.00
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#### 2022 State Agencies Capital

Improvements Fund

created in

Section 29-17-6,

Mississippi Code of 1972	6611320000	\$ 45,500,000.00
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#### 2022 Department of Finance

and Administration

Statewide Repair and

Renovation Fund created

in Section 27-104-111,

Mississippi Code of 1972	6611310000	\$ 10,000,000.00
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ACE Fund created in

Section 57-1-16,

Mississippi Code of 1972	6614110000	\$ 10,000,000.00
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Mississippi Site Development

Grant Fund created in

Section 57-1-701,

Mississippi Code of 1972	6614170000	\$ 20,000,000.00
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Economic Development Highway

Fund created in

Section 65-4-15,

Mississippi Code of 1972	6614120000	\$ 2,000,000.00
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Mississippi Industry

Incentive Financing

Revolving Fund created

in Section 57-1-221,

Mississippi Code of 1972	6614140000	\$ 10,000,000.00
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Animal Disease Response

Fund created in Section

18 of this act		\$ 250,000.00
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TOTAL \$ 702,898,000.00

SECTION 2. (1) A special fund, to be designated as the "2023 Local Improvements Projects Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies in the fund shall be disbursed by the Department of Finance and Administration as provided in Section 28 of this act. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

SECTION 3. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirteen Million Seven Hundred Fifty-nine Thousand Seven Hundred Dollars (\$13,759,700.00) from the 2022 Local Improvements Projects Fund (Fund No. 6611340000) to the 2023 Local Improvements Projects Fund created in this act, and transfer the sum of Thirteen Million Dollars (\$13,000,000.00) from the 2022 Local Improvements Projects Fund (Fund No. 6611340000) to the Capital Expense Fund (Fund No. 6499C00000).

SECTION 4. (1) Monies transferred pursuant to Section 1 of this act into the 2022 IHL Capital Improvements Fund created in Section 37-101-83, Mississippi Code of 1972, shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University .....		\$ 13,197,500.00
	Repair, renovation,	
	and expansion of and upgrades,	
	improvements and additions	
	to the David L. Whitney	
	Complex and Wellness	
	Center.....	\$ 13,197,500.00
Alcorn State University/Division of		
Agriculture.....		\$ 620,000.00
	Preplanning for renovation	



of the poultry science

facilities on the Lorman

Campus into a Poultry/Animal

Science Center Academic

Research Center Building

Complex.....\$ 620,000.00

Delta State University ..... \$ 8,122,500.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 2,800,000.00

Repair and renovation

of and upgrades,

improvements and

additions to the

Walter Sillers Coliseum.....\$ 5,322,500.00

Jackson State University ..... \$ 8,013,000.00

Construction, furnishing

and equipping of a new

residence hall and related

facilities.....\$ 8,013,000.00

Mississippi State University ..... \$ 20,732,500.00

Repair, renovation, construction,

acquisition of property, furnishing

and equipping of related

facilities to house the

College of Architecture,

Art and Design.....\$ 5,732,500.00

Repair, renovation, construction,

acquisition of property, furnishing

and equipping of related

facilities of the Kinesiology

and Autism Building.....\$ 15,000,000.00

Mississippi State University/Division of

Agriculture, Forestry and Veterinary Medicine ..... \$ 14,755,000.00

Repair and renovation

of and upgrades and

improvements to

Dorman Hall and

related facilities.....\$ 1,300,000.00

Preplanning for renovation

of and upgrades and

improvements to

the Bost Extension

Center.....\$ 455,000.00

Repair and renovation

of and upgrades and

improvements to

Dorman Hall and

related facilities.....\$ 13,000,000.00

Mississippi University for Women ..... \$ 9,312,500.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 8,712,500.00

Preplanning for repair

and renovation of

and upgrades and

improvements to Old

Pohl Gym.....\$ 300,000.00

Preplanning for repair

and renovation of

and upgrades and

improvements to the

Hogarth Center.....\$ 300,000.00

Mississippi Valley State University..... \$ 3,427,500.00

Demolition of Leflore Hall

and preplanning for

construction, furnishing

and equipping of a new

residence hall and related

facilities.....\$ 3,427,500.00

University of Mississippi ..... \$ 18,382,500.00

Planning and construction,

furnishing and

equipping of a

new building and

related facilities

to house the School

of Accountancy.....\$ 14,382,500.00

Repair, renovation, and expansion

of the Nursing School in

Oxford.....\$ 4,000,000.00

University of Mississippi Medical Center..... \$ 56,886,500.00

Repair, renovation,

and upgrading of

campus buildings

and facilities.....\$ 11,350,000.00

Upgrades and improvements

to elevators and related

facilities.....\$ 4,000,000.00

Development and

implementation of

campus wayfinding

system.....\$ 1,536,500.00

Construction, furnishing

and equipping of a new Dental

School.....\$40,000,000.00

University of Southern Mississippi ..... \$ 22,162,500.00

Construction, furnishing

and equipping of a new

science research facility.....\$ 17,162,500.00

Repair and renovation of the

Criminal Justice Building

and improvements to the

Forensic Lab .....\$ 5,000,000.00

University of Southern Mississippi/Gulf

Coast Campuses.....\$ 11,140,000.00

Repair, renovation,

and upgrading of

campus buildings

and facilities at

the Gulf Coast

Research Laboratory,

Halstead Campus.....\$ 640,000.00

Ocean Enterprise at

the Port of Gulfport \$ 10,000,000.00

Dubard School and Children's

Center for Communication and

Development – Gulf Park campus

for furnishing and equipment...\$ 500,000.00.

IHL Education and Research Center.....\$ 6,500,000.00

Replacement of a chiller

and related equipment

for the campus air

conditioning and

heating system; replacement

of cooling tower and

related equipment for

the campus air conditioning

and heating system;

replacement of roof for

the Universities Center;

and replacement of campus

emergency management

system.....\$6,500,000.00

TOTAL ..... \$ 193,252,000.00

(2) (a) Amounts transferred into such special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 1 of this act into the special fund, then the institution of higher learning for which any unused monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(b) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in subsection (1) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable

actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his or her designee.

(4) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in subsection (1) of this section may be used for general repairs and renovations at the institution of higher learning.

SECTION 5. (1) Monies transferred pursuant to Section 1 of this act into the 2022 Community and Junior Colleges Capital Improvements Fund created in Section 37-29-321, Mississippi Code of 1972, shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, to pay the costs of acquisition of real property, construction of new facilities, equipping and furnishing facilities, including furniture and technology equipment and infrastructure, and addition to or renovation of existing facilities for community and junior college campuses as recommended by the Mississippi Community College Board. The amount to be expended at each community and junior college is as follows:

Coahoma.....	\$ 1,878,939.00
Copiah-Lincoln .....	2,225,161.00
East Central.....	2,040,946.00
East Mississippi.....	2,391,284.00
Hinds.....	4,251,234.00
Holmes .....	3,037,415.00
Itawamba.....	2,728,619.00
Jones.....	2,703,237.00
Meridian .....	2,171,922.00
Mississippi Delta.....	1,973,915.00
Mississippi Gulf Coast .....	3,873,133.00

SENATE JOURNAL  
SATURDAY, APRIL 1, 2023

Northeast Mississippi.....	2,556,646.00
Northwest Mississippi .....	3,311,303.00
Pearl River.....	2,971,077.00
Southwest Mississippi.....	1,885,169.00
GRAND TOTAL.....	\$40,000,000.00

(2) Amounts transferred into such special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 1 of this act into the special fund, then the community college or junior college for which any such monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his or her designee.

SECTION 6. (1) Monies transferred pursuant to Section 1 of this act into the 2022 State Agencies Capital Improvements Fund created in Section 29-17-6, Mississippi Code of 1972, shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

STATE AGENCIES.....\$ 45,500,000.00

Mississippi Department of Health..... \$ 6,000,000.00

Planning, repair, and

renovation to building

envelope at Osborne

Building.....\$ 6,000,000.00

Department of Mental Health..... \$ 15,000,000.00

Planning, repair, renovation,



improvements, furnishing

and upgrading of

department facilities,

grounds and

infrastructure.....\$ 15,000,000.00

Department of Corrections..... \$ 24,500,000.00

Planning, repair and

renovation and upgrading

of department facilities,

grounds and

infrastructure.....\$ 24,500,000.00

TOTAL.....\$ 45,500,000.00

(2) (a) Amounts transferred into such special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of projects described in subsection (1) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 1 of this act into the special fund, then the agency for which any unused monies are allocated under subsection (1) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(b) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in subsection (1) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the

Executive Director of the Department of Finance and Administration, or his or her designee.

(4) Any amounts allocated to an agency that are in excess of that needed to complete the projects at such agency that are described in subsection (1) of this section may be used for general repairs and renovations at the agency.

SECTION 7. (1) Monies transferred pursuant to Section 1 of this act into the 2022 Department of Finance and Administration Statewide Repair and Renovation Fund created in Section 27-104-111, Mississippi Code of 1972, shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, to pay the costs of site and infrastructure improvements, general repairs and renovations, weatherization, roofing, environmental mitigation, mechanical, electrical and structural repairs required for state-owned facilities, universities and community and junior colleges, repairs, renovations and improvements necessary for compliance with the Americans with Disabilities Act or other codes, purchase and installation of necessary furniture and equipment, and continuation and completion of previously authorized projects.

(2) Amounts transferred into such special fund pursuant to Section 1 of this act shall be disbursed to pay the costs of the projects described in subsection (1) of this section.

(3) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his or her designee.

SECTION 8. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Three Million Dollars (\$3,000,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the Economic Development and Infrastructure Fund created in Section 57-1-501, Mississippi Code of 1972, to be used for the purposes provided in that section.

SECTION 9. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Four Million Dollars (\$4,000,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the Mississippi Major Economic Impact Authority Fund created in Section 57-75-15, Mississippi Code of 1972, to be used for projects defined in Section 57-75-5(f)(ii), Mississippi Code of 1972.

SECTION 10. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Thirty-eight Million Dollars (\$38,000,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the CEF - DPS Headquarters Building Fund (Fund No. 6493700000) to be used by the Department of Finance and Administration, upon appropriation by the Legislature, as follows: (a) Thirty-two Million Dollars (\$32,000,000.00) for continuation of construction, furnishing and equipping the new Department of Public Safety headquarters building in Rankin County, including the acquisition of furniture, fixtures and equipment and the costs associated with moving to the new building; and (b) Six Million Dollars (\$6,000,000.00) for continuation of

construction, furnishing and equipping of the new Troop G Highway Patrol Substation in Starkville.

SECTION 11. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Six Million Five Hundred Eighteen Thousand Nine Hundred Forty-two (\$6,518,942.00) from the State General Fund (Fund No. 2999000000) to the MEMA Hazard Mitigation Fund (Fund No. 337HM00000).

SECTION 12. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Six Million Dollars (\$6,000,000.00) from the Coronavirus State Fiscal Recovery Fund (Fund No. 6821113000) to the Coronavirus State Fiscal Recovery Lost Revenue Fund (Fund No. 3822113000).

SECTION 13. (a) (i) A special fund, to be designated as the "2023 Mississippi Military Department Readiness Centers Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be expended by the Mississippi Military Department, upon appropriation by the Legislature, to pay the costs of planning, repairs, renovations, expansions, upgrades and furnishing and equipping of Readiness Centers.

SECTION 14. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Two Million Dollars (\$2,000,000.00) from the 2022 State Agencies Capital Improvements Fund created in Section 29-17-6, Mississippi Code of 1972, to the Mississippi Military Department Readiness Centers Fund created in Section 13 of this act.

SECTION 15. Section 29-17-6, Mississippi Code of 1972, is amended as follows:

29-17-6. (a) (i) A special fund, to be designated as the "2022 State Agencies Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

STATE AGENCIES.....\$ \* \* \* 33,250,000.00

Department of Finance and Administration.....\$ 21,500,000.00

Continuation of planning,

repair, restoration of

and improvements to the

New Capitol Grounds.....\$ 5,000,000.00

Phase II of repair,

renovation, furnishing

and equipping of the

660 North Street Building..\$ 9,500,000.00

Phase II of repair,

renovation, furnishing

and equipping of the

350 High Street Building..\$ 7,000,000.00

Department of Mental Health.....\$ 7,750,000.00

Phase II of ligature

compliance measures

at the Mississippi

State Hospital.....\$ 1,250,000.00

Planning, construction,

furnishing and equipping

of new north entry gate

security station and

perimeter fencing at

the Boswell Regional

Center.....\$ 1,500,000.00

Planning, repair

and renovation, furnishing

and equipping of Buildings

#42, #49 and #50 at

Ellisville State School...\$ 3,000,000.00

Planning, construction,

furnishing and equipping

of new entry security

station and reconstruction

of north passage bridge

at North Mississippi

Regional Center.....\$ 2,000,000.00

Department of Public Safety.....\$ 4,000,000.00

Continuation of construction,

furnishing and equipping of

new Troop G Highway Patrol

Substation in Starkville..\$ 4,000,000.00

\* \* \*

TOTAL.....\$ \* \* \* 33,250,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this section. If any monies in such special fund are not used within four (4) years after the date funds are transferred under Section 3 of Chapter 510, Laws of 2022, from the Capital Expense Fund created in Section 27-103-303, Mississippi Code of 1972, into the special fund, then the agency for which any unused monies are allocated under paragraph (a) of this section shall provide an accounting of such unused monies to the Department of Finance and Administration.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this section. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the monies in the special fund used for such project. Monies

authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this section. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an agency that are in excess of that needed to complete the projects at such agency that are described in paragraph (a) of this section may be used for general repairs and renovations at the agency.

SECTION 16. There is created in the State Treasury a special fund to be designated as the "March 2023 Storm Housing Mission Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be expended by the Mississippi Emergency Management Agency, upon appropriation by the Legislature, to provide the state match for the Federal Emergency Management Agency's temporary housing mission for the individuals impacted by the severe weather event on March 24 and 25, 2023.

SECTION 17. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Seven Million Dollars (\$7,000,000.00) from the State General Fund (Fund No. 2999000000) to the March 2023 Storm Housing Mission Fund created in Section 16 of this act.

SECTION 18. (1) The Animal Disease Response Fund is created as a special fund in the State Treasury. The response fund shall consist of any funds appropriated or otherwise made available by the Legislature for animal disease outbreaks, any income from investment of the funds in the response fund, and federal reimbursement for expenditures made from the response fund.

(2) Monies in the response fund shall be expended by the Mississippi Board of Animal Health only upon appropriation by the Legislature or by escalation of the board's budget as authorized in the appropriation bill for the board. Unexpended amounts remaining in the response fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the response fund shall be deposited to the credit of the response fund.

(3) The response fund shall be used only for payment of expenses incurred by the Board of Animal Health in responding to animal disease outbreaks, including, but not limited to, purchasing commodities, hiring temporary employees and/or engaging the contractual services of companies that can provide trained emergency response personnel.

(4) Before the Board of Animal Health expends funds from the response fund to respond to an animal disease outbreak, the State Veterinarian shall notify the Lieutenant

Governor, the Speaker of the House of Representatives, the respective Chairmen of the Senate Appropriations Committee, the Senate Agriculture Committee, the House Appropriations Committee and the House Agriculture Committee, and the Legislative Budget Office, of the proposed expenditure of the funds.

SECTION 19. There is created in the State Treasury a special fund to be designated as the "2023 DeSoto County Infrastructure Improvements Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, to assist the Mississippi Department of Transportation in paying the costs associated with infrastructure improvements on Interstate 55 from Church Road to Goodman Road in Desoto County, Mississippi. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 20. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Twenty-five Million Dollars (\$25,000,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the 2023 DeSoto County Infrastructure Improvements Fund created in Section 19 of this act.

SECTION 21. There is created in the State Treasury a special fund to be designated as the "2023 Lafayette County Infrastructure Improvements Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, to assist the Mississippi Department of Transportation in paying the costs associated with infrastructure improvements on Highway 7 from Highway 9 to 0.2 miles North of Highway 6 in Lafayette County, Mississippi. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 22. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Fifteen Million Dollars (\$15,000,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the 2023 Lafayette County Infrastructure Improvements Fund created in Section 21 of this act.

SECTION 23. There is created in the State Treasury a special fund to be designated as the "2023 Gulfport Commerce Corridor Fund," which shall consist of funds made available by the Legislature in any manner and funds from any other source designated for deposit into such fund. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Monies deposited into the fund shall be used by the Department of Finance and Administration, upon appropriation by the Legislature, to assist in paying the costs associated with the Gulfport Commerce Corridor project located in the City of Gulfport. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any investment earnings or interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 24. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Fifteen Million Four Hundred Thousand Dollars (\$15,400,000.00) from

the Gulf Coast Restoration Fund (Fund No. 6802719000) to the 2023 Gulfport Commerce Corridor Fund created in Section 23 of this act.

SECTION 25. A special fund, to be designated as the "2023 Declaration of Independence Center for the Study of American Freedom Fund", is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund. Monies deposited into the fund shall be expended by the Board of Trustees of State Institutions of Higher Learning, upon appropriation by the Legislature, to support the operations of the Declaration of Independence Center for the Study of American Freedom ("Center") at the University of Mississippi, subject to the conditions that the Center shall:

(a) Promote scholarly research and civic education by exploring the principles of freedom expressed in our country's founding documents;

(b) Support individual faculty members at institutions of higher learning who have been named Declaration Fellows and who actively participate in the Center's network of scholars and further the mission and principles of the Center;

(c) Support classes, activities, and internships that advance students' understanding of American freedom at both the secondary and post-secondary level of education, including support for the operation of any Freedom Studies minor that may be available for academic credit at the University of Mississippi, as well as support for all Freedom Studies courses belonging to this minor; and

(d) Continue to be governed and advised in accordance with the Center governing structure described in the last paragraph of the Center mission statement signed by the Chancellor, Provost and founding Director of the Center and received in the Office of the Chancellor on March 1, 2023.

SECTION 26. Upon the effective date of this act, the State Fiscal Officer shall transfer the sum of Four Million Dollars (\$4,000,000.00) from the Capital Expense Fund (Fund No. 6499C00000) to the 2023 Declaration of Independence Center for the Study of American Freedom Fund created in Section 25 of this act.

SECTION 27. Through the end of fiscal year 2028, the State Treasurer may borrow funds from the Working Cash-Stabilization Reserve Fund created in Section 27-103-203 to offset any temporary cash flow deficiencies in the GF Obligations Fund (Fund No. 22951000000). The amount borrowed from the Working Cash-Stabilization Reserve Fund under this section shall not exceed Two Hundred Fifty Million Dollars (\$250,000,000.00) during any month. The State Treasurer shall reimburse the Working Cash-Stabilization Reserve Fund from the GF Obligations Fund for all sums borrowed for such temporary cash flow deficiency purposes within twenty (20) working days after the funds were borrowed. The State Treasurer shall immediately notify the Legislative Budget Office and the State Department of Finance and Administration of each transfer into and out of such funds.

SECTION 28. Monies transferred pursuant to Section 1 of this act into the 2023 Local Improvements Projects Fund shall be disbursed by the Department of Finance and Administration, pursuant to the authority granted by the department's appropriation bill, Senate Bill No. 3043, 2023 Regular Session, to spend those monies, as follows:



(a) To assist the City of Indianola, Mississippi, in paying costs associated with purchasing six (6) new police cars for the city's police department ..... \$400,000.00

(b) To assist Sunflower County, Mississippi, in paying costs associated with completing construction of the county's Transitional Shelter for Homeless families..... \$300,000.00

(c) To Tishomingo County, Mississippi, to assist the Belmont Volunteer Fire Department in paying costs associated with the purchase of equipment..... \$25,000.00

(d) To Alcorn County, Mississippi, to assist the Rienzi Volunteer Fire Department in paying costs associated with the purchase of equipment.. \$25,000.00

(e) To assist Prentiss County, Mississippi, in paying costs associated with replacing bridge SA 59-029 and repaving and restoring County Road 1475 and County Road 1481 located in Supervisors District 5 in Prentiss County ..... \$450,000.00

(f) To assist Alcorn County, Mississippi, in paying costs associated with ongoing repair and renovation of the Alcorn County Courthouse..... \$1,000,000.00

(g) To Kossuth, Mississippi, to assist in paying costs associated with renovation of the LC Follin Community Center..... \$150,000.00

(h) To assist the City of Corinth, Mississippi, in paying costs associated with repair and renovation to include the Coliseum and South Corinth High School..... \$500,000.00

(i) To Alcorn County, Mississippi, to assist in paying costs associated with construction of a new fire station for the Jacinto Volunteer Fire Department ..... \$100,000.00

(j) To assist Alcorn County, Mississippi, in paying costs associated with special operations at the county's Emergency Management Agency..... \$400,000.00

(k) To assist the City of Corinth, Mississippi, in paying costs associated with improvements to and maintenance of Harper Road..... \$500,000.00

(l) To assist the City of Corinth, Mississippi, in paying costs associated with general assistance to Corinth Theatre-Arts..... \$25,000.00

(m) To assist the City of Jackson, Mississippi, in paying costs associated with renovations and upgrades for the Jackson Planetarium.... \$1,000,000.00

(n) To assist the City of Waynesboro with infrastructure improvements at the Waynesboro Sports Complex ..... \$1,500,000.00

(o) To assist George County, Mississippi, in paying costs associated with construction of the Agricola Multipurpose Center in George County, Mississippi..... \$400,000.00

(p) To assist George County, Mississippi, in paying costs associated with the construction of the Basin-Barton ..... Multipurpose Facility ..... \$1,800,000.00

(q) To assist Jackson County, Mississippi, in paying costs associated with construction of a multipurpose..... arena..... \$750,000.00

(r) To assist Itawamba County, Mississippi, in paying costs associated with repair and renovation of the Itawamba County Courthouse ..... \$1,500,000.00

(s) To assist the Town of Tremont, Mississippi, in paying costs associated with repair and remodeling of the town's Town Hall ..... \$150,000.00

(t) To assist Itawamba County, Mississippi, with providing funds to Volunteer Fire Departments located in the county, at the discretion of the Fire Coordinator ..... \$150,000.00

(u) To assist the City of Fulton, Mississippi, in paying costs associated with renovation and remodeling of the city's City Hall and costs associated with street repairs ..... \$500,000.00

(v) To assist Itawamba Community College in paying costs associated with capital construction related to the Health Sciences program ..... \$1,500,000.00

(w) To assist the City of Jackson, Mississippi, to provide a federal match to the Jackson Redevelopment Authority for the train station ..... \$420,000.00

(x) To assist the Lighthouse Academy for Dyslexia in Ocean Springs, Mississippi, in paying costs for general purposes for dyslexia services ..... \$200,000.00

(y) To assist the City of Long Beach, Mississippi, in paying costs associated with purchasing portable equipment including a portable stage to promote tourism ..... \$200,000.00

(z) To assist Lee County, Mississippi, in paying costs associated with the purchase of a fire truck for the Richmond Volunteer Fire Department ..... \$350,000.00

(aa) To assist the Town of Tunica, Mississippi, in paying costs associated with road improvements ..... \$500,000.00

(ab) To assist the Town of Marks, Mississippi, in paying costs associated with making water and sewer improvements in the town ..... \$500,000.00

(ac) To assist the Town of Coldwater, Mississippi, in paying costs associated with paving the town square ..... \$500,000.00

(ad) To assist the Town of Coldwater, Mississippi, in paying costs associated with the purchase of fire trucks ..... \$250,000.00

(ae) To assist the City of Pascagoula, Mississippi, in paying costs associated with making upgrades and improvements to the Pascagoula City Hall building and related facilities ..... \$2,000,000.00

(af) To assist the City of Pascagoula, Mississippi, for the Pascagoula Police Department in providing an East Pascagoula Police SubStation ..... \$2,000,000.00

(ag) To assist the Petal School District Board of Trustees in paying costs associated with the repair and renovation of and upgrades and improvements to the district's Central Office building and related facilities in Petal, Mississippi ..... \$1,000,000.00

(ah) To assist Lauderdale County, Mississippi, in paying costs associated with building a new fire station for the Bailey Volunteer Fire Department ..... \$100,000.00

(ai) To assist Tishomingo County, Mississippi, in paying costs associated with repairs to the Tishomingo County Courthouse ..... \$500,000.00

(aj) To assist Alcorn County, Mississippi, in paying costs associated with building a new fire station on Kendrick Road for the Farmington Volunteer Fire Department ..... \$100,000.00

(ak) To assist the City of Lexington, Mississippi, in paying costs associated with the purchase of sewage pumping and vacuuming equipment and making street improvements ..... \$100,000.00

(al) To assist the Village of Eden with construction and repair of Town Hall and a safe room ..... \$100,000.00

(am) To assist Holmes County, Mississippi, in paying costs associated with renovation of the Holmes County Courthouse ..... \$150,000.00

(an) To assist the Jackson Public School District with the Career Development Center in paying costs associated with parking lot resurfacing including restriping and drainage repairs ..... \$250,000.00

(ao) To assist the Jackson Public School District with the Career Development Center in paying costs associated with trade shop repairs and upgrades, including roof leak repairs ..... \$250,000.00

(ap) To assist the Jackson Public School District with the Career Development Center in paying costs associated with repair, renovation, furnishing and

equipping of and upgrades and improvements to the Jackson Public School District's Career Development Center in Jackson, Mississippi ..... \$100,000.00  
(aq) To assist the Town of Centreville, Mississippi, in paying costs associated with the completion of construction, furnishing and equipping of a recreation center ..... \$500,000.00  
(ar) To assist Harrison County, Mississippi, with the following fire stations with various costs, funds are to be allocated equally: Vidalia Fire Station, Delisle Fire Station, Cuevas Fire and Rescue Station, and Henderson Point Fire Station ..... \$100,000.00  
(as) To assist the City of Pass Christian, Mississippi, with various costs for the city's Fire Department ..... \$25,000.00  
(at) To assist the City of Pass Christian, Mississippi, with various costs for the city's Police Department ..... \$25,000.00  
(au) To assist the City of New Albany, Mississippi, in paying costs associated with central business district renovations, upgrades and improvements as part of the city's downtown revitalization project ..... \$500,000.00  
(av) To assist Union County, Mississippi, in paying costs associated with the repair and renovation of and upgrades and improvements to the Union County Courthouse and Veterans Park in New Albany ..... \$500,000.00  
(aw) To assist the City of Jackson, Mississippi, acting through its Department of Planning and Development, in paying costs associated with the acquisition, demolition and/or removal of blighted properties in the City of Jackson and in the Mississippi House of Representatives District 71 ..... \$250,000.00  
(ax) To assist Lincoln County, Mississippi, in paying costs associated with the acquisition and installation of HVAC systems and equipment for the county courthouse ..... \$250,000.00  
(ay) To assist Lincoln County, Mississippi, in paying costs associated with renovations to the jail ..... \$500,000.00  
(az) To assist Desoto County, Mississippi, in paying costs associated with purchasing equipment for Alpha-Cockrum-Ingrams Mill Volunteer Fire Department ..... \$25,000.00  
(ba) To assist Desoto County, Mississippi, in paying costs associated with purchasing equipment for the Lewisburg Volunteer Fire Department ..... \$25,000.00  
(bb) To assist Desoto County, Mississippi, in paying costs associated with the purchasing of equipment for the Love Volunteer Fire Department ..... \$25,000.00  
(bc) To assist the City of Oxford, Mississippi, in paying costs associated with repair and renovation of a building to be used by the City of Oxford Police Department ..... \$4,000,000.00  
(bd) To assist Lafayette County, Mississippi, in paying the costs associated with the extension of West Oxford Loop in Lafayette County ... \$1,000,000.00  
(be) To assist the City of D'Iberville, Mississippi, in paying costs associated with the Mallett Road and Sangani Boulevard intersection and widening project ..... \$1,000,000.00  
(bf) To assist the City of Philadelphia, Mississippi, in paying costs associated with purchasing police cars for the Philadelphia Police Department ..... \$160,000.00  
(bg) To assist Kemper County, Mississippi, in paying costs associated with improvements within the county ..... \$300,000.00  
(bh) To assist the Town of Scooba, Mississippi, in paying costs associated with town improvements ..... \$50,000.00  
(bi) To assist Kemper County, Mississippi, in paying costs associated with purchasing fire equipment for the Kemper County Volunteer Fire Department ..... \$60,000.00

(bj) To assist Kemper County, Mississippi, in paying costs associated with water line improvements for the Porterville Water Association ..... \$200,000.00

(bk) To assist East Mississippi Community College in paying costs associated with upgrades to equipment, furnishings and facilities for the Career Technical Education Program ..... \$2,000,000.00

(bl) To assist the City of Biloxi, Mississippi, in paying costs associated with providing general support for the Boys and Girls Club of Biloxi ..... \$1,000,000.00

(bm) To assist Warren County, Mississippi, in paying costs to assist the Warren County Sheriff's Office with site work and infrastructure improvements to the future Warren County Jail site ..... \$1,000,000.00

(bn) To assist Madison County, Mississippi, in paying costs associated with the Reunion Parkway and Bozeman Road expansion project ..... \$12,000,000.00

(bo) To assist the Town of Edwards, Mississippi, in paying costs associated with improvements to the town's fire station ..... \$250,000.00

(bp) To assist the Town of Raymond, Mississippi, in paying costs associated with repair and rehabilitation of the water tank on the town square in downtown Raymond and the Raymond water tank on the Hinds Community College campus ..... \$250,000.00

(bq) To assist Clay County, Mississippi, in paying costs associated with paving and resurfacing of Lake Grove Road and Randle Road in Supervisors District 4 in Clay County ..... \$1,000,000.00

(br) To assist Monroe County, Mississippi, with costs associated for the Prairie Rural Community Development Club to renovate the old Prairie School Building for use as a ..... multi-purpose center ..... \$250,000.00

(bs) To assist the City of West Point, Mississippi, in paying costs associated with renovations to City Hall ..... \$500,000.00

(bt) To assist Greene County, Mississippi, in paying costs associated with road construction and road repairs in the county ..... \$500,000.00

(bu) To assist the City of Clinton, Mississippi, in paying costs associated with Phase II of site work for and construction and development of streets, street lighting and signals, electrical and communications distribution systems and equipment, water system and sewer system infrastructure and related infrastructure within an area bound by U.S. Highway 80, Springridge Road, Interstate 20 and Clinton-Raymond Road/Madison Street in the City of Clinton ..... \$8,000,000.00

(bv) To assist the City of Clinton, Mississippi, in paying costs associated with the Clinton Raymond Bolton Edwards Water and Sewer Plant Capacity Expansion project ..... \$20,000,000.00

(bw) To assist the Gloster Southern Railroad with costs associated with line installations and new lines ..... \$8,000,000.00

(bx) To assist the Town of Flora, Mississippi, in paying costs associated with water, sewer and drainage from Odom Road to Jackson Street and water infrastructure from McGraw Street to Peach Street ..... \$2,500,000.00

(by) To provide general assistance to the Mississippi Sports Hall of Fame ..... \$500,000.00

(bz) To assist the City of Greenville, Mississippi, in paying the costs associated with repairs and renovations to Frisby Park, Greenville Municipal, Maude Bryan Park and Rounds Park ..... \$500,000.00

(ca) To assist the City of Picayune, Mississippi, in paying costs associated with construction, equipping and furnishing of a new burn building and any related structures and facilities for the Picayune Fire Department to replace the existing burn building..... \$350,000.00

(cb) To assist the City of Picayune, Mississippi, in paying costs associated with repairs and maintenance at the Picayune Memorial High School ..... \$150,000.00

(cc) To assist the Administrative Office of the Courts in paying costs associated with technological upgrades, equipment, furnishings, and installation for Courtroom 4 of the Hinds County Courthouse ..... \$50,000.00

(cd) To assist the City of Hazlehurst, Mississippi, in paying costs associated with repairs, renovations, educational programming, and expansion to the Mississippi Music..... \$150,000.00

(ce) To assist the City of Hazlehurst, Mississippi, in paying costs associated with the Phase 5 Renovation Project of the Millsaps House..... \$200,000.00

(cf) To assist the Village of Beauregard, Mississippi, in paying costs associated with the construction of a community center ..... \$400,000.00

(cg) To assist the City of Europa, Mississippi, in paying costs associated with repaving and repair of streets ..... \$400,000.00

(ch) To assist the Town of French Camp, Mississippi, in paying the costs associated with sidewalk repairs and infrastructure improvements for the town's Downtown Historic Area ..... \$75,000.00

(ci) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 3 Choctaw County ..... \$300,000.00

(cj) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 1 Choctaw County ..... \$150,000.00

(ck) To assist Choctaw County, Mississippi, in paying costs associated with road repairs and resurfacing in Beat 5 Choctaw County ..... \$150,000.00

(cl) To provide funds to be distributed equally among the following fire departments in Choctaw County to assist in paying various department costs: Reform Volunteer Fire Department, Town of Ackerman Fire Department, ByWy Volunteer Fire Department, Simpson Volunteer Fire Department, Town of Weir Fire Department, Panhandle Volunteer Fire Department, Union Volunteer Fire Department, Town of French Camp Fire Department..... \$200,000.00

(cm) To provide funds to be distributed equally among the following fire departments in Webster County to assist in paying various department costs: Tomnolen Fire Department, City of Eupora Fire Department and Town of Mathiston Fire Department ..... \$75,000.00

(cn) To assist the Town of Ackerman, Mississippi, in paying costs associated with road repairs and resurfacing ..... \$250,000.00

(co) To assist the Town of Mathison, Mississippi, in paying costs associated with improvements to the town's infrastructure..... \$200,000.00

(cp) To assist VFW Post 3806 in the City of Eupora, Mississippi, in paying costs associated with the Post building and Post activities ..... \$25,000.00

(cq) To assist American Legion Post 82 in the Town of Ackerman, Mississippi, in paying costs associated with the Post building and Post activities ..... \$25,000.00

(cr) To assist the Town of Noxapater, Mississippi, in paying costs associated with road repairs and resurfacing..... \$200,000.00

(cs) To provide funds to be distributed equally among the following fire departments in Winston County to assist paying various department costs: Nanih Waiya Volunteer Fire Department, Shiloh Fire Department, City of Louisville Fire

Department, Lo Butcha Volunteer Fire Department and Beth Eden Volunteer Fire Department ..... \$100,000.00

(ct) To assist the Town of Weir, Mississippi, in paying costs associated with repainting and other necessary repairs to the water tank..... \$200,000.00

(cu) To assist the City of Grenada, Mississippi, in paying costs associated with street resurfacing..... \$1,000,000.00

(cv) To assist Grenada County, Mississippi, in paying costs associated with improvements to the Nat Trout Road and Hawkins Entrance.....\$500,000.00

(cw) To assist Carroll County, Mississippi, in paying costs associated with general road resurfacing and maintenance ..... \$750,000.00

(cx) To provide funds to be distributed equally among the eighteen (18) volunteer fire departments in Lauderdale County, Mississippi, to assist in paying various department costs ..... \$360,000.00

(cy) To assist the City of Pontotoc, Mississippi, in paying costs associated with relocating the fire station on Main Street in the city to a less congested corner lot near the current location ..... \$1,000,000.00

(cz) To assist the City of Pontotoc, Mississippi, in paying costs associated with the completion of a pavilion at the gateway to the Tanglefoot Trail ..... \$400,000.00

(da) To assist the City of Pontotoc, Mississippi, in paying costs associated with building and equipping a training center that provides trainee safety and live fire training to firefighters and first responders, benefitting both the Pontotoc City Fire Department and Pontotoc County volunteer fire departments..... \$500,000.00

(db) To assist the City of Pontotoc, Mississippi, in paying costs associated with renovation of and upgrades, improvements and additions to the Pontotoc Town Square Museum and Post Office building and the McMackin House necessary to provide and improve accessibility to and inside the buildings through the Pontotoc County Historical Society..... \$50,000.00

(dc) To assist the Town of Como, Mississippi, in paying costs associated with road infrastructure repairs and improvements..... \$500,000.00

(dd) To assist Adams County, Mississippi, with costs associated with the Carthage Point Road drainage repair and flood control project..... \$500,000.00

(de) To assist the City of Natchez, Mississippi, for the purpose of providing funding to defray the expenses of the Concord Avenue Drainage Improvement Project for construction costs..... \$500,000.00

(df) To assist the Town of Byhalia, Mississippi, in paying costs associated with relocation of water, sewer, gas utility lines and other equipment currently located on or near Mississippi Highway 309 near the Byhalia schools, and to assist in paying costs associated with street paving improvements to Mississippi Highway 309 ..... \$1,000,000.00

(dg) To assist the Byhalia Old School Commons in costs associated with the renovation of the historic Byhalia High School to provide civic, business, and hospitality for the town ..... \$500,000.00

(dh) To assist the Lafayette County Sheriff's Department in paying costs associated with building a substation in the Harmontown Community with Lafayette County ..... \$250,000.00

(di) To assist the Town of New Houlka, Mississippi, in paying costs associated with the purchase of a new fire truck ..... \$150,000.00

(dj) To assist the City of Houston, Mississippi, in paying costs associated with repair and overlay of streets including Airport Road, Church Street, Pittsboro Street, Dulaney Street, 1st Avenue, Harrington Street, Washington Street, Hamilton Street, Castle Street, Scott Street, Terrace Road and 6th Avenue ..... \$400,000.00

(dk) To assist the Town of Bude, Mississippi, in paying costs associated with improvements to the town's existing sewer lagoon for cleaning,

removing excessive vegetation and including, but not limited, to dredging of sludge and sediment ..... \$500,000.00

(dl) To assist the Tennessee Valley Authority in paying costs associated with performing an assessment of the Holly Springs, Mississippi Utility Department and to be used for cutting of the right-of-way of the Holly Springs Utility Department ..... \$500,000.00

(dm) To assist Benton County, Mississippi, in paying costs associated with repairs to the Benton County Historic Courthouse ..... \$300,000.00

(dn) To assist Benton County Sheriff's Department in paying costs associated with the purchase of equipment and vehicles ..... \$400,000.00

(do) To assist Benton County, Mississippi, in paying costs associated with improvements to Benton County Veterans Park ..... \$300,000.00

(dp) To assist the Town of Abbeville, Mississippi, in paying costs associated with repairs and additions to the town's water system ..... \$500,000.00

(dq) To assist Union County, Mississippi, in paying costs associated with road maintenance on County Road 47 in Supervisors District 2 in Union County ..... \$900,000.00

(dr) To assist DeSoto County, Mississippi, with providing funds to assist in paying costs associated with construction, furnishing and equipping of a training facility for the Walls Volunteer Fire Department ..... \$250,000.00

(ds) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting ..... \$2,000,000.00

(dt) To assist Hancock County, Mississippi, with costs associated with the Hancock County Utility Authority for sewer system improvements in the areas of Kiln Delisle Road and Fenton Dedeaux Road ..... \$500,000.00

(du) To assist the Town of Caledonia, Mississippi, in paying costs associated with the purchase and upgrades of equipment ..... \$150,000.00

(dv) To assist the Town of Caledonia, Mississippi, in paying costs associated with upgrading the town's lighting infrastructure ..... \$350,000.00

(dw) To assist the Town of Brooksville, Mississippi, with matching funds for the Federal EPA Stag Grant to complete the town's water and wastewater infrastructure program ..... \$500,000.00

(dx) To assist Noxubee County, Mississippi, in paying costs associated with the county's community sports complex redevelopment project including the addition of bleachers, concession stand, scoreboard, bathrooms and approximately four hundred (400) yards of roadway pavement ..... \$500,000.00

(dy) To provide funds to be distributed equally among the following fire departments in Scott County, Mississippi, to assist in purchasing equipment: Forest Fire Department, North Scott Volunteer Fire Department, Homewood Volunteer Fire Department, Lake Volunteer Fire Department, Liberty Volunteer Fire Department, Ludlow Volunteer Fire Department, Morton Fire Department and Sebastopol Fire Department ..... \$200,000.00

(dz) To assist the City of Forest, Mississippi, in paying costs associated with constructing and developing a turn lane at a road by Tyson Foods for safety purposes ..... \$250,000.00

(ea) To assist the Town of Summit, Mississippi, for purpose of building a fire station for Summit Rural Fire Department ..... \$500,000.00

(eb) To assist Pike County, Mississippi, in paying costs associated with renovation and repairs to the Courthouse Complex buildings ..... \$750,000.00

(ec) To assist the Town of Summit, Mississippi, in paying costs associated with a building to house the ladder truck, 18-wheeler tanker truck, rescue

pumper and smaller tanker truck for the Sunnyhill Volunteer Fire Department ..... \$250,000.00

(ed) To assist the City of Columbia, Mississippi, in paying costs associated with the RA Johnson Drive stormwater retention pond project .... \$300,000.00

(ee) To assist the City of Columbia, Mississippi, in paying costs associated with downtown storm drainage system improvements ..... \$500,000.00

(ef) To assist Marion County, Mississippi, in paying costs associated with paving roads within the county..... \$500,000.00

(eg) To assist Marion County, Mississippi, in paying costs associated with roof repairs on the Board of Supervisors building, Hammond Hall and the Marion County Health Department ..... \$500,000.00

(eh) To assist the City of Purvis, Mississippi, in paying costs associated with VFW Post 3955 to expand and modernize the facility ..... \$150,000.00

(ei) To assist the City of Pearl, Mississippi, in paying costs associated with construction of a bridge extending from the intersection of the extension of Ware Street and relocated St. Augustine Street to Pearson Road in the City of Pearl ..... \$500,000.00

(ej) To assist the Town of Carrollton, Mississippi, in paying costs associated with the installation of high speed service via Delta Lightspeed .. \$400,000.00

(ek) To assist the Town of North Carrollton, Mississippi, in paying costs associated with the installation of high speed service via Delta Lightspeed ..... \$350,000.00

(el) To assist the City of Greenwood, Mississippi, in paying costs associated with improvements to Yazoo River Trail and Yazoo River Landing ..... \$750,000.00

(em) To assist Montgomery County, Mississippi, in paying costs associated with an emergency generator, 65kw transfer switch, concrete pad and installation for the Stewart Water Association ..... \$100,000.00

(en) To assist the Town of Kilmichael, Mississippi, in paying costs associated with purchasing turnout suits and equipment for the Kilmichael Volunteer Fire Department ..... \$100,000.00

(eo) To assist Montgomery County, Mississippi, for the purpose of the Red Hill Volunteer Fire Department ..... \$250,000.00

(ep) To assist the City of Winona, Mississippi, in paying costs associated with purchasing a fire truck ..... \$450,000.00

(eq) To assist Carroll County, Mississippi, in paying costs associated with improvements to County Road 83 ..... \$700,000.00

(er) To assist the City of Tylertown, Mississippi, in paying costs associated with infrastructure improvements ..... \$500,000.00

(es) To assist Walthall County, Mississippi, in paying costs associated with the construction of a frontage road along the south side of Highway 98 Bypass ..... \$750,000.00

(et) To assist the City of Gautier, Mississippi, in paying costs associated with construction of the Mississippi Songwriters Performing Arts Center ..... \$2,000,000.00

(eu) To assist the City of Gautier, Mississippi, in paying costs associated with constructing an inclusion and Americans With Disabilities Act (ADA) approved park area including, but not limited to, playground equipment for children with disabilities ..... \$1,000,000.00

(ev) To assist the City of Gautier, Mississippi, in paying costs associated with improvements to Town Commons Park, including, but not limited to, parking and through roads for an amphitheater ..... \$2,000,000.00

(ew) To assist the City of Water Valley, Mississippi, in paying costs associated with maintenance, repairs and facilitation of broadband service by the city electric department..... \$750,000.00



(ex) To assist the City of Charleston, Mississippi, in paying costs associated with improvement and restoration of city streets ..... \$500,000.00

(ey) To assist Yalobusha County, Mississippi, by providing funds to be used as matching funds for the Tennessee Valley Authority grant for the industrial park..... \$100,000.00

(ez) To assist the City of Water Valley, Mississippi, in paying costs associated with restoration and maintenance of the Water Valley Civic Center ..... \$250,000.00

(fa) To assist Oktibbeha County, Mississippi, in paying costs associated with constructing a new building for Oktibbeha County Circuit and County Court..... \$1,000,000.00

(fb) To assist the City of Starkville, Mississippi, in paying costs associated with the city's Main Street Project ..... \$1,500,000.00

(fc) To assist the Town of Sumner, Mississippi, in paying costs associated with the construction of a Police Department building and related facilities ..... \$250,000.00

(fd) To assist the Town of Webb, Mississippi, in paying costs associated with the construction of a community center ..... \$250,000.00

(fe) To assist Newton County, Mississippi, in paying costs associated with purchasing a fire truck ..... \$250,000.00

(ff) To assist the Town of Decatur, Mississippi, in paying costs associated with the purchase of two (2) patrol vehicles and equipment ..... \$125,000.00

(fg) To assist the Town of Sebastopol, Mississippi, in paying costs associated with a building extension and fixtures for the town police department ..... \$250,000.00

(fh) To assist the Town of Seminary, Mississippi, in paying costs associated with water and sewer infrastructure improvements..... \$250,000.00

(fi) To assist Jefferson Davis County, Mississippi, in paying costs associated with improvements to Broome Road ..... \$100,000.00

(fj) To assist Jones County, Mississippi, in paying costs associated with mill and overlay to Graves Road from Buffalo Hill road to the city limits of Ellisville, Mississippi, and to extend the project to Mississippi Highway 588 ..... \$600,000.00

(fk) To assist the City of Laurel, Mississippi, in paying costs associated with additions to and expansion of the Veterans Memorial Museum in Laurel, Mississippi..... \$200,000.00

(fl) To assist Jones County Junior College in paying costs associated with construction of a building to house the School of Design ..... \$200,000.00

(fm) To assist the City of Brandon, Mississippi, in paying costs associated with infrastructure repairs, maintenance, upgrades and improvements ..... \$1,000,000.00

(fn) To provide funds to be distributed equally among the following fire departments in Jasper County: Bay Springs Volunteer Fire Department, Central Volunteer Fire Department, Fellowship Volunteer Fire Department, Hal Volunteer Fire Department, Lake Eddins Volunteer Fire Department, Louin Volunteer Fire Department, Montrose Volunteer Fire Department, Mossville Volunteer Fire Department, Northeast Jasper Volunteer Fire Department, Paulding Volunteer Fire Department and Rose Hill Volunteer Fire Department ..... \$110,000.00

(fo) To assist Clarke County, Mississippi, in paying costs associated with infrastructure for the new Howard Industrial Expansion Plant, including, but not limited to water, sewer and fencing ..... \$500,000.00

(fp) To assist Mississippi Wireless Information Network in paying costs associated with adding new statewide communication towers in needed locations ..... \$3,900,000.00

(fq) To assist Tippah County, Mississippi, in paying costs associated with the destruction of the old Tippah County Hospital..... \$500,000.00

(fr) To assist the Town of Blue Mountain, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department ..... \$50,000.00

(fs) To assist the Town of Walnut, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$100,000.00

(ft) To assist the City of Ripley, Mississippi, in paying costs associated with the purchase of equipment for the city's fire department ..... \$175,000.00

(fu) To assist the Town of Falkner, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$50,000.00

(fv) To assist the Town of Dumas, Mississippi, in paying costs associated with the purchase of equipment for the town's fire department..... \$50,000.00

(fw) To assist Tippah County, Mississippi, in paying costs association with the purchase of equipment for the Tippah County Sheriff's Department ..... \$100,000.00

(fx) To assist the Town of Falkner, Mississippi, in paying costs associated with the Heritage Museum ..... \$30,000.00

(fy) To assist Tippah County, Mississippi, with creating a Target Endowment Fund for various projects in the county..... \$75,000.00

(fz) To assist the City of Ripley, Mississippi, in paying costs associated with building maintenance for VFW Post 4881 ..... \$25,000.00

(ga) To assist the City of Ripley with costs associated for building maintenance for American Legion Post 81 ..... \$25,000.00

(gb) To assist the Town of Walnut, Mississippi, in paying costs associated with gas system improvements ..... \$75,000.00

(gc) To assist Sharkey County, Mississippi, in paying costs associated to repairs to the Sharkey County Courthouse located in Rolling Fork, Mississippi..... \$1,000,000.00

(gd) To assist Hinds County, Mississippi, in paying costs associated with purchasing and installing surveillance cameras on Dixon Road, McCain Avenue and South Drive..... \$25,000.00

(ge) To assist the City of Verona, Mississippi, in paying associated with site work and infrastructure related to the Old Town Project ..... \$500,000.00

(gf) To assist the Town of Taylorsville, Mississippi, in paying costs associated with infrastructure repair and to upgrade water, sewer and fire protection systems to industrial area ..... \$350,000.00

(gg) To assist the City of Guntown, Mississippi, in paying costs associated with repairing, reconstruction, resurfacing and other improvements such as curbs, drainage to Mike Avenue and to bring the road up to code, and any remaining funds shall be used for costs associated with making improvements to other streets in the city..... \$750,000.00

(gh) To assist Prentiss County, Mississippi, in paying costs associated with making improvements to roads and bridges in Supervisors District 3 in Prentiss County..... \$300,000.00

(gi) To assist the Town of Lena, Mississippi, in paying costs associated with road and water infrastructure projects ..... \$500,000.00

(gj) To assist the Town of D'Lo, Mississippi, in paying costs associated with construction of a fire station ..... \$50,000.00

(gk) To assist the Town of D'Lo, Mississippi, in paying costs associated with phase II of paving town streets including First Street from Highway 149 to South Pine, Second Street from Highway 149 to South Maple, Third Street from Highway 149 to South Maple, Fourth Street from Highway 149 to South Maple and Cemetery Road \$250,000.00

(gl) To assist the Town of D'Lo, Mississippi, in paying costs associated with phase III of paving town streets including South Oak from Highway 540 to end, West Fifth

from Highway 149 to South Oak, East Fifth from Highway 149 to South Oak, West Pecan from Willow Street to Highway 149, and East Pecan from Highway 149 to Water Tower  
\$250,000.00

(gm) To assist Rankin County, Mississippi, to provide funds to be distributed equally among the following fire departments in Rankin County: Cleary Volunteer Fire Department, Star Volunteer Fire Department, Florence Volunteer Fire Department, SW Rankin Volunteer Fire Department and Monterey Volunteer Fire Department. \$75,000.00

(gn) To assist Copiah County, Mississippi, to provide funds to be distributed equally among the following fire departments in Copiah County: Crystal Springs Volunteer Fire Department, Hopewell Volunteer Fire Department, New Zion Volunteer Fire Department and Dentville Volunteer Fire Department..... \$60,000.00

(go) To assist Simpson County, Mississippi, with costs associated with the Old Pearl Volunteer Fire Department

..... \$15,000.00

(gp) To assist Rankin County, Mississippi, with funds associated with the road connecting U.S. Highway 49 to Pearson Road ..... \$500,000.00

(gq) To the City of Crystal Springs, Mississippi, to assist in paying costs associated with Chautauqua Park Amphitheater..... \$500,000.00

(gr) To assist Hinds County, Mississippi, in paying costs associated with repairs for flood plain revisions to Eubanks Creek ..... \$500,000.00

(gs) To assist the City of Ocean Springs, Mississippi, in paying costs associated with GIS mapping of infrastructure

..... \$75,000.00

(gt) To assist the City of Ocean Springs, Mississippi, in paying costs associated with improvements or adding turn lanes, curbs, drainage and sidewalks  
\$400,000.00

(gu) To assist the City of Ocean Springs, Mississippi, in paying costs associated with covering the stage located at Fort Maurepas ..... \$450,000.00

(gv) To the Mississippi Development Authority for the purpose of providing funding to WISPR Systems in Batesville, Mississippi, for research and development to expand its current small Unmanned Aircraft Systems (sUAS) manufacturing capabilities in Mississippi..... \$500,000.00

(gw) To assist the Mississippi Organ Recovery Agency in paying costs associated with a statewide communications  
program..... \$500,000.00

(gx) To assist the City of Senatobia, Mississippi, in paying costs associated with water, sewer and road infrastructure renovations in the Downtown Historic District...  
\$2,000,000.00

(gy) To assist the Rankin County, Mississippi, in paying costs associated with infrastructure improvements on the I20 Connector Loop Project..... \$3,000,000.00

(gz) To assist the City of Senatobia, Mississippi, in paying costs associated with infrastructure repairs and improvements at the Senatobia Sports Park.. \$600,000.00

(ha) To assist the City of Senatobia, Mississippi, in paying costs associated with sewer and water improvements to the New Image Water and Sewer System  
\$2,000,000.00

(hb) To assist Tate County, Mississippi, with reimbursement of funds for costs associated with Tate County Courthouse parking facility renovations; any remaining funds may be spent on drainage and road repairs as determined by the Tate County Board of Supervisors ..... \$1,650,000.00

(hc) To assist the Mississippi Department of Transportation in paying costs associated with improvements at the intersection of Highway 51 and Porter Street, and at the intersection of Highway 4 and I-55 intersection within the city limits of the City of Senatobia, Mississippi..... \$750,000.00

(hd) To assist Northwest Mississippi Community College in paying costs associated with capital infrastructure and repairs to the main campus facilities  
\$2,000,000.00

(he) To assist the Cottonville-Savage Rural Water Association in paying costs associated with construction, repair and maintenance of, and acquiring equipment for, a water system

\$285,000.00

(hf) To assist Holmes Community College in paying costs associated with the construction of a new Allied Health building ..... \$1,000,000.00

(hg) To assist the Kosciusko School District in paying costs associated with infrastructure, construction and improvements to facilities throughout the district ..... \$1,000,000.00

(hh) To assist the Edinburg Domestic Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, a water system ..... \$150,000.00

(hi) To assist Leake County, Mississippi, in paying costs associated with the construction, repair and renovation of North Jordan Street ..... \$2,500,000.00

(hj) To assist Leake County, Mississippi, in paying costs associated with the construction, repair and renovation of Red Dog Road ..... \$925,000.00

(hk) To assist Leake County, Mississippi, in paying costs associated with the local workforce initiative of the Leake County Development Association for students in Leake County ..... \$50,000.00

(hl) To assist Holmes County, Mississippi, in paying costs associated with road resurfacing and repairs in Supervisors District 2 of the county ..... \$500,000.00

(hm) To assist the City of Carthage, Mississippi, in paying costs associated with the construction, repair and renovation of the Carthage Coliseum ..... \$1,000,000.00

(hn) To assist Leake County, Mississippi, in paying costs associated with acquiring firefighting equipment for Leake County fire departments ..... \$100,000.00

(ho) To assist the Town of West, Mississippi, in paying costs associated with infrastructure improvements, renovations and rehabilitation of existing town properties, including, but not limited to, the Welcome Center, City Hall, Old City Hall and the Library, as well as the purchase of a new police vehicle, including the necessary equipment to outfit the vehicle ..... \$300,000.00

(hp) To assist Attala County, Mississippi, in paying costs associated with the construction of an Attala County Fire Station, an Emergency Operations Center and E-911 Telecommunications Center ..... \$3,600,000.00

(hq) To assist Attala County, Mississippi, in paying costs associated with the repair or replacement of the roof for the Old Jack Post Industrial Building ..... \$850,000.00

(hr) To assist the City of Kosciusko, Mississippi, in paying costs associated with the construction, renovation and rehabilitation of the Strand Theatre ..... \$500,000.00

(hs) To assist Attala County, Mississippi, in paying costs associated with the renovation, construction and rehabilitation of a building for the Carmack Community Club ..... \$200,000.00

(ht) To assist Carmack Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, the water association ..... \$150,000.00

(hu) To assist Zama Water Association in paying costs associated with the construction, repair and maintenance of, and acquiring equipment for, the water association ..... \$150,000.00

(hv) To assist the Department of Finance and Administration in paying costs associated with the program established under Section 3 of House Bill No. 419, 2023 Regular Session ..... \$300,000.00

(hw) To assist Jasper County, Mississippi, in paying costs associated with repairs, resurfacing and improvements to roads and bridges ..... \$ 1,100,000.00

(hx) To assist the Town of Heidelberg, Mississippi, in paying costs associated with infrastructure improvements ..... \$ 300,000.00

(hy) To assist the City of Bay Springs, Mississippi, in paying costs associated with infrastructure improvements .....

\$ 150,000.00

(hz) To assist the East Jasper Consolidated School District in paying costs associated with the acquisition of the old Heidelberg Academy ..... \$ 150,000.00

(ia) To assist Forrest County, Mississippi, in paying costs associated with repairs and improvements on Monroe Road Extension ..... \$ 325,000.00

(ib) To assist Lawrence County, Mississippi, in paying costs associated with pavement maintenance for the N.A. Sandifer Highway ..... \$ 1,000,000.00

(ic) To assist Lincoln County, Mississippi, in paying costs associated with repairs and renovations to the county courthouse..... \$ 250,000.00

(id) To assist Holmes County, Mississippi, in paying costs associated with infrastructure improvements .....  
\$ 500,000.00

(ie) To assist the City of Lexington, Mississippi, in paying costs associated with renovations to the city hall and the municipal fire station ..... \$ 500,000.00

(if) To assist the Town of Tchula, Mississippi, in paying costs associated with repairs, resurfacing and improvements to town streets..... \$ 250,000.00

(ig) To assist the City of Olive Branch, Mississippi, in paying costs associated with the improvement and expansion of aircraft hangers..... \$ 1,500,000.00

(ih) To assist Marshall County, Mississippi, in paying costs associated with building the Chickasaw Trail Emergency Response Center ..... \$ 1,500,000.00

(ii) To assist Desoto County, Mississippi, in paying costs associated with a parking lot and staging improvements at the National Guard Armory..... \$ 500,000.00

(ij) To assist the City of Byram, Mississippi, in paying costs associated with drainage repair projects ..... \$ 500,000.00

(ik) To assist the City of Byram, Mississippi, in paying costs associated with improvements to the Terry Road Bridge .....  
\$ 250,000.00.

(il) To assist the Town of Terry, Mississippi, in paying costs associated with the renovation of a community center and improvements to Main Street ... \$ 300,000.00

(im) To assist Hinds County, Mississippi, in paying costs associated with widening, straightening and clearing debris from Eubanks Creek ..... \$ 500,000.00

(in) To assist the City of Oxford, Mississippi, in paying costs associated with the construction of a new police station ..... \$ 1,000,000.00

(io) To assist Panola County, Mississippi, in paying costs associated with improvements at the Panola County Airport\$ 500,000.00

(ip) To assist the City of Louisville, Mississippi, in paying costs associated with infrastructure improvements for the North and South Industrial Road Project.....\$ 2,000,000.00

(iq) To assist Neshoba County, Mississippi, in paying costs associated with the purchase of equipment for the Neshoba County Sheriff's Department . \$ 200,000.00

(ir) To assist the Brewer Community Association, Inc., in paying costs associated with the improvement and operation of the community center in Brewer, Mississippi..... \$ 150,000.00

(is) To assist Tammy Wynette Legacy Park in paying costs associated with the improvement and operation of the Tammy Wynette Legacy Center in the Town of Tremont, Mississippi.....  
\$ 150,000.00

(it) To assist the Prairie Rural Community Development Club in paying costs associated with the improvement and operation of the former Prairie School in Prairie, Mississippi.....  
\$ 150,000.00

(iu) To assist the City of Tupelo, Mississippi, in paying costs associated with improvements to Ballard Park including, but not limited to, inclusive playground equipment and any necessary playground equipment for special needs children.....  
\$ 500,000.00

(iv) To assist Jefferson County, Mississippi, in paying costs associated with infrastructure improvements to roads and bridges ..... \$ 100,000.00

(iw) To assist Claiborne County, Mississippi, in paying costs associated with infrastructure improvements ..... \$ 500,000.00

(ix) To assist Claiborne County, Mississippi, in paying costs associated with improvements to law enforcement facilities ..... \$ 225,000.00

(iy) To assist Copiah County, Mississippi, in paying costs associated with the demolition of the former hospital complex in the City of Hazlehurst..... \$ 75,000.00

(iz) To assist the City of Natchez, Mississippi, in paying costs associated with various drainage projects ..... \$ 500,000.00

(ja) To assist the Gulfport Redevelopment Commission in paying costs associated with a mixed-use downtown development project, including general infrastructure to leverage public and private investment ..... \$ 2,000,000.00

(jb) To assist the City of Magee, Mississippi, in paying costs associated with infrastructure improvements ..... \$ 500,000.00

(jc) To assist the City of Mendenhall, Mississippi, in paying costs associated with infrastructure improvements..... \$ 500,000.00

(jd) To assist the Village of Puckett, Mississippi, in paying costs associated with infrastructure improvements..... \$ 500,000.00

(je) To assist Montgomery County, Mississippi, in paying costs associated with the installation of traffic signals at the intersection of U.S. Highway 82 and Middleton Road and at the intersection of U.S. Highway 82 and Mission Road..... \$ 700,000.00

(jf) To assist Grenada County, Mississippi, in paying costs associated with improvements to Nat G. Trout Road ..... \$ 500,000.00

(jg) To assist the Kosciusko School District in paying costs associated with renovations and improvements to the Skipworth Auditorium..... \$ 500,000.00

(jh) To assist Attala County, Mississippi, in paying costs associated with the repair and/or replacement of the roof of the Jack Post Industrial Building .. \$ 250,000.00

(ji) To assist the City of Kosciusko, Mississippi, in paying costs associated with repairs and renovations to the Strand \$ 250,000.00

(jj) To assist Greene County, Mississippi, in paying costs associated with the purchase of equipment for the Emergency 911 Call Center ..... \$ 705,000.00

(jk) To assist Greene County, Mississippi, in paying costs associated with the construction of a county-owned building..... \$ 400,000.00

(jl) To assist Greene County, Mississippi, in paying costs associated with the rehabilitation and repair of the Greene County Rural Events Center .... \$ 600,000.00

(jm) To assist the Mississippi Department of Transportation in paying costs associated with widening and improvements to State Highway/Old Highway 63 from Highway 57 to Highway 63 in Greene County, Mississippi..... \$ 1,000,000.00

(jn) To assist George County, Mississippi, in paying costs associated with infrastructure improvements ..... \$ 300,000.00

(jo) To assist Greene County, Mississippi, in paying costs associated with infrastructure improvements ..... \$ 550,000.00

(jp) To assist the Town of State Line, Mississippi, in paying costs associated with Hurricane Zeta ..... \$ 250,000.00

(jq) To assist Wayne County, Mississippi, in paying costs associated with the repair and upgrades to courtrooms ..... \$ 75,000.00

(jr) To assist the City of D'Iberville, Mississippi, in paying costs associated with the extension of Mallet Road .....

\$ 2,500,000.00

(js) To assist the Mississippi State University Research and Technology Corporation in paying costs associated with the Mississippi Cybersecurity Center adjacent to Keesler Air Force Base..... \$15,000,000.00

(jt) To assist the Jackson County School District in paying costs associated with repairs and renovations to facilities at St. Martin High School..... \$ 1,000,000.00

(ju) To assist Jackson County, Mississippi, in paying costs associated with upgrades at the intersection of Jim Ramsey Road and Old Fort Bayou Road .....\$ 500,000.00

(jv) To assist the City of Ocean Springs, Mississippi, in paying costs associated with repairs and restoration of the Mary C. O'Keefe Cultural Arts Center .....\$ 250,000.00

(jw) To assist the Lamar County School District in paying costs associated with the development of the new courtyard at the Sumrall High School .... \$ 1,400,000.00

(jx) To assist the Town of Seminary, Mississippi, in paying costs associated with water and sewer improvements.....

\$ 250,000.00

(jy) To assist the City of Collins, Mississippi, in paying costs associated with water and sewer improvement near the Collins Civic Center ..... \$ 400,000.00

(jz) To assist the City of Flowood, Mississippi, in paying costs associated with infrastructure improvements on Flowood Drive..... \$ 1,500,000.00

(ka) To assist the City of Flowood, Mississippi, in paying costs associated with infrastructure improvements on Liberty Road and at Liberty Park..... \$ 1,250,000.00

(kb) To assist Rankin County, Mississippi, in paying costs associated with infrastructure improvements on the I-20 Connector Loop Project..... \$ 4,500,000.00

(kc) To assist the City of Meridian, Mississippi, in paying costs associated with infrastructure improvements to North Hills Street from Highway 19 to Highway 39...\$ 3,400,000.00

(kd) To assist the Kemper County School District in paying costs associated with software and training programs for the Career and Technical Education Center.....\$ 200,000.00

(ke) To assist the City of Picayune, Mississippi, in paying costs associated with infrastructure improvements.....

\$ 500,000.00

(kf) To assist the City of Poplarville, Mississippi, in paying costs associated with the purchase of public safety vehicles, fire protection purchases, street paving and drainage improvements..... \$ 1,000,000.00

(kg) To assist the City of Vicksburg, Mississippi, in paying costs associated with repairs to the Fisher Ferry Bridge \$ 4,000,000.00

(kh) To assist the City of Vicksburg, Mississippi, in paying costs associated with infrastructure improvements.....

\$ 500,000.00

(ki) To assist the South Delta School District in paying costs associated with asbestos demolition and remediation.....

\$ 350,000.00

(kj) To assist with Pearl River Valley Water Supply District for the dredging fund \$ 2,000,000.00

(kk) To assist the Lighthouse Academy for Dyslexia in Ocean Springs with costs associated for general purposes for dyslexia services..... \$ 195,000.00

(kl) To assist the Culkin Water District with the reconstruction of water lines for an industrial park, schools, hospital and other accounts ..... \$ 1,500,000.00

(km) To assist Warren County, Mississippi, in paying costs associated with upgrades and improvements to the historic Old Courthouse and grounds in Vicksburg...\$ 2,000,000.00

(kn) To assist Yazoo County, Mississippi, in paying costs associated with construction and repairs to the Lake George Bridge ..... \$ 3,000,000.00

(ko) To assist the City of Ridgeland, Mississippi, in paying costs associated with the construction of the Commerce Park Connector Road ..... \$ 2,000,000.00

(kp) To assist the City of Jackson, Mississippi, in paying costs associated with repairs, renovation and upgrades to the Jackson Planetarium..... \$ 1,000,000.00

(kq) To assist the City of Jackson, Mississippi, in paying costs associated with repairs, renovations and upgrades to Thalia Mara Hall..... \$ 1,500,000.00

(kr) To assist the Town of Bolton, Mississippi, in paying costs associated with repairs and renovations to the volunteer fire department..... \$ 50,000.00

(ks) To assist Tunica County, Mississippi, in paying costs associated with repairs, resurfacing and improvements and traffic signal upgrades on Casino Strip Resort Boulevard.....  
\$ 500,000.00

(kt) To assist the Town of Lambert, Mississippi, in paying costs associated with equipment purchases for the town's fire department..... \$ 100,000.00

(ku) To assist the City of Hattiesburg, Mississippi, in paying costs associated with improvements in infrastructure in the Midtown area of the city, including, but not limited to, roads, bridges, water, sewer, drainage, sidewalks, stormwater detention, land acquisition, utility relocation and lighting .....  
\$ 2,000,000.00

(kv) To assist Perry County, Mississippi, in paying costs associated with the construction of a roadway and a bridge to access the Perry County Industrial Park ..... \$ 750,000.00

(kw) To assist the City of Greenwood, Mississippi, in paying costs associated with infrastructure improvements .....  
\$ 500,000.00

(kx) To assist the Mississippi Development Authority in providing reimbursements for Major League Baseball mandated alterations and improvements to Trustmark Park..... \$ 1,300,000.00

(ky) To assist the Town of Gloster, Mississippi, in paying costs associated for infrastructure improvements to Gloster Road, Georgia Pacific 1 Road, Georgia Pacific 2 Road, Pepper House Road and East Railroad Avenue. \$ 2,500,000.00

(kz) To assist the City of Pearl, Mississippi, in paying costs associated with lighting improvements on U.S. Highway 80.....  
\$ 1,500,000.00

(la) To assist the City of Richland, Mississippi, in paying costs associated with the U.S. Highway 49 pedestrian crossover..... \$ 500,000.00

(lb) To assist the City of Newton, Mississippi, in paying costs associated with demolition, repairs and renovations of the Medical and Community Facility.....\$ 1,500,000.00

(lc) To assist the City of Forest, Mississippi, in paying costs associated with infrastructure improvements to Jack Lee Drive and Old Morton Road..... \$ 250,000.00

(ld) To assist the City of Hernando, Mississippi, in paying costs associated with the installation of a roundabout at the intersection of U.S. Highway 51 and Oak Grove Road  
\$ 1,500,000.00

(le) To assist Lee County, Mississippi, in paying costs associated with the acquisition of real property adjacent to Turner Industrial Park for the purpose of site expansion and rail spur improvements ..... \$ 1,000,000.00

(lf) To assist Lee County, Mississippi, in paying costs associated with the purchase of a fire truck for the Richmond Fire Department in the Richmond community of Lee County.....  
\$ 358,000.00

(lg) To assist the City of Slatillo, Mississippi, in paying costs associated with the construction of a new fire station..... \$ 1,000,000.00

(lh) To assist the City of Gluckstadt, Mississippi, in paying costs associated with the construction of a municipal court building and a police station ..... \$ 750,000.00

(li) To assist the City of Madison, Mississippi, in paying costs associated with the Madison Avenue bypass to U.S. Highway 51 ..... \$ 2,000,000.00

(lj) To assist the City of Bay St. Louis, Mississippi, in paying costs associated with infrastructure improvements .....  
\$ 250,000.00



(lk) To assist Hancock County, Mississippi, in paying costs associated with infrastructure improvements .....  
\$ 500,000.00

(ll) To assist the City of Waveland, Mississippi, in paying costs associated with infrastructure improvements .....  
\$ 250,000.00

(lm) To assist the Horn Lake Creek Basin Interceptor Sewer District in paying the costs associated with infrastructure improvements ..... \$ 2,000,000.00

(ln) To assist the Twenty-third Circuit Court District in paying costs associated with the District Attorney's Office.....  
\$ 275,000.00

(lo) To assist the City of Southaven, Mississippi, in paying costs associated with traffic signal and intersection improvements at Stateline Road and Swinnea Road.. \$ 300,000.00

(lp) To assist the City of Southaven, Mississippi, in paying costs associated with upgrades and improvements to Snowden Grove Park..... \$ 500,000.00

(lq) To assist the City of Southaven, Mississippi, in paying costs associated with a traffic signal and intersection improvements at Church Road and Tchulahoma Road

\$ 350,000.00

(lr) To assist Small Horn Lake Water District in paying costs associated with a water meter replacement..... \$ 250,000.00

(ls) To assist Alcorn County, Mississippi, in paying costs associated with infrastructure improvements to the Industrial Access Roadway ..... \$ 500,000.00

(lt) To assist the City of Corinth, Mississippi, in paying costs associated with the Polk Street bridge replacement project ..... \$ 1,500,000.00

(lu) To assist Blue Mountain Christian University in paying costs associated with the nursing school ..... \$ 250,000.00

(lv) To assist the City of Farmington, Mississippi, in paying the costs associated with the purchase of vehicles and equipment for the police department..... \$ 100,000.00

(lw) To assist Lamar County, Mississippi, in paying costs associated with infrastructure improvements to the roundabout at Oak Grove Road and Weathersby Road  
\$ 1,500,000.00

(lx) To assist the Jackson County Economic Development Foundation in paying costs associated with the employment of career coaches for the Jackson County School District .....  
\$ 600,000.00

(ly) To assist Jackson County, Mississippi, in paying costs associated with road and bridge repairs in Supervisor District 1 ..... \$ 300,000.00

(lz) To assist Washington County, Mississippi, in paying costs associated with repair and renovations of Estes Street, Airdale Drive and Sidney Street..... \$ 600,000.00

(ma) To assist the Town of Metcalfe, Mississippi, in paying costs associated with repairs, renovations and .....  
technological enhancements of town hall ..... \$ 100,000.00

(mb) To assist the Town of Benoit, Mississippi, in paying costs associated with repairs, renovations and .....  
technological enhancements of town hall ..... \$ 100,000.00

(mc) To assist the City of Leland, Mississippi, in paying costs associated with repairs, renovations and .....  
technological enhancements of city hall..... \$ 75,000.00

(md) To assist Washington County, Mississippi, in paying costs associated with improvements, renovations, repairs and upgrades to the Greenville Mid-Delta Airport  
\$ 500,000.00

(me) To assist the City of Cleveland, Mississippi, in paying costs associated with infrastructure and drainage.....  
improvements..... \$ 500,000.00

(mf) To assist Bolivar County, Mississippi, in paying costs associated with the expansion of the Terrene Landing River Boat Dock and improvements to Terrene Landing Road.....

\$ 400,000.00

(mg) To assist Tishomingo County, Mississippi, in paying costs associated with the repair, renovation and expansion of the General Building 1016 at the Tri-State Commerce Park .....

\$ 650,000.00

(mh) To assist the City of Fulton, Mississippi, in paying costs associated with construction, renovation and repair of an acquired building to repurpose for use as the city hall .....

\$ 250,000.00

(mi) To assist the Town of Marietta, Mississippi, in paying costs associated with infrastructure improvements .....

\$ 200,000.00

(mj) To assist the Town of Mantachie, Mississippi, in paying costs associated with infrastructure improvements for the Fawn Grove Industrial Park.....\$ 148,000.00

(mk) To assist the Town of Tishomingo, Mississippi, in paying costs associated with the replacement of gate valves and other water infrastructure projects..\$ 150,000.00

(ml) To assist the Village of Paden, Mississippi, in paying costs associated with the repairs and renovations of a village-owned industrial building..... \$ 150,000.00

(mm) To assist Itawamba County, Mississippi, in paying costs associated with repairs and renovations to the RCDC .....

\$ 40,000.00

(mn) To assist Tishomingo County, Mississippi, in paying costs associated with repairs and renovations at the Old.....

Historical Courthouse ..... \$ 100,000.00

(mo) To assist the Town of Bruce, Mississippi, in paying costs associated with equipment upgrades and other purchases for the town's police department.....\$ 50,000.00

(mp) To assist the Town of Houlika, Mississippi, in paying costs associated with the purchase of a fire truck .....

\$ 125,000.00

(mq) To assist Calhoun County, Mississippi, in paying costs associated with the repairs, paving and improvements of County Road 137..... \$ 125,000.00

(mr) To assist Calhoun County, Mississippi, in paying costs associated with the repairs, paving and improvements of County Road 306..... \$ 1,000,000.00

(ms) To assist the Pat Harrison Waterway District in paying costs associated with the relocation of a boat ramp .....

\$ 100,000.00

(mt) To assist the Mississippi Department of Transportation in paying costs associated with a turn lane and traffic signal at the intersection of McArthur Street and Highway 145 in Quitman, Mississippi..... \$ 100,000.00

(mu) To assist Clarke County, Mississippi, in paying costs associated with the purchase of vehicles and equipment for the Clarke County Sheriff's Department..... \$ 100,000.00

(mv) To assist Yazoo County, Mississippi, in paying costs associated with repairs and improvements to roads and bridges ..... \$ 500,000.00

(mw) To assist the Town of Cary, Mississippi, in paying costs associated with the construction of a fire station.....

\$ 250,000.00

(mx) To assist Yazoo City, Mississippi, in paying costs associated with the repair and renovation of the Triangle Cultural Center..... \$ 200,000.00

(my) To assist the City of Long Beach, Mississippi, in paying costs associated with infrastructure improvements .....

\$ 750,000.00

- (mz) To assist the City of Pass Christian, Mississippi, in paying costs associated with infrastructure improvements .....  
\$ 750,000.00
- (na) To assist the City of Macon, Mississippi, in paying costs associated with the purchase of fire trucks and firefighting equipment for the city's fire department....  
\$ 350,000.00
- (nb) To assist the City of West Point, Mississippi, in paying costs associated with repairs, resurfacing and improvements to streets ..... \$ 1,000,000.00
- (nc) To assist Tate County, Mississippi, in paying costs associated with infrastructure improvements for the Chrome-Craft Redevelopment project\$ 1,000,000.00
- (nd) To assist Union County, Mississippi, in paying costs associated with infrastructure improvements in Supervisor District 1 ..... \$ 300,000.00
- (ne) To assist Union County, Mississippi, in paying costs associated with infrastructure improvements in Supervisor District 2 ..... \$ 300,000.00
- (nf) To assist the Town of Potts Camp, Mississippi, in paying costs associated with infrastructure improvements .....  
..... \$ 300,000.00
- (ng) To assist Jackson County, Mississippi, in paying costs associated with the engineering and construction of the Jackson County Blueway Connection, along the Pascagoula River .....  
\$ 500,000.00
- (nh) To assist the City of Pascagoula, Mississippi, in defraying expenses associated with a police substation for East Pascagoula ..... \$ 1,500,000.00
- (ni) To assist the City of Ocean Springs, Mississippi, in paying costs associated with infrastructure improvements .....  
\$ 600,000.00
- (nj) To assist the City of Starkville, Mississippi, in paying costs associated with the Starkville Main Street .....  
Project..... \$ 500,000.00
- (nk) To assist Oktibbeha County, Mississippi, with costs associated with roof repairs to the Town of Maben's Fire.....  
Department ..... \$ 50,000.00
- (nl) To provide funds to be distributed equally among the following fire departments to assist in paying various department costs: Adaton Self Creek Volunteer Fire Department, Central Oktibbeha Fire Department, Maben Fire Department, and Sturgis/District 4 Volunteer Fire Department..... \$ 200,000.00
- (nm) To assist Webster County, Mississippi, with costs associated with the repairs and maintenance of the Volunteer Fire Departments buildings ..... \$ 250,000.00
- (nn) To assist the City of Eupora, Mississippi, with costs associated with the purchase of a police vehicle .....  
..... \$ 55,000.00
- (no) To assist the Town of Weir, Mississippi, with costs associated with infrastructure improvement projects and purchasing vehicles for the police department . \$ 45,000.00
- (np) To assist the Community Foundation for Mississippi in paying costs associated with providing direct services for reading intervention and training for teachers, and with renovations to building space to provide such services.....  
\$ 500,000.00
- (nq) To assist the Marty Stuart Congress of Country Music Museum in paying costs associated with the construction of Phase 2 of the museum in the City of Philadelphia, Mississippi; however, no funds may be disbursed for such purposes until the Department of Finance and Administration is provided proof that the museum, museum owner or museum governing body, as applicable, possesses the ownership rights to all Marty Stuart memorabilia, exhibits and/or other items or material displayed in the museum .....  
..... \$10,000,000.00
- (nr) To provide funds to the Three Rivers Solid Waste Management Authority to construct, repair, renovate, expand, enhance, improve, and equip the Three Rivers Regional Landfill in the City of Pontotoc, Mississippi, and the three (3) three

Authority Transfer Stations located in the City of Oxford, Mississippi, Lee County, Mississippi, and Monroe County, Mississippi ..... \$4,000,000.00

(ns) To assist the Chickasaw Inkana Foundation in paying costs associated with the construction, furnishing and equipping of the Chickasaw Heritage Center in the City of Tupelo, Mississippi ..... \$4,950,000.00

(nt) To assist the Scenic Rivers Development Alliance in paying costs associated with the Okhissa Lake Development Project ..... \$8,000,000.00

(nu) To assist the City of Tupelo, Mississippi, with a match to federal funds for the construction of railroad improvements that run through the city for public safety and economic development improvements ..... \$4,600,000.00

(nv) To assist Camp Kamassa in defraying expenses related to construction of buildings, facilities, complexes and related infrastructure ..... \$4,000,000.00

(nw) To assist Hinds Community College in paying costs associated with construction of the Health Science Complex at the Rankin Campus ..... \$16,000,000.00

(nx) To provide funds to the City of Columbus, Mississippi, to use to assist the Columbus Redevelopment Authority in paying costs associated with the Park View - Burns Bottom Project ..... \$3,000,000.00

(ny) To the Prentiss County School District for upgrades to equipment, furnishings and facilities for the CTE program at Wheeler Attendance Center ..... \$1,000,000.00

(nz) To the Grenada School District for upgrades to equipment, furnishings and facilities for the CTE program ..... \$3,000,000.00

(oa) To the Itawamba County School District for upgrades to equipment, furnishings and facilities for the CTE program including equipment for aiding in logistics and maintenance ..... \$4,000,000.00

(ob) To the George County School District for upgrades to equipment, furnishings and facilities for the CTE program ..... \$1,000,000.00

(oc) To the Jackson County School District for upgrades to equipment, furnishings and facilities for the CTE program at three high schools: East Central, Vancleave and St. Martin ..... \$9,000,000.00

(od) To the South Tippah School District for upgrades to equipment, furnishings and facilities for the CTE program ..... \$500,000.00

(oe) To the Senatobia Municipal School District for upgrades to equipment, furnishings and facilities for the CTE program ..... \$500,000.00

(of) To the Attala County School District for upgrades to equipment, furnishings and facilities for the CTE program at Kosciusko-Attala County Career Tech Center ..... \$2,000,000.00

(og) To the Greene County School District for upgrades to equipment, furnishings and facilities for the CTE program ..... \$2,000,000.00

(oh) To the Lee County School District for upgrades to equipment, furnishings and facilities for the CTE program ..... \$350,000.00

(oi) To the Wayne County School District for upgrades to equipment, furnishings and facilities for the CTE program ..... \$500,000.00

(oj) To the Long Beach High School for upgrades to equipment, furnishings and facilities for the CTE program ..... \$1,000,000.00

(ok) To the Newton County School System for upgrades to equipment, furnishings and facilities for the CTE program ..... \$2,000,000.00

(ol) To the Tupelo Public School District for upgrades to equipment, furnishings and facilities for the CTE program .....  
..... \$350,000.00

SECTION 29. Section 17-23-21, Mississippi Code of 1972, is amended as follows:

17-23-21. There is created in the State Treasury a special fund to be designated as the "Annual Fire Fund" to be administered by the Commissioner of Insurance. Monies in the fund, upon appropriation by the Legislature, may be used by the commissioner only for the purpose of his or her discretion in requesting the State Fiscal Officer, and notifying the Legislative Budget Office of such, to transfer funds from this fund to the Rural Fire Truck Fund, the Supplementary Rural Fire Truck Fund, the Municipal Fire Protection Fund and/or the County Volunteer Fire Department Fund; however, the commissioner shall request the State Fiscal Officer to transfer at least One Million Five Hundred Thousand Dollars (\$1,500,000.00) annually to the Rural and Supplementary Rural Fire Truck Funds. Upon the request of the commissioner, the State Fiscal Officer shall transfer the requested amounts from the Annual Fire Fund to the Rural Fire Truck Fund, the Supplementary Rural Fire Truck Fund, the Municipal Fire Protection Fund and/or the County Volunteer Fire Department Fund. The total amount of all such transfers shall not exceed the amount appropriated by the Legislature from the Annual Fire Fund for the fiscal year in which the transfers are made, and those transfers shall not reduce the amount of the spending authority provided to the commissioner by that appropriation. The commissioner shall document those transfers through a reconciliation with the Department of Finance and Administration. \* \* \* The Annual Fire Fund shall consist of monies provided to it through the provisions of Section 83-34-4(6), and any monies which may be appropriated to it by the Legislature. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

SECTION 30. Section 39-5-145, Mississippi Code of 1972, is amended as follows:

39-5-145. (1) A special fund, to be designated the "Mississippi Community Heritage Preservation Grant Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart from the General Fund of the state. The fund shall consist of any monies designated for deposit therein from any source, including proceeds of any state general obligation bonds designated for deposit therein. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund and any interest earned or investment earnings on amounts in the fund shall be deposited into the fund. The expenditure of monies deposited into the fund shall be under the direction of the Department of Finance and Administration, based upon recommendations of the Board of Trustees of the Department of Archives and History, and such funds shall be paid by the State Treasurer upon warrants issued by the Department of Finance and Administration. Monies deposited into such fund shall be allocated and disbursed according to the provisions of this section. If any monies in the special fund are derived from proceeds of state general obligation bonds and are not used within four (4) years after the date such bond proceeds are deposited into the special fund, then the Department of Finance and Administration shall provide an accounting of such unused monies to the State Bond Commission.

(2) Monies deposited into the fund shall be allocated and disbursed as follows:

(a) (i) \* \* \* Sixty-one Million Fifty Thousand Dollars (\$61,050,000.00) shall be allocated and disbursed as grants on a reimbursable basis through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service in helping pay the costs incurred in preserving, restoring, rehabilitating, repairing or interpreting 1. historic county courthouses, 2. historic school buildings, and/or 3. other historic properties identified by certified local governments or owned by the State of Mississippi. Where possible,

expenditures from the fund shall be used to match federal grants or other grants that may be accessed by the Department of Archives and History, other state agencies, county governments or municipal governments, school districts or nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service. Any properties, except those described in paragraphs (b) and (d) of this subsection, receiving monies pursuant to this section must be designated as "Mississippi Landmark" properties prior to selection as projects for funding under the provisions of this section.

(ii) One Million Seven Hundred Fifty Thousand Dollars (\$1,750,000.00) shall be allocated and disbursed as grants through the Department of Finance and Administration, based upon the recommendations of the Board of Trustees of the Department of Archives and History, to assist county governments in helping pay the costs of historically appropriate restoration, repair and renovation of historically significant county courthouses. Grants to individual courthouses under this paragraph (a)(ii) shall not exceed Eight Hundred Seventy-five Thousand Dollars (\$875,000.00).

(b) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Amory Regional Museum in Amory, Mississippi, to pay the costs of capital improvements, repair, renovation, furnishing and/or equipping of the museum. The Department of Finance and Administration is directed to transfer Two Hundred Fifty Thousand Dollars (\$250,000.00) from the fund to the city on or before December 31, 2004, and the city shall place the funds into an escrow account. The city may expend the funds from the account only in an amount equal to matching funds that are provided from any source other than the state for the project. As the funds are withdrawn from the escrow account, the city shall certify to the Department of Finance and Administration the amount of the funds that have been withdrawn and that the funds withdrawn are in an amount equal to matching funds required by this paragraph.

(c) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to the Jacinto Foundation, Inc., to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping the courthouse and related facilities in Jacinto, Mississippi, and to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing and/or equipping other buildings and facilities near the courthouse.

(d) Four Hundred Twenty-five Thousand Dollars (\$425,000.00) shall be allocated and disbursed as grant funds to the Oxford-Lafayette County Heritage Foundation to pay the costs of capital improvements, repairing, renovating, restoring, rehabilitating, preserving, furnishing, equipping and/or acquiring the L.Q.C. Lamar Home in Oxford, Mississippi.

(e) One Million Four Hundred Twenty-five Thousand Dollars (\$1,425,000.00) shall be allocated and disbursed as grant funds to the City of Columbus, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Columbus City Hall building and related facilities.

(f) One Million Dollars (\$1,000,000.00) shall be allocated and disbursed as grant funds to the Town of Wesson, Mississippi, to pay the costs of restoration and renovation of the Old Wesson School.

(g) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the Town of Shubuta, Mississippi, to assist in paying the costs associated with construction, reconstruction, refurbishing, repair, renovation and restoration of the Shubuta Town Hall building and related facilities.

(h) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to the City of Okolona, Mississippi, to assist in paying costs associated with the purchase, repair, renovation, furnishing and equipping of a building and related facilities on Main Street in the City of Okolona, for the purpose of establishing a welcome center in which historical information relating to the City of Okolona will be displayed, including, but not limited to, information relating to the furniture, banking, retail and farming industries; education; historical collections owned by individuals and organizations; genealogy; Okolona College; and the Battle of Okolona and the War Between the States.

(i) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Tallahatchie County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Tallahatchie County Courthouse.

(j) Two Hundred Fifty Thousand Dollars (\$250,000.00) shall be allocated and disbursed as grant funds to Wayne County, Mississippi, to assist in paying the costs associated with repair, renovation and restoration of the Wayne County Courthouse.

(k) Three Hundred Thousand Dollars (\$300,000.00) shall be allocated and disbursed as grant funds to assist in paying the cost of rehabilitation and restoration of Winterville Indian Mounds in Washington County, Mississippi.

(l) Five Hundred Thousand Dollars (\$500,000.00) shall be allocated and disbursed as grant funds to the City of Kosciusko, to assist the City of Kosciusko, Mississippi, in paying costs associated with (i) repair, renovation, furnishing, equipping, additions to and expansion of the Kosciusko Natchez Trace Visitor Center in the City of Kosciusko, Mississippi, and (ii) repair, renovation, furnishing, equipping, additions to and expansion of the historic Strand Theater in the City of Kosciusko, Mississippi.

(m) One Hundred Thousand Dollars (\$100,000.00) shall be allocated and disbursed as grant funds to Jefferson County, Mississippi, to assist in paying costs associated with repair, renovation, upgrades and improvements to the confederate cemetery and related properties and facilities in the county.

(n) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Tate County, Mississippi, to assist in paying costs associated with painting, refurbishment and historical restoration and renovation of the Tate County Courthouse.

(o) Four Hundred Thousand Dollars (\$400,000.00) shall be allocated and disbursed as grant funds to Humphreys County, Mississippi, to assist in paying costs associated with repair and renovation of and upgrades and improvements to the Humphreys County Courthouse.

(p) One Hundred Fifty Thousand Dollars (\$150,000.00) of any monies deposited into the fund during Fiscal Year 2023 shall be allocated and disbursed as grant funds to assist in paying the costs associated with relocation, repair, renovation and restoration of a one-room school building and related facilities including costs incurred before July 1, 2022, and such grant funds shall not be subject to any requirement for matching funds.

(q) Monies in the Mississippi Community Heritage Preservation Grant Fund which are derived from proceeds of state general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the Mississippi Department of Archives and History in providing assistance directly related to a project described in paragraph (a) of this subsection for which funding is provided under this section. Reimbursement may be made only until such time as the project is completed. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Mississippi Department of Archives and History. Reimbursement of reasonable actual and necessary costs for a project shall not exceed three percent (3%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(3) (a) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments, municipal governments, school districts, universities, community colleges, state agencies and nonprofit organizations that have obtained Section 501(c)(3) tax-exempt status from the United States Internal Revenue Service for projects associated with the preservation, restoration, rehabilitation, repair or interpretation of (i) historic courthouses, (ii) historic school buildings, and/or (iii) other historic properties identified by certified local governments. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(ii), (2)(b), (2)(c), (2)(d), (2)(e), (2)(f), (2)(g), (2)(h) and (2)(j) of this section.

(b) The Board of Trustees of the Department of Archives and History shall receive and consider proposals from county governments for projects associated with historically appropriate restoration, repair and renovation of historically significant county courthouses. Proposals shall be submitted in accordance with the provisions of procedures, criteria and standards developed by the board. The board shall determine those projects to be funded and may require matching funds from any applicant seeking assistance under this section. This subsection shall not apply to projects described in subsection (2)(a)(i), (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(4) The Department of Archives and History shall publicize the Community Heritage Preservation Grant Program described in this section on a statewide basis, including the publication of the criteria and standards used by the department in selecting projects for funding. The selection of a project for funding under the provisions of this section shall be made solely upon the deliberate consideration of each proposed project on its merits. The board shall make every effort to award the grants in a manner that will fairly distribute the funds in regard to the geography and cultural diversity of the state. This subsection shall not apply to projects described in subsection (2)(b), (2)(c), (2)(d), (2)(e) and (2)(f) of this section.

(5) With regard to any project awarded funding under this section, any consultant, planner, architect, engineer, exhibit contracting firm, historic preservation specialist or other professional hired by a grant recipient to work on any such project shall be approved by the board before their employment by the grant recipient.

(6) Plans and specifications for all projects initiated under the provisions of this section shall be approved by the board before the awarding of any contracts. The plans and specifications for any work involving "Mississippi Landmark" properties shall be developed in accordance with "The Secretary of the Interior's Standards for the Treatment of Historic Properties."

SECTION 31. Section 57-1-601, Mississippi Code of 1972, is amended as follows:

57-1-601. (1) For the purposes of this section, the following words shall have the following meanings ascribed in this section, unless the context clearly otherwise requires:

(a) "MDA" means the Mississippi Development Authority.

(b) "Municipality" means any municipality with a population of less than fifteen thousand (15,000) according to the latest federal decennial census at the time the municipality submits an application to the MDA under this section.

(c) "Revitalization zone" means an area in the municipality officially designated by ordinance or resolution of the governing authorities of the municipality as a revitalization zone and approved and certified by the MDA as meeting the requirements of this section.

(2) (a) There is created in the State Treasury a special fund to be designated as the "Mississippi Main Street Investment Grant Fund" which shall consist of funds from any source designated for deposit into the fund. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund. Monies in the fund shall be used by the MDA for the purposes authorized in subsection (3) of this section. In addition, monies remaining in the fund on the effective date of this act shall be used for such purposes solely to provide grant funds to a municipality that, prior to January 1, 2023, has received and/or been approved to receive grant funds under this section for a revitalization zone project or projects commenced before January 1, 2023.

(b) Monies in the fund which are derived from the proceeds of general obligation bonds may be used to reimburse reasonable actual and necessary costs incurred by the MDA in providing grants under this section through the use of proceeds of such general obligation bonds. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for the program. Reimbursement of reasonable actual and necessary costs for assistance shall not exceed three percent (3%) of the proceeds of bonds issued for such assistance. Reimbursements made under this subsection shall satisfy any applicable federal tax law requirements.



(3) The MDA shall establish a program to make grants to a municipality to assist with maintaining and improving the viability of revitalization zones. The proceeds of a grant made to a municipality under this section may be used for maintaining and/or improving the viability of a revitalization zone through means deemed appropriate by the governing authorities of a municipality, including, but not limited to, making loans, grants and/or other forms of assistance to any person or public or private association or other entity for use for infrastructure projects, improvements to properties, signage and other purposes related to maintaining and/or improving the viability of the revitalization zone.

(4) (a) If a municipality desires a grant under this section, the municipality shall submit an application to the MDA seeking (i) approval and certification of the proposed revitalization zone and (ii) a grant for the purposes authorized in this section. The application shall include, at a minimum:

1. The name of the proposed revitalization zone, together with the words, "revitalization zone";
2. A description of the revitalization zone by metes and bounds;
3. A map showing the parcels of real property included in the revitalization zone and the present use of such parcels;
4. A master plan for the revitalization zone that has been approved by sixty percent (60%) of the property owners within the zone at the time the municipality submits the application; and

5. Any other information required by the MDA. The governing authorities of a municipality may designate the boundaries of a proposed revitalization zone by adoption of an ordinance or resolution that is spread upon its minutes and describes the boundaries of the zone.

(b) The MDA shall review the application to confirm that the revitalization zone meets the requirements of this section. A revitalization zone may embrace two (2) or more separate parcels of real property, and such property may be publicly and/or privately owned. Each revitalization zone shall be of such size and form as to include all properties that, in the determination of the municipality and the MDA, constitute an integral part of the revitalization zone. If the MDA determines that the boundaries of the proposed revitalization zone exceed the area that is reasonably deemed to be integral to the revitalization zone, the MDA may reduce the boundaries of the proposed area. Upon the approval and selection of a municipal revitalization zone project, the MDA shall certify the revitalization zone.

(c) Notwithstanding any other provision of this section, the MDA shall not accept or approve any application for a grant or grants under this section after the effective date of this act.

(5) The MDA shall have all powers necessary to implement and administer the program established under this section, and the MDA shall promulgate rules and regulations, in accordance with the Mississippi Administrative Procedures Law, necessary for the implementation of this section.

(6) This section shall stand repealed on the first day of the next month following the date that all monies in the Mississippi Main Street Investment Grant Fund have been disbursed to provide grant funds to a municipality described in subsection (2) of this section.

SECTION 32. Section 1, Chapter 480, Laws of 2021, is amended as follows:

Section 1. (1) As used in this section, the following words shall have the meanings ascribed herein unless the context clearly requires otherwise:

(a) "Accreted value" of any bond means, as of any date of computation, an amount equal to the sum of (i) the stated initial value of such bond, plus (ii) the interest accrued thereon from the issue date to the date of computation at the rate, compounded semiannually, that is necessary to produce the approximate yield to maturity shown for bonds of the same maturity.

(b) "State" means the State of Mississippi.

(c) "Commission" means the State Bond Commission.

(2) (a) (i) A special fund, to be designated as the "2021 IHL Capital Improvements Fund," is created within the State Treasury. The fund shall be maintained by the State Treasurer as a separate and special fund, separate and apart

from the General Fund of the state. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned or investment earnings on amounts in the fund shall be deposited into such fund.

(ii) Monies deposited into the fund shall be disbursed, in the discretion of the Department of Finance and Administration, with the approval of the Board of Trustees of State Institutions of Higher Learning on those projects related to the universities under its management and control to pay the costs of capital improvements, renovation and/or repair of existing facilities, furnishings and/or equipping facilities for public facilities as hereinafter described:

NAME	PROJECT	AMOUNT ALLOCATED
Alcorn State University .....		\$ 5,675,000.00
	Phase I of repair and renovation of and upgrades and improvements to campus dormitories.....	\$ 5,675,000.00
Delta State University .....		\$ 10,800,000.00
	Renovation and expansion of and upgrades, improvements and additions to the Robert E. Smith School of Nursing Building and related facilities.....	\$ 7,800,000.00
	Repair, renovation and upgrading of campus buildings and facilities.....	\$ 3,000,000.00
Jackson State University .....		\$ 6,500,000.00
	Phase III of repair, renovation and upgrading of campus buildings, facilities, and infrastructure.....	\$ 6,000,000.00
	Preplanning for construction, furnishing and equipping of a new dining facility and related facilities.....	\$ 500,000.00
Mississippi State University .....		\$ 15,000,000.00
	Phase I of construction, furnishing and equipping of a new building and related facilities to house the College of Architecture, Art and Design.....	\$ 15,000,000.00
Mississippi State University/Division of Agriculture, Forestry and Veterinary Medicine .....		\$ 8,000,000.00
	Repair and renovation of and upgrades and improvements to Dorman Hall and related facilities.....	\$ 8,000,000.00
Mississippi University for Women .....		\$ 2,750,000.00
	Repair, renovation, and upgrading of campus buildings and facilities.....	\$ 2,750,000.00
Mississippi Valley State University .....		\$ 500,000.00

Preplanning for repair, renovation, furnishing and equipping of the Charles Lackey Recreation Center.....\$	500,000.00	
University of Mississippi .....		\$ 12,000,000.00
Construction, furnishing and equipping of a new mechanical and power plant building and related facilities.....\$	12,000,000.00	
University of Mississippi Medical Center .....		\$ 8,000,000.00
Repair, renovation, and upgrading of campus buildings and facilities.....\$	8,000,000.00	
University of Southern Mississippi .....		\$ 10,750,000.00
Repair and renovation of Hickman Hall and related facilities.....\$	10,000,000.00	
Preplanning and construction, furnishing and equipping of a new science research facility...\$	750,000.00	
University of Southern Mississippi/Gulf Coast Campuses .....		\$ 5,800,000.00
* * * Renovation and expansion of and upgrades, improvements and additions to Hardy Hall to house the Executive Education * * * Center and related facilities on the Gulf Park		
Campus.....\$	4,800,000.00	
Repair, renovation life safety, and ADA code upgrades, furnishing and equipping of campus buildings and facilities at the Gulf Coast Research Laboratory, Halstead Campus.....\$	1,000,000.00	
IHL Education and Research Center .....		\$ 600,000.00
Planning, repair, renovation, life safety and ADA code upgrades of buildings, facilities and infrastructure, including the Paul B. Johnson Tower, Edsel E. Thrash Universities Center and the Mississippi Public Broadcasting Building.....\$	600,000.00	
TOTAL .....		\$ 86,375,000.00

(b) (i) Amounts deposited into such special fund shall be disbursed to pay the costs of projects described in paragraph (a) of this subsection. If any monies in such special fund are not used within four (4) years after the date the proceeds of the bonds authorized under this section are deposited into the special fund, then the institution of higher learning for which any unused monies are allocated under paragraph (a) of this

subsection shall provide an accounting of such unused monies to the commission. Promptly after the commission has certified, by resolution duly adopted, that the projects described in paragraph (a) of this subsection shall have been completed, abandoned, or cannot be completed in a timely fashion, any amounts remaining in such special fund shall be applied to pay debt service on the bonds issued under this section, in accordance with the proceedings authorizing the issuance of such bonds and as directed by the commission.

(ii) Monies in the special fund may be used to reimburse reasonable actual and necessary costs incurred by the Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, in administering or providing assistance directly related to a project described in paragraph (a) of this subsection. An accounting of actual costs incurred for which reimbursement is sought shall be maintained for each project by the Department of Finance and Administration, Bureau of Building, Grounds and Real Property Management. Reimbursement of reasonable actual and necessary costs for a project shall not exceed two percent (2%) of the proceeds of bonds issued for such project. Monies authorized for a particular project may not be used to reimburse administrative costs for unrelated projects.

(c) The Department of Finance and Administration, acting through the Bureau of Building, Grounds and Real Property Management, is expressly authorized and empowered to receive and expend any local or other source funds in connection with the expenditure of funds provided for in this subsection. The expenditure of monies deposited into the special fund shall be under the direction of the Department of Finance and Administration, and such funds shall be paid by the State Treasurer upon warrants issued by such department, which warrants shall be issued upon requisitions signed by the Executive Director of the Department of Finance and Administration, or his designee.

(d) Any amounts allocated to an institution of higher learning that are in excess of that needed to complete the projects at such institution of higher learning that are described in paragraph (a) of this subsection may be used for general repairs and renovations at the institution of higher learning.

(3) (a) The commission, at one time, or from time to time, may declare by resolution the necessity for issuance of general obligation bonds of the State of Mississippi to provide funds for all costs incurred or to be incurred for the purposes described in subsection (2) of this section. Upon the adoption of a resolution by the Department of Finance and Administration declaring the necessity for the issuance of any part or all of the general obligation bonds authorized by this section, the Department of Finance and Administration shall deliver a certified copy of its resolution or resolutions to the commission. Upon receipt of such resolution, the commission, in its discretion, may act as issuing agent, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds so authorized to be sold, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The total amount of bonds issued under this section shall not exceed Eighty-six Million Three Hundred Seventy-five Thousand Dollars (\$86,375,000.00). No bonds shall be issued under this section after July 1, 2025.

(b) Any investment earnings on amounts deposited into the special fund created in subsection (2) of this section shall be used to pay debt service on bonds issued under this section, in accordance with the proceedings authorizing issuance of such bonds.

(4) The principal of and interest on the bonds authorized under this section shall be payable in the manner provided in this subsection. Such bonds shall bear such date or dates, be in such denomination or denominations, bear interest at such rate or rates (not to exceed the limits set forth in Section 75-17-101, Mississippi Code of 1972), be payable at such place or places within or without the State of Mississippi, shall mature absolutely at such time or times not to exceed twenty-five (25) years from date of issue, be redeemable before maturity at such time or times and upon such terms, with or without premium, shall bear such registration privileges, and shall be substantially in such form, all as shall be determined by resolution of the commission.

(5) The bonds authorized by this section shall be signed by the chairman of the commission, or by his facsimile signature, and the official seal of the commission shall be affixed thereto, attested by the secretary of the commission. The interest coupons, if any, to be attached to such bonds may be executed by the facsimile signatures of such officers. Whenever any such bonds shall have been signed by the officials designated to sign the bonds who were in office at the time of such signing but who may have ceased to be such officers before the sale and delivery of such bonds, or who may not have been in office on the date such bonds may bear, the signatures of such officers upon such bonds and coupons shall nevertheless be valid and sufficient for all purposes and have the same effect as if the person so officially signing such bonds had remained in office until their delivery to the purchaser, or had been in office on the date such bonds may bear. However, notwithstanding anything herein to the contrary, such bonds may be issued as provided in the Registered Bond Act of the State of Mississippi.

(6) All bonds and interest coupons issued under the provisions of this section have all the qualities and incidents of negotiable instruments under the provisions of the Uniform Commercial Code, and in exercising the powers granted by this section, the commission shall not be required to and need not comply with the provisions of the Uniform Commercial Code.

(7) The commission shall act as issuing agent for the bonds authorized under this section, prescribe the form of the bonds, determine the appropriate method for sale of the bonds, advertise for and accept bids or negotiate the sale of the bonds, issue and sell the bonds, pay all fees and costs incurred in such issuance and sale, and do any and all other things necessary and advisable in connection with the issuance and sale of such bonds. The commission is authorized and empowered to pay the costs that are incident to the sale, issuance and delivery of the bonds authorized under this section from the proceeds derived from the sale of such bonds. The commission may sell such bonds on sealed bids at public sale or may negotiate the sale of the bonds for such price as it may determine to be for the best interest of the State of Mississippi. All interest accruing on such bonds so issued shall be payable semiannually or annually.

If such bonds are sold by sealed bids at public sale, notice of the sale shall be published at least one time, not less than ten (10) days before the date of sale, and shall be so published in one or more newspapers published or having a general circulation in the City of Jackson, Mississippi, selected by the commission.

The commission, when issuing any bonds under the authority of this section, may provide that bonds, at the option of the State of Mississippi, may be called in for payment and redemption at the call price named therein and accrued interest on such date or dates named therein.

(8) The bonds issued under the provisions of this section are general obligations of the State of Mississippi, and for the payment thereof the full faith and credit of the State of Mississippi is irrevocably pledged. If the funds appropriated by the Legislature are insufficient to pay the principal of and the interest on such bonds as they become due, then the deficiency shall be paid by the State Treasurer from any funds in the State Treasury not otherwise appropriated. All such bonds shall contain recitals on their faces substantially covering the provisions of this subsection.

(9) Upon the issuance and sale of bonds under the provisions of this section, the commission shall transfer the proceeds of any such sale or sales to the special funds created in subsection (2) of this section. The proceeds of such bonds shall be disbursed solely upon the order of the Department of Finance and Administration under such restrictions, if any, as may be contained in the resolution providing for the issuance of the bonds.

(10) The bonds authorized under this section may be issued without any other proceedings or the happening of any other conditions or things other than those proceedings, conditions and things which are specified or required by this section. Any resolution providing for the issuance of bonds under the provisions of this section shall become effective immediately upon its adoption by the commission, and any such resolution may be adopted at any regular or special meeting of the commission by a majority of its members.

(11) The bonds authorized under the authority of this section may be validated in the Chancery Court of the First Judicial District of Hinds County, Mississippi, in the

manner and with the force and effect provided by Title 31, Chapter 13, Mississippi Code of 1972, for the validation of county, municipal, school district and other bonds. The notice to taxpayers required by such statutes shall be published in a newspaper published or having a general circulation in the City of Jackson, Mississippi.

(12) Any holder of bonds issued under the provisions of this section or of any of the interest coupons pertaining thereto may, either at law or in equity, by suit, action, mandamus or other proceeding, protect and enforce any and all rights granted under this section, or under such resolution, and may enforce and compel performance of all duties required by this section to be performed, in order to provide for the payment of bonds and interest thereon.

(13) All bonds issued under the provisions of this section shall be legal investments for trustees and other fiduciaries, and for savings banks, trust companies and insurance companies organized under the laws of the State of Mississippi, and such bonds shall be legal securities which may be deposited with and shall be received by all public officers and bodies of this state and all municipalities and political subdivisions for the purpose of securing the deposit of public funds.

(14) Bonds issued under the provisions of this section and income therefrom shall be exempt from all taxation in the State of Mississippi.

(15) The proceeds of the bonds issued under this section shall be used solely for the purposes herein provided, including the costs incident to the issuance and sale of such bonds.

(16) The State Treasurer is authorized, without further process of law, to certify to the Department of Finance and Administration the necessity for warrants, and the Department of Finance and Administration is authorized and directed to issue such warrants, in such amounts as may be necessary to pay when due the principal of, premium, if any, and interest on, or the accreted value of, all bonds issued under this section; and the State Treasurer shall forward the necessary amount to the designated place or places of payment of such bonds in ample time to discharge such bonds, or the interest thereon, on the due dates thereof.

(17) This section shall be deemed to be full and complete authority for the exercise of the powers herein granted, but this section shall not be deemed to repeal or to be in derogation of any existing law of this state.

SECTION 33. This act shall take effect and be in force from and after its passage.

Further, amend by striking the title in its entirety and inserting in lieu thereof the following:

AN ACT TO DIRECT THE STATE TREASURER TO TRANSFER CERTAIN AMOUNTS FROM THE CAPITAL EXPENSE FUND TO THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND, THE 2022 IHL CAPITAL IMPROVEMENTS FUND, THE 2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND, THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND, THE 2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND, THE ACE FUND, THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND, THE ECONOMIC DEVELOPMENT HIGHWAY FUND, THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND, THE ANIMAL DISEASE RESPONSE FUND, THE ECONOMIC DEVELOPMENT AND INFRASTRUCTURE FUND, THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY FUND, THE CEF - DPS HEADQUARTERS BUILDING FUND, THE DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, AND THE 2023 DECLARATION OF INDEPENDENCE CENTER FOR THE STUDY OF AMERICAN FREEDOM FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND TO THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND, AND TRANSFER A CERTAIN AMOUNT FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND TO THE CAPITAL EXPENSE FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER CERTAIN AMOUNTS FROM THE STATE GENERAL FUND TO THE MEMA HAZARD MITIGATION FUND, AND THE MARCH 2023 STORM HOUSING

MISSION FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND TO THE MISSISSIPPI MILITARY DEPARTMENT READINESS CENTERS FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE GULF COAST RESTORATION FUND TO THE 2023 GULFPORT COMMERCE CORRIDOR FUND; TO AMEND SECTION 29-17-6, MISSISSIPPI CODE OF 1972, TO DELETE THE 2022 PROJECT FOR THE MILITARY DEPARTMENT FROM THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND; TO CREATE THE FOLLOWING NEW SPECIAL FUNDS IN THE STATE TREASURY: THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND, THE 2023 MISSISSIPPI MILITARY DEPARTMENT READINESS CENTERS FUND, THE MARCH 2023 STORM HOUSING MISSION FUND, THE ANIMAL DISEASE RESPONSE FUND, THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE 2023 GULFPORT COMMERCE CORRIDOR FUND, AND THE 2023 DECLARATION OF INDEPENDENCE CENTER FOR THE STUDY OF AMERICAN FREEDOM FUND; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND, THE 2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND AND THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND FOR CERTAIN PROJECTS; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND TO PAY THE COSTS OF CERTAIN INFRASTRUCTURE IMPROVEMENTS, GENERAL REPAIRS AND RENOVATIONS; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND FOR CERTAIN PROJECTS; TO AUTHORIZE THE STATE TREASURER TO BORROW FUNDS FROM THE WORKING CASH-STABILIZATION RESERVE FUND TO OFFSET TEMPORARY CASH FLOW DEFICIENCIES IN THE GF OBLIGATIONS FUND; TO AMEND SECTION 17-23-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UPON THE REQUEST OF THE COMMISSIONER OF INSURANCE, THE STATE FISCAL OFFICER SHALL TRANSFER THE REQUESTED AMOUNTS FROM THE ANNUAL FIRE FUND TO THE RURAL FIRE TRUCK FUND, THE SUPPLEMENTARY RURAL FIRE TRUCK FUND, THE MUNICIPAL FIRE PROTECTION FUND AND/OR THE COUNTY VOLUNTEER FIRE DEPARTMENT FUND; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM AMOUNT OF FUNDS IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND THAT MAY BE ALLOCATED FOR CERTAIN TYPES OF PROJECTS; TO REVISE THE PURPOSES FOR WHICH MONIES IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND MAY BE USED; TO AMEND SECTION 57-1-601, MISSISSIPPI CODE OF 1972, TO REVISE CERTAIN PROVISIONS REGARDING GRANTS MADE UNDER THIS SECTION; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE UNIVERSITY OF SOUTHERN MISSISSIPPI MAY BE USED; AND FOR RELATED PURPOSES.

CONFEREES FOR THE HOUSE	CONFEREES FOR THE SENATE
John Read	W. Briggs Hopson III
Karl Oliver	John A. Polk
Angela Cockerham	Josh Harkins

YEAS AND NAYS. The yeas and nays being taken, the Report of Conference Committee on **H. B. No. 603** (version 2) was adopted:

Yeas--Barrett, Blackmon, Blackwell, Blount, Boyd, Branning, Bryan, Butler A. (36th), Butler K. (38th), DeLano, England, Frazier, Harkins, Hickman, Hopson, Jackson,

SENATE JOURNAL  
SATURDAY, APRIL 1, 2023

Johnson, Kirby, McCaughn, McLendon, McMahan, Michel, Norwood, Parker, Polk, Seymour, Simmons D. T. (12th), Simmons S. (13th), Sparks, Suber, Thomas, Thompson, Turner-Ford, Whaley, Williams, Younger. Total--36.

Nays--None.

Absent and those not voting--Barnett, Carter, Caughman, Chassaniol, Chism, DeBar, Fillingane, Hill, Horhn, Jordan, McDaniel, Moran, Parks, Sojourner, Tate. Total--15.

Voting Present--Wiggins. Total--1.

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Senator Polk moved that the Senate adjourn until 10:00 AM, Sunday, April 2, 2023, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Monday, April 3, 2023, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Tuesday, April 4, 2023, at which time the journal will reflect that the Senate will meet and adjourn until 10:00 AM, Wednesday, April 5, 2023 and recess until 12:00 midnight, at which time the journal will reflect that the Senate stands adjourned Sine Die at 12:00 midnight, in accordance with H.C.R. No. 61.

The motion prevailed, and at 1:54 AM, the Senate stood adjourned.

Eugene S. Clarke, Secretary of the Senate

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NO INTRODUCTIONS FOR SATURDAY, APRIL 1, 2023

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NINETIETH DAY, SUNDAY, APRIL 2, 2023

Pursuant to adjournment order of Saturday, April 1, 2023, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved.

Pursuant to adjournment order of Saturday, April 1, 2023, the Senate thereupon adjourned until 10:00 AM, Monday, April 3, 2023.

Eugene S. Clarke, Secretary of the Senate

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NINETY-FIRST DAY, MONDAY, APRIL 3, 2023

Pursuant to adjournment order of Saturday, April 1, 2023, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:



MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2343:** Capitol police; revise jurisdiction of.

**S. B. No. 2384:** Foster Care and Adoption Task Force; create.

**S. B. No. 2454:** Budget; bring forward code sections related to and provide for transfers.

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2023 and FY2024.

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of.

Adopted: 03/31/23

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2382:** Out-of-state lawyers; required to disclose whether licensed to practice law in Mississippi in television ads.

**S. B. No. 2444:** ARPA programs; bring forward provisions related to for possible amendment.

**S. B. No. 2749:** School board members; increase pay.

Adopted: 03/31/23

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 603:** State budget; bring forward sections relating to.

Adopted: 04/01/23

Andrew Ketchings, Clerk of the House of Representatives

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 400:** Election crimes; revise the penalties for certain.

**H. B. No. 521:** Length of Service Award Program; authorize for the recruitment and retention of volunteer firefighters.

**H. B. No. 1020:** Capitol Complex Improvement District courts; authorize.

**H. B. No. 1149:** Path to permanency; provide for children in Child Protection Services.

**H. B. No. 1318:** Baby drop-off and safe haven; revise provisions that regulate.

**H. B. No. 1390:** Abstinence education; delete repealer on school board requirement to adopt a policy on abstinence-only or abstinence-plus.

**H. B. No. 1612:** Appropriation; Archives and History, Department of.

**H. B. No. 1719:** Appropriation; DFA to assist destination marketing organizations in paying for marketing activities.

Adopted: 03/31/23

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**H. B. No. 1613:** Appropriation; Education, Department of.

Adopted: 03/31/23

Andrew Ketchings, Clerk of the House of Representatives

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#### MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2187:** Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating.

**S. B. No. 2695:** Tourism Project Incentive Program; extend deadline for MDA issuance of certificates approving participants.

**S. B. No. 3015:** Appropriation; Animal Health, Board of.

Adopted: 03/27/23

Andrew Ketchings, Clerk of the House of Representatives

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MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House of Representatives to inform the Senate that the House has ADOPTED THE REPORT OF THE CONFERENCE COMMITTEE on the following:

**S. B. No. 2781:** Mississippi Access to Maternal Assistance Program; create and provide for duties and responsibilities.

Adopted: 03/26/23

Andrew Ketchings, Clerk of the House of Representatives

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 405:** AN ACT TO AMEND SECTION 99-1-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2337, 2023 REGULAR SESSION, TO REVISE THE STATUTE OF LIMITATIONS FOR BRIBERY OF A CANDIDATE TO FIVE YEARS; AND FOR RELATED PURPOSES.

**H. B. No. 602:** AN ACT TO AMEND SECTION 25-31-8, MISSISSIPPI CODE OF 1972, TO INCREASE THE OFFICE OPERATING ALLOWANCE FOR DISTRICT ATTORNEYS; AND FOR RELATED PURPOSES.

**H. B. No. 691:** AN ACT TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 45 LOCATED IN WAYNE COUNTY, MISSISSIPPI, AS THE "ARMY SERGEANT ERIC C. NEWMAN MEMORIAL HIGHWAY"; TO DESIGNATE A SEGMENT OF U.S. HIGHWAY 72, LOCATED IN SLAYDEN, MARSHALL COUNTY, MISSISSIPPI, AS THE "EDDIE DIXON MEMORIAL HIGHWAY"; TO DESIGNATE THE INTERSECTION OF U.S. HIGHWAY 80 AND HIGHWAY 481 LOCATED IN MORTON, SCOTT COUNTY, MISSISSIPPI, AS THE "REVEREND SCOTT MANGUM LIFE SPRINGS MINISTRIES MEMORIAL INTERSECTION"; TO AUTHORIZE A SIGN OR SIGNS TO BE ERECTED ON INTERSTATE 20 IN LAKE, SCOTT COUNTY, MISSISSIPPI, TO HONOR COUNTRY MUSIC SINGER RANDY HOUSER; AND FOR RELATED PURPOSES.

**H. B. No. 769:** AN ACT TO DESIGNATE THE WILDLIFE MANAGEMENT AREA FORMERLY KNOWN AS THE TUSCUMBIA WILDLIFE MANAGEMENT AREA, THE HARVEY MOSS WILDLIFE MANAGEMENT AREA AT TUSCUMBIA; TO DESIGNATE THE WILDLIFE MANAGEMENT AREA FORMERLY KNOWN AS THE CANEY CREEK WILDLIFE MANAGEMENT AREA, AS THE REPRESENTATIVE RICHARD L. "DICK" LIVINGSTON AND DALE O. WINDHAM WILDLIFE MANAGEMENT AREA AT CANEY CREEK; AND FOR RELATED PURPOSES.

**H. B. No. 817:** AN ACT TO AMEND SECTION 37-21-51, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM FUNDING LEVELS FOR EACH STUDENT ENROLLED IN FULL-DAY EARLY LEARNING COLLABORATIVE PROGRAMS TO \$2,500.00, AND HALF-DAY EARLY LEARNING COLLABORATIVE PROGRAMS TO \$1,250.00; AND FOR RELATED PURPOSES.

**H. B. No. 912:** AN ACT TO PROVIDE THAT A FIREARM SUPPRESSOR MANUFACTURED AND REMAINING IN THE STATE OF MISSISSIPPI IS NOT SUBJECT TO FEDERAL LAWS AND REGULATIONS GOVERNING FIREARM SUPPRESSORS; TO PROHIBIT STATE AND LOCAL GOVERNMENTAL AUTHORITIES FROM ENFORCING FEDERAL REGULATIONS ON SUPPRESSORS MADE IN MISSISSIPPI; TO REQUIRE STATE FUNDING TO BE WITHHELD FROM ANY GOVERNMENTAL ENTITY THAT ADOPTS A RULE OR POLICY ENFORCING THE FEDERAL LAWS GOVERNING FIREARM SUPPRESSORS; TO REQUIRE THE DISMISSAL OF CHARGES OF ILLEGALLY CARRYING A MUFFLER OR SILENCER WHICH ARE PENDING ON JULY 1, 2023; TO AMEND SECTIONS 11-1-67 AND 97-37-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY TO THE PROVISIONS OF THIS ACT; TO REPEAL SECTION 97-37-31, MISSISSIPPI CODE OF 1972, WHICH CREATES THE MISDEMEANOR OFFENSE OF MAKING, MANUFACTURING, SELLING OR POSSESSING A DEVICE THAT WILL MUFFLE THE REPORT OF A FIREARM BY A PERSON NOT AUTHORIZED TO DO SUCH UNDER FEDERAL LAW; AND FOR RELATED PURPOSES.

**H. B. No. 917:** AN ACT TO AMEND SECTION 29-5-2, MISSISSIPPI CODE OF 1972, TO PLACE THE MISSISSIPPI WORKERS' COMPENSATION COMMISSION OFFICE BUILDING UNDER THE SUPERVISION AND CARE OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION; AND FOR RELATED PURPOSES.

**H. B. No. 923:** AN ACT TO AMEND SECTIONS 49-4-37 AND 57-61-32, MISSISSIPPI CODE OF 1972, TO DESIGNATE THE FISH HATCHERY THAT IS LOCATED IN NORTH MISSISSIPPI AS THE BOB TYLER FISH HATCHERY; AND FOR RELATED PURPOSES.

**H. B. No. 995:** AN ACT TO AMEND SECTION 97-3-69, MISSISSIPPI CODE OF 1972, TO REVISE THE EVIDENTIARY REQUIREMENTS FOR RAPE TRIALS; TO REPEAL SECTION 97-3-99, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR SPOUSAL RAPE; TO AMEND SECTION 97-3-65, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 97-3-68, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THE EVIDENTIARY PROCEDURES FOR RAPE PROSECUTIONS TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTION 97-3-71, MISSISSIPPI CODE OF 1972, TO CLARIFY THE ELEMENTS OF THE CRIME OF RAPE; AND FOR RELATED PURPOSES.

**H. B. No. 1140:** AN ACT TO AMEND SECTION 67-3-46, MISSISSIPPI CODE OF 1972, TO REVISE THE TYPES OF MANUFACTURERS OF BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCTS THAT ARE PROHIBITED FROM HAVING AN INTEREST IN WHOLESALERS OR DISTRIBUTORS OF BEER, LIGHT WINE OR LIGHT SPIRIT PRODUCTS; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1310:** AN ACT TO CREATE NEW SECTION 23-15-615, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE SECRETARY OF STATE TO AUDIT ELECTION PROCEDURES OF THE 2023, 2024, 2026 AND 2027 GENERAL ELECTIONS IN THE COUNTIES OF THE STATE; TO PROVIDE HOW THE COUNTIES SHALL BE SELECTED; TO PROVIDE WHAT THE SECRETARY OF STATE MAY AUDIT DURING A PROCEDURAL AUDIT; TO REQUIRE THE SECRETARY OF STATE TO CREATE A POST-ELECTION AUDIT MANUAL; TO REQUIRE THE SECRETARY OF STATE TO COMPILE A REPORT OF THE PROCEDURAL AUDITS; TO REPEAL SECTION 23-15-613, MISSISSIPPI CODE OF 1972, WHICH PROVIDES THAT ELECTION COMMISSIONS AND COUNTY AND MUNICIPAL EXECUTIVE COMMITTEES SHALL REPORT RESIDUAL VOTE INFORMATION TO THE SECRETARY OF STATE; TO

AMEND SECTION 23-15-153, MISSISSIPPI CODE OF 1972, TO AUTHORIZE ELECTION COMMISSIONERS TO RECEIVE A PER DIEM OF \$110 FOR CONDUCTING AN AUDIT OF AN ELECTION; TO AMEND SECTION 23-15-5, MISSISSIPPI CODE OF 1972, TO REVISE HOW THE MONIES IN THE ELECTIONS SUPPORT FUND ARE DISTRIBUTED; TO CREATE NEW SECTION 23-15-152, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN ELECTOR WHO FAILS TO RESPOND TO A CONFIRMATION NOTICE AND WHO FAILS TO VOTE DURING A CERTAIN PERIOD OF TIME SHALL BE REMOVED FROM THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM; TO PROVIDE DEFINITIONS FOR "CONFIRMATION NOTICE" AND "FAILS TO RESPOND TO THE CONFIRMATION NOTICE"; TO PROVIDE THOSE REGISTERED VOTERS WHO SHALL RECEIVE CONFIRMATION NOTICES; TO PROVIDE THAT A REGISTERED VOTER WHO IS MAILED A CONFIRMATION NOTICE SHALL BE PLACED ON INACTIVE STATUS IN THE STATEWIDE ELECTIONS MANAGEMENT SYSTEM BUT SHALL BE ABLE TO VOTE BY AFFIDAVIT BALLOT; TO PROVIDE THE TIME FOR REMOVAL OF VOTER REGISTRATION RECORDS; TO PROVIDE FOR THE RETENTION OF REMOVED VOTER REGISTRATION RECORDS; TO AMEND SECTION 23-15-125, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO AMEND SECTION 23-15-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT BY JANUARY 1, 2025, THE SECRETARY OF STATE SHALL COMPARE THE ENTIRE STATEWIDE ELECTION MANAGEMENT SYSTEM TO THE DEPARTMENT OF PUBLIC SAFETY DRIVER'S LICENSE DATABASE; TO PROVIDE THAT ALL DOCUMENTATION PROVIDED TO SHOW PROOF OF CITIZENSHIP SHALL BE EXEMPT FROM THE MISSISSIPPI PUBLIC RECORDS ACT; TO AMEND SECTION 23-15-165, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; AND FOR RELATED PURPOSES.

**H. B. No. 1315:** AN ACT TO REGULATE PORNOGRAPHIC MEDIA EXPOSURE TO CHILDREN IN K-12; TO REGULATE DIGITAL AND ONLINE RESOURCES PROVIDED BY K-12 VENDORS; AND FOR RELATED PURPOSES.

**H. B. No. 1609:** AN ACT MAKING AN APPROPRIATION FROM SPECIAL FUNDS IN THE STATE TREASURY FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI REAL ESTATE COMMISSION FOR FISCAL YEAR 2024.

**H. B. No. 1628:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE STATE FORESTRY COMMISSION FOR THE FISCAL YEAR 2024.

**H. B. No. 1632:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI STATE PORT AUTHORITY AT GULFPORT FOR THE FISCAL YEAR 2024.

**H. B. No. 1641:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL FOR FISCAL YEAR 2024.

**H. B. No. 1644:** AN ACT MAKING AN ADDITIONAL APPROPRIATION OF GENERAL FUNDS AND SPECIAL FUNDS FOR FISCAL YEARS 2023 AND 2024 TO DEFRAY THE EXPENSES OF THE OFFICE OF THE ATTORNEY GENERAL; MISSISSIPPI DEPARTMENT OF HEALTH; THE MISSISSIPPI DEPARTMENT OF CORRECTIONS; THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY; THE DEPARTMENT OF AGRICULTURE AND COMMERCE; THE MISSISSIPPI SUPREME COURT ADMINISTRATIVE OFFICE OF COURTS; THE MISSISSIPPI ETHICS COMMISSION; AND THE ETHICS COMMISSION; THE MISSISSIPPI DEPARTMENT OF BANKING AND CONSUMER FINANCE; THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES; THE GOVERNOR'S OFFICE-DIVISION OF MEDICAID; AND THE MISSISSIPPI DEPARTMENT OF WILDLIFE FISHERIES AND PARKS; AND FOR RELATED PURPOSES.

**H. B. No. 1819:** AN ACT TO AUTHORIZE THE GOVERNING AUTHORITIES OF THE CITY OF EUPORA, MISSISSIPPI, TO CONVEY CERTAIN REAL PROPERTY THAT IS LOCATED IN THE CITY'S INDUSTRIAL PARK; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2544:** AN ACT RELATING TO THE REGULATION OF SEAFOOD AND OYSTERS BY THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES; TO AMEND SECTIONS 49-15-3, 49-15-5, 49-15-7, 49-15-9, 49-15-16, 49-15-17, 49-15-18, 49-15-23, 49-15-27, 49-15-29, 49-15-30, 49-15-31, 49-15-34, 49-15-35, 49-15-36, 49-15-37, 49-15-38, 49-15-40, 49-15-44, 49-15-45, 49-15-46 AND 49-15-47, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO LEASE REEFS AND BOTTOM LAND FOR OYSTER GROWING/HARVESTING AND TO CLARIFY THE AUTHORITY OF THE DEPARTMENT TO REGULATE THE TAKING OF OYSTERS AND THE ESTABLISHMENT OF NEW OYSTER BEDS; TO REQUIRE ALL LESSEES TO BE RESIDENTS OF THE STATE; TO ESTABLISH THE "OYSTER PRODUCTION PRESERVE ACCOUNT" WITHIN THE DEPARTMENT'S SEAFOOD FUND, WHICH IS EARMARKED FOR OYSTER PRODUCTION MANAGEMENT AND TO REQUIRE ANNUAL REPORTS ON EXPENDITURES; TO CLARIFY THE FIRST RIGHT OF RENEWAL OF EXISTING LESSEES; TO PRESCRIBE CERTAIN REQUIREMENTS FOR THE INITIAL APPLICATION FOR LEASE; TO PROVIDE FOR PENALTIES AND PROCEDURES IN THE EVENT OF DEFAULT IN PAYMENT OF RENT; TO PROVIDE FOR CANCELLATION AND FOR FORFEITURES; TO PROVIDE A RIGHT OF APPEAL; TO DELETE CERTAIN PROVISIONS RELATING TO DEPURATION TECHNOLOGY; TO DELETE CERTAIN PROVISIONS RELATING TO RESTRICTED SEED AREAS; TO PROVIDE RECIPROCITY FOR CERTAIN NONRESIDENT VESSEL OYSTER DREDGING AND TONGING FEES; TO DELETE THE AUTHORITY OF LOCAL GOVERNING AUTHORITIES TO ASSIST THE DEPARTMENT IN PLANTING OYSTER SHELLS; TO DELETE THE PROVISIONS THAT ALL REEFS ARE PUBLIC; TO PRESCRIBE CERTAIN CONDITIONS FOR STATE-OWNED REEFS; TO DELETE THE AUTHORITY OF THE DEPARTMENT TO EXERCISE EMINENT DOMAIN IN CONSTRUCTING CANALS; TO CLARIFY THE AUTHORITY OF MUNICIPALITIES RELATIVE TO THE WATERS OF THE MISSISSIPPI SOUND; TO REPEAL SECTION 49-15-39, MISSISSIPPI CODE OF 1972, WHICH REGULATES TONGING REEFS AND PRESCRIBES CERTAIN CRIMINAL PENALTIES RELATED TO TONGING REEFS AND TO REPEAL SECTION 49-15-40.1, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE MISSISSIPPI DEPARTMENT OF MARINE RESOURCES TO CONDUCT A PILOT PROGRAM FOR BOTTOM LAND LEASING FOR OYSTER PRODUCTION IN WATERS ADJACENT TO HANCOCK COUNTY; AND FOR RELATED PURPOSES.

**S. B. No. 2559:** AN ACT TO AMEND SECTION 27-19-81, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEAL DATE ON THE PROVISION OF LAW THAT REGULATES HARVEST PERMIT AUTHORIZATION AND FEES FOR A PERIOD OF FOUR YEARS; TO CREATE THE STRATEGIC MULTI-MODAL INVESTMENTS FUND; TO PROVIDE THAT SUCH FUNDS SHALL BE ADMINISTERED BY THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION; TO PRESCRIBE CERTAIN CRITERIA TO BE CONSIDERED WHEN THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION MAKES ALLOCATIONS FROM THE FUND; TO CREATE THE STRATEGIC MULTI-MODAL INVESTMENTS ADVISORY BOARD; TO PROVIDE THAT THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION SHALL PROMULGATE RULES AND REGULATIONS NECESSARY FOR IMPLEMENTATION OF THE FUND; AND FOR RELATED PURPOSES.

**S. B. No. 3037:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE MISSISSIPPI BOARD OF REGISTERED PROFESSIONAL GEOLOGISTS FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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MESSAGE FROM THE GOVERNOR  
April 3, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2004:** Town of Duck Hill; authorize governing authorities to levy tourism tax. (April 3, 2023, 10:34 AM)

**S. B. No. 2152:** City of Byram; authorize governing authorities to levy parks and recreation tax on restaurants. (April 3, 2023, 10:36 AM)

**S. B. No. 2519:** Town of Monticello; authorize tourism tax on restaurants, hotels and motels. (April 3, 2023, 10:40 AM)

**S. B. No. 2892:** City of Vicksburg; authorize to contribute to the creation, development and promotion of the Dr. Jane Ellen McAllister Museum. (April 3, 2023, 10:41 AM)

**S. B. No. 3065:** Bolivar County; authorize contributions to Fannie Lou Hamer Breast Cancer Foundation and Community Action Agency. (April 3, 2023, 10:42 AM)

**S. B. No. 3109:** Warren County; authorize board of supervisors to contribute funds to certain nonprofit corporations. (April 3, 2023, 10:44 AM)

**S. B. No. 3140:** City of Gautier; authorize to enter into public/private partnership for construction of an inclusion playground. (April 3, 2023, 10:45 AM)

**S. B. No. 3141:** Kemper County; authorize board of supervisors to expand scope of authority of Gas District to become county utility district. (April 3, 2023, 10:46 AM)

**S. B. No. 3142:** Lauderdale County; extend date of repeal on authority to fund LCDF Chaplaincy program with certain revenue. (April 3, 2023, 10:47 AM)

**S. B. No. 3143:** City of Lucedale; authorize to levy tax upon sales of restaurants for the purposes of funding parks and recreation. (April 3, 2023, 4:19 PM)

**S. B. No. 3145:** George County; authorize to levy 3% sales tax on the sales of hotels and motels within the county and 1% tax on the sales of restaurants. (April 3, 2023, 4:22 PM)

**S. B. No. 3146:** Lowndes County; authorize to contribute Local Fiscal Recovery Funds to certain nonprofits. (April 3, 2023, 4:22 PM)

**S. B. No. 3148:** Lowndes County; authorize Board of Supervisors to contribute available funds to public utilities and water/sewer associations. (April 3, 2023, 10:48 AM)

**S. B. No. 3151:** Rankin County; authorize to contribute county funds to Trustmark Park for economic development and tourism purposes. (April 3, 2023, 11:06 AM)

SENATE JOURNAL  
MONDAY, APRIL 3, 2023

**S. B. No. 3152:** City of Pearl; authorize to contribute municipal funds to minor league baseball stadium for economic development and tourism purposes. (April 3, 2023, 11:07 AM)

**S. B. No. 3153:** City of Pearl; extend repealer on hotel/motel & restaurant tourism tax. (April 3, 2023, 11:08 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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Pursuant to adjournment order of Saturday, April 1, 2023, the Senate thereupon adjourned until 10:00 AM, Tuesday, April 4, 2023.

Eugene S. Clarke, Secretary of the Senate

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## NINETY-SECOND DAY, TUESDAY, APRIL 4, 2023

Pursuant to adjournment order of Saturday, April 1, 2023, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:

## REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2073:** AN ACT TO AMEND SECTIONS 93-19-13, 1-3-27, 15-3-11, 11-5-115, 89-1-301, 93-19-1, 93-19-9, 91-20-3, 91-20-41 AND 15-1-17, MISSISSIPPI CODE OF 1972, TO LOWER THE AGE OF MAJORITY TO 18 FOR SECURING LOANS AND ENTERING CONTRACTS FOR REAL PROPERTY; TO REPEAL SECTION 93-3-11, MISSISSIPPI CODE OF 1972, WHICH IS THE PROVISION OF LAW THAT REMOVES THE DISABILITY OF MINORITY FOR CERTAIN MARRIED PERSONS SOLELY WITH RESPECT TO HOMESTEAD TRANSACTIONS; AND FOR RELATED PURPOSES.

**S. B. No. 2696:** AN ACT TO AMEND SECTION 27-7-22.32, MISSISSIPPI CODE OF 1972, TO REVISE THE TERMS OF THE INCOME TAX CREDIT FOR DEPENDENT CHILDREN LEGALLY ADOPTED UNDER THE LAWS OF THIS STATE; TO ALLOW A CREDIT IN THE AMOUNT OF THE QUALIFIED ADOPTION EXPENSES PAID OR INCURRED, NOT TO EXCEED \$5,000.00, FOR EACH DEPENDENT CHILD RESIDING OUTSIDE MISSISSIPPI; TO ALLOW A CREDIT IN THE AMOUNT OF \$10,000.00 FOR EACH DEPENDENT CHILD RESIDING IN MISSISSIPPI; TO REMOVE THE REVERTER EFFECTIVE JANUARY 1, 2024, WHICH WOULD LOWER TO \$2,500.00 THE MAXIMUM AMOUNT OF THE CREDIT PER CHILD ADOPTED; AND FOR RELATED PURPOSES.

**S. B. No. 2841:** AN ACT TO AMEND SECTION 27-19-31, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OWNER OF A PRIVATE CARRIER OF PASSENGERS OR MOTORCYCLE MAY CHOOSE A REGULAR LICENSE TAG WITH A BLACK BACKGROUND AND A WHITE PINSTRIPE BORDER, WITH "MISSISSIPPI" PRINTED AT THE TOP AND THE NAME OF THE COUNTY PRINTED AT THE BOTTOM; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAG; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAG; TO AMEND SECTION



27-19-11, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT AN OWNER OF A CARRIER OF PROPERTY WHOSE GROSS VEHICLE WEIGHT DOES NOT EXCEED 10,000 POUNDS MAY CHOOSE A LICENSE TAG WITH A BLACK BACKGROUND AND A WHITE PINSTRIPE BORDER, WITH "MISSISSIPPI" PRINTED AT THE TOP AND THE NAME OF THE COUNTY PRINTED AT THE BOTTOM; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH LICENSE TAG; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH LICENSE TAG; AND FOR RELATED PURPOSES.

**S. B. No. 3016:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, AND FOR THE PURPOSE OF ESTABLISHING A DISASTER RELIEF RESERVE FUND AND DEFRAYING THE COSTS RELATED TO CERTAIN DISASTER ASSISTANCE PROGRAMS FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2101:** AN ACT TO AMEND SECTION 97-9-72, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM TERM OF IMPRISONMENT FOR THE CRIME OF FLEEING OR ELUDING A LAW ENFORCEMENT OFFICER IN A MOTOR VEHICLE; TO AMEND SECTION 97-3-117, MISSISSIPPI CODE OF 1972, TO INCREASE THE MINIMUM TERM OF IMPRISONMENT FOR THE CRIMES OF CARJACKING AND ARMED CARJACKING; TO PROVIDE THAT THE MINIMUM TERMS IMPOSED UNDER THIS SECTION SHALL NOT BE REDUCED OR SUSPENDED; TO PROVIDE THAT THE DEFENDANT SHALL NOT BE ELIGIBLE FOR ELECTRONIC MONITORING, HOUSE ARREST OR INTENSIVE SUPERVISION; AND FOR RELATED PURPOSES.

**S. B. No. 2749:** AN ACT TO AMEND SECTION 37-6-13, MISSISSIPPI CODE OF 1972, TO INCREASE THE COMPENSATION OF SCHOOL BOARD MEMBERS BASED ON THE SCHOOL DISTRICTS' ENROLLMENT; AND FOR RELATED PURPOSES.

**S. B. No. 2887:** AN ACT TO AMEND SECTION 27-105-33, MISSISSIPPI CODE OF 1972, TO MODIFY CERTAIN PROVISIONS CONCERNING THE DEPOSIT AND INVESTMENT OF EXCESS STATE FUNDS BY THE STATE TREASURER; TO REVISE THE REQUIREMENT THAT AT LEAST 80% OF THE TOTAL DOLLAR AMOUNT IN ALL REPURCHASE AGREEMENTS AT ANY ONE TIME SHALL BE PURSUANT TO CONTRACTS WITH QUALIFIED STATE DEPOSITORIES; TO PROVIDE THE OPTION OF INVESTING IN CERTAIN CORPORATE BONDS AND TAXABLE MUNICIPAL BONDS; TO AMEND SECTION 27-104-7, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 249, 2023 REGULAR SESSION, AND HOUSE BILL NO. 540, 2023 REGULAR SESSION, TO SPECIFY THAT CERTAIN PUBLIC PROCUREMENT REVIEW BOARD PROVISIONS DO NOT IMPAIR OR LIMIT THE AUTHORITY OF THE STATE TREASURER TO ENTER INTO ANY PERSONAL OR PROFESSIONAL SERVICES CONTRACTS INVOLVING THE MANAGEMENT OF TRUST FUNDS, AN AUTHORITY COMPARABLE TO THAT GRANTED TO THE BOARD OF TRUSTEES OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM; TO REMOVE A SUBSECTION THAT REPEALED ON JULY 1, 2022; AND FOR RELATED PURPOSES.

**S. B. No. 3002:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE ALCORN STATE UNIVERSITY AGRICULTURAL RESEARCH, EXTENSION AND LAND-GRANT PROGRAMS FOR FISCAL YEAR 2024.

**S. B. No. 3113:** AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE OFFICE OF WORKFORCE DEVELOPMENT, WITH THE DEPARTMENT OF EMPLOYMENT SECURITY SERVING AS THE FISCAL AGENT, FOR THE PURPOSES OF DEFRAYING THE EXPENSES OF CERTAIN PROGRAMS AND FOR CERTAIN

ADMINISTRATIVE FEES FOR THE PERIOD BEGINNING UPON PASSAGE AND ENDING JUNE 30, 2024.

**S. B. No. 3118:** AN ACT MAKING AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION BUREAU OF BUILDING, GROUNDS, AND REAL PROPERTY MANAGEMENT FOR ALLOWABLE CAPITAL PROJECTS UNDER THE AMERICAN RESCUE PLAN ACT FOR THE PERIOD BEGINNING ON PASSAGE AND ENDING ON JUNE 30, 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 419:** AN ACT TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO ASSIST CERTAIN MUSEUMS IN PAYING CERTAIN COSTS AND PROVIDING FUNDS TO DESTINATION MARKETING ORGANIZATIONS TO ASSIST IN PAYING COSTS OF CERTAIN MARKETING ACTIVITIES; TO DEFINE THE TERMS "DESTINATION MARKETING ORGANIZATION" AND "MARKETING ACTIVITIES" FOR THE PURPOSES OF THIS ACT; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ESTABLISH A PROGRAM FOR THE PURPOSE OF PROVIDING FUNDS TO NARRATRIP LLC, TO USE TO ASSIST MUNICIPALITIES IN THE STATE IN PAYING COSTS TO PARTICIPATE IN AND BE PROMOTED AS PART OF THE BUSINESS'S MOBILE APPS GEARED TOWARD PROMOTING TOURISM IN THE STATE; AND FOR RELATED PURPOSES.

**H. B. No. 529:** AN ACT TO AMEND SECTION 63-16-3, MISSISSIPPI CODE OF 1972, TO EXEMPT RECORDS IN THE MOTOR VEHICLE INSURANCE VERIFICATION SYSTEM FROM THE MISSISSIPPI PUBLIC RECORDS ACT; TO CREATE NEW SECTION 45-27-23, MISSISSIPPI CODE OF 1972, TO RATIFY THE NATIONAL CRIME PREVENTION AND PRIVACY COMPACT AND TO DESIGNATE THE DIRECTOR OF THE MISSISSIPPI JUSTICE INFORMATION CENTER AS THE STATE'S COMPACT OFFICER; TO AMEND SECTION 45-27-9, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE MISSISSIPPI JUSTICE INFORMATION CENTER TO PURCHASE LIVE SCAN EQUIPMENT TO BE USED FOR FINGERPRINTING BY LAW ENFORCEMENT AGENCIES THROUGHOUT THE STATE; TO AMEND SECTION 63-1-16, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF PUBLIC SAFETY TO FURNISH A DRIVER SERVICE BUREAU PUBLIC ACCESS COMPUTER IN EACH COUNTY; TO AMEND SECTION 45-9-101, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE CONCEALED CARRY OF A FIREARM WITH A LICENSE; TO REVISE HOW LICENSE RENEWALS MAY BE SENT; TO REPEAL SECTION 63-16-15, MISSISSIPPI CODE OF 1972, WHICH PROVIDES FOR THE AUTOMATIC REPEAL OF THE PUBLIC SAFETY VERIFICATION AND ENFORCEMENT ACT; AND FOR RELATED PURPOSES.

**H. B. No. 1020:** AN ACT TO AUTHORIZE FOUR TEMPORARY SPECIAL CIRCUIT JUDGES FOR THE SEVENTH CIRCUIT COURT DISTRICT TO BE APPOINTED BY THE CHIEF JUSTICE OF THE SUPREME COURT; TO AUTHORIZE THE PUBLIC DEFENDER OF THE SEVENTH CIRCUIT COURT DISTRICT TO APPOINT THREE FULL-TIME ASSISTANT PUBLIC DEFENDERS; TO AUTHORIZE THE DISTRICT ATTORNEY OF THE SEVENTH CIRCUIT COURT DISTRICT TO APPOINT TWO FULL-TIME ASSISTANT DISTRICT ATTORNEYS; TO CREATE AN INFERIOR COURT WITHIN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT TO HEAR AND DETERMINE CERTAIN MATTERS THAT ARE UNDER THE JURISDICTION OF MUNICIPAL COURTS JURISDICTION OF A MUNICIPAL COURT; TO AUTHORIZE THE ATTORNEY GENERAL TO DESIGNATE TWO ATTORNEYS TO SERVE AS

PROSECUTING ATTORNEYS FOR ANY CAUSE OF ACTION WITHIN THE JURISDICTION OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO REQUIRE THE ADMINISTRATIVE OFFICE OF COURTS, IN CONSULTATION WITH THE CHIEF JUSTICE OF THE MISSISSIPPI SUPREME COURT TO APPOINT A CLERK FOR THE CCID INFERIOR COURT; TO REQUIRE THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO DESIGNATE A SUITABLE LOCATION OR BUILDING FOR THE PURPOSE OF ALLOWING THE CCID INFERIOR COURT TO HOLD COURT; TO AMEND SECTION 29-5-203, MISSISSIPPI CODE OF 1972, TO REVISE THE BOUNDARIES OF THE CAPITOL COMPLEX IMPROVEMENT DISTRICT, FOR PURPOSES OF AMENDMENT; TO AMEND SECTION 27-65-75, MISSISSIPPI CODE OF 1972, AS AMENDED BY SENATE BILL NO. 2664, 2023 REGULAR SESSION, TO REVISE THE DISTRIBUTION OF STATE SALES TAX REVENUE TO THE CAPITOL COMPLEX IMPROVEMENT DISTRICT PROJECT FUND; TO REQUIRE THE COMMISSIONER OF THE DEPARTMENT OF PUBLIC SAFETY TO DEVELOP A 911 SYSTEM FOR EMERGENCIES WITHIN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO REQUIRE THE CHIEF JUSTICE OF THE SUPREME COURT, IN CONSULTATION WITH THE ADMINISTRATIVE OFFICE OF COURTS, TO APPOINT A COURT ADMINISTRATOR TO MANAGE THE CASELOAD OF THE SPECIAL JUDGES APPOINTED IN SECTION 1 OF THIS ACT; TO REQUIRE THE HINDS COUNTY CIRCUIT CLERK TO SELECT JURORS FROM ALL QUALIFIED ELECTORS IN HINDS COUNTY; TO PROVIDE HOW JURORS ARE CHOSEN FOR PROCEEDINGS BEFORE SPECIAL COURT JUDGES AUTHORIZED BY THIS ACT FOR THE SEVENTH CIRCUIT COURT DISTRICT; AND FOR RELATED PURPOSES.

**H. B. No. 1029:** AN ACT TO PROVIDE THAT REFERENCES IN THE MISSISSIPPI CODE TO "ARMED FORCES" OR "UNIFORMED SERVICES" SHALL INCLUDE MEMBERS OF THE UNITED STATES SPACE FORCE; TO AMEND SECTIONS 23-15-673, 33-1-1, 37-135-31, 49-7-351 AND 73-50-1, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**H. B. No. 1216:** AN ACT TO AMEND SECTION 9-1-36, MISSISSIPPI CODE OF 1972, TO INCREASE THE OFFICE OPERATING ALLOWANCE, SUPPORT STAFF FUNDING AND THE ADDITIONAL OFFICE EXPENSE ALLOWANCE PAYABLE TO CIRCUIT JUDGES AND CHANCELLORS; AND FOR RELATED PURPOSES.

**H. B. No. 1626:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE STATE DEPARTMENT OF HEALTH FOR THE FISCAL YEAR 2024.

**H. B. No. 1636:** AN ACT MAKING AN APPROPRIATION FOR THE SUPPORT AND MAINTENANCE OF THE DEPARTMENT OF MARINE RESOURCES FOR THE FISCAL YEAR 2024.

**H. B. No. 1715:** AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE STATE DEPARTMENT OF HEALTH FOR THE PURPOSE OF FUNDING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

**H. B. No. 1717:** AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION - OFFICE OF INSURANCE FOR THE PURPOSE OF REIMBURSING THE STATE AND SCHOOL EMPLOYEES' LIFE AND HEALTH INSURANCE PLAN FOR ELIGIBLE EXPENSES INCURRED DURING A CERTAIN PERIOD, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2187:** AN ACT TO AMEND SECTION 27-19-53, MISSISSIPPI CODE OF 1972, TO REVISE THE DISABILITY RATING REQUIREMENTS FOR CERTAIN MOTOR VEHICLE AND MOTORCYCLE LICENSE PLATES AND TAGS AUTHORIZED FOR DISABLED VETERANS; TO AMEND SECTION 27-19-56.444, MISSISSIPPI CODE OF 1972, IN CONFORMITY THERETO; AND FOR RELATED PURPOSES.

**S. B. No. 2384:** AN ACT TO ESTABLISH THE MISSISSIPPI TASK FORCE ON FOSTER CARE AND ADOPTION; TO PROVIDE FOR THE APPOINTMENT OF MEMBERS OF THE TASK FORCE; TO PROVIDE THAT THE TASK FORCE WILL STUDY MISSISSIPPI'S LAWS REGARDING FOSTER CARE AND ADOPTION AND RELATED AREAS OF INQUIRY; TO PROVIDE FOR THE TASK FORCE TO CONDUCT ITS BUSINESS; TO REQUIRE THAT THE TASK FORCE WILL REPORT ITS FINDINGS AND ANY RECOMMENDATIONS TO THE LEGISLATURE; AND FOR RELATED PURPOSES.

**S. B. No. 2695:** AN ACT TO AMEND SECTION 57-26-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DEADLINE FOR THE MISSISSIPPI DEVELOPMENT AUTHORITY TO ISSUE CERTIFICATES APPROVING PARTICIPANTS IN THE TOURISM PROJECT INCENTIVE PROGRAM; AND FOR RELATED PURPOSES.

**S. B. No. 2781:** AN ACT TO REQUIRE THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES (ITS) TO DEVELOP, IMPLEMENT, AND MANAGE A WEBSITE AND A MOBILE APPLICATION TO COORDINATE AND PROMOTE INFORMATION AND SERVICES RELATED TO PREGNANCY, CHILDBIRTH AND CARE FOR DEPENDENT CHILDREN FOR EXPECTANT MOTHERS AND NEW PARENTS; TO PROVIDE THAT THE WEBSITE AND MOBILE APPLICATION SHALL INCLUDE INFORMATION CONCERNING CERTAIN RESOURCES RELATED TO ADOPTION ASSISTANCE, CHILDCARE, DOMESTIC ABUSE PROTECTION, EARLY INTERVENTION, FOOD, CLOTHING AND SUPPLIES RELATED TO PREGNANCY AND NEWBORN CARE, JOB TRAINING AND PLACEMENT, UNEMPLOYMENT BENEFITS, PATERNITY, PARENTING SKILLS, MENTAL HEALTH AND PRENATAL AND POSTPARTUM CARE; TO PROVIDE THAT THE ATTORNEY GENERAL SHALL HAVE AUTHORITY FOR OVERSIGHT OF THE ADMINISTRATION OF THIS ACT AND SHALL COORDINATE THE ACTIVITIES OF THE AGENCIES AND THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES UNDER THE PROVISIONS OF THIS ACT IN ORDER TO BEST EFFECTUATE THE PURPOSE AND INTENT OF THIS ACT; TO REQUIRE THE MISSISSIPPI DEPARTMENT OF HEALTH, THE MISSISSIPPI DEPARTMENT OF MENTAL HEALTH, THE MISSISSIPPI DEPARTMENT OF HUMAN SERVICES, THE MISSISSIPPI DEPARTMENT OF CHILD PROTECTION SERVICES, THE MISSISSIPPI OFFICE OF WORKFORCE DEVELOPMENT, THE MISSISSIPPI DEPARTMENT OF EMPLOYMENT SECURITY AND THE MISSISSIPPI DIVISION OF MEDICAID TO SUBMIT INFORMATION ABOUT THE SERVICES AND RESOURCES THAT WILL BE INCLUDED ON THE WEBSITE AND MOBILE APPLICATION TO THE ATTORNEY GENERAL; TO REQUIRE THE ATTORNEY GENERAL, THE AGENCIES AND EACH COUNTY HEALTH DEPARTMENT TO DISPLAY A PROMINENT LINK TO THE WEBSITE AND MOBILE APPLICATION ON THEIR OWN WEBSITES; TO REQUIRE THE AGENCIES TO COOPERATE WITH THE DEPARTMENT OF INFORMATION TECHNOLOGY SERVICES IN THE CREATION OF THE WEBSITE AND MOBILE APPLICATION; TO PROVIDE THAT THE WEBSITE SHALL BE OPERATIONAL NO LATER THAN OCTOBER 1, 2023; TO PROVIDE THAT THE MOBILE APPLICATION SHALL BE OPERATIONAL NO LATER THAN JANUARY 1, 2024; TO REQUIRE A REPORT TO BE FILED WITH THE LEGISLATURE NO LATER THAN OCTOBER 1, 2024, CONCERNING THE OPERATION AND STATUS OF THE WEBSITE AND MOBILE APPLICATION; AND FOR RELATED PURPOSES.

**S. B. No. 3009:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE ADMINISTRATIVE EXPENSES OF THE MISSISSIPPI COMMUNITY COLLEGE BOARD FOR FISCAL YEAR 2024.

**S. B. No. 3120:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING CERTAIN INFRASTRUCTURE EXPENSES OF THE MISSISSIPPI DEPARTMENT OF TRANSPORTATION, FOR THE FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 1089:** AN ACT TO AMEND SECTION 27-104-371, MISSISSIPPI CODE OF 1972, TO CLARIFY AND CORRECT NAMES AND PURPOSES OF CERTAIN PROJECTS FUNDED FROM DISBURSEMENTS FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND; TO AMEND SECTION 37-101-83, MISSISSIPPI CODE OF 1972, TO REVISE THE PURPOSE OF A PROJECT FOR MISSISSIPPI VALLEY STATE UNIVERSITY FUNDED FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND; TO AMEND SECTION 1, CHAPTER 109, LAWS OF 2022, TO REVISE THE APPROPRIATION OF GULF COAST RESTORATION FUNDS TO THE MISSISSIPPI DEVELOPMENT AUTHORITY FOR FISCAL YEAR 2023 TO REVISE THE USE OF FUNDS TO THE HERITAGE SPRING WATER, LLC., AND TO DELETE ONE PROJECT; TO AMEND SECTION 5, CHAPTER 64, LAWS OF 2022, TO REVISE THE AUTHORIZED HEADCOUNT NUMBERS FOR THE DIVISION OF MEDICAID FOR PERMANENT AND TIME-LIMITED POSITIONS; TO AMEND SECTION 9, CHAPTER 98, LAWS OF 2022, TO REVISE THE PURPOSE OF THE APPROPRIATION TO THE WORKERS' COMPENSATION COMMISSION; TO AMEND SECTION 57-1-16, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE ACE FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-701, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-61-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES FROM THE PROCEEDS OF BONDS AND PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI BUSINESS INVESTMENT FUND AND THE MISSISSIPPI BUSINESS INVESTMENT SINKING FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-61-25, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN A CERTAIN FUND CREATED IN THE MISSISSIPPI BUSINESS ACT MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 65-4-15, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE ECONOMIC DEVELOPMENT HIGHWAY FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-221, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 57-1-601, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT MONIES PROVIDED BY THE LEGISLATURE IN THE MISSISSIPPI MAIN STREET INVESTMENT GRANT FUND MAY BE USED TO REIMBURSE REASONABLE ACTUAL AND NECESSARY COSTS INCURRED BY THE MISSISSIPPI DEVELOPMENT AUTHORITY; TO AMEND SECTION 65-1-183, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE DEPARTMENT OF TRANSPORTATION TO TRANSFER FUNDS FROM THE 2022 INFRASTRUCTURE MATCH FUND TO THE DEPARTMENT'S AGENCY SUPPORT FUND SUBJECT TO CERTAIN PROVISIONS; AND FOR RELATED PURPOSES.

**H. B. No. 1719:** AN ACT MAKING AN APPROPRIATION TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION TO ASSIST DESTINATION MARKETING ORGANIZATIONS IN PAYING FOR MARKETING ACTIVITIES, TO PROVIDE FUNDS FOR THE GRAMMY® MUSEUM MISSISSIPPI, AND TO PROVIDE FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION, FOR THE FISCAL YEAR 2024.

Joseph Thomas, Chairman

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Pursuant to adjournment order of Saturday, April 1, 2023, the Senate thereupon adjourned until 10:00 AM, Wednesday, April 5, 2023.

Eugene S. Clarke, Secretary of the Senate

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NINETY-THIRD DAY, WEDNESDAY, APRIL 5, 2023

Pursuant to adjournment order of Saturday, April 1, 2023, the Senate convened at 10:00 AM, a quorum being present and the reading of the journal of the previous day being dispensed with and thereby approved, the Senate conducted the following business:

REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2343:** AN ACT TO AMEND SECTION 45-1-19, MISSISSIPPI CODE OF 1972, TO REVISE THE JURISDICTION OF THE DEPARTMENT OF PUBLIC SAFETY IN THE CAPITOL COMPLEX IMPROVEMENT DISTRICT; TO PROVIDE THAT THE JURISDICTION OF THE DEPARTMENT OF PUBLIC SAFETY IN THE CITY OF JACKSON SHALL NOT BE PRIMARY AND SHALL BE CONCURRENT WITH THE JURISDICTION OF THE CITY OF JACKSON, MISSISSIPPI, AND THAT OF HINDS COUNTY, MISSISSIPPI; AND FOR RELATED PURPOSES.

**S. B. No. 3015:** AN ACT MAKING AN APPROPRIATION TO THE MISSISSIPPI BOARD OF ANIMAL HEALTH FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE BOARD FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2382:** AN ACT TO CREATE NEW SECTION 73-3-38, MISSISSIPPI CODE OF 1972, TO REQUIRE OUT-OF-STATE ATTORNEYS WHO ARE NOT LICENSED TO PRACTICE LAW IN MISSISSIPPI AND WHO APPEAR IN CERTAIN ADVERTISEMENTS OFFERING THE PERFORMANCE OF LEGAL SERVICES WITHIN THE STATE OF MISSISSIPPI TO MAKE CERTAIN DISCLOSURES; TO AMEND SECTION 75-24-5, MISSISSIPPI CODE OF 1972, AS AMENDED BY HOUSE BILL NO. 1157, 2023 REGULAR SESSION, TO CONFORM; AND FOR RELATED PURPOSES.

**S. B. No. 2487:** AN ACT TO CREATE THE "MISSISSIPPI DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM ACT OF 2023" TO BE ADMINISTERED BY THE POSTSECONDARY EDUCATION FINANCIAL ASSISTANCE BOARD; TO DEFINE TERMINOLOGY; TO REQUIRE THE BOARD TO SET THE DATES AND DEADLINES FOR APPLYING FOR FUNDING FOR DUAL ENROLLMENT/DUAL CREDIT COURSES OF ELIGIBLE MISSISSIPPI HIGH SCHOOL STUDENTS; TO PROVIDE FOR THE ELIGIBILITY AND PARTICIPATION IN THE PROGRAM BY POSTSECONDARY EDUCATIONAL INSTITUTIONS AND STUDENTS; TO PROVIDE THE RATE AT WHICH PARTICIPATING INSTITUTIONS WILL BE REIMBURSED FOR PARTICIPATING STUDENTS; TO EXCLUDE THE PARTICIPATION OF EARLY COLLEGE STUDENTS FROM PARTICIPATION IN THE PROGRAM; TO ESTABLISH A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED THE "MISSISSIPPI DUAL ENROLLMENT/DUAL CREDIT SCHOLARSHIP PROGRAM FUND" AND TO PROVIDE THAT ANY UNEXPENDED BALANCES APPROPRIATED BY THE LEGISLATURE REMAINING AVAILABLE AT THE END OF THE FISCAL YEAR SHALL NOT LAPSE INTO THE STATE GENERAL FUND; AND FOR RELATED PURPOSES.

**S. B. No. 2612:** AN ACT TO AMEND SECTION 19-5-9, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN COUNTIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE UNINCORPORATED AREAS OF A COUNTY; TO AMEND SECTION 21-19-25, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN MUNICIPALITIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE MUNICIPALITY'S JURISDICTION; TO AMEND SECTION 73-59-1, MISSISSIPPI CODE OF 1972, TO INCREASE THE MONETARY THRESHOLD OF IMPROVEMENTS TO AN EXISTING RESIDENCE A PERSON MUST MEET IN ORDER TO FALL WITHIN THE DEFINITION OF REMODELER; TO AMEND 73-59-3, MISSISSIPPI CODE OF 1972, TO ESTABLISH AN ALTERNATIVE LICENSURE PROCEDURE FOR THE STATE BOARD OF CONTRACTORS; AND FOR RELATED PURPOSES.

**S. B. No. 2862:** AN ACT TO AMEND SECTION 27-65-111, MISSISSIPPI CODE OF 1972, TO EXEMPT FROM SALES TAXATION SALES OF COINS, CURRENCY AND BULLION; AND FOR RELATED PURPOSES.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**S. B. No. 2444:** AN ACT TO AMEND SECTION 49-2-131, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION OF LAW GOVERNING THE MISSISSIPPI MUNICIPALITY AND COUNTY WATER INFRASTRUCTURE GRANT PROGRAM; TO AMEND SECTION 41-3-16.1, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION OF LAW GOVERNING THE ARPA RURAL WATER ASSOCIATIONS INFRASTRUCTURE GRANT PROGRAM; TO AMEND SECTION 57-123-11, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION OF LAW GOVERNING THE MISSISSIPPI MAIN STREET ASSOCIATION; TO AMEND SECTION 45-2-41, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION OF LAW GOVERNING THE MISSISSIPPI LAW ENFORCEMENT AND FIRE FIGHTERS PREMIUM PAY PROGRAM; TO AMEND SECTION 25-3-25, MISSISSIPPI CODE OF 1972, TO REVISE THE PROVISION CONCERNING A SHERIFF'S ABILITY TO RECEIVE PREMIUM PAY AS PART OF THE SHERIFF'S COMPENSATION; AND FOR RELATED PURPOSES.

**S. B. No. 2454:** AN ACT TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS FROM THE CAPITAL EXPENSE FUND UPON THE EFFECTIVE DATE OF THIS ACT; TO DIRECT THE STATE FISCAL OFFICER TO MAKE CERTAIN TRANSFERS FROM THE GENERAL FUND UPON THE EFFECTIVE DATE OF THIS ACT AND DURING FISCAL YEAR 2024; TO DIRECT THE STATE FISCAL

OFFICER TO MAKE A TRANSFER FROM THE CAPITAL EXPENSE FUND UPON THE EFFECTIVE DATE OF THIS ACT; TO AMEND SECTION 65-1-141.1, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE REVISION TO THE PURPOSES UNDER WHICH MONIES SHALL BE SPENT FROM THE 2022 MAINTENANCE PROJECT FUND; TO AMEND SECTION 65-1-141.2, MISSISSIPPI CODE OF 1972, TO MAKE A MINOR, NONSUBSTANTIVE REVISION TO THE PURPOSES UNDER WHICH MONIES SHALL BE SPENT FROM THE 2022 CAPACITY PROJECT FUND; TO AMEND SECTION 2, SENATE BILL NO. 2525, 2023 REGULAR SESSION, TO MAKE CERTAIN REVISIONS TO THE FUNDING MECHANISM OF THE FORESTRY FACILITY GRANT PROGRAM FUND; TO AMEND SECTION 1, CHAPTER 43, LAWS OF 2022, TO REDUCE THE AMOUNT OF ARPA FUNDS APPROPRIATED TO THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2023; TO PROVIDE FUNDS TO DESTINATION MARKETING ORGANIZATIONS FOR COSTS OF CERTAIN MARKETING ACTIVITIES, PROVIDING ASSISTANCE TO NONPROFIT MUSEUMS, AND PROVIDING FUNDS TO MISSISSIPPI MAIN STREET ASSOCIATION; AND FOR RELATED PURPOSES.

**S. B. No. 2616:** AN ACT TO AMEND SECTION 73-35-17, MISSISSIPPI CODE OF 1972, TO REDUCE THE LICENSING FEES CHARGED BY THE REAL ESTATE COMMISSION; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN SUM FROM THE REAL ESTATE LICENSE FUND TO THE REAL ESTATE APPRAISER LICENSE FUND DURING FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

**S. B. No. 2961:** AN ACT TO MAKE AN ADDITIONAL APPROPRIATION FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE SUPREME COURT, OFFICE OF THE STATE PUBLIC DEFENDER, DISTRICT ATTORNEYS AND STAFF, MISSISSIPPI NATIONAL GUARD, MISSISSIPPI EMERGENCY MANAGEMENT AGENCY, THE MISSISSIPPI OFFICE OF STUDENT FINANCIAL AID AND THE MISSISSIPPI DEPARTMENT OF AGRICULTURE AND COMMERCE; TO PROVIDE THE PURPOSES OF THE APPROPRIATIONS; TO PROVIDE THE STATE MATCH FOR THE FEDERAL EMERGENCY MANAGEMENT AGENCY'S TEMPORARY HOUSING MISSION FOR THE INDIVIDUALS IMPACTED BY THE SEVERE WEATHER EVENT ON MARCH 24 AND 25, 2023; AND FOR RELATED PURPOSES.

**S. B. No. 3000:** AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES FOR FISCAL YEAR 2024.

**S. B. No. 3001:** AN ACT MAKING AN APPROPRIATION TO THE BOARD OF TRUSTEES OF STATE INSTITUTIONS OF HIGHER LEARNING FOR SUPPORT OF THE EIGHT UNIVERSITIES' DESIGNATED INSTITUTES, LABORATORIES AND PROGRAMS FOR WHICH THEY ARE RESPONSIBLE AND THE EXECUTIVE OFFICE OF THE BOARD OF TRUSTEES FOR FISCAL YEAR 2024; AND FOR RELATED PURPOSES.

**S. B. No. 3012:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF PUBLIC SAFETY FOR FISCAL YEAR 2024.

**S. B. No. 3043:** AN ACT MAKING AN APPROPRIATION TO DEFRAY THE EXPENSES OF THE DEPARTMENT OF FINANCE AND ADMINISTRATION FOR FISCAL YEAR 2024.

**S. B. No. 3052:** AN ACT MAKING A REAPPROPRIATION TO CERTAIN AGENCIES TO REAUTHORIZE THE EXPENDITURE OF CORONAVIRUS STATE FISCAL RECOVERY FUNDS PREVIOUSLY APPROPRIATED FOR CERTAIN PROJECTS FOR FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measure and now presents it for your signature:



**S. C. R. No. 570:** A CONCURRENT RESOLUTION RECOGNIZING THE LEADERSHIP, ADVOCACY AND COMMITMENT THAT THE HONORABLE SENATOR ANGELA TURNER-FORD PROVIDED DURING HER TERM AS CHAIRPERSON OF THE MISSISSIPPI LEGISLATIVE BLACK CAUCUS.

Joseph Thomas, Chairman

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REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 252:** AN ACT TO AMEND SECTION 67-1-51, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE AUTHORITY OF THE DEPARTMENT OF REVENUE TO ISSUE A FESTIVAL WINE PERMIT; TO AMEND THE PACKAGE RETAILER'S PERMIT TO ALLOW EDIBLE ALCOHOL PRODUCT TO BE SOLD AT SUCH LICENSED PREMISES; TO PROVIDE THAT CERTAIN ON-PREMISES RETAILER'S PERMITTEES MAY SERVE ALCOHOLIC BEVERAGES BY THE GLASS TO A PATRON IN A VEHICLE USING A DRIVE-THROUGH METHOD OF DELIVERY IF THE PERMITTED PREMISES IS LOCATED IN A LEISURE AND RECREATION DISTRICT AND THAT SUCH A SALE WILL BE CONSIDERED TO BE MADE ON THE PERMITTED PREMISES; TO PROVIDE THAT THE RESTRICTIONS ON THE MANUFACTURING, SALE OR STORAGE OF INTOXICATING LIQUORS WITHIN CERTAIN DISTANCES OF CHURCHES, SCHOOLS AND FUNERAL HOMES SHALL NOT APPLY TO THE SALE OR STORAGE OF ALCOHOLIC BEVERAGES AT CERTAIN LOCATIONS; TO AMEND SECTION 67-1-41, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE OF THE EXCEPTION TO THE STATUTE REQUIRING THE DEPARTMENT OF REVENUE TO SERVE AS A WHOLESALE DISTRIBUTOR AND SELLER OF ALCOHOLIC BEVERAGES FOR THOSE ALCOHOLIC BEVERAGES SOLD BY THE HOLDER OF A FESTIVAL WINE PERMIT; TO AMEND SECTION 67-1-77, MISSISSIPPI CODE OF 1972, TO EXTEND THE EXPIRATION DATE ON THE AUTHORITY OF A DISTILLER, WINE MANUFACTURER, RECTIFIER, BLENDER OR BOTTLER TO HAVE A FINANCIAL INTEREST IN A WINE FESTIVAL PERMIT; TO AMEND SECTION 27-71-5, MISSISSIPPI CODE OF 1972, TO EXTEND THE DATE OF THE REPEALER ON THE ANNUAL PRIVILEGE LICENSE TAX FOR A FESTIVAL WINE PERMIT; AND FOR RELATED PURPOSES.

**H. B. No. 521:** AN ACT TO AUTHORIZE THE MISSISSIPPI INSURANCE DEPARTMENT TO CREATE THE MISSISSIPPI LENGTH-OF-SERVICE AWARD PROGRAM (LOSAP) FOR THE RECRUITMENT AND RETENTION OF VOLUNTEER FIREFIGHTERS; TO PROVIDE THAT THE PROGRAM WILL PROVIDE PAID LENGTH-OF-SERVICE AWARDS TO ELIGIBLE VOLUNTEER FIREFIGHTERS; TO PROVIDE DEFINITIONS; TO PROVIDE THAT THE LOSAP SHALL BE ADMINISTERED BY THE MISSISSIPPI LENGTH-OF-SERVICE AWARD PROGRAM BOARD OF TRUSTEES AND TO PROVIDE THE MEMBERS WHO WILL SERVE ON THE BOARD; TO PROVIDE THE POWERS AND DUTIES OF THE LOSAP BOARD OF TRUSTEES; TO CREATE THE "MISSISSIPPI VOLUNTEER FIREFIGHTER LENGTH-OF-SERVICE AWARDS PROGRAM FUND" (LOSAP FUND) MAINTAINED BY THE STATE TREASURER AND TO PROVIDE WHAT MONIES IN THE FUND MAY BE USED FOR; TO PROVIDE THAT THE MISSISSIPPI INSURANCE DEPARTMENT SHALL NOTIFY THE STATE FIRE MARSHAL AND THE LOSAP BOARD OF TRUSTEES OF ANY VOLUNTEER FIRE DEPARTMENT MEMBER WHO IS INELIGIBLE TO RECEIVE THE LOSAP FUNDS; AND FOR RELATED PURPOSES.

**H. B. No. 603:** AN ACT TO DIRECT THE STATE TREASURER TO TRANSFER CERTAIN AMOUNTS FROM THE CAPITAL EXPENSE FUND TO THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND, THE 2022 IHL CAPITAL IMPROVEMENTS FUND, THE 2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND, THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND, THE 2022

DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND, THE ACE FUND, THE MISSISSIPPI SITE DEVELOPMENT GRANT FUND, THE ECONOMIC DEVELOPMENT HIGHWAY FUND, THE MISSISSIPPI INDUSTRY INCENTIVE FINANCING REVOLVING FUND, THE ANIMAL DISEASE RESPONSE FUND, THE ECONOMIC DEVELOPMENT AND INFRASTRUCTURE FUND, THE MISSISSIPPI MAJOR ECONOMIC IMPACT AUTHORITY FUND, THE CEF - DPS HEADQUARTERS BUILDING FUND, THE DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, AND THE 2023 DECLARATION OF INDEPENDENCE CENTER FOR THE STUDY OF AMERICAN FREEDOM FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND TO THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND, AND TRANSFER A CERTAIN AMOUNT FROM THE 2022 LOCAL IMPROVEMENTS PROJECTS FUND TO THE CAPITAL EXPENSE FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER CERTAIN AMOUNTS FROM THE STATE GENERAL FUND TO THE MEMA HAZARD MITIGATION FUND, AND THE MARCH 2023 STORM HOUSING MISSION FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE CORONAVIRUS STATE FISCAL RECOVERY FUND TO THE CORONAVIRUS STATE FISCAL RECOVERY LOST REVENUE FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND TO THE MISSISSIPPI MILITARY DEPARTMENT READINESS CENTERS FUND; TO DIRECT THE STATE FISCAL OFFICER TO TRANSFER A CERTAIN AMOUNT FROM THE GULF COAST RESTORATION FUND TO THE 2023 GULFPORT COMMERCE CORRIDOR FUND; TO AMEND SECTION 29-17-6, MISSISSIPPI CODE OF 1972, TO DELETE THE 2022 PROJECT FOR THE MILITARY DEPARTMENT FROM THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND; TO CREATE THE FOLLOWING NEW SPECIAL FUNDS IN THE STATE TREASURY: THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND, THE 2023 MISSISSIPPI MILITARY DEPARTMENT READINESS CENTERS FUND, THE MARCH 2023 STORM HOUSING MISSION FUND, THE ANIMAL DISEASE RESPONSE FUND, THE 2023 DESOTO COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE 2023 LAFAYETTE COUNTY INFRASTRUCTURE IMPROVEMENTS FUND, THE 2023 GULFPORT COMMERCE CORRIDOR FUND, AND THE 2023 DECLARATION OF INDEPENDENCE CENTER FOR THE STUDY OF AMERICAN FREEDOM FUND; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2022 IHL CAPITAL IMPROVEMENTS FUND, THE 2022 COMMUNITY AND JUNIOR COLLEGES CAPITAL IMPROVEMENTS FUND AND THE 2022 STATE AGENCIES CAPITAL IMPROVEMENTS FUND FOR CERTAIN PROJECTS; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2022 DEPARTMENT OF FINANCE AND ADMINISTRATION STATEWIDE REPAIR AND RENOVATION FUND TO PAY THE COSTS OF CERTAIN INFRASTRUCTURE IMPROVEMENTS, GENERAL REPAIRS AND RENOVATIONS; TO DIRECT THE STATE FISCAL OFFICER TO MAKE DISBURSEMENTS FROM THE 2023 LOCAL IMPROVEMENTS PROJECTS FUND FOR CERTAIN PROJECTS; TO AUTHORIZE THE STATE TREASURER TO BORROW FUNDS FROM THE WORKING CASH-STABILIZATION RESERVE FUND TO OFFSET TEMPORARY CASH FLOW DEFICIENCIES IN THE GF OBLIGATIONS FUND; TO AMEND SECTION 17-23-21, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT UPON THE REQUEST OF THE COMMISSIONER OF INSURANCE, THE STATE FISCAL OFFICER SHALL TRANSFER THE REQUESTED AMOUNTS FROM THE ANNUAL FIRE FUND TO THE RURAL FIRE TRUCK FUND, THE SUPPLEMENTARY RURAL FIRE TRUCK FUND, THE MUNICIPAL FIRE PROTECTION FUND AND/OR THE COUNTY VOLUNTEER FIRE DEPARTMENT FUND; TO AMEND SECTION 39-5-145, MISSISSIPPI CODE OF 1972, TO INCREASE THE MAXIMUM AMOUNT OF FUNDS IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND THAT MAY BE ALLOCATED FOR CERTAIN TYPES OF PROJECTS; TO REVISE THE PURPOSES FOR WHICH MONIES IN THE MISSISSIPPI COMMUNITY HERITAGE PRESERVATION GRANT FUND MAY BE USED; TO AMEND SECTION 57-1-601, MISSISSIPPI CODE OF 1972, TO REVISE

CERTAIN PROVISIONS REGARDING GRANTS MADE UNDER THIS SECTION; TO AMEND SECTION 1, CHAPTER 480, LAWS OF 2021, TO REVISE THE PURPOSES FOR WHICH THE PROCEEDS OF BONDS AUTHORIZED TO BE ISSUED FOR THE UNIVERSITY OF SOUTHERN MISSISSIPPI MAY BE USED; AND FOR RELATED PURPOSES.

**H. B. No. 1612:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF ARCHIVES AND HISTORY, FOR THE FISCAL YEAR 2024.

**H. B. No. 1613:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF FUNDING K-12 AND OTHER RELATED EDUCATIONAL ACTIVITIES, INCLUDING CERTAIN AGENCIES AND PROGRAMS, IN THE STATE OF MISSISSIPPI, FOR THE FISCAL YEAR 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 510:** AN ACT TO AMEND SECTION 43-15-13, MISSISSIPPI CODE OF 1972, TO AMEND THE RIGHTS AND RESPONSIBILITIES OF FOSTER PARENTS; AND FOR RELATED PURPOSES.

**H. B. No. 834:** AN ACT TO AMEND SECTION 25-31-5, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF LEGAL ASSISTANTS FOR CIRCUIT COURT DISTRICTS; TO AMEND SECTION 25-31-10, MISSISSIPPI CODE OF 1972, TO REVISE THE NUMBER OF CRIMINAL INVESTIGATORS FOR CERTAIN CIRCUIT COURT DISTRICTS; AND FOR RELATED PURPOSES.

**H. B. No. 1390:** AN ACT TO AMEND SECTION 37-13-171, MISSISSIPPI CODE OF 1972, TO DELETE THE REPEALER ON THE REQUIREMENT FOR SCHOOL BOARDS TO ADOPT A POLICY ON THE IMPLEMENTATION OF ABSTINENCE-ONLY OR ABSTINENCE-PLUS EDUCATION INTO THE CURRICULUM; TO INCLUDE SEXUAL RISK AVOIDANCE EDUCATION AS AN ADDITIONAL POLICY FOR THE CURRICULUM REQUIREMENTS; TO MAKE NONSUBSTANTIVE CHANGES TO UPDATE ANTIQUATED LANGUAGE; AND FOR RELATED PURPOSES.

**H. B. No. 1623:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE DEPARTMENT OF REHABILITATION SERVICES FOR FISCAL YEAR 2024.

**H. B. No. 1722:** AN ACT MAKING AN ADDITIONAL APPROPRIATION TO THE UNIVERSITY OF MISSISSIPPI MEDICAL CENTER TO ASSIST IN PAYING THE COSTS ASSOCIATED WITH REPAIR AND RENOVATION AT AND ACQUISITION OF EQUIPMENT FOR THE FACILITY USED FOR THE ADOLESCENT PSYCHIATRIC PROGRAM, FOR THE PERIOD BEGINNING UPON THE PASSAGE OF THIS ACT AND ENDING JUNE 30, 2024.

Joseph Thomas, Chairman

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#### REPORT OF COMMITTEE ON ENROLLED BILLS

Mr. President: The Committee on Enrolled Bills has found correctly enrolled the following entitled measures and now presents them for your signature:

**H. B. No. 535:** AN ACT TO AMEND SECTION 67-1-5, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF THE TERM "QUALIFIED RESORT AREA" UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-16, MISSISSIPPI CODE OF 1972, TO REQUIRE AN ELECTION TO BE

HELD BEFORE CERTAIN MUNICIPALITIES MAY BE DESIGNATED A QUALIFIED RESORT AREA UNDER THE LOCAL OPTION ALCOHOLIC BEVERAGE CONTROL LAW; TO AMEND SECTION 67-1-7, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE GOVERNING AUTHORITIES FOR CERTAIN QUALIFIED RESORT AREAS TO PROVIDE, BY ORDINANCE, THAT PACKAGE RETAILER'S PERMITS MAY BE ISSUED IN THE APPLICABLE QUALIFIED RESORT AREAS AND THAT ALCOHOLIC BEVERAGES MAY BE RECEIVED, STORED, SOLD, POSSESSED AND DISTRIBUTED IN ACCORDANCE WITH SUCH PERMITS; AND FOR RELATED PURPOSES.

**H. B. No. 1136:** AN ACT TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE 2022 NATIONAL CHAMPIONSHIP OLE MISS REBELS BASEBALL TEAM; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE 2021 NATIONAL CHAMPIONSHIP OLE MISS REBELS WOMEN'S GOLF TEAM; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF NORTHEAST JONES HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MISSISSIPPI TOWING AND RECOVERY PROFESSIONALS, INC.; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF JACK AND JILL OF AMERICA, INC.; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE THE UNREMARKED SURVIVING SPOUSE OF A PERSON WHO WAS A LAW ENFORCEMENT OFFICER OR OTHER LAW ENFORCEMENT EMPLOYEE WHO DIED WHILE ENGAGED IN THE PERFORMANCE OF HIS OR HER OFFICIAL DUTIES OR WAS WOUNDED OR OTHERWISE RECEIVED INTENTIONAL OR ACCIDENTAL BODILY INJURY WHILE ENGAGED IN THE PERFORMANCE OF HIS OR HER OFFICIAL DUTIES AND LATER DIED AS A RESULT OF SUCH WOUNDS OR INJURY; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE REGISTERED RESPIRATORY THERAPISTS; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO PERSONS WHO ARE HONORABLY DISCHARGED FROM SERVICE AS MEMBERS OF THE UNITED STATES MERCHANT MARINE; TO AMEND SECTION 27-19-56.549, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI ROAD BUILDERS ASSOCIATION; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE CLINTON PUBLIC SCHOOL DISTRICT; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF MAGNOLIA SPEECH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF COAHOMA COUNTY JR./SR. HIGH SCHOOL; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE CLINTON COMMUNITY NATURE CENTER; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MOST WORSHIPFUL KING HIRAM GRAND LODGE & ELECTRA GRAND CHAPTER ORDER OF EASTERN STAR A.F. & A.M., STATE OF MISSISSIPPI; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE CITY OF OLIVE BRANCH; TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE METHODIST CURSILLO OF MISSISSIPPI; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH TAGS; TO AMEND SECTION 27-19-51, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTORCYCLE LICENSE TAGS TO PERSONS WHO ARE ACTIVE DUTY AND RETIRED MEMBERS OF THE ARMY NATIONAL GUARD OR THE AIR NATIONAL GUARD, IDENTIFYING SUCH PERSONS WITH SUCH ORGANIZATIONS; TO AMEND SECTION 27-19-56.57, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF A DISTINCTIVE MOTOR VEHICLE LICENSE TAG IDENTIFYING THE OWNER OF THE MOTOR VEHICLE AS A MEMBER OF THE CLERGY; TO AMEND SECTION 27-19-56.70, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE

LICENSE TAGS WITH THE WORDS "CHOOSE LIFE" CENTERED AT THE BOTTOM OF THE LICENSE TAG, TO REFLECT THE CHANGE OF THE NAME OF THE CHOOSE LIFE ADVISORY COMMITTEE TO CHOOSE LIFE MISSISSIPPI; TO AMEND SECTION 27-19-56.277, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS WITH THE WORDS "WE LOVE LIFE" CENTERED AT THE BOTTOM OF THE LICENSE TAG; TO REFLECT THE CHANGE OF THE NAME OF THE CHOOSE LIFE ADVISORY COMMITTEE TO CHOOSE LIFE MISSISSIPPI; TO AMEND SECTION 27-19-56.289, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI SCHOOL FOR MATHEMATICS AND SCIENCE; TO AMEND SECTION 27-19-56.412, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS WITH THE WORD "ADOPTION" USED IN THE DESIGN OF THE LICENSE TAG; TO REFLECT THE CHANGE OF THE NAME OF THE CHOOSE LIFE ADVISORY COMMITTEE TO CHOOSE LIFE MISSISSIPPI; TO AMEND SECTION 27-19-56.417, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE WEST POINT CONSOLIDATED SCHOOL DISTRICT; TO AMEND SECTION 27-19-56.448, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI AQUARIUM; TO AMEND SECTION 27-19-56.474, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE MISSISSIPPI SWEET POTATO COUNCIL; TO AMEND SECTION 27-19-56.503, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THOMAS E. EDWARDS HIGH SCHOOL; TO AMEND SECTION 27-19-56.506, MISSISSIPPI CODE OF 1972, TO REAUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO SUPPORTERS OF THE FORMER HINDS AGRICULTURAL HIGH SCHOOL; TO AMEND SECTION 27-19-56.522, MISSISSIPPI CODE OF 1972, TO AUTHORIZE THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO MEMBERS OF THE BOARD OF DIRECTORS OF THE MISSISSIPPI WILDLIFE, FISHERIES AND PARKS FOUNDATION; TO PRESCRIBE AN ADDITIONAL FEE FOR THE ISSUANCE OF SUCH TAGS; TO PROVIDE FOR THE DISTRIBUTION OF THE ADDITIONAL FEE COLLECTED FROM THE ISSUANCE OF SUCH TAGS; TO AMEND SECTION 27-19-44, MISSISSIPPI CODE OF 1972, TO EXEMPT THE DISTINCTIVE MOTOR VEHICLE LICENSE TAG AUTHORIZED TO BE ISSUED TO PERSONS WHO ARE HONORABLY DISCHARGED FROM SERVICE AS MEMBERS OF THE UNITED STATES MERCHANT MARINE FROM THE REQUIREMENT THAT A CERTAIN NUMBER OF SUCH TAGS MUST BE PURCHASED PRIOR TO ISSUANCE; TO AMEND SECTION 27-19-56.3, MISSISSIPPI CODE OF 1972, WHICH AUTHORIZES THE ISSUANCE OF DISTINCTIVE MOTOR VEHICLE LICENSE TAGS TO MEMBERS AND CERTAIN FORMER MEMBERS OF THE LEGISLATURE, TO REVISE THE PERSONS TO WHICH A REPLICA OF SUCH DISTINCTIVE MOTOR VEHICLE LICENSE TAGS MAY BE ISSUED; AND FOR RELATED PURPOSES.

**H. B. No. 1149:** AN ACT TO PROVIDE A CLEAR PATH TO PERMANENCY FOR CHILDREN IN THE CUSTODY OF THE DEPARTMENT OF CHILD PROTECTION SERVICES; TO AMEND SECTION 43-21-201, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT CHILDREN ALLEGED TO HAVE BEEN ABUSED OR NEGLECTED SHALL BE A PARTY AND SHALL BE REPRESENTED BY COUNSEL; TO PROVIDE THAT A PARTY'S RIGHT TO REPRESENTATION SHALL EXTEND TO SHELTER HEARINGS; TO PROVIDE THAT THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A NECESSARY PARTY AT ALL STAGES OF THE PROCEEDINGS INVOLVING A CHILD FOR WHOM THE DEPARTMENT HAS CUSTODY INCLUDING, BUT NOT LIMITED TO, SHELTER, ADJUDICATORY, DISPOSITION AND PERMANENCY HEARINGS; TO AMEND SECTION 43-21-501, MISSISSIPPI CODE OF 1972, TO REQUIRE THE YOUTH COURT TO ISSUE A SUMMONS TO THE DEPARTMENT OF CHILD PROTECTION SERVICES IF A PETITION IS FILED THAT INVOLVES A CHILD FOR WHOM THE DEPARTMENT HAS

CUSTODY OF OR MAY BE AWARDED CUSTODY OF; TO AMEND SECTION 43-21-701, MISSISSIPPI CODE OF 1972, TO ADD ADDITIONAL MEMBERS TO THE MISSISSIPPI COMMISSION ON A UNIFORM YOUTH COURT SYSTEM AND PROCEDURES; TO REVISE THE QUORUM OF THE COMMISSION; TO AMEND SECTION 43-21-703, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE COMMISSION SHALL FILE A REPORT WITH THE LEGISLATURE ON OR BEFORE A CERTAIN DATE; TO AMEND SECTION 93-15-107, MISSISSIPPI CODE OF 1972, TO REQUIRE THE CLERK TO DOCKET TERMINATION-OF-PARENTAL-RIGHTS CASES AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO AMEND SECTION 93-17-3, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT FOR ADOPTION PROCEEDINGS THE CHANCERY COURT HAS ORIGINAL EXCLUSIVE JURISDICTION OVER ALL ADOPTION PROCEEDINGS EXCEPT WHEN A COUNTY COURT SITTING AS A YOUTH COURT HAS ACQUIRED JURISDICTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO PROVIDE THAT THE COUNTY COURT SHALL HAVE ORIGINAL EXCLUSIVE JURISDICTION TO HEAR A PETITION FOR ADOPTION OF A CHILD IN AN ABUSE OR NEGLECT PROCEEDING; TO REQUIRE THE CLERK TO DOCKET ADOPTION PROCEEDINGS AS PRIORITY CASES ON THE COURT'S DOCKET; TO REQUIRE IMMEDIATE NOTIFICATION TO THE ASSIGNED JUDGE UPON FILING; TO PROVIDE THAT FROM AND AFTER JULY 1, 2023, THE DEPARTMENT OF CHILD PROTECTION SERVICES SHALL BE A STATE AGENCY SEPARATE AND APART FROM THE DEPARTMENT OF HUMAN SERVICES AND NOT A SUBAGENCY HOUSED WITHIN THE DEPARTMENT OF HUMAN SERVICES, AND SHALL HAVE SUCH POWERS AND DUTIES AND PERFORM SUCH FUNCTIONS THAT ARE ASSIGNED TO THE DEPARTMENT OF CHILD PROTECTION SERVICES BY STATE LAW; TO AMEND SECTION 43-26-1, MISSISSIPPI CODE OF 1972, AND TO CREATE NEW SECTIONS 43-26-5, 43-26-7, 43-26-9, 43-26-11, 43-26-13, 43-26-15, 43-26-17, 43-26-19, 43-26-21 AND 43-26-23, MISSISSIPPI CODE OF 1972, TO PRESCRIBE THE POWERS AND DUTIES OF THE DEPARTMENT OF CHILD PROTECTION SERVICES AND THE COMMISSIONER OF CHILD PROTECTION SERVICES; TO AMEND SECTIONS 11-46-1, 11-46-8, 25-1-109, 27-104-203, 37-31-107, 37-106-69, 37-115-43, 41-3-18, 41-67-12, 41-87-5, 41-101-1, 43-1-9, 43-1-101, 43-14-1, 43-14-5, 43-15-3, 43-15-5, 43-15-6, 43-15-7, 43-15-11, 43-15-15, 43-15-19, 43-15-21, 43-15-23, 43-15-103, 43-15-105, 43-15-107, 43-15-109, 43-15-113, 43-15-115, 43-15-117, 43-15-119, 43-15-121, 43-15-125, 43-15-201, 43-15-203, 43-15-207, 43-16-3, 43-16-7, 43-18-3, 43-18-5, 43-21-351, 43-21-354, 43-21-357, 43-21-405, 43-21-603, 43-21-609, 43-21-801, 43-27-101, 43-27-103, 43-27-109, 43-27-113, 43-27-115, 43-27-117, 43-27-119, 43-43-5, 43-51-3, 43-51-5, 43-51-7, 45-33-36, 57-13-23, 93-5-23, 93-17-5, 93-17-8, 93-17-11, 93-17-12, 93-17-53, 93-17-57, 93-17-59, 93-17-61, 93-17-63, 93-17-65, 93-17-101, 93-17-103, 93-17-107, 93-17-109, 93-17-203, 93-17-209, 93-21-305, 93-21-307, 93-21-309, 93-21-311, 93-31-3, 97-5-24, 97-5-39 AND 99-41-17, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING PROVISIONS; TO AMEND SECTION 93-17-11, MISSISSIPPI CODE OF 1972, TO AUTHORIZE A COURT TO ORDER A HOME STUDY IF NECESSARY IN CERTAIN ADOPTIONS; TO AMEND SECTION 93-17-25, MISSISSIPPI CODE OF 1972, TO PROHIBIT CERTAIN PERSONS FROM DISCLOSING INFORMATION RECEIVED DURING CLOSED ADOPTION HEARINGS OR FROM RECORDS PERTAINING TO ADOPTION PROCEEDINGS; TO REPEAL SECTIONS 43-1-51, 43-1-53, 43-1-57, 43-1-59, 43-1-63, 43-51-1 AND 43-51-9, MISSISSIPPI CODE OF 1972, WHICH CREATED THE DIVISION OF FAMILY AND CHILDREN'S SERVICES WITHIN THE DEPARTMENT OF HUMAN SERVICES, PROVIDES THE TITLE FOR THE FAMILY PRESERVATION ACT, AND REQUIRES AN ONGOING EVALUATION AND REPORT ON FAMILY PRESERVATION SERVICES; AND FOR RELATED PURPOSES.

**H. B. No. 1318:** AN ACT TO AMEND SECTION 43-15-201, MISSISSIPPI CODE OF 1972, TO REVISE THE AGE OF A CHILD THAT CAN BE DROPPED OFF UNDER THE "BABY DROP-OFF LAW"; TO AUTHORIZE A BABY TO BE DROPPED OFF IN A BABY SAFETY DEVICE SPONSORED BY AN EMERGENCY MEDICAL SERVICES PROVIDER; TO AUTHORIZE ANY CITY OR COUNTY TO SPONSOR A BABY SAFETY DEVICE THAT MEETS THE REQUIREMENTS OF THIS ACT; TO AMEND SECTIONS 43-15-203 AND 43-15-205, MISSISSIPPI CODE OF 1972, TO PROVIDE THAT THE

DEPARTMENT OF CHILD PROTECTION SERVICES IS THE AGENCY OF CONTACT; TO AMEND SECTION 43-15-207, MISSISSIPPI CODE OF 1972, TO REVISE THE DEFINITION OF EMERGENCY SERVICES PROVIDER; TO AMEND SECTION 43-15-209, MISSISSIPPI CODE OF 1972, TO CONFORM TO THE PRECEDING SECTION; TO CREATE NEW SECTION 43-15-211, MISSISSIPPI CODE OF 1972, TO PRESCRIBE DUTIES TO INSTALL A BABY SAFETY DEVICE; TO AMEND SECTION 93-15-103, MISSISSIPPI CODE OF 1972, TO CLARIFY THAT SURRENDER OF A CHILD UNDER THE "BABY DROP-OFF LAW" IS CONSIDERED ABANDONMENT FOR PURPOSES OF TERMINATION OF PARENTAL RIGHTS; TO AMEND SECTION 93-15-109, MISSISSIPPI CODE OF 1972, TO CLARIFY THE AUTHORITY OF EMERGENCY SERVICES PROVIDERS TO RECEIVE BABIES FOR PURPOSES OF TERMINATION OF PARENTAL RIGHTS; AND FOR RELATED PURPOSES.

**H. B. No. 1639:** AN ACT MAKING AN APPROPRIATION FOR THE PURPOSE OF DEFRAYING THE EXPENSES OF THE OFFICE OF STATE PUBLIC DEFENDER OF THE STATE OF MISSISSIPPI FOR THE FISCAL YEAR 2024.

Joseph Thomas, Chairman

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Senator Seymour moved that when the Senate adjourns, it adjourn in memory of James Ross Wedgeworth of Saucier Community, MS.

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Senator Kirby moved that when the Senate adjourns, it adjourn in memory of Charles W. Renfrow of Madison, MS.

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Pursuant to adjournment order of Saturday, April 1, 2023, the Senate recessed until 12:00 midnight, at which time the Journal will reflect that the Senate thereupon adjourned Sine Die at 12:00 midnight, Wednesday, April 5, 2023.

The Senate stood adjourned in memory of James Ross Wedgeworth and Charles W. Renfrow.

Eugene S. Clarke, Secretary of the Senate

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In accordance with the provisions of Section 72 of the Mississippi Constitution of 1890, as amended, the following messages from the Governor were received subsequent to the Sine Die adjournment:

MESSAGE FROM THE GOVERNOR  
April 14, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2079:** MS School Safety Guardian Act; create. (April 11, 2023, 9:35 AM)

**S. B. No. 2140:** National Security on State Devices and Networks Act; create. (April 11, 2023, 9:30 AM)

SENATE JOURNAL  
WEDNESDAY, APRIL 5, 2023

**S. B. No. 2187:** Disabled veterans license tags; revise provisions regarding disability rating and persons eligible for. (April 11, 2023, 9:30 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 14, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2841:** Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag. (April 12, 2023, 8:30 AM)

**S. B. No. 2853:** Small unmanned aircraft systems; require state purchase and servicing of from American companies only. (April 12, 2023, 9:26 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 14, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2053:** Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists. (April 13, 2023, 2:20 PM)

**S. B. No. 2530:** "Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate. (April 13, 2023, 2:27 PM)

**S. B. No. 2842:** Use tax; revise provisions regarding special infrastructure assistance funds for municipalities and counties. (April 13, 2023, 2:30 PM)

**S. B. No. 2887:** State Treasurer; modify certain provisions concerning the deposit and investment of excess state funds. (April 13, 2023, 2:38 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 14, 2023

TO THE MISSISSIPPI STATE SENATE:



I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2444:** ARPA programs; revise provisions related to certain programs. (April 14, 2023, 10:05 AM)

**S. B. No. 2512:** Counties; authorize to designate ARPA funds to rural water and sewer associations for infrastructure projects. (April 14, 2023, 10:00 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 17, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2002:** Memorial highways; designate segments of highways to Bradford C. Freeman and Douglas Anderson. (April 17, 2023, 8:30 AM)

**S. B. No. 2073:** Age of majority; lower to 18 for securing loans and entering contracts for real property. (April 17, 2023, 9:28 AM)

**S. B. No. 2082:** Child support; administratively suspend obligations for incarcerated individuals. (April 17, 2023, 9:07 AM)

**S. B. No. 2167:** Early Intervention Task Force; establish. (April 17, 2023, 9:08 AM)

**S. B. No. 2297:** Forensics laboratory and Chickasawhay Natural Gas District; revise provisions of. (April 17, 2023, 9:10 AM)

**S. B. No. 2353:** Poll managers; increase the compensation of. (April 17, 2023, 9:11 AM)

**S. B. No. 2359:** Tourism; Mississippi Main Street Revitalization Grant Program. (April 17, 2023, 9:12 AM)

**S. B. No. 2495:** State inmates; require MDOC to pay increased rate to house inmates in county jails. (April 17, 2023, 9:12 AM)

**S. B. No. 2514:** Secretary of State; clarify authority to transfer land records to Department of Archives and History. (April 17, 2023, 9:12 AM)

**S. B. No. 2534:** Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides. (April 17, 2023, 9:15 AM)

**S. B. No. 2538:** Mississippi Regional Pre-Need Disaster Clean Up Act; create. (April 17, 2023, 9:17 AM)

**S. B. No. 2551:** Department of Marine Resources, Office of Marine Patrol; cooperate with federal law enforcement. (April 17, 2023, 9:20 AM)

**S. B. No. 2556:** Qualifications for appointment as a conservation officer; clarify. (April 17, 2023, 9:21 AM)

**S. B. No. 2559:** Transportation; delete repealer on harvest permit authorization and fees. (April 17, 2023, 9:19 AM)

**S. B. No. 2586:** Computer science curriculum; clarify terminology to specify who may provide instruction in. (April 17, 2023, 9:20 AM)

**S. B. No. 2613:** Nonemergency transportation providers; extend date by which providers may provide service without a permit. (April 17, 2023, 9:21 AM)

**S. B. No. 2673:** Mississippi Real Estate Appraisal Board; make independent from Mississippi Real Estate Commission. (April 17, 2023, 9:22 AM)

**S. B. No. 2729:** Limitation of liability requirements for information technology contracts; clarify. (April 17, 2023, 9:23 AM)

**S. B. No. 2749:** School board members; increase pay. (April 17, 2023, 9:28 AM)

**S. B. No. 2810:** MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming sections. (April 17, 2023, 9:36 AM)

**S. B. No. 2812:** Board for administration of certain failing school district; extend date of repeal. (April 17, 2023, 9:24 AM)

**S. B. No. 2844:** Bureau of Fleet Management; revise duties thereof. (April 17, 2023, 9:24 AM)

**S. B. No. 3020:** Appropriation; Judicial Performance Commission. (April 17, 2023, 8:32 AM)

**S. B. No. 3026:** Appropriation; Transportation, Department of - State Aid Road Construction, Office of. (April 17, 2023, 8:32 AM)

**S. B. No. 3027:** Appropriation; Tennessee-Tombigbee Waterway Development Authority. (April 17, 2023, 8:33 AM)

**S. B. No. 3028:** Appropriation; Chiropractic Examiners, Board of. (April 17, 2023, 8:34 AM)

**S. B. No. 3029:** Appropriation; Dental Examiners, Board of. (April 17, 2023, 8:35 AM)

**S. B. No. 3030:** Appropriation; Funeral Services Board. (April 17, 2023, 8:35 AM)

**S. B. No. 3031:** Appropriation; Massage Therapy, Board of. (April 17, 2023, 8:36 AM)

**S. B. No. 3032:** Appropriation; Pharmacy, Board of. (April 17, 2023, 8:37 AM)

**S. B. No. 3033:** Appropriation; Counselors, Board of Examiners for Licensed Professional. (April 17, 2023, 8:37 AM)

**S. B. No. 3034:** Appropriation; Veterinary Examiners, Board of. (April 17, 2023, 8:39 AM)

**S. B. No. 3035:** Appropriation; Architecture, Board of. (April 17, 2023, 8:40 AM)

**S. B. No. 3036:** Appropriation; Gaming Commission. (April 17, 2023, 8:41 AM)

**S. B. No. 3037:** Appropriation; Geologists, Board of Registered Professional. (April 17, 2023, 8:41 AM)

**S. B. No. 3038:** Appropriation; Motor Vehicle Commission. (April 17, 2023, 8:41 AM)

**S. B. No. 3039:** Appropriation; Accountancy, Board of Public. (April 17, 2023, 8:45 AM)

**S. B. No. 3040:** Appropriation; Contractors, Board of. (April 17, 2023, 8:47 AM)

**S. B. No. 3042:** Appropriation; Banking and Consumer Finance, Department of. (April 17, 2023, 8:49 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 19, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2382:** Out-of-state lawyers; disclosure required in certain advertisements if not licensed to practice law in Mississippi. (April 19, 2023, 11:24 AM)

**S. B. No. 2487:** Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish. (April 19, 2023, 11:30 AM)

**S. B. No. 2616:** Real Estate Commission; decrease fees charged by. (April 19, 2023, 11:32 AM)

**S. B. No. 2695:** Tourism Project Incentive Program; extend deadline for MDA issuance of certificates approving participants. (April 19, 2023, 10:37 AM)

**S. B. No. 2862:** Sales tax; exempt sales of coins, currency and bullion. (April 19, 2023, 11:46 AM)

**S. B. No. 2961:** Appropriations; additional for various state agencies for FY2024. (April 19, 2023, 4:00 PM)

**S. B. No. 3000:** Appropriation; IHL - General support. (April 19, 2023, 10:45 AM)

**S. B. No. 3001:** Appropriation; IHL - Subsidiary programs. (April 19, 2023, 10:47 AM)

**S. B. No. 3002:** Appropriation; IHL - Alcorn State - Agricultural programs. (April 19, 2023, 10:30 AM)

**S. B. No. 3003:** Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. (April 19, 2023, 9:53 AM)

**S. B. No. 3004:** Appropriation; IHL - Mississippi State University - Cooperative Extension Service. (April 19, 2023, 9:54 AM)

**S. B. No. 3005:** Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. (April 19, 2023, 9:55 AM)

**S. B. No. 3006:** Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. (April 19, 2023, 9:53 AM)

**S. B. No. 3007:** Appropriation; IHL - Student Financial Aid. (April 19, 2023, 9:57 AM)

**S. B. No. 3009:** Appropriation; Community and Junior Colleges Board - Administrative expenses. (April 19, 2023, 10:31 AM)

**S. B. No. 3010:** Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. (April 19, 2023, 9:59 AM)

**S. B. No. 3011:** Appropriation; Corrections, Department of. (April 19, 2023, 10:00 AM)

**S. B. No. 3012:** Appropriation; Public Safety, Department of. (April 19, 2023, 10:50 AM)

**S. B. No. 3014:** Appropriation; Fair and Coliseum Commission - Livestock shows. (April 19, 2023, 10:01 AM)

**S. B. No. 3015:** Appropriation; Animal Health, Board of. (April 19, 2023, 10:51 AM)

**S. B. No. 3016:** Appropriation; Emergency Management Agency. (April 19, 2023, 10:34 AM)

**S. B. No. 3017:** Appropriation; Military Department. (April 19, 2023, 10:02 AM)

**S. B. No. 3018:** Appropriation; Veterans Affairs Board. (April 19, 2023, 10:04 AM)

**S. B. No. 3021:** Appropriation; Employment Security, Department of. (April 19, 2023, 10:03 AM)

**S. B. No. 3022:** Appropriation; Revenue, Department of. (April 19, 2023, 10:05 AM)

**S. B. No. 3023:** Appropriation; Tax Appeals Board. (April 19, 2023, 10:06 AM)

**S. B. No. 3024:** Appropriation; Workers' Compensation Commission. (April 19, 2023, 10:07 AM)

**S. B. No. 3041:** Appropriation; Audit, Department of. (April 19, 2023, 10:08 AM)

**S. B. No. 3044:** Appropriation; Governor's Office and Mansion. (April 19, 2023, 10:09 AM)

**S. B. No. 3045:** Appropriation; Information Technology Services, Department of. (April 19, 2023, 10:11 AM)

**S. B. No. 3046:** Appropriation; Development Authority, Mississippi. (April 19, 2023, 10:12 AM)

**S. B. No. 3048:** Appropriation; Personnel Board. (April 19, 2023, 10:12 AM)

**S. B. No. 3049:** Appropriation; Secretary of State. (April 19, 2023, 10:13 AM)

**S. B. No. 3050:** Appropriation; Treasurer's Office. (April 19, 2023, 10:13 AM)

**S. B. No. 3051:** Appropriation; Debt Service-Gen. Obli. (April 19, 2023, 10:12 AM)

**S. B. No. 3052:** Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies. (April 19, 2023, 11:00 AM)

**S. B. No. 3118:** Appropriation; additional to DFA - Bureau of Buildings, ARPA funds. (April 19, 2023, 4:01 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 20, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2371:** American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act; create. (April 17, 2023, 8:40 AM)

**S. B. No. 2372:** Mississippi Hospital Sustainability Grant Program; establish and provide eligibility for funds. (April 17, 2023, 8:45 AM)

**S. B. No. 2544:** Department of Marine Resources; update authority regarding regulation of oyster beds and water bottoms. (April 17, 2023, 9:20 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 20, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2346:** Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification. (April 18, 2023, 8:46 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 20, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2384:** Foster Care and Adoption Task Force; create. (April 19, 2023, 11:04 AM)

**S. B. No. 2696:** Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement. (April 19, 2023, 11:05 AM)

**S. B. No. 2781:** Mississippi Access to Maternal Assistance Program; create and provides for duties and responsibilities. (April 19, 2023, 11:09 AM)

**S. B. No. 3025:** Appropriation; Mental Health, Department of. (April 19, 2023, 10:08 AM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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MESSAGE FROM THE GOVERNOR  
April 20, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2101:** Criminal law; revise crimes of fleeing a law enforcement officer and carjacking. (April 20, 2023, 10:10 AM)

**S. B. No. 2239:** Department of Public Safety; authorize officer use of uniforms, weapons and vehicles off duty while performing security services. (April 20, 2023, 1:24 PM)

**S. B. No. 2339:** Provision of law establishing energy efficiency standards for building construction; extend repealer on. (April 20, 2023, 10:02 AM)

**S. B. No. 2595:** ARPA Workforce Development and Retention Act; provide expiration date of grant funds. (April 20, 2023, 10:30 AM)

**S. B. No. 3008:** Appropriation; IHL - University of Mississippi Medical Center. (April 20, 2023, 10:04 AM)

**S. B. No. 3013:** Appropriation; Agriculture and Commerce, Department of. (April 20, 2023, 2:25 PM)

**S. B. No. 3019:** Appropriation; Ethics Commission. (April 20, 2023, 8:31 AM)

**S. B. No. 3113:** Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds. (April 20, 2023, 10:31 AM)

**S. B. No. 3120:** Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses. (April 20, 2023, 1:34 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

TO THE MISSISSIPPI STATE SENATE

MESSAGE FROM THE GOVERNOR

**April 20, 2023**

I am directed by the Governor to advise you that the following Senate Bill was purposely left **unsigned** and will become a part of the laws of Mississippi, without the approval signature of the Governor.

**S.B. No. 3047:** Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority.

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

April 20, 2023

TO THE MISSISSIPPI SENATE:

GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2054

I am returning Senate Bill 2054: "AN ACT TO AMEND SECTION 25-5-1, MISSISSIPPI CODE OF 1972, TO PROVIDE FOR THE REMOVAL OF APPOINTED STATE OFFICERS FOR CERTAIN FORMS OF WILLFUL NEGLECT; AND FOR RELATED PURPOSES."

Mississippi Code § 25-5-1 states any public officer, including state, district, county or municipal officers, who shall be convicted of certain felonies or of gambling or dealing in futures with public funds "shall" be removed from office by any court of this state. Further, the statute authorizes the Attorney General to file a motion in the Circuit Court of Hinds County for state officers or in the circuit court of residence of other such officers to seek removal following a conviction for such felonies or for gambling or dealing in futures with public funds.

Senate Bill 2054 seeks to amend Mississippi Code § 25-5-1 to add a new subsection to provide a procedure for the removal of "an appointed state officer. . . consistent with Article 6, Section 175, Mississippi Constitution of 1890. . . ." Specifically, SB 2054 provides that upon a "complaint" by the Governor or Auditor, or by the Mississippi House of Representatives or Senate (by resolution), alleging "willful neglect" and directed to the Attorney General, the Attorney General shall investigate the charge, and if determined to be "well-founded" shall petition the Hinds County Circuit Court for removal of the appointed officer. Upon "notice and proper hearing," the Hinds County Circuit Court has the authority to remove the appointed officer from office. Further, upon removal, the officer "shall be barred from future service in any position that requires appointment by the Governor, the Lieutenant Governor or any other officer in the executive branch of government."

Article 6, Section 175 of the Mississippi Constitution states: "All public officers, for willful neglect of duty or misdemeanor in office, shall be liable to presentment or indictment by a grand jury; and, upon conviction, shall be removed from office, and otherwise punished as may be prescribed by law." (emphasis added). The plain text of Section 175, as previously recognized by both the Mississippi Supreme Court and the

Mississippi Attorney General, requires indictment on the charge of willful neglect and conviction on such charge before a public official may be removed from office. *See, e.g., McMullan v. State*, 298 So.2d 708, 710 (Miss. 1974) (“Section 175, Mississippi Constitution (1890) requires the conviction of a public official before he can be involuntarily removed from office.”); Opinion No. 2010-194, 2010 WL 2019891, \*4 (Miss. A.G. 2010) (“For willful neglect of duty, the absent sheriff is subject to indictment and removal from office under Section 175 of the Mississippi Constitution of 1890. . . .”). Thus, the new subsection proposed by Senate Bill 2054 is not “consistent with Article 6, Section 175” as it neither requires indictment, nor a conviction following a trial, as the prerequisites for an appointed officer to be removed from office. The Mississippi Constitution provides a mechanism of general application for removal of all public officers, both elected and appointed, for willful neglect of duty, and it is unnecessary, and possibly unconstitutional, to adopt an alternative method of general application inconsistent with Article 6, Section 175 of the Constitution. *See, e.g., Mississippi State Board of Health v. Matthews*, 74 So. 417, 418 (Miss. 1917) (“Section 175 of our state Constitution provides the exclusive method by which a public officer may be removed from office.”).

Enabling legislation creating many of Mississippi's boards and commissions already address removal of appointed officers and, in most cases, permits the appointing authority to remove his/her appointee for a variety of enumerated reasons. By way of just a few examples, Mississippi Code § 73-5-1, creating the State Board of Barber Examiners, allows the Governor to remove his appointees if they fail to attend two consecutive meetings. Mississippi Code § 73-9-9 allows the Governor to remove his appointees to the Dental Board “on proof of inefficiency, incompetency, immorality, unprofessional conduct, or continued absence from the state, for failure to perform duties, or for other sufficient cause.” Additionally, a member of the Dental Board may be removed for missing two consecutive meetings. Finally, Mississippi Code § 73-15-9, creating the Mississippi Board of Nursing, allows the Governor to remove any of his appointees “after a hearing by the board and provided such removal is recommended by the executive committee of the affected group.”

We can all agree that if an appointed public officer is failing to fulfill his/her statutory duties, the appointee should be subject to removal from office. Under such circumstances, it should fall on the appointing authority, not the State Auditor, the Mississippi Legislature or the Mississippi Attorney General, to remove such appointed public officers from office. To this end, I fully support future efforts to amend enabling legislation, on a case-by-case basis, to add removal provisions in those instances where removal currently is not permitted by the appointing authority.

Finally, I have concerns regarding the wisdom of the proposed absolute bar on any future service by an appointed officer removed from office pursuant to the new subsection of Mississippi Code § 25-5-1. No such bar is authorized by Article 6, Section 175 of the Constitution, and such a bar would constitute a legislative constraint on executive appointment authority that may run afoul of Article 1, Section 1 of the Constitution.

In sum, because the proposed amendments to Mississippi Code § 25-5-1 are inconsistent with the removal procedure provided by Article 6, Section 175 of the Constitution and would allow officials other than the appointing authority to remove appointed state officers from office, I am vetoing Senate Bill 2054.

Respectfully submitted,

TATE REEVES  
GOVERNOR  
(April 20, 2023, 2:40 PM)

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April 20, 2023

TO THE MISSISSIPPI SENATE:

GOVERNOR'S VETO MESSAGE FOR SENATE BILL 2612

I am returning Senate Bill 2612: "AN ACT TO AMEND SECTION 19-5-9, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN COUNTIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE UNINCORPORATED AREAS OF A COUNTY; TO AMEND SECTION 21-19-25, MISSISSIPPI CODE OF 1972, TO ALLOW CERTAIN MUNICIPALITIES TO OPT OUT OF REQUIRING PERMITTING AS A CONDITION TO CONSTRUCTION WITHIN THE MUNICIPALITY'S JURISDICTION; TO AMEND SECTION 73-59-1, MISSISSIPPI CODE OF 1972, TO INCREASE THE MONETARY THRESHOLD OF IMPROVEMENTS TO AN EXISTING RESIDENCE A PERSON MUST MEET IN ORDER TO FALL WITHIN THE DEFINITION OF REMODELER; TO AMEND 73-59-3, MISSISSIPPI CODE OF 1972, TO ESTABLISH AN ALTERNATIVE LICENSURE PROCEDURE FOR THE STATE BOARD OF CONTRACTORS; AND FOR RELATED PURPOSES."

Effective July 1, 2022, House Bill 1163, 2022 Regular Legislative Session, enacted reasonable accountability measures requiring contractors to obtain a permit as a condition for construction projects within municipalities and unincorporated areas of a county. Less than one year later, Senate Bill 2612 seeks to weaken these accountability measures by creating exceptions to the permitting requirements based on the population of the municipality or county. Specifically, municipalities with a population under 7,500 and counties with a population under 22,500 may opt out of the permitting requirements established by Mississippi Code §§ 21-19-25 and 19-5-9, respectively. In addition, SB 2612 seeks to raise the project value from \$10,000 to \$12,500 before a residential remodeler is required to obtain a license from the Mississippi Board of Contractors.

I have been urged by many organizations and builders to veto Senate Bill 2612. Specifically, the Mississippi State Board of Contractors, the state agency created by the Mississippi Legislature for the specific purpose of protecting the health, safety and general welfare of all persons dealing with those engaged in the vocation of contracting "believes a veto of SB 2612 is necessary to protect against incompetent, inexperienced, unlawful and fraudulent acts of contractors." The Board of Contractors asserts that such protections are "a critical concern while the state is recovering from widespread damage as a result of severe weather and tornadoes that recently impacted a vast majority of Mississippi."

The amendments proposed by Senate Bill 2612 have the potential to leave more Mississippi homeowners vulnerable to faulty and substandard construction which can result in property damage, financial loss or injury. Such unintended consequences likely explain why Senate Bill 2612 met strong opposition in the Mississippi Senate, with twenty-one Senators casting their vote against its passage. Having been in effect for less than a year, it is too soon to evaluate the benefit (or detriment) of the reasonable consumer-friendly permitting requirements enacted in House Bill 1163, 2022 Legislative Session. It is possible that with the passage of more time, such permitting requirements may prove to be unnecessary to protect homeowners in the more rural parts of the State. However, while I believe Senate Bill 2612 is well-intentioned, prudence dictates that I veto it at this time.

Respectfully submitted,

TATE REEVES  
GOVERNOR  
(April 20, 2023, 2:45 PM)

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SENATE JOURNAL  
WEDNESDAY, APRIL 5, 2023

MESSAGE FROM THE GOVERNOR

April 21, 2023

TO THE MISSISSIPPI STATE SENATE:

I am directed by the Governor to advise you that he has approved the following SENATE Bills:

**S. B. No. 2343:** Department of Public Safety; revise jurisdiction of. (April 21, 2023, 10:45 AM)

**S. B. No. 2454:** Budget; revise provisions related to and provide for transfers. (April 21, 2023, 1:41 PM)

**S. B. No. 3043:** Appropriation; Finance and Administration, Department of. (April 21, 2023, 1:39 PM)

Respectfully submitted,  
Ginny Zirulnik, Legislative Aide

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**CONTENTS OF SENATE JOURNAL INDEX**

**REGULAR SESSION 2023**

**PART**

I. Senate Bill and Resolution Introductions by Number.....	4087.
II. Authors of Senate Bills and Resolutions by Number.....	4090.
III. A History of Actions on all Legislative Matters Considered by the Senate.....	4101.
A. Senate Bills.....	4102.
B. Senate Concurrent Resolutions.....	4169.
C. Senate Resolutions.....	4174.
D. House Bills.....	4181.
E. House Concurrent Resolutions.....	4207.
F. Executive Matters.....	4209.
IV. General Index of Other Legislative Matters.....	4215.
V. Parliamentary Rulings.....	4236.
VI. Subject Matter of Senate and House Bills and Resolutions by Committee.	
A. Appropriations Committee.....	4237.
B. Standing Committees (Except Appropriations and Local and Private). ....	4248.
C. Local and Private Committee.....	4296.
VII. Committee Membership.	
A. Personnel of Senate Committees.....	4299.
B. Committee Assignments of Senators.....	4303.
VIII. Biographical data of Senators.....	4308.
IX. Senate Officials and Staff.....	4315.
X. Rules.	
A. Senate Rules.....	4317.
B. Joint Rules.....	4344.
C. Constitutional Provisions.....	4356.

**PART I**

**Senate Bill and Resolution Introduction by Number**

(Refer to Part III for condensed titles of Senate Bills, Concurrent Resolutions, Resolutions and Joint Resolutions, respectively, and Senate actions.)

S.B. No.....Page	2106-2111.....52	2209-2212.....80
2001-2004.....18	2112-2114.....53	2213-2218.....81
2005.....34	2115-2120.....54	2219-2223.....82
2006-2011.....35	2121-2128.....55	2224-2227.....83
2012-2016.....36	2129-2135.....56	2228-2233.....84
2017-2022.....37	2136-2141.....57	2234-2237.....85
2023-2029.....38	2142-2146.....58	2238-2243.....86
2030-2037.....39	2147.....62	2244-2248.....87
2038-2046.....40	2148.....64	2249-2257.....88
2047-2052.....41	2149-2153.....65	2258-2263.....89
2053-2057.....42	2154-2157.....66	2264-2270.....90
2058-2063.....43	2158-2160.....67	2271-2275.....91
2064-2069.....44	2161-2167.....68	2276-2279.....92
2070-2074.....45	2168-2173.....69	2280-2281.....93
2075-2080.....46	2174-2181.....70	2282-2287.....94
2081.....47	2182-2185.....71	2288-2292.....95
2082-2086.....48	2186-2191.....76	2293-2295.....96
2087-2094.....49	2192-2197.....77	2296.....97
2095-2098.....50	2198-2203.....78	2297-2299.....101
2099-2105.....51	2204-2208.....79	2300-2302.....102

2303-2305 .....	103	2585-2589 .....	162	2847-2850 .....	221
2306-2310 .....	104	2590-2594 .....	163	2851-2856 .....	222
2311-2316 .....	105	2595-2600 .....	164	2857-2860 .....	223
2317-2322 .....	106	2601-2608 .....	165	2861-2864 .....	224
2323-2325 .....	107	2609-2613 .....	166	2865-2871 .....	225
2326-2333 .....	108	2614-2621 .....	167	2872-2877 .....	226
2334-2336 .....	109	2622-2623 .....	168	2878-2882 .....	227
2337-2344 .....	110	2624-2628 .....	169	2883-2887 .....	228
2345-2348 .....	111	2629-2633 .....	170	2888-2889 .....	229
2349-2354 .....	112	2634-2637 .....	171	2890 .....	250
2355-2358 .....	113	2638-2640 .....	172	2891-2892 .....	251
2359-2363 .....	114	2641-2643 .....	173	2893 .....	254
2364-2369 .....	115	2644 .....	174	2894 .....	263
2370-2372 .....	116	2645-2651 .....	175	2895-2903 .....	264
2373-2377 .....	117	2652-2654 .....	176	2904-2912 .....	265
2378-2381 .....	119	2655-2660 .....	177	2913-2921 .....	266
2382-2386 .....	120	2661-2664 .....	178	2922 .....	267
2387-2390 .....	121	2665-2670 .....	179	2923-2928 .....	283
2391-2394 .....	122	2671-2674 .....	180	2929-2937 .....	284
2395-2399 .....	123	2675-2678 .....	181	2938-2944 .....	285
2400-2405 .....	124	2679-2683 .....	182	2945-2953 .....	286
2406-2410 .....	125	2684-2687 .....	183	2954-2959 .....	287
2411-2416 .....	126	2688-2692 .....	184	2960 .....	316
2417-2420 .....	127	2693-2697 .....	186	2961-2962 .....	519
2421-2425 .....	128	2698-2701 .....	187	2963 .....	628
2426-2428 .....	129	2702-2707 .....	188	2964-2968 .....	643
2429-2432 .....	130	2708-2714 .....	189	2969-2976 .....	644
2433-2439 .....	131	2715-2718 .....	190	2977-2986 .....	645
2440-2445 .....	132	2719-2725 .....	191	2987-2995 .....	646
2446-2452 .....	133	2726-2732 .....	192	2996-2999 .....	647
2453-2457 .....	134	2733-2739 .....	193	3000-3007 .....	661
2458-2460 .....	135	2740-2741 .....	194	3008-3016 .....	662
2461-2469 .....	136	2742-2745 .....	195	3017-3025 .....	663
2470-2477 .....	137	2746-2747 .....	196	3026-3035 .....	664
2478-2482 .....	138	2748-2754 .....	197	3036-3045 .....	665
2483-2484 .....	139	2755-2760 .....	198	3046-3054 .....	666
2485-2488 .....	140	2761 .....	199	3055-3057 .....	667
2489-2491 .....	141	2762-2764 .....	200	3058-3060 .....	675
2492-2497 .....	142	2765-2767 .....	201	3061-3066 .....	698
2498-2499 .....	143	2768-2771 .....	202	3067-3075 .....	699
2500-2501 .....	144	2772-2776 .....	203	3076-3083 .....	700
2502-2505 .....	145	2777-2782 .....	204	3084-3093 .....	701
2506-2507 .....	146	2783-2787 .....	205	3094-3095 .....	702
2508-2510 .....	147	2788-2791 .....	206	3096-3100 .....	712
2511-2517 .....	148	2792-2794 .....	207	3101-3105 .....	718
2518-2522 .....	149	2795-2796 .....	208	3106-3113 .....	719
2523-2528 .....	150	2797-2798 .....	209	3114-3120 .....	720
2529-2535 .....	151	2799-2801 .....	210	3121-3127 .....	734
2536-2540 .....	152	2802-2807 .....	211	3128-3136 .....	735
2541-2546 .....	153	2808-2810 .....	212	3137-3138 .....	736
2547-2552 .....	154	2811-2814 .....	213	3139 .....	777
2553-2554 .....	155	2815-2816 .....	214	3140 .....	950
2555-2562 .....	156	2817-2820 .....	215	3141-3142 .....	958
2563-2567 .....	157	2821-2823 .....	216	3143-3145 .....	2048
2568-2570 .....	158	2824-2827 .....	217	3146-3148 .....	2528
2571-2575 .....	159	2828-2835 .....	218	3149 .....	2529
2576-2581 .....	160	2836-2839 .....	219	3150-3152 .....	2612
2582-2584 .....	161	2840-2846 .....	220	3153 .....	2613

3154.....	2651	60-61.....	1027
S.C.R. No.....	Page	62-64.....	1369
501-506.....	12	65.....	1867
507.....	58	66.....	1868
508-514.....	59	67-69.....	2048
515-517.....	60	70-74.....	2049
518-519.....	71	75.....	2529
520-522.....	72	76-79.....	2613
523-528.....	229	80.....	2651
529-532.....	230	81-82.....	2652
533-537.....	231	83.....	2674
538-541.....	232	84-85.....	2686
542-544.....	267	86.....	2687
545-546.....	287	87-90.....	2785
547-548.....	520	91-92.....	2786
549-550.....	675	93-96.....	2828
551-554.....	702	97-99.....	2849
555-557.....	721	100-101.....	3108
558-560.....	736	102-103.....	3389
561-562.....	753	104.....	3638
563.....	754	105-110.....	3921
564.....	863	111.....	3922
565.....	958		
566.....	2330		
567.....	2529		
568.....	2651		
569.....	2686		
570.....	2827		
571.....	2849		
572.....	3108		
573.....	3638		
574.....	3702		

S.R. No.....	Page
1.....	12
2-6.....	13
7.....	60
8.....	72
9.....	74
10-11.....	232
12-13.....	267
14-15.....	288
16-22.....	317
23-28.....	520
29-35.....	521
36.....	647
37.....	667
38.....	676
39-40.....	702
41-43.....	721
44-45.....	736
46-47.....	754
48-51.....	778
52.....	863
53-56.....	950
57-58.....	958
59.....	959

**PART II****Authors of Senate Bills, Concurrent Resolutions  
and Resolutions**

(\* denotes "By Request")

- Senator Barnett ..... S.B. 2137, 2182, 2239, 2246, 2394, 2455, 2484, 2530, 2676, 2700, 2794, 2795, 2862, 2997
- S.C. 501, 502, 503, 504, 505, 506, 507, 509, 510, 511, 512, 513, 514, 515, 516, 518, 519, 520, 521, 524, 525, 526, 547, 548, 549, 551, 552, 553, 554, 558, 559, 561, 562, 563, 564, 565, 567, 570, 571, 574
- S.R. 4, 7, 8, 9, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 79, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 104
- Senator Barrett ..... S.B. 2120, 2200, 2233, 2240, 2241, 2246, 2276, 2352, 2358, 2395, 2455, 2484, 2495, 2519, 2530, 2570, 2610, 2667, 2683, 2694, 2700, 2705, 2760, 2841, 2852, 2907, 2943, 2944, 2945, 2946, 2947, 2971, 2992, 3107
- S.C. 546, 551, 552
- S.R. 26, 27, 28, 29, 31, 33, 34, 45, 46, 59
- Senator Blackmon ..... S.B. 2016, 2394, 2414, 2417, 2421, 2422, 2424, 2425, 2426, 2427, 2428, 2447, 2489, 2530, 2626, 2628, 2629, 2630, 2631, 2677, 2739, 2740, 2752, 2753, 2754, 2755, 2756, 2757, 2758, 2759, 2794, 2795, 2806, 2814, 2815, 2897, 2948, 2949, 2950, 2951, 2952, 2953, 2954, 2955, 2956, 2957, 2970, 2995, 2997
- S.C. 507, 530, 570, 574
- S.R. 45, 104
- Senator Blackwell ..... S.B. 2014, 2019, 2026, 2050, 2052, 2054, 2057, 2060, 2079, 2099, 2108, 2109, 2110, 2111, 2125, 2133, 2134, 2144, 2147, 2160, 2181, 2184, 2191, 2210, 2211, 2212, 2223, 2224, 2246, 2297, 2301, 2302, 2358, 2372, 2397, 2455, 2495, 2530, 2547, 2584, 2673, 2700, 2731, 2733, 2749, 2760, 2777, 2791, 2793, 2796, 2854, 2858, 2905, 2922, 2994, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3101, 3149
- S.C. 508, 512, 519, 520, 551, 554, 555, 559
- S.R. 5, 6, 8, 24, 45, 57, 60, 61, 79, 81, 95, 97, 105, 106, 107, 108, 109
- Senator Blount ..... S.B. 2015, 2055, 2071, 2072, 2112, 2113, 2135, 2152, 2164, 2212, 2242, 2275, 2279, 2306, 2319, 2394, 2451, 2484, 2530, 2553, 2585, 2637, 2667, 2676, 2677, 2679,

2700, 2720, 2741, 2777, 2794, 2795, 2797, 2818, 2909,  
2910, 2936, 2937, 2988, 3056

S.C. 502, 507, 511, 517, 519, 520, 537, 570

S.R. 8, 10, 30, 45, 51, 53, 54, 55, 56, 66, 70, 79, 86, 99

Senator Boyd ..... S.B. 2006, 2137, 2167, 2181, 2190, 2191, 2202, 2289,  
2290, 2332, 2333, 2335, 2336, 2345, 2346, 2361, 2377,  
2384, 2386, 2387, 2392, 2442, 2455, 2484, 2485, 2493,  
2495, 2518, 2530, 2543, 2545, 2546, 2547, 2569, 2622,  
2638, 2644, 2646, 2647, 2652, 2667, 2671, 2678, 2696,  
2700, 2749, 2781, 2978, 3102, 3120

S.C. 501, 511, 515, 519, 520, 533, 534, 544, 547, 553,  
554, 555, 556

S.R. 45, 60, 61, 96

Senator Branning ..... S.B. 2019, 2073, 2079, 2101, 2120, 2122, 2187, 2202,  
2323, 2335, 2346, 2358, 2359, 2377, 2384, 2445, 2455,  
2480, 2484, 2510, 2530, 2558, 2559, 2561, 2562, 2588,  
2596, 2602, 2649, 2652, 2653, 2667, 2678, 2692, 2696,  
2700, 2760, 2773, 2777, 2781, 2841, 2853, 2858, 2965,  
3009, 3010, 3019, 3020, 3026, 3027, 3120, 3144

S.C. 502, 503, 504, 505, 506, 511, 515, 519, 524, 525,  
557, 566

S.R. 45, 71

Senator Bryan ..... S.B. 2316, 2369, 2394, 2398, 2399, 2400, 2401, 2530,  
2571, 2572, 2573, 2574, 2575, 2576, 2700, 2800, 2855,  
2980, 2981, 2982, 2983, 2984, 2985, 2986

S.C. 573, 574

S.R. 45

Senator Butler A. (36th)..... S.B. 2053, 2127, 2138, 2164, 2309, 2359, 2393, 2394,  
2417, 2460, 2461, 2462, 2463, 2464, 2466, 2467, 2468,  
2469, 2470, 2471, 2484, 2511, 2530, 2538, 2553, 2593,  
2595, 2662, 2676, 2677, 2679, 2700, 2738, 2777, 2794,  
2795, 2806, 2815, 2897, 2928, 2929, 2930, 2931, 2932,  
2933, 2942, 2973, 2974, 2989, 2994, 2997, 3026, 3027,  
3028, 3029, 3030, 3031, 3032, 3033, 3034, 3053, 3117,  
3120

S.C. 507, 519, 530, 570, 574

S.R. 8, 29, 36, 45, 51, 79, 104

Senator Butler K. (38th)..... S.B. 2148, 2158, 2161, 2162, 2163, 2170, 2171, 2172,  
2173, 2185, 2207, 2208, 2270, 2283, 2286, 2287, 2353,  
2359, 2393, 2394, 2417, 2484, 2530, 2547, 2553, 2593,  
2637, 2662, 2676, 2677, 2679, 2697, 2700, 2706, 2707,  
2741, 2749, 2794, 2795, 2806, 2815, 2897, 2912, 2918,  
2920, 2921, 2963, 2973, 2974, 2975, 2996, 2997, 3013,

3014, 3015, 3016, 3017, 3018, 3026, 3027, 3091, 3093,  
3126, 3137

S.C. 501, 502, 503, 504, 505, 506, 507, 509, 510, 511,  
512, 513, 514, 515, 516, 518, 519, 520, 521, 524, 525,  
526, 530, 535, 536, 537, 538, 539, 540, 547, 548, 549,  
551, 552, 553, 554, 555, 556, 557, 558, 559, 561, 562,  
563, 564, 565, 566, 568, 569, 570, 574

S.R. 4, 7, 8, 10, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32,  
33, 34, 35, 36, 37, 38, 39, 41, 42, 43, 44, 45, 47, 48, 49,  
50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64,  
65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79,  
80, 82, 83, 84, 85, 86, 93, 94, 95, 96, 97, 98, 99, 100,  
102, 103, 104, 106, 107, 108, 109, 110, 111

Senator Carter..... S.B. 2028, 2102, 2103, 2104, 2140, 2155, 2181, 2308,  
2338, 2339, 2340, 2341, 2358, 2455, 2492, 2494, 2511,  
2530, 2550, 2551, 2563, 2599, 2632, 2644, 2688, 2697,  
2700, 2727, 2749, 2760, 2857

S.C. 516, 520, 543, 547, 550, 553, 569

S.R. 35, 45

Senator Caughman ..... S.B. 2075, 2079, 2127, 2137, 2180, 2181, 2216, 2352,  
2358, 2359, 2395, 2459, 2484, 2530, 2667, 2696, 2700,  
2760, 2907, 2908, 2913, 2942

S.C. 502, 505, 507, 511, 515, 519, 520, 545, 547, 559,  
564, 568

S.R. 4, 29, 45, 50, 54, 58, 64, 85

Senator Chassaniol ..... S.B. 2004, 2006, 2079, 2137, 2138, 2139, 2151, 2160,  
2181, 2358, 2359, 2395, 2484, 2511, 2521, 2530, 2545,  
2546, 2547, 2695, 2700, 2760, 2790, 2798, 2830, 2859,  
2887, 2960, 2991, 3150

S.C. 502, 503, 504, 505, 511, 512, 515, 516, 519, 520,  
574

S.R. 8, 14, 37, 45, 103

Senator Chism ..... S.B. 2059, 2079, 2154, 2352, 2358, 2395, 2495, 2502,  
2530, 2570, 2647, 2667, 2700, 2760, 2765, 2861, 2864,  
2883, 2923, 2924, 2925, 2926, 2927, 3035, 3036, 3037,  
3038, 3039, 3040, 3129, 3130, 3131, 3132, 3133

S.C. 519, 522

S.R. 45, 77

Senator DeBar ..... S.B. 2181, 2334, 2358, 2361, 2362, 2363, 2364, 2365,  
2366, 2367, 2520, 2530, 2623, 2642, 2643, 2649, 2667,  
2700, 2725, 2742, 2749, 2760, 2811, 2812, 2813, 2872,  
2941, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007,  
3008, 3019, 3020, 3143, 3145



S.C. 501, 502, 503, 504, 505, 511, 515, 516, 519, 520,  
524, 547, 552, 553, 572

S.R. 4, 8, 40, 45, 57, 105, 106, 107, 108, 109

Senator DeLano ..... S.B. 2088, 2155, 2246, 2358, 2455, 2495, 2511, 2530,  
2550, 2551, 2563, 2564, 2586, 2587, 2607, 2622, 2624,  
2700, 2704, 2717, 2718, 2727, 2728, 2729, 2749, 2760,  
2841, 2842, 3009, 3010, 3013, 3014, 3015, 3016, 3017,  
3018, 3035, 3036, 3037, 3038, 3039, 3040, 3047, 3116

S.C. 516, 545, 550, 553

S.R. 35, 45, 65, 80, 98

Senator England..... S.B. 2053, 2079, 2090, 2118, 2123, 2124, 2137, 2146,  
2155, 2181, 2187, 2191, 2245, 2298, 2299, 2300, 2347,  
2352, 2358, 2359, 2361, 2395, 2420, 2495, 2530, 2550,  
2551, 2563, 2564, 2567, 2599, 2607, 2620, 2644, 2647,  
2649, 2652, 2667, 2672, 2700, 2715, 2727, 2744, 2760,  
2809, 2840, 3067, 3068, 3140

S.C. 502, 504, 505, 507, 511, 512, 515, 516, 519, 520,  
543, 544, 545, 549, 550, 551, 552, 553, 559, 568, 571

S.R. 4, 25, 32, 35, 37, 45, 46, 47, 48, 49, 76, 79, 80, 86,  
98, 105, 106, 107, 108, 109

Senator Fillingane ..... S.B. 2001, 2017, 2061, 2069, 2079, 2088, 2091, 2099,  
2100, 2101, 2122, 2127, 2130, 2131, 2146, 2169, 2181,  
2236, 2282, 2321, 2322, 2323, 2343, 2358, 2484, 2530,  
2547, 2633, 2634, 2698, 2700, 2760

S.C. 503, 505, 510, 511, 514, 519, 520, 526, 547

S.R. 8, 45, 57

Senator Frazier..... S.B. 2056, 2137, 2247, 2393, 2394, 2396, 2417, 2484,  
2530, 2579, 2593, 2637, 2662, 2676, 2677, 2679, 2700,  
2741, 2749, 2794, 2795, 2806, 2815, 2818, 2897, 2909,  
2936, 2937, 2968, 2969, 2997, 3009, 3010, 3025, 3056,  
3105

S.C. 507, 519, 526, 530, 536, 537, 539, 561, 563, 564,  
568, 570, 571, 574

S.R. 8, 10, 24, 25, 30, 32, 33, 45, 51, 53, 54, 55, 56, 58,  
79, 98, 99, 104, 105, 106, 107, 108, 109

Senator Harkins..... S.B. 2306, 2435, 2436, 2448, 2449, 2450, 2457, 2458,  
2465, 2481, 2482, 2530, 2547, 2588, 2603, 2621, 2639,  
2681, 2692, 2693, 2700, 2736, 2835, 2858, 3101, 3102

S.C. 502, 519, 547

S.R. 1, 7, 45, 64, 70, 98

- Senator Hickman..... S.B. 2053, 2164, 2191, 2199, 2266, 2267, 2271, 2275, 2281, 2284, 2296, 2324, 2331, 2354, 2357, 2372, 2394, 2417, 2419, 2455, 2483, 2485, 2513, 2525, 2529, 2530, 2609, 2637, 2655, 2662, 2676, 2677, 2679, 2685, 2700, 2706, 2707, 2741, 2749, 2771, 2777, 2789, 2794, 2795, 2806, 2815, 2897, 2968, 2969, 2997, 3011, 3012, 3021, 3022, 3023, 3024, 3111, 3141, 3142
- S.C. 504, 507, 515, 518, 519, 520, 525, 530, 547, 552, 561, 564, 570, 574
- S.R. 8, 39, 44, 45, 52, 53, 54, 55, 56, 71, 79, 89, 93, 104
- Senator Hill..... S.B. 2019, 2020, 2041, 2043, 2046, 2047, 2048, 2049, 2054, 2058, 2062, 2063, 2064, 2065, 2066, 2073, 2074, 2075, 2076, 2078, 2079, 2083, 2084, 2085, 2086, 2089, 2093, 2094, 2096, 2099, 2100, 2101, 2105, 2117, 2118, 2120, 2122, 2128, 2129, 2132, 2136, 2141, 2142, 2145, 2153, 2174, 2220, 2222, 2302, 2313, 2346, 2352, 2356, 2358, 2395, 2409, 2410, 2434, 2484, 2490, 2515, 2516, 2517, 2530, 2534, 2570, 2575, 2583, 2596, 2612, 2622, 2654, 2657, 2667, 2700, 2727, 2734, 2735, 2743, 2760, 2763, 2765, 2767, 2768, 2770, 2773, 2803, 2820, 2841, 2853, 3025, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3103
- S.C. 501, 502, 504, 506, 511, 516, 519, 520, 548, 550, 563
- S.R. 2, 4, 45, 46
- Senator Hopson ..... S.B. 2150, 2181, 2444, 2446, 2454, 2477, 2530, 2547, 2663, 2664, 2678, 2700, 2749, 2750, 2751, 2860, 2892, 2893, 2961, 2962, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3052, 3109, 3113, 3114, 3115, 3116, 3117, 3118, 3119
- S.C. 501, 502, 503, 504, 505, 507, 511, 515, 519, 520, 547, 553, 554, 555
- S.R. 8, 22, 30, 41, 44, 45, 52, 57, 58, 63, 79, 86, 97, 98
- Senator Horhn..... S.B. 2005, 2164, 2306, 2325, 2326, 2327, 2328, 2329, 2330, 2342, 2355, 2388, 2394, 2415, 2429, 2437, 2438, 2439, 2440, 2443, 2455, 2472, 2511, 2530, 2531, 2538, 2554, 2555, 2622, 2625, 2627, 2650, 2651, 2661, 2663, 2668, 2670, 2700, 2709, 2710, 2711, 2713, 2748, 2794, 2795, 2818, 2831, 2845, 2846, 2847, 2848, 2970, 2994, 2997, 3056, 3057
- S.C. 502, 507, 515, 516, 537, 539, 547, 558, 564, 570

S.R. 8, 14, 15, 16, 17, 18, 19, 20, 21, 22, 24, 30, 36, 44,  
45, 51, 53, 54, 55, 56, 58, 79, 104

Senator Jackson..... S.B. 2054, 2137, 2138, 2164, 2187, 2198, 2201, 2209,  
2212, 2213, 2214, 2215, 2225, 2230, 2281, 2282, 2283,  
2288, 2339, 2359, 2361, 2373, 2393, 2394, 2417, 2423,  
2441, 2484, 2485, 2487, 2494, 2518, 2527, 2528, 2530,  
2545, 2546, 2547, 2550, 2551, 2553, 2567, 2568, 2585,  
2586, 2593, 2622, 2637, 2649, 2662, 2669, 2673, 2676,  
2677, 2679, 2689, 2690, 2691, 2700, 2712, 2741, 2749,  
2750, 2751, 2782, 2783, 2794, 2795, 2806, 2815, 2817,  
2897, 2899, 2900, 2901, 2902, 2903, 2935, 2959, 2997,  
3028, 3029, 3030, 3031, 3032, 3033, 3034, 3110, 3117,  
3120, 3136, 3154

S.C. 501, 502, 504, 505, 507, 511, 512, 513, 515, 516,  
519, 520, 524, 530, 536, 558, 559, 561, 562, 563, 564,  
570, 574

S.R. 4, 8, 9, 32, 44, 45, 46, 51, 53, 54, 55, 56, 57, 58,  
60, 61, 66, 69, 75, 79, 104

Senator Johnson ..... S.B. 2011, 2018, 2077, 2215, 2312, 2360, 2375, 2376,  
2473, 2530, 2599, 2605, 2606, 2648, 2700, 2737, 2873,  
2979, 2998, 3101, 3104

S.C. 503, 505, 511, 519, 526, 547

S.R. 45, 46, 57

Senator Jordan..... S.B. 2073, 2127, 2138, 2283, 2323, 2359, 2364, 2372,  
2393, 2394, 2417, 2530, 2553, 2637, 2649, 2662, 2676,  
2677, 2679, 2700, 2794, 2795, 2806, 2811, 2815, 2897,  
2997, 3120

S.C. 519, 530, 570, 574

S.R. 37, 45, 51, 79, 104

Senator Kirby ..... S.B. 2137, 2181, 2203, 2476, 2484, 2530, 2547, 2560,  
2589, 2700, 2724, 3151, 3152, 3153

S.C. 501, 502, 503, 504, 505, 511, 515, 516, 519, 520,  
524, 549, 569, 571

S.R. 1, 4, 7, 8, 23, 25, 45, 64, 70, 86, 97, 105, 106, 107,  
108, 109

Senator McCaughn ..... S.B. 2054, 2079, 2101, 2119, 2120, 2121, 2137, 2181,  
2187, 2191, 2233, 2333, 2352, 2358, 2371, 2387, 2392,  
2395, 2413, 2455, 2484, 2495, 2524, 2525, 2530, 2548,  
2588, 2596, 2599, 2616, 2638, 2644, 2653, 2658, 2667,  
2678, 2684, 2696, 2700, 2726, 2750, 2760, 2777, 2841,  
2976, 2977, 2999, 3022, 3023, 3024, 3054, 3111

S.C. 501, 502, 504, 505, 506, 507, 509, 510, 511, 512,  
513, 515, 516, 519, 520, 524, 533, 534, 549, 551, 552,  
553, 556, 559, 561, 562, 566, 571

S.R. 4, 8, 9, 12, 13, 37, 40, 43, 44, 45, 46, 52, 57, 58,  
67, 68, 69, 72, 81, 84, 86, 97, 98, 100

Senator McDaniel ..... S.B. 2226, 2232, 2234, 2352, 2497, 2498, 2499, 2500,  
2501, 2530, 2700, 2760, 2761, 2764, 2766, 2772, 2774,  
2776, 2784, 2785, 2786, 2787, 2788, 2792, 2799, 2801,  
2802, 2804, 2826, 2827, 2828, 2829, 2832, 2833, 2834,  
2861, 2864, 2870, 2874, 2875, 2876, 2877, 2878, 2879,  
2880, 2883, 2886, 2923, 2924, 2925, 2926, 2927

S.C. 522, 526, 528, 531, 541, 551, 553, 554, 555

S.R. 24, 32, 33, 45

Senator McLendon ..... S.B. 2027, 2040, 2079, 2099, 2100, 2120, 2181, 2187,  
2191, 2228, 2246, 2300, 2302, 2315, 2317, 2336, 2352,  
2358, 2395, 2402, 2403, 2423, 2455, 2495, 2530, 2534,  
2538, 2622, 2645, 2649, 2667, 2700, 2730, 2749, 2760,  
2811, 2841, 2905, 2906, 3009, 3010, 3149

S.C. 507, 512, 515, 519, 520, 550, 559

S.R. 4, 7, 8, 45

Senator McMahan ..... S.B. 2006, 2019, 2149, 2176, 2177, 2178, 2179, 2191,  
2218, 2231, 2243, 2358, 2455, 2491, 2495, 2530, 2547,  
2682, 2699, 2700, 2747, 2749, 2849, 2888, 2890, 2891,  
2914, 2915, 2917, 2919, 2938, 2939, 2940, 3102, 3116

S.C. 502, 505, 507, 515, 519, 535, 542, 574

S.R. 45, 86

Senator Michel ..... S.B. 2137, 2175\*, 2181, 2183, 2191, 2219, 2227, 2228,  
2238, 2343, 2358, 2378, 2385, 2433, 2530, 2614, 2615,  
2616, 2617, 2622, 2635, 2647, 2686, 2687, 2700, 2701,  
2722, 2760, 2839, 2934, 2970, 2995, 3021, 3022, 3023,  
3024, 3025

S.C. 501, 502, 503, 504, 505, 507, 511, 512, 515, 519,  
520, 535, 539, 542, 544, 547, 551, 552, 553, 554, 555,  
556, 564

S.R. 1, 4, 7, 8, 10, 22, 32, 44, 45, 62, 68, 70, 85, 86,  
105, 106, 107, 108, 109

Senator Moran ..... S.B. 2042, 2079, 2120, 2155, 2159, 2246, 2358, 2459,  
2475, 2495, 2530, 2544, 2549, 2550, 2551, 2563, 2667,  
2700, 2727, 2749, 2760, 2841, 3013, 3014, 3015, 3016,  
3017, 3018, 3025

S.C. 505, 506, 512, 515, 516, 519, 520, 548, 550, 551,  
552, 553

S.R. 4, 35, 45

- Senator Norwood ..... S.B. 2053, 2164, 2296, 2303, 2304, 2305, 2306, 2359, 2393, 2394, 2404, 2405, 2406, 2407, 2408, 2417, 2478, 2479, 2484, 2530, 2553, 2577, 2578, 2591, 2592, 2593, 2598, 2609, 2616, 2618, 2637, 2662, 2677, 2679, 2700, 2703, 2706, 2707, 2741, 2777, 2794, 2795, 2806, 2815, 2818, 2856, 2897, 2909, 2936, 2937, 2968, 2969, 2987, 2988, 2997, 3019, 3020, 3035, 3036, 3037, 3038, 3039, 3040, 3056
- S.C. 501, 502, 503, 504, 505, 507, 511, 512, 519, 520, 527, 530, 537, 539, 570, 574
- S.R. 3, 45, 51, 53, 54, 55, 56, 79, 85, 104
- Senator Parker ..... S.B. 2019, 2073, 2127, 2187, 2191, 2202, 2335, 2336, 2346, 2352, 2371, 2384, 2430, 2514, 2530, 2547, 2552, 2594, 2595, 2596, 2597, 2611, 2613, 2622, 2645, 2649, 2653, 2700, 2808, 2810, 2841, 2858, 2889, 2905, 3149
- S.C. 502, 503, 504, 505, 511, 512, 515, 519, 524, 559, 560
- S.R. 8, 24, 35, 45, 60, 61, 105, 106, 107, 108, 109
- Senator Parks ..... S.B. 2181, 2191, 2352, 2358, 2373, 2374, 2484, 2486, 2487, 2488, 2530, 2580, 2581, 2582, 2700, 2836, 2837, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3026, 3027
- S.C. 501, 520, 547, 567
- S.R. 45
- Senator Polk..... S.B. 2045, 2053, 2188, 2189, 2206, 2221, 2344, 2358, 2474, 2484, 2530, 2673, 2700, 2817, 2823, 2844, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3009, 3010, 3011, 3012, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3021, 3022, 3023, 3024, 3025, 3026, 3027, 3028, 3029, 3030, 3031, 3032, 3033, 3034, 3035, 3036, 3037, 3038, 3039, 3040, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051, 3113, 3114, 3115, 3116, 3117, 3118, 3119
- S.C. 506, 511, 514, 519, 526, 547
- S.R. 45, 57
- Senator Seymour ..... S.B. 2019, 2079, 2120, 2122, 2137, 2155, 2186, 2187, 2197, 2203, 2205, 2246, 2273, 2338, 2349, 2350, 2351, 2352, 2358, 2359, 2383, 2389, 2390, 2395, 2411, 2484, 2495, 2512, 2516, 2523, 2530, 2534, 2535, 2536, 2547, 2599, 2649, 2667, 2700, 2705, 2727, 2749, 2751, 2760, 2765, 2838, 2843, 2858, 3013, 3014, 3015, 3016, 3017, 3018, 3019, 3020, 3139
- S.C. 502, 505, 506, 511, 512, 516, 519, 532, 543, 545, 547, 548, 549, 550, 551, 552, 553, 554

S.R. 4, 8, 12, 14, 24, 32, 35, 38, 40, 45, 46, 47, 57, 58,  
65, 76, 80, 98, 102, 105

Senator Simmons D. T. (12th) S.B. 2053, 2193, 2194, 2195, 2196\*, 2199, 2229, 2235,  
2237, 2248, 2249, 2250, 2251, 2252, 2253, 2254, 2255,  
2256, 2257, 2258, 2259, 2260, 2261, 2262, 2263, 2264,  
2265, 2266, 2267, 2268, 2269, 2272, 2274, 2275, 2277,  
2281, 2284, 2285\*, 2291, 2293, 2294, 2295, 2296, 2306,  
2310, 2311, 2324, 2393, 2394, 2417, 2456, 2483, 2530,  
2565, 2567, 2591, 2592, 2593, 2609, 2637, 2655, 2662,  
2674, 2676, 2677, 2679, 2700, 2703, 2706, 2707, 2741,  
2745, 2771, 2777, 2779, 2780, 2794, 2795, 2806, 2807,  
2815, 2871, 2897, 2935, 2958, 2959, 2968, 2969, 2994,  
2997, 3059, 3062, 3063, 3064, 3073, 3074, 3075, 3076,  
3077, 3078, 3079, 3080, 3081, 3082, 3083, 3084, 3085,  
3086, 3087, 3088, 3089, 3090, 3094, 3095, 3096, 3097,  
3098, 3099, 3100, 3106, 3128, 3134

S.C. 507, 519, 530, 566, 568, 570, 574

S.R. 8, 45, 51, 53, 54, 55, 56, 66, 75, 78, 93, 98, 99, 104

Senator Simmons S. (13th) .... S.B. 2164, 2359, 2393, 2394, 2460, 2461, 2462, 2463,  
2469, 2470, 2471, 2530, 2567, 2662, 2676, 2700, 2749,  
2777, 2778, 2779, 2780, 2794, 2795, 2806, 2911, 2958,  
2972, 2993, 2994, 2997, 3000, 3001, 3002, 3003, 3004,  
3005, 3006, 3007, 3008, 3041, 3042, 3043, 3044, 3045,  
3046, 3047, 3048, 3049, 3050, 3051, 3065, 3092

S.C. 502, 505, 507, 512, 515, 519, 520, 570, 574

S.R. 45, 78, 79, 83, 104

Senator Sojourner ..... S.B. 2059, 2079, 2358, 2368, 2395, 2452, 2503, 2504,  
2505, 2506, 2507, 2508, 2509, 2522, 2530, 2532, 2533,  
2537, 2700, 2760, 2762, 2776, 2804, 2805, 2825, 2861,  
2863, 2864, 2865, 2866, 2867, 2868, 2869, 2881, 2882,  
2883, 2884, 2885, 2923, 2924, 2925, 2926, 2927, 2966

S.C. 522, 528, 529

S.R. 11, 45

Senator Sparks ..... S.B. 2181, 2289, 2290, 2318, 2337, 2379, 2413, 2418,  
2449, 2453, 2455, 2484, 2495, 2496, 2530, 2548, 2616,  
2619, 2622, 2647, 2667, 2692, 2700, 2769, 3102, 3120

S.C. 501, 502, 503, 504, 511, 512, 515, 519, 520, 554

S.R. 4, 45, 46, 73, 74, 82, 100, 110, 111

Senator Suber ..... S.B. 2181, 2190, 2233, 2337, 2352, 2358, 2359, 2392,  
2395, 2413, 2416, 2455, 2484, 2495, 2530, 2534, 2536,  
2539, 2540, 2541, 2542, 2548, 2570, 2612, 2638, 2653,  
2665, 2666, 2667, 2700, 2726, 2760, 2777, 3028, 3029,  
3030, 3031, 3032, 3033, 3034, 3129, 3130, 3131, 3132,  
3133

S.C. 504, 505, 515, 519, 520, 552, 559

S.R. 8, 12, 13, 45, 46, 87, 98

Senator Tate ..... S.B. 2079, 2120, 2140, 2244, 2246, 2278, 2307, 2320, 2348, 2351, 2352, 2353, 2358, 2370, 2391, 2395, 2423, 2455, 2495, 2523, 2526, 2530, 2534, 2566, 2570, 2599, 2667, 2700, 2705, 2708, 2749, 2760, 2770, 2824, 2841, 3011, 3012, 3111, 3112, 3138, 3142

S.C. 552

S.R. 42, 43, 45, 52, 67, 68, 69, 72

Senator Thomas..... S.B. 2007, 2008, 2009, 2010, 2012, 2013, 2022, 2024, 2025, 2029, 2030, 2031, 2033, 2034, 2035, 2036, 2037, 2038, 2039, 2051, 2095, 2126, 2143, 2164, 2228, 2283, 2359, 2393, 2394, 2417, 2484, 2530, 2553, 2593, 2637, 2662, 2676, 2677, 2679, 2700, 2706, 2707, 2741, 2777, 2778, 2780, 2794, 2795, 2806, 2815, 2897, 2968, 2969, 2970, 2990, 2994, 2995, 2997

S.C. 502, 505, 507, 511, 512, 519, 530, 558, 561, 562, 566, 568, 570, 574

S.R. 7, 8, 45, 51, 53, 54, 55, 56, 62, 63, 77, 79, 83, 85, 86, 104

Senator Thompson..... S.B. 2155, 2166, 2191, 2308, 2347, 2395, 2412, 2495, 2530, 2544, 2550, 2551, 2563, 2564, 2570, 2607, 2675, 2680, 2700, 2714, 2727, 2732, 2760, 2851

S.C. 502, 504, 505, 515, 516, 519, 526, 535, 550, 551, 552, 553, 561

S.R. 9, 35, 45, 46, 79

Senator Turner-Ford..... S.B. 2023, 2032, 2070, 2080, 2097, 2098, 2106, 2107, 2114, 2116, 2181, 2192, 2280, 2292, 2309, 2394, 2417, 2455, 2460, 2461, 2462, 2463, 2469, 2470, 2471, 2530, 2553, 2593, 2637, 2659, 2662, 2676, 2677, 2721, 2723, 2746, 2794, 2795, 2806, 2814, 2815, 2895, 2897, 2916, 2964, 2997, 3035, 3036, 3037, 3038, 3039, 3040, 3121, 3122, 3123, 3124, 3125, 3146

S.C. 511, 518, 520, 530, 558, 574

S.R. 45, 51, 79, 104

Senator Whaley..... S.B. 2079, 2160, 2190, 2246, 2337, 2358, 2431, 2455, 2484, 2495, 2530, 2543, 2547, 2556, 2557, 2599, 2667, 2700, 2760, 2853

S.C. 552, 559, 560

S.R. 12, 13, 45, 88, 94, 95, 98

- Senator Wiggins ..... S.B. 2021, 2081, 2082, 2153, 2155, 2168, 2204, 2217, 2237, 2298, 2314, 2347, 2358, 2359, 2380, 2381, 2382, 2530, 2563, 2564, 2600, 2601, 2640, 2641, 2644, 2645, 2656, 2660, 2667, 2678, 2700, 2715, 2716, 2727, 2816, 2819, 2821, 2822, 2896, 2898, 3011, 3012, 3021, 3022, 3023, 3024, 3047, 3055, 3060, 3061, 3066, 3067, 3068, 3069, 3070, 3071, 3072, 3127, 3139
- S.C. 516, 519, 523, 550, 553
- S.R. 8, 32, 35, 45, 48, 49, 76
- Senator Williams ..... S.B. 2003, 2181, 2191, 2228, 2246, 2345, 2346, 2352, 2358, 2442, 2455, 2495, 2511, 2530, 2538, 2569, 2590, 2604, 2636, 2647, 2652, 2667, 2700, 2719, 2760, 2775, 2777, 2781, 2894, 3000, 3001, 3002, 3003, 3004, 3005, 3006, 3007, 3008, 3041, 3042, 3043, 3044, 3045, 3046, 3047, 3048, 3049, 3050, 3051
- S.C. 504, 512, 515, 518, 519, 520, 540, 562
- S.R. 8, 45, 93, 98
- Senator Younger ..... S.B. 2002, 2044, 2054, 2067, 2068, 2075, 2087, 2092, 2115, 2137, 2156, 2157, 2160, 2165, 2181, 2246, 2352, 2358, 2432, 2455, 2484, 2494, 2495, 2512, 2530, 2534, 2540, 2599, 2608, 2667, 2700, 2702, 2760, 2850, 2904, 2967, 3058, 3108, 3135, 3146, 3147, 3148
- S.C. 519, 520
- S.R. 12, 13, 45, 98, 101



**PART III**

A History of Actions on All Legislative  
Matters Considered by the Senate

Titles of all Senate bills in this part of the index are condensed and appear in numerical order, showing the authors and committees to which they were referred. Senate bills with more than two authors will reflect only the first recorded author. Senate bill numbers begin at 2001, so as to prevent duplication of House Bill numbers.

Titles of all House bills which reached the Senate are condensed and appear in numerical order in this part of the index, showing the committees to which they were referred.

Following these titles are abbreviations indicating actions on the bills, followed by figures showing the pages in the Journal where such actions will be found. Explanations of these abbreviations are shown below. The chapter in the General Laws or in the Local and Private Laws, as the case may be, is shown for each bill that became law. The General Laws and the Local and Private Laws are published in separate volumes.

**EXPLANATION OF ABBREVIATIONS**

ap - Approved by Governor	mtf - Motion to table failed
ca - Conference committee appointed	nca - New conferee(s) appointed
caa - Co-author added	ph - Passed House
caaw - Co-author withdrawn	pin - Parliamentary inquiry
cg - Conference granted	po - Point of order
Ch. - Chapter of laws	pq - Previous question
cr - Committee Report	pqw - Previous question withdrawn
cra - Conference report adopted	rc - Recommitted
crah - Conference report adopted by House	rcbh - Recalled by House
cro - Conference report offered	rcc - Recommit conf. report for further conf.
csa - Committee substitute adopted	rcf - Recommit failed
csf - Committee substitute failed	rf - Referred
cu - Called up for consideration	rh - Received from House
ev - Explanation of vote	rt - Removed from table
hc - House concurred in Senate amendment	rtc - Retain on calendar
hdc - House declined to concur, invited conf., named conf.	ru - Ruling
hrcc - House recommitted conf. report for further conference	s - Submitted
i - Introduced and referred	sc - Senate concurred in House amendments
lws - Law without signature	sdcc - Senate declined to concur and invited conference
mr - Motion to reconsider entered	sp - Signed by the President
mrc - Motion to reconsider called up	tsc - Tabled subject to call
mrp - Motion to reconsider prevailed	uc - Unanimous consent
mrt - Motion to reconsider tabled	uco - Object to unanimous consent
msrp - Motion to suspend rules prevailed	v - Yea and nay vote
	vp - Paired vote
	vt - Vetoes

## A. SENATE BILLS

## S. B. No.

- 2001 - (Highways and Transportation; Judiciary, Division B) Transportation; revise population threshold for radar use on public streets of municipalities to 1500. Fillingane. i18.
- 2002 - (Highways and Transportation) Memorial highways; designate segments of highways to Bradford C. Freeman and Douglas Anderson. Younger. i18; cr262; cu527; v527; ph776; sdc851; ca950; cg1883; msrp3489; cro3489; cra3490; v3490; crah3639; sp3916; ap4077.
- 2003 - (Highways and Transportation) Highways; dedicate a section of Highway 12 to G. Louis Jones. Williams. i18; cr262; msrp391; cu391; v392; ph1861; sp2038; ap2609.
- 2004 - (Local and Private; Finance) Town of Duck Hill; authorize governing authorities to levy tourism tax. Chassaniol. i18; cr2596; cu2616; v2616; ph2843; sp3109; ap4059.
- 2005 - (Rules) National Statuary Hall Selection Commission; create for recommending two new Mississippi statues at U.S. Capitol. Horhn. i34.
- 2006 - (Tourism; Finance) Festival wine permits; remove repealers and reverters on provisions relating to. McMahan, et al. i35; cr308; cu374; csa374; po375; ru375; v375; vp375; mr375; mrc390; mrc390; v390; ph953.
- 2007 - (Finance) Bonds; authorize to assist Town of Anguilla in paying costs of improvements projects. Thomas. i35.
- 2008 - (Finance) Bonds; authorize to assist Village of Cary in paying costs of construction of fire station. Thomas. i35.
- 2009 - (Finance) Bonds; authorize to assist Town of Anguilla in paying costs of construction of museum and visitor center. Thomas. i35.
- 2010 - (Finance) Distinctive tag; authorize for King Hiram Grand Lodge & Electra Grand Chapter Order of Eastern Star AF & AM Mississippi. Thomas. i35.
- 2011 - (Finance) Sales tax; exempt motor vehicle transfers to and from trusts, corporations, partnerships and limited liability companies. Johnson. i35; cr252; cu321; v321; ph953; sp1023; ap2053.
- 2012 - (Finance) Bonds; authorize issuance of general obligation bonds for West Central Mississippi Incubator Grant Program. Thomas. i36.
- 2013 - (Finance) Bonds; authorize issuance of general obligation bonds for improvements to Rolling Fork Civic and Event Center. Thomas. i36.
- 2014 - (Finance) Ad valorem taxes; consider annexed business "new enterprise" for purpose of eligibility for certain municipal tax exemptions. Blackwell. i36.
- 2015 - (Finance) Tobacco tax; define tobacco products to include electronic smoking devices for purposes of 15% excise tax. Blount. i36.
- 2016 - (Finance) Highway privilege tax on buses and carriers of property; allow distribution to cities and towns for roads and bridges. Blackmon. i36.

- 2017 - (Finance) Ad valorem tax; remove exemption for university or community college foundation or federally qualified health center property. Fillingane. i37.
- 2018 - (Finance) Sales tax; remove tax on wholesale sales of beer. Johnson. i37; cr252; cu340; v340; ph953; sp1023; ap2053.
- 2019 - (Finance) Sales tax; exempt sales of coins, currency and bullion. McMahan, et al. i37; cr684; cu706; v706; caa706.
- 2020 - (Finance) Electric/hybrid vehicle tax; repeal sections of law authorizing. Hill. i37.
- 2021 - (Finance) First Responder Appreciation and Recruitment Act; create. Wiggins. i37.
- 2022 - (Finance) Bonds; authorize to assist Serenity on the Bayou in Anguilla renovate and equip building for Emmanuel Community Center. Thomas. i37.
- 2023 - (Finance) Distinctive motor vehicle license tags; reauthorize for supporters of West Point Consolidated School District. Turner-Ford. i38.
- 2024 - (Finance) Bonds; authorize issuance for Community Health and Wellness Center, Inc., health care facility renovations in Isola. Thomas. i38.
- 2025 - (Finance) West Central Mississippi Incubator Grant Program; establish with county governments, DFA and local development districts. Thomas. i38.
- 2026 - (Finance) Ad valorem tax on inventory; phase in exemption for certain small businesses. Blackwell. i38.
- 2027 - (Finance) Municipal ad valorem taxes; exempt real property and motor vehicles in an annexed area for 12 months after annexation. McLendon. i38.
- 2028 - (Finance) Alcoholic beverages; allow local authorities of wet jurisdictions to permit package retail sales on Sunday. Carter. i38.
- 2029 - (Finance) Bonds; authorize issuance of general obligation bonds for repair and renovation of Triangle Cultural Center in Yazoo City. Thomas. i38.
- 2030 - (Finance) Bonds; authorize issuance for demolition and cleanup of dilapidated structures in downtown Rolling Fork. Thomas. i39.
- 2031 - (Finance) Bonds; authorize issuance of general obligation bonds for repair and renovation of Oakes African American Cultural Center. Thomas. i39.
- 2032 - (Finance) Bonds; authorize to assist City of Macon in paying costs of acquisition of fire truck. Turner-Ford. i39.
- 2033 - (Finance) Bonds; authorize issuance to assist Yazoo County in paying costs of drainage project. Thomas. i39.
- 2034 - (Finance) Bonds; authorize to assist Town of Rolling Fork in paying costs of Muddy Waters memorial sculpture. Thomas. i39.
- 2035 - (Finance) Bonds; authorize to assist Humphreys County in paying costs of roadway, curb and gutter improvements in Westgate Subdivision. Thomas. i39.

- 2036 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2024 appropriation to City of Rolling Fork for improvement of water system. Thomas. i39.
- 2037 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2024 appropriation to Village of Eden for improvement of water and sewer system. Thomas. i39.
- 2038 - (Appropriations) General Funds; FY2024-appropriation to Humphreys County for certain roadway, curb and gutter improvements. Thomas. i40.
- 2039 - (Appropriations) General Funds; FY2024 appropriation to Yazoo County for a drainage project. Thomas. i40.
- 2040 - (Appropriations) Appropriation FY 2024; IHL-University of Mississippi Medical Center for Mississippi Rural Physicians Scholarship Program. McLendon. i40.
- 2041 - (Appropriations) Appropriation; Rural Fire Truck Fund for additional round of trucks under Acquisition Assistance Program. Hill. i40.
- 2042 - (Accountability, Efficiency, Transparency) Mississippi Emergency Management Agency; authorize Q-risq Analytics pilot program providing live storm impact data. Moran. i40.
- 2043 - (Accountability, Efficiency, Transparency) State agencies; notify Legislature of proposed rule adoption. Hill. i40.
- 2044 - (Accountability, Efficiency, Transparency) State Auditor; empower to investigate embezzlement in cities, counties and other public entities. Younger. i40.
- 2045 - (Municipalities; Accountability, Efficiency, Transparency) Building codes; prohibit from limiting use of federally approved refrigerant. Polk. i40.
- 2046 - (Accountability, Efficiency, Transparency) Mississippi National Security in Public Purchasing Act; create. Hill. i40.
- 2047 - (Accountability, Efficiency, Transparency; Finance) Sales tax; create diversion to counties. Hill. i41.
- 2048 - (Accountability, Efficiency, Transparency) Mississippi resident bidder preference; provide 10% preference over vendors located outside of the United States. Hill. i41.
- 2049 - (Accountability, Efficiency, Transparency) State Superintendent of Education; provide limitation on salary. Hill. i41.
- 2050 - (Tourism; Accountability, Efficiency, Transparency) Mississippi Development Authority; require periodic PEER review of effectiveness of Tourism Advertising Fund expenditures. Blackwell. i41.
- 2051 - (Appropriations) General Funds; FY2024 appropriation to MDA for the West Central Mississippi Incubator Grant Program. Thomas. i41.
- 2052 - (Accountability, Efficiency, Transparency) Regulatory Reduction Program; require certain pilot agencies to implement. Blackwell. i41.
- 2053 - (Accountability, Efficiency, Transparency) Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists. Polk, et al.

i42; cr276; cu355; v356; caa356; ph869; sdc2728; ca2780; cg2844; cro3535; cra3536; v3536; crah3701; sp3951; ap4076.

- 2054 - (Accountability, Efficiency, Transparency) Appointed state officers; provide for the removal of for certain forms of willful neglect. Blackwell, et al. i42; cr276; cu465; v465; caa465; caa615; ph869; sdc2728; ca2780; cg2844; cro3536; cra3537; v3537; crah3701; sp3951; vt4083.
- 2055 - (Universities and Colleges; Appropriations) Higher Education Legislative Plan; revise eligibility and repeal MTAG and Eminent Scholars Grant Program. Blount. i42.
- 2056 - (Education) Public schools; require a brief period of quiet reflection at the opening of school every day. Frazier. i42.
- 2057 - (Education) Civics Test; require passing score for high school graduates and high school equivalency diploma applicants. Blackwell. i42.
- 2058 - (Education) School counselors; delete requirement of counselors to abide by the American School Counselor Association Code of Ethics. Hill. i43.
- 2059 - (Public Health and Welfare) No Patient Left Alone Act; enact. Chism, et al. i43.
- 2060 - (Public Health and Welfare) Podiatric medicine and podiatrists; revise definition of. Blackwell. i43.
- 2061 - (Economic and Workforce Development) Universal Recognition of Occupational Licenses Act; exempt psychologists. Fillingane. i43.
- 2062 - (Public Health and Welfare) No Patient Left Alone Act; enact. Hill. i43.
- 2063 - (Public Health and Welfare) Supplemental Nutrition Assistance Program; require Department of Human Services to issue photo EBT cards. Hill. i43.
- 2064 - (Public Health and Welfare) Birth Certificates; require certain information be included. Hill. i44.
- 2065 - (Education) United States Citizenship Test; require as a condition for high school graduation. Hill. i44.
- 2066 - (Public Health and Welfare) Board of Cosmetologist; allow special permits for shampooists. Hill. i44.
- 2067 - (Economic and Workforce Development; Appropriations) Comprehensive Career and Technical Education Reform Act; transition career coaching program from pilot to long term. Younger. i44.
- 2068 - (Public Health and Welfare) Psychology Interjurisdictional Compact; enact. Younger. i44; cr308; cu497; csa497; v497.
- 2069 - (Public Health and Welfare) Psychology Interjurisdictional Compact; enact. Fillingane. i44.
- 2070 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Turner-Ford. i45.

- 2071 - (Medicaid) Recipients of Medicaid; extend postpartum coverage up to 12 months. Blount. i45.
- 2072 - (Gaming) Mississippi Gaming Commission certified law enforcement officers; authorized to retain sidearms upon retirement. Blount. i45.
- 2073 - (Judiciary, Division A) Age of majority; lower to 18 for securing loans and entering contracts for real property. Hill, et al. i45; cr315; cu511; csa511; v511; caa512; ph1368; sdc2123; ca2653; cg2818; cro3670; cra3676; v3676; crah3701; sp4060; ap4077.
- 2074 - (Judiciary, Division A) Youth court; prohibit intake based solely on the opinion of a medical professional on contract with DHS or CPS. Hill. i45.
- 2075 - (Judiciary, Division A) Birth certificate; adoptee may obtain certified copy of original after age 21. Hill, et al. i46; cr275; cu353; csa354; v354; caa354; ph2037; sdc2458; ca2653; cg2818.
- 2076 - (Judiciary, Division A; Education) The Title IX Preservation Act; enact. Hill. i46.
- 2077 - (Judiciary, Division A) Charitable Organizations; Raise audit threshold for contributions to \$750,000.00, and use a cash basis only. Johnson. i46; cr315; cu512; v512; ph1861; sp2038; ap2609.
- 2078 - (Accountability, Efficiency, Transparency) Eminent Domain; require entities to notify and explain proposed projects to landowners before hiring a surveyor. Hill. i46.
- 2079 - (Education; Judiciary, Division A) MS School Safety Guardian Act; create. Hill, et al. i46; cr316; cu514; csa514; v514; caa514; ph1862; sdc2552; ca2653; cg2781; cro3204; cra3212; v3212; crah3639; sp3948; ap4075.
- 2080 - (Judiciary, Division A) Mississippi Consumer Data Privacy Act; enact. Turner-Ford. i46.
- 2081 - (Judiciary, Division A; Appropriations) Statewide county court system; create. Wiggins. i47.
- 2082 - (Judiciary, Division A) Child support; administratively suspend obligations for incarcerated individuals. Wiggins. i48; cr315; cu513; csa513; v513; ph1862; sdc2125; ca2653; cg2819; cro3537; cra3538; v3538; crah3701; sp3964; ap4077.
- 2083 - (Judiciary, Division A; Education) Concealed-carry license; 18-year-old with instructor certification qualifies for enhanced. Hill. i48.
- 2084 - (Judiciary, Division A) Domestic abuse; allow protection of pets in a protection order. Hill. i48.
- 2085 - (Judiciary, Division A) Eminent domain; provide compensation for the loss of a business's goodwill. Hill. i48.
- 2086 - (Judiciary, Division A) Guardian ad litem fees; failure to pay enforced as any other civil debt. Hill. i48.
- 2087 - (Judiciary, Division A) Birth certificate; adoptee may obtain certified copy of original after age 18. Younger. i49.

- 2088 - (Judiciary, Division A; Appropriations) District attorneys; increase office operating allowance. Fillingane, et al. i49; cr316; cu514; csa514; v514; caa515.
- 2089 - (Judiciary, Division A) Land ownership; prohibit certain entities from. Hill. i49.
- 2090 - (Judiciary, Division A) Board of Funeral Services; revise provisions related to. England. i49; cr315; cu512; csa512; v512; ph2041; sc2756; v2770; sp2847; ap3634.
- 2091 - (Judiciary, Division A) Liens; delete the exception to expiration of a lien where notation had been made on the judgment roll within a certain period. Fillingane. i49.
- 2092 - (Judiciary, Division A) Land; prohibit ownership by nonresident aliens who are citizens of certain countries. Younger. i49.
- 2093 - (Judiciary, Division A) Child abuse or neglect; provide for civil liability false reports of. Hill. i49.
- 2094 - (Judiciary, Division A) MS Public Records Act; prohibit confidentiality of settlement agreement. Hill. i49.
- 2095 - (Judiciary, Division B) Suffrage; restore suffrage to Vedo Kyles. Thomas. i50; cr2825.
- 2096 - (Judiciary, Division B) Child Protection Services; require disclosure of reporter in cases of false abuse and neglect reports. Hill. i50.
- 2097 - (Judiciary, Division B) Marijuana; legalize possession of certain amount. Turner-Ford. i50.
- 2098 - (Judiciary, Division B; Corrections) Juvenile offenders; provide alternative sentencing and early-release options when convicted of certain crimes. Turner-Ford. i50.
- 2099 - (Judiciary, Division B) Motor vehicle theft; revise penalty for. Fillingane, et al. i51; cr255; cu423; v423; caa424; mr479; mrc612; mrt612; caa615; ph2037; sdc2483; ca2653; cg2697.
- 2100 - (Judiciary, Division B) Receiving stolen property; revise the crime of. Fillingane, et al. i51; cr255; cu424; csf424; pin425; ru425; v425; caa426; mr479; mrc613; mrt613; caa615; ph2037; sdc2485; ca2653; cg2697.
- 2101 - (Judiciary, Division B) Criminal law; revise crimes of fleeing a law enforcement officer and carjacking. Fillingane, et al. i51; cr269; cu529; csa529; v530; caa530; mr594; mrc614; mrt614; caa615; ph2037; sdc2486; ca2653; cg2697; cro3538; cra3540; v3540; crah3701; sp4061; ap4082.
- 2102 - (Energy) Excavations; provide for impending emergencies and extend notification period for. Carter. i51; cr305; cu337; csa337; v337; ph869; sc2534; v2542; sp2656; ap2774.
- 2103 - (Energy) Definitions and penalties regarding regulation of gasoline and petroleum products; extend repealer on. Carter. i51; cr292; cu335; v335; ph1368; sc2542; v2549; mr2644.
- 2104 - (Energy) Mississippi Gulf Coast Region Utility Act; extend repealer on. Carter. i51; cr292; cu335; v335; ph775; sp786; ap957.

- 2105 - (Elections) Voting; require printed record of each vote. Hill. i51.
- 2106 - (Elections) Early voting; authorize up to 10 days prior to any election. Turner-Ford. i52.
- 2107 - (Elections) Municipal primary elections; extend deadline in case of annexation. Turner-Ford. i52.
- 2108 - (Elections) Legislative offices; define vacancy. Blackwell. i52.
- 2109 - (Elections) Mississippi Student Absentee Voter Act; enact. Blackwell. i52.
- 2110 - (Elections) Affidavit ballots; reduce length of time within which certain persons must present proper voter ID or execute religious exemption. Blackwell. i52.
- 2111 - (Elections) Elections; public official's qualification as candidate deemed resignation of current office. Blackwell. i52.
- 2112 - (Elections) Elections; authorize online voter registration and preelection day voting. Blount. i53.
- 2113 - (Elections) Absentee voting; establish electronic application procedure for college students. Blount. i53.
- 2114 - (Labor; Accountability, Efficiency, Transparency) Mississippi Pregnant Workers Fairness Act; create. Turner-Ford. i53.
- 2115 - (Judiciary, Division B) Tianeptide; schedule substance and criminalize intent to transfer. Younger. i54.
- 2116 - (Corrections; Judiciary, Division B) The Juvenile Offender Parole and Rehabilitation Act; enact. Turner-Ford. i54.
- 2117 - (Corrections) Earned-release supervision; require Parole Board to approve release of offenders. Hill. i54.
- 2118 - (Judiciary, Division B) Child support; allow restricted driver's license for work and worship. Hill, et al. i54.
- 2119 - (Judiciary, Division B) Firearms; clarify that possession of multiple firearms shall subject felon to multiple charges. McCaughn. i54.
- 2120 - (Judiciary, Division B) Firearms; authorize law enforcement officers to purchase at fair market value upon retirement. McCaughn, et al. i54; cr256; cu326; csa326; v326; caa327; caa359; ph2052; sdc2504.
- 2121 - (Judiciary, Division B) Chemical endangerment of a child or fetus; criminalize. McCaughn. i55.
- 2122 - (Judiciary, Division B) Bribery of a public official; increase statute of limitations to 5 years. Fillingane, et al. i55; cr256; cu327; v327; caa327.
- 2123 - (Judiciary, Division B) Public service animals; increase penalties for harming. England. i55.
- 2124 - (Judiciary, Division B) DUIs; increase maximum imprisonment for first and second DUI offenses. England. i55.



- 2125 - (Education) Local school board members; prescribe salary scale based on school district student enrollment. Blackwell. i55.
- 2126 - (Judiciary, Division B) Restoration of the Right to Vote Act; enact. Thomas. i55.
- 2127 - (Judiciary, Division B) Terroristic threats; revise elements of. Fillingane, et al. i55; cr256; cu327; v327; caa327; ph1862; sc2444; v2445; sp2649; ap2774.
- 2128 - (Judiciary, Division B) Trespass; criminalize offense on property other than a structure or conveyance. Hill. i55.
- 2129 - (Judiciary, Division B) Criminal law; increase penalties for crimes of impersonating patrolman or law enforcement officer. Hill. i56.
- 2130 - (Judiciary, Division B) Juvenile offenders; provide alternative sentencing and parole options. Fillingane. i56.
- 2131 - (Judiciary, Division B) Aggravated assault; create crime related to the delivery of fentanyl. Fillingane. i56.
- 2132 - (Judiciary, Division B; Judiciary, Division A) Aggravated DUI; order child support to children of deceased victim. Hill. i56.
- 2133 - (Judiciary, Division B) Arrest warrants; authorize electronic signatures. Blackwell. i56.
- 2134 - (Judiciary, Division B) Statute of limitations; except sexual battery from. Blackwell. i56.
- 2135 - (Judiciary, Division B; Elections) Suffrage; restore to any person disqualified by reason of criminal conviction upon completion of sentence. Blount. i56.
- 2136 - (Accountability, Efficiency, Transparency) "Service Canine Protection Act of 2022"; enact. Hill. i57.
- 2137 - (Tourism) "Mississippi Native Plant Month"; designate each April as. Michel, et al. i57; cr257; cu426; v426; caa426; ph775; sp786; ap961.
- 2138 - (Tourism) Tourism; designate the Mississippi Opal as the state gemstone. Chassaniol, et al. i57; cr257; cu426; v426; caa426; ph775; sp779; ap957.
- 2139 - (Tourism) Mississippi USA Semiquincentennial Commission and Mississippi Semiquincentennial Celebration Fund; create. Chassaniol. i57; cr258; cu328; v328; ph1368; sc2617; v2621; sp2777; ap3634.
- 2140 - (Technology) National Security on State Devices and Networks Act; create. Carter, et al. i57; cr258; cu526; csa526; v526; caa526; ph869; sdc2059; ca2614; cg2819; cro3541; cra3541; v3541; crah3701; sp3949; ap4075.
- 2141 - (Judiciary, Division B) Distribution of obscene materials; delete exemption for public school libraries. Hill. i57.
- 2142 - (Public Property) Alteration or renaming of historical monuments, memorials and streets; prohibit and provide sanctions. Hill. i58.

- 2143 - (Energy; Municipalities) Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. Thomas. i58.
- 2144 - (Municipalities) Local governmental entities; prohibit from requiring a license for certain businesses operated by a minor. Blackwell. i58.
- 2145 - (County Affairs; Municipalities) Local government; prohibit ordinances authorizing camping on public property and sidewalks. Hill. i58.
- 2146 - (Judiciary, Division A) Uncrewed aircraft systems; regulate. Fillingane, et al. i58; cr314; cu572; csa572; v572; caa572; ph775; sp779; ap957.
- 2147 - (Public Health and Welfare) Physical therapy practice laws; revise various provisions of. Blackwell. i62.
- 2148 - (Finance) Retired teachers; allow to draw retirement benefits and be reemployed as teachers if having 30 years of creditable service. Butler (38th). i64.
- 2149 - (Local and Private) City of Guntown; authorize the use of side by side vehicles on certain public roads. McMahan. i65; cr669; cu742; v742; ph2042; sp2049; ap2609.
- 2150 - (Local and Private) Warren County; authorize to enter into lease agreement or lease-purchase arrangement for public safety purpose. Hopson. i65; cr2526; cu2533; v2533; ph2775; sp2820; ap3634.
- 2151 - (Local and Private) Town of North Carrollton; extend repeal date on restaurant tourism tax. Chassaniol. i65; cr669; cu706; v706; ph953; sp1023; ap2053.
- 2152 - (Local and Private; Finance) City of Byram; authorize governing authorities to levy parks and recreation tax on restaurants. Blount. i65; cr2596; cu2616; csa2616; v2617; ph2843; sp3109; ap4059.
- 2153 - (Judiciary, Division A) Transportation; require disclosure of the total charges in the rental of motor vehicles. Wiggins, et al. i65; cr275; cu490; csa490; v490; caa615.
- 2154 - (Highways and Transportation) Highways; include Old State Highways 6 and 9 in Pontotoc County in the state highway system. Chism. i66.
- 2155 - (Highways and Transportation) Highways; designate section of US-90 (East Beach Blvd) in Harrison County for Myrtis Franke. Moran, et al. i66.
- 2156 - (Agriculture) Agriculture; provide the Commission of Agriculture and Commerce the exclusive power to inspect petroleum. Younger. i66.
- 2157 - (Agriculture; Judiciary, Division B) Agriculture; grant the Commission of Agriculture and Commerce investigative powers and amend related procedures. Younger. i66.
- 2158 - (Wildlife, Fisheries and Parks) Hunting; require tree stands to be tagged with name and address of owner. Butler (38th). i67.
- 2159 - (Ports and Marine Resources) Duties of Mississippi Department of Marine Resources; utilize resources of all state institutions of higher learning. Moran. i67.

- 2160 - (Accountability, Efficiency, Transparency) State Board of Cosmetology and Board of Barber Examiners; merge into one board. Blackwell, et al. i67; cr276; msrp573; cu573; v594; mrp594; v594.
- 2161 - (Education; Appropriations) Prekindergarten programs; increase funding for second and third phase. Butler (38th). i68.
- 2162 - (Universities and Colleges) Legislative Internship Program; authorize IHL to administer under certain conditions. Butler (38th). i68.
- 2163 - (Education) Kindergarten-age children; require compulsory school attendance for all. Butler (38th). i68.
- 2164 - (Education) Real property owned by school districts; allow to be sold for development. Blount, et al. i68; cr260; cu348; v348; caa348; ph1861; sp2050; ap2609.
- 2165 - (Education) Interstate Teacher Mobility Compact; enact. Younger. i68.
- 2166 - (Public Health and Welfare) Community hospital board of trustees; revise procedure for removing a trustee. Thompson. i68.
- 2167 - (Public Health and Welfare; Appropriations) Early Intervention Task Force; establish. Boyd. i68; cr310; cu561; csa561; v561; ph1862; sdc2695; ca2704; cg2781; cro3676; cra3679; v3679; crah3701; sp3949; ap4077.
- 2168 - (Education) School curriculum; require that schools teach civics and government before completion of twelfth grade. Wiggins. i69.
- 2169 - (Public Health and Welfare) Marriage and family therapist licensure; revise provisions of. Fillingane. i69.
- 2170 - (Finance) Bonds; authorize issuance to assist City of Natchez in paying costs of Concord Avenue Drainage Improvement Project. Butler (38th). i69.
- 2171 - (Finance) Bonds; authorize to assist in paying costs of renovating Margaret Martin Performing Arts Center in Natchez, Mississippi. Butler (38th). i69.
- 2172 - (Appropriations) General Funds; FY2024 appropriation to South Pike School District for renovations to its school buildings. Butler (38th). i69.
- 2173 - (Finance) Bonds; authorize to assist Wilkinson County in paying the costs of road and bridge repairs and abandoned hospital removal. Butler (38th). i69.
- 2174 - (Finance) State agencies; mandate reimbursement to the general fund for failure to follow proper procurement guidelines. Hill. i70.
- 2175 - (Finance) Department of Revenue; require to send taxpayer notices by certified mail, return receipt requested. Michel (By Request). i70.
- 2176 - (Finance) Bonds; authorize to assist City of Tupelo in paying costs of improvements to Ballard Park. McMahan. i70.
- 2177 - (Finance) Bonds; authorize to assist Lee County in paying costs of fire truck purchase for Richmond community. McMahan. i70.
- 2178 - (Finance) Bonds; authorize to assist Sand Creek Wastewater Authority in system expansion and improvements, and debt retirement. McMahan. i70.

- 2179 - (Finance) Bonds; authorize to assist City of Saltillo in paying costs of construction of new fire station. McMahan. i70.
- 2180 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Caughman. i70; cr273; cu341; csa341; v341.
- 2181 - (Finance) Distinctive motor vehicle license tags; authorize for 2021 and 2022 National Championship Rebels. Michel, et al. i70; cr252; cu322; v323; caa360.
- 2182 - (Rules) Juneteenth Freedom Day; designate June 19 as. Barnett. i71.
- 2183 - (Education) Boy Scouts and Girl Scouts; authorize opportunity to speak in schools with students about civil involvement and membership. Michel. i71.
- 2184 - (Finance) Bonds; increase authorized bond amount for emergency response center for Chickasaw Trail Industrial Park in Marshall County. Blackwell. i71.
- 2185 - (Finance) Bonds; authorize issuance to assist South Pike School District in paying costs of repair and renovation of buildings. Butler (38th). i71.
- 2186 - (Veterans and Military Affairs; Public Property) Historical monuments and memorials; delete authority to move. Seymour. i76.
- 2187 - (Veterans and Military Affairs; Finance) Disabled veterans license tags; revise provisions regarding disability rating and persons eligible for. Seymour, et al. i76; cr308; cu471; csa471; v471; caa471; ph2041; sdc2518; ca2653; cg2781; cro2853; cra2855; v2855; crah4054; sp4064; ap4076.
- 2188 - (Gaming) Gaming; permit airport authorities to authorize slot machines in airports offering passenger service. Polk. i76.
- 2189 - (Gaming) Gaming; permit airport authorities to authorize slot machines in airports offering passenger service. Polk. i76.
- 2190 - (Judiciary, Division A; Appropriations) Third Circuit Court District; increase number of assistant district attorneys and criminal investigators. Boyd, et al. i76.
- 2191 - (Judiciary, Division A) Mississippi Foster Parent's Bill of Rights and Responsibilities; create. Boyd, et al. i76; cr314; cu572; rc572.
- 2192 - (Judiciary, Division A) Paternity; clarify circumstances when putative father cannot contest. Turner-Ford. i77; cr314.
- 2193 - (Judiciary, Division A) Mississippi Civil Rights Act; enact. Simmons (12th). i77.
- 2194 - (Judiciary, Division A) Juries; prohibit peremptory challenges based on certain factors. Simmons (12th). i77.
- 2195 - (Judiciary, Division A) Jurors; expand pool to citizens with driver's license who have filed state income taxes. Simmons (12th). i77.
- 2196 - (Judiciary, Division A) Landlord-tenant law; revise. Simmons (12th) (By Request). i77.

- 2197 - (Judiciary, Division A) Veteran service officers; authorize certain action on behalf of a veteran under a power of attorney, provide immunity to. Seymour. i77; cr315; cu513; csa513; v513; ph1861; sp2050; ap2609.
- 2198 - (Judiciary, Division A) Towing; limit charges. Jackson. i78.
- 2199 - (Judiciary, Division A) County prosecuting attorney; clarify authorization to defend persons in criminal prosecutions in any other county. Hickman, et al. i78; cr315; cu337; csa337; v337; ph775; sp780; ap957.
- 2200 - (Judiciary, Division A; Appropriations) Chancery court; provide additional chancellor for 15th Chancery Court District. Barrett. i78.
- 2201 - (Judiciary, Division A; Appropriations) Wrongful conviction; increase compensation award. Jackson. i78.
- 2202 - (Judiciary, Division A) Child support; create presumption that support continues past the age of majority for a disabled child. Parker, et al. i78; cr275; cu354; v354; caa354.
- 2203 - (Public Property) Public land in Rankin County; authorize DFA to assign property to state agencies and establish new Veterans Nursing Home. Kirby, et al. i78; cr276; cu354; v355; caa355; ph776; sc1381; v1385; sp2054; ap2651.
- 2204 - (Accountability, Efficiency, Transparency) Open Meetings Act; court shall void any action taken in violation of. Wiggins. i79.
- 2205 - (Accountability, Efficiency, Transparency) State Veterans Affairs Board; revise appointments to reflect congressional districts at time of appointments. Seymour. i79.
- 2206 - (Insurance; Appropriations) State Health Insurance Plan; provide benefits to surviving spouse/dependent of law enforcement officer killed in the line of duty. Polk. i79.
- 2207 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Butler (38th). i79.
- 2208 - (Medicaid; Appropriations) Women's Economic Security Act of 2023; enact and expand eligibility under federal Patient Protection and Affordable Care Act. Butler (38th). i79.
- 2209 - (Medicaid) Medicaid program; revise reimbursement for telehealth services for community health centers. Jackson. i80.
- 2210 - (Medicaid) Medicaid reimbursements; revise certain provisions relating to a psychiatric residential treatment facility in DeSoto County. Blackwell. i80; cr271.
- 2211 - (Medicaid) Medicaid; bring forward provider assessment provisions. Blackwell. i80.
- 2212 - (Medicaid) Recipients of Medicaid; extend postpartum coverage up to 12 months. Blackwell, et al. i80; cr271; cu440; po440; ru440; v463; caa463; ph1882; sp2050; ap2651.

- 2213 - (Business and Financial Institutions) Funeral service license; revise qualifications to grandfather individuals with certain number of years experience. Jackson. i81.
- 2214 - (Business and Financial Institutions; Accountability, Efficiency, Transparency) Charitable Solicitations; revised reporting period to three years. Jackson. i81.
- 2215 - (Business and Financial Institutions) State depositories; revise definition of "primary capital." Johnson, et al. i81; cr289; cu466; v466; caa467; ph869; sp1023; ap2053.
- 2216 - (Business and Financial Institutions) Financial institutions; authorize offers to improve consumer's credit record, history and rates. Caughman. i81.
- 2217 - (Business and Financial Institutions; Accountability, Efficiency, Transparency) Mississippi Design Professionals Act; enact. Wiggins. i81.
- 2218 - (Business and Financial Institutions) Third-party service; prohibit from using logo or intellectual property belonging to a restaurant without agreement. McMahan. i81; cr289; cu491; csa491; v491; mr516; mrc525; mrp525; v525; ph869; sc2680; v2681; sp2779; ap3634.
- 2219 - (Insurance) Health insurance plans; prohibit from imposing cost sharing requirement for breast cancer screening, diagnostic breast exams. Michel. i82.
- 2220 - (Insurance) Automobile liability insurance coverage; require before receiving tag. Hill. i82.
- 2221 - (Insurance; Appropriations) State Health Insurance Plan; provide benefits to surviving spouse/dependent of law enforcement officer killed in the line of duty. Polk. i82.
- 2222 - (Insurance) Vehicle data; prevent an insurer from using insured's data to determine rates to renew policy unless insured consents. Hill. i82.
- 2223 - (Insurance) Health insurance carriers; require to cap patient cost for prescriptions for insulin drugs. Blackwell. i82.
- 2224 - (Insurance) Commissioner of Insurance; authorize to adopt rules and regulations regarding certain provider reimbursement rates. Blackwell. i83; cr268; cu428; csa428; v428; mr479; mrc488; mrt488; ph869; sc1076; v1086; sp2038; vt2603.
- 2225 - (Business and Financial Institutions) Charitable solicitation; revise reporting period. Jackson. i83.
- 2226 - (Insurance) Wind pool; no more than one deductible per year from named storms. McDaniel. i83.
- 2227 - (Insurance) Federal Home Loan Banks; provide certain rights and procedures regarding collateral. Michel. i83; cr268; cu329; v330; ph861; sp1024; ap2053.
- 2228 - (Insurance) Pet insurance; establish provisions for the sale and renewal of policies. Michel, et al. i84; cr268; cu330; v330; caa330; caa360; ph862; sp1025; ap2053.
- 2229 - (Insurance; Judiciary, Division A) Workers' compensation; increase maximum total recovery and remove cap on permanent total disability compensation. Simmons (12th). i84.

- 2230 - (Judiciary, Division A) Justice court; revise jurisdictional amount. Jackson. i84.
- 2231 - (Judiciary, Division A) Justice court; increase jurisdiction of. McMahan. i84.
- 2232 - (Energy) Community water and wastewater facility system or solid waste program; reduce authorized interim period without certified operator. McDaniel. i84; cr305.
- 2233 - (Judiciary, Division B) Sidearms; authorize next of kin of law enforcement officer killed in the line of duty to purchase. Barrett, et al. i84.
- 2234 - (Veterans and Military Affairs; Highways and Transportation) Commercial driver's license; authorize issuance to military-trained personnel under Military Family Freedom Act. McDaniel. i85.
- 2235 - (Judiciary, Division B) Nonviolent habitual offender; revise sentencing. Simmons (12th). i85.
- 2236 - (Judiciary, Division B; Appropriations) Department of Public Safety; revise provisions related to. Fillingane. i85.
- 2237 - (Judiciary, Division B; Appropriations) Appointed counsel; increase maximum compensation available for representation of indigent defendants. Wiggins, et al. i85.
- 2238 - (Judiciary, Division B) Motor vehicle equipment; revise penalties related to. Michel. i86.
- 2239 - (Judiciary, Division B) Department of Public Safety; authorize officer use of uniforms, weapons and vehicles off duty while performing security services. Barnett. i86; cr303; cu394; csa394; v394; mr398; mrc525; mrt525; ph1862; sdc2445; ca2653; cg2697; cro3542; cra3544; v3544; crah3639; sp3913; ap4082.
- 2240 - (Judiciary, Division B; Appropriations) Misdemeanor warrant management system; direct the establishment of. Barrett. i86.
- 2241 - (Judiciary, Division B) Sex offenders; prohibit employment as first responders without DPS approval. Barrett. i86.
- 2242 - (Judiciary, Division B) Hate crimes; revise delineation of victims. Blount. i86.
- 2243 - (Judiciary, Division B) Assault; revise penalties for aggravating circumstances. McMahan. i86.
- 2244 - (Judiciary, Division B) Kratom; authorize regulation of and prohibit certain products. Tate. i87.
- 2245 - (Judiciary, Division B) Sale of seized weapons; authorize use of proceeds to purchase equipment. England. i87; cr256; cu328; v328.
- 2246 - (Judiciary, Division B) Mississippi Suppressor Freedom Act; enact. Blackwell, et al. i87.
- 2247 - (Judiciary, Division B; Public Health and Welfare) Used mattresses; prohibit resale with certain exemptions. Frazier. i87.

- 2248 - (Judiciary, Division B) Habitual offender; crimes punishable by imprisonment for 5 years or less not considered. Simmons (12th). i87.
- 2249 - (Judiciary, Division B) Habitual offender; crimes committed before 18 years of age not considered. Simmons (12th). i88.
- 2250 - (Judiciary, Division B) Habitual offender; prior felonies with completed sentences more than 10 years prior not considered. Simmons (12th). i88.
- 2251 - (Judiciary, Division B) Habitual offender; revise sentencing under. Simmons (12th). i88.
- 2252 - (Judiciary, Division B) Violent habitual offender; require both previous crimes to have been crimes of violence. Simmons (12th). i88.
- 2253 - (Judiciary, Division B) Violent habitual offender; require jury determination. Simmons (12th). i88.
- 2254 - (Judiciary, Division B) Habitual offender; revise. Simmons (12th). i88.
- 2255 - (Judiciary, Division B) Simple possession of controlled substances; revise certain. Simmons (12th). i88.
- 2256 - (Judiciary, Division B) Marijuana; simple possession of 30 grams or less a civil infraction. Simmons (12th). i88.
- 2257 - (Judiciary, Division B) Controlled substance offenses; revise enhanced penalties. Simmons (12th). i88.
- 2258 - (Judiciary, Division B) County jail census data; facilitate availability of. Simmons (12th). i89.
- 2259 - (Judiciary, Division B) Youthful offenses; revise when may be tried in circuit court. Simmons (12th). i89.
- 2260 - (Judiciary, Division B) DUI; nonadjudication of a first offense for CDL holder who was not operating a commercial vehicle. Simmons (12th). i89.
- 2261 - (Judiciary, Division B) Crimes of violence; revise list of offenses designated as such. Simmons (12th). i89.
- 2262 - (Judiciary, Division B) House burglary; create separate violent and nonviolent offenses. Simmons (12th). i89.
- 2263 - (Judiciary, Division B) Expunction; reduce waiting period for eligibility. Simmons (12th). i89.
- 2264 - (Judiciary, Division B) Expunction; allow after 20 years of good behavior with certain exceptions. Simmons (12th). i90.
- 2265 - (Judiciary, Division B) Misdemeanants; may not possess a weapon under certain circumstances. Simmons (12th). i90.
- 2266 - (Judiciary, Division B) Marijuana; authorize expunction of convictions where amount was under the legally allowed amount of medical cannabis. Simmons (12th), et al. i90.



- 2267 - (Judiciary, Division B) Marijuana; provide for automatic expunction where the amount of marijuana was under the legal amount of medical cannabis. Simmons (12th), et al. i90.
- 2268 - (Judiciary, Division B) Intervention court; amend criteria for participation in. Simmons (12th). i90.
- 2269 - (Judiciary, Division B) Youth court; revise transfer to circuit court. Simmons (12th). i90.
- 2270 - (Elections; Accountability, Efficiency, Transparency) Elections; Secretary of State shall conduct study on the feasibility of allowing students to vote via the internet. Butler (38th). i90.
- 2271 - (Elections) Elections; allow individuals to vote by affidavit if they register after thirty-day cutoff but before election day. Hickman. i91.
- 2272 - (Elections) Early voting; authorize up to 20 days before any election. Simmons (12th). i91.
- 2273 - (Elections; Judiciary, Division B) Vote fraud; increase penalties. Seymour. i91.
- 2274 - (Elections) Absentee voting; authorize every qualified elector. Simmons (12th). i91.
- 2275 - (Elections; Appropriations) Elections; state and counties must equally share the cost of prepaid postage for return mail-in ballots. Hickman, et al. i91.
- 2276 - (Elections; Judiciary, Division A) County court; allow judicial candidates to speak to the venire in. Barrett. i92.
- 2277 - (Elections) Suffrage; provide for restoration upon completion of sentence or placement on probation. Simmons (12th). i92.
- 2278 - (Elections; Judiciary, Division A) Social media companies; require to file a report for any restriction of a candidate or elected official. Social media account. Tate. i92.
- 2279 - (Elections) Elections; authorize online voter registration and preelection day voting. Blount. i92.
- 2280 - (Elections) Restore the Right to Vote Act; create. Turner-Ford. i93.
- 2281 - (Drug Policy; Accountability, Efficiency, Transparency) Mississippi Fentanyl and Drug Abuse Education Program; establish within Department of Mental Health. Hickman, et al. i93; cr313; cu476; v477; caa477.
- 2282 - (Public Health and Welfare) Pseudoephedrine; delete the automatic repealer on the provision that authorizes the distribution of. Fillingane, et al. i94; cr263; cu328; v328; caa360; ph869; sp1023; ap2053.
- 2283 - (Drug Policy; Public Health and Welfare) Uniform Controlled Substances Act; revise schedules. Jordan, et al. i94.
- 2284 - (Labor; Accountability, Efficiency, Transparency) Mississippi Minimum Wage Act; establish. Simmons (12th), et al. i94.

- 2285 - (Labor; Accountability, Efficiency, Transparency) Temporary day workers; protect labor and employment rights of. Simmons (12th) (By Request). i94.
- 2286 - (Labor; Accountability, Efficiency, Transparency) Mississippi Paid Family Leave Act; enact. Butler (38th). i94.
- 2287 - (Labor; Judiciary, Division A) Ban-the-Box Act; enact. Butler (38th). i94.
- 2288 - (Labor; Accountability, Efficiency, Transparency) Mississippi Minimum Wage Act; establish. Jackson. i95.
- 2289 - (Labor; Judiciary, Division A) Law enforcement officers; regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). Sparks, et al. i95.
- 2290 - (Labor; Judiciary, Division A) Law enforcement officers; entitled to certain follow-up drug testing before loss of certification. Sparks, et al. i95.
- 2291 - (Labor; Accountability, Efficiency, Transparency) State Workplace Safety and Health Office; establish under State Board of Health. Simmons (12th). i95.
- 2292 - (Labor; Accountability, Efficiency, Transparency) The Mississippi Family Paid Leave Act; create. Turner-Ford. i95.
- 2293 - (Corrections) Conditional medical release; revise authority of MDOC. Simmons (12th). i96.
- 2294 - (Corrections; Accountability, Efficiency, Transparency) Restitution centers; transition to post-release reentry centers. Simmons (12th). i96.
- 2295 - (Corrections; Accountability, Efficiency, Transparency) Restitution centers; transition to prerelease centers. Simmons (12th). i96.
- 2296 - (Judiciary, Division B) Warrantless search; odor of marijuana insufficient to provide probable cause for. Hickman, et al. i97.
- 2297 - (Judiciary, Division B) Forensics laboratory and Chickasawhay Natural Gas District; revise provisions of. Blackwell. i101; cr303; cu358; v358; ph2054; sdc2505; ca2653; cg2697; cro3544; cra3547; v3547; crah3701; sp3988; ap4077.
- 2298 - (Judiciary, Division B) Bail agents; revise procedure for determining in municipal and justice courts. Wiggins, et al. i101; cr269; cu440; v440; ph1861; sp2050; ap2609.
- 2299 - (Elections; Accountability, Efficiency, Transparency) Mississippi Recall Act of 2023; enact. England. i101.
- 2300 - (Judiciary, Division B) Radar; authorize limited use of by sheriffs. McLendon, et al. i102.
- 2301 - (Elections) Election code; establish provisions for electronic voter registration application and secure website. Blackwell. i102.
- 2302 - (Judiciary, Division B; Education) School enrollment; criminalize the enrollment without establishing domicile. McLendon, et al. i102.

- 2303 - (Judiciary, Division B) Grocery items; prohibit cost-plus pricing without public notice. Norwood. i103.
- 2304 - (Judiciary, Division B; Constitution) Expunction and reenfranchisement; revise procedure for requesting. Norwood. i103.
- 2305 - (Judiciary, Division B) Expungement; consolidate statutes concerning. Norwood. i103.
- 2306 - (Municipalities) Flood and drainage control districts; revise number of directors for certain municipalities. Harkins, et al. i104; cr278; cu357; v357; caa357; mr359; mrc372; mrt372; ph1882; sp2050; ap2651.
- 2307 - (County Affairs; Insurance) Election commissioners; require board of supervisors to provide insurance coverage for. Tate. i104.
- 2308 - (Judiciary, Division B) Municipalities; authorize to assess administrative or civil penalties for zoning violations. Thompson, et al. i104; cr303; cu358; v359.
- 2309 - (Public Property) MDAH property; authorize DFA to clarify donation if certain lands in Claiborne County to U.S. Park Service. Turner-Ford, et al. i104; cr276; cu355; v355; caa355; ph776; sc872; v882; sp1863; ap2609.
- 2310 - (County Affairs) Counties, municipalities and school districts; require to publish their annual budget online. Simmons (12th). i104.
- 2311 - (Municipalities; Accountability, Efficiency, Transparency) Counties; require to participate in the ACT Work Ready Community Initiative. Simmons (12th). i105.
- 2312 - (County Affairs; Accountability, Efficiency, Transparency) County-owned real estate; establish competitive bidding process for lease or sale. Johnson. i105; cr313; cu509; v509; ph776; sc882; v885; sp1863; ap2609.
- 2313 - (Public Property; Accountability, Efficiency, Transparency) Columbia Training School; amend DFA conveyance authority to require consideration that best promotes public interest. Hill. i105.
- 2314 - (Education; Appropriations) Early Learning Collaborative Act of 2013; revise minimum funding levels. Wiggins. i105.
- 2315 - (Public Health and Welfare; Appropriations) Mississippi Rural Physicians Scholarship Residency Program; include emergency medicine students. McLendon. i105.
- 2316 - (Public Health and Welfare) Freedom of consumer choice of health care services; certain hospitals may be a "willing provider". Bryan. i105; cr308.
- 2317 - (Education; Appropriations) Board certified occupational therapists employed by schools; allow to be eligible for salary supplement. McLendon. i106.
- 2318 - (Education) High school graduation; end-of-course assessments required by federal law shall only be required. Sparks. i106.
- 2319 - (Education; Appropriations) Geographical critical teacher shortage area; provide such teachers with salary supplement. Blount. i106.
- 2320 - (Public Health and Welfare) Physicians; no licensing agency can discriminate or take a hostile action against for views on COVID vaccine. Tate. i106.

- 2321 - (Public Health and Welfare) Nuclear medicine; establish definition and terminology. Fillingane. i106.
- 2322 - (Public Health and Welfare) Mississippi Surrogacy and In Vitro Child and Parent Act; enact. Fillingane. i106.
- 2323 - (Public Health and Welfare) Community hospitals; allow consolidation and collaboration involving other hospitals. Fillingane, et al. i107; cr244; cu372; csa372; v373; caa374; ph862; sc2711; v2728; sp2829; ap3807.
- 2324 - (Education; Appropriations) Early Learning Collaborative Act; revise to include three year old children for voluntary prekindergarten. Hickman, et al. i107.
- 2325 - (Education) Our Children's Health Impacts Our Future Law; require notice of the importance of a medical and dental physical. Horhn. i107.
- 2326 - (Public Health and Welfare) Revocation of physicians license by Board of Medical Licensure; provide certain grounds for reinstatement. Horhn. i108.
- 2327 - (Economic and Workforce Development; Appropriations) Community Development Block Grant Coronavirus Funds; direct MDA to draw down federal funds. Horhn. i108.
- 2328 - (Education; Appropriations) Mid-year budget reductions; exempt MAEP funds. Horhn. i108.
- 2329 - (Economic and Workforce Development) Federal Workforce Investment Act; Hinds County shall be a separate workforce investment area. Horhn. i108.
- 2330 - (Public Health and Welfare) Certificate of need; authorize nursing facility in any underserved minority zip code area. Horhn. i108.
- 2331 - (Public Health and Welfare) TANF or Food Stamps; revise to no longer require child support cooperation policy for participation. Hickman. i108.
- 2332 - (Public Health and Welfare) Adolescent residential treatment facilities; require to be certified by the Department of Mental Health. Boyd. i108.
- 2333 - (Education) Public schools; require staff training to assist with seizures. Boyd, et al. i108; cr312; cu561; csa561; v564; caa564; ph1862; sdc2789; ca2817; cg2844.
- 2334 - (Education; Universities and Colleges) State Superintendent of Public Education and Director of the Community College Board; set maximum salaries. DeBar. i109.
- 2335 - (Economic and Workforce Development; Finance) Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee. Parker, et al. i109; cr714; cu727; v727; caa727; ph953; msrp1091; sdc1091; ca2653; cg2698; nca2781; hrcc3104; cu3212; rcc3212.
- 2336 - (Drug Policy; Judiciary, Division A) Prevention of overdoses; authorize administration of opioid antagonists by certain persons, provide immunity to. Boyd, et al. i109; cr316; cu478; v479; vp479; caa479; ph870; msrp1234; sc1234; v1237; sp2055; ap2609.

- 2337 - (Judiciary, Division B) Conspiracy; revise statute of limitations. Sparks, et al. i110; cr303; cu336; v336; ph1861; sp2050; ap2609.
- 2338 - (Energy) Municipal waterworks; ensure just, reasonable and transparent billing in. Carter, et al. i110; cr261; cu269; csa270; v270; caa270; mr270; msrp345; mrc345; mrt345.
- 2339 - (Energy) Provision of law establishing energy efficiency standards for building construction; extend repealer on. Carter, et al. i110; cr293; cu467; csa467; v467; caa467; ph1368; sdc1886; ca2597; cg2698; cro2993; cra2994; v2994; crah3701; sp3951; ap4082.
- 2340 - (Public Health and Welfare) Mississippi Water Quality Accountability Act; create. Carter. i110.
- 2341 - (Energy) Electric transmission infrastructure; maintain state jurisdiction over integrity of. Carter. i110; cr305; cu494; csa494; v494; mr516; mrc638; mrt638; ph775; sp786; ap961.
- 2342 - (Labor; Judiciary, Division A) Ban-the-Box Act; enact. Horhn. i110.
- 2343 - (Judiciary, Division B) Department of Public Safety; revise jurisdiction of. Fillingane, et al. i110; cr314; cu515; csa515; v515; vp515; caa515; mr516; mrc614; mrt614; ph2037; sdc2490; ca2653; cg2698; msrp3630; cu3630; rcc3630; hrcc3633; msrp3910; cro3910; cra3912; v3912; vp3912; mr3913; mrc3924; mrt3924; crah4053; sp4066; ap4086.
- 2344 - (Judiciary, Division B) Capitol Police; clarify jurisdiction over streets adjoining state property. Polk. i110.
- 2345 - (Judiciary, Division B) Tianeptine; classify as a Schedule I substance. Boyd, et al. i111; cr303.
- 2346 - (Judiciary, Division B) Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification. Boyd, et al. i111; cr269; cu488; v488; caa488; caa615; ph2041; sdc2492; ca2653; cg2698; cro3547; cra3550; v3550; crah3701; sp3988; ap4081.
- 2347 - (Judiciary, Division B) Hospital police department; authorize for certain private entities. England, et al. i111; cr269; cu488; v489; mr594; mrc614; mrt614; ph1861; sp2050; ap2651.
- 2348 - (Judiciary, Division B; Appropriations) Capitol police and MDOT officers; require salary to mirror equally ranked members of the Highway Patrol. Tate. i111.
- 2349 - (Judiciary, Division B) Organized retail theft; revise. Seymour. i112.
- 2350 - (Judiciary, Division B) Shoplifting; revise penalties. Seymour. i112.
- 2351 - (Elections; Accountability, Efficiency, Transparency) Elections; allow the Attorney General to investigate alleged election fraud. Tate, et al. i112; cr314; cu509; csa509; v509; caa509; mr516; mrc613; mrp613; v614.
- 2352 - (Elections) Elections; penalty for fraudulently requesting or submitting absentee ballots. Tate, et al. i112; cr309; cu498; csa498; v498; caa498; ph751; sdc843.

- 2353 - (Elections) Poll managers; increase the compensation of. Tate, et al. i112; cr273; cu332; v333; ph751; sdc848; ca2653; cg2698; uc3551; cro3551; cra3555; v3555; crah3701; sp3949; ap4077.
- 2354 - (Elections) Elections; revise procedures regarding voter roll maintenance and monitoring. Hickman. i112.
- 2355 - (Labor; Economic and Workforce Development) Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. Horhn. i113.
- 2356 - (Corrections; Judiciary, Division B) Probation and parole officers; limit number of cases that may be handled. Hill. i113.
- 2357 - (Judiciary, Division B) Garbage trucks; exclude from the definition of "commercial motor vehicle" in the Commercial Driver's License Act. Hickman. i113.
- 2358 - (Elections) Ballot harvesting; ban. Tate, et al. i113; cr273; cu463; csa463; v464; caa464; caa615; ph2043; sc2520; v2520; vp2520; sp2649; ap2775.
- 2359 - (Tourism; Appropriations) Tourism; Mississippi Main Street Revitalization Grant Program. Chassaniol, et al. i114; cr311; cu507; csa507; v507; caa508; ph1368; sdc2550; ca2830; cg2844; cro3555; cra3558; v3558; crah3701; sp3949; ap4077.
- 2360 - (Education) Agricultural high schools; revise board membership. Johnson. i114; cr260; cu348; v349; ph1861; sp2049; ap2609.
- 2361 - (Education) Mississippi Modified School Calendar Grant Program; establish and provide eligibility criteria. DeBar, et al. i114; cr304; cu467; v467; caa467; ph1862; sdc2800; ca2817; cg2845.
- 2362 - (Education) Department of Education; require to provide requested information to House and Senate members within timely manner. DeBar. i114.
- 2363 - (Public Health and Welfare) Practice of Podiatric Medicine; provide certain requirements to perform specific surgeries. DeBar. i114.
- 2364 - (Education) Mississippi Adequate Education Program; bring forward provision related to. DeBar, et al. i115; cr260; cu526; csa526; v526; caa527.
- 2365 - (Education) Accumulated leave time for teachers; allow to transfer. DeBar. i115.
- 2366 - (Insurance) School boards; authorize to vote on providing members and their dependents with health insurance paid for by local funds. DeBar. i115.
- 2367 - (Education; Appropriations) Public School Facilities Grant Program; create and replace Educational Facilities Revolving Loan Program. DeBar. i115; cr312.
- 2368 - (Education) Civics test; require passing score for high school graduates and high school equivalency diploma applicants. Sojourner. i115.
- 2369 - (Public Health and Welfare) Department of Human Services; extend repealers and revise certain applicable sections. Bryan. i115; cr263; msrp429; cu429; csa429; v429; v439; ph870; sc2729; v2734; sp2829; ap3807.

- 2370 - (Economic and Workforce Development) Accelerate Mississippi Workforce Development Program; allow participation of volunteer firefighters. Tate. i116.
- 2371 - (Economic and Workforce Development; Appropriations) American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act; create. Parker, et al. i116; cr310; cu499; v505; caa505; ph1862; sdc2134; ca2653; cg2698; cro3213; cra3220; v3220; crah3701; sp3949; ap4081.
- 2372 - (Appropriations) Mississippi Hospital Sustainability Grant Program; establish and provide eligibility for funds. Blackwell, et al. i116; cr309; cu523; csa523; v523; caa524; ph953; sdc2061; ca2657; cg2665; nca2860; cro3459; cra3461; v3461; crah3701; sp3952; ap4081.
- 2373 - (Universities and Colleges; Appropriations) Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program; establish. Parks, et al. i117; cr311; cu473; csa473; v475; caa475; ph862; sp954; ap1744.
- 2374 - (Universities and Colleges; Appropriations) Nurse Teacher Loan Repayment Program; establish. Parks. i117.
- 2375 - (Judiciary, Division A) Mississippi Rental Purchase Agreement Act and Residential Landlord Tenant Act; bring forward provisions related to. Johnson. i117.
- 2376 - (Judiciary, Division A) Youth court; clarify that disclosure of certain records in criminal matters do not require youth court approval. Johnson. i117; cr315; cu478; v478; ph2037; sc2178; v2182; sp2611; ap2774.
- 2377 - (Judiciary, Division A) CPS; enact Mississippi Safe Haven Law, establish clear path to permanency for children in custody of. Boyd, et al. i117; cr314; cu509; csa510; v510; caa510.
- 2378 - (Insurance) Reciprocal Insurance; revise provisions relating to sworn declarations and memberships of boards of directors. Michel. i119.
- 2379 - (Judiciary, Division A) Code books; revise number required to be ordered from publisher. Sparks. i119; cr275; cu393; v393; ph776; sdc885; ca2654; cg2819.
- 2380 - (Judiciary, Division A) Supreme court; require to promulgate rules requiring the disclosure of all entities financially interested in litigation. Wiggins. i119; cr315; cu511; v511.
- 2381 - (Medicaid; Judiciary, Division A) Medicaid; authorize liquidated damages in requests for proposals, bring forward provision related to. Wiggins. i119; cr275; cu333; v333.
- 2382 - (Judiciary, Division A) Out-of-state lawyers; disclosure required in certain advertisements if not licensed to practice law in Mississippi. Wiggins. i120; cr275; cu333; v333; ph1368; sdc2442; ca2654; cg2819; cro3679; cra3682; v3682; crah4053; sp4066; ap4079.
- 2383 - (Judiciary, Division A) Firearms, firearm entities and knives; prohibit governmental entities from entering into certain contracts regarding. Seymour. i120.
- 2384 - (Judiciary, Division A) Foster Care and Adoption Task Force; create. Boyd, et al. i120; cr314; cu510; csa510; v510; caa511; ph1862; sdc2451; ca2654; cg2698; cro3682; cra3685; v3685; crah4053; sp4064; ap4082.

- 2385 - (Judiciary, Division A) Child support; withhold gaming prizes of persons who have outstanding child support arrearages. Michel. i120.
- 2386 - (Judiciary, Division A) Mississippi Safe Haven Law; enact. Boyd. i120.
- 2387 - (Judiciary, Division A) Termination of parental rights or an adoption; require notice to AG and require hearing within certain time frame. McCaughn, et al. i121.
- 2388 - (Municipalities; Business and Financial Institutions) Contractors; allow to do business in any municipality or county without local license under certain conditions. Horhn. i121.
- 2389 - (Judiciary, Division A) Youth records; authorize member of Legislature to inspect upon written release. Seymour. i121.
- 2390 - (Veterans and Military Affairs) Executive Director of the State Veterans Affairs Board; appointed by Governor with advice and consent of Senate. Seymour. i121; cr272; cu332; v332; mr338; mrc344; mrt344.
- 2391 - (Judiciary, Division A) Circuit court; prohibit political candidates from addressing the public during court terms. Tate. i122.
- 2392 - (County Affairs; Judiciary, Division A) Fees for county garbage collection; revise provision related to. McCaughn, et al. i122; cr276; cu353; csa353; v353; vp353; mr353; mrc609; mrp609; v611; ph752; sc1379; v1381; sp2049; ap2609.
- 2393 - (Insurance) Workers' compensation; increase maximum total recovery, remove permanent total disability compensation cap. Jackson, et al. i122.
- 2394 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Simmons (12th), et al. i122.
- 2395 - (Judiciary, Division A) Gas stoves; enjoin federal rules or regulations prohibiting the sale or possession of. Chism, et al. i123.
- 2396 - (Insurance) Health Insurance Coverage for Fertility Preservation Services Act; enact. Frazier. i123.
- 2397 - (Medicaid) Medicaid services; bring forward section for purpose of possible amendment. Blackwell. i123.
- 2398 - (Judiciary, Division A) Judgments; prohibit from bearing interest at a rate greater than 10 percent. Bryan. i123.
- 2399 - (Judiciary, Division A) Structured Settlements; judge who approved settlement must approve transfer, transferee to disclose any application rejections. Bryan. i123.
- 2400 - (Business and Financial Institutions) Garnishment; requires the state to comply with federal Anti-Garnishment act amount limitations. Bryan. i124.
- 2401 - (Judiciary, Division A) Child-support award guidelines; revise. Bryan. i124.
- 2402 - (Constitution) Business and financial institutions; disallow 2% charge for ad valorem tax when paying with a debit card. McLendon. i124.



- 2403 - (Judiciary, Division A; Appropriations) 17th and 23rd Circuit Court Districts; increase number of assistant district attorneys. McLendon. i124.
- 2404 - (Judiciary, Division A; Judiciary, Division B) Cyberstalking; authorize injunction when criminal charges filed. Norwood. i124.
- 2405 - (Elections; Constitution) Suffrage; provide for restoration upon completion of sentence and other conditions. Norwood. i124.
- 2406 - (Elections) Qualifying to run for public office; prohibit use of post office box and require physical address of residence. Norwood. i125.
- 2407 - (Judiciary, Division B) Responsible Firearm Purchasing Act; enact. Norwood. i125.
- 2408 - (Judiciary, Division B) Law enforcement pursuits; require municipalities and counties to develop policies regarding. Norwood. i125.
- 2409 - (Judiciary, Division B) Shoplifting merchandise; provide that certain second offenses within 5 years are felonies. Hill. i125.
- 2410 - (Judiciary, Division B; Appropriations) Sworn law enforcement officers; provide supplemental pay for certain. Hill. i125.
- 2411 - (Wildlife, Fisheries and Parks; Judiciary, Division B) Hunting on streets and railroads; clarify prohibition on. Seymour. i126.
- 2412 - (Judiciary, Division B) Scrap metal dealers; bring forward provisions related to. Thompson. i126.
- 2413 - (Judiciary, Division B) Assault; remove additional criminal assessment for misdemeanor offenses. Suber, et al. i126.
- 2414 - (Drug Policy; Judiciary, Division B) Marijuana; civil penalty for simple possession of 30 grams or less. Blackmon. i126.
- 2415 - (Judiciary, Division B) Dementia; require law enforcement training to recognize. Horhn. i126.
- 2416 - (Judiciary, Division B; Appropriations) Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; revise provision creating. Suber. i126.
- 2417 - (Judiciary, Division B) The Crown Act; enact to prohibit discrimination based on hairstyles in workplace and schools. Turner-Ford, et al. i127.
- 2418 - (Judiciary, Division B) Bail; revise procedure for determining in municipal and justice courts. Sparks. i127.
- 2419 - (Elections) Ease Access to Suffrage (EASE) Act; enact. Hickman. i127.
- 2420 - (Judiciary, Division B) Public Funds Offender Registry; create. England. i127; cr256; msrp349; cu349; tsc351; rt372; v372; ph1861; sp2051; ap2609.
- 2421 - (Elections) Right to vote; restore automatically once a person has completed all sentencing requirements for disenfranchising crime. Blackmon. i128.

- 2422 - (Judiciary, Division B) Driver's license; authorize issuance of hardship license to persons suspended for being out of compliance with order for support. Blackmon. i128.
- 2423 - (Elections) Elections; require that candidates receive majority of votes in general election to be elected to statewide office. Tate, et al. i128; cr273; cu464; csa464; v464; caa464.
- 2424 - (Elections) Municipal executive committee; prohibit members of from campaigning for candidates on the municipal primary election ballot. Blackmon. i128.
- 2425 - (Elections) Online voter registration; implement. Blackmon. i128.
- 2426 - (Elections) Voting rights; restore to people who have been released from incarceration. Blackmon. i129.
- 2427 - (Elections) Municipal executive committee; revise procedure for filing vacancies of. Blackmon. i129.
- 2428 - (Elections) Early voting; authorize up to 21 days before any election. Blackmon. i129.
- 2429 - (Elections) Early voting; authorize. Horhn. i130.
- 2430 - (Elections; Appropriations) Elections; Elections Support Funds allocation amendment. Parker. i130.
- 2431 - (Energy) Holly Springs Utility Department; reconstitute and give control over to Marshall County. Whaley. i130.
- 2432 - (Appropriations) MS Municipality & County Water Infrastructure Grant Program Act; amend to clarify eligibility of rural water associations. Younger. i130.
- 2433 - (Finance) Regulation of public utilities; exempt distribution of water by eligible homeowners association to its own residents from. Michel. i131; cr273; cu487; v487; ph795; sp955; ap1744.
- 2434 - (Finance) Urban Flood and Drainage Control Act; delete provision of law authorizing districts to levy assessments on certain property under. Hill. i131.
- 2435 - (Energy; Finance) Orphaned Well Partnership Program; create. Harkins. i131.
- 2436 - (Energy) Microgrid and Grid Resiliency Act; create. Harkins. i131.
- 2437 - (Public Health and Welfare) Mississippi Water Quality Accountability Act; create. Horhn. i131.
- 2438 - (Labor; Judiciary, Division B) Fresh Start Act of 2019; expand. Horhn. i131.
- 2439 - (Labor; Accountability, Efficiency, Transparency) Labor; Mississippi Minimum Wage Act. Horhn. i131.
- 2440 - (Labor; Accountability, Efficiency, Transparency) The Mississippi Family Paid Leave Act; establish. Horhn. i132.
- 2441 - (Labor; Accountability, Efficiency, Transparency) Labor; protect temporary or day laborer employment rights. Jackson. i132.

- 2442 - (Drug Policy; Judiciary, Division A) Emergency Response and Overdose Prevention Act; amend to expand the distribution and use of opioid antagonists. Boyd, et al. i132.
- 2443 - (Elections; Accountability, Efficiency, Transparency) Diversity of appointments; ensure representation of race and gender in appointed government positions. Horhn. i132.
- 2444 - (Appropriations) ARPA programs; revise provisions related to certain programs. Hopson. i132; cr271; cu320; v320; ph953; sdc2062; ca2658; cg2665; cu3461; rcc3461; hrcc3504; cro3926; cra3938; v3938; crah4053; sp4067; ap4077.
- 2445 - (Appropriations) Unencumbered cash balance; revise distribution of certain amount to the 2022 Capacity Project Fund. Branning. i132.
- 2446 - (Appropriations) Appropriations; revise certain transfers, fund authority, and FY2023 appropriations. Hopson. i133; cr271; cu340; csa340; v340; ph953; sdc2083; ca2658; cg2665; cu3461; rcc3461; hrcc3504.
- 2447 - (Rules) Legal holidays; designate June 19 as Juneteenth Freedom Day. Blackmon. i133.
- 2448 - (Finance) Distinctive motor vehicle license tag; authorize for supporters of the Magnolia Speech School. Harkins. i133; cr252; cu324; csa324; v324.
- 2449 - (Finance) Sales and use taxes; specify for computer software services and products delivered electronically in Mississippi. Harkins, et al. i133; cr307; cu401; v401; ph2037; sc2621; v2643; sp2787; ap3634.
- 2450 - (Accountability, Efficiency, Transparency) Open Meetings Act; bring forward for purposes of possible amendment. Harkins. i133.
- 2451 - (Finance) Income tax; exclude forgiven, cancelled or discharged federal student loan debt from definition of "gross income." Blount. i133; cr273.
- 2452 - (Finance) Personalized license tag; veterans are exempt from additional fee. Sojourner. i133.
- 2453 - (Appropriations) ARPA Rural Water Associations Infrastructure Grant Program; clarify that certain entities are eligible to participate in. Sparks. i134.
- 2454 - (Appropriations) Budget; revise provisions related to and provide for transfers. Hopson. i134; cr271; cu319; v319; ph954; sdc2117; ca2658; cg2665; cu3461; rcc3461; hrcc3504; msrp3979; cro3979; cra3983; v3983; crah4053; sp4067; ap4086.
- 2455 - (Finance) Motor vehicle sales and distribution; provide for independence of dealership tier. Sparks, et al. i134.
- 2456 - (Finance) Bonds; create a rural counties and municipalities emergency infrastructure loan program and authorize issuance of bonds. Simmons (12th). i134.
- 2457 - (Appropriations) Repair Our Infrastructure (ROI) Act; enact. Harkins. i134.
- 2458 - (Finance) 2023 Mississippi Tax Rebate Fund; establish and provide for one-time income tax rebate from. Harkins. i135; cr311.

- 2459 - (Finance) Income tax; reduce and phase out rate on taxable income of individuals above \$10,000. Caughman, et al. i135.
- 2460 - (Appropriations) General Funds; FY2024 appropriation to Alcorn State university for environmental science program. Butler (36th), et al. i135.
- 2461 - (Appropriations) General Funds; FY2024 appropriation to Alcorn State University to strengthen support of poultry science programs. Butler (36th), et al. i136.
- 2462 - (Appropriations) General Funds; FY2024 appropriation to Alcorn State University to support animal science research and extension programs. Butler (36th), et al. i136.
- 2463 - (Appropriations) Coronavirus State Fiscal Recovery Fund; FY2024 appropriation to Alcorn State University to improve fiber-optic broadband network. Butler (36th), et al. i136.
- 2464 - (Appropriations) General Funds; FY2024 appropriation to Claiborne County for renovation of county library. Butler (36th). i136.
- 2465 - (Appropriations) Appropriation FY 2024; to Department of Revenue to distribute tax rebates. Harkins. i136.
- 2466 - (Appropriations) General Funds; FY2024 appropriation to Claiborne County for improvement and construction of community facilities. Butler (36th). i136.
- 2467 - (Appropriations) State General Funds; FY2024 appropriation to Claiborne County for repairs and improvements to historical structures in the county. Butler (36th). i136.
- 2468 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY 2024 appropriation to Claiborne County for a Stormwater Management Program. Butler (36th). i136.
- 2469 - (Appropriations) Coronavirus State Fiscal Recovery Fund; FY2024 appropriation to Alcorn State University to improve water and sewer systems. Butler (36th), et al. i136.
- 2470 - (Appropriations) General Funds; FY2024 appropriation to Alcorn State University for STEM-related programs. Butler (36th), et al. i137.
- 2471 - (Appropriations) General Funds; FY2024 appropriation to Alcorn State University to upgrade roadways and sidewalks. Butler (36th), et al. i137.
- 2472 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Horhn. i137.
- 2473 - (Finance) Sales tax; increase distribution to municipalities, and extend Educational Facilities Revolving Loan Fund repealer. Johnson. i137.
- 2474 - (Accountability, Efficiency, Transparency) Capitol Complex Improvement District; bring forward provisions of law related to for purposes of possible amendment. Polk. i137.
- 2475 - (Accountability, Efficiency, Transparency) Public Records Act; exempt personal identifying information for Department of Marine Resources license holders from. Moran. i137.

- 2476 - (Accountability, Efficiency, Transparency) Provision of law regulating state purchase and use of wireless communication devices; bring forward for possible amendment. Kirby. i137.
- 2477 - (Finance) 2023 Mississippi Tax Rebate Fund; establish and provide for one-time income tax rebate from. Hopson. i137.
- 2478 - (Finance) Legislature; allow PERS retirees to receive retirement allowance while serving as a member of. Norwood. i138.
- 2479 - (Finance) PERS; reduce vesting period from 8 years to 4. Norwood. i138.
- 2480 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Emergency Road and Bridge Repair Fund to be utilized by MDOT. Branning. i138.
- 2481 - (Finance) Historic property income tax credit; allow taxpayer to elect rebate in place of credit at any time after certification. Harkins. i138.
- 2482 - (Finance) Motor vehicles; allow Department of Revenue to transmit liens and receive lien satisfactions electronically. Harkins. i138; cr252; cu340; v340.
- 2483 - (Accountability, Efficiency, Transparency) Mississippi State Employee Maternity Leave Act; create. Hickman, et al. i139.
- 2484 - (Public Health and Welfare) Pharmacy Benefit Manager; revise certain requirements of. Parks, et al. i139; cr292; caaw304; caaw311; uco337; caaw359.
- 2485 - (Public Health and Welfare) Early Intervention Act for Infants and Toddlers; add certain individuals to definition of qualified personnel. Hickman, et al. i140; cr309; cu498; v498; caa498; ph1882; sp2051; ap2609.
- 2486 - (Universities and Colleges) Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections. Parks. i140; cr269; cu351; v351; ph776.
- 2487 - (Universities and Colleges; Appropriations) Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish. Parks, et al. i140; cr312; cu508; csa508; v508; caa508; ph1862; sdc2446; ca2654; cg2698; cu3566; rcc3566; hrcc3633; hrcc3695; msrp3698; cu3698; rcc3698; cro3784; cra3789; v3789; crah3998; sp4067; ap4079.
- 2488 - (Universities and Colleges; Appropriations) Mississippi Promise Scholarship Act; enact and provide certain provisions of. Parks. i140.
- 2489 - (Public Health and Welfare; Appropriations) Specialty Doctors to Rural Hospitals Grant Program; establish and provide eligibility. Blackmon. i141.
- 2490 - (Universities and Colleges) Reinforcing College Education on America's Constitutional Heritage (REACH) Act; create. Hill. i141.
- 2491 - (Corrections; Judiciary, Division B) Probation and parole; require offenders to authorize warrantless searches related to weapon or firearm offenses. McMahan. i141.
- 2492 - (Energy) Electric vehicle charging; allow by non-utilities while maintaining consumer protections. Carter. i142; cr292; cu336; v336.

- 2493 - (Judiciary, Division B) Wiretaps; authorize for felony crimes unrelated to narcotic offenses. Boyd. i142.
- 2494 - (Energy) Mississippi Telephone Solicitation Act; transfer enforcement authority to Attorney General's Office. Carter, et al. i142; cr293; cu493; csa493; v493; caa494.
- 2495 - (Corrections; Appropriations) State inmates; require MDOC to pay increased rate to house inmates in county jails. Sparks, et al. i142; cr309; cu505; v507; caa507; ph1862; sdc2141; ca2597; cg2698; cro2838; cra2841; v2841; hrcc2860; mr3102; msrp3102; mrc3102; mrp3102; rcc3102; cro3566; cra3569; v3569; crah3917; sp3952; ap4077.
- 2496 - (Accountability, Efficiency, Transparency) MDOC; require performance audit of. Sparks. i142; cr277.
- 2497 - (Elections) Mississippi Elections Integrity Act of 2023; enact. McDaniel. i142.
- 2498 - (Elections) Mississippi Elections Integrity Act of 2023; enact. McDaniel. i143.
- 2499 - (Elections) Statewide Elections Management System; compare identification databases to ensure noncitizens are not registered to vote. McDaniel. i143.
- 2500 - (Elections) Mississippi Recall Act of 2023; enact. McDaniel. i144.
- 2501 - (Elections) Elections; Secure our Primaries Act. McDaniel. i144.
- 2502 - (Elections) Elections and election personnel; make certain revisions. Chism. i145.
- 2503 - (Elections) Elections; candidates for any office must file documentation of United States citizenship. Sojourner. i145.
- 2504 - (Elections) Elections; prohibit incumbent candidates from appearing in publicly funded ads leading up to statewide general elections. Sojourner. i145.
- 2505 - (Elections) Election Integrity Act; create. Sojourner. i145.
- 2506 - (Elections) Voter registration; require verification of an applicant's U.S. citizenship. Sojourner. i146.
- 2507 - (Elections) "Mississippi Recall Act of 2023"; enact. Sojourner. i146.
- 2508 - (Elections) Mississippi Recall Act of 2021; enact. Sojourner. i147.
- 2509 - (Elections) Elections; Secure our Primaries Act. Sojourner. i147.
- 2510 - (Economic and Workforce Development) Counties and municipalities; authorize to enter into public-private partnership for purpose of economic development. Branning. i147.
- 2511 - (Appropriations) Destination marketing organizations; bring forward provision related to. Chassaniol, et al. i148; cr309; cu321; csa321; v321; caa321; ph1368; sdc2123; ca2658; cg2698.
- 2512 - (Accountability, Efficiency, Transparency) Counties; authorize to designate ARPA funds to rural water and sewer associations for infrastructure projects.

Younger, et al. i148; cr306; cu397; csa397; v397; caa398; ph863; sdc2679; ca2830; cg2849; cro3569; cra3570; v3570; crah3701; sp3951; ap4077.

- 2513 - (Tourism) Designate American Quarter Horse as the "Official State Horse of the State of Mississippi." Hickman. i148.
- 2514 - (Accountability, Efficiency, Transparency) Secretary of State; clarify authority to transfer land records to Department of Archives and History. Parker. i148; cr306; cu394; v394; ph870; sdc2734; ca2780; cg2845; cro3570; cra3571; v3571; crah3701; sp3951; ap4077.
- 2515 - (Municipalities; County Affairs) Counties and municipalities; modernize and simplify notice publication process for. Hill. i148.
- 2516 - (Municipalities; Judiciary, Division B) Counties and municipalities; prohibiting use of automated recording equipment to track motor vehicle liability insurance. Seymour, et al. i148.
- 2517 - (Accountability, Efficiency, Transparency) Mississippi Regional Preneed Disaster Cleanup Act; create. Hill. i148.
- 2518 - (Local and Private) City of Batesville; extend repealer on hotel/motel & restaurant tourism tax. Boyd, et al. i149; cr669; cu707; v707; ph953; sp1023; ap2053.
- 2519 - (Local and Private; Finance) Town of Monticello; authorize tourism tax on restaurants, hotels and motels. Barrett. i149; cr2596; cu2617; v2617; ph2843; sp3110; ap4059.
- 2520 - (Local and Private) City of Waynesboro; extend repealer on authority to levy tax on hotels, motels, restaurants and bars. DeBar. i149; cr2526; cu2678; rc2678.
- 2521 - (Local and Private) Town of Carrollton; extend repealer on provision of law authorizing to levy tax on sales of restaurants. Chassaniol. i149; cr669; cu707; v707; ph953; sp1023; ap2053.
- 2522 - (Accountability, Efficiency, Transparency; Forestry) Forestry; abolish Forestry Commission and transfer duties to Division of Forestry in MS Department of Agriculture & Commerce. Sojourner. i149.
- 2523 - (Agriculture) Pecan Harvesting Law; revise penalties for violating. Seymour, et al. i150; cr292; cu493; v493; caa493; ph1862; sc2145; v2146; sp2598; ap2774.
- 2524 - (Forestry; Education) Sixteenth Section land; authorize long-term contracts for sale of certain forest products. McCaughn. i150; cr304; cu336; v336.
- 2525 - (Forestry; Finance) Forestry; create the Forestry Facility Grant Program. McCaughn, et al. i150; cr307; cu496; csa496; v496; caa497; ph869; sp1023; ap2053.
- 2526 - (Wildlife, Fisheries and Parks) Pat Harrison Waterway District; authorize municipalities to join. Tate. i150; cr282; cu334; v334; ph751; sp780; ap957.
- 2527 - (Highways and Transportation; Appropriations) Highways; require four-laning of portions of Highway 6 in Coahoma, Panola and Quitman Counties. Jackson. i150.

- 2528 - (Highways and Transportation; Judiciary, Division B) Railroad right-of-way; unlawful to enter and remain upon without the permission of the owner or operator. Jackson. i150.
- 2529 - (Highways and Transportation) Highways; dedicate a section of Highway 145 to Bishop Leroy Horne. Hickman. i151; cr262.
- 2530 - (Ports and Marine Resources) "Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate. Blount, et al. i151; cr306; cu495; v496; caa496; ph870; sdc2441; ca2596; cg2670; cro2856; cra2856; v2856; mr3102; crah3701; mrc3703; mrt3703; sp3952; crah3997; ap4076.
- 2531 - (Highways and Transportation) Highways; recognize Representative Alyce Clarke and amend dedication rules for members of public office. Horhn. i151; cr262.
- 2532 - (Highways and Transportation) Highways and Transportation; dedicate the Second Creek Bridge to Boyd Sojourner. Sojourner. i151; cr262.
- 2533 - (Highways and Transportation) Highways and Transportation; dedicate the Second Creek Bridge on Liberty Road to James Carter. Sojourner. i151; cr262.
- 2534 - (Wildlife, Fisheries and Parks) Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides. Seymour, et al. i151; cr282; cu491; v491; caa491; ph1862; sdc2147; ca2654; cg2698; cro3571; cra3573; v3573; crah3701; sp3950; ap4077.
- 2535 - (Wildlife, Fisheries and Parks; Accountability, Efficiency, Transparency) Commission on Wildlife, Fisheries and Parks; convert into advisory commission. Seymour. i151.
- 2536 - (Wildlife, Fisheries and Parks) Transactions in game animals; clarify that any exception to prohibition must appear in same chapter of code. Suber, et al. i152.
- 2537 - (Agriculture; Finance) Cottage food operation; increase maximum annual gross sales and authorize to advertise over the internet. Sojourner. i152.
- 2538 - (Accountability, Efficiency, Transparency) Mississippi Regional Pre-Need Disaster Clean Up Act; create. Williams, et al. i152; cr276; cu356; v356; caa356; ph2037; sdc2756; ca2780; cg2845; cro3606; cra3622; v3622; crah3701; sp3950; ap4077.
- 2539 - (Highways and Transportation; Finance) All-terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads. Suber. i152; cr308.
- 2540 - (Wildlife, Fisheries and Parks) Wildlife; affirm state's duty to protect and defend for public interest. Suber, et al. i152.
- 2541 - (Highways and Transportation) Mississippi Transportation Commission; amend statute listing powers to make minor technical correction. Suber. i153.
- 2542 - (Highways and Transportation) Highways; dedicate a section of Highway 8 to Jeremy Allen Voyles. Suber. i153; cr262; msrp391; cu391; v392.



- 2543 - (Wildlife, Fisheries and Parks) Chronic wasting disease; bring forward code sections for the purpose of possible amendment. Whaley, et al. i153; cr282; cu334; csa334; v334; caa334.
- 2544 - (Ports and Marine Resources) Department of Marine Resources; update authority regarding regulation of oyster beds and water bottoms. Thompson, et al. i153; cr306; cu531; v541; caa541; ph870; sdc2442; ca2596; cg2670; cu2857; rcc2857; hrcc2860; cro3221; cra3236; v3236; crah3635; sp4058; ap4081.
- 2545 - (Highways and Transportation) Highways; dedicate a section of Highway 35 to Constable Raye Hawkins. Boyd, et al. i153; cr262; msrp391; cu391; v392; ph1862; sp2038; ap2609.
- 2546 - (Highways and Transportation) Highways; dedicate a section of Highway 51 to Deputy Joe Kenneth Cosby. Boyd, et al. i153; cr262; msrp391; cu391; v392; ph1862; sp2051; ap2609.
- 2547 - (Highways and Transportation) Highways; dedicate a section of Highway 315 to Nolan Mettetal. Boyd, et al. i154; cr262; msrp391; cu391; v392; caa392; ph1862; sp2051; ap2610.
- 2548 - (Forestry) Motor vehicles; clarify that vehicle length restrictions are the same for day and night operation. McCaughn, et al. i154; cr258; cu348; v348; ph869; sp1024; ap2053.
- 2549 - (Ports and Marine Resources) Management authority of Mississippi Dept. of Marine Resources; conform definition of "Marina". Moran. i154.
- 2550 - (Ports and Marine Resources) Commercial crabbing licenses; applicable to boat instead of each fisherman. Moran, et al. i154; cr306; cu470; v470; caa470; ph869; sp1025; ap2053.
- 2551 - (Ports and Marine Resources) Department of Marine Resources, Office of Marine Patrol; cooperate with federal law enforcement. Moran, et al. i154; cr306; cu470; v471; caa471; ph870; sdc2442; ca2596; cg2670; cro2857; cra2857; v2857; crah3701; sp3952; ap4077.
- 2552 - (Economic and Workforce Development) MS Comprehensive Workforce Training & Education Consolidation Act of 2004; extend repealer on code sections conformed to. Parker. i154; cr253; cu345; v347.
- 2553 - (Education; Appropriations) Charter school funding; revise funding formula. Norwood, et al. i155.
- 2554 - (Judiciary, Division A) Mississippi Fair Housing Act; enact. Horhn. i155.
- 2555 - (Highways and Transportation) Highways; include certain entrances and exits to and from Interstate 55 in the state highway system. Horhn. i156.
- 2556 - (Wildlife, Fisheries and Parks) Qualifications for appointment as a conservation officer; clarify. Whaley. i156; cr282; cu335; v335; ph1863; sdc2806; ca2817; cg3107; cro3622; cra3624; v3624; crah3701; sp3950; ap4078.
- 2557 - (Wildlife, Fisheries and Parks) Mississippi Outdoor Stewardship Act; bring forward code sections for purpose of possible amendment. Whaley. i156.
- 2558 - (Wildlife, Fisheries and Parks) MS Outdoor Stewardship Trust Fund; acquired lands must be for public benefit and use until July 1, 2024. Branning. i156.

- 2559 - (Highways and Transportation) Transportation; delete repealer on harvest permit authorization and fees. Branning. i156; cr262; cu392; v392; ph776; sdc851; ca950; cg1883; msrp3491; cro3491; cra3494; v3494; crah3917; sp4058; ap4078.
- 2560 - (Education) School district graduation requirement; allow certain alternatives when Mississippi History is required. Kirby. i156.
- 2561 - (Highways and Transportation) Highways; make the MS Transportation Commission vote on use of ERBR Fund monies majority instead of unanimous. Branning. i156; cr262; cu393; v393; ph775; uc791; sp956; ap1745.
- 2562 - (Highways and Transportation) Transportation; allow public and private partnerships to establish electric vehicle charging stations. Branning. i156; cr263; cu528; v528; ph775; sp786; ap957.
- 2563 - (Ports and Marine Resources) Bottom land leasing for oyster production; clarify authority of the Mississippi Department of Marine Resources. Moran, et al. i157.
- 2564 - (Ports and Marine Resources) Mississippi Comprehensive Coastal Conservation and Restoration Act of 2023; enact. Thompson, et al. i157; cr274.
- 2565 - (Housing; Appropriations) Neighborhood Housing Rehabilitation Program (NHRP); direct Mississippi Home Corporation to establish using federal funds. Simmons (12th). i157.
- 2566 - (Highways and Transportation) Disposal of airport property; revise procedure. Tate. i157.
- 2567 - (Highways and Transportation) Transportation; expand the times required for motor vehicle headlight usage. Simmons (13th), et al. i157.
- 2568 - (Highways and Transportation) Mississippi Department of Transportation; require to pick up animal carcasses within thirty days. Jackson. i158.
- 2569 - (Highways and Transportation) Transportation; allow and regulate autonomous vehicles. Williams, et al. i158; cr306; cu495; csa495; v495.
- 2570 - (Highways and Transportation; Finance) Recreational off highway vehicles; authorize operation on county roads subject to registration and other requirements. Chism, et al. i158.
- 2571 - (Highways and Transportation; Finance) State Highway Fund; provide annual income tax and monthly sales and use tax distributions to. Bryan. i159.
- 2572 - (Public Health and Welfare) Medical Radiation Technology; extend repealer on provisions related to. Bryan. i159.
- 2573 - (Public Health and Welfare) Mississippi Individual On Site Wastewater Disposal System Law; extend repealer on. Bryan. i159.
- 2574 - (Public Health and Welfare) Health and safety standards set by the State Board of Health; require counties to comply. Bryan. i159; cr309; cu544; v551.
- 2575 - (Public Health and Welfare) State Department of Health; provide that health insurers may not deny the right to participate as a contract provider. Bryan, et al.

- i159; cr309; cu551; csa551; v552; caa615; ph862; sc2694; v2695; sp2820; ap3634.
- 2576 - (Public Health and Welfare) Community Mental Health and Intellectual Disability Centers and Programs; bring forward code sections. Bryan. i160; cr292; cu494; v494.
- 2577 - (Education) Corporal punishment; prohibit administration of in public and charter schools for disciplinary matters. Norwood. i160.
- 2578 - (Education) Compulsory school attendance law; require of kindergarten-age children. Norwood. i160.
- 2579 - (Public Health and Welfare) Health care program; create for special needs patients. Frazier. i160.
- 2580 - (Universities and Colleges; Appropriations) MTAG; repurpose and rename, revise provisions of HELP Grant. Parks. i160; cr312.
- 2581 - (Universities and Colleges) Commission on College Accreditation; revise technical provision related thereto. Parks. i160; cr269; cu352; v352; ph775; sp780; ap957.
- 2582 - (Public Health and Welfare) Board of Cosmetology; increase fines for certain actions and revise licensing requirements and appeals process. Parks. i161.
- 2583 - (Public Health and Welfare) Health Care Certificate of Need Law; repeal. Hill. i161.
- 2584 - (Public Health and Welfare) Health care CON review; party requesting or appealing a hearing on application is responsible for costs and attorney fees. Blackwell. i161.
- 2585 - (Education) William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program; revise provisions of. Blount, et al. i162; cr304; cu468; v468; caa468; ph1863; sdc2806; ca2817; cg2845.
- 2586 - (Education) Computer science curriculum; clarify terminology to specify who may provide instruction in. DeLano, et al. i162; cr304; cu468; v468; caa469; ph1863; sdc2474; ca2654; cg2781; cro3236; cra3237; v3237; crah3701; sp3950; ap4078.
- 2587 - (Education) School enrollment; allow for children with documentation of a parent's pending military relocation to the state. DeLano. i162.
- 2588 - (Highways and Transportation) "Commissioner Dick Hall Hospitality Station"; MDOT to designate Warren County Welcome Center as. Branning, et al. i162; cr262; cu528; v528; caa528; ph775; sp787; ap957.
- 2589 - (Highways and Transportation) West Rankin Parkway; expand permission for use of federal funds. Kirby. i162; cr263; cu529; v529; ph775; sp780; ap957.
- 2590 - (Universities and Colleges) Mississippi State University authority to lease property for public-private partnership student housing; increase term. Williams. i163; cr269; cu352; v352; ph775; sp787; ap957.
- 2591 - (Public Health and Welfare; Appropriations) Supplementary state food stamp program for elderly recipients; create and fund. Norwood, et al. i163.

- 2592 - (Finance) Retired teachers; allow to draw retirement benefits and be reemployed as teachers subject to certain conditions. Norwood, et al. i163.
- 2593 - (Universities and Colleges; Finance) Jackson State University; provide for the construction of a six hundred room student housing project. Simmons (12th), et al. i163.
- 2594 - (Economic and Workforce Development; Appropriations) Mississippi Youth Career and Workforce Preparation Grant Program; create. Parker. i163.
- 2595 - (Economic and Workforce Development) ARPA Workforce Development and Retention Act; provide expiration date of grant funds. Parker, et al. i164; cr253; cu325; v326; caa326; ph1863; sdc2147; ca2654; cg2698; cro2994; cra2995; v2995; crah3639; sp3916; ap4082.
- 2596 - (Economic and Workforce Development) Mississippi Nonprofit Transparency Act; create. Parker, et al. i164; cr253; cu347; v347; caa347; mr374; mrc402; mrt402; caa615.
- 2597 - (Economic and Workforce Development) Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004; extend repealer on. Parker. i164; cr253; cu325; v325.
- 2598 - (Public Health and Welfare) Personal care homes; require licensure and regulations of those providing living arrangements for one or more persons. Norwood. i164.
- 2599 - (Education) State funded schools; may participate in extracurricular activities against non accredited and nonpublic schools. Johnson, et al. i164; cr304; cu468; v468; caa468.
- 2600 - (Public Health and Welfare) Regional commission of community mental health board; revise membership of. Wiggins. i164.
- 2601 - (Education) State Early Childhood Advisory Council; prescribe additional duties and include more members. Wiggins. i165.
- 2602 - (Highways and Transportation) Highway Memorials; designate segment of Highway 25 to Kash McGraw and Bridge to Stacey Ricks. Branning. i165; cr262; cu392; csa392; v392; ph1862; sp2038; ap2610.
- 2603 - (Finance) Digital Asset Mining Protection Act; create. Harkins. i165; cr307; cu487; csa487; v487.
- 2604 - (Appropriations) Mississippi Emergency Telecommunicators Act; create. Williams. i165.
- 2605 - (Municipalities; County Affairs) Counties and municipalities; remove mandate to require permits as a condition to construction. Johnson. i165.
- 2606 - (Judiciary, Division A) Homeowners; limit premises liability for injury sustained by a person or company hired for repair. Johnson. i165.
- 2607 - (Judiciary, Division A; County Affairs) Involuntary civil commitments; limit county's liability for costs of medical treatment. Thompson, et al. i165.

- 2608 - (Veterans and Military Affairs) United States Space Force; references to "Armed Forces" in Mississippi law shall include members of. Younger. i165; cr272; cu332; v332.
- 2609 - (Judiciary, Division A; Finance) Grandparents; authorize the payment of support for assuming primary care of grandchildren, create tax credit for. Norwood, et al. i166.
- 2610 - (Judiciary, Division A; Appropriations) Circuit court judges and chancellors; increase annual stipend for support staff and law clerks. Barrett. i166.
- 2611 - (Judiciary, Division A) Adoption; authorize court to waive home study requirement, criminalize disclosure of records. Parker. i166.
- 2612 - (County Affairs; Municipalities) Residential builders and remodelers; revise license examination for certain license applicants. Suber, et al. i166; cr278; cu466; csa466; v466; caa615; ph954; msrp1386; sdc1386; ca2614; cg2698; cu3624; rcc3625; hrcc3633; msrp3791; uc3791; cro3791; rcf3798; v3798; vp3798; cra3798; v3798; vp3798; crah3998; sp4067; vt4085.
- 2613 - (Medicaid) Nonemergency transportation providers; extend date by which providers may provide service without a permit. Parker. i166; cr271; cu331; v331; ph2041; sdc2183; ca2654; cg2699; msrp3495; cu3495; rcc3495; hrcc3504; cro3686; cra3688; v3688; crah3917; sp3953; ap4078.
- 2614 - (Insurance) Health benefit plan; allow electronic delivery of certain communications. Michel. i167.
- 2615 - (Insurance) Contract personnel; authorize to purchase base plan of the State and School Employees' Health Insurance Plan. Michel. i167; cr268; cu349; v349; ph862; sc1009; rtc1011; sc1884; v1886; sp2598; ap2774.
- 2616 - (Appropriations) Real Estate Commission; decrease fees charged by. Michel, et al. i167; cr271; cu320; v320; caa320; ph954; sdc2123; ca2658; cg2666; cro3462; cra3462; v3462; crah3997; sp4068; ap4079.
- 2617 - (Insurance) Fire insurance policies; exclude provisions related thereto from applying to builders' risk policies. Michel. i167; cr268; cu330; v330.
- 2618 - (Insurance) Health insurance; Commissioner of Insurance must approve rate filings containing an increase in premiums. Norwood. i167.
- 2619 - (Business and Financial Institutions) Commercial Financing Disclosure Law. Sparks. i167.
- 2620 - (Veterans and Military Affairs; Finance) Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating. England. i167.
- 2621 - (Veterans and Military Affairs; Finance) Disabled veterans discounted motor vehicle license tags; bring forward. Harkins. i167.
- 2622 - (Insurance) Mississippi Prior Authorization Reform Act; enact. Michel, et al. i168; cr268; cu329; csa329; v329; caa329; caa360; ph776; sc996; v1007; mr1367; mrc1372; mrt1372; sp2038; vt2605.
- 2623 - (Insurance) Mississippi State and School Employees' Life and Health Insurance Plan Task Force; establish. DeBar. i168; cr268; cu331; v331; ph862; sp1024; ap2053.

- 2624 - (Insurance; Appropriations) Helping Heroes Act; provide certain benefits for law enforcement and first responders diagnosed with PTSD. DeLano. i169.
- 2625 - (Gaming; Finance) Gaming; authorize aboard cruise vessels on the Pearl River or adjoining water within a city with a population of 145,000 or more. Horhn. i169.
- 2626 - (Medicaid; Appropriations) Medicaid; provide increased reimbursement rate for hospitals in counties with high unemployment and doctor shortage. Blackmon. i169.
- 2627 - (Medicaid) Recipients of Medicaid; extend postpartum coverage up to 12 months. Horhn. i169.
- 2628 - (Medicaid; Appropriations) Medicaid eligibility; provide coverage of the Program of All-Inclusive Care for the Elderly. Blackmon. i169.
- 2629 - (Medicaid) Medicaid coverage; coverage for eligible women up to 12 months postpartum. Blackmon. i170.
- 2630 - (Medicaid) Division of Medicaid; apply for necessary waivers to eliminate waiting period services. Blackmon. i170.
- 2631 - (Medicaid; Appropriations) Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. Blackmon. i170.
- 2632 - (Judiciary, Division A) Land; prohibit ownership by certain nonresident aliens within an established radius of a military installation. Carter. i170.
- 2633 - (Judiciary, Division A) Limited English proficient individuals; make certain amendments related to. Fillingane. i170.
- 2634 - (Judiciary, Division A) Child support; allow criminal charges three years after the child turns twenty-one. Fillingane. i171; cr315; cu478; v478; ph1863; sc2147; v2148; sp2649; ap2774.
- 2635 - (Insurance) Lender-placed insurance on real property; provide framework for regulating. Michel. i171.
- 2636 - (Judiciary, Division A) Secretary of State; authorize certain notices by electronic mail. Williams. i171.
- 2637 - (Accountability, Efficiency, Transparency) Initiative measure; create procedures for qualified elector to propose amendment to the Mississippi Code of 1972. Blount, et al. i171.
- 2638 - (Accountability, Efficiency, Transparency) Ballot initiative measure process; revise the statutory provisions of. McCaughn, et al. i172; cr313; msrp571; cu571; csa571; v571.
- 2639 - (Accountability, Efficiency, Transparency) Elections; bring forward all code sections concerning the ballot initiative for possible amendment. Harkins. i172.
- 2640 - (Judiciary, Division A; Appropriations) CPS; revise certain provisions to establish clear path to permanency for children in custody of. Wiggins. i172.

- 2641 - (Judiciary, Division A; Appropriations) Youth court; provide right of representation and notice to CPS in proceedings involving certain children. Wiggins. i173.
- 2642 - (Insurance) Military insurance premium discount; allow motor vehicle and homeowner insurance premium discount for military personnel. DeBar. i173.
- 2643 - (Judiciary, Division A) Age of majority; revise. DeBar. i173.
- 2644 - (Judiciary, Division A) Divorce; authorize where marriage is irretrievably broken. Wiggins, et al. i174; cr315; cu572; v572.
- 2645 - (Judiciary, Division A; Appropriations) Circuit court districts; increase number of assistant district attorneys and criminal investigators. Wiggins, et al. i175; cr316; cu573; csa573; v573; caa573; ph1863; sdc2453; ca2654; cg2781; nca2843.
- 2646 - (Insurance) Health insurance policies; provide coverage for certain developmental or physical disabilities. Boyd. i175.
- 2647 - (Business and Financial Institutions; Judiciary, Division A) Real estate licensee; revise liability. Boyd, et al. i175; cr315; cu513; csa513; v513; caa514; mr516; mrc525; mrt525; ph751; sc1373; v1378; sp2055; ap2610.
- 2648 - (Business and Financial Institutions) Financial Institutions; Earned wages access. Johnson. i175; cr289; cu492; v492.
- 2649 - (Insurance) Minority; remove for beneficiaries of certain insurance policies. DeBar, et al. i175; cr268; cu428; csa428; v429; caa429; ph862; sp956; ap1745.
- 2650 - (Business and Financial Institutions) Public funds depositories; authorize certain credit unions to qualify as. Horhn. i175.
- 2651 - (Business and Financial Institutions; Public Health and Welfare) Mississippi Savings Initiative; create. Horhn. i175.
- 2652 - (Judiciary, Division A) Mississippi Vulnerable Person Abuse Registry; create. Boyd, et al. i176; cr275; cu464; csa465; v465; caa465; ph870; sc1011; v1016; sp2039; ap2610.
- 2653 - (Judiciary, Division A) Nonprofit corporations which receive public funds; require reporting to Secretary of State. McCaughn, et al. i176; cr275; cu490; v490; caa490.
- 2654 - (Judiciary, Division A) Female genital mutilation; prohibit and create civil cause of action. Hill. i176.
- 2655 - (Judiciary, Division A; Appropriations) Circuit court judges and chancellors; increase annual stipend for office operations, support staff and law clerks. Hickman, et al. i177.
- 2656 - (Medicaid; Corrections) Special Care Facility for Paroled Inmates; bring forward provisions for possible amendment. Wiggins. i177.
- 2657 - (Appropriations) Department of Public Safety; revise salaries of officers. Hill. i177.
- 2658 - (Appropriations) Mississippi Main Street Association; bring forward code sections related to. McCaughn. i177.

- 2659 - (Appropriations) State General Funds; FY2024 appropriation to City of Macon for purchase of fire trucks and equipment. Turner-Ford. i177.
- 2660 - (Appropriations) Budget; exempt DPS from prohibition against charging for services or resources received. Wiggins. i177.
- 2661 - (Appropriations) State General Funds; appropriation to Jackson State University for construction of athletic stadium. Horhn. i178.
- 2662 - (Appropriations) State employee salaries; direct State Personnel Board to implement across-the-board increase. Simmons (12th), et al. i178.
- 2663 - (Appropriations) Mississippi Historic Site Preservation Fund; revise grant eligibility and require annual report. Hopson, et al. i178; cr271; cu321; v321; caa321; ph953; sp1863; ap2610.
- 2664 - (Appropriations) Appropriations; revise certain FY2023 appropriations and direct transfers. Hopson. i178; cr272; cu486; v487; ph954; sc2681; v2681; sp2788; ap3634.
- 2665 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Suber. i179.
- 2666 - (Finance) Distinctive motor vehicle license tags; reauthorize for supporters of the Mississippi Sweet Potato Council. Suber. i179.
- 2667 - (Accountability, Efficiency, Transparency) Open Meetings law; amend to include Legislature and provide judicial enforcement of. Barrett, et al. i179.
- 2668 - (Accountability, Efficiency, Transparency) Disparity study; require MDA to file copies with the Legislature by not later than December 31, 2023. Horhn. i179.
- 2669 - (Accountability, Efficiency, Transparency) Counties and municipalities; prohibit surcharge on certain payments by credit or debit cards. Jackson. i179.
- 2670 - (Accountability, Efficiency, Transparency) State Truth Commission; establish. Horhn. i179.
- 2671 - (Accountability, Efficiency, Transparency) Open Meetings Law; require official meetings to be broadcast via video livestream applications, with exceptions. Boyd. i180.
- 2672 - (Accountability, Efficiency, Transparency) MS Public Records Act; exempt certain private information of persons conducting in-state operations. England. i180.
- 2673 - (Accountability, Efficiency, Transparency) Mississippi Real Estate Appraisal Board; make independent from Mississippi Real Estate Commission. Polk, et al. i180; cr276; cu465; v465; caa466; ph1368; sdc2735; ca2780; cg2845; cro3625; cra3625; v3625; crah3702; sp4000; ap4078.
- 2674 - (Labor; Accountability, Efficiency, Transparency) Mississippi Department of Labor; create. Simmons (12th). i180.
- 2675 - (Universities and Colleges; Accountability, Efficiency, Transparency) IHL equipment leasing and purchase program; raise expenditure threshold. Thompson. i181.



- 2676 - (Rules) Legal holidays; remove Confederate Memorial Day and designate June 19 as Juneteenth Freedom Day. Simmons (12th), et al. i181.
- 2677 - (Rules) Confederate Memorial Day; remove from list of legal holidays. Turner-Ford, et al. i181.
- 2678 - (Accountability, Efficiency, Transparency) Department of Child Protection Services; separate agency from the Department of Human Services. Wiggins, et al. i181; cr277; cu356; v356; caa357.
- 2679 - (Rules) National Statuary Hall Selection Commission; create for recommending two new Mississippi statues at U.S. Capitol. Simmons (12th), et al. i182.
- 2680 - (Rules) Designate the Kemp's Ridley as "The Official State Sea Turtle of the State of Mississippi". Thompson. i182.
- 2681 - (Finance) Mississippi Development Authority; clarify time trigger for tax exemption cutoff under Growth and Prosperity Act. Harkins. i182; cr252; cu371; csa371; v371; mr376; mrc391; mrc391; v391; ph953; sp1026; ap2053.
- 2682 - (Accountability, Efficiency, Transparency) Elections; nonbinding ballot initiative concerning potential Medicaid expansion. McMahan. i182.
- 2683 - (Finance) Homestead exemption; allow veterans with service connected, total disability to apply after April 1 in year of home purchase. Barrett. i182.
- 2684 - (Finance) Children's Promise Act; revise definition of "eligible charitable organization." McCaughn. i183; cr252; cu371; v371.
- 2685 - (Finance) Income tax; authorize a credit for taxpayers who serve as volunteer firefighters. Hickman. i183.
- 2686 - (Finance) Alcoholic beverages; authorize the direct shipment of wine. Michel. i183.
- 2687 - (Finance) Alcoholic beverages; authorize the sale of wine in grocery stores. Michel. i183.
- 2688 - (Finance) Sales tax; exempt sales to Mississippi Aquarium in Gulfport. Carter. i184.
- 2689 - (Finance) Sales taxation; exempt sales to Head Start programs. Jackson. i184.
- 2690 - (Finance) Alcoholic beverages; reduce privilege tax for package retailer's permits for locations in cities with a population of 5,000 or less. Jackson. i184.
- 2691 - (Finance) Sales taxation; exempt sales to certain community action agencies exempted from federal income taxation. Jackson. i184.
- 2692 - (Finance) Bonds; repeal authorization for unissued bonds and replace with cash funds. Harkins, et al. i184; cr253; cu400; csa400; v400; caa401; ph954; msrp1752; sdc1752; ca2655; cg2699; hrcc3104; msrp3158; cu3158; rcc3158.
- 2693 - (Finance) Distinctive motor vehicle license tag; authorize for supporters of the Mississippi Road Builders Association. Harkins. i186.

- 2694 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Barrett. i186.
- 2695 - (Finance) Tourism Project Incentive Program; extend deadline for MDA issuance of certificates approving participants. Chassaniol. i186; cr307; cu401; v401; ph954; sdc1016; ca2655; cg2699; cro3647; cra3648; v3648; crah4054; sp4064; ap4079.
- 2696 - (Finance) Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement. Boyd, et al. i186; cr273; cu342; v342; caa342; ph2521; sdc2559; ca2655; cg2699; msrp2992; cu2992; rcc2992; hrcc3104; msrp3158; cro3158; uc3159; cra3160; v3160; crah3996; sp4060; ap4082.
- 2697 - (Finance) Oil and gas severance taxes; extend repealers on lower rate for production from horizontally drilled wells. Carter, et al. i186; cr253; cu341; v341; caa341.
- 2698 - (Finance) Ad valorem tax; extend time for partial exemption and fee-in-lieu of ad valorem tax agreement for certain renewable energy projects. Fillingane. i187; cr307; cu371; csa371; v371; ph954; sc1086; v1091; sp2051; ap2651.
- 2699 - (Finance) Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing. McMahan. i187.
- 2700 - (Finance) Homestead; provide full exemption for unremarried surviving spouse of U.S. military member killed on active duty or training. DeBar, et al. i187; cr714; cu725; v726; caa726; ph953; sp1026; ap2053.
- 2701 - (Finance) Mississippi Income Tax Holiday Act of 2023; create. Michel. i187.
- 2702 - (Finance) Mississippi Farm Reform Act; extend authority for issuance of general obligation bonds for Emerging Crops Fund. Younger. i188.
- 2703 - (Finance) Driver's license fees; waive for applicants in MDCPS custody. Simmons (12th), et al. i188; cr273; cu324; v324; ph954; sc1017; v1017; sp2040; ap2610.
- 2704 - (Finance) First Responders Retirement Incentive; create. DeLano. i188.
- 2705 - (Finance) Sales tax; exempt sales of tangible personal property or service to 5th Squad Veteran Nonprofit. Seymour, et al. i188.
- 2706 - (Finance) Sales tax; exempt sales of groceries. Hickman, et al. i188.
- 2707 - (Finance) Sales tax; exempt sales of groceries in August. Hickman, et al. i188.
- 2708 - (Finance) Sales tax; exempt sales of coins, currency and bullion. Tate. i189.
- 2709 - (Finance) Tourism project sales tax incentive program; include certain hotel projects in. Horhn. i189.
- 2710 - (Finance) Bonds; authorize issuance to assist Jackson Municipal Airport Authority with Aeroplex Development Project. Horhn. i189.
- 2711 - (Finance) Bonds; authorize issuance of general obligation bonds for the Ayers Restoration Fund. Horhn. i189.

- 2712 - (Finance) PERS; reduce vesting period for retirement benefits from eight years to four years. Jackson. i189.
- 2713 - (Finance) Emerging Crops Fund; increase amount that may be loaned to any one borrower to assist in financing minority economic development. Horhn. i189.
- 2714 - (Finance) Off-Road Commercial Operations Gas Tax Rebate Study Committee; create. Thompson. i189.
- 2715 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Wiggins, et al. i190.
- 2716 - (Judiciary, Division A) Chancery; revise continuing jurisdiction in domestic matters where parties no longer reside in county. Wiggins. i190.
- 2717 - (Technology) Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto. DeLano. i190; cr258; cu427; csa427; v427; ph776; sp787; ap958.
- 2718 - (Universities and Colleges; Appropriations) MDITS; establish paid internship program under. DeLano. i190.
- 2719 - (Technology) Attorney General; require reporting of breach of security to. Williams. i191.
- 2720 - (Public Property; Appropriations) Tax-forfeited land certified to state; authorize Secretary of State to withhold 10% for the cost of tree removal. Blount. i191; cr310; cu471; v472; mr516.
- 2721 - (Accountability, Efficiency, Transparency) Transfer of tax-forfeited land by the Secretary of State to public agencies; clarify procedures. Turner-Ford. i191.
- 2722 - (Public Property; Appropriations) "North Forty" property; authorize DFA to purchase. Michel. i191; cr310; cu472; v472; ph776; sp787; ap958.
- 2723 - (Public Property; Appropriations) Former First Christian Church property within the Capitol Complex; authorize DFA to purchase. Turner-Ford. i191; cr310; cu472; v472; ph776; sc1007; v1009; sp2040; ap2610.
- 2724 - (Accountability, Efficiency, Transparency) Department of Public Safety building project and contract; exempt from certain public purchasing requirements. Kirby. i191; cr313; cu508; v508; ph953; sp1026; ap2053.
- 2725 - (County Affairs; Municipalities) Counties and Municipalities; remove mandate to require construction permits and restore local discretion. DeBar. i191.
- 2726 - (County Affairs; Municipalities) Counties and municipalities; restore discretion whether to require permitting for construction. Suber, et al. i192.
- 2727 - (Technology) Mississippi Office of Space and Technology; create and direct Mississippi Development Authority to administer. Moran, et al. i192; cr258; cu427; v427.
- 2728 - (Technology) Statewide master agreements and utilization of information technology acquisitions made by other entities; authorize. DeLano. i192; cr258; cu427; v427; ph776; sc885; v886; sp1864; ap2610.

- 2729 - (Technology; Judiciary, Division A) Limitation of liability requirements for information technology contracts; clarify. DeLano. i192; cr275; cu489; csa489; v489; ph870; sdc2061; ca2614; cg2819; cro3625; cra3626; v3626; crah3702; sp3952; ap4078.
- 2730 - (Accountability, Efficiency, Transparency) Municipal annexation; require an election be held in the proposed annexation territory. McLendon. i192.
- 2731 - (Finance) Annual tax assessment; revise deadline to file protest of. Blackwell. i192.
- 2732 - (Tourism; Appropriations) Tourism; create the Mississippi Golf Association Grant Program. Thompson. i192.
- 2733 - (Judiciary, Division A; Finance) Tax sale; county to retain any overbid amount and landowner prohibited from requesting recovery of. Blackwell. i193.
- 2734 - (County Affairs) County boards of supervisors; permit to expend federal funds during the last term of office of such board. Hill. i193; cr269; cu331; v331; ph751; sc871; v871; sp1864; ap2610.
- 2735 - (Accountability, Efficiency, Transparency) Mayoral veto power; clarify scope of. Hill. i193; cr306; cu394; mrp396; v397; mr479; mrc612; mrp612; v612.
- 2736 - (Finance) Endow Mississippi Program tax credits; extend time period for authorization. Harkins. i193; cr307; cu324; v324.
- 2737 - (Education) School attendance location of students; allow students to transfer to other school districts subject to availability and approval. Johnson. i193.
- 2738 - (Universities and Colleges) Alcorn State University; update code to reflect correct name reference. Butler (36th). i193.
- 2739 - (Public Health and Welfare; Appropriations) Mississippi Tele emergency Services Grant Program; create. Blackmon. i193.
- 2740 - (Education; Appropriations) "Mississippi Universal Prekindergarten Program Act of 2023"; create. Blackmon. i194.
- 2741 - (Universities and Colleges; Appropriations) Jackson State University; create program to construct new football stadium. Norwood, et al. i194.
- 2742 - (Education; Appropriations) Mississippi School Safety Guardian Act; enact. DeBar. i195.
- 2743 - (Education; Appropriations) School Safety Guardian Program; establish. Hill. i195.
- 2744 - (Public Health and Welfare) Certificate of need; remove certain facilities from list that require such certificate from the Department of Health. England. i195.
- 2745 - (Public Health and Welfare; Appropriations) Mississippi Hospital Recovery Trust Program; create to provide grants to public hospitals at high financial risk. Simmons (12th). i195.
- 2746 - (Appropriations) Women's Economic Security Act of 2023; create. Turner-Ford. i196.

- 2747 - (Public Health and Welfare) Chiropractic Neurologists; allow advertising as in Lee County, Mississippi. McMahan. i196.
- 2748 - (Education; Appropriations) SkillPath 300 Program; workforce development program to be administered by the Department of Education. Horhn. i197.
- 2749 - (Education; Appropriations) School board members; increase pay. Hopson, et al. i197; cr272; cu352; csa352; v353; caa353; ph1863; sdc2474; ca2654; cg2781; cro3789; cra3791; v3791; crah4053; sp4061; ap4078.
- 2750 - (Public Health and Welfare; Appropriations) Automated External Defibrillators in Public Places Grant Program; establish. Hopson, et al. i197; cr310; cu560; v560; caa561; ph862; sc2728; v2728; sp2830; ap3807.
- 2751 - (Education) Sixteenth Section lands; no law, ordinance or regulation shall prohibit school districts from using for educational facilities. Hopson, et al. i197; cr304; cu469; v469; caa469; ph1862; sp2052; ap2610.
- 2752 - (Education) School social workers and psychologists; authorize districts to employ and receive partial state reimbursement for salaries of. Blackmon. i197.
- 2753 - (Education) School curriculum; require comprehensive Mississippi History course for public school students in Grade 9. Blackmon. i197.
- 2754 - (Education; Appropriations) Salary supplement; provide to experienced teachers willing to relocate and teach in an "F"-designated school. Blackmon. i197.
- 2755 - (Education; Appropriations) Assistant teachers; provide "C," "D" and "F" districts with additional positions. Blackmon. i198.
- 2756 - (Public Health and Welfare) Certificate of need; direct issuance for an existing ambulatory surgical center. Blackmon. i198.
- 2757 - (Education; Appropriations) MAEP; increase adjustment to base student cost for at-risk students. Blackmon. i198.
- 2758 - (Public Health and Welfare; Appropriations) African American Resident Physician Scholarship Program; establish. Blackmon. i198.
- 2759 - (Public Health and Welfare) Rural hospital transfer to major hospital; prescribe certain conditions on such transfer when doctor deems medically necessary. Blackmon. i198.
- 2760 - (Judiciary, Division A) Mississippi Help Not Harm Act; enact. Hill, et al. i198.
- 2761 - (Education) Parents' Bill of Rights; enact. McDaniel. i199.
- 2762 - (Education) School districts and political subdivisions; prohibit from implementing mask and Covid vaccine mandates. Sojourner. i200.
- 2763 - (Education) Families' Rights and Responsibilities Act; enact. Hill. i200.
- 2764 - (Education) Parental rights in education; prohibit instruction regarding sexual orientation or gender identity in K-12. McDaniel. i200.
- 2765 - (Education) "Mississippi Families' Rights and Responsibilities Act"; enact. Hill, et al. i201.

- 2766 - (Education) School immunization requirements; provide religious exemption. McDaniel. i201.
- 2767 - (Education) School vaccinations; authorize exemption upon objection of parent on religious grounds. Hill. i201.
- 2768 - (Public Health and Welfare) Anatomical gifts and organ transplant; prohibit person from being denied based on their COVID vaccination status. Hill. i202.
- 2769 - (Education) School immunization; authorize exemption from requirements for religious beliefs. Sparks. i202.
- 2770 - (Judiciary, Division A) Gender reassignment surgery; criminalize performance of upon minors. Tate, et al. i202.
- 2771 - (Judiciary, Division B) Marijuana; legalize. Simmons (12th), et al. i202.
- 2772 - (Universities and Colleges) Universities; enact the Forming Open and Robust University Minds Act. McDaniel. i203.
- 2773 - (Judiciary, Division A) The Defense of Title IX Act; enact. Hill, et al. i203.
- 2774 - (Education) Tebow law; prohibit public school from denying a nonpublic school student participation in extracurricular activities. McDaniel. i203.
- 2775 - (Education) Nonlicensed school employees; compensate for absences at a rate set by school boards but not less than federal minimum wage. Williams. i203.
- 2776 - (Medicaid) TANF Benefits; require applicants to participate in mandatory community service programs to qualify. Sojourner, et al. i203.
- 2777 - (Education; Appropriations) School attendance officers; revise to increase the minimum base salary. Simmons (13th), et al. i204; cr310; cu552; csa552; v559; caa559; mr595; mrc614; mrp614; v615; caa615.
- 2778 - (Education; Appropriations) Program for gifted education; require school districts to provide for academically gifted students in Grades 6 through 12. Simmons (13th), et al. i204.
- 2779 - (Education; Appropriations) Psychologist to Schools Grant Program; establish. Simmons (13th), et al. i204.
- 2780 - (Education; Appropriations) Assistant teachers; increase minimum salary. Simmons (13th), et al. i204.
- 2781 - (Judiciary, Division A) Mississippi Access to Maternal Assistance Program; create and provides for duties and responsibilities. Williams, et al. i204; cr315; cu477; v477; caa477; ph863; sdc2057; ca2654; cg2699; cro3688; cra3691; v3691; crah4055; sp4064; ap4082.
- 2782 - (Public Health and Welfare) Death certificates; require medical examiners report COVID 19 as cause of death when applicable. Jackson. i204.
- 2783 - (Education) Schools; require carbon monoxide detectors in all. Jackson. i205.
- 2784 - (Judiciary, Division A) Discrimination or affirmative action programs; prohibit in State of Mississippi. McDaniel. i205.

- 2785 - (Universities and Colleges) Tenure programs for public university faculty; phase out. McDaniel. i205.
- 2786 - (Education) Salary of State Superintendent of Education; shall not exceed salary of the Governor. McDaniel. i205.
- 2787 - (Universities and Colleges) Civic literacy requirement for high school students; require before enrolling in college or university in this state. McDaniel. i205.
- 2788 - (Education) Social studies high school graduation requirements; revise. McDaniel. i206.
- 2789 - (Universities and Colleges; Appropriations) Foster care children; allow free access to museums and state parks, allow free transcripts from colleges and junior colleges. Hickman. i206.
- 2790 - (Education; Appropriations) Patriotic Education Grant Program; establish. Chassaniol. i206.
- 2791 - (Public Health and Welfare) Nurse practitioners; authorize to dispense legend drugs to patients. Blackwell. i206.
- 2792 - (Education) Mississippi Released Time Education Act; enact. McDaniel. i207.
- 2793 - (Public Health and Welfare) Midwifery; provide for licensure and regulation of. Blackwell. i207.
- 2794 - (Public Health and Welfare; Appropriations) Department of Human Services; require to transfer at least 30% of TANF block grant to Child Care and Development Fund. Simmons (12th), et al. i207.
- 2795 - (Public Health and Welfare; Appropriations) Temporary Assistance for Needy Families; revise provisions of and lower eligibility for certain scholarship programs. Simmons (12th), et al. i208.
- 2796 - (Public Health and Welfare) Advanced practice registered nurses; revise certain provisions relating to, including collaboration requirement. Blackwell. i208.
- 2797 - (Public Health and Welfare) Mississippi State Asylum Records; provide procedures and exempt from confidentiality and privilege requirements. Blount. i209; cr263; cu374; csa374; v374; ph862; sp1025; ap2053.
- 2798 - (Economic and Workforce Development; Appropriations) Mississippi Work and Save Program; create. Chassaniol. i209.
- 2799 - (Public Health and Welfare) Volunteer Health Care Services Act; create. McDaniel. i210.
- 2800 - (Public Health and Welfare; Appropriations) Medication Aide Certification program; allow such aide to participate in medication administration when certified. Bryan. i210.
- 2801 - (Education) Civics Test; require passing score for high school graduates and high school equivalency diploma applicants. McDaniel. i210.
- 2802 - (Public Health and Welfare) "No Patient Left Alone Act"; enact. McDaniel. i211.

- 2803 - (Accountability, Efficiency, Transparency) Occupational Licensing Review Board; revise membership. Hill. i211.
- 2804 - (Judiciary, Division A) TANF; prohibit assistance to persons convicted of multiple felonies. Sojourner, et al. i211.
- 2805 - (Judiciary, Division A) Mandatory COVID-19 vaccination of Mississippi residents as condition of employment; prohibit based on religious belief. Sojourner. i211.
- 2806 - (Judiciary, Division A) Applicants for TANF benefits; repeal section that required drug testing as condition of eligibility. Simmons (12th), et al. i211.
- 2807 - (Education) West Bolivar Consolidated School District; deconsolidate to form the West Bolivar, Shaw and Benoit School Districts. Simmons (12th). i211.
- 2808 - (Economic and Workforce Development) Mississippi Flexible Tax Incentive Act; bring forward code sections for the purpose of possible amendment. Parker. i212.
- 2809 - (Education) Dyslexia Therapy Scholarship for Students with Dyslexia Program; expand to allow certified academic language therapists (CALT). England. i212.
- 2810 - (Economic and Workforce Development) MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming sections. Parker. i212; cr253; cu326; csa326; v326; ph1863; sdc2149; ca2654; cg2699; cro2995; cra3099; v3099; crah3639; sp3751; ap4078.
- 2811 - (Education) Local supplement for assistant teachers; prohibit school districts from reducing when given state minimum raise. DeBar, et al. i213; cr304; cu469; csa469; v469; caa470.
- 2812 - (Education) Board for administration of certain failing school district; extend date of repeal. DeBar. i213; cr304; cu470; v470; ph1863; sdc2475; ca2654; cg2781; msrp3630; cro3630; cra3631; v3631; crah3702; sp4000; ap4078.
- 2813 - (Education; Appropriations) Tim Tebow Act; allow homeschooled children to participate in extracurricular activity within their school district. DeBar. i213.
- 2814 - (Education) Department of Education; require to disseminate information about the department's 24/7 Online Tutoring Program. Turner-Ford, et al. i213.
- 2815 - (Public Health and Welfare) Department of Human Services; create governing board. Turner-Ford, et al. i214.
- 2816 - (Public Health and Welfare) Practice of medicine; revise definition, licensure procedures and disciplinary procedures under the Medical Practice Act. Wiggins. i214.
- 2817 - (Public Health and Welfare) Mississippi Burn Center; revise provisions related thereto. Polk, et al. i215; cr263; cu329; v329; mr338; caa360; mrc604; mrp604; v609.
- 2818 - (Appropriations) Jackson Water Reimbursement Grant Program; establish. Blount, et al. i215.
- 2819 - (Public Health and Welfare; Appropriations) Screening & approval program for over-the-counter availability & retail sale of products; establish through Department of Health. Wiggins. i215.



- 2820 - (Education) "Transparency in Education Act"; prohibit certain curriculum in public schools without parental consent. Hill. i215.
- 2821 - (Judiciary, Division B) State Board of Physical Therapy; authorize Board to issue subpoenas. Wiggins. i216.
- 2822 - (Public Health and Welfare) Board of Funeral Services; revise certain duties, powers and licensing requirements. Wiggins. i216.
- 2823 - (Accountability, Efficiency, Transparency) IHL; require to allocate funding for nonresident students to student financial aid programs. Polk. i216.
- 2824 - (Education) Elections; allow an excused absence for compulsory-school-age children to serve as poll workers on election day. Tate. i217.
- 2825 - (Accountability, Efficiency, Transparency) State agencies; prohibit radio and TV advertising to promote agency programs except in certain instances. Sojourner. i217.
- 2826 - (Judiciary, Division A) "Mississippi Marital Contract at Common Law Recording Act"; enact. McDaniel. i217.
- 2827 - (Judiciary, Division A) Mississippi Free Range Parenting Act; enact. McDaniel. i217.
- 2828 - (Judiciary, Division A) Purchase of public or private real estate located in Mississippi by members of the Chinese Communist Party; prohibit. McDaniel. i218.
- 2829 - (Accountability, Efficiency, Transparency) Federal regulations; require specific authorization by the Legislature by state enforcement. McDaniel. i218.
- 2830 - (Tourism; Finance) Tourism; revise list of entities that may not have interest in wholesalers or distributors. Chassaniol. i218; cr308; cu497; v497.
- 2831 - (Municipalities) Pearl River Valley Water Supply District; add two board members from the City of Jackson. Horhn. i218.
- 2832 - (Judiciary, Division B) Firearms; interpose state law in place of any federal law confiscating firearms. McDaniel. i218.
- 2833 - (Elections) "Fair Access to Elections Act"; enact certain requirements regarding the conduct of elections. McDaniel. i218.
- 2834 - (Judiciary, Division B) Firearms; prohibit state cooperation with federal effort to ban. McDaniel. i218.
- 2835 - (Finance) Job tax credits for water transportation enterprises; extend repealer on. Harkins. i218.
- 2836 - (Finance) Homestead exemption; allow veterans with service connected, total disability to apply after April 1 in year of home purchase. Parks. i219.
- 2837 - (Accountability, Efficiency, Transparency) Mississippi Management and Reporting System Revolving Fund; require State Fiscal Officer to submit purchasing needs to Legislature. Parks. i219; cr306.

- 2838 - (Finance) Construction contractors; repeal law requiring local permitting and annual State Board of Contractors licensing. Seymour. i219.
- 2839 - (Municipalities) Public Improvement District Act; amend to allow municipality to perform duties and exercise powers in certain circumstances. Michel. i219; cr278; cu358; v358; ph776; sp787; ap958.
- 2840 - (Finance) Motor vehicle; revise requirements for scrapping, dismantling or destroying when owner does not have title in his or her name. England. i220.
- 2841 - (Finance) Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag. DeLano, et al. i220; cr307; cu325; csa325; v325; caa325; caa360; ph1368; msrp1746; sdc1746; ca2655; cg2699; cu2853; rcc2853; hrcc2860; msrp3160; cro3160; cra3166; v3166; crah3996; sp4060; ap4076.
- 2842 - (Finance) Use tax; revise provisions regarding special infrastructure assistance funds for municipalities and counties. DeLano. i220; cr312; cu390; csa390; v390; ph954; sdc1017; ca2655; cg2699; cro3443; cra3446; v3446; msrp3635; mrp3635; rcc3635; hrcc3640; cro3648; cra3651; v3651; crah3917; sp3953; ap4076.
- 2843 - (Accountability, Efficiency, Transparency) Mississippi Legislative Regulatory Oversight Act; create. Seymour. i220.
- 2844 - (Accountability, Efficiency, Transparency) Bureau of Fleet Management; revise duties thereof. Polk. i220; cr277; cu357; v357; ph870; sdc2735; ca2780; cg2845; cro3626; cra3627; v3627; crah3702; sp4000; ap4078.
- 2845 - (Accountability, Efficiency, Transparency) Construction manager at risk program; exempt under public bidding laws. Horhn. i220.
- 2846 - (Finance) Bonds; increase authorized amount to assist in paying costs associated with Commerce Park Connector in Madison County. Horhn. i220.
- 2847 - (Finance) Income tax; authorize credits for donations to Habitat for Humanity Mississippi Capital Area. Horhn. i221.
- 2848 - (Accountability, Efficiency, Transparency) Public works construction; performance bond not required if contract is less than \$50,000.00 and paid in two equal installments. Horhn. i221.
- 2849 - (Finance) PERS; clarify fiduciary duty to invest for highest return and not based on environmental, social and governance (ESG) factors. McMahan. i221; cr307.
- 2850 - (Accountability, Efficiency, Transparency) Mississippi Highway Patrol Retirement Health Insurance Benefit Program; establish. Younger. i221.
- 2851 - (Finance) Technology-based capital assistance programs; revise certain terms and amounts of assistance. Thompson. i222; cr273; cu342; v342; ph953; sp1026; ap2053.
- 2852 - (Finance; Municipalities) Sales tax revenue generated in municipal historical hamlets; direct counties to allocate for benefit of such hamlets. Barrett. i222.
- 2853 - (Accountability, Efficiency, Transparency) Small unmanned aircraft systems; require state purchase and servicing of from American companies only. Whaley,

- et al. i222; cr277; cu530; csa530; v530; caa530; caa615; ph777; sdc2440; ca2654; cg2699; cro3627; cra3628; v3628; crah3639; sp3952; ap4076.
- 2854 - (Accountability, Efficiency, Transparency) Public works contracts; raise monetary threshold for performance bond requirement of. Blackwell. i222.
- 2855 - (Appropriations) State assessments; delete assessments deposited into State General fund for certain violations and crimes. Bryan. i222.
- 2856 - (Accountability, Efficiency, Transparency) Open meetings; revise accessibility to information on meeting times, agenda and minutes. Norwood. i222.
- 2857 - (Finance; Municipalities) Use tax; revise standards for municipality's eligibility to receive monies from special fund for infrastructure assistance. Carter. i223.
- 2858 - (Finance) Mississippi Small Business Investment Company Act; increase the amount of investment tax credits that can be allocated under. Harkins, et al. i223; cr651; cu705; csa705; v705; caa706; ph2650; sp2674; ap2774.
- 2859 - (Finance) Television series production; provide incentives for certain. Chassaniol. i223.
- 2860 - (Finance) Motor vehicle tags; remove portion of fees deposited to State General Fund, or rededicate to Ad Valorem Tax Reduction Fund. Hopson. i223.
- 2861 - (Insurance) Insurance; prohibit mandates for gender reassignment surgery or services. Sojourner, et al. i224.
- 2862 - (Finance) Sales tax; exempt sales of coins, currency and bullion. Barnett. i224; cr273; cu389; v389; ph2521; sdc2578; ca2655; cg2699; cro3140; cra3148; v3148; crah3997; sp4067; ap4079.
- 2863 - (Judiciary, Division A) Workers' compensation; revise the exclusive remedy provision to provide certain exemptions. Sojourner. i224.
- 2864 - (Insurance; Medicaid) State funded health plans and Medicaid; prohibit payment of gender reassignment surgery or services. Sojourner, et al. i224.
- 2865 - (Finance) Public salaries; limit the amount withheld to satisfy child support arrearage or overdue income tax to 25%. Sojourner. i225.
- 2866 - (Accountability, Efficiency, Transparency) Administrative Procedures Act; amend to require agencies to solicit public comment in advance of filing. Sojourner. i225.
- 2867 - (Accountability, Efficiency, Transparency) Governmental entities; prohibit discrimination and preferential treatment in public employment, education or contracting. Sojourner. i225.
- 2868 - (Accountability, Efficiency, Transparency) Taking; prohibit state cooperation with federal effort to ban firearms or seize property. Sojourner. i225.
- 2869 - (Ports and Marine Resources) Tidelands; exempt municipal small water craft harbors from obtaining a tidelands lease from the Secretary of State. Sojourner. i225.
- 2870 - (Technology) National Security on State Devices and Networks Act; create. McDaniel. i225.

- 2871 - (Municipalities; Accountability, Efficiency, Transparency) Municipal program to address delinquent water accounts; extend repealer. Simmons (12th). i225.
- 2872 - (Finance) Sales tax; reduce by half on sales of groceries. DeBar. i226.
- 2873 - (Finance) Tax credits; authorize for business contributions to certain organizations supporting food pantries or soup kitchens. Johnson. i226.
- 2874 - (Accountability, Efficiency, Transparency) Mandatory COVID-19 vaccination of Mississippi residents by the state or as condition of employment; prohibit. McDaniel. i226.
- 2875 - (Finance) Mississippi State Income Tax; phase out based on General Fund revenue collections. McDaniel. i226.
- 2876 - (Accountability, Efficiency, Transparency) "Federal Funding Accountability and Transparency Act of 2023"; enact. McDaniel. i226.
- 2877 - (Accountability, Efficiency, Transparency) Regulatory reduction program for Department of Environmental Quality; provide pilot program. McDaniel. i226.
- 2878 - (Finance) Sales tax; exempt sales of gold or silver bullion. McDaniel. i227.
- 2879 - (Judiciary, Division A) Restrictions, prohibitions and civil remedies against officers of the IRS for actions against Mississippi citizens; provide. McDaniel. i227.
- 2880 - (Accountability, Efficiency, Transparency) Personal and medical leave; law enforcement and firefighters can buy back after work-related injury. McDaniel. i227.
- 2881 - (Judiciary, Division B) Firearms; interpose state law in place of any federal law confiscating firearms. Sojourner. i227.
- 2882 - (Judiciary, Division B) "Second Amendment Preservation Act"; state firearm law preempts any local ordinance or regulation. Sojourner. i227.
- 2883 - (Judiciary, Division B) Child sex abuse; include chemical or physical sterilization of child within definition of. Sojourner, et al. i228.
- 2884 - (Judiciary, Division B) Firearms; prohibit state cooperation with federal effort to ban. Sojourner. i228.
- 2885 - (Judiciary, Division B) Firearm suppressor; legalize intrastate manufacture and possession of. Sojourner. i228.
- 2886 - (Judiciary, Division B) Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification. McDaniel. i228.
- 2887 - (Finance) State Treasurer; modify certain provisions concerning the deposit and investment of excess state funds. Chassaniol. i228; cr312; cu402; csa402; v402; ph1368; msrp1752; sdc1752; ca2655; cg2699; cro3447; cra3457; v3457; crah3997; sp4061; ap4076.
- 2888 - (Local and Private; Public Health and Welfare) Lee County; allow Doctor of Chiropractic with neurology chiropractic degree to advertise as chiropractic neurologist. McMahan. i229.

- 2889 - (Economic and Workforce Development) Mississippi Capitol Region Utility Act; create. Parker. i229; cr253; cu402; csa402; po422; ru422; v423; mr479; mrc488; mrt488.
- 2890 - (Local and Private) Lee County; authorize annual contributions to Sanctuary Hospice House. McMahan. i250; cr669; cu707; v707; ph954; sc1385; v1386; sp2055; ap2610.
- 2891 - (Local and Private) City of Baldwin; extend repealer on hotel/motel & restaurant tourism tax. McMahan. i251.
- 2892 - (Local and Private) City of Vicksburg; authorize to contribute to the creation, development and promotion of the Dr. Jane Ellen McAllister Museum. Hopson. i251; cr1868; cu2438; v2438; ph2776; sc2814; v2815; sp3110; ap4059.
- 2893 - (Local and Private) City of Vicksburg; authorize contribution of funds and in-kind services to Beulah Cemetery. Hopson. i254.
- 2894 - (Finance) Children's Promise Act; revise definition of "eligible charitable organization" under. Williams. i263.
- 2895 - (Finance) Sales and use tax; exempt sales of feminine hygiene products and diapers. Turner-Ford. i264.
- 2896 - (Finance) Income tax; authorize a credit for dependent care equal to that allowed for federal income tax purposes. Wiggins. i264.
- 2897 - (Finance) Income tax; provide credit for taxpayers claiming federal Earned Income Tax Credit. Turner-Ford, et al. i264.
- 2898 - (Finance) Income tax; authorize credits for certain child care expenses and for Pre-K providers for care of certain children. Wiggins. i264.
- 2899 - (Appropriations) General Fund; FY2024 to Tunica County to restore the Tunica County Penal Farm Building. Jackson. i264.
- 2900 - (Appropriations) General Fund; FY2024 appropriation to Quitman County for the National Rhythm & Blues Hall of Fame Project. Jackson. i264.
- 2901 - (Appropriations) General Fund; FY2024 to Tunica County for expanding river port. Jackson. i264.
- 2902 - (Appropriations) General Fund; FY2024 to Tunica County for upgrades to Tunica RiverPark. Jackson. i264.
- 2903 - (Appropriations) General Fund; FY2024 to Tunica County for roadway renovation and upgraded traffic signals along certain boulevard. Jackson. i264.
- 2904 - (Appropriations) General Fund; FY2024 Mississippi Highway Patrol Retirement Health Insurance Benefit Program. Younger. i265.
- 2905 - (Appropriations) General Fund; FY2024 appropriation to Desoto County for weight-bearing road. Blackwell, et al. i265.
- 2906 - (Appropriations) General Fund; FY2024 University of Mississippi Medical Center for Mississippi Rural Physicians Scholarship Program. McLendon. i265.

- 2907 - (Appropriations) General Fund; FY2024 appropriation to Co-Lin Community College for Educational, Performing Arts, and Athletic Center. Caughman, et al. i265.
- 2908 - (Appropriations) General Fund; FY2024 appropriation to Town of New Hebron to purchase a fire truck. Caughman. i265.
- 2909 - (Appropriations) General Fund; FY2024 City of Jackson Water Reimbursement Grant Program. Blount, et al. i265.
- 2910 - (Appropriations) General Fund; FY2024 appropriation to University of Mississippi Medical Center for fire protection. Blount. i265.
- 2911 - (Appropriations) General Fund; FY2024 to the Town of Alligator to improve its water and sewer infrastructure. Simmons (13th). i265.
- 2912 - (Appropriations) General Funds; FY2024 appropriation to Town of Magnolia for North Cherry Street drainage improvements. Butler (38th). i265.
- 2913 - (Appropriations) General Funds; FY2024 appropriation to Simpson General Hospital for construction of additional space. Caughman. i266.
- 2914 - (Appropriations) General Funds; FY2024 appropriation to Lee County for renovation of polling precinct at Pratts Community Center. McMahan. i266.
- 2915 - (Appropriations) General Funds; FY2024 appropriation to VFW Post 4057 for renovation of its building. McMahan. i266.
- 2916 - (Appropriations) General Fund; FY2024 City of Columbus to complete the Senator Terry Brown Amphitheater. Turner-Ford. i266.
- 2917 - (Appropriations) General Fund; FY2024 appropriation to City of Guntown for widening of and improvements to Sides Street and Long Street. McMahan. i266.
- 2918 - (Appropriations) General Fund; FY2024 appropriation to Walthall County for construction of frontage road on south side of US-98 Bypass. Butler (38th). i266.
- 2919 - (Appropriations) General Funds; FY2024 appropriation to Civil Air Patrol, Squadron 99, for van, tag, insurance and equipment purchase. McMahan. i266.
- 2920 - (Appropriations) General Fund; FY2024 appropriation to Town of Tylertown for improvements to events center. Butler (38th). i266.
- 2921 - (Appropriations) General Funds; FY2024 appropriation to City of McComb for building and equipping fire station. Butler (38th). i266.
- 2922 - (Local and Private) DeSoto County; authorize to transfer parcel of county-owned property to City of Olive Branch for construction of animal shelter. Blackwell. i267; cr2526; cu2533; v2533; ph2775; sp2820; ap3634.
- 2923 - (Finance) Ad valorem tax; exempt real and personal property belonging to persons aged 65 years or older. Sojourner, et al. i283.
- 2924 - (Finance) Disabled veterans motor vehicle license tags; revise certain provisions regarding disability and employability. Sojourner, et al. i283.
- 2925 - (Finance) Income tax; authorize credit for tuition payments to private schools. Sojourner, et al. i283.

- 2926 - (Finance) Electric and hybrid motor vehicle taxes; exclude vehicles incapable of exceeding 35 miles per hour. Sojourner, et al. i283.
- 2927 - (Finance) Inventory; phase in an ad valorem tax exemption for. Sojourner, et al. i283.
- 2928 - (Appropriations) General Fund; FY2024 appropriation to Copiah County for demolishing the former hospital complex in Hazlehurst. Butler (36th). i283.
- 2929 - (Appropriations) Coronavirus Fiscal Recovery Fund; FY2024 to DFA for capital projects at the eight universities. Butler (36th). i284.
- 2930 - (Appropriations) Appropriation; FY2024 to IHL for STEM related programs at Alcorn State University. Butler (36th). i284.
- 2931 - (Appropriations) Capital Expense Fund; FY2024 to IHL for construction and/or repair and renovation projects at the eight universities. Butler (36th). i284.
- 2932 - (Appropriations) General Fund; FY2024 appropriation to Alcorn Agriculture Research and Extension for certain capital projects. Butler (36th). i284.
- 2933 - (Appropriations) General Fund; FY2024 appropriation to Alcorn State University for certain capital projects. Butler (36th). i284.
- 2934 - (Appropriations) General Funds; FY2024 appropriation to City of Gluckstadt for construction of municipal court building and police station. Michel. i284.
- 2935 - (Appropriations) General Funds; FY2024 appropriation to Coahoma County for restriping and overlay of Friars Point Road. Jackson, et al. i284.
- 2936 - (Appropriations) General Fund; FY2024 appropriation to Jackson Revival Center's Little Ambassadors Developmental Learning Center. Frazier, et al. i284.
- 2937 - (Appropriations) General Fund; FY2024 appropriation to Brooks Williams Stewart Veterans of Foreign Wars Post 9832 for infrastructure. Frazier, et al. i284.
- 2938 - (Appropriations) General Funds; FY2024 appropriation to North MS Health Services for creation of public health data system. McMahan. i285.
- 2939 - (Appropriations) General Funds; FY2024 appropriation to City of Tupelo for drawing down federal funds for railroad improvements. McMahan. i285.
- 2940 - (Appropriations) General Funds; FY2024 appropriation to Lee County for Turner Industrial Park site expansion. McMahan. i285.
- 2941 - (Appropriations) General Funds; FY2024 appropriation to Greene Cty. Sch. Dist. for repairs & equipment purchase for Career & Technical Center. DeBar. i285.
- 2942 - (Appropriations) General Fund; FY2024 appropriation to Camp Kamassa for construction of buildings and facilities. Caughman, et al. i285.
- 2943 - (Appropriations) General Fund; FY2024 appropriation to Mississippi School of Arts for support staff salary realignment. Barrett. i285.
- 2944 - (Appropriations) General Fund; FY2024 appropriation to Mississippi School of Arts for repair and/or renovation of campus buildings and grounds. Barrett. i285.

- 2945 - (Appropriations) General Fund; FY2024 appropriation to Town of Monticello for certain infrastructure projects. Barrett. i286.
- 2946 - (Appropriations) General Fund; FY2024 appropriation to Brookhaven for certain infrastructure projects. Barrett. i286.
- 2947 - (Appropriations) General Fund; FY2024 appropriation to Lawrence County for N.A. Sandifer Highway pavement maintenance. Barrett. i286.
- 2948 - (Appropriations) General Fund; FY2024 appropriation to Holmes County for road paving. Blackmon. i286.
- 2949 - (Appropriations) General Funds; FY2024 appropriation to City of Canton for road and park improvements and new government complex. Blackmon. i286.
- 2950 - (Appropriations) General Funds; FY2024 appropriation to Holmes County for the purchase of a fire truck for the Ebenezer community. Blackmon. i286.
- 2951 - (Appropriations) General Funds; FY2024 appropriation to Town of Tchula for street repairs. Blackmon. i286.
- 2952 - (Appropriations) General Funds; FY2024 appropriation to General Missionary Baptist Convention of MS for renovations to Natchez Seminary Property. Blackmon. i286.
- 2953 - (Appropriations) General Funds; FY2024 appropriation to City of Durant for street repairs. Blackmon. i286.
- 2954 - (Appropriations) General Fund; FY2024 appropriation to Holmes County for street repairs in the Ebenezer community. Blackmon. i287.
- 2955 - (Appropriations) General Fund; FY2024 appropriation to City of Carthage for improvements to city roads. Blackmon. i287.
- 2956 - (Appropriations) General Funds; FY2024 appropriation to Tougaloo College Research Dev. Foundation for Freedom Riders site renovation. Blackmon. i287.
- 2957 - (Appropriations) General Fund; FY2024 appropriation to Canton Municipal Utilities Commission for water and sewer improvements. Blackmon. i287.
- 2958 - (Appropriations) General Funds; FY2024 appropriation to MDWFP for Great River Road State Park redevelopment. Simmons (13th), et al. i287.
- 2959 - (Appropriations) General Funds; FY2024 appropriation to City of Clarksdale for replacement of Second Street bridge. Jackson, et al. i287.
- 2960 - (Local and Private) City of Grenada; extend repealer on hotel/motel & restaurant tourism tax. Chassaniol. i316; cr2526; cu2533; v2533; ph2775; sp2820; ap3634.
- 2961 - (Appropriations) Appropriations; additional for various state agencies for FY2024. Hopson. cr492; i519; cu524; v524; ph697; sdc742; ca2658; cg2666; msrp2931; cu2931; rcc2932; hrcc3104; hrcc3699; cu3716; rcc3716; msrp3975; cro3975; cra3979; v3979; crah4053; sp4068; ap4079.
- 2962 - (Appropriations) Appropriation; additional appropriations for various state agencies for FY2023 and FY2024. Hopson. cr492; i519; cu524; v524; ph689; sp713; ap779.



- 2963 - (Local and Private) City of McComb; extend repealer on hotel/motel tourism tax. Butler (38th). i628; cr2826; cu2833; csa2833; v2833.
- 2964 - (Finance) Bonds; authorize to assist City of Columbus in paying costs of completing Senator Terry Brown Amphitheater. Turner-Ford. i643.
- 2965 - (Finance) Income tax; provide credit to employers offering paid maternity or paternity leave to employees. Branning. i643.
- 2966 - (Finance) Gold and silver bullion; exempt sales from taxation and capital gain and require State Treasurer to invest. Sojourner. i643.
- 2967 - (Finance) Sales tax; exempt sales of water for agricultural purposes. Younger. i643.
- 2968 - (Appropriations) General Fund; FY2024 appropriation to Jackson State University for the purpose of constructing student housing. Simmons (12th), et al. i643.
- 2969 - (Appropriations) General Fund; FY2024 appropriation to JSU for upgrades to its water system. Simmons (12th), et al. i644.
- 2970 - (Appropriations) General Fund; FY2024 appropriation to Pearl River Valley Water Supply District to dredge portions of the Ross Barnett Reservoir. Michel, et al. i644.
- 2971 - (Appropriations) General Funds; FY2024 appropriation to MSU Extension Service for certain youth preparedness education programs. Barrett. i644.
- 2972 - (Appropriations) General Funds; FY2024 appropriation to City of Cleveland for installation of Robert Johnson statue on Highway 8 in city limits. Simmons (13th). i644.
- 2973 - (Appropriations) General Funds; FY2024 appropriation to Adams County for South Palestine Road overlay. Butler (38th), et al. i644.
- 2974 - (Appropriations) General Funds; FY2024 appropriation to Adams County for water main extension for residents. Butler (38th), et al. i644.
- 2975 - (Appropriations) General Funds; FY2024 appropriation to Pike County for construction of US-51 bridge for industrial park access. Butler (38th). i644.
- 2976 - (Appropriations) General Funds; FY2024 appropriation to Town of Decatur for purchase of two patrol vehicles and equipment. McCaughn. i644.
- 2977 - (Appropriations) General Funds; FY2024 appropriation to Newton County for additions to correctional facility and sheriff's department. McCaughn. i645.
- 2978 - (Appropriations) General Fund; FY2024 appropriation to T.K Martin Center for the Mississippi Early Intervention Pilot Project. Boyd. i645.
- 2979 - (Appropriations) General Fund; FY2024 appropriation to Petal School District for Central Office building renovation. Johnson. i645.
- 2980 - (Appropriations) General Fund; FY2024 appropriation to City of Tupelo for matching federal grant funds for railway lines. Bryan. i645.

- 2981 - (Appropriations) General Fund; FY2024 appropriation to City of Tupelo to repair, upgrade and/or renovate Ballard Park. Bryan. i645.
- 2982 - (Appropriations) General Fund; FY2024 appropriation to City of Tupelo to upgrade the HVAC air filtration system at the city's aquatic facility. Bryan. i645.
- 2983 - (Appropriations) General Fund; FY2024 appropriation to City of Tupelo for infrastructure projects at Fire Station No. 5. Bryan. i645.
- 2984 - (Appropriations) General Fund; FY2024 appropriation to City of Tupelo for development of real time command center. Bryan. i645.
- 2985 - (Appropriations) General Fund; FY2024 appropriation to City of Tupelo to develop a Class II rubbish site. Bryan. i645.
- 2986 - (Appropriations) General Fund; FY2024 appropriation to City of Tupelo for repair and/or rehabilitation of Mitchell Road. Bryan. i645.
- 2987 - (Appropriations) General Fund; FY2024 appropriation to Jackson Redevelopment Authority for the Farish Street redevelopment. Norwood. i646.
- 2988 - (Appropriations) General Fund; FY2024 appropriation to Jackson Redevelopment Authority for Union Station Transit Hub. Norwood, et al. i646.
- 2989 - (Appropriations) General Fund; FY2024 appropriation to IHL for general support. Butler (36th). i646.
- 2990 - (Appropriations) General Fund; FY2024 appropriation to the Village of Cary to pay the costs associated with the construction of a fire station. Thomas. i646.
- 2991 - (Appropriations) General Fund; FY2024 appropriation to Montgomery County for traffic signals at two US 82 intersections. Chassaniol. i646.
- 2992 - (Appropriations) General Fund; FY2024 appropriation to Lincoln County for certain capital projects. Barrett. i646.
- 2993 - (Appropriations) General Fund; FY2024 to Mississippi Heritage Trust to rehabilitate the Mound Bayou Bank. Simmons (13th). i646.
- 2994 - (Appropriations) Coronavirus State Fiscal Recovery Funds; FY2024 appropriation to Sisters in Birth nonprofit charitable clinic. Butler (36th), et al. i646.
- 2995 - (Appropriations) General funds; FY2024 appropriation to DFA for Bill Waller Craft Center repair, renovation, upgrades and improvements. Michel, et al. i646.
- 2996 - (Appropriations) "2022 Local Improvements Projects Fund"; FY 2024 appropriation to Scenic Rivers Development Alliance and Summit Development Foundation. Butler (38th). i647.
- 2997 - (Appropriations) General Fund; FY2024 appropriation to Department of Health to assist rural public hospitals at high financial risk. Simmons (12th), et al. i647.
- 2998 - (Appropriations) General Fund; FY2024 appropriation to Perry County for road and bridge construction to access industrial park. Johnson. i647.
- 2999 - (Appropriations) General Fund; FY2024 appropriation to City of Union for road paving. McCaughn. i647.

- 3000 - (Appropriations) Appropriation; IHL - General support. Hopson, et al. i661; cr670; msrp677; cu677; v677; ph2046; sdc2250; ca2658; cg2666; msrp2931; cu2931; rcc2932; hrcc3104; cu3383; rcc3383; msrp3724; cro3724; cra3731; v3731; hrcc3751; crah3998; sp4068; ap4079.
- 3001 - (Appropriations) Appropriation; IHL - Subsidiary programs. Hopson, et al. i661; cr670; msrp677; cu677; v677; ph2046; sdc2257; ca2658; cg2781; msrp2931; cu2931; rcc2932; hrcc3104; cu3383; rcc3383; msrp3732; cro3732; cra3735; v3735; hrcc3751; crah3998; sp4068; ap4079.
- 3002 - (Appropriations) Appropriation; IHL - Alcorn State - Agricultural programs. Hopson, et al. i661; cr670; msrp677; cu677; v677; ph2045; sdc2237; ca2658; cg2666; msrp2931; cu2931; rcc2932; hrcc3104; cro3297; cra3298; v3298; crah3699; sp4061; ap4079.
- 3003 - (Appropriations) Appropriation; IHL - Mississippi State University - Agricultural and Forestry Experiment Station. Hopson, et al. i661; cr670; msrp677; cu677; v677; ph2045; sdc2238; ca2658; cg2666; msrp2931; cu2931; rcc2932; hrcc3104; cro3299; cra3300; v3300; crah3639; sp3913; ap4080.
- 3004 - (Appropriations) Appropriation; IHL - Mississippi State University - Cooperative Extension Service. Hopson, et al. i661; cr670; msrp677; cu677; v677; ph2044; sdc2183; ca2658; cg2666; msrp2931; cu2931; rcc2932; hrcc3104; cro3307; cra3309; v3309; crah3639; sp3913; ap4080.
- 3005 - (Appropriations) Appropriation; IHL - Mississippi State University - Forest and Wildlife Research Center. Hopson, et al. i661; cr671; msrp677; cu677; v677; ph2044; sdc2185; ca2658; cg2666; msrp2931; cu2932; rcc2932; hrcc3104; cro3310; cra3311; v3311; crah3639; sp3913; ap4080.
- 3006 - (Appropriations) Appropriation; IHL - Mississippi State University - Veterinary Medicine, College of. Hopson, et al. i661; cr671; msrp677; cu677; v677; ph2044; sdc2186; ca2658; cg2666; msrp2931; cu2932; rcc2932; hrcc3104; cro3311; cra3313; v3313; crah3639; sp3916; ap4080.
- 3007 - (Appropriations) Appropriation; IHL - Student Financial Aid. Hopson, et al. i661; cr671; msrp677; cu677; v677; ph2044; sdc2188; ca2658; cg2666; msrp2931; cu2932; rcc2932; hrcc3104; cro3314; cra3316; v3316; crah3640; sp3916; ap4080.
- 3008 - (Appropriations) Appropriation; IHL - University of Mississippi Medical Center. Hopson, et al. i662; cr671; cu678; v678; ph2044; sdc2191; ca2658; cg2666; msrp2931; cu2932; rcc2932; hrcc3104; cro3316; cra3319; v3319; crah3640; sp3916; ap4082.
- 3009 - (Appropriations) Appropriation; Community and Junior Colleges Board - Administrative expenses. Hopson, et al. i662; cr671; msrp678; cu679; v679; ph2044; sdc2193; ca2658; cg2666; msrp2931; cu2932; rcc2932; hrcc3104; cu3383; rcc3383; msrp3735; cro3735; cra3737; v3737; hrcc3751; crah3998; sp4064; ap4080.
- 3010 - (Appropriations) Appropriation; Community and Junior Colleges Board - Support for community and junior colleges. Hopson, et al. i662; cr671; msrp678; cu679; v679; ph2046; sdc2260; ca2659; cg2666; msrp2931; cu2932; rcc2932; hrcc3104; cro3319; cra3325; v3325; crah3640; sp3916; ap4080.

- 3011 - (Appropriations) Appropriation; Corrections, Department of. Hopson, et al. i662; cr671; msrp679; cu679; v679; ph2046; sdc2265; ca2659; cg2666; msrp2931; cu2932; rcc2932; hrcc3104; cro3325; cra3332; v3332; crah3640; sp3916; ap4080.
- 3012 - (Appropriations) Appropriation; Public Safety, Department of. Hopson, et al. i662; cr671; msrp679; cu679; v679; ph2046; sdc2272; ca2659; cg2667; msrp2931; cu2932; rcc2932; hrcc3105; msrp3738; cu3738; rcc3738; cro3738; cra3746; v3746; hrcc3751; crah3998; sp4068; ap4080.
- 3013 - (Appropriations) Appropriation; Agriculture and Commerce, Department of. Hopson, et al. i662; cr671; msrp679; cu679; v680; ph2046; sdc2278; ca2659; cg2667; msrp2931; cu2932; rcc2932; hrcc3105; cro3333; cra3337; v3337; crah3640; sp3913; ap4082.
- 3014 - (Appropriations) Appropriation; Fair and Coliseum Commission - Livestock shows. Hopson, et al. i662; cr671; msrp679; cu679; v680; ph2044; sdc2195; ca2659; cg2667; cro2932; cra2934; v2934; crah3374; sp3964; ap4080.
- 3015 - (Appropriations) Appropriation; Animal Health, Board of. Hopson, et al. i662; cr671; msrp679; cu680; v680; ph2044; sdc2198; ca2659; cg2667; cu2935; rcc2935; hrcc3121; cro3337; cra3339; v3339; crah4055; sp4066; ap4080.
- 3016 - (Appropriations) Appropriation; Emergency Management Agency. Hopson, et al. i662; cr671; msrp679; cu680; v680; ph2046; sdc2282; ca2659; cg2667; cu2935; rcc2935; hrcc3105; cro3340; cra3343; v3343; crah3640; sp4061; ap4080.
- 3017 - (Appropriations) Appropriation; Military Department. Hopson, et al. i663; cr671; cu680; v680; ph2045; sdc2240; v2241; ca2659; cg2667; cu2935; rcc2935; hrcc3105; msrp3370; cu3370; rcc3370; hrcc3371; cro3384; cra3386; v3386; crah3917; sp3964; crah3998; ap4080.
- 3018 - (Appropriations) Appropriation; Veterans Affairs Board. Hopson, et al. i663; cr671; msrp679; cu680; v680; ph2046; sdc2286; ca2659; cg2667; cro2935; cra2938; v2938; crah3374; msrp3458; uc3458; sp3913; ap4080.
- 3019 - (Appropriations) Appropriation; Ethics Commission. Hopson, et al. i663; cr671; msrp680; cu680; v680; ph2044; sdc2199; ca2659; cg2667; cro2938; cra2940; v2940; crah3374; sp3913; ap4082.
- 3020 - (Appropriations) Appropriation; Judicial Performance Commission. Hopson, et al. i663; cr671; msrp680; cu680; v680; ph2044; sdc2200; ca2659; cg2667; cro2940; cra2941; v2941; crah3374; sp3916; ap4078.
- 3021 - (Appropriations) Appropriation; Employment Security, Department of. Hopson, et al. i663; cr671; cu681; v681; ph2046; sdc2288; ca2659; cg2667; nca2702; cu2942; rcc2942; hrcc3105; cro3344; cra3347; v3347; crah3640; sp3916; ap4080.
- 3022 - (Appropriations) Appropriation; Revenue, Department of. Hopson, et al. i663; cr671; msrp681; cu681; v681; ph2044; sdc2201; ca2659; cg2667; cro2942; cra2946; v2946; crah3374; uc3632; sp3913; ap4080.
- 3023 - (Appropriations) Appropriation; Tax Appeals Board. Hopson, et al. i663; cr671; msrp681; cu681; v681; ph2044; sdc2206; ca2659; cg2667; cro2947; cra2948; v2948; crah3374; sp3917; ap4080.

- 3024 - (Appropriations) Appropriation; Workers' Compensation Commission. Hopson, et al. i663; cr671; cu682; v682; ph2044; sdc2207; ca2659; cg2667; cro2948; cra2951; v2951; crah3374; sp3915; ap4080.
- 3025 - (Appropriations) Appropriation; Mental Health, Department of. Hopson, et al. i663; cr671; cu682; v682; v683; ph2046; sdc2291; ca2659; cg2667; cu2951; rcc2951; hrcc3105; cro3347; cra3353; v3353; crah3640; sp3914; ap4082.
- 3026 - (Appropriations) Appropriation; Transportation, Department of - State Aid Road Construction, Office of. Hopson, et al. i664; cr671; msrp683; cu683; v684; ph2046; sdc2297; ca2659; cg2668; nca2703; cu2951; rcc2951; hrcc3105; cro3353; cra3357; v3357; crah3640; sp3914; ap4078.
- 3027 - (Appropriations) Appropriation; Tennessee-Tombigbee Waterway Development Authority. Hopson, et al. i664; cr672; msrp683; cu684; v684; ph2044; sdc2209; ca2659; cg2668; cro2951; cra2953; v2953; crah3374; sp3914; ap4078.
- 3028 - (Appropriations) Appropriation; Chiropractic Examiners, Board of. Hopson, et al. i664; cr672; msrp684; cu684; v685; ph2046; sdc2300; ca2659; cg2668; cro2953; cra2954; v2954; crah3374; sp3914; ap4078.
- 3029 - (Appropriations) Appropriation; Dental Examiners, Board of. Hopson, et al. i664; cr672; msrp684; cu684; v685; ph2046; sdc2301; ca2660; cg2668; cro2954; cra2956; v2956; crah3374; sp3953; ap4078.
- 3030 - (Appropriations) Appropriation; Funeral Services Board. Hopson, et al. i664; cr672; msrp684; cu684; v685; ph2045; sdc2242; ca2660; cg2668; cro2956; cra2958; v2958; crah3374; sp3914; ap4078.
- 3031 - (Appropriations) Appropriation; Massage Therapy, Board of. Hopson, et al. i664; cr672; msrp684; cu684; v685; ph2046; sdc2302; ca2660; cg2668; cro2958; cra2959; v2959; crah3374; sp3915; ap4078.
- 3032 - (Appropriations) Appropriation; Pharmacy, Board of. Hopson, et al. i664; cr672; msrp684; cu684; v685; ph2044; sdc2211; ca2660; cg2668; cro2959; cra2961; v2961; crah3374; sp3914; ap4078.
- 3033 - (Appropriations) Appropriation; Counselors, Board of Examiners for Licensed Professional. Hopson, et al. i664; cr672; msrp684; cu685; v685; ph2046; sdc2303; ca2660; cg2668; cro2962; cra2963; v2963; crah3374; sp3914; ap4078.
- 3034 - (Appropriations) Appropriation; Veterinary Examiners, Board of. Hopson, et al. i664; cr672; msrp684; cu685; v685; ph2044; sdc2213; ca2660; cg2668; cro2963; cra2964; v2964; crah3374; sp3915; ap4078.
- 3035 - (Appropriations) Appropriation; Architecture, Board of. Hopson, et al. i664; cr672; msrp685; cu685; v685; ph2044; sdc2214; ca2660; cg2668; cro2964; cra2966; v2966; crah3374; sp3914; ap4078.
- 3036 - (Appropriations) Appropriation; Gaming Commission. Hopson, et al. i665; cr672; msrp685; cu685; v685; ph2046; sdc2304; ca2660; cg2668; cro2966; cra2968; v2968; crah3374; sp3914; ap4079.
- 3037 - (Appropriations) Appropriation; Geologists, Board of Registered Professional. Hopson, et al. i665; cr672; msrp685; cu685; v685; ph2045; sdc2243; ca2660; cg2668; cro2969; cra2970; v2970; msrp3239; mrp3239; rcc3239; hrcc3371; cro3386; cra3387; v3387; crah3917; crah3998; sp4058; ap4079.

- 3038 - (Appropriations) Appropriation; Motor Vehicle Commission. Hopson, et al. i665; cr672; msrp685; cu685; v685; ph2045; sdc2224; ca2660; cg2668; cro2970; cra2972; v2972; crah3374; sp3964; ap4079.
- 3039 - (Appropriations) Appropriation; Accountancy, Board of Public. Hopson, et al. i665; cr672; msrp685; cu685; v685; ph2045; sdc2226; ca2660; cg2668; cro2972; cra2973; v2973; crah3374; sp3915; ap4079.
- 3040 - (Appropriations) Appropriation; Contractors, Board of. Hopson, et al. i665; cr672; msrp685; cu685; v685; ph2045; sdc2244; ca2660; cg2669; cro2974; cra2975; v2975; crah3375; sp3914; ap4079.
- 3041 - (Appropriations) Appropriation; Audit, Department of. Hopson, et al. i665; cr672; msrp686; cu686; v686; ph2046; sdc2306; ca2660; cg2669; cro2976; cra2978; v2978; crah3375; sp3914; ap4080.
- 3042 - (Appropriations) Appropriation; Banking and Consumer Finance, Department of. Hopson, et al. i665; cr672; msrp686; cu686; v686; ph2045; sdc2246; ca2660; cg2669; cro2978; cra2980; v2980; crah3375; sp3915; ap4079.
- 3043 - (Appropriations) Appropriation; Finance and Administration, Department of. Hopson, et al. i665; cr672; msrp686; cu686; v686; ph2046; sdc2308; ca2660; cg2669; cu2980; rcc2980; hrcc3105; cu3388; rcc3388; hrcc3750; msrp3989; cro3989; cra3995; v3995; crah4053; sp4068; ap4086.
- 3044 - (Appropriations) Appropriation; Governor's Office and Mansion. Hopson, et al. i665; cr672; msrp686; cu686; v686; ph2045; sdc2227; ca2660; cg2669; cro2980; cra2982; v2982; crah3375; sp3914; ap4080.
- 3045 - (Appropriations) Appropriation; Information Technology Services, Department of. Hopson, et al. i665; cr672; msrp686; cu686; v686; ph2046; sdc2314; ca2660; cg2669; cro2982; cra2985; v2985; crah3375; sp3915; ap4080.
- 3046 - (Appropriations) Appropriation; Development Authority, Mississippi. Hopson, et al. i666; cr672; msrp686; cu686; v686; ph2045; sdc2228; ca2660; cg2669; cu2985; rcc2985; hrcc3105; cro3357; cra3361; v3361; crah3640; sp3914; ap4081.
- 3047 - (Appropriations) Appropriation; Gulf Coast Restoration Funds to the Mississippi Development Authority. Hopson, et al. i666; cr672; msrp686; cu686; v686; ph2046; sdc2316; ca2660; cg2669; cu2986; rcc2986; hrcc3105; cro3361; cra3367; v3367; msrp3458; uc3458; crah3640; sp3915; lws4083.
- 3048 - (Appropriations) Appropriation; Personnel Board. Hopson, et al. i666; cr672; msrp686; cu686; v686; ph2045; sdc2232; ca2661; cg2669; cro2986; cra2987; v2987; crah3375; sp3915; ap4081.
- 3049 - (Appropriations) Appropriation; Secretary of State. Hopson, et al. i666; cr673; msrp686; cu686; v686; ph2045; sdc2233; ca2661; cg2669; cu2988; rcc2988; hrcc3105; cro3367; cra3370; v3370; crah3640; sp3915; ap4081.
- 3050 - (Appropriations) Appropriation; Treasurer's Office. Hopson, et al. i666; cr673; msrp686; cu686; v686; ph2045; sdc2247; ca2661; cg2669; cro2988; cra2990; v2990; crah3375; sp3915; ap4081.

- 3051 - (Appropriations) Appropriation; Debt Service-Gen. Obli. Hopson, et al. i666; cr673; msrp686; cu686; v686; ph2045; sdc2249; ca2661; cg2669; cro3120; cra3121; v3121; crah3375; sp3915; ap4081.
- 3052 - (Appropriations) Coronavirus State Fiscal Recovery Fund; FY2024 reappropriate to certain agencies. Hopson. i666; cr673; cu686; v687; vp687; v687; ph2046; sdc2320; ca2661; cg2782; cro2990; cra2991; v2991; msrp3116; mrp3116; rcc3116; hrcc3121; cro3716; cra3718; v3718; crah3998; sp4068; ap4081.
- 3053 - (Judiciary, Division B) Suffrage; restore to Edward Carter. Butler (36th). i666; cr2825.
- 3054 - (Judiciary, Division B) Suffrage; restore to Larry Sills. McCaughn. i666; cr2825.
- 3055 - (Judiciary, Division B) Suffrage; restore to Jessica Compton. Wiggins. i667; cr2825.
- 3056 - (Appropriations) General Fund; FY2024 appropriation to be administered by Community Foundation of MS for rehab of the planetarium. Horhn, et al. i667.
- 3057 - (Finance) "Mississippi Affordable Housing Tax Credit Act"; establish tax credit program. Horhn. i667.
- 3058 - (Local and Private) City of Columbus; extend repeal date on provision of law authorizing governing authority to levy tax on restaurant sales. Younger. i675.
- 3059 - (Appropriations) General Fund; FY2024 appropriation for repair, renovation and refurbishment of E.E. Bass Cultural Arts Center. Simmons (12th). i675.
- 3060 - (Local and Private) City of Pascagoula; extend repealer on hotel/motel/bed-and-breakfast tourism tax. Wiggins. i675.
- 3061 - (Appropriations) General Fund; FY2024 appropriation to City of Pascagoula for East Pascagoula police substation. Wiggins. i698.
- 3062 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Town of Coahoma and Coahoma County for water and sewer projects. Simmons (12th). i698.
- 3063 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Town of Metcalfe for water and sewer improvement project. Simmons (12th). i698.
- 3064 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Town of Lula for water and sewer improvement project. Simmons (12th). i698.
- 3065 - (Local and Private) Bolivar County; authorize contributions to Fannie Lou Hamer Breast Cancer Foundation and Community Action Agency. Simmons (13th). i698; cr1869; cu2690; v2690; ph2844; sc2852; v2852; sp3149; ap4059.
- 3066 - (Appropriations) General Fund; FY2024 appropriation to City of Gautier for restoration of Historic Schoolhouse. Wiggins. i698.
- 3067 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Singing River Health System for construction of Healthcare Training Academy. Wiggins, et al. i699.

- 3068 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Jackson County for construction of the Jackson County Blueway Connection. Wiggins, et al. i699.
- 3069 - (Appropriations) General Fund; FY2024 appropriation to City of Ocean Springs for construction of conference center. Wiggins. i699.
- 3070 - (Appropriations) General Fund; FY2024 appropriation to Pascagoula Redevelopment Authority for continued economic development. Wiggins. i699.
- 3071 - (Appropriations) General Fund; FY2024 appropriation to City of Gautier for completion of Town Commons Park. Wiggins. i699.
- 3072 - (Appropriations) General Fund; FY2024 appropriation to City of Ocean Springs for repairs to Mary C. O'Keefe Cultural Arts Center. Wiggins. i699.
- 3073 - (Appropriations) Capital Expense Fund; FY2024 appropriation to City of Greenville to build new community health center. Simmons (12th). i699.
- 3074 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Town of Benoit for water and sewer improvement project. Simmons (12th). i699.
- 3075 - (Appropriations) General Fund; FY2024 appropriation to Washington County for street repairs in Supervisor District 1. Simmons (12th). i699.
- 3076 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Town of Beulah for water and sewer improvement project. Simmons (12th). i700.
- 3077 - (Appropriations) General Fund; FY2024 appropriation to Sustainable Energy Partnership Program between JSU and Entergy. Simmons (12th). i700.
- 3078 - (Appropriations) General Fund; FY2024 appropriation to Town of Rosedale for street repairs. Simmons (12th). i700.
- 3079 - (Appropriations) General Fund; FY2024 appropriation to Washington County for street repairs in Supervisor District 4. Simmons (12th). i700.
- 3080 - (Appropriations) General Fund; FY2024 appropriation to Washington County for street repairs in Supervisor District 3. Simmons (12th). i700.
- 3081 - (Appropriations) General Fund; FY2024 appropriation to Washington County for street repairs in Supervisor District 5. Simmons (12th). i700.
- 3082 - (Appropriations) General Fund; FY2024 appropriation to Bolivar County for street repairs in Supervisor District 1. Simmons (12th). i700.
- 3083 - (Appropriations) General Fund; FY2024 appropriation to Washington County for street repairs in Supervisor District 2. Simmons (12th). i700.
- 3084 - (Appropriations) General Fund; FY2024 appropriation to City of Greenville for repair and renovation of city parks. Simmons (12th). i701.
- 3085 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Town of Gunnison for water and sewer improvement project. Simmons (12th). i701.
- 3086 - (Appropriations) General Fund; FY2024 appropriation to Town of Benoit for repair and renovation of town park. Simmons (12th). i701.



- 3087 - (Appropriations) General Fund; FY2024 appropriation to City of Leland for repair and renovation of city park. Simmons (12th). i701.
- 3088 - (Appropriations) General Fund; FY2024 appropriation to City of Greenville for Mississippi River Museum. Simmons (12th). i701.
- 3089 - (Appropriations) General Fund; FY2024 appropriation to Town of Metcalfe for repair and renovation of town park. Simmons (12th). i701.
- 3090 - (Appropriations) General Fund; FY2024 appropriation to City of Rosedale for repair and renovation of city park. Simmons (12th). i701.
- 3091 - (Appropriations) General Fund; FY2024 appropriation to City of Natchez for drainage projects. Butler (38th). i701.
- 3092 - (Appropriations) General Fund; FY2024 appropriation to Bolivar County for Terrene Landing River Park improvement projects. Simmons (13th). i701.
- 3093 - (Appropriations) General Fund; FY2024 appropriation to Town of Crosby to remove sediment along creeks. Butler (38th). i701.
- 3094 - (Finance) Ad valorem taxation; exempt property used for housing and providing services to victims of domestic violence and sexual assault. Simmons (12th). i702.
- 3095 - (Finance) Sales tax; exempt sales of groceries. Simmons (12th). i702.
- 3096 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Town of Friars Point for water and sewer improvement project. Simmons (12th). i712.
- 3097 - (Appropriations) General Fund; FY2024 appropriation to Town of Friars Point for street repairs. Simmons (12th). i712.
- 3098 - (Appropriations) General Fund; FY2024 appropriation to Town of Metcalfe for water and sewer system improvements. Simmons (12th). i712.
- 3099 - (Appropriations) Capital Expense Fund; FY2024 appropriation to Town of Farrell for water and sewer improvement project. Simmons (12th). i712.
- 3100 - (Appropriations) General Fund; FY2024 appropriation to Town of Coahoma for street repairs. Simmons (12th). i712.
- 3101 - (Finance) Mississippi Full Expensing Tax Reform Act of 2023; create. Johnson, et al. cr714; i718; cu726; v726; caa726.
- 3102 - (Finance) Income tax; revise certain provisions relating to electing pass-through entities. Harkins, et al. cr714; i718; cu726; csa727; v727; caa727.
- 3103 - (Appropriations) General Fund; FY2024 appropriation to DPS for supplemental salary increase for law enforcement officers employed by the department. Hill. i718.
- 3104 - (Appropriations) General Fund; FY2024 appropriation to City of Hattiesburg for improvements in Midtown area. Johnson. i718.
- 3105 - (Appropriations) Capital Expense Fund; FY2024 appropriation to City of Clinton for treated wastewater project. Frazier. i718.

- 3106 - (Appropriations) General Fund; FY2024 appropriation to Washington County for road improvements in Supervisor District 3. Simmons (12th). i719.
- 3107 - (Appropriations) General Fund; FY2024 appropriation to Town of Bude for certain capital projects. Barrett. i719.
- 3108 - (Local and Private) Lowndes County; authorize to lease property for nominal consideration for nonprofit use for the benefit of disadvantaged children. Younger. i719; cr1869; cu2438; v2438; ph2775; sp2821; ap3634.
- 3109 - (Local and Private) Warren County; authorize board of supervisors to contribute funds to certain nonprofit corporations. Hopson. i719; cr1869; cu2691; v2691; ph2843; sp3110; ap4059.
- 3110 - (Local and Private) Tunica County Utility District; delete provision of law subjecting to rate regulation by Public Service Commission. Jackson. i719; cr2526; cu2534; v2534; ph2775; sp2820; ap3634.
- 3111 - (Finance) Bonds; authorize issuance to assist in paying costs of improvements to North Hills Street in Meridian. Tate, et al. i719.
- 3112 - (Finance) Bonds; authorize issuance to assist in paying costs of emergency water storage near medical facilities in Meridian. Tate. i719.
- 3113 - (Appropriations) Appropriation; additional to Office of Workforce Development for certain programs, ARPA funds. Hopson, et al. cr717; i719; msrp723; cu723; v723; ph2044; sdc2215; ca2661; cg2669; msrp2991; cu2991; rcc2992; hrcc3105; msrp3720; cro3720; cra3722; v3722; crah3998; sp4061; ap4082.
- 3114 - (Appropriations) Appropriation; additional to DEQ for Mississippi Municipality and County Water Infrastructure Grant Program, ARPA funds. Hopson, et al. cr717; i720; msrp723; cu723; v723; ph2044; sdc2217; ca2661; cg2669.
- 3115 - (Appropriations) Appropriation; additional to DOH for ARPA Rural Water Associations Infrastructure Grant Program. Hopson, et al. cr717; i720; cu724; v724; ph2044; sdc2218; ca2661; cg2670; msrp2991; cu2991; rcc2992; hrcc3105.
- 3116 - (Appropriations) Appropriation; additional to DFA for destination marketing organizations and Main Street Association, ARPA funds. Hopson, et al. cr717; i720; cu723; v724; caa724; ph2044; sdc2219; ca2661; cg2670; msrp2991; cu2991; rcc2992; hrcc3105.
- 3117 - (Appropriations) Appropriation; additional for DFA - Office of Insurance for State and School Employees' Life and Health Insurance Plan, ARPA funds. Hopson, et al. cr717; i720; msrp723; cu723; v723; caa723; ph2044; sdc2221; ca2661; cg2670; msrp2991; cu2991; rcc2992; hrcc3105.
- 3118 - (Appropriations) Appropriation; additional to DFA - Bureau of Buildings, ARPA funds. Hopson, et al. cr717; i720; msrp723; cu723; v723; ph2044; sdc2222; ca2661; cg2670; msrp2991; cu2992; rcc2992; hrcc3105; cro3718; cra3720; v3720; crah3999; sp4062; ap4081.
- 3119 - (Appropriations) Appropriation; additional to DOH for Mississippi Hospital Sustainability Grant Program, ARPA funds. Hopson, et al. cr717; i720; cu725; v725; ph2044; sdc2223; ca2661; cg2670; msrp2991; cu2992; rcc2992; hrcc3105.

- 3120 - (Appropriations) Capital Expense Fund; FY2024 appropriation to MDOT for certain infrastructure expenses. Branning, et al. cr717; i720; cu725; v725; caa725; ph2045; sdc2236; ca2661; cg2670; msrp2991; cu2992; rcc2992; hrcc3105; cro3722; cra3724; v3724; crah3999; sp4064; ap4083.
- 3121 - (Appropriations) General Fund; FY2024 appropriation to City of West Point for street paving. Turner-Ford. i734.
- 3122 - (Appropriations) General Fund; FY2024 appropriation to Clay County for improvements to Lake Grove Road in Supervisor District 4. Turner-Ford. i734.
- 3123 - (Appropriations) General Fund; FY2024 appropriation to Clay County for infrastructure improvements in Supervisor District 3. Turner-Ford. i734.
- 3124 - (Appropriations) General Fund; FY2024 appropriation to Town of Brooksville for street paving and other infrastructure improvements. Turner-Ford. i734.
- 3125 - (Appropriations) General Fund; FY2024 appropriation to Noxubee County for first responder workout facility and law enforcement vehicles. Turner-Ford. i734.
- 3126 - (Appropriations) General Fund; FY2024 appropriation to Summit Rural Fire Department to construct a new fire station. Butler (38th). i734.
- 3127 - (Appropriations) Capital Expense Fund; FY2024 appropriation to MDOT to the Southern Rail Commission to draw down federal transportation funds. Wiggins. i734.
- 3128 - (Appropriations) General Fund; FY2024 appropriation to City of Greenville for repair and renovation of wastewater treatment plant. Simmons (12th). i735.
- 3129 - (Appropriations) General Fund; FY2024 appropriation to City of Pontotoc for the construction of a firefighter training facility. Suber, et al. i735.
- 3130 - (Appropriations) General Fund; FY2024 appropriation to Pontotoc County for the construction of food distribution facility. Suber, et al. i735.
- 3131 - (Appropriations) General Fund; FY2024 appropriation to Pontotoc County for repair and renovation of the W.A. Grist building. Suber, et al. i735.
- 3132 - (Appropriations) General Fund; FY2024 appropriation to Pontotoc County for paving the extension building parking lot and drive. Suber, et al. i735.
- 3133 - (Appropriations) General Fund; FY2024 appropriation to City of Pontotoc for the completion of pavilion. Suber, et al. i735.
- 3134 - (Appropriations) General Fund; FY2024 appropriation to City of Greenville for renovations and repairs to the Mid-Delta Regional Airport. Simmons (12th). i735.
- 3135 - (Appropriations) General Fund; FY2024 appropriation to Columbus Redevelopment Authority for Park View - Burns Bottom Project. Younger. i735.
- 3136 - (Appropriations) General Fund; FY2024 appropriation to Lambert Volunteer Fire Department for new firehouse, fire engine and other equipment. Jackson. i735.
- 3137 - (Appropriations) General Fund; FY2024 appropriation to Southwest Mississippi Community College for dorm construction and fine arts renovation. Butler (38th). i736.

- 3138 - (Appropriations) General Fund; FY2024 appropriation to City of Meridian for road improvements to North Hill Street. Tate. i736.
- 3139 - (Local and Private) Jackson County; authorize Board of Supervisors and Utility Authority to share equipment, labor, services, resources and funds. Seymour, et al. i777; cr2526; cu2534; v2534; ph2775; sp2788; ap3634.
- 3140 - (Local and Private) City of Gautier; authorize to enter into public/private partnership for construction of an inclusion playground. England. i950; cr2648; cu2678; v2678; ph2843; sp3110; ap4059.
- 3141 - (Local and Private) Kemper County; authorize board of supervisors to expand scope of authority of Gas District to become county utility district. Hickman. i958; cr2648; cu2679; csa2679; v2679; mr2681; mrc2694; mrp2694; v2694; ph2843; sp3110; ap4059.
- 3142 - (Local and Private) Lauderdale County; extend date of repeal on authority to fund LCDF Chaplaincy program with certain revenue. Hickman, et al. i958; cr2526; cu2691; v2691; ph2843; sp3110; ap4059.
- 3143 - (Local and Private; Finance) City of Lucedale; authorize to levy tax upon sales of restaurants for the purposes of funding parks and recreation. DeBar. i2048; cr2596; cu2617; v2617; ph2843; sp3110; ap4059.
- 3144 - (Local and Private) Neshoba County; authorize to contribute up to \$5,000.00 annually to Philadelphia Transit. Branning. i2048.
- 3145 - (Local and Private) George County; authorize to levy 3% sales tax on the sales of hotels and motels within the county and 1% tax on the sales of restaurants. DeBar. i2048; cr2526; cu2616; v2616; ph2843; sp3111; ap4059.
- 3146 - (Local and Private) Lowndes County; authorize to contribute Local Fiscal Recovery Funds to certain nonprofits. Younger, et al. i2528; cr2686; cu2693; v2693; mr2710; msrp2710; mrc2710; mrp2710; v2710; caa2711; ph2843; sp3111; ap4059.
- 3147 - (Local and Private) Lowndes County; authorize Board of Supervisors to contribute local fiscal recovery funds to Prairie Land Water Association. Younger. i2528.
- 3148 - (Local and Private) Lowndes County; authorize Board of Supervisors to contribute available funds to public utilities and water/sewer associations. Younger. i2528; cr2649; cu2679; v2679; ph2843; sp3111; ap4059.
- 3149 - (Local and Private) City of Olive Branch; authorize to transfer certain properties within industrial, technological or educational parks. Parker, et al. i2529.
- 3150 - (Local and Private; Finance) City of Kosciusko; authorize election for restaurant tax to fund tourism and parks and recreation. Chassaniol. i2612; cr2824; cu2832; v2832; ph3107; rcbh3150.
- 3151 - (Local and Private) Rankin County; authorize to contribute county funds to Trustmark Park for economic development and tourism purposes. Kirby. i2612; cr2686; cu2692; v2692; ph2843; sp3111; ap4059.
- 3152 - (Local and Private) City of Pearl; authorize to contribute municipal funds to minor league baseball stadium for economic development and tourism purposes. Kirby. i2612; cr2686; cu2692; v2692; ph2843; sp3111; ap4060.

- 3153 - (Local and Private) City of Pearl; extend repealer on hotel/motel & restaurant tourism tax. Kirby. i2613; cr2686; cu2693; v2693; ph2844; sp3111; ap4060.
- 3154 - (Local and Private; Finance) Tunica County; authorize to allocate sports gaming revenue to school district for construction of new school. Jackson. i2651.

#### B. SENATE CONCURRENT RESOLUTIONS

##### S. C. No.

- 501 - (Rules) Mourn the loss and commend the life and public service of David R. Huggins. Parks, et al. i12; cr234; msrp237; cu237; v237; caa240; ph291; sp384.
- 502 - (Rules) Mourn the loss and commend the life and public service of former MDOT Commissioner and Legislator Dick Hall. Harkins, et al. i12; cr234; msrp237; cu237; v237; caa240; ph291; sp400.
- 503 - (Rules) Mourn the passing of former Senator Steve Seale of Hattiesburg, and commend his public and charitable service. Fillingane, et al. i12; cr234; msrp237; cu237; v237; caa240; ph291; sp384.
- 504 - (Rules) Mourn the loss and commend the life and public service of former Representative Noal Akins. Kirby, et al. i12; cr234; msrp237; cu237; v237; caa240; ph291; sp384.
- 505 - (Rules) Commend public service of Southern District Transportation Commissioner and former legislator Tom King. Fillingane, et al. i12; cr234; msrp237; cu237; v237; caa240; ph291; sp384.
- 506 - (Rules) Commend 2022 PRCC "Wildcats" Baseball Team and Coach Michael Avalon for first-ever National Championship. Hill, et al. i12; cr234; msrp238; cu238; v239; caa240; ph291; sp384.
- 507 - (Rules) Commend JSU "Tigers" Football Team for second consecutive SWAC Championship. Blackmon, et al. i58; cr234; msrp238; cu238; v239; caa240; ph291; sp673.
- 508 - (Rules) Joint Rules; amend to allow cosponsorship of bills, joint resolutions and concurrent resolutions originating in other house. Blackwell. i59.
- 509 - (Rules) Congratulate Scott Central "Rebels" Football Team for winning the back-to-back MHSAA Class 2A State Championships. McCaughn, et al. i59; cr235; msrp238; cu238; v239; caa241; ph291; sp400.
- 510 - (Rules) Congratulate Raleigh High School "Lions" Football Team for winning 2022 MHSAA Class 3A State Championship. Fillingane, et al. i59; cr235; msrp238; cu238; v239; caa241; ph291; sp385.
- 511 - (Rules) Mourn the loss and commend the public service of Forrest Co. Tax Collector, former Supervisor and State Senator Billy Hudson. Fillingane, et al. i59; cr235; msrp239; cu239; v239; caa242; ph291; sp385.
- 512 - (Rules) Mourn the loss and celebrate the contributions and career of Mississippi music icon and Rock and Roll legend Jerry Lee Lewis. Parker, et al. i59; cr235; msrp238; cu238; v239; caa241; ph291; sp400.

- 513 - (Rules) Commend Newton County High School "Cougars" Cheer Team for winning Class 4A State Championship. McCaughn, et al. i59; cr235; msrp256; cu256; v256; caa257; ph659; sp674.
- 514 - (Rules) Commend Sumrall High School "Bobcats" Baseball Team for winning Mississippi 4A State Championship. Fillingane, et al. i59; cr235; msrp238; cu238; v239; caa241; ph291; sp400.
- 515 - (Rules) Commend the life of former State Senator, Circuit Judge and Decorated WWII Veteran Thomas Frederick (Fred) Wicker. McMahan, et al. i60; cr235; msrp239; cu240; v240; caa242; ph291; sp385.
- 516 - (Rules) Commend Myrtis Franke for a lifetime of service. Moran, et al. i60; cr235; msrp238; cu238; v239; caa241; ph291; sp639.
- 517 - (Accountability, Efficiency, Transparency) Constitution; amend Section 33 to authorize ballot initiative for new law. Blount. i60.
- 518 - (Rules) Congratulate Starkville High School "Yellowjackets" football team for winning MHSAA Class 6A State Title. Williams, et al. i71; cr235; msrp238; cu238; v239; caa241; ph274; sp289.
- 519 - (Rules) Extending deepest sympathy of Legislature to surviving family of MSU Football Coach Mike Leach and paying tribute to his legacy. Williams, et al. i71; cr235; msrp238; cu238; v239; caa241; ph291; sp639.
- 520 - (Rules) Congratulate Ole Miss 2022 Baseball Team for National Championship. Michel, et al. i72; cr235; msrp238; cu238; v239; caa241; ph292; sp385.
- 521 - (Rules) Congratulate Bay Springs High School "Bulldogs" Football Team for winning back-to-back MHSAA Class 1A State Championships. Barnett, et al. i72; cr235; msrp238; cu238; v239; caa241; ph292; sp385.
- 522 - (Rules) Constitution; place term limits on legislators. Chism, et al. i72.
- 523 - (Constitution) Constitution; amend to define appropriation bill subject to Governor's partial veto power. Wiggins. i229.
- 524 - (Rules) Mourn the passing of former Representative Billy Nicholson of Union, Mississippi, and commend his public and charitable service. McCaughn, et al. i229; cr235; msrp239; cu239; v239; caa242; ph243; sp244.
- 525 - (Rules) Congratulate Louisville High School "Wildcats" Football Team for winning the MHSAA 4A State Championship. Branning, et al. i229; cr235; msrp238; cu238; v239; caa241; ph292; sp385.
- 526 - (Rules) Recognize leadership of William Carey University President Dr. Tommy King on the occasion of his retirement. Polk, et al. i229; cr254; msrp256; cu256; v256; caa257; ph541; sp639.
- 527 - (Rules) Emmett Till murder; issue apology for state's role in killers' acquittals. Norwood. i229.
- 528 - (Constitution) Constitution; place term limits on legislators. Sojourner, et al. i229.
- 529 - (Accountability, Efficiency, Transparency) Constitution; amend Section 273 to reinstate initiative process. Sojourner. i230.

- 530 - (Accountability, Efficiency, Transparency) Constitution; amend to revise ballot initiative process. Turner-Ford, et al. i230.
- 531 - (Accountability, Efficiency, Transparency) Constitution; amend Section 273 to provide initiative procedure for new law or constitutional amendment. McDaniel. i230.
- 532 - (Accountability, Efficiency, Transparency) Constitution; amend Section 273 to reinstate initiative process and revise initiative signature requirements. Seymour. i230.
- 533 - (Accountability, Efficiency, Transparency) Constitution; amend to revise ballot initiative process. McCaughn, et al. i231; cr313; cu564; csa564; v570; vp570; v571; vp571; ph2042.
- 534 - (Accountability, Efficiency, Transparency) Constitution; amend Section 273 to reinstate initiative process and revise initiative signature requirements. McCaughn, et al. i231.
- 535 - (Rules) Designate March 2023 as "Colorectal Cancer Awareness Month in Mississippi". McMahan, et al. i231; cr254; msrp256; cu256; v256; caa257; ph541; sp639.
- 536 - (Rules) Congratulate Clarksdale Guitar Star Christone "Kingfish" Ingram for winning the 2022 Grammy Award for Contemporary Blues. Jackson, et al. i231; cr254; msrp256; cu256; v256; caa257; ph659; sp674.
- 537 - (Rules) Mourn the loss of Ineva May-Pittman of Jackson, Mississippi. Norwood, et al. i231; cr254; msrp256; cu256; v256; caa257; ph659; sp695.
- 538 - (Rules) Commend Parklane Academy "Lady Pioneers" Fast-Pitch Softball Team for fourth State Championship in last six years. Butler (38th). i232; cr254; msrp256; cu256; v256; ph659; sp695.
- 539 - (Rules) Mourn the passing of legendary physician Dr. Freda M. Bush. Norwood, et al. i232; cr254; msrp256; cu256; v256; caa257; ph659; sp695.
- 540 - (Rules) Expressing support for the Town of Mantee to unofficially designate itself as "The Epicenter of the Natchez Trace." Williams, et al. i232; cr318; msrp342; cu343; v344; ph659; sp674.
- 541 - (Constitution) Constitution; place term limits on legislators. McDaniel. i232.
- 542 - (Rules) Commend Dr. Roy J. Duhe for colon cancer initiatives at UMMC. McMahan, et al. i267; cr318; msrp342; cu343; v344; caa344; ph659; sp674.
- 543 - (Rules) Mourn the passing of Dr. Chester D. Gaston, Jr., of Gulfport, respected member of the MS Board of Psychology. Carter, et al. i267; cr318; msrp342; cu343; v344; caa344; ph659; sp674.
- 544 - (Rules) Designate "Delta Gamma Fraternity Day" in Mississippi in Commemoration of Sesquicentennial celebration. Boyd, et al. i267; cr318; msrp342; cu343; v344; caa344; ph659; sp674.
- 545 - (Rules) Designate April 23-29, 2023, as "National Crime Victims' Week in Mississippi" and April 28, 2023, as a "Day of Prayer". DeLano, et al. i287; cr318; msrp342; cu343; v344; caa344; ph660; sp674.

- 546 - (Rules) Commend Brookhaven Academy "Lady Cougars" Softball Team for back-to-back MAIS 5A State Championships. Barrett, i287; cr319; msrp342; cu343; v344; ph660; sp675.
- 547 - (Rules) Mourn the loss of legendary Defensive Football Coach Jim Carmody and remembering his legacy. Michel, et al. i520; cr522; msrp635; cu635; v636; caa636; ph728; sp748.
- 548 - (Rules) Congratulate Picayune High School "Maroon Tide" Football Team for back-to-back MHSAA Class 5A State Championship. Hill, et al. i520; cr522; msrp635; cu635; v636; caa636; ph728; sp748.
- 549 - (Rules) Commemorate 77th Southern Legislative Conference of the Council of State Governments. Kirby, et al. i675; cr711; msrp738; cu738; v739; caa739; ph862; sp956.
- 550 - (Rules) Expressing the support of the Legislature for the plaintiffs in Harrison Co. et al. v. U.S. Army Corps of Engineers. Thompson, et al. i675; cr728; cu740; v740; caa740; ph790; sp955.
- 551 - (Rules) Honor the legacy of decorated WWII Army Corporal L.C. Jackson of Brookhaven, Mississippi, on his 100th Birthday. Seymour, et al. i702; cr711; msrp738; cu738; v739; caa739; ph862; sp956.
- 552 - (Rules) Mourn the loss of WWII and Korean War pilot Brigadier General Sam Forbert, Jr. Tate, et al. i702; cr711; msrp738; cu738; v739; caa739; ph862; sp955.
- 553 - (Rules) Mourn the passing of Major Genl. Al Hopkins, Chairman of the MS Gaming Commission and respected Gulfport Attorney. DeLano, et al. i702; cr711; msrp738; cu738; v739; caa739; ph862; sp955.
- 554 - (Rules) Commend University of Mississippi baseball Head Coach Mike Bianco as National Coach of the Year. Michel, et al. i702; cr711; msrp738; cu738; v739; caa739; ph863; sp956.
- 555 - (Rules) Mourn passing and commend civic leadership of businessman Wirt Adams Yerger, Jr., of Jackson, MS. Michel, et al. i721; cr728; msrp740; cu740; v741; caa741; ph863; sp955.
- 556 - (Rules) Congratulate Ole Miss Senior Offensive Lineman Nick Broeker as winner of 2022 Kent Hull Trophy and for postseason awards. Michel, et al. i721; cr728; msrp740; cu741; v741; caa741; ph863; sp956.
- 557 - (Rules) Congratulate Neshoba County School District Superintendent Dr. Lundy Brantley as 2022-2023 "Superintendent of the Year." Branning, et al. i721; cr728; msrp740; cu741; v741; caa741; ph863; sp956.
- 558 - (Rules) Extending condolences of Legislature to surviving family of Motown recording artist/songwriter Barrett Strong of West Point. Turner-Ford, et al. i736; cr961; msrp1363; cu1363; v1365; caa1365; ph2522; sp2598.
- 559 - (Rules) Congratulate Ricky Stenhouse from Olive Branch for winning the Daytona 500. Blackwell, et al. i736; cr961; msrp1363; cu1363; v1365; caa1365; ph2522; sp2611.



- 560 - (Rules) Suspend rules; introduction of bill to require Public Service Commission to change boundaries of certain utility district. Whaley, et al. i736; cr961; msrp1233; cu1233; v1233; caa1233.
- 561 - (Rules) Designate March 2023 as "American Red Cross Month in Mississippi." Frazier, et al. i753; cr961; msrp1363; cu1363; v1365; caa1365; ph2522; sp2595.
- 562 - (Rules) Designate October 2023 as "Walker Montgomery National Catfishing Awareness Month in Mississippi." Williams, et al. i753; cr961; msrp1363; cu1364; v1365; caa1365; ph2522; sp2595.
- 563 - (Rules) Designate March 5-11, 2023, as "National School Social Work Week in Mississippi." Hill, et al. i754; cr962; msrp1363; cu1364; v1365; caa1365; ph2522; sp2611.
- 564 - (Rules) Designate March 2023 as "Brain Injury Awareness Month in Mississippi" to promote treatment and prevention. Michel, et al. i863; cr962; msrp1363; cu1364; v1365; caa1365; ph2522; sp2595.
- 565 - (Rules) Recognize Walthall County Constable Raymond Gutter on his retirement and three-decade law enforcement service. Butler (38th), et al. i958; cr962; msrp1363; cu1364; v1365; caa1365; ph2522; sp2611.
- 566 - (Rules) Designate last weekend in October 2023 as "Honor Your Hometown Weekend in Mississippi". Branning, et al. i2330; cr2683; msrp2687; cu2688; v2689; caa2689; ph2817; sp3110.
- 567 - (Rules) Designate April 13, 2023, as "Reman Day" in Mississippi. Parks, et al. i2529; cr2822; msrp2830; cu2830; v2831; caa2831; ph3505; sp3752.
- 568 - (Rules) Recognize Entergy Mississippi on the occasion of its 100th Anniversary. Frazier, et al. i2651; cr2683; msrp2687; cu2688; v2689; caa2689; ph2776; sp2821.
- 569 - (Rules) Supporting the Mississippi Clean Hydrogen Hub application. Carter, et al. cr2683; i2686; msrp2687; cu2688; v2689; caa2689; ph2817; sp2848.
- 570 - (Rules) Recognize leadership of Senator Angela Turner-Ford as Chair of the Mississippi Legislative Black Caucus (MLBC). Blackmon, et al. cr2822; i2827; msrp2832; cu2832; v2832; caa2832; ph3505; sp4069.
- 571 - (Rules) Israel; commend 75th Anniversary of independence of. Kirby, et al. i2849; cr3103; msrp3113; cu3113; v3114; caa3114; ph3659; sp3752.
- 572 - (Rules) Legislature; suspend deadlines for SCR No. 533, 2023 Regular Session. DeBar. i3108; cr3113; msrp3115; cu3115; v3115.
- 573 - (Rules) Joint Rules; amend to remove requirement that six copies of each Conference Report shall be prepared. Bryan. i3638.
- 574 - (Rules) Suspend the rules to take up all items related to disaster recovery from the tornado and weather related events of March 24-26, 2023. Thomas, et al. i3702.

## C. SENATE RESOLUTIONS

## S. R. No.

- 1 - (Rules) Congratulate Jackson Prep "Patriots" Baseball Team for winning MAIS Class 6A Title. Kirby, et al. cr11; i12; msrp14; cu14; v14.
- 2 - (Rules) Chapel Hart; commend for being named on the Next Women in Country List in 2021. Hill. cr11; i13; msrp14; cu14; v14.
- 3 - (Rules) Commend the Rev. Dr. Lisa Allen-McLaurin for appointment to American Church in Paris, France. Norwood. cr11; i13; msrp14; cu14; v14.
- 4 - (Rules) Commemorate 50th anniversary of end of U.S. combat operations and release of American Prisoners of War in Vietnam. Kirby, et al. i13; cr235; msrp238; cu238; v239; caa241.
- 5 - (Rules) Urge U.S. Congress to enact legislation to include airguns and airbows as items taxed under the Pittman-Robertson Act. Blackwell. i13.
- 6 - (Rules) Senate Rules; amend Rule 65 to provide for removal of members of the Rules Committee. Blackwell. i13.
- 7 - (Rules) Congratulate Jackson Prep "Patriots" Football Team for winning MAIS Class 6A Title. Kirby, et al. i60; cr235; msrp238; cu238; v239; caa241.
- 8 - (Rules) Commend Antoinette Gant for her promotion to Brigadier General in the United States Army. Butler (36th), et al. i72; cr235; msrp238; cu239; v239; caa242.
- 9 - (Rules) Welcome Bishop Vitaliy Kryvytskyi of Kyiv-Zhytomyr in Western Ukraine to the State of Mississippi. Thompson, et al. i74; cr236; msrp238; cu239; v239; caa242.
- 10 - (Rules) Commend and thank MS Rural Water Association Emergency Response Cooperative for assistance during the Jackson Water Crisis. Blount, et al. i232; cr254; msrp256; cu256; v256; caa257.
- 11 - (Rules) Elections; exclude candidates who will be 75 or older at the time of election. Sojourner. i232.
- 12 - (Rules) Recognize Kennadee Riggs as "Miss Rodeo America 2023." McCaughn, et al. i267; cr319; msrp342; cu343; v344; caa344.
- 13 - (Rules) Recognize Jacqueline "J.D." Ervin of McComb as "Miss Rodeo Mississippi 2023". McCaughn, et al. i267; cr319; msrp342; cu343; v344.
- 14 - (Rules) Recognizing the contributions of the Mississippi Film Office on its 50th Anniversary. Chassaniol, et al. i288; cr319; msrp342; cu343; v344; caa344.
- 15 - (Rules) Recognizing the contributions of the Mississippi Film Office on its 50th Anniversary. Horhn. i288.
- 16 - (Rules) Recognize Robert M. Hearin Support Foundation as recipient of 2023 Governor's Patron of the Arts Award. Horhn. i317; cr319; msrp342; cu343; v344.

- 17 - (Rules) Recognize Ralph Eubanks as the recipient of the 2023 Governor's Arts Award for Excellence in Literature and Cultural Ambassador. Horhn. i317; cr319; msrp342; cu343; v344.
- 18 - (Rules) Recognize King Edward Antoine as the recipient of the 2023 Governor's Arts Award for Excellence in Music. Horhn. i317; cr319; msrp342; cu343; v344.
- 19 - (Rules) Recognize Ke Francis as the recipient of the 2023 Governor's Arts Award for Excellence in Visual Arts. Horhn. i317; cr319; msrp342; cu343; v344.
- 20 - (Rules) Recognize Ed McGowin as the recipient of the 2023 Governor's Arts Award for Lifetime Achievement. Horhn. i317; cr319; msrp342; cu343; v344.
- 21 - (Rules) Recognize Dr. Ann Fisher-Wirth as the recipient of the 2023 Governor's Arts Award for Excellence in Literature & Poetry. Horhn. i317; cr319; msrp342; cu343; v344.
- 22 - (Rules) Recognize Betsy Bradley as the recipient of the 2023 Governor's Arts Award for Leadership. Horhn, et al. i317; cr319; msrp342; cu343; v344; caa344.
- 23 - (Rules) Mourn the loss and honor the life of Dr. Katherine T. "Katie" Patterson. Kirby, et al. i520; cr522; msrp635; cu635; v636; caa636.
- 24 - (Rules) Recognize outstanding law enforcement training career of Lt. Colonel Thomas Tuggle on his retirement from MHP. Parker, et al. i520; cr522; msrp635; cu635; v636; caa636.
- 25 - (Rules) Recognizing Mississippi National Guard and Republic of Uzbekistan for 10th anniversary of partnership. Kirby, et al. i520; cr522; msrp635; cu635; v636; caa637.
- 26 - (Rules) Commend Brookhaven High School Track and Field Teams for winning both boys and girls Class 5A State Titles. Barrett, et al. i520; cr523; msrp635; cu635; v636; caa637.
- 27 - (Rules) Commend Brookhaven High School Caleb Harris, Rameriaz Edwards and Javonta Stewart for powerlifting records. Barrett, et al. i520; cr523; msrp635; cu635; v636; caa637.
- 28 - (Rules) Commend Jackson Taylor for first MHSAA Powerlifting Title in West Lincoln High School history. Barrett, et al. i520; cr523; msrp635; cu635; v636; caa637.
- 29 - (Rules) Commend Co-Lin legendary Basketball Coach Gwyn Young on career win No. 1,000. Caughman, et al. i521; cr523; msrp635; cu635; v636; caa637.
- 30 - (Rules) Recognize Millsaps College President Dr. Robert W. Pearigen for his contributions to higher education in Mississippi. Blount, et al. i521; cr523; msrp635; cu636; v636; caa637.
- 31 - (Rules) Commend 2022 Loyd Star High School "Hornets" Golf Team for winning back-to-back MHSAA Class 1 State Championships. Barrett, et al. i521; cr523; msrp635; cu636; v636; caa637.
- 32 - (Rules) Commend 16-year-old Corion Evans for extreme bravery in rescuing four people from drowning in car accident. England, et al. i521; cr523; msrp635; cu636; v636; caa637.

- 33 - (Rules) Commend Lincoln County Robotics Teams for winning 2022 Mississippi State Robotics Championship. Barrett, et al. i521; cr523; msrp635; cu636; v636; caa637.
- 34 - (Rules) Commend Brookhaven High School "Ole Brook" Girls Tennis Team for winning 2022 5A State Doubles Title. Barrett, et al. i521; cr523; msrp635; cu636; v636; caa637.
- 35 - (Rules) Recognizing the "P3: Passion. Purpose. Paycheck." Student Career Development Program in Jackson County. England, et al. i521; cr523; msrp635; cu636; v636; caa637.
- 36 - (Rules) "Omega Psi Phi Day"; designate March 9, 2023, in Mississippi. Butler (36th), et al. i647; cr711; msrp738; cu738; v739; caa740.
- 37 - (Rules) Recognize Jane Moss of Greenwood as new Chairwoman of the Board for Mississippi Manufacturers Association. Chassaniol, et al. i667; cr711; msrp738; cu738; v739; caa740.
- 38 - (Rules) Commend Stone County High School "Lady Cats" Soccer Team for winning their first 4A Girls Soccer State Championship. Seymour, et al. i676; cr711; msrp738; cu738; v739; caa740.
- 39 - (Rules) Congratulate Mr. Rural America "Dee Dotson" of Greensboro, MS, on the memorable occasion of his 100th birthday. Hickman, et al. i702; cr711; msrp738; cu739; v739; caa740.
- 40 - (Rules) Recognize Randy McInnis and David Harvison of Timberline Trucking in Leakesville as MFA 2022 "Loggers of the Year." DeBar, et al. i702; cr711; msrp738; cu739; v739; caa740.
- 41 - (Rules) Congratulate Nicholas Anderson of Vicksburg for his outstanding football awards at the secondary, junior college and university level. Hopson, et al. i721; cr728; msrp740; cu741; v741; caa741.
- 42 - (Rules) Commend Lamar School "Raiders" Girls Volleyball Team for first MAIS 5A State Championship. Tate, et al. i721; cr728; msrp740; cu741; v741; caa741.
- 43 - (Rules) Commend Russell Christian Academy "Warriors" Football Team for sixth-straight State Championship. Tate, et al. i721; cr728; msrp740; cu741; v741; caa741.
- 44 - (Rules) Recognize Bobby Morgan, Vice President of Public Affairs at Atmos Energy as Ole Miss Alumni Assn 2023 "40 Under 40" Award. Michel, et al. i736; cr962; msrp1363; cu1364; v1365; caa1365.
- 45 - (Rules) Congratulate ten Mississippi professional football players who played in the 2023 NFL Super Bowl. Jackson, et al. i736; cr962; msrp1363; cu1364; v1365; caa1366.
- 46 - (Rules) Recognize national defense operations and installations in Mississippi and the mission of the Defense Communities Development Council. McCaughn, et al. i754; cr962; msrp1363; cu1364; v1365; caa1366.
- 47 - (Rules) Commend East Central High School "Hornets" Baseball Team for winning the 2022 MHSAA Class 5A State Championship. Seymour, et al. i754; cr962; msrp1363; cu1364; v1365; caa1366.

- 48 - (Rules) Commend 2022 Gautier High School "Gators" Boys Golf Team for winning first MHSAA 5A State Championship. England, et al. i778; cr962; msrp1363; cu1364; v1365; caa1366.
- 49 - (Rules) Commend Ocean Springs High School Cheer Team for winning MHSAA 6A State Championship. England, et al. i778; cr962; msrp1363; cu1364; v1365; caa1366.
- 50 - (Rules) Commend Simpson County Academy "Cougars" Boys Basketball Team for winning back-to-back MAIS 5A State Championships. Caughman, et al. i778; cr962; msrp1363; cu1364; v1365; caa1366.
- 51 - (Rules) Extend condolences of Senate to surviving family of Jackson minority business pioneer Roy L. Dixon, Sr. Norwood, et al. i778; cr962; msrp1363; cu1364; v1365; caa1366.
- 52 - (Rules) Recognize judicial career of Chancellor Lawrence "Larry" Primeaux, 12th Chancery Court District, on his retirement. McCaughn, et al. i863; cr962; msrp1363; cu1364; v1365; caa1366.
- 53 - (Rules) Commend 2021 and 2022 JSU "Tigers" Men's Cross-Country Team for winning consecutive SWAC Championships. Norwood, et al. i950; cr962; msrp1363; cu1364; v1365; caa1366.
- 54 - (Rules) Commend 2022 JSU "Lady Tigers" Women's Basketball Team and Coach Tomekia Reed for third straight SWAC Championship. Norwood, et al. i950; cr962; msrp1363; cu1364; v1365; caa1366.
- 55 - (Rules) Commend 2022 JSU "Lady Tigers" Women's Tennis Team and Head Coach Gabrielle Moore for SWAC Championship. Norwood, et al. i950; cr962; msrp1363; cu1364; v1365; caa1366.
- 56 - (Rules) Commend 2022 JSU "Tigers" Soccer Team for SWAC Championship and Coach Flogaites as "SWAC Coach of the Year". Norwood, et al. i950; cr962; msrp1363; cu1364; v1365; caa1366.
- 57 - (Rules) Commemorate the 50th Anniversary of USM Air Force Reserve Officer Training Corps (AFROTC) Detachment 432. Johnson, et al. i958; cr962; msrp1363; cu1364; v1365; caa1366.
- 58 - (Rules) Honor the legacy of Marine Gunnery Sergeant Zachary Taylor of Jackson, Mississippi, a Montford Point Marine, on his 100th Birthday. Frazier, et al. i958; cr962; msrp1363; cu1364; v1365; caa1367.
- 59 - (Rules) Commend Brookhaven Academy "Lady Cougars" Girls Basketball Team and Coach Ron Kessler for winning MAIS 5A Championship. Barrett, et al. i959; cr963; msrp1363; cu1365; v1365; caa1367.
- 60 - (Rules) Commend NWMCC Lady Rangers Volleyball Team for first-ever Region 23 Championship. Boyd, et al. i1027; cr2056; msrp2436; cu2436; v2437; caa2437.
- 61 - (Rules) Commend Northwest Mississippi Community College "Rangers" Softball Team for first Region 23 Title. Boyd, et al. i1027; cr2056; msrp2436; cu2436; v2437; caa2437.

- 62 - (Rules) Commend Germantown High School "Lady Mavericks" Girls Basketball Team for their first Class 6A State Championship. Thomas, et al. i1369; cr2056; msrp2436; cu2436; v2437; caa2437.
- 63 - (Rules) Commend Yazoo City High School "Indians" Boys Basketball Team for winning first 4A State Championship in 27 years. Thomas, et al. i1369; cr2056; msrp2436; cu2436; v2437; caa2437.
- 64 - (Rules) Commend Northwest Rankin High School "Cougars" Boys Basketball Team for winning its first State Championship. Harkins, et al. i1369; cr2056; msrp2436; cu2436; v2437; caa2437.
- 65 - (Rules) Recognize D'Iberville Public Works Director Mike Mullins on the occasion of his retirement and commend his public service. DeLano, et al. i1867; cr2056; msrp2436; cu2436; v2437; caa2437.
- 66 - (Rules) Observe March 21, 2023, as "Alpha Kappa Alpha Sorority Day at the Capitol." Simmons (12th), et al. i1868; cr2056; msrp2436; cu2436; v2437; caa2437.
- 67 - (Rules) Congratulate 2022-2023 West Lauderdale High School Girls Soccer Team for winning 4A State Championship. Tate, et al. i2048; cr2056; msrp2436; cu2436; v2437; caa2437.
- 68 - (Rules) Commend Sarah Lea Anglin State Games "Female Athlete of the Year." Tate, et al. i2048; cr2056; msrp2436; cu2436; v2437; caa2438.
- 69 - (Rules) Congratulate Mr. LeeRoy Carpenter State Games "Male Athlete of the Year." Tate, et al. i2048; cr2056; msrp2436; cu2436; v2437; caa2438.
- 70 - (Rules) Commend Jackson Prep "Patriots" Boys Basketball Team for back-to-back MAIS State Championships. Kirby, et al. i2049; cr2056; msrp2436; cu2436; v2437; caa2438.
- 71 - (Rules) Commend Louisville High School "Lady Wildcats" Girls Basketball Team for winning 4A State Championship. Branning, et al. i2049; cr2056; msrp2436; cu2436; v2437; caa2438.
- 72 - (Rules) Congratulate Kaylee Harrison being selected as State Games "Youth Athlete of the Year." Tate, et al. i2049; cr2056; msrp2436; cu2436; v2437; caa2438.
- 73 - (Rules) Commend Booneville High School "Lady Blue Devils" Girls Basketball Team for winning back-to-back MHSAA 3A State Championships. Sparks, et al. i2049; cr2056; msrp2436; cu2436; v2437; caa2438.
- 74 - (Rules) Commend Booneville High School "Blue Devils" Boys Basketball Team for winning back-to-back MHSAA 3A State Championships. Sparks, et al. i2049; cr2056; msrp2436; cu2437; v2437; caa2438.
- 75 - (Rules) Commend Coahoma County High School "Red Panthers" Boys Basketball Team for winning Class 2A State Championship. Jackson, et al. i2529; cr2685; msrp2687; cu2689; v2689; caa2690.
- 76 - (Rules) Commend Resurrection Catholic "Eagles" Baseball Team and Coach Johnny Olsen for first-ever Class 1A State Championship. England, et al. i2613; cr2684; msrp2687; cu2688; v2689; caa2689.

- 77 - (Rules) Commemorate the 175th Anniversary of Beulah Baptist Church in Myrtle, Mississippi. Chism, et al. i2613; cr2684; msrp2687; cu2688; v2689; caa2689.
- 78 - (Rules) Commend McEvans School "Warriors" Boys Basketball Team for winning MHSAA Class 1A State Championship. Simmons (13th), et al. i2613; cr2684; msrp2687; cu2688; v2689; caa2689.
- 79 - (Rules) Congratulate Senator Derrick Simmons for being recognized as "Legislator of the Year" by the NBCSL. Frazier, et al. i2613; cr2684; msrp2687; cu2688; v2689; caa2690.
- 80 - (Rules) Extend sympathy on the passing of Jane Miller Philo, Executive Director of the Gulf Coast Center for Nonviolence. DeLano, et al. i2651; cr2684; msrp2687; cu2688; v2689; caa2690.
- 81 - (Rules) Commemorate the 25th Anniversary of the "Good Friday Agreement" in Northern Ireland. McCaughn, et al. i2652; cr2684; msrp2687; cu2688; v2689.
- 82 - (Rules) Commend Belmont High School "Lady Cardinals" Girls Volleyball Team for winning back-to-back State Championships. Sparks, et al. i2652; cr2684; msrp2687; cu2688; v2689; caa2690.
- 83 - (Rules) Mourn the passing of veteran educator Mrs. Anna Jackson Washington-Lee of Mound Bayou. Simmons (13th), et al. i2674; cr2684; msrp2687; cu2688; v2689; caa2690.
- 84 - (Rules) Commend "Lady Hornets" Girls Basketball Team for back-to-back Class 2A State Championships. McCaughn, et al. cr2684; i2686; msrp2687; cu2688; v2689; caa2690.
- 85 - (Rules) Congratulate MRA star basketball point guard Josh Hubbard for breaking the all-time scoring record in Mississippi. Michel, et al. cr2684; i2686; msrp2687; cu2688; v2689; caa2690.
- 86 - (Rules) Recognize Mayflower Cafe as downtown Jackson tradition and commend for many years of service to Jackson community. McMahan, et al. cr2684; i2687; msrp2687; cu2688; v2689; caa2690.
- 87 - (Rules) Commend MUW Basketball Player Conley Langford as 2022-2023 "Student Athlete of the Year" by the USCAA. Suber, et al. i2785; cr2822; msrp2830; cu2830; v2831; caa2831.
- 88 - (Rules) Commend Ingomar Attendance Center "Lady Falcons" Girls Basketball Team for winning Class 1A State Championship. Whaley, et al. i2785; cr2822; msrp2830; cu2830; v2831; caa2831.
- 89 - (Rules) Support the efforts of federal government in ending HIV Epidemic in Mississippi. Hickman, et al. i2785; cr2822; msrp2830; cu2831; v2831; caa2831.
- 90 - (Rules) Commend Dr. Janie Brown of Laurel Middle School for "Extraordinary Educator" Award. Barnett. i2785; cr2823; msrp2830; cu2831; v2831.
- 91 - (Rules) Commend Dr. Kiana Pendelton as Extraordinary Educator for 2023 Curriculum Associates. Barnett. i2786; cr2823; msrp2830; cu2831; v2831.
- 92 - (Rules) Commend Anthony Hamorsky as Extraordinary Educator for 2023 Curriculum Associates. Barnett. i2786; cr2823; msrp2830; cu2831; v2831.

- 93 - (Rules) Remember the legacy of Willie Johnson, Starkville's first African American Fire Chief. Williams, et al. i2828; cr3103; msrp3113; cu3113; v3114; caa3114.
- 94 - (Rules) Commend Marshall Academy "Patriots" Boys Baseball Team and Coach Bruce Branch for winning 4A Championship dedicated to his daughter Janie. Whaley, et al. i2828; cr3103; msrp3113; cu3113; v3114; caa3114.
- 95 - (Rules) Commend Marshall Academy "Lady Patriots" Fast-Pitch Softball Team for winning the 2022 MAIS 4A State Championship. Whaley, et al. i2828; cr3103; msrp3113; cu3113; v3114; caa3115.
- 96 - (Rules) Congratulate Oxford High School Senior Winnie Wilson as "Mississippi 2023 High School Journalist of the Year". Boyd, et al. i2828; cr3103; msrp3113; cu3114; v3114; caa3115.
- 97 - (Rules) Acknowledge March 30, 2023, as "National Doctors Day" in Mississippi. Kirby, et al. i2849; cr3103; msrp3113; cu3114; v3114; caa3115.
- 98 - (Rules) Recognize outstanding leadership of longtime MSU College of Veterinary Medicine Dean Kent Hoblet on his retirement. McCaughn, et al. i2849; cr3103; msrp3113; cu3114; v3114; caa3115.
- 99 - (Rules) Commend Women for Progress of Mississippi, Inc., for public service. Frazier, et al. i2849; cr3103; msrp3113; cu3114; v3114; caa3115.
- 100 - (Rules) Celebrating the 100th Anniversary of the Prentiss County Farm Bureau. Sparks, et al. cr3103; i3108; msrp3113; cu3114; v3114; caa3115.
- 101 - (Rules) Commend Columbus Christian Academy "Rams" Girls Basketball Team for winning MAIS Class 2A State Championship. Younger. i3108; cr3113; cu3391; v3391.
- 102 - (Rules) Congratulate Cooper Conner State Games "Youth Athlete of the Year." Seymour, et al. i3389; cr3808; msrp3893; cu3893; v3893; caa3894.
- 103 - (Rules) Celebrating the 100th Anniversary of the Montgomery County Farm Bureau. Chassaniol, et al. i3389; cr3808; msrp3893; cu3893; v3893; caa3894.
- 104 - (Rules) Recognize the 50th Anniversary of the establishment of JSU Department of Political Science. Horhn, et al. i3638; cr3808; msrp3893; cu3893; v3893.
- 105 - (Rules) Commend Senate service of Chris McDaniel. Kirby, et al. cr3809; i3921; msrp3922; cu3922; v3923; caa3923.
- 106 - (Rules) Commend Senate service of Melanie Sojourner. Kirby, et al. cr3809; i3921; msrp3922; cu3922; v3923; caa3923.
- 107 - (Rules) Commend Senate service of Chris Caughman. Kirby, et al. cr3809; i3921; msrp3922; cu3922; v3923; caa3923.
- 108 - (Rules) Commend Senate service of Barbara Blackmon. Kirby, et al. cr3809; i3921; msrp3922; cu3923; v3923; caa3923.
- 109 - (Rules) Commend Senate service of Robert L. Jackson. Kirby, et al. cr3809; i3921; msrp3922; cu3923; v3923; caa3923.



- 110 - (Rules) Commend Booneville "Blue Devils" Middle School Boys Basketball Team for winning MS Middle School Basketball Championship. Sparks, et al. cr3808; msrp3893; cu3893; v3893; caa3894; i3921.
- 111 - (Rules) Commend Belmont "Lady Cardinals" Junior High Basketball Team for winning MS Middle School Basketball Invitational Championship. Sparks, et al. cr3808; msrp3893; cu3893; v3893; caa3894; i3922.

#### D. HOUSE BILLS

##### H. B. No.

- 3 - (Business and Financial Institutions) Third-party delivery service; prohibit from using name, likeness, trademark or intellectual property of merchant without agreement. Zuber, et al. rh629; rf640; cr785.
- 4 - (Judiciary, Division B) Tianeptine; include in Schedule I controlled substance list. Yancey, et al. rh517; rf651; cr722; cu887; v891; mr1021; mrc1869; mrp1869; v1875; hc2651; sp2671.
- 16 - (Elections) Election commissioner; revise office of to be nonpartisan. Massengill. rh597; rf640.
- 33 - (Judiciary, Division B) The Ashley Henley Investigative Authority Act; create. Ladner, et al. rh602; rf651.
- 37 - (Local and Private) Standard Dedeaux Water District; delete provision on compensation of commissioners. Ladner. rh246; rf651; cr669; cu708; v708; sp722.
- 49 - (Wildlife, Fisheries and Parks) Resident lifetime hunting and fishing license; authorize Department of Wildlife to issue if parent was born in the state and was on active military service at the time of applicant's birth. Zuber. rh481; rf652; cr793; cu943; v943; sp1864.
- 88 - (Agriculture) Natural Resource Camp Pilot Program Act of 2023; establish for students in Lee and Monroe Counties. Thompson. rh597; rf652.
- 124 - (Appropriations) Private incarceration of state inmates; provide exception to 10% cost-savings requirement to state. Clark. rh620; rf633.
- 133 - (Municipalities; Judiciary, Division B) "Mississippi Joint Municipal Law Enforcement Act"; create. Clark, et al. rh517; rf652.
- 170 - (Judiciary, Division B; Appropriations) Domestic abuse court program; establish. Hines, et al. rh623; rf652.
- 208 - (Education) Computer science curriculum; clarify terminology to specify who may provide instruction in. Felsher, et al. rh481; rf654.
- 209 - (Judiciary, Division B) Terroristic threats; revise elements of. Felsher. rh481; rf652.
- 217 - (Finance) Taxes levied by commissioners of master water management districts; remove requirement that boards of supervisors must implement. Turner. rh360; rf633.

- 231 - (Drug Policy; Accountability, Efficiency, Transparency) Tobacco education, prevention and cessation program; add fentanyl and drug abuse prevention education. Creekmore IV, et al. rh541; rf633; cr793; cu943; v943; sp2040.
- 232 - (Agriculture) Dairy show; relocate the show held in Lee County, MS, to Pontotoc County, MS. Creekmore IV. rh361; rf652; cr783; cu1220; v1221; sp2523.
- 241 - (Elections) Campaign finance reports; revise the time for filing electronically. Sanford. rh597; rf640; cr793.
- 246 - (Judiciary, Division A) Real property; right of first refusal expires on grantee's death unless specifically stated otherwise. Sanford, et al. rh361; rf640; cr752; cu1020; v1020; mr1021.
- 249 - (Public Health and Welfare) MS Medical Cannabis Act; extend repealers to certain state laws for Departments of Health and Revenue in connection with. Roberson. rh517; rf668; cr791; cu1271; v1300; hc2595; sp2671.
- 252 - (Tourism) Alcoholic beverages; revise provisions regarding certain permits and distance restrictions. Roberson. rh361; rf633; cr713; cu886; v886; hdc2700; ca2842; cu3463; rcc3463; hrcc3632; cro3763; cra3778; v3778; crah3999; sp4069.
- 253 - (Judiciary, Division B) DUI suspension; clarify how the 120 days are counted. Roberson. rh648; rf668.
- 256 - (Agriculture) Mississippi Boll Weevil Management Corporation; extend repealer on requirement that audits be submitted by November 15. Roberson. rh361; rf652; cr783; cu1221; v1223; hc2595; sp2649.
- 258 - (Education) Educational Facilities Revolving Loan Fund; extend repealers on statutes relating to sales tax distribution and state public school building fund. Roberson, et al. rh616; rf654; cr785.
- 259 - (Public Health and Welfare) Medical radiation technologists; delete repealers on registration statutes. Roberson. rh361; rf654; cr791; cu1300; v1331; hc2595; sp2671.
- 261 - (Finance) Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations. Roberson. rh376; rf633; cr785; cu842; v843; hdc2700; ca2705; msrp2992; cu2992; rcc2992; hrcc3107; cro3122; cra3123; v3123; crah3640; sp3693.
- 264 - (Energy) Energy Efficiency standards on buildings; extend repealer on statute requiring certain buildings to meet. Roberson. rh632; rf640; cr781.
- 266 - (Judiciary, Division B) David R. Huggins and Tom Weathersby; revise names of public buildings to include. Bain, et al. rh75; rf652; cr796; cu1699; v1700; hdc2700; ca2784; cro3464; cra3465; v3465; crah3700; sp3984.
- 271 - (Appropriations) Appropriation; additional to Health Department for Mississippi Hospital Sustainability Grant Program, ARPA funds. Mims, et al. rh696; rf703; cr1879; cu1888; v1889; hdc2598; ca2661; nca2703; cu2862; rcc2862; hrcc3105; cro3240; cra3241; v3241; crah3640; sp3985.
- 272 - (Appropriations) Appropriation; Health Department for Local Provider Innovation Grant Program. Mims, et al. rh696; rf703; cr1879; cu1889; v1890; hdc2598; ca2662; cu2862; rcc2862; hrcc3106.

- 273 - (Appropriations) Health Care Impact Grant Program; establish to provide grants to hospitals and nursing facilities. Mims, et al. rh361; rf656; cr788; cu1055; v1057; hdc2598; ca2662.
- 276 - (Judiciary, Division A) State Board of Physical Therapy, authorize to issue subpoenas for the attendance of witnesses and the production of documents. Zuber. rh616; rf641; cr752; cu899; v899; sp1864.
- 280 - (Agriculture) Foreign governments; prohibit sale of agricultural lands to. Currie, et al. rh632; rf652; cr783; cu1442; v1444; hc2595; sp2611.
- 281 - (Judiciary, Division B) Law enforcement officers killed in line of duty; clarify that beneficiaries may receive sidearm of. Currie, et al. rh623; rf652; cr723; cu892; v893; hc2595; sp2671.
- 287 - (Forestry) Mississippi Forestry Commission; authorize to electronically accept bids for timber sales. Bounds. rh361; rf652.
- 288 - (Energy) Public Utilities Staff; authorize certain personnel to be filled by consulting contract. Bounds. rh517; rf640; cr781; cu916; v916; sp1865.
- 334 - (Finance) Motor vehicle; revise requirements for scrapping, dismantling or destroying when owner does not have title in his or her name. Johnson. rh378; rf633.
- 363 - (Agriculture) Mississippi Department of Agriculture and Commerce; technical amendments related to certain powers and duties. Pigott. rh369; rf652; cr783; cu1444; v1448; hc2595; sp2649.
- 365 - (Education) Boy Scouts and Girl Scouts; allow to speak to student regarding civic involvement with principal's approval. Scoggin, et al. rh602; rf654.
- 366 - (Public Property) Sam G. Polles State Office Building; designate the MS Dept. of Wildlife Central Office Building as. Bounds, et al. rh243; rf246; cr753; cu900; v900; mr949; msrp1860; mrc1860; mrt1860; hdc2598; ca2655.
- 368 - (Judiciary, Division B) State identification for homeless persons; authorize. Summers, et al. rh624; rf652.
- 371 - (Finance) Bonds; revise purposes for which proceeds of bonds authorized for City of Union. Rushing. rh362; rf633; cr750; cu828; v828; sp957.
- 374 - (Judiciary, Division B) Wiretapping; authorize state and local law enforcement to use for human trafficking. Rushing, et al. rh597; rf652.
- 383 - (Finance) Oil and gas severance taxes; extend repealer on lower rate for production from horizontally drilled wells. Powell, et al. rh518; rf640; cr750; cu865; v866; sp1866.
- 384 - (Finance) Alcoholic beverages; authorize local authorities of wet jurisdiction to permit package retail sales on Sunday. Powell, et al. rh362; rf633.
- 388 - (Finance) Income tax; revise local governmental entities that may collect debt by a setoff against a debtor's refund. Lamar. rh362; rf633; cr785; cu963; v964; hc2657; sp2674.

- 390 - (Finance) Historic property income tax credit; revise certain provisions regarding. Lamar, et al. rh75; rf246; cr252; cu828; v828; sp957.
- 392 - (Finance) Income tax; extend tax years for employer taxpayer to claim credit for employees' blood donations during blood drive. Roberson. rh362; rf633.
- 393 - (Drug Policy) Pseudoephedrine and ephedrine; extend repealer on authority to sell and purchase without a prescription certain products containing. Roberson. rh247; rf668.
- 395 - (Finance) MS Major Economic Impact Act; extend deadline for issuance of bonds for certain automotive parts manufacturing plant projects. Roberson, et al. rh362; rf633; cr786; cu1071; v1071; sp2523.
- 396 - (Finance) Tourism Project Sales Tax Incentive Program; extend authority of MDA to approve participants for projects. Roberson. rh376; rf633; cr750.
- 397 - (Energy) MS Gulf Coast Region Utility Board; extend repealers on. Roberson. rh518; rf640.
- 400 - (Judiciary, Division B) Election crimes; revise the penalties for certain. Owen. rh542; rf652; cr796; cu1731; v1738; vp1738; hdc2700; ca2784; crah2860; hrcc3148; msrp3239; cu3239; rcc3239; cro3651; rcc3659; hrcc3695; crah4054.
- 401 - (Finance) Mississippi Motor Vehicle Commission Law; revise certain provisions relating to a manufacturer's ownership of motor vehicle dealership. Lamar. rh236; rf246; cr273; cu864; v865; sp1864.
- 402 - (Judiciary, Division B) Fleeing law enforcement; increase penalties for the crime of. Bain, et al. rh632; rf652.
- 405 - (Judiciary, Division B) Bribery of a candidate and crime of conspiracy; revise statute of limitations for. Bain, et al. rh597; rf652; cr795; cu1692; v1696; hdc2700; ca2784; cro3465; cra3467; v3467; crah3700; sp4055.
- 408 - (Judiciary, Division B) Reckless endangerment; create the crime of. Bain, et al. rh624; rf652.
- 412 - (Judiciary, Division B) DNA samples; destroy upon request for expungement. Bain. rh542; rf652.
- 419 - (Tourism; Appropriations) Tourism; provide assistance to destination marketing organizations and other entities. Currie, et al. rh486; rf653; cr792; cu1539; v1541; hdc2700; ca2842; msrp3558; cu3559; rcc3559; hrcc3633; cro3778; cra3781; v3781; crah3999; sp4062.
- 422 - (Public Property; Appropriations) Public land in Rankin County; authorize DFA to assign property to various state agencies and institutions and establish new Veterans Nursing Home. Weathersby, et al. rh247; rf653.
- 423 - (Public Property; Appropriations) Former First Christian Church property within the Capitol Complex; authorize DFA to purchase. Weathersby, et al. rh248; rf653.
- 443 - (Universities and Colleges) MS Commission on College Accreditation; authorize IHL Board to provide staff, facilities and other means of support to. Scoggin. rh518; rf654.

- 451 - (Judiciary, Division B) Bail; revise how the amount is determined and authorize certain options for the defendant. Roberson. rh597; rf653.
- 454 - (Highways and Transportation) Radar; authorize use by municipal law enforcement officers in certain municipalities. Rushing, et al. rh616; rf653; cr729; cu1412; v1412; sp2597.
- 478 - (Public Health and Welfare) Occupational Therapy Licensure Compact; create. Mims, et al. rh362; rf654.
- 483 - (Judiciary, Division B) Sentencing judge; authorize to set date to revisit sentencing of nonviolent offenders. Blackmon. rh597; rf653.
- 484 - (Agriculture) Petroleum Products Inspection Law; delete repealer on definitions and penalties under. Pigott. rh362; rf653; cr783; cu1223; v1231; hc2595; sp2648.
- 485 - (Judiciary, Division A) Sexual assault evidence kit; regulate the processing of. Cockerham, et al. rh379; rf689; cr752; cu1414; v1424; hdc2782; ca2783; uc3467; cro3467; cra3474; v3474; crah3700; sp3985.
- 510 - (Judiciary, Division A) Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents. Ford (73rd), et al. rh542; rf641; cr752; cu1424; v1434; hdc2700; ca2783; cu3475; rcc3475; hrcc3503; msrp3799; cro3799; cra3807; v3807; vp3807; crah3999; sp4071.
- 515 - (Wildlife, Fisheries and Parks; Appropriations) Training facilities; include in categories eligible for license fee increase proceeds. Kinkade, et al. rh248; rf653.
- 516 - (Wildlife, Fisheries and Parks) Conservation officer; decrease minimum years of law enforcement experience required to be appointed a. Kinkade, et al. rh248; rf653; cr794; cu944; v944; sp1865.
- 517 - (Wildlife, Fisheries and Parks) Guide and outfitter services licenses; revise annual fee for both residents and nonresidents. Kinkade, et al. rh248; rf653; cr794; cu944; v946; hdc2598; ca2655.
- 518 - (Public Health and Welfare; Appropriations) Local Provider Innovation Grant Program; revise certain provisions of. Mims, et al. rh362; rf654; cr789; cu1253; v1253; sp2523.
- 519 - (Accountability, Efficiency, Transparency) Landscape architects; authorize to participate with multi-disciplinary engineer and architecture firms. Creekmore IV, et al. rh648; rf670.
- 521 - (Insurance; Appropriations) Length of Service Award Program; authorize for the recruitment and retention of volunteer firefighters. Scoggin, et al. rh620; rf641; cr793; cu1332; v1338; hdc2860; ca3374; msrp3890; cro3890; cra3892; v3892; crah4054; sp4069.
- 522 - (Public Health and Welfare) Mississippi Individual On-site Wastewater Disposal System Law; extend repealer on. Roberson. rh363; rf668; cr791; msrp1567; cu1567; v1567; sp2523.
- 529 - (Judiciary, Division B; Appropriations) Department of Public Safety; revise various provisions. Bain, et al. rh620; rf653; cr794; cu1678; v1692; hdc2700; ca2784; cro3475; cra3487; v3487; crah3700; sp4062.

- 533 - (Judiciary, Division A) Adoption procedures; revise home study and residency requirements. Bain. rh600; rf641; cr752.
- 534 - (Judiciary, Division B) Drug Intervention Courts; standardize references. Bain, et al. rh621; rf653.
- 535 - (Finance) Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. Weathersby. rh363; rf633; cr750; cu828; v841; hdc2700; ca2705; cro3392; cra3409; v3409; uc3499; crah3700; uc3746; sp4071.
- 536 - (Universities and Colleges) MSU; amend authority to enter into a long-term lease for housing and retail purpose to extend the original lease term to 65 years. Weathersby. rh518; rf668.
- 537 - (Municipalities) Municipalities; authorize waiver of liens, under certain circumstances, for costs associated with cleaning menaced property. McGee, et al. rh617; rf653.
- 538 - (Accountability, Efficiency, Transparency) Pat Harrison Waterway District; provide county withdrawal from district not effective until close of FY in which county obligations met. Turner, et al. rh617; rf634; cr792; cu1541; v1547; hc2595; sp2650.
- 540 - (Accountability, Efficiency, Transparency) Personal and professional services; require the Department of Finance and Administration to conduct solicitations of for certain agencies. Turner, et al. rh379; rf674; cr792; cu1547; v1566; hc2595; sp2672.
- 544 - (Insurance) Valued policy law; exempt builder's risk insurance policies from. Ford (54th), et al. rh617; rf641; cr738; cu898; v898; mr949; mrc1372; mrp1372; v1372; sp2527.
- 549 - (Finance) Sales Tax; exempt certain sales of property transported from this state and first used in another state. Oliver, et al. rh730; rf749; cr2329; cu2410; v2411; sp2648.
- 552 - (Accountability, Efficiency, Transparency) Poll managers; increase the compensation of. Wallace, et al. rh598; rf640.
- 556 - (Municipalities; Accountability, Efficiency, Transparency) "Property Clean up Revolving Fund"; establish. Rushing, et al. rh481; rf653.
- 557 - (Public Health and Welfare; Appropriations) MS Rural Dentists Scholarship Program; increase number of students who may be admitted into annually. Steverson. rh363; rf654; cr791; msrp1676; cu1676; v1677; hdc2599; ca2655.
- 559 - (Rules) The Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week; designate the second week in April annually as. Tullos. rh291; rf492; cr523; cu637; v637; sp660.
- 566 - (Highways and Transportation) Headlights; require to be used whenever windshield wipers necessitated. Holloway, et al. rh379; rf653.
- 584 - (Public Health and Welfare; Appropriations) Qualified Health Center Grant Program; clarify that amount specified for grants under is minimum amount to be issued. Mims, et al. rh363; rf654; cr789; cu1254; v1257; hc2596; sp2650.

- 588 - (Economic and Workforce Development) Office of Workforce Development; revise funding mechanism for and revise powers and duties of. Roberson. rh363; rf654; cr737; cu1093; v1198; hdc2599; ca2655; nca2703; cro3166; cra3197; v3197; crah3641; sp3986.
- 602 - (Appropriations) District Attorneys; increase the operating allowance of. Read, et al. rh380; rf634; cr788; cu797; v798; hdc2599; ca2662; msrp3462; cro3463; cra3463; v3463; crah3917; sp4055.
- 603 - (Appropriations) Budget; provide for various transfers of funds, and create various special funds. Read. rh279; rf634; cr717; cu755; v760; hdc2645; ca2662; cu3458; rcc3458; hrcc3504; msrp4001; cro4001; cra4051; v4051; crah4053; sp4069; partial veto.
- 604 - (Appropriations) New programs funded with ARPA funds; revise certain provisions and bring forward sections of. Read. rh280; rf634; cr717; cu760; v770; hdc2599; ca2655; cu3458; rcc3458; hrcc3504.
- 606 - (Gaming) The Mobile/Online Betting Task Force; authorize. Eure, et al. rh621; rf641; cr782; cu1209; v1210; hc2775; sp2821.
- 617 - (Appropriations) Mississippi Development Authority Tourism Advertising Fund; use portion of monies in to advertise for state parks. Miles, et al. rh481; rf653.
- 618 - (Highways and Transportation) Transportation funding; authorize public-private partnerships to include naming rights. Miles. rh598; rf653.
- 626 - (County Affairs) Boards of Supervisors; provide exception on prohibition of expending certain funds in last months of office to meet federal ARPA spending deadline. Byrd. rh339; rf653.
- 631 - (Finance) Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating. Byrd, et al. rh364; rf634.
- 675 - (Judiciary, Division A) State Veterans Affairs Board; revise provisions regarding processing appeals of claims. Carpenter, et al. rh364; rf641.
- 677 - (Veterans and Military Affairs) County veteran service officers; revise certain qualifications for. Carpenter, et al. rh364; rf641; cr705; cu1389; v1391; hdc2782; ca2827; cro3197; cra3199; v3199; crah3641; sp3693.
- 685 - (Judiciary, Division A) Deeds to married couples; create a rebuttable presumption of joint tenancy with rights of survivorship. Reynolds. rh486; rf641; cr752; cu1021; v1021; hdc2700; ca2783.
- 690 - (Energy; Appropriations) Chickasawhay Natural Gas District; increase compensation of board of directors and chairperson of. Barnett, et al. rh518; rf640.
- 691 - (Highways and Transportation) Memorial highways; designate various throughout the state. Barnett, et al. rh380; rf653; cr729; msrp897; cu897; v898; hdc1884; ca2054; cro3487; cra3489; v3489; sp4055.
- 693 - (Municipalities) Aldermen and councilmen; increase the maximum amount of surety bond that may be given by. Carpenter. rh364; rf654.

- 696 - (Accountability, Efficiency, Transparency) Capitol Complex Improvement District; revise boundary lines of. Yates. rh602; rf654.
- 698 - (Energy) Municipal water, wastewater and sewer services; require equity based billing based on use of. Yates. rh518; rf640; cr782; cu1438; v1441; vp1441; hdc2700; ca2704; cro3495; cra3498; v3498; msrp3508; mrp3508; rcc3508; hrcc3633; msrp3642; cro3642; cra3645; v3645; crah3918; sp3986.
- 702 - (Accountability, Efficiency, Transparency) Reverse auction; revise method of receiving bids through for agencies and governing authorities. Bell (21st). rh364; rf634.
- 703 - (Highways and Transportation) "Medal of Honor Trail"; designate portion of Interstate 22 and U.S. Highway 78 within the State of Mississippi as. Creekmore IV, et al. rh380; rf654.
- 704 - (Tourism; Finance) Television series production; provide incentives for certain. Creekmore IV, et al. rh624; rf654; cr786; cu1451; v1452; hdc2701; ca2830; msrp3559; cro3559; cra3563; v3563; crah3700; sp3986.
- 722 - (Drug Policy) Controlled substances; exclude fentanyl testing materials from definition of "paraphernalia" under. Bell (65th), et al. rh248; rf633; cr775; cu915; v915; sp1864.
- 723 - (Highways and Transportation) Mississippi Transit Corporation; establish and create study committee. Bell (65th), et al. rh624; rf656.
- 726 - (Judiciary, Division A) Supreme court, court of appeals, chancery courts and circuit courts; bring forward code sections related to. Cockerham. rh624; rf641.
- 729 - (Education; Appropriations) "Mississippi Successful Techniques Resulting in Delivering Excellence in Education and Employability (STRIDE) Scholarship Program"; establish. McCarty, et al. rh482; rf654.
- 730 - (Education) "William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program"; revise to expand eligibility. McCarty, et al. rh482; rf654.
- 735 - (Finance) Retailer Tax Fairness Act; create. Roberson, et al. rh380; rf634.
- 752 - (Education; Appropriations) MS Dyslexia Therapy Scholarship for Students with Dyslexia; revise eligibility beginning with kindergarten. Byrd, et al. rh617; rf655.
- 763 - (Appropriations) MDA FY23 appropriations from Gulf Coast Restoration Fund; revise those made to the Hancock County Port and Harbor Commission. Lamar. rh280; rf634.
- 768 - (Accountability, Efficiency, Transparency) State Personnel Board; require agencies seeking an exemption from the oversight of to submit written plan of justification to Legislature and SPB. Turner, et al. rh617; rf634; cr792; cu1547; v1547; sp2528.
- 769 - (Wildlife, Fisheries and Parks) Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as. Bain, et al. rh365; rf656; cr794; cu1361; v1361; mr1367; mrc1875; mrt1876; hdc2599; ca2655; cro3499; cra3500; v3500; crah3700; sp4055.
- 770 - (Economic and Workforce Development; Appropriations) Mississippi Office of Space and Technology; create to be administered by MDA, which shall staff.



Ladner. rh542; rf655; cr788; cu1233; v1234; hdc2599; ca2656; msrp3212; cro3212; cra3213; v3213; crah3641; sp3984.

- 771 - (Universities and Colleges; Appropriations) HELP Grant and MTAG Programs; revise level of funding provided to eligible students. Scoggin. rh595; rf668; cr794; cu1355; v1360; hdc2645; ca2784; hrcc3504; msrp3566; cu3566; rcc3566; hrcc3642.
- 772 - (Tourism) Mississippi Opal; designate as official state gemstone. Currie, et al. rh482; rf656; cr713; cu887; v887; mr996.
- 773 - (Business and Financial Institutions) Real estate brokers and agents; revise liability regarding disclosure statements. Deweese, et al. rh598; rf641.
- 787 - (Forestry) Mississippi Board of Registration for Foresters; bring forward all code sections and authorize to suspend license of licensee for failure to satisfy judgement. Hood. rh274; rf656; cr750; cu854; v861; hc1883; sp2523.
- 793 - (Public Health and Welfare; Appropriations) EMS Memorial; Health Dept. shall design and construct to honor EMS personnel who died in line of duty. Hobgood-Wilkes, et al. rh365; rf655.
- 795 - (Judiciary, Division B) Shoplifting; require to calculate the total price of all shoplifting items for fine. Hobgood-Wilkes. rh617; rf656; cr795; cu1696; v1698; hdc2701; ca2784; cro3501; cra3503; v3503; crah3700; sp3987.
- 799 - (Corrections; Appropriations) Inmate Welfare Fund; authorize to expend funds for treatment of mental illness for certain inmates. Horan. rh542; rf633; cr788; cu936; v937; hdc2701; ca2704; cu2837; rcc2838; hrcc3107; cro3508; cra3511; v3511; crah3917; sp3984.
- 809 - (Accountability, Efficiency, Transparency) Executive Director of Public Utilities Staff; remove Public Service Commission from the process of appointing. Bounds. rh598; rf640; cr792; cu1338; v1338; sp2524.
- 817 - (Education; Appropriations) Early Learning Collaborative; increase minimum funding levels for full-day and half-day programs. McCarty, et al. rh482; rf655; cr789; msrp1746; cu1746; v1746; hdc2782; ca2788; crah3372; msrp3669; cro3670; cra3670; v3670; crah3918; sp4055.
- 821 - (Judiciary, Division A) Notaries; revise residency requirements of. Aguirre. rh621; rf641; cr752.
- 823 - (Education; Appropriations) Commission on Education and Economic Competitiveness; establish to develop vision for the state's future economic and educational success. Holloway, et al. rh598; rf655.
- 824 - (Highways and Transportation) MDOT; authorize to assist publicly owned gas and water districts with certain removal and relocation projects. Creekmore IV, et al. rh380; rf657.
- 834 - (Appropriations) Assistant District Attorneys and criminal investigators; increase authorized number of. Read, et al. rh380; rf634; cr788; cu1057; v1060; hdc2646; ca2662; cu3459; rcc3459; hrcc3504; cro3746; cra3750; v3750; crah3999; sp4071.
- 838 - (Judiciary, Division B) Mississippi Tianeptine and Kratom Consumer Protection Act; create. Bain. rh602; rf657.

- 840 - (Judiciary, Division B) State Public Defender; revise certain powers and duties of. Bain. rh380; rf657.
- 842 - (Economic and Workforce Development; Appropriations) Office of Workforce Development; authorize to work with MS Alliance of Nonprofits and Philanthropy to create an accountability system for certain nonprofits. Bell (21st), et al. rh365; rf655.
- 843 - (Economic and Workforce Development) Mississippi Department of Employment Security; authorize to conduct background investigations on certain employees. Bell (21st). rh365; rf655.
- 844 - (Economic and Workforce Development; Appropriations) Office of Workforce Development; revise funding mechanism for and create Mississippi K-12 Workforce Development Grant Program. Bell (21st), et al. rh629; rf668.
- 845 - (Economic and Workforce Development; Appropriations) Mississippi New Economic Development Training Assistance Grant Program; create. Bell (21st), et al. rh376; rf655.
- 846 - (Education) Sixteenth Section land; revise zoning authority of local governing entities to prohibit restrictions on school districts' ability to build on said lands. Bell (21st). rh365; rf655.
- 850 - (Finance) School ad valorem tax levy; authorize levying authority for certain districts to approve/disapprove request for certain increases. Burnett. rh380; rf657.
- 854 - (Public Health and Welfare) Marriage and family therapists; revise certain requirements for licensure. McGee. rh365; rf655; cr791; msrp1567; cu1567; v1567; sp2524.
- 857 - (County Affairs; Municipalities) Local Government Debt Collection Setoff Act; clarify term of "claimant local government" under. Byrd. rh366; rf657.
- 858 - (Accountability, Efficiency, Transparency) Mississippi Regional Preneed Disaster Clean Up Act; create. Byrd. rh274; rf657.
- 859 - (Education) Public special purpose schools; exempt from certain audit requirements. Currie. rh599; rf668.
- 860 - (Universities and Colleges) "MS Intercollegiate Athletics Compensation Rights Act" and "Uniform Athlete Agents Act"; bring forward. Bounds. rh482; rf668.
- 870 - (Judiciary, Division B) Justice Court appeals; revise number of days to circuit court. Reynolds. rh599; rf657.
- 871 - (Finance) Ad valorem tax; extend time for partial exemption and fee-in-lieu of ad valorem tax agreement for certain renewable energy projects. Reynolds, et al. rh730; rf749.
- 874 - (Public Property) MS Dept. of Archives and History property; authorize DFA to clarify donation of certain lands in Claiborne County to U.S. Dept. of Interior - National Park Service. Weathersby. rh366; rf657; cr753; msrp1860; cu1860; rc1860.

- 875 - (Accountability, Efficiency, Transparency) Public purchases; revise bidding requirements for certain projects and other related to Mississippi Landmarks. Weathersby. rh648; rf670.
- 876 - (Public Property) Columbia Training School Property; clarify purposes for which the Marion County Economic Development District may be reimbursed. Weathersby. rh366; rf657.
- 877 - (Insurance) USM; clarify authority to enter into insurance agreement for protection of property at the state port at Gulfport. Weathersby. rh366; rf668; cr738; cu899; v899; sp1864.
- 880 - (Business and Financial Institutions; Judiciary, Division A) Mississippi Consumer Privacy Act for State Agencies; create. Turner, et al. rh624; rf641.
- 882 - (Business and Financial Institutions; Appropriations) Renaissance Assistance Program to Initiate Development; create to assist small businesses. Turner, et al. rh625; rf641.
- 894 - (Judiciary, Division B) Violations of local zoning ordinances; authorize governing authorities to pursue administrative or civil penalties for. Haney, et al. rh380; rf657; cr723; cu893; v893; sp1865.
- 903 - (Judiciary, Division B) Counties and municipalities; revise fine amount that may be paid by those convicted of violating anti-littering ordinance. Evans (45th), et al. rh380; rf657; cr723.
- 904 - (Wildlife, Fisheries and Parks) Tombigbee River Valley Water Management District; authorize to transfer Kemper Lake to Kemper County Board of Supervisors. Evans (45th). rh366; rf657; cr794; cu944; v944; sp1865.
- 912 - (Judiciary, Division B) Firearm suppressors; authorizing manufacture and possession in Mississippi and prohibit enforcement of federal laws governing. Anderson (122nd), et al. rh621; rf657; cr796; cu1700; v1705; vp1705; hdc2701; ca2784; cro3512; cra3516; v3516; crah3700; sp4056.
- 916 - (Economic and Workforce Development) General experience rate; provide that noncharges caused by COVID-19 pandemic shall not impact. Bell (21st). rh366; rf655.
- 917 - (Public Property; Appropriations) Mississippi Worker's Comp commission office building; place under the supervision and care of DFA. Weathersby. rh386; rf657; cr789; cu937; v939; hdc1884; ca2656; nca2708; cro2992; cra2993; v2993; crah3372; sp4056.
- 920 - (Highways and Transportation) Radar; clarify how population is calculated. Rushing. rh377; rf657.
- 922 - (Universities and Colleges) Alcorn State University; update references to in code to reflect current name designation. Harness, et al. rh518; rf655; cr751; cu1198; v1198; sp2523.
- 923 - (Wildlife, Fisheries and Parks) Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as. Reynolds, et al. rh367; rf657; cr794; cu1361; v1363; mr1367; mrc1876; mrt1876; hdc2646; ca2779; cro3516; cra3517; v3517; crah3700; sp4056.

- 968 - (Finance) Sales tax and use tax; revise provisions regarding computer software, computer software service and computer service. Lamar. rh626; rf634; cr786; cu964; v996.
- 976 - (Wildlife, Fisheries and Parks) Boats; require validation decal certifying the awarded number to be displayed on each side of vessel. Kinkade. rh482; rf657.
- 979 - (Wildlife, Fisheries and Parks) Hunting; provide exception for recovering mortally wounded animals at night with use of light. Kinkade. rh622; rf657; cr794; cu946; v948; hc1883; sp2524.
- 985 - (Accountability, Efficiency, Transparency) EMS Advisory Council; revise membership of. Hobgood-Wilkes. rh626; rf634; cr792.
- 986 - (Highways and Transportation; Accountability, Efficiency, Transparency) Transportation; allow public and private partnerships to establish electric vehicle charging stations. Busby, et al. rh381; rf657.
- 989 - (Accountability, Efficiency, Transparency) Child Protection Services; remove from DHS and make it a separate agency. Felsner. rh367; rf670.
- 995 - (Judiciary, Division B) Rape; revise elements for the crime of and remove spousal exception. McLean, et al. rh622; rf658; cr795; cu1698; v1699; hdc2701; ca2784; cro3517; cra3520; v3520; crah3700; sp4056.
- 996 - (Judiciary, Division A) Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at time of death. McLean, et al. rh617; rf641; cr752.
- 999 - (Finance) Sales tax; deposit portion of revenue into the Mississippi Outdoor Stewardship Trust Fund. Kinkade. rh367; rf634.
- 1000 - (Education) Foster and adopted children; allow foster or adoptive parent to choose school or school district of enrollment. Kinkade, et al. rh602; rf655.
- 1002 - (Highways and Transportation) Petroleum Products Inspection Law; delete repealer on. Busby. rh378; rf658.
- 1003 - (Highways and Transportation) Mississippi Fully Autonomous Vehicle Enabling (MS FAVE) Act of 2023; establish to regulate operation of autonomous vehicle on public roads. Busby, et al. rh603; rf658; cr729; msrp1705; cu1705; v1730; hc2775; sp2821.
- 1016 - (Highways and Transportation) Memorial highway; designate segment of MS Hwy 8 in Chickasaw County as the "Deputy Jeremy Allen Voyles Memorial Highway". Lancaster, et al. rh381; rf658; cr729; msrp897; cu897; v897; sp1865.
- 1017 - (Highways and Transportation) Memorial intersection; designate intersection of U.S. 45 and CR 110 in Clarke County as the "Army Spc. Terry Kishaun Dantez Gordon Memorial Intersection". Smith, et al. rh381; rf658; cr729; msrp897; cu897; v897; sp1865.
- 1020 - (Judiciary, Division A) Capitol Complex Improvement District judicial jurisdiction; create and revise boundaries. Lamar, et al. rh595; rf670; cr752; cu1199; v1204; v1205; v1206; v1207; pq1207; mtf1207; pqw1207; v1207; pin1208; ru1208; po1208; ru1208; v1209; mr1367; mrc1372; mrt1372; hdc2701; ca2704; cu3521; rcc3521; hrcc3633; msrp3894; v3894; po3894; ru3894; po3895; ru3895;

pin3895; ru3895; cro3895; pin3909; ru3909; cra3909; v3909; vp3909; mr3909; mrc3923; mrt3923; crah4054; sp4062.

- 1025 - (Highways and Transportation) Airport authority; authorize to dispose of property with a fair market value of zero if certain conditions are met. Calvert. rh622; rf658; cr729; cu1412; v1412; sp2528.
- 1027 - (Tourism) State Fruit; designate the blueberry as. Ford (73rd), et al. rh483; rf658; cr714; cu887; v887; sp1865.
- 1029 - (Veterans and Military Affairs) United States Space Force; provide that reference to "Armed Forces" and "Uniformed Services" in Mississippi law shall include members of. Roberson, et al. rh261; rf641; cr705; cu1391; v1411; hdc2701; ca2783; crah2861; cro3199; cra3200; v3200; sp4063.
- 1030 - (Business and Financial Institutions) Motor Vehicle Sales Finance Law; clarify employees of state licensee may work remotely. Aguirre. rh603; rf641; cr783; cu1442; v1442; sp2524.
- 1033 - (Accountability, Efficiency, Transparency) MS Management and Reporting System Revolving Fund; require administration to submit report of purchasing needs to legislative committees. Carpenter. rh617; rf634.
- 1034 - (Veterans and Military Affairs) State Veterans Affairs Board; revise composition of. Carpenter, et al. rh622; rf641; cr705; cu744; v746; hdc1884; ca2656; nca2780.
- 1039 - (Public Health and Welfare) Occupational licensing; revise certain provisions relating to members of the military to include veterans. Carpenter, et al. rh367; rf641; cr791; msrp1678; cu1678; v1678; hdc2701; ca2704.
- 1041 - (Business and Financial Institutions) State depositories; revise certain definitions relating to align with federal regulatory standards. Zuber. rh599; rf641.
- 1048 - (Appropriations) "Universal Changing Tables Installation Incentive Grant Program Act"; establish to be administered by Mississippi Department of Rehabilitation Services. Crawford. rh622; rf658; cr788; cu1370; v1372; hdc2646; ca2662.
- 1056 - (Education) School employees; revise rate for payment for unused leave to unlicensed employees upon retirement. Hood. rh381; rf668.
- 1060 - (Energy) Electric vehicles; authorize charging by nonutilities. Anderson (122nd), et al. rh518; rf668; cr782; cu916; v920; sp1865.
- 1061 - (Energy) Electric transmission infrastructure; prescribe requirements for issuance of certificate of public convenience and necessity. Anderson (122nd), et al. rh542; rf640.
- 1067 - (Finance) Mississippi Broadband Accessibility Act; create. Bounds, et al. rh543; rf640.
- 1068 - (Public Health and Welfare) Water Quality Accountability Act; create. Yancey. rh626; rf668.
- 1070 - (Education; Appropriations) Patriotic Education Grant Program; establish. Yancey, et al. rh626; rf668.

- 1071 - (Drug Policy) Uniform Controlled Substances Act; revise schedules. Yancey. rh519; rf633; cr775; msrp1237; cu1237; v1253; hc2596; sp2648.
- 1072 - (Public Property; Appropriations) Hazardous trees on tax forfeited land; authorize counties/municipalities to remove and Secretary of State to reimburse for the removal of. Yancey. rh623; rf658.
- 1084 - (Insurance) Insurance agents; revise the continuing education requirements of those who are 65 and have been licensed for 20 years. McLean, et al. rh627; rf642; cr738; cu771; v774; hdc1884; ca2656; cro3200; cra3203; v3203; crah3641; sp3693.
- 1087 - (Education; Appropriations) MS School for Math and Science; increase licensed employees' salaries by amount corresponding to increases to amount and years in teacher salary scale. McLean, et al. rh599; rf655.
- 1088 - (Appropriations) State budget; provide for various transfers and create new special funds. Read. rh281; rf634.
- 1089 - (Appropriations) State budget; revise provisions of several FY 23 funds and authorize reimbursement of certain costs of MDA. Read. rh381; rf634; cr788; cu798; v827; hdc2646; ca2662; msrp3573; cro3573; cra3606; v3606; crah3700; sp4065; partial veto.
- 1094 - (Public Health and Welfare) Wastewater and sewage; authorize MDEQ to fine any municipality or county for improper disposal of. Currie, et al. rh630; rf669.
- 1101 - (Judiciary, Division A) Corporations and LLCs; authorize determination notices and certificates of administrative dissolution to be served by email to registered agent. Deweese. rh483; rf642; cr752; cu1412; v1414; hc2657; sp2674.
- 1105 - (Judiciary, Division B) Secretary of State employees; authorize certain employees to carry a firearm. Barnett, et al. rh650; rf669.
- 1108 - (Accountability, Efficiency, Transparency) Rural water associations; authorize those providing sewer services to participate in the ARPA Rural Water Association Infrastructure Grant Program. Boyd (37th), et al. rh599; rf658.
- 1110 - (Business and Financial Institutions) Second Amendment Financial Privacy Act; create. Owen, et al. rh627; rf642; cr783; cu1216; v1219; mr1367; mrc1373; mrt1373; hdc2701; ca2823; cro3203; cra3204; v3204; crah3641; sp3694.
- 1111 - (Judiciary, Division A) County court jurisdiction for termination of parental rights; authorize for both involuntary and voluntary termination. Owen. rh382; rf642; cr753; cu901; v915; hdc2701; ca2783; cro3521; cra3522; v3522; crah3917; sp3984.
- 1115 - (Judiciary, Division A) Durable legal custody; clarify jurisdiction for. Owen, et al. rh618; rf642; cr753; cu1435; v1438; hc2657; sp2674.
- 1123 - (Business and Financial Institutions) Delivery of payment services; regulate. Aguirre. rh604; rf642.
- 1125 - (Judiciary, Division B) Regulate Experimental Adolescent Procedures (REAP) Act; create to regulate transgender procedures and surgeries. Newman, et al. rh248; rf282; cr314; cu715; v715; ev715; ev716; sp748.

- 1131 - (Appropriations) MS Prison Industries Act; bring forward certain sections pertaining to. Horan. rh627; rf633.
- 1136 - (Finance) Distinctive motor vehicle license tags; authorize for 2021 and 2022 National Championship Rebels and supporters of various organizations. Zuber. rh367; rf634; cr750; cu866; v867; hdc2702; ca2705; uc3409; cro3410; cra3443; v3443; uc3498; crah3700; uc3984; sp4072.
- 1139 - (Judiciary, Division B) Simple assault; authorize judicial discretion when assessing fines. Zuber. rh382; rf658.
- 1140 - (Finance) Beer, light wine and light spirit products; revise manufacturers prohibited from having interest in wholesalers or distributors. Zuber. rh368; rf658; cr750; cu1070; v1071; hdc2702; ca2705; cro3646; cra3647; v3647; crah3918; sp4056.
- 1149 - (Judiciary, Division A) Path to permanency; provide for children in Child Protection Services. Cockerham, et al. rh382; rf642; cr790; cu1455; v1539; hdc2702; ca2783; hrcc3503; msrp3522; cu3522; rcc3522; msrp3809; cro3809; cra3889; v3889; mr3913; mrc3924; mrt3924; crah4054; sp4073.
- 1150 - (Education) Charter schools; bring forward various provision relating to powers and duties of authorizer board. Boyd (19th), et al. rh604; rf655.
- 1155 - (Judiciary, Division A) Residential subdivisions; authorize property owners to establish and/or amend covenants, conditions and restrictions. Lamar. rh387; rf642; cr790.
- 1157 - (Judiciary, Division A) Vehicle rental; require those engaged in to disclose total charges, including all additional mandatory charges. Yancey. rh618; rf642; cr790; cu940; v942; hc2657; sp2675.
- 1158 - (Public Health and Welfare) Medical Cannabis Act; revise certain provisions of. Yancey, et al. rh387; rf669; cr791; msrp1567; cu1567; v1639; msrp1745; mrp1745; v1745; hc2596; sp2675.
- 1159 - (Wildlife, Fisheries and Parks) Pat Harrison Waterway District; authorize municipalities to join. Calvert, et al. rh383; rf658.
- 1161 - (Education) Interstate Teacher Mobility Compact; enact. Felsher, et al. rh483; rf655.
- 1162 - (Insurance) Reciprocal insurance; revise sworn declaration requirements of and board of directors for. Ford (54th). rh618; rf642; cr738; cu774; v774; sp788.
- 1167 - (Finance) Residential builders and remodelers; revise license examination for certain license applicants. Lamar. rh368; rf634.
- 1168 - (Finance) Municipal special sales tax; revise use of revenue for certain. Lamar. rh483; rf634; cr786; cu1071; v1076; hc2657; sp2676.
- 1169 - (Finance) Income tax; revise method of collecting delinquent tax from public officers and employees. Lamar. rh368; rf635; cr786; cu868; v868; hc2657; sp2677.
- 1170 - (Finance) Motor vehicles and manufactured homes; authorize Department of Revenue to issue electronic liens and titles. Lamar. rh383; rf635; cr750; cu868; v868; sp1866.

- 1172 - (Insurance) Federal home loan banks; define term and provide process for handling delinquent insurer's secured claim. Zuber. rh618; rf642.
- 1173 - (Education; Appropriations) EEF procurement cards; authorize issuance to eligible charter school teachers. Bennett. rh383; rf655; cr789; cu1452; v1452; sp2523.
- 1174 - (Education) Public schools; authorize to have a supply of FDA-approved opioid reversal agents on premises to counter opioid overdose. Bennett, et al. rh630; rf669.
- 1176 - (Education) National board certified education professionals; clarify provisions related to certification component reimbursements. Bennett, et al. rh627; rf669.
- 1177 - (Education) Educator misconduct; clarify provisions relating to disciplinary action taken against personnel of public special purpose schools and other educators. Bennett. rh483; rf655.
- 1187 - (Accountability, Efficiency, Transparency) Mississippi Real Estate Appraiser Licensing and Certification Board; separate from Mississippi Real Estate Commission and from Mississippi Real Estate Appraisal Board. Barnett. rh281; rf635.
- 1190 - (Insurance) Health benefit plan; authorize plan sponsor of to consent, on behalf of covered pensions, to delivery of all communications by electronic means. Zuber. rh618; rf642; cr738; cu899; v899; sp1866.
- 1191 - (Insurance) Pet insurance; create legal framework by which it may be sold in the state. Zuber, et al. rh618; rf642.
- 1194 - (County Affairs; Accountability, Efficiency, Transparency) County boards of supervisors; authorize donations to MS Main Street programs and civil rights memorials. Lamar, et al. rh388; rf658.
- 1195 - (Finance) Retirement; allow certain members of PERS to purchase up to three years of creditable service. Lamar, et al. rh368; rf635.
- 1196 - (Local and Private) City of McComb; extend date of repeal on hotel/motel tourism tax. Porter, et al. rh696; rf697; cr2525; cu2531; v2531; sp2672.
- 1197 - (Local and Private) City of Baldwin; extend date of repeal on tax for hotels, motels, restaurants and convenience stores. Turner. rh696; rf698; cr1869; msrp2439; cu2439; v2439; sp2650.
- 1200 - (Education) Dyslexia Therapy Scholarship for Students with Dyslexia Program; expand to allow certified academic language therapists (CALT); to provide dyslexia therapy services. Hobgood-Wilkes, et al. rh483; rf656.
- 1207 - (Education; Appropriations) Paramedics Recruitment and Retention Scholarship Grant Program; create. Carpenter, et al. rh543; rf656.
- 1209 - (Local and Private) City of Waynesboro; extend repealer on authority to impose tax on bars, restaurants, hotels/motels, B & Bs. Barnett. rh696; rf698; cr1869; msrp2439; cu2439; v2439; sp2611.
- 1211 - (Judiciary, Division A) Counties and municipalities; authorize to enter into certain agreement when utilizing certain federal funds. Byrd, et al. rh377; rf658.



- 1213 - (Accountability, Efficiency, Transparency) Water Infrastructure Grant Program; DEQ shall give priority to applicants not receiving funding in first round grants. Rosebud, et al. rh604; rf659.
- 1215 - (Judiciary, Division A) Child Support; suspend for incarcerated persons under certain conditions. Cockerham, et al. rh628; rf642; cr752; cu1424; rc1424.
- 1216 - (Judiciary, Division A; Appropriations) Circuit judges and chancellors; increase office operating and expense allowances and support staff funding. Cockerham, et al. rh631; rf642; cr794; cu1353; v1355; mr1861; mrc1876; mpr1876; v1878; hdc2702; ca2783; hrcc3504; msrp3522; cu3522; rcc3522; cro3781; cra3784; v3784; crah3999; sp4063.
- 1217 - (Judiciary, Division A) Court interpreters; revise program under the Administration of the Administrative Office of Courts. Cockerham, et al. rh483; rf642; cr752; cu900; v900; sp1866.
- 1218 - (Judiciary, Division A) Rivers McGraw Mental Health Treatment Court Act; revise. Cockerham, et al. rh484; rf642; cr790; cu942; v943; sp1867.
- 1222 - (Public Health and Welfare) The Mississippi Collaborative Response to Mental Health Act; create. Creekmore IV, et al. rh631; rf669; cr791; msrp1640; cu1640; v1674; hc2596; sp2672.
- 1225 - (Energy) Mississippi Telephone Solicitation Act; transfer enforcement authority to Attorney General's office. Bounds, et al. rh596; rf640; cr782; cu920; v936; hc2042; sp2597.
- 1227 - (Education) Mental Awareness Program for School Act; enact to provide for mental health service providers and certain trauma-informed training. Cockerham, et al. rh619; rf656.
- 1228 - (Education; Appropriations) Community schools; authorize implementation under the administration of a district innovation. Cockerham, et al. rh619; rf656.
- 1229 - (Accountability, Efficiency, Transparency) Department of Public Safety; authorize charges for services with other state agencies. Cockerham. rh282; rf635.
- 1235 - (Appropriations) Civil Air Patrol members; authorize granting of administrative leave and leave of absence to for certain emergency services. Arnold, et al. rh368; rf642.
- 1244 - (Highways and Transportation) Memorial highway; designate a segment of MS Highway 365 in Prentiss County as the "Howard Tillman Bobo Memorial Highway". Arnold, et al. rh383; rf659; cr729; msrp897; cu897; v897; sp1867.
- 1245 - (Highways and Transportation) Memorial highway; designate a segment of MS Highway 364 in Prentiss County as the "James Millard Jourdan Memorial Highway". Arnold, et al. rh383; rf659; cr730; msrp897; cu897; v897; sp1867.
- 1246 - (Highways and Transportation) Memorial highway; designate a segment of MS Highway 365 in Prentiss County as the "Leland L. Holland Memorial Highway". Arnold, et al. rh383; rf659; cr730; msrp897; cu897; v897; sp1867.

- 1264 - (Public Health and Welfare) School districts; authorize to provide feminine hygiene products for female students in Grades 6-12. Jackson, et al. rh619; rf656; cr791; msrp1675; cu1675; v1675; hc2818; sp2847.
- 1266 - (Tourism; Appropriations) Mississippi USA Semiquincentennial Commission and Mississippi Semiquincentennial Celebration Fund; create. Currie. rh484; rf659; cr790.
- 1276 - (Elections) State officers; provide for a runoff election for. Powell. rh623; rf640; cr782; cu1216; v1216; sp2524.
- 1277 - (Universities and Colleges; Appropriations) Mississippi Dual Credit Scholarship Program; create. Barton, et al. rh484; rf669.
- 1286 - (Public Property; Appropriations) Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center". Holloway. rh368; rf669; cr789; cu940; v940; mr949; msrp1860; mrc1860; mrt1860; hdc2646; ca2686.
- 1293 - (Accountability, Efficiency, Transparency) Public purchasing; require state agencies to give a preference to Mississippi-made drones and prohibit purchase of drones made in China. Lamar. rh377; rf635.
- 1299 - (Public Health and Welfare) Pharmacy benefit managers; require to make available to the public, without redaction, contracts relating to pharmacy benefit management services. Yancey. rh649; rf670.
- 1301 - (Economic and Workforce Development; Appropriations) Career coaching program; modify directive of Office of Workforce Development from piloting to implementing long term. Gunn, et al. rh377; rf656.
- 1306 - (Elections) Elections; revise certain provisions about names of candidates appearing on the ballot, judicial candidate's annual report and fraudulent absentee voter applications. Eubanks, et al. rh599; rf640; cr782; cu1210; v1215; hc2696; sp2822.
- 1310 - (Elections; Accountability, Efficiency, Transparency) Elections; revise provisions related to the integrity of. Powell, et al. rh649; rf669; cr793; cu1339; v1352; vp1352; hdc2646; ca2656; hrcc3122; cu3204; rcc3204; cro3522; cra3535; v3535; crah3700; sp4056.
- 1315 - (Judiciary, Division B) Pornographic online and digital/resources for K-12 students; prohibit. Yancey, et al. rh383; rf659; cr796; cu1738; po1743; ru1743; v1743; v1744; vp1744; mr1861; mrc1879; mrt1879; hdc2702; ca2784; msrp3239; cu3239; rcc3239; hrcc3371; cro3662; rcf3667; cra3667; v3667; crah3918; sp4057.
- 1318 - (Judiciary, Division A) Baby drop-off and safe haven; revise provisions that regulate. Ford (73rd), et al. rh543; rf642; cr790; cu1257; v1271; hdc2702; ca2783; hrcc3503; msrp3522; cu3522; rcc3522; cro3938; cra3944; v3944; crah4054; sp4074.
- 1325 - (Local and Private) City of Brandon; extend repealer on hotels/motel to fund amphitheater and other ancillary improvements. Yancey, et al. rh2777; rf2782; cr2826; cu2833; v2833; sp3111.

- 1341 - (Education; Judiciary, Division A) Digital or online resources or databases; require vendors to verify technology protection for persons under 15. Gunn, et al. rh378; rf669.
- 1342 - (Judiciary, Division A) Adoption procedures; regulate by creating a licensure authority. Gunn. rh486; rf643; cr790; cu1452; v1454; hdc2702; ca2783; hrcc3503; msrp3522; cu3522; rcc3522.
- 1356 - (Local and Private) City of Lexington; extend repealer on restaurant tourism tax. Clark. rh696; rf698; cr1869; msrp2439; cu2439; v2439; sp2648.
- 1365 - (Education) Assistant teacher salaries; prohibit school districts from using any state-funded increase to substitute the local contribution. Bennett, et al. rh388; rf656; cr785; cu1448; v1451; hdc2845; ca2848.
- 1369 - (Education; Appropriations) MAEP; determine cost of using Average Daily Membership (ADM) in lieu of ADA with 90% threshold attendance trigger. McCarty, et al. rh384; rf656; cr789; msrp1028, cu1028; v1055; hdc2845; ca2848.
- 1371 - (Judiciary, Division B) Therapists; create a felony for those who have sexual contact with patients. Gunn. rh485; rf659.
- 1373 - (Education) "Released-Time Moral Instruction Act of 2023"; enact to permit students to receive religious instruction during the school day. Gunn, et al. rh378; rf656.
- 1375 - (Municipalities) Municipal annexation; require additional services to annexed area to be completed within three years of annexation decree. Bounds, et al. rh596; rf635.
- 1390 - (Education) Abstinence education; delete repealer on school board requirement to adopt a policy on abstinence-only or abstinence-plus. Yancey. rh384; rf656; cr785; cu1231; v1233; hdc2845; ca2848; cro3667; cra3669; v3669; crah4054; sp4071.
- 1392 - (Public Health and Welfare) MS Vulnerable Persons Abuse Registry; require Department of Human Services to establish. Sanford, et al. rh379; rf656; cr791; msrp1676; cu1676; v1676; mr1861.
- 1477 - (Highways and Transportation) Harvest permits; extend repealer on authority of MDOT to issue. Roberson. rh604; rf659; cr729; cu894; v896; hdc1884; ca2054.
- 1490 - (Judiciary, Division A) Licenses issued by Commission on Wildlife, Fisheries and Parks; require suspension for failure to pay child support. Gunn. rh600; rf643.
- 1521 - (Local and Private) City of Brandon; extend repealer on tax on sales of prepared food and drink at restaurants and bars. Yancey, et al. rh951; rf960; cr1869; msrp2439; cu2439; v2439; sp2611.
- 1528 - (Local and Private) Benton County; authorize to contract with and/or contribute to the Institute of Community Services, Inc. Massengill, et al. rh697; rf698; cr1869; cu2709; v2709; sp2847.
- 1540 - (Local and Private; Finance) Town of Coffeetown; authorize a tax on restaurants to provide funds for tourism, parks and recreation. Reynolds. rh952; rf960.

- 1541 - (Local and Private) Tallahatchie County; authorize conveyance of public library to the Town of Webb. Reynolds, et al. rh952; rf960; cr1869; msrp2439; cu2439; v2440; sp2611.
- 1542 - (Local and Private) Tallahatchie County; authorize conveyance of public library to the Town of Tutwiler. Reynolds, et al. rh952; rf961; cr1869; msrp2439; cu2439; v2440; sp2612.
- 1547 - (Local and Private) City of Pascagoula; extend repealer on hotel, motel and bed-and-breakfast tax. Busby. rh697; rf698; cr2525; cu2531; v2531; sp2673.
- 1561 - (Finance) Ad valorem taxation; revise types of new enterprises eligible for tax exemption. Hood, et al. rh730; rf749; cr2329; cu2429; v2435; hc2657; sp2677.
- 1581 - (Local and Private) City of Columbus; extend repealer on alcoholic beverage and restaurant tax. Karriem, et al. rh697; rf698; cr2525; cu2531; v2532; sp2673.
- 1583 - (Local and Private; Finance) City of Durant; authorize a tax on restaurants to promote tourism, parks and recreation. Clark, et al. rh952; rf961.
- 1593 - (Appropriations) Appropriation; Athletic Commission. Read, et al. rh690; rf703; cr1882; cu1999; v2000; hdc2646; ca2662; cro2862; cra2864; v2864; crah3372; sp3660.
- 1594 - (Appropriations) Appropriation; Auctioneers Commission. Read, et al. rh690; rf703; cr1882; cu2000; v2001; hdc2646; ca2662; cro2864; cra2865; v2865; crah3372; sp3660.
- 1595 - (Appropriations) Appropriation; Barber Examiners, Board of. Read, et al. rh690; rf703; cr1881; cu1980; v1982; hdc2646; ca2662; cro2865; cra2867; v2867; crah3372; sp3660.
- 1596 - (Appropriations) Appropriation; Cosmetology, Board of. Read, et al. rh690; rf703; cr1881; cu1982; v1985; hdc2646; ca2662; cro2867; cra2870; v2870; crah3372; sp3660.
- 1597 - (Appropriations) Appropriation; Social Workers and Marriage and Family Therapists, Board of Examiners for. Read, et al. rh690; rf703; cr1882; cu1997; v1998; hdc2646; ca2662; cro2870; cra2872; v2872; crah3372; sp3660.
- 1598 - (Appropriations) Appropriation; Medical Licensure, Board of. Read, et al. rh690; rf703; cr1881; cu1985; v1987; hdc2646; ca2662; cro2872; cra2875; v2875; crah3372; sp3661.
- 1599 - (Appropriations) Appropriation; Nursing, Board of. Read, et al. rh690; rf703; cr1881; cu1988; v1989; hdc2646; ca2662; cro2875; cra2877; v2877; crah3372; sp3661.
- 1600 - (Appropriations) Appropriation; Nursing Home Administrators, Board of. Read, et al. rh690; rf703; cr1881; cu1990; v1991; hdc2647; ca2662; cro2877; cra2879; v2879; crah3372; sp3661.
- 1601 - (Appropriations) Appropriation; Optometry, Board of. Read, et al. rh690; rf703; cr1882; cu1991; v1993; hdc2599; ca2662; cro2879; cra2881; v2881; crah3373; sp3660.

- 1602 - (Appropriations) Appropriation; Physical Therapy Board. Read, et al. rh690; rf703; cr1882; cu1993; v1995; hdc2599; ca2662; cro2881; cra2883; v2883; crah3373; sp3660.
- 1603 - (Appropriations) Appropriation; Psychology, Board of. Read, et al. rh691; rf703; cr1882; cu1995; v1997; hdc2599; ca2662; cro2883; cra2885; v2885; crah3373; sp3661.
- 1604 - (Appropriations) Appropriation; Engineers and Land Surveyors, Board of Registration for Professional. Read, et al. rh691; rf703; cr1882; cu2002; v2003; hdc2599; ca2663; cro2885; cra2886; v2886; crah3373; sp3660.
- 1605 - (Appropriations) Appropriation; Insurance, Department of. Read, et al. rh691; rf703; cr1880; cu1928; v1931; hdc2599; ca2663; cu2887; rcc2887; hrcc3106; cro3241; cra3245; v3245; crah3641; sp3984.
- 1606 - (Appropriations) Appropriation; Fire Academy. Read, et al. rh691; rf703; cr1880; cu1931; v1933; hdc2600; ca2663; cro2887; cra2889; v2889; crah3373; sp3660.
- 1607 - (Appropriations) Appropriation; Public Employees' Retirement System. Read, et al. rh691; rf703; cr1882; cu2012; v2013; hdc2600; ca2663; cro2889; cra2891; v2891; crah3373; sp3661.
- 1608 - (Appropriations) Appropriation; Real Estate Appraiser Licensing and Certification Board. Read, et al. rh691; rf703; cr1880; cu1935; v1936; hdc2600; ca2663; cro3116; cra3118; v3118; crah3373; sp3984.
- 1609 - (Appropriations) Appropriation: Real Estate Commission. Read, et al. rh691; rf703; cr1880; cu1933; v1935; hdc2600; ca2663; cro3118; cra3120; v3120; crah3373; sp4057.
- 1610 - (Appropriations) Appropriation; Legislative expenses. Read, et al. rh691; rf703; cr1882; cu2009; v2011; hdc2600; ca2663; cro2892; cra2895; v2895; crah3373; sp3661.
- 1611 - (Appropriations) Appropriation; Arts Commission. Read, et al. rh691; rf703; cr1881; cu1951; v1953; hdc2600; ca2663; cu2896; rcc2896; hrcc3106; cro3245; cra3248; v3248; crah3641; sp3694.
- 1612 - (Appropriations) Appropriation; Archives and History, Department of. Read, et al. rh691; rf704; cr1881; cu2028; v2031; hdc2600; ca2663; cu2896; rcc2896; hrcc3106; msrp3301; cro3301; cra3304; v3304; msrp3333; mrp3333; rcc3333; hrcc3371; msrp3944; cro3944; cra3948; v3948; msrp3988; uc3988; crah4054; sp4071.
- 1613 - (Appropriations) Appropriation; Education, Department of. Read, et al. rh691; rf704; cr1027; cu1060; v1070; hdc2600; ca2663; cu2896; rcc2896; hrcc3106; msrp3953; cro3953; rcc3964; hrcc3964; msrp3965; cro3965; cra3975; v3975; crah4054; sp4071.
- 1614 - (Appropriations) Appropriation; Educational Television, Authority for. Read, et al. rh692; rf704; cr1880; cu1901; v1904; hdc2600; ca2663; cro2896; cra2900; v2900; crah3641; sp3694.
- 1615 - (Appropriations) Appropriation; Library Commission. Read, et al. rh692; rf704; cr1880; cu1904; v1907; hdc2600; ca2663; cu2900; rcc2900; hrcc3106; msrp3378; cro3378; cra3381; v3381; crah3641; sp3987.

- 1616 - (Appropriations) Appropriation; Environmental Quality, Department of. Read, et al. rh692; rf704; cr1881; cu1953; v1957; hdc2600; ca2663; cu2900; rcc2900; hrcc3106; cro3248; cra3252; v3252; crah3641; sp3987.
- 1617 - (Appropriations) Appropriation; Wildlife, Fisheries and Parks, Department of. Read, et al. rh692; rf704; cr1880; cu1914; v1919; hdc2600; ca2663; cu2900; rcc2900; hrcc3106; cro3252; cra3258; v3258; uc3632; crah3641; sp3987.
- 1618 - (Appropriations) Appropriation; Grand Gulf Military Monument Commission. Read, et al. rh692; rf704; cr1881; cu1957; v1959; hdc2601; ca2663; cu2900; rcc2900; hrcc3106; cro3258; cra3260; v3260; crah3641; sp3987.
- 1619 - (Appropriations) Appropriation; Oil and Gas Board. Read, et al. rh692; rf704; cr1882; cu2008; v2009; hdc2601; ca2663; cro2901; cra2902; v2902; crah3389; sp3661.
- 1620 - (Appropriations) Appropriation; Public Service Commission. Read, et al. rh692; rf704; cr1880; cu1907; v1910; hdc2601; ca2663; cu2902; rcc2902; hrcc3106; msrp3304; cro3304; cra3307; v3307; crah3641; sp3694.
- 1621 - (Appropriations) Appropriation; Public Utilities Staff. Read, et al. rh692; rf704; cr1880; cu1910; v1912; hdc2601; ca2663; cro2903; cra2904; v2904; crah3373; sp3661.
- 1622 - (Appropriations) Appropriation; Human Services, Department of. Read, et al. rh692; rf704; cr1880; cu2022; v2028; hdc2601; ca2663; cu2905; rcc2905; hrcc3106; cro3261; cra3266; v3266; crah3641; sp3694.
- 1623 - (Appropriations) Appropriation; Rehabilitation Services, Department of. Read, et al. rh692; rf704; cr1881; cu1939; v1942; hdc2601; ca2664; msrp2905; cu2905; rcc2905; hrcc3106; cro3266; cra3269; v3269; msrp3270; mrp3270; rcc3270; hrcc3371; cro3375; cra3378; v3378; msrp3889; uc3889; crah3998; sp4071.
- 1624 - (Appropriations) Appropriation; Medicaid, Division of. Read, et al. rh692; rf704; cr1880; cu2018; v2022; hdc2601; ca2664; msrp2905; cu2905; rcc2905; hrcc3106; cro3270; cra3275; v3275; crah3641; msrp3889; uc3889; sp3985.
- 1625 - (Appropriations) Appropriation; Child Protection Services, Department of. Read, et al. rh692; rf704; cr1880; cu1937; v1939; hdc2601; ca2664; msrp2905; cu2905; rcc2905; hrcc3106; cro3276; cra3278; v3278; crah3641; sp3694.
- 1626 - (Appropriations) Appropriation; Health, Department of. Read, et al. rh692; rf704; cr1881; cu1942; v1951; hdc2601; ca2664; msrp2905; cu2905; rcc2905; hrcc3106; cu3704; rcc3704; hrcc3750; msrp3753; cro3753; cra3762; v3762; msrp3889; uc3889; crah3999; sp4063.
- 1627 - (Appropriations) Appropriation; Foresters, Board of Registration for. Read, et al. rh692; rf704; cr1882; cu2003; v2004; hdc2601; ca2664; cro2905; cra2906; v2906; crah3373; sp3661.
- 1628 - (Appropriations) Appropriation; Forestry Commission. Read, et al. rh693; rf704; cr1882; cu2004; v2007; hdc2601; ca2664; cu2906; rcc2906; hrcc3106; cro3278; cra3281; v3281; crah3641; sp4057.
- 1629 - (Appropriations) Appropriation; Soil and Water Conservation Commission. Read, et al. rh693; rf704; cr1881; cu1965; v1967; hdc2601; ca2664; cro2906; cra2908; v2908; crah3373; sp3662.

- 1630 - (Appropriations) Appropriation; Pat Harrison Waterway District. Read, et al. rh693; rf704; cr1881; cu1968; v1970; hdc2601; ca2664; cro2909; cra2911; v2911; crah3373; sp3661.
- 1631 - (Appropriations) Appropriation; Pearl River Valley Water Supply District. Read, et al. rh693; rf704; cr1881; cu1970; v1972; hdc2601; ca2664; cro2911; cra2913; v2913; crah3373; sp3661.
- 1632 - (Appropriations) Appropriation; Port Authority, State. Read, et al. rh693; rf704; cr1881; cu1967; v1968; hdc2602; ca2664; cro2914; cra2915; v2915; crah3641; sp4057.
- 1633 - (Appropriations) Appropriation; Tombigbee River Valley Water Management District. Read, et al. rh693; rf704; cr1881; cu1972; v1974; hdc2602; ca2664; cro2915; cra2917; v2917; crah3373; sp3662.
- 1634 - (Appropriations) Appropriation; Yellow Creek State Inland Port Authority. Read, et al. rh693; rf704; cr1881; cu1974; v1975; hdc2602; ca2664; cro2917; cra2918; v2918; crah3373; sp3662.
- 1635 - (Appropriations) Appropriation; Veterans' Home Purchase Board. Read, et al. rh693; rf704; cr1880; cu1912; v1913; hdc2602; ca2664; cro2918; cra2920; v2920; crah3373; sp3662.
- 1636 - (Appropriations) Appropriation; Marine Resources, Department of. Read, et al. rh693; rf705; cr1881; cu1960; v1965; hdc2602; ca2664; nca2705; cu2920; rcc2920; hrcc3106; cro3704; cra3711; v3711; crah3999; sp4063.
- 1637 - (Appropriations) Appropriation; District attorneys and staff. Read, et al. rh693; rf705; cr1880; cu1924; v1925; hdc2602; ca2664; cu2920; rcc2921; hrcc3106; cro3282; cra3283; v3283; crah3641; sp3694.
- 1638 - (Appropriations) Appropriation; Capital Post-Conviction Counsel, Office of. Read, et al. rh693; rf705; cr1880; cu1923; v1924; hdc2602; ca2664; cro2921; cra2922; v2922; crah3373; sp3662.
- 1639 - (Appropriations) Appropriation; State Public Defender, Office of. Read, et al. rh693; rf705; cr1880; cu1926; v1927; hdc2602; ca2664; msrp2922; cu2922; rcc2922; hrcc3106; cro3381; cra3383; v3383; crah3999; sp4075.
- 1640 - (Appropriations) Appropriation; Supreme Court, Court of Appeals and trial judges services. Read, et al. rh693; rf705; cr1880; cu2014; v2017; hdc2602; ca2664; cu2922; rcc2922; hrcc3106; cro3283; cra3287; v3287; uc3632; crah3641; sp3987.
- 1641 - (Appropriations) Appropriation; Attorney General. Read, et al. rh694; rf705; cr1880; cu1919; v1923; hdc2602; ca2664; msrp2922; cu2922; rcc2922; hrcc3106; cro3287; cra3292; v3292; uc3632; crah3641; sp4057.
- 1642 - (Appropriations) Appropriation; Transportation, Department of. Read, et al. rh694; rf705; cr1881; cu1975; v1980; hdc2602; ca2665; nca2704; msrp2922; cu2922; rcc2922; hrcc3106; cro3292; cra3297; v3297; crah3641; sp3694.
- 1643 - (Appropriations) Appropriation, Reappropriation, DFA - Bureau of Building - FY2024. Read. rh694; rf705; cr1882; cu2031; v2035; hdc2603; ca2665; cro2922; cra2928; v2928; crah3373; sp3662.

- 1644 - (Appropriations) Appropriations; additional for various state agencies for FY 2023 and FY 2024. Read. rh694; rf705; cr1880; cu1900; v1900; hdc2603; ca2665; nca2704; cro2928; cra2931; v2931; crah3641; crah3997; sp4057.
- 1648 - (Finance) Mississippi Small Business Investment Company Act; increase the amount of tax credits that can be allocated under. Lamar, et al. rh697; rf705; cr2037; cu2332; v2339.
- 1661 - (Finance) Sales tax; exempt sales of coins, currency and bullion. Steverson, et al. rh730; rf749.
- 1662 - (Local and Private) City of Ripley; authorize expansion of water system in Tippah County except in certificated areas other than those in the city. Steverson, et al. rh952; rf961; cr1869; cu2530; v2530; sp2673.
- 1667 - (Local and Private; Finance) City of Florence; authorize a tax on restaurants and hotels/motels. Weathersby. rh2778; rf2782; cr2846; cu2850; v2850; sp3149.
- 1668 - (Finance) Income tax; revise certain provisions regarding pass-through entities. Lamar, et al. rh747; rf751; cr2037; cu2340; v2341; hc2657; sp2677.
- 1671 - (Finance) Tax credits; revise certain existing and authorize additional. Gunn, et al. rh747; rf751; cr2329; cu2411; v2429; hdc2702; ca2705; msrp2992; cu2992; rcc2992; hrcc3107; cro3123; uc3138; cra3139; v3139; crah3641; sp3985.
- 1697 - (Local and Private) City of Farmington; authorize the use of low-speed vehicles and golf carts on certain public streets with certain restrictions. Bain, et al. rh2778; rf2782; cr2826; cu2833; v2834; hc3372; sp3506.
- 1702 - (Finance) Sales tax; exempt sales of books at the Mississippi Book Festival. Gunn, et al. rh777; rf777.
- 1703 - (Local and Private) Coahoma County; authorize reserve and trust fund trustees to use certain amount of fund to supplement county general fund. Paden, et al. rh952; rf961; cr2648; cu2710; v2710; sp2847.
- 1711 - (Local and Private) City of Vicksburg; authorize contributions of funds and in-kind maintenance services to Beulah Cemetery. Denton, et al. rh2042; rf2047; cr2526; cu2532; v2532; sp2673.
- 1712 - (Local and Private) City of Vicksburg; authorize to contribute funds and in-kind services to Tate Cemetery. Denton, et al. rh952; rf961; cr1869; cu2530; v2530; sp2673.
- 1715 - (Appropriations) Appropriation; Health Department for funding the ARPA Rural Water Associations Infrastructure Grant Program. Read, et al. rh730; rf749; cr1879; cu1890; v1891; hdc2603; ca2665; msrp2931; cu2931; rcc2932; hrcc3106; cro3711; cra3713; v3713; crah3999; sp4063.
- 1716 - (Appropriations) Appropriation; DEQ for funding the MS Municipality and County Water Infrastructure Grant Program. Read, et al. rh731; rf749; cr1879; cu1892; v1893; hc2645; sp2673.
- 1717 - (Appropriations) Appropriation; DFA - Office of Insurance for reimbursing the State Health Plan for eligible expenses incurred. Read. rh731; rf749; cr1879; cu1893; v1894; hdc2603; ca2665; msrp2931; cu2931; rcc2932; hrcc3106; cro3713; cra3714; v3714; crah3999; sp4063.



- 1718 - (Appropriations) Appropriation; DFA Bureau of Building for completing capital projects at state-owned buildings and grounds. Read. rh731; rf749; cr1879; cu1895; v1896; hdc2603; ca2665; msrp2931; cu2931; rcc2932; hrcc3106.
- 1719 - (Appropriations) Appropriation; DFA to assist destination marketing organizations in paying for marketing activities. Read. rh731; rf749; cr1879; cu1896; v1898; hdc2603; ca2665; msrp2931; cu2931; rcc2932; hrcc3106; cro3924; cra3925; v3925; crah4054; sp4066.
- 1720 - (Appropriations) Appropriation; UMMC for repair and renovation of the adolescent psychiatric program facility. Read. rh731; rf750.
- 1721 - (Appropriations) Appropriation; Health Department for MS Baptist Medical Center in Jackson to establish a burn center or unit. Read. rh777; rf777.
- 1722 - (Appropriations) Appropriation; UMMC for repair and renovation of facility used for adolescent psychiatric program. Read. rh731; rf750; cr1880; cu1898; v1899; hdc2603; ca2665; msrp2931; cu2931; rcc2932; hrcc3107; cro3715; cra3716; v3716; crah3999; sp4071.
- 1723 - (Finance) Tax credits; authorize for business contributions to certain organizations supporting food pantries or soup kitchens. Lamar, et al. rh731; rf750; cr2329; cu2435; v2435; hc2657; sp2678.
- 1725 - (Local and Private) Lowndes County; authorize contribution to Prairie Land Water Association using ARPA Local Fiscal Recovery Funds. Boyd (37th), et al. rh2042; rf2047; cr2526; cu2615; v2615; sp2776.
- 1726 - (Local and Private) Lowndes County; authorize contributions to certain nonprofit organizations using ARPA Local Fiscal Recovery Funds. Boyd (37th), et al. rh2043; rf2047; cr2526; cu2691; rc2691.
- 1727 - (Local and Private) Lowndes County; authorize contributions to any public utility/assoc. to expand, repair water/sewer infrastructure using ARPA funds. Boyd (37th), et al. rh2043; rf2047; cr2526; cu2678; rc2678.
- 1733 - (Finance) Income tax; revise deduction for depreciation for certain expenditures and property. Lamar, et al. rh731; rf750; cr2037; cu2342; v2358; hc2657; sp2678.
- 1734 - (Finance) Use tax; revise distribution of revenue, provide income tax credit for employer making payments for employee dependent care. Lamar, et al. rh731; rf750; cr2037; cu2358; v2410; hdc2702; ca2705; msrp2992; cu2992; rcc2992; hrcc3107; msrp3150; cro3150; cra3158; v3158; msrp3269; uc3269; crah3641; sp3694.
- 1787 - (Local and Private) Scenic Rivers Development Alliance; authorize to create special purpose entities. Mims. rh2043; rf2047; cr2526; cu2615; v2615; sp2776.
- 1788 - (Local and Private) City of Columbia; extend repeal date on hotel/motel and restaurant tourism tax. Morgan, et al. rh2043; rf2047; cr2526; cu2532; v2532; sp2673.
- 1790 - (Local and Private) Washington County; reenact and extend repeal date on hotel and motel tax supporting a sports complex. Hines, et al. rh2052; rf2054; cr2526; cu2789; v2789; sp3112.

- 1791 - (Local and Private) Union County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. Creekmore IV, et al. rh2043; rf2047.
- 1792 - (Local and Private) City of Starkville; revise the definitions of the terms "hotel" and "motel" under the city's motel-hotel tax. Roberson. rh2778; rf2782; cr2826; cu2834; v2834; mr2841; mrc2851; mrp2851; v2851; hc3150; sp3506.
- 1793 - (Local and Private) Neshoba County; authorize contribution to Philadelphia Transit. Bounds. rh2778; rf2782; cr2826; cu2834; v2834; sp3112.
- 1794 - (Local and Private) City of Charleston; extend date of repeal on restaurant tourism tax. Reynolds. rh2778; rf2782; cr2826; cu2835; v2835; sp3112.
- 1795 - (Local and Private) Oktibbeha County; authorize contributions to the Education Association of East Oktibbeha County Schools. Roberson. rh2778; rf2782; cr2826; msrp2835; cu2835; v2835; sp3112.
- 1796 - (Local and Private) Oktibbeha County; authorize contributions to the J.L. King Center. Roberson. rh2778; rf2783; cr2827; msrp2835; cu2835; v2835; sp3112.
- 1797 - (Local and Private) Oktibbeha County; authorize contributions to maintain Camp Seminole Road. Roberson. rh2778; rf2783; cr2827; msrp2835; cu2835; v2835; sp3112.
- 1798 - (Local and Private) Oktibbeha County; authorize contribution to Brickfire Project. Roberson. rh2778; rf2783; cr2827; msrp2835; cu2835; v2835; sp3112.
- 1799 - (Local and Private) Oktibbeha County; authorize contributions to Sally Kate Winters Family Services. Roberson. rh2778; rf2783; cr2827; msrp2835; cu2835; v2835; sp3112.
- 1800 - (Local and Private) Holmes County; authorize contributions to the Holmes County Long-Term Recovery Committee. Clark. rh2779; rf2783; cr2827; cu2836; v2836; sp3112.
- 1805 - (Local and Private) Jackson County; authorize to enter a MOU with DFA regarding Singing River Health System and healthcare workforce academy. Barton. rh2779; rf2783; cr2827; cu2836; v2837; hc3372; sp3506.
- 1807 - (Local and Private; Finance) City of Eupora; authorize tourism tax on hotels/motels/Airbnbs and restaurants. Hood. rh2819; rf2824; cr2846; cu2851; v2851; sp3149.
- 1811 - (Judiciary, Division B) Suffrage; restore to Gerald Laird of Jefferson Davis County. Summers. rh2820; rf2823; cr2825.
- 1812 - (Judiciary, Division B) Suffrage; restore to Rahmond Williams of Hinds County. Summers. rh2820; rf2823; cr2826.
- 1813 - (Judiciary, Division B) Suffrage; restore to Cornelius Clayton of Monroe County. Summers. rh2820; rf2823; cr2826.
- 1815 - (Judiciary, Division B) Suffrage; restore to Mary Green of Hinds County. Bell (65th). rh2820; rf2823.

- 1816 - (Local and Private) City of Clinton; extend repeal date on additional tourism tax on hotels and motels. Gunn. rh2779; rf2783; cr2827; cu2837; v2837; hc3372; sp3506.
- 1819 - (Local and Private) City of Eupora; authorize conveyance of certain property located within city's industrial park. Hood. rh2844; rf2849; cr3122; cu3391; v3391; sp4057.

#### E. HOUSE CONCURRENT RESOLUTIONS

##### H. C. No.

- 2 - (Rules) National Therapy Animal Day; celebrate in Mississippi on April 30, 2023. Zuber. rh673; rf674; cr711; msrp738; cu739; v739; sp780.
- 5 - (Rules) Carlton D. "Corky" Palmer; honor the life and legacy of upon his passing. McGee, et al. rh253; rf255; cr319; msrp342; cu343; v344; sp389.
- 10 - (Rules) Former Representative Noal Akins; honor life and legacy upon his passing. Steverson, et al. rh261; rf263; cr319; msrp342; cu343; v344; sp389.
- 15 - (Rules) Bay Springs High School Football Team; commend upon winning MHSAA Class 1A State Championship. Tullos. rh253; rf255; cr319; msrp342; cu343; v344; sp389.
- 18 - (Rules) Salem Missionary Baptist Church; commend upon 157th anniversary of. Holloway. rh369; rf492; cr523; msrp635; cu636; v636; sp660.
- 31 - (Rules) State of the State address of the Governor; call joint session to hear. White. rh261; rcbh262; rh272; rf272; cr276; cu278; v278; sp307.
- 35 - (Rules) Ole Miss Baseball Team; commend for winning the 2022 NCAA Baseball National Championship. Deweese, et al. rh660; rf670; cr711; msrp738; cu739; v739; sp780.
- 37 - (Rules) Booneville Lions Club; commend upon the 75th anniversary of its founding. Arnold. rh710; rf714; cr728; msrp738; cu739; v739; sp780.
- 38 - (Rules) Honorable Debra Hendricks Gibbs; commend distinguished legislative career and congratulate on election as circuit. Holloway. rh710; rf714; cr728; msrp738; cu739; v739; sp781.
- 39 - (Rules) Panny Flautt Mayfield; commend upon being named a 2023 Noel Polk Lifetime Achievement Award Nominee. Paden. rh1442; rf1744; cr2057; msrp2436; cu2437; v2437; sp2612.
- 40 - (Rules) Josephine Pradia Rhymes; commend for her outstanding community service and contributions. Paden. rh2522; rf2525; cr2684; msrp2687; cu2688; v2689; sp2784.
- 41 - (Rules) Northwest Mississippi Community College Softball Team; commend historic season and outstanding accomplishments. Lamar. rh2522; rf2525; cr2684; msrp2687; cu2688; v2689; sp2784.
- 42 - (Rules) Taiwan; commend friendship with the State of Mississippi and encourage further economic ties. Reynolds, et al. rh2329; rf2329; cr2684; msrp2687; cu2688; v2689; sp2785.

- 43 - (Rules) Northwest Mississippi Community College; commend upon winning Region 23 Championship. Lamar. rh2522; rf2525; cr2684; msrp2687; cu2688; v2689; sp2785.
- 44 - (Rules) Stephen Franks; commend Kosciusko, MS automobile dealer upon nomination for the prestigious 2023 Time Dealer of the Year Award. White. rh2522; rf2525; cr2684; msrp2687; cu2689; v2689; sp2785.
- 45 - (Rules) Phi Theta Kappa All-Mississippi Academic and Workforce Team; commend on occasion of "Mississippi Phi Theta Kappa Day". Scoggin. rh2645; rf2647; cr2684; msrp2687; cu2689; v2689; sp2785.
- 46 - (Rules) Poplarville High School; commend upon winning their first UCA National High School Cheering Championship. Owen, et al. rh2645; rf2647; cr2684; msrp2687; cu2689; v2689; sp2777.
- 47 - (Rules) The Essie B. and William Earl Glenn Foundation; commend on occasion of its fourth symposium for Adverse Childhood Experiences Trauma Awareness Day. Blackmon. rh2696; rf2780; cr2823; msrp2830; cu2831; v2831; sp3113.
- 48 - (Rules) Mississippi Clean Hydrogen Hub; urge the federal government to designate Mississippi as. Roberson. rh2697; rf2780; cr2823; msrp2830; cu2831; v2831; sp3113.
- 49 - (Rules) Baldwin Career Advancement Center; commend 2023 SkillsUSA Quiz Bowl Team upon winning first place in state competition. Turner. rh2697; rf2780; cr2823; msrp2830; cu2831; v2831; sp3113.
- 50 - (Rules) Respiratory syncytial virus; urge CDC to include in the Vaccines for Children program. Roberson. rh2818; rf2825.
- 51 - (Rules) Baptist Memorial Hospital-Golden Triangle; commend upon receiving "A" rating for 10 consecutive years. McLean, et al. rh2818; rf2825; cr3103; msrp3113; cu3114; v3114; sp3390.
- 52 - (Rules) Honorable Senator Angela Turner-Ford; commend and recognize intrepid leadership as chairperson of the MLBC. Scott. rh2818; rf2825; cr3103; msrp3113; cu3114; v3114; sp3390.
- 53 - (Rules) Israel; commend 75th anniversary of independence of. Reynolds. rh2776; rf2780; cr2823; msrp2830; cu2831; v2831; sp3113.
- 54 - (Rules) Caledonia High School Volleyball Team; commend upon winning MHSAA Class 4A State Volleyball Championship. McLean. rh2818; rf2825; cr3103; msrp3113; cu3114; v3114; sp3390.
- 55 - (Rules) Chief Gary Ponthieux, Jr.; commend for many years of public service in law enforcement and congratulate upon retirement. Bennett. rh2818; rf2827; cr3103; msrp3113; cu3114; v3114; sp3390.
- 56 - (Rules) Representative Edward Blackmon, Jr.; commend distinguished legislative career and public service of upon the occasion of his retirement. Scott. rh3505; rf3507; cr3808; msrp3893; cu3893; v3893; sp3950.
- 57 - (Rules) Dr. Daphine Hill; commend accomplishments of. Holloway. rh3505; rf3507; cr3808; msrp3893; cu3893; v3893; sp3987.

- 58 - (Rules) Dr. Kent Hoblet; commend for many years of dedicated service as Dean of Mississippi State University's College of Veterinary Medicine. Bounds, et al. rh3505; rf3507; cr3808; msrp3893; cu3893; v3893; sp3987.
- 59 - (Rules) Representative Tommy Reynolds; commend distinguished legislative career and public service of upon the occasion of his retirement. Roberson. rh3505; rf3507; cr3808; msrp3893; cu3893; v3893; sp3950.
- 60 - (Rules) Legislature; extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. Gunn. rh3505; rf3507; cr3507; msrp3507; cu3507; tsc3508; rt3563; v3565.
- 61 - (Rules) Legislature; extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. Gunn. rh3637; rf3695; cr3696; msrp3696; cu3696; po3697; ru3697; v3697; hc3699; sp3752.
- 62 - (Rules) Representative Tom Weathersby; commend distinguished legislative career and public service of upon the occasion of his retirement. Roberson. rh3659; rf3660; cr3808; msrp3893; cu3893; v3893; sp3951.
- 63 - (Rules) Representative Alyce G. Clarke; commend distinguished legislative career and public service upon the special occasion of her retirement. Holloway. rh3659; rf3660; cr3809; msrp3893; cu3893; v3893; sp3988.
- 64 - (Rules) Speaker Philip Gunn; commend on the esteemed and laudable legislative career of. Roberson, et al. rh3695; rf3807; cr3809; msrp3893; cu3893; v3893; sp3951.

#### F. EXECUTIVE MATTERS

Adams, Jr., Tommy Ray (T.J.), Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, Public Health and Welfare. s26; rf30; cr2706; msrp2771; cu2771; v2773.

Allred, Timothy Clifton (Tim), State Board of Contractors, Business and Financial Institutions. s25; rf29; cr2614; msrp3099; cu3099; v3100.

Beckett, Charles Jim, Executive Director of the Mississippi Public Utilities Staff, Energy. s27; rf31; cr2685; cu2770; v2770.

Bedford, Kimberly Janice (Kim), State Board of Funeral Service as a Funeral Director representative from the 3rd Supreme Court District, Business and Financial Institutions. s959; rf960; cr2789; msrp3237; cu3238; v3238.

Bell, Martha Hobdy (Marty), Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, Public Health and Welfare. s26; rf30; cr2706; msrp2771; cu2772; v2773.

Berry, D.C., Susan Neely, Mississippi State Board of Chiropractic Examiners, Public Health and Welfare. s24; rf29; cr2706; msrp2771; cu2772; v2773.

Blackard, William Chadwick, State BD of Nursing Home Administrators as Nursing Home Administrator, Public Health and Welfare. s26; rf30; cr2707; msrp2771; cu2772; v2773.

Blackmer, Dr., Lori Lynn, MS State Board of Optometry to represent the Fifth Congressional District as it existed in 1980, Public Health and Welfare. s27; rf31; cr2846; cu3691; v3691.

Blaylock, Philip Roger, State Board of Banking Review, Business and Financial Institutions. s24; rf29; cr2614; msrp3099; cu3099; v3100.

Bryant, Melissa Ann, Commercial Mobile Radio Service Board as a representative for Public Safety Communication Officers Association; Southern Public Service Com. District, Energy. s25; rf29.

Bryant, Melissa Ann, Commercial Mobile Radio Service Board as a representative for the National Emergency Numbering Association; Southern Public Service Com. District, Energy. s97; rf97; cr2685; cu2771; v2771.

Burnett, LSW, Wilmetta Valerie S., BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, Public Health and Welfare. s27; rf31; cr2707; msrp2771; cu2773; v2773.

Carson, Norris Lee, State Board of Contractors, Business and Financial Institutions. s25; rf29; cr2615; msrp3099; cu3099; v3100.

Chancellor, Sandra Tingle, State Board of Funeral Service as the Funeral Director Licensed representative from the First Supreme Court District, Business and Financial Institutions. s25; rf30; cr2615; msrp3099; cu3099; v3100.

Clanton, RN, Jane Marie (Janie), Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, Public Health and Welfare. s259; rf260; cr2706; msrp2771; cu2772; v2773.

Cloyd, Joe Everitt, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, Wildlife, Fisheries and Parks. s2527; rf2527; cr3239; cu3629; v3629.

Coleman, Colonel, Deborah Walley (Deb), State Veterans Affairs Board as an At-Large member, Veterans and Military Affairs. s28; rf32; cr870; msrp2643; cu2643; v2644.

Cook, Jr., Charles William (Bill), Information Technology Services Authority, Accountability, Efficiency, Transparency. s259; rf260; cr2846; msrp3101; cu3101; v3101.

Cox, Ricky Jude, State Board of Banking Review, Business and Financial Institutions. s959; rf960; cr2789; msrp3237; cu3238; v3238.

Culpepper, Sandra Susan, Mississippi Board of Nursing as an LPN, Public Health and Welfare. s26; rf30; cr2706; msrp2771; cu2772; v2773.

Cumbest, Elvis Mark, Mississippi Real Estate Commission, Business and Financial Institutions. s959; rf960.

Curtis, Sr., DMD, David Kennon (DK), Mississippi State Board of Dental Examiners to represent Dental District One, Public Health and Welfare. s959; rf960; cr2707; msrp2771; cu2773; v2773.

Daniel, Dock Austin, Mississippi Board of Physical Therapy, Public Health and Welfare. s27; rf31; cr2707; msrp2771; cu2772; v2773.

Daniels, Jr., Ronald N. (Ronnie), Mississippi Advisory Commission on Marine Resources, Ports and Marine Resources. s26; rf30; cr2647; cu2816; v2816.

Dotson, MD, Renia, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, Public Health and Welfare. s959; rf960; cr2706; msrp2771; cu2771; v2773.

Dotson, MD, Renia, Mississippi State Board of Medical Licensure to represent the Third Supreme Court District, Public Health and Welfare. s26; rf30.

Farmer, Clelly Ray, State Board of Barber Examiners, Public Health and Welfare. s24; rf29; cr2847; cu3692; v3692.

Filgo, Jr., Dr., Robert Allen (Bob), State Board of Veterinary Medicine, Agriculture. s28; rf32; cr784; cu1220; v1220.

Formby, Mark Stuart, Workers' Compensation Commission as Chairman of the Commission, Insurance. s2328; rf2329; cr3149; cu3628; v3628.

Fox, Sara M., State Tax Appeals Board as Chairman, Finance. s28; rf32; cr651; cu687; v687.

Germany, Homer Rex, Commercial Transportation Enforcement Division Appeals Board as the board member representing the Mississippi Dept. of Public Safety, Highways and Transportation. s689; rf689; cr2826; msrp3494; cu3494; v3494.

Gibert, Gerard Raymond, Mississippi Lottery Corporation Board of Directors, Finance. s2047; rf2048; cr2824; cu3391; v3391.

Griffith, James David McAfee, Mississippi Real Estate Appraiser Licensing and Certification Board, Business and Financial Institutions. s27; rf31; cr2789; msrp3237; cu3238; v3238.

Hanna, Russell James (Rusty), Appeals Board of the Mississippi Transportation Commission, Highways and Transportation. s2610; rf2610; cr2826; msrp3494; cu3494; v3494.

Harris, Rodney, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed May 1, 1987, Veterans and Military Affairs. s259; rf260; cr870; msrp2643; cu2643; v2644.

Herzog, Dr., James David (Jim), Board of Mental Health, Public Health and Welfare. s26; rf30; cr2706; msrp2771; cu2771; v2773.

Hinton, Ph.D., William Jeffrey, BD of Examiners for Social Workers and Marriage and Family Therapists as a Lic. Marriage & Family Therapist, Public Health and Welfare. s959; rf960; cr2707; msrp2771; cu2773; v2773.

Holman, David Edward, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, Wildlife, Fisheries and Parks. s27; rf31; cr2825; msrp3100; cu3100; v3101.

Hopper, Ph.D., George Martin (George), Mississippi Forestry Commission as an At-Large representative, Forestry. s959; rf960; cr2824; msrp2858; cu2858; v2859.

Hortman, Jr., Brig. Gen. (Ret.) Norman Gene, Veterans Home Purchase Board to represent the state at large, Veterans and Military Affairs. s28; rf32; cr870; msrp2643; cu2643; v2644.

Hudson, LCSW, Phylindria L., BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, Public Health and Welfare. s27; rf31.

Jackson, Paulette, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, Public Health and Welfare. s24; rf28; cr2706; msrp2771; cu2772; v2773.

Johnson, Brian Kendall, Mississippi Business Finance Corporation as a member associated with banking or small business, Finance. s259; rf259; cr2036; cu2332; v2332.

Katool, Norman Paul, Public Procurement Review Board, Accountability, Efficiency, Transparency. s389; rf389; cr2846; msrp3101; cu3101; v3101.

Ladner, John Scott (Hoss), State Veterans Affairs Board, Veterans and Military Affairs. s28; rf32; cr870; msrp2643; cu2643; v2644.

Lampkin, DMD, Alexa Le'Kia, MS State Board of Dental Examiners to represent the dentist member of the Board from the state at-large, Public Health and Welfare. s25; rf29; cr2706; msrp2771; cu2772; v2773.

Lampton, Dr., Lucius Marion (Luke), Mississippi Department of Archives and History Board of Trustees, Accountability, Efficiency, Transparency. s2525; rf2525; cr2846; msrp3101; cu3101; v3101.

Lathan, Brenda Joyce, Mississippi Commission on Environmental Quality to represent the Second Congressional District, Environment Prot, Cons and Water Res. s25; rf30; cr2647; cu2816; v2816; mr2841; mrc3115; mrp3116; v3116.

Lipscomb, III, Maj. Gen., James H., Veterans Home Purchase Board to represent the 2nd Congressional Dist. as it existed May 1, 1987, Veterans and Military Affairs. s28; rf32; cr2331; msrp2643; cu2643; v2644.

Lipscomb, III, Maj. Gen., James H., Veterans Home Purchase Board to represent the Second Congressional District as it existed May 1, 1987, Veterans and Military Affairs. s28; rf32; cr2331; msrp2643; cu2643; v2644.

Lipscomb, III, Mathew Wilson (Mat), Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, Wildlife, Fisheries and Parks. s2527; rf2527; cr3239; cu3692; v3692.

Loper, MD, William Eugene (Gene), Mississippi State Board of Medical Licensure to represent the First Supreme Court District, Public Health and Welfare. s26; rf30; cr2705; msrp2771; cu2771; v2773.

Maloney, Dason Colin (Colin), Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, Wildlife, Fisheries and Parks. s259; rf260; cr2825; msrp3100; cu3101; v3101.

McClendon, MD, William David, Mississippi State Board of Medical Licensure to represent the Second Supreme Court District, Public Health and Welfare. s26; rf30; cr2705; msrp2771; cu2771; v2773.

McLendon, Jonathan Scott, Mississippi Advisory Commission on Marine Resources as the Commercial Seafood Processor representative, Ports and Marine Resources. s26; rf30; cr2647; cu2816; v2816.



Mitchell, P.E., P., William C. (Bill), MS BD of Licensure for Professional Engineers and Surveyors as a Lic. Prof. Eng., Business and Financial Institutions. s25; rf29.

Mosley, Sr., Robert Paul, Commercial Mobile Radio Service Board as the Mississippi Association of Supervisors representative, Energy. s25; rf29; cr2685; cu2770; v2770.

Mounger, II, William Malcolm (Billy), Commission on Wildlife, Fisheries and Parks as the representative of the Fourth Congressional District, Wildlife, Fisheries and Parks. s28; rf32; cr2527; cu2644; v2644.

Nelson, Patricia Robinson, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, Public Health and Welfare. s24; rf28; cr2847; cu3691; v3691.

Nelson, Robert Reed (Reed), Mississippi Home Corporation, Finance. s259; rf260; cr2036; cu2331; v2331.

Nicaud, Kent Gerard (Kent), Gaming Commission, Gaming. s2047; rf2047; cr3373; cu3629; v3629.

Norman, Julia Monteele, State Parole Board, Corrections. s27; rf31; cr639; cu708; v708.

Parrish, Dr., Hilary Melby, State Board of Optometry, Public Health and Welfare. s27; rf31; cr2709; msrp2858; cu2858; v2858.

Phillips, Tammy Renee', State Board of Banking Review, Business and Financial Institutions. s24; rf29; cr2614; msrp3099; cu3099; v3100.

Posey, Irvin Lynn, Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, Wildlife, Fisheries and Parks. s28; rf32; cr370; cu515; v515.

Powell, Carra Elizabeth, State Board of Education to represent the Third Supreme Court District, Education. s2047; rf2047.

Ragan, Dr., Kimberly Johnson, MS State Board of Optometry to represent the Third Congressional District as it existed in 1980, Public Health and Welfare. s27; rf31; cr2709; msrp2858; cu2858; v2858.

Ray, Van Kyle, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, Wildlife, Fisheries and Parks. s259; rf260; cr3239; cu3629; v3629.

Reed, Samuel Bryan (Sammy), State Board of Funeral Service as a Licensed Funeral Service representative from the 3rd Supreme Court District, Business and Financial Institutions. s959; rf960; cr2789; msrp3237; cu3238; v3238.

Riemann, David Chadwick (Chad), State Board of Funeral Service as the Funeral Dir. Licensed representative from the 2nd Supreme Court Dist., Business and Financial Institutions. s25; rf30; cr2615; msrp3099; cu3100; v3100.

Robertson, Aimee Rebecca W., Mississippi Home Corporation as a representative of the Second Supreme Court District, Finance. s259; rf260; cr2036; cu2057; v2057.

Robins, Candace Denise, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, Education. s24; rf29; cr3108; msrp3631; cu3632; v3632.

Robins, Candace Denise, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, Education. s24; rf29; cr3108; msrp3631; cu3632; v3632.

Rodgers, Trebia Leigh, Commercial Mobile Radio Service Board, Energy. s25; rf29; cr2685; cu3237; v3237.

Sallis, Dr., Kimberly Elam, MS State Board of Examiners for Licensed Professional Counselors, Public Health and Welfare. s25; rf29; cr2706; msrp2771; cu2772; v2773.

Sartin, Alvin Craig (Craig), Board of Pharmacy, Public Health and Welfare. s27; rf31; cr2709; msrp2858; cu2858; v2858.

Scoggins, Marcy Moye, Mississippi Charter School Authorizer Board, Education. s22; rf22; cr3108; msrp3631; cu3631; v3631.

Scott, Sr., David Andrew, State Oil and Gas Board, Energy. s27; rf31; cr2685; cu3100; v3100.

Sims, II, Ora Lee (O.L.), State Board of Contractors as the Water and Sewer Contractor, Business and Financial Institutions. s259; rf260; cr2615; msrp3099; cu3100; v3100.

Skelton, Robin C. (Rob), MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, Public Health and Welfare. s26; rf31; cr2707; msrp2771; cu2772; v2773.

Skelton, Robin C. (Rob), MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, Public Health and Welfare. s26; rf31; cr2707; msrp2771; cu2772; v2773.

St. John, II, Drew Thomas, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, Wildlife, Fisheries and Parks. s27; rf31; cr2825; msrp3100; cu3101; v3101.

Strebeck, Dr., Richard Almon, MS State Board of Examiners for Licensed Professional Counselors, Public Health and Welfare. s25; rf29; cr2706; msrp2771; cu2772; v2773.

Tarrant, Gerard D., BD of Examiners for Social Workers and Marriage and Family Therapists, Public Health and Welfare. s28; rf32; cr2707; msrp2771; cu2773; v2773.

Taylor, Dr., Robert Pernell (Doc), State Superintendent of Public Education, Education. s673; rf674; cr3390; cu3693; v3693; mr3693; mrc3703; mrt3703.

Taylor, Jr., Arnold Edward (T.J.), Mississippi Department of Archives and History Board of Trustees, Accountability, Efficiency, Transparency. s23; rf23; cr2846; msrp3101; cu3101; v3101.

Terrell, Lawrence Dennis (Denny), Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, Wildlife, Fisheries and Parks. s2527; rf2527; cr3239; cu3692; v3692.

Thomasson, Patricia Ann (Pat), Mississippi Forestry Commission as an At-Large representative, Forestry. s959; rf960; cr2824; msrp2858; cu2859; v2859.

Tidwell, P.S., Clint, MS BD of Licensure for Professional Engineers and Surveyors as a Prof. Surveyor representing the Third Supreme Court Dist., Business and Financial Institutions. s259; rf260.

Townsend, Jr., Huey Love (Hue), Mississippi Home Corporation as a resident of the First Supreme Court District, Finance. s64; rf64; cr2036; cu2331; v2331.

Walker, Carley Tigrett, Mississippi Board of Nursing as a Licensed Practical Nurse, Public Health and Welfare. s26; rf30; cr2706; msrp2771; cu2772; v2773.

Walker, Harry Moore (Harry), Mississippi Home Corporation as a representative of the First Supreme Court District, Finance. s959; rf960; cr2824; msrp3500; cu3500; v3500.

Walker, M.D., Micah Ray, MS State Board of Nursing Home Administrators as the licensed and practicing medical doctor or physician, Public Health and Welfare. s27; rf31; cr2707; msrp2771; cu2773; v2773.

White, Tracy Hunt, Mississippi State Board of Massage Therapy as the Licensed Health Professional in a field other than Massage Therapy, Public Health and Welfare. s26; rf30; cr2707; msrp2771; cu2773; v2773.

Windham, Dr., Melissa Hawkins, MS State Board of Examiners for Licensed Professional Counselors, Public Health and Welfare. s25; rf29; cr2706; msrp2771; cu2772; v2773.

Womack, Dr., Erika Danielle, State Chemist, Universities and Colleges. s32; rf32; cr2530; cu2815; v2815.

Wood, Michael Bradley (Brad), Mississippi Business Finance Corporation as a member associated with banking or small business, Finance. s259; rf259; cr2036; cu2057; v2057.

#### PART IV GENERAL INDEX OF OTHER LEGISLATIVE MATTERS

Adjourn in Memory	
Acree, Claudia .....	3636
Adam, Carolyn Ann .....	98
Adamo, Mary Margaret .....	398
Adkins, Irby Jean .....	6
Ainsworth, Jim .....	3698
Ainsworth, Mr. John .....	6
Ainsworth, Rebecca "Becky" Fleming .....	233
Akins, Noal .....	3636
Aldridge, Mildred .....	709
Alexander, Dolores Hefflin .....	305
Alexander, Sr., Billy Wayne .....	99
Alford, David Charles "DC" .....	22
Alford, Jenell .....	2328

Allen, III, Franklin Pearson "Pepper" .....	376
Allen, Janese Salter .....	250
Allen, John William .....	3388
Allgood, Jr., James (Jimmy) C. ....	3636
Anderson, Donald Dean "Andy" .....	727
Anderson, Jr., Andrew Stratton .....	3637
Anderson, Mrs. Ollie Mae .....	279
Arcement, Jr., CJ .....	9
Arrechea, John Frank .....	3636
Ashley, Norris Ray .....	710
Atkins, Doris .....	688
Atwell, Wade Forster .....	709
Austin, Mary Lyndall "Lynda" Turner .....	8
Austin, William R. (Bill) .....	3636
Avant, Vernice .....	9
Avera, Gay .....	250
Avera, Linda J. ....	949
Babb, Jr., Marvin Buford .....	3636
Baggett, Jr., Dr. James Lamar .....	7
Bailey, Carolyn Jean Trowles .....	10
Baker, Sr., Mason McDaniel .....	3636
Ballard, Jr., Clyde Pinson .....	3102
Bandari, Suresh .....	3636
Banks, Johnny .....	9
Banta, Ethel Green .....	3388
Barclay, Sr., Richard .....	3636
Barlow, Eva Dale .....	14
Barlow, Margaret Virginia Johnson .....	1367
Barnes, Douglas Edgar .....	100
Barnes, Joe .....	73
Barnes, Virginia Jo Beard .....	243
Barrett, Barbara Ann .....	245
Baskin, Claudyne "Dean" Ward .....	709
Bates, Carolyn "Ya Ya" Dickens .....	98
Batson, Katherine Downing .....	3920
Baucum, Lela .....	100
Baxley, Billy Gene .....	233
Beard, Judy .....	20
Bechtel, Dwight Everett .....	3636
Bedford, Laura Daphine Gregory .....	16
Beightol, Richard .....	9
Belk, Sr., Robert "Wayne" .....	716
Bell, Kenneth Michael .....	234
Bellais, Joshua Jacob .....	2327
Bellais, Sr., Fred .....	6
Benefield, Sr., Sammy Ray .....	2682
Bennett, Donna Lynn O'Kelley .....	639
Benson, Reverend Booker T. ....	270
Berry, Jennifer Rosinna .....	7
Bester, Morgan "Marvin" .....	688
Bexley, Betty Quinn Everett .....	2328
Bishop, Halbert Lee .....	795
Black, Dennis .....	99
Blake, Kathleen "Katy" .....	61
Blakely, Kathleen Wood .....	16
Boatner, Chesterine Moulds .....	2036
Bodman, Jane .....	33
Bogue, Charlotte Kaye Burgess .....	17

Boland, Michael Lawrence .....	8
Boles, Mary Wallace .....	10
Bolls, Sr., John Quinn .....	2683
Borrazzo, Henry "Rico" .....	3919
Bosarge, Mark Clayton .....	7
Bosco, Sr., Dr. Julius .....	8
Bounds, John Wade .....	2328, 3636
Boyd, Jerry Stansel .....	516
Boyet, Wayne Elwood .....	3636
Bozeman, Morris .....	1022
Bradford, Sr., Jordan Nichol .....	243
Bradley, Brooks Anderson .....	2594
Brady, Mary Frances .....	62
Bramlitt, Barbara Jean Ogle .....	100
Brandon, Glenda .....	21
Brantley, Corvain .....	3635
Breland, Jimmy .....	98
Brewer, Mattie Lee .....	250
Brewer, Suzanne Batte .....	639
Britt, Joyce Yates .....	2521
Broadhead, Mr. Larry .....	15
Brock, Alford Burton .....	2683
Brock, Joe Dalton .....	17
Brooks, Jr., R. M. ....	62
Brower, Dudley Eugene .....	15
Brower, Johanna Mari Williams Pierce .....	709
Brown, Janie Vee .....	15
Brown, Johnny Lee .....	3636
Brown, Patricia A. ....	61
Brown, Rhonda Sue .....	10
Bruckman, Gerald "Jerry" Thomas .....	21
Brumitt, Debra "Debbie" Dottley .....	746
Bryan, Sr., George Wilkerson .....	34
Bryant, Charlotte .....	21
Bryant, Karen Deanna Maxey .....	1022
Bryant, Martha Grace Perry .....	16
Buck, Charles Henry .....	100
Burcham, Peggy S. ....	98
Burks, Jane .....	2842
Burks, Virginia Arlene .....	243
Burney, Dennis Wayne .....	21
Burru, Franklin R. ....	6
Burt, Annie Lee .....	100
Burwell, Jr., James D. ....	8
Busby, Jason Dwayne .....	3636
Bush, Dr. Freda McKissic .....	100
Bush, Sr., Neal Edward .....	19
Butler, Bishop Marcus Lee .....	3698
Butler, Jr., Robert Abernathy .....	3636
Butler, Rita Faye .....	250
Bynum, Addie Frances Bonds .....	17
Caldwell, Elizabeth .....	245
Caldwell, Nancy .....	98
Calhoun, Gaye Oakley .....	3636
Campbell, Clifford Frank .....	716
Campbell, Stephanie (Stevie) Wood .....	3636
Campbell, William Arnold "Billy" .....	16
Cannon, Al Franklin .....	861

Cantrelle, Art.....	6
Caraway, Jimmy L. ....	2327
Carlock, Braxton .....	3996
Carmody, Coach Jim.....	61
Carpenter, Rita Sue .....	3920
Carr, Patsy Hutcherson.....	2774
Carroll, Helen.....	250
Carroll, Michael David "Mike" .....	17
Carswell, Margaret.....	708
Carter, Annette .....	98
Carter, Annette Lynn Morel .....	243
Carter, Lujean.....	98
Carter, Raymond J.....	709, 2682
Casey, Carolyn Bullock .....	7
Casey, III, Joseph M. ....	20
Castiglia, Christopher.....	99
Caston, George Hubert .....	22
Catlett, Nellie L. ....	1022
Chambless, Martha Stuckey .....	3636
Champion, Charlene .....	616
Chandler, Lawrence Earl.....	3636
Chelette, Jr., Leon.....	3920
Cherry, Barbara .....	249
Chiple, Kimberly.....	99
Chism, J. L.....	271
Chism, Jane Hutcheson .....	1022
Christian, Gaynell Mallette Carter.....	233
Cimon, Monique.....	3636
Clark, Mr. Rogis Devon .....	2327
Clarke, Jr., Andrew Loyd "Drew" .....	15
Clayton, Johnny Floyd.....	16
Clement, Michael .....	2327
Cleveland, Bobby.....	8
Cline, Truman Boyd .....	5
Cochran, William Chuck.....	2594
Cole, Charlene.....	10
Cole, Doyle .....	3102
Cole, Rashaud .....	15
Coleman, Former JPD Chief Rebecca .....	3388
Coleman, James "Dead Eye" .....	2682
Collins, Syble C.....	399
Collum, Juanita Delores .....	7
Comeaux, Maxine D. Taliancich.....	795
Compton, Jr., William Bond .....	595
Conner, Betty Allen .....	3636
Conrad, Donald Lee (Don) .....	3636
Conwill, Adrienne d'Aquin .....	243
Cook, Barbara Jones .....	61
Cook, Catherine .....	8
Cook, Peggy Callicutt.....	17
Cooper, Charles Clayton.....	73
Corbett, Patrick Joseph.....	15
Cormier, Evoyne Marie .....	97
Cothorn, John Michael .....	98
Counce, Leslie Nolen "Leck" .....	62
Cousar, Willie Mae.....	16
Covert, Maedelle Patton.....	3103
Coward, Jimmy Dale.....	99

Cowart, Mary Agnes Pierce.....	2328
Cox, Jr., Artemus Jennings .....	688
Cox, Sr., Larry W. ....	15
Crager, Gaylon D. ....	250
Crapps, Catherine Ann.....	99
Craven, Jr., Paul Edward .....	1022
Crawford, Michael .....	2696
Crawley, Gladys Geraldine "Gerry" .....	709
Creel, James.....	99
Crump, Peggy J. O'Callaghan .....	17
Cuevas, Nathan .....	2696
Culpepper, Jr., Lavelle Lee "Pepper".....	99
Cumberland, Nick .....	9
Cunningham, James Milton.....	795
Curry, James Estes "Friday" .....	16
Curry, Lela Mary Haas .....	650
Dacri, Sr., Peter Joseph .....	233
Dahlem, Patty Tucker.....	670
Danford, III, Jesse Daniels (Jay) .....	3636
Darby, Jerry .....	290
Davis, Denise Elaine .....	61
Davis, Janie Lawrence .....	16
Davis, Jr., Stance.....	2644
Davis, Mary Alice .....	33
Davis, Mary Lou Walters .....	2327
Davis, Mr. William (Bill) .....	234
Davis, Penny.....	99
Davis, Perlie L.....	100
Dawkins, Betty Jane .....	7
Dawson, Johnny Benson .....	242
DeSilvey, Colin "Buddy" .....	398
Dean, MSgt Titus .....	7
Dees, Nan Clark.....	305
Dees, Peggy Williams .....	305
Dees, Tom .....	595
Devine, Jeffrey William.....	949
Diamond, Teresa Gayle Tanner .....	33
Dickerson, Deidra "Dea" Posey.....	716
Dill, Lennie L. ....	3388
Dillard, Dan G. ....	3698
Dimitry, Thomas "Tommy".....	2682
Dismuke, Sergeant Terry .....	716
Dixon, Sr., Roy L.....	709
Doddridge, Josephine .....	1022
Doddridge, Jr., J. A. "Jimmy".....	21
Dolan, Karie.....	289
Dow, Sr., Robert Earl .....	746
Dowdle, Jr., Harry .....	688
Dowdy, Wilma (Myrick) .....	2859
Downey, Mattie Lee .....	516
Driskill, Dorothy "Dot" Page.....	33
Dulaney, Albert "Rusty" .....	61
Duncan, James Clifton.....	3636
Dunnigan, David .....	8
Durham, Sr., Arthur Lee .....	3636
Durn, Jeanette Lambert Pittman.....	250
Easley, Hugh Clifford .....	861
Eastman, Daisy Ruth .....	98

Eddy, William Harvey "Bill" .....	2683
Edge, John Thomas .....	3636
Edwards, Gerald N. "Jerry" .....	97
Eidt, Charles S. ....	2683
Elam, Betty Ann .....	250
Elam, Kenneth .....	245
Elliott, Alisa Reed .....	3636
Emerson, Albert .....	64
Emling, Jane Biederman .....	638
Emling, Mrs. Jane B. ....	688
Ervin, Dorothy .....	21
Estes, Jimmy .....	8
Estorffe, Branden Paul .....	9
Eubanks, Emma Joyce .....	99
Eubanks, Gary L. ....	2682
Evans, Forrest Chad .....	638
Evans, Frank Ashford .....	3636
Everett, Sr., Pat Arlen .....	20
Ewing, Myrtle .....	3920
Fairley, Carol Sue .....	289
Faulkner, Dwight .....	99
Favre, Crystal A. ....	3919
Feldner, Paula .....	234
Ferrell, Martha Ray .....	6
Ferretti, Mary Jane .....	716
Filgo, Patricia Dean .....	2842
Fishman, Robert .....	2682
Fitts, Coy Anthony .....	17
Flood, R. Fran. ....	3102
Floyd, Leslie .....	2644
Fly, James Michael "Mike" .....	709
Fondren, Spencer Tracy "Moose" .....	709
Foote, Janey Fay Trussell .....	727
Forbert, Jr., Brigadier General Sam .....	64
Ford, Jane Robbins .....	245
Fore, Jerry Mack .....	2327
Forkel, Alice Ann .....	949
Forshee, Thelma Louise .....	638
Fortenberry, Tessa Frierson .....	242
Fortenberry, Van M. "Pete" .....	99
Foster, Jack Alvin .....	3996
Foster, Melanie J. Pierce .....	3636
Foster, Sr., James Elliot "Jim" .....	2682
Fountain, Nellidine Mary Reaux .....	1021
Franklin, Hassell H. ....	252
Franklin, Jr., Hulett Carless (H.C.) .....	3636
Franks, Sr., James .....	2774
Frazier, Albert .....	99
Freeman, Travis E. ....	2842
Fulton, Lisa E. ....	249
Furr, Michael C. ....	2842
Gafford, Gerald Alexander .....	3636
Gaines, III, James "Jim" Luther .....	3919
Gajewski, Yvonne Marie .....	3920
Galatas, Jr., SFC Grayson "Norris" .....	33
Garcia, Connie .....	9
Gardner, Dorothy Jean .....	3636
Garrett, Clyde Franklin .....	252



Garrison, Janice Louise .....	16
Garrity, Dorothy Gillette .....	2696
Gaskin, Hilda Earnestine .....	3698
Gatlin, Barbara Elizabeth Bush .....	2683
Gauthier, Hannah Butler .....	20
Geddie, Jr., Rowland Hill .....	9
Gemmill, David Dean .....	3635
Gerber, Dean .....	99
Gibbs, Billie Faye .....	99
Gibbs, Jimmy Dale .....	100
Gibbs, Larry .....	99
Gibson, Edwin "Glenn" .....	1367
Gladney, Xavier Demond .....	2521
Goldman, Glen .....	3102
Goldstein, Joanne .....	21
Gomillion, Don .....	290
Gordon, Joan Carol .....	34
Graham, Timothy Wade .....	233
Green, Jr., Alvin Kirby .....	2817
Green, Lavern "Goose" .....	1022
Green, Lillie Mae .....	709
Greene, Jerry Reynolds .....	1022
Greer, Harold Lee .....	61
Gressett, Sue .....	709
Griffith, Thomas J. ....	98
Grisham, William Carson "Skebo" .....	17
Grogan, Raymond "R.O." O'Neal .....	97
Gross, Gerald DeWayne "Jerry" .....	233
Grubbs, Sidney Shannon .....	6
Guedon, Emile Louis .....	2774
Gunn, Mike .....	62
Hadley, Jr., Robert Lee .....	716
Hagood, Floyd Arnold .....	21
Hale, Michael .....	17
Hale, Pauline .....	3919
Hall, Danny Ray .....	290
Hambalek, Johnnie Louis .....	33
Hamil, Robert .....	3996
Hamilton, Jr., L. J. "Buddy" .....	716
Hannon, Michael "Mike" Adrian .....	290
Hans, Joseph Paul "Joe" .....	616
Hardin, Etta Ann .....	20
Harness, Parker Andrew .....	3920
Harper, Peggy Carolyn Hollingsworth .....	290
Harris, Bob .....	242
Harris, Jennifer Baird .....	781
Harris, Marion (Nell) .....	688
Harrison, Allen Francis "Frank" .....	2682
Harrison, Charles Edward .....	16
Hartman, Franklin .....	1022
Harvey, Carol Measells .....	99
Harvey, Nancy .....	616
Hasty, Sr., Jeffery "Jeff" Lee .....	73
Haug, Charles James "Jim" .....	61
Havard, Willis "W. J." Junior .....	98
Hawkins, Robert .....	7
Hawthorne, Trena Reed .....	61
Hayes, Bettye Claire .....	250

Hayes, Dorothy "Molly" .....	688
Hayes, Sr., Robert E. "Bobby" .....	21
Heindl, Sr., Frederick Joseph .....	2682
Heine, Jared .....	100
Helton, Katherine B. ....	1022
Henderson, Bennie D. ....	99
Henderson, Representative Leonard .....	1021
Hendrix, Mrs. Everlena .....	8
Henry, Margaret Brewer .....	62
Henry, Sr., Leon Austin .....	2328
Henson, William H. ....	6
Herrington, Sr., Charles Donald .....	305
Herron, Billy A. ....	15
Hicks, Jr., Dewitt Talmadge .....	949
Hill, Billy Ray .....	16
Hill, Carolyn White .....	1367
Hill, Frances Busby Stroud .....	16
Hinton, Phillip .....	20
Hodge, Marie Tanner .....	8
Holcomb, II, Willie A. ....	398
Holmes, Earl .....	3698
Holmes, Stacey Ray .....	99
Holocaust, victims of the .....	279
Homan, Rodney Wayne .....	290
Hood, Billy .....	99
Hooper, Betsy Ross .....	746
Hopkins, Al .....	638
Hopkins, Sr., Retired State Trooper Lieutenant Thomas J. ....	1368
Horne, William Herman .....	1367
Horton, Katherine Maer Searcy .....	16
Hosey, Corbin .....	5
House, James Robert .....	710
Howell, Rheba .....	99
Hubbard, J. C. ....	8
Hudson, Billy C. ....	10
Huggins, Mr. David Richard .....	62
Huggins, Rosa Nell .....	781
Hughes, Charles William .....	710
Humphrey, Kenneth L. ....	2328
Humphreys, John .....	21
Hunt, Danny Jack .....	399
Inabinette, Judy Carol Gamblin .....	20
Ingram, Fanny .....	2683
Ishee, Donnie Fay .....	781
Ishee, Ellen Juanita .....	3918
Ivey, Timothy James .....	100
Ivy, Randall Ray .....	98
Jackson, Annie Maureen Snow .....	290
Jackson, Eli Cayden .....	17
Jackson, Evelyn Farnell .....	3636
Jackson, Mildred Demoruelle .....	19
James, Lawrence "Larry" Patrick .....	16
Jamison, Annie Ruth .....	2328
Jarrett, Henry .....	20
Jarriett, Mr. Linnell .....	781
Jarvis, Landen Lamar .....	17
Jenkins, Willie "Von" .....	3388
Jimenez, Molly Ozeta .....	3919

Johnson, Brittany Nicole .....	3635
Johnson, Danna Rose Hines .....	651
Johnson, Erma L. ....	73
Johnson, Kirk Charles .....	3698
Johnson, Sr., Eddie De Wayne .....	716
Johnston, Tina Marie Ball .....	3919, 3920
Jones, Bobby Eugene .....	3102
Jones, Buckey .....	3919
Jones, III, James William .....	290
Jones, Joshua Alan .....	21
Jones, Kim Ridinger .....	290
Jones, Laura Sue Fisher .....	708
Jones, Leonard Earl .....	33
Jones, Mrs. Mary .....	795
Jones, Ms. Sherry .....	62
Jones, Patricia Jo (P. J.) Hansen .....	3636
Jordan, Mary Ann Black .....	16
Kazery, Terri Tew .....	8
Keating, Garrett .....	3920
Keller, Max Howard .....	98
Kelly, Rosalyn .....	16
Kennedy, Janell "Nell" .....	398
Kennedy, Joe .....	2682
Kennedy, Robert Alexander (Bobby) .....	3636
Kerstetter, II, William H. K. ....	2328
Kiddy, Danny .....	250
Kiddy, Danny Leone .....	305
Kight, Betty Sue .....	15
Kight, Charles Ray .....	15
Kilpatrick, Dolly Reed .....	709
Kimbrough, Joyce .....	234
King, Adam Stanton .....	61
King, David J. S. ....	3636
King, Mitzie .....	16
Kinsey, Sr., Joe Landon .....	651
Kirby, Bobby .....	99
Kirkwood, Katherine Anita "Kathy" .....	242
Kister, Mary Nelson .....	716
Kittell, Darlene Ann Spratley .....	3699
Knight, Shannon Yvonne .....	3636
Knochenmuss, Jr., John H. ....	688
Kokubun, Donna Kaye (Baker) .....	33
Koury, Peter A. ....	20
Kuehling, Patricia A. "Pat" .....	398
Kullman, Colby H. ....	3636
Kyzar, Vicky Lynn Smith .....	716
Ladner, Cleyton John .....	98
Ladner, Ella Mae .....	650
Ladner, Irma .....	10
Ladner, Peggy Ann .....	9
Ladner, Ronald D. "Ronnie" .....	9
Ladner, Sr., Eldridge "Bay" Thomas .....	9
Ladner, Sr., Eldridge Thomas .....	20
Laird, Rexie Lee .....	250
Lamey, James Gerald .....	249
Larkowski, Thomas Joseph .....	3920
Lauderdale, Judy McCarty .....	710
Lawler, Dawson Kash .....	10

Lawrence, Herman Larry.....	376
Lawrence, Sr., Henry Andrew .....	290
Layton, Ethel "Ms. Sug" Jones .....	16
Layton, Mrs. Nellie "Tommie" .....	99
Leach, Coach Michael Charles "Mike" .....	10
Leach, Franklin "Frank" Earl.....	3919
Leach, Mr. Herman .....	249
Lee, Estelle Ladner .....	639
Leggett, John "J. L." Clifton .....	688
Leonard, Mary Jewel.....	62
Lester, Pearlean W. ....	480
Letort, Dorothy "Dot" Fairley.....	20
Levy, Elvin McKinley .....	688
Lichte, Melba Jean Dollar.....	6
Ligon, Larry.....	16
Lindsey, Larry Ross .....	3636
Liphford, Destiny .....	3698
Lloyd, Otis Lee .....	99
Loftin, Terri Leigh Price .....	257
Lord, Jackie "Jack" Glen .....	398
Lowery, Martha Murphy .....	242
Lucas, Beverly Sue McMurtry .....	716
Lucas, Dr. Willie B.....	73
Luke, Supervisor Mike.....	22
Lytle, Richard "Sarge" .....	3102
Mabry, Sr., Fred Michael "Mike" .....	710
Madonna, Edward "Eddie" .....	17
Magee, Enoch B. ....	2774
Malley, Jannie Lou .....	9
Malouf, Charles J. ....	710
Mangum, Scott.....	14
Mann, Dorothy Doty .....	949
Marble, Eugene Austin.....	8
Markham, Edith Martin .....	2817
Marks, Matthew Harrison .....	2696
Martin, Daniel Mack .....	233
Martin, Harry Aubrey.....	15
Martin, Honorable Judge Jerelene "Judy" Case .....	290
Martin, James Carl.....	16
Martin, Marilyn Elizabeth Cartwright.....	3636
Massey, Captain Shannon .....	63
Massey, Deborah Kay .....	97
Massey, Raymond Lamar .....	1367
Maxey, Pamela Ann .....	234
Maxey, Wilma .....	234
Mayo, Thomas Hayes .....	3636
McCary, Aline Pharr .....	716
McCord, Addison (Addie) Grace.....	19
McCord, Donald Wendell .....	3636
McCoy, Amma Quay .....	245
McCoy, Judy A.....	795
McCoy, William Edward .....	99
McCullen, Mr. Brian Hodges .....	245
McCullough, James Herbert.....	16
McDonald, Clifford Ray .....	949
McDonald, Douglas W. ....	21
McDonald, Peggy Sue .....	16
McEwen, Mrs. Mildred L.....	62

McFadden, John Larry .....	61
McGee, Rachel Goodman .....	1861
McGehee, Marilyn Shoemaker .....	2683
McInnis, Mrs. Keisha Juanita Gladney .....	2521
McIntosh, Karen Powell .....	22
McKinney, David C. ....	3636
McLarty, Jerry Carlos .....	21
McLaurin, John Purves .....	3636
McLeod, Jr., Julian JW .....	3918
McLeod, Randy "Skully" .....	709
McMillan, Howard .....	8
McMillen, Mitchell T. ....	17
McMullan, Terry Earl .....	861
McPherson, Debra Ruth .....	97
McPherson, Homer E. ....	97
McQueen, Gregory Lamar "Greg" .....	242
Meaders, Mildred (Millie) Jeanne Smith .....	3636
Meadows, J. B. ....	6
Meadows, Linda Ruth Hodgkin .....	305
Meadows, Marvin Edward .....	279
Meadows, Sr., Kevin Todd .....	709
Measells, Flossie M. ....	99
Meeks, Edwin "Ed" .....	33
Mehr, Dr. Lawrence E. ....	1022
Meier, Barbara Kathlene .....	398
Melrose, Ilene Rose .....	2773
Melton, Joann Cuevas Malley .....	2696
Middleton, Larry Wayne .....	3996
Middleton, Ronnie .....	5
Miles, Zola .....	19
Miller, Annie Mae .....	3996
Miller, Debra .....	638
Miller, III, C. A. ....	33
Miller, Mary .....	338
Miller, Theresa Kay Adcock .....	61
Mills, Norris "Faye" .....	33
Minor, Maudis Marene .....	3635
Mitch, John Timothy .....	3699
Mitchell, Camille Borroum .....	651
Mitchell, James D. ....	100
Mitchell, Pamela Darlene "Pam" .....	34
Mixon, Roy Bennett .....	3636
Moffett, Edward Bernell .....	290
Montgomery, Christopher Harper .....	688
Montgomery, Jr., Alvin D. "Monty" .....	3996
Montgomery, Walker Farriel .....	64
Mood, Barbara Jeanne Ashford .....	3636
Mooney, Joel Lee "Butch" .....	97
Moore, Lindberg Charles .....	7
Moore, Patsy .....	279
Morgan, Audrey .....	10
Morgan, Linda Franklin .....	3636
Morgan, Mark .....	9
Morman, Norma Jean .....	17
Morris, James Riley .....	9
Morrison, Wade Ellison .....	2521
Moser, Kyle Joseph .....	7
Moss, Paul Maurice .....	3636

Motameni, Ruth .....	15
Mott, Shannon Leigh .....	688
Mowery, Ernie Eugene .....	290
Moyer, TPO Captain Brett .....	709
Munford, Danny .....	3103
Munford, Helen Wood .....	3103
Munn, Patricia "Ann" .....	3635
Murphy, Elizabeth (Poky) Watts .....	3636
Murphy, JaDarrion .....	3103
Myers, Dakota Albert Paul .....	99
Myers, Melanie .....	638
Naramore, Grover Cleveland .....	6
Neal, Sr., Roy Frank .....	289
Necaise, Bertie Faye Cameron .....	2696
Necaise, Jr., Willie Lawrence .....	2696
Nelson, Jeanette .....	651
Nelson, Julia Neely .....	3920
Newbill, Jr., David Samuel .....	2682
Newby, Frances .....	17
Newman, Gloria Beverly .....	3920
Newman, Roy Wayne .....	16
Newton, Benjamin David "Bennie" .....	3919
Nicholas, James C. ....	99
Nicholson, Hon. Billy .....	100
Nightengale, Joan Ann .....	19
Noe, Mildred Inez Davis .....	17
Norman, Jr., John Thomas .....	1367, 2773
Northrop, Kerth Edwin .....	20
Nowell, Mavis Irene .....	100
Nunnery, Obydee .....	290
O'Daniel, Lee Gene .....	21
O'Neal, Mrs. Ruth McSwain .....	6
Offutt, Mary Joe (Jodie) McCabe .....	3636
Olsen, Donald Joseph .....	2696
Olson, Mary Ellen .....	16
Orr, Sammie .....	1021
Owen, Michael "Mike" .....	6
Page, Raymond Andy .....	398
Pannell, Margaret Rose Rowan .....	17
Pardue, Dwight Rodger .....	6
Park, Debby .....	99
Parker, Austin .....	688
Parker, Sr., Henry P. ....	7
Parkes, Sue Block .....	949
Parks, Randy .....	99
Parten, Mary E. ....	1367
Patrick, Mrs. Roberta .....	2644
Patrick, Patricia Ann .....	5
Patton, Ben .....	688
Payne, Wendell .....	7
Pegg, Fern Holifield .....	3636
Pellegrin, Evelyn .....	9
Perkins, John Bernard .....	34
Peterson, Joyce L. ....	3919
Peterson, Jr., Robert Bernard .....	10
Philo, Jane Miller .....	2682
Pierce, Paula Diane Shepperd .....	33
Pilgrim, James Harris .....	6

Pittman, Ineva Mae .....	10
Pitts, Joy .....	21
Plummer, Karen Achord .....	250
Plyler, William "Bill" .....	3698
Poole, Marquise "Doda" .....	63
Pope, Mayor Clinton Rudy .....	252
Porter, Caden Wesley .....	709
Porter, Edd Hershell .....	99
Porter, Tyrone .....	689
Porter, William Jerry "Bill" .....	99
Powell, Robert "Bob" Hershel .....	398
Powell, Tyrone .....	245
Prescott, Richard Allen .....	1022
Primos, Sr., Kenneth A. ....	20
Pumphrey, Mildred Perkins .....	2842
Pustay, Cathleen Lilian .....	3919
Quave, Jean Alden Holcombe .....	638
Radach, Raymond William "Bill" .....	16
Ratcliff, Jan .....	716
Ratcliffe, Richard .....	73
Rawls, Thelma .....	3919
Rawls, Thelma Brechtel .....	19
Rawson, Francis Joseph (Pop) .....	3636
Ray, Loretta Ann Brown .....	3636
Ready, James "Bill" .....	1022
Reddix, Joseph .....	689
Redmond, Jr., Julius William .....	249
Redmond, Jr., Julius William "Buck" .....	638
Reed, Dicky Wayne .....	62
Reedy, Larry Noel .....	517
Regan, Ellen Wright Douglas .....	3636
Reid, Benny .....	99
Renfrow, Charles W. ....	4075
Reynolds, Dollie .....	19
Rhea, Brett Shannon .....	17
Rhodes, Mickey .....	638
Rials, Price McCarley .....	17
Rice, Wanda .....	3636
Rich, Joyce Lawson .....	1022
Riels, Rosemary Elizabeth .....	709
Rigby, Ruth Carroll .....	710
Rigney, Aline Burgess .....	234
Riley, James Leroy .....	1367
Risher, Gary Lynn .....	99
Roaten, Debbie Merritt .....	73
Robbins, Jerry Wayne .....	17
Robbins, Marshall Wayne .....	16
Robbins, Mary Louise .....	16
Robbins, Terry B. ....	17
Roberts, Jr., Don .....	99
Roberts, Linda Sue Rakestraw .....	15
Roberts, Rev. Tony .....	2328
Robertson, Reverend Doctor Gregory .....	7
Robichaux, Major Michael Paul "Robi" .....	252
Robichaux, Velma Myers .....	746
Robin, Sergeant Steven Michael .....	9
Robinson, Janice .....	16
Robinson, Jr., P. M. "Monte" .....	21

Robinson, Mose O'Neal .....	99
Rodgers, Lonnie "Sonny" .....	2842
Rogers, Mary Ernestine .....	21
Rogers, Matthew Ryan .....	781
Rollins, Eula Kathleen .....	1022
Rosamond, Frances .....	7
Rose, Joe Mack .....	279
Ross, Aldora Arcement .....	2682
Rouse, Myrna Joyce Loper .....	19
Royal, Randy .....	2036
Rushing, Lillie Ann Herring .....	61
Russell, Axel .....	99
Russell, Dr. Richard .....	16
Russell, Sr., David Pierce .....	716
Russum, Nell .....	3635
Rutledge, Cindy .....	716
Salley, Florence Ellen .....	6
Sanford, Rev. James Carroll .....	73
Sapp, C. L. ....	3636
Saucier, Dorothy Mae .....	1021
Saucier, Harold .....	650
Saucier, Patricia Ann Evans .....	289
Sauerwein, John David .....	3388
Scarborough, Carolyn Ann .....	949, 2696
Scarborough, David .....	98
Scardino, Loislyn Susan Blanchard .....	243
Schickel, Pamela Matred .....	250
Schlautman, Phyllis Kee .....	639
Schommer, Daniel .....	242
Scruggs, Sue Ellen .....	97
Seaney, Alvin "Buck" .....	100
Seaney, Sheila .....	3635
Sellers, Hayes Alexander .....	2859
Shaw, Tadrian LaChristopher .....	688
Sheffield, Robert Maxwell .....	9
Sheffield, Robert Theodore .....	9
Sheffield, Sharon Cooper .....	9
Shepherd, Jr., James P. ....	3635
Shepherd, William Warren .....	2521
Shermer, Wendell .....	3388
Shoemaker, Henry M. ....	709
Siegfreid, Ruth Louise .....	716
Signa, Florence "Aunt Flo" .....	14
Signa, Florence Strazi .....	10
Silkwood, Sr., John D. ....	1021
Simmerman, Valerie .....	3919
Simmons, Robert Joseph .....	289, 3920
Simmons, Sr., Robert Sledge .....	3918
Simpkins, Auden Jubilee .....	3996
Sipriano, Jr., Isaac .....	249
Siskin, Milton .....	21
Sison, Nancy Ann .....	781
Sistrunk, Mildred .....	2859
Skelton, Andy .....	2683
Smith, Frances Marie Williams .....	2773
Smith, Gary Wayne .....	34
Smith, Gene Ronald .....	3920
Smith, Katherine .....	21



Smith, Kay Gafford.....	16
Smith, Marian Kaiser.....	3635
Smith, Mary Susan (Sue) Hamilton .....	3636
Smith, Mickey Charles .....	3637
Smith, Nancy Long.....	2521
Smith, Rev. Bertrand.....	304
Smith, Ronald David .....	3637
Smith, Sharon .....	9
Smith, Stephen (Steve) Philip .....	3636
Smithey, Ora Fay.....	16
Smithey, William "Bill" David .....	16
Snow, Fred .....	616
Spencer, Larry Joe.....	233
Spires, Jacqueline.....	3388
Spring, Acie Joseph "A.J.".....	376, 716
Spring, Leroy .....	2842
St. Amant, Joey .....	746
Stamps, Valerie .....	20
Standley, Robert Dale .....	15
Steele, Carlton "Carl" Bennie .....	34
Stephens, Sonya.....	7, 3920
Stephenson, Shirley Gillespie .....	250
Stevenson, Nancy.....	2520
Stewart, Jane Fonda Lee .....	3636
Stewart, Sandra Gay Allen .....	716
Stewart, Shirley Rose.....	19
Stinnette, Charles "Bub".....	710
Stockman, Vance Marvin .....	709
Stokes, Kenneth "Kenman" Lamar .....	73
Stokes, Mr. Robert.....	688
Stokes, Sue .....	3919
Stokes, Sydnee Claire.....	746
Stokley, Chris.....	616
Stone, Nancy .....	243
Storms, Betsy Heindl.....	2036
Stribling, Robert .....	338
Stringer, Mitchell "Mickey" Vernon .....	98
Stubbs, I. C. "Bobby Joe".....	2521
Suarez, Gerald Wayne.....	2859
Summerford, Christopher James.....	250
Surber, Jimmy E. ....	17
Surber, Kimberly Ann "Shug" McMillen .....	16
Swanson, Mr. Jimmy Clay.....	245
Swearingen, Jr., Aubrey M. "Sonny".....	305
Switzer, Nona Jean.....	33
Swoope, Charlotte Kay .....	2328
Sylvester, Jr., James Lawrence "Larry" .....	7
Tagert, Clarissa (Rissa) Frazier.....	99
Tapp, James .....	17
Tate, Llewellyn.....	2682
Taylor, Jr., Jackson.....	3636
Taylor, Justin David .....	5
Taylor, Robert.....	17
Taylor, Tony D. ....	480
Temples, Joey Wade .....	22
Thatcher, Louise Charlyne .....	233
Thompson, Jr., Wesley A .....	1022
Thweatt, Curtis Cleveland .....	3636

Tillman, Jr., Charles Franklin.....	5
Tindle, Sr., Gregory.....	2683
Tingle, Lee.....	8
Tompkins, John Mahlon.....	16
Touchton, Herbert.....	861
Towns, Jamerian.....	3698
Townsend, Robert Keith.....	2682
Travis, III, John Alna.....	270
Traxler, Nell.....	99
Traylor, Janice Kay.....	3636
Treadway, Barbara Broadway.....	15
Trocheset, Shannon Chunn.....	398
Turner, III, Osborn Jones.....	8
Tutor, Troy.....	233
Underwood, Sarah Nell.....	61
Usry, Elijah Matthew.....	99
Van Vleet, Gerald L.....	34
Vance, Sr., Ralph Brooks.....	3636
Vandiver, Tony Douglas.....	2328
Vaughn, Jackie McIlwain.....	398
Verdegan, Eileen.....	2859
Vines, Sr., Buddy.....	99
Waddell, Joan Stanford.....	8
Waits, Elvanell Vickers.....	516
Walcott, Martha Winchester (Win) Gordon.....	3636
Walczak, Margaret Rose.....	3919
Walker, Ernest Nolan.....	3636
Wallace, Judy.....	99
Wallace, Rev. Bennie.....	338
Wallace, Sammy Lee.....	62
Waller, Sue Barrett.....	7
Walley, Douglas.....	34
Waltman, Barbara.....	99
Ward, Charles David.....	73
Warden, William Joseph.....	6
Warner, Harlene.....	21
Washington, Helen.....	16
Watkins, Mrs. Rachel Talton.....	688
Watkins, Sr., Chief Charlie.....	290
Watson, Barbara Carol.....	1021
Watts, Tommy Louie.....	3636
Weathers, Edith Wilson.....	3637
Weaver, Donny James.....	2521
Webster, Montraz.....	3698
Webster, Ti'taiera.....	3698
Wedgeworth, James Ross.....	4075
Weeks, David.....	3635
Weems, Jane Howle.....	305
Weir, Bettie.....	64
Welch, Kenneth Wade.....	3636
Welder, Sr., Gerald Clinton.....	2327
Welton, Kaylee Olivia.....	2859
Westbrooks, Frances Jackson.....	250
Whalen, Peggy Rhodes.....	14
Whatley, Dora Jean Mangum.....	6
Whatley, Jr., Dave.....	7
Wheelock, David Eliot.....	3636
White, Alyssa Marie.....	3102

White, Barbara .....	3919
White, Darelene LeGrone .....	688
White, Hazel .....	100
White, Rev. Larry Gene .....	7
White, Roger Wayne .....	3636
Whitehead, Garrett .....	6
Whittington, T. W. ....	709
Wiginton, Bro. Thomas Merrell .....	17
Wilder, Charlene Ruth .....	6
Wildman, James "Bing" Donald .....	16
Williams, CT State Representative Quentin .....	34
Williams, David Reid .....	781
Williams, Edwin .....	16
Williams, Ike .....	17
Williams, Mrs. Olga Little .....	5
Williams, Shirley Ann .....	10
Williams, Sr., Chester Lee "C. L." .....	2521
Willis, Dorothy .....	3699
Willis, Wilbert .....	279
Wilson, Ingeburg Erika .....	2327
Wilson, Kathleen B. ....	98
Wilson, Mr. Mayo .....	1022
Wilson, Rita Jean .....	716
Wilson, Rudolph .....	17
Wilson, Wanda Celeste Ballard .....	16
Windham, Betty Jean (Gattis) .....	271
Wing, Hin Luck .....	3637
Winkle, III, John W. ....	3636
Wisner, Edna "Cissy" .....	2594
Woods, David .....	650
Woods, Gina Guerra .....	16
Woodward, Guy B. ....	64
Wright, Phylis P. ....	98
Yarbrough, Fredrick .....	615
Yarbrough, Tanner Scott .....	99
Yenter, Melvin (Mel) Jerome .....	3636
Young, E. T. ....	279
Young, Gladys C. ....	3920
Young, John Robert .....	16
Young, Mark Glenn .....	376
Young, Mrs. Yumiko Endo .....	8
Young, Sylvia Ann Vedross .....	9
Younger, Mrs. Ollie B. ....	249
Younger, Mrs. Ora Lee Penn .....	100
Younger, Terrell Fondren "Ted" .....	34
 Barnett, Senator Juan	
Invocation .....	3639
Pledge of Allegiance .....	74, 318, 2786
 Barrett, Senator Jason	
Pledge of Allegiance .....	864
 Became Law Without Governor's Signature .....	4083
 Blackwell, Senator Kevin	
Invocation .....	386, 695
Pledge of Allegiance .....	951

Blount, Senator David	
Pledge of Allegiance .....	2709
Branning, Senator Jenifer	
Notify the Governor of Senate organization.....	5
Pledge of Allegiance .....	722, 4001
Butler, Senator Albert	
Leave of absence.....	2850
Pledge of Allegiance .....	268, 797, 1369, 2530
Butler, Senator Kelvin	
Invocation .....	722
Pledge of Allegiance .....	245, 288, 2829
Carter, Senator Joel R.	
Explanation .....	715
Leave of absence.....	695, 713, 2041
Notify the House of Senate organization .....	5
Caughman, Senator Chris	
Leave of absence.....	713, 722, 754
Pledge of Allegiance .....	24, 73
Chassaniol, Senator Lydia	
Pledge of Allegiance .....	237
DeBar, Senator Dennis	
Pledge of Allegiance .....	399, 648, 3390
England, Senator Jeremy	
Invocation .....	3922
Notify the Governor of Senate organization.....	5
Pledge of Allegiance .....	19, 755, 2330
Explanation	
Carter, Senator Joel R. ....	715
Williams, Senator Bart.....	716
Fillingane, Senator Joey	
Pledge of Allegiance .....	601, 3109
Frazier, Senator Hillman	
Invocation .....	2861
Notify the Governor of Senate organization.....	5
Pledge of Allegiance .....	386
Hickman, Senator Rod	
Pledge of Allegiance .....	251, 255, 784
Hill, Senator Angela	
Pledge of Allegiance .....	2861
Hopson, Senator W. Briggs	
Leave of absence.....	386
Pledge of Allegiance .....	13, 2652

Horhn, Senator John	
Pledge of Allegiance .....	695
Invocation by	
Allen, Reverend John .....	63
Allen, Reverend Morris .....	779
Barnett, Senator Juan .....	3639
Blackwell, Senator Kevin .....	386, 695
Boss, Reverend Moyese .....	288
Bourn, Reverend Clint .....	3109
Bowen, Reverend Chad .....	237
Brashier, Dr. Paul .....	399
Butler, Senator Kelvin .....	722
Carney, Reverend Jerron .....	601
Collins, Dr. Calvin .....	737
Conley, Reverend David .....	2687
Cooksey, Lt. Colonel Chris .....	2652
Cooley, Reverend Eric L. ....	2529
Cumbest, Reverend Sheila .....	60
Dennis, Mr. Dobbs .....	19
Ellis, Chase .....	629
England, Senator Jeremy .....	3922
Floyd, Reverend Chris .....	2614
Frazier, Senator Hillman .....	2861
Genesse, Reverend Jim .....	1028
George, Bishop Andrew .....	2786
Harmon, Dr. Frank .....	24
Harper, Reverend Charlie .....	247
Harrell, Reverend Hilton .....	2828
Hixon, Reverend Nance .....	1868
Houston, Reverend Gary D. ....	784
Hughes, Dr. William Casey .....	233
Johnson, Reverend Cornelius .....	268
Johnson, Sr., Reverend Hugh M. ....	797
Kitchings, Dr. Hal .....	864
Lee, Elder Sedgerick .....	318
McCaleb, Reverend Reed .....	951
McCaughn, Senator Tyler .....	3703
McGough, Reverend Ryan .....	339
Mitchell, Bishop Roderick .....	480
Moffett, Reverend Erick .....	74
Norwood, Senator Sollie B. ....	4001
O'Banner, Reverend Columbus .....	73
Parker, Reverend Brent .....	754
Pittman, Reverend Benjamin .....	251
Rhodes, Dr. CJ .....	2708
Rhodes, Reverend Leslie W. ....	2330
Sanders, Father Patrick .....	370
Schilling, Reverend Myron .....	648
Seymour, Reverend Norwood .....	2041
Smith, Dr. Steve .....	3390
Sparks, Senator Daniel H. ....	2850
Stevens, Reverend Chip .....	522
Thompson, Reverend Barry E. ....	1369
Tipton, Reverend David .....	13
Tobias, Jr., Reverend Willie .....	255
Tonos, Father Joe .....	5
Walker, Elder Henry L. ....	713

Washburn, Reverend Tom .....	676
Williams, Dr. Walter .....	667
Williams, Pastor Kelvin.....	245
Williamson, Reverend Mark A. ....	277
Young, Reverend Arthur E. ....	303
Jackson, Senator Robert	
Pledge of Allegiance .....	247, 3703
Joint Session	
State of the State Address .....	293
Jordan, Senator David	
Pledge of Allegiance .....	737
Kirby, Senator Dean	
Escort Governor Tate Reeves and First Lady Elee Reeves to the dais.....	293
Pledge of Allegiance .....	5, 522, 677
McCaughn, Senator Tyler	
Invocation .....	3703
Pledge of Allegiance .....	61, 339, 629
Michel, Senator J. Walter	
Leave of absence.....	522, 601
Moran, Senator Philip	
Escort Governor Tate Reeves and First Lady Elee Reeves to the dais.....	293
Pledge of Allegiance .....	2614
Norwood, Senator Sollie B.	
Invocation .....	4001
Notify the House of Senate organization .....	5
Pledge of Allegiance .....	2850
Parker, Senator David	
Pledge of Allegiance .....	3639
Parks, Senator Rita Potts	
Leave of absence.....	796
Pledge of Allegiance by	
Barnett, Senator Juan .....	74, 318, 2786
Barrett, Senator Jason .....	864
Blackwell, Senator Kevin.....	951
Blount, Senator David .....	2709
Branning, Senator Jenifer .....	722, 4001
Butler, Senator Albert.....	268, 797, 1369, 2530
Butler, Senator Kelvin .....	245, 288, 2829
Caughman, Senator Chris.....	24, 73
Chassaniol, Senator Lydia .....	237
DeBar, Senator Dennis .....	399, 648, 3390
England, Senator Jeremy.....	19, 755, 2330
Fillingane, Senator Joey.....	601, 3109
Frazier, Senator Hillman .....	386
Hickman, Senator Rod.....	251, 255, 784
Hill, Senator Angela .....	2861
Hopson, Senator W. Briggs.....	13, 2652

Horn, Senator John.....	695
Jackson, Senator Robert.....	247, 3703
Jordan, Senator David.....	737
Kirby, Senator Dean.....	5, 522, 677
McCaughn, Senator Tyler.....	61, 339, 629
Moran, Senator Philip.....	2614
Norwood, Senator Solie B.....	2850
Parker, Senator David.....	3639
Seymour, Senator Joseph M.....	2041
Simmons, Senator Derrick T.....	3922
Simmons, Senator Sarita.....	480, 713
Sparks, Senator Daniel H.....	2687
Thomas, Senator Joseph.....	63, 303, 668, 779
Thompson, Senator Mike.....	370
Wiggins, Senator Brice.....	1868
Williams, Senator Bart.....	233, 277, 1028
Seymour, Senator Joseph M.	
Pledge of Allegiance.....	2041
Simmons, Senator Derrick T.	
Pledge of Allegiance.....	3922
Simmons, Senator Sarita	
Pledge of Allegiance.....	480, 713
Sparks, Senator Daniel H.	
Invocation.....	2850
Pledge of Allegiance.....	2687
Suber, Senator Benjamin	
Notify the House of Senate organization.....	5
Thomas, Senator Joseph	
Pledge of Allegiance.....	63, 303, 668, 779
Thompson, Senator Mike	
Pledge of Allegiance.....	370
Turner-Ford, Senator Angela	
Escort Governor Tate Reeves and First Lady Elee Reeves to the dais.....	293
Vetoed Bills - 2023 Session	
SB2054: vt.....	4083
SB2224: vt.....	2603
SB2622: vt.....	2605
Wiggins, Senator Brice	
Pledge of Allegiance.....	1868
Williams, Senator Bart	
Explanation.....	716
Leave of absence.....	288, 713
Pledge of Allegiance.....	233, 277, 1028

**PART V  
PARLIAMENTARY RULINGS**

**Parliamentary Inquiry**

H. B. No. 1020 .....	1208, 3895, 3909
S. B. No. 2100 .....	425

**Points of Order**

H. B. No. 1020 .....	1208, 3894, 3895
H. B. No. 1315 .....	1743
H. C. R. No. 61 .....	3697
S. B. No. 2006 .....	375
S. B. No. 2212 .....	440
S. B. No. 2889 .....	422

**Ruling of Chair**

H. B. No. 1020 .....	1208, 3894, 3895, 3909
H. B. No. 1315 .....	1743
H. C. R. No. 61 .....	3697
S. B. No. 2006 .....	375
S. B. No. 2100 .....	425
S. B. No. 2212 .....	440
S. B. No. 2889 .....	422



**PART VI  
SUBJECT MATTER OF SENATE AND HOUSE BILLS  
AND RESOLUTIONS BY COMMITTEE**

**A. APPROPRIATIONS**

African American Resident Physician Scholarship Program; establish. **SB2758**.  
 Alcorn University Ext Annex; rename "Dr. Jesse Harness, Sr., Extension and Research Center." **HB1286**.  
 American Rescue Plan Act (ARPA):  
   Nurse/Allied Health Workforce Dev. and Retention Act. **SB2371**.  
   Revise provisions related to certain programs. **SB2444**.  
   Rural Water Associations Infrastructure Grant Program; entities eligible to participate. **SB2453**.  
 Appointed counsel; inc. max compensation available for representation of indigent defendants. **SB2237**.  
 Appropriation:  
   Accountancy, Board of Public. **SB3039**.  
   Agriculture and Commerce, Department of. **SB3013**.  
   Animal Health, Board of. **SB3015**.  
   Architecture, Board of. **SB3035**.  
   Archives and History, Department of. **HB1612**.  
   Arts Commission. **HB1611**.  
   Athletic Commission. **HB1593**.  
   Attorney General. **HB1641**.  
   Auctioneers Commission. **HB1594**.  
   Audit, Department of. **SB3041**.  
   Banking and Consumer Finance, Department of. **SB3042**.  
   Barber Examiners, Board of. **HB1595**.  
   Capital Post-Conviction Counsel, Office of. **HB1638**.  
   Child Protection Services, Department of. **HB1625**.  
   Chiropractic Examiners, Board of. **SB3028**.  
   Community and Junior Colleges Board - Administrative expenses. **SB3009**.  
   Community and Junior Colleges Board - Support for community and junior colleges. **SB3010**.  
   Contractors, Board of. **SB3040**.  
   Corrections, Department of. **SB3011**.  
   Cosmetology, Board of. **HB1596**.  
   Counselors, Board of Examiners for Licensed Professional. **SB3033**.  
   DEQ for funding the MS Municipality and County Water Infrastructure Grant Program. **HB1716**.  
 DFA:  
   Bureau of Building for capital projects at state-owned buildings and grounds. **HB1718**.  
   Debt Service-Gen. Obli. **SB3051**.  
   Destination marketing organizations in paying for marketing activities. **HB1719**.  
   Office of Insurance for reimbursing the State Health Plan for eligible expenses. **HB1717**.  
   Reappropriation, DFA - Bureau of Building - FY2024. **HB1643**.  
 Dental Examiners, Board of. **SB3029**.  
 Development Authority, Mississippi. **SB3046**.  
 District attorneys and staff. **HB1637**.  
 Education, Department of. **HB1613**.  
 Educational Television, Authority for. **HB1614**.  
 Emergency Management Agency. **SB3016**.  
 Employment Security, Department of. **SB3021**.

Engineers and Land Surveyors, Board of Registration for Professional.

**HB1604.**

Environmental Quality, Department of. **HB1616.**

Ethics Commission. **SB3019.**

Fair and Coliseum Commission - Livestock shows. **SB3014.**

Finance and Administration, Department of. **SB3043.**

Fire Academy. **HB1606.**

Foresters, Board of Registration for. **HB1627.**

Forestry Commission. **HB1628.**

Funeral Services Board. **SB3030.**

Gaming Commission. **SB3036.**

Geologists, Board of Registered Professional. **SB3037.**

Governor's Office and Mansion. **SB3044.**

Grand Gulf Military Monument Commission. **HB1618.**

Gulf Coast Restoration Funds to the Mississippi Development Authority.

**SB3047.**

Health Department. **HB1626.**

ARPA Rural Water Associations Infrastructure Grant Program.

**HB1715.**

Baptist Medical Center in Jackson to establish a burn center or unit.

**HB1721.**

Local Provider Innovation Grant Program. **HB272.**

Human Services, Department of. **HB1622.**

IHL:

Alcorn State - Agricultural programs. **SB3002.**

General support. **SB3000.**

Mississippi State University:

Agricultural and Forestry Experiment Station. **SB3003.**

Cooperative Extension Service. **SB3004.**

Forest and Wildlife Research Center. **SB3005.**

Veterinary Medicine, College of. **SB3006.**

STEM related programs at Alcorn State University. **SB2930.**

Student Financial Aid. **SB3007.**

Subsidiary programs. **SB3001.**

University of Mississippi Medical Center. **SB3008,** **SB2040.**

Information Technology Services, Department of. **SB3045.**

Insurance, Department of. **HB1605.**

Judicial Performance Commission. **SB3020.**

Legislative expenses. **HB1610.**

Library Commission. **HB1615.**

Marine Resources, Department of. **HB1636.**

Massage Therapy, Board of. **SB3031.**

Medicaid, Division of. **HB1624.**

Medical Licensure, Board of. **HB1598.**

Mental Health, Department of. **SB3025.**

Military Department. **SB3017.**

Motor Vehicle Commission. **SB3038.**

Nursing Home Administrators, Board of. **HB1600.**

Nursing, Board of. **HB1599.**

Oil and Gas Board. **HB1619.**

Optometry, Board of. **HB1601.**

Pat Harrison Waterway District. **HB1630.**

Pearl River Valley Water Supply District. **HB1631.**

Personnel Board. **SB3048.**

Pharmacy, Board of. **SB3032.**

Physical Therapy Board. **HB1602.**

Port Authority, State. **HB1632.**

Psychology, Board of. **HB1603.**

Public Employees' Retirement System. **HB1607**.  
 Public Safety, Department of. **SB3012**.  
 Public Service Commission. **HB1620**.  
 Public Utilities Staff. **HB1621**.  
 Real Estate Appraiser Licensing and Certification Board. **HB1608**.  
 Real Estate Commission. **HB1609**.  
 Rehabilitation Services, Department of. **HB1623**.  
 Revenue, Department of. **SB3022**, SB2465.  
 Rural Fire Truck Fund, additional round of trucks-Acquisition Assistance Program. SB2041.  
 Secretary of State. **SB3049**.  
 Social Workers and Marriage and Family Therapists, Board of Examiners for. **HB1597**.  
 Soil and Water Conservation Commission. **HB1629**.  
 State Public Defender, Office of. **HB1639**.  
 Supreme Court, Court of Appeals and trial judges services. **HB1640**.  
 Tax Appeals Board. **SB3023**.  
 Tennessee-Tombigbee Waterway Development Authority. **SB3027**.  
 Tombigbee River Valley Water Management District. **HB1633**.  
 Transportation, Department of. **HB1642**.  
 Transportation, Department of - State Aid Road Construction, Office of. **SB3026**.  
 Treasurer's Office. **SB3050**.  
 UMMC for repair and renovation of facility for adolescent psychiatric program. **HB1722**, HB1720.  
 Veterans Affairs Board. **SB3018**.  
 Veterans' Home Purchase Board. **HB1635**.  
 Veterinary Examiners, Board of. **SB3034**.  
 Wildlife, Fisheries and Parks, Department of. **HB1617**.  
 Workers' Compensation Commission. **SB3024**.  
 Yellow Creek State Inland Port Authority. **HB1634**.

Appropriation; additional to:

DEQ for Municipality and County Water Infrastructure Grant Program, ARPA funds. SB3114.

DFA:

Bureau of Buildings, ARPA funds. **SB3118**.  
 Destination marketing organizations and Main Street Association, ARPA funds. SB3116.  
 Office of Insurance for State and School Employees' Life and Health Ins. Plan. SB3117.

Health Department:

Hospital Sustainability Grant Program, ARPA funds. **HB271**, SB3119.  
 Rural Water Associations Infrastructure Grant Program, ARPA. SB3115.

Office of Workforce Development for certain programs, ARPA funds. **SB3113**.

Various state agencies for FY 2023 and FY 2024. **HB1644**, **SB2961**, **SB2962**.

Appropriations; revise certain transfers, fund authority, and FY2023 appropriations. SB2446, **SB2664**.

Assistant District Attorneys and criminal investigators; increase authorized number of. **HB834**.

Assistant teachers:

Increase minimum salary. SB2780.  
 Provide "C," "D" and "F" districts with additional positions. SB2755.

Automated External Defibrillators in Public Places Grant Program; establish. **SB2750**.

Board certified occupational therapists employed by schools; allow eligible salary supplement. SB2317.

Budget:

Exempt DPS from prohibition against charging for services or resources received. SB2660.

Revise provisions related to and provide for transfers. **SB2454.**

Various transfers of funds, and create various special funds. **HB603 (Partially Vetoed).**

CPS; revise certain provisions to establish clear path to permanency for children in custody of. SB2640.

Capital Expense Fund; FY2024:

Benoit for water and sewer improvement project. SB3074.

Beulah for water and sewer improvement project. SB3076.

Clinton for treated wastewater project. SB3105.

Coahoma and Coahoma County for water and sewer projects. SB3062.

Emergency Road and Bridge Repair Fund to be utilized by MDOT. SB2480.

Farrell for water and sewer improvement project. SB3099.

Friars Point for water and sewer improvement project. SB3096.

Greenville to build new community health center. SB3073.

Gunnison for water and sewer improvement project. SB3085.

IHL for construction and/or repair and renovation projects at the eight universities. SB2931.

Jackson County for construction of the Jackson County Blueway Connection. SB3068.

Lula for water and sewer improvement project. SB3064.

MDOT:

Infrastructure expenses. **SB3120.**

Southern Rail Commission to draw down federal transportation funds. SB3127.

Metcalf for water and sewer improvement project. SB3063.

Singing River Health System for construction of Healthcare Training Academy. SB3067.

Capitol police and MDOT officers; salary to mirror equally ranked members of Highway Patrol. SB2348.

Career coaching program; Office of Workforce Development piloting to implementing long term. HB1301.

Chancery court; provide additional chancellor for 15th Chancery Court District. SB2200.

Charter school funding; revise funding formula. SB2553.

Chickasawhay Natural Gas District; compensation of board of directors and chairperson of. HB690.

Circuit court districts; inc. number of asst. district attorneys and criminal investigators. SB2403, SB2645.

Circuit court judges and chancellors; stipend support staff and law clerks. **HB1216,** SB2610, SB2655.

Civil Air Patrol members; leave for certain emergency services. HB1235.

Commission on Education and Economic Competitiveness; state's future success. HB823.

Community Development Block Grant Coronavirus Funds; MDA to draw down federal funds. SB2327.

Community schools; authorize implementation under the administration of a district innovation. HB1228.

Comprehensive Career and Technical Education Reform Act; coaching program to long term. SB2067.

Coronavirus State Fiscal Recovery Funds; FY2024 appropriation to:

Alcorn State University:

Fiber-optic broadband network. SB2463.

Water and sewer systems. SB2469.

Claiborne County for a Stormwater Management Program. SB2468.

DFA for capital projects at the eight universities. SB2929.  
 Reappropriate to certain agencies. **SB3052**.  
 Rolling Fork for improvement of water system. SB2036.  
 Sisters in Birth nonprofit charitable clinic. SB2994.  
 Village of Eden for improvement of water and sewer system. SB2037.  
 Destination marketing organizations; bring forward provision related to. SB2511.  
 District Attorneys; increase the operating allowance of. **HB602**, SB2088.  
 Domestic abuse court program; establish. HB170.  
 Dyslexia Therapy Scholarship for Students with Dyslexia; eligibility beginning with kindergarten. HB752.  
 EEF procurement cards; authorize issuance to eligible charter school teachers. **HB1173**.  
 EMS Memorial; Health Dept. honor EMS personnel who died in line of duty. HB793.  
 Early Intervention Task Force; establish. **SB2167**.  
 Early Learning Collaborative Act:  
     Funding levels. **HB817**, SB2314.  
     Include three year old children for voluntary prekindergarten. SB2324.  
 Elections:  
     Elections Support Funds allocation amendment. SB2430.  
     State and counties must equally share cost of prepaid postage for return mail-in ballots. SB2275.  
 Former First Christian Church property within the Capitol Complex; DFA to purchase. **SB2723**, HB423.  
 Foster care children; free access to museums, state parks and transcripts from colleges. SB2789.  
 General Funds; FY2024:  
     Adams County:  
         South Palestine Road overlay. SB2973.  
         Water main extension for residents. SB2974.  
     Alcorn Agriculture Research and Extension for certain capital projects. SB2932.  
     Alcorn State University:  
         Animal science research and extension programs. SB2462.  
         Capital projects. SB2933.  
         Environmental science program. SB2460.  
         Poultry science programs. SB2461.  
         Repair, renovation and refurbishment of E.E. Bass Cultural Arts Center. SB3059.  
         Roadways and sidewalks. SB2471.  
         STEM-related programs. SB2470.  
     Bolivar County:  
         Street repairs in Supervisor District 1. SB3082.  
         Terrene Landing River Park improvement projects. SB3092.  
     City of:  
         Brookhaven for certain infrastructure projects. SB2946.  
         Brooks Williams Stewart Veterans of Foreign Wars Post 9832 for infrastructure. SB2937.  
         Camp Kamassa for construction of buildings and facilities. SB2942.  
     Canton:  
         Municipal Utilities Commission for water and sewer improvements. SB2957.  
         Road and park improvements and new government complex. SB2949.  
         Carthage for improvements to city roads. SB2955.  
         Clarksdale for replacement of Second Street bridge. SB2959.  
         Cleveland for installation of Robert Johnson statue on Highway 8 in city limits. SB2972.

Columbus to complete the Senator Terry Brown Amphitheater. SB2916.

Durant for street repairs. SB2953.

Gautier:  
 Completion of Town Commons Park. SB3071.  
 Restoration of Historic Schoolhouse. SB3066.

Gluckstadt for construction of municipal court building and police station. SB2934.

Greenville:  
 Mississippi River Museum. SB3088.  
 Renovations and repairs to the Mid-Delta Regional Airport. SB3134.  
 Repair and renovation of city parks. SB3084.  
 Wastewater treatment plant. SB3128.

Guntown for widening of and improvements to Sides Street and Long Street. SB2917.

Hattiesburg for improvements in Midtown area. SB3104.

Jackson Water Reimbursement Grant Program. SB2909.

Leland for repair and renovation of city park. SB3087.

McComb for building and equipping fire station. SB2921.

Meridian for road improvements to North Hill Street. SB3138.

Natchez for drainage projects. SB3091.

Ocean Springs:  
 Construction of conference center. SB3069.  
 Repairs to Mary C. O'Keefe Cultural Arts Center. SB3072.

Pascagoula for East Pascagoula police substation. SB3061.

Pontotoc:  
 Firefighter training facility. SB3129.  
 Pavilion. SB3133.

Rosedale for repair and renovation of city park. SB3090.

Tupelo:  
 Ballard Park. SB2981.  
 Class II rubbish site. SB2985.  
 Development of real time command center. SB2984.  
 Drawing down federal funds for railroad improvements. SB2939.  
 Infrastructure projects at Fire Station No. 5. SB2983.  
 Matching federal grant funds for railway lines. SB2980.  
 Mitchell Road. SB2986.  
 Upgrade the HVAC air filtration system at the city's aquatic facility. SB2982.

Union for road paving. SB2999.

West Point for street paving. SB3121.

Civil Air Patrol, Squadron 99, for van, tag, insurance and equipment purchase. SB2919.

Claiborne County:  
 Improvement and construction of community facilities. SB2466.  
 Renovation of county library. SB2464.

Clay County  
 Improvements to Lake Grove Road in Supervisor District 4. SB3122.  
 Infrastructure improvements in Supervisor District 3. SB3123.

Coahoma County for restriping and overlay of Friars Point Road. SB2935.

Co-Lin Community College for Educational, Performing Arts, and Athletic Center. SB2907.

Columbus Redevelopment Authority for Park View - Burns Bottom Project. SB3135.

Community Foundation of MS for rehab of the planetarium. SB3056.  
 Copiah County for demolishing the former hospital complex in Hazlehurst.  
 SB2928.  
 Department of Health to assist rural public hospitals at high financial risk.  
 SB2997.  
 Desoto County for weight-bearing road. SB2905.  
 DFA for Bill Waller Craft Center repair, renovation, upgrades and  
 improvements. SB2995.  
 DPS for salary increase for law enforcement officers employed by the  
 department. SB3103.  
 General Missionary Baptist Convention of MS for Natchez Seminary Property.  
 SB2952.  
 Greene County School Dist. for Career & Technical Center. SB2941.  
 Heritage Trust to rehabilitate the Mound Bayou Bank. SB2993.  
 Highway Patrol Retirement Health Insurance Benefit Program. SB2904.  
 Holmes County:  
     Purchase of a fire truck for the Ebenezer community. SB2950.  
     Road paving. SB2948, SB2954.  
 Humphreys County for certain roadway, curb and gutter improvements.  
 SB2038.  
 IHL for general support. SB2989.  
 Jackson Redevelopment Authority. SB2987, SB2988.  
 Jackson Revival Center's Little Ambassadors Developmental Learning  
 Center. SB2936.  
 Jackson State University:  
     Constructing student housing. SB2968.  
     Water system. SB2969.  
 Lambert Volunteer Fire Department for new firehouse, fire engine and other  
 equipment. SB3136.  
 Lawrence County for N.A. Sandifer Highway pavement maintenance.  
 SB2947.  
 Lee County:  
     Polling precinct at Pratts Community Center. SB2914.  
     Turner Industrial Park site expansion. SB2940.  
 Lincoln County for certain capital projects. SB2992.  
 MDA for the West Central Mississippi Incubator Grant Program. SB2051.  
 MDWFP for Great River Road State Park redevelopment. SB2958.  
 Montgomery County for traffic signals at two US 82 intersections. SB2991.  
 MSU Extension Service for certain youth preparedness education programs.  
 SB2971.  
 Newton County for additions to correctional facility and sheriff's department.  
 SB2977.  
 North MS Health Services for creation of public health data system. SB2938.  
 Noxubee County for first responder workout facility and law enforcement  
 vehicles. SB3125.  
 Pascagoula Redevelopment Authority for continued economic development.  
 SB3070.  
 Pearl River Valley Water Supply District to dredge Ross Barnett Reservoir.  
 SB2970.  
 Perry County for road and bridge construction to access industrial park.  
 SB2998.  
 Petal School District for Central Office building renovation. SB2979.  
 Pike County for construction of US-51 bridge for industrial park access.  
 SB2975.  
 Pontotoc County:  
     Food distribution facility. SB3130.  
     Paving the extension building parking lot and drive. SB3132.  
     W.A. Grist building. SB3131.

Quitman County for the National Rhythm & Blues Hall of Fame Project. SB2900.

School of Arts:

Campus buildings and grounds. SB2944.

Salary realignment. SB2943.

Simpson General Hospital for construction of additional space. SB2913.

South Pike School District for renovations to its school buildings. SB2172.

Southwest Mississippi Community College dorm construction and fine arts renovation. SB3137.

Summit Rural Fire Department to construct a new fire station. SB3126.

Sustainable Energy Partnership Program between JSU and Entergy. SB3077.

T.K Martin Center for the Mississippi Early Intervention Pilot Project. SB2978.

Tougaloo College Research Dev. Foundation for Freedom Riders site renovation. SB2956.

Town of:

Alligator to improve its water and sewer infrastructure. SB2911.

Benoit for repair and renovation of town park. SB3086.

Brooksville for street paving and other infrastructure improvements. SB3124.

Bude for certain capital projects. SB3107.

Coahoma for street repairs. SB3100.

Crosby to remove sediment along creeks. SB3093.

Decatur for purchase of two patrol vehicles and equipment. SB2976.

Friars Point for street repairs. SB3097.

Magnolia for North Cherry Street drainage improvements. SB2912.

Metcalfe:

Repair and renovation of town park. SB3089.

Water and sewer system improvements. SB3098.

Monticello for certain infrastructure projects. SB2945.

New Hebron to purchase a fire truck. SB2908.

Rosedale for street repairs. SB3078.

Tchula for street repairs. SB2951.

Tunica County:

Expanding river port. SB2901.

Restore the Tunica County Penal Farm Building. SB2899.

Roadway renovation and upgraded traffic signals along certain boulevard. SB2903.

Upgrades to Tunica RiverPark. SB2902.

Tylertown for improvements to events center. SB2920.

University of Mississippi Medical Center:

Fire protection. SB2910.

Mississippi Rural Physicians Scholarship Program. SB2906.

VFW Post 4057 for renovation of its building. SB2915.

Village of Cary to pay the costs associated with the construction of a fire station. SB2990.

Walthall County for construction of frontage road on south side of US-98 Bypass. SB2918.

Washington County:

Road improvements in Supervisor District 3. SB3106.

Street repairs Supervisor Districts 1-5. SB3075, SB3079, SB3080, SB3081, SB3083.

Yazoo County for a drainage project. SB2039.

Geographical critical teacher shortage area; provide such teachers with salary supplement. SB2319.

HELP Grant and MTAG Programs; revise level of funding provided to eligible students. HB771.



Hazardous trees on tax forfeited land Secretary of State to reimburse for the removal of. HB1072.

Health Care Impact Grant Program; establish to provide grants to hospitals and nursing facilities. HB273.

Helping Heroes Act; benefits for law enforcement and first responders diagnosed with PTSD. SB2624.

Higher Education Legislative Plan; MTAG and Eminent Scholars Grant Program. SB2055.

Highways; four-laning of portions of Highway 6 in Coahoma, Panola and Quitman Counties. SB2527.

Human Services; transfer at least 30% of TANF block grant to Child Care and Dev. Fund. SB2794.

Inmate Welfare Fund; expend funds for treatment of mental illness for certain inmates. **HB799.**

Jackson State University; create program to construct new football stadium. SB2741.

Jackson Water Reimbursement Grant Program; establish. SB2818.

Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; provision creating. SB2416.

Length of Service Award Program; recruitment and retention of volunteer firefighters. **HB521.**

Local Improvements Projects Fund 2022; Scenic Rivers Dev. Alliance, Summit Dev. Found. SB2996.

Local Provider Innovation Grant Program; revise certain provisions of. **HB518.**

MAEP:  
     Cost using Average Daily Membership (ADM) with 90% threshold attendance trigger. HB1369.  
     Increase adjustment to base student cost for at-risk students. SB2757.

MDA FY23 Gulf Coast Restoration Fund; Hancock County Port and Harbor Commission. HB763.

MDITS; establish paid internship program under. SB2718.

MS School for Math and Science; increase licensed employees' salaries. HB1087.

MTAG; repurpose and rename, revise provisions of HELP Grant. SB2580.

Medicaid eligibility; provide coverage of the Program of All-Inclusive Care for the Elderly. SB2628.

Medicaid:  
     Fed. Patient Protection and Affordable Care Act. SB2070 SB2207, SB2394, SB2631.  
     Reimbursement rate for hospitals in with high unemployment and doctor shortage. SB2626.

Medication Aide Certification program; Medication administration when certified. SB2800.

Mid-year budget reductions; exempt MAEP funds. SB2328.

Misdemeanor warrant management system; direct the establishment of. SB2240.

Mississippi:  
     Development Authority Tourism Advertising Fund; advertise for state parks. HB617.  
     Dual Credit Scholarship Program; create. HB1277.  
     Dual Enrollment/Dual Credit Scholarship Program; establish. **SB2487.**  
     Emergency Telecommunicators Act; create. SB2604.  
     Historic Site Preservation Fund; revise grant eligibility and require annual report. **SB2663.**  
     Hospital Recovery Trust Program; grants to public hospitals at high financial risk. SB2745.  
     Hospital Sustainability Grant Program; establish and provide eligibility for funds. **SB2372.**  
     Main Street Association; bring forward code sections related to. SB2658.  
     New Economic Development Training Assistance Grant Program; create. HB845.

Office of Space and Technology; create to be administered by MDA, which shall staff. **HB770**.

Promise Scholarship Act; enact and provide certain provisions of. SB2488.

Rural Physicians Scholarship Residency Program; emergency medicine students. SB2315.

School Safety Guardian Act; enact. SB2742.

Tele emergency Services Grant Program; create. SB2739.

USA Semiquincentennial Commission and Miss. Semiquincentennial Celebration Fund. HB1266.

Work and Save Program; create. SB2798.

Worker's Comp commission office building; supervision and care of DFA. **HB917**.

Youth Career and Workforce Preparation Grant Program; create. SB2594.

Municipality & County Water Infrastructure Grant Program Act; rural water assoc. SB2432.

Neighborhood Housing Rehabilitation Program (NHRP); Establish using federal funds. SB2565.

New programs funded with ARPA funds; revise certain provisions and bring forward sections of. HB604.

North Forty property; authorize DFA to purchase. **SB2722**.

Nurse Teacher Loan Repayment Program; establish. SB2374.

Office of Workforce Development:

- Alliance of Nonprofits and Philanthropy, accountability system for certain nonprofits. HB842.
- Revise funding mechanism for and create K-12 Workforce Development Grant Program. HB844.

Paramedics Recruitment and Retention Scholarship Grant Program; create. HB1207.

Patriotic Education Grant Program; establish. HB1070, SB2790.

Prekindergarten programs; increase funding for second and third phase. SB2161.

Prison Industries Act; bring forward certain sections pertaining to. HB1131.

Private incarceration of state inmates; exception to 10% cost-savings requirement to state. HB124.

Program for gifted education; provide for academically gifted students in Grades 6 through 12. SB2778.

Psychologist to Schools Grant Program; establish. SB2779.

Public land in Rankin County; property to state agencies and establish Veterans Nursing Home. HB422.

Public Safety:

- Revise various provisions. **HB529**, SB2236.
- Salaries of officers. SB2657.

Public School Facilities Grant Program; Educational Facilities Revolving Loan Program. SB2367.

Qualified Health Center Grant Program; amount specified for grants. **HB584**.

Real Estate Commission; decrease fees charged by. **SB2616**.

Renaissance Assistance Program to Initiate Development; create to assist small businesses. HB882.

Repair Our Infrastructure (ROI) Act; enact. SB2457.

Rural Dentists Scholarship Program; inc. students who may be admitted into annually. HB557.

Salary supplement; teachers willing to relocate and teach in an "F"-designated school. SB2754.

School attendance officers; revise to increase the minimum base salary. SB2777.

School board members; increase pay. **SB2749**.

School Safety Guardian Program; establish. SB2743.

Screening & approval for over-the-counter sale of products through Dept of Health. SB2819.

Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program; establish. **SB2373**.

SkillPath 300 Program; workforce program to be administered by the Department of Education. SB2748.

Specialty Doctors to Rural Hospitals Grant Program; establish and provide eligibility. SB2489.

State assessments; assessments deposited in Gen fund for certain violations and crimes. SB2855.

State budget:

- Provide for various transfers and create new special funds. HB1088.
- Revise provisions of several FY 23 funds of certain costs of MDA. **HB1089 (Partially Vetoed).**

State employee salaries; direct State Personnel Board to implement across-the-board increase. SB2662.

State General Funds, appropriation to:

- Claiborne County for repairs and improvements to historical structures in the county. SB2467.
- Jackson State University for construction of athletic stadium. SB2661.
- Macon for purchase of fire trucks and equipment. SB2659.

State Health Insurance Plan; provide benefits to surviving spouse/dependent of law enforcement officer killed in the line of duty. SB2206, SB2221.

State inmates; require MDOC to pay increased rate to house inmates in county jails. **SB2495.**

Statewide county court system; create. SB2081.

Successful Techniques Resulting in Delivering Excellence in Education and Employability (STRIDE) Scholarship Program; establish. HB729.

Supplementary state food stamp program for elderly recipients; create and fund. SB2591.

Sworn law enforcement officers; provide supplemental pay for certain. SB2410.

Tax-forfeited land certified; authorize Sec. of State to withhold 10% for the cost of tree removal. SB2720.

Temporary Assistance for Needy Families; lower eligibility for certain scholarship programs. SB2795.

Third Circuit Court District; inc. number of assistant district attorneys and criminal investigators. SB2190.

Tim Tebow Act; homeschooled children in extracurricular activity in their school district. SB2813.

Tourism:

- Destination marketing organizations and other entities. **HB419.**
- Golf Association Grant Program. SB2732.
- Main Street Revitalization Grant Program. **SB2359.**

Training facilities; include in categories eligible for license fee increase proceeds. HB515.

Unencumbered cash balance; distribution of certain amount to the 2022 Capacity Project Fund. SB2445.

Universal Changing Tables Installation Incentive Grant Program Act; establish to be administered by Mississippi Department of Rehabilitation Services. HB1048.

Universal Prekindergarten Program Act of 2023; create. SB2740.

Women's Economic Security Act of 2023; Patient Protection and Affordable Care Act. SB2208, SB2746 .

Wrongful conviction; increase compensation award. SB2201.

Youth court; provide right of representation and notice to CPS in proceedings involving children. SB2641.

**B. STANDING COMMITTEES (EXCEPT APPROPRIATIONS AND LOCAL AND PRIVATE)**

**ACCOUNTABILITY, EFFICIENCY, TRANSPARENCY**

Administrative Procedures Act; amend to require agencies to solicit public comment in advance of filing. SB2866.

Appointed state officers; provide for the removal of for certain forms of willful neglect. **SB2054 (Vetoed).**

Ballot initiative measure process; revise the statutory provisions of. SB2638.

Building codes; prohibit from limiting use of federally approved refrigerant. SB2045.

Bureau of Fleet Management; revise duties thereof. **SB2844.**

Capitol Complex Improvement District;  
Revise boundary lines of. HB696.  
Bring forward provisions of law related to for purposes of possible amendment. SB2474.

Charitable Solicitations; revised reporting period to three years. SB2214.

Child Protection Services; remove from DHS and make it a separate agency. HB989.

Columbia Training School; amend DFA conveyance authority to require consideration that best promotes public interest. SB2313.

Commission on Wildlife, Fisheries and Parks; convert into advisory commission. SB2535.

Constitution;  
Amend Section 33 to authorize ballot initiative for new law. SC517.  
Amend Section 273 to reinstate initiative process. SC529.  
Amend Section 273 to provide initiative procedure for new law or constitutional amendment. SC531.  
Amend Section 273 to reinstate initiative process and revise initiative signature requirements. SC532, SC534.  
Amend to revise ballot initiative process. SC530, SC533.

Construction manager at risk program; exempt under public bidding laws. SB2845.

Counties;  
authorize to designate ARPA funds to rural water and sewer associations for infrastructure projects. **SB2512.**  
require to participate in the ACT Work Ready Community Initiative. SB2311.

Counties and municipalities; prohibit surcharge on certain payments by credit or debit cards. SB2669.

County boards of supervisors; authorize donations to MS Main Street programs and civil rights memorials. HB1194.

County-owned real estate; establish competitive bidding process for lease or sale. **SB2312.**

Deficit Prevention Act; require state agencies to notify certain officials when likelihood of a deficit exists. **SB2053.**

Department of Child Protection Services; separate agency from the Department of Human Services. SB2678.

Department of Public Safety; authorize charges for services with other state agencies. HB1229.

Department of Public Safety building project and contract; exempt from certain public purchasing requirements. **SB2724.**

Disparity study; require MDA to file copies with the Legislature by not later than December 31, 2023. SB2668.

Diversity of appointments; ensure representation of race and gender in appointed government positions. SB2443.

EMS Advisory Council; revise membership of. HB985.

Elections;  
Secretary of State shall conduct study on the feasibility of allowing students to vote via the internet. SB2270.

Allow the Attorney General to investigate alleged election fraud. SB2351.  
 Bring forward all code sections concerning the ballot initiative for possible amendment. SB2639.  
 Nonbinding ballot initiative concerning potential Medicaid expansion. SB2682.  
 Revise provisions related to the integrity of. **HB1310**.  
 Eminent Domain; require entities to notify and explain proposed projects to landowners before hiring a surveyor. SB2078.  
 Executive Director of Public Utilities Staff; remove Public Service Commission from the process of appointing. **HB809**.  
 "Federal Funding Accountability and Transparency Act of 2023"; enact. SB2876.  
 Federal regulations; require specific authorization by the Legislature by state enforcement. SB2829.  
 Forestry; abolish Forestry Commission and transfer duties to Division of Forestry in MS Department of Agriculture & Commerce. SB2522.  
 Governmental entities; prohibit discrimination and preferential treatment in public employment, education or contracting. SB2867.  
 IHL equipment leasing and purchase program; raise expenditure threshold. SB2675.  
 IHL; require to allocate funding for nonresident students to student financial aid programs. SB2823.  
 Initiative measure; create procedures for qualified elector to propose amendment to the Mississippi Code of 1972. SB2637.  
 Labor;  
     Mississippi Minimum Wage Act. SB2439.  
     Protect temporary or day laborer employment rights. SB2441.  
 Landscape architects; authorize to participate with multi-disciplinary engineer and architecture firms. HB519.  
 MDOC; require performance audit of. SB2496.  
 MS Management and Reporting System Revolving Fund; require administration to submit report of purchasing needs to legislative committees. HB1033.  
 MS Public Records Act; exempt certain private information of persons conducting in-state operations. SB2672.  
 Mandatory COVID-19 vaccination of Mississippi residents by the state or as condition of employment; prohibit. SB2874.  
 Mayoral veto power; clarify scope of. SB2735.  
 Mississippi Department of Labor; create. SB2674.  
 Mississippi Design Professionals Act; enact. SB2217.  
 Mississippi Development Authority; require periodic PEER review of effectiveness of Tourism Advertising Fund expenditures. SB2050.  
 Mississippi Emergency Management Agency; authorize Q-risq Analytics pilot program providing live storm impact data. SB2042.  
 Mississippi Fentanyl and Drug Abuse Education Program; establish within Department of Mental Health. SB2281.  
 Mississippi Highway Patrol Retirement Health Insurance Benefit Program; establish. SB2850.  
 Mississippi Legislative Regulatory Oversight Act; create. SB2843.  
 Mississippi Management and Reporting System Revolving Fund; require State Fiscal Officer to submit purchasing needs to Legislature. SB2837.  
 Mississippi Minimum Wage Act;  
     Establish. SB2284, SB2288.  
 Mississippi National Security in Public Purchasing Act; create. SB2046.  
 Mississippi Paid Family Leave Act; enact. SB2286.  
 Mississippi Pregnant Workers Fairness Act; create. SB2114.  
 Mississippi Real Estate Appraiser Licensing and Certification Board; separate from Mississippi Real Estate Commission and from Mississippi Real Estate Appraisal Board. HB1187.  
 Mississippi Real Estate Appraisal Board; make independent from Mississippi Real Estate Commission. **SB2673**.  
 Mississippi Recall Act of 2023; enact. SB2299.

Mississippi Regional Preneed Disaster Clean Up Act;  
Create. **SB2538**, HB858, SB2517.

Mississippi State Employee Maternity Leave Act; create. SB2483.

Mississippi resident bidder preference; provide 10% preference over vendors located outside of the United States. SB2048.

Municipal annexation; require an election be held in the proposed annexation territory. SB2730.

Municipal program to address delinquent water accounts; extend repealer. SB2871.

Occupational Licensing Review Board; revise membership. SB2803.

Open Meetings Act;  
Bring forward for purposes of possible amendment. SB2450.  
Court shall void any action taken in violation of. SB2204.

Open Meetings Law;  
Require official meetings to be broadcast via video livestream applications, with exceptions. SB2671.  
Amend to include Legislature and provide judicial enforcement of. SB2667.

Open meetings; revise accessibility to information on meeting times, agenda and minutes. SB2856.

Pat Harrison Waterway District; provide county withdrawal from district not effective until close of FY in which county obligations met. **HB538**.

Personal and medical leave; law enforcement and firefighters can buy back after work-related injury. SB2880.

Personal and professional services; require the Department of Finance and Administration to conduct solicitations of for certain agencies. **HB540**.

Poll managers; increase the compensation of. HB552.

"Property Clean up Revolving Fund"; establish. HB556.

Provision of law regulating state purchase and use of wireless communication devices; bring forward for possible amendment. SB2476.

Public Records Act; exempt personal identifying information for Department of Marine Resources license holders from. SB2475.

Public purchases;  
Revise bidding requirements for certain projects and other related to Mississippi Landmarks. HB875.  
Require state agencies to give a preference to Mississippi-made drones and prohibit purchase of drones made in China. HB1293.

Public works construction; performance bond not required if contract is less than \$50,000.00 and paid in two equal installments. SB2848.

Public works contracts; raise monetary threshold for performance bond requirement of. SB2854.

Regulatory Reduction Program; require certain pilot agencies to implement. SB2052.

Regulatory reduction program for Department of Environmental Quality; provide pilot program. SB2877.

Restitution centers;  
Transition to post-release reentry centers. SB2294.  
Transition to prerelease centers. SB2295.

Reverse auction; revise method of receiving bids through for agencies and governing authorities. HB702.

Rural water associations; authorize those providing sewer services to participate in the ARPA Rural Water Association Infrastructure Grant Program. HB1108.

Sales tax; create diversion to counties. SB2047.

Secretary of State; clarify authority to transfer land records to Department of Archives and History. **SB2514**.

"Service Canine Protection Act of 2022"; enact. SB2136.

Small unmanned aircraft systems; require state purchase and servicing of from American companies only. **SB2853**.

State Auditor; empower to investigate embezzlement in cities, counties and other public entities. SB2044.

State Board of Cosmetology and Board of Barber Examiners; merge into one board. SB2160.

State Personnel Board; require agencies seeking an exemption from the oversight of to submit written plan of justification to Legislature and SPB. **HB768**.

State Superintendent of Education; provide limitation on salary. SB2049.

State Truth Commission; establish. SB2670.

State Veterans Affairs Board; revise appointments to reflect congressional districts at time of appointments. SB2205.

State Workplace Safety and Health Office; establish under State Board of Health. SB2291.

State agencies;  
     Notify Legislature of proposed rule adoption. SB2043.  
     Prohibit radio and TV advertising to promote agency programs except in certain instances. SB2825.

Taking; prohibit state cooperation with federal effort to ban firearms or seize property. SB2868.

Temporary day workers; protect labor and employment rights of. SB2285.

The Mississippi Family Paid Leave Act;  
     Create. SB2292.  
     Establish. SB2440.

Tobacco education, prevention and cessation program; add fentanyl and drug abuse prevention education. **HB231**.

Transfer of tax-forfeited land by the Secretary of State to public agencies; clarify procedures. SB2721.

Transportation; allow public and private partnerships to establish electric vehicle charging stations. HB986.

Water Infrastructure Grant Program; DEQ shall give priority to applicants not receiving funding in first round grants. HB1213.

#### Nominations:

Arnold Edward (T.J.) Taylor, Jr., Madison, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired six year term beginning January 1, 2020 and ending January 1, 2026, **SN2**.

Charles William (Bill) Cook, Jr., Oxford, Mississippi, Information Technology Services Authority, five year term beginning July 1, 2022 and ending June 30, 2027. **SN69**.

Dr. Lucius Marion (Luke) Lampton, Magnolia, Mississippi, Mississippi Department of Archives and History Board of Trustees, unexpired six year term beginning January 1, 2018 and ending January 1, 2024. **SN93**.

Norman Paul Katool, Madison, Mississippi, Public Procurement Review Board, four year term effective July 1, 2023 and will expire June 30, 2027. **SN76**.

### AGRICULTURE

Agriculture; grant the Commission of Agriculture and Commerce investigative powers and amend related procedures. SB2157.

Agriculture; provide the Commission of Agriculture and Commerce the exclusive power to inspect petroleum. SB2156.

Cottage food operation; increase maximum annual gross sales and authorize to advertise over the internet. SB2537.

Dairy show; relocate the show held in Lee County, MS, to Pontotoc County, MS. **HB232**.

Foreign governments; prohibit sale of agricultural lands to. **HB280**.

Mississippi Boll Weevil Management Corporation; extend repealer on requirement that audits be submitted by November 15. **HB256**.

Mississippi Department of Agriculture and Commerce; technical amendments related to certain powers and duties. **HB363**.  
 Natural Resource Camp Pilot Program Act of 2023; establish for students in Lee and Monroe Counties. **HB88**.  
 Pecan Harvesting Law; revise penalties for violating. **SB2523**.  
 Petroleum Products Inspection Law; delete repealer on definitions and penalties under. **HB484**.

Nominations:

Filgo, Jr., Robert Allen Dr. (Bob), Madison, Mississippi, State Board of Veterinary Medicine, five year term effective June 28, 2022 and ending May 22, 2027, vice Dr. Gail S. Anderson. **SN59**.

**BUSINESS AND FINANCIAL INSTITUTIONS**

Charitable Solicitations; revised reporting period to three years. **SB2214**.  
 Charitable solicitation; revise reporting period. **SB2225**.  
 Commercial Financing Disclosure Law. **SB2619**.  
 Contractors; allow to do business in any municipality or county without local license under certain conditions. **SB2388**.  
 Delivery of payment services; regulate. **HB1123**.  
 Financial Institutions; Earned wages access. **SB2648**.  
 Financial institutions; authorize offers to improve consumer's credit record, history and rates. **SB2216**.  
 Funeral service license; revise qualifications to grandfather individuals with certain number of years experience. **SB2213**.  
 Garnishment; requires the state to comply with federal Anti-Garnishment act amount limitations. **SB2400**.  
 Mississippi Consumer Privacy Act for State Agencies; create. **HB880**.  
 Mississippi Design Professionals Act; enact. **SB2217**.  
 Mississippi Savings Initiative; create. **SB2651**.  
 Motor Vehicle Sales Finance Law; clarify employees of state licensee may work remotely. **HB1030**.  
 Public funds depositories; authorize certain credit unions to qualify as. **SB2650**.  
 Real estate brokers and agents; revise liability regarding disclosure statements. **HB773**.  
 Real estate licensee; revise liability. **SB2647**.  
 Renaissance Assistance Program to Initiate Development; create to assist small businesses. **HB882**.  
 Second Amendment Financial Privacy Act; create. **HB1110**.  
 State depositories; revise certain definitions relating to align with federal regulatory standards. **HB1041**.  
 State depositories; revise definition of "primary capital." **SB2215**.  
 Third-party delivery service; prohibit from using name, likeness, trademark or intellectual property of merchant without agreement. **HB3**.  
 Third-party service; prohibit from using logo or intellectual property belonging to a restaurant without agreement. **SB2218**.

Nominations:

Allred, Timothy Clifton (Tim), Meridian, Mississippi, State Board of Contractors, five year term beginning July 1, 2022 and ending June 30, 2027, representing the Residential Builder, vice David Smith. **SN14**.

Bedford, Kimberly Janice (Kim), Pontotoc, Mississippi, State Board of Funeral Service as a Funeral Director representative from the 3rd Supreme Court District, four year term effective February 23, 2023 and ending January 23, 2027. **SN83**.



Blaylock, Philip Roger, Madison, Mississippi, State Board of Banking Review, five year term effective June 29, 2022 and ending March 23, 2027, representing the First Supreme Court District, vice Sarah Beth Wilson. **SN6.**

Carson, Norris Lee, Carthage, Mississippi, State Board of Contractors, five year term beginning September 14, 2022 and ending June 30, 2026, representing a Road Contractor. **SN15.**

Chancellor, Sandra Tingle, Madison, Mississippi, State Board of Funeral Service as the Funeral Director Licensed representative from the First Supreme Court District, four year term effective July 6, **SN22.**

Cox, Ricky Jude, Gulfport, Mississippi, State Board of Banking Review, five year term effective March 24, 2023 and ending March 23, 2028, representing the 2nd Supreme Court District. **SN79.**

Cumbest, Elvis Mark, Moss Point, Mississippi, Mississippi Real Estate Commission, four year term beginning July 14, 2022 and ending June 30, 2026, representing the Fourth Congressional District, vice Ken Austin. **SN87.**

Griffith, James David McAfee, Cleveland, Mississippi, Mississippi Real Estate Appraiser Licensing and Certification Board, four year term beginning January 1, 2023 and ending December 31, 2026, representing the 2nd Congressional District. **SN49.**

Mitchell, William C. (Bill), P.E., P.S., CCM, Gulfport, Mississippi, MS BD of Licensure for Professional Engineers and Surveyors as a Lic. Prof. Eng., four year term effective June 30, 2022 and ending June 30, 2025, representing the 2nd Supreme Ct. Dist.. **SN20.**

Phillips, Tammy Renee', Brandon, Mississippi, State Board of Banking Review, five year term effective May 23, 2022 and ending February 22, 2027, representing an At-Large position. **SN5.**

Reed, Samuel Bryan (Sammy), Tupelo, Mississippi, State Board of Funeral Service as a Licensed Funeral Service representative from the 3rd Supreme Court District, four year term effective February 22, 2023 and ending January 23, 2027. **SN84.**

Riemann, David Chadwick (Chad), Gulfport, Mississippi, State Board of Funeral Service as the Funeral Dir. Licensed representative from the 2nd Supreme Court Dist., four year term effective July 1, 2022 and ending June 30, 2026, vice Jeffrey O'Keefe, Sr.. **SN23.**

Sims II, Ora Lee (O.L.), Hattiesburg, Mississippi, State Board of Contractors as the Water and Sewer Contractor, five year term beginning July 1, 2022 and ending June 30, 2027. **SN67.**

Tidwell, Clint, P.S., Ripley, Mississippi, MS BD of Licensure for Professional Engineers and Surveyors as a Prof. Surveyor representing the Third Supreme Court Dist., four year term effective June 30, 2022 and ending July 1, 2026, vice Mike Thornton, **SN68.**

# COUNTY AFFAIRS

Boards of Supervisors; provide exception on prohibition of expending certain funds in last months of office to meet federal ARPA spending deadline. **HB626.**

## Counties and municipalities:

Modernize and simplify notice publication process for. SB2515.

Remove mandate to require permits as a condition to construction. SB2605, SB2725, SB2726.

Restore discretion whether to require permitting for construction. SB2726.

Counties, municipalities and school districts; require to publish their annual budget online. SB2310.

## County boards of supervisors:

Authorize donations to MS Main Street programs and civil rights memorials. HB1194.

Permit to expend federal funds during the last term of office of such board.

**SB2734.**

County-owned real estate; establish competitive bidding process for lease or sale.

**SB2312.**

Election commissioners; require board of supervisors to provide insurance coverage for. SB2307.

Fees for county garbage collection; revise provision related to. **SB2392.**

Involuntary civil commitments; limit county's liability for costs of medical treatment. SB2607.

Local Government Debt Collection Setoff Act; clarify term of "claimant local government" under. HB857.

Local government; prohibit ordinances authorizing camping on public property and sidewalks. SB2145.

Residential builders and remodelers; revise license examination for certain license applicants. **SB2612 (Vetoed).**

**CORRECTIONS**

Conditional medical release; revise authority of MDOC. SB2293.

Earned-release supervision; require Parole Board to approve release of offenders. SB2117.

Inmate Welfare Fund; authorize to expend funds for treatment of mental illness for certain inmates. **HB799.**

Juvenile offenders; provide alternative sentencing and early-release options when convicted of certain crimes. SB2098.

Probation and parole officers; limit number of cases that may be handled. SB2356.

Probation and parole; require offenders to authorize warrantless searches related to weapon or firearm offenses. SB2491.

Restitution centers; transition to post-release reentry centers. SB2294.

Restitution centers; transition to prerelease centers. SB2295.

Special Care Facility for Paroled Inmates; bring forward provisions for possible amendment. SB2656.

State inmates; require MDOC to pay increased rate to house inmates in county jails. **SB2495.**

The Juvenile Offender Parole and Rehabilitation Act; enact. SB2116.

## Nominations:

Julia Monteele Norman, Meridian, Mississippi, State Parole Board, term effective July 15, 2022 and appointee shall serve a term at the will and pleasure of the Governor, vice Betty Lou Jones. **SN45.**

**CONSTITUTION**

Business and financial institutions; disallow 2% charge for ad valorem tax when paying with a debit card. SB2402.

Constitution; amend to define appropriation bill subject to Governor's partial veto power. SC523.  
 Constitution; place term limits on legislators. SC528, SC541.  
 Expunction and reenfranchisement; revise procedure for requesting. SB2304.  
 Suffrage; provide for restoration upon completion of sentence and other conditions. SB2405.

#### DRUG POLICY

Controlled substances; exclude fentanyl testing materials from definition of "paraphernalia" under. **HB722**.  
 Emergency Response and Overdose Prevention Act; amend to expand the distribution and use of opioid antagonists. SB2442.  
 Marijuana; civil penalty for simple possession of 30 grams or less. SB2414.  
 Mississippi Fentanyl and Drug Abuse Education Program; establish within Department of Mental Health. SB2281.  
 Prevention of overdoses; authorize administration of opioid antagonists by certain persons, provide immunity to. **SB2336**.  
 Pseudoephedrine and ephedrine; extend repealer on authority to sell and purchase without a prescription certain products containing. HB393.  
 Tobacco education, prevention and cessation program; add fentanyl and drug abuse prevention education. **HB231**.  
 Uniform Controlled Substances Act; revise schedules. **HB1071**.  
 Uniform Controlled Substances Act; revise schedules. SB2283.

#### ECONOMIC AND WORKFORCE DEVELOPMENT

ARPA Workforce Development and Retention Act; provide expiration date of grant funds. **SB2595**.  
 Accelerate Mississippi Workforce Development Program; allow participation of volunteer firefighters. SB2370.  
 American Rescue Plan Act (ARPA) Nurse/Allied Health Workforce Development and Retention Act; create. **SB2371**.  
 Career coaching program; modify directive of Office of Workforce Development from piloting to implementing long term. HB1301.  
 Community Development Block Grant Coronavirus Funds; direct MDA to draw down federal funds. SB2327.  
 Comprehensive Career and Technical Education Reform Act; transition career coaching program from pilot to long term. SB2067.  
 Counties and municipalities; authorize to enter into public-private partnership for purpose of economic development. SB2510.  
 Federal Workforce Investment Act; Hinds County shall be a separate workforce investment area. SB2329.  
 General experience rate; provide that noncharges caused by COVID-19 pandemic shall not impact. HB916.  
 Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee. SB2335.  
 MS Comprehensive Workforce Training & Education Consolidation Act of 2004; extend repealer on code sections conformed to. SB2552.  
 MS Workforce Training and Education Act; extend repealer on the act and in 2004 chapter law for conforming sections. **SB2810**.  
 Mississippi Capitol Region Utility Act; create. SB2889.  
 Mississippi Comprehensive Workforce Training and Education Consolidation Act of 2004; extend repealer on. SB2597.  
 Mississippi Department of Employment Security; authorize to conduct background investigations on certain employees. HB843.

Mississippi Flexible Tax Incentive Act; bring forward code sections for the purpose of possible amendment. SB2808.

Mississippi New Economic Development Training Assistance Grant Program; create. HB845.

Mississippi Nonprofit Transparency Act; create. SB2596.

Mississippi Office of Space and Technology; create to be administered by MDA, which shall staff. **HB770**.

Mississippi Work and Save Program; create. SB2798.

Mississippi Youth Career and Workforce Preparation Grant Program; create. SB2594.

Office of Workforce Development; revise funding mechanism for and revise powers and duties of. **HB588**.

Office of Workforce Development; authorize to work with MS Alliance of Nonprofits and Philanthropy to create an accountability system for certain nonprofits. HB842.

Office of Workforce Development; revise funding mechanism for and create Mississippi K-12 Workforce Development Grant Program. HB844.

Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. SB2355.

Universal Recognition of Occupational Licenses Act; exempt psychologists. SB2061.

### EDUCATION

Abstinence education; delete repealer on school bd. requirement to adopt policy on abstinence. **HB1390**.

Accumulated leave time for teachers; allow to transfer. SB2365.

Agricultural high schools; revise board membership. **SB2360**.

Assistant teacher salaries; prohibit school districts from using any state-funded increase to substitute the local contribution. HB1365.

Assistant teachers:  
Increase minimum salary. SB2780.  
Provide "C," "D" and "F" districts with additional positions. SB2755.

Board certified occupational therapists employed by schools; eligible for salary supplement. SB2317.

Board for administration of certain failing school district; extend date of repeal. **SB2812**.

Boy Scouts and Girl Scouts; speak with students about civil involvement. SB2183, HB365.

Charter school funding; revise funding formula. SB2553.

Charter schools; bring forward provision relating to powers and duties of authorizer board. HB1150.

Civics Test; require passing score for high school graduates and high school equivalency diploma applicants. SB2057, SB2368, SB2801.

Commission on Education and Economic Competitiveness; establish to develop vision for the state's future economic and educational success. HB823.

Community schools; authorize implementation under the administration of a district innovation. HB1228.

Compulsory school attendance law; require of kindergarten-age children. SB2578.

Computer science curriculum; terminology to specify who may provide instruction. **SB2586**, HB208.

Concealed-carry license; 18-year-old with instructor certification qualifies for enhanced. SB2083.

Corporal punishment; prohibit admin. of in public and charter schools for disciplinary matters. SB2577.

Department of Education:  
Disseminate information about the department's 24/7 Online Tutoring Program. SB2814.  
Require to provide requested info. to House and Senate within timely manner. SB2362.

Digital or online resources or databases; verify technology protection for persons under 15. HB1341.

Dyslexia Therapy Scholarship for Students with Dyslexia Program:

Certified academic language therapists (CALT); dyslexia therapy services. SB2809 HB1200.

Eligibility beginning with kindergarten. HB752.

EEF procurement cards; authorize issuance to eligible charter school teachers. **HB1173.**

Early Learning Collaborative; inc. minimum funding levels for full-day and half-day programs. **HB817.**

Early Learning Collaborative Act of 2013:

Minimum funding levels. SB2314.

Revise to include three year old children for voluntary prekindergarten. SB2324.

Educational Facilities Revolving Loan Fund; extend repealers on statutes relating to sales tax distribution and state public school building fund. HB258.

Educator misconduct; clarify provisions relating to disciplinary action taken against personnel of public special purpose schools and other educators. HB1177.

Elections; allow an excused absence for compulsory-school-age children to serve as poll workers on election day. SB2824.

Families' Rights and Responsibilities Act; enact. SB2763, SB2765.

Foster and adopted children; foster or adoptive parent to choose school or district of enrollment. HB1000.

Geographical critical teacher shortage area; provide such teachers with salary supplement. SB2319.

High school graduation; end-of-course assessments required by federal law. SB2318.

Interstate Teacher Mobility Compact; enact. SB2165, HB1161.

Kindergarten-age children; require compulsory school attendance for all. SB2163.

Local school board; prescribe salary scale based on school district student enrollment. SB2125.

Local supplement for asst teachers; prohibit districts from reducing when given state min. raise. SB2811.

MAEP:

Bring forward provision related to. SB2364.

Determine cost of using Average Daily Membership (ADM) in lieu of ADA with 90% threshold attendance trigger. HB1369.

Increase adjustment to base student cost for at-risk students. SB2757.

Mental Awareness Program for School Act; enact to provide for mental health service providers and certain trauma-informed training. HB1227.

Mid-year budget reductions; exempt MAEP funds. SB2328.

Mississippi Released Time Education Act; enact. SB2792.

Mississippi School Safety Guardian Act; enact. SB2742.

Modified School Calendar Grant Program; establish and provide eligibility criteria. SB2361.

National board certified education professionals; certification component reimbursements. HB1176.

Nonlicensed school employees; compensate for absences at a rate set by school boards but not less than federal minimum wage. SB2775.

Our Children's Health Impacts Our Future Law; notice of the importance of a medical and dental physical. SB2325.

Paramedics Recruitment and Retention Scholarship Grant Program; create. HB1207.

Parental rights in education; prohibit instruction on sexual orientation or gender identity in K-12. SB2764.

Parents' Bill of Rights; enact. SB2761.

Patriotic Education Grant Program; establish. SB2790, HB1070.

Prekindergarten programs; increase funding for second and third phase. SB2161.

Program for gifted education; provide for academically gifted students in Grades 6 through 12. SB2778.

Psychologist to Schools Grant Program; establish. SB2779.

Public School Facilities Grant Program; create and replace Educational Facilities Revolving Loan Program. SB2367.

Public schools; authorize to have a supply of FDA-approved opioid reversal agents on premises to counter opioid overdose. HB1174.

Public schools:

- Brief period of quiet reflection at the opening of school every day. SB2056.
- Staff training to assist with seizures. SB2333.

Public special purpose schools; exempt from certain audit requirements. HB859.

Real property owned by school districts; allow to be sold for development. **SB2164.**

Released-Time Moral Instruction Act of 2023; enact to permit students to receive religious instruction during the school day. HB1373.

Salary of State Superintendent of Education; shall not exceed salary of the Governor. SB2786.

Salary supplement; provide to experienced teachers willing to relocate and teach in an "F"-designated school. SB2754.

School for Math and Science; increase licensed employees' salaries by amount corresponding to increases to amount and years in teacher salary scale. HB1087.

School Safety Guardian Program; establish. SB2743.

School attendance location of students; allow students to transfer to other school districts subject to availability and approval. SB2737.

School attendance officers; revise to increase the minimum base salary. SB2777.

School board members; increase pay. **SB2749.**

School counselors; delete requirement of counselors to abide by the American School Counselor Association Code of Ethics. SB2058.

School curriculum:

- Require comprehensive MS History course for public school students in Grade 9. SB2753.
- Teach civics and government before completion of twelfth grade. SB2168.

School district graduation requirement; allow alternatives when Mississippi History is required. SB2560.

School districts; prohibit from implementing mask and Covid vaccine mandates. SB2762.

School employees; rate for payment unused leave to unlicensed employees upon retirement. HB1056.

School enrollment:

- Allow children with documentation of a parent's pending military relocation to the state. SB2587.
- Criminalize the enrollment without establishing domicile. SB2302.

School immunization requirements; provide religious exemption. SB2766, SB2767, SB2769.

School Safety Guardian Act; create. **SB2079.**

School social workers and psychologists; authorize districts to employ and receive partial state reimbursement for salaries of. SB2752.

Schools; require carbon monoxide detectors in all. SB2783.

Sixteenth Section land:

- Authorize long-term contracts for sale of certain forest products. SB2524.
- No law, ordinance shall prohibit school districts from using for educational facilities. **SB2751.**
- Revise zoning authority of local governing entities to prohibit restrictions. HB846.

SkillPath 300 Program; workforce dev. program administered by the Dept. of Education. SB2748.

Social studies high school graduation requirements; revise. SB2788.

State Early Childhood Advisory Council; prescribe additional duties and include more members. SB2601.  
 State Superintendent of Public Education and Director of the Community College Board; set maximum salaries. SB2334.  
 State funded schools; may participate in extracurricular activities against non accredited and nonpublic schools. SB2599.  
 Successful Techniques Resulting in Delivering Excellence in Education and Employability (STRIDE) Scholarship Program; establish. HB729.  
 The Title IX Preservation Act; enact. SB2076.  
 Tim Tebow Act; allow homeschooled children to participate in extracurricular activity within their school district. SB2774, SB2813.  
 Transparency in Education Act; prohibit curriculum in public schools without parental consent. SB2820.  
 United States Citizenship Test; require as a condition for high school graduation. SB2065.  
 Universal Prekindergarten Program Act of 2023; create. SB2740.  
 West Bolivar Consolidated School District; deconsolidate to form the West Bolivar, Shaw and Benoit School Districts. SB2807.  
 William F. Winter and Jack Reed, Sr., Teacher Loan Repayment Program. SB2585, HB730.

**Nominations:**

Powell, Carra Elizabeth, Horn Lake, Mississippi, State Board of Education to represent the Third Supreme Court District, remainder of a nine year term beginning March 9, 2023 and ending June 30, 2030, vice Karen J. Morgan Elam. SN89.  
 Robins, Candace Denise, Raymond, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, unexpired three year term effective May 12, 2022 and ending August 31, 2023, vice Mark C. Baker, Sr.. **SN8.**  
 Robins, Candace Denise, Raymond, Mississippi, Mississippi Charter School Authorizer Board to represent the First Supreme Court District, three year term effective September 1, 2023 and ending August 31, 2026. **SN9.**  
 Scoggins, Marcy Moye, Madison, Mississippi, Mississippi Charter School Authorizer Board, term effective immediately and ending August 30, 2025. **SN1.**  
 Taylor, Dr. Robert Pernell (Doc), Flowood, Mississippi, State Superintendent of Public Education, term beginning January 16, 2023. SN77.

**ELECTIONS**

"Fair Access to Elections Act"; enact certain requirements regarding the conduct of elections. SB2833.  
 "Mississippi Recall Act of 2023"; enact. SB2507.  
 Absentee voting; authorize every qualified elector. SB2274.  
 Absentee voting; establish electronic application procedure for college students. SB2113.  
 Affidavit ballots; reduce length of time within which certain persons must present proper voter ID or execute religious exemption. SB2110.  
 Ballot harvesting; ban. **SB2358.**  
 Campaign finance reports; revise the time for filing electronically. HB241.  
 County court; allow judicial candidates to speak to the venire in. SB2276.  
 Diversity of appointments; ensure representation of race and gender in appointed government positions. SB2443.  
 Early voting; authorize up to 10 days prior to any election. SB2106.  
 Early voting; authorize up to 20 days before any election. SB2272.  
 Early voting; authorize up to 21 days before any election. SB2428.  
 Early voting; authorize. SB2429.  
 Ease Access to Suffrage (EASE) Act; enact. SB2419.

Election Integrity Act; create. SB2505.  
Election code; establish provisions for electronic voter registration application and secure website. SB2301.  
Election commissioner; revise office of to be nonpartisan. HB16.  
Elections and election personnel; make certain revisions. SB2502.  
Elections; Elections Support Funds allocation amendment. SB2430.  
Elections; Secretary of State shall conduct study on the feasibility of allowing students to vote via the internet. SB2270.  
Elections; Secure our Primaries Act. SB2501.  
Elections; Secure our Primaries Act. SB2509.  
Elections; allow individuals to vote by affidavit if they register after thirty-day cutoff but before election day. SB2271.  
Elections; allow the Attorney General to investigate alleged election fraud. SB2351.  
Elections; authorize online voter registration and preelection day voting. SB2112.  
Elections; authorize online voter registration and preelection day voting. SB2279.  
Elections; candidates for any office must file documentation of United States citizenship. SB2503.  
Elections; penalty for fraudulently requesting or submitting absentee ballots. SB2352.  
Elections; prohibit incumbent candidates from appearing in publicly funded ads leading up to statewide general elections. SB2504.  
Elections; public official's qualification as candidate deemed resignation of current office. SB2111.  
Elections; require that candidates receive majority of votes in general election to be elected to statewide office. SB2423.  
Elections; revise certain provisions about names of candidates appearing on the ballot, judicial candidate's annual report and fraudulent absentee voter applications. **HB1306.**  
Elections; revise procedures regarding voter roll maintenance and monitoring. SB2354.  
Elections; revise provisions related to the integrity of. **HB1310.**  
Elections; state and counties must equally share the cost of prepaid postage for return mail-in ballots. SB2275.  
Legislative offices; define vacancy. SB2108.  
Mississippi Elections Integrity Act of 2023; enact. SB2497.  
Mississippi Elections Integrity Act of 2023; enact. SB2498.  
Mississippi Recall Act of 2023; enact. SB2299.  
Mississippi Recall Act of 2023; enact. SB2500.  
Mississippi Recall Act of 2021; enact. SB2508.  
Mississippi Student Absentee Voter Act; enact. SB2109.  
Municipal executive committee; prohibit members of from campaigning for candidates on the municipal primary election ballot. SB2424.  
Municipal executive committee; revise procedure for filing vacancies of. SB2427.  
Municipal primary elections; extend deadline in case of annexation. SB2107.  
Online voter registration; implement. SB2425.  
Poll managers; increase the compensation of. **SB2353.**  
Qualifying to run for public office; prohibit use of post office box and require physical address of residence. SB2406.  
Restore the Right to Vote Act; create. SB2280.  
Right to vote; restore automatically once a person has completed all sentencing requirements for disenfranchising crime. SB2421.  
Social media companies; require to file a report for any restriction of a candidate or elected official. Social media account. SB2278.  
State officers; provide for a runoff election for. **HB1276.**  
Statewide Elections Management System; compare identification databases to ensure noncitizens are not registered to vote. SB2499.  
Suffrage; provide for restoration upon completion of sentence or placement on probation. SB2277.  
Suffrage; provide for restoration upon completion of sentence and other conditions. SB2405.



Suffrage; restore to any person disqualified by reason of criminal conviction upon completion of sentence. SB2135.  
 Vote fraud; increase penalties. SB2273.  
 Voter registration; require verification of an applicant's U.S. citizenship. SB2506.  
 Voting rights; restore to people who have been released from incarceration. SB2426.  
 Voting; require printed record of each vote. SB2105.

# ENERGY

Chickasawhay Natural Gas District; increase compensation of board of directors and chairperson of. HB690.  
 Community water and wastewater facility system or solid waste program; reduce authorized interim period without certified operator. SB2232.  
 Definitions and penalties regarding regulation of gasoline and petroleum products; extend repealer on. SB2103.  
 Electric transmission infrastructure; prescribe requirements for issuance of certificate of public convenience and necessity. HB1061.  
 Electric transmission infrastructure; maintain state jurisdiction over integrity of. **SB2341**.  
 Electric vehicle charging; allow by non-utilities while maintaining consumer protections. SB2492.  
 Electric vehicles; authorize charging by nonutilities. **HB1060**.  
 Energy Efficiency standards on buildings; extend repealer on statute requiring certain buildings to meet. HB264.  
 Excavations; provide for impending emergencies and extend notification period for. **SB2102**.  
 Holly Springs Utility Department; reconstitute and give control over to Marshall County. SB2431.  
 MS Gulf Coast Region Utility Board; extend repealers on. HB397.  
 Microgrid and Grid Resiliency Act; create. SB2436.  
 Mississippi Gulf Coast Region Utility Act; extend repealer on. **SB2104**.  
 Mississippi Telephone Solicitation Act; transfer enforcement authority to Attorney General's office. **HB1225**.  
 Mississippi Telephone Solicitation Act; transfer enforcement authority to Attorney General's Office. SB2494.  
 Municipal water, wastewater and sewer services; require equity based billing based on use of. **HB698**.  
 Municipal waterworks; ensure just, reasonable and transparent billing in. SB2338.  
 Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. SB2143.  
 Orphaned Well Partnership Program; create. SB2435.  
 Provision of law establishing energy efficiency standards for building construction; extend repealer on. **SB2339**.  
 Public Utilities Staff; authorize certain personnel to be filled by consulting contract. **HB288**.

## Nominations:

Beckett, Charles Jim, Bruce, Mississippi, Executive Director of the Mississippi Public Utilities Staff, remainder of six year term beginning September 23, 2022 and ending June 30, 2026. **SN48**.  
 Bryant, Melissa Ann, Pinola, Mississippi, Commercial Mobile Radio Service Board as a representative for Public Safety Communication Officers Association; Southern Public Service Com. District, four year term effective July 1, 2022 and ending June 30, SN11.  
 Bryant, Melissa Ann, Pinola, Mississippi, Commercial Mobile Radio Service Board as a representative for the National Emergency Numbering Association; Southern Public Service Com. District, four year term effective July 1, 2022 and ending June 30, 2026. **SN64**.

Mosley, Sr., Robert Paul, Clarke County, Mississippi, Commercial Mobile Radio Service Board as the Mississippi Association of Supervisors representative, four year term effective July 1, 2022 and ending June 30, 2026. **SN12**.

Rodgers, Trebia Leigh, Grenada, Mississippi, Commercial Mobile Radio Service Board, remainder of a four year term effective May 4, 2022 and ending June 30, 2023, representing the Northern Public Service Commission District, vice Tanya Felder. **SN13**.

Scott, Sr., David Andrew, Jackson, Mississippi, State Oil and Gas Board, six year term effective May 23, 2022 and ending April 7, 2028, representing the First Supreme Court District. **SN39**.

## ENVIRONMENT PROT, CONS AND WATER RES

### Nominations:

Brenda Joyce Lathan, Columbus, Mississippi, Mississippi Commission on Environmental Quality to represent the Second Congressional District, seven year term effective July 1, 2022 and ending June 30, 2029. **SN21**.

## FINANCE

2023 Mississippi Tax Rebate Fund; establish and provide for one-time income tax rebate from. SB2458, SB2477.

Ad valorem tax on inventory; phase in exemption for certain small businesses. SB2026.

Ad valorem tax; exempt real and personal property belonging to persons aged 65 years or older. SB2923.

Ad valorem tax; extend time for partial exemption and fee-in-lieu of ad valorem tax agreement for certain renewable energy projects. **SB2698**, HB871.

Ad valorem tax; remove exemption for university or community college foundation or federally qualified health center property. SB2017.

Ad valorem taxation; exempt property used for housing and providing services to victims of domestic violence and sexual assault. SB3094.

Ad valorem taxation; revise types of new enterprises eligible for tax exemption. **HB1561**.

Ad valorem taxes; consider annexed business "new enterprise" for purpose of eligibility for certain municipal tax exemptions. SB2014.

Alcoholic beverages; allow local authorities of wet jurisdictions to permit package retail sales on Sunday. SB2028, HB384.

Alcoholic beverages; authorize the direct shipment of wine. SB2686.

Alcoholic beverages; authorize the sale of wine in grocery stores. SB2687.

Alcoholic beverages; reduce privilege tax for package retailer's permits for locations in cities with a population of 5,000 or less. SB2690.

Alcoholic beverages; revise definition of "qualified resort area" under the Local Option Alcoholic Beverage Control Law. **HB535**, SB2180, SB2472, SB2665, SB2694, SB2715.

All-terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads. SB2539.

Annual tax assessment; revise deadline to file protest of. SB2731.

Beer, light wine and light spirit products; revise manufacturers prohibited from having interest in wholesalers or distributors. **HB1140**.

Bonds; authorize issuance of general obligation bonds for West Central Mississippi Incubator Grant Program. SB2012.

Bonds; authorize issuance of general obligation bonds for improvements to Rolling Fork Civic and Event Center. SB2013.

Bonds; authorize issuance for Community Health and Wellness Center, Inc., health care facility renovations in Isola. SB2024.

Bonds; authorize issuance of general obligation bonds for repair and renovation of Triangle Cultural Center in Yazoo City. SB2029.

Bonds; authorize issuance for demolition and cleanup of dilapidated structures in downtown Rolling Fork. SB2030.

Bonds; authorize issuance of general obligation bonds for repair and renovation of Oakes African American Cultural Center. SB2031.

Bonds; authorize issuance to assist Yazoo County in paying costs of drainage project. SB2033.

Bonds; authorize issuance to assist City of Natchez in paying costs of Concord Avenue Drainage Improvement Project. SB2170.

Bonds; authorize issuance to assist South Pike School District in paying costs of repair and renovation of buildings. SB2185.

Bonds; authorize issuance to assist Jackson Municipal Airport Authority with Aeroplex Development Project. SB2710.

Bonds; authorize issuance of general obligation bonds for the Ayers Restoration Fund. SB2711.

Bonds; authorize issuance to assist in paying costs of improvements to North Hills Street in Meridian. SB3111.

Bonds; authorize issuance to assist in paying costs of emergency water storage near medical facilities in Meridian. SB3112.

Bonds; authorize to assist Town of Anguilla in paying costs of improvements projects. SB2007.

Bonds; authorize to assist Village of Cary in paying costs of construction of fire station. SB2008.

Bonds; authorize to assist Town of Anguilla in paying costs of construction of museum and visitor center. SB2009.

Bonds; authorize to assist Serenity on the Bayou in Anguilla renovate and equip building for Emmanuel Community Center. SB2022.

Bonds; authorize to assist City of Macon in paying costs of acquisition of fire truck. SB2032.

Bonds; authorize to assist Town of Rolling Fork in paying costs of Muddy Waters memorial sculpture. SB2034.

Bonds; authorize to assist Humphreys County in paying costs of roadway, curb and gutter improvements in Westgate Subdivision. SB2035.

Bonds; authorize to assist in paying costs of renovating Margaret Martin Performing Arts Center in Natchez, Mississippi. SB2171.

Bonds; authorize to assist Wilkinson County in paying the costs of road and bridge repairs and abandoned hospital removal. SB2173.

Bonds; authorize to assist City of Tupelo in paying costs of improvements to Ballard Park. SB2176.

Bonds; authorize to assist Lee County in paying costs of fire truck purchase for Richmond community. SB2177.

Bonds; authorize to assist Sand Creek Wastewater Authority in system expansion and improvements, and debt retirement. SB2178.

Bonds; authorize to assist City of Saltillo in paying costs of construction of new fire station. SB2179.

Bonds; authorize to assist City of Columbus in paying costs of completing Senator Terry Brown Amphitheater. SB2964.

Bonds; create a rural counties and municipalities emergency infrastructure loan program and authorize issuance of bonds. SB2456.

Bonds; increase authorized bond amount for emergency response center for Chickasaw Trail Industrial Park in Marshall County. SB2184.

Bonds; increase authorized amount to assist in paying costs associated with Commerce Park Connector in Madison County. SB2846.

Bonds; repeal authorization for unissued bonds and replace with cash funds. SB2692.

Bonds; revise purposes for which proceeds of bonds authorized for City of Union. **HB371.**

Children's Promise Act; revise definition of "eligible charitable organization." SB2684, SB2894.

City of Byram; authorize governing authorities to levy parks and recreation tax on restaurants. **SB2152.**

City of Durant; authorize a tax on restaurants to promote tourism, parks and recreation. HB1583.

City of Eupora; authorize tourism tax on hotels/motels/Airbnbs and restaurants. **HB1807.**

City of Florence; authorize a tax on restaurants and hotels/motels. **HB1667.**

City of Kosciusko; authorize election for restaurant tax to fund tourism and parks and recreation. SB3150.

City of Lucedale; authorize to levy tax upon sales of restaurants for the purposes of funding parks and recreation. **SB3143.**

Construction contractors; repeal law requiring local permitting and annual State Board of Contractors licensing. SB2838.

Cottage food operation; increase maximum annual gross sales and authorize to advertise over the internet. SB2537.

Department of Revenue; require to send taxpayer notices by certified mail, return receipt requested. SB2175.

Digital Asset Mining Protection Act; create. SB2603.

Disabled veterans discounted motor vehicle license tags; bring forward. SB2621.

Disabled veterans license tags; revise provisions regarding disability rating and persons eligible for. **SB2187**, HB631, SB2620, SB2924.

Distinctive motor vehicle license tags; authorize for 2021 and 2022 National Championship Rebels and supporters of various organizations. **HB1136**, SB2181.

Distinctive motor vehicle license tags; reauthorize for supporters of West Point Consolidated School District. SB2023.

Distinctive motor vehicle license tag; authorize for supporters of the Magnolia Speech School. SB2448.

Distinctive motor vehicle license tags; reauthorize for supporters of the Mississippi Sweet Potato Council. SB2666.

Distinctive motor vehicle license tag; authorize for supporters of the Mississippi Road Builders Association. SB2693.

Distinctive tag; authorize for King Hiram Grand Lodge & Electra Grand Chapter Order of Eastern Star AF & AM Mississippi. SB2010.

Driver's license fees; waive for applicants in MDCPS custody. **SB2703.**

Electric and hybrid motor vehicle taxes; exclude vehicles incapable of exceeding 35 miles per hour. SB2926.

Electric/hybrid vehicle tax; repeal sections of law authorizing. SB2020.

Emerging Crops Fund; increase amount that may be loaned to any one borrower to assist in financing minority economic development. SB2713.

Endow Mississippi Program tax credits; extend time period for authorization. SB2736.

Festival wine permits; remove repealers and reverts on provisions relating to. SB2006.

First Responder Appreciation and Recruitment Act; create. SB2021.

First Responders Retirement Incentive; create. SB2704.

Forestry; create the Forestry Facility Grant Program. **SB2525.**

Gaming; authorize aboard cruise vessels on the Pearl River or adjoining water within a city with a population of 145,000 or more. SB2625.

Grandparents; authorize the payment of support for assuming primary care of grandchildren, create tax credit for. SB2609.

Highway privilege tax on buses and carriers of property; allow distribution to cities and towns for roads and bridges. SB2016.

Historic property income tax credit; revise certain provisions regarding. **HB390.**

Historic property income tax credit; allow taxpayer to elect rebate in place of credit at any time after certification. SB2481.

Homestead exemption; allow veterans with service connected, total disability to apply after April 1 in year of home purchase. SB2683, SB2836.

Homestead; provide full exemption for unremarried surviving spouse of U.S. military member killed on active duty or training. **SB2700.**

Income tax credit for qualified adoption expenses; increase amount for Mississippi children and remove CPS requirement. **SB2696.**

Income tax credit; allow for employer making direct payments to entity for dependent care on behalf of employee. SB2335.

Income tax; authorize a credit for taxpayers who serve as volunteer firefighters. SB2685.

Income tax; authorize a credit for dependent care equal to that allowed for federal income tax purposes. SB2896.

Income tax; authorize credits for donations to Habitat for Humanity Mississippi Capital Area. SB2847.

Income tax; authorize credits for certain child care expenses and for Pre-K providers for care of certain children. SB2898.

Income tax; authorize credit for tuition payments to private schools. SB2925.

Income tax; exclude forgiven, cancelled or discharged federal student loan debt from definition of "gross income." SB2451.

Income tax; extend credit for qualified contributions to an endowed fund at qualified community foundations. **HB261.**

Income tax; extend tax years for employer taxpayer to claim credit for employees' blood donations during blood drive. HB392.

Income tax; provide credit for taxpayers claiming federal Earned Income Tax Credit. SB2897.

Income tax; provide credit to employers offering paid maternity or paternity leave to employees. SB2965.

Income tax; reduce and phase out rate on taxable income of individuals above \$10,000. SB2459.

Income tax; revise certain provisions regarding pass-through entities. **HB1668**, SB3102.

Income tax; revise deduction for depreciation for certain expenditures and property. **HB1733.**

Income tax; revise local governmental entities that may collect debt by a setoff against a debtor's refund. **HB388.**

Income tax; revise method of collecting delinquent tax from public officers and employees. **HB1169.**

Inventory; phase in an ad valorem tax exemption for. SB2927.

Jackson State University; provide for the construction of a six hundred room student housing project. SB2593.

Job tax credits for water transportation enterprises; extend repealer on. SB2835.

Law enforcement officers & fire fighters death benefits black tag; authorize black version of regular tag. **SB2841.**

Legislature; allow PERS retirees to receive retirement allowance while serving as a member of. SB2478.

Mississippi Affordable Housing Tax Credit Act; establish tax credit program. SB3057.

Mississippi Broadband Accessibility Act; create. HB1067.

Mississippi Development Authority; clarify time trigger for tax exemption cutoff under Growth and Prosperity Act. **SB2681.**

Mississippi Farm Reform Act; extend authority for issuance of general obligation bonds for Emerging Crops Fund. SB2702.

Mississippi Full Expensing Tax Reform Act of 2023; create. SB3101.

Mississippi Income Tax Holiday Act of 2023; create. SB2701.

Mississippi Major Economic Impact Act; extend deadline for issuance of bonds for certain automotive parts manufacturing plant projects. **HB395.**

Mississippi Motor Vehicle Commission Law; revise certain provisions relating to a manufacturer's ownership of motor vehicle dealership. **HB401.**

Mississippi Small Business Investment Company Act; increase the amount of investment tax credits that can be allocated under. **SB2858**, HB1648.

Mississippi State Income Tax; phase out based on General Fund revenue collections. SB2875.

Motor vehicle sales and distribution; provide for independence of dealership tier. SB2455.

Motor vehicle tags; remove portion of fees deposited to State General Fund, or rededicate to Ad Valorem Tax Reduction Fund. SB2860.

Motor vehicle; revise requirements for scrapping, dismantling or destroying when owner does not have title in his or her name. SB2840, HB334.

Motor vehicles and manufactured homes; authorize Department of Revenue to issue electronic liens and titles. **HB1170**, SB2482.

Municipal ad valorem taxes; exempt real property and motor vehicles in an annexed area for 12 months after annexation. SB2027.

Municipal special sales tax; revise use of revenue for certain. **HB1168**.

Off-Road Commercial Operations Gas Tax Rebate Study Committee; create. SB2714.

Oil and gas severance taxes; extend repealer on lower rate for production from horizontally drilled wells. **HB383**, SB2697.

Orphaned Well Partnership Program; create. SB2435.

PERS; clarify fiduciary duty to invest for highest return and not based on environmental, social and governance (ESG) factors. SB2849.

PERS; reduce vesting period from 8 years to 4. SB2479, SB2712.

Personalized license tag; veterans are exempt from additional fee. SB2452.

Public salaries; limit the amount withheld to satisfy child support arrearage or overdue income tax to 25%. SB2865.

Recreational off highway vehicles; authorize operation on county roads subject to registration and other requirements. SB2570.

Regulation of public utilities; exempt distribution of water by eligible homeowners association to its own residents from. **SB2433**.

Residential builders and remodelers; revise license examination for certain license applicants. HB1167.

Retailer Tax Fairness Act; create. HB735.

Retired teachers; allow to draw retirement benefits and be reemployed as teachers if having 30 years of creditable service. SB2148.

Retired teachers; allow to draw retirement benefits and be reemployed as teachers subject to certain conditions. SB2592.

Retirement; allow certain members of PERS to purchase up to three years of creditable service. HB1195.

Sales Tax; exempt certain sales of property transported from this state and first used in another state. **HB549**.

Sales and use tax; exempt sales of feminine hygiene products and diapers. SB2895.

Sales and use taxes; specify for computer software services and products delivered electronically in Mississippi. **SB2449**, HB968.

Sales tax revenue generated in municipal historical hamlets; direct counties to allocate for benefit of such hamlets. SB2852.

Sales tax; create diversion to counties. SB2047.

Sales tax; deposit portion of revenue into the Mississippi Outdoor Stewardship Trust Fund. HB999.

Sales tax; exempt motor vehicle transfers to and from trusts, corporations, partnerships and limited liability companies. **SB2011**.

Sales tax; exempt sales of books at the Mississippi Book Festival. HB1702.

Sales tax; exempt sales of tangible personal property or service to 5th Squad Veteran Nonprofit. SB2705.

Sales tax; exempt sales to certain community action agencies exempted from federal income taxation. SB2691.

Sales tax; exempt sales of groceries. SB2706, SB3095.

Sales tax; exempt sales of groceries in August. SB2707.

Sales tax; exempt sales of coins, currency and bullion. **SB2862**, SB2019, SB2708, SB2878, SB2966, HB1661.

Sales tax; exempt sales to Head Start programs. SB2689.

Sales tax; exempt sales to Mississippi Aquarium in Gulfport. SB2688.  
 Sales tax; exempt sales of water for agricultural purposes. SB2967.  
 Sales tax; increase distribution to municipalities, and extend Educational Facilities Revolving Loan Fund repealer. SB2473.  
 Sales tax; reduce by half on sales of groceries. SB2872.  
 Sales tax; remove tax on wholesale sales of beer. **SB2018**.  
 Sales tax; revise definition of "installation charges" to exclude labor services in connection with residential roofing. SB2699.  
 School ad valorem tax levy; authorize levying authority for certain districts to approve/disapprove request for certain increases. HB850.  
 State Highway Fund; provide annual income tax and monthly sales and use tax distributions to. SB2571.  
 State Treasurer; modify certain provisions concerning the deposit and investment of excess state funds. **SB2887**.  
 State agencies; mandate reimbursement to the general fund for failure to follow proper procurement guidelines. SB2174.  
 Tax credits; authorize for business contributions to certain organizations supporting food pantries or soup kitchens. **HB1723**, SB2873.  
 Tax credits; revise certain existing and authorize additional. **HB1671**.  
 Tax sale; county to retain any overbid amount and landowner prohibited from requesting recovery of. SB2733.  
 Taxes levied by commissioners of master water management districts; remove requirement that boards of supervisors must implement. HB217.  
 Technology-based capital assistance programs; revise certain terms and amounts of assistance. **SB2851**.  
 Television series production; provide incentives for certain. **HB704**, SB2859.  
 Tobacco tax; define tobacco products to include electronic smoking devices for purposes of 15% excise tax. SB2015.  
 Tourism Project Incentive Program; extend deadline for MDA issuance of certificates approving participants. **SB2695**, HB396.  
 Tourism project sales tax incentive program; include certain hotel projects in. SB2709.  
 Tourism; revise list of entities that may not have interest in wholesalers or distributors. SB2830.  
 Town of Coffeeville; authorize a tax on restaurants to provide funds for tourism, parks and recreation. HB1540.  
 Town of Duck Hill; authorize governing authorities to levy tourism tax. **SB2004**.  
 Town of Monticello; authorize tourism tax on restaurants, hotels and motels. **SB2519**.  
 Tunica County; authorize to allocate sports gaming revenue to school district for construction of new school. SB3154.  
 Urban Flood and Drainage Control Act; delete provision of law authorizing districts to levy assessments on certain property under. SB2434.  
 Use tax; revise distribution of revenue, provide income tax credit for employer making payments for employee dependent care. **HB1734**.  
 Use tax; revise provisions regarding special infrastructure assistance funds for municipalities and counties. **SB2842**.  
 Use tax; revise standards for municipality's eligibility to receive monies from special fund for infrastructure assistance. SB2857.  
 West Central Mississippi Incubator Grant Program; establish with county governments, DFA and local development districts. SB2025.

Nominations:

Fox, Sara M., Brandon, Mississippi, State Tax Appeals Board as Chairman, six year term beginning July 1, 2022 and ending June 30, 2028. **SN53**.  
 Gibert, Gerard Raymond, Ridgeland, Mississippi, Mississippi Lottery Corporation Board of Directors, five year term effective March 8, 2023 and ending December 31, 2027. **SN91**.  
 Johnson, Brian Kendall, Madison, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, unexpired six year

term effective upon confirmation by the Senate and ending March 31, 2026, vice Reed Nelson. **SN66.**

Nelson, Robert Reed (Reed), Madison, Mississippi, Mississippi Home Corporation, remainder of six year term effective June 28, 2022 and ending April 23, 2026, representing the First Supreme Court District, vice Carl Eugene (Gene) Delcomyn. **SN70.**

Robertson, Aimee Rebecca W., Gulfport, Mississippi, Mississippi Home Corporation as a representative of the Second Supreme Court District, six year term effective June 27, 2022 and ending April 23, 2028. **SN71.**

Townsend, Huey Love (Hue), Jr., Belzoni, Mississippi, Mississippi Home Corporation as a resident of the First Supreme Court District, term effective December 30, 2022 and ending June 30, 2028. **SN63.**

Waker, Harry Moore (Harry), Jackson, Mississippi, Mississippi Home Corporation as a representative of the First Supreme Court District, six year term effective June 27, 2022 and ending April 23, 2028. **SN86.**

Wood, Michael Bradley (Brad), Hattiesburg, Mississippi, Mississippi Business Finance Corporation as a member associated with banking or small business, six year term effective May 4, 2022 and ending March 31, 2028. **SN65.**

### FORESTRY

Forestry; abolish Forestry Commission and transfer duties to Division of Forestry in MS Department of Agriculture & Commerce. **SB2522.**

Forestry; create the Forestry Facility Grant Program. **SB2525.**

Mississippi Board of Registration for Foresters; bring forward all code sections and authorize to suspend license of licensee for failure to satisfy judgement. **HB787.**

Mississippi Forestry Commission; authorize to electronically accept bids for timber sales. **HB287.**

Motor vehicles; clarify that vehicle length restrictions are the same for day and night operation. **SB2548.**

Sixteenth Section land; authorize long-term contracts for sale of certain forest products. **SB2524.**

#### Nominations:

Hopper, George Martin (George), Ph.D., Starkville, Mississippi, Mississippi Forestry Commission as an At-Large representative, six year term effective March 20, 2023 and ending March 19, 2029. **SN81.**

Thomasson, Patricia Ann (Pat), Philadelphia, Mississippi, Mississippi Forestry Commission as an At-Large representative, six year term effective February 22, 2023 and ending January 19, 2029. **SN82.**

### GAMING

Gaming; authorize aboard cruise vessels on the Pearl River or adjoining water within a city with a population of 145,000 or more. **SB2625.**

Gaming; permit airport authorities to authorize slot machines in airports offering passenger service. **SB2188.**

Gaming; permit airport authorities to authorize slot machines in airports offering passenger service. **SB2189.**

Mississippi Gaming Commission certified law enforcement officers; authorized to retain sidearms upon retirement. **SB2072.**

The Mobile/Online Betting Task Force; authorize. **HB606.**

#### Nominations:



Nicaud, Kent Gerard (Kent), Pass Christian, Mississippi, Gaming Commission, remainder of a four year term effective March 8, 2023 and ending September 30, 2025, vice Alben Hopkins. **SN90**.

# **HIGHWAYS AND TRANSPORTATION**

Airport authority; authorize to dispose of property with a fair market value of zero if certain conditions are met. **HB1025**.

All-terrain vehicles and recreational off-highway vehicles; allow tagging for operation on certain roads. **SB2539**.

Commercial driver's license; authorize issuance to military-trained personnel under Military Family Freedom Act. **SB2234**.

"Commissioner Dick Hall Hospitality Station"; MDOT to designate Warren County Welcome Center as. **SB2588**.

Disposal of airport property; revise procedure. **SB2566**.

Harvest permits; extend repealer on authority of MDOT to issue. **HB1477**.

Headlights; require to be used whenever windshield wipers necessitated. **HB566**.

Highway Memorials; designate segment of Highway 25 to Kash McGraw and Bridge to Stacey Ricks. **SB2602**.

Highways and Transportation;

Dedicate the Second Creek Bridge to Boyd Sojourner. **SB2532**.

Dedicate the Second Creek Bridge on Liberty Road to James Carter. **SB2533**.

Dedicate a section of Highway 12 to G. Louis Jones. **SB2003**.

Dedicate a section of Highway 145 to Bishop Leroy Horne. **SB2529**.

Dedicate a section of Highway 8 to Jeremy Allen Voyles. **SB2542**.

Dedicate a section of Highway 35 to Constable Raye Hawkins. **SB2545**.

Dedicate a section of Highway 51 to Deputy Joe Kenneth Cosby. **SB2546**.

Dedicate a section of Highway 315 to Nolan Mettetal. **SB2547**.

Designate section of US-90 (East Beach Blvd) in Harrison County for Myrtis Franke. **SB2155**.

Highways;

Include Old State Highways 6 and 9 in Pontotoc County in the state highway system. **SB2154**.

Include certain entrances and exits to and from Interstate 55 in the state highway system. **SB2555**.

Make the MS Transportation Commission vote on use of ERBR Fund monies majority instead of unanimous. **SB2561**.

Recognize Representative Alyce Clarke and amend dedication rules for members of public office. **SB2531**.

Require four-laning of portions of Highway 6 in Coahoma, Panola and Quitman Counties. **SB2527**.

MDOT; authorize to assist publicly owned gas and water districts with certain removal and relocation projects. **HB824**.

"Medal of Honor Trail"; designate portion of Interstate 22 and U.S. Highway 78 within the State of Mississippi as. **HB703**.

Memorial highway;

Designate segment of MS Hwy 8 in Chickasaw County as the "Deputy Jeremy Allen Voyles Memorial Highway". **HB1016**.

Designate a segment of MS Highway 365 in Prentiss County as the "Howard Tillman Bobo Memorial Highway". **HB1244**.

Designate a segment of MS Highway 364 in Prentiss County as the "James Millard Jourdan Memorial Highway". **HB1245**.

Designate a segment of MS Highway 365 in Prentiss County as the "Leland L. Holland Memorial Highway". **HB1246**.

Designate various throughout the state. **HB691**.

Designate segments of highways to Bradford C. Freeman and Douglas Anderson. **SB2002**.

Memorial intersection; designate intersection of U.S. 45 and CR 110 in Clarke County as the "Army Spc. Terry Kishaun Dantez Gordon Memorial Intersection". **HB1017**.

Mississippi Department of Transportation; require to pick up animal carcasses within thirty days. SB2568.

Mississippi Fully Autonomous Vehicle Enabling (MS FAVE) Act of 2023; establish to regulate operation of autonomous vehicle on public roads. **HB1003**.

Mississippi Transit Corporation; establish and create study committee. HB723.

Mississippi Transportation Commission; amend statute listing powers to make minor technical correction. SB2541.

Petroleum Products Inspection Law; delete repealer on. HB1002.

Radar;  
     Authorize use by municipal law enforcement officers in certain municipalities. **HB454**.

Clarify how population is calculated. HB920.

Railroad right-of-way; unlawful to enter and remain upon without the permission of the owner or operator. SB2528.

Recreational off highway vehicles; authorize operation on county roads subject to registration and other requirements. SB2570.

State Highway Fund; provide annual income tax and monthly sales and use tax distributions to. SB2571.

Transportation funding; authorize public-private partnerships to include naming rights. HB618.

Transportation;  
     Allow and regulate autonomous vehicles. SB2569.  
     Allow public and private partnerships to establish electric vehicle charging stations. HB986, **SB2562**.  
     Delete repealer on harvest permit authorization and fees. **SB2559**.  
     Expand the times required for motor vehicle headlight usage. SB2567.  
     Revise population threshold for radar use on public streets of municipalities to 1500. SB2001.

West Rankin Parkway; expand permission for use of federal funds. **SB2589**.

Nominations:  
     Homer Rex Germany, Union, Mississippi, Commercial Transportation Enforcement Division Appeals Board as the board member representing the Mississippi Dept. of Public Safety, remainder of a four year term effective immediately and ending June 30, 2025. **SN78**.

Russell James (Rusty) Hanna, Louisville, Mississippi, Appeals Board of the Mississippi Transportation Commission, four year term beginning July 1, 2023 and ending June 30, 2027. **SN97**.

## HOUSING

Neighborhood Housing Rehabilitation Program (NHRP); direct Mississippi Home Corporation to establish using federal funds. SB2565.

## INSURANCE

Automobile liability insurance coverage; require before receiving tag. SB2220.

Commissioner of Insurance; authorize to adopt rules and regulations regarding certain provider reimbursement rates. **SB2224 (Vetoed)**.

Contract personnel; authorize to purchase base plan of the State and School Employees' Health Insurance Plan. **SB2615**.

Election commissioners; require board of supervisors to provide insurance coverage for. SB2307.

Federal Home Loan Banks;  
Provide certain rights and procedures regarding collateral. **SB2227**.  
Define term and provide process for handling delinquent insurer's secured claim. HB1172.

Fire insurance policies; exclude provisions related thereto from applying to builders' risk policies. SB2617.

Health Insurance Coverage for Fertility Preservation Services Act; enact. SB2396.

Health benefit plan;  
Allow electronic delivery of certain communications. SB2614.  
Authorize plan sponsor of to consent, on behalf of covered pensions, to delivery of all communications by electronic means. **HB1190**.

Health insurance carriers; require to cap patient cost for prescriptions for insulin drugs. SB2223.

Health insurance plans; prohibit from imposing cost sharing requirement for breast cancer screening, diagnostic breast exams. SB2219.

Health insurance policies; provide coverage for certain developmental or physical disabilities. SB2646.

Health insurance; Commissioner of Insurance must approve rate filings containing an increase in premiums. SB2618.

Helping Heroes Act; provide certain benefits for law enforcement and first responders diagnosed with PTSD. SB2624.

Insurance agents; revise the continuing education requirements of those who are 65 and have been licensed for 20 years. **HB1084**.

Insurance; prohibit mandates for gender reassignment surgery or services. SB2861.

Lender-placed insurance on real property; provide framework for regulating. SB2635.

Length of Service Award Program; authorize for the recruitment and retention of volunteer firefighters. **HB521**.

Military insurance premium discount; allow motor vehicle and homeowner insurance premium discount for military personnel. SB2642.

Minority; remove for beneficiaries of certain insurance policies. **SB2649**.

Mississippi Prior Authorization Reform Act; enact. **SB2622 (Vetoed)**.

Mississippi State and School Employees' Life and Health Insurance Plan Task Force; establish. **SB2623**.

Pet insurance;  
Create legal framework by which it may be sold in the state. HB1191.  
Establish provisions for the sale and renewal of policies. **SB2228**.

Reciprocal Insurance;  
Revise provisions relating to sworn declarations and memberships of boards of directors. SB2378.  
Revise sworn declaration requirements of and board of directors for. **HB1162**.

School boards; authorize to vote on providing members and their dependents with health insurance paid for by local funds. SB2366.

State Health Insurance Plan; provide benefits to surviving spouse/dependent of law enforcement officer killed in the line of duty. SB2206, SB2221

State funded health plans and Medicaid; prohibit payment of gender reassignment surgery or services. SB2864.

USM; clarify authority to enter into insurance agreement for protection of property at the state port at Gulfport. **HB877**.

Valued policy law; exempt builder's risk insurance policies from. **HB544**.

Vehicle data; prevent an insurer from using insured's data to determine rates to renew policy unless insured consents. SB2222.

Wind pool; no more than one deductible per year from named storms. SB2226.

Workers' compensation;  
Increase maximum total recovery and remove cap on permanent total disability compensation. SB2229.

Increase maximum total recovery, remove permanent total disability compensation cap. SB2393.

Nominations:

Mark Stuart Formby, Picayune, Mississippi, Workers' Compensation Commission as Chairman of the Commission, six year term effective March 8, 2023 and ending December 31, 2028. **SN92**

**JUDICIARY, DIVISION A**

"Mississippi Marital Contract at Common Law Recording Act"; enact. SB2826.

17th and 23rd Circuit Court Districts; increase number of assistant district attorneys. SB2403.

Adoption:

Authorize court to waive home study requirement, criminalize disclosure of records. HB533, SB2611.

Regulate by creating a licensure authority; procedures. HB1342.

Age of majority; lower to 18 for securing loans and entering contracts for real property. SB2643, **SB2073**.

Aggravated DUI; order child support to children of deceased victim. SB2132.

Applicants for TANF benefits; repeal section that required drug testing as condition of eligibility. SB2806.

Baby drop-off and safe haven; revise provisions that regulate. **HB1318**.

Ban-the-Box Act; enact. SB2287, SB2342.

Birth certificate; adoptee may obtain certified copy of original after age 21. SB2075, SB2087.

Board of Funeral Services; revise provisions related to. **SB2090**.

CPS; enact Mississippi Safe Haven Law, establish clear path to permanency for children in custody of. SB2377, SB2640.

Capitol Complex Improvement District judicial jurisdiction; create and revise boundaries. **HB1020**.

Chancery court; provide additional chancellor for 15th Chancery Court District. SB2200.

Chancery; revise continuing jurisdiction in domestic matters where parties no longer reside in county. SB2716.

Charitable Organizations; Raise audit threshold for contributions to \$750,000.00, and use a cash basis only. **SB2077**.

Child abuse or neglect; provide for civil liability false reports of. SB2093.

Child support:

Administratively suspend obligations for incarcerated individuals. HB1215. **SB2082**.

Allow criminal charges three years after the child turns twenty-one. **SB2634**.

Award guidelines; revise. SB2401.

Create presumption that support continues past the age of majority for a disabled child. SB2202.

Withhold gaming prizes of persons who have outstanding child support arrearages. SB2385.

Circuit court:

Districts; increase number of assistant district attorneys and criminal investigators. SB2645.

Judges and chancellors; increase annual stipend for office operations, support staff and law clerks. SB2610, SB2655, **HB1216**.

Prohibit political candidates from addressing the public during court terms. SB2391.

Code books; revise number required to be ordered from publisher. SB2379.

Concealed-carry license; 18-year-old with instructor certification qualifies for enhanced. SB2083.

Corporations and LLCs; authorize determination notices and certificates of administrative dissolution to be served by email to registered agent. **HB1101**.

Counties and municipalities; authorize to enter into certain agreement when utilizing certain federal funds. HB1211.

County court:

- Allow judicial candidates to speak to the venire in. SB2276.
- Jurisdiction for termination of parental rights; authorize for both involuntary and voluntary termination. **HB1111**.

County prosecuting attorney; clarify authorization to defend persons in criminal prosecutions in any other county. **SB2199**.

Court interpreters; revise program under the Administration of the Administrative Office of Courts. **HB1217**.

Cyberstalking; authorize injunction when criminal charges filed. SB2404.

Deeds to married couples; create a rebuttable presumption of joint tenancy with rights of survivorship. HB685.

Digital or online resources or databases; require vendors to verify technology protection for persons under 15. HB1341.

Discrimination or affirmative action programs; prohibit in State of Mississippi. SB2784.

District attorneys; increase office operating allowance. SB2088.

Divorce; authorize where marriage is irretrievably broken. SB2644.

Domestic abuse; allow protection of pets in a protection order. SB2084.

Durable legal custody; clarify jurisdiction for. **HB1115**.

Emergency Response and Overdose Prevention Act; amend to expand the distribution and use of opioid antagonists. SB2442.

Eminent domain; provide compensation for the loss of a business's goodwill. SB2085.

Fees for county garbage collection; revise provision related to. **SB2392**.

Female genital mutilation; prohibit and create civil cause of action. SB2654.

Firearms, firearm entities and knives; prohibit governmental entities from entering into certain contracts regarding. SB2383.

Foster Care and Adoption Task Force; create. **SB2384**.

Foster Parents' Bill of Rights; and Responsibilities; create and require to be provided to foster parents. **HB510**.

Gas stoves; enjoin federal rules or regulations prohibiting the sale or possession of. SB2395.

Gender reassignment surgery; criminalize performance of upon minors. SB2770.

Grandparents; authorize the payment of support for assuming primary care of grandchildren, create tax credit for. SB2609.

Guardian ad litem fees; failure to pay enforced as any other civil debt. SB2086.

Homeowners; limit premises liability for injury sustained by a person or company hired for repair. SB2606.

Intestate succession; child conceived by assisted reproduction after decedent's death is deemed to be living at time of death. HB996.

Involuntary civil commitments; limit county's liability for costs of medical treatment. SB2607.

Judgments; prohibit from bearing interest at a rate greater than 10 percent. SB2398.

Juries; prohibit peremptory challenges based on certain factors. SB2194.

Jurors; expand pool to citizens with driver's license who have filed state income taxes. SB2195.

Justice court; revise jurisdictional amount. SB2230, SB2231.

Land; prohibit ownership by certain nonresident aliens within an established radius of a military installation. SB2089, SB2092, SB2632.

Landlord-tenant law; revise. SB2196.

Law enforcement officers:

- Entitled to certain follow-up drug testing before loss of certification. SB2290.
- Regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). SB2289.

Licenses issued by Commission on Wildlife, Fisheries and Parks; require suspension for failure to pay child support. **HB1490**.

Liens; delete the exception to expiration of a lien where notation had been made on the judgment roll within a certain period. **SB2091**.

Limitation of liability requirements for information technology contracts; clarify. **SB2729**.

Limited English proficient individuals; make certain amendments related to. **SB2633**.

MS Public Records Act; prohibit confidentiality of settlement agreement. **SB2094**.

MS School Safety Guardian Act; create. **SB2079**.

Mandatory COVID-19 vaccination of Mississippi residents as condition of employment; prohibit based on religious belief. **SB2805**.

Medicaid; authorize liquidated damages in requests for proposals, bring forward provision related to. **SB2381**.

Mississippi Access to Maternal Assistance Program; create and provides for duties and responsibilities. **SB2781**.

Mississippi Civil Rights Act; enact. **SB2193**.

Mississippi Consumer Data Privacy Act; enact. **HB880**, **SB2080**.

Mississippi Fair Housing Act; enact. **SB2554**.

Mississippi Foster Parent's Bill of Rights and Responsibilities; create. **SB2191**.

Mississippi Free Range Parenting Act; enact. **SB2827**.

Mississippi Help Not Harm Act; enact. **SB2760**.

Mississippi Rental Purchase Agreement Act and Residential Landlord Tenant Act; bring forward provisions related to. **SB2375**.

Mississippi Safe Haven Law; enact. **SB2386**.

Mississippi Vulnerable Person Abuse Registry; create. **SB2652**.

Nonprofit corporations which receive public funds; require reporting to Secretary of State. **SB2653**.

Notaries; revise residency requirements of. **HB821**.

Out-of-state lawyers; disclosure required in certain advertisements if not licensed to practice law in Mississippi. **SB2382**.

Paternity; clarify circumstances when putative father cannot contest. **SB2192**.

Path to permanency; provide for children in Child Protection Services. **HB1149**.

Prevention of overdoses; authorize administration of opioid antagonists by certain persons, provide immunity to. **SB2336**.

Purchase of public or private real estate located in Mississippi by members of the Chinese Communist Party; prohibit. **SB2828**.

Real estate licensee; revise liability. **SB2647**.

Real property; right of first refusal expires on grantee's death unless specifically stated otherwise. **HB246**.

Residential subdivisions; authorize property owners to establish and/or amend covenants, conditions and restrictions. **HB1155**.

Restrictions, prohibitions and civil remedies against officers of the IRS for actions against Mississippi citizens; provide. **SB2879**.

Rivers McGraw Mental Health Treatment Court Act; revise. **HB1218**.

Secretary of State; authorize certain notices by electronic mail. **SB2636**.

Sexual assault evidence kit; regulate the processing of. **HB485**.

Social media companies; require to file a report for any restriction of a candidate or elected official. Social media account. **SB2278**.

State Board of Physical Therapy, authorize to issue subpoenas for the attendance of witnesses and the production of documents. **HB276**.

State Veterans Affairs Board; revise provisions regarding processing appeals of claims. **HB675**.

Statewide county court system; create. **SB2081**.

Structured Settlements; judge who approved settlement must approve transfer, transferee to disclose any application rejections. **SB2399**.

Supreme court:  
Court of appeals, chancery courts and circuit courts; bring forward code sections related to. **HB726**.

Require to promulgate rules requiring the disclosure of all entities financially interested in litigation. SB2380.

TANF; prohibit assistance to persons convicted of multiple felonies. SB2804.

Tax sale; county to retain any overbid amount and landowner prohibited from requesting recovery of. SB2733.

Termination of parental rights or an adoption; require notice to AG and require hearing within certain time frame. SB2387.

The Defense of Title IX Act; enact. SB2773.

The Title IX Preservation Act; enact. SB2076.

Third Circuit Court District; increase number of assistant district attorneys and criminal investigators. SB2190.

Towing; limit charges. SB2198.

Transportation; require disclosure of the total charges in the rental of motor vehicles. SB2153.

Uncrewed aircraft systems; regulate. **SB2146.**

Vehicle rental; require those engaged in to disclose total charges, including all additional mandatory charges. **HB1157.**

Veteran service officers; authorize certain action on behalf of a veteran under a power of attorney, provide immunity to. **SB2197.**

Workers' compensation:

- Increase maximum total recovery and remove cap on permanent total disability compensation. SB2229.
- Revise the exclusive remedy provision to provide certain exemptions. SB2863.

Wrongful conviction; increase compensation award. SB2201.

Youth court:

- Clarify that disclosure of certain records in criminal matters do not require youth court approval. SB2389, **SB2376.**
- Prohibit intake based solely on the opinion of a medical professional on contract with DHS or CPS. SB2074.
- Provide right of representation and notice to CPS in proceedings involving certain children. SB2641.

#### JUDICIARY, DIVISION B

"Mississippi Joint Municipal Law Enforcement Act"; create. HB133.

"Second Amendment Preservation Act"; state firearm law preempts any local ordinance or regulation. SB2882.

Aggravated DUI; order child support to children of deceased victim. SB2132.

Aggravated assault; create crime related to the delivery of fentanyl. SB2131.

Agriculture; grant the Commission of Agriculture and Commerce investigative powers and amend related procedures. SB2157.

Appointed counsel; increase maximum compensation available for representation of indigent defendants. SB2237.

Arrest warrants; authorize electronic signatures. SB2133.

Assault:

- Remove additional criminal assessment for misdemeanor offenses. SB2413.
- Revise penalties for aggravating circumstances. SB2243.

Bail agents; revise procedure for determining in municipal and justice courts. SB2418, **SB2298.**

Bail; revise how the amount is determined and authorize certain options for the defendant. HB451.

Bribery of a candidate and crime of conspiracy; revise statute of limitations for. SB2122, **HB405.**

Capitol Police; clarify jurisdiction over streets adjoining state property. SB2344.

Capitol police and MDOT officers; require salary to mirror equally ranked members of the Highway Patrol. SB2348.

Chemical endangerment of a child or fetus; criminalize. SB2121.

Child Protection Services; require disclosure of reporter in cases of false abuse and neglect reports. SB2096.

Child sex abuse; include chemical or physical sterilization of child within definition of. SB2883.

Child support; allow restricted driver's license for work and worship. SB2118.

Conspiracy; revise statute of limitations. **SB2337**.

Controlled substance offenses; revise enhanced penalties. SB2257.

Counties and municipalities:

- Prohibiting use of automated recording equipment to track motor vehicle liability insurance. SB2516.
- Revise fine amount that may be paid by those convicted of violating anti-littering ordinance. HB903.

County jail census data; facilitate availability of. SB2258.

Crimes of violence; revise list of offenses designated as such. SB2261.

Criminal law:

- Increase penalties for crimes of impersonating patrolman or law enforcement officer. SB2129.
- Revise crimes of fleeing a law enforcement officer and carjacking. **SB2101**.

Cyberstalking; authorize injunction when criminal charges filed. SB2404.

DNA samples; destroy upon request for expungement. HB412.

DUIs:

- Increase maximum imprisonment for first and second DUI offenses. SB2124.
- Nonadjudication of a first offense for CDL holder who was not operating a commercial vehicle. SB2260.
- Suspension; clarify how the 120 days are counted. HB253.

David R. Huggins and Tom Weathersby; revise names of public buildings to include. **HB266**.

Dementia; require law enforcement training to recognize. SB2415.

Department of Public Safety:

- Authorize officer use of uniforms, weapons and vehicles off duty while performing security services. **SB2239**.
- Jurisdiction of; revise **SB2343**.
- Revise various provisions. SB2366, HB529.

Distribution of obscene materials; delete exemption for public school libraries. SB2141.

Domestic abuse court program; establish. HB170.

Driver's license; authorize issuance of hardship license to persons suspended for being out of compliance with order for support. SB2422.

Drug Intervention Courts; standardize references. HB534.

Election crimes; revise the penalties for certain. HB400.

Expunction

- Allow after 20 years of good behavior with certain exceptions. SB2264.
- Consolidate statutes concerning. SB2305.
- Reenfranchisement; revise procedure for requesting. SB2304.
- Waiting period for eligibility, reduce. SB2263.

Firearm suppressors; authorizing manufacture and possession in Mississippi and prohibit enforcement of federal laws governing. SB2885, **HB912**.

Firearms:

- Authorize law enforcement officers to purchase at fair market value upon retirement. SB2120.
- Clarify that possession of multiple firearms shall subject felon to multiple charges. SB2119.
- Interpose state law in place of any federal law confiscating firearms. SB2832, SB2881.
- Prohibit state cooperation with federal effort to ban. SB2834, SB2884.

Fleeing law enforcement; increase penalties for the crime of. HB402.

Forensics laboratory and Chickasawhay Natural Gas District; revise provisions of. **SB2297**.



Fresh Start Act of 2019; expand. **SB2438**.  
 Garbage trucks; exclude from the definition of "commercial motor vehicle" in the Commercial Driver's License Act. **SB2357**.  
 Grocery items; prohibit cost-plus pricing without public notice. **SB2303**.  
 Habitual offender:  
     Crimes punishable by imprisonment for 5 years or less not considered. **SB2248, SB2249, SB2254**.  
     Prior felonies with completed sentences more than 10 years prior not considered. **SB2250, SB2251**.  
 Hate crimes; revise delineation of victims. **SB2242**.  
 Hospital police department; authorize for certain private entities. **SB2347**.  
 House burglary; create separate violent and nonviolent offenses. **SB2262**.  
 Hunting on streets and railroads; clarify prohibition on. **SB2411**.  
 Intervention court; amend criteria for participation in. **SB2268**.  
 Justice Court appeals; revise number of days to circuit court. **HB870**.  
 Juvenile offenders; provide alternative sentencing and early-release options when convicted of certain crimes. **SB2098, SB2130**.  
 Kratom; authorize regulation of and prohibit certain products. **SB2244**.  
 Law Enforcement Officers and Fire Fighters Death Benefits Trust Fund; revise provision creating. **SB2416**.  
 Law enforcement officers killed in line of duty; clarify that beneficiaries may receive sidearm of. **HB281**.  
 Law enforcement pursuits; require municipalities and counties to develop policies regarding. **SB2408**.  
 Marijuana:  
     Authorize expunction of convictions where amount was under the legally allowed amount of medical cannabis. **SB2266, BS2267**.  
     Civil penalty for simple possession of 30 grams or less. **SB2414, SB2256**.  
     Legalize possession of certain amount. **SB2097, SB2771**.  
 Material harmful to minors; provide for liability for any entity that distributes on the internet without age verification. **SB2886, SB2346**.  
 Misdemeanants; may not possess a weapon under certain circumstances. **SB2265**.  
 Misdemeanor warrant management system; direct the establishment of. **SB2240**.  
 Mississippi Suppressor Freedom Act; enact. **SB2246**.  
 Mississippi Tianeptine and Kratom Consumer Protection Act; create. **HB838**.  
 Motor vehicle theft; revise penalty for. **SB2099, SB2238**.  
 Municipalities; authorize to assess administrative or civil penalties for zoning violations. **SB2308**.  
 Nonviolent habitual offender; revise sentencing. **SB2235**.  
 Organized retail theft; revise. **SB2349**.  
 Pornographic online and digital/resources for K-12 students; prohibit. **HB1315**.  
 Probation and parole officers:  
     Limit number of cases that may be handled. **SB2356**.  
     Require offenders to authorize warrantless searches related to weapon or firearm offenses. **SB2491**.  
 Public Funds Offender Registry; create. **SB2420**.  
 Public service animals; increase penalties for harming. **SB2123**.  
 Radar; authorize limited use of by sheriffs. **SB2300**.  
 Railroad right-of-way; unlawful to enter and remain upon without the permission of the owner or operator. **SB2528**.  
 Rape; revise elements for the crime of and remove spousal exception. **HB995**.  
 Receiving stolen property; revise the crime of. **SB2100**.  
 Reckless endangerment; create the crime of. **HB408**.  
 Regulate Experimental Adolescent Procedures (REAP) Act; create to regulate transgender procedures and surgeries. **HB1125**.  
 Responsible Firearm Purchasing Act; enact. **SB2407**.  
 Restoration of the Right to Vote Act; enact. **SB2126**.  
 Sale of seized weapons; authorize use of proceeds to purchase equipment. **SB2245**.

School enrollment; criminalize the enrollment without establishing domicile. SB2302.  
 Scrap metal dealers; bring forward provisions related to. SB2412.  
 Secretary of State employees; authorize certain employees to carry a firearm. HB1105.  
 Sentencing judge; authorize to set date to revisit sentencing of nonviolent offenders. HB483.  
 Sex offenders; prohibit employment as first responders without DPS approval. SB2241.  
 Shoplifting; require to calculate the total price of all shoplifting items for fine. SB23520, SB2409, **HB795**.  
 Sidearms; authorize next of kin of law enforcement officer killed in the line of duty to purchase. SB2233.  
 Simple assault; authorize judicial discretion when assessing fines. HB1139.  
 Simple possession of controlled substances; revise certain. SB2255.  
 State Board of Physical Therapy; authorize Board to issue subpoenas. SB2821.  
 State Public Defender; revise certain powers and duties of. HB840.  
 State identification for homeless persons; authorize. HB368.  
 Statute of limitations; except sexual battery from. SB2134.  
 Suffrage:  
     Restore: to  
         Vedo Kyles. SB2095.  
         Cornelius Clayton of Monroe County. HB1813.  
         Edward Carter. SB3053.  
         Gerald Laird of Jefferson Davis County. HB1811.  
         Jessica Compton. SB3055.  
         Larry Sills. SB3054.  
         Mary Green of Hinds County. HB1815.  
         Rahmond Williams of Hinds County. HB1812.  
 Suffrage; restore to any person disqualified by reason of criminal conviction upon completion of sentence. SB2135.  
 Sworn law enforcement officers; provide supplemental pay for certain. SB2410.  
 Terroristic threats; revise elements of. HB209, **SB2127**.  
 The Ashley Henley Investigative Authority Act; create. HB33.  
 The Crown Act; enact to prohibit discrimination based on hairstyles in workplace and schools. SB2417.  
 The Juvenile Offender Parole and Rehabilitation Act; enact. SB2116.  
 Therapists; create a felony for those who have sexual contact with patients. HB1371.  
 Tianeptine:  
     Include in Schedule I controlled substance list. **HB4**.  
     Schedule substance and criminalize intent to transfer. SB2345, SB2115.  
 Transportation; revise population threshold for radar use on public streets of municipalities to 1500. SB2001.  
 Trespass; criminalize offense on property other than a structure or conveyance. SB2128.  
 Used mattresses; prohibit resale with certain exemptions. SB2247.  
 Violations of local zoning ordinances; authorize governing authorities to pursue administrative or civil penalties for. **HB894**.  
 Violent habitual offender; require both previous crimes to have been crimes of violence. SB2252, SB2253.  
 Vote fraud; increase penalties. SB2273.  
 Warrantless search; odor of marijuana insufficient to provide probable cause for. SB2296.  
 Wiretapping; authorize state and local law enforcement to use for human trafficking. HB374.  
 Wiretaps; authorize for felony crimes unrelated to narcotic offenses. SB2493.  
 Youth court; revise transfer to circuit court. SB2269.  
 Youthful offenses; revise when may be tried in circuit court. SB2259.

## LABOR

Ban-the-Box Act; enact. SB2287, SB2342.  
 Fresh Start Act of 2019; expand. SB2438.  
 Labor;  
     Mississippi Minimum Wage Act. SB2439.  
     Protect temporary or day laborer employment rights. SB2441.  
 Law enforcement officers;  
     Regulate payment for nonexempt employees under the Fair Labor Standards Act (FLSA). SB2289.  
     Entitled to certain follow-up drug testing before loss of certification. SB2290.  
 Mississippi Department of Labor; create. SB2674.  
 Mississippi Minimum Wage Act; establish. SB2284, SB2288.  
 Mississippi Paid Family Leave Act; enact. SB2286.  
 Mississippi Pregnant Workers Fairness Act; create. SB2114.  
 Socially and economically disadvantaged small business; establish program to encourage participation in state contracts by. SB2355.  
 State Workplace Safety and Health Office; establish under State Board of Health. SB2291.  
 Temporary day workers; protect labor and employment rights of. SB2285.  
 The Mississippi Family Paid Leave Act; create. SB2292, SB2440.

### MEDICAID

Division of Medicaid; apply for necessary waivers to eliminate waiting period services. SB2630.  
 Medicaid coverage; coverage for eligible women up to 12 months postpartum. SB2629.  
 Medicaid eligibility; provide coverage of the Program of All-Inclusive Care for the Elderly. SB2628.  
 Medicaid program; revise reimbursement for telehealth services for community health centers. SB2209.  
 Medicaid reimbursements; revise certain provisions relating to a psychiatric residential treatment facility in DeSoto County. SB2210.  
 Medicaid services; bring forward section for purpose of possible amendment. SB2397.  
 Medicaid; authorize liquidated damages in requests for proposals, bring forward provision related to. SB2381.  
 Medicaid; bring forward provider assessment provisions. SB2211.  
 Medicaid; expand eligibility to include individuals entitled to benefits under federal Patient Protection and Affordable Care Act. SB2070, SB2207, SB2394, SB2631.  
 Medicaid; provide increased reimbursement rate for hospitals in counties with high unemployment and doctor shortage. SB2626.  
 Nonemergency transportation providers; extend date by which providers may provide service without a permit. **SB2613**.  
 Recipients of Medicaid; extend postpartum coverage up to 12 months. **SB2212**, SB207, SB2627.  
 Special Care Facility for Paroled Inmates; bring forward provisions for possible amendment. SB2656.  
 State funded health plans and Medicaid; prohibit payment of gender reassignment surgery or services. SB2864.  
 TANF Benefits; require applicants to participate in mandatory community service programs to qualify. SB2776.  
 Women's Economic Security Act of 2023; enact and expand eligibility under federal Patient Protection and Affordable Care Act. SB2208.

**MUNICIPALITIES**

"Mississippi Joint Municipal Law Enforcement Act"; create. HB133.  
 "Property Clean up Revolving Fund"; establish. HB556.  
 Aldermen and councilmen; increase the maximum amount of surety bond that may be given by. HB693.  
 Building codes; prohibit from limiting use of federally approved refrigerant. SB2045.  
 Contractors; allow to do business in any municipality or county without local license under certain conditions. SB2388.  
 Counties and Municipalities; remove mandate to require construction permits and restore local discretion. SB2725.  
 Counties and municipalities; modernize and simplify notice publication process for. SB2515.  
 Counties and municipalities; prohibiting use of automated recording equipment to track motor vehicle liability insurance. SB2516.  
 Counties and municipalities; remove mandate to require permits as a condition to construction. SB2605.  
 Counties and municipalities; restore discretion whether to require permitting for construction. SB2726.  
 Counties; require to participate in the ACT Work Ready Community Initiative. SB2311.  
 Flood and drainage control districts; revise number of directors for certain municipalities. **SB2306.**  
 Local Government Debt Collection Setoff Act; clarify term of "claimant local government" under. HB857.  
 Local government; prohibit ordinances authorizing camping on public property and sidewalks. SB2145.  
 Local governmental entities; prohibit from requiring a license for certain businesses operated by a minor. SB2144.  
 Municipal annexation; require additional services to annexed area to be completed within three years of annexation decree. HB1375.  
 Municipal program to address delinquent water accounts; extend repealer. SB2871.  
 Municipalities; authorize waiver of liens, under certain circumstances, for costs associated with cleaning menaced property. HB537.  
 Municipally owned utilities; authorize to accept electronic payments and to absorb transaction fees in its rate base. SB2143.  
 Pearl River Valley Water Supply District; add two board members from the City of Jackson. SB2831.  
 Public Improvement District Act; amend to allow municipality to perform duties and exercise powers in certain circumstances. **SB2839.**  
 Residential builders and remodelers; revise license examination for certain license applicants. **SB2612 (Vetoed).**  
 Sales tax revenue generated in municipal historical hamlets; direct counties to allocate for benefit of such hamlets. SB2852.  
 Use tax; revise standards for municipality's eligibility to receive monies from special fund for infrastructure assistance. SB2857.

**PUBLIC HEALTH AND WELFARE**

Adolescent residential treatment facilities; require to be certified by the Department of Mental Health. SB2332.  
 Advanced practice registered nurses; revise certain provisions relating to, including collaboration requirement. SB2796.  
 African American Resident Physician Scholarship Program; establish. SB2758.  
 Anatomical gifts and organ transplant; prohibit person from being denied based on their COVID vaccination status. SB2768.  
 Automated External Defibrillators in Public Places Grant Program; establish. **SB2750.**  
 Birth Certificates; require certain information be included. SB2064.

Board of Cosmetology; allow special permits for shampooists. SB2066.

Board of Cosmetology; increase fines for certain actions and revise licensing requirements and appeals process. SB2582.

Board of Funeral Services; revise certain duties, powers and licensing requirements. SB2822.

Certificate of need; authorize nursing facility in any underserved minority zip code area. SB2330.

Certificate of need; direct issuance for an existing ambulatory surgical center. SB2756.

Certificate of need; remove certain facilities from list that require such certificate from the Department of Health. SB2744.

Chiropractic Neurologists; allow advertising as in Lee County, Mississippi. SB2747.

Community Mental Health and Intellectual Disability Centers and Programs; bring forward code sections. SB2576.

Community hospital board of trustees; revise procedure for removing a trustee. SB2166.

Community hospitals; allow consolidation and collaboration involving other hospitals. **SB2323.**

Death certificates; require medical examiners report COVID 19 as cause of death when applicable. SB2782.

Department of Human Services; extend repealers and revise certain applicable sections. **SB2369.**

Department of Human Services; require to transfer at least 30% of TANF block grant to Child Care and Development Fund. SB2794.

Department of Human Services; create governing board. SB2815.

EMS Memorial; Health Dept. shall design and construct to honor EMS personnel who died in line of duty. HB793.

Early Intervention Act for Infants and Toddlers; add certain individuals to definition of qualified personnel. **SB2485.**

Early Intervention Task Force; establish. **SB2167.**

Freedom of consumer choice of health care services; certain hospitals may be a "willing provider". SB2316.

Health and safety standards set by the State Board of Health; require counties to comply. SB2574.

Health Care Certificate of Need Law; repeal. SB2583.

Health Care CON review; party requesting or appealing a hearing on application is responsible for costs and attorney fees. SB2584.

Health care program; create for special needs patients. SB2579.

Lee County; allow Doctor of Chiropractic with neurology chiropractic degree to advertise as chiropractic neurologist. SB2888.

Local Provider Innovation Grant Program; revise certain provisions of. **HB518.**

Marriage and family therapists; revise certain requirements for licensure. **HB854,** SB2169.

Medical Cannabis Act; revise certain provisions of. **HB1158.**

Medical radiation technologists; delete repealers on registration statutes. **HB259,** SB2572.

Medication Aide Certification program; allow such aide to participate in medication administration when certified. SB2800.

Midwifery; provide for licensure and regulation of. SB2793.

Mississippi Burn Center; revise provisions related thereto. SB2817.

Mississippi Collaborative Response to Mental Health Act; create. **HB1222.**

Mississippi Hospital Recovery Trust Program; create to provide grants to public hospitals at high financial risk. SB2745.

Mississippi Individual On-site Wastewater Disposal System Law; extend repealer on. **HB522.**

Mississippi Individual On Site Wastewater Disposal System Law; extend repealer on. SB2573.

Mississippi Medical Cannabis Act; extend repealers to certain state laws for Departments of Health and Revenue in connection with. **HB249.**

Mississippi Rural Dentists Scholarship Program; increase number of students who may be admitted into annually. HB557.

Mississippi Rural Physicians Scholarship Residency Program; include emergency medicine students. SB2315.

Mississippi Savings Initiative; create. SB2651.

Mississippi State Asylum Records; provide procedures and exempt from confidentiality and privilege requirements. **SB2797**.

Mississippi Surrogacy and In Vitro Child and Parent Act; enact. SB2322.

Mississippi Tele emergency Services Grant Program; create. SB2739.

Mississippi Vulnerable Persons Abuse Registry; require Department of Human Services to establish. HB1392.

Mississippi Water Quality Accountability Act; create. SB2340, SB2437.

No Patient Left Alone Act; enact. SB2059, SB2062, SB2802.

Nuclear medicine; establish definition and terminology. SB2321.

Nurse practitioners; authorize to dispense legend drugs to patients. SB2791.

Occupational Therapy Licensure Compact; create. HB478.

Occupational licensing; revise certain provisions relating to members of the military to include veterans. HB1039.

Personal care homes; require licensure and regulations of those providing living arrangements for one or more persons. SB2598.

Pharmacy Benefit Manager; revise certain requirements of. SB2484.

Pharmacy benefit managers; require to make available to the public, without redaction, contracts relating to pharmacy benefit management services. HB1299.

Physical therapy practice laws; revise various provisions of. SB2147.

Physicians; no licensing agency can discriminate or take a hostile action against for views on COVID vaccine. SB2320.

Podiatric medicine and podiatrists; revise definition of. SB2060.

Practice of Podiatric Medicine; provide certain requirements to perform specific surgeries. SB2363.

Practice of medicine; revise definition, licensure procedures and disciplinary procedures under the Medical Practice Act. SB2816.

Pseudoephedrine; delete the automatic repealer on the provision that authorizes the distribution of. **SB2282**.

Psychology Interjurisdictional Compact; enact. SB2068, SB2069.

Qualified Health Center Grant Program; clarify that amount specified for grants under is minimum amount to be issued. **HB584**.

Regional commission of community mental health board; revise membership of. SB2600.

Revocation of physicians license by Board of Medical Licensure; provide certain grounds for reinstatement. SB2326.

Rural hospital transfer to major hospital; prescribe certain conditions on such transfer when doctor deems medically necessary. SB2759.

School districts; authorize to provide feminine hygiene products for female students in Grades 6-12. **HB1264**.

Screening & approval program for over-the-counter availability & retail sale of products; establish through Department of Health. SB2819.

Specialty Doctors to Rural Hospitals Grant Program; establish and provide eligibility. SB2489.

State Department of Health; provide that health insurers may not deny the right to participate as a contract provider. **SB2575**.

Supplemental Nutrition Assistance Program; require Department of Human Services to issue photo EBT cards. SB2063.

Supplementary state food stamp program for elderly recipients; create and fund. SB2591.

TANF or Food Stamps; revise to no longer require child support cooperation policy for participation. SB2331.

Temporary Assistance for Needy Families; revise provisions of and lower eligibility for certain scholarship programs. SB2795.

Uniform Controlled Substances Act; revise schedules. SB2283.  
 Used mattresses; prohibit resale with certain exemptions. SB2247.  
 Volunteer Health Care Services Act; create. SB2799.  
 Wastewater and sewage; authorize MDEQ to fine any municipality or county for improper disposal of. HB1094.  
 Water Quality Accountability Act; create. HB1068.

Nominations:

Adams, Tommy Ray (T.J.), Jr., Fulton, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective July 1, 2022 and ending June 30, 2026. **SN32**.

Bell, Martha Hobdy (Marty), Madison, Mississippi, Mississippi State Board of Massage Therapy as a Licensed Massage Therapist, remainder of a four-year term effective upon confirmation by the Senate and ending June 30, 2025. **SN26**.

Berry, Susan Neely, D.C., Flora, Mississippi, Mississippi State Board of Chiropractic Examiners, remainder of a five year term effective June 28, 2022 and ending April 20, 2026, representing the state at large, vice Arthur Jack Hall. **SN10**.

Blackard, William Chadwick, Madison, Mississippi, State BD of Nursing Home Administrators as Nursing Home Administrator, remainder of four year term effective upon confirmation by the Senate and ending June 5, 2025, representing the 1st Supreme Court District. **SN35**.

Blackmer, Dr. Lori Lynn, Picayune, Mississippi, MS State Board of Optometry to represent the Fifth Congressional District as it existed in 1980, five year term beginning July 6, 2022 and ending June 30, 2027. **SN40**.

Burnett, Wilmetta Valerie S., LSW, Brandon, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, unexpired four year term effective August 25, 2022 and ending June 30, 2024, vice Erin P. Pittman. **SN50**.

Clanton, Jane Marie (Janie), RN, Meadville, Mississippi, Mississippi Board of Nursing as a Registered Nurse in Clinical Practice, four year term effective July 1, 2022 and ending June 30, 2026. **SN72**.

Culpepper, Sandra Susan, Poplarville, Mississippi, Mississippi Board of Nursing as an LPN, four year term effective July 1, 2022 and ending June 30, 2026. **SN33**.

Curtis, David Kennon (DK), Sr., DMD, Columbus, Mississippi, Mississippi State Board of Dental Examiners to represent Dental District One, six year term beginning February 22, 2023 and ending June 30, 2028. **SN80**.

Daniel, Dock Austin, Madison, Mississippi, Mississippi Board of Physical Therapy, four year term beginning July 14, 2022 and ending June 30, 2026, representing a Consumer At-Large, vice Melanie Woodrick. **SN47**.

Dotson, Renia, MD, Greenville, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, vice Charles Miles, MD. **SN85, SN28**.

Farmer, Clelly Ray, Poplarville, Mississippi, State Board of Barber Examiners, remainder of a four year term effective June 28, 2022 and ending June 30, 2024, representing the 4th Congressional District. **SN7**.

Herzog, Dr. James David (Jim), Oxford, Mississippi, Board of Mental Health, seven year term effective July 1, 2022 and ending June 30, 2029, representing Ph.D. Clinical Psychologist. **SN31**.

Hinton, William Jeffrey, Ph.D., Petal, Mississippi, BD of Examiners for Social Workers & Marriage & Family Therapists as a Licensed Marriage & Family Therapist, unexpired four year term effective Oct. 7, 2022 and ending June 30, 2024. **SN88**.

Hudson, Phylandria L., LCSW, Jackson, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists as a Licensed Social Worker, four year term beginning July 1, 2022 and ending June 30, 2026, vice Candace J. Riddley. **SN51**.

- Jackson, Paulette, Jackson, Mississippi, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, term effective August 25, 2022 and the appointee shall serve at the will and pleasure of the Governor. **SN3.**
- Lampkin, Alexa Le'Kia, DMD, Ridgeland, Mississippi, MS State Board of Dental Examiners to represent the dentist member of the Board from the state at-large, remainder of six year term beginning July 1, 2022 and ending June 30, 2026, vice Roy L. Irons, DDS. **SN19.**
- Loper, William Eugene (Gene), MD, Ridgeland, Mississippi, Mississippi State Board of Medical Licensure to represent the First Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028, vice Daniel Edney, MD. **SN29.**
- McClendon, William David, MD, Ocean Springs, Mississippi, Mississippi State Board of Medical Licensure to represent the Second Supreme Court District, six year term beginning July 1, 2022 and ending June 30, 2028. **SN30.**
- Nelson, Patricia Robinson, Yazoo City, Mississippi, Mississippi Leadership Council on Aging as a representative from community volunteer councils on aging, term effective August 25, 2022 and appointee shall serve at the will and pleasure of the Governor. **SN4.**
- Parrish, Dr. Hilary Melby, Vicksburg, Mississippi, State Board of Optometry, remainder of five year term effective October 4, 2022 and ending June 30, 2024, representing the 4th Congressional Dist. As it existed Jan. 1, 1980, vice Dr. Rebecca Cox Patton. **SN41.**
- Ragan, Dr. Kimberly Johnson, Madison, Mississippi, MS State Board of Optometry to represent the Third Congressional District as it existed in 1980, remainder of five year term effective upon confirmation by the Senate and ending June 19, 2026. **SN42.**
- Sallis, Dr. Kimberly Elam, Oxford, Mississippi, MS State Board of Examiners for Licensed Professional Counselors, five year term effective July 1, 2021 and ending June 30, 2026, representing the First Congressional District. **SN16.**
- Sartin, Alvin Craig (Craig), Long Beach, Mississippi, Board of Pharmacy, five year term beginning July 1, 2022 and ending June 30, 2027, representing the Fifth Congressional District (Post 5), vice Larry Calvert. **SN46.**
- Skelton, Robin C. (Rob), Rienzi, Mississippi, MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, unexpired four year term effective May 23, 2022 and ending June 25, 2022, vice Stanley C. Maynard. **SN36.**
- Skelton, Robin C. (Rob), Rienzi, Mississippi, MS State Board of Nursing Home Administrators as a representative of the Third Supreme Court District, four year term effective June 26, 2022 and ending June 25, 2026. **SN37.**
- Strebeck, Dr. Richard Almon, Long Beach, Mississippi, MS State Board of Examiners for Licensed Professional Counselors, five year term effective July 1, 2022 and ending June 30, 2027, representing the At-Large position. **SN17.**
- Tarrant, Gerard D., Biloxi, Mississippi, BD of Examiners for Social Workers and Marriage and Family Therapists, second full four year term effective July 28, 2022 and ending June 30, 2026, representing the Licensed Marriage and Family Therapist. **SN52.**
- Walker, Carley Tigrett, Madison, Mississippi, Mississippi Board of Nursing as a Licensed Practical Nurse, four year term effective November 28, 2022 and ending June 30, 2026, vice Shirley Jackson. **SN34.**
- Walker, Micah Ray, M.D., Madison, Mississippi, MS State Board of Nursing Home Administrators as the licensed and practicing medical doctor or physician, four year term effective July 1, 2022 and ending June 30, 2026. **SN38.**
- White, Tracy Hunt, Hazlehurst, Mississippi, Mississippi State Board of Massage Therapy as the Licensed Health Professional in a field other than Massage Therapy, four year term effective July 1, 2022 and ending June 30, 2026, vice Kathryn Renee Walker. **SN27.**



Windham, Dr. Melissa Hawkins, Meridian, Mississippi, MS State Board of Examiners for Licensed Professional Counselors, five year term beginning July 1, 2022 and ending June 30, 2027, representing the Third Congressional District, vice Steven Stafford. **SN18.**

# **PORTS AND MARINE RESOURCES**

"Secretary of State Eric Clark Coastal Preserve" and "Gollott Island/Godfather Point"; Department of Marine Resources designate. **SB2530.**

Bottom land leasing for oyster production; clarify authority of the Mississippi Department of Marine Resources. **SB2563.**

Commercial crabbing licenses; applicable to boat instead of each fisherman. **SB2550.**

Department of Marine Resources; update authority regarding regulation of oyster beds and water bottoms. **SB2544.**

Department of Marine Resources, Office of Marine Patrol; cooperate with federal law enforcement. **SB2551.**

Duties of Mississippi Department of Marine Resources; utilize resources of all state institutions of higher learning. **SB2159.**

Management authority of Mississippi Dept. of Marine Resources; conform definition of "Marina". **SB2549.**

Mississippi Comprehensive Coastal Conservation and Restoration Act of 2023; enact. **SB2564.**

Tidelands; exempt municipal small water craft harbors from obtaining a tidelands lease from the Secretary of State. **SB2869.**

## Nominations:

Jonathan Scott McLendon, Biloxi, Mississippi, Mississippi Advisory Commission on Marine Resources as the Commercial Seafood Processor representative, four year term effective May 10, 2022 and ending June 30, 2024. **SN25.**

Ronald N. (Ronnie) Daniels, Jr., Pass Christian, Mississippi, Mississippi Advisory Commission on Marine Resources, four year term effective July 1, 2022 and ending June 30, 2026, representing the Charter Boat Operator. **SN24.**

# **PUBLIC PROPERTY**

"North Forty" property; authorize DFA to purchase. **SB2722.**

Alcorn University Extension Annex; rename the "Dr. Jesse Harness, Sr., Extension and Research Center". **HB1286.**

Alteration or renaming of historical monuments, memorials, and streets; prohibit and provide sanctions. **SB2142.**

Columbia Training School Property:

- Amend DFA conveyance authority to require consideration that best promotes public interest. **SB2313.**
- Clarify purposes for which the Marion County Economic Development District may be reimbursed. **HB876.**

Former First Christian Church property within the Capitol Complex; authorize DFA to purchase. **HB423, SB2723.**

Hazardous trees on tax forfeited land; authorize counties/municipalities to remove and Secretary of State to reimburse for the removal of. **HB1072.**

Historical monuments and memorials; delete authority to move. **SB2186.**

MDAH property; authorize DFA to clarify donation if certain lands in Claiborne County to U.S. Park Service. **HB874, SB2309.**

Mississippi Worker's Comp commission office building; place under the supervision and care of DFA. **HB917**.  
 Public land in Rankin County; authorize DFA to assign property to state agencies and establish new Veterans Nursing Home. HB422, **SB2203**.  
 Sam G. Polles State Office Building; designate the MS Dept. of Wildlife Central Office Building as. HB366.  
 Tax-forfeited land certified to state; authorize Secretary of State to withhold 10% for the cost of tree removal. SB2720.

### RULES

Alyce G. Clarke; commend distinguished legislative career and public service upon the special occasion of her retirement. **HC63**.  
 American Red Cross Month in Mississippi, designate March 2023 as. "**SC561**.  
 Angela Turner-Ford as Chair of the Mississippi Legislative Black Caucus (MLBC), recognize. **SC570, HC52**.  
 Anna Jackson Washington-Lee of Mound Bayou, mourn the passing of veteran educator. **SR83**.  
 Anthony Hamorsky, commend as Extraordinary Educator for 2023 Curriculum Associates. **SR92**.  
 Antoinette Gant, commend for her promotion to Brigadier General in the United States Army. **SR8**.  
 Baldwyn Career Advancement Center; commend 2023 SkillsUSA Quiz Bowl Team upon winning first place in state competition. **HC49**.  
 Baptist Memorial Hospital-Golden Triangle; commend upon receiving "A" rating for 10 consecutive years. **HC51**.  
 Barrett Strong of West Point, extending condolences of Legislature to surviving family of Motown recording artist/songwriter. **SC558**.  
 Bay Springs High School "Bulldogs" Football Team, congratulate for winning back-to-back MHSAA Class 1A State Championships. **SC521, HC15**.  
 Belmont "Lady Cardinals" Junior High Basketball Team, commend for winning MS Middle School Basketball Invitational Championship. **SR111**.  
 Belmont High School "Lady Cardinals" Girls Volleyball Team, commend for winning back-to-back State Championships. **SR82**.  
 Betsy Bradley, recognize as the recipient of the 2023 Governor's Arts Award for Leadership. **SR22**.  
 Beulah Baptist Church in Myrtle, Mississippi, commemorate the 175th Anniversary of. **SR77**.  
 Billy Hudson, mourn the loss and commend the public service of Forrest Co. Tax Collector, former Supervisor and State Senator. **SC511**.  
 Billy Nicholson of Union, Mississippi, mourn the passing of former Representative and commend his public and charitable service. **SC524**.  
 Bobby Morgan, Vice President of Public Affairs at Atmos Energy, recognize as Ole Miss Alumni Assn 2023 "40 Under 40" Award. **SR44**.  
 Booneville "Blue Devils" Middle School Boys Basketball Team, commend for winning MS Middle School Basketball Championship. **SR110**.  
 Booneville High School "Blue Devils" Boys Basketball Team, commend for winning back-to-back MHSAA 3A State Championships. **SR74**.  
 Booneville High School "Lady Blue Devils" Girls Basketball Team, commend for winning back-to-back MHSAA 3A State Championships. **SR73**.  
 Booneville Lions Club; commend upon the 75th anniversary of its founding. **HC37**.  
 Brain Injury Awareness Month in Mississippi, designate March 2023 as to promote treatment and prevention. **SC564**.  
 Brigadier General Sam Forbert, Jr., mourn the loss of WWII and Korean War pilot. **SC552**.  
 Brookhaven Academy "Lady Cougars" Girls Basketball Team and Coach Ron Kessler, commend for winning MAIS 5A Championship. **SR59**.

Brookhaven Academy "Lady Cougars" Softball Team, commend for back-to-back MAIS 5A State Championships. **SC546**.

Brookhaven High School Caleb Harris, Ramerize Edwards and Javonta Stewart, commend for powerlifting records. **SR27**.

Brookhaven High School "Ole Brook" Girls Tennis Team, commend for winning 2022 5A State Doubles Title. **SR34**.

Brookhaven High School Track and Field Teams, commend for winning both boys and girls Class 5A State Titles. **SR26**.

Caledonia High School Volleyball Team; commend upon winning MHSAA Class 4A State Volleyball Championship. **HC54**.

Carlton D. "Corky" Palmer; honor the life and legacy of upon his passing. **HC5**.

Chancellor Lawrence "Larry" Primeaux, 12th Chancery Court District, recognize on his retirement. **SR52**.

Chapel Hart; commend for being named on the Next Women in Country List in 2021. **SR2**.

Chief Gary Ponthieux, Jr.; commend for many years of public service in law enforcement and congratulate upon retirement. **HC55**.

Christone "Kingfish" Ingram, Clarksdale Guitar Star, congratulate for winning the 2022 Grammy Award for Contemporary Blues. **SC536**.

Co-Lin legendary Basketball Coach Gwyn Young, commend on career win No. 1,000. **SR29**.

Coahoma County High School "Red Panthers" Boys Basketball Team, commend for winning Class 2A State Championship. **SR75**.

Colorectal Cancer Awareness Month in Mississippi, designate March 2023 as. **SC535**.

Columbus Christian Academy "Rams" Girls Basketball Team, commend for winning MAIS Class 2A State Championship. **SR101**.

Confederate Memorial Day; remove from list of legal holidays. SB2677.

Constitution; place term limits on legislators. SC522.

Cooper Conner State Games "Youth Athlete of the Year", congratulate. **SR102**.

Corion Evans, commend 16-year-old for extreme bravery in rescuing four people from drowning in car accident. **SR32**.

David R. Huggins, mourn the loss and commend the life and public service of. **SC501**.

Debra Hendricks Gibbs; commend distinguished legislative career and congratulate on election as circuit. **HC38**.

Delta Gamma Fraternity Day in Mississippi in Commemoration of Sesquicentennial celebration, designate. **SC544**.

Derrick Simmons, congratulate for being recognized as "Legislator of the Year" by the NBCSL. **SR79**.

Dick Hall, mourn the loss and commend the life and public service of former MDOT Commissioner and Legislator. **SC502**.

Dr. Ann Fisher-Wirth, recognize as the recipient of the 2023 Governor's Arts Award for Excellence in Literature & Poetry. **SR21**.

Dr. Chester D. Gaston, Jr., of Gulfport, mourn the passing of respected member of the MS Board of Psychology. **SC543**.

Dr. Daphne Hill; commend accomplishments of. **HC57**.

Dr. Freda M. Bush, mourn the passing of legendary physician. **SC539**.

Dr. Janie Brown of Laurel Middle School, commend for "Extraordinary Educator" Award. **SR90**.

Dr. Katherine T. "Katie" Patterson, mourn the loss and honor the life of. **SR23**.

Dr. Kent Hoblet; commend for many years of dedicated service as Dean of Mississippi State University's College of Veterinary Medicine. **HC58**.

Dr. Kiana Pendelton as Extraordinary Educator for 2023 Curriculum Associates, commend. **SR91**.

Dr. Roy J. Duhe for colon cancer initiatives at UMMC, commend. **SC542**.

Dr. Tommy King, recognize on the occasion of his retirement. **SC526**.

East Central High School "Hornets" Baseball Team, commend for winning the 2022 MHSAA Class 5A State Championship. **SR47**.

Ed McGowin, recognize as the recipient of the 2023 Governor's Arts Award for Lifetime Achievement. **SR20**.

Edward Blackmon, Jr.; commend distinguished legislative career and public service of upon the occasion of his retirement. **HC56**.

Elections; exclude candidates who will be 75 or older at the time of election. **SR11**.

Emmett Till murder; issue apology for state's role in killers' acquittals. **SC527**.

Entergy Mississippi, recognize on the occasion of its 100th Anniversary. **SC568**.

Gautier High School "Gators" Boys Golf 2022 Team, commend for winning first MHSAA 5A State Championship. **SR48**.

Germantown High School "Lady Mavericks" Girls Basketball Team, commend for their first Class 6A State Championship. **SR62**.

Good Friday Agreement in Northern Ireland, commemorate the 25th Anniversary of. **SR81**.

Harrison Co. et al. v. U.S. Army Corps of Engineers, expressing the support of the Legislature for the plaintiffs in. **SC550**.

Honor Your Hometown Weekend in Mississippi, designate last weekend in October 2023 as. **SC566**.

Ingomar Attendance Center "Lady Falcons" Girls Basketball Team, commend for winning Class 1A State Championship. **SR88**.

Ineva May-Pittman of Jackson, Mississippi, mourn the loss of. **SC537**.

Israel; commend 75th Anniversary of independence of. **SC571, HC53**.

Jackson Prep "Patriots" Baseball Team, congratulate for winning MAIS Class 6A Title. **SR1**.

Jackson Prep "Patriots" Boys Basketball Team, commend for back-to-back MAIS State Championships. **SR70**.

Jackson Prep "Patriots" Football Team, congratulate for winning MAIS Class 6A Title. **SR7**.

Jackson Taylor, commend for first MHSAA Powerlifting Title in West Lincoln High School history. **SR28**.

Jacqueline "J.D." Ervin of McComb, recognize as "Miss Rodeo Mississippi 2023". **SR13**.

Jane Miller Philo, Executive Director of the Gulf Coast Center for Nonviolence, extend sympathy on the passing of. **SR80**.

Jane Moss of Greenwood, recognize as new Chairwoman of the Board for Mississippi Manufacturers Association. **SR37**.

Jerry Lee Lewis, mourn the loss and celebrate the contributions and career of Mississippi music icon and Rock and Roll legend. **SC512**.

Jim Carmody, mourn the loss of legendary Defensive Football Coach and remembering his legacy. **SC547**.

Joint Rules:

- Amend to allow co-sponsorship of bills, joint resolutions and concurrent resolutions originating in other house. **SC508**.
- Amend to remove requirement that six copies of each Conference Report shall be prepared. **SC573**.

Josephine Pradia Rhymes; commend for her outstanding community service and contributions. **HC40**.

JSU Department of Political Science, recognize the 50th Anniversary of the establishment of. **SR104**.

JSU "Lady Tigers" Women's 2022 Basketball Team and Coach Tomekia Reed, commend for third straight SWAC Championship. **SR54**.

JSU "Lady Tigers" 2022 Women's Tennis Team and Head Coach Gabrielle Moore, commend for SWAC Championship. **SR55**.

JSU "Tigers" Men's Cross-Country, commend 2021 and 2022 teams for winning consecutive SWAC Championships. **SR53**.

JSU "Tigers" Football Team, commend for second consecutive SWAC Championship. **SC507**.

JSU "Tigers" 2022 Soccer Team, commend for SWAC Championship and Coach Flogaites as "SWAC Coach of the Year". **SR56**.

Juneteenth Freedom Day; designate June 19 as. SB2182.

Kaylee Harrison. Ongratulate for being selected as State Games "Youth Athlete of the Year." **SR72**.

Ke Francis, recognize as the recipient of the 2023 Governor's Arts Award for Excellence in Visual Arts. **SR19**.

Kennadee Riggs, recognize as "Miss Rodeo America 2023." **SR12**.

Kent Hoblet, recognize outstanding leadership of longtime MSU College of Veterinary Medicine Dean on his retirement. **SR98**.

King Edward Antoine, recognize as the recipient of the 2023 Governor's Arts Award for Excellence in Music. **SR18**.

Lady Hornets Girls Basketball Team, commend for back-to-back Class 2A State Championships. **SR84**.

Lamar School "Raiders" Girls Volleyball Team, commend for first MAIS 5A State Championship. **SR42**.

L.C. Jackson of Brookhaven, Mississippi, honor the legacy of decorated WWII Army Corporal on his 100th Birthday. **SC551**.

Legal holidays:

Designate June 19 as Juneteenth Freedom Day. SB2447.

Remove Confederate Memorial Day and designate June 19 as Juneteenth Freedom Day. SB2676.

LeeRoy Carpenter State Games "Male Athlete of the Year", congratulate. **SR69**.

Legislature:

Extend 2023 Regular Session, suspend deadlines for certain bills, and set date of sine die adjournment. HC60, **HC61**.

Suspend deadlines for SCR No. 533, 2023 Regular Session. SC572.

Lincoln County Robotics Teams, commend for winning 2022 Mississippi State Robotics Championship. **SR33**.

Louisville High School "Lady Wildcats" Girls Basketball Team, commend for winning 4A State Championship. **SR71**.

Louisville High School "Wildcats" Football Team, congratulate for winning the MHSAA 4A State Championship. **SC525**.

Loyd Star High School "Hornets" 2022 Golf Team, commend for winning back-to-back MHSAA Class 1 State Championships. **SR31**.

Lt. Colonel Thomas Tuggle on his retirement from MHP, recognize. **SR24**.

Major Genl. Al Hopkins, mourn the passing of Chairman of the MS Gaming Commission and respected Gulfport Attorney. **SC553**.

Mantee, Town of, express support to unofficially designate itself as "The Epicenter of the Natchez Trace." **SC540**.

Marshall Academy "Patriots" Boys Baseball Team and Coach Bruce Branch, commend for winning 4A Championship dedicated to his daughter Janie. **SR94**.

Marshall Academy "Lady Patriots" Fast-Pitch Softball Team, commend for winning the 2022 MAIS 4A State Championship. **SR95**.

Mayflower Café, recognize as downtown Jackson tradition and commend for many years of service to Jackson community. **SR86**.

McEvans School "Warriors" Boys Basketball Team, commend for winning MHSAA Class 1A State Championship. **SR78**.

Mike Mullins, D'Iberville Public Works Director, recognize on the occasion of his retirement and commend his public service. **SR65**.

Millsaps College President Dr. Robert W. Pearigen, recognize for his contributions to higher education in Mississippi. **SR30**.

Mississippi Clean Hydrogen Hub; urge the federal government to designate Mississippi as. **HC48**.

Mississippi Film Office on its 50th Anniversary, recognize the contributions of. **SR14**, SR15.

Mississippi National Guard and Republic of Uzbekistan for 10th anniversary of partnership, recognize. **SR25**.

Mississippi professional football players, congratulate 10 who played in the 2023 NFL Super Bowl. **SR45**.

Montgomery County Farm Bureau, celebrating the 100th Anniversary of. **SR103.**

Mr. Rural America "Dee Dotson" of Greensboro, MS, congratulate on the memorable occasion of his 100th birthday. **SR39.**

MRA star basketball point guard Josh Hubbard, congratulate for breaking the all-time scoring record in Mississippi. **SR85.**

MS Rural Water Association Emergency Response Cooperative, commend and thank for assistance during the Jackson Water Crisis. **SR10.**

MSU Football Coach Mike Leach, extending deepest sympathy of Legislature to surviving family of and paying tribute to his legacy. **SC519.**

MUW Basketball Player Conley Langford as 2022-2023 "Student Athlete of the Year" by the USCAA, commend. **SR87.**

Myrtis Franke, commend for a lifetime of service. **SC516.**

National Crime Victims' Week in Mississippi, designate April 23-29, 2023, as and April 28, 2023, as a "Day of Prayer". **SC545.**

National defense operations and installations in Mississippi and the mission of the Defense Communities Development Council, recognize. **SR46.**

National Doctors Day in Mississippi, acknowledge March 30, 2023, as. **SR97.**

National School Social Work Week in Mississippi, designate March 5-11, 2023, as. **SC563.**

National Statuary Hall Selection Commission; create for recommending two new Mississippi statues at U.S. Capitol. SB2005, SB2679.

National Therapy Animal Day; celebrate in Mississippi on April 30, 2023. **HC2.**

Neshoba County School District Superintendent Dr. Lundy Brantley, congratulate as 2022-2023 "Superintendent of the Year." **SC557.**

Newton County High School "Cougars" Cheer Team, commend for winning Class 4A State Championship. **SC513.**

Nicholas Anderson of Vicksburg, congratulate for his outstanding football awards at the secondary, junior college and university level. **SR41.**

Noal Akins, mourn the loss and commend the life and public service of former Representative. **SC504, HC10.**

Northwest Mississippi Community College; commend upon winning Region 23 Championship. **HC43.**

Northwest Mississippi Community College "Rangers" Softball Team, commend for first Region 23 Title. **SR61, HC41.**

Northwest Rankin High School "Cougars" Boys Basketball Team, commend for winning its first State Championship. **SR64.**

NWMCC Lady Rangers Volleyball Team, commend for first-ever Region 23 Championship. **SR60.**

Observe March 21, 2023, as "Alpha Kappa Alpha Sorority Day at the Capitol." **SR66.**

Ocean Springs High School Cheer Team, commend for winning MHSAA 6A State Championship. **SR49.**

Official State Sea Turtle of the State of Mississippi, designate the Kemp's Ridley as. SB2680.

Ole Miss 2022 Baseball Team, congratulate for National Championship. **SC520, HC35.**

Ole Miss Senior Offensive Lineman Nick Broeker, congratulate as winner of 2022 Kent Hull Trophy and for postseason awards. **SC556.**

Omega Psi Phi Day; designate March 9, 2023, in Mississippi. **SR36.**

Oxford High School Senior Winnie Wilson, congratulate as "Mississippi 2023 High School Journalist of the Year". **SR96.**

P3: Passion. Purpose. Paycheck Student Career Development Program in Jackson County, recognize. **SR35.**

Panny Flautt Mayfield; commend upon being named a 2023 Noel Polk Lifetime Achievement Award Nominee. **HC39.**

Parklane Academy "Lady Pioneers" Fast-Pitch Softball Team, commend for fourth State Championship in last six years. **SC538.**

Phi Theta Kappa All-Mississippi Academic and Workforce Team; commend on occasion of "Mississippi Phi Theta Kappa Day". **HC45.**

Picayune High School "Maroon Tide" Football Team, congratulate for back-to-back MHSAA Class 5A State Championship. **SC548.**

Poplarville High School; commend upon winning their first UCA National High School Cheering Championship. **HC46.**

PRCC "Wildcats" 2022 Baseball Team and Coach Michael Avalon, commend for first-ever National Championship. **SC506.**

Prentiss County Farm Bureau, celebrating the 100th Anniversary of. **SR100.**

Raleigh High School "Lions" Football Team, congratulate for winning 2022 MHSAA Class 3A State Championship. **SC510.**

Ralph Eubanks, recognize as the recipient of the 2023 Governor's Arts Award for Excellence in Literature and Cultural Ambassador. **SR17.**

Randy McInnis and David Harvison of Timberline Trucking in Leakesville, recognize as MFA 2022 "Loggers of the Year." **SR40.**

Reman Day in Mississippi designate April 13, 2023, as. **SC567.**

Respiratory syncytial virus; urge CDC to include in the Vaccines for Children program. **HC50.**

Resurrection Catholic "Eagles" Baseball Team and Coach Johnny Olsen, commend for first-ever Class 1A State Championship. **SR76.**

Rev. Dr. Lisa Allen-McLaurin, commend for appointment to American Church in Paris, France. **SR3.**

Ricky Stenhouse from Olive Branch, congratulate for winning the Daytona 500. **SC559.**

Robert M. Hearin Support Foundation, recognize as recipient of 2023 Governor's Patron of the Arts Award. **SR16.**

Roy L. Dixon, Sr., extend condolences of Senate to surviving family of Jackson minority business pioneer **SR51.**

Russell Christian Academy "Warriors" Football Team, commend for sixth-straight State Championship. **SR43.**

Salem Missionary Baptist Church; commend upon 157th anniversary of. **HC18.**

Sarah Lea Anglin State Games "Female Athlete of the Year", commend. **SR68.**

Scott Central "Rebels" Football Team, congratulate for winning the back-to-back MHSAA Class 2A State Championships. **SC509.**

Senate Rules; amend Rule 65 to provide for removal of members of the Rules Committee. **SR6.**

Senate service of Chris McDaniel, commend. **SR105.**

Senate service of Melanie Sojourner, commend. **SR106.**

Senate service of Chris Caughman, commend. **SR107.**

Senate service of Barbara Blackmon, commend. **SR108.**

Senate service of Robert L. Jackson, commend. **SR109.**

Simpson County Academy "Cougars" Boys Basketball Team, commend for winning back-to-back MAIS 5A State Championships. **SR50.**

Southern Legislative Conference of the Council of State Governments, commemorate 77th. **SC549.**

Speaker Philip Gunn; commend on the esteemed and laudable legislative career of. **HC64.**

Starkville High School "Yellowjackets" football team, congratulate for winning MHSAA Class 6A State Title. **SC518.**

State of the State address of the Governor; call joint session to hear. **HC31.**

Steve Seale of Hattiesburg, mourn the passing of former Senator and commend his public and charitable service. **SC503.**

Stephen Franks; commend Kosciusko, MS automobile dealer upon nomination for the prestigious 2023 Time Dealer of the Year Award. **HC44.**

Stone County High School "Lady Cats" Soccer Team, commend for winning their first 4A Girls Soccer State Championship. **SR38.**

Sumrall High School "Bobcats" Baseball Team, commend for winning Mississippi 4A State Championship. **SC514.**

Support the efforts of federal government in ending HIV Epidemic in Mississippi. **SR89.**

Supporting the Mississippi Clean Hydrogen Hub application. **SC569.**

Suspend rules; introduction of bill to require Public Service Commission to change boundaries of certain utility district. **SC560**.

Suspend the rules to take up all items related to disaster recovery from the tornado and weather-related events of March 24-26, 2023. **SC574**.

Taiwan; commend friendship with the State of Mississippi and encourage further economic ties. **HC42**.

The Essie B. and William Earl Glenn Foundation; commend on occasion of its fourth symposium for Adverse Childhood Experiences Trauma Awareness Day. **HC47**.

The Phillip Cameron Hendry Mississippi Mosquito and West Nile Virus Awareness Week; designate the second week in April annually as. **HB559**.

Thomas Frederick (Fred) Wicker, commend life of. **SC515**.

Tom King, Southern District Transportation Commissioner and former legislator commend public service of. **SC505**.

Tom Weathersby; commend distinguished legislative career and public service of upon the occasion of his retirement. **HC62**.

Tommy Reynolds; commend distinguished legislative career and public service of upon the occasion of his retirement. **HC59**.

University of Mississippi baseball Head Coach Mike Bianco, commend as National Coach of the Year. **SC554**.

Urge U.S. Congress to enact legislation to include airguns and airbows as items taxed under the Pittman-Robertson Act. **SR5**.

Walker Montgomery National Catfishing Awareness Month in Mississippi, designate October 2023 as. **SC562**.

Walthall County Constable Raymond Gutter, recognize on his retirement and three-decade law enforcement service. **SC565**.

West Lauderdale 2022-2023 High School Girls Soccer Team, congratulate for winning 4A State Championship. **SR67**.

Willie Johnson, Starkville's first African American Fire Chief, remember the legacy of. **SR93**.

Wirt Adams Yerger, Jr., of Jackson, MS, mourn passing and commend civic leadership of businessman. **SC555**.

Women for Progress of Mississippi, Inc., for public service, commend. **SR99**.

Yazoo City High School "Indians" Boys Basketball Team, commend for winning first 4A State Championship in 27 years. **SR63**.

Zachary Taylor of Jackson, Mississippi, a Montford Point Marine, honor the legacy of Marine Gunnery Sergeant on his 100th Birthday. **SR58**.

U.S. combat operations and release of American Prisoners of War in Vietnam, commemorate 50th anniversary of end of. **SR4**.

USM Air Force Reserve Officer Training Corps (AFROTC) Detachment 432, commemorate the 50th Anniversary of. **SR57**.

Welcome Bishop Vitaliy Kryvytskyi of Kyiv-Zhytomyr in Western Ukraine to the State of Mississippi. **SR9**.

#### TECHNOLOGY

Attorney General; require reporting of breach of security to. **SB2719**.

Department of Information Technology Services; require to report ransomware incidents and revise provisions related thereto. **SB2717**.

Limitation of liability requirements for information technology contracts; clarify. **SB2729**.

Mississippi Office of Space and Technology; create and direct Mississippi Development Authority to administer. **SB2727**.

National Security on State Devices and Networks Act; create. **SB2140**, **SB2870**.

Statewide master agreements and utilization of information technology acquisitions made by other entities; authorize. **SB2728**.



# TOURISM

Alcoholic beverages; revise provisions regarding certain permits and distance restrictions. **HB252**.  
 Designate American Quarter Horse as the "Official State Horse of the State of Mississippi." SB2513.  
 Festival wine permits; remove repealers and reverters on provisions relating to. SB2006.  
 Mississippi Development Authority; require periodic PEER review of effectiveness of Tourism Advertising Fund expenditures. SB2050.  
 Mississippi Native Plant Month; designate each April as. **SB2137**.  
 Mississippi USA Semiquincentennial Commission and Mississippi Semiquincentennial Celebration Fund; create. **SB2139**, HB1266.  
 State Fruit; designate the blueberry as. **HB1027**.  
 Television series production; provide incentives for certain. **HB704**.  
 Tourism; create the Mississippi Golf Association Grant Program. SB2732.  
 Tourism; designate the Mississippi Opal as the state gemstone. **SB2138**, HB772.  
 Tourism; Mississippi Main Street Revitalization Grant Program. **SB2359**.  
 Tourism; provide assistance to destination marketing organizations and other entities. **HB419**.  
 Tourism; revise list of entities that may not have interest in wholesalers or distributors. SB2830.

# UNIVERSITIES AND COLLEGES

"MS Intercollegiate Athletics Compensation Rights Act" and "Uniform Athlete Agents Act"; bring forward. HB860.  
 Alcorn State University; update references to in code to reflect current name designation. **HB922**.  
 Alcorn State University; update code to reflect correct name reference. SB2738.  
 Civic literacy requirement for high school students; require before enrolling in college or university in this state. SB2787.  
 Commission on College Accreditation; revise technical provision related thereto. **SB2581**.  
 Foster care children; allow free access to museums and state parks, allow free transcripts from colleges and junior colleges. SB2789.  
 HELP Grant and MTAG Programs; revise level of funding provided to eligible students. HB771.  
 Higher Education Legislative Plan; revise eligibility and repeal MTAG and Eminent Scholars Grant Program. SB2055.  
 IHL equipment leasing and purchase program; raise expenditure threshold. SB2675.  
 Jackson State University; provide for the construction of a six hundred room student housing project. SB2593.  
 Jackson State University; create program to construct new football stadium. SB2741.  
 Legislative Internship Program; authorize IHL to administer under certain conditions. SB2162.  
 MDITS; establish paid internship program under. SB2718.  
 MS Commission on College Accreditation; authorize IHL Board to provide staff, facilities and other means of support to. HB443.  
 MSU; amend authority to enter into a long-term lease for housing and retail purpose to extend the original lease term to 65 years. HB536.  
 MTAG; repurpose and rename, revise provisions of HELP Grant. SB2580.  
 Mississippi Dual Credit Scholarship Program; create. HB1277.  
 Mississippi Dual Enrollment/Dual Credit Scholarship Program; establish. **SB2487**.  
 Mississippi Intercollegiate Athletics Compensation Act and the Mississippi Uniform Agents Act; bring forward sections. SB2486.  
 Mississippi Promise Scholarship Act; enact and provide certain provisions of. SB2488.

Mississippi State University authority to lease property for public-private partnership student housing; increase term. **SB2590**.  
 Nurse Teacher Loan Repayment Program; establish. SB2374.  
 Reinforcing College Education on America's Constitutional Heritage (REACH) Act; create. SB2490.  
 Skilled Nursing Home and Hospital Nurses Retention Loan Repayment Program; establish. **SB2373**.  
 State Superintendent of Public Education and Director of the Community College Board; set maximum salaries. SB2334.  
 Tenure programs for public university faculty; phase out. SB2785.  
 Universities; enact the Forming Open and Robust University Minds Act. SB2772.

Nominations:

Dr. Erika Danielle Womack, Starkville, Mississippi, State Chemist, term beginning October 1, 2022. **SN62**.

**VETERANS AND MILITARY AFFAIRS**

Commercial driver's license; authorize issuance to military-trained personnel under Military Family Freedom Act. SB2234.  
 County veteran service officers; revise certain qualifications for. **HB677**.  
 Disabled veterans discounted motor vehicle license tags; bring forward. SB2621.  
 Disabled veterans license tags; revise provisions regarding disability rating and persons eligible for. **SB2187**.  
 Disabled veterans motor vehicle license tags; revise certain provisions regarding disability rating. SB2620.  
 Executive Director of the State Veterans Affairs Board; appointed by Governor with advice and consent of Senate. SB2390.  
 Historical monuments and memorials; delete authority to move. SB2186.  
 State Veterans Affairs Board; revise composition of. HB1034.  
 United States Space Force; provide that reference to "Armed Forces" and "Uniformed Services" in Mississippi law shall include members of. **HB1029**.  
 United States Space Force; references to "Armed Forces" in Mississippi law shall include members of. SB2608.

Nominations:

Colonel Deborah Walley (Deb) Coleman, Brandon, Mississippi, State Veterans Affairs Board as an At-Large member, five year term effective June 1, 2022 and ending May 31, 2027. **SN54**.  
 Rodney Harris, Clinton, Mississippi, Veterans Home Purchase Board to represent the Fourth Congressional District as it existed May 1, 1987, unexpired four year term effective October 4, 2022 and ending June 30, 2024, vice Thomas Henry Watts. **SN75**.  
 Brig. Gen. (Ret.) Norman Gene Hortman, Jr., Hattiesburg, Mississippi, Veterans Home Purchase Board to represent the state at large, four year term beginning July 1, 2022 and ending June 30, 2026. **SN56**.  
 John Scott (Hoss) Ladner, Gulfport, Mississippi, State Veterans Affairs Board, five year term effective July 14, 2022 and ending May 31, 2027, representing the 5th Congressional District, vice General James H. Garner. **SN55**.  
 Maj. Gen. James H. Lipscomb, III, Greenville, Mississippi, Veterans Home Purchase Board to represent the 2nd Congressional Dist. as it existed May 1, 1987, unexpired four year term effective Nov. 1, 2022 and ending June 30, 2023, vice Richard D. Stevens. **SN57**.  
 Maj. Gen. James H. Lipscomb, III, Greenville, Mississippi, Veterans Home Purchase Board to represent the Second Congressional District as it existed May 1, 1987, four year term effective July 1, 2023 and ending June 30, 2027. **SN58**.

**WILDLIFE, FISHERIES AND PARKS**

Boats; require validation decal certifying the awarded number to be displayed on each side of vessel. **HB976**.

Bob Tyler Fish Hatchery; designate the fish hatchery located in North Mississippi as. **HB923**.

Chronic wasting disease; bring forward code sections for the purpose of possible amendment. **SB2543**.

Commission on Wildlife, Fisheries and Parks; require additional regulation of freshwater fishing guides. **SB2534**.

Commission on Wildlife, Fisheries and Parks; convert into advisory commission. **SB2535**.

Conservation officer; decrease minimum years of law enforcement experience required to be appointed a. **HB516**.

Guide and outfitter services licenses; revise annual fee for both residents and nonresidents. **HB517**.

Harvey Moss Wildlife Management Area at Tuscumbia; designate Tuscumbia Wildlife Management Area as. **HB769**.

Hunting on streets and railroads; clarify prohibition on. **SB2411**.

Hunting; provide exception for recovering mortally wounded animals at night with use of light. **HB979**.

Hunting; require tree stands to be tagged with name and address of owner. **SB2158**. **SB2558**.

Mississippi Outdoor Stewardship Act; bring forward code sections for purpose of possible amendment. **SB2557**.

MS Outdoor Stewardship Trust Fund; acquired lands must be for public benefit and use until July 1, 2024. **SB2558**.

Pat Harrison Waterway District; authorize municipalities to join. **HB1159**.

Pat Harrison Waterway District; authorize municipalities to join. **SB2526**.

Qualifications for appointment as a conservation officer; clarify. **SB2556**.

Resident lifetime hunting and fishing license; authorize Department of Wildlife to issue if parent was born in the state and was on active military service at the time of applicant's birth. **HB49**.

Tombigbee River Valley Water Management District; authorize to transfer Kemper Lake to Kemper County Board of Supervisors. **HB904**.

Training facilities; include in categories eligible for license fee increase proceeds. **HB515**.

Transactions in game animals; clarify that any exception to prohibition must appear in same chapter of code. **SB2536**.

Wildlife; affirm state's duty to protect and defend for public interest. **SB2540**.

**Nominations:**

Cloyd, Joe Everitt, Ocean Springs, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, three-year term beginning July 1, 2022 and ending June 30, 2025. **SN95**.

Holman, David Edward, Bay St. Louis, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 14, 2022 and ending June 30, 2025, representing the Fourth **SN43**.

Lipscomb III, Mathew Wilson (Mat), Lake Cormorant, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, four-year term beginning July 1, 2022 and ending June 30, 2026. **SN96**.

Maloney, Dason Colin (Colin), Tupelo, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 6, 2022 and ending June 30, 2026, representing the First **SN73**.

Mounger II, William Malcolm (Billy), Jackson, Mississippi, Commission on Wildlife, Fisheries and Parks as the representative of the Fourth Congressional District, five year term effective July 1, 2022 **SN60**.

Posey, Irvin Lynn, Union Church, Mississippi, Executive Director of the Mississippi Department of Wildlife, Fisheries and Parks, term effective September 23, 2022. **SN61**.

Ray, Van Kyle, Yazoo City, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 14, 2022 and ending June 30, 2025, representing the Second Congressional **SN74**.

St. John II, Drew Thomas, Madison, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, term effective July 6, 2022 and ending June 30, 2026, representing the Third **SN44**.

Terrell, Lawrence Dennis (Denny), Kosciusko, Mississippi, Board of Trustees of the Mississippi Outdoor Stewardship Trust Fund, three-year term beginning July 1, 2022 and ending June 30, 2025. **SN94**.

### C. LOCAL AND PRIVATE

Benton County; authorize to contract with and/or contribute to the Institute of Community Services, Inc. **HB1528**.

Bolivar County; authorize contributions to Fannie Lou Hamer Breast Cancer Foundation and Community Action Agency. **SB3065**.

City of Baldwin;

Extend date of repeal on tax for hotels, motels, restaurants and convenience stores. **HB1197**.

Extend repealer on hotel/motel & restaurant tourism tax. **SB2891**.

City of Batesville; extend repealer on hotel/motel & restaurant tourism tax. **SB2518**.

City of Brandon;

Extend repealer on hotels/motel to fund amphitheater and other ancillary improvements. **HB1325**.

Extend repealer on tax on sales of prepared food and drink at restaurants and bars. **HB1521**.

City of Byram; authorize governing authorities to levy parks and recreation tax on restaurants. **SB2152**.

City of Charleston; extend date of repeal on restaurant tourism tax. **HB1794**.

City of Clinton; extend repeal date on additional tourism tax on hotels and motels. **HB1816**.

City of Columbia;

Extend repeal date on hotel/motel and restaurant tourism tax. **HB1788**.

Extend repealer on alcoholic beverage and restaurant tax. **HB1581**.

Extend repeal date on provision of law authorizing governing authority to levy tax on restaurant sales. **SB3058**.

City of Durant; authorize a tax on restaurants to promote tourism, parks and recreation. **HB1583**.

City of Eupora;

Authorize tourism tax on hotels/motels/Airbnbs and restaurants. **HB1807**.

Authorize conveyance of certain property located within city's industrial park. **HB1819**.

City of Farmington; authorize the use of low-speed vehicles and golf carts on certain public streets with certain restrictions. **HB1697**.

City of Florence; authorize a tax on restaurants and hotels/motels. **HB1667**.

City of Gautier; authorize to enter into public/private partnership for construction of an inclusion playground. **SB3140**.

City of Grenada; extend repealer on hotel/motel & restaurant tourism tax. **SB2960**.

City of Guntown; authorize the use of side by side vehicles on certain public roads. **SB2149**.

City of Kosciusko; authorize election for restaurant tax to fund tourism and parks and recreation. SB3150.

City of Lexington; extend repealer on restaurant tourism tax. **HB1356**.

City of Lucedale; authorize to levy tax upon sales of restaurants for the purposes of funding parks and recreation. **SB3143**.

City of McComb;  
Extend date of repeal on hotel/motel tourism tax. **HB1196**.  
Extend repealer on hotel/motel tourism tax. SB2963.

City of Olive Branch; authorize to transfer certain properties within industrial, technological or educational parks. SB3149.

City of Pascagoula; extend repealer on hotel, motel and bed-and-breakfast tax. **HB1547**, SB3060.

City of Pearl;  
Authorize to contribute municipal funds to minor league baseball stadium for economic development and tourism purposes. **SB3152**.  
Extend repealer on hotel/motel & restaurant tourism tax. **SB3153**.

City of Ripley; authorize expansion of water system in Tippah County except in certificated areas other than those in the city. **HB1662**.

City of Starkville; revise the definitions of the terms "hotel" and "motel" under the city's motel-hotel tax. **HB1792**.

City of Vicksburg;  
Authorize contributions of funds and in-kind maintenance services to Beulah Cemetery. **HB1711**.  
Authorize to contribute funds and in-kind services to Tate Cemetery. **HB1712**.  
Authorize to contribute to the creation, development and promotion of the Dr. Jane Ellen McAllister Museum. **SB2892**.  
Authorize contribution of funds and in-kind services to Beulah Cemetery. SB2893.

City of Waynesboro;  
Extend repealer on authority to impose tax on bars, restaurants, hotels/motels, B & Bs. **HB1209**.  
Extend repealer on authority to levy tax on hotels, motels, restaurants and bars. SB2520.

Coahoma County; authorize reserve and trust fund trustees to use certain amount of fund to supplement county general fund. **HB1703**.

DeSoto County; authorize to transfer parcel of county-owned property to City of Olive Branch for construction of animal shelter. **SB2922**.

George County; authorize to levy 3% sales tax on the sales of hotels and motels within the county and 1% tax on the sales of restaurants. **SB3145**.

Holmes County; authorize contributions to the Holmes County Long-Term Recovery Committee. **HB1800**.

Jackson County;  
Authorize to enter a MOU with DFA regarding Singing River Health System and healthcare workforce academy. **HB1805**.  
Authorize Board of Supervisors and Utility Authority to share equipment, labor, services, resources and funds. **SB3139**.

Kemper County; authorize board of supervisors to expand scope of authority of Gas District to become county utility district. **SB3141**.

Lauderdale County; extend date of repeal on authority to fund LCDF Chaplaincy program with certain revenue. **SB3142**.

Lee County;

Allow Doctor of Chiropractic with neurology chiropractic degree to advertise as chiropractic neurologist. **SB2888.**

Authorize annual contributions to Sanctuary Hospice House. **SB2890.**

Lowndes County;

Authorize contribution to Prairie Land Water Association using ARPA Local Fiscal Recovery Funds. **HB1725.**

Authorize contributions to certain nonprofit organizations using ARPA Local Fiscal Recovery Funds. **HB1726.**

Authorize contributions to any public utility/assoc. to expand, repair water/sewer infrastructure using ARPA funds. **HB1727.**

Authorize to lease property for nominal consideration for nonprofit use for the benefit of disadvantaged children. **SB3108.**

Authorize to contribute Local Fiscal Recovery Funds to certain nonprofits. **SB3146.**

Authorize Board of Supervisors to contribute local fiscal recovery funds to Prairie Land Water Association. **SB3147.**

Authorize Board of Supervisors to contribute available funds to public utilities and water/sewer associations. **SB3148.**

Neshoba County;

Authorize contribution to Philadelphia Transit. **HB1793.**

Authorize to contribute up to \$5,000.00 annually to Philadelphia Transit. **SB3144.**

Oktibbeha County;

Authorize contributions to the Education Association of East Oktibbeha County Schools. **HB1795.**

Authorize contributions to the J.L. King Center. **HB1796.**

Authorize contributions to maintain Camp Seminole Road. **HB1797.**

Authorize contribution to Brickfire Project. **HB1798.**

Authorize contributions to Sally Kate Winters Family Services. **HB1799.**

Rankin County; authorize to contribute county funds to Trustmark Park for economic development and tourism purposes. **SB3151.**

Scenic Rivers Development Alliance; authorize to create special purpose entities. **HB1787.**

Standard Dedeaux Water District; delete provision on compensation of commissioners. **HB37.**

Tallahatchie County;

Authorize conveyance of public library to the Town of Webb. **HB1541.**

Authorize conveyance of public library to the Town of Tutwiler. **HB1542.**

Town of Carrollton; extend repealer on provision of law authorizing to levy tax on sales of restaurants. **SB2521.**

Town of Coffeeville; authorize a tax on restaurants to provide funds for tourism, parks and recreation. **HB1540.**

Town of Duck Hill; authorize governing authorities to levy tourism tax. **SB2004.**

Town of Monticello; authorize tourism tax on restaurants, hotels and motels. **SB2519.**

Town of North Carrollton; extend repeal date on restaurant tourism tax. **SB2151.**

Tunica County Utility District; delete provision of law subjecting to rate regulation by Public Service Commission. **SB3110.**

Tunica County; authorize to allocate sports gaming revenue to school district for construction of new school. **SB3154.**

Union County; authorize assessments on misdemeanor convictions and nonadjudications for capital improvements. **HB1791.**

Warren County;

Authorize to enter into lease agreement or lease-purchase arrangement for public safety purpose. **SB2150.**

Authorize board of supervisors to contribute funds to certain nonprofit corporations. **SB3109.**

Washington County; reenact and extend repeal date on hotel and motel tax supporting a sports complex. **HB1790.**

**PART VII**  
**COMMITTEE MEMBERSHIP**  
**A. PERSONNEL OF SENATE COMMITTEES**

**Accountability, Efficiency, Transparency**

*John A. Polk, Chairman; Angela Burks Hill, Vice-Chairman*

Members: Kevin Blackwell; David Blount; Jenifer B. Branning; Albert Butler; W. Briggs Hopson III; Chris McDaniel; Rita Potts Parks; Mike Thompson; Angela Turner-Ford

**Agriculture**

*Chuck Younger, Chairman; Tyler McCaughn, Vice-Chairman*

Members: Chris Caughman; Lydia Graves Chassaniol; Rod Hickman; Angela Burks Hill; Robert L. Jackson; David Jordan; Joseph M. Seymour; Sarita Simmons; Melanie Sojourner; Benjamin Suber; Neil S. Whaley

**Appropriations**

*W. Briggs Hopson III, Chairman; John A. Polk, Vice-Chairman*

Members: Kevin Blackwell; Jenifer B. Branning; Albert Butler; Kelvin R. Butler; Kathy L. Chism; Dennis DeBar, Jr.; Scott DeLano; Hillman Terome Frazier; Rod Hickman; Angela Burks Hill; Robert L. Jackson; Tyler McCaughn; Michael McLendon; J. Walter Michel; Philip Moran; Sollie B. Norwood; Rita Potts Parks; Joseph M. Seymour; Sarita Simmons; Benjamin Suber; Jeff Tate; Angela Turner-Ford; Brice Wiggins; Bart Williams

**Business and Financial Institutions**

*Chris Caughman, Chairman; Chad McMahan, Vice-Chairman*

Members: Kevin Blackwell; Jenifer B. Branning; Kathy L. Chism; John Horhn; Robert L. Jackson; Chris Johnson; Michael McLendon; Rita Potts Parks; Daniel H. Sparks; Benjamin Suber; Joseph Thomas

**Compilation, Revision and Publication**

Members: Jenifer B. Branning; Joey Fillingane; Hillman Terome Frazier; Dean Kirby; Daniel H. Sparks; Joseph Thomas

**Congressional Redistricting**

*Dean Kirby, Chairman*

Members: Hob Bryan; Dennis DeBar, Jr.; Josh Harkins; W. Briggs Hopson III; David Parker; Derrick T. Simmons; Jeff Tate; Angela Turner-Ford; Brice Wiggins

**Constitution**

*Chris Johnson, Chairman; Derrick T. Simmons, Vice-Chairman*

Members: Jenifer B. Branning; Hob Bryan; Kathy L. Chism; Jeremy England; Hillman Terome Frazier; Benjamin Suber; Bart Williams

**Corrections**

*Juan Barnett, Chairman; Daniel H. Sparks, Vice-Chairman*

Members: Kelvin Butler; Joel R. Carter, Jr.; Lydia Graves Chassaniol; Dennis DeBar, Jr.; Sollie B. Norwood; Derrick T. Simmons; Sarita Simmons; Melanie Sojourner; Brice Wiggins

**County Affairs**

*Angela Burks Hill, Chairman; Neil S. Whaley, Vice-Chairman*

Members: Chris Caughman; Robert L. Jackson; David Jordan; Tyler McCaughn; Joseph M. Seymour; Melanie Sojourner; Bart Williams

**Drug Policy**

*David Jordan, Chairman; Melanie Sojourner, Vice-Chairman*

Members: Joel R. Carter, Jr.; Kathy L. Chism; Chris Johnson; Chris McDaniel; Sollie B. Norwood; Sarita Simmons; Daniel H. Sparks; Joseph Thomas; Bart Williams

**Economic and Workforce Development**

*David Parker, Chairman; Chuck Younger, Vice-Chairman*

Members: Jason Barrett; Kelvin Butler; Kathy L. Chism; Jeremy England; Dean Kirby; Chad McMahan; J. Walter Michel; Sollie B. Norwood; Daniel H. Sparks

**Education**

*Dennis DeBar, Jr., Chairman; David Blount, Vice-Chairman*

Members: Nicole Boyd; Hob Bryan; Scott DeLano; Angela Burks Hill; W. Briggs Hopson III; Chris Johnson; David Jordan; Michael McLendon; Chad McMahan; Sollie B. Norwood; John A. Polk; Sarita Simmons; Brice Wiggins

**Elections**

*Jeff Tate, Chairman; Hob Bryan, Vice-Chairman*

Members: Kevin Blackwell; David Blount; Jenifer B. Branning; Lydia Graves Chassaniol; Joey Fillingane; Hillman Terome Frazier; David Parker

**Energy**

*Joel R. Carter, Jr., Chairman; Rita Potts Parks, Vice-Chairman*

Members: Juan Barnett; Lydia Graves Chassaniol; Dennis DeBar, Jr.; Josh Harkins; Angela Burks Hill; John Horhn; Robert L. Jackson; Chris McDaniel; J. Walter Michel; Philip Moran; John A. Polk; Neil S. Whaley; Chuck Younger

**Enrolled Bills**

*Joseph Thomas, Chairman; Robert L. Jackson, Vice-Chairman*

Members: Chris McDaniel; Sollie B. Norwood; Benjamin Suber

**Environment Prot, Cons and Water Res**

*Chris McDaniel, Chairman; Chris Caughman, Vice-Chairman*

Members: Jason Barrett; Albert Butler; Kelvin Butler; Scott DeLano; David Jordan; Tyler McCaughn; Sarita Simmons; Jeff Tate; Mike Thompson

**Ethics**

*Albert Butler, Chairman; Chris McDaniel, Vice-Chairman*

Members: Juan Barnett; Jason Barrett; J. Walter Michel; Sollie B. Norwood; Joseph M. Seymour; Joseph Thomas; Chuck Younger

**Executive Contingent Fund**

*Robert L. Jackson, Chairman; Juan Barnett, Vice-Chairman*

Members: Jason Barrett; J. Walter Michel; Neil S. Whaley

**Finance**

*Josh Harkins, Chairman; Chris Johnson, Vice-Chairman*

Members: Juan Barnett; Jason Barrett; Barbara Blackmon; David Blount; Nicole Boyd; Hob Bryan; Joel R. Carter, Jr.; Chris Caughman; Lydia Graves Chassaniol; Jeremy England; Joey Fillingane; John Horhn; David Jordan; Dean Kirby; Chris McDaniel; Chad McMahan; David Parker; Derrick T. Simmons; Melanie Sojourner; Daniel H. Sparks; Joseph Thomas; Mike Thompson; Neil S. Whaley; Chuck Younger



**Forestry**

*Tyler McCaughn, Chairman; Joseph M. Seymour, Vice-Chairman*

Members: Jenifer B. Branning; Albert Butler; Kelvin Butler; Chris Caughman; Rod Hickman; Jeff Tate; Joseph Thomas

**Gaming**

*David Blount, Chairman; Philip Moran, Vice-Chairman*

Members: Kevin Blackwell; Lydia Graves Chassaniol; Scott DeLano; Jeremy England; Robert L. Jackson; Mike Thompson; Chuck Younger

**Highways and Transportation**

*Jenifer B. Branning, Chairman; Barbara Blackmon, Vice-Chairman*

Members: David Blount; Hob Bryan; Albert Butler; Joel R. Carter, Jr.; Scott DeLano; Jeremy England; Joey Fillingane; W. Briggs Hopson III; John Horhn; Michael McLendon; Philip Moran; Rita Potts Parks; Melanie Sojourner; Mike Thompson; Neil S. Whaley; Bart Williams; Chuck Younger

**Housing**

*Barbara Blackmon, Chairman; Kelvin Butler, Vice-Chairman*

Members: Nicole Boyd; Jenifer B. Branning; David Jordan; Philip Moran; David Parker

**Insurance**

*J. Walter Michel, Chairman; Michael McLendon, Vice-Chairman*

Members: Barbara Blackmon; Kevin Blackwell; Nicole Akins Boyd; Scott DeLano; Hillman Terome Frazier; Josh Harkins; Angela Burks Hill; John Horhn; Dean Kirby; Joseph Thomas; Chuck Younger

**Interstate and Federal Cooperation**

*Hillman Terome Frazier, Chairman; Rod Hickman, Vice-Chairman*

Members: Dean Kirby; Derrick T. Simmons; Joseph Thomas

**Investigate State Offices**

*Mike Thompson, Chairman; Sarita Simmons, Vice-Chairman*

Members: Joel R. Carter, Jr.; Hillman Terome Frazier; Rod Hickman; Angela Burks Hill; Michael McLendon; Philip Moran; Bart Williams

**Judiciary, Division A**

*Brice Wiggins, Chairman; Jenifer B. Branning, Vice-Chairman*

Members: Juan Barnett; Jason Barrett; Barbara Blackmon; Nicole Boyd; Dennis DeBar, Jr.; Jeremy England; W. Briggs Hopson III; Dean Kirby; Tyler McCaughn; Chris McDaniel; David Parker; Derrick T. Simmons; Angela Turner-Ford

**Judiciary, Division B**

*Joey Fillingane, Chairman; Jeremy England, Vice-Chairman*

Members: Juan Barnett; Dennis DeBar, Jr.; Rod Hickman; Angela Burks Hill; Tyler McCaughn; Chris McDaniel; Derrick T. Simmons; Daniel H. Sparks; Benjamin Suber; Joseph Thomas; Mike Thompson; Angela Turner-Ford; Brice Wiggins

**Labor**

*John Horhn, Chairman; Hillman Terome Frazier, Vice-Chairman*

Members: Kelvin Butler; Joel R. Carter, Jr.; Kathy L. Chism; Sarita Simmons; Melanie Sojourner; Jeff Tate; Bart Williams

**Legislative Budget Committee**

*Delbert Hosemann Jr., Chairman*

Members: Nicole Boyd; Joey Fillingane; Josh Harkins; W. Briggs Hopson III; John Horhn; Dean Kirby

**Legislative Reapportionment**

*Dean Kirby, Chairman*

Members: Hob Bryan; Dennis DeBar, Jr.; Josh Harkins; W. Briggs Hopson III; David Parker; Derrick T. Simmons; Jeff Tate; Angela Turner-Ford; Brice Wiggins

**Local and Private**

*Chad McMahan, Chairman; Dean Kirby, Vice-Chairman*

Members: Barbara Blackmon; Jeff Tate; Neil S. Whaley

**Medicaid**

*Kevin Blackwell, Chairman; Joey Fillingane, Vice-Chairman*

Members: Barbara Blackmon; David Blount; Hob Bryan; Josh Harkins; Chris Johnson; Rita Potts Parks; John A. Polk; Angela Turner-Ford; Brice Wiggins

**Municipalities**

*Derrick T. Simmons, Chairman; Jason Barrett, Vice-Chairman*

Members: Kelvin Butler; Lydia Graves Chassaniol; David Jordan; Tyler McCaughn; Michael McLendon; Sollie B. Norwood; Joseph M. Seymour; Benjamin Suber; Angela Turner-Ford

**PEER**

Members: Kevin Blackwell; Lydia Graves Chassaniol; Dean Kirby; Chad McMahan; Sollie B. Norwood; John A. Polk; Chuck Younger

**Ports and Marine Resources**

*Philip Moran, Chairman; Mike Thompson, Vice-Chairman*

Members: Joel R. Carter, Jr.; Scott DeLano; Jeremy England; W. Briggs Hopson III; Joseph M. Seymour; Derrick T. Simmons; Melanie Sojourner; Daniel H. Sparks; Brice Wiggins

**Public Health and Welfare**

*Hob Bryan, Chairman; David Parker, Vice-Chairman*

Members: Juan Barnett; Barbara Blackmon; Kevin Blackwell; David Blount; Chris Caughman; Dennis DeBar, Jr.; Joey Fillingane; Hillman Terome Frazier; Josh Harkins; W. Briggs Hopson III; John Horhn; Chris Johnson; Chad McMahan; Rita Potts Parks; John A. Polk; Jeff Tate; Brice Wiggins

**Public Property**

*Angela Turner-Ford, Chairman; Albert Butler, Vice-Chairman*

Members: Jason Barrett; David Blount; Kathy L. Chism; Josh Harkins; Joseph M. Seymour

**Rules**

*Dean Kirby, Chairman; J. Walter Michel, Vice-Chairman*

Members: Dennis DeBar, Jr.; Hillman Terome Frazier; David Parker

**State Library**

*Sollie B. Norwood, Chairman; Kathy L. Chism, Vice-Chairman*

Members: Rod Hickman; Sarita Simmons; Joseph Thomas

**Technology**

*Scott DeLano, Chairman; Bart Williams, Vice-Chairman*

Members: Kevin Blackwell; Nicole Boyd; Michael McLendon; Jeff Tate; Angela Turner-Ford

**Tourism**

*Lydia Graves Chassaniol, Chairman; John Horhn, Vice-Chairman*

Members: Nicole Boyd; Albert Butler; Joel R. Carter, Jr.; Robert L. Jackson; Chris Johnson; David Jordan; Chad McMahan; Philip Moran; Mike Thompson

**Universities and Colleges**

*Rita Potts Parks, Chairman; Nicole Boyd, Vice-Chairman*

Members: David Blount; Albert Butler; Chris Caughman; Joey Fillingane; Hillman Terome Frazier; Josh Harkins; J. Walter Michel; David Parker; John A. Polk; Daniel H. Sparks; Bart Williams

**Veterans and Military Affairs**

*Joseph M. Seymour, Chairman; Scott DeLano, Vice-Chairman*

Members: Juan Barnett; Lydia Graves Chassaniol; Dennis DeBar, Jr.; Chad McMahan; Angela Turner-Ford

**Wildlife, Fisheries and Parks**

*Neil S. Whaley, Chairman; Benjamin Suber, Vice-Chairman*

Members: Chris Caughman; Kathy L. Chism; Rod Hickman; Tyler McCaughn; Chris McDaniel; J. Walter Michel; Derrick T. Simmons; Daniel H. Sparks; Chuck Younger

**B. COMMITTEE ASSIGNMENTS OF SENATORS**

34 - Juan Barnett

(C) Corrections; (V) Executive Contingent Fund; Energy; Ethics; Finance; Judiciary, Division A; Judiciary, Division B; Public Health & Welfare; Veterans & Military Affairs

39 – Jason Barrett

(V) Municipalities; Economic & Workforce Development; Environmental Protection, Conservation & Water Res.; Ethics; Executive Contingent Fund; Finance; Judiciary, Division A; Public Property

21 - Barbara Blackmon

(C) Housing; (V) Highways & Transportation; Finance; Insurance; Judiciary, Division A; Local & Private; Medicaid; Public Health & Welfare

19 - Kevin Blackwell

(C) Medicaid; (V) PEER; Accountability, Efficiency, Transparency; Appropriations; Business & Financial Institutions; Elections; Gaming; Insurance; Public Health & Welfare; Technology

29 - David Blount

(C) Gaming; (V) Education; Accountability, Efficiency, Transparency; Elections; Finance; Highways & Transportation; Medicaid; Public Health & Welfare; Public Property; Universities & Colleges

9 – Nicole Boyd

(V) Universities & Colleges; Education; Finance; Housing; Insurance; Judiciary, Division A; Legislative Budget Committee; Technology; Tourism

18 – Jenifer B. Branning

(C) Highways & Transportation; (V) Judiciary, Division A; Accountability, Efficiency, Transparency; Appropriations; Business & Financial Institutions; Compilation, Revision & Publication; Constitution; Elections; Forestry; Housing

## 7 - Hob Bryan

(C) Public Health & Welfare; (V) Elections; Congressional Redistricting; Constitution; Education; Finance; Highways & Transportation; Legislative Reapportionment; Medicaid

## 36 - Albert Butler

(C) Ethics; (V) Public Property; Accountability, Efficiency, Transparency; Appropriations; Environmental Protection, Conservation & Water Res.; Forestry; Highways & Transportation; Tourism; Universities & Colleges

## 38 – Kelvin E. Butler

(V) Housing; Appropriations; Corrections; Economic & Workforce Development; Environmental Protection, Conservation & Water Res.; Forestry; Labor; Municipalities

## 49 - Joel R. Carter, Jr.

(C) Energy; Corrections; Drug Policy; Finance; Highways & Transportation; Investigate State Offices; Labor; Ports & Marine Resources; Tourism

## 35 - Chris Caughman

(C) Business & Financial Institutions; (V) Environmental Protection, Conservation & Water Res.; Agriculture; County Affairs; Finance; Forestry; Public Health & Welfare; Universities & Colleges; Wildlife, Fisheries & Parks

## 14 - Lydia Graves Chassaniol

(C) Tourism; Agriculture; Corrections; Elections; Energy; Finance; Gaming; Municipalities; PEER; Veterans & Military Affairs

## 3 - Kathy Chism

(V) State Library; Appropriations; Business & Financial Institutions; Constitution; Drug Policy; Economic & Workforce Development; Labor; Public Property; Wildlife, Fisheries & Parks

## 43 - Dennis DeBar, Jr.

(C) Education; Appropriations; Congressional Redistricting; Corrections; Energy; Judiciary, Division A; Judiciary, Division B; Legislative Reapportionment; Public Health & Welfare; Rules; Veterans & Military Affairs

## 50 - Scott Delano

(C) Technology; (V) Veterans & Military Affairs; Appropriations; Education; Environmental Protection, Conservation & Water Res.; Gaming; Highways & Transportation; Insurance; Ports & Marine Resources

## 51 – Jeremy England

(V) Judiciary, Division B; Constitution; Economic & Workforce Development; Finance; Gaming; Highways & Transportation; Judiciary, Division A; Ports & Marine Resources

## 41- Joey Fillingane

(C) Judiciary, Division B; (V) Elections; (V) Medicaid; Compilation, Revision & Publications; Finance; Highways & Transportation; Legislative Budget Committee; Public Health & Welfare; Universities & Colleges

## 27 - Hillman Terome Frazier

(C) Interstate & Federal Cooperation; (V) Labor; Appropriations; Compilation, Revision & Publications; Constitution; Elections; Insurance; Investigate State Offices; Public Health & Welfare; Rules; Universities & Colleges

- 20 - Josh Harkins  
(C) Finance; Congressional Redistricting; Energy; Insurance; Legislative Budget Committee; Legislative Reapportionment; Medicaid; Public Health & Welfare; Public Property; Universities & Colleges
- 32 – Rod Hickman  
(V) Interstate & Federal Cooperation; Agriculture; Appropriations; Forestry; Investigate State Offices; Judiciary, Division B; State Library; Wildlife, Fisheries & Parks
- 40 - Angela Burks Hill  
(C) County Affairs; (V) Accountability, Efficiency, Transparency; Agriculture; Appropriations; Education; Energy; Insurance; Investigate State Offices; Judiciary, Division B
- 23 - W. Briggs Hopson III  
(C) Appropriations; Accountability, Efficiency, Transparency; Congressional Redistricting; Education; Highways & Transportation; Judiciary, Division A; Legislative Budget Committee; Legislative Reapportionment; Ports & Marine Resources; Public Health & Welfare
- 26 - John Horhn  
(C) Labor; (V) Tourism; Business & Financial Institutions; Energy; Finance; Highways & Transportation; Insurance; Legislative Budget Committee; Public Health & Welfare
- 11 - Robert L. Jackson  
(C) Executive Contingent Fund; (V) Enrolled Bills; Agriculture; Appropriations; Business & Financial Institutions; County Affairs; Energy; Gaming; Tourism
- 45 - Chris Johnson  
(C) Constitution; (V) Finance; Business & Financial Institutions; Drug Policy; Education; Medicaid; Public Health & Welfare; Tourism
- 24 - David Jordan  
(C) Drug Policy; Agriculture; County Affairs; Education; Environmental Protection, Conservation & Water Res.; Finance; Housing; Municipalities; Tourism
- 30 – Dean Kirby  
(C) Congressional Redistricting; (C) Legislative Reapportionment; (C) Rules; (V) Local & Private; Compilation, Revision & Publication; Economic & Workforce Development; Finance; Insurance; Interstate & Federal Cooperation; Judiciary, Division A; Legislative Budget Committee; PEER
- 31 – Tyler McCaughn  
(C) Forestry; (V) Agriculture; Appropriations; County Affairs; Environmental Protection, Conservation & Water Res.; Judiciary, Division, A; Judiciary, Division B; Municipalities; Wildlife, Fisheries & Parks
- 42 - Chris McDaniel  
(C) Environment Protection, Conservation & Water Res.; (V) Ethics; Accountability, Efficiency, Transparency; Drug Policy; Energy; Enrolled Bills; Finance; Judiciary, Division A; Judiciary, Division B; Wildlife, Fisheries & Parks
- 1 – Michael McLendon  
(V) Insurance; Appropriations; Business & Financial Institutions; Education; Highways & Transportation; Investigate State Offices; Municipalities; Technology

## 6 - Chad McMahan

(C) Local & Private; (V) Business & Financial Institutions; Economic & Workforce Development; Education; Finance; PEER; Public Health & Welfare; Tourism; Veterans & Military Affairs

## 25 – J. Walter Michel

(C) Insurance; (V) Rules; Appropriations; Economic & Workforce Development; Energy; Ethics; Executive Contingent Fund; Universities & Colleges; Wildlife, Fisheries & Parks

## 46 - Philip Moran

(C) Ports & Marine Resources; (V) Gaming; Appropriations; Energy; Highways & Transportation; Housing; Investigate State Offices; Tourism

## 28 - Sollie B. Norwood

(C) State Library; Appropriations; Corrections; Drug Policy; Economic & Workforce Development; Education; Enrolled Bills, Ethics; Municipalities; PEER

## 2 - David Parker

(C) Economic & Workforce Development; (V) Public Health & Welfare; Congressional Redistricting; Elections; Finance; Housing; Judiciary, Division A; Legislative Reapportionment; Rules; Universities & Colleges

## 4 – Rita Potts Parks

(C) Universities & Colleges; (V) Energy; Accountability, Efficiency, Transparency; Appropriations; Business & Financial Institutions; Highways & Transportation; Medicaid; Public Health & Welfare

## 44 - John A. Polk

(C) Accountability, Efficiency, Transparency; (V) Appropriations; Education; Energy; Medicaid; PEER; Public Health & Welfare; Universities & Colleges

## 47 - Joseph M. Seymour

(C) Veterans & Military Affairs; (V) Forestry; Agriculture; Appropriations; County Affairs; Ethics; Municipalities; Ports & Marine Resources; Public Property

## 12 - Derrick T. Simmons

(C) Municipalities (V) Constitution; Corrections; Congressional Redistricting; Finance; Interstate & Federal Cooperation; Judiciary, Division A; Judiciary, Division B; Legislative Reapportionment; Ports & Marine Resources; Wildlife, Fisheries and Parks

## 13 - Sarita Simmons

(V) Investigate State Offices; Agriculture; Appropriations; Corrections; Drug Policy; Education; Environmental Protection, Conservation & Water Res.; Labor; State Library

## 37 – Melanie Sojourner

(V) Drug Policy; Agriculture; Corrections; County Affairs; Finance; Highways & Transportation; Labor; Ports & Marine Resources

## 5 – Daniel Sparks

(V) Corrections; Business & Financial Institutions; Compilation, Revision and Publications; Drug Policy; Economic & Workforce Development; Finance; Judiciary, Division B; Ports & Marine Resources; Universities & Colleges; Wildlife, Fisheries & Parks

## 8 – Benjamin Suber

(V) Wildlife, Fisheries & Parks; Agriculture; Appropriations; Business & Financial Institutions; Constitution; Enrolled Bills; Judiciary, Division B; Municipalities

## 33- Jeff Tate

(C) Elections; Appropriations; Congressional Redistricting; Environmental Protection, Conservation & Water Res.; Forestry; Labor; Legislative Reapportionment; Local & Private; Public Health & Welfare; Technology

## 22 – Joseph C. Thomas

(C) Enrolled Bills; Business & Financial Institutions; Compilation, Revision & Publication; Drug Policy; Ethics; Finance; Forestry; Insurance; Interstate & Federal Cooperation; Judiciary, Division B; State Library

## 48 – Mike Thompson

(C) Investigate State Offices; (V) Ports & Marine Resources; Accountability, Efficiency, & Transparency; Environmental Protection, Conservation & Water Res.; Finance; Gaming; Highways & Transportation; Judiciary, Division B; Tourism

## 16 - Angela Turner Ford

(C) Public Property; Accountability, Efficiency, Transparency; Appropriations; Congressional Redistricting; Judiciary, Division A; Judiciary, Division B; Legislative Reapportionment; Medicaid; Municipalities; Technology; Veterans & Military Affairs

## 10 - Neil S. Whaley

(C) Wildlife, Fisheries & Parks; (V) County Affairs; Agriculture; Energy; Executive Contingent Fund; Finance; Highways & Transportation; Local & Private

## 52 - Brice Wiggins

(C) Judiciary, Division A; Appropriations; Congressional Redistricting; Corrections; Education; Judiciary, Division B; Legislative Reapportionment; Medicaid; Ports & Marine Resources; Public Health and Welfare

## 15 – Bart Williams

(V) Technology; Appropriations; Constitution; County Affairs; Drug Policy; Highways & Transportation; Investigate State Offices; Labor; Universities & College

## 17 - Chuck Younger

(C) Agriculture; (V) Economic & Workforce Development; Energy; Ethics; Finance; Gaming; Highways & Transportation; Insurance; PEER; Wildlife, Fisheries & Parks

**PART VIII****BIOGRAPHICAL DATA OF SENATORS****PRESIDING OFFICER**

**HOSEMAN, DELBERT**, Lieutenant Governor, P.O. Box 1018, Jackson, MS 39215. Raised in Warren County, MS. St. Aloysius High School (Vicksburg, MS); University of Notre Dame, BA; University of Mississippi, Juris Doctorate; New York University, LL.M. U.S. Army Reserve. Partner at Phelps Dunbar, LLP; "Best Lawyer in America," 18 years. N.R.A., Life Member; Ducks Unlimited, Member. Former Chairman of the Board of MS Blood Services; former Treasurer of Jackson Medical Mall Assn. Saint Richard Catholic Church, Member. Wife, Lynn Hosemann. MS Secretary of State, 2008-2020. MS Lieutenant Governor, 2020-Present. Republican.

**SENATORS**

**BARNETT, JUAN**, P.O. Box 407, Heidelberg, MS 39439. 34<sup>th</sup>: Forrest, Jasper, Jones. Born February 21, 1970, Laurel, MS. Heidelberg High School; Livingston University (UWA) Livingston, Alabama. U.S. Army. AT&T Digital Technician. Alpha Phi Alpha Fraternity; Vice-President CWA Local 3509; Mayor- Town of Heidelberg 2012-2016. Baptist. Wife, former Jacqueline Lovett. Senate 2016-present. Democrat.

**BARRETT, JASON**, P.O. Box 729, Brookhaven, MS 39602. 39<sup>th</sup>: Copiah, Lawrence, Lincoln, Walthall. Born March 19, 1978, Thomasville, GA. Thomas County Central High School; University of Georgia; MS College School of Law. Attorney. MS Bar; MS Supreme Court; N.R.A.; National Wild Turkey Federation; Ducks Unlimited; Servitium Club; Brookhaven Chamber of Commerce; Supreme Court of the United States; United States District Court (Southern & Northern Districts of MS). Baptist. Wife, former Brandi Edwards; Children: Emme and John Henry. Senate 2020-present. Republican.

**BLACKMON, BARBARA MARTIN**, 374 North West Street, Canton, MS 39046. 21<sup>st</sup>: Attala, Holmes, Leake, Madison, Yazoo. Born in Jackson, MS. Jackson State University, BS, Business Administration; University of Alabama, M.B.A.; University of Mississippi, Juris Doctorate; New York University, LL.M (Taxation). Mississippi State Bar; New York State Bar; Magnolia Bar Assn.; Attorney. Baptist. Husband, Edward Blackmon, Jr. Senate 1992 - 2003; Senate 2016-present. Democrat.

**BLACKWELL, KEVIN**, P.O. Box 1412, Southaven, MS, 38671. 19<sup>th</sup>: DeSoto, Marshall. Born October 24, 1954. Bishop McGuinness Memorial High School; San Diego Mesa College; National University; Medical College of Virginia (MSHA). Business Owner. Navy veteran. Rotary Club of Southaven; Olive Branch, Southaven & Byhalia Chamber of Commerce; DeSoto Economic Council; N.R.A.; Ducks Unlimited; North American Hunting Club; Buckmasters. Catholic. Wife, former Vicki Lynn Bryant. Senate 2016-present. Republican.

**BLOUNT, DAVID LAMAR**, 1305 Saint Mary Street, Jackson, MS, 39202. 29<sup>th</sup>: Hinds. Born, July 1967. Davidson College (BA); University of Virginia (MA); Licensed Real Estate Broker; Leadership Jackson; Byram Chamber of Commerce. Episcopal. Wife, former Katherine Drayne. Senate 2008-present. Democrat.

**BOYD, NICOLE**, 113 Sivley Street, Oxford, MS 38655. 9<sup>th</sup>: Lafayette, Panola. Born January 19, 1969, Corinth, MS. Oxford High School. Mississippi State University, Bachelor of Science; University of Mississippi Law School, Juris Doctorate. Attorney



and Real Estate Manager. Oxford University Bank Board. Baptist. Husband, Daniel Boyd. Senate 2020-present. Republican.

**BRANNING, JENIFER B.**, 235 W. Beacon Street, Philadelphia, MS 39350. 18<sup>th</sup>: Leake, Neshoba, Winston. Leake Academy. Mississippi State University, Business Administration, Attended M.B.A. program; MS College School of Law, Juris Doctorate. Attorney and Business Owner. Official MS Women's Club; Member Neshoba County Republican Women; MS Federation of Women's Club; N.R.A.; Neshoba Forestry Assn.; Neshoba County Industrial Managers' Assn.; MS Bar; Philadelphia Community Development Partnership; Neshoba Chamber of Commerce; Leake Chamber of Commerce; Leake County Forestry Assn.; Winston County Republican Women; Board Member of Hope's House Children's Home. Christian. Husband, Chancy Branning. Children, Ethan, Ellis and Evan. Senate 2016-present. Republican.

**BRYAN, HOB**, P.O. Box 75, Amory, MS, 38821. 7<sup>th</sup>: Itawamba, Lee, Monroe. Born December 5, 1952, Amory, MS. Amory High School; Mississippi State University; University of Virginia. Attorney. Amory Rotary Club. Baptist. Senate 1984-present. Democrat.

**BUTLER, ALBERT**, P.O. Box 614, Port Gibson, MS, 39150. 36<sup>th</sup>: Claiborne, Copiah, Hinds, Jefferson. Born, Port Gibson, MS. Addison High School; Alcorn State University; Jackson State University; University of Arkansas at Conway. Agricultural Farmer. Owner/CEO of Diversified Services, LLC. Omega Psi Phi; Mason; NAACP. Baptist. Wife, former Malinda Boyd. Senate 2010-present. Democrat.

**BUTLER, KELVIN**, 2018 Hawthorne Dr., McComb, MS, 39648. 38<sup>th</sup>: Adams, Amite, Pike, Walthall, Wilkinson. Born April 8, 1956, Magnolia, MS. South Pike High School. Mississippi Valley State University. Meadow Draughon Business College, New Orleans, LA. Retired. Member NAACP; Pike County Chamber of Commerce; Magnolia Chamber. Baptist. Wife, former Barbara Jackson. Senate 2004-2016. Senate 2021-present. Democrat

**CARTER, JR., JOEL R.** P.O. Box 1300, Gulfport, MS 39502. 49<sup>th</sup>: Harrison. Born August 8, 1978, Jackson, MS. Gulfport High School. University of Southern MS. Real Estate Broker. Member of Nat'l. and MS Assn. of Realtors; Gulf Coast Assn. of Realtors; U.S.M. Alumni Assn.; N.R.A.; Ducks Unlimited.; Gulf Coast Conservation Assn.; Harrison County Republican Club. Christian. Senate 2018-present. Republican.

**CAUGHMAN, CHRIS**, P. O. Box 511, Mendenhall, MS 39114. 35<sup>th</sup>: Copiah, Rankin, Simpson. Born October 14, 1967, Hattiesburg, MS. Simpson County Academy. Copiah Lincoln Jr. College; B.A. Belhaven College; U.M.; L.S.U.; S.M.U.; Vanderbilt School of Banking. Banker, Senior Vice-President Peoples Bank. Board member of Simpson County Youth Leadership Program; Board member of Copiah Lincoln Community College Foundation Board. Baptist. Wife, former Melissa Hilton. Senate 2016-present. Republican.

**CHASSANIOL, LYDIA GRAVES**, P.O. Box 211, Winona, MS, 38967. 14<sup>th</sup>: Attala, Carroll, Grenada, Leflore, Montgomery, Panola, Tallahatchie, Yalobusha. Born in Greenwood, MS. Winona High School; University of Mississippi. Rotary; Member Farm Bureau; Montgomery County Economic Development Partnership; Montgomery County Arts Council. Methodist. Husband, Emmett Chassaniol. Senate 2007-present. Republican.

**CHISM, KATHY**, 1506 Moss Hill Drive New Albany, MS. 3<sup>rd</sup>: Benton, Pontotoc, Union. Born in Aurora, Illinois. Myrtle High School; Northeast Community College; Itawamba Community College. Realtor/Auctioneer/Business Owner. Daughter, Joni McLarty. Grandchildren, Lexi, Cash, Leighton, Hoyt. Husband, Bob Chism. Senate 2020-present. Republican.

**DEBAR, JR., DENNIS**, P.O. Box 1090, Leakesville, MS 39451. 43<sup>rd</sup>: George, Greene, Wayne. Born October 25, 1971, Owosso, MI. Mississippi College School of Law; University of Central Florida. Attorney. Mississippi Bar Assn.; National Guard Assn. of Mississippi; N.R.A., Life Member; American Legion Post 53. Methodist. Wife, former Kelley Porter. House 2012-2016. Senate 2016-present. Republican.

**DELANO, SCOTT**, P.O. Box 4524, Biloxi, MS 39535. 50<sup>th</sup>: Harrison. Born September 20, 1971, Hendersonville, North Carolina. BA, Acct., University of Southern Mississippi. Real Estate Developer. Presbyterian. Children, Matthew and Emily. Wife, Robin DeLano. House 2010 – 2019. Senate 2020-present. Republican.

**ENGLAND, JEREMY**, P.O. Box 6363 Vancleave, MS 39565. 51<sup>st</sup>: Jackson. Born November 11<sup>th</sup>, 1982, Ocean Springs, MS. Pascagoula High School. Mississippi State University. University of Mississippi Law School; Attorney. MS Bar Assn.; N.R.A.; St. Martin Youth Baseball; Mosaic Church. Wife, former Melissa Randall. Senate 2020-present. Republican.

**FILLINGANE, JOSEPH E. (JOEY)**, 8 Westbrook Drive, Sumrall, MS, 39482. 41<sup>st</sup>: Covington, Forrest, Jefferson Davis, Lamar, Smith. Born January 10, 1973, Hattiesburg, MS. Sumrall High School; Hinds Community College; University of Southern Mississippi; Mississippi College School of Law. Attorney. Area Development Partnership; N.R.A. Baptist. House 2000-2006. Senate 2007-present. Republican.

**FRAZIER, HILLMAN TEROME**, 2066 Queensroad Avenue, Jackson MS, 39213. 27<sup>th</sup>: Hinds. Born July 17, 1950, Jackson, MS. Holy Ghost Catholic High School; Hinds Community College; Jackson State University; Harvard University; John F. Kennedy School of Government; George Washington University National Law Center. Consultant. Protestant. Wife, former Jean Clayton. House 1980-1993; Senate 1993-present. Democrat.

**HARKINS, JOSH**, P.O. Box 320374, Flowood, MS, 39232. 20<sup>th</sup>: Rankin. Born April 5, 1974, Jackson, MS. Mississippi State University. Commercial Real Estate & Construction; N.R.A., life member; Flowood Chamber of Commerce; MS Commercial Assn. of Realtors; Home Builders Assn.; River Oaks Hospital Board of Trustees. Baptist. Wife, former Andrea Scales. Senate 2012-present. Republican.

**HICKMAN, ROD**, 2829 Jefferson Street, Macon, MS, 39341. 32<sup>nd</sup>: Kemper, Lauderdale, Noxubee, Winston. Noxubee County High School. University of Mississippi, Liberal Arts; University of Mississippi School of Law, Juris Doctorate. Attorney; Business Owner; Adjunct professor, Tougaloo College. Member of Alpha Phi Alpha Fraternity Incorporated; Noxubee County NAACP; Noxubee County School District Advisor Council; Noxubee County High School Mock Trial team coach. Pentecostal. Senate 2021-present. Democrat.

**HILL, ANGELA BURKS**, 54 Watts Road, Picayune, MS, 39466. 40<sup>th</sup>: Marion, Pearl River. Born August 14, 1965, in Picayune, MS. Picayune Memorial High School; Pearl River Community College; University of Southern Mississippi. Teacher. Baptist. Husband, Richard Byron Hill. Senate 2012-present. Republican.

**HOPSON, III, W. BRIGGS**, 1201 Cherry Street, Vicksburg, MS, 39183. 23<sup>rd</sup>: Issaquena, Warren, Yazoo. Born October 10, 1965, in Memphis, TN. Warren Central High School; University of Mississippi. Attorney. Sigma Alpha Epsilon; Phi Delta Phi; MS Bar; LA State Bar Assn.; Council of School Attorneys; International Assn. of Defense Counsel; Chamber of Commerce. Methodist. Wife, former Alison Quaid. Senate 2008-present. Republican.

**HORHN, JOHN A.**, P.O. Box 2030, Jackson, MS, 39225. 26<sup>th</sup>: Hinds, Madison. Born February 8, 1955, Goodman, MS. Callaway High School; Centre College of Kentucky; Jackson State University; Duke University. Business Development Consultant. Former member, Centre College Board of Trustees. Board member, Foundation for Mississippi History; MS Museum of Art; B.B. King Museum; Gulf Coast Housing Partnership. Member, 100 Black Men of Jackson; Phi Beta Sigma Fraternity; Sigma Alpha Epsilon Fraternity; Screen Actors Guild; Non-Denominational. Wife, former Lydia Gail Cole. Senate 1993-present. Democrat.

**JACKSON, ROBERT L.**, P.O. Box 383, Marks, MS, 38646. 11<sup>th</sup>: Coahoma, Panola, Quitman, Tunica. Born August 15, 1955, Lambert, MS. Quitman County High School; Northwest Junior College; University of Southern Mississippi. Economic Development; Commercial Developer. Alpha Phi Alpha; Quitman County Social Service Club for Senior Citizens; 21st Century Investment Club. Baptist. Wife, former Gloria Jean Richmond. Senate 2004-present. Democrat.

**JOHNSON, CHRIS**, P.O. Box 18247, Hattiesburg, MS 39404. 45<sup>th</sup>: Forest, Lamar. Forrest County Agricultural High School; Pearl River Community College; University of Southern Mississippi, BS Accounting/Finance. Business and Real Estate Investor. House 2016–2020; Senate 2020-present. Republican.

**JORDAN, DAVID LEE**, P.O. Box 8173, Greenwood, MS, 38930. 24<sup>th</sup>: Grenada, Holmes, Humphreys, Leflore, Tallahatchie. Born April 3, 1934, Leflore County, MS. Broad Street High School; Mississippi Valley State University; University of Wyoming; Kansas State; College of Pittsburg; Dillard University; University of Texas. Science Teacher (retired). Greenwood City Councilman. President, Greenwood Voters League. Baptist. Wife, former Christine Bell. Senate 1993-present. Democrat.

**KIRBY, MURREL DEAN (DEAN)**, P.O. Box 54099, Pearl, MS, 39288. 30<sup>th</sup>: Rankin. Born November 21, 1946, Lake City, AR. Pearl High School; Mississippi College; LaSalle University. Insurance. 32nd Degree Scottish Rite Mason; Pearl Chamber of Commerce; Rankin Chamber of Commerce NCSL; ALEC. Baptist. Wife, former Jean Latham (deceased). Senate 1992-present. Republican.

**MCCAUGHN, TYLER**, P.O. Box 28, Newton, MS 39345. 31<sup>st</sup>: Lauderdale, Newton, Scott. Morton High School; Jones Junior College; The University of Mississippi, Mississippi College School of Law, Attorney, Cattle Farmer. Newton Rotary; Newton Chamber of Commerce; Morton Chamber of Commerce; Scott County Bar Assoc.; Newton County Bar Assoc.; N.R.A.; Eagle Scout. Methodist. Wife, former Carrie Balentine. Senate 2020-present. Republican.

**MCDANIEL, CHRISTOPHER B. (CHRIS)**, 506 South Court, Ellisville, MS 39437. 42<sup>nd</sup>: Forrest, Jones. Born June 28, 1971, Laurel, MS. Jones County Junior College; William Carey University; University of Mississippi School of Law. Law Partner, Hortman, Harlow, Martindale, Bassi, Robinson & McDaniel, PLLC. Hundred Club; N.R.A.; Federalist Society; MS Bar Assn.; Rotary Club; Exchange Club; MS Leadership Forum. Baptist. Wife, former Jill Tullios. Senate 2008-present. Republican.

**MCLENDON, MICHAEL**, 2245 Memphis Street, Hernando, MS 38632. 1<sup>st</sup>: DeSoto. Born in Dallas, Texas. Oakhaven Baptist Academy High School. Northwest Community College; Memphis State University. Producer/Risk Manager. Commercial Insurance-Employee Benefits, City of Hernando Mayor & Board of Alderman; MS Farm Bureau; N.R.A.; Hernando-Horn Lake-Olive Branch-Southaven C of C; DeSoto Economic Council. Methodist. Wife, former Vickey Blythe. Senate 2020-present. Republican.

**MCMAHAN, CHAD**, 1537 Highway 145, Guntown, MS 38849. 6<sup>th</sup>: Itawamba, Lee. Born January 28, 1972, Tupelo, MS. Tupelo High School. BSBA Union University.

Business Executive, sales/marketing; motivational speaker. Former Guntown Alderman. MS. Participates in a wide variety of social and professional clubs and Assn. Follower of Jesus Christ. Wife, Allison "Nicky" Clayton McMahan. Senate 2016-present. Republican.

**MICHEL, J. WALTER**, 241 Richardson Road, Ridgeland, MS 39157. 25<sup>th</sup>: Hinds, Madison. Born Jackson, MS. Jackson Prep; University of Mississippi. Self-Employed Real Estate. MS Assn. of Realtors; MS Forestry Assn.; Rotary Club; N.R.A.; Ole Miss Alumni Assn.; Eagle Scout; National Wild Turkey Federation; NFIB; Madison County Chamber of Commerce. Catholic. Wife, Beth McClellan Michel. House 1992. Senate 1999-2011. Senate 2016-present. Republican.

**MORAN, PHILIP**, 18403 Old Joe Moran Road, Kiln, MS, 39556. 46<sup>th</sup>: Hancock, Harrison. Born March 6, 1961, Bay St. Louis, MS. Hancock North Central High School; Pearl River Community College; Mississippi State University. Associate member of the Gulf Coast Real Estate Assn. Owner, Philip's Pest Control. Rotary, Hancock County; Knights of Columbus; Gulf Coast Assn. of Realtors; MS Pest Control Assn.; Assn. of Builders and Contractors. Catholic. Wife, former Sheila Morris. Senate 2012-present. Republican.

**NORWOOD, SOLLIE B.**, P.O. Box 20192, Jackson, MS, 39289. 28<sup>th</sup>: Hinds. Born August 5, 1952, Florence, MS. McLaurin High School; Jackson State University. Realtor/Broker. NAACP; Jackson State National Alumni. Phi Beta Sigma; Prince Hall Mason; Deacon; Layman. Baptist. Wife, former Joan Winters. Senate 2013-present. Democrat.

**PARKER, DR. DAVID L.**, 6947 Crumpler Blvd., Olive Branch, MS 38654. 2<sup>nd</sup>: DeSoto. Born in Memphis, TN. Christian Brothers University; Southern College of Optometry. Diplomat, American Board of Optometry. Member of the American Optometric Assn. and MS Optometric Assn. Owner, Olive Branch Eyecare, Horn Lake Eyecare, and Eyecare Properties. Member of Horn Lake, Southaven, and Olive Branch Chambers of Commerce and DeSoto Economic Council. Adjunct Faculty Professor for Southern College of Optometry. Optometrist. Children, Allie, Jack, Luke, Jude. Wife, former Ashleigh Beckett. Senate 2013-present. Republican.

**PARKS, RITA POTTS**, 150 County Road 632, Corinth, MS, 38834. 4<sup>th</sup>: Alcorn, Tippah. Born December 18, 1962, Corinth, MS. Alcorn Central High School; Northeast Mississippi Community College.; University of Mississippi. Quality and Regulatory Manager. Kiwanis; Former Director MS Government Prayer Alliance; Parenteral Drug Assn.; N.R.A.; ASR. Baptist. Husband, Mike Parks. Senate 2012-present. Republican.

**POLK, JOHN A.**, 53 Tidewater Road, Hattiesburg, MS, 39402. 44<sup>th</sup>: Lamar, Pearl River. Born March 18, 1949, Columbia, MS. Prentiss High School; University of Southern Mississippi. Business Executive, Polk's Meat Products Inc. Baptist. Wife, former Jan Barnett. Senate 2012-present. Republican.

**SEYMOUR, JOSEPH M. "MIKE"**, 15417 Indian Fork Rd., Vancleave, MS 39565. 47<sup>th</sup>: Jackson, Pearl River, Stone. Born April 15, 1959, Biloxi, MS. St. Martin High School; Mississippi Gulf Coast Community College. Self-Employed small business owner. Facility Maintenance Manager; 4-H; MS Hunting Dog Assn. Baptist. Wife, former Kerri Jo Husley. Senate 2016-present. Republican.

**SIMMONS, DERRICK T.**, P.O. Box 1854, Greenville MS, 38702. 12<sup>th</sup>: Bolivar, Coahoma, Washington. Born December 12, 1976, Greenville, MS. Jackson State University; Howard Business School; Howard Law School. Attorney, Businessman. Mason; Kappa Alpha Psi; American Bar Assn.; National Bar Assn.; MS Bar Assn.; Magnolia Bar; District of Columbia Bar; Greenville Rotary Club. NAACP. Baptist. Wife, former CuWanda Flowers. Senate 2011-present. Democrat.

**SIMMONS, SARITA** P.O. Box 1813, Cleveland, MS, 38732. 13<sup>th</sup>: Bolivar, Sunflower, Tallahatchie. Born May 14, 1977, Cleveland, MS. Cleveland High School. B.S. degree, Educational Psychology, Alcorn State University. Consultant. Board Member of MS Head Start Assn.; Member MS Grammy Museum; Delta Sigma Theta Sorority, Inc.; The Links, Inc.; NAACP; National Council of Negro Women; Bolivar County Democrat Executive Committee. Christian faith. Senate 2020-present. Democrat.

**SOJOURNER, MELANIE**, 438 Upper Kingston Road, Natchez, MS 39120. 37<sup>th</sup>: Adams, Amite, Franklin, Pike. Born January 5, 1968, Centreville, MS. Adams County Christian School; Copiah-Lincoln Community College, A.A. degree; LSU/Baton Rouge BS. Cattle Producer & Small Business Owner. Former 4-H Livestock Specialist; Mississippi State University Extension Service; Former Director of Member Services, Nat'l. Cattlemen's Beef Assn.; Adams County, Farm Bureau Board of Directors; MS Cattlemen's Assn; Natchez Regional Medical Center Foundation. Baptist. Senate 2012-2015. Senate 2020-present. Republican.

**SPARKS, DANIEL**, P.O. Box 218 Belmont, MS 38827. 5<sup>th</sup>: Itawamba, Prentiss, Tishomingo. Born in Cleveland, MS. Belmont High School. Northeast MS Community College. BA Accounting; MTAX; Juris Doctorate, University of Mississippi. Attorney. N.R.A.; MS Bar Assn. Christian. Wife, former Anna Moak. Senate 2020-present. Republican.

**SUBER, BENJAMIN**, P.O. Box 8 Bruce, MS 38915. 8<sup>th</sup>: Calhoun, Chickasaw, Lee, Pontotoc, Yalobusha. Born July 30, 1978, Oxford, MS. MBA, Mississippi State University; BS Marketing Management, Arkansas State University; Juris Doctorate, MS College School of Law. Attorney, Small Business Owner. MS Bar Assn.; Calhoun County Bar Assn.; Bruce Rotary Club; Calhoun County Farm Bureau Board of Directors; Advisory Board of Directors Calhoun County Banking Center. Methodist. Wife, Sarah Kathryn Willard. Senate 2020-present. Republican.

**TATE, JEFF**, 169 Springhill Rd., Meridian, MS 39301. 33<sup>rd</sup>: Clarke, Lauderdale. Born April 22, 1988, Meridian, MS. Lamar High School. Self-Employed; Owner, Tate's LLC; Co-Owner, Southern Pyrotechnics, LLC; Lauderdale County, Archives & History; NFIB; National Rifle Assn. Baptist. Wife, former Leigha Barnard. Senate 2020-present. Republican.

**THOMAS, SR., JOSEPH C.**, P.O. Box 524, Yazoo City, MS 39194. 22<sup>nd</sup>: Humphreys, Madison, Sharkey, Sunflower, Washington, Yazoo. Born June 25, 1949, Yazoo City, MS. N.D. Taylor High School; Jackson State University. Retired Vice-President, Regions Bank. Chairman, Board of Directors of Bountiful Blessings Broadcasting, Inc.; District President, MS Baptist Laymen's Movement; Senior Deacon, Chapel Hill M.B. Church; Former Board Member, Nat'l Development Foundation, Jackson State University; Former Member, American Public Power Assn., (APPA), Washington, D.C.; Former Chairman of the Yazoo City Public Service Commission; Former Vice-Chairman, MS Real Estate Appraiser, Licensing & Certification Board; Former Board Member, MS Strategic Economic Development 7 Planning Committee Vice-President of the DW Wilburn Foundation; Board member of the Yazoo County; Fellowship of Christian Athletics; Former Executive Vice-President & Treasurer of the Friends of Amistad Research Center in New Orleans, LA. Baptist. Wife, former Elizabeth Wilburn. Senate 2004-2008. Senate 2020-present. Democrat.

**THOMPSON, MIKE**, 5574 Red Creek Rd., Long Beach, MS 39560. 48<sup>th</sup>: Harrison. Born November 5, 1976, Metairie, LA. St. Stanislaus High School. BS, Marine Transportation, Texas A&M University at Galveston; Loyola University New Orleans, College of Law. Attorney. Christian. Wife, former Lindsay Anne Murray. Senate 2020-present. Republican.

**TURNER FORD, ANGELA**, P.O. Drawer 1500, West Point, MS, 39773. 16<sup>th</sup>: Clay, Lowndes, Noxubee, Oktibbeha. Born July 2, 1971, West Point, MS. West Point High School. Hampton University; Howard University; Mississippi State University; University of Alabama at Birmingham; University of Mississippi. Attorney. Member of the Board of Directors for North Mississippi Rural Legal Services. Delta Sigma Theta Sorority, Inc. Baptist. Husband, Robert Ford, Sr. Senate 2013-present. Democrat.

**WHALEY, NEIL S.**, 6685 Church Ave., Potts Camp, MS 38659. 10<sup>th</sup>: Marshall, Tate. Born May 24, 1988, Memphis, TN. Potts Camp High School. Northwest Community College. Business Owner/Cattleman. Methodist. Wife, former Leslee Rowland. Senate 2018-present. Republican.

**WIGGINS, BRICE**, 1201 Farnsworth Avenue, Pascagoula, MS, 39567. 52<sup>nd</sup>: Jackson. Born August 8, 1971, Irving, TX. Pascagoula High School. Tulane University; Mississippi College School of Law. Owner and Attorney Wiggins Law, PLLC. Rotary; Singing River Soccer Club; N.R.A.; MS Bar Assn. Methodist. Wife, former Heather Boyd. Senate 2012-present. Republican.

**WILLIAMS, BART**, 901 Lynn Lane, Starkville, MS 39759. 15<sup>th</sup>: Choctaw, Montgomery, Oktibbeha, Webster. Born October 26, 1966, Memphis, TN. Harding Academy. Mississippi State University, BS. Business owner, Security Solutions & Communications, Inc., Co-Owner, Gunco, LLC. Starkville Rotary; The Partnership Starkville; ESA; MSA; MFAMS. Methodist. Wife, former Cynthia Rana Jackson; Children, Gracieann and Emily. Senate 2020-present. Republican

**YOUNGER, CHARLES (CHUCK)**, 1213 Younger Road, Columbus, MS 39701, 17<sup>th</sup>: Lowndes, Monroe. Born August 11, 1963, in Columbus, MS. Heritage Academy. East Mississippi Community College; Mississippi State University. Small Business Owner; Farmer/Rancher. Gideon; Farm Bureau; Cattleman's Assn.; N.R.A. Lifetime member; Columbus Rotary member; Lowndes Forestry Assn. Baptist. Wife, former Missy Goodgame. Senate 2014-present. Republican.

**PART IX****SENATE OFFICIALS AND STAFF****OFFICIALS**

Lieutenant Governor and President - Delbert Hosemann  
President Pro Tempore - Senator Dean Kirby  
Secretary of the Senate - Eugene S. Clarke  
Assistant Secretary of the Senate - Amanda Frusha White  
Sergeant-at-Arms and Doorkeeper - Larry Waggoner  
Capitol Security

**STAFF**

Bookkeeping and Insurance  
Stacey Allman - Comptroller  
Janet Dantzler - Accounting Assistant  
Budget Officer, Appropriations Committee  
Corbin Stanford  
Committee Assistants  
Martha Arrow - Agriculture; Business & Financial Institutions; Elections;  
Universities & Colleges; Wildlife, Fisheries & Parks  
Shelby Britt - Constitution; Economic and Workforce Development; Environmental  
Protection, Conservation & Water Resources; Ports & Marine Resources;  
Technology  
Terri Burkhardt - Energy; Enrolled Bills; Forestry; Gaming; Interstate & Federal  
Cooperation; Investigate State Offices  
Kendra Hawkins - Rules  
Kristi Ishee - Appropriations; Education  
Shaundra Bennett - Receptionist for Appropriations Committee (session)  
Anita Jackson - Corrections; Drug Policy; Ethics; Executive Contingent Fund;  
Municipalities; State Library; Veterans & Military Affairs  
Becky Mercier - Finance; Medicaid; Public Health & Welfare; Tourism  
Deborah Stamps - Accountability, Efficiency & Transparency; Highways &  
Transportation; Insurance; Labor; Local & Private  
Pat Trowles - County Affairs; Housing; Judiciary, Division A; Judiciary, Division B;  
Public Property  
Docket Room  
Linda Anderson - Journal Clerk  
Zanetta Bowman - Calendar Clerk  
Anne Sullivan - Message Clerk (session)  
Legislative Services - Attorneys  
Allison Bradshaw  
Robert Davidson (session)  
Ian Jones, Director  
Sam Martin  
Caleb Pracht  
Caryn Quilter (session)  
Ethan Samsel  
Legislative Services - Secretarial Services  
Tommie Buckley (Editor/Proofreader) (session)  
Connie Ray Lamm (session)  
Angie Pate  
Katie Rogers (Editor/Proofreader)  
Jane Turbeville  
Lieutenant Governor's Office  
Mariah Bridgforth - Receptionist (session)

Brittney Davis - Policy Advisor  
Zoë Massengill - Special Projects Officer  
Donna Peavy - Executive Assistant and Scheduler  
Hawley Robertson - Policy Advisor  
Leah Rupp Smith - Deputy Chief of Staff  
Nathan Upchurch - Chief of Staff  
Andrew Yates - Legislative Liaison  
Lieutenant Governor's Security  
James Gray  
David Harcharik  
Nate King  
Porters  
Chris George  
Adrian Powell  
George Swanigan  
Teresina Taylor  
President Pro Tempore's Office  
Kendra Hawkins - Assistant to President Pro Tempore  
Press Secretary  
Arnold Lindsay  
Receptionist  
Jeanette Lewis  
Secretary of the Senate's Office  
Shirley Garrard - Administrative Assistant  
Senior Pages  
Chase Ellis (session)  
Hannah Henderson (session)  
Margaret Lawson (session)



**PART X  
RULES****A. SENATE RULES****PRESIDENT**

1. The Lieutenant Governor shall be the President of the Senate. The President shall take the Chair at the hour to which the Senate shall have adjourned, shall call the Senate to order, and on the appearance of a quorum, shall proceed with the regular order of business.

2. The President shall preserve order and decorum, may speak to points of order in preference to other members, and shall decide all questions of order. The President's decision thereon shall be subject to an appeal to the Senate as provided in Rule 112 and may be denied or sustained by a majority of those present and voting.

3. The President shall rise to put a question but may state it sitting, and the President shall put the question in this form: "As many as are in favor (as the question may be) say 'Aye'," and, after the affirmative voice is had: "As many as opposed, say 'No'." If the President doubts or a division is called for, the Senate shall divide, and those in the affirmative shall rise first; then those in the negative. Count of division votes shall be made by the Secretary and announced by the President.

4. The President shall call some Senator to the Chair when the Senate goes into Committee of the Whole. The President shall have the right also during sessions of the Senate to name a Senator to perform the duties of the Chair, but such substitution shall not extend beyond adjournment of that legislative day. When both the Lieutenant Governor and the President Pro Tempore shall be absent, the Senate may call any Senator to preside from day to day during such absences.

5. (Omitted)

6. (Omitted)

7. The President shall appoint the membership of committees as provided in Rule 36 and Rule 37.

8. The President shall sign all bills, resolutions or measures; and all writs, warrants and subpoenas issued by the Senate shall be signed by the President and attested by the Secretary.

**PRESIDENT PRO TEMPORE**

9. There shall be elected a President Pro Tempore in the manner provided in Section 5-1-15, Mississippi Code of 1972. The President Pro Tempore shall not be eligible for appointment as chairman of any standing Senate committee, with the exception of the Rules Committee.

10. In the election of the President Pro Tempore, the candidate receiving the lowest number of votes shall be dropped after the first ballot and on each succeeding ballot until one (1) candidate receives a majority of all votes cast, and the vote shall be by viva voce vote on roll call of the members. The President Pro Tempore may be removed from office at any time by a vote of at least three-fourths (3/4) of the members of the Senate present and voting.

11. In the absence of the President, or at the President's request, the President Pro Tempore shall act in the President's stead, assuming the duties and responsibilities herein granted to the President.

#### **SECRETARY**

12. The Secretary of the Senate shall keep a correct Journal of the proceedings of the Senate as provided by law. The Secretary shall be elected by the Senate and shall serve during the term of the Senate by which the Secretary was elected. The Secretary may be removed from office at any time by a vote of at least three-fourths (3/4) of the members of the Senate present and voting.

13. The Secretary shall insert in an appendix to the Journal the Rules of the Senate and the Joint Rules of the two (2) branches, and the constitutional provisions governing the powers and procedures of the Legislature.

14. The Secretary shall retain all bills, resolutions or other papers in reference to which any Senator has a right to move a reconsideration until the right to reconsideration has expired. This rule shall not apply when unanimous consent of the Senate shall be given to the Secretary to immediately transmit any such bill or resolution to the House of Representatives. However, the constitutional rights of Senators to enter motions to reconsider shall not be abridged.

15. In the event a bill or resolution is transmitted immediately to the House by unanimous consent and a proper motion to reconsider is later entered, it shall be the duty of the Secretary to recall by message such bill or resolution from the House, whereupon such bill or resolution shall take its proper place on the Calendar.

16. The Secretary shall keep a separate and distinct Journal of the proceedings of the Senate when in executive session.

17. The Secretary, with the approval of the Senate Rules Committee, shall provide for the appointment of Pages, whose salaries shall be fixed by the Rules Committee. Not more than six (6) pages shall serve throughout the session as Senior Pages, and one (1) of these six (6) shall be designated as Head Page by the Secretary. Nominations of Pages by members of the Senate shall be submitted to the Secretary as soon as possible so that they may be properly scheduled. Pages shall be not less than fourteen (14) years of age.

18. (Omitted)

#### **ASSISTANT SECRETARY**

19. There shall be an Assistant Secretary, and an additional Assistant Secretary when needed, appointed by the Senate Rules Committee. The duties of the Assistant Secretary shall be comparable to those of the Secretary.

#### **SERGEANT-AT-ARMS**

20. The duties of the Sergeant-at-Arms shall be those enumerated in Section 5-1-35, Mississippi Code of 1972, and such other related duties as may be assigned by the Senate Rules Committee or the Senate. The Sergeant-at-Arms shall be elected by the Senate and shall serve during the term of the Senate by which the Sergeant-at-Arms was elected. The Sergeant-at-Arms may be removed from office at any time by a vote of at least three-fourths (3/4) of the members of the Senate present and voting.

20A. (Omitted)

#### TIME OF CONVENING

21. The time of convening of the Senate, unless otherwise ordered by a majority vote of the Senators elected, shall be at ten o'clock a.m. each legislative day, except on Mondays when the time shall be four o'clock p.m. and Fridays when the time shall be 9:00 a.m.; and there shall be no Saturday or Sunday meetings unless specifically ordered by a majority vote of the Senators elected.

#### QUORUMS

22. A quorum of the Senate shall consist of not less than twenty-seven (27) Senators.

23. A quorum of any standing committee, subcommittee or special committee shall consist of not less than a majority thereof.

24. Upon the appearance of lack of a quorum, the President or any Senator may demand a call of the Senate, but no such call shall be in order after the voting on any question has begun nor while any Senator is speaking. It shall be the duty of the Sergeant-at-Arms to search for absentee members and notify them of such call. By majority vote of Senators present and voting the Senate may direct the Sergeant-at-Arms to compel the attendance of absent Senators.

#### ORDER OF BUSINESS

25. The order of business shall be:

- (1) Roll Call
- (2) Invocation
- (3) Pledge of Allegiance to the Flag of the United States of America
- (4) Reading of the Journal
- (5) Presentation of petitions
- (6) Reports of standing committees
- (7) Reports of select committees
- (8) Introduction of bills and concurrent resolutions
- (9) Reference of bills and concurrent resolutions
- (10) Presentation of Senate resolutions
- (11) Unfinished business
- (12) Consideration of bills and resolutions
- (13) At midnight on a deadline day, the Senate clock shall determine

the end of that calendar day regardless of whether the Senate is then operating under the previous question. Any measure pending before the Senate on a deadline upon which the final vote has not been both taken and announced shall automatically fail, and no announcement to the contrary may be made by the Chair. If the Senate clock is not in working order, the Presiding Officer shall keep the time.

26. When the order of unfinished business is reached, the unfinished business in which the Senate was engaged at the time of last adjournment shall have precedence in the consideration of bills and resolutions, except as to special orders which shall have precedence.

27. The order of business for any day may be changed by a two-thirds (2/3) vote of the Senators present and voting; but when the Senate shall have passed from one (1) order to another, no action shall be had on those passed except by a two-thirds (2/3) vote of the members present and voting.

27A. No Senator shall be allowed to interrupt the business for purposes of introducing guests. At appropriate times during the transacting of business, the presiding officer shall announce an opportunity for the Senators to recognize and introduce their guests.

#### **VISITORS**

28. No person shall be entitled to enter upon the floor of the Senate while in session except the following persons: members and their immediate families; elected state officials; former members of the Legislature, unless the former member is a registered lobbyist; officers and employees of the Senate; members, officers and employees of the House of Representatives; joint legislative employees; ministers or other official guests invited by the President on behalf of the Senate; and such others as the Rules Committee may designate by name. The Sergeant-at-Arms shall clear the Senate of all other visitors, with the exception of members of the news media with proper credentials issued by the Rules Committee, thirty (30) minutes before each session convenes and shall not allow other visitors on the floor of the Senate for ten (10) minutes after the session has recessed.

#### **RULES - SUSPENSION AND ADOPTION**

29. The rules of the Senate may be suspended upon motion by an affirmative vote of two-thirds (2/3) of the Senators present and voting, except where prohibited by the Constitution.

30. Temporary rules of the Senate may be adopted by resolution on a majority vote of the Senators present and voting, and such temporary rules may be designated by reference to the rules of a certain previous session. Permanent rules may be adopted by majority vote, and any subsequent changes therein or amendments thereto shall require one (1) day's notice thereof by resolution entered in the Journal and adoption by a vote of two-thirds (2/3) of the Senators present and voting.

#### **DECORUM**

31. If any Senator, in speaking or otherwise, transgresses the rules of the Senate, the presiding officer shall, or any Senator may, call him to order; and when a Senator shall be called to order by the presiding officer or a Senator, the Senator shall sit down and shall not proceed without leave of the presiding officer or by a majority vote of the Senate.

32. No Senator shall absent himself from the Senate without leave. In case a less number than a quorum of the Senate shall convene, a majority of such number is empowered to direct the Sergeant-at-Arms or authorize any other person or persons to compel the attendance of absent Senators, and at the expense of the absent Senators, respectively, unless such excuse for nonattendance shall be made as the Senate by majority vote, when a quorum shall have convened, deems sufficient, in which case the expense shall be paid out of the Senate Contingent Fund.

33. Leave of absence may be granted to any Senator at his own request or at the request of another Senator.

34. No Senator shall entertain private discourse while the President is putting a question or addressing the Senate. Senators shall not be permitted to interrupt another while such other is speaking except by rising to call to order or as provided in Rule 69.

35. Members of the Senate, shall be held personally responsible for the return of bills, resolutions and other official records which they may receive from the Secretary's office.

35A. Whenever a Senator is on the floor of the Senate while the Senate is in session, each male Senator shall wear a coat and necktie, and each female Senator shall wear appropriate attire. Whenever a Senator is on the floor of the Senate while the Senate is in session, he or she shall not be allowed to smoke a cigarette, cigar or pipe or consume food.

35B. Smoking shall not be permitted in the Senate Chamber, the Senate Gallery or in any office of the New Capitol Building under the jurisdiction of the Senate at any time. As used in this rule, "smoking" means to inhale, exhale, burn, carry or otherwise possess any lighted cigarette, cigar, pipe or any other object or device of any form that contains lighted tobacco or any other smoking product. The Sergeant-at-Arms shall enforce the provisions of this Rule 35B.

35C. No person except for members of the news media with proper credentials issued by the Rules Committee may be admitted to the press table on the floor of the Senate for the purpose of transcribing the debates and proceedings of the Senate. No person except for news media with proper credentials issued by the Rules Committee shall take any photograph or transcribe debates and proceedings of the Senate in the Senate Gallery while the Senate is in session. No person shall be allowed to consume food or display any banner or sign in the Senate Gallery while the Senate is in session.

35D. Effective with the 2020 Regular Session, the Committee on Rules shall contract with the Mississippi Authority for Educational Television, or another appropriate service, to webcast on the internet the regular floor proceedings of the Mississippi Senate and any committee meetings designated by the Rules Committee. During floor proceedings, cameras used in making such webcasts may only be allowed to show the Senator speaking at the podium and the Presiding Officer. Reporters and technicians to effectuate such webcasts may be admitted to the chamber and committee rooms for this purpose, but no camera, apparatus or procedure shall be used which will interfere with the usual procedure of the Senate, and all such webcasting shall be done from areas reserved or set aside for such activities by the Committee on Rules. No such webcast shall be archived or recorded for future use by the Mississippi Senate.

#### STANDING COMMITTEES

36. The following shall be standing committees of the Senate:

Accountability, Efficiency and Transparency .....	11 members
Agriculture .....	13 members
Appropriations.....	26 members
Business and Financial Institutions .....	13 members
Constitution.....	9 members
Corrections .....	11 members
County Affairs .....	9 members
Drug Policy .....	11 members
Economic and Workforce Development .....	11 members
Education.....	15 members
Elections.....	9 members
Energy .....	15 members

Environmental Protection, Conservation and Water Resources .....	11 members
Ethics.....	9 members
Finance.....	26 members
Forestry .....	9 members
Gaming.....	9 members
Highways and Transportation.....	19 members
Housing .....	7 members
Insurance.....	13 members
Interstate and Federal Cooperation.....	5 members
Judiciary, Division A.....	15 members
Judiciary, Division B.....	15 members
Labor .....	9 members
Local and Private .....	5 members
Medicaid .....	11 members
Municipalities .....	11 members
Ports and Marine Resources.....	11 members
Public Health and Welfare.....	19 members
Public Property .....	7 members
Rules, as provided for in Rule 65	
Technology .....	7 members
Tourism .....	11 members
Universities and Colleges.....	13 members
Veterans and Military Affairs .....	7 members
Wildlife, Fisheries and Parks .....	11 members

#### JOINT COMMITTEES

Executive Contingent Fund .....	(5 Senators, 5 Representatives)
Investigate State Offices .....	(9 Senators, 9 Representatives)
State Library .....	(5 Senators, 5 Representatives)
Enrolled Bills .....	(5 Senators, 5 Representatives)

#### FUNCTION OF COMMITTEES

37. Standing, select and conference committees shall be appointed by the President.

38. The first member named on a committee shall be its chairman and the second member named shall be its vice chairman, unless it is specifically provided that they shall be elected. There shall be no further rank on the committees, the remaining members being listed thereon in alphabetical order. In the event of a vacancy in the chairmanship or vice chairmanship, or membership, the vacancies shall be filled by appointment by the President.

39. Each committee shall, after its organization, immediately determine by a majority vote what number shall constitute a sufficient quorum for it to proceed to business, which quorum shall not be less than the majority required by Rule 23, and shall report that action, together with the name of the secretary of the committee, to the Secretary of the Senate.

40. Committee chairmen and secretaries will be held responsible for the return of all bills, resolutions, papers and committee books taken from the Secretary of the Senate's office to the respective committee meetings.

41. A committee of the Senate shall report on the sufficiency of the titles of all bills and resolutions before their being put on final passage; and it shall be in

order, before the passage of every bill or resolution, to move to commit or recommit for report upon the sufficiency of the title. Titles shall indicate clearly the subject matter of the proposed legislation.

42. When motions are made for reference of the same subject to a select committee and a standing committee, the motion for reference to a standing committee shall be first put.

43. The following named committees shall have preference at any time on matters herein stated, viz: the Committee on Rules, on rules, joint rules and order of business; the Committee on Enrolled Bills, on enrolled bills, except they shall not have precedence over appropriations and revenue bills (see Const. Sec. 68); conference committees may report at any time, except they shall not have precedence over appropriations and revenue bills.

44. The chairman of the various standing committees shall announce or lay on the desk of the Secretary, to be read previous to adjournment each day, notice of the time and place of meeting of such committees, and all members of such committees shall be required to attend all such meetings, unless previously excused by the chairman. A quorum must be present when any bill, resolution or measure is reported by such committees. The names of those members present and of those absent must show in the record kept by the committee secretary at each meeting of a committee. The Secretary of the Senate shall post the time of committee meetings on the bulletin board provided for this purpose.

45. A committee's request to be discharged from further consideration of a subject, with or without recommendations that it be referred to another committee, shall be immediately considered.

46. No committee, except the Committee on Rules, shall absent itself from the Senate Chamber while the Senate is in session, except by unanimous consent of the Senate.

47. No committee shall be allowed to occupy the Senate Chamber without an affirmative vote of a majority of the Senators present and voting, except the Committee on Rules.

47A. (Omitted)

#### **CONFERENCE COMMITTEES**

48. A conference committee on the part of the Senate shall consist of three (3) Senators, unless otherwise ordered by majority vote of the Senate, and they shall be appointed as provided in Rule 37.

49. A motion to instruct conferees is not in order until their conference report has failed of adoption.

50. When a bill is sent to conference, only matters in disagreement between the Houses are subject to consideration by the conference committee. However, when one (1) House strikes out of a bill all after the enacting clause and inserts new germane text as an amendment thereto, the conferees may disregard the text of the original bill and the amendment and exercise wide discretion in the incorporation of germane text and may even report a new bill on the germane subject matter of the original bill.

51. No report from a conference committee or other joint committee shall be acted upon in the Senate unless subscribed to by a majority of the members of the Senate acting on the committee. No matter reported on the recommendation of a joint committee or conference committee of the two (2) Houses shall be in order for consideration by the Senate if it shall appear that the members of such joint committee on the part of the Senate, if in attendance on the Legislature, shall not have been notified, and for that reason not present, when the matter was acted on by the committee.

52. Conference reports may not be (a) tabled, (b) referred to a committee, or (c) amended.

53. Mere changes in phraseology, without material alteration of the subject matter, are not sufficient to render a conference report subject to point of order that the conferees exceeded their authority.

54. It is legislatively recognized that it is the function of a conference committee to submit a compromise of the difference between the Houses, which might be acceptable to both, and liberal interpretation looking to that end is indicated.

55. When a conference report is called up, only three (3) courses are open: (a) adopt, (b) not adopt, or (c) recommit to the same or another conference committee, provided adoption of the report has not occurred in the House.

56. Should a point of order prevail against consideration of a conference committee report, the bill returns to the status it had before being sent to conference.

57. When conference results in disagreement, conferees reporting such disagreement are thereby discharged, and new conferees may be appointed.

#### **COMMITTEE OF THE WHOLE**

58. Upon a motion supported by a vote of two-thirds (2/3) of those Senators present and voting, the Senate may resolve itself into a Committee of the Whole to consider a bill, concurrent resolution or measure; and if the Committee of the Whole reports such bill, concurrent resolution or measure favorably, it may be taken up immediately by a suspension of the rules; otherwise, it takes its place on the Calendar along with other favorably reported bills, concurrent resolutions and measures.

59. Motions for forming a Committee of the Whole for the immediate consideration of any Senate bill or resolution at the time of their introduction, or of House bills or resolutions at the time of their receipt from the House, except bills of local and private nature, should be made before such bills or resolutions are referred to standing committees, as provided by Rule 75.

60. In forming a Committee of the Whole, the President shall call some Senator to preside, and rules governing the Committee of the Whole shall be the rules of the Senate so far as they may be made applicable.

61. A Committee of the Whole may, during any session thereof, consider more than one bill or resolution; no additional bills or resolutions may be so considered unless the Senate has by a two-thirds (2/3) vote previously agreed thereto.



**SPECIAL COMMITTEES**

62. Special committees shall in all cases report to the Senate a state of facts and their opinion or recommendation on the subject matter referred to them. Such reports may on motion be incorporated in the Journal.

63. No Senator offering a motion or resolution for the appointment of a special committee shall be appointed chairman of such committee.

**MINORITY REPORTS**

64. Bills and resolutions unfavorably reported by committees shall not be placed on the Calendar at all unless accompanied by a Minority Report signed by one or more members who were present at the committee meeting at which the bill or resolution was reported. Minority Reports must be filed within three (3) legislative days after the bill or resolution has been reported by the committee. Minority reported bills and resolutions shall be placed on the Calendar at the heel of favorably reported bills and resolutions and shall not be considered until all favorably reported bills and resolutions are disposed of, except by a vote of two-thirds (2/3) of the Senators present and voting.

**RULES COMMITTEE**

65. (1) There shall be a standing Committee on Rules which shall consist of the President (who shall be a nonvoting member), the President Pro Tempore, and four (4) Senators, each having served at least four (4) years in the Senate, one (1) from each Congressional District of the State as constituted on January 1, 2004, to be selected by the Senators from their respective congressional districts by caucus. The voting precinct of the Senator representing such district shall determine the congressional district caucus in which the Senator shall participate and for which the Senator may hold membership on the Rules Committee. The President Pro Tempore shall serve as chairman of the committee; the vice chairman shall be appointed by the President Pro Tempore from among the Senators on the committee.

(2) The Rules Committee shall, in addition to the functions of a standing committee and any other responsibilities assigned by the Senate, perform the following duties:

(a) Conduct the business affairs of the Senate;

(b) Pursuant to authority granted in Section 29-5-2, Mississippi Code of 1972, assign such space in the Capitol or in such other buildings or parts thereof as may be reserved for the Senate and have complete control, authority and jurisdiction over such rooms, chambers, offices and other areas. Any assignment of space shall be subject to change by the Rules Committee. No other branch of the government, or a department or agency thereof, shall use any such room, chamber, office or other area without specific written authorization from the Rules Committee. The Rules Committee may delegate its powers with regard to any such room, chamber, office or other area in connection with the use, maintenance, repairing, construction, reconstruction and refurbishing thereof in such a manner as it deems advisable;

(c) Assign staff for interim and special committees;

(d) Assign staff for standing committees;

(e) Continually assess ways and means to improve the organization, procedures, facilities and working conditions of the Senate;

(f) Except as otherwise provided in subsection (5) for the staffing of the office of the President and the office of the President Pro Tempore, the Rules Committee shall have the authority to employ all personnel necessary to execute the duties and responsibilities of the Senate. Unless otherwise specifically provided, the Rules Committee shall have full and exclusive authority over the employees of the Senate. All such employees shall serve at the pleasure of the Rules Committee. Complaints with respect to any misconduct, inefficiency or omission by the Secretary, the Sergeant-at-Arms or employees of the Senate shall be heard by the Rules Committee, which may discharge the employees therefor and may recommend to the full Senate the discharge of the Secretary and the Sergeant-at-Arms;

(g) Fix the salaries of the Senate officials and employees;

(h) Assign news, radio and television reporters wishing to take down or broadcast the debates and proceedings of the Senate, places in the Senate so as not to interfere with the convenience of the Senate;

(i) Authorize the reimbursement of Senators and Senate officials and employees who are required to travel in the performance of their official duties. The Rules Committee may establish regulations governing such travel which include the prior approval of such travel by the Rules Committee. Senators attending out-of-state conventions or conferences at state expense shall make a report to the Senate, including the purpose, work and recommendations resulting from the out-of-state meeting attended. If more than one (1) Senator attends such convention or conference, one report may be made as the report of the delegation; and

(j) Upon request of the chairman of any standing or select committee of the Senate, authorize expenses, to include per diem, mileage, meals and lodging, to be paid for members attending the meeting of any such committee or subcommittee thereof during the period in which the Legislature is not in session. The Rules Committee may adopt rules and regulations concerning time, places and number of meetings that may be held for which members will be compensated, such rules and regulations to require prior approval of meetings in order for members to be compensated.

(3) The committee may designate the Secretary of the Senate to be responsible for the day-to-day administration of the duties assigned to the committee and for implementing the policies of the committee adopted pursuant to this rule.

(4) The committee shall function on a year-round basis; and, when the Legislature is not in session, members of the committee shall be compensated as provided in Section 25-3-69, Mississippi Code of 1972, for each day spent in actual discharge of their duties and shall receive the expense allowance and mileage reimbursement provided in Section 5-1-47, Mississippi Code of 1972. No committee member may incur per diem, travel or expense allowance unless authorized by vote at a meeting of the committee, which action shall be recorded in the official minutes of the committee. The Rules Committee shall meet at such times as are necessary for the proper exercise of its functions and may adopt rules and regulations, not inconsistent with the rules of the Senate, as it deems necessary for the efficient operation of the committee. Action by a majority vote of the Rules Committee shall be conclusive on any matter properly within the jurisdiction of the committee.

(5) (a) In providing for the staffing of the President's office, the Rules Committee shall fill up to eight (8) positions when requested by the President, and the persons employed for such positions shall be hired with the approval of the President. The President shall recommend the compensation to be paid to the President's staff, and the Rules Committee may pay the compensation so established.

(b) In providing for the staffing of the President Pro Tempore's office, the Rules Committee shall fill one (1) staff position as requested by the President Pro Tempore, and the person employed for such position shall be hired with the approval of the President Pro Tempore. The President Pro Tempore shall recommend the compensation to be paid to the person so employed, and the Rules Committee may pay the compensation so established.

(c) Persons employed under this subsection to staff the President's office shall serve at the will and pleasure of the President; persons employed to staff the President Pro Tempore's office shall serve at the will and pleasure of the President Pro Tempore.

(6) In providing for the staffing of committees, the Rules Committee shall have the responsibility for determining the necessity of any staff positions requested by the chairman of a committee.

(7) The Rules Committee shall cooperate with the House Management Committee in maintaining a Joint Legislative Printing Office and a reference library which shall contain, but shall not be limited to, study reports and information gathered by the departments and the various committees of the Legislature so as to provide a continuity of information from year to year.

(8) The Rules Committee shall have the responsibility for the proper operation of the Senate Legislative Services Office.

(9) The Rules Committee shall have jurisdiction over any questions concerning improper or unethical conduct by members of the Senate.

(10) The funds necessary to carry out the provisions of this rule shall be paid from the Senate Contingent Fund.

(11) The Rules Committee may meet jointly with the House Management Committee when necessary to more effectively carry out the provisions of this rule.

#### **SPECIAL ORDERS**

66. A bill, resolution or measure may be made a Special Order for a day and hour certain by a majority vote of Senators present and voting. Upon the arrival of such time, the President shall lay before the Senate the bill, resolution or measure under Special Order, and the Senate shall proceed to its consideration on third reading until it has been temporarily or permanently disposed of.

67. Should the consideration as a Special Order of a bill or resolution not be completed by the time set for Special Order of another bill or resolution, the consideration of the first Special Order shall continue until disposition is made, even though it may run over the time set for the second Special Order, or into the succeeding day. In such event another day and hour certain may be set for consideration of the displaced bill or resolution, or it may be regarded as unfinished

business of the succeeding legislative day, at the option of the chairman of the committee reporting the bill or resolution. Such option, however, shall be announced by the chairman during the legislative day for which the Special Order was originally set, with the approval of a majority vote of those Senators present and voting.

### **SPEAKING**

68. When any member of the Senate desires to speak or present any matter to the Senate, the Senator shall rise and respectfully address himself or herself to "Mr./Madam President" and, upon being recognized, shall speak only to the question under debate and avoid personalities.

69. Senators shall not be interrupted, when addressing the Senate, by other Senators, except when a Senator seeking information may address the presiding officer, who shall endeavor to secure the consent of the Senator speaking to the offered interruption. The presiding officer shall declare Senators violating this rule out of order.

70. If any Senator be called to order by another for words spoken, the exceptional words shall immediately be taken down in writing by the Secretary so that the presiding officer may be better able to judge the matter.

71. No Senator shall speak more than twice to the same question, except as elsewhere provided, except by majority vote of those Senators present and voting, nor more than once until every Senator wishing to speak shall have spoken, and no longer than twenty (20) minutes to the main question. When a subsidiary question is under debate, the time limit shall be five (5) minutes. When the time of a Senator is extended, it must be for a specific time.

72. No Senator shall, before resuming his or her seat after speaking to a question, make a motion cutting off or limiting debate.

### **BILLS AND RESOLUTIONS**

73. All bills and resolutions must be typewritten, double spaced on white paper. Titles must be typewritten single spaced and in capital letters. Bills or resolutions must be introduced in original form (not carbon or photocopied) and shall be free from interlineations, corrections and strikeouts, whether with ink, pencil or typewriter. The enacting clause, typed immediately preceding Section 1 of a bill, shall contain the following words in capital letters: "BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI." No additional enacting words shall be used. The Secretary may decline to accept for introduction a bill or resolution not conforming hereto.

74. Senators may introduce bills and concurrent resolutions and Senate resolutions by placing them in the box at the Secretary's desk at any time, or they may send them to the Secretary's desk when the order for introduction is reached. All bills, concurrent resolutions and Senate resolutions placed in the box or sent to the Secretary's desk will be considered as being introduced on the legislative day following the day on which they were placed in the box except for (a) legislative days where the motion has been adopted to dispense with the reading of the titles of bills and concurrent resolutions, (b) bills and constitutional amendments placed in the box on the day of the deadline for introduction of general bills and constitutional amendments, and (c) appropriation and revenue bills placed in the box on the day before the deadline for original floor action on appropriation and revenue bills

originating in the Senate; bills and constitutional amendments described in items (a), (b) and (c) of this sentence will be considered as being introduced on the day on which they are placed in the box. The deadlines referred to in this paragraph shall be those established in the Joint Rules of the Senate and the House, and the determination of what is a revenue bill for purposes of this paragraph shall be as prescribed in the Joint Rules of the Senate and the House.

In addition to any other time provided by law or by rule, members of the Senate may file bills or resolutions with the Secretary of the Senate at any time during the period between sessions of the Legislature. Such prefiled bills shall be numbered by the Secretary of the Senate and referred by the President to the appropriate standing committee of the Senate for study. Such prefiled bills shall be introduced in the order filed on the first day of the next succeeding regular session of the Legislature, or extraordinary session if included within the Governor's call, and referred to committee in the regular order of business of the Senate. No bills may be prefiled in any year of a general election until after a member of the Senate has been finally elected in the November general election.

75. Upon introduction of Senate bills, the Secretary shall read the titles thereof and then give the bills to the President for his study and reference to proper committees. The President may retain such bills in his possession until the opening of the second succeeding legislative day's session when the President shall return such bills to the Secretary with the committee references noted thereon. Whereupon, the Secretary shall give such bills serial numbers, and, at the proper time in the Order of Business, the Secretary shall read the numbers, titles and committee references, and have the titles reproduced for distribution. House bills received with messages from the House shall be treated likewise regarding references to committees and reading of titles by the Secretary. Provided, however, that the President may, at his option, refer Senate bills immediately upon their introduction and House bills immediately upon their receipt from the House. Provided, further, that a motion is in order for the immediate consideration in Committee of the Whole of any bill or resolution, except bills of Local and Private nature, before such bill or resolution is referred to a standing committee.

76. Every bill and concurrent resolution and all reports of committees, except the report of the Committee of the Whole, shall lie on the table one day before being considered by the Senate.

77. General bills and resolutions shall be called up for consideration in numerical order as revealed by item numbers on the Calendar. When a bill or resolution is reached on the Calendar and it is not then considered, it shall go to the heel of the Calendar unless by a vote of a majority of the Senators present and voting it retains its place on the Calendar. Appropriation bills and resolutions reported by the Appropriations Committee and revenue bills and resolutions reported by the Finance Committee or other committees shall be subject to Section 68 of the Constitution. Bills and resolutions reported by the Rules Committee shall have precedence above all others, except appropriations and revenue bills and resolutions.

78. No bill, concurrent resolution or measure (except Senate resolutions which may be called up for consideration any time by suspension of the rules) shall be considered or voted upon by the Senate unless the same shall have been referred to a committee, considered and reported by a majority of a quorum of the committee to which it was referred, subject to the provisions of Rule 64.

79. It is the duty of the chairman or vice chairman of a committee to call up bills and resolutions on the floor or to designate another member of the Senate so to do.

80. Complete titles of bills and resolutions shall be used upon introductions, but abbreviated titles may be used elsewhere.

81. When a bill or concurrent resolution is originally referred to two (2) committees and favorably reported by both, the chairman of the first named committee shall have the option of handling the bill or resolution on the floor.

82. When a bill or resolution is called up for final passage, the Senator introducing such measure, if present, shall have the right to open and close the debate. In the event there are several authors of a bill or resolution, they shall agree among themselves which shall open and close the debate and shall so notify the chairman of the committee.

83. When a bill or resolution is being considered by the Senate, it shall be read throughout by the Secretary and then may be again read and debated by clauses, paragraphs or sections, leaving the title to be considered last.

84. It shall always be in order, before the final passage of a bill or resolution, to move its recommitment.

85. When a bill or measure has been referred to the Finance Committee or Appropriations Committee, which deals with another major subject as well as finance or appropriations, the committee may, in its discretion, recommend that it be sent to the related committee for study and recommendation. Such bill shall be reported in the usual manner by the related committee within five (5) legislative days, whereupon the Secretary shall return the bill to the Finance Committee or Appropriations Committee with the report. The final report of the Finance Committee or Appropriations Committee shall govern the status of the bill or resolution.

86. All motions contemplating legislation shall be founded upon bills or concurrent resolutions; and committees, to which may be referred messages from the Governor, reports of the state officers, boards, commissions and others authorized to report to the Legislature, including petitions for legislation, may report by bill, resolution or written recommendation such legislation as may be germane to the subject matter referred to them.

87. No bill, resolution, concurrent resolution or measure having been referred to a committee shall be taken from such committee, or the committee be discharged from the consideration thereof, other than by a motion signed by a majority of all Senators elected; except that during the last six (6) days of a session, a majority of the Senators present and voting may call a bill, resolution or concurrent resolution from a committee by a signed motion.

88. All bills, concurrent resolutions or measures originating in the House and passed by that body and sent to the Senate for consideration shall pursue the same course and shall be subject to the same rules as though such bills, concurrent resolutions or measures had originated in the Senate.

89. Any bill, resolution, concurrent resolution or measure recalled from a committee by the method provided in Rule 87 shall be referred to another standing committee, unless the Senate votes to form a Committee of the Whole for the purpose of considering the same.

90. No law shall be repealed by reference to its chapter, bill number or code number only, but there shall be included in its title and in a section within the bill a brief statement of the nature of the law sought to be repealed.

91. In the event of the loss or misplacement of a bill or resolution, the Secretary is authorized to prepare an exact copy thereof which, upon his certification that such bill or resolution is a true and correct copy of the original, shall be considered as though it were the original bill or resolution.

#### **SENATE RESOLUTIONS**

92. Senate resolutions may be considered without having been referred to or reported by a committee, except as provided in Rule 30. However, such resolutions may be referred to a committee by majority vote of Senators present and voting, or the President may refer them on the President's own initiative.

93. All resolutions authorizing committees of the Senate to travel or employ stenographers or other assistants, and all such resolutions involving special investigations or expense by committees of the Senate shall be referred, without debate, to the Committee on Rules.

#### **CALENDAR**

94. The Secretary each day shall prepare a Calendar of all matters in order for consideration. Such Calendar and a copy of each bill and resolution shown thereon shall be placed on the desk of each Senator prior to the hour of convening. Titles of bills and resolutions shall clearly indicate the subject matter thereof, but such titles may be abbreviated. General bills and resolutions favorably reported by committees shall be given an item number in sequence and placed on the Calendar from day to day in order as they are reported and placed under the head of "General Calendar." Bills and resolutions favorably reported by committees on Finance, on Appropriations, on Rules and on Local and Private Legislation; and bills and resolutions subject to secondary considerations, shall be shown separately under appropriate headings, with item numbers in sequence.

The Rules Committee is hereby authorized to create a "Noncontroversial Calendar" for the consideration of noncontroversial bills, resolutions or measures. Senate bills, resolutions or measures shall be placed on the Noncontroversial Calendar upon the written request of the chairman of the committee reporting the measure, the primary author, and by a majority vote of the Rules Committee; House bills, resolutions or measures shall be placed upon the Noncontroversial Calendar on the request of the chairman of the committee reporting the measure and by a majority vote of the Rules Committee. A bill, resolution or measure shall be removed from the Noncontroversial Calendar upon the demand of six (6) or more Senators made in open session. Any such demand shall require the bill or resolution to be placed at the heel of the General Calendar.

95. Bills, resolutions, measures or motions reported by committees, and reports of special committees, shall be placed on the Calendar in the regular order of the next day after that on which they were made to the Senate or received from the House, as the case may be.

96. No matter which has been duly placed on the Calendar shall be discharged therefrom or considered out of its regular course except by a two-thirds (2/3) vote of the Senate, subject to the provisions of Section 68 of the Constitution. However, matters affecting the public interest and regarded as of immediate necessity may be advanced on the Calendar by the Committee on Rules.

**MOTIONS**

## 97. Order of Precedence:

- (1) To adjourn.
- (2) To lay on the table.
- (3) To lay on the table subject to call, when five (5) minutes' debate shall be allowed the Senator making the motion and five (5) minutes' debate shall be allowed the Senator having the measure in charge, unless the Senator(s) shall yield the floor to another Senator.
- (4) For the previous question.
- (5) To limit debate.
- (6) To close debate at a specific time.
- (7) To postpone to a day certain.
- (8) To recommit.
- (9) To re-refer.
- (10) To amend.
- (11) To postpone indefinitely.

These motions shall have precedence in the above order; and any such motion being made and being decided adversely shall not again be entertained on the same day at the same stage of the question.

98. A motion to postpone indefinitely opens to debate the merits of the proposition.

99. Any motion shall be reduced to writing if the President so directs or a Senator or the Secretary so requests.

100. When a motion is made, it shall be stated by the President or, being in writing, it shall be read aloud by the Secretary.

101. After a motion is stated by the President or read by the Secretary, it shall be deemed to be in the possession of the Senate, and it may be withdrawn only by a majority vote of Senators present and voting at any time before decision or amendment.

102. No motion is in order while a point of order is pending unless the President shall announce a delay in the ruling, and then only matters not affected by a ruling on such pending point of order may be considered.

103. When a question is under debate, the President shall entertain no motion which does not relate to the question except a motion to adjourn or some other motion which has precedence by express rules of the Senate or because it is privileged in its nature.

103A. After a motion to lay a bill on the table subject to call or a motion to table has been adopted, only a member authorized to call up the bill under Rule 79 shall have the right to move to call the bill from the table.

**AMENDMENTS**

104. Amendments shall be in order after the third reading of a bill or resolution requiring three (3) readings, but no amendment, except committee amendments, shall be considered as pending unless the author of such amendment shall have secured recognition by the President for the purpose of offering such amendment and moving its adoption. Such amendment shall then be sent to the



Secretary's desk, and disposition of it shall be made before any additional amendments shall be placed on the Secretary's desk or received by him.

105. Amendments to an amendment shall be voted on before a substitute is taken up. Only one (1) amendment to the amendment is in order at one time; but as rapidly as one (1) is disposed of by rejection or adoption, another is in order as long as any member desires to offer one (1). A substitute amendment may be offered to an amendment. An amendment to the substitute may be offered. No other amendment can be offered since the third degree has been reached. The vote shall be taken in the following order: The amendment to the amendment shall first be voted on; then the amendment to the substitute; then the substitute amendment; and, if the substitute is adopted, then the original amendment shall be regarded as automatically tabled.

106. An amendment to a bill or resolution may be adopted by a majority vote, notwithstanding it requires more than a majority vote to pass the bill or resolution sought to be amended.

107. When a bill is reported with committee amendments, such committee amendments shall have precedence for consideration over amendments presented from the floor.

108. Amendments proposed by members or by committees must not be written into a bill or resolution until such amendments shall be adopted and the bill finally passed by the Senate, and then only under the direction of the Secretary.

109. Amendments to a Senate bill, resolution or measure which have been adopted by the House and sent back to the Senate for concurrence shall be considered as "unfinished business" of the next day after that on which they were received, unless a majority of the Senators present and voting order that such amendments be considered immediately. House amendments to Senate bills or resolutions shall be either concurred in or not concurred in their entirety and not separately.

#### **PREVIOUS QUESTION**

110. There may be a motion for the previous question, which shall not be debatable and which may be ordered upon any bill or resolution or section thereof, amendment, motion or question which is debatable, any of which shall be considered as the main question for the purpose of applying the previous question. All incidental questions of order arising after a motion for the previous question has been applied and before the vote on the main question has been taken shall be decided, whether on appeal or otherwise, without debate.

111. When the previous question has been ordered, each side shall have five (5) minutes for debate, the affirmative speaking first; provided that after the previous question shall have been ordered, the only motion in order shall be one (1) motion to recommit or re-refer, which motion shall not be debatable.

111A. When the motion to limit debate has been ordered, each side shall have five (5) minutes for debate on each subsidiary or main question, the affirmative speaking first.

#### **POINTS OF ORDER**

112. Every point of order shall be decided by the presiding officer. Any decision of the presiding officer on a point of order shall be subject to an appeal to

the Senate without debate, unless the presiding officer, in his discretion and for his information, requests debate and/or a brief on any point of order. The presiding officer may require points of order in writing and may take reasonable time to examine and study same before ruling thereon, during which period consideration of that particular subject matter shall be suspended without prejudice and the Senate shall proceed to the next order of business.

#### VOTING

113. The presiding officer shall declare all votes. When a question not requiring the yeas and nays is put, the sense of the Senate shall be taken by the voice of the Senators, and the President shall first announce the vote as it appears to the President by sound.

114. The yeas and nays shall be taken on the final passage of every bill, concurrent resolution, conference report and House amendments to Senate bills. The President of the Senate may order a ye and nay or division vote on any subsidiary question.

115. Upon every roll call the names of the members shall be called alphabetically by surname, except when two (2) or more have the same surname, in which case the number of the district shall be added; and if there be two (2) such members from the same district, the name or initials shall be called. After the roll has been once called, the Secretary shall call, in their alphabetical order, the names of those not voting, and thereafter the President shall not entertain a request to record a vote, except that any Senator whose vote was recorded may change his vote before the result is announced by the President.

116. The sense of the Senate shall be taken by yeas and nays on any question whenever six (6) of the Senators present demand, and, if the call for yeas and nays be not sustained, any Senator may have his vote recorded if the Senator so desires. Any Senator may have the privilege of explaining his vote, which explanation containing not more than one hundred (100) words shall be written and handed to the Secretary before the approval of the Journal of the day such vote was taken, and such explanation shall be spread upon the Journal.

117. A Senator who by reason of absence from the Senate Chamber fails to vote on any ye and nay call may, during the next succeeding legislative day of his presence, file with the Secretary, for insertion in the Journal, a brief written statement stating how the Senator would have voted thereon. Anticipating an absence, any Senator may file such statement with the Secretary in advance of the ye and nay vote for insertion in the Journal at the proper time.

118. Any Senator may request a division vote. The President shall call for those in the affirmative to rise first, then those in the negative. The counts shall be made by the Secretary. If the absence of a quorum is indicated, the Secretary shall make a quorum count; and, if a quorum is present, the vote shall stand as announced by the President.

119. Immediately following the second call of the yeas and nays but before the announcement of the result of the vote by the presiding officer, it will be in order for the announcement of pairs of those Senators present whose votes are not recorded, which pairs shall be entered in the Journal, and for the announcement of change of votes by those Senators who have voted.

120. No Senator shall be allowed to approach the desk of the Secretary to ascertain the vote cast on any question or measure before such vote has been announced.

121. No Senator shall have the Journal amended so as to have the record of his vote changed; however, a Senator may change his vote before the result of a roll call is announced.

122. In the event of a tie vote, by call of the yeas and nays or by division, on any main or subsidiary matter, the President, if presiding at the time such tie vote occurs, shall cast the deciding vote.

123. When a member of the Senate is presiding and a tie vote occurs on any proposition, the decision shall be in the negative.

124. No Senator shall be permitted to act in committee or to vote on a question in which his private interest, distinct from the public interest, is immediately concerned.

125. Unless a certain minimum of votes of Senators is specified in these rules on any vote taken, a majority of those present and voting shall prevail.

### **RECONSIDERATION**

126. When a question has once carried in the affirmative or negative it shall be in order for any Senator to enter a motion for the reconsideration thereof. The motion to reconsider a vote on a proposition having been once agreed to and the vote again having been taken, a second motion to reconsider may not be made unless the nature of the proposition has been changed by amendment.

127. No motion to reconsider a vote shall be entertained unless it be properly entered on the same day on which such vote was taken or on the next succeeding legislative day on which a quorum is present. No motion to reconsider shall be withdrawn without unanimous consent. This rule shall not prevent reconsideration of a vote on a subsidiary, incidental or dependent matter at any time when the main question to which it relates is under consideration; and a motion to reconsider a vote on any subsidiary, incidental or dependent question shall not remove the main question under consideration from before the Senate, but such incidental question shall be considered at the time the motion is made.

On a motion to table a motion to reconsider or on a motion that the Senate do not reconsider or on a motion that the Senate do reconsider, or any substitute for any such motion, five (5) minutes total time shall be allowed the Senators speaking for the affirmative side and five (5) minutes total time shall be allowed the Senators speaking for the negative side of the question, such time herein allowed to be allotted between Senators speaking on each side of the question. This rule shall also apply to any motion or substitute motion of similar import to the above motions.

When a motion to table a motion to reconsider fails, or when a motion "do not reconsider" fails, the item stays on the Motion to Reconsider Calendar.

When a motion to reconsider fails, the question is no longer before the Senate and no further action by the Senate is in order.

128. There shall be no reconsideration of the vote on the question of adjourning or recessing; laying on the table subject to call; laying on the table or taking from the table; recommitting; re-referring; limiting debate; or on the previous

question. When a motion for reconsideration has been decided, that decision shall not be reconsidered.

129. A motion to reconsider having been properly made and entered in the Journal shall become the property of the Senate and may be called up by any member of the Senate.

#### **VETOES**

129A. After a veto message is read, two (2) motions are in order in the following precedence:

- (a) To refer the reconsideration of the bill to a committee; and
- (b) To pass the bill, the Governor's veto notwithstanding.

#### **PERSONAL PRIVILEGE**

130. Matters of privilege affecting the rights, safety, dignity and integrity of the Senate, and matters of personal privilege affecting the rights, reputation and conduct of individual members of the Senate, in their senatorial capacities only, shall have precedence over all other matters or motions, except motions to adjourn or recess. It is not in order to speak to a question of personal privilege after the previous question has been ordered.

#### **PARLIAMENTARY AUTHORITIES**

131. On all questions of order or parliamentary practice not covered by and not in conflict with these rules, the rules of Cannon's Practice in the National House of Representatives and Hind's Precedents shall be the authority.

#### **READING OF DOCUMENTS**

132. When the reading of a document other than a bill or resolution is proposed or called for and the same is objected to by any Senator, it shall be determined by a majority vote of the Senators present and voting, without debate.

#### **EXECUTIVE SESSIONS**

133. The Senate shall conduct all business in open session, except that the Senate may resolve itself into executive session by majority vote of the Senators elected. Upon entering executive session, the Senate shall be cleared of all persons except Senators and officials thereof. Executive sessions should, whenever practicable, be held immediately prior to recess or adjournment of open sessions.

#### **NOMINATIONS**

134. When nominations from the Governor shall be received by the Senate, the Secretary of the Senate shall read the message from the Governor to the Senate, and nominations shall be referred to the appropriate committee by the President unless the Senate by a two-thirds (2/3) vote of the Senators present and voting orders otherwise. The committee considering such nomination may, upon a vote of a majority of the committee, consider the nomination in open committee meeting or hearing. Upon receiving the report of the committee to which the nomination was referred, the Senate shall proceed to consider the nomination in open session, unless executive session is invoked as provided in Rule 133.

	Rule Number
AMENDMENTS:	
Adopted by majority vote	106
Committee amendments have precedence	107
Degrees of	10
House Amendments:	
Action on entirety	109
Procedure on	109
Procedure on presentation of	104
Unfinished business	109
Votes on sequence of	105
When written in bills	108
ABSENTEE MEMBERS:	
Compel attendance of, when	24, 32
Leave of absence	33
APPROPRIATIONS COMMITTEE:	
May recommend additional reference, when	85
Preference on calling up bills	43, 77
ASSISTANT SECRETARY - How appointed	19
BILLS AND CONCURRENT RESOLUTIONS:	
Advance bills of immediate nature on Calendar	96
Appropriation Committee recommended reference, procedure on	85
Calendar, when placed on	94
Calling up, procedure on	77
Called up, by whom	79
Committee report required on	64, 78
Debate, who opens and closes	82
Finance committee recommended reference, procedure on	85
Form of	73
Heel of calendar	77
House bills, procedure on	88
Introduced, how and when	74
Legislation founded on	86
Lie on the table one day	76
Lost, procedure on when	91
Preference on bills reported by Rules Committee	77
Preference on revenue and appropriations bills	43, 77
Prefiling	74
President may retain	75
Procedure on, by secretary	75
Reading of	83
Recalled from committees, procedure on	87, 89
Recommitment, when in order	84
Reference to Committees	75
Reference to two committees, procedure on	81, 85
Repealing laws, contents of	90
Reported by Committee of Whole, procedure on	58, 59, 61, 89
Revenue Bills	43, 77, 94
Senate Resolutions called up any time	92
Taken from committees, when	87, 89
Titles, complete and abbreviated	80
CALENDAR:	
Appropriations, Finance, Local & Private, Revenue, Rules bills under separate headings	94
Bills of immediate necessity advanced	96
Minority reports on	64
Order	95, 96
Prepared and distributed daily	94
Two-thirds vote for consideration of bills on calendar	96
COMMITTEES, FUNCTIONS OF:	

Appointed by president	7, 37, 38
Bills recalled from committees, procedure on	87, 89
Chairmen and vice-chairmen	38
Committee amendments have precedence	107
Meetings:	
Announcements of	44
During sessions prohibited, except	46
Quorum not less than majority	23
Motions to re-refer, order of	97
Organization of committees	39
Quorum determined	39
Report to Secretary of the Senate	39
Precedence of	43
Recall from Committees, procedure on	87, 89
Records to show attendance	44
In Senate by permission	47
Requirements to attend	44
Time of meetings posted	44
Report on matters referred to, how	86
Report on sufficiency of titles	41
May move to recommit for	41
Request of discharge or re-referral immediately considered	45
Responsibilities for records	40
Stenographers, employment of	93
Titles to clearly indicate subject matter of bills	41
Vacancies filled by president	38
COMMITTEE OF THE WHOLE:	
Bills reported to lie on table	76
Consider more than one bill during Committee session	61
Favorably reported bills may be immediately considered	58, 75
Senate Rules to apply	60
Senator to preside	60
Two-thirds vote to form	58
When motions for made	59
COMMITTEE SPECIAL:	
Appointment by President	7, 37
Author not to be appointed chairman	63
Report facts and recommendations	62
Reports in journal	62
COMMITTEES, STANDING:	
Appointment by president	7, 37, 38
Joint Committees	36
Rules Committee selected by caucus	65
CONCURRENT RESOLUTIONS AND BILLS:	
(See Bills and Concurrent Resolutions)	
CONDUCT	65
CONFERENCE COMMITTEES:	
Appointed by President	7, 37, 48
Certain action prohibited on reports	52
Consist of three members	48
Instructed, when	49
Liberal interpretation indicated	54
Matters for consideration of	50
New bill reported by, when	50
New conferees appointed, when	57
Notification of Committee meetings	51
Point of order, what not basis for	53
Return to original status, when	56
Signature of majority of Senate members required	51

Text must be germane	50
Three courses open, when	52, 55
CONFIDENTIALITY	141
CONVENING - Time of	21
DECORUM:	
Absence from Senate, procedure when no quorum	32
Dress Code	35A
Eating not allowed	35A
Introduction of guests	27A
Leave of absence	33
Private discourse, prohibited when	34
Responsibility for return of official records	35, 40
Smoking not allowed	35A, 35B
Transgression of rules, procedure on	31
EMPLOYEES - Rules Committee have jurisdiction over	65
EXECUTIVE SESSIONS	133
FINANCE COMMITTEE:	
May recommend additional reference, when	85
Preference on calling up revenue bills	43, 77
LIMIT DEBATE:	
Affirmative side speaks first	111A
Five minutes for each side	111A
Order of precedence	97
MINORITY REPORTS:	
Bills unfavorably reported on calendar, when	64
Consideration of, when	64
Filed, when	64
Placed at heel of calendar	64
MOTIONS:	
Adverse decision on, when	97
Indefinitely postpone motion opens debate	98
May request to be written	99
Not in order, when	102
Order of precedence	97, 103
Related motions entertained	103
Stated, how	100
Withdrawn, how	101
NOMINATIONS:	
Forming, procedure for	134
Matters considered, when	134
Matters referred to committees, when	134
Notify Governor, when	136, 137
Reconsideration of votes	135
ORDER OF BUSINESS:	
Changed by two-thirds vote, when	27
Severance of	25
Unfinished business, precedence of	26
PAGES - Appointment of	17
PARLIAMENTARY AUTHORITIES:	
Not covered by rules, when	131
PERSONAL PRIVILEGE - Procedure on	130
POINTS OF ORDER - Procedure on	2, 112
PRESIDENT:	
Admission of special visitors to floor	28
Committee of the Whole, name Senator to preside	4, 60
Delay in ruling, may announce	102
Division of votes, may call for	3
Lieutenant Governor	1
May request motions written	99

Order and decorum, preserve	2
Points of order	2, 112
Appeal from	2, 112
Decide questions on	2, 112
Majority to sustain or overrule	2
Request in writing	112
Speak to	2
Questions, how put	3
Reference of bills, may retain for study before	75
Senate selects presiding officer when	4
Sessions, may name Senator to preside	4
Shall vote in event of tie	122
Signature of	8
Staffing of office	65
Standing committees, appointment of	7, 36, 37
Transgressors of rules, call to order	31
Votes, announcement of	3
Count by secretary	3
PRESIDENT PRO TEMPORE:	
Appoints vice-chairman of Rules	65
Chairman of Rules Committee	9, 65
Election of	9, 10
Presides in absence of President	11
PRESS	
News media with credentials may transcribe Senate proceedings	35C
PREVIOUS QUESTION:	
Affirmative side speaks first	111
Application of	110
Five minutes for each side	110
Not applicable should midnight occur	25
To recommit or re-refer in order, when	111
QUORUMS:	
Call on lack of quorum	24
Committees	23, 39
Compel attendance for	24
Count when no quorum indicated	118
Senate	22
READING OF DOCUMENTS - When objected to	132
RECONSIDERATION:	
Any Senator may call up motion for	129
Entered, when and by whom	126, 127
Main question not affected, when	127
No second motion made, when	126
Not in order, when	128
On nominations	135
On subsidiary matters	127
Property of Senate	129
Unanimous consent to withdraw	127
When second motion in order	126
RESOLUTIONS AND BILLS (See Bills and Resolutions)	
RULES COMMITTEE:	
Admission of special visitors to floor	28
Advance bills of immediate necessity on calendar	96
Assign office space in Capitol and other buildings	65
Assistant Secretary, appoint	19, 65
Conduct of Senate members	65
Conferences, authorize out-of-state	65
File report on	65
Employees and officials, have jurisdiction over	65



House Management, authorize meetings with	65
Interim Committees, authorize	65
Joint legislative services, cooperate with House	
Management to maintain	65
Media, assign space for	65
Members, how determined	65
Pages, appointment of	17
Personnel of	65
President Pro Tempore appoints vice chairman	65
President Pro Tempore, chairman	9, 65
Qualifications for election to	65
Salaries, establish for Senate officials and staff	65
Secretary of Senate, authority over	65
Selection by caucus	65
Senate space, authorize use of	65
Sergeant-at-Arms, authority over	20, 65
Special investigations or expense matters referred to	93
Telecasting Senate proceedings on the Internet	35D
Travel reimbursement	65
Voting precinct governs representatives	65
RULES, SUSPENSIONS AND ADOPTION:	
Constitutional rule not to be changed	29
One day's notice of change	30
Suspension, adoption, change by two-thirds vote	29, 30
Temporary, majority vote on adoption	30
Transgression on, procedure on	31
SECRETARY:	
Directs writing of amendments in bills	108
Elected by Senate	12
Executive sessions' journal separate	16
Journal, appendix in	13
Keep records	12
May request motions to be written	99
Pages, appointment of	17
Reconsideration:	
Bills and resolutions retained for	14
Constitutional rights not abridged	14
Immediate transmittal of	14
Place on calendar	15
Recall from House for	15
Prepare and distribute Calendar each day	94
Procedure by, on bills	75
Replace lost bills	91
Rules Committee designate responsibilities of	65
SELECTION OF DESKS:	
Procedure for	138
SENATE RESOLUTIONS:	
Reference to committees, not required	92
Referred to committee, when	93
SERGEANT-AT-ARMS:	
Clear chamber prior to session	28
Duties of	20
Rules Committee have authority over	65
Search for absent members	24
SMOKING	
Prohibit on Senate floor and Gallery	35B
Prohibit on third floor of New Capitol Building	35B
SPACE - Rules Committee have authority for assignment of	65
SPEAKING:	

Avoid personalities	68
Call to order for exceptional words, procedure on	70
Extension of time to be specific	71
Interruptions prohibited, except	69
Motion to indefinitely postpone opens debate	98
Number of times permitted	71
Time allotted	71
When motion to limit debate prohibited	72
SPECIAL ORDERS:	
Chairman of Committee has option	67
Procedure for	66
When time for special orders conflict	67
TABLE:	
Chairman can call bill from table	103A
Motion to lay on table	97
Motion to lay on table subject to call	97
TELECASTING Senate proceedings on the Internet	35D
TITLES OF BILLS AND RESOLUTIONS:	
Abbreviated on calendar	94
Complete and abbreviated, when	80, 94
Considered last	83
Contain nature of law to be repealed	90
TRAVEL:	
Reimbursement	65
Reports required	65
Rules Committee authorize	65
VETOES: - Motions in order after reading veto message	129A
VISITORS - Who admitted on floor	28
VOTING:	
Change of record vote	115, 119, 121
Demand for yeas and nays	116
Division vote	118
Explanation of position when absent	117
Explanation of vote	116
How taken and declared	3, 113, 115
How yeas and nays called	115
Majority vote prevails unless otherwise specified	125
Not amend journal to change record vote	121
Not approach secretary's desk before vote announced	120
Pairs, announcement of, when	119
Private interest concerned, when	124
Quorum count, when	118
Recording of vote, when not in order	115
Tie vote, procedure on	122, 123
Unannounced vote by midnight kills bill	25
Viva Voce votes recorded, when	116
Yeas and Nays	114, 115, 116

135. When a nomination or any other matter is confirmed, consented to or rejected, any Senator may move for a reconsideration. Such motion to reconsider confirmation or rejection of any name submitted to the Senate for any position or office, or any other matter, may be made on the legislative day in which the vote is taken or on the next legislative day thereafter, and not later.

136. The Governor shall not be officially notified by the Secretary of the confirmation, consent to or rejection by the Senate of any nomination or other matter until the expiration of the time limit for entering a motion to reconsider, unless otherwise ordered by the Senate, subject to Section 65 of the Constitution.

137. All executive matters submitted by the Governor which were not considered, as well as those on which actions were taken and were under pending motions to reconsider, shall fail at the time of sine die adjournment and the Secretary shall so notify the Governor thereof.

#### **SELECTION OF DESKS**

138. The seating arrangement in the Senate Chamber shall be accomplished by personal selections of seats by the Senators, and such selections may begin upon their nominations. Seats numbered 3 and 4, which are equipped with hearing aids, may be held in reserve by the Secretary of the Senate for members who may need hearing aids. Senators elected to consecutive terms shall have first choice of seats. Upon selection of seats, they shall be properly marked to indicate that the seats have been so selected. Nothing in this rule shall prevent the swapping of seats by mutual agreement of Senators. The Secretary shall prepare and have printed the permanent seating arrangement for public distribution.

139. (Omitted)

140. (Omitted)

#### **CONFIDENTIALITY**

141. (1) No employee of the Senate shall reveal to any person outside his department the contents or nature of any request for services made by any member of the Senate except with the written consent of the person making such request.

(2) All confidential communications between members of the Senate and staff attorneys are protected by an attorney-client privilege. INDEX TO SENATE RULES

**B. JOINT RULES OF THE SENATE AND THE HOUSE****JOINT CONVENTION**

1. The Senate and the House may meet in joint convention by concurrent resolution duly adopted by both houses. Such resolution shall state the day, hour and location of such joint convention and the order of business for which it is called.

2. All joint conventions of the two (2) houses shall be in the hall of the House of Representatives, unless another location is specified in the concurrent resolution, and in elections the members shall vote viva voce, and in all cases a majority of the votes of those present and voting shall be requisite to constitute an election.

Only senators and members of the House of Representatives shall be permitted on the floor of the House during joint meetings except for the newspaper, radio, and television reporters and necessary Senate and House personnel and others as may be directed by the President of the Senate and Speaker of the House of Representatives respectively. During joint meetings, preference to gallery seats shall be given to elected state officials and families of the legislators.

3. When the two (2) houses have met in joint convention, the Speaker of the House shall call the joint convention to order and shall then turn the gavel over to the President of the Senate who shall preside, and all questions of order shall be decided by the latter, subject to an appeal to the joint convention as one (1) body. In the absence of the President of the Senate, the Speaker shall preside and perform all the duties herein provided for.

4. A call of either house may be had in joint convention by majority vote of the House for which the call is desired.

5. In a joint convention a member shall not speak longer than five (5) minutes. Any extension of time shall be specific.

6. A motion to adjourn, or to postpone the business of a joint convention shall be decided on a majority vote of those present and voting, acting as one (1) body. Upon demand of one-tenth (1/10) of the combined membership, the yeas and nays shall be taken on any matter under consideration by the joint convention, and such yeas and nays shall be entered upon the journals of both houses.

7. Upon questions arising during a joint convention, requiring the separate decision of either or both houses, the decision of the House shall be first made, then the decision of the Senate. A question for call of either house shall not come within the scope of this rule.

8. On all questions of order or parliamentary procedure not in conflict with these joint rules, the rules of the House of Representatives of the State of Mississippi, insofar as applicable, shall be the authority.

**BILLS AND RESOLUTIONS**

9. The style of all laws shall be: "BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:" which shall be typed immediately preceding Section 1 of a bill. No other enacting word, such as "Be it further enacted," shall be used in any bill.

9A. (1) In a bill or other measure proposing an amendment to a code section or other provision of law, or in a resolution proposing an amendment to a constitutional provision, a change to an existing code section, other provision of law or constitutional provision shall be indicated as follows:

(a) New language that is being added shall be underlined.

(b) Existing language that is being deleted shall be denoted by the insertion of three (3) asterisk symbols; however, the text of the deleted language shall be available on the official website of the Mississippi State Legislature, by means of displaying all of the deleted language within a document pursuant to the selection of that display option by the user.

(2) The provisions of this rule shall not apply to handwritten amendments that are proposed or adopted by members while the bill, measure or resolution is under consideration by either house.

10. While bills, resolutions and messages are on their passage between the two (2) houses, they shall be under the signature of the Secretary or Clerk, respectively, as the case may be.

11. When a bill or resolution which shall have passed one (1) house has been postponed to a day so distant that it will not be taken up again at the current session, indefinitely postponed, or rejected, by a vote of the other house, information thereof shall be given by message immediately to the house in which the same shall have passed.

12. When a bill or resolution, which has passed one (1) house is rejected in the other, by a vote of that house, it shall not again be introduced during the same session, except on three (3) days' notice and on two-thirds (2/3) vote of members present and voting in the house in which it was rejected.

13. Each house shall transmit to the other all papers on which any bill or resolution may be founded.

14. Each house shall have the liberty of ordering the printing of bills, messages and reports, without the consent of the other.

15. Bills or resolutions transmitted to either the Senate or House by the other before the constitutional time has expired for entering a motion to reconsider may be recalled by message upon proper entering of a motion to reconsider.

16. Whenever any message, bill, resolution, report or document shall be ordered to be printed by the Senate or House, for use of both houses, it shall be the duty of the Secretary of the Senate or Clerk of the House, as the case may be, immediately to report the fact of the passage of that order to the other branch of the Legislature together with the number so ordered to be printed. Payment thereof shall be made from the contingent funds of each house in the proportion ordered by each house.

17. No new bill shall be introduced into either house during the last three (3) days of the session.

18. All general bills modifying, adding, deleting or repealing language, or a repealer on language, providing for the levying of taxes, borrowing of money, issuing bonds, notes, or other evidence of debt, providing for fees or imposing the issuance of licenses, of whatever kind by the state or any subdivisions thereof, or the exemption of property from state taxes or taxes of any subdivisions thereof, shall be considered as revenue bills, and no revenue bills, or conference committee report thereon, or concurrence in amendments adopted by the other house shall be passed or adopted by either the Senate or the House except by a vote of at least three-fifths (3/5) of the members of the Senate and House, respectively, present and voting.

19. Appropriation and revenue bills shall have precedence in each house, over all other business, and no such bill shall be passed during the last five (5) days of a regular session.

20. Every bill and concurrent resolution, the purpose or effect of which is to expend any state funds or enable the spending of any state funds or to increase or decrease the revenue of the state, either directly or indirectly, shall have attached to it at the time of its being reported by any committee of either house of the Legislature a brief explanatory statement or note which shall include a reliable estimate of the anticipated change in state expenditures or revenues under its provisions. These statements or notes shall be known as fiscal notes. They shall be attached to the original of each proposed bill or resolution but shall be separate therefrom, shall be clearly designated as a fiscal note, and shall not constitute a part of the law proposed by the bill or resolution.

The author of each bill or any committee considering same shall present a copy of the bill or resolution, with his or her request for a fiscal note, to either the Legislative Budget Office, the Department of Finance and Administration, the Department of Revenue, the State Auditor, the state agency with which the bill or resolution is concerned, the state agency having jurisdiction over the subject of the bill or resolution, the Joint Committee on Performance Evaluation and Expenditure Review, or the Legislative Reference Bureau. The fiscal note shall be prepared by the commission or agency and furnished to the author of the bill or committee considering same within seven (7) days after the request is made. If the author of, or committee considering, the bill disagrees with the findings of the agency or agencies, then the author or committee may also attach and furnish a fiscal note, based upon his, her or its information, research, study and belief which shall then be incorporated in and become a part of the fiscal note. If the appropriate agency does not furnish a fiscal note, after seven (7) days' request, then the author or committee may furnish the fiscal note, based upon his, her or its information, research, study and belief. If, after careful investigation, it is determined that no dollar estimate is possible, the note shall contain a statement to that effect, setting forth the reasons why no dollar estimate can be given. No comment or opinion shall be included in the fiscal note with regard to the merit, or lack thereof, of the measure for which the note is prepared.

Whenever the author of any measure or the committee considering same is of the opinion that no fiscal note is necessary and the measure is considered by either house of the Legislature without a fiscal note, any member of either house may thereafter request a fiscal note be obtained, and in such case the matter shall be decided by majority vote of those present and voting in the house of which he or she is a member.

This rule shall not apply to general appropriation bills, conference reports and local and private bills.

20A. (1) For the purpose of this rule:

(a) "State support funds" means funds in the State General Fund and all state support special funds, which are funds in the Budget Contingency Fund, the Education Enhancement Fund, the Health Care Expendable Fund, the Tobacco Control Program Fund, and any other special funds that the Joint Legislative Budget Committee (JLBC) determines to be state support special funds.

(b) "House" means either house of the Legislature, unless it is clear from the context that it is referring to the House of Representatives.

(2) (a) When an amendment is offered to an appropriation bill on the floor of either house that would increase the amount of state support funds authorized for expenditure by the state agency, official or program being funded in that appropriation bill, the amendment must also include a reduction in the amount of state support funds

for one (1) or more other state agencies, officials or programs by a total amount that equals the amount of the increase in the amendment.

(b) The other appropriation bill or bills in which the reductions are to be made do not have to be designated by bill number or line numbers in the amendment if they are described sufficiently enough to be identified, but the amounts by which they are to be reduced must be specific for each bill in which the reduction is to be made.

(c) The reductions required to be made by this rule must be made in an appropriation bill or bills that are still in the house or in an appropriation bill or bills from the other house that will be considered in the house later in the session. After a bill has passed in the house and been released to the other house, none of the reductions required by this rule may be made in that bill.

(3) If such an amendment is adopted, the amendment shall be considered to be an amendment to the other bill or bills in which the reductions are to be made as well as to the bill in which the increase is made. Therefore, no additional vote shall be required on the amendment making the reductions in the bill or bills when that bill or bills are under consideration by the house. The manner by which the reduction is made shall be a separate amendment to the bill that is designated as an amendment by the house, rather than an amendment by the Appropriations Committee or by an individual member.

(4) (a) When a bill in which the reduction is to be made comes before the house for consideration, the reduction shall be made to the total sum of state support funds authorized to be expended in the bill before the bill is voted on by the house.

(b) If a bill in which the reduction is to be made has already been considered by the house, the reduction shall be made to the total sum of state support funds authorized to be expended in the bill before the bill is released to the other house.

(5) No appropriation bill that authorizes the expenditure of any state support funds for the next fiscal year may be released to the other house until all of the appropriation bills originating in the house or all of the appropriation bills originating in the other house, as the case may be, that authorize the expenditure of any state support funds for the next fiscal year have been passed by the house.

(6) If any statute or rule of either house of the Legislature conflicts with the provisions of this rule, the provisions of this rule shall supersede the conflicting statute or rule to the extent of the conflict.

### CONFERENCE

21. When a bill or resolution is returned by either house to the other with amendments, and the house where the bill or resolution originated declined to concur in the amendments, a conference, by a majority vote of those present and voting, may be requested. Such action shall be transmitted by message in which shall be included the names of the conferees on the part of the requesting house. Upon receipt of such message, the other house may, in like manner, grant such conference notifying the requesting house by message and stating the names of the conferees.

22. A conference committee shall consist of three (3) members of the House and three (3) members of the Senate to be appointed by the Speaker of the House and the President of the Senate respectively.

23. Conference committees shall meet as soon as practicable and proceed to confer on the differences between the two (2) houses, seeking to resolve such differences. The conference committee shall report in writing. Such report shall be signed by a majority of the conference committee members appointed from the House and a

majority of the conference committee members appointed from the Senate. The report shall be submitted to both houses, and six (6) copies of each report shall be prepared.

23A. (1) All official meetings of any conference committee on a bill or on a resolution proposing a constitutional amendment shall be open to the public at all times, unless declared an executive session in accordance with the provisions of Section 25-41-7, Mississippi Code of 1972.

(2) The chairman of each Senate and House committee to which such a measure is first referred shall designate one (1), two (2) or three (3) rooms in which official meetings of the conference committees pertaining to such measures shall be held. For the first session of a new term, the designation of the rooms shall be announced within three (3) legislative days after adoption of these joint rules. For all other sessions, the designation of the rooms shall be announced not later than the third legislative day of each session. Copies of a list of these rooms shall be available in the respective offices of the committee chairmen. This announcement shall constitute notice of the place of the official meetings of conference committees, and notice that the time of each meeting shall not be announced individually. If a conference committee meets in a location other than a designated room, a written notice giving the location of the meeting shall be placed in a conspicuous place in one (1) of the designated rooms.

(3) Proper decorum during any official meeting of a conference committee requires that the committee's deliberation be directly related to the committee's primary purpose of resolving the differences between the two (2) houses that pertain to a specific measure. Therefore, the following shall not be allowed during any official meeting of a conference committee:

(a) The use of a cell phone by a conferee or other person in the room in which the conference committee meeting is being conducted;

(b) Any oral, written or electronic communication between a conferee and another person who is not a legislator or legislative staff member, except that a conferee may request that any person at the meeting meet with the conferee outside the room, and any conferee may request a person who is not a member of the conference committee, upon approval of a majority of the members of the committee present, to address the committee in the room.

(4) If any statute or rule of either house of the Legislature conflicts with the provisions of this rule, the provisions of this rule shall supersede the conflicting statute or rule to the extent of the conflict.

24. Only matters in disagreement between the two (2) houses are subject to consideration by conference committee. However, when one (1) house strikes out of a bill all after the enacting clause and inserts new text as an amendment thereto, the conferees may disregard the text of the original bill and of the amendment and may exercise wide discretion in the incorporation of germane new text.

25. When a conference report is considered by the house of origin and it contains an amendment by the other house which adds code sections not included in the bill as passed the house of origin, a point of order that the conference report is not in order shall be sustained and the bill shall be returned to conference.

When a conference report is considered and it contains code sections not included in the bill as passed the house of origin or in an amendment by the other house, a point of order that the conference report is not in order shall be sustained in either house and the bill shall be returned to conference.

26. In the event of the failure of either house to adopt the conference report, or to concur in amendments, the bill or resolution under such consideration shall be lost.



27. All conference reports, and concurrence in amendments adopted by the other house shall require for adoption the same vote as is required for the passage of the bill, resolution or measure under consideration, and shall be on roll call duly entered and recorded in the journal of the house voting thereon.

28. No bill making an appropriation from, or authorizing the expenditure of money from, any special fund in the State Treasury shall be passed except by the votes of a majority of all the members elected to each house of the Legislature.

29. A motion to reconsider the vote whereby a conference report is adopted or rejected is in order in either house from the time of such adoption or rejection in one (1) house until the end of the session of the next legislative day after notice of disposition by rejection, recommitment to the same conference committee or appointment of a new conference committee by the other house. The provisions of this rule shall supersede any Senate or House rule which may be in conflict herewith.

#### **ENROLLED BILLS**

30. When a bill or resolution shall have passed both houses it shall be enrolled, and the Secretary of the Senate or the Clerk of the House of Representatives, as the case may be, shall certify on the margin of the enrolled bill the fact that it originated in his or her house. The enrolled bill may be examined by the Joint Committee on Enrolled Bills, and carefully compared by the committee with the engrossed bill and all typographical errors, if any, corrected; and the committee shall forthwith report in writing to each house, and the report shall be entered in the journals of both houses. The reports shall be signed by the chairman or acting chairman of the Enrolled Bills Committee on the part of each house.

31. After the Committee on Enrolled Bills has reported a bill or resolution duly enrolled, it shall be signed by the Speaker of the House of Representatives and by the President of the Senate during the legislative session in which the bill or resolution was passed.

32. After a bill shall have been signed by the Speaker of the House and the President of the Senate, it shall be presented by the Secretary of the Senate or Clerk of the House, as the case may be, to the Governor for his or her approval. The Secretary or Clerk shall report the day of presentation to the Governor, which time shall be carefully entered on the journals of each house.

33. All Senate and House concurrent resolutions and memorials, which are not to be presented to the Governor, shall be enrolled, signed and delivered to the Secretary of State.

#### **JOINT COMMITTEES**

34. The following joint committees shall be appointed:

(a) Committee on Executive Contingent Fund, to consist of five (5) senators and five (5) representatives.

(b) Committee on State Library, to consist of five (5) senators and five (5) representatives.

(c) Committee on Enrolled Bills, to consist of five (5) senators and five (5) representatives.

(d) Committee to Investigate State Offices or Departments, nine (9) on the part of the Senate and nine (9) on the part of the House; the committee shall meet and

apportion the labor of such investigation amongst subcommittees and shall report the result of each investigation to the two (2) houses.

(e) A chairman and vice chairman for the Senate members on each of the above committees shall be appointed by the President of the Senate and a chairman and vice chairman for the House members on each committee shall be appointed by the Speaker. A chairman and vice chairman for each of the above committees shall be elected by the respective committees in joint session; however, both the chairman and the vice chairman shall not come from the same house.

#### **MESSAGES**

35. When a message shall be sent from one (1) house to the other, such message shall be delivered to the Secretary of the Senate or the Clerk of the House, respectively, as the case may be. A receipt shall be signed for each message so delivered.

#### **LIQUOR AND FIREARMS PROHIBITED**

36. No spirituous or malt liquors, or wines, shall be offered for sale, exhibited, or kept within the Capitol building, or in any room connected therewith, or on the public grounds adjacent thereto. It shall be the duty of the Sergeant-at-Arms under the supervision of the respective presiding officers to enforce the foregoing provisions; and any officer, or employee of either house, who shall in any manner violate or connive at the violation of this rule, shall be dismissed from office and service.

37. No member of the Senate or the House or other person, except an official duly authorized by law, shall carry or have on his or her person, concealed in whole or in part, any firearm while in the Capitol, except upon permission granted by a majority vote of the Senate or the House. Any member of the Senate or the House or other person violating this rule shall be subject to such penalty as may be imposed by the Senate or the House, as the case may be, first taking jurisdiction thereof.

#### **LOCAL AND PRIVATE LEGISLATION**

38. In addition to observing the injunctions and prohibitions set out in the Constitution of the State of Mississippi, the Senate and the House Committees on Local and Private Legislation shall observe and adhere to the following additional rules and requirements in the consideration of local and private Senate and House bills:

(a) Require that local and private bills, originating in either the Senate or the House, and granting power to any governing authority to perform any official act shall be accompanied by an order or resolution setting out the reasons therefor, duly certified as being a part of the official minutes of that authority. In the event more than one (1) official authority is involved, such certified order or resolution shall be made for each of them.

(b) Require that any bill providing for the transfer of funds shall be accompanied by a certified order or resolution as provided in paragraph (a) of this rule. Such order or resolution shall state whether or not funds proposed to be transferred are pledged for the payment of any outstanding bonds or notes for which there is not already a sufficient surplus accumulated.

(c) Require that any such bills providing for the payment of any claims shall be accompanied by a certified order or resolution as provided in paragraph (a) of this rule, setting out the name of claimants, the nature, amount and reasons for justification of the claim and that with proper authority such claim would be paid.

(d) Require that there shall accompany any bill proposing the issuance of bonds, a certificate from the governing authorities stating that the issuance of such proposed bonds, when added to the present bonded indebtedness of such county, or subdivision thereof, municipality or district, will not exceed any limitation now imposed by law.

#### JOINT MEETING OF APPROPRIATIONS SUBCOMMITTEES

39. When the chairmen of the Senate and House Appropriations Committees consider it desirable and possible, their subcommittees may meet jointly to hear testimony and question the heads of a department or agency on their budgetary needs for the next fiscal year.

#### 40. TIMETABLE FOR PROCESSING LEGISLATION

90 day Session	120 Day Session	
9th day	37th day	Deadline for making requests for general bills and constitutional amendments to be drafted. ***
14th day	42nd day	Deadline for introduction of general bills and constitutional amendments.*
29th day	57th day	Deadline for committees to report general bills and constitutional amendments originating in own house.*+
38th day	66th day	Deadline for original floor action on general bills and constitutional amendments originating in own house.*
39th day	67th day	Deadline for reconsideration and passage of general bills and constitutional amendments originating in own house.*
42nd day	70th day	Deadline to dispose of motions to reconsider general bills and constitutional amendments originating in own house.*
51st day	79th day	Deadline for original floor action on appropriation and revenue bills originating in own house.
52nd day	80th day	Deadline for reconsideration and passage of appropriation and revenue bills originating in own house.
53rd day	81st day	Deadline to dispose of motions to reconsider appropriation and revenue bills originating in own house.
57th day	85th day	Deadline for committees to report general bills and constitutional amendments originating in other house.*+
65th day	93rd day	Deadline for original floor action on general bills and constitutional amendments originating in other house.*

66th day	94th day	Deadline for reconsideration and passage of general bills and constitutional amendments originating in other house.*
67th day	95th day	Deadline to dispose of motions to reconsider general bills and constitutional amendments originating in other house.*
71st day	99th day	Deadline for original floor action on appropriation and revenue bills originating in other house.
72nd day	100th day	Deadline for reconsideration and passage of appropriation and revenue bills originating in other house.
73rd day	101st day	Deadline to dispose of motions to reconsider appropriation and revenue bills originating in other house.
74th day	102nd day	Deadline to concur or not concur in amendments from other house to appropriation and revenue bills, and for introduction of local and private bills that are revenue bills.
77th day	105th day	Deadline to dispose of motions to reconsider concurrence or nonconcurrence in appropriation and revenue bills.
80th day	108th day	Deadline to concur or not concur in amendments from other house to general bills and constitutional amendments.
81st day	109th day	Deadline for introduction of local and private bills that are not revenue bills.
82nd day	110th day	Deadline for conference reports on appropriation and revenue bills to be filed.**+
84th day	112th day	Deadline for final adoption of conference reports on appropriation and revenue bills and for conference reports on general bills and constitutional amendments to be filed.**+
85th day	113th day	Deadline to dispose of motions to reconsider conference reports on appropriation and revenue bills.
86th day	114th day	Deadline for first consideration of conference reports on general bills and constitutional amendments.
87th day	115th day	Deadline for filing conference reports on general bills and constitutional amendments that had been recommitted for further conference.+
88th day	116th day	Deadline for adoption of conference reports on general bills and constitutional amendments after recommittal.

89th day 117th day Deadline to dispose of motions to reconsider conference reports on general bills and constitutional amendments.

90th day 118th day Sine die.

\*Appropriation, revenue, and local and private bills, and bills to restore suffrage are excluded from these deadlines. For purposes of the deadlines herein set forth, the term "revenue bills" shall include only those bills whose primary purpose is to increase or decrease taxes or to authorize the issuance of bonds or the borrowing of money. Bills which are primarily for regulatory purposes which have revenue provisions included shall not be considered as revenue bills for deadline purposes. The deletion from a bill of the features which made it a revenue bill shall render the bill a general bill for deadline purposes.

\*\*Conference reports on all bills must be filed with the Secretary/Clerk no later than the time of adjournment on the day prior to being called up and considered. Appropriation bills which actually appropriate money and are recommitted for further conference are excluded from the requirement that the subsequent conference report be filed and lay on table one (1) day before being considered; however, original action must be taken on all appropriation conference reports by 2:00 p.m. on the 84th/112th# day and subsequent reports must be filed no later than 6:00 p.m.

\*\*\*Requests for general bills and constitutional amendments to be drafted must be made no later than 6:00 p.m. on the 9th/37th day. The Rules Committee of the House or Senate, as the case may be, may authorize any member of its respective house to make requests, for one or more general bills or constitutional amendments to be drafted, after the expiration of the deadline for making such drafting requests but before the deadline for introduction of bills and constitutional amendments, upon a determination by the Rules Committee that such drafting requests are in response to conditions of an emergency nature arising subsequent to the deadline for making requests for general bills and constitutional amendments to be drafted.

+Committee reports and conference reports that are subject to being filed on these deadlines must be filed with the Secretary/Clerk no later than 8:00 p.m.

#When the Speaker of the House and the Lieutenant Governor have jointly set a date and time to reconvene the Legislature as provided in this resolution, these deadlines shall be adjusted to later dates in seven-day periods which shall be counted in a manner to ensure that each of the deadlines occurs on the same day of the week as the original date for the deadline, with the first deadline occurring no more than fourteen (14) days from the date and time that the Legislature reconvenes.

Whenever the word "day" appears in this rule, it shall mean calendar day.

The above schedule shall not be deviated from except by the passage of a concurrent resolution adopted by a vote of two-thirds (2/3) of the membership of the House and Senate present and voting.

## INDEX TO JOINT RULES

**SENATE AND HOUSE OF REPRESENTATIVES**

	Rule Number
<b>BILLS AND CONCURRENT RESOLUTIONS:</b>	
Application of 3/5 vote	18
Appropriation bills; amendment increasing funds must include an equal reduction	20A
Code sections, new language and deleted language in; how indicated	9A
Information on rejection of	11
Messages between houses	10
Not introduced during last three days of session	17
Printing of bills and reports	16
Recalling of under motion to reconsider	15
Re-introduction of rejected bills	12
Revenue bills; what considered as	18
Style of bills	9
Transmit certain papers	13
<b>CONCURRENT .RESOLUTIONS AND BILLS (See Bills and Concurrent Resolutions)</b>	
<b>CONFERENCE COMMITTEES:</b>	
Announcement of official meeting rooms for	23A
Appointment of	22
Cell phone use prohibited in	23A
Communications between conferees and non-legislators restricted	23A
Creation of	21
May be requested; when	21
Motions to reconsider reports of	29
Notification of appointment of	21
Open to public; requirements of	23A
Report; addition of Code sections	25
Report in writing	23
Result of failure to adopt reports of	26
Signed by majority of members from each house	23
Vote required for adoption of reports of	27
Vote required for appropriation bills	28
What may be considered by	24
<b>ENROLLED BILLS:</b>	
Procedure on	30,31,32,33
Committee on	33
<b>FIREARMS PROHIBITED</b>	37
<b>FISCAL NOTE</b>	20
<b>JOINT COMMITTEES</b>	34,39
<b>JOINT CONVENTION:</b>	
Call of either house	4
Extension of time specific	5
Decisions on points of order	3
Formed by concurrent resolution	1
Held in House	2
Majority required for elections	2
Parliamentary authority	8
Separate decisions of houses	7
Speak five minutes	5

Speaker to call to order	3
Speaker presides; when	3
Viva voce vote	2
Vote on as body	6
Who may attend	2
Yeas and nays; when	6
 LIQUOR PROHIBITED	 36
 LOCAL AND PRIVATE LEGISLATION - Committee procedure and requirements	 38
 MESSAGES	 35
 TIMETABLE	 40

**C. CONSTITUTIONAL PROVISIONS  
AFFECTING  
THE LEGISLATURE AND LEGISLATION**

**RULES OF PROCEDURE**

Section 54. A majority of each house shall constitute a quorum to do business; but a less number may adjourn from day to day and compel the attendance of absent members in such manner and under such penalties as each shall provide.

Section 55. Each house may determine rules of its own proceedings, punish its members for disorderly behavior, and, with the concurrence of two-thirds (2/3) of the members present, expel a member; but no member, unless expelled for theft, bribery or corruption, shall be expelled the second time for the same offense. Both houses shall, from time to time, publish journals of their proceedings, except such parts as may, in their opinion, require secrecy; and the yeas and nays on any question shall be entered on the Journal, at the request of one-tenth (1/10) of the members present; and the yeas and nays shall be entered on the Journal on the final passage of every bill.

Section 56. The style of the laws of the State shall be: "Be it enacted by the Legislature of the State of Mississippi."

Section 57. Neither house shall, without the consent of the other, adjourn for more than three (3) days, nor to any other place than that in which the two (2) houses shall be sitting.

Section 58. The doors of each house, when in session, or in Committee of the Whole, shall be kept open, except in cases which may require secrecy; and each house may punish, by fine and imprisonment any person not a member, who shall be guilty of disrespect to the house by any disorderly or contemptuous behavior in its presence, or who shall in any way disturb its deliberations during the session; but such imprisonment shall not extend beyond the final adjournment of that session.

Section 59. Bills may originate in either house, and be amended or rejected in the other, and every bill shall be read by its title on three (3) different days in each house, unless two-thirds (2/3) of the house where the same is pending shall dispense with the rules; and every bill shall be read in full immediately before the vote on its final passage upon the demand of any member; and every bill, having passed both houses, shall be signed by the President of the Senate and the Speaker of the House of Representatives during the legislative session.

Section 60. No bill shall be so amended in its passage through either house as to change its original purpose; and no law shall be passed except by bill; but orders, votes, and resolutions of both houses, affecting the prerogatives and duties thereof, or relating to adjournment, to amendments to the Constitution, to the investigation of public officers, and the like, shall not require the signature of the Governor; and such resolutions, orders and votes may empower legislative committees to administer oaths, to send for persons and papers, and generally make legislative investigations effective.

Section 61. No law shall be revived or amended by reference to its title only, but the section or sections, as amended or revived, shall be inserted at length.

Section 62. No amendment to bills by one (1) house shall be concurred in by the other, except by a vote of the majority thereof, taken by yeas and nays and the names of those voting for and against recorded upon the journals; and reports of committees of conference shall in like manner be adopted in each house.

Section 63. No appropriation bill shall be passed by the Legislature which does not fix definitely the maximum sum thereby authorized to be drawn from the Treasury.



Section 64. No bill passed after the adoption of this Constitution to make appropriations of money out of the State Treasury shall continue in force more than two (2) months after the expiration of the fiscal year ending after the meeting of the Legislature at its next regular session; nor shall such bill be passed except by the votes of a majority of all members elected to each house of the Legislature.

Section 65. All votes on the final passage of any measure shall be subject to reconsideration for at least one (1) whole legislative day, and no motion to reconsider such vote shall be disposed of adversely on the day on which the original vote was taken, except on the last day of the session.

Section 66. No law granting a donation or gratuity in favor of any person or object shall be enacted except by the concurrence of two-thirds (2/3) of the members-elect of each branch of the Legislature, nor by any vote for a sectarian purpose or use.

Section 67. No new bill shall be introduced into either house of the Legislature during the last three (3) days of the session.

Section 68. Appropriation and revenue bills shall, at regular sessions of the Legislature, have precedence in both houses over all other business, and no such bills shall be passed during the last five (5) days of the session.

Section 69. General appropriation bills shall contain only the appropriations to defray the ordinary expenses of the executive, legislative and judicial departments of the government; to pay interest on state bonds and to support the common schools. All other appropriations shall be made by separate bills, each embracing but one (1) subject. Legislation shall not be engrafted on appropriation bills, but the same may prescribe the conditions on which the money may be drawn, and for what purposes paid.

Section 70. No revenue bill, or any bill providing for assessment of property for taxation, shall become a law except by a vote of at least three-fifths (3/5) of the members of each house present and voting.

Section 71. Every bill introduced into the Legislature shall have a title, and the title ought to indicate clearly the subject-matter or matters of the proposed legislation. Each committee to which a bill may be referred shall express, in writing, its judgment of the sufficiency of the title of the bill and this, too, whether recommendation be that the bill do pass or do not pass.

Section 72. Every bill which shall pass both houses shall be presented to the Governor of the state. If he shall approve, he shall sign it; but if he does not approve, he shall return it, with his objections, to the house in which it originated, which shall enter the objections at large upon its Journal, and proceed to reconsider it. If after such reconsideration, two-thirds (2/3) of that house shall agree to pass the bill, it shall be sent, with the objections, to the other house, by which, likewise, it shall be reconsidered; and if approved by two-thirds (2/3) of that house, it shall become a law; but in all such cases the votes of both houses shall be determined by yeas and nays, and the names of the persons voting for and against the bill shall be entered on the Journal of each house respectively. If any bill shall not be returned by the Governor within five (5) days (Sundays excepted) after it has been presented to him, it shall become law in like manner as if he had signed it, unless the Legislature, by adjournment, prevented its return, in which case such bill shall be a law unless the Governor shall veto it within fifteen (15) days (Sundays excepted) after it is presented to him, and such bill shall be returned to the Legislature, with his objections, within three (3) days after the beginning of the next session of the Legislature.

Section 73. The Governor may veto parts of any appropriation bill and approve parts of the same, and the portions approved shall be law.

Section 74. No bill shall become a law until it shall have been referred to a committee of each house and returned therefrom with a recommendation in writing.

Section 75. No law of a general nature, unless therein otherwise provided, shall be enforced until sixty (60) days after its passage.

Section 76. In all elections by the Legislature, members shall vote viva voce, and the votes shall be entered on the journals.

Section 77. The Governor shall issue writs of election to fill such vacancies as may occur in either house of the Legislature, and the persons thereupon chosen shall hold their seats for the unexpired term.

Section 129. The Lieutenant Governor shall, by virtue of his office, be President of the Senate. In Committee of the Whole he may debate all questions, and where there is an equal division in the Senate, or on a joint vote of both houses, he shall give the casting vote.

Section 139. The Legislature may empower the Governor to remove and appoint officers, in any county or counties or municipal corporations, under such regulations as may be prescribed by law.

Section 253. The Legislature may, by a two-thirds (2/3) vote of both houses, of all members elected, restore the right of suffrage to any person disqualified by reason of crime; but the reasons therefor shall be spread upon the journals, and the vote shall be by yeas and nays.

#### INJUNCTIONS

Section 78. It shall be the duty of the Legislature to regulate by law the cases in which deductions shall be made from salaries of public officers for neglect of official duty, and the amount of said deductions.

Section 79. The Legislature shall provide by law for the sale of all delinquent tax lands. The courts shall apply the same liberal principles in favor of such titles as in sale by execution. The right of redemption from all sales of real estate, for the nonpayment of taxes or special assessments, of any and every character whatsoever, shall exist, on conditions to be prescribed by law, in favor of owners and persons interested in such real estate, for a period of not less than two (2) years.

Section 80. Provisions shall be made by general laws to prevent the abuse by cities, towns, and other municipal corporations of their powers of assessment, taxation, borrowing money, and contracting debts.

Section 81. The Legislature shall never authorize the permanent obstruction of any of the navigable waters of the state, but may provide for the removal of such obstructions as now exist, whenever the public welfare demands. This section shall not prevent the construction, under proper authority, of drawbridges for railroads, or other roads nor the construction of booms and chutes for logs, nor the construction, operation and maintenance of facilities incident to the exploration, production or transportation of oil, gas or other minerals, nor the construction, operation and maintenance of bridges and causeways in such manner as not to prevent the safe passage of vessels or logs under regulations to be provided by law.

Section 82. The Legislature shall fix the amount of the penalty of all official bonds, and may, as far as practicable, provide that the whole or a part of the security required

for the faithful discharge of official duty shall be made by some guaranty company or companies.

Section 83. The Legislature shall enact laws to secure the safety of persons from fires in hotels, theatres, and other public places of resort.

Section 84. The Legislature shall enact laws to limit, restrict, or prevent the acquiring and holding of land in the state by nonresident aliens, and may limit or restrict the acquiring or holding of lands by corporations.

Section 85. The Legislature shall provide by general law for the working of public roads by contract or by county prisoners, or both. Such law may be put in operation only by a vote of the board of supervisors in those counties where it may be desirable.

Section 86. It shall be the duty of the Legislature to provide by law for the treatment and care of the insane; and the Legislature may provide for the care of the indigent sick in hospitals in the state.

#### LOCAL LEGISLATION

Section 87. No special or local law shall be enacted for the benefit of individuals or corporations, in cases which are or can be provided for by the general law, or where the relief sought can be given by any court of this state; nor shall the operation of any general law be suspended by the Legislature for the benefit of any individual or private corporation or association, and in all cases where a general law can be made applicable, and would be advantageous, no special law shall be enacted.

Section 88. The Legislature shall pass general laws, under which local and private interests shall be provided for and protected, and under which cities and towns may be chartered and their charters amended, and under which corporations may be created, organized, and their acts of incorporation altered; and all such laws shall be subject to repeal or amendment.

Section 89. There shall be appointed in each house of the Legislature a standing committee on Local and Private Legislation; the House committee to consist of seven (7) representatives and the Senate committee of five (5) senators. No local or private bill shall be passed by either house until it shall have been referred to said committee thereof and shall have been reported back with a recommendation in writing that it do pass, stating affirmatively the reasons therefor, and why the end to be accomplished should not be reached by general law, or by a proceeding in court; or if the recommendation of the committee be that the bill do not pass, then it shall not pass the house to which it is so reported unless it be voted for by a majority of all the members elected thereto. If a bill is passed in conformity to the requirements hereof, other than such as prohibited in the next section, the courts shall not, because of its local, special or private nature refuse to enforce it.

Section 90. The Legislature shall not pass local, private or special laws in any of the following enumerated cases, but such matters shall be provided for only by general laws, viz:

- (a) Granting divorces;
- (b) Changing the names of persons, places or corporations;
- (c) Providing for change of venue in civil and criminal cases;
- (d) Regulating the rate of interest on money;

(e) Concerning the settlement or administration of any estate, or the sale or mortgage of any property, of any infant, or of a person of unsound mind, or of any deceased person;

(f) The removal of the disability of infancy;

(g) Granting to any person, corporation or association the right to have any ferry, bridge, road or fish-trap;

(h) Exemption of property from taxation or from levy or sale;

(i) Providing for the adoption or legitimation of children;

(j) Changing the law of descent and distribution;

(k) Exempting any person from jury, road or other civil duty (and no person shall be exempted therefrom by force of any local or private law);

(l) Laying out, opening, altering and working roads and highways;

(m) Vacating any road or highway, town plat, alley or public grounds;

(n) Selecting, drawing, summoning, or empaneling grand or petit juries;

(o) Creating, increasing or decreasing the fees, salary or emoluments of any public officer;

(p) Providing for the management or support of any private or common school, incorporating the same or granting such school any privileges;

(q) Relating to stock laws, water-courses and fences;

(r) Conferring the power to exercise the right of eminent domain, or granting to any person, corporation, or association the right to lay down railroad tracks or street car tracks in any other manner than that prescribed by general law;

(s) Regulating the practice in courts of justice;

(t) Providing for the creation of districts for the election of justices of the peace and constables; and

(u) Granting any lands under control of the state to any person or corporation.

#### **CONSTITUTIONAL PROHIBITIONS**

Section 91. The Legislature shall not enact any law for one or more counties, not applicable to all the counties in the state, increasing the uniform charge for the registration of deeds, or regulating costs and charges and fees of officers.

Section 92. The Legislature shall not authorize payment to any person of the salary of a deceased officer beyond the date of his death.

Section 93. The Legislature shall not retire any officer on pay, or part pay, or make any grant to such retiring officer.

Section 94. The Legislature shall never create by law any distinction between the rights of men and women to acquire, own, enjoy and dispose of property of all kinds, or their power to contract in reference thereto. Married women are hereby fully emancipated from all disability on account of coverture. But this shall not prevent the

Legislature from regulating contracts between husband and wife; nor shall the Legislature be prevented from regulating the sale of homesteads.

Section 95. Lands belonging to, or under the control of the state, shall never be donated directly or indirectly, to private corporations or individuals, or to railroad companies. Nor shall such land be sold to corporations or associations for a less price than that for which it is subject to sale to individuals. This, however, shall not prevent the Legislature from granting a right-of-way, not exceeding one hundred (100) feet in width, as a mere easement to railroads across state lands, and the Legislature shall never dispose of the land covered by said right-of-way so long as such easement exists.

Section 96. The Legislature shall never grant extra compensation, fees or allowances to any public officer, agent, servant or contractor, after service rendered or contract made, nor authorize payment, or part payment of any claim, under any contract not authorized by law; but appropriations may be made for expenditures in repelling invasion, preventing or suppressing insurrections.

Section 97. The Legislature shall have no power to revive any remedy which may have become barred by lapse of time, or by any statute of limitation of this state.

Section 99. The Legislature shall not elect any other than its own officers and State Librarian.

Section 100. No obligation or liability of any person, association or corporation held or owned by this state, or levee board, or any county, city or town thereof, shall ever be remitted, released or postponed, or in any way diminished by the Legislature, nor shall such liability or obligation be extinguished except by payment thereof into the proper treasury; nor shall such liability or obligation be exchanged or transferred except upon payment of its face value; but this shall not be construed to prevent the Legislature from providing by general law for compromise of doubtful claims.

# INDEX TO CONSTITUTIONAL PROVISIONS AFFECTING THE LEGISLATURE

	Const. Sec.
<b>ADJOURNMENT</b> - Limit of three days without consent	57
<b>AMENDMENTS:</b>	
No law amended by reference to title only	61
Not change original purpose	60
Yea and nay vote on concurrence	62
<b>APPROPRIATION BILLS:</b>	
General; what to contain	63, 69
Majority vote for passage	64
One subject only	69
Show maximum amount	63
Termination of	64
<b>BILLS, GENERAL:</b>	
Action on before becoming law	74
Amending or reviving; requirements for	61
Amended or rejected by either house	59
Approved during session	72
Becoming law without Governor's signature; when	72
Donations for sectarian purposes prohibited	66
Final passage; procedure on	59

Form of	71
General laws; effective when	75
Governor; procedure on	72
Introduction of; when prohibited	67
Laws enacted by bills only	60
Local and private; procedure before passage	89
Originate in either house	59
Precedence over other business	68
Reading of	59
Reconsideration of	65
Revenue; 3/5 vote required	70
Revision by reference to title only insufficient	61
Sections amended inserted at length	61
Signing of	59
Style of	56
Sufficiency of title	71
Suffrage, restoration of; vote on	253
Titles; contents of	71
Vetoed in part	73
Vetoed; reconsideration of	72
Yeas and nays on final passage	55
Yea and nay vote on concurrence in amendments	62
 CLAIMS - Payment prohibited; when	 96
 COMMITTEES:	
Conference vote on adoption of report	62
Recommendations in writing	71
 CONFERENCE COMMITTEE REPORTS - Yea and nay vote required	 62
 CONSTITUTIONAL INJUNCTIONS	 78-86
 CONSTITUTIONAL PROHIBITIONS	 91-100
 CORPORATIONS - Restrict acquiring land by	 84
 COUNTIES - Certain laws not to be enacted for	 91
 ELECTIONS - Viva voce vote	 76
 EXTRA COMPENSATION - Prohibited for public officers	 96
 FIRES - Safety from in public places	 83
 GOVERNOR - Removal or appointment of officers by	 139
 INDIGENT SICK - Treatment of	 86
 INSANE AND INDIGENT SICK - Treatment of	 86
 JOURNAL:	
Election votes entered in	76
Published	55
Signing of bills recorded in	59
Yeas and nays entered in	55
 LANDS - Sale of delinquent	 79

LOCAL AND PRIVATE:	
Adversely reported	89
Committees appointed	89
Local and private interest; protection of	88
Matters not subject to	90
Municipalities; charters of	88
Only when general laws not applicable	87
Passage; procedure for	89
Restriction on	90
MEMBERS OF LEGISLATURE:	
Attendance compelled	54
Behavior, disorderly; punishment	58
Expelled; how	55
MEN AND WOMEN - No distinction in property rights	94
MUNICIPALITIES - Prevent abuse of power	80
MOTIONS - To reconsider; procedure on	65
NAVIGABLE WATERS - Obstruction of; prohibited	81
NONRESIDENT ALIENS AND CORPORATIONS - Restrict acquiring land by	84
OBLIGATIONS - Not to be remitted	100
OFFICERS (See Public Officers)	
OFFICIAL BONDS - Fix amount	82
PUBLIC OFFICERS:	
Deceased; salary of	92
Elected by Legislature	99
Extra compensation prohibited	96
Not retired on pay	93
Salaries, deduction of; when	78
PUBLIC ROADS - Working of	85
QUORUM:	
Compel attendance for	54
What constitutes	54
RESOLUTIONS - Governor's signature not required	60
REVENUE BILLS - 3/5 vote on	70
ROADS, PUBLIC - Working of	85
SECRECY - Doors closed for	58
STATUTE OF LIMITATIONS - No power to revive remedies barred by	97
STATE LANDS - Donations of, prohibited	95
TAX SALES - Provide for redemption	79
VACANCIES - How filled	77

## VOTING:

Deciding vote cast in Joint Session	129
3/5 vote	70
2/3 vote	55, 66, 72, 253

VOTE IN JOINT SESSION - How deciding cast	129
-------------------------------------------	-----

WOMEN AND MEN - No distinction in property rights	94
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VOLUME II  
JOURNAL OF THE SENATE  
of the  
STATE OF MISSISSIPPI

VOLUME III  
JOURNAL OF THE SENATE  
of the  
STATE OF MISSISSIPPI